



FAMILY LAW TREATMENT COURT (FLTC)

Superior Court of California, County of Santa Clara

PARTICIPANT HANDBOOK

Revised 10/2024

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FAMILY LAW TREATMENT COURT MISSION AND GOALS

Mission Statement

Family Law Treatment Court (FLTC) provides a unique opportunity for parents committed to overcoming substance abuse and co-occurring mental health challenges. Through judicial oversight and enhanced access to comprehensive treatment services, FLTC supports parents in their recovery journey, aiming to improve the safety and welfare of your children. By participating in FLTC, parents receive the support needed to make positive life changes, strengthen their relationships with their children, and build a healthier, more stable future for your families.

Goal #1

Assist participants in recovering from substance abuse and co-occurring mental health disorders by providing access to comprehensive treatment services and judicial oversight.

Goal #2

Assist participants in making positive changes in their lives and improve their relationships with their child(ren), ensuring a better environment for their growth and development.

Goal #3

Connect families to treatment services to improve the safety, welfare, and long-term outcomes for children involved in family law cases.

WELCOME TO FAMILY LAW TREATMENT COURT

As a participant of Family Law Treatment Court (FLTC), you are expected to follow the outlined below and comply with all child custody and visitation court orders issued by your All-Purpose Judge (APJ). This handbook provides you with information about FLTC. We encourage you to share this handbook with your family and friends, so they understand your commitment to becoming a clean and sober parent.

What is Family Law Treatment Court? FLTC is a voluntary, court-supervised program for parents with children involved in custody hearings in Family Court. **The program typically takes one year to complete, but the duration may vary depending on your progress and commitment to recovery.** The goal of FLTC is to help you achieve sobriety and become a better parent, enabling you to maintain custody, obtain custody, or increase your parenting time.

Recovery from addiction and becoming a sober parent means developing self-sufficiency and accountability, both of which are measures of success. The FLTC team, which includes the FLTC Judge, FLTC Resource Specialist, and your treatment provider, supports you throughout your recovery process and your family law case. One of the major benefits of participating in FLTC is the opportunity for increased time with your children as you progress in your recovery. Additionally, you will feel better physically and emotionally by staying clean and sober.

What Should I Expect in FLTC?

As an FLTC participant, you will be required to attend regular FLTC hearings to review your progress. At each court appearance, you will be given a return court date, and the FLTC judge will discuss your progress. A **week before** each court hearing, you must provide your Resource Specialist with the following:

1. Meeting slips documenting your attendance at NA, AA or other self-help meetings (for virtual meetings, you must provide email verification from the meeting secretary).
2. A Client Status Report (CSR) from your treatment program
3. A sponsor letter.

4. Any certificates of completion or therapy letter.

Your court appearances will generally occur every two to six weeks based on your progress. While we allow virtual appearances for parents, your first FLTC court date must be in person and all future hearings can be attended in person or virtually. If you are not compliant with the program or are struggling in your recovery, you will be required to attend court more frequently and in person.

Each FLTC participant in good standing and compliant with all FLTC requirements is entitled to a review hearing with their All-Purpose Judge (APJ) every 120 days, contingent on providing all documentation a week before each FLTC hearing. These review hearings are scheduled by the FLTC Resource Specialist. During the review hearing, your APJ will assess the progress you have made in your recovery and may modify orders regarding visitation and custody.

The FLTC Resource Specialist will provide your APJ, the opposing party, and attorneys, including minor's counsel, with a progress report that includes your testing results, the step you are currently on with your sponsor, your compliance with meeting attendance (three times a week), and any Intensive Outpatient (IOP) or Outpatient (OP) information. The opposing party and attorneys, including minor's counsel, will be notified of review hearings, and are required to attend. The APJ may decide to defer making any changes in custody or visitation until all parties are present and may also decide to defer making any changes in custody or visitation until all parties are present and may also decide against making changes based on other evidence that raises concerns about your parenting time.

Confidentiality of Testing Results

Copies of your testing results are considered confidential and will be released only to designated persons, which may include your treatment provider or yourself, if an email with the request is sent to the resource specialist in a timely manner. You can also obtain test results directly from the testing lab. A positive test, an unexcused missed test, or a dilute test, as well as any relapses or setbacks in your treatment, may result in modifications to your treatment plan. An emergency review hearing may be

scheduled with your APJ as needed. We are here to support you during difficult times and encourage you to contact the FLTC Resource Specialist for assistance.

FLTC RULES and INCENTIVES

All FLTC participants are required to comply with the following rules. Failure to regularly comply with any or all rules may result in termination from FLTC.

- 1. Treatment Program:** Enroll in and complete an outpatient and/or inpatient treatment program. Provide a Client Status Report (CSR) from your program counselor to the Judge and the FLTC Resource Specialist before each FLTC hearing. You may also have your CSR emailed to the FLTC Resource Specialist at FLTC@scscourt.org. Please discuss any confidentiality concerns with the FLTC Resource Specialist before authorizing your treatment provider to share information.
- 2. Meeting Attendance:** Attend a minimum of three 12-Step or other approved self-help meetings per week (such as Alcoholics Anonymous or Narcotics Anonymous). You must bring signed meeting slips or, for virtual meetings, provide e-mail verification from the meeting secretary at each court date. Each meeting attended should be confirmed with a stamp or a signature from the secretary. Meetings cannot be stacked on the same day; only one meeting will count per day. If your meeting slips lack a stamp or signature, you will be considered non-compliant. There may be times when the Judge or Resource Specialist requires you to attend more than three meetings a week or complete 90 meetings in 90 days. If you are not yet enrolled in an outpatient/inpatient program, you must attend at least five 12-Step meetings per week until enrollment.
- 3. Sponsor Requirements:** Find a sponsor who can help you work through a 12-step program. The sponsor must be of the same gender, have at least 10 years of sobriety, and be a personal example of recovery as outlined in the Twelve Steps. Your sponsor must be willing to devote time and effort to supporting you

in your recovery. A sponsor letter addressing your progress must be provided to the court at every FLTC hearing.

- 4. Drug and Alcohol Testing:** Participate in random drug and alcohol tests at FLTC's testing facility or another approved site. Reduced cost testing is available only at FLTC's contracted lab. FLTC has the right to request that you submit to a random drug/alcohol test at any time. You must have payment (by cash or credit card) and identification when you go to the testing lab. All test collections are observed by laboratory staff. **If you bring other people with you (children, friends, family), they will be asked to wait in the waiting room.**

TESTING FACILITY ADDRESS AND HOURS:

DNA & Drug Screening Laboratory

242 Meridian Avenue Suite A, San Jose, California 95126

(408) 993-9998

Hours: Monday through Friday: 7:30 am to 4:00 pm (*hours subject to change without notice*)

5. Court Conduct and Compliance:

- FLTC utilizes various incentives to encourage you on your journey to sobriety. Incentives for progress may include a star on the star board, bus tokens, gift cards or sobriety literature.
- Do not bring drugs, alcohol, paraphernalia, or weapons into court, as such conduct may result in your arrest by the Sheriff's deputies.
- Attend all FLTC hearings on time. Failure to appear on time may result in termination from the program.
- Obey all court orders and laws.
- Conduct yourself respectfully towards the FLTC Resource Specialist, treatment providers, and your All Purpose Judge.
- Be honest and consistent. Honesty is crucial for achieving sobriety and success in life and reaching your full potential as a parent. Without honesty, the FLTC Judge and Court team will not know what you need and, therefore, cannot help. This includes being honest about pending

criminal cases, relapses, and any questions you might have about the FLTC program.

DRUG/ALCOHOL TREATMENT

You will be referred to a Substance Use and Treatment Services (SUTS) counselor for an assessment of your needs and a referral to a treatment program. If you have private insurance, the FLTC Resource Specialist may request that you contact your medical provider for a referral. All program fees are your responsibility. It is important that you sign a release form with your treatment program to allow the FLTC Resource Specialist to communicate with your counselor and receive CSRs. You are also responsible for providing the court with a CSR at each FLTC and review hearing. The FLTC Resource Specialist will contact your treatment program counselor regularly for updates and may share concerns from the FLTC team. If you are struggling in your recovery or relapse, the Court may require you to participate in a residential treatment program, a higher-level outpatient program, or an aftercare program. You must successfully complete a treatment program to graduate from FLTC.

DRUG AND ALCOHOL TESTING

While participating in FLTC, you must abstain from all illicit drug use, alcoholic beverages, marijuana (THC), and any products containing illegal drugs or alcohol. If you are taking any prescription or non-prescription medication, you must provide a complete list of all medications to your FLTC Resource Specialist for review by the FLTC Judge. You may also be asked to bring in your medical prescriptions.

FLTC contracts with DNA & Drug Screening Laboratory in San Jose for all drug and alcohol testing. The lab uses a 10-panel drug test and the 80-hour alcohol test (EtG). If you are out of the area on business or vacation, you are still required to test. You must find an approved testing laboratory and have the test results emailed to the FLTC Resource Specialist. If you choose to test at another facility, it must follow the same testing guidelines, including a minimum of a 10-panel drug test with an 80-hour ETG observed test. You are responsible

for any fees charged by the testing facility. You must notify the FLTC Resource Specialist when you will be away and obtain approval for the testing facility in advance.

The actual random testing costs may vary depending on your ability to pay, the type of test required, and available program funding. All participants are expected to contribute a minimum of \$55.00 toward the cost of the test fee. You will be advised by your Resource Specialist if there are any changes to the cost. Each client's ability to pay will be assessed individually by the FLTC Resource Specialist, and the fee waiver process will be discussed if necessary. All fees are due at the time of testing. Fee subject to change without notice.

Important Information About Missed/Positive/Dilute Tests and Termination

Every drug test produces one of three results:

Negative: No drugs were detected.

Positive: Drugs were detected.

Dilute: The urine sample was so dilute that a reliable test result was not possible; a dilute test is generally deemed the equivalent of a positive drug test result.

Notification will be sent to the opposing party and all attorneys involved in the case **for all missed, dilute and positive tests, as well as for termination or voluntary withdrawal from the FLTC program. If you have unsupervised access to your child (ren) and have a missed, positive or multiple dilutes, an emergency review hearing will be scheduled immediately with your APJ.** Remember the Court's first priority is the safety of your child(ren). Missed, dilute and positive tests may also be discussed with your treatment provider if the FLTC team observes a pattern of such tests and determines that these results may better inform your treatment experience. If you would like to request a confirmation test after a positive result, you are responsible for all fees associated with the confirmation test.

TWELVE STEP MEETINGS

You are required to attend a **minimum of three 12-step meetings per week**, such as Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) or other approved self-help

program. If you are not yet enrolled in an outpatient or inpatient program, you must attend at least five 12-step meetings per week until enrollment. Other group recovery meetings may be acceptable, and the FLTC Resource Specialist can help you identify alternatives. Frequent attendance at meetings is particularly important at the beginning of your recovery process to help you develop trust and form bonds with other recovering addicts and alcoholics. Similar meetings, like Al-Anon, are available for your family members to better understand your recovery journey and how they can support you. The FLTC Resource Specialist will help with referrals to community resources for you and your family. We encourage you to involve your family in meetings and you may bring them to court with you.

GRADUATION

Upon successful completion of the FLTC program, you will graduate. The requirements for graduation include:

1. Demonstrated sobriety.
2. Fulfilled all drug testing requirements.
3. Completed an approved drug/alcohol inpatient or outpatient treatment program.
4. Consistently attended at least three (3) 12-Step (such as AA/NA) meetings a week.
5. Completed the 12-step program with your sponsor.
6. Completed all FLTC exit paperwork.
7. Obeyed all laws and court orders.
8. Submitted all paperwork regarding your treatment in a timely matter before every FLTC/APJ hearing.
9. Attended FLTC hearings on time.

You may request a graduation date from your FLTC Resource Specialist. The Resource Specialist will then review your request with the FLTC Judge, and the Judge will discuss

your request with you at the next FLTC hearing. You may not present your request for a graduation date during an FLTC hearing.

Graduating from FLTC is a significant accomplishment and may be considered when your APJ evaluates any changes in custody and/or visitation of your children. At your graduation, the Judge will present you with a Graduation Certificate during a brief ceremony at the beginning of a regularly scheduled FLTC calendar. The Judge may ask you to share a little about your recovery journey. Please feel free to bring family, friends, and/or your sponsor to the ceremony. A photograph of you, the Judge, and any other person you would like included will be taken to commemorate the event.

TO ENROLL IN FLTC

To enroll in the FLTC program, please call the FLTC Hotline at 408-534-5769 or email the FLTC team at FLTC@scscourt.org.

An FLTC Resource Specialist will contact you to schedule an intake appointment.

