

# Honolulu DWI Court

## Frequently Asked Questions

*(Please note that content may be revised.  
Any revisions will be discussed with you.)*

### **How do I enter DWI Court?**

- 1) Work with your lawyer to submit a petition to the DWI Court Coordinator.
- 2) Stay after your petition hearing to meet with the DWI Court Case Manager and complete a screening assessment.
- 3) Work with your Case Manager to schedule a substance abuse assessment. This must be completed before your next Court hearing.

### **Once I'm in DWI Court, what comes next?**

- 1) Stay after Court to schedule your first case management meeting.
- 2) Learn the DWI Court rules.
- 3) Start your required meeting (e.g., treatment, self-help, AA), as directed by your Case Manager.

### **What should I expect from treatment?**

Each person who enters DWI Court is different. You will complete a screening assessment with your DWI Court Case Manager, and a substance abuse assessment with a treatment provider. It is very important to answer the questions honestly, because the results will be used to determine the type and amount of treatment that is best for you. Although detoxification services or residential treatment may be recommended, most participants initially begin with outpatient services that include both individual and group counseling. Your treatment counselor will work with you to set up your treatment schedule.

Assessment results are also used to assist your treatment counselor and Case Manager in developing a treatment plan with you that is specific to your individual needs. The treatment plan, which is updated regularly, serves as a guide for you throughout the duration of your time in DWI Court.

Your Case Manager will be in contact with your treatment counselor on your progress and status in treatment. Your Case Manager will give the Judge, and other DWI Court team members, regular reports regarding your progress. Reports will detail your attendance, participation, and cooperation in the treatment program. The team works together with you to help you achieve your goals.

### **KEEP ALL OF YOUR TREATMENT APPOINTMENTS**

### **What should I expect from my Case Manager?**

Every DWI Court participant is assigned a Case Manager from the University of Hawai'i, Department of Psychiatry. Your Case Manager is also member of the DWI Court Team, and will share information about you with the Judge and the other team members at each of your Court hearings. For example, your Case Manager will report on your overall program compliance, alcohol testing results, employment updates, and other requirements that you must meet in order to complete DWI Court.

You will meet with your Case Manager on a regular basis. He or she will set up a schedule with you so you know when to meet. As you progress through the program, the frequency of your contacts with your Case Manager may decrease.

The Program may make announced and unannounced visits to your home and/or work, and may check in with your work supervisor, school officials, physicians, counselors, and any other persons involved in working with you during the program. Your Case Manager will also monitor your living conditions, employment, and educational/vocational endeavors, as well as your cooperation with all aspects of the DWI Court program.

**What do I need to know about drug and alcohol testing?**

A minimum of 90 days of alcohol monitoring is required. You will be required to wear the SCRAM (Secure Continuous Remote Alcohol Monitor) bracelet for a minimum of 30 days, to begin during the Orientation Phase of the program, followed by a minimum of 60 days of monitoring via Smart Start Alcohol Monitoring (IN-HOM device) in Phase I. A breathalyzer test will also be administered at every Case Management meeting. If you are having trouble staying sober, you may be asked to test more frequently and/or remain on the SCRAM or IN-HOM for additional days. You may also be required to submit to random drug and alcohol testing (via breathalyzer) up to twelve times a month as long as you are in DWI Court.

**How do I advance through DWI Court?**

The DWI Court Program has three phases. As you progress through the phases, there will be fewer requirements that you must meet. The minimum length of the DWI Court Program is 12 months, but participants often need additional time to complete the requirements.

Listed below are the general requirements for each phase. Remember, each person in the DWI Court program has different needs. You may be required to participate in one or more activities that are not on this list.

<b>ORIENTATION</b>	
Length of phase:	<b>A minimum of 30 days</b>
General requirements (these will be adapted to your individual needs):	<ul style="list-style-type: none"> <li>• Participation in treatment as determined by your needs.</li> <li>• Court attendance biweekly, or as directed by the DWI Court Judge.</li> <li>• 0-3 random alcohol and/or drug tests per week.</li> <li>• Compliance with medication-assisted treatment, if appropriate.</li> <li>• Weekly meetings with your Case Manager, or as directed.</li> <li>• Installation of the SCRAM ankle bracelet (minimum 30 days).</li> <li>• Attendance at self-help meetings (a minimum of three per week, or as recommended by your treatment provider and/or the DWI Court Team).</li> <li>• Submission of Phase 1 advancement request and completion of the Orientation Phase test is required before moving to the next phase.</li> </ul>

<b>PHASE 1</b>	
Length of phase:	<b>A minimum of 90 days</b> (treatment plan development)
General requirements (these will be adapted to your individual needs):	<ul style="list-style-type: none"> <li>• Continued participation in treatment or other services as determined by your progress.</li> <li>• Court attendance biweekly, or as directed by the DWI Court Judge.</li> <li>• 0-3 random alcohol and/or drug tests per week.</li> <li>• Compliance with medication-assisted treatment, if appropriate.</li> <li>• Weekly contact with your Case Manager, or as directed.</li> <li>• Actively seek a sponsor.</li> <li>• Continued attendance at self-help meetings.</li> <li>• Alcohol monitoring via IN-HOM device (minimum 60 days).</li> <li>• Pre-GED testing (if needed), employment or vocational training (if needed), and stable housing.</li> <li>• A Phase 2 advancement request and sponsor are required before moving to the next phase.</li> </ul>

<b>PHASE 2</b>	
Length of phase:	<b>A minimum of 120 days</b> (ongoing treatment)
General requirements (these will be adapted to your individual needs):	<ul style="list-style-type: none"> <li>• Continued participation in treatment or other services as determined by your progress.</li> <li>• Court attendance every four weeks, or as directed by the DWI Court Judge.</li> <li>• 0-3 random alcohol and/or drug tests per week.</li> <li>• Continued compliance with medication-assisted treatment, if needed.</li> <li>• Biweekly contact with your Case Manager, or as directed.</li> <li>• Continue GED study (schedule/take test if needed), stable employment, vocational training, stable housing, etc., as appropriate.</li> <li>• Phase 3 advancement request required before moving to the next phase.</li> </ul>

<b>PHASE 3</b>	
Length of phase:	<b>A minimum of 120 days</b> (stabilization/mentoring/achievement/graduation)
General requirements (these will be adapted to your individual needs):	<ul style="list-style-type: none"> <li>• Continued participation in treatment or other services as determined by your progress.</li> <li>• Court attendance every six weeks, or as directed by the DWI Court Judge.</li> <li>• 0-3 random alcohol and/or drug tests per week.</li> <li>• Sobriety for at least 120 days.</li> <li>• Biweekly meetings with your Case Manager, or as directed.</li> <li>• Pass GED test (if applicable), and stable employment and living circumstances.</li> <li>• Graduation application will be required in order to graduate from the program.</li> </ul>

**Is my information confidential?**

Federal law requires that DWI Court participants' identities and privacy be protected. In response to these regulations, the DWI Court has developed policies and procedures that guard your privacy. Upon entry into DWI Court, you will be asked to sign a "**Consent for DWI Court Authorization for Disclosure of Confidential Substance Abuse Information.**" This disclosure of information gives the DWI Court permission to obtain prior and current substance abuse treatment information, and allows the DWI Court Team to discuss your progress. You will be expected to allow the various teams access to medical and other records of care and services (as necessary, and with your full knowledge) that may impact your participation in the program.

### **How often do I go to Court?**

You are required to appear in Court on a regular basis. The number of appearances depends upon the Phase of DWI Court you have achieved, and is up to the discretion of the DWI Court Judge.

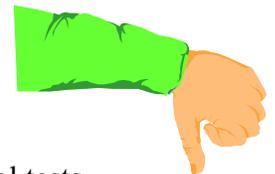
- If you are in the Orientation Phase, you attend biweekly or as directed by the DWI Court Judge.
- In Phase 1, you attend biweekly or as directed by the DWI Court Judge.
- In Phase 2, you attend every 4 weeks or as directed by the DWI Court Judge.
- In Phase 3, you attend every 6 weeks or as directed by the DWI Court Judge.

**If you fail to appear in Court, a bench warrant for your arrest may be issued, and you may be subsequently detained in jail until you are brought before the Judge. Failure to appear in Court, or failure to be on time, may also result in Court-imposed sanctions. Sanctions can include: increased frequency of DWI Court related meetings, phase demotions, increased time on the SCRAM and/or IN-HOM, incarceration, and termination from the DWI Court Program. Detailed information on sanctions can be found in the Participant Handbook that will be given to you when you meet with your Case Manager.**

### **What does it mean to be “terminated” from DWI Court?**

Warrants, new arrests, or a violation of any aspect of the treatment plan may result in termination or expulsion from the program. Other violations that may result in termination include the following:

- A pattern of missing scheduled drug/alcohol tests, and/or positive drug/alcohol tests.
- Altered drug/alcohol tests.
- Demonstrating a lack of commitment to the DWI Court program by failing to cooperate with the Case Managers or treatment providers.
- Violence or threat of violence directed at the DWI Court Team, treatment staff, other participants of the program, or other clients of the treatment providers.



Termination from the DWI Court program is considered a violation of your sentence. Therefore the DWI Court Case Manager will submit a progress report to the DWI Court Judge, and the matter will be set for hearing. The DWI Court Judge will determine whether you remain in the community or are sent to prison.

### **What am I required to do to graduate from DWI Court?**

You will have to participate for a minimum of 12 months in the DWI Court Program. You will also be required to have:

- Spent at least 120 consecutive days in Phase 3.
- Finished your substance abuse treatment program and/or any other services you may have been directed to complete.
- A minimum of 120 days of sobriety.
- No missed alcohol tests for a minimum of 120 days.
- Maintained a stable residence.
- Maintained employment (or involvement in an educational or vocational program).
- Obtained a GED (requirement for those who did not receive a high school diploma).

## DWI COURT RULES



- 1) Totally abstain from the use of alcohol and illegal drugs. This includes medications, mouthwashes, or other substances that may result in a positive urine or breathalyzer test.
- 2) Inform all treating physicians that you are a recovering addict and may not take narcotics or addictive medications or drugs.
- 3) Attend Court sessions and treatment sessions as scheduled, submit to random alcohol and drug testing, and remain clean and sober and law abiding.
- 4) Avoid associating with people who use or possess drugs, or whose alcohol use may harm your sobriety. For example, avoid those who encourage you to drink or who are not supportive of your desire to remain sober.
- 5) No possession of any weapons while in the DWI Court program. You must disclose the presence of any weapons possessed by anyone else in the household.
- 6) Keep the DWI Court Teams, Case Managers, and treatment providers informed of your current address and phone number at all times.
- 7) Inform your Case Manager and the Court of future travel plans. Because full participation is expected while in the DWI Court Program, and each participant should be fully engaged in his/her recovery, travel off-island is discouraged and requires the approval from your Case Manager and the DWI Court Judge.
- 8) Dress appropriately for Court and treatment sessions (i.e., a shirt or blouse or clean t-shirt, pants, dress or skirt of reasonable length). Shoes must be worn at all times. Clothing bearing violent, racist, sexist, drug or alcohol-related themes, or promoting/advertising alcohol or drug use is considered inappropriate. NO hats, NO shorts, NO gang attire, NO tank tops or halter tops.
- 9) **Remember**, when you are in Court, turn off cell phones and do not chew gum. Children are generally not to be brought into the Courtroom.
- 10) Be quiet in Court. When it is your turn to talk to the DWI Court Judge, call her or him “**Judge**” or “**Your Honor.**”
- 11) Abide by all other rules and regulations imposed by the DWI Court Team.

**PROGRAM RULES AND REQUIREMENTS ARE TO BE FOLLOWED FULLY,  
AND ARE NON-NEGOTIABLE.**