



# **CLAYTON COUNTY DUI COURT PROGRAM HANDBOOK**

*State Court of the  
Clayton Judicial Circuit  
Harold R. Banke Justice Center  
9151 Tara Blvd, Suite 2AC01  
Jonesboro, GA 30236*

# Welcome

Welcome to the Clayton County DUI Court Program. This handbook is designed to answer your questions and provide overall information about the DUI Court Program. Participant entry into the DUI Court is based on established eligibility criteria. This is not a diversion program; the criminal charges will not be reduced or dismissed upon successful completion of the program.

All participants enter the program after conviction by condition (s) of their sentence. As a participant, you will be expected to follow the instructions given in DUI Court by the Judge and other team members and comply with the treatment plan developed by you and the treatment provider.

This handbook will detail what is expected of you as a DUI Court participant. It will review general program information. It can by no means answer every situation that may arise. It is your responsibility to ask questions for clarification when you are unsure of something. All phases of the program include changes in your lifestyle in addition to substance abuse treatment with judicial oversight. For any questions about expectations, please ask the Case Manager.

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## **MISSION STATEMENT**

The mission of the Clayton County DUI Court is to enhance public safety and promote healthier lifestyles for substance abuse repeat offenders. The Court combines increased supervision and accountability with effective and intensive treatment, thereby reducing recidivism.

## **OVERVIEW**

DUI Court is a two or four-phase intervention program for adults who have pled guilty or been charged with two or more DUI or drug offenses and who are having difficulty staying clean and sober. It is a collaborative effort between the State Court, Solicitor General's office, defense attorneys, police agencies, probation, and drug treatment programs. By working together, we seek to provide a variety of programs with intensive, consistent supervision geared toward supporting and helping you maintain an alcohol and drug-free life. DUI Court involves frequent court appearances, intensive probation supervision, random drug testing, and intensive group and individual counseling. The Court awards incentives for compliant behavior and imposes sanctions for negative behavior. Incentives and sanctions are outlined in detail later in this handbook. All of the staff working with DUI Court will assist you to be sure you understand what is expected of you.

## **THE DIFFERENCE IT CAN MAKE**

The Clayton County DUI Court provides an opportunity for early treatment intervention and involves enhanced supervision, counseling, and treatment while allowing you to continue to live in the community. The goal is sobriety to improve the quality of your life and reduce repeat offenses to improve community safety. As a Program graduate, you will have a solid foundation to build upon to become a productive member of society. The premise of DUI Court is to assist those with non-violent DUI and drug charges to overcome their addictions. As a participant entering the DUI Court Program, you are expected to follow all the guidelines in this handbook as well as any instructions given to you by Court Team members.

## **CONFIDENTIALITY**

Federal and State law requires that your identity and privacy be protected. In response to these regulations, the DUI Court has developed policies and procedures that guard your privacy. You will be asked to sign a consent for Disclosure of Confidential Substance Abuse Information as well as a release of information for treatment. This disclosure of information is for the sole purpose of hearings and reports concerning your specific DUI Court case. You are expected to respect others' privacy in your group and court sessions. Violations of this policy will be immediately sanctioned.

## DUI Court Program Rules Overview

As a participant, you will be required to abide by the rules outlined in the participant contract, including, but not limited to the following:

1. Totally abstain from the use or possession of alcohol and illegal and minor substances. Do not associate with people who use or possess drugs.
2. **Inform your treating physicians that you are a recovering addict and may not take narcotic or addictive medications. You must have your physician confirm in writing that he/she has been notified of this fact. Proof must be submitted to the treatment provider. (Please refer to the medication list)**
3. Attend court sessions and treatment sessions as scheduled, submit to random alcohol and drug testing, remain clean and sober, and law abiding.
4. Adhere to the curfew for the first three phases of the program (unless you're working). You must answer the door for a home surveillance officer if you are home. Any violations of the curfew may result in a sanction.
5. Keep the DUI Court Case Manager, Probation Officer, and Treatment Provider informed of your current address and phone number at all times.
6. Comply with the Home Surveillance Officer who will be making random visits to your home. Your person, property, place of residence, vehicle, or personal effects may be searched at any time with or without a warrant, and with or without reasonable cause, when required by a probation officer or other law enforcement officer. In addition, a drug screen may be given upon probable cause.
7. Dress appropriately for all court and treatment sessions. (See pg. 11 for further details)
8. Pay all program fees. If at any time you become delinquent on this account by more than 30 days, you may be subject to sanctions, up to and including incarceration.
9. Abide by all other rules and regulations imposed by the DUI Court Team and all other conditions of your sentence.

## DUIG COURT FEES

### Court and Probation Fines and Fees

DUI Court fees may include the following:

- Fines/fees/restitution imposed at sentencing by the Judge (paid to Probation)
- Probation supervision fees of \$50.00 per month (paid to Probation)

### Treatment Program Fee

Treatment fees are \$40.00 per week (beginning the 9<sup>th</sup> week of treatment), made payable **directly** to the Accountability Courts Office in the form of cash or **money order only**. DUI Court Treatment fees can also be paid online at <https://www.claytoncountyga.gov/government/courts/state-court/pay-dui-court-fees> (service fees applies) using your DUI Court Case Number. DUI Case Numbers are provided by Case Manager.

### Additional Fees

- State Clinical Evaluation
- DUI School (Risk Reduction Program) is at the participant's expense
- SCRAM - TBD
- Ignition interlock fees, payable to the ignition interlock provider
- License reinstatement fees due to Department of Driver Services for license reinstatement
- Bicycle loan fee of \$5.00 per loan

**FOR ALL POSITIVE DRUG SCREENS IN WHICH THE PARTICIPANT DOES NOT ADMIT USE, IT IS NECESSARY TO HAVE AN INDEPENDENT LAB CONFIRM THE RESULTS. YOU MAY BE CHARGED FOR THIS CONFIRMATION TEST.**

**\*\*All fees are subject to change with prior notice\*\***

## PROGRAM PHASES

This program is a two-phase (Track 1) or four-phase (Track 2) treatment process, lasting for a **MINIMUM** of twenty-eight (29) weeks or twelve (12) months depending on the treatment track you are assigned to complete. All program participants must complete each item below in order to move through each PHASE. The length of time in each phase may be longer to complete depending on the individualized treatment needs and sanctions of each participant. You may want to check off each item upon its completion.

***Please note: The Treatment Provider will place you in the recommended treatment program track.***

### TRACK 1 (SHORT TERM TREATMENT PROGRAM)

#### Orientation: (1 Week)

- DUI Court Orientation.
- Compliance with probation requirements.
- Remain law-abiding.
- Clinical Assessment
- Treatment Program Orientation

#### PHASE 1: (minimum 16 Weeks)

- Compliance with probation requirements.
- Twice per month court appearances
- Receive no jail sanctions for 30 days
- One Assigned Group Counseling Session per week
- Family Counseling Session at Treatment Program (1 per Phase) (You must bring a family member, friend, or sponsor with you)
- Two Support Meetings (AA or NA, or approved Community Support Group) ***per week; submit proof to Accountability Courts Office***
- Completion of a minimum of 70 hours of Community Service
- Written Project (***minimum 500 words***): "How Did I Get Here?"
- Written Project (***minimum 500 words***): "My Change Plan."
- Complete MRT
- Current on Treatment Program fees and Probation Supervision fees

#### PHASE II: (minimum 12 Weeks)

- Compliance with probation requirements.
- Twice per month court appearances.
- Receive no jail sanctions for 30 days.
- One Assigned Group Counseling Session per week
- Family Counseling session at Treatment Program (1 per Phase). (You must bring a family member with you)
- Two Support Meetings (AA or NA, or approved Community Support Group) ***per week; submit proof to Accountability Courts Office***
- Completion of a minimum of 70 hours of Community Service
- Submit two documented alcohol and drug free recreational activities ***per month*** to treatment program.
- Written Project: "My Greatest Challenges and Successes in This Program." (This project is to be read by you at graduation).
- Complete DUI School (Risk Reduction Program) (**Required in Phase 2**).

- Complete Exit Interview form and Recovery Plan submit to Treatment
- Treatment Program Fees are paid in full, and Probation Supervision Fees are current
- Attend and complete DBT or online class (at the discretion of the DUI team).
- Have one individual session per week
- Return to Phase I session to share experience and advice.
- Complete discharge and recovery plan

## **TRACK 2 (LONG-TERM TREATMENT PROGRAM)**

### **Orientation: (1 Week)**

- DUI Court Orientation.
- Compliance with probation requirements
- Remain law-abiding.
- Clinical Assessment
- Treatment Program Orientation

### **PHASE I: (minimum 8 Weeks)**

- Compliance with probation requirements.
- Twice per month court appearances.
- Receive no jail sanctions for 30 days.
- Remain law-abiding.
- Three Assigned Counseling Sessions **per week**
- Family Counseling session at Treatment Program (1 per Phase) (You must bring a family member, friend, or sponsor with you)
- One Support Meeting (AA or NA, approved Community Support Group) **per week; submit proof to Counseling Center weekly).**
- Written Project (**minimum 500 words**): "How Did I Get Here?"
- Written Project (**minimum 500 words**): "My Change Plan."
- Complete DUI School (Risk Reduction Program) if you have not already done so following your last DUI arrest.
- Choose a fellow group participant who has completed Phase 2 to be your mentor. Get your mentor's name and contact information and seek help from them throughout the program.
- Current on Treatment Program fees and Probation Supervision fees

### **PHASE II: (minimum 18 Weeks)**

- Compliance with probation requirements.
- Twice per month court appearances.
- Receive no jail sanctions for 30 days.
- Remain law-abiding.
- Two Assigned Counseling Sessions **per week.**
- Family Counseling session at Treatment Program (1 per Phase). (You must bring a family member with you)
- Two Support Meetings (AA or NA, approved Community Support Group) **per week; submit proof to Counseling Center weekly).**
- Completion of a minimum of 50 hours of Community Service
- Written Project (**minimum 500 words**): "My Relapse Prevention Plan."
- Submit two documented alcohol and drug free recreational activities **per month** to treatment program.
- Complete DUI School (Risk Reduction Program) (**Required in Phase 2**).
- Current on Treatment Program fees and Probation Supervision fees
- Complete MRT



### **PHASE III: (minimum 16 Weeks)**

- Compliance with probation requirements.
- Twice per month court appearances.
- Receive no jail sanctions for 30 days.
- Remain law-abiding.
- One Assigned Group Counseling Session **per week**.
- Family Counseling session at Treatment Program (1 per Phase) (You must bring a family member with you)
- Two Support Meetings (AA or NA, approved Community Support Group) **per week; submit proof to Counseling Center Office weekly**.
- Completion of a minimum of 50 hours of Community Service
- Written Project (**minimum 500 words**): "How Helping Others, Helps Me."
- Submit two documented alcohol and drug free recreational activities **per month** to Treatment Program.
- Current on Treatment Program fees and Probation Supervision fees
- Attend biweekly individual sessions

### **PHASE IV: (minimum 9 Weeks)**

- Compliance with probation requirements.
- Once per month court appearance (1<sup>st</sup> Court Session of the Month).
- 90 consecutive days of sobriety
- Complete discharge planning with treatment provider.
- Remain law-abiding.
- One Assigned Group Counseling Session **per week**.
- Family Counseling session at Treatment Program (1 per Phase).
- Three Support Meetings (AA or NA, approved Community Support Group) **per week; submit proof to Counseling Center Office weekly**.
- Written Project: "My Greatest Challenges and Successes in This Program." (This project is to be read by you at graduation).
- Submit two documented alcohol and drug free recreational activities **per month** to Treatment provider.
- Return to Phase I to share experience and advice.
- Attend individual sessions as needed
- Complete Exit Interview form and Recovery Plan submit to Treatment
- Treatment Program fees are paid in full and Probation Supervision fees are current
- Graduation!

**\* At any time, participants may have weeks added to a CURRENT PHASE for failure to demonstrate adequate progress or for noncompliance with program rules.**

**\*If any additional group sessions determined to be needed, you will be required to attend as instructed.**

**\*Failure to keep your payments caught up MAY RESULT IN SANCTIONS!**

## **PHASE-UP REQUESTS**

You are required to submit a Phase-Up Request to be considered for movement between phases. Being responsible for making this request promotes accountability. The form is available from the Treatment Provider and the Accountability Courts Office. It must be completed with the Lead Counselor by appointment only. You must turn in the completed form to the Treatment Provider or Accountability Courts Office no later than 4:00 PM on the Monday prior to Court. The request will then be presented to the Team at staffing. If the Team approves, you will be allowed to move up to the next phase on the following Monday. You will receive a certificate and recognition of accomplishment from the Judge at the next DUI/Drug Court session. If you have had a sanction, you will be eligible to request a phase up 14 days after a sanction.

## **GRADUATION**

Upon your successful completion of the treatment program and satisfaction of all other court requirements, including continued sobriety, you will graduate from DUI Court. Graduation from the DUI Court Program is recognized as a very important event. Your loved ones will be invited to join you at a special ceremony as the DUI Court Team congratulates you for successfully completing Phases I – IV of the DUI Court Program and achieving your goal to establish an alcohol and drug-free life.

You must complete the following to be considered for graduation:

- Complete 90 consecutive days of sobriety without a relapse
- Pay all Treatment fees and current on your probation fees and fines
- Complete Discharge planning, an exit interview and a survey, designed to provide feedback to the Team
- Complete Request for Graduation form by the Monday prior to graduation
- Participate in a graduation ceremony, where you are individually recognized for your success.

## **INCENTIVES**

Upon the recommendation of the DUI Court Team, you may be given rewards or incentives for compliant behavior. Common incentives are as follows:

- Verbal praise by the Court Team/Judge
- Promotion to next phase
- Credit towards Community Service Hours
- Reduction in Program requirements; fines, community service, meetings, curfew
- Certificates of Graduation

## MINIMUM SANCTIONS

Sanctions differ from punishment. Generally, sanctions are applied as a reinforcement technique to redirect negative behavior. Some techniques used by the Court are as follows:

- Periods of Incarceration
- Written Thinking Reports
- Bench Duty
- Increase in Community Service Hours
- Increase in Probation Report dates
- Reduction in curfew times
- Addressing violation in Court Session
- Increase in Court Appearances
- Increased frequency of alcohol/drug testing
- Termination from the program via Violation Hearing

*Any Court Team member may suggest a sanction for a particular behavior. However, it is ultimately the Judge who will make the final determination and deliver the sanction.*

## TERMINATION FROM DUI COURT

We would be very pleased if no participant was terminated from the program, but we also understand that some participants will choose to continue to violate program requirements. There will be consequences for those types of behavior.

Violations that could result in termination include, but are not limited to the following:

- Missing and/or positive drug tests; altering/tampering with sample
- Lack of program compliance, including failure to remain abstinent from alcohol and/or drugs
- Violence, threats, or intimidation
- Failure to keep payments up to date
- New criminal/traffic offenses
- Warrants
- Being AWOL from the program for more than 60 days

**Disclaimer:** The DUI Court Team makes every effort to provide accurate and complete information. Various data such as the checklist may change due to the handbook being periodically updated. You will receive a copy of the most current checklist from the Case Manager at orientation.

## DUI COURT APPEARANCES

You are required to attend EVERY Court session of DUI Court. You will be given a schedule of dates. The Court will be in session twice per month for Phases 1-3. If you do not appear, a **WARRANT** will be issued for your arrest. If you have questions about your Court appearance, you must contact the DUI Court Case Manager.

Your attendance in court is a mandatory and critical requirement of your participation in the Clayton County DUI Court. Your behavior from the time you leave your automobile until you arrive in the courtroom should reflect positively on you and the DUI Court Program.

**You should wear appropriate clothing, which does NOT include shorts, tank tops, halter tops, hats, sunglasses, or excessively baggy clothing. Clothing that advertises alcohol/drug use or products, or has offensive language is also NOT allowed.**

***You must be on time.*** When you are late, you must contact the DUI Court Case Manager.

Once DUI Court is in session, there will be NO talking, unless being addressed by the Judge or other Court Team members. Loud talking, snickering, making fun of others, or other inappropriate behavior will NOT be tolerated and may be sanctioned at the Judge's discretion.

You may not sleep, read, write, or use electronic equipment of any kind, including text messaging during the court session. All electronic equipment must be on vibrate or turned completely off. Violations may be sanctioned at the Judge's discretion.

When addressed by the Judge or other DUI Court team members, you shall respond respectfully by replying "Ma'am" or "Sir".

## STAFFINGS

Prior to each DUI Court session, the DUI Court Team members meet to familiarize themselves with your progress so that they may discuss that with you during the DUI Court session. The Judge is informed of your drug testing results, attendance, participation and cooperation in the treatment program, account status, employment, or other requirements. The Judge may ask you questions about your progress and discuss any problems you may be having. If you are doing well, you may be rewarded with reduced program requirements or other incentives. If your progress reports show that you are not doing well, the Judge will discuss this with you and determine future action, which could include a sanction in order to help you remember your goals in the program. Sanctions can be anything from increased program requirements to jail custody.

## THE DUI COURT TEAM

After sentencing, the DUI Court Judge will make all subsequent decisions regarding your participation in the DUI Court Program with input from the DUI Court Team. In addition to the Judge, the DUI Court Team consists of the following members:

- Coordinator
- DUI Court Case Manager
- Solicitor General
- Probation Services
- Treatment Provider
- Law Enforcement
- Defense Attorney

### **JUDGE'S ROLE**

The DUI Court Judge has knowledge of the impact of substance abuse on the court system, the lives of participants, and the entire community, and is committed to the program mission and works as a lead partner to ensure its success. In the courtroom, the Judge develops a personal, working relationship with participants while monitoring your progress.

However, the Judge is not your case manager, personal attorney, or legal advisor. Other than in court sessions, information to the Judge from yourself or your family must go through the Case Manager. The Judge is the final decision-maker and is responsible for monitoring your progress in the program. To do this, the Judge will provide incentives and sanctions to guide your behavior to be a more productive member of society.

***AT NO TIME WILL YOU CONTACT THE JUDGE OR THEIR OFFICE.***

### **ACCOUNTABILITY COURTS COORDINATOR'S ROLE**

The Accountability Courts Coordinator acts as the primary contact in connection with all operational issues of the DUI Court program. This person monitors, evaluates, and provides oversight for treatment services. The Coordinator attends all scheduled court sessions and staff meetings and is responsible for collection of statistical information. The Accountability Courts Coordinator manages grant funds and provides administrative oversight of the program.

### **DUI COURT CASE MANAGER'S ROLE**

The DUI Court Case Manager has knowledge and experience in the criminal justice system, court procedure, and substance abuse treatment. The DUI Court Case Manager acts as the primary contact person in connection with all operations of the DUI Court. Additionally, the Case Manager coordinates, monitors, evaluates, and provides oversight for treatment services. The Case Manager attends all scheduled court sessions, probation revocation hearings, and staff meetings, and is responsible for collection of statistical information. The Case Manager conducts the initial orientation for all participants ordered to complete the DUI Court Program.

### **SOLICITOR'S ROLE**

The Solicitor ensures that each eligible offender is referred to DUI Court. The Solicitor presents each case to the Judge and facilitates entry into the DUI Court Program. The Solicitor is invited to attend staffing to discuss possible candidates for the program and to determine appropriate sanctions and incentives for current participants. In the event that you are terminated from the

DUI Court, the Solicitor can make sentencing recommendations to the Court regarding your case thereafter.

**PROBATION'S ROLE**

Probation will keep track of compliance with the sentence that was imposed by the Court. You will be required to report to your Probation Officer at least twice per month as directed. You will provide proof to them of your community service completed, attendance at treatment sessions, and progress you are making in each phase of the DUI Court. You will pay your fines and supervision fees to Probation. You will be drug screened by Probation. Your Probation Officer will attend staffing with the Judge prior to each Court session. Your officer will be in constant communication with other Court team members about your progress throughout the program.

**TREATMENT PROVIDER'S ROLE**

Your treatment provider is a mental health professional who is trained and educated in the treatment of alcohol and substance abuse. The treatment provider will determine the best treatment program for each participant. You will receive treatment from them to help you overcome your addiction. They will attend all staffing before each Court session to discuss your progress in the treatment process with the Judge and the other Court Team members. You will be randomly drug screened by the Treatment Provider.

**LAW ENFORCEMENT'S ROLE**

Law Enforcement provides accountability in the community during your participation in this program. They will check to ensure you are in your home after curfew. They may conduct random searches of your homes and person. You may also be randomly drug screened by Law Enforcement.

**DEFENSE ATTORNEY'S ROLE**

While your Defense Attorney's role in your case was completed upon your admittance to the DUI Court Program, you may at any time access legal counsel on your own accord should you feel this necessary. It is the desire of the DUI Court to protect your legal rights at all times.

# **DUI Court Grievance Procedure**

Although we seek to provide an environment in which all participants and staff feel that they are an important part of DUI Court, and where all participants and staff feel fairly treated, there may be times when you have a dispute with a staff member or participant which can best be resolved through a formal procedure for dispute resolution. All disputes between any Participant and/ or staff are to be resolved by in accordance with the following procedure. Please note, however, that the DUI Court reserves the right to modify this procedure at any time and nothing in this procedure should be construed to constitute a contract between you and the DUI Court or to constitute any part of a contract between you and another participant.

Any dispute between you and the DUI Court may be resolved using this grievance procedure, with the exception of oral reprimands which are not recorded in your personnel file.

A grievance is a complaint by a participant concerning any matter related to the participants and their progress in DUI Court. When filing a grievance, you must use the form provided by the DUI Court, you must state clearly and concisely all the known facts related to your grievance, including "who, what, where, when and the why." Clearly explain why you disagree with act or omission that forms the basis for the grievance. Also explain what remedy you are requesting. You must sign and date the grievance.

## ***Grievance Procedure***

### **Preliminary Step**

You must first address your grievance with your Case manager. This may be done orally in informal discussion. If your informal attempts to resolve the matter is not successful, you may implement the formal grievance process. If you do not feel comfortable speaking with your case manager, you must submit a formal grievance electronically.

### **Step 1**

Grievances must be submitted within (30) calendar days following the date you first knew or should have known of the grievance. If you do not submit the grievance within the (30) day period, you waive your right to assert it.

A Mediator will respond in writing within ten (10) days following receipt of your grievance. If the grievance is not settled in Step 1, then you may proceed to Step 2.

### **Step 2**

Within ten (10) days following your receipt of the written answer to your Step 1 grievance from the Mediator, you may appeal the disposition of your grievance by the Mediator and your Case Manager to your Coordinator. The coordinator will then undertake an investigation of your grievance and the underlying facts. Within 15 business days following receipt of your grievance. The coordinator will meet with you in person to discuss your grievance. The coordinator will then provide a written response to your grievance within 15 business days following the date of your meeting.

### **Step 3**

If you are not satisfied with the response of the Coordinator at Step 2, you may submit your grievance to Court Administration for review within five (5) days following receipt of the written response. A representative of Court Administration will review the grievance and provide a written response within 15 business days following receipt of the Step 3 grievance.

## ATTENDANCE AND EMERGENCY NOTIFICATION POLICY

**WHEN AND WHO DO I NOTIFY?** All emergency notification communication with DUI Court personnel must be done as soon as an emergency occurs. This will be done by speaking directly with the Case Manager. If after hours or if personnel are unavailable, a voicemail is allowed. The emergency notification is not complete until someone from the Court Team responds. Waiting until after your absence to inform the Case Manager may result in a sanction, even if it was a legitimate excuse.

**WHO IS IMMEDIATE FAMILY?** To be clear, "Immediate Family" includes your legal spouse or intimate partner, YOUR children, and YOUR parents. There are those who are not considered immediate family by this program. It is believed the following persons have their own support other than you and can make arrangements for such emergency circumstances: grandparents, stepparents, stepchildren, cousins, aunts, uncles, in-laws and girl/boyfriend's children unless they reside in your home on a regular basis. Arrangements can be made through the Case Manager for extreme circumstances.

**WHAT FORM OF PROOF DO I NEED?** Verification is required **in writing** at your next contact visit. You are expected to bring written proof of the emergency at the next possible opportunity. You will need to provide proof of the relationship, medical records, police report number and officer name (in cases of vehicle accidents). ***The sooner the notification of an emergency, the sooner arrangements can be made to assist you in your crisis.***

**WHAT IF...?** Preventable circumstances will not be considered a legitimate excuse. Do not schedule personal appointments during mandatory scheduled meetings with the Court, Probation, or Treatment Provider.

**I FOLLOWED PROCEDURE...NOW WHAT?** You will be expected to follow all instructions from the Treatment Provider or Case Manager. Since it is known that stressful situations in your past have been dealt with by using alcohol and drugs, an alcohol and drug screen may be required prior to or immediately following an absence. You may also be instructed to report to your Probation Officer, Treatment Provider, or Case Manager.

## MISSED TREATMENT SESSIONS

If you miss a treatment session, the Treatment Provider will contact the Case Manager to advise them of the missed appointment. The Case Manager and Treatment Provider will decide whether the session should be excused or unexcused. If unexcused, you, the participant will have a walk-in hearing.



## **ALCOHOL/DRUG TESTING**

The Clayton Judicial Circuit, Office of Misdemeanor Probation Services will be performing random testing of your blood, breath, urine or other bodily substances. It is a requirement of your sentence, and your participation in the DUI Court that you submit to a request for a sample at the time it is requested. Excuses, such as inability to urinate, will not be accepted. If you fail to produce a useable sample upon request, if you attempt to alter or produce a fake urine sample, that will be grounds for sanctions to be imposed, including a possible revocation of your probation and termination from the Program.

You will receive a text and email notification whether you need to report or not for a urine drug screen. Failure to do so will result in an automatic sanction. If you are scheduled to test, you are required to report to the Office of Probation Services to submit a urine sample, Monday - Thursday between 9:00 AM and 4:00 PM and Friday between 9:00 am and 3:00 pm. You may be asked to submit to tests of your urine or breath at any time, with no probable cause or warning. You are expected to provide the sample at the time and location you are instructed. Any DUI Court Team member may make this request. In addition, mandatory drug screens are required every first and third Tuesday in DUI Court.

The ultimate goal of drug testing is to provide accountability and confirmation of your progress toward recovery. Sanctions for alcohol and drug use are intended to encourage sobriety.

Honesty is a crucial component of recovery and participation in the Clayton County DUI Court Program. Self-disclosure of use will be considered by the Court when sanctions are imposed.

### **DILUTE SAMPLES**

1. What is a "dilute" sample?  
A sample is dilute when it is not concentrated enough to be for drugs and /or alcohol. The concentration is measured by urine creatinine and specific gravity.
2. What if I provided a dilute sample?  
When you provide a dilute urine sample for drug testing, the sample WILL be treated as positive by the DUI Court Team, and you may be sanctioned.
3. How can I make sure I do not provide a dilute sample?  
Do not drink a lot of fluids within the two-hour period before providing the urine sample.
4. Will I know if the sample is dilute?  
Sometimes, the person collecting the urine sample is able to tell from the color of the urine, or if a drug testing cup is used, from the readings on the cup, that the sample is too dilute. If so, they will give you appropriate instructions about providing another sample the same day.
5. What if I do not know my sample is dilute in time to provide another sample?  
If you have a recurring problem with dilute sample, you should ALWAYS provide two sample on the same day, at least two hours apart.

## **PARTICIPANT TRAVEL REQUESTS**

After completing Phase 1 in the DUI Court program, you may request to travel if eligible and/or necessary. You must complete a Travel Request Form (available at the Accountability Courts Office and The Counseling Center) at least **two weeks prior** to the requested travel, unless it is an emergency leave. The Travel Request Form must be completed in its entirety to be considered for approval. The Travel Request must include the reason for the travel, the exact address of the location where you will stay, a phone number at the location where you will stay, and the date of departure and date of return.

Family emergencies involving immediate family members that require permission to travel will be handled on a case-by-case basis. Approval or denial of the requested travel is at discretion of the DUI Court Team. The DUI Court Team will take into consideration whether or not a participant is engaged in treatment, recent sanction history, sobriety date, and any other information that is pertinent in making a sound decision in approving travel. A family emergency in this case is defined as hospitalization, critical care, or death of a spouse or immediate family member(s) to include the following: mother, father, sister, brother, son, daughter, grandparents, mother-in-law, and father-in-law **ONLY**.

Team members will consider the travel request during staffing review. The DUI Court Team will consider recent progress and participation in the program as well as sanction history in determining whether to approve or disapprove the request.

If travel is approved, the participant will be notified in DUI Court or by phone from the Case Manager. All participants who are approved for travel will be required to provide a drug screen the day prior to the beginning of travel **AND** the day after the approved travel ends, at the treatment center or to probation.

### **SANCTION GUIDELINES**

Failure to provide a screen the day before the approved leave begins, as well as, the day after the approved leave ends will result in a sanction.

Failure to return on or before the date of the approved travel will result in a sanction.

Failure to travel without permission may result in a sanction.

Failure to stay at the address provided in the travel request may result in a sanction.

Failure to maintain sobriety or drug-free during travel may result in a sanction.

Failure to comply with any other provision in this Travel Request Policy may result in a sanction.

## DRIVER'S LICENSE

Department of Driver Services Accountability Courts Help Desk provides assistance to participants of Accountability Court Programs. The DDS Team Member is available to assist you with general issuance eligibility questions during the hours of 8:30 am and 4:30 pm, Monday through Friday (excluding holidays) at **404-478-1491**.

## MEDICATION

You **must** advise the Case Manager, Probation Officer, and Treatment Provider of *any Prescription* medications you have been prescribed and are taking when you enter the program. We may make a referral to a doctor to assist you to stop taking medications. Before starting ANY new medication, even over the counter, bring package and/or prescription to the Treatment Provider for approval.

Let your physicians, dentists, pharmacists, and all other persons that will be involved in your receiving medications know that you are in recovery. This is extremely important in the maintenance of your recovery!

You must provide written proof from your medical provider that they are aware you are an addict and involved in the DUI Court Treatment Program.

A list of acceptable and prohibited medications will be provided in your orientation documents.

## INPATIENT TREATMENT

All participants who are considering inpatient treatment must first get approval from the DUI Court Team prior to admittance into a facility.

If you are approved for admittance into an inpatient treatment facility, the Court Team will select a facility that has been approved as being certified by the State of Georgia.

If admitted into a residential facility, it is a minimum of six months commitment of your time. You may not be allowed to have employment for the first two months. Afterwards, you are required to gain employment in order to remain in the program.

## JOB SEARCH

If you are unemployed, you must report to Courtroom 302 **EVERY** Friday at 8:30 AM, until you become gainfully employed. In addition, you must submit a job search form to the Case Manager on a **weekly** basis, until you become gainfully employed.

You have a minimum of thirty days to gain employment. While unemployed, you must also perform a minimum of 20 hours per week of community service work.

## **SEARCH AND ARREST**

As a participant in DUI Court, you are required to submit your person, vehicle, place of residence or area to search and seizure of narcotics, drugs or other contraband at any time of the day or night with or without a search warrant, with or without prior notice and with or without probable cause by any peace officer. Any law enforcement officer who observes a current participant of DUI Court in any of the following circumstances is authorized to arrest that individual:

- In violation of any criminal law
- Ingesting a controlled substance including alcohol
- Being under the influence of a controlled substance, including alcohol
- Possessing a controlled substance, paraphernalia or alcohol
- Being in the presence of a person in possession of controlled substance(s), and a reasonable person in a like position would conclude any drugs are present.

Participants detained in jail after arrest will be brought before the DUI Court Judge for a hearing.

## **CONCLUSION**

The goal of the Clayton County DUI Court Program is to help you achieve a life free of dependence on mind-altering substances. The Judge, court staff and the DUI Court Team are here to guide and assist you, but the final responsibility is yours. To succeed, you must be motivated to make this commitment to an alcohol and drug free life.

## ACTIVITY SCHEDULE

Listed below are various DUI Court activity schedules. It is your responsibility to coordinate all of your activities. Remember to review your Phase Requirements on pages 9 – 12.

Curfew	Your Court Approved Clayton County Residence! Phase 1: 10:00 PM – 6:00 AM Phase 2: 11:00 PM – 6:00 AM Phase 3: 12:00 AM – 6:00 AM Phase 4: NO CURFEW
Clinical Assessment and Treatment Orientation	By Appointment Only Accountability Courts Counseling Center 675 Forest Parkway Forest Park, GA 30297 770-347-0252 770-347-0251
Random Drug Screens	Clayton Judicial Circuit Office of Misdemeanor Probation Services Harold R. Banke Justice Center 9151 Tara Blvd., 3 <sup>rd</sup> Floor Jonesboro, GA 30236 678-479-5325 Monday – Thursday 9:00 am – 4:00 pm; Friday 9:00 am – 3:00 pm
DUI Court Sessions	Harold R. Banke Justice Center 9151 Tara Blvd. Courtroom 302 Jonesboro, GA 30236 <b>1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month at 9:30am</b>

## IMPORTANT TELEPHONE NUMBERS

Accountability Courts Counseling Center  
675 Forest Parkway  
Forest Park, GA 30297  
Tel: 770-347-0252

Accountability Courts Coordinator  
Tel: 770-347-0361  
Cell: 470-557-6191  
Fax: 770-602-5293  
[Chiquita.Gaskin@claytoncountyga.gov](mailto:Chiquita.Gaskin@claytoncountyga.gov)

DUI Court Case Manager  
Tel: 770-471-7197  
Cell: 678-859-3082  
Fax: 770-602-5293  
[amanda.tape@claytoncountyga.gov](mailto:amanda.tape@claytoncountyga.gov)

Office of Probation Services  
Tel: 770-347-0196  
[Darius.austin@claytoncountyga.gov](mailto:Darius.austin@claytoncountyga.gov)

## COMMUNITY RESOURCES

### SUBSTANCE ABUSE

Alcoholics Anonymous of Georgia	404-525-3178
Cocaine Anonymous	404-255-7787
Drug Helpline	1-800-378-4435
Alcohol AA Treatment Center 24-Hour Helpline	1-800-950-7226
Narcotics Anonymous Atlanta	404-362-8484
Clayton House (AA Meetings)	770-478-0191

Alcoholics Anonymous Central Office  
Provides referrals for those in need of AA assistance  
127 Peachtree St. Suite 1310  
Atlanta, GA 30303  
(404) 525-3178  
<http://www.alcoholics-anonymous.org/index.cfm>

The Council on Alcohol and Drugs  
Provides referrals for those in need of SA or NA assistance.  
M-F 8:30 AM to 5:00 PM  
(770) 239-7442 or (404) 351-3225  
[www.livedrugfree.org](http://www.livedrugfree.org)

### BASIC NEEDS

Adult Education (GED/ESL/Literacy)	770-515-7601
Clayton County Community Services Authority, Inc	404-363-0575
Clayton County Library	770-473-3850
Dept. of Drivers Services Help Desk	404-478-1491
Cooperative Extension Service (Financial management, parenting classes)	770-473-5444
Georgia Department of Labor	678-284-0200
United Way (211)	211

### Food Sources

Divine Faith Ministries	770-603-1700
Bountiful Harvest	678-479-0011
Feed My People	678-565-7800
Salvation Army	770-603-7173

### Housing

Jonesboro Housing Authority	770-478-7282
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### Hospitals

Southern Regional Medical Center	770-991-8000
Riverwoods Behavioral Health	678-674-4004



