

Maine's Family Treatment Drug Courts

What is the Family Treatment Drug Court?

The Family Treatment Drug Court is a specialty docket located in the Maine District Courts that works with those families whose children have been at risk of abuse or neglect due to parental abuse of drugs or alcohol.

Where are the Family Treatment Drug Courts?

At the Maine District Courts in:

- Augusta
- Lewiston
- Bangor

Why does Maine need Family Treatment Drug Courts (FTDC)?

Research has demonstrated that a very high proportion of child protective cases involve parental substance abuse. Family Treatment Drug Courts have demonstrated improved retention by parents in substance abuse and other treatment, reduced time in foster care, and expedited permanency plans for children.

What is the Family Treatment Drug Court's mission?

Through judicial accountability and enhanced access to comprehensive treatment services, the Family Treatment Drug Court improves the safety and welfare of children and supports the recovery of their parents from alcohol and drug abuse as well as co-occurring disorders.

What are the goals of the Family Treatment Drug Court?

The primary goal of the Family Treatment Drug Court is to establish permanency for the child in a timely fashion while providing comprehensive and intensive substance abuse treatment and wraparound services for their parents. The best interest of the child is the most important concern of the Court, although the FTDC works primarily with the parents. By focusing on parents as the primary participants, the Court works to protect the child and in many instances to keep the family intact. The Family Treatment Drug Court helps substance-abusing parents to become abstinent, participate in appropriate treatment, and consequently make positive changes in their lives and the lives of their

children. The FTDC enables parents to function better in their families and communities, thereby being less likely to have future involvement with the courts and the child welfare system.

Who is eligible to apply for admission to a Family Treatment Drug Court?

Adults age 18 years or older with a child or children with an open child protective case at the local Department of Health and Human Services office are eligible for admission. This is a civil docket and no criminal charges are required. Participation is entirely voluntary. The docket operates separately from the underlying child protective case although information on participation in the FTDC is available to the Court presiding over the child protective case.

The parent must have a serious substance abuse disorder and may have other mental health issues as well.

The parent must voluntarily and knowingly consent to waive all rights of confidentiality established by federal and state laws associated with substance abuse diagnosis and treatment (42 CFR Part 2) and mental health diagnosis and treatment in order to facilitate judicial supervision and the sharing of information between treatment providers, the FTDC team, and the Court.

What are the steps required to be admitted to the Family Treatment Drug Court?

The FTDC serves families with open child protective cases. Referral can begin when a petition is filed by Department of Health and Human Services with the Court. Anyone can make a referral to the FTDC. To do so:

- Obtain a referral form. The form can be obtained from a clerk at the Courthouse where the FTDC is located.
- Fill out and return the referral form to the FTDC case manager. See the contact information below.
- Case managers will screen the referral to identify any history of substance abuse, the seriousness of that substance abuse, and any other challenges for the parent.
- The case manager may schedule the parent for a treatment assessment with a local treatment agency unless there is already a recent assessment on file. The assessment is paid for by the State of Maine.
- The FTDC team will review information about the parent.

- The judge can order a parent to attend an informational session with the FTDC case manager.
- The parent may choose to "shadow" court proceedings and meet with the FTDC case manager prior to admission.
- The parent goes before the FTDC judge for admission at the Courthouse.
- The defendant signs the agreement to participate in open court and will sign a release form to allow confidential substance abuse treatment information to be shared with the Court team members.

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What can a participant expect to receive for treatment services while in the Family Treatment Drug Court?

Often parents will already be participating in treatment services upon referral by the child welfare caseworker at the Department of Health and Human Services and will be able to continue with that provider so long as the provider is willing to collaborate with the FTDC. Services include substance abuse and mental health treatment as well as medication consultation.

Parents are able to access opiate replacement therapies such as methadone, Suboxone/Subutex, naltrexone, and Vivitrol from a medical professional. Again, collaboration between the prescriber and the FTDC is important.

Services are paid for by the State of Maine as a condition of the reunification plan.

What are the expectations of participants while in the Drug Treatment Court?

- The judge and the Court team meet every other week with parents to discuss progress and make improvements to their services plan. Punctuality is required. Honesty on the part of the participant is very important.
- Participants have to meet with the FTDC case manager weekly and have frequent, random and observed drug and alcohol tests no less than twice per week. Abstinence from all mind-altering substances, including alcohol, is required.
- Participants must attend all treatment services recommended by their counselor and participate satisfactorily.
- Participants will be encouraged to work, go to school, or perform community service if possible.
- Participants are encouraged to avoid situations where drugs and alcohol

are consumed and businesses where alcohol is served.

- Participants are encouraged to attend self-help groups, such as Alcoholics Anonymous or Narcotics Anonymous.
- Participants are also expected to work on the reunification plan developed by them and the Department of Health and Human Services.

The duration of participation averages 8 to 12 months but may be longer depending on progress.

If a parent is successful, she or he will graduate. A parent may choose to withdraw from the FTDC at any time although that decision will be included in the Court file. If a parent does not meet the expectations of the Court, she or he will be terminated from participation in the Court. This information will also be included in the Court file.

Who is on the Family Drug Treatment Court team?

Judge

Case manager

Department of Health and Human Services caseworker & casework supervisor

Local treatment providers

For more information please contact:

Lewiston Family Treatment Drug Court: (207) 786-4851

Augusta Family Treatment Drug Court: (207) 623-9677

Bangor Family Treatment Drug Court: (207) 945-4807

Or, the Coordinator of Specialty Dockets and Grants at the Administrative Office of the Courts at: specialtydockets@courts.maine.gov.