

The Poarch Creek Indian
Drug Court Program

JOB DESCRIPTIONS

JUDICIAL ROLE

The Drug Court Judge shall supervise and re-enforce treatment by reviewing the reports from the treatment providers and input from each *defendant* and will use various incentives, both positive and negative, to encourage compliance with the treatment program. The judge will establish a rehabilitative relationship with the offender through intensive interaction during court appearances. The judge shall stress the court's desire that each defendant *successfully* complete the program while making it clear the consequences of failure. The judge will assume the role of not only judge, but also mentor and encourager to each defendant. In this setting, the judge will be able to reward a defendant's successes in the program, thus providing additional motivation, and to sanction any noncompliance, thereby discouraging a defendant's failure. By using this approach, the judge will re-enforce the valuable casual relationship between both good and bad decisions made by the defendant.

The Drug Court Judge will *respond* to any relapse or other *violations* with immediate sanctions that simultaneously address the defendant's conduct and will encourage more *intensive involvement* in treatment. The court will strive to keep defendants in Drug Court *while* imposing swift, consistent and behavior-specific sanctions for relapse, missed meetings or court hearings or any other rules violations. The court will utilize graduated sanctions to become more restrictive as the severity and/or frequency of infractions increase. The court will utilize increased frequency of courtroom status calls, increased frequency of onsite *urine* tests, increased frequency of attendance in outpatient programs, increased court supervision, jail or increased jail sentences (post-trial), increased length of time in the Drug Court, and any other appropriate sanctions deemed proper by the court.

The Drug Court will actively supervise and re-enforce treatment received by the defendant. The Drug Court will review reports from treatment providers and discuss any treatment problems with the defender during court appearances. It will be the goal of the Drug Court judge to be as positive as possible toward each defendant in encouraging that defendant to complete the Drug Court Program as all parties will benefit from a successful completion

TRIBAL PROSECUTOR

The Tribal Prosecutor shall review each *defendant's* case and advise the Drug Court as to whether or not the defendant might be appropriate for participation in the Drug Court Program. The prosecutor's assessment will consist of verifying whether the charges against the defendant are appropriate for the Drug Court Program and whether the *defendant* has any prior charges or other reasons that would disqualify him or her from the program such as violent offenses. The Tribal Prosecutor shall communicate to the Drug Court his *findings*.

The prosecutor shall not prosecute any pretrial defendant who is participating in the Drug Court Program until and if the defendant is unsuccessful in completing the program. *If* a defendant is *unsuccessful* in the program, the prosecutor shall pursue the charges as normal. The prosecutor shall review *defendant's* progress in the Drug Court Program and make recommendations to the Tribal Court in reference to said progress .

COURT DIRECTOR AND CLERK OF THE COURT

The *Court* Director and the Clerk of the Court shall be responsible for preparing all dockets and current files and making them available at all Drug Court hearings. The Director and Clerk shall also be responsible for *updating* files and preparing notes relating to each client's progress in the Drug Court Program, noting any sanctions that may be imposed during the hearings. The Director and Clerk will also provide the client and any attorney or other representative with appropriate forms for entrance into the Drug Court Program. The

Director and *Clerk* shall also be responsible for preparing any orders and distributing them to the appropriate parties. If there is a Program Manager involved in the program, copies of all Drug Court documents pertaining to that client shall be provided to the case coordinator. The Director and Clerk of the Court shall also be responsible for receiving and recording all payments made to the Drug Court by a client and shall keep the Tribal Court Judge updated on all fees and any other requirements imposed upon the client. The Director and Clerk of the Court shall perform any other duties deemed necessary by the Tribal *Court* Judge.

HUMAN SERVICES DEPARTMENT

The Human Services Department shall provide initial assessment of each client to determine the type of services needed and to assist in developing a treatment plan. The purpose of the initial assessment will be to detect major problems related to substance abuse, to indicate potential problem areas and risk factors and to indicate the intensity and duration of substance abuse treatment services and other

ancillary services. The Human Services Department shall make recommendations *to* the Drug Court as to the appropriate treatment necessary for each client, said recommendation shall be in writing. The Human Services Department shall continue to work with each client as they progress through the program and shall report findings to the Drug Court as to the progress of each client. The Human Services Department shall provide appropriate counseling to clients, coordinate all inpatient services and provide reports appropriately.

DEPARTMENT OF SOCIAL SERVICES

The role of the Poarch Creek Indian Social Services Department shall be that of providing assistance to the Drug Court in dealing with family situations of any Drug Court participant. The Department of Social Services may be called upon to evaluate the family circumstances of a participant and make recommendations regarding the family situation of any participant while *in* the Drug Court Program.

If family assistance is necessary, the Department of Social Services shall provide appropriate services, including coordinating off *reservation* and on reservation programs to aid the family situation.

TRIBAL POLICE

The Poarch Creek Indian Tribal Police Department shall be involved in the Drug *Court* through the monitoring of the progress of each participant. The Tribal Police shall provide any onsite urine tests and immediately report the results to the Drug Court. Also, if probationary services are required, the Tribal Police shall perform any probation office duties and report regularly to the Drug Court as to a participant's progress. Should a participant *fail* a urine test or violate any other terms of the Drug Court Program the Tribal Police shall immediately notify the Drug Court for appropriate action.

Tribal Police may provide certain counseling programs regarding drug and alcohol education. This would include actual drug and *alcohol* statutes, punishment statutes, statistical information, videos and other resources. Tribal Police will supervise any community service ordered to be completed by a participant. Since Tribal Police will see each *participant* on a regular basis and have the opportunity to observe them, input from Tribal Police will be important.