

Oneida Healing to Wellness Court Participant Handbook



Oneida Judiciary Trial Court
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Welcome to the Oneida Healing to Wellness Court (OHWC). This handbook is designed to detail what is expected of you as a participant in this program, answer your questions, and provide information about the OHWC. As a participant, you will work toward changing your lifestyle and becoming free from alcohol and other substances. This includes following instructions given by the OHWC Staffing Team and complying with the treatment plans and case plans developed for you. Honesty, individual accountability, and Oneida culture and beliefs are at the foundation of this program. The members of the OHWC Staffing Team will be working closely with you to help ensure you maintain your sobriety and move toward healing for yourself, your family, and your community. This handbook details what is expected of you as a participant and provides general program information. If at any time there are questions about forms or program details, please do not hesitate to reach out to anyone from the OHWC Staffing Team. You are encouraged to share this handbook with your family and friends.

PROGRAM DESCRIPTION

The Oneida Healing to Wellness Court is a voluntary post-conviction Adult Healing to Wellness Court program. The program represents a collaborative effort of criminal justice stakeholders serving Oneida Nation members living within Brown County. The partners in this effort are committed to a non-adversarial approach to provide you with culturally responsive and community-based support.

The program is a minimum of 17 months, consisting of five phases. Movement through each phase and graduation is dependent on your accomplishment of phase goals, individualized goals, and abiding by program requirements. Advancement through the phases will result in reduced program commitments as you engage in healthier choices and demonstrate a recovery-focused and law-abiding lifestyle.

MISSION STATEMENT

The mission of the Oneida Healing to Wellness Court is to combine judicial oversight and community resources to provide intensive court supervised support to reduce participants' substance use and encourage healing in a way that reconnects participants with family, community, culture, and Tsi[?] Niyukwalihó•ta (Our Ways).

VISION STATEMENT

The vision of the Oneida Healing to Wellness Court is to utilize an integrated approach to heal and strengthen our community using our core values of kahletsyalusla (heartfelt encouragement of the best in each of us) and kanolukhwasla (compassion, caring,

identity, and joy of being). The Healing to Wellness Court aims to provide support for community members who struggle with substance use and reduce recidivism to encourage a sustainably healthy Onyote?a·ka community for the next seven generations.

HEALING TO WELLNESS COURT STAFFING TEAM

The OHWC operates under the direction of a multi-disciplinary team. This means your participation in this program is supported by several professionals from a variety of fields. The OHWC Judge will communicate decisions regarding participation in the OHWC program with input from the OHWC Staffing Team. The OHWC Staffing Team consists of:

- Healing to Wellness Court Judge
- Wellness Court Coordinator/Case Manager
- Representative from the Brown County District Attorney's Office
- Representative from the State Public Defender's Office
- Representative from Oneida Behavioral Health
- Representative from Oneida Cultural Heritage
- Representative from Oneida Police Department
- Wisconsin Department of Corrections (DOC) Probation and Parole Agent

PROGRAM REQUIREMENTS

I. Participant Rules and Responsibilities

As an OHWC participant, you are expected to read and know the written program requirements in this handbook. The rules and responsibilities listed below are in effect to create and maintain a positive, safe, and alcohol- and drug-free environment that fosters healing for all participants. Failure to comply with these requirements may result in sanctions and/or discharge from the OHWC program.

1. **Be honest.** The concept and practice of honesty is the foundation of the OHWC; participating in this program requires your honesty above everything else.
2. **Do not use or possess any substances containing alcohol or non-prescription drugs.** The OHWC is abstinence-based. If you are suspected of being under the influence, a substance use test is required.
3. **Participants understand that the OHWC programming is based on traditional Oneida culture and values.** By agreeing to participate, you are acknowledging your willingness to learn and engage in Oneida cultural programming and ways of being that include learning about traditional stories, medicines, language, and ceremonies.

4. **Attend all ordered sessions.** Your schedule is based on your individualized OHWC case plan and Oneida Behavioral Health treatment plan. This includes attendance at court hearings, case management meetings, individual counseling, group programming sessions, probation appointments, educational sessions, cultural education sessions, and peer support meetings.
 - a. If late or unable to attend scheduled activities, you must call to notify staff and provide the reason for being late or for not attending that day as soon as possible. If your reason for being late or absent is due to a medical reason, a doctor's note may be requested. Please be aware that your reason for being late or not attending may not be considered a valid reason and as a result may be considered for non-compliance and will be reflected as such on your weekly progress report. Emergency situations will be handled on a case-by-case basis.
5. **Submit all alcohol and drug screens as required or requested.** Frequency of substance use testing is based on your individual phase status and can be increased based on participant progress. Observed alcohol and drugs tests ordered through OHWC may be in addition to testing required by other agencies you're involved with.
6. **Respect others**, including other participants and staff. No violence, threats, or intimidating behavior. Any of these acts will result in either of the following: Staff confrontation, mediation/peacemaking, report to the authorities, or addressed by the OHWC Judge. Consequences for threats or acts of violence may result in a verbal warning or termination from the program.
7. **Respect courtroom and treatment session etiquette.** Dress and behave appropriately while attending court hearings. Casual traditional attire is encouraged if participants are able (ribbon skirt, ribbon shirt, moccasins, etc.).
8. **Avoid any premises or events where the primary purpose is the sale of alcohol, or a private residence where alcohol and/or drugs are being served.**
9. **Must be a resident of Brown County and remain a resident of Brown County while participating in Healing to Wellness Court.**
10. **To facilitate open communication between providers and collateral contacts, participants must be willing to sign all designated releases of information as deemed necessary during intake and program participation.**
11. **Remain law abiding.**
12. **Notify Healing to Wellness Court Coordinator/Case Manager within 48 hours of changes to address, contact numbers, or phone disconnection.**
13. **Notify Healing to Wellness Court Coordinator/Case Manager of any employment/education changes within 48 hours.**
14. **Understand that the program is at least 17 months long.** This timeline is dependent on the participant's commitment to their healing and recovery journey in partnership with the Healing to Wellness Court Team's discretion.

15. It is mandatory that participants follow all conditions and rules of their respective Probation and Parole Agent and the DOC.

Failure to comply with any program rules may result in sanctions and/or discharge from the OHWC program.

II. Substance Use Testing

Substance use testing is a major component of OHWC which determines substance use patterns and monitors participant progress. Observed substance use tests are conducted on a frequent and random basis or as directed by the OHWC Staffing Team. These tests will be in addition to other substance screens you may be ordered to complete by other agencies.

In the event of a positive test result or admission of use, your treatment counselor and DOC Probation & Parole Agent shall be notified. These test results will also be reviewed by the OHWC Staffing Team.

If there is a substance use test with a positive result and use is admitted, you will be sanctioned in accordance with the sanction schedule. If use is denied, the sample will be sent to the lab for further testing. If the lab results come back positive, a sanction will be imposed in accordance with the sanction schedule in the policies and procedures manual.

It is your responsibility as an OHWC participant to be responsible and knowledgeable about what goes into and onto your body. No poppy or hemp seeds, no non-alcoholic beer or wine, no CBD products, no THC derivatives (Delta-8, Delta-9, etc.), no mouthwash and/or cough syrup or other over the counter medications that contain alcohol.

- **Daily Check-In Requirement**

When accepted into the OHWC program, you will be given a phone number and login information for *MobileTrek*, a mobile app used to determine your test randomization schedule. *MobileTrek* sends out a notification each morning if you are selected to test for that same day. You are required to check in every day between 5:00 a.m. to 8:00 a.m. by phone call or online. Failure to check-in will be treated as a missed test and the OHWC Case Manager will be notified. Failure to check-in may result in a sanction.

- Monday through Friday Testing
When you are selected to test between Monday and Friday, you are responsible for providing your own transportation to one of the substance use testing locations listed below. These locations are walk-in so making an appointment is not necessary. The results will be shared with the OHWC Case Manager and Staffing Team. Missing a scheduled test may result in a sanction.

Prevea Ashwaubenon 2502 S Ashland Avenue Green Bay, WI 54304 (920) 617-2627 Hours: M-F, 8am to 4pm Last collection is at 3:45pm	Prevea Washington Street 102 N Washington Street Green Bay, WI 54301 (920) 617-2627 Hours: M-F, 11am to 5pm Last collection is at 4:45pm	(MALE OBSERVATION) Prevea East Mason 3021 Voyager Drive Green Bay, WI 54311 (920) 617-2627 Hours: M-F, 7am to 5pm Last collection is at 4:45pm
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- Weekend, Holiday, and Travel Testing
When you are selected to test on a weekend, holiday, or a pre-approved travel, you will be provided an at-home saliva collection kit to complete your substance use test at home. You will need access to a mobile app called Proof, which provides detailed instructions and tutorials on how to administer your saliva collection at home and how to ship the sample for testing. Your results will be shared with the OHWC Case Manager and Staffing Team. Missing a scheduled test may result in a sanction.

III. Treatment

Treatment for substance use is the focus of this program. Treatment services shall be received at Oneida Behavioral Health (OBH) treatment center, as they have a member of their staff on the OHWC Staffing Team. You must establish care with OBH within three (3) business days of your intake appointment with the OHWC Coordinator/Case Manager. If there is a legitimate reason for you to receive substance use and/or mental health services elsewhere, an exemption must be requested and approved by the OHWC Staffing Team. While enrolled in OHWC, you are expected to comply with your individual treatment plan.

IV. Case Management

Each participant will work with the Healing to Wellness Court Coordinator/Case Manager for case planning, monitoring accountability, and direct service. You will work with the Coordinator/Case Manager to develop an individualized case plan. The case plan is reviewed at regular intervals for changes and modifications. The case plan is

based on, but not limited to: assessment results, substance use treatment, education and/or employment plan, housing, and relapse prevention.

You will meet with the Coordinator/Case Manager based on a frequency determined by which phase you are in. Initially, you will meet at least once per week. Participants are to submit their weekly reporting form to the Wellness Court Coordinator/Case Manager by 4:00 p.m. each Wednesday before your next assigned OHWC status hearing. As you progress through the program, the case management meeting frequency decreases according to the phase you are in.

V. Staffing Team Meetings

Each week, the OHWC Staffing Team will meet prior to the OHWC status hearing to review participant cases. The Team will review attendance and progress in treatment, results of scheduled appointments, etc. Weekly case staffings are designed to inform the OHWC Staffing Team of your strengths and weaknesses and to determine appropriate sanctions and incentives. This sharing of information allows the Staffing Team to adjust your case plan to foster your success.

VI. Healing to Wellness Court Hearings

OHWC status hearings are held weekly at the Oneida Judiciary. These hearings are closed to the public. You must attend when scheduled, unless otherwise excused by the OHWC Staffing Team. You must stay for the entire court hearing unless given prior approval to leave early. The OHWC Judge may ask questions about your progress and discuss any barriers you are facing. If you are doing well, you may be provided an incentive. If you are facing challenges staying compliant with the program expectations, the OHWC Judge will decide what further action needs to be taken, which could include a sanction to help keep you on track with program goals. Sanctions can be anything from increased program requirements to jail custody.

In the event of ceremonies, holidays, inclement weather, or other causes for cancellation, a member of the OHWC Staffing Team will notify you if the status hearing schedule is revised. You are expected to follow all other OHWC program requirements during the week in the event of a status hearing cancellation.

VII. Oneida Cultural Learning Plan

Upon intake, you will complete an Oneida Cultural Competency assessment. The purpose of this assessment is to determine your level of understanding and knowledge

of the Oneida culture. By assessing knowledge and skill for each competency, you will be able to prioritize your case plan to focus on areas that are most important to you. After completion of Phase 1, you are required to attend at least one approved cultural activity per month. This can include tribal department sponsored events, ceremonies, one-on-one appointments with Cultural Heritage staff, or other pre-approved culturally relevant educational activities.

VIII. Curfew

A curfew will be in effect throughout the OHWC program for all participants. Exceptions may be made for conflicts in your employment schedule if you are working. Random curfew checks will be confirmed through phone check-ins that log your GPS location during your time of check-in. If you are found breaking curfew, you may be required to submit additional substance use testing and sanctioned according to the OHWC sanction schedule.

Below is the curfew for each phase:

Phase 1	Phase 2	Phase 3	Phase 4	Phase 5
9:00PM	9:30PM	10:00PM	11:00PM	12:00AM

IX. Recovery-Focused Community Support Meetings

Attendance is required at community support meetings, such as Wellbriety, AA, NA, etc. The frequency of attendance is determined by phase level and your progress in the program. During Phase 1, you are required to attend a minimum of two in-person meetings per week. For Phase 2 through Phase 5, you are required to attend a minimum of three meetings per week with the option to attend one of those virtually, if desired. Attendance at community support meetings is an important part of your recovery journey as it helps you to become familiar with the support group philosophy. It also helps you develop relationships that will support your recovery-focused lifestyle. Participants must provide the Coordinator/Case Manager with proof of attendance in support meetings.

PHASE STRUCTURE

The individualized case plans for each participant may determine additional requirements to progress in phases.

Phase	Phase Duration	Participant Requirements
<p>Phase 1</p> <ul style="list-style-type: none"> • ^twanikuhlo:ke'we (aa-twa-nee-goo-low-gay-way) To wipe the mind (detox) • ^twanikuhlayantehte' (aa-twa-nee-goo-law-yawn-deh-day) We will learn to understand <p>Detoxification and Orientation: Time spent in this phase will be used getting accustomed to the routine and accountability the Oneida Healing to Wellness Court program provides.</p>	<p>Minimum time in phase: 60 days</p> <p>Minimum sobriety time required to advance phases: 20 days</p>	<ul style="list-style-type: none"> ▪ Report to court every week ▪ Meet with case manager weekly ▪ Minimum of three randomized observed drug tests per week ▪ Comply with OBH treatment plan and requirements per clinical assessment ▪ Comply with DOC Community Corrections rules and conditions ▪ Attend two in-person Community Support Meetings per week ▪ Participants are not to enter establishments where the primary purpose is the sale of alcohol ▪ Submit Phase 1 Reporting Form to OHWC Case Manager before 4pm on Wednesdays
<p>Phase 2</p> <ul style="list-style-type: none"> • ^twanu'kwatslu:ni (aa-twa-noo-kwat-sloo-nee) We will make a remedy <p>Stabilization and Treatment: The time spent</p>	<p>Minimum time in phase: 90 days</p> <p>Minimum sobriety time required to advance phases: 30 days</p>	<ul style="list-style-type: none"> ▪ Report to court every week ▪ Meet with case manager weekly

<p>in this phase will be used for the participant to become more stable in their sobriety, expectations, and treatment routine.</p>		<ul style="list-style-type: none"> ▪ Minimum of three randomized observed drug tests per week ▪ Comply with OBH treatment plan and requirements per clinical assessment ▪ Attend at least one cultural activity per month ▪ Attend three Community Support Meetings per week; one may be virtual ▪ Comply with DOC Community Corrections rules and conditions ▪ Participants are not to enter establishments where the primary purpose is the sale of alcohol ▪ Submit Phase 2 Reporting Form to OHWC Case Manager before 4pm on Wednesdays
<p>Phase 3</p> <ul style="list-style-type: none"> • ^twalihwa'?ni:late (aa-twa-lee-wah-nee-law-day) We will strengthen the issue <p>Maintenance and Treatment: The participant will be expected to maintain their ongoing routine and continue their treatment services as assigned in their case plan</p>	<p>Minimum time in phase: 120 days</p> <p>Minimum sobriety time required to advance phases: 45 days</p>	<ul style="list-style-type: none"> ▪ Report to court every other week or as directed by the judge ▪ Meet with case manager weekly ▪ Minimum of two randomized observed drug tests per week ▪ Comply with OBH treatment plan and requirements per clinical assessment

		<ul style="list-style-type: none"> ▪ Comply with DOC Community Corrections rules and conditions ▪ Attend at least one cultural activity per month ▪ Attend three Community Support Meetings per week; one may be virtual ▪ Participants are not to enter establishments where the primary purpose is the sale of alcohol ▪ Submit Phase 3 Reporting Form to OHWC Case Manager by 4pm on Wednesdays
<p>Phase 4</p> <ul style="list-style-type: none"> • ^twalihwatok^ha'ke (aa-twa-lee-wa-doe-gaa-ha-gay) We will be certain of matters <p>Ongoing Maintenance: Participants may have completed treatment by Phase 4 and will continue to work on maintaining their recovery-focused lifestyle and continue to maintain their sober support network in preparation for life after Healing to Wellness Court graduation.</p>	<p>Minimum time in phase: 150 days</p> <p>Minimum sobriety time required to advance phases: 90 days</p>	<ul style="list-style-type: none"> ▪ Report to court every month or as directed by the judge ▪ Meet with case manager bi-weekly ▪ Minimum of two randomized observed drug tests per week ▪ Comply with OBH treatment plan and requirements per clinical assessment ▪ Comply with DOC Community Corrections rules and conditions ▪ Attend at least one cultural activity per month ▪ Attend three Community Support Meetings per week; one may be virtual

		<ul style="list-style-type: none"> ▪ Participants are not to enter establishments where the primary purpose is the sale of alcohol ▪ Submit Phase 4 Reporting Form to Case Manager by 4pm on Wednesdays before hearing
<p>Phase 5</p> <ul style="list-style-type: none"> • ^ye:thi'?'syne (aa-yea-tee-snyea) We will care for them <p>Aftercare: The focus of Phase 5 is to incorporate the supports and structure gained through the OHWC Program and be self-sufficient in maintaining sobriety and a recovery-focused lifestyle.</p>	<p>Minimum time in phase: 90 days</p> <p>Minimum sobriety time required to apply for graduation: 90 days</p>	<ul style="list-style-type: none"> ▪ Report to court once per month or as directed by the judge ▪ Meet with case manager once per month ▪ Minimum of one randomized observed drug test per week ▪ Comply with OBH treatment plan and requirements per clinical assessment ▪ Attend at least one cultural activity per month ▪ Attend three Community Support Meetings per week; one may be virtual ▪ Participants are not to enter establishments where the primary purpose is the sale of alcohol ▪ Prepare OHWC Graduation Application

INCENTIVES

Incentives are used to encourage participants to continue working towards goals they set for themselves. The Healing to Wellness Court Judge will reward participants with incentives for following through with program requirements based on recommendations from the Healing to Wellness Court Team. Additionally, Team members are encouraged to acknowledge each participant's progress. Participants are encouraged to be creative by identifying possible incentive options that are meaningful to you. Incentives may include:

- Basket drawing
- Recognition and praise from the Judge and other OHWC Staffing Team members during court hearings
- Phase advancement
- Certificate of Accomplishment
- Recovery materials (books, mugs, keychains, coins, etc.)

SANCTIONS

Sanctions may be used to remind participants of the expectations and requirements of the program and to provide more structure and support when needed. The Healing to Wellness Court Judge will enforce sanctions for non-compliance based on recommendations from the Healing to Wellness Court Staffing Team. Sanctions are used to enforce the requirements of the program and may include:

- Verbal warnings from the judge
- Verbal or written apology to the judges or team members
- Home electronic monitoring
- House arrest or curfew adjustments
- Increase in frequency of substance use testing
- Loss of phase time
- No contact/no association orders
- Increase in contact with Coordinator/Case Manager
- 1:1 Meeting with Healing to Wellness Court Judge
- Incarceration
- Discharge

GRADUATION

Participants who consistently engage with their case plan, follow the Healing to Wellness Court Judge's orders, meet all minimum requirements for each program phase,

and progress successfully through all the phases may be eligible for graduation from the program. While you are in Phase 5 and maintaining your sobriety, you may begin to discuss graduation with the OHWC Case Manager. Graduation eligibility is determined by your achievements. You will be notified when you are eligible to apply for graduation. In order for the OHWC Staffing Team to consider you a candidate for graduation, you must successfully complete the following:

- Successful completion of all phases of OHWC
- Completion of relapse prevention plan
- Completion of all recommended treatment requirements
- Demonstrate continuous involvement in a sober support network

Graduation applications will be reviewed during staffings with the OHWC Staffing Team. In addition, you will complete an exit interview with the OHWC Coordinator/Case Manager.

On graduation day, you will be invited to share with the Healing to Wellness Court Judge and Staffing Team how your life has changed since starting the program. The Judge will present you with a certificate of completion and will acknowledge your accomplishments. Family and friends are encouraged to attend your graduation ceremony and contribute to acknowledging your achievement by helping to prepare traditional food and/or beverages for the graduation feast. In celebration of your graduation, you will be able to participate in a traditional Hair Combing ceremony.

COSTS AND FEES

There is no entrance fee or monthly fees associated with participating in the OHWC. All participants will be responsible for any supervision costs, restitution, court costs, fines, medical costs, fees, etc. imposed on you.

PHYSICIANS AND MEDICATIONS

Participants are required to provide verification from their physician for any prescribed medication in advance of testing. You must provide the probation agent and Wellness Court Coordinator with a complete list of prescription and non-prescription drugs you currently are taking. You must sign and date the list and update the Probation & Parole Agent and Wellness Court Coordinator of all changes. You will supply documentation when medical treatment or drug therapy is ordered while you are enrolled in OHWC. Participants are required to have only one primary physician, one pharmacy, and one hospital. Pertinent medical documentation will be entered into your case file.

You must agree to cease the use of mood-altering substances that would result in a positive drug test (including, but not limited to: narcotics, tranquilizers, sedatives, stimulants, opiates, and/or opiate-based medications). If during OHWC participation it becomes medically necessary for you to take prescription medication from the above listed categories, you must notify the OHWC Staffing Team and provide appropriate medical documentation. The OHWC Coordinator/Case Manager may request a release of information for the prescribing doctor when the use of doctor monitored prescription drugs is medically necessary.

MEDICATION ASSISTED TREATMENT

Medication-assisted treatment (MAT) is used to treat substance use disorders as well as sustain recovery and prevent overdose. OHWC allows the use of MAT. If medications are prescribed for the purpose of MAT while participating in the OHWC, you must sign a release of information allowing communication between the OHWC and the MAT prescriber to allow the court to verify the medication is being taken as directed.

POSTPONEMENT (for Inpatient Level of Care)

In the event a participant is ordered to enter inpatient/residential treatment while enrolled in the OHWC, your phase time will be paused and some program requirements may be postponed while you are not in the community. The Staffing Team will determine if you can continue in the OHWC based on factors, which include but are not limited to: length of time away, successful completion of treatment, and recommendations of treatment staff. Participants who enter an inpatient/residential treatment facility will start at the beginning of their most recent phase upon their completion of inpatient treatment. Days towards phase advancement do not count until you are outside of a residential/inpatient setting. If you are eligible to return to the Healing to Wellness Court, a traditional Edge of the Woods ceremony may be performed to welcome you back.

SUSPENSION

In the event a participant is ordered to enter jail while enrolled in the OHWC, your participation may be put on suspension while you are not in the community. The OHWC Staffing Team will determine if you can continue enrollment in the OHWC based on factors which include but are not limited to: length of time away, reason for incarceration, and recommendations of the Healing to Wellness Court Team. Participants who are incarcerated will start at the beginning of their most recent phase

upon their release. Days towards phase advancement do not count until you are outside of a confined setting. If you are deemed eligible to return to the Healing to Wellness Court, a traditional Edge of the woods Ceremony may be done to welcome you back.

ABSCONDING

Participants who miss a scheduled appointment or OHWC status hearing and fail to communicate with the OHWC Coordinator/Case Manager and/or their assigned DOC Probation and Parole Agent will be considered absconding from the program. Day one of absconding begins when you miss programming that you were required to attend (treatment, drug screen, court, appointment with OHWC Coordinator/Case Manager or DOC Probation and Parole Agent, etc.) and did not contact providers, and failed to respond when attempts at contact were made. If there is no contact with the Probation and Parole Agent for 30 consecutive calendar days and/or you missed four consecutive court appearances, the discharge process will begin.

PROGRAM DISCHARGE

It is the policy of the OHWC to retain participants in the program whenever possible. The OHWC Staffing Team acknowledges that substance use relapse can occur, and relapse by itself should not be cause for discharge unless such relapses continue to a point that it is apparent the participant is not making efforts to maintain sobriety.

The only acceptable ways to leave the Oneida Healing to Wellness Court are:

- graduation indicating successful completion of the program;
- administrative discharge when a participant requires more services than the program can offer or for other reasons unrelated to the participant's performance, such as relocating to another jurisdiction; or
- unsuccessful discharge.

I. Unsuccessful Program Discharge

To discharge a participant unsuccessfully, the participant is provided a due process Discharge Hearing where an independent judge shall find by preponderance of the evidence that:

- the participant poses a serious and imminent risk to public safety that cannot be prevented by the OHWC's best efforts;

- the participant chooses to voluntarily withdraw from the program despite team members' best efforts to deter the participant and encourage further effort to succeed; or
- the participant has repeatedly refused or neglected to receive treatment or other program requirements that are minimally required for the participant to achieve rehabilitative goals and avoid recidivism.

Unsuccessful Discharge Procedure

1. A motion to recommend discharge for a participant may be made by any voting member of the OHWC Staffing Team. The motion must be seconded by another voting member of the team for it to be considered by the team.
 - a. If the motion is seconded, the team will discuss whether discharge is appropriate. Discussion will happen without the presence of the OHWC Judge. The team must consider, but is not limited to, the following: current phase, days of sobriety, substance use testing results, compliance with program rules and requirements, imposed sanctions, awarded incentives, level of family involvement, and stability/health of living situation.
2. After the discussion, the OHWC Staffing Team will decide by consensus whether to recommend the participant be discharged from the program. If the team decides not to proceed with the recommendation for discharge, no further action is taken.
3. If the Team decides to proceed with the recommendation for unsuccessful discharge, the OHWC Judge will notify the participant at the status hearing that follows immediately after the Staffing Team meeting where it was decided to consider a recommendation for unsuccessful discharge and require a meeting between the team and the participant. During this period, the participant will continue to follow the rules and policies of the OHWC, including court appearances, unless their behavior exhibits a pattern of violations and is contrary to the functioning of the program.
 - a. Immediately following or during the status hearing when the participant is being notified by the OHWC Judge that discharge is being recommended, the OHWC Coordinator/Case Manager will provide a written notice to the participant of the motion to recommend discharge. The notice will contain the following information:

- i. a statement of the violation(s) prompting the motion to recommend discharge;
 - ii. a summary of the participant's progress and sanction history while participating in the OHWC program; and
 - iii. the date and time when the participant is required to meet with the OHWC Staffing Team to discuss the motion for discharge.
4. One week after the status hearing when the participant was notified of the recommendation for discharge, the OHWC Staffing Team will meet with the participant to discuss the discharge recommendation. In the event of a cancelled status hearing, a special meeting will be called within one week to conduct this meeting with the participant. Immediately following the meeting, the OHWC Staffing Team will deliberate without the presence of the participant and the OHWC Judge to determine by consensus whether to give a final recommendation to discharge the participant. If the Staffing Team decides not to proceed with the discharge recommendation, the OHWC Judge will notify the participant in the status hearing immediately following and no further action will be taken.
5. If the OHWC Staffing Team decides by consensus to recommend discharge for the participant, the OHWC Judge will notify the participant of the recommendation to discharge at the status hearing immediately following the Staffing Team meeting when the recommendation was made.
 - a. When a final recommendation of discharge is made, the OHWC Coordinator/Case Manager will provide written notice to the participant immediately following or during the status hearing which will include:
 - i. Notice of violations.
 - ii. Right to a Discharge Hearing before a judge that is not the OHWC Judge.
 - iii. Rules of evidence do not apply.
 - iv. Right to obtain legal counsel.
 - v. The burden of the OHWC Team to show discharge is appropriate by a preponderance of the evidence.
 - vi. Date when a Discharge Hearing will be held.
6. A mandatory Discharge Hearing will be scheduled within 14 calendar days after the participant receives notice of the OHWC Staffing Team's final recommendation to

discharge. During this time, the participant will continue to follow the rules and policies of the OHWC, including court appearances, unless their behavior exhibits a pattern of violations and is contrary to the functioning of the program.

- a. If the participant chooses not to contest the discharge, they must provide verbal or written notice to the OHWC Coordinator/Case Manager or to the OHWC Judge on or before the Discharge Hearing date.

Due Process as to Discharge

Any participant facing discharge from the Oneida Healing to Wellness Court has certain due process rights. It is the intent of the OHWC to allow participants a meaningful opportunity to address the Court as to the issue of discharge.

The due process rights of a participant who is alleged to have committed a violation(s) giving cause to be discharged from the OHWC, is as follows:

1. The right to notice of the violation(s) and/or allegations used as the grounds for the recommendation to discharge.
2. The right to be informed of and present at the due process discharge hearing.
3. The right to call their own witnesses.
4. The right to cross-examine witnesses.
5. The right to factual findings.
6. The right to counsel.
7. The rules of evidence do not apply.
8. The burden is on the OHWC Team to prove by a preponderance of the evidence that discharge is appropriate.
9. The right to a discharge hearing before a judge that is not the OHWC Judge.
10. The decision of the judge presiding over the discharge hearing is final and not subject to appeal.

RELEASES OF INFORMATION & CONFIDENTIALITY

During the intake appointment, you will be asked to sign an authorization for release of information to the OHWC Staffing Team. This is extremely important for the team to understand what is going on with you and communicate with each other throughout the program. The OHWC Staffing Team's goal is to support you, not to put you in jail or send you to prison. All information shared with the Team is confidential; no team member will share any personal information about you to anyone outside of the Team without your expressed and written permission. Also, measures will be taken by the

Team to ensure that information disclosed is relevant, reliable, and limited to the scope of the program and that it takes place in a professional forum.

If an OHWC Staffing Team member and a participant should come in contact outside of a professional setting, communication should not take place unless initiated by the OHWC participant.

Because participants are involved in group counseling, it is essential that you respect the confidentiality of other participants. Participants must agree not to disclose sensitive information discussed during sessions. This topic will be addressed in the Participation Contract and the initial intake.

There may be times when individuals outside of the OHWC Staffing Team will attend the staffing meeting and/or the OHWC hearing to observe the process for educational purposes. For example, observers may include members from other court teams, professionals planning to start a Healing to Wellness Court, or representatives from our partnering agencies. All observers must sign a confidentiality agreement.

Finally, Tribal law and regulations do not protect any information about suspected elder and child abuse or neglect from being reported under tribal law to appropriate state or local authorities. Other instances of mandated reporting are in case of emergency, or threats to harm self or others.

MISCELLANEOUS POLICY

I. Travel Request Policy

When you need to leave the area beyond the counties immediately surrounding Brown County (Oconto County, Shawano County, Outagamie County, Calumet County, Manitowoc County, and Kewaunee County) for any reason or be overnight at a different location other than your approved home address, a travel request form must be requested from the OHWC Coordinator/Case Manager and must be submitted at least one week prior to the requested travel. This travel request must be approved by the OHWC Staffing Team and your Probation Agent. Drug and alcohol testing may be required prior to departure, during time away, and/or upon your return to Brown County.

II. COVID/Sick Policy

The OHWC will follow the guidelines outlined by the CDC for isolation and ongoing program requirements. Participants are responsible for providing medically verified testing results to the OHWC Coordinator/Case Manager within 24 hours of testing

positive for COVID or verification in the form of a doctor's note for any illness requiring time off. At-home COVID test results will not be accepted. You may be asked to sign a Release of Information to obtain hard copies of lab tests/medical records to confirm illnesses requiring any amount of time off from in-person program requirements.

III. Postpartum Policy

Participants may be excused from in-person program attendance for up to six weeks after delivery of a child. In the event that a pregnant participant is unable to actively engage in required programming, an individualized case plan may include, but not be limited to: virtual hearing attendance, at-home drug screens, and paused phase time during this period of exemption. This policy is not all encompassing. Each case will be addressed on a case-by-case basis.

COMMITMENT TO SUCCESS AND IMPORTANT PHONE NUMBERS

The Healing to Wellness Court Team is here to help you succeed and to support your goals. If you make a commitment to this program, to your treatment program, and to yourself, we know you will accomplish your goals. If you need more help, please let us know!

Simone Ninham, OHWC Coordinator/Case Manager

Office (920) 496-7211

Work Cell (920) 660-2335

If you have any further questions, please contact the Wellness Court Coordinator.