

---

---

**Campbell County**  
**JUVENILE & FAMILY DRUG COURT**  
**Memorandum of Understanding**

---

---

Agreement by and between the Campbell County Attorney's Office, Sheriff's Department, Juvenile Probation Office, Public Defender, City of Gillette Police Department, Campbell County School District, Treatment Provider(s), Department of Family Services, Administrative Assistant, Youth Advocate, and the Court.

**WHEREAS**, the parties to this Agreement endorse the goals and mission of the Juvenile & Family Drug Court in order for juvenile participants and their families to eliminate future criminal behavior and improve the quality of their lives. To be successful in recovery and addressing addiction issues, the Court's participants must have access to a community-based, coordinated system of comprehensive services.

**WHEREAS**, the parties to this Agreement agree that the mission of the Campbell County Juvenile & Family Drug Court is the following:

*To reduce substance abuse and strengthen family systems.*

**WHEREAS**, the parties to this Agreement endorse the following six (6) goals:

- a. Serve juveniles, ages 13-17, who are alcohol and/or other drug users, who are charged as delinquents with a non-violent felony/misdemeanor or probation revocation and their families;
- b. Serve juveniles, ages 13-17, who are children in need of supervision (CHINS) who are alcohol and/or other drug users and their families;
- c. Reduce criminal behaviors and substance abuse among the program participants;
- d. Improve the family functioning of the program participants;
- e. Improve school performance of all participants in the Program; and
- f. Increase community awareness of drug and alcohol problems and drug-court sponsored treatment as a preferred alternative to incarceration.

## Individual Agency Responsibilities and Staff Commitments

### **Juvenile & Family Drug Court Coordinator:**

1. The Coordinator will assist the Juvenile & Family Drug Court Team with the monitoring and evaluation of Juvenile & Family Drug Court when appropriate.
2. The Coordinator will serve as the fiscal officer and will be responsible for the submission of all reports. The Coordinator will assist in seeking funding sources, respond to grant applications, implement and monitor grant funds and provide fiscal, narrative and statistical information as required by the funding source to ensure the ongoing operation of the Juvenile & Family Drug Court.
3. The Coordinator will be responsible for the preparation of an annual report to include number of participants, graduates, recidivism rates, changes in the Program, etc.
4. The Coordinator will actively represent the Juvenile & Family Drug Court in the community and appear before governmental agencies, public commissions, legislative hearings, public forums, and the media.
5. The Coordinator and the Drug Court Judge, either jointly or individually, shall have the discretion to terminate employment of the Juvenile & Family Drug Court Staff without consultation with the Board.
6. The Coordinator, along with the Administrative Assistant, shall utilize an integrated network for collecting data and reporting on participants in the Juvenile & Family Drug Court Program and the control group.
7. The Coordinator will participate as an active member of the Juvenile & Family Drug Court Team and Board and shall be nominated and/or approved as the Coordinator by the board each calendar year.

Signature \_\_\_\_\_ Date \_\_\_\_\_

### **Campbell County District Court Judge:**

1. The Court will be assigned to the Juvenile & Family Drug Court for the entire term of this Agreement.
2. The Court assumes the primary role to motivate and monitor the juveniles and their family members who appear before the Juvenile & Family Drug Court.

3. The Court will ensure a cooperative atmosphere for attorneys, clerks, probation officers, police officers and treatment providers to stay focused on the task of providing juveniles and their family members with appropriate treatment.
4. The Court will provide positive reinforcement to participants, which the Court deems necessary.
5. The Court will impose the appropriate sanctions for failure to comply with Juvenile & Family Drug Court rules, keeping in mind the overall goal of recovery.
6. The Court will participate in weekly meetings with the Juvenile & Family Drug Court Coordinator, Probation Officer and/or Drug Court Team, to review cases for upcoming court, and implement any changes or sanctions the Team deems necessary.
7. The Court will be available, or have an accessible substitute, for any emergencies which may arise.
8. The Court will participate as an active member of the Juvenile & Family Drug Court Team and Board.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**County Attorney's Office:**

1. A Deputy County Attorney will be assigned to the Drug Court Program for the entire term of this Agreement, to be chosen and appointed by the County Attorney.
2. The Deputy County Attorney will assist in identifying potential participants using the Campbell County Juvenile & Family Drug Court eligibility requirements. The County Attorney's Office has an absolute veto with regard to any Juvenile recommended to participate in Juvenile & Family Drug Court. This veto cannot be appealed, nor does its issuance require explanation.
3. In the event the potential participant has a serious violation while in the Juvenile and Family Drug Court, which could result in further criminal prosecution, the Deputy County Attorney, if aware of the violation, will notify the Court and participant whether additional criminal charges are forthcoming or whether prosecution will be waived, to determine whether disclosure by participant is appropriate in the Juvenile & Family Drug Court.
4. The Deputy County Attorney agrees that a positive drug test or open Court admission of drug possession or may or may not result in the filing of additional drug charges based on that admission. Delivery of a controlled substance or other

criminal offense will be reviewed and a determination made as to whether those will be pursued criminally.

5. The Deputy County Attorney will provide leadership and direction to ensure compliance with all statutory guidelines.
6. The Deputy County Attorney will participate in weekly meetings with the Juvenile & Family Drug Court Coordinator, Probation Officer and/or Drug Court Team, to review cases for upcoming court and implement any changes or sanctions the Team deems necessary.
7. The County Attorney's Office will participate as an active member of the Juvenile & Family Drug Court Team and Board.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Public Defender:**

1. A Public Defender will be assigned to the Juvenile & Family Drug Court for the entire term of this Agreement, to be chosen by the Public Defender's Office.
2. The Public Defender's Office advises the Juvenile and his/her Parent(s)/Guardian(s) as to the nature and purpose of the Juvenile & Family Drug Court, the rules governing participation, the consequences of abiding or failing to abide by the rules, and how participating or not participating in the Program will affect their respective interests.
3. The Public Defender's Office will assist in identifying potential participants using the Campbell County Juvenile & Family Drug Court eligibility requirements.
4. The Public Defender's Office will explain to the Juvenile and his/her Parent(s)/Guardian(s) all of the rights that the participant will temporarily or permanently relinquish.
5. If a potential participant elects legal representation and has a serious violation while in the Juvenile and Family Drug Court Program which could result in further criminal prosecution, the Public Defender, if aware of the violation, will consult with the Deputy County Attorney to determine whether additional criminal charges are forthcoming or whether prosecution will be waived, to determine whether disclosure by participant is appropriate in Juvenile & Family Drug Court.
6. The Public Defender's Office will provide leadership and direction to insure compliance with all statutory guidelines.

7. The Public Defender shall review the Juvenile Participant and Parent(s)/Guardian(s) respective progress in treatment and advocate appropriately when the Juvenile or his/her Parent(s)/Guardian(s) is/are facing sanctions for non-compliance, when seeking early termination of probation, or at the time of disposition should the Juvenile be terminated from the Juvenile & Family Drug Court.
8. The Public Defender will participate in weekly meetings with the Juvenile & Family Drug Court Coordinator, Probation Officer and/or Drug Court Team, to review cases for upcoming court and implement any changes or sanctions the Team deems necessary.
9. The Public Defender will participate as an active member of the Juvenile & Family Drug Court Team and Board.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Campbell County Juvenile Probation Office, Probation Officer and Administrative Assistant:**

1. The Juvenile Probation Office will provide supervision and case management services to the Juvenile & Family Drug Court caseload through the grant-funded employment of an Intensive Supervision Juvenile Probation Officer and Administrative Assistant.
2. The Juvenile Probation Office will provide suitable office space, furnishings and support, as needed, to the Juvenile & Family Drug Court Probation Officer and Administrative Assistant.
3. The Probation Officer will provide **daily** supervision and case management of program clients which includes random U.A. and B.A. tests and monitoring client behavior at school, at home, at work, etc. In addition, the Probation Officer will coordinate educational, vocational and collateral services as needed.
4. The Juvenile Probation Office will provide probation reports in a manner acceptable to the Judge.
5. The Probation Officer will participate in weekly case review/staffings with the Juvenile & Family Drug Court team members.
6. The Probation Officer will assist in assessment of suitability for the Drug Court Treatment Program and make specific recommendations relating to case management needs of the participant.
7. The Juvenile Probation Office will provide observed drug testing on-site as necessary or requested, and will provide supportive documentation to the Courts on all positive U.A.'s and progress in treatment.

8. The Juvenile Probation Office will provide the use of ankle monitors for Juvenile & Family Drug Court participants on a case-by-case basis (per availability).
9. The Juvenile Probation Officer will be involved in all treatment stages with the clients.
10. The Administrative Assistant shall take notes and minutes of the weekly Juvenile & Family Drug Court sessions.
11. The Administrative Assistant shall maintain statistical data for the program and shall assist in the preparation and presentation of such data.
12. The Administrative Assistant, along with the Juvenile & Family Drug Court Coordinator shall utilize an integrated network for collecting data and reporting on participants in the Juvenile & Family Drug Court and the control group.
13. The Probation Office and Juvenile Probation Officer and Administrative Assistant will participate as an active member of the Juvenile & Family Drug Court Team.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Substance Abuse Treatment Provider:**

1. The Substance Abuse Treatment Provider will conduct a clinical assessment with potential participants to determine the severity of alcohol and drug abuse, alcohol and drug-related problems, and readiness for treatment, educational needs, vocational assessment, medical assessment, legal assessment, and screen for mental health issues using the SASSI.
2. The Substance Abuse Treatment Provider will establish treatment level(s) and develop Individualized Treatment Plan(s) for all Program participants.
3. The Substance Abuse Treatment Provider will provide a comprehensive drug treatment program, consisting primarily of intensive out-patient treatment, which focuses on a bio-psycho-social approach to recovery.
4. The Substance Abuse Treatment Provider will provide individual counseling to Juvenile & Family Drug Court participants as needed/recommended.
5. The Substance Abuse Treatment Provider will make recommendations to the Court for placement in a specified program(s).

6. The Substance Abuse Treatment Provider will provide the Juvenile & Family Drug Court with a Weekly Progress Report on each participant, in a manner acceptable to the Court.
7. The Substance Abuse Treatment Provider will participate as an active member of the Juvenile & Family Drug Court Team, including attendance and participation in weekly case reviews/ staffings.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Family Therapy Treatment Provider:**

1. The Family Therapy Treatment Provider will provide an assessment of the adolescent and family functioning.
2. The Family Therapy Treatment Provider will establish treatment level(s) and develop Individualized Treatment Plan(s) for all participant families.
3. The Family Therapy Treatment Provider will provide counseling to each participant family.
4. The Family Therapy Treatment Provider will provide the Juvenile & Family Drug Court with a Weekly Progress Report on each participant family, in a manner acceptable to the Court.
5. The Family Therapy Treatment Provider will participate as an active member of the Juvenile & Family Drug Court Team, including attendance and participation in weekly case reviews/ staffings.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Campbell County Sheriff's Department:**

1. The Sheriff's Department will assist in processing Drug Court-eligible participants into the Program quickly, by providing police reports and analysis of narcotic evidence in a timely manner to the County Attorney's Office.
2. The Sheriff's Department will provide a private room in which the Treatment Provider can conduct clinical assessments, while a potential participant is incarcerated.

3. The Sheriff's Department will transport those Juvenile & Family Drug Court participants, who are incarcerated, to Court hearings.
4. The Sheriff's Department will assist the Juvenile & Family Drug Court Probation Officer with supervision, including home visits when needed.
5. The Sheriff's Department will agree not to use any statements or information obtained from the participant for the purpose of diagnosis, treatment or referral for treatment, to initiate or substantiate any criminal investigation against the participant, with the exception of those circumstances allowed under applicable State and Federal Law.
6. The Sheriff's Department will assist the Juvenile Probation Officer with drug screens as necessary. They will also assist in job checks, record searches, bailiff's services, and searches of residences, vehicles, and work places of clients and generally support the Juvenile & Family Drug Court as requested by the Court, Juvenile Probation Office, and/or Board.
7. The Sheriff's Department will aggressively and immediately, serve bench warrants for participants who have violated their agreements.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**City of Gillette Police Department:**

1. The Police Department will assist in attempting to process Drug Court-eligible participants into Juvenile & Family Drug Court quickly, by providing police reports and analysis of narcotic evidence in a timely manner to the County Attorney's Office.
2. The Police Department will assist the Juvenile & Family Drug Court Probation Officer with supervision, including home visits, when needed.
3. The Police Department will agree not to use any statements or information obtained from the participant for the purpose of diagnosis, treatment or referral for treatment, to initiate or substantiate any criminal investigation against the participant, with the exception of those circumstances allowed under applicable State and Federal Law.
4. The Police Department will assist the Juvenile Probation Officer with drug screens as necessary. They will also assist in job checks, record searches, bailiff's services, and searches of residences, vehicles, and work places of clients and generally support the Juvenile & Family Drug Court as requested by the Court, Juvenile Probation Office and/or Board.

5. The Police Department will aggressively and immediately, serve bench warrants for participants who have violated their agreements.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Campbell County School District:**

1. The School District will facilitate dissemination of educational student data and provide information to the Team regarding a student's academic progress.
2. The School District will coordinate ancillary, educational, training service between Juvenile & Family Drug Court and school representatives.
3. The School District will participate as an active member of the Juvenile & Family Drug Court Team and Board.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Department of Family Services:**

1. The Department of Family Services representative shall be appointed to serve on the Team by the Department of Family Services.
2. The Department of Family Services caseworker will participate as an active member of the Juvenile & Family Drug Court Team, including attendance and participation in weekly case reviews/ staffings.
3. The Department of Family Services will assist in placement of juveniles in out-of-home facilities as needed by the Juvenile & Family Drug Court Team.
4. In addition, the Department of Family Services will participate as an active member of the Juvenile & Family Drug Court Team and Board.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Youth Advocate:**

1. The Juvenile and Family Drug Court Youth Advocate shall be appointed by the Board. In the event the youth advocate resigns, the Board shall appoint another private attorney who specializes in youth issues to serve on the Board.

2. The Juvenile and Family Drug Court Youth Advocate shall advocate for the best interest of children at the Board level and shall strive to ensure that the Board acts in the best interests of the Children and Families served by the Campbell County Juvenile and Family Drug Court.
3. The Juvenile and Family Drug Court Youth Advocate shall participate as an active member of the Juvenile and Family Drug Court Board.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

### **Juvenile & Family Drug Court Team**

All parties agree to continue to be represented in this group. This group will be responsible for modifying and amending this Agreement. They will address problems and issues as identified and develop policy and Juvenile & Family Drug Court modifications.

### **Agreement Modifications**

Any individual Agency wishing to amend/modify this Agreement will notify the Juvenile & Family Drug Court Team. The Team will decide the issues by consensus.

### **Termination of Agreement**

Individual Agencies contemplating termination of their participation in this Agreement shall first notify the Juvenile & Family Drug Court Team of their concern. The Team will attempt to resolve the problem to ensure continuation of the Juvenile & Family Drug Court. If unable to resolve the problem, the individual Agency or Department can exercise its right to terminate this Agreement by notifying all other Agencies in writing a minimum of ninety (90) days prior to such termination.

**IN WITNESS THEREOF**, the parties have cause their duly authorized representative to execute this Agreement.

