# Memorandum of Understanding

# Treatment Providers and Drug Courts

# In Montana, a drug court is a court docket within a district court or court of limited jurisdiction (i.e. city, municipal or justice’s court) that specializes in adult criminal, DUI, Veterans, co-occurring, juvenile, or civil child abuse and neglect cases involving persons who are alcohol or other drug dependent. A basic goal of these specialty courts is to reduce recidivism and substance abuse among high risk substance abusing offenders and successfully habilitate them through alcohol and drug abuse treatment, a variety of wrap-around and recovery services, mandatory and frequent drug testing, use of appropriate sanctions and incentives, and continuous judicial oversight.

# Montana established its first drug court in Missoula in 1996. Currently, there are 29 drug courts operating in the state, including three tribal courts. These courts developed organically based on local needs, interest and resources. Many of them initially received funding from federal grants. Although all of the courts generally adhere to the federal drug court model, each reflects the circumstances and capabilities of its local community. The 2007 legislative session marked the first time that state general fund money was appropriated for drug courts.

# As noted above, the goal of the drug courts and the related treatment services is to reduce recidivism and substance abuse among high-risk substance abusing offenders and increase their likelihood of successful rehabilitation. For family drug courts, the additional goal is to provide needed treatment services to families of children who have been abused or neglected by parents who are drug dependent and reunite the family in recovery whenever possible.

# The treatment provider agrees to the following:

# Provide treatment services, to include to the best of their capability, a full continuum of evidence-based treatment services as well as monitoring fidelity to the evidence-based practices enumerated here: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Treatment services do not necessarily need to be delivered directly by the provider of this MOU but can be delivered through a variety of Memoranda of Understanding with other treatment providers to offer a full continuum of services and a priority for the treatment of drug court participants.

# Provide alcohol and other drug abuse assessments to include validated assessment instruments to measure the bio-psycho-social needs of the participants that have been admitted and that result in an initial treatment plan and placement in the treatment continuum of services.

# Fully participate in drug court operations to include: clinical consultation to the drug court team for each participant in treatment, including: availability at pre-docket staffing, (provide information on participant attendance at treatment, participant progress notes regarding compliance and participation, a summary of material covered in treatment, and recommendations to the Court and the treatment team.

# Provide resources to the drug court treatment effort above and beyond those funds provided through the local drug court and the Office of the Court Administrator. Provider will utilize a variety of revenue streams to provide the continuum of treatment services to include but not be limited to: funding from the OCA, DPHHS, Medicaid and other health insurance reimbursements, local county funding, client fees based on an ability to pay, alcohol tax revenues, Montana Department of Transportation, etc.

# Provide treatment services that will support recovery management planning, community integration, and aftercare/continuing care/recovery support services to drug court participants.

# Develop agreements with primary referral agencies that will be utilized to resolve the bio-psycho-social needs identified in the assessment, in the treatment plan, and by the drug court team, e.g. mental health services, vocational services, employment services, alcohol and drug free housing, and family needs of drug court participants in order that effective referral for services of drug court participants can occur.

# Identify the responsible person(s) who will consistently provide treatment services to drug court participants and attend staffing and court dockets.

# The drug court agrees to the following:

# Provide needed leverage through discussion, sanctions and incentives to motivate drug court participants to attend and complete treatment as recommended by the provider.

# Be a visible partner with the provider in reinforcing the benefits of treatment and recovery by occasionally being on site at the treatment delivery location, requiring drug court participants to: provide random urinalysis, attend treatment, attend supervision appointments, attend self-help meetings, support drug court participant individualized treatment plans and associated services as well as recovery management plans.

# Assure that the clinical consultation provided to the drug court team for each participant including information on participant attendance at treatment, participant progress regarding compliance and participation, summary of material covered in treatment, and recommendations to the Court and the treatment team will be highly respected, utilized and a focal point of drug court requirements.

# Provide drug court participant accountability by encouraging payment of treatment fees when based on a reasonable ability to pay schedule.

# Support the treatment provider in their submission of grants and other applications for funding opportunities that will generate revenue streams to help provide treatment resources for the ongoing treatment and recovery of drug court participants.

# Actively support the treatment provider in meeting national outcome measures, state and local performance standards and measurements as they relate to drug court participants.

# Coordinate with the provider to assure that drug court participants develop recovery management plans and strategies to assure their long-term recovery including the period of community integration after discharge from drug court.

# Actively support efforts on the part of the provider to develop agreements with other community service providers to assure adequate and appropriate wrap around services to meet the bio-psycho-social needs of drug court participants.

# Immediately respond to drug participant behaviors that are disruptive or non-compliant with treatment rules with appropriate sanctions and to provide re-enforcing recognition for those drug court participants that exhibit outstanding performance in their treatment activities.