DELAWARE MUNICIPAL COURT

OVI DOCKET
PARTICIPANT'S HANDBOOK



Revised July 2025

Welcome to the OVI Docket

This Participant Handbook details your rights and responsibilities while on the OVI Docket. It has been written to help you successfully complete the requirements of the program.

As a participant, you will be required to follow the orders and direction of the Judge, the Community Control Officer, the Docket Coordinator, and others.

This Handbook will explain what is expected of you. Please read it carefully. If you have any questions about what is contained in it, please ask the Docket Coordinator.

What is the OVI Docket?

The OVI Docket (Docket) is a special part of the Delaware Municipal Court. It is a court-supervised program for individuals who have been charged with either operating a vehicle while under the influence of drugs/alcohol (OVI), or physical control while under the influence of drugs/alcohol (PCI). Your decision to be on the OVI Docket is **voluntary**. However, once placed on the OVI Docket, your participation is **mandatory**. You will be on the OVI Docket for at least 1 year.

The Docket is a non-adversarial court program. A non-adversarial court program means that many individuals, working together as a team, will work to help you progress through the OVI Docket and remain sober. As you work through the docket, the judge will consider sanctions other than jail and will also consider rewarding you for your hard work.

ELIGIBILITY

Your decision to be on OVI Docket is **voluntary** but participation in the OVI Docket is **mandatory**.

The OVI Docket will not deny anyone admission to the program based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, or any disability. Also, the OVI Docket will not consider a defendant's ability to pay fees and/or other financial obligations in determining eligibility for the docket, progress while on the docket, and/or graduation from the docket. The OVI Docket will make reasonable accommodation based on a defendant's financial ability.

Your criminal history will be reviewed as part of the acceptance process. There are some prior offenses which may exclude you from the program.

If you are currently on any type of community control through another court, acceptance into the OVI Docket must be coordinated with that court.

Legal issues regarding your competency to stand trial or insanity defenses must be resolved before you enter the OVI Docket.

Legal Eligibility Criteria

1. You must have misdemeanor OVI or Physical Control charge(s) pending in the Delaware Municipal Court or a felony OVI charge(s) pending in the Delaware Common Pleas Court.

2. You must plead guilty or be found guilty of OVI or Physical Control and agree to be placed on supervised community control through the OVI Docket.

Clinical Eligibility Criteria

1. You must have a clinical diagnosis of substance use disorder.

2. You must not be a risk to court staff, family, or the community.

3. You must be willing to go to treatment and agree to comply with the recommendations of your service providers based on the assessment reports.

PROGRAM ENTRY

Only the Docket Judge decides admission into and termination from the OVI Docket in accordance with the written eligibility criteria.

Even if you meet all eligibility requirements, admission into the OVI Docket is not guaranteed. The Judge and the Docket Coordinator reserve the right to deny entry into the program even when all eligibility requirements are met.

Referrals and Screening

Referrals to the OVI Docket can occur when you are arrested and/or officially charged. The process is informal and may be initiated at any stage of the proceedings.

A referral may be made by police officers, jail staff, community control officers, pre-trial officers, prosecutors, defense counsel, case managers, and representatives from the treatment community, or you. Once a referral is received, the OVI Docket Coordinator will provide you with this handbook—**READ IT!**

After you read this handbook, the OVI Docket coordinator will schedule an appointment for prompt evaluation for the OVI Docket. Some of the screening tools used for the evaluation/screening are: D.R.I. (Driver's Risk Inventory), U.R.I.C.A (University of Rhode Island Change Assessment), A.U.D.I.T. (Alcohol Use Disorder Identification Test), and O.R.A.S. (Ohio Risk Assessment System).

Clinical Assessments

You are required to have a clinical assessment prior to being considered for acceptance onto the OVI Docket.

Clinical assessments will determine what types of services you are eligible to receive and what services will help you throughout your time on the docket.

Clinical assessments are completed by appropriately licensed and trained professionals.

During a clinical assessment, a qualified professional will gather information regarding your family history, social life, employment, financial situation, previous experience in treatment and other factors that can impact your health and well-being. The assessment provides the Court a complete picture of your life, which helps in determining your course of treatment. You will be required to sign a Release of Information Form so your assessment can be sent to the Docket Coordinator.

Your clinical assessment will be completed by a licensed specialist through Maryhaven Southeast, Syntero or another agency approved of by the OVI Docket Treatment Team. You are responsible for scheduling the assessments.

If there is an issue with completing the clinical assessment, it is your responsibility to contact the Docket Coordinator as soon as possible at (740) 203-1525.

All assessments shall include available collateral information to ensure accuracy of the assessment. All assessment reports shall include treatment recommendations based on the appropriate level of care, confirm that you meet the clinical eligibility criteria, and that you are appropriate for inclusion in the OVI Docket. The assessment reports also must address your risk to program staff and to the community, as well as preliminary recommendations regarding the types of services that should be considered for you.

All evaluations, assessments, and referrals to treatment are expected to be completed within thirty days after the Application for OVI Docket is filed.

If it is determined that you are not appropriate for or you choose not to participate in the OVI Docket, your case will proceed to the regular docket.

If it is determined that you are appropriate for the OVI Docket, you will be placed as soon as possible in appropriate treatment services and programs. If you choose to participate in the OVI Docket, you will be assigned a service provider for case coordination and development of a comprehensive treatment plan. The docket shall provide prompt access to a continuum of approved treatment and other rehabilitation services.

Program Admission

Once the Judge determines you are to be offered entry into the OVI Docket and you accept, a journal entry is signed transferring the case to the OVI Docket, a date for you to plea is scheduled, and a notice to appear in OVI Docket is given to you and your attorney.

There is no right to participate in the OVI Docket

Upon appearing in court, the Judge will advise you and your attorney of your right to a written participation agreement and participant handbook outlining the requirements and processes of the OVI Docket.

Your attorney will review the participation agreement with you. The Judge will confirm both you and your attorney received the OVI Docket Participation Agreement and Participant Handbook, and she will explain the expectations and possible responses to compliance and non-compliance, including program termination criteria.

At this time, you and your attorney will sign the OVI Docket Participation Agreement and be provided with copies. You will enter a plea and be ordered to successfully complete the OVI Docket. You are required to read, understand, and sign the participation agreement. The Judge has sole discretion to decide admission into the OVI Docket.

You are then assigned to a community control officer and expected to engage in services as directed by your treatment team**.**

TREATMENT TEAM & MEETINGS

The OVI Docket Treatment Team oversees the daily operations of the program and is here to help you successfully complete the requirements.

The Docket Judge chairs and attends the treatment team meetings, which are the 2nd and 4th Wednesday prior to your status review hearing at the Delaware Municipal Court at 70 N. Union Street, Delaware, Ohio 43015. **You are expected to report to court on these days as directed by the OVI Docket Coordinator.**

This meeting provides an opportunity for the treatment team to discuss and review your conduct, compliance, and achievements.

In addition to any constitutional or legal right to counsel throughout the process, you have the right to request the attendance of your counsel during the portion of the treatment team meeting concerning you.

Members of the treatment team have specific roles as listed below:



OVI Docket Judge

- Chairs and attends all treatment team meetings.
- Decides your admission into or termination from the OVI Docket based on the written legal and clinical eligibility criteria.
- Knows about your treatment and programming progress.
- Presides over your status review hearings, monitors your treatment progress, issues your incentives and sanctions, grants your phase advancement, and approves your successful completion or unsuccessful termination from the OVI Docket.
- Discusses your progress with you at status review hearings.



Prosecutor

- Supports the OVI Docket while recognizing their distinct role of ensuring justice and protecting public safety and victim's rights.
- Conducts your legal eligibility screening and provides treatment team with report on your legal eligibility.
- Attends your treatment team meetings and status review hearings.
- Participates in discussions regarding your incentives, sanctions, phase advancement, successful completion, and/or termination.



Defense Counsel

- Supports the OVI Docket while recognizing their distinct role of preserving your constitutional rights.
- Identifies you as a possible participant in the OVI Docket based on the written eligibility criteria.
- Refers you to be screened and assessed for eligibility to participate in the OVI Docket.
- Assists you in deciding to participate in the OVI Docket.
- Explains to you the Rights that you are giving up when entering the OVI Docket.
- Explains to you the possible sanctions that may be imposed while participating in OVI Docket.
- Explains to you the actions that may lead to your unsuccessful termination from the OVI Docket and what will happen to you if you are removed from the program.
- Attends your treatment team meetings upon your request.
- Attends your status review hearings upon your request.
- May participate in discussions regarding your incentives, sanctions, phase advancement, successful completion, and/or termination.



Licensed Treatment Providers

- Are licensed and trained to deliver the treatment services offered to you.
- Conduct your assessments and develop your treatment plan based on your diagnosis.
- Provide reports on your progress in treatment, your compliance with your treatment plans, including your attendance, and the results of your alcohol and drug tests.

- Attend your treatment team meetings and status review hearings.

- Provide treatment updates, reports, and recommendations regarding your treatment needs.

- Participate in discussions regarding your incentives, sanctions, phase advancement, successful completion, and termination.

SUPERVISION AND TREATMENT REQUIREMENTS

The OVI Docket program consists of an orientation and **3** phases. You are expected to progress through each phase and accomplish specific case plan goals. There are specific things you must do to complete each phase.

If you fail to comply with the rules of the OVI Docket, specific sanctions can be imposed.

Status Review Hearings

As a participant in the OVI Docket, you are required to appear in court before the Docket Judge on a regular basis. The frequency of these appearances depends on your program phase and your level of cooperation and success.

The OVI Docket holds status review hearings to review your progress **2nd and 4th Wednesday every month** at the Delaware Municipal Court at 70 North Union Street, Delaware, Ohio 43015. At these hearings, the male and female participants will be seen in separate groups.

Failure to attend a scheduled status review hearing may result in additional sanctions being imposed or a bench warrant issued for your arrest.

Status review hearings occur in the courtroom before the Judge. These proceedings are open to the public, but these hearings are not recorded.

Initially, you will appear in front of the Judge on the 2nd and 4th Wednesday every month until you are regularly engaged in your case plan and treatment services. As you progress through OVI Docket Program Phases, your requirement to appear at status review hearings will be reduced.

At each appearance the Judge will be given a progress report prepared by the OVI Docket Coordinator. The report shall review the level of your participation, progress, and compliance.

Status review hearings provide an opportunity for the Judge to recognize your progress and achievements, address your setbacks, and impose rewards and sanctions. The Judge will explain to you how she will respond to your compliance and non-compliance with OVI Docket program requirements, including what may cause you to be terminated from OVI Docket.

The Judge will discuss progress and specific problems with you. She may discuss modification to your case plans. The Judge also may address issues you are having with your service providers.

The OVI Docket will monitor the provision of services, as well as your engagement in services.

OVI Docket Guidelines, Rules, and General Conditions

You are expected to do all of the following:

- ✓ Accept and comply with the terms of your community control, including your case plan, as ordered by the OVI Docket.
- ✓ Update the OVI Docket and any assigned treatment or service providers with changes to your address and phone number.
- ✓ Attend all your hearings (aka dockets) before the Docket Judge.
- ✓ Attend all your scheduled appointments with your treatment and service providers. Absences and tardiness will not be tolerated.
- ✓ Take all medications as prescribed by your doctors.
- ✓ Attend and be on time for all hearings/dockets and meetings at the OVI Docket.
- ✓ Never be violent, verbally aggressive, or threatening towards others at OVI Docket, treatment agencies, or service provider sessions.
- ✓ Dress appropriately for OVI Docket, treatment agencies, and service provider sessions.
- ✓ While in OVI Docket, be respectful of the court process by being calm and orderly and never disruptive.
- ✓ Do not use alcohol, illegal drugs, or any controlled substances that are not prescribed by your medical doctor.
- ✓ Submit to all random, frequent, and observed drug and alcohol tests.
- ✓ Act in a way that is lawful.
- ✓ Be respectful to court, treatment, and service provider staff assigned to work with you through the OVI Docket.
- ✓ Read, understand, and sign the OVI Docket Participation Agreement which will be explained in detail by your attorney.

Costs to Participate in OVI Docket

You will be responsible for the following costs when participating in the OVI Docket:

- Standard community control fees—these will be explained to you by your Community Control Officer.
- Treatment costs—these will vary depending on your income and which agency is providing your treatment
- Any restitution, fines, and court costs ordered by the court.

You may also have to pay for:

- Drug testing fees and alcohol monitoring fees, including SCRAM
- Any monetary court costs that you are given from any sanctions (such as a community control violation).

Please note the following:

- **You have the entire time you are on the docket to pay off fines, court costs, probation fees, and restitution.**
- Incentives on the docket often include a reduction in costs/fees.
- The OVI Docket will make reasonable accommodations based on your financial ability.

Appointments & Office Visits

You are required to report to your OVI Docket Coordinator and Community Control Officer as scheduled.

The frequency of your office visits will be determined by your compliance with OVI Docket rules, your phase level, and your individual supervision case plan.

You must report immediately to your OVI Docket Coordinator and Community Control Officer by phone or in-person, any changes in your life, such as changes in your housing, phone number, employment, family situation, etc.

You must bring all appropriate documentation to verify items as requested by your OVI Docket Community Control Officer. This includes verification of group attendance, employment, receipts for payments towards fines, costs and restitution, and any other items requested.



Home Visits

While in OVI Docket, your Community Control Officer may conduct visits to your home. These visits will be random, possibly after curfew, and unannounced.

You may be asked to submit to drug and/or alcohol testing during home visits.

Summary of Treatment & Services Provided

The OVI Docket adopted the following policies and procedures in reference to treatment and services provided to you.

1. You will be promptly assessed and placed as soon as possible in appropriate treatment services and programs.

2. You will receive a treatment plan based on your individual needs.

3. Your treatment plans will take into consideration services that are gender responsive, are culturally appropriate, and effectively address co-occurring disorders.

4. All the treatment services provided to you will incorporate evidenced-based strategies.

5. All the treatment services provided to you, including case plans, are appropriate and clinically necessary to the degree that available resources allow.

6. You shall have prompt access to a continuum of approved treatment and rehabilitation services.

7. OVI Docket maintains a current treatment plan and a record of activities for you. Your treatment plans will continue to develop throughout the program to reflect your changing needs based on your progress.

8. Appropriately licensed and trained persons will deliver services to you according to the standards of their profession and will provide you with all treatment and programming.

The OVI Docket has partnered with the following agencies to provide assessments, treatment plans, case management services, group therapy, individual treatment sessions, relapse prevention plans, aftercare plans, gender-specific treatment, co-occurring disorders treatment, supportive housing, family therapy, medication, and medication monitoring to participants:

- Maryhaven

- Southeast Healthcare Services

- Syntero

- Other treatment agencies that may be approved by treatment team.

Treatment and services shall be individualized, evidence based, trauma informed, gender-responsive, culturally appropriate and shall effectively address co-occurring disorders. When possible, service providers should have separate tracks for participants.

These agencies also work together to provide additional services, such as educational and vocational training, employment, transportation, housing, domestic violence programming, and physical, mental, and dental health.

Docket Team

The Docket Team (Team) consists of the Docket Judge, Community Control Officer, Docket Coordinator, and treatment and service providers as needed or required. The role of the Team is to develop an appropriate court services plan for you, help you obtain treatment services and other resources, and make sure that you fully participate in your treatment and court plans. The Team evaluates clinical information, probation reports, and other sources of information. The information is presented in court to the Judge with recommendations that might include treatment, rewards, sanctions, graduation, or termination from the Docket. The Team meets before each Docket hearing (status review hearing) to discuss the progress of those in the docket. Typically, prosecutors do not attend the Team meetings except under very unusual circumstances. You have the right to have your attorney-present at those meetings.

Briefly, Team members fulfill the following roles:

Judge

- Chairs all Team meetings prior to status review hearings.

- Decides your admission onto or termination from the OVI Docket based on the written legal and clinical eligibility criteria.

- Presides over all status review hearings.

- Serves as the decision-maker, especially concerning incentives, sanctions, phase advancement, and successful completion or termination.

- Knows about your treatment and programming progress.

- Discusses your progress with you at the status review hearings.

Docket Community Control Officer

- Assists with identifying potential participants.

- Assists the participants in all phases of the Docket program, including developing court services plans and monitoring compliance with that plan

- Meets with participants on a regular basis and assists them in obtaining transportation, housing, education, employment, medical care, family issues, training, and applying for government assistance.

- Conducts random alcohol and drug tests, reports the results of tests to the Team.

Docket Coordinator

- Assists with identifying potential participants.

- Meets with any potential participants upon referral and conducts initial screening for legal eligibility.

Licensed Treatment Providers

- Conducts diagnostic assessments, provides clinical diagnosis, and develops an individualized treatment service plan for each participant receiving treatment at that agency.

- Conducts random alcohol and drug tests, reports the results of tests to the Team.

- Give treatment updates and make recommendations regarding treatment needs during OVI Team meetings.

All Team members participate in team meetings to report progress and setbacks, and to discuss sanctions, rewards, progress, participation, termination, and graduation of each participant. All attend status review hearings.

What Is a Court Services Plan?

A court services plan contains several pieces. You will have an alcohol/drug assessment conducted by treatment professionals who will create a treatment plan for you. The court services plan will track your compliance with your treatment plan. It will also contain recovery goals developed by you and the Community Control Officer. Recovery goals are personal to you. The Community Control Officer will review and update your court services plan with you on a regular basis.

The court services plan may require some or all the following:

- ✓ Stay clean and sober

- ✓ Random drug testing between 8:00 a.m. and 3:00 p.m.
- ✓ Take medication as prescribed
- ✓ Inpatient and/or outpatient alcohol and drug treatment as needed
- ✓ Regular and random drug testing
- ✓ Wear a SCRAM unit
- ✓ Use a Smart Start.
- ✓ Educational/vocational/employment program
- ✓ Participate in self-help groups
- ✓ Community service
- ✓ Attendance at a Victim Impact Panel
- ✓ Cooperation with terms of community control
- ✓ Payment of fines, court costs, restitution, and supervision fees

Admission into the Docket

Following your arrest for OVI, you are offered the choice of participating in the OVI Docket. You will need to be screened and assessed for eligibility before you can be admitted to the Docket. Not everyone who wants to participate is admitted to the program. Not everyone who is eligible to participate is admitted to the program.

How Long Will You Be in the Docket Program?

Your personal progress and commitment determine the amount of time you spend in the Docket. In most cases, that time will be no less than 12 months and no longer than 24 months.

What Are the Benefits for You?

Participating in the Docket will help you take control of your life by helping you take responsibility for your behavior, become or remain employed, rebuild family relationships, and become a productive member of the community. You will receive the minimum jail sentence for your offense in exchange for participation in the Docket.

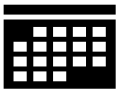
In this handbook you will find the steps involved in participating in the Docket. Remember that there are many people who make up the Team and they all want to see you succeed. If you take advantage of the assistance offered by them, you will discover many ways to make a better life for yourself.

What Are the Rules of the Docket Program?

To remain in the Docket, you are required to follow rules:

- ✓ Submit to community control supervision and abide by the rules of that supervision.
- ✓ Attend all scheduled treatment and provider appointments and be on time.
- ✓ Attend all court hearings.
- ✓ Complete all the required paperwork.
- ✓ Successfully complete all phases of the Docket program.

Ask the Docket Coordinator to explain to you anything in this handbook that you do not understand.



Regular Court Attendance

You will be required to appear in front of the Judge on a regular basis at a status review hearing. The review hearing will be divided into two groups of participants. The first being all female participants and the second being all male participants.

During Orientation and Phase I, you will have docket every 2nd and 4th Wednesday. You are required to arrive on time and stay until the Judge dismisses you. As you make progress, you will come less often.

Once you enter Phase II, you will have docket every 2nd Wednesday every month.

In Phase III, you will have docket as instructed by the Docket Coordinator on select Fridays.

The OVI Docket Coordinator will inform you when you are required to attend all status review hearings.

You have the right to have your attorney present at the status review hearings.

The Judge will have progress reports regarding your drug tests, sobriety, attendance, and participation in your treatment program. These reports will come from the Community Control

Officer, treatment and/or mental health counselor(s), the Docket Coordinator, and any other members of support programs with whom you are working.

Regular Treatment Attendance

You are required to attend all your scheduled treatment sessions and other provider appointments. You must be on time for all sessions. If you are late, you may not be allowed to attend the session. You may be considered absent and that will be reported in the next court session. Your treatment schedule will vary according to your progress, and it is your responsibility to schedule all needed appointments.

Required Paperwork

All members of the Team and providers must be able to communicate about your eligibility and progress. You will sign a Limited Consent for Assessment to be screened and evaluated for admission to the Docket. At the time that you are admitted to the Docket, you will sign a Participant Agreement that spells out your rights and responsibilities, including certain rights you will waive by agreeing to enter the Docket. Your attorney will go over these documents with you in detail. Once admitted, you must sign releases as needed to arrange for additional treatment, counseling or support service referrals, and reports to the Team. If you are not willing to sign all releases, it will be treated as a refusal to participate, and you will not be admitted to the Docket.

DOCKET PHASES

OVI Docket and Phases

The OVI Docket has an orientation and 3 Phases that must be completed before you graduate. Each phase has specific tasks that you must achieve before you can move to the next phase. As you complete the tasks in each phase, your performance and progress will be monitored. Your progression through the OVI Docket phases is based upon your performance in the treatment plan and compliance with program rules. Requirements of the docket phase progression is not solely based on timelines.

The Docket lasts between one and two years.

How long it takes you to finish is determined by your progress. Each phase has specific goals and requirements that you must meet before moving to the next phase. The phases are explained in detail in this Handbook.

Throughout the time you are involved in the Docket, it is your responsibility to review your court services plan with the Community Control Officer and follow it carefully.

Assessment and Referral

Once you enter the Docket, you will work with your treatment providers to develop a treatment plan that is individualized to yours needs. You will also be assessed for other needs, such as housing and employment, by the Docket Coordinator. You and the Docket Coordinator will

work together to create a Court Services plan that meets your needs and that sets out clear goals for you to accomplish. Be aware that a huge part of your participation is that there will be regular compliance checks to make sure that you are fulfilling the terms of your plan. Your compliance can be checked by the treatment agency, in the courtroom, by the community control office, or the home during evening and weekend hours.

The Phases

Phase I

In Phase I you will focus on complying with all OVI Docket requirements and trying to become more stable. During this phase, you will have the most contact with the Court, OVI Docket Coordinator/Community Control Officer, and treatment providers.

Tasks to be completed in this phase include the following:

- ✓ Attend status review hearings/docket the **2nd and 4th Wednesday**.
- ✓ Attend your treatment sessions and activities as you are required.
- ✓ Take your medications as they are prescribed.
- ✓ Contact and meet your community control officer as you are instructed.
- ✓ Submit to all random, frequent, and observed alcohol and drug testing (at least twice a week).
- ✓ Explain your understanding of OVI Docket program expectations.
- ✓ Comply with all guidelines, rules, and general conditions of the OVI Docket.
- ✓ Work with housing, educational, vocational, and/or employment service agencies.
- ✓ If employed, maintain your employment. If unemployed, apply for jobs and provide proof of applying to your Community Control Officer.
- ✓ No positive drug tests for 90 days before you are eligible to advance to the next phase.
- ✓ No sanctions for 90 days before you are eligible to advance to the next phase.
- ✓ Submit application to advance to Phase II.

Phase II

During Phase II, you will begin to develop skills, improve family relationships, and set employment, vocational, and/or educational goals. Based on your progress, required appearances at status review hearings may be reduced.

Tasks to be completed for this phase include the following:

- ✓ Attend status review hearings/dockets – **2nd Wednesday**.
- ✓ Attend treatment sessions and activities as you are required.
- ✓ Take your medications as they are prescribed.
- ✓ Contact and meet your community control officer as you are instructed.
- ✓ Attend sober support meetings as you are required and give proof of attendance to community control officer.
- ✓ Submit and provide negative results to all random, frequent, and observed alcohol and drug testing (at least twice a month).
- ✓ Comply with all guidelines, rules, and general conditions of the OVI Docket.
- ✓ Complete the MADD VIP (Mothers Against Drunk Driving Victim Impact Panel)
- ✓ Continue working with housing, educational, vocational, and/or employment service agencies.
- ✓ If employed, maintain your employment. If unemployed, apply for jobs and provide proof of applying to your Community Control Officer.
- ✓ No positive drug tests for 90 days before you are eligible to advance to the next phase.
- ✓ No sanctions for 90 days before you are eligible to advance to the next phase.
- ✓ Submit application to advance to Phase III.

To move to Phase 3, you must have at least 90 days of clean drug testing. You must not have any pending probation violations and no new pending criminal or serious traffic offenses for 90 days. The Team must recommend to the Judge that you are ready to move on to Phase 3.

Phase III

In Phase III you will begin to utilize skills learned in treatment and programming, continue to improve family relationships, and begin to make long-term employment, educational, and/or vocational plans. This phase is crucial as you put into practice everything learned in the first two phases and demonstrate on-going stability and self-sufficiency.

Tasks to be completed for this phase include the following:

- ✓ Attend status review hearings/docket— **2nd Wednesday.**
- ✓ Attend and successfully complete treatment sessions and activities as you are required.
- ✓ Take your medications as they are prescribed.
- ✓ Contact and meet your community control officer as you are instructed.
- ✓ Attend sober support meetings as you are required and give proof of attendance to community control officer.
- ✓ Submit and provide negative results to all random, frequent, and observed alcohol and drug testing.
- ✓ Comply with all guidelines, rules, and general conditions of the OVI Docket.
- ✓ Maintain your employment.
- ✓ Maintain your stable housing.
- ✓ No sanctions for eight weeks before you are eligible to graduate.
- ✓ Complete and submit your Application for Commencement to the OVI Docket Coordinator.
- ✓ Complete an Exit Interview.

Once your Application for Commencement is submitted to the OVI Docket Coordinator/Community Control Officer, the treatment team will review your progress and accomplishments through the OVI Docket and make a recommendation to the Docket Judge. The Judge will decide when you will successfully complete the OVI Docket and **GRADUATE!!!**

*****Graduation is not the same as being released from Probation/Community Control. Participants will still be on a period of Probation/Community Control after Graduation. *****



SUBSTANCE USE MONITORING

Your substance use will be monitored by random, frequent, and observed alcohol and drug tests based on your individualized case plan. Substance monitoring is part of your treatment plan.

A positive drug test results in an immediate and graduated sanction. Failure to submit to testing, submitting an adulterated sample or the sample of another individual, or diluting the sample is treated as a positive test and immediately sanctioned.

Testing may include instant tests and lab tested urinalysis drug screens, SCRAM, portable Breathalyzers, use of scientifically validated technology for ethyl alcohol, and/or other devices that are deemed reliable.

Urine screens test for many common substances including your substance of choice. All testing shall be recorded and maintained for you for as long as you are in the OVI Docket.

Random test selection is monitored utilizing the Sentry software program. Sentry provides true random selection by allowing the OVI Docket to individualize alcohol and drug testing plans for you based on your phase in the program. Participants will also be registered to test at the breathalyzer kiosk located in the lobby of the Justice Center (where the Delaware Police Department is located). **You will be notified by text and/or email when you're selected to test at the kiosk.**

You are required to call the Sentry automated phone line DAILY to determine if you are selected for drug testing. You will be tested for your primary substance of dependence, as well as a sufficient range of common substances.

If you relapse and/or provide a positive drug or alcohol test, the treatment team is immediately informed and may consider an adjustment in your treatment and sanctions. An appropriate therapeutic adjustment for all positive tests after entry onto the OVI Docket shall be immediately enforced by the Judge. Any change in the treatment plan and/or sanctions are enforced and reinforced by the Judge.

OVI Docket uses instant urine screens and other types of tests that allow for laboratory confirmation. Upon receiving a positive test result, you may contest an instant urine screen by immediately making a request for a laboratory test and paying the cost for the test.

While waiting for the laboratory test, sanctions are not issued. However, if the test result is positive, then a more severe sanction may be issued based upon deception and the use of substances.

If the test returns negative, then the laboratory fee will be credited to you in a manner determined by the Judge.

At each treatment team meeting, the results of substance monitoring tests will be provided to all treatment team members. The Judge is immediately notified when you test positive, fail to submit to a test, submit an adulterated sample or sample of another individual, or dilute the sample. Immediate sanctions will be issued.

You must submit to all random, frequent, and observed drug and/or alcohol tests. You must do all of the following:

- ✓ Travel to the testing location during 8:00 a.m. to 3:30 p.m.
- ✓ Produce a sample within a specified timeframe. The court closes at 4:00 p.m. All tests must be submitted by 3:30 p.m. Failure to submit a drug test will result in a sanction.

Testing by Outside Agency

Testing may be done by agencies located outside of the court. These agencies must agree to follow OVI Docket alcohol and drug testing protocols.

The agency testing you will immediately notify the Coordinator/Community Control Officer of the outcome of all tests. Judge will be notified immediately when you test positive, fail to submit to a test, submit an adulterated sample or sample of another individual, or dilute the sample.

Outside agencies drug testing docket participants will include the participants primary substance of use, as well as sufficient range of other common substances. All agencies conducting drug tests will comply with the requirements of this section.

INCENTIVES

The OVI Docket uses rewards and incentives to help you make lasting changes in your behavior. Presenting incentives and rewards acknowledges the difficult changes you are making in your life.

Immediate, graduated, and individualized incentives govern the Judge's responses to your compliance. Incentives are awarded according to your progress in the phases of the program and are designed to encourage and reward your positive behavior.

Behaviors appropriate for incentives include but are not limited to:

- ✓ Attending your required court appearances on time and appropriately dressed.
- ✓ Attending your required treatment appointments.
- ✓ Achieving your individual treatment objectives.
- ✓ Abstaining from alcohol and drugs, as evidenced by your negative test results.
- ✓ Engaging in vocational or educational activities.
- ✓ Securing stable housing.
- ✓ Maintaining consistent employment.
- ✓ Advancing in phases.
- ✓ Accomplishing any other milestone identified by the treatment team.

Incentives may include but are not limited to:

- Encouragement and praise from Judge and Treatment Team.
- Ceremonies and tokens of progress when advancing in phases.
- Reducing supervision contacts.
- Decreasing frequency of court appearances.
- Reducing fines/costs.
- Increasing or expanding privileges.
- Encouragement to increase participation in positive activities that you find pleasurable, such as writing, artwork, or other hobbies.
- Gifts of inspirational items, including books, pictures, and framed quotes.
- Assistance with purchasing clothing for job interviews.
- Gift cards for restaurants, movie theaters, recreational activities, or personal care services.
- Gifts of small personal care items, hobby or pet supplies, plants or small household items.

- Reducing jail days.

- Graduating from the OVI Docket.

SANCTIONS

The OVI Docket uses graduated sanctions to help you conform your behavior to program requirements. If you do not follow the OVI Docket Guidelines, Rules, and General Conditions and your treatment plans, sanctions will be applied to deter negative behavior and encourage future compliance.

Immediate, graduated, and individualized sanctions govern responses to your noncompliance. Sanctions are issued for noncompliance with the treatment plan or OVI Docket Guidelines, Rules, and General Conditions. Sanctions are crafted in an individualized, creative, and progressive manner based on the infraction.

Adjustments in your treatment services, as well as your participation in community-based support meetings are based solely on your clinically informed interests.

Incremental adjustments to your treatment plan made at the discretion of the Judge and the treatment team are *not* to be considered sanctions. You will be sanctioned if you fail to comply with your treatment plan adjustments.

At the time of a positive drug or alcohol test, during intake or if you relapse, the treatment team may consider an adjustment in treatment and/or sanctions. Any change in the treatment plan and/or sanction will be enforced and reinforced by the Judge.

The imposition of sanctions is at the sole discretion of the Judge, and sanctions may be modified based upon the facts of the individual situation and/or the recommendation of the treatment team.

A level of sanction is applied to each type of possible infraction. This type of planning ensures lesser infractions will be met with lesser, more appropriate sanctions. Infractions are also tracked, along with resulting sanctions, so that additional sanctions can be applied in a graduated manner.

Common infractions include but are not limited to:

- Failing to attend and/or be on time for all court appearances and treatment and service provider appointments.

- Failing to follow OVI Docket Guidelines, Rules, and General Conditions.

- Failing to keep scheduled appointments with the community control or any other treatment team member.

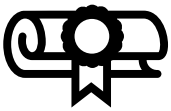
- Failing to comply with all requirements of your treatment plan.
- Failing to comply with all requirements regarding the random, frequent, and observed alcohol and drug tests.
- Testing positive for alcohol and/or drugs.
- Failing to comply with the OVI Docket.
- Receiving any new criminal charges.
- Failing to keep other appointments as scheduled, such as those for public benefit aid, health care benefits, housing assistance, social security applications, etc.
- Failing to cooperate with the OVI Docket.
- Failing to cooperate with treatment or service providers.
- Failing to cooperate with community control.
- Failure to maintain consistent employment.

Sanctions may include but are not limited to:

- Warnings and reprimands in court from the Judge.
- Increasing frequency of your alcohol and drug tests.
- Increasing your court appearances.
- Denying specific requests, such as permission to travel.
- Denying additional or expanded privileges or rescinding privileges previously granted to you.
- Increasing supervision contacts and monitoring requirements, such as placing you on electronic monitoring.
- Individualized sanctions, such as writing essays, reading books, or performing other activities to reflect upon your unacceptable behavior.
- Requiring additional community service.

- Imposing suspended fines and/or financial sanctions.
- Increasing periods in jail.
- Last chance agreement.
- Filing a community control violation.
- Terminating you from the OVI Docket.

You are to remain alcohol and drug free and are encouraged to make changes in your lifestyle so that you can live a sober, positive, and law-abiding life.



GRADUATION

Successful completion criteria are the guidelines used to identify how you effectively satisfy OVI Docket requirements. In order to successfully complete and graduate from OVI Docket, you must demonstrate compliant behaviors and accomplishments.

Compliant behaviors may include but are not limited to:

- ✓ Demonstrating a period of abstinence from alcohol and drugs.
- ✓ Attending all treatment and provider appointments.
- ✓ Attending sober support group meetings.
- ✓ Displaying a change in thinking, attitude, and beliefs.
- ✓ Maintaining consistent employment.
- ✓ Demonstrating ability to identify and eliminate criminal thinking patterns.
- ✓ Completing required community service hours.
- ✓ Paying all fines, court costs, restitution, and treatment costs.

Accomplishments may include but are not limited to:

- ✓ Fulfilling all OVI Docket requirements.

- ✓ Completing all treatment requirements and programs.
- ✓ Developing an effective relapse prevention plan.
- ✓ Actively participating in a sober support group.
- ✓ Obtaining a vocational certificate or college degree.
- ✓ Obtaining a career.
- ✓ Obtaining permanent, stable housing.
- ✓ Maintaining consistent employment.
- ✓ Displaying responsibility for your behavior and making positive changes in your thinking, attitudes, and beliefs.
- ✓ Becoming a contributing and law-abiding member of society.

After the OVI Docket Coordinator asks you to submit your Petition to Graduate, the treatment team will review your behaviors and accomplishments and make a recommendation to the Judge regarding your successful completion of OVI Docket requirements.

The Judge has discretion to determine when you will successfully complete the OVI Docket. Upon successful completion, you shall participate in a graduation ceremony hosted by the court and receive a certificate of completion.

*****Graduation is not the same as being released from Probation/Community Control. Participants will still be on a period of Probation/Community Control after Graduation. *****

ADDITIONAL REQUIREMENTS AND EXPECTATIONS

Court Behavior

You are expected to conduct yourself in an appropriate and respectful manner when in the courthouse and courtroom. This includes:

- On time arrival to **all** court hearings and/or meetings

- Appropriate dress and hygiene

    - No clothing displaying paraphernalia or logos for alcohol or drugs
    - No short shorts or mini-skirts
    - No tank tops without appropriate covering
    - No clothing displaying offensive language
    - Midriff and chest must be covered appropriately

- No use of profanity or offensive behavior

- No speaking out of turn

- No weapons

You are expected to bring any required materials with you to each status hearing. This includes sober support slips, proof of treatment attendance, and any other assignments. It is your responsibility to keep track of these materials.

You will be given a chance to speak to the Judge during the status review hearings. You are expected to provide honest answers to any questions the Judge may ask. The Team will report on your progress during status hearings. Based upon the reports, the Judge may hand down incentives or sanctions.

Termination from OVI Docket

The Judge has discretion in determining termination from the OVI Docket in accordance with the written criteria.

Criteria for termination may include:

- On-going noncompliance with treatment or resistance to treatment.

- New serious criminal convictions.

- A serious program infraction or series of infractions.

- A serious community control violation or series of community control violations.

- On-going noncompliance with any of the requirements for OVI Docket.

- The written legal and clinical eligibility and termination criteria do not create a right to continued participation on the OVI Docket.

Consequences for termination may include:

- Loss of future eligibility for the OVI Docket.

- Further legal action.

- Revocation of community control and imposition of the original jail sentence.

Neutral Discharge

A participant may be neutrally discharged from the OVI Docket if the participant is no longer capable of **completing the program as a result of the following:**

- Serious medical condition;

- Serious mental health condition;

- Death; or

- Other factors that may keep the participant from meeting the requirements for successful completion.

Upon neutral discharge, the case may be placed on a lower level of probation or probation may be terminated.

When you are being terminated from the OVI Docket, a hearing is scheduled and a notice to appear is sent to you and your attorney. You must be afforded any legal process to which you are entitled. At the conclusion of the hearing, if Judge finds that you shall be terminated from the OVI Docket, the jail sentence and fines suspended may be imposed.

OVI DOCKET

PARTICIPANT HANDBOOK CONFIRMATION STATEMENT

I acknowledge that I have received, read, signed, and understand the OVI Docket Participant Handbook. I have had the opportunity to ask questions regarding these issues and they have been explained to me.

I have read and agree to abide by the guidelines as outlined in the OVI Docket Participant Handbook.

I understand what I can expect from this program and what this program expects of me.

Name: _____
Print

Name: _____ _____
Signature **Date**

Witness: _____ _____
Signature **Date**