

PHILADELPHIA TREATMENT COURT MILESTONES

The Philadelphia Treatment Court Milestones are a response to the need for a consistent set of court-based performance measures that defendants must and can meet, regardless of the treatment program and modality in which they may be placed. They are intended to establish a stringent set of standards that Treatment Court defendants can nevertheless be reasonably expected to meet.

PHASES OF TREATMENT COURT:

According to the Treatment Court Plan, Treatment Court consists of four stages requiring a minimum of 12 months to complete successfully, followed by a fifth phase which is an additional drug-free, conviction-free year leading to expungement of the arrest. The principal focus of each phase is as follows:

- **Phase I: (1 month)** Detoxification, clinical assessment and referral
- **Phase II: (3 months)** Intensive treatment
- **Phase III: (4 months)** Intensive treatment and focus on life skills
- **Phase IV: (4 months)** Pre-graduation phase with continued focus on life skills
- **Phase V: (12 months)** Graduation, aftercare, alumni association, and expungement

INFRACTIONS AND SANCTIONS:

Infractions are defined in the Philadelphia Treatment Court plan which include but are not limited to the following:

- Failure to attend initial treatment intake/assessment interview;
- Two unexcused absences from outpatient treatment between court dates;
- Failure to take a drug test or one positive result in a drug test;
- Abscondence from a residential treatment program or a recovery house;
- Unsuccessful discharge from a residential treatment program or a recovery house;
- Intentional falsification of documents;
- Intentional adulteration of urine drug tests;
- Failure to meet with a case manager;
- Failure to appear in court.

A wide range of sanctions is available. The decision to impose any specific sanction and, ultimately, to impose any sanction at all, will rest with the Treatment Court judge and will be based on careful consideration of the circumstances surrounding the infraction as well as the defendant's past performance, both in the program and prior to the program.

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- Termination is based upon a totality of circumstances which include but are not limited to the following: continued drug use, length of abscondence from treatment and/or court, and the number and severity of convictions on open matters.
- New arrests will be dealt with on a case by case basis, taking into consideration the circumstances of the arrest, the defendant's prior record and performance in the program, and will not necessarily result in either suspension of participation or termination from the program. A third conviction or a conviction for a violent offense will, however, make a defendant ineligible for participation, based upon the eligibility criteria.

Minimally, any of the infractions mentioned above will prompt an immediate review by the court.

Explanatory Notes:

- **Court Completion Requirements:** The first column serves to establish as minimum court requirements those elements of the treatment court process which can be held fairly constant, regardless of the treatment modality and provider. These requirements include attendance and testing. The idea is that the court should have a very clear definition of what constitutes completion of each phase. Participant noncompliance with rules regarding drug tests, attendance, etc. triggers immediate notification to the court.
- **Treatment accomplishments:** In order to accommodate the wide range of programs in use by the court, there are no minimum attendance requirements. In their place is a more generally worded requirement to actively attend and participate. The judge must receive reports from treatment providers and case managers on both attendance and participation in those terms.
- **Drug Testing:** The Milestones specify that drug testing be observed during all Phases.

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COURT COMPLETION REQUIREMENTS*	SERVICE/ACTIVITY GUIDELINES	TREATMENT ACCOMPLISHMENTS	RESPONSES
PHASE I (1 month) (Detoxification, assessment, and referral)			
<ul style="list-style-type: none"> Attend pretrial orientation (if required) Comply with conditions of pretrial release Complete assessment Attend status listing hearing Intake at treatment program Attendance at treatment [make up missed sessions]¹ Drug free for 30 consecutive days No new arrests with convictions 	<ul style="list-style-type: none"> Colloquy accepted Substance abuse assessment Physical exam Treatment program intake Treatment sessions Drug testing as required Court appearances monthly, or as needed CM contacts as needed Apply for Medical Assistance Obtain Photo Identification Payment of fines and costs 	<ul style="list-style-type: none"> Intake Initial treatment plan Detoxification 	<p><u>Sanctions:</u> Restart Phase I until negative drug tests are achieved Essays Jury box Increased drug testing Increased court appearances Electronic monitoring 1 or more days attending the OPTIONS Program Community Service Incarceration up to 10 days Restart Phase I due to new conviction</p> <p><u>Rewards:</u> Recognition in court Certificate Gift Permission to leave jurisdiction Advancement to next Phase</p>

¹ When a client has unexcused absences from treatment sessions, the client will “make up” those sessions with the treatment provider by the end of the phase. If the client has not made up the number of sessions required by the end of the phase, the length of time needed to attend the number of sessions missed will be added to the end of the current phase. If, during this phase extension period, the client does not attend regularly scheduled treatment sessions, the phase may be further extended.

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PHASE II (3 months) (Intensive treatment)			
<ul style="list-style-type: none"> • Attendance at court hearings • Attendance at treatment [make up missed sessions]¹ • No more than two sanctions • Drug free for 90 consecutive days • No new arrests with convictions 	<ul style="list-style-type: none"> • Substance abuse treatment • Mental health treatment • Receive needed life skills training and counseling • Self-help • Drug testing as required • Court appearances monthly or as needed • CM contacts monthly or as needed • Payment of fines and costs 	<ul style="list-style-type: none"> • Attend and actively participate in required treatment sessions • Be actively involved in meeting goals identified on treatment plan. • Maintain abstinence for 90 consecutive days • Attend 12-Step meetings as required • Obtain a sponsor 	<p><u>Sanctions:</u> Restart Phase II until negative drug tests are achieved Essays Jury box Increased drug testing Increased court appearances Electronic monitoring 1 or more days attending the OPTIONS Program Community Service Incarceration up to 10 days Restart Phase II due to new conviction Termination, nolo plea entered, sentencing</p> <p><u>Rewards:</u> Less frequent court appearances Recognition in court Certificate Promotion Permission to leave jurisdiction Mentoring Status Advancement to next phase</p>

*COURT COMPLETION REQUIREMENTS ARE THE ONLY CRITERIA FOR ADVANCEMENT FROM PHASE TO PHASE AND TO GRADUATE FROM THE PROGRAM.

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PHASE III (4 months) (Intensive treatment and focus on life skills)			
<ul style="list-style-type: none"> • Drug free for 120 consecutive days • Attendance at court hearings • Attendance at treatment [make up missed sessions]¹ • No unexcused failures to meet with CM • No new arrests with convictions 	<ul style="list-style-type: none"> • Continued substance abuse treatment • Life skills training • Vocational and housing assessment • Relapse prevention • Aftercare services • Transition/aftercare plan • Drug testing as ordered. • Court appearances monthly or as needed • CM contacts monthly or as needed • Payment of Fines and Costs 	<ul style="list-style-type: none"> • Attend and actively participate in required treatment sessions • Be actively involved in meeting goals identified on initial treatment plan • Maintain abstinence for 120 consecutive days • Attend AA/NA or other 12 step meetings a minimum of once per week • Actively participate in life skills training if specified in the CM service plan 	<p><u>Sanctions:</u> Restart Phase III until negative drug tests are achieved Essays Jury box Increased drug testing Increased court appearances Electronic Monitoring 1 or more days attending the OPTIONS Program Community Service Increased frequency of 12-Step meetings Restart Phase III due to new conviction Incarceration up to 10 days Termination, nolo plea entered, sentencing</p> <p><u>Rewards:</u> Less frequent court appearances Recognition in court Certificate Permission to leave jurisdiction Mentoring Status Advancement to next Phase</p>

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Phase IV (4 months) (Pre-graduation phase)			
<ul style="list-style-type: none"> • Drug free for 120 consecutive days • Attendance at court hearings • Attendance at treatment [make up missed sessions]¹ • No unexcused failures to meet with CM • No new arrests with convictions • Payment of fines and costs 	<ul style="list-style-type: none"> • Continued substance abuse treatment • Life skills training • Vocational and housing assessment • Relapse prevention • Aftercare services • Transition/aftercare plan • Drug testing as required • Court appearances monthly or as needed • CM contacts monthly or as needed • Graduation ceremony 	<ul style="list-style-type: none"> • Attend and actively participate in required treatment sessions • Be actively involved in meeting goals identified on initial treatment plan • Maintain abstinence for 120 consecutive days • Attend AA/NA or other 12 step meetings a minimum of once per week • Actively participate in life skills training if specified in the CM service plan 	<p><u>Sanctions:</u> Restart Phase IV until negative drug tests are achieved Essays Jury box Increased drug testing Electronic Monitoring 1 or more days attending the OPTIONS Program Community Service Increased frequency of 12-Step meetings Increased court appearances Restart Phase IV due to new conviction Incarceration up to 10 days Termination, nolo plea entered, sentencing</p> <p><u>Rewards:</u> Less frequent court appearances Recognition in court Permission to leave jurisdiction Mentoring Status Certificate of graduation Nolo plea withdrawn and case dismissed with prejudice</p>

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PHASE V (12 months) (Post-graduation)			
<ul style="list-style-type: none"> No arrests with convictions for one year following graduation No reliable evidence of defendant engaging in substance use during one year period 	<ul style="list-style-type: none"> Follow aftercare plan Attend Treatment Court alumni/support groups 	<ul style="list-style-type: none"> Attend any available 12-step program Maintain 100% abstinence 	Responses: Arrest remains on record Arrest expunged

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