

Understanding Team Member Ethics in Treatment Court



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COURT INSTITUTE

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TEAM MEMBER ENGAGEMENT



36%

Cost Savings

The judge spends an average of 3 minutes or more per participants during status review hearings

Recidivism

153%

93%

Cost Savings

Defense attorney attends staffing

Treatment communicates with court via email

Recidivism

119%

171%

Cost Savings

Prosecutor attends staffing

Treatment attends court sessions

Recidivism

100%

All Team Members Attend Staffing

Recidivism

35%

Recidivism reduction and cost savings relative to courts that do not follow these practices.

NPC Research Key Components Study 2008

NADCP Adult Drug Court Best Practice Standards

Standard VIII – Multidisciplinary Team



Interdisciplinary Education

Treatment providers must understand criminal justice issues



Criminal justice staff must understand treatment issues

NADCP Adult Drug Court Best Practice Standards

Standard VIII – Multidisciplinary Team



A dedicated, multidisciplinary team of professionals that . . .

- Manages the day-to-day operations
- Reviews participant progress
- Contributes observations and recommendations based on expertise
- Delivers and oversees the delivery of legal, treatment, and supervision services



Ethics in Treatment Court

The Legal Roles



JUDGE OVERVIEW



Relations with Participants

Ex Parte Contacts



RELATIONS WITH PARTICIPANTS



DO NOT take participants to support meetings

DO NOT visit participant homes

DO NOT invite participants to your home to play video games

DO NOT collect participant UAs

STAY IN YOUR LANE!

RELATIONS WITH PARTICIPANTS

RECOMMENDATIONS



“But, I want to show my participants that I care...”

If there was a picnic and the district attorney, defense counsel, law enforcement, other members of the drug court team, and drug court participants were present and the judge made a cameo appearance and said a few words of encouragement, such conduct would not violate the Canons.

EX PARTE COMMUNICATION



Ex parte communication is information a judge receives about a pending case when both the prosecutor and defense attorney are not present. *Ex parte* communication is improper and prohibited.

To address this rule in treatment courts, many states have enacted exceptions in their professional conduct rules to allow for *ex parte* communication:

“A judge may initiate, permit, or consider *ex parte* communications expressly authorized by law, such as when serving on therapeutic or problem-solving courts, mental health courts, drug courts. In this capacity, judges may assume a more interactive role with parties, treatment providers, probation officers, social workers, and others.”

Saverne (fr. -saverne), franz. Name von Zabern (s. d.).
Saverne, Thomas, einer der Vorläufer Watts in der Erfindung der Dampfmaschine, geb. um 1600 zu Skiffen in Devonshire, gest. 1716 (f. Dampfmaschine, Geschichtliches).
Saver, hinter lat. Zier- und Namensnamen bedeutet Paul Savi, einen ital. Naturforscher, geb. 1844 als Professor in Pisa; er schrieb außer zahlreichem botan. und botan. Abhandlungen: «Ornithologia toscana» (4 Bde., Bde. 1827–31).
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Savigliano di Romagna (fr. -savigliano), Stadt im Kreis Ferrara der ital. Provinz Ferrara, an der Via Emilia und der Via Bologna, 12 km von der Adriatischen See, hat (1881) 2126, als Gemeinde 4561 E., und eine von den hier geborenen Altmeister der Oper Metak (s. d.) gestiftete Akademie mit Bibliothek von 18000 Bänden und Münzsammlung.
Savigny (fr. -savigny), Friedr. Karl von, Jurist, geb. 21. Febr. 1779 zu Frankfurt a. M., bes. 1796 die Universität Rastatt. Nachdem er auch verübertretend Göttingen, Leipzig und Halle besuchte und einige Reisen gemacht hatte, begann er 1800 in Marburg jurist. Vorlesungen zu erst als Privatdocent, seit 1802 als außerordentl. Professor. Auf mehrjährigen Reisen durch Deutschland und Frankreich widmete er sich der Auffassung und Sammlung der Quellen des röm. Rechts und der Rechtsgeschichte. 1808 wurde er Professor der Rechte in Landshut und 1819 bei Errichtung der Universität in Berlin einer der ersten Lehrer an derselben, 1817 Mitglied des Staatsrats, 1819 Rat des für die Rhein. Provinzen errichteten Revisionstribunals und endlich 1849 vortrag. Minister für die Rechtswissenschaften. Er trat im März 1848 ins Privatleben zurück und starb 25. Okt. 1861 in Berlin. S. gehörte zu den Führern der sog. Historischen Schule der Rechtswissenschaften, obwohl man ihn, ohne ihn zu nennen, fast den Stifter derselben nennen kann. Innerhalb dieser Richtung trat S. zur Zeit der Befreiungskriege den Vorkämpfern von Thibaut, Schönd, Heintz u. a., welche ein vaterländisches, von der Herrschaft der fremden Rechte befreites Recht beizubringen suchten, in der vielbesprochenen Schrift «Dem Verfall unserer Zeit für die Gesetzgebung und Rechtswissenschaft» (Halle, 1815; Neudruck, Friedr. L. Br. 1892) entgegen. Die Hauptaufgabe der S. war in diesen Jahren: die Wissenschaften, denen man seine «Geschichte des röm. Rechts im Mittelalter» (6 Bde., Halle, 1815) hat, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 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EX PARTE COMMUNICATION RECOMMENDATIONS



- Disclose *ex parte* information to the entire team
- Establish channels of communication (e.g. require participants to talk with their attorney or probation officer before communicating with the court).
- Maintain ethical boundaries, even if there is an exception to the rule
- Use e-mails to communicate information between team members
- Require participants to read letters or assignments in court

Saverne (fr. -wärrn), franz. Name von Zabern (s. d.).

Saverny, Thomas, einer der Vorläufer Watts in der Erfindung der Dampfmaschine, geb. um 1690 zu Skiffen in Devonshire, gest. 1716 (f. Dampfmaschine, Geschichtliches).

Saverz, hinter lat. Zier- und Plannamen bedeutet Paul Savi, einen ital. Naturforscher, geb. 1814 als Professor in Pisa; er schrieb außer zahlreichem botan. und botan. Abhandlungen: «Ornithologia toscana» (4 Bde., Pisa 1827—31).

Savigliano (fr. -wäsi-), Stadt im Kreis Savoye der ital. Provinz Cuneo in Piemont, rechts an der Maira, an den Füssen Garagnola-Cuneo und S. Saluzzo (12 km) des Mittelmeeres, in fruchtbarer Ebene, ist regelmäßig gebaut und von Mauern und Törmen umgeben, hat (1881) 9932, als Gemeinde 17450 E., in Garagnola ein Bataillon des 8. Infanterieregiments und das 17. Kavallerieregiment (außer 2 Eskadren), eine Grenzkompagnie (Genähten des hier geborenen Malinotti (gest. 1840), mit Schützenhallen umgebenen Marktplatz, schönem Triumphbogen (Stadtthor); Tuch-, Leinwand- und Seidenweberei und Handel mit Vieh und Hanf, — Am 4. und 6. Nov. 1799 hielten hier Russen und Österreicher unter Melas über die Franzosen (f. Solfano). S. ist Geburtsort der Violinspielerinnen Zerkia und Maria Milanello.

Savignano di Romagna (fr. -winnja-), Stadt im Kreis Ferrara der ital. Provinz Ferrara, an der Via Aemilia und der Vinea Bologna (Rimini des Aemilianischen Reichs, hat (1881) 2126, als Gemeinde 4561 E., und eine von dem hier geborenen Altertumsforscher Gori Verabetti (f. d.) gegründete Bibliothek von 18000 Bänden und Münzsammlung.

Savigny (fr. -winnj), Friedrich Karl von, Jurist, geb. 21. Febr. 1779 zu Frankfurt a. M., bes. 1796 die Universität Rastburg. Nachdem er auch verübertretend Göttingen, Leipzig und Halle sowie Jena besucht und einige Reisen gemacht hatte, begann er 1800 in Rastburg jurist. Vorlesungen, zuerst als Privatdocent, seit 1802 als außerord. Professor. Auf mehrjährigen Reisen durch Deutschland bekannter Quellen des röm. Rechts und der Rechtsgeschichte. 1808 wurde er Professor der Rechte in Landshut und 1819 bei Errichtung der Universität in Berlin einer der ersten Lehrer an derselben. 1817 Mitglied des Staatsrats, 1819 Rat des für die Rhein. Provinzen errichteten Revisionskollegs und endlich 1819 vortrag. Minister für die Revision der Gesetzgebung. Gest. im März 1846 im Privatleben junger und stark z. Th. 1861 in Berlin. S. gehörte zu den Führern der sog. Historischen Schule der Rechtsgelahrten, obwohl man ihn, ohne Hugo und seinen nennen kann. Innerhalb dieser Richtung schlugen von Thibaut, Schmid, Hermann u. a., welche ein vaterländisches, von der Herrschaft der fremden Rechte befreites Götter bekräftigten, in der viel bekämpften und Rechtswissenschaft (Heddel, Gesetzgebung und Rechtswissenschaft) (Heddel, 1815; Neudruck, Friedl. L. Br. 1892) entgegen. Die Hauptbegriffe S. S. war indessen hinter. Untersuchungen zugewandt, denen man seine «Geschichte des röm. Rechts im Mittelalter» (6 Bde., Heidelb.

1816 hat. 1862 ihm 1815 als 8. seinem 1887, zu seiner 1814 zu Berlin d. Berlin d. Diplomats lang. Man Minister hier. 1846 fandte in zu der ges. 14. Juni 1. tage zu 1. vor seinen den Karben führte S., handlungen stehen im er zum Ben Norddeutsch 1868 trat er einmündigen für den Reis sowohl wie i scharer Cyp wurde schließ Centrumspat Staatsdienste Frankfurt a. **Savile** (f. **Savio** (fr. **Savio** (fr. etw. d. Rom. Monte Comen mit der Tabe um Gelsen im der inoffiziell u **Savitar**, u **Savitar**, u **Savitar**, u S. heißt auch a Frau des Götter dem Todesgötter S. gehört zu a häkara. Sie war Deutsche überlie sänger bearbeitet von Geiger neu der Konstruktion haben sie auch a Hofer, Ind. 1892.

DEFENSE OVERVIEW



*Who is the
Client?
Confidentiality*

DEFENSE ATTORNEY OBLIGATIONS



To competently represent a client in treatment court, a defense attorney must be familiar with core treatment court concepts:

- Treatment
- Eligibility criteria and enrollment processes
- Policies and procedures
- Incentives and sanctions
- Due process issues
- Sentencing alternatives (advocating courts to enroll participants)
- Best Practice Standards



DEFENSE ATTORNEY ROLE



- Ensure participant rights are protected (including *ex parte* communication)
- Advocate for participant interests
- Handle day-to-day legal issues
- Attend staffing and court
- Refer participants to treatment court
- Liaison to the bar
- Address due process issues and evidentiary hearings
- Be part of the team, but don't accept "just being a team player"
- Remind team members to stay in their lane



DEFENSE ATTORNEY ROLE



The Consultant and
Advisor to the Team

OR



Attorney

Client

Representing the
Client
(COUNSEL)

Ethical dilemmas can arise when functioning in both roles

DEFENSE ATTORNEY ROLE AS CONSULTANT



Advocates for effective court policies and practices.

An advocate for evidence-based practices that advance the court's therapeutic goals.



Oversees the treatment court's policies and operations



DEFENSE ATTORNEY ROLE As COUNSEL



- Ensures client's 6th Amendment Right to Counsel is protected; a participant must have an attorney present each and every time she/he is before the court or interacts with the prosecutor.
- Advocates for participant's stated interests.

DEFENSE ATTORNEY ROLE As COUNSEL



A NONADVERSARIAL APPROACH does not mean:

- That defense counsel will have passive involvement once a program contract has been executed between the treatment court and the participant.
- That defense counsel relinquishes their professional duty and ethical responsibility to their client (participant).
- That defense counsel places the needs or commitment to the treatment court program above the commitment to the client.



LEGAL, CONSTITUTIONAL AND ETHICAL ISSUES IN TREATMENT COURTS



JUDGE MEYER (RET)
NADCP SR. JUDICIAL FELLOW

WEDNESDAY FROM 1130 TO 1245

NADCP
ALL RISE 20
May 26-29, 2020 **VIRTUAL**



Ethics in Treatment Court

The Treatment Roles



Treatment Provider Role



- Manages delivery of treatment services
- Administers behavioral or cognitive-behavioral treatments that are documented in **manuals and have been demonstrated to improve outcomes**
- **Provides clinical case management** – at least one individual session per week during the first phase of the program
- Provides relapse prevention and continuing care
- Develops a continuing care plan with participants

Providing Individualized Treatment



The Most Effective Programs

Retain sufficient flexibility to accommodate individual differences in each participant's response to treatment

NPC Research 2012



Confidentiality – The Federal Law



CFR 42 Part 2

- 42 Code of Federal Regulations – Part 2 (revised)
- Addresses the stigma of seeking treatment for SUD
- Prohibition of redisclosure
- Requires notification of confidentiality/ consent release forms
- Applies specifically to AOD related information

HIPPA

- Health Insurance Portability and Accountability Act (1996)
- Designed to simplify and standardize the complexity of administrative information management
- Protect and secure patient information
- Applies to all health-related information

Sharing Information



HIPAA and 42 C.F.R. Part 2 do not prohibit treatment professionals or criminal justice professionals from sharing information related to substance use and mental health treatment.

- These statutes control how and under what circumstances treatment professional (and other covered entities) may disclose such information
 - Voluntary, informed, and competent waiver of patient's confidentiality and privacy rights; or
 - Court order (in the absence of patient waiver)

Elements of a Consent



- Name of person or organization that may make the disclosure;
- Name to whom disclosure may be made;
- Participant's name;
- Purpose of the disclosure;
- How much and what kind of information may be disclosed;
- Participant's signature;
- Date on which the consent was signed;
- Date, event, or condition upon which the consent will expire
- Right to revoke*

CONSENT FOR THE RELEASE OF CONFIDENTIAL INFORMATION:
CRIMINAL JUSTICE SYSTEM REFERRAL

I, _____, authorize (initial whichever parties apply):
(Name of defendant)

□ [The ABC Alcohol and Drug Treatment Program]
(Name or general designation of program making disclosure)

□ [The Probation Department] employees supervising my case.

□ [The Case Managers] employees supervising my case] _____

□ _____ (Name of the appropriate drug court) □ _____ (Name of prosecuting attorney)

□ _____ (Name of criminal defense attorney) □ _____ (Other)

to communicate with and disclose to one another the following information (nature and amount of the information as limited as possible):

_____ my diagnosis, urinalysis results, information about my attendance or lack of attendance at treatment sessions, my cooperation with the treatment program, prognosis, and _____

The purpose of the disclosure is to inform the person(s) listed above of my attendance and progress in treatment.

I understand that my alcohol and/or drug treatment records are protected under the federal regulations governing Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. Part 2, and the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 45 C.F.R. Parts. 160 & 164. I also understand that I may revoke this consent at any time except to the extent that action has been taken in reliance on it, and that in any event this consent expires automatically as follows:

[Specify the date, event, or condition upon which this consent expires. This could be one of the following:]

_____ There has been a formal and effective termination or revocation of my release from confinement, probation, or parole, or other proceeding under which I was mandated into treatment, or _____

_____ (Specify other time when consent can be revoked and/or expires)

Sharing Information



- In treatment courts, treatment professionals (and others who are subject to HIPPA and 42 C.F.R. Part 2 stipulations) **may** share specified information with other team members pursuant to a valid waiver (or court order).
- Scope of disclosure must be limited to the **minimum** information necessary to appraise participant progress in treatment and complying with the conditions of the program.

Confidentiality Staffing Recommendations



- Include a provision in the participant handbook that there is no right for a participant to attend staffing
- Control attendance at staffing to key team members
- Don't charge participants with new crimes based on information learned in staffing
- Confidentiality principles apply to all team members
- Create memorandum of understanding contracts with each agency on the team

Memorandum of Understanding



- Direct contracts can be made by the courts with community organizations providing formal services, such as residential and outpatient treatment services, job training, and life skills training
- These are written agreements with other agencies or organizations for services and coordination

SAMPLE MEMORANDUM OF UNDERSTANDING

AGREEMENT between *(list all organizations involved)*.

The parties to this Agreement endorse the mission and goals of the treatment court in order to enhance public safety, ensure participant accountability, and reduce the cost to society. By addressing criminal thinking, substance/alcohol use disorders, trauma, and mental and physical health, the participants will realize improved quality of life. The parties recognize that for the goals and mission of the treatment court to be successful, cooperation and collaboration must occur within a networks of systems.

The parties to this Agreement understand that the confidentiality of participants' alcohol and drug treatment records are protected under Federal regulations: Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2 and the HIPPA Privacy Rule, 45 CFR 160, 162, and 164. The parties agree to comply with all confidentiality requirements.

PROGRAM GOALS

Improve the lives of participants with substance use disorders in the criminal justice system through the integration of intensive supervision, alcohol and drug treatment, mental health services, alcohol and drug testing, and case management services with criminal justice system processing.

The parties agree that the program will follow the *10 Key Components of Drug Courts* in which the respective agencies will work cooperatively. They are:

1. Drug courts integrate alcohol and other drug treatment services with justice system case processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
3. Eligible participants are identified early and promptly placed in the drug court program.
4. Drug courts provide access to a continuum of alcohol, drug and other related treatment and rehabilitations services.
5. Abstinence is monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs drug court responses to participant compliance.
7. Ongoing judicial interaction with each drug court participant is essential.
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
10. Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.

INDIVIDUAL AGENCY RESPONSIBILITIES AND STAFF COMMITMENTS

Treatment Court Judge

1. The Judge will ensure a cooperative atmosphere for attorneys, probation officers, law enforcement, and treatment providers to stay focused on the task of providing participants with treatment and rehabilitation opportunities.
2. The Judge will ensure the integrity of the treatment court is maintained by having an understanding of the program's policies and procedures.
3. The Judge will participate as an active member of the Staffing Team and will chair the treatment court team.
4. The Judge will assist in motivating and monitoring the participants of the treatment court.
5. The Judge will gather information from the treatment court team and make all final decisions on incentives, sanctions that effect the participants.

Sharing Information



- Assessment results pertaining to a participant's eligibility for treatment court and treatment and supervision needs
- Attendance at scheduled appointments/sessions
- Drug and alcohol test results conducted by the treatment center, including efforts to defraud or invalidate
- Attainment of treatment plan goals
- Evidence of symptom resolution or exacerbation
- Evidence of treatment-related attitudinal changes
- Attainment of treatment program phase requirements

Sharing Information



- Compliance with supervision requirements that treatment professional may be aware of (e.g., electronic monitoring, home curfews, travel limitations, stay aways, etc.)
- Adherence to legally prescribed and authorized use of medicines—if relevant to team decisions
- Procurement of unauthorized prescriptions or addictive or intoxicating medications
- Commission of or arrests for new offenses that treatment professionals may be aware of
- Menacing, threatening, or disruptive behavior

Medications for Addiction Treatment



- Medication- refers to any FDA-approved medication used to treat addiction
- ASAM recommends MAT be understood as medications for addiction treatment

Medications



- Medication-assisted treatment improves outcomes, and includes buprenorphine, methadone, and naltrexone (Vivitrol).
- Participants are prescribed psychotropic or substance use disorder medications based on medical necessity by a treating physician with related experience.
- Treatment courts discourage participants from obtaining mood-altering medication from general practitioners.

Federal Guidance & Grant Requirements Medications for Addiction Treatment



Beginning in 2015, treatment courts receiving federal funding must attest in writing that they will not deny an otherwise eligible participant's use of MAT and they will not require discontinuance of medications as a condition of graduation.



NADCP Position Medications for Addiction Treatment



Best Practice Standard I(E): “...numerous controlled studies have reported significantly better outcomes when addicted offenders received medically assisted treatments including opioid antagonist medications such as naltrexone, opioid agonist medications such as methadone, and partial agonist medications such as buprenorphine.”

Board Position Statement: Treatment court professionals must:

- Learn about MAT
- Consult with experts on MAT options
- Eliminate blanket prohibitions of MAT
- Recognize that MAT decisions are based on medical evidence
- Impose consequences for abuse or unlawful use of MAT medications

Legal Challenges Medications for Addiction Treatment



MAT prohibitions are invalid under:

Americans with Disabilities Act (ADA)

Rehabilitation Act of 1973

Fourteenth Amendment due process guarantees

Eighth Amendment cruel and unusual punishment

CONSTITUTIONALITY

First Amendment – Alcoholics Anonymous



WARNING

Treatment courts can ***refer*** participants to deity-based programs such as Alcoholics Anonymous[®], but courts cannot ***require*** participation in such programs without violating the First Amendment.

CONSTITUTIONALITY

First Amendment – Alcoholics Anonymous



IT DOESN'T MATTER:

- Treatment court is voluntary
- AA doesn't require belief in God, just a higher power
- It's just a reference to God
- Treatment providers require AA, not the treatment court

Courts have uniformly held that requiring attendance at AA/NA violates the First Amendment

CONSTITUTIONALITY

First Amendment – Alcoholics Anonymous



Recommendations:

- Courts have held that if a secular alternative is available, there is no First Amendment violation by referring to AA/NA.
- Secular alternatives include, among others, LifeRing Secular Recovery[®], Rational Recovery[®], Smart Recovery[®]



LEGAL RESOURCES FOR TREATMENT COURTS



The screenshot shows the NDCI website's 'LAW' resource page. At the top, there is a navigation bar with links for 'ABOUT NDCI', 'RESOURCES', and 'CONTACT'. A search bar is also present. Below the navigation bar, a green header bar displays the word 'LAW'. The main content area begins with a section titled 'Legal Guidance from the Experts', which states that NDCI maintains an up-to-date web bibliography of relevant case law. This is followed by a section titled 'Constitutional and Other Legal Issues in Drug Court:' attributed to Hon. William G. Meyer (ret.), Senior Judicial Fellow at NDCI, with an update date of June 7, 2018. Below this, there is a list of four topics, each preceded by a right-pointing triangle icon: I. Cases holding that mandating individual to Alcoholics Anonymous/Narcotics Anonymous (AA/NA) is a violation of the First Amendment; II. Cases discussing providing a secular alternative as an option will validate a referral to religious based programs like AA/NA as a component of treatment; III. Cases holding that attendance at AA/NA does not establish a cleric-congregant relationship subject to protection by an evidentiary privilege; and IV. Cases holding that place restrictions on the Drug Court participant are constitutional, when reasonably related to rehabilitative needs.

<https://www.ndci.org/resource/law/>

NAVIGATING ETHICAL CHALLENGES¹

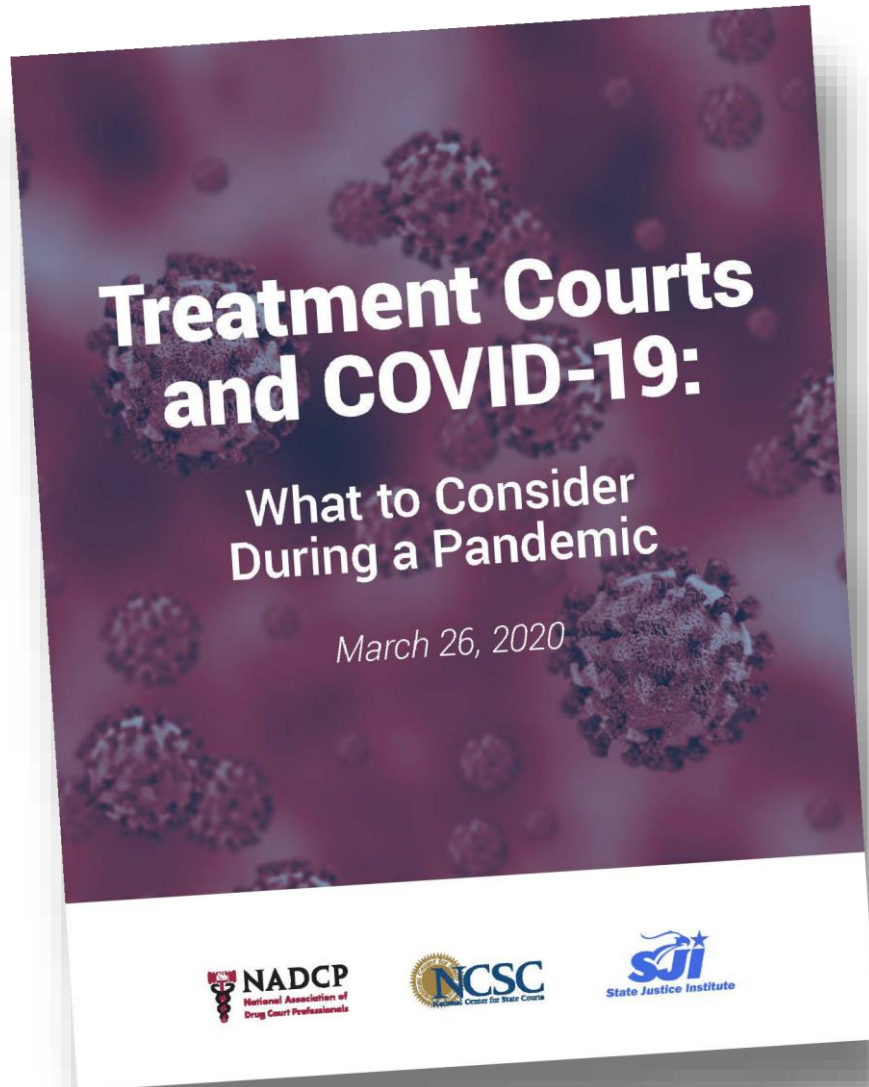


- Respect Colleagues
- Educate First, before adversarial position
- Raise issue informally, and then formally, before there is a case in dispute
- Clarify the nature of the ethical conflict
- Take reasonable steps to resolve the conflict
- Always be prepared to step back to education
- Abiding vs. contributing to sub-standard care and practices



¹From Doug Marlowe MAT, Ethics and Law

Treatment Courts and COVID-19



About the Guide:

- Reviews considerations treatment courts should review during the crisis
- Provides short-term and long-term examples
- Available for download on <https://www.nadcp.org/covid-19-resources/>



QUESTIONS?



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