

Eau Claire County Treatment Courts Collaborative

Frequently Asked Questions (FAQ)

TRIAGE TEAM

Q: *What is the Eau Claire County Treatment Courts Triage Team?*

A: The Triage Team is a multi-disciplinary group of treatment court stakeholders who meet on a weekly basis to discuss treatment court referrals, determine whether persons referred are **1) eligible** and **2) appropriate** for one or more courts and, if so, the most appropriate court.

Q: *What is the basis for determining whether a referred person is “eligible and appropriate” for a court?*

A: The Triage Team uses the process described below to determine eligibility and appropriateness.

Eligibility

Upon referral of a person to a treatment court, the Triage Team first reviews the application for preliminary eligibility criteria before deciding whether to proceed with further screening activity.

Preliminary eligibility criteria include age (18 or older), residency (Eau Claire County) and type of offense. *

If a person meets preliminary eligibility criteria, the Team then assigns responsibility for coordinating screening activities based upon the information provided on the Treatment Courts Referral Form.

Standard screening and assessment instruments presently include the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS), TCU Drug Screen II, Correctional Mental Health Screen, PTSD Checklist-Civilian, TCU Criminal Thinking Scales and University of Rhode Island Change Assessment (URICA). Some of these tools are used to help determine eligibility, and others are used to help identify potential treatment needs. In some cases, the person coordinating screening activities (i.e., the Lead Coordinator) also requests medical records or conducts other activities needed to determine the referred person’s treatment needs.

Eligibility criteria include but are not limited to risk level, diagnosis and length of supervision (probation or extended supervision) remaining. Criteria for each court are summarized in the [Eligibility Grid](#).

Appropriateness

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Appropriateness refers to a person's willingness to participate in the court, his or her acknowledgement of a substance abuse or mental health treatment need and other factors that may impact the person's ability to effectively participate in the court. The Lead Coordinator meets with the referred person to determine appropriateness.

After reviewing all information presented by the Lead Coordinator, the Triage Team decides whether the person qualifies for acceptance into a treatment court and, if so, which available court provides the best prospect for success.

Q: What does it mean when the Triage Team "accepts" a referred person into a treatment court?

A: "Acceptance" simply means that the Triage Team has found a referred person eligible and appropriate for a treatment court.

Q: If the Triage Team "accepts" a person into a treatment court, is that person automatically admitted into the court?

A: No. This only means that the Triage Team has found the person eligible and appropriate for a treatment court. There may be other factors that prevent a person from being admitted to a treatment court.

If the person is being referred as a result of pending charges, the sentencing judge may or may not sentence that person to treatment court. If the person is sentenced to treatment court, the Judgment of Conviction (JOC) will make participation in the court a condition of probation.

If the person is being referred as an alternative to revocation (ATR), the Department of Corrections (DOC) agent of record must sign and submit a formal ATR (DOC-250) and amend the conditions of probation to include treatment court participation prior to admission to the court.

If the person is being referred for case management reasons (i.e., the need for intensive supervision), the DOC agent of record must alter the conditions of probation to include treatment court participation prior to admission to the court.

Even if the team accepts an applicant and the above conditions are met, the person may be placed on a Wait List or Eligibility List if there is not sufficient capacity in the court to admit all accepted persons.

In addition, the referred person must agree to sign all necessary releases of information and the Participant Agreement in order to be admitted to the court.

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Finally, the admission of a person found eligible and appropriate for a treatment court is subject to the availability of that person, depending upon pending charges or warrants. If a person is found eligible and appropriate, but the availability of that person for participation in a treatment court is unclear, the person shall be placed on an Eligibility List pending determination of availability. If the person is not available for participation in a treatment court within 60 days, he or she will need to be re-referred in order to be considered for treatment court acceptance.

Q: Is a judge compelled to sentence a participant to a treatment court if the Triage Team finds a person eligible and appropriate?

A: No. There may be other factors not considered by the Triage Team that impact the sentence or revocation decision.

Q: How are extended supervision cases handled upon re-entry to the community from prison?

A: If treatment court participation is included as a condition of extended supervision (ES), the DOC agent responsible for re-entry planning is also responsible for submission of a Treatment Court Referral Form within 60 days prior to release from prison. Upon release, the referred person shall contact the Lead Coordinator assigned within 30 days to coordinate screening activities.

*As a recipient of the Wisconsin Treatment Alternatives and Diversion (TAD) Grant, Eau Claire County is required to restrict participation in the treatment courts in the following instances:

The person has one or more prior convictions for a felony involving the use or attempted use of force against another person with the intent to cause death or serious bodily harm.

The person has been charged with or convicted of an offense in a pending case and, during the course of the offense, the person carried, possessed, or used a dangerous weapon, the person used force against another person, or a person died or suffered serious bodily harm.

The Eau Claire County Treatment Courts Collaborative Violent Offender Policy lists those crimes that may preclude an applicant from participation in a treatment court.