



SUPREME COURT OF MISSISSIPPI

ADMINISTRATIVE OFFICE OF COURTS

ADULT MISDEMEANOR DRUG INTERVENTION COURT RECERTIFICATION COMPLIANCE CRITERIA

This document summarizes the criteria to be used by the AOC to recertify adult misdemeanor drug intervention courts. It includes requirements from the Mississippi Code (Rev. 2019), the Mississippi Adult Drug Intervention Court Rules (Rev. 2021), and the 10 Key Components of Drug Courts (NADCP, 1997). Unless otherwise noted, a citation refers to the MS Adult Drug Intervention Court Rules. This criteria also includes the Adult Drug Court Best Practice Standards, which courts must strive to uphold “to the best of their abilities and access to resources allow.” Rule Section 6(a).

Please review this compliance criteria to ensure that your court program’s policies and procedures, documents, forms, etc. are in compliance before submitting your court’s application for recertification and supporting documentation. All sample forms referenced in this document are available to be downloaded at <https://courts.ms.gov/trialcourts/interventioncourts/interventioncourt.php>. If the AOC determines that your court is not in compliance with any of the following requirements, with the exception of the Adult Drug Court Best Practice Standards, your court will receive a list of findings which must be corrected for your court to retain its Certificate of Approval.

This document is primarily for your reference. However, the entire document should be read and the final page signed attesting that you understand the requirements specified therein. The signed final page (p. 16) should be returned with your application for recertification and other supporting documentation.

SECTION I. THE 10 KEY COMPONENTS OF DRUG COURTS

See Rule Section 5(b), “In order for a certified adult drug intervention court to secure and retain a certificate of approval, it must demonstrate compliance with the *key components*”)

1. *Component 1* – Drug courts integrate alcohol and other drug treatment services with justice system case processing.
2. *Component 2* – Using a nonadversarial approach, prosecution and defense counsel promote public safety while protecting participants’ due process rights.
3. *Component 3* – Eligible participants are identified early and promptly placed in the drug court program.
4. *Component 4* – Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
5. *Component 5* – Abstinence is monitored by frequent alcohol and other drug testing.
6. *Component 6* – A coordinated strategy governs drug court responses to participant compliance.
7. *Component 7* – Ongoing judicial interaction with each drug court participant is essential.
8. *Component 8* – Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. *Component 9* – Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
10. *Component 10* – Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

SECTION II.

THE ADULT DRUG COURT BEST PRACTICE STANDARDS

(See Rule Section 6(a) “All adult drug intervention courts will strive, to the best of their abilities and access to resources allow, to uphold the Adult Drug Court Best Practice Standards . . .”)

11. *Standard I – Target Population*

Eligibility and exclusion criteria for the Drug Court are predicated on empirical evidence indicating which types of offenders can be treated safely and effectively in Drug Courts.

Candidates are evaluated for admission to the Drug Court using evidence-based assessment tools and procedures.

12. *Standard II – Equity and Inclusion*

Individuals who have historically experienced sustained discrimination or reduced social opportunities because of their race, ethnicity, gender, sexual orientation, sexual identity, physical or mental disability, religion, or socioeconomic status receive the same opportunities as other individuals to participate and succeed in the Drug Court.

13. *Standard III – Roles and Responsibilities of the Judge*

The Drug Court judge stays abreast of the current law and research on best practices in Drug Courts, participates regularly in team meetings, interacts frequently and respectfully with participants, and gives due consideration to the input of other team members.

14. *Standard IV – Incentives, Sanctions, and Therapeutic Adjustments*

Consequences for participants’ behavior are predictable, fair, consistent, and administered in accordance with evidence-based principles of effective behavior modification.

15. *Standard V – Substance Use Disorder Treatment*

Participants receive substance abuse treatment based on a standardized assessment of their treatment needs. Substance abuse treatment is not provided to reward desired behaviors, punish infractions, or serve other nonclinically indicated goals.

Treatment providers are trained and supervised to deliver a continuum of evidence-based interventions that are documented in treatment manuals.

16. *Standard VI – Complementary Treatment and Social Services*

Participants receive complementary treatment and social services for conditions that co-occur with substance abuse and are likely to interfere with their compliance in Drug Court, increase criminal recidivism, or diminish treatment gains.

17. *Standard VII – Drug and Alcohol Testing*

Drug and alcohol testing provides an accurate, timely, and comprehensive assessment of unauthorized substance use throughout participants’ enrollment in the Drug Court.

18. *Standard VIII – Multidisciplinary Team*

A dedicated multidisciplinary team of professionals manages the day-to-day operations of the Drug Court, including reviewing participant progress during pre-court staff meetings and status hearings, contributing observations and recommendations within team members’ respective areas of expertise, and delivering or overseeing the delivery of legal, treatment, and supervision services.

19. *Standard IX – Census and Caseloads*

The Drug Court serves as many eligible individuals as practicable while maintaining continuous fidelity to best practice standards.

20. *Standard X – Monitoring and Evaluation*

The Drug Court routinely monitors its adherence to best practice standards and employs scientifically valid and reliable procedures to evaluate its effectiveness.

SECTION III.

RULE AND STATUTORY REQUIREMENTS

POLICY AND PROCEDURE MANUAL

21. A misdemeanor intervention court must have a written policy and procedure manual to govern the day-to-day operations of the intervention court. Section 20(a).
22. A misdemeanor intervention court's policy and procedure manual must:
 - (a) Incorporate the 10 Key Components into its policies, procedures, and practices. Section 20(a)(1)(A).
 - (b) Incorporate evidence-based best practices into its policies and practices. Section 20(a)(1)(B).
23. A misdemeanor intervention court must do the following in regards to its manual:
 - (a) Update its policy and procedure manual as needed and timely provide written updates to the AOC for review. Section 20(a)(1)(C).
 - (b) Make its policy and procedure manual available to the intervention court team and staff. Section 20(a)(1)(D).
 - (c) Operate consistently with the policies and procedures contained in the manual. Section 20(a)(1)(E).
24. A misdemeanor intervention court policy and procedure manual must contain:
 - (a) A "Goals and Objectives" section that clearly reflects the misdemeanor intervention court's philosophy and guides the operation of the misdemeanor intervention court and the delivery of services. Section 20(a)(2)(A).
 - (b) A "Team Member Roles" section that identifies your court's lines of authority, identifies all staff positions, accurately reflects current misdemeanor intervention court practices, and includes a description of all staff functions. Section 20(a)(2)(B).
 - (c) A "Disparate Impact Statement" section that addresses your court's policy and practice of nondiscrimination in providing intervention court services, which must address nondiscrimination on the basis of race, gender, sexual orientation, age, religion, ethnicity, disabilities, and the ability to pay. Section 20(a)(2)(C)(1-8).
 - (d) A description of the criteria for the acceptance of participants who are eligible to receive one (1) or more services provided by the misdemeanor intervention court. Section 20(a)(2)(D).
 - (e) A written policy and procedure for conducting an orientation for each participant, and when appropriate, the participant's family. Section 20(a)(2)(E); *see also* Section 20(c).
 - (f) The risk and needs assessment and clinical assessment tool(s) used to identify your court's target population. Section 20(a)(2)(D); *see also* Miss. Code Ann. § 9-23-11(2)(a)(i).
 - (g) A written policy and procedure, conforming to applicable state and federal laws, that ensures the confidentiality and security of participant records. Section 20(a)(2)(F); *see also* Section 20(d)(1).
 - (h) A written policy and procedure in place for recording participant progress in CaseWorx. Section 20(a)(2)(G); *see also* Section 20(f). All participant progress should be recorded contemporaneously in CaseWorx but not later than seven (7) days from the end of the calendar month in which the progress occurred. Section 19(a)(2)(G).

***If your court's Policy and Procedure Manual or any other court documentation references DCCM, please update.**
 - (i) A "Successful Completion and Termination Procedure" section. Section 20(a)(2)(H). This section must have a written policy and procedure for the following:
 - (1) Termination of a participant's court-imposed obligation to participate in the intervention court. Section 20(a)(2)(H)(1).

- (2) Providing written notice to the court after the participant has successfully complied with the treatment plan and the participation agreement. Section 20(a)(2)(H)(2)(a).
- (3) Providing written notice to the court after the participant has violated any requirement of the treatment plan or the participation agreement. Section 20(a)(2)(H)(2)(b).
- (j) A written policy and procedure for scheduling and conducting chemical tests. Section 20(a)(2)(I) and Section 20(g).
- (k) A written policy and procedure regarding regular staffings to discuss the compliance or non-compliance, progress, sanctions, or termination of participants prior to the participants' scheduled court appearances. Section 20(a)(2)(J); *see also* Section 20(h).
- (l) A documented participant fee schedule and a documented revenue schedule. Section 20(a)(2)(L).
- (m) A copy of each form used by the intervention court. Section 20(a)(2)(M).

TREATMENT/INTERVENTION SERVICES

25. The misdemeanor intervention court shall provide for eligible individuals, either directly or through referrals, a range of necessary court intervention services, including be not limited to the following: Miss. Code Ann. § 9-23-13(1)
- (a) Screening using a valid and reliable assessment tool effective for identifying alcohol and drug dependent persons for eligibility and appropriate services
 - (b) Clinical assessment
 - (c) Education
 - (d) Referral
 - (e) Service coordination and case management
 - (f) Counseling and rehabilitative care
26. For a DUI offense, if the person has 2 or more DUI convictions, the court shall order the person to undergo an assessment that uses a standardized evidence-based instrument performed by a physician to determine whether the person has a diagnosis for alcohol and/or drug dependence and would likely benefit from a court-approved medication-assisted treatment (MAT). Miss Code §9-23-13(1)(b).
- (a) This assessment must be performed either by a physician or nurse practitioner.
 - (b) Based on the results of the assessments, the misdemeanor intervention court must refer the participant to rehabilitative programs that offer MAT.
27. Any inpatient treatment or inpatient detoxification programs ordered by the misdemeanor intervention court shall be certified by the State Department of Mental Health (DMH), other appropriate state agency, the equivalent agency of another state, or the appropriate accreditation and licensing board. Section 20(i)(1); *see also* MS Code Ann. § 9-23-13(2).
28. All addiction [substance use disorder] treatment or mental health providers, to which participants are referred, shall be certified by the State DMH, another appropriate state agency, or the equivalent agency of another state. Section 20(i)(1).
- (a) Written confirmation of each provider's license and/or current **must be on file with the misdemeanor intervention court and with the AOC**. Section 20(i)(1).
 - (b) A misdemeanor intervention court shall make available the option for participants to use court-approved medication-assisted treatment (MAT) while participating in the programs of the court in accordance with the recommendations of NDCI. Miss. Code Ann. § 9-23-13(3).

PARTICIPATION AGREEMENT

29. A misdemeanor intervention court must develop and utilize a written participation agreement. Section 20(e). *A sample Participation Agreement is available from the AOC Intervention Court Website.*
30. The participation agreement must contain each of the following: Section 20(e)(1)(A-J).
- (a) the county/municipality of jurisdiction of the misdemeanor intervention court;
 - (b) all parties to the participation agreement;
 - (c) terms under which the participant enters the program, whether as a result of a guilty plea, a condition of probation, or the result of a violation of probation;
 - (d) the case number or cause number;
 - (e) the length of the misdemeanor intervention court program;
 - (f) a list of misdemeanor intervention court requirements and participant responsibilities;
 - (g) the effect of successful completion of misdemeanor intervention court on the participant's case;
 - (h) consequences to the participant of unsuccessful completion of or termination from the misdemeanor intervention court;
 - (i) full disclosure of any and all financial obligations that may be imposed on an intervention court participant. These financial obligations shall not conflict with the sentencing order; and
 - (j) a statement indicating that participation is contingent upon the participant's consent to the discussion in open court of information that would otherwise be confidential, relating to the participant's case and compliance
31. A misdemeanor intervention court must provide each participant the opportunity to review the participant agreement with the advice of counsel. Section 20(e)(2).
32. The participation agreement be signed by the following parties to the agreement. Section 20(e)(3).
- (a) misdemeanor intervention court coordinator
 - (b) participant
 - (c) participant's defense counsel
33. The misdemeanor intervention court must keep a copy of the signed and dated participation agreement in the participant's record. Section 20(e)(3).
34. The misdemeanor intervention court shall provide a copy of the signed and dated participation agreement to the participant. Section 20(e)(3).
35. ***NEW*** Courts that refer participants to a treatment provider or a support group (AA/NA, 12-step, etc.) that has a religious component are encouraged to ask participants to complete a faith-based waiver form. *See, e.g. In re Garcia*, 24 P.3d 1091, 1093 (Wash. Ct. App. 2001). *A sample Faith-Based Waiver form is available from the AOC Intervention Court Website.*

ORIENTATION

36. The misdemeanor intervention court must have and observe a written policy and procedure for conducting an orientation for each participant. The orientation must include explanations of the following: Section 20(c)(1)(A-G).
- a. specific eligibility requirements for misdemeanor intervention court participation
 - b. services offered by the misdemeanor intervention court either directly or through referral

- c. requirements for successful completion of the misdemeanor intervention court, including a description of the scheduling and attendance requirements for court dates, chemical testing, day reporting, appointments with case managers or treatment providers, self-help and other group meetings, and other regularly scheduled requirements
 - d. conduct and behavior that could result in sanctions or termination from misdemeanor intervention court
 - e. possible sanctions for non-compliance with misdemeanor intervention court requirements
 - f. information about the treatment providers used by the misdemeanor intervention court
 - g. information about the cost to participants and the procedure and schedule for paying those costs (if applicable)
37. Misdemeanor intervention courts must have and observe an Orientation Acknowledgment Form to advise each participant in writing of the information required to be addressed in the orientation policy and procedure above (#36). This form must contain a signature and date line (1) for the participant indicating that the participant has been provided a copy of the form and understands the information provided and (2) for the misdemeanor intervention court staff member that conducted the orientation. The fully executed form or the signature page with the participant's original signature must be stored in the participant's record. Section 20(c)(2). *A sample Orientation Acknowledgment Form is available on the AOC Intervention Court Website.*
38. Misdemeanor intervention courts must have written referral agreements or contracts with its treatment services provider(s) that, at a minimum, include procedures for the following: Section 20(i)(2).
- a. initiation and acceptance of referrals
 - b. exchange of participant-related information
 - c. post-referral reporting by the treatment services provider that enables the misdemeanor intervention court to perform its participant-monitoring responsibilities

DRUG AND ALCOHOL TESTING

39. Misdemeanor intervention courts must have written policies and procedures in place for the (1) training of its specimen collection staff and (2) its chemical testing procedures. Section 19; *see also* Section 20(a)(2)(I), Section 20(g).

(A) Specimen Collection Staff Training

40. All employees, contractors, or volunteers of a misdemeanor intervention court performing specimen collection must have training and experience in each of the following: Section 19(a)(1-4).
- a. the administration of chemical tests
 - b. specimen collection
 - c. chain-of-custody and documentation procedures
 - d. confidentiality of specimen collection and chemical test results
41. Identified specimen collectors must receive proper training within ninety (90) days cumulatively from their date of first hire. Section 19(b). **Written documentation should be provided to the AOC that the appropriate staff has been trained pursuant to #40** Section 19(c).

(B) Chemical Testing Procedures

42. The misdemeanor intervention court must establish and follow a written policy and procedure for scheduling and conducting chemical tests that must address the following items: Section 20(g)(2)(A)-(I).
- a. specific method or methods of chemical testing used by the misdemeanor intervention court
 - b. what samples the misdemeanor intervention court collects and tests, such as urine, blood, breath, sweat, saliva, and hair

- c. substances identified by tests
- d. frequency and randomization of drug testing schedules
- e. circumstances requiring a confirmation test, if any
- f. the misdemeanor intervention court's procedures for confirmation including the type of confirmation test used
- g. party responsible for paying the cost of a confirmation test
- h. collection procedures including chain-of-custody
- i. procedures in place to ensure samples, reagents, and testing equipment are in a secure environment

STAFFINGS

43. The misdemeanor intervention court must have a written policy and practice regarding staffings which addresses the discussion of the following during staffings: Section 20(h).
- a. compliance or non-compliance of participants
 - b. progress of participants
 - c. sanctions
 - d. termination of participants prior to participants' scheduled court appearances
44. All following members of the misdemeanor intervention court team must attend and participate in staffings. Section 12(a)
- a. misdemeanor intervention court judge
 - b. local prosecuting attorney (or a representative from the prosecuting attorney's office)
 - c. misdemeanor intervention court coordinator
 - d. local criminal defense attorney
 - e. one or more local treatment providers
 - f. community supervision officer
 - g. law enforcement officer
45. Staffings shall occur at the same frequency of the court status hearings. Section 20(h).
- a. staffings shall occur at least every two weeks
 - b. staffings shall preferably be held face-to-face
 - c. staffings shall be closed to the public

STATUS HEARINGS/COURT HEARINGS

46. The misdemeanor intervention court must establish a written policy and practice regarding regular status or court hearings that shall occur at the same frequency of the misdemeanor intervention court staffings (no less than every 2 weeks). Section 20(h, j).
47. Only the needed members of the misdemeanor intervention court team should be available for a status or court hearing. Section 20(j).

PARTICIPANT ELIGIBILITY

48. Misdemeanor intervention courts must exclude potential participants, whose pending crimes or convictions render them ineligible for intervention court, based on the following criteria defined in Miss. Code Ann. § 9-23-15:
- a. No felony convictions for crimes of violence as defined in Miss. Code Ann. § 97-3-2 within the previous ten (10) years

- b. The crime before the court cannot be a crime of violence as defined in Miss. Code Ann. § 97-3-2
 - c. Other criminal proceedings alleging commission of a crime of violence cannot be pending against the participant.
 - d. The participant cannot currently be charged with burglary of a dwelling under Miss. Code Ann. § 97-17-23(2) or § 97-17-37.
 - e. The crime before the court cannot be a charge of driving under the influence of alcohol or any other drug or drugs that resulted in the death of a person.
 - f. The crime charged cannot be one of trafficking in controlled substances under Miss. Code Ann. § 41-29-139(f), nor can the participant have a prior conviction for same.
49. Upon request by a legally eligible defendant, an intervention court must screen the defendant for admission. Miss. Code Ann. § 9-23-15(4).
50. A member of the misdemeanor intervention court team (or a person designated by the team to conduct an eligibility screening) must do each of the following: Section 20(b)(1-3).
- a. determine the defendant's legal eligibility for intervention court under Miss. Code Ann. § 9-23-15
 - b. determine the defendant's eligibility for intervention court by providing for a clinical assessment of treatment needs
 - c. recommend the defendant to the misdemeanor intervention court team as a potential participant in the misdemeanor intervention court, if appropriate. Section 20(b)(1-3).

Preferably, this list of team members should be included in the misdemeanor intervention court's policy and procedure manual.

CONFIDENTIALITY PROTOCOL

51. Misdemeanor intervention courts must have a written policy and procedure, conforming to applicable state and federal laws, that ensures the confidentiality and security of participant records. Section 20(d)(1).
52. The misdemeanor intervention court must keep all records involving children and the contents thereof confidential, except as provided in Miss. Code Ann. § 43-21-261. (Miss. Code Ann. §§ 43-21-251(2), 259).
53. If a guest is allowed to attend a closed staffing for research or training purposes, the misdemeanor intervention court should require the guest complete a Guest Confidentiality Statement Form. Section 20(d)(1). *A sample Guest Confidentiality Statement Form is available on the AOC Intervention Court website.*
54. Participant files must be stored in a secure location, only accessible by appropriate intervention court staff. Section 20(d)(1).
55. Misdemeanor intervention courts must have and implement a Notice of Rights of Confidentiality Form to inform a participant of his or her privacy rights. Section 20(d)(2).
56. Misdemeanor intervention courts require each participant to sign a Consent for Disclosure Form to inform each participant in writing of the court's privacy policies and procedures and to obtain the necessary consent for the release of confidential information to specified individuals for certain purposes. Section 20(d)(2).
57. Notice of Rights of Confidentiality Forms and Consent for Disclosure Forms must follow the model forms provided by AOC. Section 20(d)(2). *These forms are available on the AOC Intervention Court website.*
- a. The Consent for Disclosure Form must contain a statement indicating that the participant understands that matters relating to the participant's case and compliance will be discussed in open court. Section 20(d)(2)(A).
 - b. The Consent for Disclosure Form must contain a signature and date line for the participant to indicate that the participant understands the rights described in the form. Section 20(d)(2)(B).
 - c. The Consent for Disclosure Form must contain a signature and date line for a witness. Section 20(d)(2)(C).

- d. The court must cross out or mark blank lines with “N/A” after the Consent for Disclosure Form has been completed and processed to ensure the forms cannot be altered after being signed by the participant. Section 20(d)(2)(D).
- e. The intervention court must keep the Consent for Disclosure Form with the participant’s original signature and date in the participant’s record. Section 20(d)(2).

DATA MANAGEMENT AND DOCUMENTATION

58. On the first day of employment for a new employee and prior to accessing CaseWorx, the misdemeanor intervention court coordinator is responsible for ensuring that the employee signs a CaseWorx Confidentiality Agreement provided by the AOC. Section 20(f)(4)(B). *The CaseWorx Confidentiality Agreement is available from the AOC Intervention Court website. A copy must be provided to the AOC.*
59. The misdemeanor intervention court coordinator shall be responsible for:
- a. maintaining an accurate and current list of all persons in his/her intervention court program with access to CaseWorx. Section 20(f)(4).
 - b. immediately blocking access to CaseWorx for any person/user who no longer works for the intervention court program. Section 20(f)(4).
 - c. assigning users their appropriate level of CaseWorx access. Section 20(f)(4)(A).
60. The misdemeanor intervention court shall use CaseWorx as its primary case management system to track client progress, including both financial and programmatic progress, from initial screening and throughout the program until release from the intervention court’s supervision. Section 20(f)(1).
61. The misdemeanor intervention court must record the following specific information, at a minimum, in CaseWorx in part for programmatic reporting purposes: Section 20(f-g); *see also* Miss. Code Ann. § 9-23-11(b).
- (a) all participant screens, regardless of acceptance or rejection
 - (b) criminal charges for all applicants
 - (c) reason for rejection of applicants
 - (d) whether participant enters on pre- or post-adjudication
 - (e) program admission, phase movement, and program completion/discharge
 - (f) violations committed
 - (g) new arrest, charges, and adjudications/convictions
 - (h) veteran status
 - (i) veterans receiving treatment from the VA
 - (j) community service hours
 - (k) days served in jail by sanctioned participants
 - (l) days of electronic monitoring
 - (m) all samples collected and tested for substances during the month, including number of substances tested on samples
 - (n) positive test results
 - (o) all confirmation tests
 - (p) inpatient and residential treatment program referrals, entry, and completion
 - (q) intensive outpatient treatment program entry and completion
 - (r) group and/or individual counseling/therapy referrals
 - (s) contact hours with treatment providers
 - (t) number of “drug-free” babies born to active female participants
 - (u) a participant regaining child custody or visitation rights
 - (v) receipt of GED or high school diploma
 - (w) vocational training
 - (x) post-secondary education
 - (y) reinstatement of driver’s license

- (z) incentives given
 - (aa) sanctions imposed
 - (bb) employment history
 - (cc) participant court fines (if applicable)
 - (dd) participant restitution (if applicable)
 - (ee) participant race, gender, and age
 - (ff) participant indigency determination at time of screening
 - (gg) date expungement granted (if applicable)
62. The misdemeanor intervention court must have and follow a policy and procedure to record all participant progress, both financial and programmatic, no later than seven (7) days from the end of the calendar month in which the progress occurred. Section 20(f)(2).
63. The misdemeanor intervention court's supervision or monitoring procedure must be capable of, at a minimum, determining participants who have: Section 20(f)(3).
- a. failed, as scheduled or required, to comply with the treatment plan
 - b. failed to comply with the participation agreement or with the rules of conduct of a service provider to which the participant was referred
 - c. been successfully discharged or unsuccessfully terminated by a service provider to which the participant was referred

PROGRAMMATIC DATA REPORTING

64. Each month, the misdemeanor intervention court shall collect and submit to the Administrative Office of Courts data specified in Miss. Code Ann. § 9-23-11(4)(a).
65. A misdemeanor intervention court must timely submit (by the 20th of the month) to the AOC via upload or email the completed monthly programmatic report, signed and dated by both the misdemeanor intervention court judge and the misdemeanor intervention court coordinator. Section 21(a).
66. The misdemeanor intervention court's programmatic report responses must comply with the programmatic report definitions provided by AOC. The misdemeanor intervention court must include with its programmatic report supporting documentation to reflect the activity of the previous month. Section 21(a).
67. The misdemeanor intervention court is responsible for maintaining a file of all documentation that ties participant progress to the monthly programmatic report. *Since CaseWorx is not a static database, documentation should be preserved from CaseWorx that matches the programmatic report on the reporting date.* Section 21(e).
68. The misdemeanor intervention court shall never destroy or discard any programmatic data and supporting documentation. Section 21(e). *(A court may preserve this documentation, along with participant files, physically and/or electronically).*

PERSONNEL MANAGEMENT

69. The misdemeanor intervention court should follow its county/municipality's written personnel policy and procedure manual. In addition: Section 13(a).
- a. **a copy of this personnel manual must be provided to the AOC.** Section 13(b).
 - b. a copy of this personnel manual must be kept on file at the misdemeanor intervention court. Section 13(b).

70. The county/municipality's personnel manual should include the following information: Section 13(a)(1)-(5). *If the county/municipality's policy and procedure/personnel manual does not address any of the policies listed below, the misdemeanor intervention court shall address the missing policy(ies) in its misdemeanor intervention court policy and procedure manual's personnel section.*
- a. employment procedures
 - b. rules for professional conduct
 - c. wages and benefits
 - d. vehicle and cell phone usage procedures
71. The misdemeanor intervention court's policy and procedure manual must include job descriptions for all misdemeanor intervention court personnel and volunteers which accurately reflect their actual job situations and describe the following for each position: Section 13(a)(5)(A)-(E).
- a. job title
 - b. qualifications
 - c. credentials (if applicable)
 - d. duties and responsibilities
 - e. reporting and supervisory responsibilities
72. If a misdemeanor intervention court judge has issued any judicial orders modifying the county or municipality's personnel policy and procedure manual for misdemeanor intervention court employees or staff, please provide these orders to the AOC. Section 13(a).
73. The misdemeanor intervention court must keep records for all staff that contain the following information: Section 13(c)(1)-(8).
- a. application or resume
 - b. credentials
 - c. licensure and/or credential verification, when applicable
 - d. performance evaluations
 - e. salary and position changes
 - f. documentation of staff development activities and continuing education activities
 - g. copies of all bonds
74. The following personnel documentation must be kept on file, kept up to date, **and provided to the AOC**. Section 13(d)(1)-(5).
- a. hire orders or letters
 - b. termination orders or letters
 - c. resumes including qualifications
 - d. copies of all licensing certificates
 - e. documentation of staff development and continuing education activities
75. Upon hiring an individual for employment, the misdemeanor intervention court must provide the employee's resume and licensing certificates to the Director of Intervention Courts. Section 13(e).
76. Upon increasing a misdemeanor intervention court employee's salary, the misdemeanor intervention court must notify the Director of Intervention Courts. Section 13(f).

MISDEMEANOR INTERVENTION COURT COORDINATOR

77. A misdemeanor intervention court coordinator must achieve and maintain professional status as defined in Section 14(a) and Section 17.
- At a minimum, to achieve professional status, a misdemeanor intervention court coordinator must have either:
- (1) a Bachelor's degree from an accredited four-year college or university; or

- (2) graduated from a standard four-year high school or equivalent (GED) and four (4) years of relevant experience.
78. If the misdemeanor intervention court judge is unable to find a coordinator with the above requirements, the judge must request a written waiver from the AOC prior to hiring the employee. Section 14(c).
79. If a waiver was granted by the AOC, the misdemeanor intervention court coordinator must gain professional status within the one year of hiring as required by Section 17(b).
80. A misdemeanor intervention court coordinator must retain professional status by documenting twelve (12) hours annually, every July 1 to June 30, of continuing education or training related to substance abuse and criminal justice issues. Section 17(c).
- a. A misdemeanor intervention court coordinator's personnel file must contain written confirmation of said training and **a copy of this documentation must be provided to the AOC.** Section 14(a).

CASE MANAGER

81. A case manager must achieve professional status as defined in Section 14(b) and Section 17 of the intervention court rules. At a minimum, to achieve professional status, a case manager must have either:
- (1) a Bachelor's degree from an accredited four-year college or university; or
 - (2) graduated from a standard four-year high school or equivalent (GED) and 4 years of relevant experience
82. If the misdemeanor intervention court judge is unable to find a case manager with the above requirements, the judge must request a written waiver from the AOC prior to hiring the employee. Section 14(c).
83. If a waiver was granted by the AOC, the case manager must gain professional status within one year of hiring. Section 17(b).
84. A case manager must retain professional status by documenting twelve (12) hours annually, every July 1 to June 30, of continuing education or training substance abuse and criminal justice issues. Section 17(c).
- a. A case manager's personnel file must contain written confirmation of said training **and a copy of this documentation must be provided to the AOC.** Section 16(c); *see also* Section 14(b).

MISDEMEANOR INTERVENTION COURT FIELD OFFICER

85. An intervention court field officer must meet the minimum experience and educational requirements as defined in Section 14(d) of the intervention court rules.
- To meet the minimum requirements, an intervention court field officer must have either:
- (1) a Bachelor's degree from an accredited four-year college or university in criminal justice, sociology, social work, psychology or a related field *and* one (1) year of experience in related work; or
 - (2) graduated from a standard four-year high school or equivalent (GED) *and* five (5) years of relevant experience *and* successful completion of the Mississippi Law Enforcement Officers Training Program (Miss. Code Ann. § 47-7-9(b)(Rev. 2015)
86. The misdemeanor intervention court **must provide written documentation to the AOC that the intervention court field officer is in compliance with all experience and educational requirements.** Section 14(f).

MISDEMEANOR INTERVENTION COURT TREATMENT COUNSELOR

87. A misdemeanor intervention court treatment counselor must meet the minimum experience and educational requirements as defined in Section 14(e) of the intervention court rules.

- (1) To meet the minimum requirements, an intervention court treatment counselor must have a Master's degree from an accredited four-year college or university in social work, counseling, or one of the behavioral sciences.

88. The misdemeanor intervention court **must provide written documentation to the AOC that the intervention court treatment counselor is in compliance with all experience and educational requirements.** Section 14(f).

MISDEMEANOR INTERVENTION COURT TEAM

89. The misdemeanor intervention court team shall consist, at a minimum, of the following: Section 12(a)(1-6).
- (a) misdemeanor intervention court judge
 - (b) local prosecuting attorney or a representative from the prosecuting attorney's office
 - (c) local defense attorney
 - (d) one or more local treatment providers
 - (e) misdemeanor intervention court coordinator
 - (f) community supervision officer
 - (g) law enforcement officer
90. The misdemeanor intervention court shall keep on file a list of the intervention court team members along with a description of each member's role and responsibilities, and **any changes to this list of members should be timely provided to the AOC.** Section 12(b). *Preferably, this list of team members should also be included in the misdemeanor intervention court's policy and procedure manual.*

FISCAL REQUIREMENTS

(A) FISCAL MONTHLY REPORTING

91. The misdemeanor intervention court timely must submit (by the 20th of each month) to the AOC an accurate Monthly Intervention Court Fiscal Reporting Form, signed and dated by the misdemeanor intervention court judge and also the preparer of the report, that details expenses incurred by the court during the previous month. Section 27(a). *Each intervention court's Fiscal Reporting Form is available on the AOC Intervention Court Website.*
92. The misdemeanor intervention court must also provide and maintain the reimbursement documentation requirements listed in Section 27(d) of the intervention court rules that tie the expenditures to the monthly report. Section 23(d).

(B) FEES AND FISCAL MANAGEMENT

93. Monies received from any source by a misdemeanor intervention court must be accumulated in a local misdemeanor intervention court fund and/or a separate budget department within the county or State Treasury and maintained by the County or Municipality's fiscal officer, to be used only for misdemeanor intervention court purposes. Miss. Code Ann. § 9-23-19(1); *see also* Section 7(f)(3)-(4).
94. All funds collected by a misdemeanor intervention court must be deposited in the misdemeanor intervention court's local fund on the day when collected or on the next business day thereafter. Miss. Code Ann. § 25-1-72.
95. A misdemeanor intervention court must have a Documented Participant Fee Schedule. Section 20(a)(2)(L). *A sample Documented Fee Schedule is available on the AOC Intervention Court website.*
96. A misdemeanor intervention court must have a Documented Revenue Schedule. Section 20(a)(2)(L). *A sample Documented Revenue Schedule is available on the AOC Intervention Court website.*
97. A misdemeanor intervention court must have established written procedures concerning the receipt of and accountability of fees or fines collected and other revenue or monies received. Section 7(f)(2-4).

98. All monies and/or revenue derived from intervention court operation deposited into the local misdemeanor intervention court fund. Section 7(f)(4).
99. All monies and/or revenue collected shall be used exclusively for misdemeanor intervention court related expenses. Section 7(f)(4).
100. A misdemeanor intervention court must have developed and implemented an accounting system with the capability to ensure financial transactions are thoroughly documented and handled in a uniform and consistent manner. Section 23(a).
101. Misdemeanor intervention courts that distribute gift cards must have an incentive policy that includes procedures for tracking the purchase, storage and distribution of gift card and other incentives with monetary value. Section 23(a). *A sample Incentive Policy is available from the AOC Intervention Court website.*
102. A misdemeanor intervention court must maintain a monthly file (that is readily available for review by the AOC) of all documentation that ties expenditures to its monthly fiscal report. Section 23(d).
103. A misdemeanor intervention court is responsible for maintaining records to support expenditures for a period of three (3) state fiscal years in addition to the state fiscal year in progress. Section 23(d).
104. A misdemeanor intervention court must timely submit (no later than sixty (60) days before the beginning of each program fiscal year) its annual request for program funding with accompanying budget detail to the AOC (on the designated AOC forms). Section 24(a).
 - a. A misdemeanor intervention court shall also submit any and all contracts or memorandums of understanding (MOU) associated with the submitted budget. These contracts should be current for the fiscal year and previously approved by the appropriate Board of Supervisors. Section 23(d).
105. A misdemeanor intervention court must have a current budget, and it is the responsibility of the misdemeanor intervention court coordinator to ensure the intervention court operates within its approved annual budget. Section 23(c-d).
106. A misdemeanor intervention court shall not maintain an independent bank account and/or petty cash. Section 7(f)(3).
107. If a misdemeanor intervention court collects monies directly, the misdemeanor intervention court must not accept cash. Section 7(f)(5)(D).
108. A list of the misdemeanor intervention court staff members assigned the responsibility of collection of monies shall be provided to the AOC. Section 7(f)(5)(A).
109. If a misdemeanor intervention court collects monies directly, the intervention court must ensure that the primary and secondary staff members assigned the responsibility of collection of monies are appropriately bonded **and provide to the AOC copies of all bonds issued to intervention court personnel.** Section 7(f)(5)(B-C).
110. A misdemeanor intervention court's contracts for contractual services must be approved and signed in the appropriate section by the local county's Board of Supervisors. Section 24(f)(2).
111. **Copies of any fully-executed contract(s) must be provided to the AOC.** Section 25(f)(3).
112. A misdemeanor intervention court team must adhere to the following traveling policies: Section 25(d)(1-4).
 - (a) Only misdemeanor intervention court personnel may use misdemeanor intervention court funding for travel/training purposes. Misdemeanor intervention court funding shall not be used for travel or training for court staff, other state or county staff, or any other outside individuals who do not work directly in the misdemeanor intervention court. Section 25(d)(1).
 - (b) Travel for commuting and daily mileage purposes is not approved through AOC funding. Section 25(d)(4).

- (c) Any misdemeanor intervention court program using state funds, approved through the AOC, shall be reimbursed for no more than 4 out-of-state trips per year (ie. 1 person on 4 trips or 4 persons on 1 trip). Section 25(d)(5)(A).
 - (d) All out-of-state travel shall be limited to intervention court specific training. Section 25(5)(B).
- 113. A misdemeanor intervention court employee is prohibited from receiving a check from the county/municipality made payable to said staff member in advance for the purchase of commodities, as the program is encouraged to always use the county's purchase order system to secure items. Section 25(e)(3).
- 114. **A misdemeanor intervention court must provide to the AOC a copy of the yearly audited misdemeanor intervention court inventory report provided by the county or municipality.** Section 25(g)(5).
- 115. A misdemeanor intervention court must understand and adhere to the reimbursement documentation requirements for the AOC in Section 27(d)(1-8).
- 116. In receiving donations, a misdemeanor intervention court must adhere to the following policies in regards to AOC fiscal reporting requirements:
 - (a) Receipts are submitted that show a donation along with any specific purposes attached, as well as the bonded misdemeanor intervention court personnel who received the money. Section 27(d)(9)(A).
 - (b) Paid invoices that show the spending of the donation for the purpose in which it was donated. Section 27(d)(9)(B)

**SECTION IV.
SIGNATURES**

By signing this form, I attest that I understand all information reported in this Compliance Criteria above and that any documentation being sent to the AOC for recertification is accurate and true to the best of my knowledge.

Misdemeanor Intervention Court Program: _____

Coordinator's Signature Printed Name Date

Judge's Signature Printed Name Date

This signed final page should be returned with your Juvenile Drug Intervention Court Recertification Application and other supporting documents.