

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

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Administrator



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## Application for Funding of a Specialty Court

### OVERVIEW:

Specialty Courts are judicial problem-solving programs designed to address the root causes that contribute to criminal activity. There are two funding sources, Fee-Based funding which is the administrative assessment fee pursuant to NRS 176.0613 and General Fund (GF) funding. A condition of the GF funding is to serve an additional 800-900 new participants each year of the biennium.

### ELIGIBLE APPLICANTS:

All courts are eligible to apply for Specialty Court funds. A Specialty Court is defined as “a program established by a court to facilitate testing, treatment, and oversight of certain persons over whom the court has jurisdiction and who the court has determined suffers from a mental illness or abuses alcohol or drugs.” Although any court may apply, all requests must meet the minimum criteria located under Part II, Section C.

### DEADLINE FOR SUBMISSION OF APPLICATION:

***Application requests must be received by December 17, 2021. Requests received after December 17, 2021 may be denied.***

### PROCESS:

- Each application must include the applicant summary, cover sheet, budget worksheet, budget narrative, and program design. The budget narrative must identify the reason for the budget request and how you arrived at the amount requested. Applications lacking the requested information may be denied. It is encouraged that all materials be emailed to [jpopovich@nvcourts.nv.gov](mailto:jpopovich@nvcourts.nv.gov). Materials may be mailed to the address below.

*James Popovich, Specialty Courts Statewide Coordinator  
Administrative Office of the Courts  
201 South Carson Street, Suite 250 Carson City, Nevada 89701*

- The AOC will compile and submit funding recommendations for all programs that meet the minimum criteria to the Specialty Court Funding and Policy Committee for review.
- The Committee will approve the funding recommendations for both Fee-Based funding and General Fund funding requests at the following February meeting.
- If you have any questions, please email James Popovich at [jpopovich@nvcourts.nv.gov](mailto:jpopovich@nvcourts.nv.gov) or call (775) 684-1780.

### CHECKLIST (documents to be returned to the AOC):

- ***Section A: Applicant Summary and Application Cover Sheet*** (for all programs)
- ***Section B: Budget Worksheet*** (for all programs)
- ***Section C: Budget Narrative*** (for all programs)
- ***Section D: Program Design*** (for all programs)
- ***Program Handbook*** (for new and existing non-AOC funded programs)

## SECTION A APPLICANT SUMMARY

Line #	SPECIALTY COURT APPLICANT SUMMARY	
1	Requesting Jurisdiction	Justice Court, Las Vegas Township
2	Type of Specialty Court:	DUI Treatment Court 5B
3	Judge/Hearing Master	Judge
	What type of court is apply for funding?	Please check one box.
4	This court is existing <u>with</u> current funding from the AOC.	<input checked="" type="checkbox"/> Answer questions #7, 8, 9, and 10
5	This court is existing <u>without</u> funding from the AOC.	<input type="checkbox"/> Answer questions #7, 8, and 9
6	This court is NEW and not established.	<input type="checkbox"/> Answer questions # 9
7	Total participants served in previous fiscal year?	40
8	Total number of participants projected <u>to be served</u> in new fiscal year?	40
9	Number of <u>new</u> participants projected to be served in new fiscal year?	35
10	If you had unspent funds last fiscal year, please explain your plans for expending them during this current fiscal year?	Please Answer Below

Las Vegas Justice Court DUI Treatment Court 5B did not have unspent funds in FY 2021 and is poised to spend all FY 2022 awarded funding.

# SECTION A APPLICATION COVER SHEET (One application per program type)

Fiscal Year: 2023

TYPE OF FUNDING YOU ARE APPLYING FOR: Fee-Based Funding

Is your program in compliance with the approved Nevada Specialty Court Funding Guidelines And Criteria? ☒ YES ☐ NO

COURT: Justice Court, Las Vegas Township

PROGRAM: DUI Treatment Court 5B

DATE PROGRAM BECAME OPERATIONAL (Date of first drug court calendar): 01/02/1996

ADDRESS: 200 Lewis Ave, 2nd floor

CITY: Las Vegas STATE: NV ZIP: 89155

CONTACT PERSON: Betsy Avila

TELEPHONE NUMBER: 702-671-3371

FAX NUMBER:

EMAIL ADDRESS: betsy.avila@clarkcountynv.gov

DATE SUBMITTED: 11/18/2021

Signature Field

Cynthia Cruz

Digitally signed by Cynthia Cruz  
Date: 2021.11.18 08:08:44 -08'00'

11/18/2021

Specialty Court Judge or Chief Judge

Date

## PLEASE NOTE

Fee-Based Funds (NRS 176.0613) and General Fund (GF) funds are intended to be used to supplement existing funds for specialty courts and not to replace (supplant) non-Fee Based Funding or GF funds that would otherwise be available for the same purpose. Any loss of funds that is beyond the control of the applicant must be documented and explained in the budget and budget narrative.

## 1. Type of Specialty Court applying for the funds, as defined in the attached data dictionary.

<input type="checkbox"/> Adult Drug Court	Select one	Select one
<input type="checkbox"/> Family/Dependency Drug Court	Select one	Select one
<input type="checkbox"/> Juvenile Drug Court	Select one	Select one
<input type="checkbox"/> Mental Health Court	Select one	Select one
<input type="checkbox"/> Prisoner Re-Entry Court	Select one	Select one
<input type="checkbox"/> Veterans Treatment Court	Select one	Select one
<input type="checkbox"/> Felony DUI Court	Select one	Select one
<input checked="" type="checkbox"/> DUI Court	Existing Court With AOC Funding	Pre Plea
<input type="checkbox"/> Alcohol and Other Drug Court	Select one	Select one
<input type="checkbox"/> Other	Select one	Select one

- New program is a program that is not operational. Existing program without AOC Funding has not been previously been funded by Fee Based Funds or GF. If applying for funding of a new program, please complete Part I, Sections A, B, C, and D.
- Existing program is a program that is operational and has received Fee Based funds or GF funds anytime during July 2003 to October 2021. Complete Part I, Sections A, B, C, and D.
- Post-Plea requires a defendant to enter a guilty plea before entering treatment. Failure to complete the program leads to the sentencing phase of adjudication.
- Pre-Plea charges are deferred while defendant actively participants in a treatment program.

## SECTION B BUDGET WORKSHEET

Line #	SPECIALTY COURT BUDGET WORKSHEET		
1	Requesting Court: <b>Justice Court, Las Vegas Township</b>		
2	Type of Specialty Court: <b>DUI Treatment Court 5B</b>		
	<b>Revenue Received by the Program</b>	<b>FY22 Fee-Funding Request</b>	<b>FY22 General Fund Request</b>
4	Projected participant payments (Made to the court, not to the treatment provider)	<b>\$ 90,618.50</b>	
5	Appropriations received from cities or counties		
6	Federal or other grants (Include expiration date and match, if applicable)		
	> <b>BJA federal 3-year grant</b>	<b>\$ 249,810.00</b>	
	>		
7	Other funds received (Describe)		
	>		
	>		
	<b>Total Revenue</b>	<b>\$ 340,428.50</b>	<b>\$ 0.00</b>
	<b>Expenditures Paid by the Program (In order per the approved funding priorities - Part II, Section B)</b>		
8	Professional Services		
	Counseling	<b>\$ 46,800.00</b>	
	Residential Housing (Mental Health Courts only)		
	Residential Treatment (ASAM levels of care 3.1 and 3.5)	<b>\$ 19,600.00</b>	
9	Drug Test Supplies	<b>\$ 39,200.00</b>	
10	Drug Testing Equipment		
11	Drug Testing Confirmation	<b>\$ 150.00</b>	
12	Electronic Monitoring	<b>\$ 2,925.00</b>	
13	Salary & Benefits (positions dedicated to and paid by the specialty court program; excluding city/county paid positions)		
	Specialty Court Coordinator/Manager <b>Select one</b>		
	Case Manager <b>Select one</b>		
	Drug Testing Technician <b>Select one</b>		
	Case Worker <b>Select one</b>		
	Other (describe) <b>Select one</b>		
14	Operating Expenses (office supplies, rent, postage, telephone, printing, copying, etc.) - Max \$1,200/year		
15	Bus Passes and or Taxi Vouchers - Max \$5,000/year		
16	Incentives (gift certificates max. \$5 - \$15, tokens, books, cookies, cake, and pizza) - Max \$2,500/year	<b>\$ 2,500.00</b>	
17	Basic Needs(clothing,hairstyles, hygiene products) - Max \$5,000/year		
18	Transitional Housing with case/house manager - Max 30% of award		
19	Housing (motel, apartments, weeklies) - Max 30% of award		
20	Acquiring necessary capital goods or using appropriate technology		
21	Studying the management and operation of the program		
22	Other		
23	Team Training - Max 5% of total allocation		
	<b>Total Expenditures</b>	<b>\$ 111,175.00</b>	<b>\$ 0.00</b>
	<b>Total Funds Requested</b>	<b>\$ 111,175.00</b>	

## SECTION C BUDGET NARRATIVE

*The budget narrative and worksheet definitions must be completed. Copies of the program handbook must be submitted with the application, but not in lieu of completing any of the questions.*

**Budget Narrative (for new and existing requests).** The budget narrative should be a brief description of the program and services you are providing.

The mission of DUI Treatment Court is to effectively reduce incidents of driving under the influence by providing access to rigorous treatment services and court supervision while requiring accountability. The court operates in accordance with the 10 Key Components of the National Association of Drug Court Professionals. Last year 68 people participated in the program with a retention rate of 73 percent and recidivism rate of 1 percent, which supports the effectiveness of the program. Those who fail the program are sentenced to their jail sentence. Of the 68 people who graduated the program in the past year, only 2 re-offended with a new DUI arrest, yielding the 1 percent recidivism rate.

Alcohol-related crashes account for almost 20% of Nevada's traffic-related deaths and 39% of serious injuries each year. Seventy percent (70%) of these fatalities and serious injuries occur in Clark County. The DUI Treatment Court is one of the most effective strategies to reduce or prevent the number and frequency of alcohol impaired drivers on the roads and highways.

DUI Treatment Court targets Clark County residents over the age of 18, have been arrested at least twice for a DUI or driving while impaired (DWI) offense, who have a blood alcohol concentration (BAC) of .180 or higher, present with a moderate or severe substance abuse problem, and have not been provided the opportunity of a DUI treatment court program in the last five years. Individuals referred to DUI Treatment Court are in the program as part of a plea negotiation. DUI cases involving death or serious bodily injury are not accepted into the program.

It is extremely important to treat this population at the misdemeanor level because studies by the National Highway Traffic Safety Administration have established, on average, an alcohol impaired driver will drive 87 times under the influence before their first arrest. Each incident increases the likelihood of an alcohol-related crash resulting in serious bodily injury and/or fatalities. Delaying treatment until such grave outcomes are realized and the impaired driver is facing felony DUI charges permits a known threat to public safety to continue unabated.

*Please explain how your program handles participant payments.*

In addition to any court fees and fines, program participants are charged a one-time case management fee of \$500. Participants are also required to pay all associated fees associated with treatment and cost of installation and monitoring of required Breath Ignition Interlock Device (BIID). Fees due to outside service providers are paid directly by the participants. If funding is available, all or a portion of the counseling fees may be paid for the participants of limited financial means in accordance with the HUD Income Limits, which are published annually in the Federal Register.

*How much do you collect from each participant?*

\$500

*If you do not collect any participant payments, please explain why.*

n/a

*How do you expend participant payments? For example, participant payments are rolled back into the program to cover the salary for the specialty court coordinator.*

Participant payments are rolled back into the program to assist with presiding judge salary and benefits.

Does your program receive an appropriation from the City or County?



YES



NO

If yes, answer the following:

*How much?*

n/a

*How are the funds going to be expended?*

n/a

*Have you tried to obtain funding through other sources such as federal grants? Do you have any other funds the program receives?*

yes

☒ YES

☐ NO

If yes, answer the following:

*Type of funding (grant, or other)*

Federal direct funding, U.S. Department of Justice, Office of Justice Program, Bureau of Justice Assistance (BJA)  
LVJC was awarded \$499,619 for three federal fiscal years (2020-2022); [BJA grant budget does not include counseling services.]

*How are the funds going to be expended?*

BJA - one full-time Specialty Courts Coordinator's salary and benefits; EM, RDT, training

*What is the expiration date?*

9/30/2022

*Was there a match requirement? If so, how much?*

\$179,040 local match

### ***Professional Services (Contract)***

***Counseling (ASAM Levels of Care 1 and 2.1)*** must be provided by a certified or licensed counselor per NRS 641C or NAC 641C. Counselors serve as the participant's primary clinician providing assistance throughout the participant's specialty court participation. Counseling is a professional service that must be procured by a contract. ***Include the following:***

*What is the contractor's name?*

Sierra Sage Recovery, Choices Group, Freedom House, Healthy Minds

*Please list all services to be rendered.*

Each of the contracted agencies conduct intake assessments, provide group and individual counseling, and weekly attendance reporting.

*How many participants will be served?*

20

*What is the cost per participant?*

standard costs are \$3,500 - \$5,500

*What is the total amount requested for professional services counseling?*

\$46,800

***Residential Housing (Mental Health Courts only).*** Housing is a professional service and must be procured by a contract. ***Include the following:***

*What is the contractor's name?*

n/a

*Please list all services to be rendered.*

n/a

n/a/

*How many participants will be served?*

n/a

*What is the cost per participant?*

n/a

*What is the total amount requested for residential housing for your Mental Health Court program?*

n/a

***Residential Treatment (ASAM Levels of Care 3.1 and 3.5).*** Must be clinically justified and approved by the specialty court judge. These levels of care may consist of withdrawal management and must consist of clinical-based programming, including individual and group counseling and other ancillary services.

***Include the following:***

*What is the contractor's name?*

Sierra Sage Recovery, Vogue Recovery, Seven Hills Hospital

*Please list all services to be rendered.*

Inpatient services will include, but are not limited to:

- Conducting comprehensive evaluations and assessments to determine the best level of care to ensure success;
- Conduct on-site drug and alcohol testing, if needed;
- Program participants engagement in Psycho-Education groups to process such topics as:

I. Week one—Psycho-Educational group:

Denial

Ego defenses

*How many participants will be served?*

2 participants

*What is the total amount requested for residential treatment?*

Approximately \$350/per day x 28 days x 2 participants = \$19,600

***Drug Testing Supplies are considered short-term use items with a life cycle of one year or less.***

*Please identify the type of testing supplies you are purchasing with this award.*

random observed drug testing by contractor Cordant

*What is the cost per unit?*

\$24.50

*What is the average number of times each participant is tested during the fiscal year?*

100

*What is the total amount requested for drug testing supplies?*

\$39,200

**Drug Testing Equipment** has a life cycle of greater than one year. Most common would be the purchase of breath testing equipment or instrument to test urine. ***Include the following:***

*Please identify the type of equipment you are purchasing.*

n/a

*Provide an explanation as to why the equipment is needed.*

n/a

*What is the total amount requested for drug testing equipment?*

n/a

**Drug Testing Confirmation** is a second analytical procedure performed by a certified laboratory on a drug test to identify results. ***Include the following:***

*Please provide the name and address of the certified laboratory that provides your confirmations.*

Cordant, PO Box 172775, Denver, CO 80217-2775

*Who pays for the confirmation (Court or participant)?*

court

*How much does a confirmation cost?*

varies \$10-\$30

*What is the average number of confirmation tests per month?*

5

*What is the total amount requested for drug testing confirmation?*

\$150

**Electronic Monitoring** is primarily used to monitor DUI Court participants. ***Include the following:***

*What is the contractor's name?*

Total Court Services / SCRAM

*What is the projected number of participants who will utilize an electronic monitor?*

5 Out of Custody participants

*What is the total cost per participant (daily cost times the total number of days)?*

Alcohol monitoring bracelet (30 days) = \$10 per day + installation fee \$75

*What is the total amount requested for electronic monitoring?*

24/7 Drug Testing Patch (14 Day Patch) – Out of Custody 25% of 40 participants = 10

10 x \$105 per program participant = \$1,050

Alcohol monitoring bracelet (30 days) = \$10 per day x 30 + installation fee \$75 = \$375

13% of 40 participants = 5 x \$375 = \$1,875

Total \$1,050 + \$1,875 = \$2,925



## Salary & Benefits

Salary & Benefits is specialty court coordinator, case manager, testers, case worker or any contracted position. Personnel that are dedicated 100 percent to the specialty court program and paid by the program. Excluding the judge and positions paid by the city/county. Personnel is an employee who aides in testing, assists participants with life skills, provides probation type services, and may include personnel that provides clinical services. Also included in this category are part-time contract personnel. Please note effective July 1, 2011, personnel (full or part-time) will be limited to 25 percent of the total allocation. The 25 percent restriction does not apply to positions funded prior to July 1, 2011. At this time no COLA's or merit increases will be authorized. Fringe benefits can be based on actual known costs or an established formula. ***Include the following for each position:***

*What is the position title? (include full or part-time)*

n/a

*What are the job duties?*

n/a

*What is the total amount requested for this position?*

n/a

*What is the position title? (include full or part-time)*

n/a

*What are the job duties?*

n/a

*What is the total amount requested for this position?*

n/a

***Operating Supplies*** Total of all items (office supplies, rent, postage, telephone, printing, copying, etc.). Generally, supplies include any materials that are expendable or consumed during the course of one year. ***Maximum allowed is \$1,200 per year.***

*What is the total amount requested? Please list items to be purchased with the award amount.*

n/a

***Bus Passes and/or taxi vouchers*** are typically pre-purchased and are for distribution to participants in need of transportation to/from court, treatment or their place of employment. ***Maximum allowed is \$5,000 per year.***

*What is the total amount requested? Please list items to be purchased with the award amount.*

n/a

**Incentives** are awards given to the participant for a job well done. Incentives may include gift certificates (\$5-\$15 value), tokens, books, cookies, cake, and pizza. **Maximum allowed is \$2,500 per year.**

*Please provide the type of incentives you plan to provide and the projected cost of each incentive.*

gift certificates at approximately \$5 - \$15 each, and graduation coins

*What is the total amount requested?*

\$2,500

**Transitional Housing with a case/house manager on-site** will enable a program to place participants in a safe, sober, living environment. The facility must provide curfew compliance and report any noncompliance to the specialty court. **Maximum allowed is \$20,000 per year.**

**Include the following:**

*What is the provider(s) name(s)?*

n/a

*How many participants will be utilizing this service?*

n/a

*What is the total cost per participant?*

n/a

*What is the total amount requested for transitional housing with a case/house manager on-site?*

n/a

**Housing (Motel, Apartment, etc)** would be for an apartment, motel, or place with a weekly room rate. This is to provide a participant with temporary housing until secure housing can be obtained. Maximum allowed is \$10,000 per year.

**Include the following:**

*What is the provider(s) name(s)?*

n/a

*How many participants will be utilizing this service?*

n/a

*What is the total cost per participant?*

n/a

*What is the total amount requested for housing?*

n/a

**Acquiring necessary capital goods or using appropriate technology.** Defined as equipment, machinery, case management system, computers, printers, fax, etc. Description and estimate of items such as case management system, computers, printers, fax, etc.

*What is the total amount requested for acquiring necessary capital goods or using appropriate technology?*

n/a

*Please list the items to be purchased with the award amount.*

n/a

***Studying the management and operation of a program.*** *Defined as a program evaluation completed by a consultant or an agency who specializes in program evaluation. **Include the following:***

*Describe the program evaluation your are requesting funding for.*

n/a

*Who will conduct the evaluation?*

n/a

*What is the total amount requested to evaluate the program?*

n/a

***Basic Needs*** *are defined as clothing, haircuts, and hygiene products.*

*Please list the items which will be purchased under this category and the price per item.*

n/a

### ***Other***

*What is the service or item being requested and the total amount?*

n/a

## SECTION D PROGRAM DESIGN

Please address the following items:

### Statement of Problem

*Please identify the specific problem or need that will be addressed by this program.*

Alcohol impaired drivers (BAC=.08+) always present a significant risk of death and/or serious bodily harm to themselves and the community at-large. On average, an alcohol impaired driver will drive 87 times under the influence before their first arrest. The consequences of such impairment can clearly be seen in the data collected by the National Highway Traffic Safety Administration in its 2017 Fatal Analysis Reporting System (FARS), which found approximately one-third of all fatal traffic crashes in Clark County were linked to the misuse or abuse of drugs and/or alcohol.

Urban areas generally experience greater incidents of impaired driving. Clark is the largest county in the state of Nevada. It is an urban county in which approximately 70% of the state's population resides. According to the Nevada Strategic Highway Safety Plan (Nevada SHSP), "between 2011 and 2015, 65% of impaired driving fatalities and serious injuries occurred in Clark County".

Impaired drivers frequently have substance use disorders, which left untreated, may result in their continuing to drive while under the influence. Consequently, the Las Vegas Justice Court (LVJC), DUI Treatment Court is designed to work with non-violent misdemeanor offenders who have substance use disorders as an underlying cause for their arrest. The court's mission is to effectively reduce incidents of driving under the influence by providing access to rigorous treatment services and court supervision while requiring accountability. The court is structured and operated under the National Association of Drug Court Professionals' (NADCP) Specialty Court Model guidelines, which utilizes the nationally recognized 10 key components of drug court.

+

All specialty courts should be based to some extent on the drug court model developed in the late 1980's. The drug court model has ten key components that are listed within the data dictionary. Other types of specialty courts may not have every one of these characteristics, but they will substantially follow this model. If applying for funding for a new or existing specialty court, please complete the following:

### Service Delivery Plan

*Please explain how the Court will provide treatment.*

- Each participant undergoes an initial alcohol assessment/mental health screening to identify potential co-occurring disorders and is referred to appropriate clinical services as required. Program participants are then placed on intense supervision, which includes up to 90 days under House Arrest. They are referred to the treatment agencies to begin substance abuse counseling.
- At approximately the mid-point of the program participants undergo a mini mental health evaluation to identify and address any untreated issues.

### PROGRAMS MISSION AND GOALS, all goals must be measurable. (Key Component#1)

*Please define your program's mission.*

The mission of the Las Vegas Justice Court DUI Treatment Court is to effectively reduce incidents of driving under the influence by providing access to rigorous treatment services and court supervision while requiring accountability from high-risk impaired drivers.

*Define your program's goals.*

Immediate Goal - Provide cost-effective treatment alternative to DUI offenders. The cost of incarceration for 6 months is \$27,000 per defendant (Clark County Detention Center cost \$150/day x 30 = \$4,500). The DUI Treatment Court annual program costs approximately \$6,000 per program participant. Mid-term Goal - Continue success rates for program participants remaining in treatment and graduating. The current program retention and graduation is rate is 97.3%. Documentation of this goal will be achieved by year-over-year statistical analysis. Long-term Goal - Reduce number of repeat impaired driving offenders in the criminal justice system by providing an alternative to detention, jail and prison.

*Describe any barriers to meeting these goals.*

The greatest barrier is the expense of the program for many potential participants of limited means.

#### **PROGRAM LENGTH (Key Component #4)**

*What is the minimum and maximum length of the program?*

Most DUI Treatment Court participants successfully complete the program in one year (the minimum time frame). Participants who present with more intense substance abuse problems routinely require additional time to complete the program. However, this extension generally does not exceed two years. Each case is monitored by the court through a status check calendar set at intervals which depend on the specific needs of each case; the more compliant a participant is with program directives, the less

*Are there treatment phases? If yes, please list each phase, the length of each phase, and what is provided within each phase.*

DUI Treatment Court works on operating under NCDC Guiding Principles (GP) as well as the 10 Key Components (KC) of NADCP and NADCP Adult Drug Court Best Practice Standards (BP) to provide an evidenced based treatment program. DUI Court has court phases that are different from treatment phases to assure each participant receives an individual treatment plan based upon their needs. Participants are placed into Track A if they are evaluated to have moderate substance abuse problem (moderate risk/moderate needs). Participants evaluated with a severe substance abuse problem (high-risk/high-needs) are placed in Track B. Track A participants can be moved into Track B if they have repeatedly tested positive for drugs, miss drug testing, or have low creatinine levels. Participants may also be moved into Track B if a follow-up assessment notes severe dependency. MAT referrals are offered to those with an opioid dependency. Each court phase is an average of 90 days in length and has a different focus for the participant. All court phases require a minimum length of consecutive clean time to transition to the next court phase. The court phases are as follows: Phase One focuses on acute stabilization and requires 30 days consecutive clean time for transition for Track A and 14 days for Track B; Phase Two focuses on clinical stabilization and requires 45 days consecutive clean time for transition for Track A and 30 days for Track B; Phase Three focuses on pro-social habilitation and requires 60 days consecutive clean time for transition; Phase Four focuses on adaptive habilitation along with continuing care and requires 90 days consecutive clean time for transition to graduation.

Once a participant has completed four weeks in the program, they have the opportunity to move into the Perfect Compliance category. Perfect Compliance can be achieved at any point in the program after the first four weeks in the program. To achieve perfect compliance, for at least two weeks, the participant must attend all required individual, group and court sessions; have n

*If phases are not used, explain how a participant progresses through the program.*

n/a

*What are the requirements for completing each phase or progressing through the program (e.g., the number, type, and frequency of drug tests, attendance at support groups, etc.)?*

In each Phase, program participants must be in compliance with all programmatic requirements, meaning they must be current with counseling attendance, fees and drug testing. They must also attend two alcohol support groups per week. Program participant's therapist will conduct a mini assessment to determine the appropriate time for Phase advancement.

### *What are the eligibility criteria?*

DUI Court targets Clark County residents over the age of 18, have been arrested at least twice for a DUI or driving while impaired (DWI) offense, present with a moderate or severe substance abuse problem, and have not been provided the opportunity of a DUI treatment court program in the last five years. Individuals referred to DUI Court are in the program as part of a plea negotiation. The nature of the DUI charges and criminal history will prompt an initial evaluation with a subsequent plea deal for entry into the program if criteria for admission are met. All evaluations are done by the DUI Court Coordinator to determine whether the person qualifies for DUI Court, and that the person understands the financial obligation of the program. All referrals are evaluated utilizing standardized screening tools (SASSI-3, AUDIT, MAST).

## **SCREENING AND ELIGIBILITY (Key Component #3)**

### *Describe the process for identifying eligible participants according to established program criteria.*

The DUI Treatment Court receives its participants through a collaborative effort. Prospective participants are referred through the District Attorney's Office case negotiation process, defense attorneys who request the program for their respective clients, or the statutorily mandated substance abuse evaluation recommending treatment. If the presiding judge accepts a referral, the prospective participant is evaluated by the Court Coordinator for treatment suitability and an evaluation, and the accompanying recommendation is presented to the presiding judge.

### *At what point in the case process does the initial eligibility screening occur?*

DUI Treatment Court participants may enter the program from any judicial department within the LVJC or through a referral by the Office of the District Attorney, if there is evidence of a serious substance abuse problem.

### *Who conducts the initial screening of offenders and who determines eligibility?*

Initial screening is conducted by LVJC Specialty Courts Coordinators who are Nevada licensed Alcohol and Drug Counselors.

### *What instrument is used to assess risk and needs for the target population? How are the outcomes used for program or track placement?*

The tools used by the Court Coordinators to assess a potential program participant's appropriateness for DUI Treatment Court include, but are not limited to: SASSI-3 is a self-report screening instrument for substance dependency providing a classification of chemically dependent or not chemically dependent; AUDIT (Alcohol Use Disorders Identification Test) identifies excessive drinking and is a framework for intervention to help hazardous and harmful drinkers reduce or cease alcohol consumption; MAST (Michigan Alcoholism Screening Test) is a self-scoring test used to assess if an individual has a drinking problem; ASAM Criteria is used to determine placement criteria for the treatment of substance-related disorders; DSM-5 (Diagnostic and

## **TARGET POPULATION (Key Component #3)**

### *What is the target population?*

DUI Court targets Clark County residents over the age of 18, who have an ongoing criminal driving under the influence (DUI) case in the Las Vegas Justice Court (LVJC) system, have been arrested at least twice for a DUI or driving while impaired (DWI) offense, present with a moderate or severe substance abuse problem, and have not been provided the opportunity of a DUI treatment court program in the last five years.

It is extremely important to treat this population at the misdemeanor level because alcohol misuse and abuse is generally a progressive condition. Consequently, earlier intervention is essential in breaking the cycle of use/abuse, arrest, continued use/abuse and increasing serious offenses.

*If for ongoing programs, have the demographics or caseloads of the program changed since its inception?*

The overall demographics of the program participants have not changed since inception.

#### **JUDICIAL INTERACTION (Minimum Criteria #1)**

*Who presides over the program, e.g., judge and/or hearing master?*

Judge Cynthia C

*What day and time of the week does the specialty court have status review hearings?*


Thursdays at Noon

*How frequently does the participant appear before the judge for status review hearings?*

Program participants that complete the program in one year generally make at least 15 court appearances. Due to the Nevada COVID-19 pandemic social distancing orders, web-based court is held on Thursdays. Individuals who are struggling with the program, are non-compliant or having drug testing issues have to appear in court.

#### **DRUG TESTING PROTOCOL (Minimum Criteria #4)**

*How frequently are participants required to submit to a drug and/or alcohol test?*

LVJC has contracted with an outside vendor to conduct random drug tests. All participants are drug tested on an average of 2 times a week on a random basis for the duration of the program. Additional testing may be conducted if a program participant appears to be under the influence at any court hearing. 

*Who or which agency administers the drug and/or alcohol test?*

Pre-admission drug testing and repeat testing when a program participant appears to be under the influence during a court session are primarily conducted by the Court Coordinator. Ongoing random drug testing is conducted by contracted provider Cordant.

*What type methodology is used, e.g., urine, saliva, hair, sweat patch, etc.?*

Urine and breath testing are currently used. To impede any attempt to drive after alcohol use, each program participant is required to have a breath ignition interlock device on any vehicle to which they have access. An in-home breath testing unit and SCRAM device is also used to reduce alcohol relapse events.

*How will randomization be effectuated?*

LVJC has contracted with an outside vendor to conduct random drug tests. All participants must call in daily to determine if their number has been selected and, if it has report for testing within 8 hours.

*How are test challenges handled?*

Program participants can challenge any presumptive positive test result.

*Who pays for a test challenge/confirmation?*

When a program participants challenges a presumptive positive drug test, he/she can request confirmation of the result at their own expense.

### **DRUG COURT TEAM (Minimum Criteria #3)**

*Does your program have a team? If so, list the members on your team, e.g., judge, defense, prosecution,, counselor, parole and probation, etc.?*

Judge, defense attorney, court coordinator, house arrest officer, alcohol monitoring provider, assistant district attorney and treatment program representatives.

*What are the roles and responsibilities of each team member?*

The DUI Treatment Court Presiding Judge makes the final decision on admissions, sanctions, incentives, and terminations. The defense attorney makes recommendations on admissions, provides input on sanctions, incentives, and terminations, and provides advocacy for the participant. The treatment program, House Arrest, Total Court Services representatives make recommendations on admission to the program, give clinical input related to participants' treatment needs, successes and failures. The DUI Treatment Court Coordinators meet biweekly with treatment providers to discuss participants' issues on pending biweekly docket. The coordinators forward intake evaluations to the team with a brief synopsis for all participants on the pending biweekly docket. The treatment team meets before court to review and discuss the participants on docket. The team is seated in court to assist the judge and work with participants to assist in complying with all court orders. The coordinators follow up with team members to confirm compliance.

### **TREATMENT CONTINUUM AND PLAN (Minimum Criteria #6, #7)**

*Are participants required to attend regular counseling sessions? Identify how often they attend during the respective phases of the program or if clinical services are individualized, allowing for the clinician/agency to determine frequency, duration, and intensity?*

During Phase I of the program, participants are required to attend one individual counseling session per week and two group sessions per week. Phase II of the program requires one individual counseling session per week and one group session per week.

*Are the clinicians who are providing all ASAM levels of care certified or licensed per NRS 641C or NAC 641C?*

All counselors are certified or licensed by their respective Boards as required by state statutes. This includes Marriage and Family Therapist, Certified Alcohol and Drug Counselor, Licensed Alcohol and Drug Counselor, and Clinical Social Worker.

*What ancillary services are available to participants, e.g., career counseling, GED classes, etc.?*

Ancillary services available to participants include Clark County Social Services, Hope for Prisoners, the Urban League, the Foundation for an Independent Tomorrow (F.I.T), and HELP of Southern Nevada.

*Will aftercare/transition planning be provided to participants? If yes, describe what type of aftercare/transition planning will be provided.*

Aftercare is one year and at no cost to the graduate. It consists of a "Recovery Support Services Delivery Plan", which includes on-going systems to encourage participant success. These systems include one process group per week at the providers' clinic and sobriety-based support groups such as AA, NA, Celebrate Recovery, or other similar groups. The graduates are informed that they may also contact a former counselor or the DUI Treatment Court Coordinator for referrals to other community services after graduation.



## **SANCTIONS AND INCENTIVES (Minimum Criteria#8)**

*Please list the sanctions and incentives that are used (include a description of when and how they are used).*

### **Incentives -**

Participants in Perfect Compliance draw for a gift card during court, are placed at top of court calendar, and have the choice to attend court via virtual appearance (option added due to COVID19 pandemic social distancing efforts).

Participants moving up a phase receive an incentive coin.

DUI Treatment Court's chart of sanctions for noncompliance is attached to this application.

## **GRADUATION REQUIREMENTS (Key Component#6)**

*Describe the graduation requirements.*

Following successful completion of Phase II, program participants prepare for graduation, which requires 90 days of clean drug testing, completion of the Victim Impact Panel, full payment of all treatment provider invoices, court fees and fines.

## **EXPULSION CRITERIA (Key Component#6)**

*Describe the criteria for terminating a participant from the program.*

Generally, program participants are terminated when they have continuously demonstrated an unwillingness to comply with program guidelines, acquire new charges, are found to be driving vehicles without the interlock device installed and for other serious infractions.

## **MONITORING AND EVALUATION ASSESSMENT (Key Component#8)**

*What methods of data collection will be utilized by this program to track participant data and to provide case management services and outcome evaluation?*

The court will comply with the reporting requirements set forth by the Specialty Court Funding Committee. Quarterly and annual reports will be completed on number of admissions, terminations, graduations, and program census. The treatment provider currently collects client demographic information such as treatment information and admission, graduation, termination statistics which they enter into the Drug Court Case Management (DCCM) system.

*How does your court plan to evaluate the specialty court program, in order to achieve its goals and objectives?*

Historically, DUI Treatment Court has relied upon internal systems to collect and analyze program data. These systems have been effective in determining program retention rates, recidivism, perfect compliance and graduation rates.

## **MENTAL HEALTH COURTS ONLY (Minimum Criteria #5)**

*Who ensures program participants are medication compliant?*

n/a