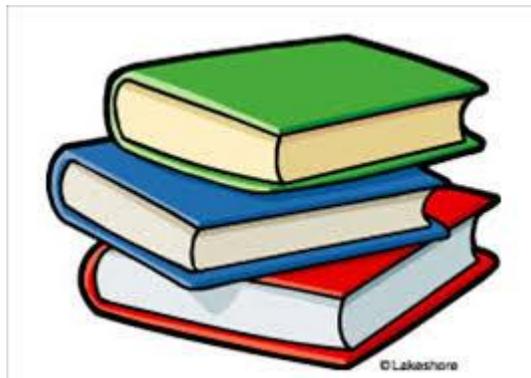


HANCOCK COUNTY  
JUVENILE COURT  
TRUANCY COURT PROGRAM

Participant Handbook



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**WELCOME** to the Hancock County Juvenile Court's Truancy Court Program. This handbook details your rights and responsibilities in this specialized docket program, which addresses the issues of truancy in our community. Judge Johnson has the right to decide admission to and termination from the program, based upon certain written criteria. Meeting the legal and clinical eligibility criteria does not create a right for you to participate in this program. You have the right to request that an attorney be present during any meetings or hearings that are held on your behalf. If you are in school every single day, and on time, you may be eligible to complete this program in three (3) months. However, there is no guarantee that you will graduate within that time frame. Successful completion/graduation depends on you and how well you follow program rules. By participating in this program, our goals for you are as follows:

- improved attendance
- improved grades
- less school behavior issues
- less conflict with parents and teachers
- no alcohol or drug use

In order to participate in this program, you must be an Adjudicated Truant or Delinquent and have documented school attendance issues. If you are currently on probation for another offense, all Truancy Court rules are *in addition to* your current rules of probation. When it comes to the established curfew, you are expected to abide by the curfew that is *most restrictive*. If anyone participating in this program is under investigation for a felony level offense or any type of sexually oriented offense, you may be suspended or terminated from the program at any time, at the discretion of the Judge. If you have substance abuse or other mental health issues, you will be expected to cooperate with counseling to address these needs. If you fail to follow through with services, the Court will look at possible consequences and address them with you at your next hearing. You may be referred for services at any point in the program, as additional information may come to the Court's attention.

Once the Judge has Ordered you into the program, you and your caregiver will be expected to meet with the Truancy Court Coordinator to sign releases of information for the school you attend and any other provider from whom you receive services. The probation officer will verify current contact information for you and your family and discuss any job or other pro-social activities you are engaged in. An Adverse Childhood Experience Questionnaire and an Ohio Youth Assessment System Disposition Screener will also be filled out at this time. Depending on the results of these assessments, a referral to a local counseling agency may be made immediately. A discussion regarding current and/or past drug use will be held, and a referral for substance abuse counseling may be made at that time. You will be expected to comply with frequent, random, and observed drug screens, and positive screens may also result in a referral for counseling services. If any referral for counseling is made, your caregiver will be required to sign a release of information so that the Court can make sure that treatment is progressing as recommended by your licensed treatment provider.

**IF AT ANY TIME YOU HAVE QUESTIONS REGARDING THE RULES OR EXPECTATIONS OF THE COURT, PLEASE CONTACT THE TRUANCY COURT COORDINATOR AT 419-424-7066.**

## **TRUANCY COURT TEAM MEMBERS**

### **Roles and Responsibilities**

- **Specialized Docket Judge:** The specialized docket Judge is the chair of both the status review team and the advisory team and attends all meetings. The Judge issues incentives, including advancement through the program, as well as sanctions to participants during Truancy Court proceedings. The Judge supervises and reinforces participant's progress through their interaction with the participant at frequent Court appearances. The specialized docket Judge has the discretion to decide the admission into and the termination from the specialized docket in accordance with the specialized docket written criteria. The same Judge usually presides over all Truancy Court hearings. However, the Court's Magistrate may, on occasion, fulfill this role for the Judge.
- **Truancy Court Coordinator:** The Coordinator is assigned to handle the majority of the cases that are sent to Truancy Court and attends all status review meetings and Truancy Court hearings. The Coordinator completes all of the paperwork for youth entering the program, monitors the participants' progress and is responsible for arranging and/or supervising random urinalyses on each participant. The Coordinator can bring information such as home behavior, drug use, compliance with counseling, and other relevant information to the team in order to get a complete picture of the individual. For those participants enrolled in a virtual learning environment, the Coordinator also obtains updated educational progress reports for the team. The Coordinator can also file a Violation of Court Order against participants who continue to have attendance issues or fail their urinalyses while in Truancy Court.
- **School Attendance Case Manager:** A school representative will be present for status review meetings and Truancy Court hearings on all participants who attend a conventional school environment. They will update the Court on all school related issues involving attendance, grades, and behaviors. The school representative can also inform the Court of any special educational needs that the participant may have.
- **Prosecutor:** The Prosecutor will identify potentially eligible youth for the specialized docket, in accordance with the written criteria. They provide brief information concerning the case and input on the acceptance of a potential participant into Truancy Court. They attend all status review meetings and Truancy Court hearings. The specialized docket incorporates a non-adversarial approach, while recognizing the distinct role of the Prosecutor in pursuing justice and protecting public safety and victim rights.

- **Public Defender:** The defense counsel will assist with decision making regarding participation in Truancy Court. They will insure that all represented participants understand any rights they have waived throughout the process. They will also help explain any possible sanctions that may be imposed, explain circumstances that could lead to termination from the program, and the effects a termination may have on the case. The specialized docket uses a non-adversarial approach, while recognizing the distinct role of the defense counsel in preserving the constitutional rights of participants. Most of the participants involved in Truancy Court who retain counsel utilize the services of the Public Defender's Office. However, in cases of conflicts of interest with that office, any legal representative may attend their clients' status review meetings and/or Truancy Court hearings. The participant does, in fact, have the right to request the attendance of their defense counsel at any time.
- **Court Clerk:** The assigned clerk is responsible for making sure that the appropriate files are available for review each week. They are present for all Truancy Court hearings and record same. They are also the person responsible for generating all Journal Entries, as well as docketing/scanning/distributing same.

## **OUT OF STATE TRAVEL**

If you are traveling outside of the state of Ohio for more than twenty-four (24) hours, you must inform the Court of your detailed travel plans, including dates of travel and the exact address of where you will be staying, **at least three (3) days in advance**. A travel permit will only be issued if you will be traveling with your parent/legal guardian, or another adult approved by the Court. If an emergency situation arises outside of the Court's hours of operation, you must leave a message with the Court, indicating where you are, who you are with, and when you will return, as well as an explanation of why the Court could not be notified in advance.

## **TRUANCY COURT HEARINGS**

Every Friday, the Truancy Court Team meets prior to the hearings to discuss all participants' progress since the time of the last hearing. This is called a Status Review meeting. Occasionally, topics are discussed in this meeting that are not brought up during the actual hearing. If you are in Step Three (3) of the program, the team will also review the criteria for successful completion, to see if you are eligible for graduation from Truancy Court.

Truancy Court hearings are held every Friday at 3:00 p.m., unless school is out for a scheduled break. You must attend all scheduled Court hearings unless a motion for a continuance has been approved by the Judge in advance of the hearing. If the motion is granted, you will then be scheduled the following week, no matter which Step of the program you are in. If you fail to show up for a Truancy Court hearing and have not been granted a continuance ahead of time, a

warrant for your arrest may be issued. If you are represented by an attorney, you have a right to have your attorney be present for all of the Status Review meetings and Truancy Court hearings, and may assist you in filing any motion for continuance that is needed.

When the Judge is ready, all participants who are scheduled to appear for that week, and their caregivers, will proceed to the Courtroom together. This means that you will hear what happens with the other participants and they will hear what happens to you. If you are required to bring signature sheets and/or essays, please give them to the Coordinator just prior to Truancy Court starting, so that the information is made available to the Judge. Someone from the Prosecutor's Office and the Public Defender's Office are usually present for Truancy Court hearings. A representative from both the city and county schools may also be present. Occasionally, interns, counselors, or other agency staff may also be present in the Court room. When your name is called, you will stand at the table in front of the microphone, as all hearings are recorded. The Judge will ask you who has accompanied you to Court, then will ask you how school has been since the last hearing. Please remember that she will be updated by the school concerning this, so it is in your best interest to be honest with her. After a short discussion, the Judge will let you know which Step's rules to follow until the next hearing. After Court has concluded, you are required to wait in the lobby until a Journal Entry is provided to you. If you are advancing to the next Step of the program or are graduating from the program, you will be given your gift cards immediately following the hearing. If you are graduating, the Judge will also present you with a certificate in the Courtroom in front of your peers.

## **YOUR FIRST APPEARANCE AT TRUANCY COURT IS SCHEDULED**

**FOR** \_\_\_\_\_.

## **TRUANCY COURT STEPS**

**Step Advancement:** Progression through the Truancy Court Steps is based on how well you follow the Court Orders placed upon you, such as school attendance. Even though each Step is designed with a minimum number of hearings, you will not automatically advance through the Steps on a preset timeline. Instead, you will advance through the Steps based on your own individual progress and compliance with the Court's Orders. The Judge will determine when you have fully complied with all of the Truancy Court requirements and have completed the program.

### **Step One (1):**

- Attend every class, every day, on time. If enrolled in a digital school environment, I will log on daily for at least six (6) hours per day; I will also attend the lab (if available), at least four (4) hours per day, four (4) days per week unless otherwise instructed.
- Medical documentation is required to excuse any school absence.
- Obtain signed slips from every teacher, every day, on a form provided by the Court.

- Remain on school grounds during your lunch period.
- Stay away from “Smoker’s Corner.”
- May not use alcohol or other illegal drugs.
- Submit to random, frequent, and observed urine screens.
- May not switch schools without the Court’s permission.
- House Arrest: remain at home at all times, unless I am at school/lab, with a caregiver, or at a pro-social activity pre-approved by the Court.
- Weekly Truancy Court hearings.
- Minimum of two (2) weeks.

**Step Two (2):**

- Attend every class, every day, on time. If enrolled in a digital school environment, I will log on daily for at least five (5) hours per day; I will also attend the lab (if available) at least three (3) hours per day, at least three (3) days per week unless otherwise instructed.
- Medical documentation is required to excuse any school absence.
- Remain on school grounds during your lunch period.
- Stay away from “Smoker’s Corner.”
- May not use alcohol or other illegal drugs.
- Submit to random, frequent, and observed urine screens.
- May not switch schools without the Court’s permission.
- Curfew is 7:00 p.m. unless with caregiver, or at a pro-social activity pre-approved by the Court. If I am a digital student, I will also remain at home from 7:00 a.m. until 3:00 p.m. unless I am at the lab, with my caregiver, or have other permission from the Court.
- Truancy Court hearings every other week.
- Minimum of six (6) weeks.

**Step Three (3):**

- Attend every class, every day, on time. If enrolled in a digital school environment, I will log on daily for a minimum of five (5) hours per day. I will also attend the lab (if available) for at least three (3) hours per day, at least three (3) days per week unless otherwise instructed.
- Medical documentation is required to excuse any school absence.
- May not use alcohol or other illegal drugs.
- Submit to random, frequent, and observed urine screens.
- May not switch schools without the Court’s permission.
- Curfew is determined by my caregiver, but cannot be later than the established curfew in my area. The only exceptions to this are if I am with my caregiver, or am at a pro-social activity pre-approved by the Court. If I am a digital student, I will also remain at home from 7:00 a.m. until 3:00 p.m. unless I am at the lab, with my caregiver, or have other permission from the Court.

- Monthly Truancy Court hearings.
- Minimum of four (4) weeks.

These Step rules may be modified over the summer months. If this happens, you will be given written guidelines to follow, with the understanding that the above rules are reinstated as of the first day of the next school year. Drug screens WILL continue over the summer months.

## **INCENTIVES AND SANCTIONS**

### **Incentives:**

Truancy Court grants incentives to reward you for your efforts in following the Court Orders that are issued. Incentives are given when earned for things such as attending school every day, passing your drug screen, or submitting any paperwork that the Court has asked you to bring. An example of an incentive that the Judge may give you could be praise and encouragement, or advancing you to the next Step of the program. When you advance, you will also receive a five dollar (\$5) gift card to a local business. When you graduate from the program, you will receive a certificate plus fifteen dollars (\$15) in gift cards. All incentives will be given at the discretion of the Judge, on a case by case basis, and are subject to change.

### **Sanctions:**

Sanctions are also given at the discretion of the Judge, on a case by case basis, if you fail to follow the Court Orders that apply to you. They are given for things such as being late to school, not providing medical documentation to excuse an absence from school, using illegal substances, or not attending Court hearings. Sanctions are given in a “graduated” manner, meaning the least restrictive alternative available will be considered first when you fail to follow a Court Order. The Judge could give you a verbal reprimand, require you to write an essay, give you community service hours, place you on House Arrest/impose an earlier curfew, require teacher signature sheets at a higher Step, or require you to report in daily to the Court. Other sanctions, including unsuccessful termination from the program or periods of incarceration, may also be used.

### **Graduation from Truancy Court:**

Once you have successfully completed all three (3) Steps of Truancy Court, you will be graduated from the program. To complete each Step, you must have demonstrated good attendance and followed any other Orders imposed on you by the Court. You will receive a Certificate of Completion during your final hearing, and will also receive fifteen dollars (\$15.00) in gift cards after the hearing. In many cases, the Judge will also waive any outstanding Court costs related to the Truancy case.

### **Unsuccessful Termination from Truancy Court:**

The following behaviors may result in your unsuccessful termination from Truancy Court:

- Refusal to attend school despite sanctions given by the Court.
- Non-compliance with counseling or other Court Orders.

- Persistent use of illegal drugs or alcohol.
- Committing a new delinquency offense.

If you are unsuccessfully terminated from Truancy Court, you may be subject to further legal action, including the possibility of incarceration, depending on your underlying offense.

## **SUBSTANCE ABUSE POLICY**

Truancy Court participants are subject to submit a breath sample to test for the use of alcohol, and/or a urine sample to test for the use of illegal drugs on a random, frequent, and observed basis. **YOU CAN BE CALLED IN AT ANY TIME FOR A RANDOM TEST.** At the time of your admission into the program, you will be assigned to a testing group. Plans are individualized, so participants may not be called for testing at the same frequency. Your group, along with the frequency of testing, may change during your time in the program. You are currently assigned to Group \_\_\_\_\_ as in \_\_\_\_\_. You are required to call the Court's cell phone (419-722-0191) prior to 9:00 a.m. daily, Monday through Friday, to see if your group has been selected for testing. This number is to be used for screens only, and messages are NOT to be left at this number, as they may not be checked in a timely manner. If you need to contact Court staff, please do so at 419-424-7066. If your group has been selected, you must report to the Court between 2:30 p.m. and 4:00 p.m. that day to submit to a urine screen, unless otherwise directed by Court staff. If you are unable to appear for a screen when directed to do so, you must contact Court staff. All urine screens are directly observed by a same gender Court staff member. If you fail to appear for a test when requested, it will be considered a positive screen. If you attempt to submit someone else's urine or dilute or adulterate your own urine, it will also be considered a positive screen and immediate, graduated sanctions will be given. If your test is positive for drug byproducts and you do not admit to ingesting drugs, you can request that the sample be taken to an outside laboratory for retesting, providing a thirty (\$30) dollar deposit is submitted to the Court. If the re-test still shows positive results, your deposit is used to pay the cost of the re-testing. If the outside lab confirms the presence of drug byproducts, or you admit to using drugs after a positive test, a Violation of Court Order may be filed against you and you will be referred to counseling. If your test is positive for anything other than marijuana, it will be recommended that you be incarcerated immediately. If at any time you are placed on medications by a doctor, it is your responsibility to provide verification of same to the Court. All test results are shared with the Judge and other Team members, but the Judge and Court Administrator are notified immediately of all tests that are positive for anything other than marijuana. If a participant tests positive at the time of admission to the program, they will be referred for further counseling and the Judge will most likely make an Order to follow counseling recommendations the next time you appear in Court. You will receive sanctions for all positive tests after you have been in Truancy Court for thirty (30) days, which will include a referral for counseling, if you are not already attending counseling.