



# Idaho Treatment Court Rule 2

## Idaho Treatment Court Rule 2. Definitions

Unless the context clearly indicates a different meaning, the following terms mean:

(a) "Absconded" means the status when a Treatment Court participant's whereabouts are not known or when a Treatment Court participant is known to have left the designated or approved residence, county, judicial district or state without permission of the court or probation officer. There shall be a rebuttable presumption that a participant has absconded from Treatment Court supervision when that participant has failed to appear at a Treatment Court hearing for two or more consecutive court sessions.

(b) "Case Management" means goal-oriented case plan activities that facilitate, coordinate, or monitor the full range of basic human needs, treatment, and service resources and delivery for individual Treatment Court participants in accordance with the policies and procedures of the Treatment Court or other service providers.

(c) "Case Plan" means a plan that documents case management activities that the participant must complete as a condition of Treatment Court participation. These activities should be based upon the results of a risk and needs assessment, in conjunction with any other assessments, the Treatment Court's participation agreement and any applicable court orders.

(d) "Criminal Case File" means the court records kept by the clerk of the court in the court's case management system.

(e) "Eligibility Screening" means a procedure for determining a potential participant's eligibility for admission to Treatment Court.

(f) "Idaho Treatment Court Best Practice Standards" means those practices and standards approved by the Idaho Supreme Court.

(g) "Incentives and Sanctions" means intangible or tangible rewards or punitive responses to increase desirable behaviors or decrease undesirable behaviors.



(h) "Neutral Discharge" means that, for reasons other than noncompliance, factors outside the participant's control, or not known to the Treatment Court at time of acceptance, a participant is no longer able to successfully participate in a Treatment Court.

(i) "Participant" means any person who meets the eligibility criteria, has signed a Treatment Court participant agreement, and has been admitted to the Treatment Court by the Treatment Court Judge.

(j) "Participation Agreement" means the document signed by a participant evidencing the participant's agreement to follow the conditions of Treatment Court participation.

(k) "Receiving Court" means any Treatment Court that presides over a case transferred from another court.

(l) "Risk and needs assessment" means the procedure used to determine the participant's criminogenic risk and needs using appropriate empirically validated instruments for the purpose of determining eligibility or developing a case plan.

(m) "Staffing" means a gathering of Treatment Court Team members that share timely information on the behaviors and progress of a participant and may make recommendations to the judge for responses to behaviors to discourage noncompliance and encourage compliance. Participants are not to attend staffings.

(n) "Termination" means the full cessation of a Treatment Court participant's involvement in a Treatment Court for noncompliance.



(o) "Therapeutic Adjustment" means alterations to a participant's treatment requirements that are intended to address unmet clinical or social service needs, and are not intended as an incentive or sanction.

(p) "Treatment Court" means a court that follows the Idaho Treatment Court Best Practice Standards, and utilizes judicial monitoring, close supervision, testing and treatment of high risk and high need criminal justice involved individuals with behavioral health issues. As used in these Rules, Treatment Court includes all adult Drug Courts, DUI Courts, Mental Health Courts, Wood Courts, Young Adult Courts, Domestic Violence Drug Courts, and Veterans Treatment Courts, but shall not include Domestic Violence Courts, Juvenile Drug Courts, or Child Protection Drug Courts.

(q) "Treatment Court Coordinator" means the Treatment Court Team member responsible for the administration, management, and coordination of Treatment Court services and operations. These responsibilities may include, overseeing Treatment Court staff activities, assisting the Treatment Court's compliance with Standards, statutes, and rules, developing and implementing Treatment Court policies and procedures, managing the Treatment Court Program File, managing team member memoranda of understanding, making applications and managing program grants, managing service provider contracts, making referral for any ancillary services, serving as a liaison to local service providers and community groups, monitoring participant compliance with the participation agreement, case plan, and other applicable agreements, and coordinating the provision of participant progress and compliance information to the Treatment Court Team.

(r) "Treatment Court Judge" means the judicial officer who presides over a Treatment Court.

(s) "Treatment Court Proceeding" means the hearings held in furtherance of the Treatment Court program held on the record before the Treatment Court Judge.

(t) "Treatment Court Supervision Module Records" means participant information related to the participant's diagnosis, treatment, progress, and related medical and psychological information kept by the Treatment Court Coordinator.



(u) "Treatment Court Team" means the interdisciplinary group of professionals that provides specific assistance to the Treatment Court Program and works together to address the issues facing the participants. Team members may include the Treatment Court Judge, Court Clerk, Treatment Court Coordinator, representatives from the prosecuting attorney's office, defense counsel, community supervision, law enforcement, treatment providers, case managers, Department of Health and Welfare staff, mentors, or others.

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