



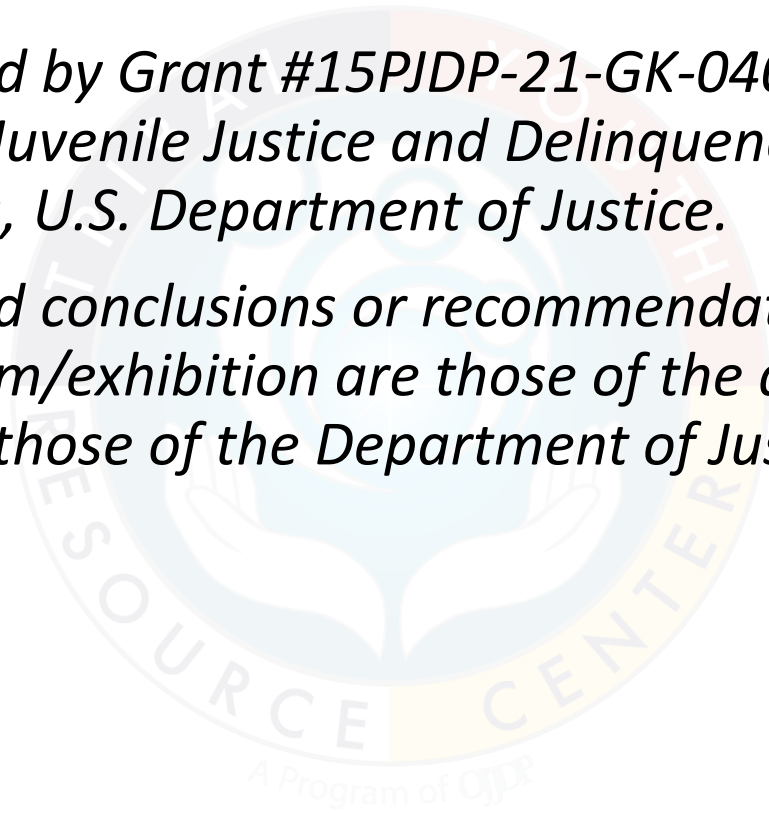
# Topic 5 – Case Management in JHW Courts & Programs



Tribal Youth Resource Center  
[www.TribalYouth.org](http://www.TribalYouth.org)

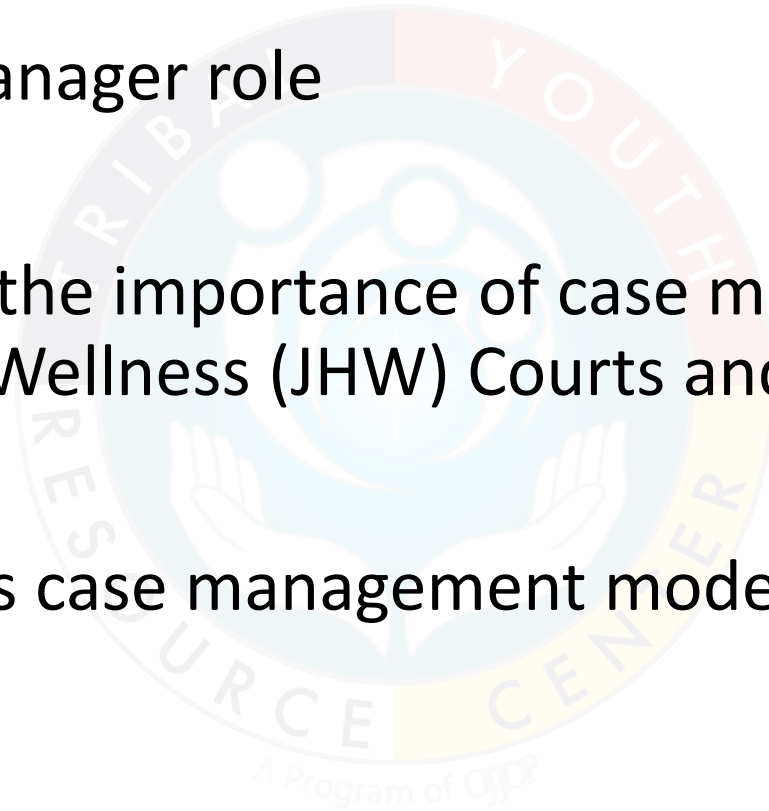
# ▶ BEFORE WE GET STARTED...

- *This project was supported by Grant #15PJDP-21-GK-04048-MUMU awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.*
- *The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect those of the Department of Justice.*



# ▶ LEARNING OBJECTIVES

1. Explore the Case Manager role
2. Review and discuss the importance of case management ethics for Juvenile Healing to Wellness (JHW) Courts and Programs
3. Consider the various case management models for case planning



# ▶ Breakout Exercise

## Instructions:

1. Rooms will be randomly assigned
2. There will be a facilitator to guide conversations
3. Turn on your camera if you can
4. Take space, make space – everyone having the opportunity to share
5. Every idea is valuable- no wrong thoughts

*We need everyone's wisdom for the greatest results*

# ▶ Breakout Exercise- Case Management in JHW Courts & Programs

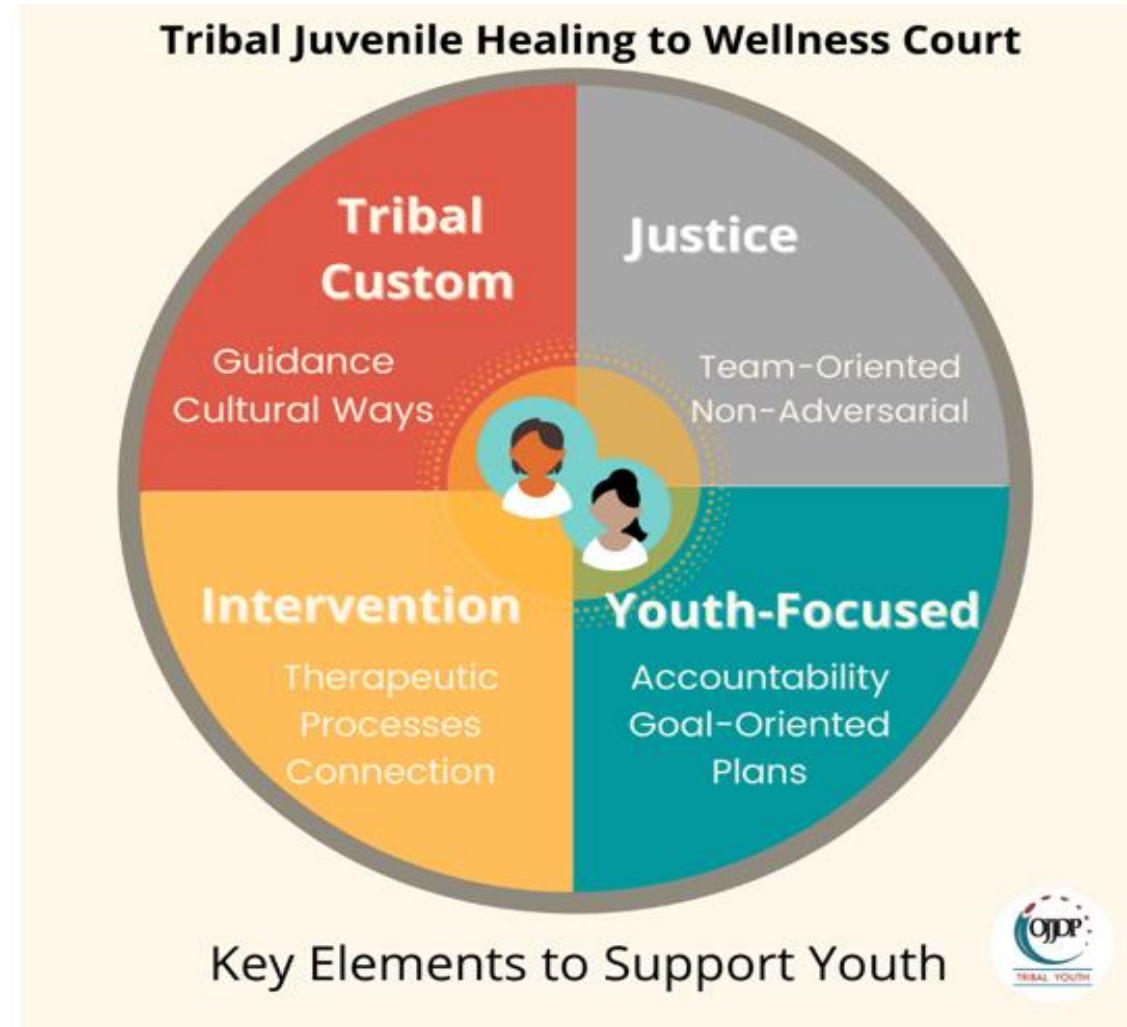
Brainstorm answers to the following questions:

1. What does "case management" (AKA care coordinator) mean to you?
2. What would a case manager need to know about a youth and their family to help them?
3. What assistance should case managers provide to a youth and their family (such as a wellness plan)?

# OVERVIEW OF JHW CASE MANAGEMENT

## Case Managers:

- Enhance capacity
- Provide services that are:
  - Comprehensive
  - Developmentally appropriate
  - Community-based
  - Culturally Appropriate



# ▶ WHO SHOULD BE ON THE JHWC TEAM?

At a minimum, the JHWC team should include:

- Tribal Judge (or panel of judges)
- Presenting Officer or Prosecutor
- Alcohol/Substance Use Counselor
- Coordinator
- **Case Manager**
- Probation Officer
- Law Enforcement Representative
- Child Welfare Representative (when applicable)

In addition, the JHWC team may also include:

- Traditional healers
- Community leaders (elders)
- Housing
- Mental Health Providers
- School/Vocational Training Representatives
- Parents/Extended Family
- Other “Natural Helpers” in the community
- Who the youth identifies as “their people.”

<sup>11</sup> See [Drug Court Best Practice Standards, Volume II](#) (National Association of Drug Court Professionals, 2014), 38 (recommending that the drug court team include at least a “judge or judicial officer, program coordinator, prosecutor, defense counsel representative, treatment representative, community supervision officer, and law enforcement officer”). In addition, a coordinator and case manager are recommended.

# JHW CASE MANAGER

The Case Manager ensures that the youth participant successfully enters the program and obtains all the services necessary for their recovery on a day-to-day basis.

In addition, to substance abuse treatment, these services and supports may include educational, vocational, housing, parenting, medical, mental health, cultural/spiritual, etc.

The Case Manager *monitors* the participant's progress and notifies the team of progress and challenges and discusses issues with the team.



**Key Component #5:**  
Support and Supervision

## JHWC Case Management Benchmarks -

- Screening & Assessment
- Planning
- Linkage
- Support and Supervision
- Advocacy

(adapted from the NDCI benchmarks)







# HOW DO WE KNOW WHAT THEY NEED WITH RESPECT TO CULTURE?

## Key Component 5 – Intensive Supervision

Tribal Healing to Wellness Court participants ... and their families benefit from effective team-based case management.

## JDTC Guideline 4.2.

Case management and treatment plans should be individualized and culturally appropriate, based on an assessment of the youth's and family's needs.

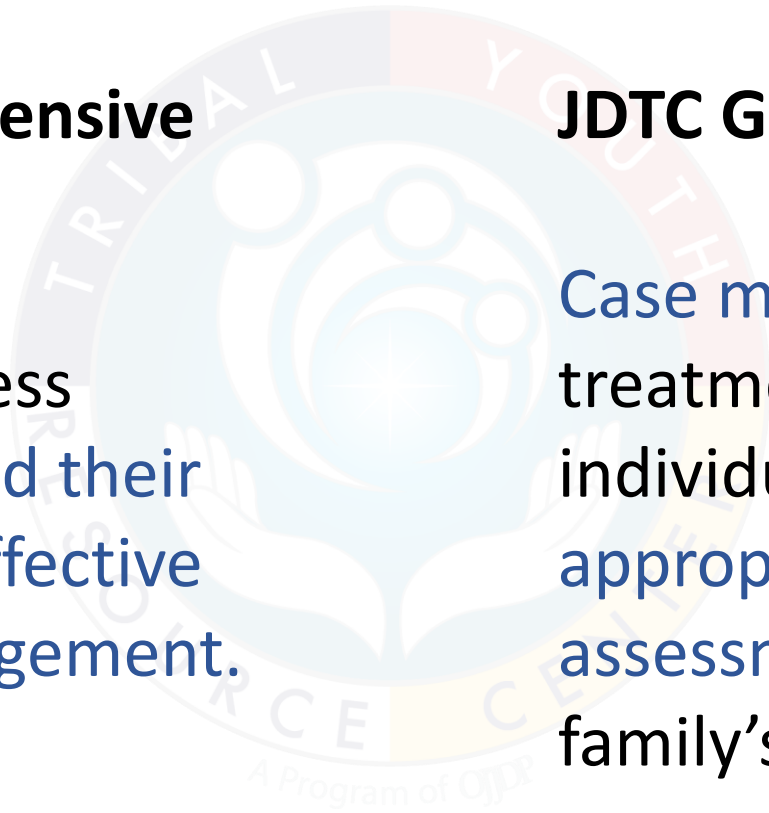
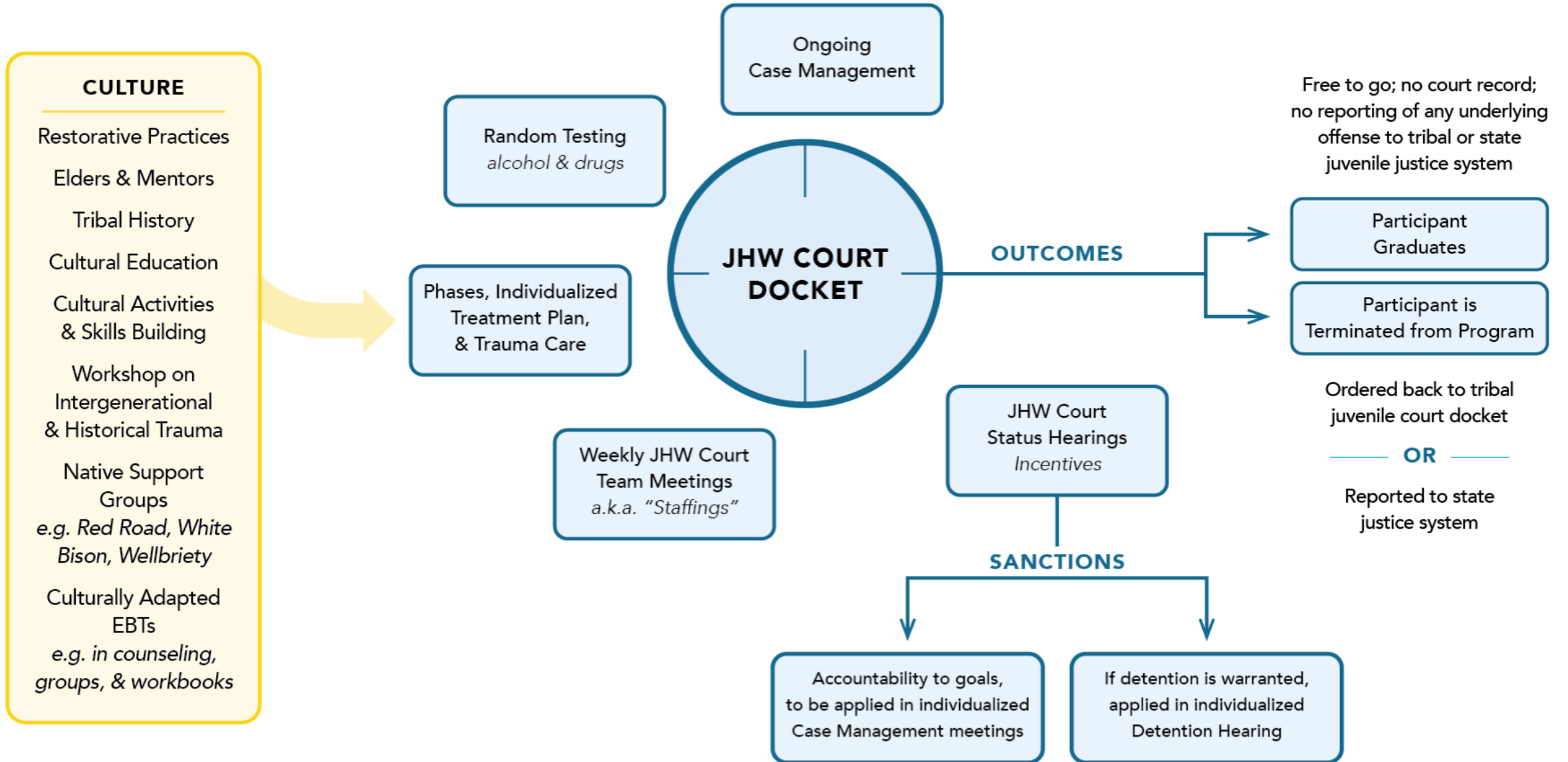


FIGURE 8

# JUVENILE HEALING TO WELLNESS (JHW) COURT DOCKET

As Part of Tribal Court System





# CONFIDENTIALITY

**JHWC Coordinators and JHWC Teams must adhere to all confidentiality laws (consider tribal, state and federal laws)**

## **The Substance Abuse Confidentiality Regulations**

- The federal confidentiality law and regulations (codified as 42 U.S.C. § 290dd-2 and 42 CFR Part 2 (“Part 2”)) were enacted almost three decades ago after Congress recognized that the stigma associated with substance abuse and fear of prosecution deterred people from entering treatment.
- They have been a cornerstone practice for substance abuse treatment programs across the country.
- The regulation contains certain requirements for the disclosure of information by substance abuse treatment programs; most notably, **patient consent is required for disclosures.**



# ▶ CONSENT AND WAIVERS OF CONFIDENTIALITY

- Participants entering the JHWC must complete form(s) that allow JHWC staff to obtain or release records to all authorized agencies and staff
- Authorizations remain in place pursuant to stipulated procedures
- Consents and Waivers of Confidentiality must be completed before services are started, usually as part of the intake and orientation process
- JHWC staff should confer with both parents and youth about what types of information can/will be disclosed as part of the JHWC process

# ▶ CONSENT AND WAIVERS OF CONFIDENTIALITY (CONT.)

**See North Dakota's sample forms\* from their Juvenile Drug Court Program Manual:**

- Juvenile Drug Court Contract (p. 35)
- Consent for Disclosure of Confidential Substance Abuse Information (p. 37)
- Confidentiality Notification of Alcohol and Drug Abuse Patient Records (p. 38)
- Consent to Ex Parte Communications and Waiver of Objection (p. 39) Authorization for Release of Medical Information (p. 40)

*\*Note that these would need to be tailored to tribal law*

Available at: [North Dakota Juvenile Drug Court Manual Link](#)

# JHWC CASE MANAGEMENT ETHICS

“Case management forms the framework around which the drug court process can credibly and effectively operate.”

Every JHWC team member holds a position of authority and trust and must follow ethical standards both individually and as a group. Due to the interdisciplinary nature of a wellness court, there is no governing body that dictates ethical standards for each team member.

## Recommendations:

- Ethical considerations for case managers and each member of the JHWC team should first be determined his/her licensing or certification body.
- If the case manager is not licensed or certified, federal, tribal and state laws surrounding confidentiality should be followed by all JHWC team members.
- For more on confidentiality, see [TLPI's "Tribal Healing to Wellness Court: Treatment Guidelines, 2 Edition,"](#) Chapter 5, Section G: “Confidentiality and Communication.”

# ▶ JHWC CASE MANAGEMENT CORE COMPETENCIES

## National Drug Court Institute Shared Core Competencies:

- Full participation as a team member – participation defined by policies and procedures
- Operate in a non-adversarial manner and present a unified front to participants
- Advocate for effective incentives and sanctions in appropriate non-court settings
- Monitor progress within boundaries of confidentiality
- Possess knowledge about addiction
- Facilitate community education about program and its efficacy

National Drug Court Institute, The Core Competencies Guide: Adult DCPI Trainings

# ▶ CASE MANAGEMENT MODELS

**Strength-Based:** The case manager works with the youth participant to identify strengths, assists with setting goals, and enable using their strengths to achieve goals.

**Broker/Generalist:** The case manager typically does not provide direct services except for an initial intake screening, but refers the participant out for the needed services and monitors the participant's progress.

**Assertive Community Treatment:** This model is based on a team case management approach. All team members works together to provide services, outreach and advocacy.

**Clinical/Rehabilitation:** The case manager is deeply integrated into the clinical treatment of the client as part of a continuum of care.



# THE STANDARD CASE MANAGEMENT APPROACH IN DRUG COURTS

- In Drug Courts, Probation Officers and Case Managers develop case management plans and services tailored to the assessed needs and risk levels of adolescents in the juvenile justice system
- They use various Risk, Need, Responsivity (RNR) Assessment tools
- The “Risk, Need, and Responsivity” (RNR) research suggests that interventions should be carefully matched to the assessed needs and risk levels of participants and delivered in the appropriate sequence:

*“Rather than excluding high-risk persons from our programs, we should be targeting those individuals for our services. Risk nevertheless does have critical implications for case planning. The higher a person’s risk level, the less likely he or she will seek treatment voluntarily and remain in treatment long enough to achieve therapeutic aims ... Therefore, high-risk persons will often require enhanced structure and accountability to ensure they engage appropriately in treatment and comply with the services offered.”*



# WRAPAROUND CASE MANAGEMENT

Many Juvenile Healing to Wellness Courts are using the Wraparound Case Management approach

- Different than what is used in tribal court-based probation case management
- A youth-guided, family-driven team planning process
- Provides coordinated and individualized community-based services for youths and their families
- Designed to keep youths with serious emotional and behavior disorders (SEBDs) at home
- “wrapping” a comprehensive array of individualized services and support networks “around” young people in the community, rather than forcing them to enroll in predetermined, inflexible treatment programs
- Tribes and Tribal Courts using a Wraparound approach may want to consider merging the JHWC Team with the Wraparound Team
- Uses the “Strengths, Needs, and Cultural Discovery (SNCD) Assessment” tool

*“Although one of the central features of the wraparound approach is individual case management, wraparound interventions should not be confused with traditional case management programs. Conventional case management programs merely provide youths with individual case managers (or probation officer) who guides them through the existing social services or juvenile justice system ... These case management programs do not operate in the same highly structured, integrated services environment that characterizes true wraparound initiatives.”*

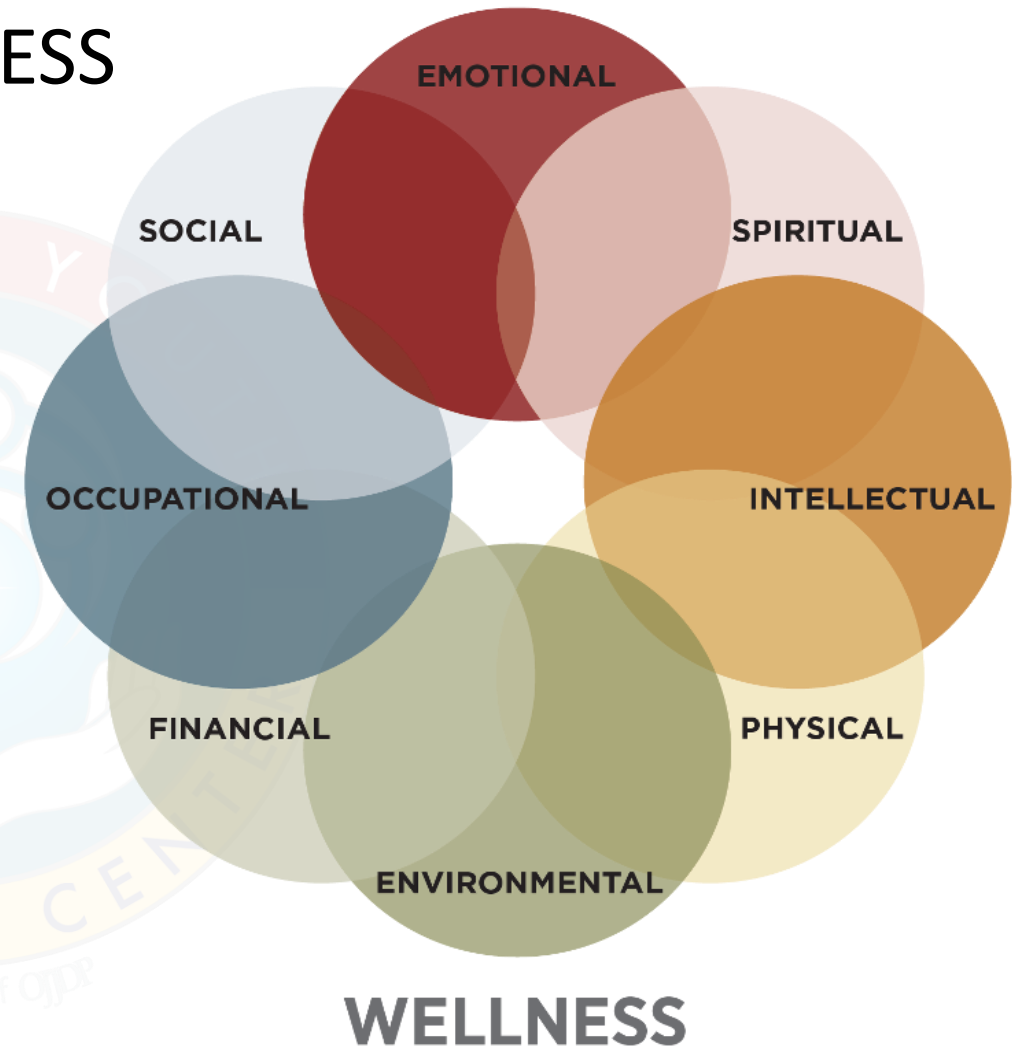


# THE 8 DIMENSIONS OF WELLNESS

Each dimension of wellness can affect overall quality of life. Through its Wellness Initiative, SAMHSA encourages individuals, organizations, and communities to work toward longer, healthier, and happier lives, particularly among people living with behavioral health conditions.

The Eight Dimensions of Wellness take into account not only an individual's physical health, but all the factors that contribute to a person's overall wellness.

To learn more about the Eight Dimensions of Wellness, visit: [www.samhsa.gov/wellness-initiative](http://www.samhsa.gov/wellness-initiative)



Source: Adapted from Swarbrick, M. (2006). A Wellness Approach. *Psychiatric Rehabilitation Journal*, 29(4), 311–314.



# HOW MAY JHWC CASE MANAGEMENT FACILITATE/SUPPORT THE 8 DIMENSIONS OF WELLNESS?

## PHYSICAL

- Screening & Assessment
- Referral to Treatment
- Referral to Medical Provider
- Physical Health Screening
- Health & Wellness Plan (activities /group events)

## EMOTIONAL

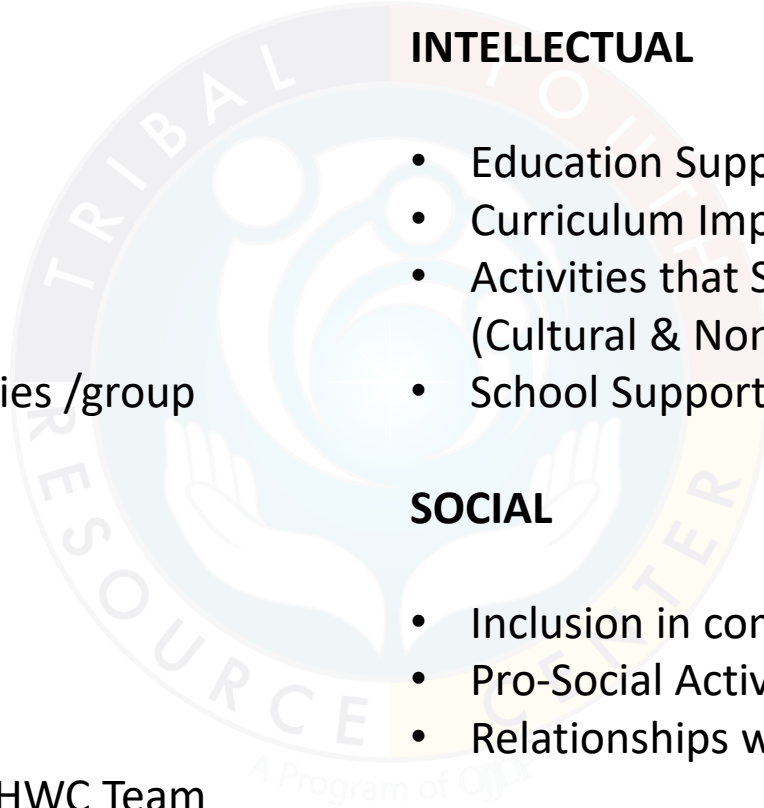
- Behavioral/Mental Health
- Spiritual/Cultural
- Mentorship & Support of the JHWC Team

## INTELLECTUAL

- Education Support/Planning
- Curriculum Implementation
- Activities that Spur Intellectual Development (Cultural & Non-Cultural/STEM)
- School Support/Tutoring

## SOCIAL

- Inclusion in community/cultural events
- Pro-Social Activities
- Relationships with Family & Peers



# ▶ HOW MAY JHWC CASE MANAGEMENT FACILITATE/SUPPORT THE 8 DIMENSIONS OF WELLNESS? (CONT.)

## **SPIRITUAL**

- Spiritual Plan/Conversations/Support
- Development/Inclusion as desired in cultural/spiritual support

## **OCCUPATIONAL**

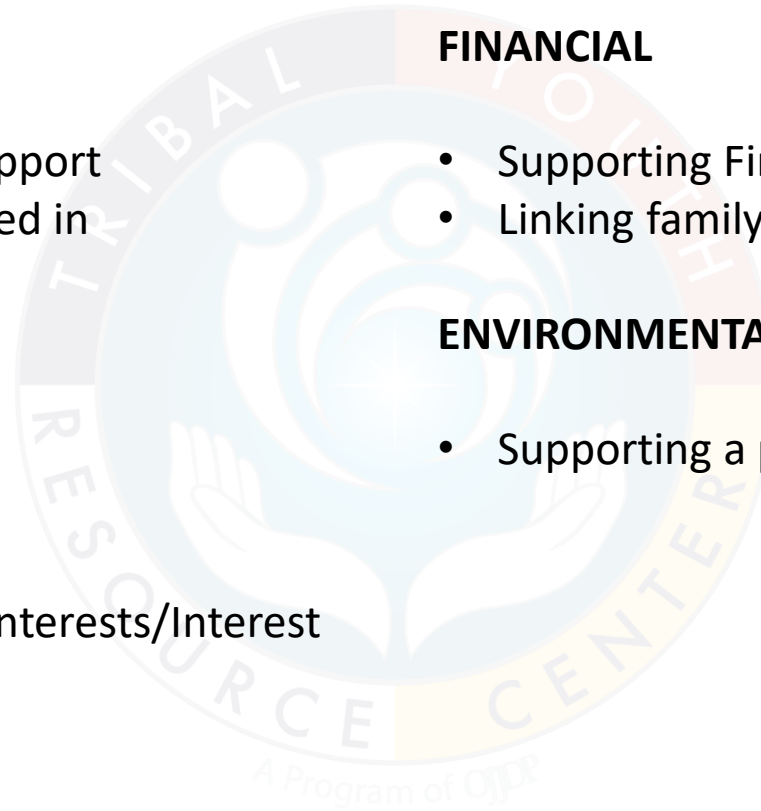
- Job Preparation
- Job Skills
- Support for current Vocational Interests/Interest Inventory

## **FINANCIAL**

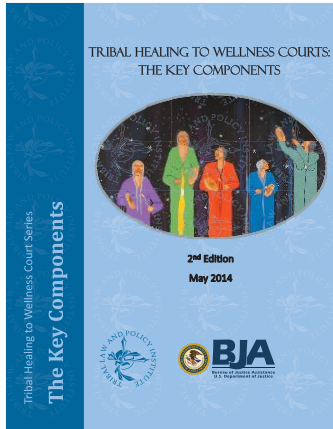
- Supporting Financial Literacy
- Linking family to resources to support critical needs

## **ENVIRONMENTAL**

- Supporting a peaceful, safe home environment

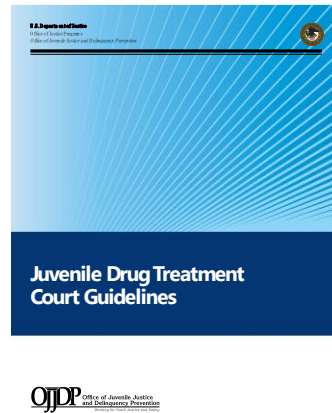


# JHWC KEY COMPONENTS, GUIDELINES, & RESOURCES



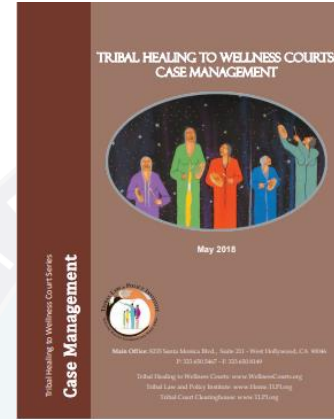
The Tribal Healing to Wellness Court Key Components

Available at:  
<https://www.home.tlpi.org/tribal-healing-to-wellness-courts>



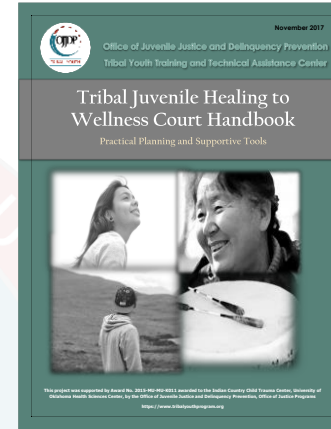
The Juvenile Drug Treatment Court Guidelines

Available at:  
<https://ojjdp.ojp.gov/programs/juvenile-drug-treatment-court-guidelines>



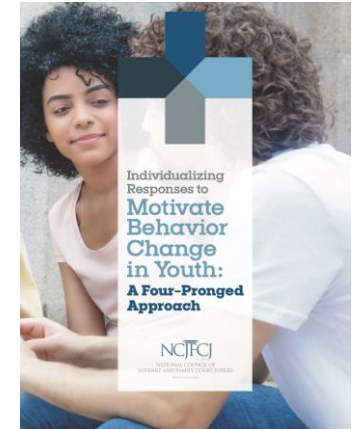
The Tribal Healing to Wellness Courts Case Management

Available at: [HTWC Case Management.pdf](https://www.htwc.org/Case-Management.pdf)  
<https://www.htwc.org/Case-Management.pdf>



The Tribal JHWC Court Handbook.

Available at:  
<https://ojjdp.ojp.gov/library/publications/tribal-juvenile-healing-wellness-handbook-practical-planning-and-supportive>



This resource includes approaches to motivating behavior change in adolescents in Juvenile Drug Courts (how to apply incentives and sanctions)

Available at:  
<https://www.ncjfcj.org/publications/individualizing-responses-to-motivate-behavior-change-in-youth-a-four-pronged-approach/>

# ► Evaluation Polling Questions- 5 Minutes

- Questions are based on topic content just presented
- Polling provides overall opinion for improvement
- Polling is anonymous

