



FRESNO COUNTY CALIFORNIA

**FAMILY DEPENDENCY TREATMENT
COURT**

HANDBOOK



Welcome to the Family Dependency Treatment Court!



The Family Dependency Treatment Court (FDTC) is a special program designed to help you and your children get back together or stay together. To reach that goal, this program will help you recover from substance abuse by referring you to a substance abuse treatment program and monitoring your progress there. This program will also help to make sure that while you are in treatment you stay in contact with your children and plan for their future.

We hope that by working together, we can help you break the cycle of addiction and build a better life for yourself and your children.

To reunify your family, this program requires that you complete substance abuse treatment as well as other requirements set forth by the court.

As you work through treatment at a community-based treatment program, you will also progress through levels of participation at the court. Each level has specific requirements for advancement. The court and your Family Dependency Treatment Court Case Manager will constantly monitor your progress and help you reach those requirements. Each graduation from a level will be celebrated. Your biggest success will be to make a safe and happy home for your children.

GOALS/MISSION

Recognizing that a majority of the cases appearing in dependency court involve drug use, it is the mission of the FDTC to assist parents in addressing their substance abuse issues in order to increase the chances of reunification with their children. To that end, the FDTC will formulate and implement a treatment plan to assist in recovery, conduct reviews of the parents' progress, and liaise with other programs to exchange information and coordinate services. Additionally, the FDTC will maintain data relating to the progress made by its participants in order to assess its success.

MISSION: To Support, Stabilize and Reunify families through Treatment!

VALUE STATEMENT: We value and encourage FOCUS...

- F**amily
- O**ppportunity
- C**ommunity
- U**nification
- S**obriety



The Family Dependency Treatment Court Team



The FDTC team will make all decisions regarding your participation in this program. The team consists of the:

- Drug Court Judge
- Drug Court Staff
- Parent's Attorney
- Drug Court Advocates
- Treatment Providers
- Social Workers

Expectations and Support

- You will be referred to the Drug Treatment Court Coordinator to assess your needs and help you as you go through the Court process.
- You will gain support from the Judge, Treatment Court Coordinator, treatment court team, Social Workers and other community providers.
- You will quickly be linked to an appropriate addiction treatment program, parenting skills workshops, and any other services you need.
- You will get ongoing support and assistance in staying connected to your children while they are placed out of the home.
- As you establish sobriety and become more stable in treatment, the Judge may consider increased visitation with your children.
- You will get ongoing support if you have problems getting or staying clean.
- You can participate in groups with other parents going through the same things you are going through.
- You will not be alone as you regain your children and learn a new way to live clean and sober.

Chemical (Drug) Testing

You will be randomly drug tested throughout your participation in the Family Dependency Drug Court program.

- You will be observed to ensure freedom from errors.
- If you miss a test, it will count as a positive (dirty) test.
- If you have a positive test, the Judge, based on recommendations from the drug court team, will discuss your continued participation in the program.
- Any diluted test will be considered a positive test.
- All test results are final.

Confidentiality

You will be asked to sign a waiver of confidentiality statement. You must agree that everything you see and hear in court is open to the public.

Admission Criteria

The following criteria will be used by the drug court treatment team to determine if you are appropriate for referral to the Family Dependency Treatment Court program.

1. You have been diagnosed with a substance abuse or chemical dependency diagnosis and you are clinically appropriate for admission and you are amenable to treatment.
2. You must agree to sign the program participation agreement form and abide by the conditions set therein.
3. You must be willing to cooperate with the recovery plan and all court-ordered services. These could include, but are not limited to: substance abuse/addiction treatment, parenting skills, and health care for yourself and your family members.
4. You must not be involved in any methadone treatment.
5. You must be willing to abstain from drugs and alcohol and be willing to submit to regular and random urinalysis monitoring.
6. You must be willing to consider a restraining order and observe the terms of this restraining order if a member of the household commits or has committed domestic violence against any family member.
7. You must have at least 1 child under the age of 5.
8. You must be over the age of 18.
9. You must be willing to be completely honest in all communication with the court, drug treatment team and Social Workers.
10. You must be accepted by the Family Dependency Treatment Court team.

FAMILY DEPENDENCY TREATMENT COURT PROGRAM RULES



As a Family Dependency Treatment Court participant, you will be required to abide by the following rules...

- 1. Obey all court orders.**
- 2. Attend all ordered drug treatment sessions.** This includes residential, outpatient, sober living, individual and group counseling, educational sessions, drug testing, and self-help meetings.
- 3. Be on time.** If you are late to any of the programs, you may not be allowed to attend and will be considered to be out of compliance with your treatment plan. This also includes any appointment for urinalysis testing. If you miss a urinalysis appointment, it will count as a positive test result.
- 4. Do not disrupt treatment, make threats or behave in a violent manner toward anyone, including staff and other participants!** Violent or inappropriate behavior will not be tolerated and will be reported to the court. This may result in immediate termination from the Family Dependency Treatment Court program.
- 5. Do not bring drugs, alcohol or weapons into any treatment program, meeting, appointment or event.**
- 6. Dress appropriately for court and treatment sessions.** As a participant, you will be expected to wear a shirt or blouse, pants, dress, skirt or shorts of a reasonable length. Shoes must be worn at all times. If you have difficulty with this, please inform the staff and assistance will be provided. **Clothing bearing gang-, drug- or alcohol-related language is considered inappropriate!**
- 7. Appropriate behavior during court proceedings is mandatory.** Any disruption during court will be viewed as disrespectful toward the court and its participants.

Levels of Family Dependency Treatment Court Participation

One of the goals of the Family Dependency Treatment Court is to get you into a treatment program and help you to stay in treatment until you complete it.

To help you focus on meeting the requirements for graduation, you will pass through four levels or phases of Family Dependency Treatment Court. The following questions and answers explain the Levels.

What is a level/phase?

A level/phase is a stage of participation in the Family Dependency Treatment Court. There are four levels of participation:

Level I:	Choice
Level II:	Challenge
Level III:	Change
Aftercare:	Maintain

Why are there four levels?

Recovery from substance abuse is a long process. Sometimes, setting short-term goals can help you feel less overwhelmed. Breaking down the specific requirements for graduation and/or reunification can also help you to stay focused on your successes.

How will I move through the levels?

Each level has a set of requirements. Once all the requirements for each level have been met, you will be eligible to advance to the next level. Each time you advance to the next level, you will receive a reward for “phasing up” to the next level.

How long will it take to complete all of the Levels?

It will take from six (6) to twelve (12) months to complete all requirements.

What happens if I fail to complete all the Levels?

It will be up to the Family Dependency Treatment Court Judge to determine any consequence or sanction. At any time, the Judge can discharge you from the FDTC program.

Level 1: Choice



The main focus of this Level is to encourage your **CHOICE** to work toward a drug-free life and establish a foundation for abstinence.

Goals for this Level include:

- Detoxification and abstinence.
- Placement in community-based treatment.
- Evaluation for additional special needs or services.
- Identification of community supports.
- Goal setting for parenting skills development.
- Goal setting for education, employment, life skills, and independent living.
- Improved interaction with children.

Requirements for Advancement from Level I:

- Participation in a community-based drug and alcohol program as referred by the Treatment Court Coordinator.
- Maintain a positive treatment center report.
- Consistently attend a minimum of two self-help/12-step meetings per week and submit weekly signed attendance logs.
- Engage in satisfactory supervised visits (if children are in out-of-house placement).
- Attend all parenting classes and other required treatment.
- Meet with a Social Worker weekly to discuss needs and progress.
- Attend the FDTC bi-weekly.
- Have a minimum of 30-45 days of continuous sobriety along with program compliance to advance to Level II.

LEVEL II: CHALLENGE



The focus of this level is to stabilize you in treatment, **CHALLENGE** you to confront underlying issues surrounding your addiction and its impact on your family and, help you rise to the challenge of recovery as a way of life.

Goals for the second Level include:

- Continued abstinence and development of recovery tools.
- Significant progress toward attaining treatment goals established by your treatment program.
- Continued and improved interaction with family and children.
- Participation and progress toward goal achievement in educational, vocational, and life skills plans.
- Identification of additional needs and linkage to services.
- Development of sound parenting practices and strategies.

Requirements for Advancement from Level II - (In addition to Level I requirements)

- Continued attendance at a minimum of two self-help/12-step meetings a week (submit signed, weekly meeting logs).
- Join a self-help/12-step home group.
- Obtain a sponsor.
- Attend a 12-step study group.
- Attend drug court bi-weekly.
- Attend any parenting or other recommended treatment services.
- Completion of treatment program Phase 1.
- Have 90-120 days clean and sober along with treatment compliance to advance to Phase III.

LEVEL III: CHANGE



The focus of this level is to promote continued **CHANGE** within you toward self-sufficiency while reconnecting with the community-at-large.

Goals for the third level include:

- Internalization of recovery tools.
- Continued development of daily coping and parenting skills.
- Stable living and financial arrangements.
- Reintegration into family and community.
- Preparation, in all respects, for reunification and continued drug-free living and parenting.

Requirements for Level III - (In addition to Level I and II requirements)

- Acquisition of sufficient housing.
- Meet with Social Worker during off court weeks for sessions with caseworker.
- Sustained cooperation with visitations.
- Sufficient progress in service plan requirements.
- Attend a minimum of two, self-help/12-step meetings a week.
- Attend drug court as ordered.
- Submit signed meeting attendance logs.
- Begin working the 12 steps with a sponsor.
- Attend any parenting or other recommended treatment services.
- Begin working to obtain employment and/or sufficient financial support.
- Have 150+ days clean and sober to advance to aftercare.

LEVEL IV: MAINTAIN (AFTERCARE)



The focus of this level is to promote and **MAINTAIN** long-term abstinence and become a responsible, productive member of your community.

Goals for the aftercare level include:

- Reduce personal and family isolation and increase family and community support systems.
- Maintain recovery and drug-free lifestyle.
- Engage in activities that build harmony, support, and unity among family members.
- Gain confidence, expertise, and effectiveness in the ability to manage discipline issues resulting from the early lack of attachment and bonding.
- Become actively involved in each child's interests, aptitudes, and abilities and explore their possible linkage to future careers and lifestyles.

Requirements for the aftercare level - (In addition to levels I, II, and III requirements)

- Maintain sobriety.
- Maintain sufficient housing.
- Attend one to two self-help/12 Step meetings per week.
- Maintain a sober support system.
- Maintain weekly contact with FDTC Coordinator and Social Worker.
- Attend scheduled review hearings when applicable.

Swifter Court Process: Disposition and Permanency Hearings

Once you have made an admission and agreed to participate in the Family Dependency Treatment Court, you have taken the first step toward making faster progress with your DSS case plan.

The Hearings

After your enrollment in the FDTC program, the Judge will enter a court order that determines what treatment services and conditions you must meet to regain custody. You will also be placed on the Family Dependency Treatment Court calendar for regular hearings. These orders stay in effect for periods of up to 12 months.

What happens after this court order is entered?

Once an order is entered, the court and treatment team will continue to monitor your case. You must continue to abide by all court orders and expectations. As your case progresses, frequent court appearances will allow the court to make changes in your treatment and service plan, like new referrals or changes in visitation. You must comply with any changes in orders that the court makes.

What happens if, after the court order, I fail to comply with Family Dependency Treatment Court?

If you don't make progress in treatment following the court order or fail to follow the rules, the Judge may impose therapeutic sanctions. If you still fail, the drug court treatment team will look at your needs and reassess your case plan. This means that you will still have to comply with all court orders around achieving sobriety and becoming a safe and sober parent. If you continue to be non-compliant, your case will proceed to the next step, a permanency hearing, where the goal for your child may be changed to adoption, guardianship or the Judge may consider continued family reunification services.

What is a Permanency Hearing?

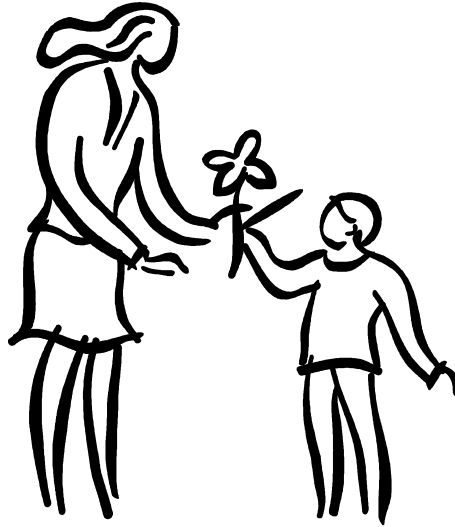
A Permanency Hearing is a formal hearing where a permanency planning goal for your child is determined. There are several possible plans for every child placed out of the home:

- Return the child to the parent.
- Place the child for adoption by terminating parental rights.
- Permanently place the child in the guardianship or custody of a fit and willing relative, or another permanent arrangement if the other plans are not realistic or possible.

The majority of children placed out of the home for the first time will have a permanency plan of "return to parents." At a permanency hearing, which occurs about 12 months after a child has been placed out of the home or after an abuse or neglect finding has been made, the original goal will be reassessed and may be changed. Any change in the goal will be based on your progress both in treatment as well as in planning for your children.

Why would a permanency planning goal be changed?

If you haven't complied with treatment and all the court orders in your case, the court can decide that returning your child to you is no longer a viable plan. At that point, the goal may be changed to adoption and termination of parental rights may be initiated.



Encouraging Achievements

What is a reward or incentive?

Compliance with drug court rules will result in rewards called “incentives.” This is an acknowledgment by the court that you have reached a treatment milestone or accomplished a specific achievement. Failure to comply with rules may result in a delay with incentives and progression throughout the program.

Rewards can be as simple as applause in the courtroom and fewer court reviews, gifts, toys, books and more.

Why are rewards given?

It is important to acknowledge achievements and progress in some tangible way. Receiving rewards can build self-esteem and help you set the stage for continued progress.

Are the rewards the same for everyone?

There are several possible rewards that can be granted for each particular achievement or milestone. Since every case is a little bit different, the Judge decides which reward is most appropriate for each case. In some situations, the judge may grant more than one reward. Also, all rewards are subject to the rules of the treatment program in which you are enrolled.

Are visits with my children rewards?

If you are doing well, you will be a better parent and will be able to see your children more. But contacts and visits with your children will not be used against you.

ANY INCREASE OR DECREASE IN VISITATION MUST FIRST BE BASED ON THE BEST INTEREST OF THE CHILD.

Increased visitation will be dependent upon:

1. Availability of appropriate family members or others in the support network to supervise the extra visit.
2. Availability of agency resources (staff) to supervise the extra visits.

The Judge has the ultimate discretion in deciding which rewards are appropriate for each achievement or milestone.

Responding to Problems Recovery Interventions and Therapeutic Sanctions



Just as it is important to recognize progress, it is also important to respond quickly to problems or shortfalls you may have in treatment participation. By imposing recovery interventions and or therapeutic sanctions on you if you do not comply with treatment, the court hopes to help you learn that there will be swift consequences for your actions. The objectives, however, are not only to remind you that you need to comply fully, but to help you stay engaged in treatment and encourage you to continue working through the recovery process.

What is an infraction?

An infraction is a negative behavior or action that is contrary to the treatment process. At the Family Dependency Treatment Court, infractions are divided into three groups, based on seriousness. “**A**” infractions are very serious, “**B**” infractions are considered moderately serious and “**C**” infractions are less serious. Some infractions are positive toxicology tests, missed appointments, or breaking rules at the program.

What is a recovery intervention?

A recovery intervention is a response to an infraction. The seriousness of the infraction determines the severity of the Intervention imposed. Interventions are graduated. Not only are more severe interventions imposed for more serious infractions, but also as infractions accumulate, the interventions become harsher.

How many infractions and interventions can I get before being terminated from the Family Dependency Treatment Court? This is on an individual basis. There is some room for behavioral mistakes and adjustments; **however, you will not get unlimited chances to change your behavior and succeed in treatment. When you run out of chances, you risk losing your parental rights.**

ANY INCREASE OR DECREASE IN VISITATION MUST FIRST BE BASED ON THE BEST INTEREST OF THE CHILD (and may be implemented at other times, not just as a sanction). The Judge has the final decision about sanctions given.

Family Dependency Treatment Court Failure, Goal Changes and Termination of Parental Rights

Though the Family Dependency Treatment Court and the Department of Social Services (DSS) help every participating family in achieving reunification or successful completion, they also have an obligation to seek permanent homes for children in a timely fashion. In every child protective case, a permanency planning goal for the child will be set early in the process. For virtually all FDTC clients, that goal will be to return the child to the parent; however, if you do not comply with the drug court program and the court order within the mandated period of time, the court and DSS may decide to change the permanency planning goal to free the child for adoption.

When will a case be considered a Family Dependency Treatment Court “failure”?

After a child has been placed out of the home for about 12 months, the court will hold a permanency hearing. If you have failed to cooperate with treatment and the Family Dependency Treatment Court and/or court order, and have used up all opportunities offered, the permanency plan for the children may be changed from return to you, to an alternative plan, perhaps, termination of parental rights and adoption. The case may be terminated from Family Dependency Treatment Court and returned to the original judge for new consideration.

What is termination of parental rights?

When your parental rights are terminated, you lose all legal responsibilities and rights regarding the child. Once parental rights have been terminated, the child can be adopted by someone else.



Putting It All Together: Graduation and Successful Completion of the Family Dependency Treatment Court



What is graduation?

Once you have completed all levels of the Family Dependency Treatment Court and have complied with the disposition order, you will be ready for graduation.

What happens after graduation?

Once you graduate from Family Dependency Treatment Court, your case will be returned to the regular court review calendar and, depending on the recommendation of your Social Worker, may be closed shortly thereafter.

What are the requirements for graduation?

The following requirements are necessary for a participant to be eligible for graduation:

- Implementation of a permanency plan that is acceptable to the court.
- Sustained cooperation with all terms and orders during the dispositional period.
- Sufficient satisfactory, unsupervised visitations and/or sustained cooperation with supervision during any trial return period.
- Completion of a substance abuse treatment program as referred by the court.
- Satisfactory completion of a comprehensive parenting skills program.
- Acquisition of adequate housing for the family.
- Submission of a graduation application.

CONCLUSION

The Family Dependency Treatment Court program has been developed to help you become a better parent and to live a clean and sober lifestyle. The program is designed to give you every chance to get your family back together and join the community as a productive and responsible person. The program is voluntary and is your personal choice. The Judge and the treatment team are here to assist and guide you, but the final responsibility is yours. We care about our participants, but you are the one who has to make it!

If you have any additional questions or concerns about this special court program, **talk to us!** Important Family Dependency Treatment Court program phone numbers will be given to you.

Finally, do not forget your family and those who are close to you! Make them a part of what you are trying to accomplish and let them share in your success.



PROGRAM FORMS:



SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO
Family Dependency Treatment Court Agreement

Case Number: _____

Name of Client: _____

Date: _____

I, _____, acknowledge that a substance abuse problem is affecting the ways in which I parent my child or children. I request entry into the Family Dependency Treatment Court (FDTC). I understand that if I am accepted into the FDTC, I must follow the rules of FDTC. I further understand that if I am successful in completing all the requirements of FDTC it will not guarantee that my child/children will be returned to my care, or my case dismissed, but it will be a significant factor for the Court to consider when making decisions. I understand that if I am unsuccessful in FDTC, as determined by the Court, or if I stop participating in FDTC, I may be discharged from FDTC but would still be responsible for participating in the case plan ordered in the juvenile dependency case.

I acknowledge the following:

- I have been provided a copy of the FDTC Participant Handbook.
- I fully understand what participation in FDTC means.
- I have reviewed all the requirements contained in the FDTC Participant Handbook with my attorney
- I will fulfill all requirements of FDTC to the best of my ability.

PARENT: _____

Date: _____

PARENT'S ATTORNEY: _____

Date: _____

APPROVED: _____

Date: _____



SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO
Family Dependency Treatment Court
Acknowledgements and Agreements
Parent Participation

Minor's Name: _____

Case Number(s): _____

Parent: _____

1. I have discussed Family Dependency Treatment Court (FDTC) with my attorney and I agree to participate in FDTC.
2. I understand that during FDTC staffing meetings and FDTC review hearings, the judge may receive information about the child or children, and will receive information about me, and my participation and progress in court-ordered treatment programs.
3. I understand that no court orders will be made or changed at FDTC staffing meetings or FDTC review hearings.
4. I understand and agree that FDTC staffing meetings and FDTC review hearings will not be recorded by a court reporter and no transcripts of these meetings and hearings will be prepared.
5. I understand that the FDTC judge will not discuss what occurs at FDTC staffing meetings and FDTC review hearings with any FDTC judge handling a non-FDTC legal hearing in the case.
6. I understand that other FDTC participants who are not parties to the case may be present during FDTC reviews but that I may request that no other FDTC participant be present at my FDTC review hearing.
7. I understand that I can revoke these agreements at any time.

After consulting with my attorney about Family Dependency Treatment Court, I am making the above acknowledgements and agreements freely and voluntarily.

DATED: _____

By: _____

(SIGNATURE OF PARENT)

(PRINT NAME)

Declaration of Parent's Attorney

I, _____, spoke with my client regarding Acknowledgements and Agreements. I thoroughly reviewed them with my client. My client appeared to understand them and agreed to all of their terms. I am signing this form on her/his behalf until the client can sign it personally.

I declare under penalty of perjury, under the laws of California, that the foregoing is true and correct.

DATED: _____

By: _____

(ATTORNEY FOR PARENT)



SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO

**Family Dependency Treatment Court
Acknowledgements and Agreements
Other Parent Participating**

Minor's Name: _____

Parent: _____

1. I have discussed Family Dependency Treatment Court (FDTC) with my attorney.
2. I understand that another parent who is a party in the case is eligible to participate or is participating in FDTC.
3. I have discussed the other parent's participation in FDTC with my attorney.
4. I understand that during FDTC staffing meetings and FDTC review hearings, the judge may receive information about the child or children, and will receive information about me, and my participation and progress in court-ordered treatment programs.
5. I understand that during the other parent's FDTC review hearings, the judge may deliver to that parent encouragement and incentive items to assist and motivate that parent in completing his or her case plan.
6. I understand that at the other parent's FDTC staffing meetings and FDTC review hearings there may be some limited discussion of me, and my participation and progress in any court-ordered treatment programs.
7. I understand that no court orders will be made or changed at the other parent's FDTC staffing meetings or FDTC review hearings.
8. I understand that the FDTC judge will not discuss what occurs at FDTC staffing meetings and FDTC review hearings with any judge handling a non-FDTC legal hearing in the case.
9. I understand and agree that FDTC staffing meetings and FDTC review hearings for the other parent will not be recorded by a court reporter and no transcripts of these meetings and hearings will be prepared.
10. I agree that I do not need to be personally notified of the other parent's FDTC staffing meetings and FDTC review hearings.
11. I understand that my attorney may attend the other parent's FDTC staffing meetings and FDTC review hearings.
12. I agree not to be personally present at the other parent's FDTC review hearings.
13. I understand that other FDTC participants who are not parties to the case may be present during FDTC reviews.
14. I understand that I can revoke these agreements at any time.

After consulting with my attorney about Family Dependency Treatment Court, I am making the above acknowledgements and agreements freely and voluntarily.

DATED: _____

By: _____
(SIGNATURE OF PARENT)

(PRINT NAME)

Declaration of Parent's Attorney

I, _____, spoke with my client regarding

Acknowledgements and Agreements. I thoroughly reviewed them with my client. My client appeared to understand them and agreed to all of their terms. I am signing this form on her/his behalf until the client can sign it personally.

I declare under penalty of perjury, under the laws of California, that the foregoing is true and correct.

DATED: _____

By: _____
(ATTORNEY FOR PARENT)



SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO

Family Dependency Treatment Court Acknowledgements and Agreements (DSS)

Minor's Name: _____

Case Number(s): _____

1. The Department of Social Services (DSS) and the Office of the County Counsel are aware of the policies and practices of the Family Dependency Treatment Court (FDTC).
2. DSS understands that one or more parents who are parties in this case are eligible to participate or are participating in FDTC.
3. DSS understands that all parents who are parties may not be present or represented at individual FDTC staffing meetings or individual FDTC review hearings.
4. DSS understands that during each FDTC staffing meeting and FDTC review hearing, the judge may receive information about the child or children, and will receive information about one or more parents, and a parent's participation and progress in court-ordered treatment programs.
5. DSS understands that during a parent's FDTC review hearings, the judge may deliver to that parent encouragement and incentive items to assist and motivate that parent in completing his or her case plan.
6. DSS understands that no court orders will be made or changed at FDTC staffing meetings or FDTC review hearings.
7. DSS understands that the FDTC judge will not discuss what occurs at FDTC staffing meetings and FDTC review hearings with any judge handling a non-FDTC legal hearing in the case.
8. DSS understands and agrees that FDTC staffing meetings and FDTC review hearings will not be recorded by a court reporter and no transcripts of these meetings and hearings will be prepared.
9. DSS understands that the other FDTC participants who are not parties to the case may be present during FDTC reviews.
10. DSS understands that these agreements can be revoked at any time.

DATE: _____

By: _____

Social Worker
Department of Social Services