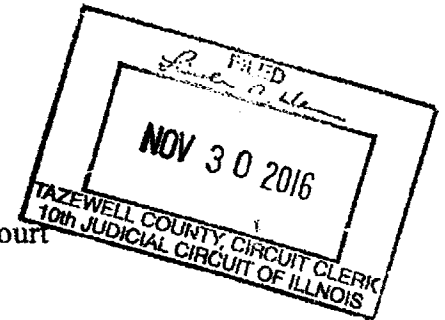


IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF ILLINOIS
TAZEWELL COUNTY

ADMINISTRATIVE ORDER 2016-2

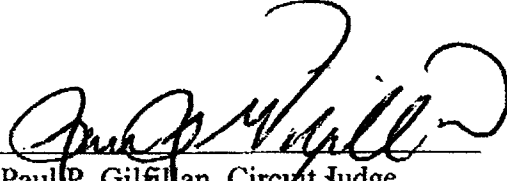


RE: Memorandum of Understanding, Tazewell County Adult Drug Court

The Tazewell County Adult Drug Court was established following the entry of Administrative Order 2010-4 on December 9, 2010 in compliance with the Illinois Drug Court Treatment Act (730 ILCS 166/1).

To further comply with the Problem Solving Court Standards adopted by the Illinois Supreme Court, the Tazewell County Adult Drug Court will operate in compliance with the attached Memorandum of Understanding. The Memorandum of Understanding is necessary to clarify the roles and expectations of the offices and entities of the participating team members.

Entered: November 30, 2016


Paul P. Gilfillan, Circuit Judge
Presiding Judge, Tazewell County

MEMORANDUM OF UNDERSTANDING TAZEWELL COUNTY ADULT DRUG COURT

MISSION STATEMENT

It is the mission of the Tazewell County Adult Drug Court (TCADC) to enhance public safety and reduce recidivism by diverting persons with substance abuse disorders charged with a criminal offense from the Criminal Justice system to the Tazewell County Adult Drug Court for appropriate treatment and support services. In so doing, the individual's quality of life will be greatly enhanced. Increased public safety will be afforded to the citizens of Tazewell County and a substantial cost savings will be realized as inappropriate involvement of persons with substance abuse disorders in the criminal justice system will be minimized.

The Tazewell County Adult Drug Court has been established in compliance with the Illinois Drug Court Treatment Act (730 ILCS 166/1 *et seq.*) following the entry of Tazewell County Administrative Order 2010-04 on December 9, 2010.

COMPLIANCE

The TCADC shall be established and will operate in compliance with the Problem Solving Court Standards adopted by the Illinois Supreme Court.

CONFIDENTIALITY

All treatment information pertaining to TCADC participants is strictly confidential. Any treatment information viewed by TCADC personnel or providers is not to be shared with any outside party. Records shall be open to inspection by any judge or by any Drug Court team member or designee, but shall not be a public record, absent a Court order.

TCADC participants shall be required to sign release forms so that relevant information may be shared with appropriate agencies. If a participant refuses to sign the necessary releases, he/she may be ruled ineligible for the TCADC program.

All probation files, presentence investigations, computer notes and case notes are considered to be confidential information and are not to be released to non-Drug Court team members/designees except by court order or client release of information. Case information may be released to other probation departments when deemed appropriate.

All TCDHC material will be protected by federal law, specifically section 543 of the Public Health Service Act, 42 U.S.C. 290dd-2, and its implementing regulation, 42 CFR Part 2 (confidentiality of substance abuse records) and the Illinois Mental Health and Development Disabilities Confidentiality Act 740 ILCS 110/1 *et. Seq.* (confidentiality of mental health treatment records).

RESPONSIBILITIES AND EXPECTATIONS OF PARTICIPATING AGENCIES

All participating agencies agree to assist in the design and ongoing development of the TCADC. Further, as appropriate, agencies will assist in providing all necessary data for evaluation purposes.

All participating agencies agree to respect other agencies' roles and responsibilities to ensure the integrity of the judicial and therapeutic processes.

All participating agencies shall observe each participant's right to confidentiality in accordance with Federal and State laws and regulations governing treatment and criminal justice information.

All participating agencies agree to develop and use written criteria for (1) participant eligibility/suitability, (2) program incentives, sanctions and therapeutic adjustments, (3) program termination, and (4) program completion as delineated in the policy and procedure manual. Any revision to this agreement will be approved by the TCADC Team.

TCADC TEAM MEMBERS AND RESPONSIBILITIES

This section outlines the responsibilities each agency or entity agrees to perform as part of their involvement in the TCADC.

The following are members of the TCADC. Additional members may be added as deemed appropriate.

Judge
Prosecutor/Designee
Public Defender/Designee
Probation
Coordinator
Licensed Treatment Provider as authorized by the Court (currently Tazwood Center for Wellness)

Additional team members may include but are not limited to:

Case Manager
Recovery Coach
Alternative/additional treatment providers
Law Enforcement

The following are the major responsibilities for each team member:

JUDGE

The Judge acts as the lead partner in the Drug Court process. He/she participates in all staffings and presides over the court proceedings. He/she administers effective incentives, sanctions and therapeutic adjustments.

PROSECUTOR

The Prosecutor/designee is a member of the Drug Court team. He/she will participate in the review of referrals for potential Drug Court candidates. He/she participates in participant staffings in a non-adversarial manner. He/she advocates for effective incentives, sanctions and therapeutic adjustments while ensuring community safety.

PUBLIC DEFENDER

The Public Defender/designee is a member of the Drug Court team. He/she assists in the referral and entry process. He/she participates in participant staffing in a non-adversarial manner. He/she advocates for effective incentives, sanctions and therapeutic adjustments while ensuring the participant's legal rights are protected.

COORDINATOR

The Problem Solving Coordinator is a member of the Drug Court team. He/she has the overall responsibility to manage and coordinate all facets of the Drug Court process, including collaborating with the treatment providers and the case manager/recovery coach. He/she advocates for effective incentives, sanctions and therapeutic adjustments during the team meetings. In fulfilling this responsibility, his/her duties are varied and include, but are not limited to the following:

1. Organizes and coordinates training for team members;
2. Maintains cooperative relationships with treatment agencies, community organizations and other involved partners;
3. Assists in the screening of potential participants to determine eligibility and interest
4. Attends case staffings and court hearings – reports compliance/noncompliance and recommends incentives and sanctions;
5. Facilitates community presentations
6. Promotes team integrity
7. Develops community resources;
8. Collects data/statistics and works closely with any program evaluator;
9. In conjunction with team members, researches and writes grant proposals

PROBATION OFFICER

The probation officer is the primary case supervisor for participants sentenced to Drug Court. In fulfilling this responsibility, his/her duties are varied and include, but are not limited to, the following:

1. Plans and implements in collaboration with the licensed treatment providers, the day to day activities of the Drug Court participant;
2. Conducts initial intake interviews, and explains program requirements to participants;
3. Monitors participant compliance with Drug Court rules; communicates with participants in accordance with the program requirements
4. Attends case staffings on a regular basis, reporting compliance/non-compliance and recommends incentives and sanctions;
5. Assists in the promotion of team integrity;
6. Assists in the development of community resources;
7. Assists in the collection of data/statistics

LICENSED TREATMENT PROVIDER(S)

The Licensed Treatment Provider is a full member of the Drug Court team. The providers' duties are varied and include, but are not limited to, the following:

1. Conducts assessments to determine eligibility for TCADC;
2. Provides screening, assessment and/or treatment to participants;
3. Coordinates treatment with other treatment providers(s);
4. Develops treatment plans;
5. Provides therapy services
6. Attends staffings and court hearings for Drug Court participants, as appropriate;
7. Assists participants in applying for state, federal and veterans benefits
8. Assists participants in applying for housing, unemployment and educational programs;
9. Arranges housing and transportation;
10. Refers participants for medical treatment and medication management to appropriate local agencies

The Sheriff's Department may make referrals of potential participants to the State's Attorney's Office or the Public Defender's Office. Personnel at the Tazewell County Jail will work with the Drug Court team to facilitate meetings with incarcerated participants and potential participants and the team, and facilitate to the extent able Drug Court team directives concerning participants incarcerated at the Tazewell County Jail.

MEMORANDUM OF UNDERSTANDING
TAZEWELL COUNTY ADULT DRUG COURT
SIGNATORIES DOCUMENT

The attached MEMORANDUM OF UNDERSTANDING is made and entered into on the day of (), by and between the Tazewell County Drug Court Judge, Prosecutor, Public Defender, Tazewell County Probation Department, and Licensed Treatment Provider(s). The Memorandum shall be revised as needed.

WHEREAS, the Tazewell County Drug Court plans to continue to operate a problem solving court, a Memorandum of Understanding is necessary to clarify the respective roles and expectations of the offices and entities of the participating team members. This collaborative program has as its mission to operate a Problem Solving Court structured to divert from the criminal justice system, where appropriate, persons who have been diagnosed with substance abuse disorders and link them to social services agencies for treatment, transportation, housing, employment, counseling, education, medication management and application assistance for government benefits; and

WHEREAS, the Tazewell County Adult Drug Court shall be structured and operated to comply with the Problem Solving Courts Standards adopted by the Illinois Supreme Court.

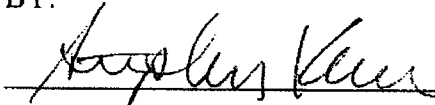
NOW THEREFORE the parties named below hereby mutually agree to the attached Memorandum of Understanding.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed by their duly authorized officers.

CHIEF JUDGE, TENTH JUDICIAL CIRCUIT COURT

BY:

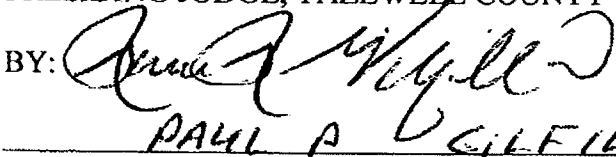
DATE:

 9/27/16

PRESIDING JUDGE, TAZEWELL COUNTY COURT

BY:

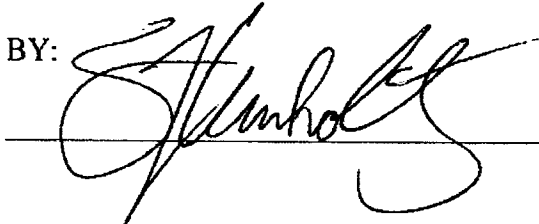
DATE:

 9-27-16
PAUL A. GILFILLAN

TAZEWELL COUNTY STATE'S ATTORNEY

BY:

DATE

 11-28-16

TAZEWELL COUNTY PUBLIC DEFENDER

BY: Luke P. Taylor DATE: Oct. 5th, 2016

TAZEWELL COUNTY DIRECTOR OF PROBATION

BY: m jh lk DATE: 11/20/16

LICENSED TREATMENT PROVIDER

BY: D. W. Myers DATE: September 29th, 2016

TAZEWELL COUNTY SHERIFF'S DEPARTMENT

BY: Robert M. Huster DATE: 11-3-2016