

**SUPERIOR COURT FOR JUVENILE MATTERS
STANDING ORDER**

RECOVERY SPECIALIST VOLUNTARY PROGRAM (RSVP)

Hon. Bernadette Conway, Chief Administrative Judge

Effective March 11, 2019

1. Program Eligibility

Any parent whose child has been removed pursuant to an Order of Temporary Custody and for whom substance misuse is identified as one of the factors in removal, may be eligible to participate in the Recovery Specialist Voluntary Program.

2. Agreement to Participate in Recovery Specialist Voluntary Program

- (A) A parent's participation in the Recovery Specialist Voluntary Program is voluntary.
- (B) Once the parent is deemed eligible and expresses an interest to participate, a referral will be made to the Recovery Specialist. If the parent does not agree to participate despite being eligible, no referral will be made.
- (C) A parent's participation in the Recovery Specialist Voluntary Program may be initiated at several points during the OTC process:
 - i. Upon agreeing to sustain the OTC at the initial case management conference prior to a preliminary OTC hearing;
 - ii. Upon agreeing to sustain the OTC prior to a contested OTC hearing;
 - iii. At the conclusion of a contested hearing at which the OTC was sustained; or
 - iv. At the first case status conference following the OTC proceeding at which the OTC was sustained.
- (D) DCF and the respondent parent must consent to the respondent's participation in the Recovery Specialist Voluntary Program and sign the *Agreement to Participate in the Recovery Specialist Voluntary Program*.
- (E) By signing the Agreement, the parties agree to adhere to the terms of the program as set forth in this Standing Order and said *Agreement to Participate in Recovery Specialist Voluntary Program*.
- (F) Signing the Agreement does not affect any rights the parent has to contest the OTC in accordance with the timeline outlined in C.G.S. §46b-129.

3. Referral to Recovery Specialist

- (A) A Recovery Specialist will be available at all preliminary OTC hearings and assigned to any parent(s) agreeing to participate in the Recovery Specialist Voluntary Program that day.
- (B) If the parent agrees to participate in the Recovery Specialist Voluntary Program after the preliminary hearing, a Recovery Specialist will be immediately assigned to the parent and expected to attend all future court proceedings.
- (C) The Recovery Specialist will immediately refer the parent to an appropriate substance use treatment program and provide a date certain for the parent to undergo evaluation and begin outpatient treatment. This date will be no later than the first scheduled case status conference or as agreed to by the parties and approved by the Court following the date the parent enters into the *Agreement to Participate in the Recovery Specialist Voluntary Program*.
- (D) For a parent in need of residential treatment, that parent will also undergo evaluation and begin outpatient treatment no later than the first scheduled case status conference or as agreed to by the parties and approved by the Court following the date the parent enters the *Agreement to Participate in the Recovery Specialist Voluntary Program* until an appropriate residential treatment program becomes available.
- (E) The Recovery Specialist will work with the parent until the parent's participation in the program is terminated under the provisions of paragraph 7 or the parent is discharged under the provisions of paragraph 8 of this Standing Order.

4. Recovery Specialist Role and Responsibilities

- (A) After the initial referral, the Recovery Specialist will communicate his/her role and responsibilities to the parent.
- (B) The Recovery Specialist will facilitate the parent's participation in treatment and recovery, while informing the Court and parties of the parent's progress.
- (C) The Recovery Specialist is responsible for submitting reports to the Court, DCF, and attorneys of record and treatment providers. These reports must comply with the following provisions:
 - i. Filed at least once per month, unless otherwise agreed upon by the Court and all parties of record;
 - ii. Contain only objective reporting data; and
 - iii. Shall be filed with the Clerk's Office at the respective Superior Court for Juvenile Matters, DCF and attorneys of record prior to the next scheduled case status conference to provide an update of the status of the parent's participation in RSVP. The report shall not be part of the court's file or the record in the case.

5. Attendance at Case Events

- (A) With the parent's permission the Recovery Specialist may attend court proceedings and DCF meetings, including but not limited to hearings, case status conferences, treatment planning conferences, administrative case reviews and other meetings scheduled in the case, as requested by any party or the court. The purpose of his/her attendance is to respond to questions about the parent's current status, future treatment planning and services, and also receive updates from the parties of record about the child(ren) and permanency planning.
- (B) DCF is required to provide the Recovery Specialist with notice of any such hearings, court proceedings, conferences, etc. Failure to provide notice to the Recovery Specialist to such events will not result in any penalty to the parent.
- (C) The parent shall be permitted to participate in any case status conference held at the court in which the Recovery Specialist also participates.

6. Information Sharing and Admissibility of Communications and Records

- (A) Pursuant to a signed *Agreement to Participate in Recovery Specialist Voluntary Program*, and any associated releases of information, information related to the parent's substance use treatment may be shared between the Court, DCF, attorneys of record and treatment providers.
- (B) Communications between the Recovery Specialist and the parent and any records created by the Recovery Specialist from information provided by the parent shall not be admissible in any proceeding in this Court, except as provided below.
- (C) The Recovery Specialist shall make a report to DCF or a law enforcement agency pursuant to C.G.S. § 17a-103 whenever the Recovery Specialist has information that gives him/her reasonable cause to suspect or believe that any child under the age of eighteen is in danger of being abused, or has been abused or neglected.
- (D) Neither the Recovery Specialist, nor any supervisor thereof, shall be called as a witness by any party in the current or any future proceeding involving the parent, unless either:
 - i. The Recovery Specialist has made a report pursuant to paragraph 6 (C) of this standing order; or
 - ii. Evidence is required to determine whether the parent's continued participation in the Recovery Specialist Voluntary Program is appropriate, in which case said evidence will not be used for any purpose other than making that determination; or
 - iii. All parties consent; or
 - iv. Otherwise ordered by the Court

7. Termination of Participation in the Recovery Specialist Voluntary Program

- (A) This order shall terminate without further order of the Court when the Court's jurisdiction ends for any reason.
- (B) The Court may terminate a parent's participation in the Recovery Specialist Voluntary Program and vacate the order on the motion of any party to the court proceeding or on its own motion for one or more of the following reasons:
- The parent has been reunified with his/her child(ren) for a period of time to be determined by the Court on a case by case basis.
 - The Court approves a permanency plan that does not include the parent's reunification with his/her child(ren).
 - Fails to demonstrate compliance with the Recovery Specialist or treatment as indicated by information submitted by the Recovery Specialist or treatment provider.

8. Administrative Discharge from the Recovery Specialist Voluntary Program

- (A) The parent may be discharged from the program without a hearing upon the filing of a report prepared by the Recovery Specialist which establishes that the parent:
- Completes a substance use evaluation and no substance use treatment is recommended.
 - Is incarcerated.
 - Has relocated out of state or outside the service area for the program.
 - Cannot be located by DCF or the parent's attorney.
 - Requests the Court to terminate his/her participation in the Program.
 - Revokes the releases signed pursuant to the *Agreement to Participate in the Recovery Specialist Voluntary Program*.
 - Agrees to transitions to a different service that an alternative service is deemed most clinically appropriate.
- (B) If no objection is filed by any other party within ten days of the filing of the report, the party requesting the administrative discharge of the case will file a "Request for Judicial Approval of the Administrative Discharge," and the administrative discharge shall be granted by order of the court.