

**DuPage County
Veterans Court**

**POLICY & PROCEDURE
MANUAL**



**DuPage County, Illinois
18th Judicial Circuit**

Veterans Court is a court supervised program for veterans who have been charged with a criminal offense. It is a program intended for veterans whose treatment needs contributed to the commission of a crime. The mission of the Veterans Court is to enhance the quality of life for participants by engaging in treatment with Veterans Administration support systems in conjunction with a problem-solving court model to facilitate new skills which leads to a reduction in recidivism. Veterans Court was established in September of 2018 after data collected showed there was a need for a stand-alone Veterans Court program.

Veteran Court services are tailored to the individual needs of participants, including psychiatric consultations for medications, mental health services, crisis intervention services, and substance abuse. The program also provides a supportive employment program, referrals for co-occurring treatment, cognitive behavioral groups, trauma focused treatment, domestic violence programs, and anger management groups.

Veterans Court combines the efforts of the Judiciary, the State's Attorney's Office, the Public Defender's Office, the Probation Department, and the Veterans Administration. Additionally, other community agencies partner with Veterans Court to provide the services indicated above.

Veterans Court is a voluntary program that includes regular court appearances, treatment appointments with both a doctor and clinician, frequent appointments with a probation officer, and random drug testing.

MISSION STATEMENT

The mission of the Veterans Court program is to enhance the quality of life for participants by engaging in treatment and community-based support systems that uses a problem-solving court model to facilitate new skills which leads to a reduction in recidivism and the stigma associated with having a criminal record.

Goals of Veterans Court

- Reduce the stigma of having a criminal record for veterans and active military personnel
- Improve access to VA benefits and services
- Reduce the time and costs of incarceration
- Reduce the number of crimes committed by veterans with substance use disorders, traumatic brain injury, PTSD and or/mental health issues due to their military service
- Redirecting veterans with treatment needs from the traditional court system to the VA based system

TARGET POPULATION AND CAPACITY

Veterans Court is a post adjudicatory program, the target population consists of high risk/high need offenders who reside in DuPage County, Illinois, have a current non-violent felony and/or misdemeanor offense and have a current treatment need documented as a DSM-V diagnosis. These individuals are at high risk to re-offend and have high treatment needs, the program targets these risk areas to reduce the incidence of crimes committed. Veterans Court is a diversion

program. The Veterans Court has the capacity to service and monitor 50 participants in the program.

ACCESS TO JUSTICE

Applicants will not be excluded from Veterans Court based upon their gender, race, nationality, ethnicity, limited English proficiency, disability, socio-economic status or sexual orientation. The Court will provide an interpreter for any applicant whose primary language is not English. The defendant will be assessed a fee to participate with consideration based on ability to pay. A payment plan will be implemented which will not prohibit program entry, phase advancement or graduation.

DUPAGE COUNTY VETERANS COURT ELIGIBILITY CRITERIA

- Be charged with a misdemeanor or felony offense;
- Be 18 years old or older;
- Be a citizen or legal resident of the United States;
- Have a treatment need such as a substance use disorder or a mental health diagnosis;
- Applicants must be willing to participate in all recommended treatment;
- Resolve all out of county cases (e.g. pending cases, warrants or holds);
- Resolve all DuPage County cases not being considered for Veterans Court;

EXCLUSIONARY FACTORS

- The applicant is unwilling to participate in treatment;
- The applicant has committed a crime of violence in the past ten years, excluding periods of incarceration. A crime of violence pursuant to the Veterans Court Treatment Act, (730 ILCS 167/20 et, seq.), defines a crime of violence as, including but not limited to, first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson, arson, aggravated kidnapping, kidnapping, aggravated battery resulting in great bodily harm or permanent disability, stalking, aggravated stalking, or any offense involving the discharge of a firearm.

VETERANS COURT TEAM

The Veterans Court Team is made up of a group of interdisciplinary representatives including the Judge, the State’s Attorney, the Public Defender/defense attorney, Program Coordinator, Probation Officers and the Veterans Justice Outreach Specialist (VJOS). The team and each representative agree to remain in their position for the designated length of time per AOIC guidelines and agree to attend training and conferences to stay current on “best practices” and the latest research. Each member understands and agrees they will consistently attend weekly staffing and court status hearings and act in a professional and non-adversarial manner. For the continued operation of the court, each member must identify a designated back up person who will attend when the regular team member is unavailable.

The Judge heads the collaborative team and accepts this assignment for a minimum of two years. The Judge reviews all screenings and clinical assessments on new participants and reviews the case status reports provided for weekly court staffings. The Judge has the final authority to make the following decisions: new case admissions, administering therapeutic adjustments and graduated sanctions/rewards, and terminations from the program. The judge also interacts with each participant at the bench to increase the participant's accountability and to enhance the likelihood of engagement in the program.

The Assistant State's Attorney in the Veterans Court Program agrees to this assignment for a minimum of a year. He/she reviews new case applications, attends all staffing and court status hearings, and interacts with other team members in a non-adversarial manner. The Assistant State's Attorney prepares the plea agreement and contract for eligible participants after reviewing records and talking with police officers and victims. During staffing and court status hearings, he/she monitors a participant's progress and can make recommendations regarding therapeutic adjustments, incentives and sanctions. The Assistant State's Attorney may choose to file a petition to terminate a participant from the program for a new law violation, or for non-compliance with the program.

The Public Defender/defense attorney is a member of the collaborative team and represents and counsels the participant in all court proceedings. The Public Defender/defense attorney assists in making referrals and in guiding participants through the application process. The Public Defender/defense attorney must attend all staffing and court status hearings. In those circumstances where the private defense attorney can no longer attend all staffing/court proceedings, the court will appoint the public defender as co-counsel. The Public Defender/defense attorney assumes a non-adversarial role but also ensures the participant's constitutional and legal rights are not violated. He/she represents the participant's legal interests during staffing and in court, and makes recommendations regarding therapeutic adjustments, sanctions, and incentives for the participants they represent. The Public Defender role requires a time commitment of one year.

The Program Coordinator position is for a minimum of one year. The Program Coordinator is required to attend all staffing and court status hearings and participates in a non-adversarial manner. The coordinator will assist with the screening of applicants, ensuring that the application and screening process is done in a timely manner. The coordinator keeps statistical data to improve the program outcomes and identify any needs or gaps in services in the program. He/she keeps the team educated on the latest research by setting up and arranging team trainings. The coordinator is also responsible to find new resources for various treatment and supportive services that benefit participants. The coordinator is the liaison among team members and their departments and assists with the creation of program eligibility standards, operating procedures and program policies. In addition, the coordinator prepares agreements with treatment providers and other community agencies providing services to participants in the program.

Probation officers are assigned for a minimum of one (1) year. The Probation Officer must attend all staffing and court status hearings and take a non-adversarial approach with other team members. They complete an intake with the Veterans Justice Outreach Specialist and administer a risk assessment, the Illinois Adult Risk Assessment (ARA), to determine the participant's level of risk to re-offend and develop case plans based on the risk areas identified by the ARA. The Probation Officer intensely monitors each participant's progress by communicating with treatment providers

and advise the team on the individual's progress or non-compliance. The probation officer can make recommendations for therapeutic adjustments, sanctions or incentives. Additionally, the probation officer will document and keep accurate, up-to-date records which will assist in the collection of data and statistics.

The Veterans Justice Outreach Specialist (VJOS) conducts the initial Veterans Court intake along with the Probation Officer. The VJOS is responsible for coordinating appointments, treatment, and groups with staff at the Veterans Administration. The VJOS provides regular reports to the team about the status of each participant's level of participation in VA services, including compliance and recommendations for therapeutic adjustments. The VJOS helps veterans access benefits and services. The VJOS provides military discharge and VA eligibility information to the rest of the Veterans Court team.

TRAINING

The Veterans Court team attends seminars and conferences on a regular basis.

THE VETERANS COURT APPLICATION PROCESS

The application process begins when the Public Defender/defense attorney meets with the applicant to explain Veterans Court expectations. The applicant must file a Veterans Court Application in court. This application prompts the creation of a criminal history report by the Probation Department. The criminal history report provides the Veterans Court team with information regarding all criminal offenses charged, including pending cases of the applicant. The case for which an application is made will be temporarily re-assigned to courtroom 4001 for the duration of the Veterans Court application process. The same day the Veterans Court application order is entered, the applicant and Public Defender/defense attorney must report to the Probation Department in the 18th Judicial Circuit and complete an application packet. The applicant, along with his/her attorney or family member, will meet with a staff member of the Probation Department to ensure all necessary releases of information are signed and all the paperwork is completed. The application packet includes, Request for Consideration in Veterans Court, Ongoing Release of Confidential Information Form, and a Preliminary Information Sheet. Copies are provided to the Assistant State's Attorney and defense attorney.

The Program Manager reviews application materials (police reports, criminal history and Veterans Court packet) to determine if each applicant statutorily meets the eligibility criteria. If the applicant meets eligibility criteria then on the initial court date, an appointment is set for intake, screening, and evaluation with a probation officer and VJOS. If an applicant is found to not be statutorily eligible for the program their case is either rejected or their application is withdrawn, and their case is returned to the original courtroom.

The screening process includes a clinical mental health assessment completed by the VJOS and the probation officer. Veterans Court utilizes the following clinical assessment tools: Life Events Checklist, Modified Mini Screen (MMS), Simple Screening Instrument for Alcohol and Other

Drugs (SSI-AOD). The VJOS will diagnose any identified mental illness and make treatment recommendations, which will be integrated into a treatment plan. The probation officer then completes a criminal risk assessment, the ARA, which identifies the applicant's risk to re-offend and the areas which place the applicant at risk for future criminal behavior. These risk areas are targeted for services in the probation case plan. Once the assessment is completed, a written report is sent to all members of the Veterans Court team. The content of the report is discussed at the staffing prior to the applicant's next court date. Treatment recommendations and case plans are determined and become a part of the Veterans Court Plea Agreement and Contract.

Prior to entry into the program, the Public Defender/defense attorney will review with the applicant the Consent to Participate in Veterans Court and the Plea Agreement and Contract. Once questions have been answered and both documents have been read and signed, the Judge will undertake appropriate plea proceedings, consistent with the law, Supreme Court Rule 402 and PSC Standard 7.2(e). Applicants are required to sign the receipt of handbook form and the Probation Officer shall maintain a copy in their file.

The Court shall provide an interpreter for any Limited English Proficient Person who is involved in a legal proceeding as a party or witness. Consistent with the Americans with Disabilities Act and Illinois state statute (735 ILCS 5/8-1402), the court shall provide a qualified sign language interpreter for deaf or hard of hearing persons who are involved in any legal proceeding as a litigant, witness, victim, juror or spectator. Consistent with the Illinois Criminal Proceeding Interpreter Act, the court shall provide an interpreter for Limited English Proficient defendants in criminal proceedings via a written order (725 ILCS 140/2).

WEEKLY STAFFING AND COURT

The Coordinator is responsible for tracking Veterans Court applicants and updating information regarding participants for the weekly court call. Each week a court call is generated with the pending and active participants scheduled to appear in court that week. The Coordinator/Program Manager emails the court call to all team members prior to the court date.

Probation officers are responsible for creating a Court Status Form for each applicant and participant. The form provides a summary of each applicant's and participant's progress in the application process and/or program and recommends possible sanctions, rewards and/or therapeutic adjustments. The forms are provided to team members one day prior to court, which allows all team members to prepare for those cases that may require more time and attention.

The Veterans Court team meets prior to the court date for staffings to discuss each participant on the call. During staffing, the team identifies appropriate responses to address both problematic behaviors, rewarding positive behavior and possible therapeutic adjustments. During court, the participant's performance and progress is addressed by recognizing and encouraging positive behavior, addressing and sanctioning negative or unproductive behavior and making therapeutic adjustments through treatment recommendations.

Probation officers and all team members are required to be present in staffing and court for the entire court call, which provides an opportunity for them to answer questions from participants or attorneys and approach the bench.

If emergencies occur between weekly court dates, the Veterans Court team is notified and a collaborative discussion with all team members occurs. The Assistant State's Attorney and Public Defender/defense attorney may need to appear before the Judge on a non-Veterans Court day, if a court order needs to be entered prior to the next Veterans court call. The team recommendations are presented to the Judge, and the Judge makes the final decision on all court orders.

The Veterans Court program is divided into two tracks based upon risk level as identified by the ARA (Adult Risk Assessment). The participants who are identified as low risk have specified low risk court dates on a quarterly basis in which only low risk participants are scheduled. All other participants identified as medium or high risk are required to be in court more frequently which is determined by their current phase and level of compliance. In the event a low risk participant is reassessed at a higher risk level, that participant will be moved into the medium/high risk track. Subsequently, a participant identified as medium /high risk may also be reassessed and moved into the low risk track.

CASE SUPERVISION

Each participant is assigned to a Probation Officer. The assigned probation officer is responsible for case planning, monitoring accountability, and providing direct service. Probation officers complete the ARA, which is a risk and needs assessment that identifies criminal risk to re-offend and risk areas.

The Probation Officer refers to the social history report for psychosocial information and the results from the ARA to determine risks areas to address in the case plan.

The VJOS provides ongoing updates, records, and information about a participant progress in VA services. The VJOS also helps coordinate services at Vet Centers and other veteran organizations outside of the VA.

The foundation of supervision is individualized case management, which requires that a comprehensive, individualized case plan is developed with and signed by each participant. The case plan is regularly reviewed and modified as appropriate. The case plan is based on the ARA and includes the defendant's plans for education, employment and housing. Participants are asked to provide a restorative plan, which identifies how they intend to repair the damage caused by their actions to the victim and the community. They are required to provide a long-term plan identifying how they intend to engage, support, and maintain a healthy lifestyle. The Probation Officer is responsible for assisting participants to accomplish their goals and objectives, which may include obtaining necessary collateral services such as housing, referrals to employment skills training, and transportation.

Initially, the probation officer meets with the participant frequently to monitor the participant's compliance with conditions of the Veterans Court Plea and Contract, to monitor his/her level of compliance with substance use treatment, psychiatric treatment, clinical services, medication and/or the need for Medical Assisted Treatment (MAT). As the participant progresses through the program or their risk level decreases, the frequency of contacts and the number of court appearances may decrease.

The Probation Officer provides information on each participant to the team and attends weekly staffings with the Veterans Court team. Probation officers are expected to be familiar with a wide range of resources available to the participants in the community and to assist participants in obtaining necessary services. The Probation Officer must be equipped to handle crisis situations and alert other members of the team when these occur. This may include arranging for the participant to enter a crisis unit, a hospital for stabilization.

TREATMENT

The VJOS and probation officers assist participants in securing treatment. A participant may be referred to additional services and treatment as the case progresses, and if additional needs are identified. The treatment provider will complete a clinical treatment plan and shall provide a copy to each Veterans Court participant and all team members. The treatment plan shall be amended upon participant progress,

The Adult Probation Employment Program (APEP) is facilitated by an employment specialist who provides job skill testing, educational classes about different aspects of job interviewing, one-on-one support with applications and job interviews, and if necessary, provides on-the-job assistance. The VA also offers job related assistance to help Veterans obtain and maintain employment. Worknet DuPage also has veteran specific job resources available.

Evidence-based practices in the criminal justice system refers to practices which have had demonstrable and positive outcomes in lowering recidivism, increasing victim satisfaction, and decreasing expenditures.

Motivational Interviewing (MI) is a goal-directed, client-centered counseling style for eliciting behavioral change by helping clients explore and resolve ambivalence. The operational assumption of MI is that ambivalent attitude or lack of resolve is the primary obstacle to behavioral change, so that the examination and resolution of ambivalence becomes a key goal.

Moral Reconciliation Therapy (MRT) is a systematic treatment strategy that seeks to decrease recidivism by increasing moral reasoning. It is a cognitive behavioral approach that combines elements from a variety of psychological models to progressively address ego, social, moral, and positive personal growth.

The VA provides a variety of trauma-based services to veterans with PTSD and other trauma related disorders. Veterans can access outpatient or inpatient services if necessary.

Strength at Home is a program for Veterans that have engaged in intimate partner violence.

The National Alliance on Mental Illness (NAMI) and the Community Center offer a Veteran Peer Mentor to support veterans with mental health issues.

The VA provides substance abuse treatment on an inpatient and outpatient basis for veterans with substance use disorders. All participants will be assessed and provided access to Medical Assisted Treatment (MAT) based upon their specific Substance Use Disorder.

The VA also provides a clinic for TBI for veterans with Traumatic Brain Injury.

TESTING FOR SUBSTANCE USE

Testing for substance use is a vital component of the program and is necessary to maintain program integrity. Tests must be frequent, random and credible; accuracy is essential. Veterans Court uses a variety of tests to measure a participant's progress in the program and to hold that person accountable to the requirements of the program. Drug testing is done primarily through urine screens. Alcohol testing is done using Breathalyzers, urine screens and an electronic device called SCRAM (Secure Continuous Remote Alcohol Monitoring).

All Veterans Court participants are informed regarding substance use testing policies and procedures. Staff explain testing procedures to participants and apprise them that they will be submitting to random screens throughout the program. Participants sign an agreement to comply with testing requirements, which include direct observation of the sample submission and reporting of results to the Veterans Court team. Therapeutic responses and/or sanctions may be imposed for positive tests; a test that is diluted or abnormal is treated as a positive drug test. If a test result comes back as abnormal, the participant may be required to report to probation and provide a new test.

Participants may be assigned a color by their Probation Officer for random drug testing and are instructed to call the drug testing hotline number each morning. A recorded message indicates the colors that are being tested that day and the hours the lab is open. When a participant's color is called, he or she is required to report for a urine test that same day.

If the urine screen is positive and the participant denies use of drugs or alcohol and wants to contest the positive test result, the sample may be sent out for confirmation. The participant pays for the confirmation test. If the confirmation test comes back negative, the cost will be refunded to the participant. If the confirmation test comes back positive, the money is not reimbursed. Any drug test that comes back diluted or abnormal is reported to the team. If a test result comes back as abnormal, the participant may be required to report to probation and provide a new test.

Participants are permitted to test off-site with the approval of the Probation Department or the Court.

If a participant is caught tampering with a test, the State's Attorney's Office is contacted, and the participant may be charged with a class 4 felony for Tampering with a Drug Test.

Secure Continuous Remote Alcohol Monitoring (SCRAM) may be ordered on a case-by-case basis as a sanction for continued alcohol use. SCRAM testing equipment is monitored by the Probation Department.

Failing to submit to testing is considered non-compliant behavior which may result in a sanction.

SANCTIONS, INCENTIVES AND THERAPEUTIC ADJUSTMENTS

Veterans Court aims to encourage positive behavior and discourage negative behavior. The supervision policy supports the 'Responsivity' portion of a Risk-Needs-Responsivity model for rehabilitation.

The key concepts in this model include:

CERTAINTY: Participants know the sanctions that can be imposed for certain negative behavior, and the rewards earned for positive behavior.

SWIFTNESS: Sanctions and rewards are earned and given as quickly as possible after the team becomes aware of the behavior.

FAIRNESS: Evenhanded and impartial implementation of any sanction or reward occurs for all participants.

Sanctions will be graduated; they will increase or decrease in magnitude and frequency according to the significance or frequency of the participant's behavior. Prior to imposing any sanction, incentive or therapeutic adjustment, the judge advises the participant in open court of the nature of the proposed sanction, incentive or therapeutic adjustment and the reasons for its imposition. The participant shall be permitted to address the court about the sanction, incentive or therapeutic adjustment for the court to consider.

A variety of sanctions may be imposed for violations of Veterans Court, including, but not limited to the following:

- Admonishment from the team
- Reading/writing assignments
- Letter of apology
- Perform community service hours
- Increased frequency of status hearings
- Increased urinalysis testing
- Increased frequency of contacts with the Veterans Court team
- Extension of duration in Veteran Court

- GPS (Global Positioning System) monitoring
- SCRAM (Secure Continuous Remote Alcohol Monitoring)
- Serve a term of Periodic Imprisonment
- SWAP (Sheriff's Work Alternative Program)
- Jail sanction
- Program termination and sentencing

A variety of therapeutic adjustment may be imposed for violations of Veterans Court, including but not limited to the following:

- Adjustments to one's treatment plan (increase or decrease in the level of care)
- Increased number of weekly self-help group meetings
- Individual counseling
- Strength at Home
- Anger management
- Substance abuse treatment
- Psycho-social groups

The following is a partial list of events that may result in a sanction and/or therapeutic adjustment:

- New criminal offense
- Missed appointments with Hines Treatment staff, VJOS, and/or MICAP probation officer
- Missed court appearance without prior approval
- Failure/refusal to take medication
- Failure/refusal to provide a sample for substance use testing
- Violations of rules of a treatment provider or housing provider
- Use of alcohol and/or illegal drugs
- Failure to follow the directions of the Veterans Court judge and/or Veterans Court team

The following is a partial list of events that may lead to incentives:

- Attending all court status hearings
- Attending all probation and/or treatment groups
- Making progress in treatment
- Providing negative urine screens
- Gaining or maintaining employment
- An educational achievement
- Successful completion of a treatment group

The following is a partial list of ways the judge and the team can acknowledge the participants' progress with incentives and rewards:

- Be an All Star, have the participant's case called first in court
- Reduce the frequency of appointments with the VA treatment team, VJOS and/or probation officer
- Reduce the frequency of appearances before the Veteran Court judge

- Approve a travel pass or furlough
- Reward with certificates

PHASES OF TREATMENT

There are four phases to the Veterans Court prior to graduation from the program. To move from one phase to another, certain requirements must be met. Once completed, participants submit written application with proof of completion to his or her probation officer explaining why the participant is ready to move to the next phase. This written request will be reviewed and approved or denied by the Veterans Court team. When a participant completes each phase, he/she receives a certificate of completion and recognition during court.

PHASE I

This phase includes stabilization, orientation, and assessment. Phase I focuses on educational learning resources and maintaining a drug/alcohol free lifestyle.

- Comply with mental health and/or substance abuse treatment
- Complete orientation
- Comply with treatment appointments and recommendations
- Meet with therapist as recommended by treatment plan
- Assess housing needs
- Meet with probation officer as required
- Attend all scheduled court dates
- Urine, drug/alcohol screens are negative
- Obtain a sponsor or mentor if applicable
- Sign releases of information as directed
- Approval by the Veterans Court Team to advance to the next phase
- The participant demonstrates sufficient insight as evidenced by their explanation of insights and skills that they have acquired to cope with their treatment needs

A participant can advance to Phase II if compliant with Phase I requirements, he/she has been drug and alcohol free for at least 45 days, and the Veterans Court Team approves moving to Phase II.

PHASE II

During this phase, participants will focus on identifying an appropriate support system, continue with recommended therapy and concentrate on recovery education.

- Continue to meet all Phase I requirements
- Explore employment, education or volunteer opportunities (if applicable)
- Obtain stable housing if applicable
- Establish at least one primary support person (i.e., sponsor, friend, family, or pastor)
- Attend self-help meetings and/or groups
- Pay probation fees (\$25.00 a month)

- The participant demonstrates sufficient insight as evidenced by their explanation of insights and skills that they have acquired to cope with their treatment needs
- Approval by the Veterans Court Team to advance to the next phase

A participant can advance to Phase III if compliant with all Phase I and Phase II requirements and he/she has been drug and alcohol free for a minimum of 90 days, and the Veterans Court Team approves moving to Phase III. The participant will be assessed a fee to participate with consideration based on ability to pay. A payment plan will be implemented which will not prohibit program entry, phase advancement or graduation.

PHASE III

During this phase, a participant will demonstrate their ability to maintain stability and recovery.

- Continue to meet all Phase I and Phase II requirements
- Maintain and utilize support system
- Maintain stable housing
- Establish employment, education or volunteer opportunities (if applicable)
- The participant demonstrates sufficient insight as evidenced by their explanation of insights and skills that they have acquired to cope with their treatment needs
- Approval by the Veterans Court Team to advance to the next phase

A participant can advance to Phase IV if compliant with all Phase I, Phase II, and Phase III requirements and he/she has been drug and alcohol free for at least 180 days, and the Veterans Court Team approves moving to Phase IV.

PHASE IV

During this phase, a participant will maintain all previously achieved milestones from all prior phases and establish how he/she will continue their recovery beyond graduation

- Continue to meet all Phase I, Phase II, and Phase III requirements
- Complete discharge plan with therapist and any other treatment providers
- Complete an aftercare plan with your probation officer
- Maintain employment, and/or continue attending school or volunteering (if applicable)
- Provide verification of your established primary support system (a letter or verbal)
- The participant demonstrates sufficient insight as evidenced by their explanation of insights and skills that they have acquired to cope with their treatment needs
- Approval for graduation by the Veterans Court Team to advance to the next phase

GRADUATION REQUIREMENTS

- Be in Veterans Court for a minimum of 12 months for a misdemeanor charge
- Be in Veterans Court for a minimum of 24 months for a felony charge (team discretion may be used to determine graduations outside of the 12-24-month time frame)
- Comply with all specific conditions, bond conditions and directives of the Court

- Cooperate with the treatment plan, including but not limited to attending scheduled treatment/therapy/counseling sessions and taking any medications as prescribed
- Achieve treatment goals which should be reasonable, achievable, and be based on an individual's abilities, needs and potential. Examples of treatment goals are managing symptoms, obtaining a high school equivalency certificate, attending college, obtaining or maintaining employment, becoming a peer leader, creating and maintaining a support system
- Have no new criminal offenses
- If substance abuse or addiction is an identified risk factor and/or treatment concern, participants must have a minimum of 6 months of negative drug and/or alcohol tests
- Pay fines, costs, fees and restitution in full 60 days prior to graduation or develop a payment plan (a participant will not be prohibited from graduation for non-payment of fines, costs, fees and restitution)
- Demonstrate a willingness and motivation to continue in treatment after graduation to the extent needed to avoid symptom relapse and further criminal activity
- Have developed a recovery maintenance plan, a written plan for relapse prevention and continued support in the community, including connection to support groups, if appropriate. The plan will be developed by the participant, probation officer and VJOS.

Petitions for early graduation will be considered on a case-by-case basis if all the following have been completed. A participant must:

- Be sanction free for six months prior to the graduation meeting, which is held one month prior to each graduation
- Have paid all fines, costs, fees and restitution 60 days prior to graduation or develop a payment plan (a participant will not be prohibited from graduation for non-payment of fines, costs, fees and restitution)
- Be compliant with all required treatment
- Have a recovery maintenance plan for treatment appointments, continued support in the community, including connection groups offered by Hines, NAMI, or other veterans organizations. The plan is developed collaboratively by the participant, the probation officer and the clinician
- Have negative substance screens for six months prior to the graduation meeting

Veteran Court graduations are held three times per year and are a way to share the participant's accomplishments with his/her family and friends. The graduations also allow the Veteran Court team to acknowledge each individual participant's achievements while in the program.

VETERAN COURT TERMINATION POLICIES

Termination can be triggered by a number of circumstances resulting in the Assistant State's Attorney filing a Petition to Terminate and Discharge the participant from Veterans Court.

UNSUCCESSFUL TERMINATION

A person may be terminated from Veterans Court for any of the following reasons, which are not all inclusive. If the participant:

- Is charged with a new offense
- Absconds from the program or fails to maintain contact with his/her probation officer
- Is habitually non-compliant
- Is habitually dishonest
- Continues to commit infractions despite prior graduated sanctions to address the infractions
- Has an active warrant for more than 45 days

A Petition to Terminate and Discharge a participant from Veterans Court shall be filed and the participant shall be served with the Petition to Terminate for any or a combination of the above circumstances. When a Petition to Terminate is filed for non-law violations, it is only after the participant has repeatedly failed to complete treatment or has failed to modify their behavior following repeated sanctions. The petition shall set forth the claimed violations of the Veterans Court program requirements or probation, together with the relief sought.

The State's Attorney shall request, and the Court shall conduct a hearing on the allegations contained in the Petition. The participant can also enter an admission and agree to the allegations contained in the Petition to Terminate. If the allegations are proven or admitted, the Judge will then sentence the participant on the original offense. Before accepting any admission to a Petition to Terminate, the Judge informs the participant in open court of the rights set forth in Supreme Court Rule 402 (A) and determining that the participant understands the following:

- (1) The specific allegations in the petition;
- (2) That the participant has the right to a hearing with defense counsel present, and the right to appointed counsel if the participant is indigent;
- (3) That at the hearing, the participant has the right to confront and cross-examine adverse witnesses and to present witnesses and evidence in his or her behalf;
- (4) That at the hearing, the State must prove the alleged violation by a preponderance of the evidence;

Sentencing options are determined based on the original offense(s). In the event of an unsuccessful termination, the participant has the right to request a substitution of Judge.

NEUTRAL DISCHARGE

If a participant enters into a Veterans Court Plea and Contract and develops a significant medical issue or a medical issue has become more serious, or a life altering event occurs preventing that participant from fulfilling the obligations of Veterans Court, the team may discuss a neutral discharge. The team will review and discuss the participant's unique circumstances and with the Judge's approval the participant will receive a neutral discharge. Each of these circumstances is handled on a case by case basis.

VOLUNTARY WITHDRAWAL

After acceptance into the program, a Veterans Court participant may, at any time, file a Petition to Withdraw his/her participation from the Veterans Court program. Before granting the Petition to Withdraw, the judge admonishes the participant in open court of his right to consult with counsel and the consequences of withdrawal. The judge determines, on the record, that the withdrawal is knowing and voluntary. Upon review and granting of the petition, the judge will proceed with the case in the same manner as any other criminal case. The Veterans Court team must continue to comply with applicable relevant federal and state confidentiality statutes and regulations. Once the judge has reviewed the petition and allows the participant to withdraw, the defendant will be sentenced on the charges to which he/she pleaded guilty. In the event of a voluntary withdrawal, the participant has the right to request a substitution of Judge.

CONFIDENTIALITY

All Veterans Court team members shall comply with the confidentiality requirements provided by relevant federal and state laws, including the following:

- 1) Health Insurance Portability and Accountability Act of 1996 (HIPAA)
- 2) 42 U.S.C. ¶ 290 dd-2;
- 3) 42 C.F.R. Par 2; and
- 4) Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/1 et. seq.

Compliance with these relevant confidentiality laws shall be effectuated by requiring participants to execute appropriate waiver and consent forms to ensure that necessary treatment information will be shared with the team members so as to monitor the participant's progress. Confidentiality will be honored by all team members even after the participant's termination from the program.

VETERANS COURT CONTACT INFORMATION

Veterans Court is held every Friday at 8:35 am in Courtroom 4001 on Zoom at www.18thjudicial.org and in person at 10:05 am at 505 N County Farm Rd, 4th Floor, Wheaton, IL 60187 (unless otherwise noted)

Veterans Court Office: 503 N County Farm Rd, Wheaton, IL 60187 (Located in Probation)

Hines VA: 5000 S 5th Ave, Hines, IL 60141

Veterans Court Team Members:

Judge:	The Honorable Paul A. Marchese	
Assistant State's Attorney:	Jessica Sisler	(630) 407-8038
Assistant Public Defender:	Andrea Neumann	(630) 407-8340
Program Manager/Coordinator:	Bernadine Howard	(630) 407-8448
Probation Supervisor:	Deena Kuranda	(630) 407-8450
Veterans Justice Outreach Specialist:	Jessica Ogletree	(708) 202-4063
Senior Probation Officer:	Sheryl Calderon	(630) 407-2555
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