



# **22<sup>nd</sup> Judicial Circuit Mental Health Court Program**

# **PARTICIPANT MANUAL**

**McHenry County Mental Health Court  
22<sup>nd</sup> Judicial Circuit  
2200 North Seminary Avenue  
Woodstock, Illinois 60098  
(815)334-4913**

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## INTRODUCTION

Welcome to the McHenry County Mental Health Court (MHC) program. This handbook is very important to your participation in the Mental Health Court program. *You must follow the rules and expectations in this manual as well as the orders of the Judge and treatment providers in order to maintain compliance.* If you do not follow these rules, you may be subject to sanctions including, but not limited to, dismissal from the program or incarceration in the McHenry County Jail.

The purpose of this handbook is to provide you with general program related information and outline your expectations while in the MHC program. If you have questions about this or any other part of the MHC program, please contact the MHC Coordinator. The Coordinator will do his/her best to answer your questions and to help eliminate anything in the way of your success in this program.

## MHC PROGRAM DESCRIPTION

The Mental Health Court (MHC) Program serves criminal participants who are suffering from a mental illness and are currently involved in the criminal justice system of McHenry County. In lieu of traditional punishment, the MHC diverts participants with diagnosed mental illness away from the criminal justice system by offering alternative court. As an alternative, participants are required to participate in treatment as well as judicial supervision. The program is divided into four (4) phases and participants who successfully complete the program may have their current charges reduced or dismissed. The MHC program is voluntary and a participant can decide not to be involved at any time. However, if he/she chooses to quit (or obtains a sanctioned dismissal) the traditional court process will resume.

While in the program, the participant is required to receive ongoing mental health treatment along with regular supervision from the court and MHC team. The MHC holds defendants accountable and assists participants to achieve long-term stability, become law-abiding citizens and become successful family/community members. Court Supervision will be conducted by way of scheduled and/or unscheduled visits the participants residence, treatment provider, workplace, etc. Supervision will be performed by the Probation Officer. Other visits will be conducted by the MHC Clinician and Nurse. The visits may consist of all three team members or less. Participants in the MHC program must abide by all the conditions and rules of the McHenry County Court. A private attorney or public defender will continue to represent the participant and his/her legal interests throughout participation in the MHC program.

## **TRANSPORTATION TO AND FROM ALL OF YOUR APPOINTMENTS AND COURT DATES IS YOUR RESPONSIBILITY**

# MHC IS HELD IN COURTROOM 203 ON FRIDAYS AT 2:30 PM

## MHC TEAM MEMBERS

**Defendant**– Yes, the participant is part of the team! The participant/participant will have an active role in developing an individualized service plan and deciding where he/she will receive mental health treatment services.

**Judge** – With team input, the Judge is responsible for reviewing all MHC participant cases, imposing sanctions, establishing the level of supervision within each phase and presiding over court sessions.

**State’s Attorney** - The State’s Attorney is responsible for advising the MHC team of relevant information regarding the participant, i.e. new police contact, bond violation filings; and prescreening eligible candidates for MHC program application on current and past criminal charges.

**Public Defender / Private Attorney** - Acts as an advocate for the participants legal interests; and makes referrals for consideration as a MHC participant.

**Coordinator** - The Coordinator pre-screens all referrals and acts as the central contact for any questions. The coordinator is also responsible for tracking all statistical tracking.

**Mental Health Professional** - The Mental Health Professional provides a full mental health assessment and recommendations. The Mental Health Professional also follows up on participants to ensure treatment compliance. Visits will be conducted at the participants’ place of residence and treatment provider.

**Treatment Providers** - The Treatment Providers are responsible for providing initial mental health and substance abuse assessments. They also provide mental health and substance abuse treatment including but not limited to individual, group, and family counseling, inpatient and outpatient mental health services, inpatient and outpatient substance abuse services, drug testing, and reports on progress regarding treatment.

**Probation Officer** - The Probation Officer is responsible for completing assessments, providing supervision and monitoring cases in accordance with court orders. The P.O. will conduct supervision by way of scheduled and/or unscheduled visits to participants’ residence, treatment provider, workplace, etc.

**Mental Health Nurse** - The Nurse provides a medical and mental health assessment as well as recommendations and follow-up care to ensure treatment/medication compliance. Visits will be conducted at the participants’ place of residence and treatment provider.

## CONFIDENTIALITY

A waiver of confidentiality (authorization for release of information) and consent for participation is required for participation in the MHC program. **Participants cannot change mind about the waiver of confidentiality once it is given.**

## FAILURE TO COMPLETE / TERMINATION

If a participant does not successfully complete the MHC program, the court case returns to regular adult court for sentencing according to the law for the offense(s) that were originally charged. The punishment could include jail time or commitment to the Illinois Department of Corrections. ***Reasons for termination can include continued failure to follow program rules and expectations, lack of treatment compliance and/or picking up new offenses while a part of the MHC.***

If a participant does not comply with the rules of the program, he or she is subject to discharge from the program. A participant is entitled to unsuccessfully withdraw from the program. However, if a participant does not wish to withdraw, the State must file a motion for discharge and a discharge hearing must be held before a participant will be discharged. A participant has the right to appear at his or her discharge hearing and to present a defense. If a participant chooses to not appear at a discharge hearing or absconds from the program, a hearing may be held in his or her absence.

## PROGRAM LENGTH

The approximate length of the Mental Health Court program is from 12 – 24 months. It is possible for participants to be involved in the program for longer than 24 months as determined by the MHC team. The length of the program differs for each participant and is directly related to individual progress toward treatment goals and compliance with MHC rules and recommendations. ***Remember, the amount of time you are in the program is influenced by you!***

The MHCP is divided into four (4) phases. Each phase within the MHC program has its own treatment requirements and the treatment plan is specific to each participants needs. The MHCP cannot be completed without progressing through each of the required phases. Based on information provided by you, your case manager, your mental health counselors, your probation officer, or spokesperson from any other services in which you are involved, the Judge and MHC team determine when requirements are met for phase advancement. A MHC service plan will be created with participant input within ten (10) business days of program acceptance. The service plan will address requirements for the appropriate phase and be updated at a minimum of each time the participant changes phases.

**Phase One - Treatment and Compliance:** While in Phase One, the participant will receive the most intensive judicial and community supervision. The focus of Phase One is mental health treatment and compliance with proximal goals. Phase One is designed to help the participant access and begin mental health treatment as well as become acquainted with the Mental Health Court Team and expectations. Below are the requirements of Phase One:

- Minimum of 1 Face to Face Probation contact per week
- Minimum of 1 MHC Clinician contact per week
- Minimum of 1 MHC Nurse contact per week
- Minimum of 2 court appearances per month
- Obtain or maintain a psychiatrist and take prescribed medications as directed
- Begin the recommended mental health treatment program

- Submit to random urinalysis screens as determined by the treatment/service plan or as requested by MHC team. Remain drug and alcohol free
- Register for Section 8 housing (If Necessary)
- Apply for Public Benefits (If Necessary)
- Complete Phase 2 Plan of Care and Apply for Phase Change

**Phase Two – Life Skill Building:** Phase Two is designed to engage the participant in ongoing mental health treatment and work toward positive change by continuing life skill building. Below are the requirements of Phase Two:

- Minimum of 1 Probation contact per week
- Minimum of 1 MHC Clinician contact every 2 weeks
- Minimum of 1 MHC Nurse contact every 2 weeks
- Minimum of 2 court appearances per month (1 may be waived for incentive)
- Maintain a psychiatrist and take prescribed medications as directed
- Continue participation in the recommended mental health treatment program.
- Start Moral Reconciliation Therapy (If Necessary)
- Submit to random urinalysis screens as determined by the treatment/service plan or as requested by MHC team. Remain drug and alcohol free
- Develop a Restitution Payment Plan (If Necessary)
- Complete Phase 3 Plan of Care and Apply for Phase Change

**Phase Three – Reintegration:** The participant will gain more independence during this phase, but will be expected to begin planning for achievement of distal goals. Phase Three is designed to incorporate stable housing, education, employment and/or volunteering into the service plan. Below are the requirements of Phase Three:

- Minimum of 1 Probation contact every 2 weeks
- Minimum of 1 MHC Clinician contact every 3 weeks
- Minimum of 1 MHC Nurse contact every 3 weeks
- Minimum of 1 court appearance per month (unless sanctioned to a higher number)
- Maintain a psychiatrist and take prescribed medications as directed
- Continue participation in the recommended mental health services
- Schedule and Complete a Health Assessment/Verify Primary Physician
- Obtain or maintain stable housing
- Provide proof of active employment search/maintenance of employment or regular positive social activity not related to treatment (school, church, clubs, volunteer activities, community services, sports, etc.)
- Provide proof of compliance with the Restitution Payment Plan (If Necessary)
- Submit to random urinalysis screens as determined by the treatment/service plan or as requested by MHC team. Remain drug and alcohol free
- Complete Phase 4 Plan of Care and Apply for Phase Change

**Phase Four – Continuing Care and Independence:** Throughout phase four it is expected that the participant maintain a healthy lifestyle and make personal advancements with little supervision from the Mental Health Court. Below are the requirements of Phase Four:

- Minimum of 1 Probation contact per month
- Minimum of 1 MHC Clinician contact per month
- Minimum of 1 MHC Nurse contact per month
- Minimum of 1 court appearance every 2 months
- Maintain a psychiatrist and take prescribed medications as directed
- Continue participation in the recommended mental health services
- Register and Complete Wellness Recovery Action Planning (WRAP)
- Obtain or maintain stable housing
- Provide valid proof of employment, volunteer positions or participation in regular positive social activity not related to treatment (church, clubs, volunteer activities, community services, sports, etc.)
- Submit to random urinalysis screens as determined by the treatment/service plan or as requested by MHC team. Remain drug and alcohol free
- Complete budget planning (If necessary)
- Complete Restitution payments (If necessary)
- Complete Post Graduation Plan of Care – Apply for Graduation

**At all times you must check with the MHC Team before staying overnight anywhere other than your primary residence!**

### **PROGRAM RULES**

- You must appear in Court as scheduled or as directed by the MHC team.
- You must attend all appointments with the MHC team. If you are unable to attend a scheduled appointment for any reason you must CALL the MHC team ahead of time to reschedule.
- You must follow the treatment plan and actively participate in required treatment. The treatment plan may include some or all of the following:
  - ✓ Psychiatric services and Medications
  - ✓ Participation in mental health treatment services such as group or individual counseling, psychosocial rehabilitation, and self-help/ support groups
  - ✓ Substance abuse treatment
  - ✓ Case management services
  - ✓ Educational and employment programs

***It is important to keep in mind that successful completion of the MHC program is dependent upon compliance with the treatment plan.***

- You cannot use any illegal substances or drink any alcohol.
- You cannot take medication not prescribed for you by your doctor, including friends and family members' medications.
- You cannot abuse any over the counter medications.
- You will submit to random drug and/or alcohol screens when requested by any MHC team member and/or treatment provider. Any refusal to submit will be viewed as though it is a positive drug screen.
- You must obey all local ordinances, state laws and federal laws.
- **You MUST CALL the MHC team immediately following any law enforcement contact, crisis assessment or hospitalization.**

- You will follow all rules of the McHenry County Court Services Department. Violations of these rules may result in sanctions and/or termination from the MHC program.
- You will treat everyone with respect and demonstrate appropriate behavior at all times and in all places.
- You will cooperate with all home visits, treatment visits or employment visits. The MHC team members will conduct home, treatment facility or place of employment visits on a regular basis to monitor program progress. These visits may be unscheduled or unannounced.
- You cannot be in possession of a firearm or dangerous weapons of any type.
- You MUST take prescribed medications as directed. You MUST report any changes in prescribed or over-the-counter medications to the MHC Nurse for compliance and effectiveness. Refusal or repeated failure to take the medications prescribed by your psychiatrist may result in sanctions from the MHC judge. Again – DO NOT take anyone else’s medication.
- **You will CALL the MHC team of any changes of address, contact information or employment status immediately.**
- You will pay all fees/restitution ordered by the MHC program.
- **You MUST be a McHenry County resident while participating in the MHC program.**
- You will fill out a travel request form if you are seeking permission to leave the state. Permission to leave McHenry County may also be restricted.

**Tampering with a Urine Screen will result in immediate program discharge**

**INCENTIVES AND SANCTIONS**

Throughout MHC, incentives and sanctions are given out for certain behaviors. For those participants who choose not to comply with the MHC program, sanctions (punishments) are imposed. These sanctions may begin with minor demands of the participant and move toward more severe sanctions such as termination from the program. Sanctions are determined on an individual basis and may be given out by the Probation Officer and/or Judge.

**Incentives**

As you progress through MHC and begin to make positive choices, you will receive incentives from the MHC Team. Incentives may be received for a variety of behaviors and achievements such MHC attendance, treatment attendance, progress in treatment, clean drug screens, medication compliance, gaining employment, or sustaining employment. The MHC team may choose from incentives such as:

- Applause
- Adjustment in order of appearance in court
- Decreased frequency of court appearance
- Decreased supervision contact
- Gift Cards
- Phase promotion
- Graduation

## **Sanctions**

Just as positive behaviors are rewarded, negative behaviors will also be addressed. Poor attendance, lack of participation in treatment or tasks identified in the treatment plan and positive drug screens are some of the reasons sanctions will be given. Sanctions can consist of but will not be limited to the following:

- Verbal reprimand
- Essay assignment
- Court observation
- Increased drug testing
- Increased court appearances
- Curfew/Electronic Monitoring/Restriction
- Increased MHC team contact
- Increased treatment components
- Activity log assignment
- Online Assignment
- Community Service hours
- Delay in promotion
- Demotion in a phase
- Incarceration

## **GRADUATION**

In order to graduate from the MHC program you must complete all program phases, complete your designed treatment plan and be in continued compliance with your Court Supervision. When you have successfully completed all of the requirements of the MHC program, there will be a graduation ceremony in your honor. At that time, you will have officially completed the MHC program and your involvement with the program will no longer be mandatory. Upon completion of the MHC program, legal agreements made pending your completion of the MHC program will be reviewed and acted upon accordingly.

## **SUMMARY**

The MHC program is a comprehensive approach to meeting the needs of participants who have a mental illness. It requires communication and collaboration among the MHC Team and community treatment providers that work with the Adult Criminal Justice System. By gaining input from all members of the MHC team, it is our hope that we will increase each participant's level of personal wellness, reduce psychiatric symptoms and reduce future contacts with the criminal justice system.

**MCHENRY COUNTY MENTAL HEALTH COURT  
IMPORTANT PHONE NUMBERS**

**STATES ATTORNEY..... 815-334-4159**

**PUBLIC DEFENDER..... 815-334-4170**

**PROBATION OFFICER.....815-334-4400**

**CLINICIAN..... 815-451-4429**

**COORDINATOR..... 815-334-4913**

**NURSE ..... 815-334-4890**

**THE MENTAL HEALTH COURT BUSINESS HOURS ARE FROM  
8:00 AM – 4:30 PM, MONDAY – FRIDAY (EXCLUDING HOLIDAYS)  
CALLS RECEIVED OUTSIDE OF BUSINESS HOURS WILL BE RESPONDED TO  
THE FOLLOWING BUSINESS DAY.**

**IN CASE OF AFTER HOURS EMERGENCIES CALL 911**

**OR FOR BEHAVIORAL HEALTH RELATED ISSUES CALL THE MCHENRY  
COUNTY CRISIS LINE AT 1-800-892-8900**

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**MENTAL HEALTH COURT HANDBOOK– SIGNATURE PAGE**

I have read and understand the contents of the Mental Health Court Participant Manual including the program rules, incentives and sanctions. I have been given a copy of the participant manual in a binder and I will bring this binder with me to all my Mental Health Court appearances. I understand that in order to be successful in the Mental Health Court I must follow the rules of the program as well as all treatment recommendations.

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mental Health Court Representative

\_\_\_\_\_  
Date

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF McHENRY )

IN THE CIRCUIT COURT OF THE 22ND JUDICIAL CIRCUIT  
MCHENRY COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS )  
 )  
 vs. ) Case No.  
 )  
 )

**ORDER**  
**Acceptance to McHenry County Mental Health Court Program**  
**Modification of Bond and Setting for Status**

This cause has come on to be heard upon defendant's motion for consideration for the McHenry County Mental Health Court Program, hereinafter referred to as MHCP or MHC, the Court having personal and subject matter jurisdiction and has been fully advised in the premises.

- A. Defendant has been assessed for, and found acceptable to participate in the MHCP.
- B. Defendant has acknowledged the understanding that the following:
  - 1. By agreement, defendants' speedy trial rights are tolled during participation in the MHCP;
  - 2. Additions to general bond conditions are a requirement of the MHCP; and will remain in effect throughout the duration of the defendant's participation in the MHCP.
- C. The added bond conditions are enumerated in the attached Addendum to this Order.
- D. Defendant agrees to the periodic discussion of their compliance by the MHCP staff including the presiding judge and the prosecutor. Defendant's counsel may attend staffings to represent the defendant.

**IT IS THEREFORE ORDERED:**

- A. Defendant is hereby accepted to the McHenry County MHCP;
- B. The above conditions are all made of record and shall be the added conditions of Defendant's bond;
- C. This case is continued to: \_\_\_\_\_ at 2:30 p.m. in courtroom 203 for status on defendant's Program compliance.

Judge: \_\_\_\_\_

Date: \_\_\_\_\_

LOUIS A. BIANCHI  
McHenry County State's Attorney  
McHenry County Government Center  
2200 N. Seminary Ave.  
Woodstock, IL 60098  
(815)334-4159

12/2015

ADDENDUM TO ACCEPTANCE AND MODIFICATION OF BOND ORDER

WHEREAS, the Defendant understands and acknowledges that the McHenry County Mental Health Court Program is a pre-disposition program.

WHEREAS, the Defendant, pursuant to the Mental Health Court Treatment Act in 730 ILCS 168, has been approved and assessed for acceptance into the McHenry County Mental Health Court Program.

WHEREAS, the Defendant has reviewed the Mental Health Court Handbook and, by agreeing to enter the McHenry County Mental Health Court Program, hereby agrees to abide by the terms of the Mental Health Court Handbook.

WHEREAS, the Defendant, having been fully advised by his or her attorney, understands that participation in the Mental Health Court Program requires modifications of Defendant's bond in the above-captioned matter.

WHEREAS, the Defendant recognizes the necessity for a detailed enumeration of the modifications of the Defendant's bond in the above-captioned matter.

WHEREFORE, the Defendant hereby agrees to the following additions and modifications of bond for the above-captioned matter for the duration of the Defendant's participation in the Mental Health Court Program:

1. The terms and conditions of the Mental Health Court Handbook are hereby incorporated into this Order and Addendum in its entirety; however, in the event of any insurmountable conflict between this Order and Addendum and the Mental Health Court Handbook, this Addendum/Order shall control;
2. The Defendant hereby acknowledges that he or she has been admonished pursuant to Illinois Supreme Court Rule 402(d) and gives consent to the Court, to participate in discussions about the Defendant including, but not limited to, discussions regarding possible plea agreements, where applicable;
3. Defendant shall meet with the Mental Health Court Clinician, or his/her designee(s) where, when, and as directed and follow all recommendations of the Mental Health Court Clinician, or his/her their designee(s);
4. Defendant shall meet with the Mental Health Court Nurse, or his/her designee(s) where, when, and as directed and follow all recommendations of the Mental Health Court Nurse, or his/her their designee(s);
5. Defendant shall meet with the Mental Health Court Probation Officer, or his/her designee(s) where, when, and as directed and follow all recommendations of the Mental Health Court Probation Officer, or his/her their designee(s);
6. Defendant shall sign the Consent to Participate and any other releases as may be necessary to allow communication between the Defendant's psychological and psychiatric treater(s), counselor(s), pharmacist(s) and Mental Health Court Staff;
7. Defendant shall ingest prescribed medication, if applicable, as prescribed and/or directed by Mental Health Court Staff and/or medical personnel treating the Defendant.
8. Defendant shall not ingest any medication available for purchase without a prescription, i.e. "over the counter" medications, without first consulting Mental Health Court Staff. In the event of an emergency

where the Defendant is required to take medication, “over the counter” or otherwise, Defendant shall notify Mental Health Court Staff as soon as practicable thereafter.

9. Defendant shall not possess and/or ingest any illegal substances.
10. Defendant shall not consume alcoholic beverages.
11. Defendant shall not possess firearms, ammunition, and/or unlawful weapons.
12. The Defendant may be required to attend a treatment facility, i.e. “inpatient treatment,” “halfway house”, etc. Should the Defendant leave the treatment facility without authorization or be discharged unsatisfactorily, a no bond warrant shall be issued for the Defendant’s arrest.
13. Should the warrant be served upon the Defendant, it shall be in the discretion of the Court as to whether the time in custody shall be assessed pursuant to 730 ILCS 168/25(e).
14. Should the defendant fail to comply with the terms of bond, this Order and Addendum, directives of the Mental Health Team, and/or directives from the Court, the People may file a Motion to Discharge Defendant from the Mental Health Court Program pursuant to 730 ILCS 168/35(a).
15. A Discharge Hearing date and time will be set by the Court unless otherwise agreed upon by the Defendant and the People.
16. Should a Motion to Discharge Defendant from the Mental Health Court program be filed, the Defendant hereby acknowledges the following:
  - a. The Defendant shall appear at the Discharge Hearing date and time specified by the Court.
  - b. Should the Defendant fail to appear at the Discharge Hearing date and time specified by the Court, the Discharge Hearing may proceed in the Defendant’s absence.
17. Should the defendant abscond from treatment and/or contact from the Mental Health Court Team, a warrant issues for the defendant’s arrest, and said warrant remains active for thirty (30) consecutive days, the defendant shall waive his or her right to be present at any Discharge Hearing.
18. Should any provision of this Order and Addendum be deemed unconstitutional, the remaining portions of this Order and Addendum shall remain in full force and effect.
19. All other conditions of the Defendant’s bond not inconsistent with this Order and Addendum shall remain in full force and effect unless otherwise modified by the Court.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print)

\_\_\_\_\_  
(Date)