

THE OPPORTUNITY FOR PROBATION WITH ENFORCEMENT IN NEVADA (OPEN) PROGRAM

EIGHTH JUDICIAL DISTRICT COURT



PARTICIPANT HANDBOOK

Eighth Judicial District Court
Specialty Courts Division
200 Lewis Avenue, 4th Floor
Las Vegas, Nevada 89155
OPEN Court Handbook Revised 11/18/2025

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I. The Eighth Judicial District Court

The Eighth Judicial District Court (EJDC) of Clark County is located in Southern Nevada and encompasses all municipalities and outlying communities of Clark County, including but not limited to the City of Las Vegas, Henderson, and Boulder City. The EJDC is the largest general jurisdiction Court in Nevada, with 52 elected Judges and 15 commissioners/hearing masters presiding over more than 90,000 criminal and civil cases filed each year.

Understanding Specialty Courts

The EJDC operates various specialty courts in Las Vegas, including the Opportunity for Probation with Enforcement in Nevada Program (OPEN). The OPEN program provides intensive behavioral modification programming to participants in the hope to decrease their criminal behaviors. The OPEN Program attempts to reintegrate participants into the community, assessing their individual needs and connecting them with the appropriate community based resource, while working to address their court requirements simultaneously. The program offers random drug/alcohol testing, court supervision of program compliance, and access to various groups and services. In addition, successful treatment programs result in significant cost savings to State of Nevada and Clark County by reducing public costs associated with monitoring, detaining and prosecuting criminal activity by state and county law enforcement and prosecution agencies.

The EDJC Drug Courts follows the National Association of Drug Court Professionals (NADCP) standards and their ten key components. Following these guidelines and tools, the OPEN Program strives to turn young men and women into success stories. It is through continuous education, training, research and team work that OPEN Court will work to change the lives of young adults struggling to gain independence and stability.

II. The OPEN Program: Mission Statement

The EJDC OPEN program is designed to confront and treat the behavioral concerns which contribute to the criminal behavior of OPEN Court participants. These behaviors hold participants back from being successful in the community while on probation. The OPEN program has the ability to address minimal substance abuse and mental health issues. The OPEN program provides evidence-based treatment to participants in conjunction with judicial oversight and community supervision intended to reduce recidivism and increase individual accountability and, ultimately, to improve public safety for the citizens of Clark County.

Treatment includes a continuum of care for mild substance abuse and minimal mental health treatment, including sober living and outpatient services. Participants are required to appear before the OPEN Judge on a regular basis. Court appearances are intended to provide regular monitoring of participants' compliance with program requirements and stand accountable for non-compliance.

III. Program Information

Eligibility/Target Population

Males and Females between the ages of 18 (eighteen) to 26 (twenty six) are referred to OPEN by sentencing judges in originating courts as a condition of probation, in lieu of probation revocation, or with a deferred adjudication. Generally, candidates must have:

- Struggled to maintain compliance while on probation,
- Continuing to escalate in the criminal justice system,
- Preferably a minimum of 16 (sixteen) months remaining on Probation,
- Identified alcohol/ substance abuse disorders, are staffed on a case by case basis,
- Limited mental health issues or concerns, are staffed on a case by case basis,
- Limited medical issues or concerns, unable to dispense medications,
- No history of sexual offenses, and
- Violent offenses, arson, and gang affiliation or members are staffed on a case by case basis.

Candidates are assessed for eligibility based on risk-assessment tools to evaluate the formal diagnostic symptoms of substance dependency, addiction or mental health disorders. The OPEN program is designed to provide services for a minimum of 12 (twelve) months (52 treatment weeks), based on a participant's individual needs, participation, and compliance.

What is the OPEN Program?

The OPEN program consists of tiered treatment, including:

1. **Random UAs:** Regular monitoring and supervision of participants, including random drug testing;
2. **Court Appearances:** Regular court appearances;
3. **Vocational Services:** Vocational assessment and assistance through community partnerships;
4. **Collaborative Case Management:** Assistance in obtaining vital documents;
5. **Community Supervision:** Intensive supervision by Parole and Probation;
6. **Counseling Services:** Outpatient counseling, support services, and aftercare support/assistance.

Positive reinforcement, incentives, sanctions, and judicial oversight are tools used to motivate participants to make productive and healthy lifestyle changes during regular court status reviews. Programs range in length based on each participant's individual program and participants are required have three months of perfect compliance in treatment and six months of clean drug tests before they are eligible to graduate from the program.

IV. OPEN Program Information

Court Appearances

Court appearances are judicial hearings that are held to monitor participant's progress in the OPEN Court program. These appearances are scheduled before Chief Judge Jerry Wiese of Department 30, every other Thursday, in courtroom 17A on the 17th Floor of the Regional Justice Center, located in downtown Las Vegas at 200 Lewis Street. However, for any reason court is being conducted by Video it will still be held every other Tuesday though by Zoom, allowing clients to access court remotely.

Court Dates

Participants are required to attend court on a biweekly basis until further order of the court. If a participant attends all treatment sessions, has negative (clean) drug tests and otherwise abides by the terms of the program, the court may allow a participant to attend court less frequently, such as every four to six weeks. The Clerk will state the date and the time when a participant must return to Court. A pen and paper are provided to write the date and time down in the courtroom or you can input the date and time on your calendar while in court. It is the participant's responsibility to write the return date down. It is not the coordinator or the Court's responsibility to remind or track the client's court date. There is also a website to pull up future court dates if you misplace or forget your court date, [HTTP://WWW.CLARKCOUNTYCOURTS.US/](http://www.clarkcountycourts.us/).

- **Group Assignments:** Court calendars are arranged in groups of A, B, C, and D. These groups are defined as follows:
 - **A Group** – Compliance – No missed treatment sessions, negative drug tests, completing court orders and current on supervision fees or making consistent good faith payments towards court fees or restitution. *A Group participants appear first on the calendar.*
 - **B Group** – Compliance – No missed treatment sessions, negative drug tests, but behind in the payment of fees. *B Group participants appear in the second group on the calendar.*
 - **C Group** – Partial Compliance - Missed treatment sessions or other program violations. *C Group participants appear in the third group on the calendar.*
 - **D Group** – Poor Compliance: Missed treatment sessions, positive drug tests, and other serious program violations. *D Group participants are the last group to appear in the calendar.*
- If a participant cannot attend a scheduled court appearance, they must either request an alternate date and permission from the Judge at a prior court appearance, or they must contact the OPEN coordinator as soon as soon as possible and at least 48 hours in advance of the scheduled hearing to receive permission to miss. OPEN participants are responsible for tracking their court appearances, but if in doubt please refer to the court website link provided above.
- Participants are expected to respond to the Judge and other team members with respect and courtesy, even if upset. “Yes....Your Honor” and “No....Your Honor” are appropriate responses to questions asked of you by the Judge. Please also watch your language and tone with the Court.

The OPEN Court Team

OPEN utilizes a team approach to assist participants in achieving behavioral modifications and a positive and healthy lifestyle. The team consists of:

- **The OPEN Court Judge, Chief Judge Jerry Wiese:** presides over the OPEN Court, monitors the OPEN participants, and with the input of other team members, makes the final decision on all admissions, sanctions, and incentives.
- **Attorneys:** The District Attorney's Office and Defense Counsel are present to promote public safety while protecting the participants' due process rights.
- **Court Coordinator, Nicole Pisarczyk:** The coordinator oversees the clinical care of participants, provides clinical consultation and diagnostic evaluations when needed, prepares the Court calendars, facilitates referrals, and makes recommendations on admissions, sanctions, and terminations. For questions regarding the OPEN Program, please contact Nicole at 702-671-3720 or PisarczykN@clarkcountycourts.us
- **Treatment Providers:** The treatment agencies (Bridge Counseling) provide input and clinical information about treatment needs, successes and failures, and make recommendations on level of care and treatment needs.
- **Parole and Probation:** Parole and Probation provides updates on participants' compliance and makes recommendations on admissions and terminations. Currently all OPEN participants fall under the supervision of one Probation Officer assigned to the OPEN Program. All participants will be assigned to Officer Zeemer: 702-589-6667
- **Mentors/Peer Support:** serve a variety of roles, including but not limited to: coach, guide, facilitator, advisor, sponsor and supporter. The Mentor understands the roles of other support team members and work to fill in any gaps to help the participant achieve their goals as well as complete the program successfully. Mentors listen to participants to help them identify problems and work with them to set goals for themselves. Most importantly, mentors act as a support for the participant.

OPEN Program Rules and Expectations

1. Participants are not allowed to use alcohol, illicit drugs, synthetic substances, medical marijuana, CBD products or oils even if they indicate 0% THC, and certain (addictive) prescription drugs while in the OPEN Court program. Participants are also not allowed to use energy drinks, detoxification and/or colon cleansing products. Participants may only use prescribed medications under the direction of a licensed physician, and all over-the-counter medications should be carefully screened and used only as directed on the label. Certain narcotics, opioids, benzodiazepines and stimulants are not allowed, even with a prescription, except in emergency situations or with court approval. Participants must notify the OPEN Court team of any and all medications they are prescribed and/or over the counter products they are taking, and take all medications to their treatment provider and/ or UA agency for lab review. Participants are responsible for notifying the prescribing physician that they are in a treatment court program, to open the dialogue of appropriate medications to treat the participant's needs without jeopardizing the participant's recovery and program compliance.

2. Participants will attend all scheduled treatment sessions, on time, including diagnostic evaluation appointments, intake appointments, orientation sessions, and recovery support groups. Participants if attending treatment sessions by telehealth must be in a private location determined by the treatment agency to be appropriate to participate in treatment.
3. Participants will attend any level of treatment as recommended by a diagnostic evaluation.
4. Participants will submit to all forms of drug testing as required. Missing a test, failing to provide a urine sample, providing a sample of insufficient quantity or providing a diluted sample will be considered and treated as a **positive result** for drugs and/or alcohol.
5. Participants will notify the Court, treatment provider, and their probation officer immediately of any change in residence or contact information (phone number) prior to the change.
6. Participants will pay all required fees for their participation in OPEN Court. Participants will not be eligible for graduation until all fees are paid in full.
7. Participants will treat all OPEN Court team members and OPEN Court participants with respect.
8. Participants will not fraternizing among OPEN Court participants as it is a violation of probation and is not allowed and could result in sanctions or termination from the program.
9. Participants will arrive on time and dress appropriately for Court. All items listed below apply even if participating in court virtually. The following will be considered dress code and court conduct violations:
 - Shorts/revealing tops/belly shirts
 - Pajamas
 - House slippers
 - Sagging pants/ Underwear showing
 - Vulgar/Offensive or drug related slogans

Conduct while participating in Video Court Sessions:

- No laying down, smoking, or driving while engaged in video Court sessions
- No cussing or raising your voice to the Specialty Court Team
- Must be in a private place to engage in video Court sessions
- Not displaying your face to the Court by video (unless a verifiable reason presents)
- Walking away from the Video Court Session prior to case being dismissed

Program Fees

- ***OPEN Court Fee:*** All OPEN Court participants are required to pay a court fee of \$1,500, which can be paid in installments over the scheduled 52 week program.
- ***Marcy's Law:*** If a participant has any restitution involved in the current case(s) or past cases. The court is unable to accept payment towards OPEN Court fees until the restitution is satisfied. Participants with restitution will be responsible for bringing proof of payments made towards restitution to court to receive credit for the payments.
- ***Program Fees:*** The court subsidizes drug testing fees and treatment costs for OPEN Court participants.

- ***Additional Fees:*** Participants may be required to pay additional costs associated with services that are depending on the services you may need during your program, you may be required to pay fees associated with house arrest, a sober living house, an alcohol monitoring device, etc.
- **All fees are to be paid at the Clerk's Office on the 3rd floor of the RJC, or over the phone at 702-671-0726 or currently due to the pandemic are able to reach out by email to riccashiers@clarkcountycourts.us**

Court Incentives

The Eighth Judicial District Court OPEN Program utilizes incentives to motivate participants and reinforce pro-social behavior. If a participant follows program rules and expectations, and continues to make progress through the program, they may merit any of the following incentives:

- Verbal praise from the Judge and court team
- Appearing first or early on the court calendar
- Longer court return dates
- Phase advancements
- Certificates of recognition
- Eligibility for gift cards

Court Sanctions and Responses

The Eighth Judicial District Court OPEN Program utilizes graduated sanctions for failure to comply with program requirements. Program sanctions include, but are not limited to:

- Each missed group session: 8 hours community service¹
- Each missed individual session not cancelled 24 hours in advance: 16 hours community service
- Positive UA Test, are reviewed and assessed per case and surrounding factors:
 - Continued use will be discussed among the treatment providers and the team to determine the appropriate level of care
 - 1st Positive UA = 48 hours in custody
 - 2nd Positive UA = 72 hours in custody
 - 3rd Positive UA = 96 hours in custody.
- Additional sanctions or treatment responses may include, but are not limited to:
 - Verbal reprimand from the court,
 - Essay on assigned topics,
 - Demotion to an earlier program phase,
 - Additional support group meetings,
 - Travel restrictions,
 - Curfew restrictions,
 - Increased drug testing,
 - Behavioral contract,
 - Increased supervision or Parole and Probation House Arrest,
 - Clark County Detention Center House Arrest,
 - SCRAM (electronic alcohol monitoring device),
 - Increase in level of care,
 - Sober Living Housing.

¹ All community service hours must be completed at a 501(c)3 location and supervised. Confirmation of hours completed must be on agency letter head with contact person's name and contact information.

- Termination from the program

Bench Warrants

- ***Missed Court Appearance:*** If a participant missed a court appearance and is not in jail or in the hospital or otherwise medically not to attend (with verifiable medical documentation), a bench warrant will be issued for the participant by the Court.
- ***Documentation:*** Documentation is required for missed treatment appointments and missed court dates. If a participant misses an appointment with a treatment provider or an OPEN Court appearance due to having been in jail, the hospital, or is on ordered bed rest, or the participant was in another Court hearing or at Parole and Probation, the participant **MUST** provide a valid written excuse verifying the reason for the absence.
- ***Termination:*** A participant with **THREE** undocumented bench warrants may be terminated from the program.
- ***Termination:*** A participant in warrant for over six months will be terminated from the OPEN Court and returned to the sentencing department to address the Bench Warrant.

Quashing Warrants

- If an OPEN Court Bench Warrant has been issued but a participant has not yet been arrested, the participant must go to the treatment provider immediately to restart the treatment program. The participant should inform the counselor with the treatment provider that s/he would like the bench warrant quashed. The participant will also need to go immediately to the assigned UA provider to provide a sample and continue to UA and attend treatment until seen by the court. The participant will be placed on the next OPEN Court calendar and the Judge will review the request to quash the warrant.
- If the participant is arrested on the warrant, he/she will stay in jail until the next OPEN Court calendar, at which time the Judge will address the situation and determine an appropriate response.
- A warrant can only be quashed by a Judge, the coordinator, counselor, and probation officers cannot quash a warrant.
- Until the participant is present in court and the Judge quashes the Bench Warrant the warrant will stand.

Termination from the OPEN Program

The following program violations will be grounds for termination from OPEN Court:

- Falsification of urine analysis (UA) sample
- Refusal to submit to any form of drug test
- Attempted bribery or threatening/intimidating of UA monitor
- Cutting, removing, or tampering with GPS or other monitoring device
- Violation of final behavioral contract
- Forgery of any program related document
- Aggressive/intimidating behavior toward staff or program participants
- Gang-related behavior
- Weapons possession
- Drug sales

- 3rd Bench Warrant issued by the OPEN Court Judge
- Absconding from the OPEN Court for over three months
- New arrests or criminal charges

As set forth in the signed OPEN Court Agreement, the Court has the discretion to terminate a participant who is arrested and formally charged with a new criminal action and/or violates the OPEN program rules during program participation. A program participant who does not successfully complete the OPEN program may be prosecuted for the offense(s) that resulted in admission to OPEN.

Graduation from the OPEN Program

To be considered for successful completion of the OPEN program the following must have been achieved:

- No positive alcohol/drug tests, including missed and invalid tests, for a minimum of 180 consecutive days.
- Maintained consistent attendance at all court appearances and treatment appointments
- Achieved a stable source of income, living arrangements and healthy interpersonal relationships as determined by the treatment team
- Achieved academic advancement, specific to each individual participant
- Achieved an understanding of your personal problems of addiction, mental health, criminal behavior, and relapse prevention
- Have completed a definitive aftercare plan which may include self-help meetings, outpatient counseling, or an Alumni group
- Achieved an understanding of financial independence and stability
- Achieved an understanding of importance for medical care and establishing healthcare providers
- Fulfillment of goals as stated in your individual treatment plan or positive progress toward appropriate long-term life goals
- All fee obligations are met

IV. Treatment Information

Treatment Providers

Once accepted into the OPEN Program, participants are connected to treatment with one of the following providers. The treatment provider will develop a treatment plan for each participant.

Freedom House- Freedom House provides sober living resources to OPEN participants who are eligible for possible grant funding.

Bridge Counseling- Provides outpatient substance abuse and mental health treatment services. There is also in-house psychiatric services available based on participants insurance coverage.

Crossroads of Southern Nevada, Divine Housing- Provides sober living resources to the OPEN participants who are eligible for possible grant funding.

Counseling and Support Groups

Participants are referred to the OPEN Program because it is believed there is an underlying issue or concern that is creating a barrier from being successful in the community. While in the OPEN program each participant will be assessed to determine level of care and any ancillary services that will assist the participant to function and feel better, and be less likely to come to the attention of the criminal justice system. Therefore, at the onset of the program, participants will be directed to an appropriate agency and required to complete a comprehensive substance use and/or mental health assessment to determine treatment needs and plan of care. Depending on the participant's needs and the recommendations of the treatment provider, at a minimum participant will attend counseling on a weekly basis, which will likely include group and individual counseling sessions, or other therapeutic services.

Participants will attend treatment at Bridge Counseling or any other court approved counseling agency. As participants progress through the program, their counseling requirements may change, increase and/or decrease, depending on their behavior, sobriety and treatment needs. Some agencies use phases to describe or delineate participants' progress or status in treatment.

It is the participant's responsibility to know their treatment requirements, goals and schedule, and to stay in touch with their counseling agency regarding their sessions.

Support groups are in integral part of the long term recovery process. Therefore, participants may also be required to attend support group meetings such as AA, NA, GA, Rational Recovery, or a Mental Health Support Group. For a list of AA meetings, participants can check www.lvcentraloffice.org. For a list of NA meetings they can go to <http://na.org>. If deemed appropriate, OPEN participants will be required to find and attend one outside support group once a week once in Phase 3 and for the duration of the participants probationary period.

Timeliness

It is the participant's responsibility to be on time to their appointments with the treatment provider and Court hearings. Participants engaging in telehealth services are responsible to verify the treatment links to connect to services. Participants cannot show up late to counseling sessions. Late participants will not be allowed entry to groups/classes already in session. Late and missed appointments will be addressed, and likely sanctioned, in court. It is the participant's responsibility to have adequate transportation and to be responsible for and aware of their treatment schedule, work, school, court schedules, bus schedules, and general traffic patterns, and to prevent any conflicts. Missed treatment sessions may result in a sanction.

Drug Testing

Drug testing is an integral part of treatment and the OPEN Court program. It assists treatment providers with information on how participants are progressing in treatment, and helps the court monitor participant's success and respond quickly to changes that may jeopardize their recovery and the safety of the community. Since it is a critical part of the program, it is imperative participants understand the drug testing requirements and protocols. Failure to comply with court reports in this area may jeopardize participants' status in the program.

Drug Test/Urine Sample Submissions: Participants will be required to submit random, observed urine samples (UA) following a specific submission protocol for the purpose of drug testing. Participants will be assigned a “color” and will be expected to call a drug testing phone line Monday through Sunday to see if your color has been called. When participant’s color is called they are expected to submit a urine sample before the close of business that day. Participants may also be required to leave a urine sample any time they report to their treatment provider for a treatment session. Positive drug test results will not result in new criminal charges, but there will be a court administered response to address the positive drug test, that could include an increase in treatment and a sanction. These responses are designed to motivate and help participants stop using drugs and be successful with their treatment and program goals.

False Urine Samples: Participants should not submit a false urine sample and should not spend money on buying products to clean urine of drugs and alcohol, as the treatment provider will discover the device or adulterant and participants engaged in such activities will be terminated from the program. ***Attempts to falsify urine samples will result in termination from the program.***

Diluted Urine Samples: If a urine sample cannot be tested for any reason, *i.e.*, the urine quantity is not a sufficient amount to test, the cup is left empty, creatinine levels are too low, or correct drug testing protocol is not followed, the test will be considered positive for drugs. Participants should discuss low creatinine levels with their counselor, including how this may occur and how to avoid them in this program. Low Creatinine homework will be assigned to all participants entering the program to ensure they are aware of how to avoid a low creatinine.

Drug Testing Compliance: Refusal to comply with a drug test may result in termination from the program. Participants must always leave a requested urine sample and/or comply with a Breathalyzer test as directed. Drug testing may occur as a scheduled requirement or on a random basis with either the treatment providers or in Court. Participants who are required to submit a urine sample but are not able to do so will not be allowed to leave the testing facility and return later. Participants must remain on the premises until a sufficient sample is provided.

Alcohol and Marijuana

Participants in the OPEN Court Program are not allowed to use alcohol or marijuana while they are in the program. Even though alcohol is legal for those who are 21 or older, it is not allowed. Same for recreational or medical marijuana even though it is legal for anyone over the age of 18, it is not allowed. A positive urine sample for marijuana or alcohol and/or its metabolite or a positive breathalyzer result is treated the same as a positive result for any other classification of drugs.

Prescribed Medications

While in the program, except in emergency medical situations, participants must report to the OPEN Court Team any/all prescribed or over the counter medications **BEFORE** taking them. It is the participant’s responsibility to be certain that the medicine they are taking is in accordance to the program rules and requirements. Certain narcotics, opioids, stimulants, and benzodiazepines are not allowed, even with a prescription, except in medically supervised emergency situations or with court approval. Participants should let their prescribing physician know they are involved in court supervised substance abuse treatment and explore with the physician alternatives to medications not allowed in the program. A list of medications is provided in the appendix that participants can take to their medical

appointments to assist with these consultations. This medication list is not a complete or comprehensive list of all problematic medications, but it should be adequate information to a physician so they can understand the intent of the program.

Confidentiality

All client records are protected by federal and state laws regarding confidentiality. Specialty Courts cannot release written or verbal information without the participants written, signed consent. However, participants cannot participate in OPEN without a “Release of Information” which allows the OPEN Team to discuss their case and progress. Persons outside the OPEN Team will not be provided information about participants or their progress. There may be additional emergency or legal circumstances that may require release of information such as:

- The disclosure is allowed by a court order or for an audit.
- The disclosure is made to medical personnel in a medical emergency.
- The client commits or threatens to commit a crime.
- The client is threatening suicide or homicide.

VI. Additional Information

Living Arrangements

The OPEN Court Team can assist participants in finding a safe and sober place to live. A participant’s living arrangement is subject to approval of the court and/or probation department. Participants may not be allowed to reside with certain individuals, even family members, if they have a criminal background or use substances, including alcohol. If participants live with others who are using illicit substances or alcohol, it will be very difficult for them to be successful in this program. If participants are struggling with any issue, whether it is housing, employment, or mental/emotional issues, they should let the treatment provider, or OPEN Court team know and ask for help.

Housing, Employment, Travel, Recovery Support, and Other Issues

Sobriety: Getting off drugs and becoming stable involves having stable housing and a job. Ultimately, this helps participants feel better about themselves and will improve the chance for long-term sobriety.

Notification: If a participant is struggling with any issue, whether it is housing, employment, or mental/emotional issues, they should tell their counselor or an OPEN Court team member and ask for help.

Employment: There are various community partners who offer employment assistance services. Contact an OPEN Court Team member for assistance and referrals if you are in need of employment assistance.

Referrals: The OPEN Team can provide referrals to a variety of community and treatment resources, and recovery support services.

Support Groups: During the OPEN program, participants are expected to attend a recovery support group and to obtain a Sponsor. A recovery support group provides participants a greater sense of support and fellowship during recovery. If this is deemed appropriate the participant is required upon entering Phase 3 and for the duration of their program and term of probation to attend at least one meeting a week.

Travel Outside of the Jurisdiction

As a general rule, travel outside of the jurisdiction during participation in the OPEN Program is not encouraged in the beginning of the program. Staying consistent in treatment, including attendance at all group and individual counseling sessions, is imperative to success. In general, travel that will interfere with treatment and/or mandatory substance abuse testing for drugs and alcohol will not be allowed. However, the Court recognizes that there are special events that arise in which travel may be authorized. All travel outside of the jurisdiction **MUST** be authorized by the Court AND Probation. Though, please know if a participant owes restitution that is considered when reviewing travel requests. Simply if your victim has not been made whole, any expenses to be able to travel should truly go towards your restitution.

VII. Appendix:
(Relevant information and program forms)

Program Handbook Receipt - Disclosure of Responsibility

I understand that I am responsible for knowing the rules and regulations to participate in the District Court OPEN Program. I certify that a participant hand book has been provided to me upon entering OPEN Court or at the OPEN orientation stating the policies and procedures that I must adhere to during my program. Failure to adhere to these rules and regulations may result in a sanction from the court.

I understand that by signing this agreement, I am committed to reading and knowing the policies and procedures of the District Court OPEN Program and that my treatment agency can receive a copy of this signed agreement as well.

I agree to comply with the policies and procedures of the District Court OPEN Program and that I have read and understand my responsibilities detailed in this participant handbook.

Signature of Defendant Date

Signature of Coordinator Date

Print Name

Signature of Interpreter or Case
Manager if present Date

Client Contract Disclosure and Information for Alcohol and Drug Testing

Ethylglucuronide (EtG) and ethylsulfate (EtS) are metabolites of alcohol that are excreted more slowly from the body than alcohol itself. They are therefore better at detecting drinking and better at documenting abstinence. When being monitored with EtG/EtS, it is important, as in any monitoring situation, to be aware of items to avoid so that inadvertent "incidental" exposure does not cause a positive test. In other words, it's important to know what items contain alcohol and to avoid them. With reasonable caution it is rare for "incidental" alcohol exposure to cause a positive test.

It is **YOUR** responsibility to limit and avoid exposure to products and substances that contain ethyl alcohol. It is **YOUR** responsibility to read product labels to know what is contained in the products you use and to inspect these products **BEFORE** you use them. Terms used to describe alcohol in products that must be avoided include: denatured alcohol, SD alcohol, ethanol or ethyl alcohol. Use of the products detailed below or any other product containing alcohol is a violation of this contract and will **NOT** be allowed as an excuse for a positive test result. When in doubt, don't use, consume or apply anything that might contain alcohol.

Mouthwash: Many mouthwashes (i.e. Listermint, Cepacol, etc) contain ethyl alcohol. Use of alcohol containing mouthwashes can cause positive tests for alcohol because they contain a significant amount of alcohol. Participants are required to read product labels and avoid mouthwash or anything else containing ethyl alcohol. Use of alcohol containing products while in monitoring is not permitted. Non-alcohol mouthwashes are readily available and are an acceptable alternative.

Over-the-counter medications: It has always been prohibited to use alcohol containing cough syrups or cold preparations (e.g. Nyquil) while in monitoring. Nutritional supplements, such as Ginko Biloba liquid, can contain alcohol and should be avoided. Any product called "tincture" contains alcohol. Alcohol is frequently used in liquid medications as a solvent. Read labels and if the product contains alcohol, don't use it unless you first receive clearance from your case manager.

Non-alcohol Beer and Wine: These beverages (e.g. O'Douls, Sharps, etc) contain enough alcohol that they can result in a positive test. While in monitoring you are not permitted to ingest these products.

Food and Other Consumable Products: Flavoring extracts, such as vanilla extract or almond extract, if consumed in excess (e.g. to flavor coffee) can cause a positive test. Food cooked with wine or other alcoholic beverages has significant residual alcohol, even after cooking. Some desserts, especially flamed desserts, are prepared with large amounts of alcohol and can cause a positive test. Chocolates containing liquid filling can contain alcohol. Some churches use wine or fortified wine for communion and depending on how much is consumed can cause a positive test. In addition, eating excessive amounts of poppy seeds can result in a positive drug test. All of these foods should be avoided.

Breathing Alcohol Vapor Can Cause a Positive Test: Avoid breathing fumes of products containing alcohol, such as alcohol based hand sanitizing gels (e.g. Purell), perfumes or colognes, bug sprays, or other chemicals (lacquers, solvents, or gasohol). If you must use these products use them sparingly and avoid breathing the fumes. Be careful to avoid breathing anything that contains alcohol. Most of these minor exposures will not result in a positive alcohol test. Strictly avoiding them prior to giving a sample will minimize the chances of a misleading positive test.

Drugs and other compounds: You must alert your coordinator before you take a medication you bought at the store or were prescribed by your doctor. Having a prescription for a medication that causes you to have a positive test does not excuse the positive test. Several compounds in work out supplements may cause a positive drug test. Some of these compounds are as follows: dimethylamylamine, methylhexanamine, geranamine, floradrene, forthan, forthane.

Preparing to test: We recommend that you eat protein and/or a decent sized meal at least 2 hours before your test and limit all caffeinated drinks for 4-6 hours prior to submitting a sample. Consume the amount of liquid that you normally would; drinking large amounts of water or liquid before your test could cause a low creatinine level which will be interpreted as you purposely trying to tamper with your test results and will result in a sanction.

Medication List

This list is not inclusive of all allowed medications.

TAKE ALL MEDICATIONS ONLY AS DIRECTED

ALL ANTIBIOTICS ARE ALLOWED		
Abilify	Flexeril	Propranolol
Atarax	Fluoxetine	Provigil
Baclofen	Gabapentin	Prozac
Bentyl	Geodon	Remeron
Benzonatate	Hydroxizine	Requip
Buspar	Imitrex	Risperdal
Buspirone	Indocin	Robaxin
Celexa	Lexapro	Seroquel
Citalopram	Lidocaine	Serzone
Clonidine	Lisonopril	Skelaxin
Cogentin	Losartan	Tegretol
Colchieine	Luvox	Tessalon Perles
Compro	Meclizine	Topamax
Cyclobenzaprine	Mirtazapine	Toradol
Cymbalta	Mobic	Trazadone
Depakote	Navane	Trilepta
Dicyclomine	Neurontin	Vistaril
Dilontin	Norflex	Voltaren
Doxepin	Parafon-Forte	Wellbutrin
Effexor	Paxil	Zanaflex
Elavil	Prazosin	Zofran
Etocolac	Prolixin	Zypreza
Over the Counter (OTC) meds will not cause a positive <u>UNLESS ABUSED</u>		

ABSOLUTELY CANNOT TAKE FOR ANY REASON:

Propoxyphenes, Benzodiazepines, Barbiturates, Carisoprodal (SOMA), Methadone, Ultram, Tramadol, Midrin, Hydrocodone, Oxycodone, Oxycontin, Fioricet, Promethazine DM, Nucynta, Sumatriptan, Naltrexone, Hydroxycut, etc.

Products containing: Phenazopyridine Hydrochloride (Pyridium), Ambien and Dextromethorphan.

NO USE OF KRATOM, SPICE, BATH SALTS, SALVIA, OR ANY OTHER 'NATURAL' OR DESIGNER DRUGS

DO NOT USE ANYTHING CONTAINING MA HUANG, EPHEDRINE, NO WEIGHT LIFTING/WORKOUT SUPPLEMENTS or ENERGY DRINKS!!!

NO FOOD PRODUCTS CONTAINING POPPY SEEDS!