

Shingle Springs Band of Miwok  
Indians Tribal Court

and

Superior Court of El Dorado  
County



Family Wellness Court  
Participant Manual

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## **Welcome**

You have been identified as a Native Youth between the ages of birth to 24 years old with court, law enforcement, probation and/or School Attendance Review Board-involvement who has expressed desire to participate in Family Wellness Court, a program designed especially for you. As you enter this voluntary, enhanced supervision/wellness program, you will need to be motivated to work toward changing your lifestyle. The members of the Family Wellness Court team will be working with you so that you can maintain and create a rewarding lifestyle for you and your family. Your family is encouraged to attend Family Wellness Court with you.

This program is for you. The team wants you to succeed, and we are here to help you do that. If you make a commitment to this program, your wellness plan, and a commitment to yourself, we know you can do it!

## **How the Program Works**

You will be asked to sign a contract that governs the terms of your Family Wellness Court participation. You will also be asked to sign a consent for release of information form. It is extremely important that the entire Family Wellness Court team understands what is going on with you. We cannot help you unless we have all the facts. Again, our goal is to help you. All information will be confidential to the Team unless we have your permission to share with another person. Your Family Wellness Court experience will be broken up into four phases which are described on the following pages. This program will last a minimum of 12 months, but could last longer. It all depends on you.

## **Guiding Principles**

The three guiding principles of the program are simple. We believe that if you follow them, you will succeed.

1. **Be Honest.** Although seemingly simple, this is often the most difficult principle to follow. The team expects you to be honest at all times, in all areas of your life. Do not attempt to lie, cheat or steal your way through Family Wellness Court. This includes lying to any member of the team, attempting to conceal your drug/alcohol use, or tampering with or diluting your system to hide your alcohol or drug use.
2. **Take Ownership.** When you do something against the rules, own up to it and accept the consequences. This is not an easy program and you will make mistakes. We expect you to acknowledge those mistakes and learn from them. Taking ownership also includes the positive things you are doing to succeed in the program. When you do something right, take pride in the fact that you are the one making the choices to succeed.
3. **Show Up.** It is vital that you show up on time for all of your hearings, meetings, groups, and any other appointments required by the program. It is strongly recommended that you maintain a journal to keep track of your appointments. It will be your responsibility to monitor these appointments and make sure you show up.

## **Team Approach**

The Family Wellness Court Judges make all decisions regarding your participation in Family Wellness



will

Court with input from the Family Wellness Court Team. In addition to the Judges, the Family Wellness Court Team consists of:

- Tribal Services

- Tribal Behavioral Health
- Tribal Wellness Board
- El Dorado County SARB (School Attendance Review Board)
- El Dorado County District Attorney
- El Dorado County Probation
- El Dorado County Health and Human Services
- El Dorado County Public Defender

Each week, the Team will meet prior to court to review your case. We will discuss your progress in your wellness plan, the results of your scheduled appointments, and any other reports from wellness staff who are working with you on your wellness plan.

### **Case Reviews**

Before each Family Wellness Court hearing, the judge will be given an update on your progress by your Tribal Services case manager, and service providers. This is called a case review and the Family Wellness Court team will discuss your chemical testing results, attendance, participation and cooperation in the program, as well as school attendance or other requirements that may have been imposed. The judges may ask questions about your progress and discuss any problems you may have. If you are doing well, you may be rewarded with an incentive. If you are not doing well, the judges will discuss this with you to determine future action, which could include a consequence in order to help you remember your goals in the program.

These case reviews are designed to inform the entire team of your strengths and weaknesses. This sharing of information will allow the team to make adjustments in our approach in an effort to help you succeed. Team decisions

are made based on individual circumstances in order to provide the best program available to suit your needs. As a result, not everyone in Family Wellness Court will have exactly the same requirements. Keep in mind, you are the main player and the rest of us are here to support you.

## **Wellness Program**

Your wellness is the main focus of this program. You have already completed your assessments and a wellness plan has been recommended especially for you. Native



teachings, activities and ceremonies may be performed as part of your wellness plan. It is absolutely vital that you participate fully in this program and follow all instructions and recommendations of your service provider(s). Your service provider(s)

will be communicating with the rest of the team about your attendance and progress in your wellness plan. Your progress will be monitored and may be adjusted to meet your needs.

## **Alcohol and Drug Testing**

As a participant in this program, you may be required to submit to frequent and random alcohol and drug testing. The frequency of testing will depend on your progress in the program—testing will be very frequent in the earlier phases and may decrease as you advance through the program. The Family Wellness Court will use different methods to test you for chemical use; some of the most common are urinalysis (UAs). Any delay in reporting, missed tests, dilute samples, or tampering with test samples or results count as a missed UA and will result in consequences by the Court. If you believe your test will be positive, let the tester know prior to submitting to the test. Remember, **honesty** is the key in this program.

**You are not to use narcotic drugs or other drugs of abuse.** Should the time come for medical reasons that your medical doctor may prescribe such drugs for you, ask about alternatives and contact your Tribal Services case manager, service provider, or the Family Wellness Court Clerk for additional information. Be aware that use of prescription narcotics or drugs of abuse will likely render you ineligible for continuation in Family Wellness Court.

### **Employment and/or Education**

As part of this program, you will be required to attend school daily. If you are not going to school, you may be required to perform community service work. Your Tribal Services case manager will verify employment by contacting your employer or getting copies of your paychecks. You may be required to provide the team with your work schedule and/or school schedule.

### **Probation**

Although Family Wellness Court is different from the traditional court process, if under probation supervision while participating in Family Wellness Court, you are required to comply with all probation requirements. Your probation requirements may include, but are not limited to: remaining law abiding; maintaining contact with your probation officer; submitting to random searches and alcohol and drug tests; not using, possessing, or associating with persons who are using alcohol or controlled substances; not owning, using or possessing a firearm; being truthful with your probation officer; and other conditions.

### **Family Wellness Court Hearings**

As a Family Wellness Court participant, you will be required to appear in Family Wellness Court on a regular basis. The number of times you must appear depends upon

which phase of Family Wellness Court you are currently in. Failure to appear may result in a warrant being issued for your arrest and possibly detention until you can appear before the court. If you have questions about your court appearances, you may contact the Family Wellness Court Clerk. During your hearing, you will speak for yourself. You are encouraged to ask the judges questions and voice any concerns you may have about your program or wellness plan.

## **Incentives**

Incentives are used to recognize and reward participation and progress. The type of incentive will vary depending on the behavior that needs to be recognized. Incentives are determined by the team and may include but are not limited to:

- Verbal recognition/praise
- Applause
- Decreased restrictions (fewer drug tests, fewer court appearances, etc.)
- Gift cards or gift certificates from local businesses
- Tokens in recognition of achievement
- Reduced fines or fees
- Certificates of accomplishment
- Possible reduced consequences or sentences



## **Phase advancement Incentives**

- Phase 1-Honesty- \$25.00 gift card
- Phase 2-Accountability-Incentive of choice, not to exceed \$50.00
- Phase 3-Initiative-Positive Family Activity. Tribal Services will work with Participant and family to determine.

- Phase 4-Mastery-The incentive for this phase will be a traditional gift. The participant will be awarded the gift at the graduation ceremony at the end of their final court appearance. Family and community members will be invited at the discretion of the participant and family. Food will be provided as well as individuals speaking on behalf of the progress and participants successful completion of their wellness plan.

## Consequences

Consequences are used to emphasize the strict expectations and requirements of the program including participant



accountability and to provide more structure and support when it is needed. Although final consequence decisions are made by the judges, the Family Wellness Court team makes recommendations.

Dishonesty will result in a more severe consequence.

Consequences may include but are not limited to:

- Verbal reprimands and warnings from the judges
- Written assignments
- Community service
- Apologies and amends
- Electronic monitoring
- Volunteer work
- Imposition of curfew
- Increased restrictions (additional drug tests, additional court appearances, etc.)
- Detention
- Phase regression
- Termination from the Family Wellness Court

## Phase Descriptions

The Family Wellness Court may be completed within 12 months, but if you receive numerous consequences and/or continue to use alcohol or drugs, the program will take longer—it is up to you. Family Wellness Court is divided into four phases described below. Native teachings, activities and ceremonies may be performed as part of your wellness plan. Incentives and consequences may be forthcoming based on compliance or non-compliance of court orders. Phase advancement is at the discretion of the team and all decisions made by the team are final.

### **Phase 1 Honesty:** Orientation and Assessment

Objective: To enter Wellness Program, complete all assessments, create a wellness plan, and be honest about behavior.

Duration: Minimum 30-90 days

Participant Requirements:

- Complete Assessments;
- Agree to a wellness plan based on assessments;
- Attend court appearances two times a month for review hearings;
- Drug and alcohol testing may be conducted.

Requirements to move to Phase 2:

- Completion of Phase 1 of wellness plan following all program recommendations, no consequences during this phase;
- Attend all court appearances and appointments;
- Petition the Family Wellness Court for permission to progress to Phase 2.

### **Phase 2 Acceptance:** Education and Family Service Plan

Objective: Accept your wellness plan and gain greater insight into your own risks and needs.

Duration: Minimum 30-90 days

Participant Requirements:

- Attend court appearances two times a month for review hearings;
- One cultural experience every 4 weeks;
- Drug and alcohol testing may be conducted.

Requirements to move to Phase 3:

- Completion of Phase 2 of your wellness plan and continue following all program recommendations;
- At least 60 days of compliance with your court ordered wellness plan conditions; no consequences during this phase;
- Attend all court appearances and appointments;
- Petition the Family Wellness Court for permission to progress to Phase 3.

### **Phase 3 Initiative: Skill Development and Accountability**



Objective: Focus on removing barriers to success, developing skills, and taking accountability for successes and setbacks.

Duration: Minimum of 30-90 days

Participant Requirements:

- Attend court appearances on a monthly basis;
- One cultural experience every 3 weeks;
- Complete a Family Wellness Court survey upon request;

Requirements to move to Phase 4:

- Completion of Phase 3 of your wellness plan and continue following all program recommendations;
- At least 90 days of program compliance with your court ordered wellness plan conditions, no consequences during this phase;
- Attend all court appearances and appointments;

- Petition the Family Wellness Court for permission to progress to Phase 4.

### **Phase 4 Mastery:** Maintenance and Transition

Objective: Work on healing and healthy behaviors as well as preparing to transition out of the court system and creating an after care plan to continue your success.

Duration: Minimum of 30-90 days

Participant Requirements:

- Attend court appearances every six weeks;
- One cultural experience every 2 weeks
- Complete a Family Wellness Court survey upon request.

Requirements to graduate:

- At least 120 days of program compliance with your court ordered wellness plan conditions, no consequences during this phase;
- Completion of Phase 4 of your wellness plan and continue following all program recommendations;
- Develop and adopt a definitive after care plan;
- Attend all court appearances and appointments
- Petition the Family Wellness Court for permission to graduate

### **Termination from Family Wellness Court**

The Family Wellness Court team reserves the discretion to determine if violations of the Family Wellness Court rules and regulations, conditions of probation or a new delinquent offense will result in termination. You may be terminated from the program should you not apply reasonable efforts to be successful in this program or for actions that compromise public safety. You may receive one warning from the judge as to the item or items for which you are not applying yourself.

## **Graduation from Family Wellness Court:**

You will be eligible for commencement from the program when you have successfully progressed through all four



phases of your wellness plan. The team will determine when you have completed the phases and when you are ready for commencement. At your commencement, there will be a special ceremony and

acknowledgement.

Minimum requirements:

- Completion of the Family Wellness Court four phase program by demonstrating to the team an understanding of individual challenges and strategies for addressing them
- Clean alcohol and drug tests for a minimum of 120 days, which includes no missed alcohol and drug tests, and no tampering with alcohol and drug tests
- Demonstrate to the Family Wellness Court Team an understanding of personal problems with addiction, unlawful behavior, and relapse prevention
- Gainfully employed or actively engaged in school or vocational training
- Payment of restitution if applicable
- Safe and stable living environment
- Develop a definitive after care plan

**The Court's Vision:** One safe, strong community of thriving families created through trust and healing.

**The Court's Mission:** Joining together to provide justice through trust, respect, and love by empowering youth and families to create positive change.



## **Contact Information**

Family Wellness Court 698-1446 <a href="mailto:tribalcourt@ssband.org">tribalcourt@ssband.org</a>	(530)-
Tribal Services 698-1450	(530)
El Dorado County Probation 621-5625	(530)-
School Attendance Review Board (SARB)	
El Dorado County Office of Education 622-7130	(530)-
District Attorney 621-1280	(530)-

Public Defender  
(530)621-1280

## **NOTES**

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“Your confidentiality and privacy will always be respected”