

CASS COUNTY  
LEECH LAKE BAND OF OJIBWE  
WELLNESS COURT

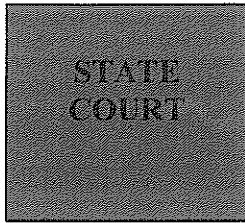


*FROM COMMON GOALS  
to  
COMMON GROUND*

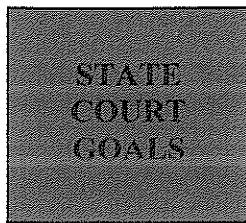
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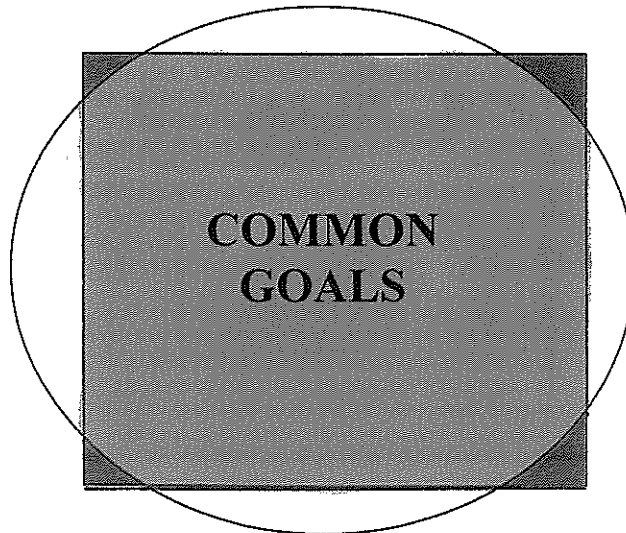
I. Getting Started - *"A Million and One Excuses Why It Won't Work"*  
(or, *"You can't pound square pegs into round holes"*)



II. Opening Lines of Communication - *"Finding Common Goals"*



III. Exploring Collaboration - *"Finding Common Ground"*





# FEDERAL LANDS AND INDIAN RESERVATIONS

Bureau of Indian Affairs

Department of Defense  
The United States Army Corps of Engineers Lakes

Fish and Wildlife Service - Wilderness

Forest Service - Wilderness

National Park Service - Wilderness

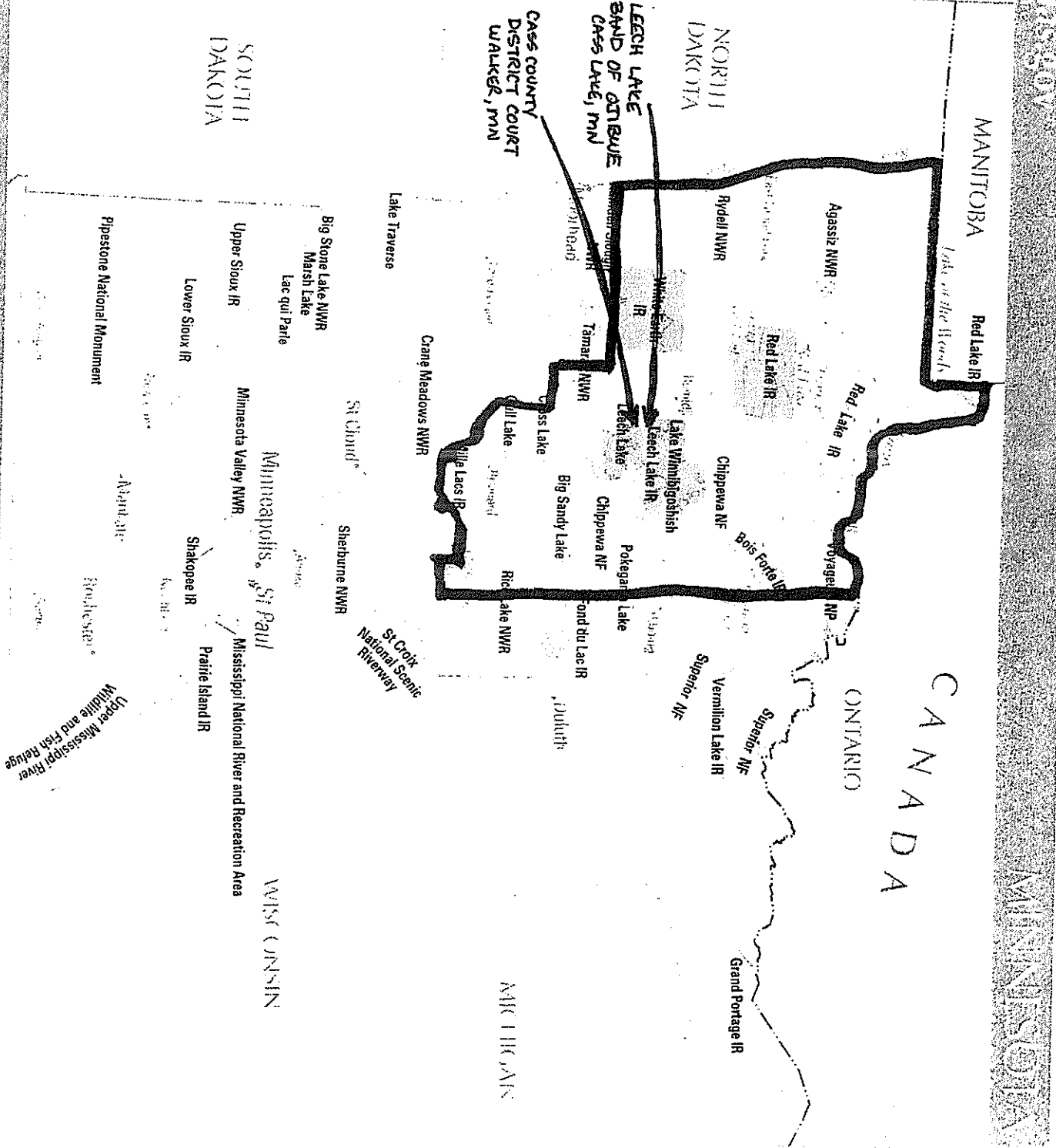
Some special sites are not shown, especially in urban areas

0 25 50 75 100  
MILES  
All bars equal area proportion

Abbreviations

- IR Indian Reservation
- NA National Forest
- NP National Park
- NWR National Wildlife Refuge

OUTLINE OF 9th JUDICIAL DISTRICT



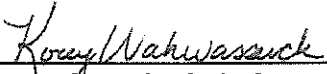



## JOINT POWERS AGREEMENT

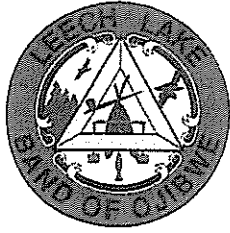
BE IT KNOWN THAT we the undersigned agree to, where possible, jointly exercise the powers and authorities conferred upon us as Judges of our respective jurisdictions in furtherance of the following common goals:

1. Improving access to justice;
2. Administering justice for effective results; and
3. Fostering public trust, accountability, and impartiality.

IN WITNESS WHEREOF, we hereunto set our hands and affix our seals this \_\_\_\_ day of July 2007.

  
\_\_\_\_\_  
Korey Wahwassuck, Chief Judge  
Leech Lake Tribal Court

  
\_\_\_\_\_  
John P. Smith, District Judge  
Cass County District Court



**Wellness Court**  
Cass County District Court – Leech Lake Band of  
Ojibwe

**CASS  
COUNTY**

**\*\*\* For Immediate Release \*\*\***

**LEECH LAKE TRIBAL FLAG TO FLY IN STATE DISTRICT COURT**

An historic event is about to take place in northern Minnesota: For the very first time, a Tribal flag will fly in State District Court. The flag is being presented by the Leech Lake Band of Ojibwe to Cass County District Court Judge John P. Smith who, along with Chief Judge Korey Wahwassuck of the Leech Lake Tribal Court, presides over a very unique problem-solving court.

The Leech Lake-Cass County Wellness Court, created in 2006 under a grant from the Minnesota State Court Administrator's Office, is the first of its kind in the nation. The post-conviction, post-sentencing DWI Court is founded on the 10 principles of drug courts, and handles the cases of both tribal members and non-Indians. Through an agreement between the Cass County District Court and the Leech Lake Tribal Court, both judges preside together over hearings that alternate between the courts. The judges are part of a multi-jurisdictional, multi-disciplinary core team made up of representatives from Tribal, County, State and other agencies.

"There was a time when I thought Tribal Courts were inferior to State or Federal Courts," said Judge Smith. "I have come to understand that they are equal, parallel systems to ours. Having the Leech Lake flag in my courtroom will be a daily reminder of the sovereign status of the Leech Lake Band of Ojibwe."

"Our cooperative arrangement allows the Band to have a hand in promoting healing," said Judge Wahwassuck. "Both court systems have shared goals of improved outcomes for families, fewer children in out of home placement, and decreased incarceration and recidivism rates. All of these can be accomplished more effectively by working together."

A formal flag presentation and installation ceremony will take place at the Cass County District Court, 3<sup>rd</sup> Floor Courtroom, Walker, Minnesota on February 23, 2007, beginning at 3:00 p.m.

# Leech Lake Tribal Flag to go on display in District Court

by Gail DeBoer, Staff writer  
The Pilot-Independent



Photo by Gail DeBoer

Cass County District Court Judge John P. Smith spoke of "the gift of trust", as Leech Lake Tribal Chair George Goggleye, Jr. and Tribal Court Chief Judge Corey Wahwassuck listened during Friday's presentation of the Leech Lake Tribal Flag (left, center).

In a ceremony filled with historic significance, two judges from the Cass County-Leech Lake Band of Ojibwe Wellness Court accepted a Leech Lake Tribal Flag to be displayed in District Court. Before a packed courtroom Feb. 23, the Leech Lake Veterans Honor Guard presented the tribal flag to Cass County District Court Judge John P. Smith and Leech Lake Tribal Court Chief Judge Corey Wahwassuck. The two judges preside over the post-conviction, post-sentencing DWI Court.

The flag will be displayed alongside the United States and state of Minnesota flags. This will be the first time a tribal flag will fly in a state courtroom.

"This is an historic day," declared Leech Lake Tribal Chairman George Goggleye Jr., noting that Leech Lake is exercising its tribal sovereignty "in ways unheard of. This is totally new."

Goggleye said the significance "may not sink in until later, when we see how well people are working together.

"We hope it brings out a trusting relationship in all of us," he went on. "We are all stakeholders here. Wellness Court has to benefit all of us, not just Native Americans, in terms of public safety.

"It's an honor to be a part of this partnership and our privilege to fly the Leech Lake flag in our courtroom," responded Judge Smith.

"It's not the material of the flag; it's the gift of trust that the Leech Lake Band has entrusted to us: that we will respond to their laws and their people. And we will do that."

"We have everyone represented here today, we're all equal today," declared Judge Wahwassuck as she acknowledged the audience, including Wellness Court team members who are drawn from many agencies and disciplines.

"The hardest thing is to take the first step. What can we do together to make things better in the future for the little ones?"

Also in attendance were area legislators, several county board and tribal council members and other dignitaries.

The Leech Lake-Cass County Wellness Court was created in 2006 through a grant from the Minnesota State Court Administrator's Office.

Wellness Court provides a non-adversarial community-based system to treat and heal those with alcohol-related law violations. It provides supervised, comprehensive treatment for voluntary, non-violent offenders, with the goals of rehabilitation and reducing crime and recidivism to produce law-abiding, self-sufficient citizens.

The program seeks to help participants gain sobriety with support programs, educational incentives, employment and family reunification. Currently about eight clients are involved in Wellness Court.

The post-conviction, post-sentencing DWI Court is founded on the 10 principles of drug court and helps both tribal and non-tribal clients. Both judges preside over hearings that alternate between the courts.

Participants report directly to the judges. The judges are part of a multi-jurisdictional and multi-disciplinary team composed of tribal, county, state and other agencies. Cass County Attorney Earl Maus compared the Wellness Court to the 2000 Cooperative Law Enforcement Agreement between Cass County, the Leech Lake Band and other entities.

That landmark agreement made all law enforcement agencies better and stronger, he declared. "I think it went a long way, culturally, too. With Wellness Court, I hope the same thing will happen. Our hope is to find better ways to reduce DWIs. I hope it works and expands into other areas to reduce crime and reduce pain.

"Our flags may look different but when you get into court, 'Justice is blind.' All people will be protected; all people will be helped."

The celebration began with a pipe ceremony conducted by Henry Wahwassuck and concluded with a reception at Northern Lights Hotel and Event Center.

# CENTER FOR COURT INNOVATION

ABOUT DEMONSTRATION

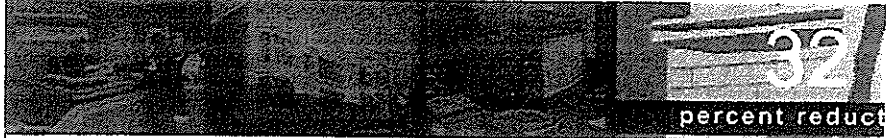
Drug Court

Mental Health Court

Problem-Solving Justice

Juvenile Justice

Technology



## DRUG COURT

[Main](#) | [Articles](#) | [Interviews](#) | [Publications](#) | [Links](#)

**John P. Smith and Korey Wahwassuck, Judges, Cass County, Minnesota**  
Cass County District Court Judge John P. Smith and Leech Lake Tribal Court Chief Judge Korey Wahwassuck have worked together since 2006 presiding over the post-conviction, post-sentencing Driving While Intoxicated Court in Cass County, Minnesota. In May 2007 they spoke with Center for Court Innovation staff about the innovative, collaborative program.



Sen. Mary A. Olson (DFL), Rep. Larry Howes (R), Judge John P. Smith, Judge Korey Wahwassuck, Leech Lake Tribal Chairman George Goggeley, Jr., and Rep. Frank Moe (DFL) at the February 23, 2007 ceremony installing the Leech Lake Tribal Flag in Cass County District Court.

### How did you come together to start this court?

**JUDGE SMITH:** Cass County started looking at the concept of a drug court because we had so many repeat DWI offenders and we wanted to address the problem in some way. Our county was one of the top counties for deaths from driving under the influence. One of our big obstacles was just the geographical size of our county because it's about 100 miles long and probably 80 miles wide and a disproportionate number of people who come through our system are Native Americans from the Leech Lake Reservation. We felt that in order to make it successful the tribe would have to be a part of it. So a probation officer and I went up to the Leech Lake Tribe and talked to the tribal chairman and asked him if they would be willing to participate, and when we went to the drug court training we invited the tribal police chief and some of the tribal judges to come along, and somewhere during this process Judge Wahwassuck became the chief judge at Leech Lake and we started discussing how to do a drug court cooperatively.

**JUDGE WAHWASSUCK:** We have quite a few tribal members whose cases come down through the state court system, since criminal cases have historically been handled by the county. And we have rampant substance abuse problems on



the reservation, as well as a lot of poverty and other issues, and we really wanted to be able to break that cycle. We liked the idea of a drug court—or wellness court—and, as Judge Smith said, we started thinking about different ways we could cooperate. I think that there was a little bit of hesitation at first from the tribe's perspective—historically, not just here but everywhere, there's been distrust between tribes and states—but Judge Smith came to us, which was incredible, and brought us in on the ground floor before getting the plans in place. That really helped to build a lot of trust between the tribal court and the state court. If you overlap a circle and a square and you kind of picture that and if you look at the common goals we have, there's a lot more that's the same. We're working towards the same things.

So we figured out together how we could provide the best service. We were looking for model courts that we could talk with and get ideas from, and we're the only one anywhere from what we've been able to tell that's got this level of cooperation. One of the things we decided to do is go back and forth between the two courts. We have a session in tribal court and also a session in state court. Judge Smith and I take the bench together both places. Both tribal members and non-Indians are part of the program, and it really has worked amazingly well, to the point where even if for some reason we have a scheduling conflict and I can't be there, I don't have any problem at all with Judge Smith coming up and running the court in my courtroom and the same thing if he has to be gone, and I come down and run court in Walker. It's post-conviction, and we just handle DUI offenses. We've been operational for a year now and we've had court every single week except maybe two weeks, and we've never had a person miss a court date. And people are doing well. We've seen some amazing progress with some of our participants.

**JUDGE SMITH:** The interesting thing about the way this has worked is that we've been able to extend services to people who wouldn't have been able to have those services before. For example, in state court we couldn't access some programs on the reservation and now we can, so it provides a greater level of help to the people in the program. And the same thing with the tribal members. It seems like every time we turn around we're getting some new benefit from the program and that I think has helped to extend the level of cooperation in other agencies, too.

#### **In what ways have you seen new levels of cooperation?**

**JUDGE SMITH:** It seems like this has spurred a little more of a general "it can be done" attitude. The county board and the tribal council have a joint meeting now. We've always had pretty good cooperation with the social service agencies in the county, but now the wellness program contracts with the Leech Lake Tribal Police for one of the officers. Those are just a couple of examples. There are cases that transfer to tribal court from state court where there are civil regulatory matters and I think that has improved and will continue to improve. Another thing we're looking at that I think will become reality pretty soon is ITV, an interactive television that will actually connect the two courts together.

**JUDGE WAHWASSUCK:** We're actually going to be on the same network as the State of Minnesota so we'll be able to hook up to all of the places where there's ITV—all the state courts, all the court administration offices throughout the state. Another nice thing about having two sessions is that we can have an evening session down in Walker so that those who work during the day can come in after they get done with work.

From the tribe's perspective, we really look at this as an exercise of our sovereignty, working together like this. I think it's a really innovative way to be able to bolster resources both from the tribal side and the county and state side. I know that our tribal court administrator now attends the meetings of the 9th Judicial District Court administrators so they can exchange information on what's going on and stay informed on what types of things are happening. And in another example, we, like everyone, have funding issues—having a full time case manager and someone to handle mental health issues would really improve our program, but we don't have the resources—so the tribe actually applied for a grant from the Bureau of Justice Assistance under the new drug courts program and our grant application was supported by the state court administrator's office. It's unheard of cooperation and it really raises the bar. I think at this point this kind

of method of doing business is sort of becoming institutionalized around here. Everybody realizes that you're really able to leverage resources and provide better service and achieve our goals better by figuring out ways we can work together.

**JUDGE SMITH:** Another collateral benefit is that some of this "us versus them" attitude is being eliminated, and hopefully it's making tribe members feel that we're all part of one system, and that when they come to state court they aren't coming to some completely foreign land.

I'll give you another example. We had a client in our wellness court that had a child with a woman and before he got involved in wellness court they didn't live together and he didn't see the child much. Once he got in the program, she and the child came to live with him, and she had a chemical problem as well. And in the course of a proceeding involving her, when we learned that this was a problem with him and that she was involved in the tribal court, we were able to say, "Well let's make sure that she's tested as well." So when our probation officer goes out to test him, they also test her, by agreement with the tribal court. So what's happening is we're extending the coverage. Instead of having two people go out and do the test we can have one person do it and save everybody time. So those are the kinds of things we're doing.

**JUDGE WAHWASSUCK:** In that particular situation, we might not have even had anyone that could go out and test her before. We were able to use what we're doing here not only to get the testing done but also to promote healing in the family because they were able to be together and get the testing that they needed and the support to stay sober.

**And what do you see as the future of your court and the benefits it will offer?**

**JUDGE SMITH:** We were just talking about that earlier today, maybe sharing some facilities and/or expanding the program to provide for different types of crimes involving drugs and alcohol. Also, we've talked about new ways of cooperating in different kinds of cases—using community work service arrangements so that tribal members, for example, would have areas where they could do their community service work on the reservation that are more regulated than they are now. So I think we're just touching the tip of the iceberg about what really can be done.

**JUDGE WAHWASSUCK:** We're also looking at delinquency cases on the juvenile side that wouldn't fall under the Indian Child Welfare Act and that the tribe normally wouldn't be involved in. We're looking at some cooperation on those cases, maybe with some kind of a diversion program where they would actually come to tribal court and we would help to do some supervision and work on some graduated sanctions and more cultural programming that the state court can't necessarily provide.

And the big issue right now of course is funding. I think this opens up a lot of funding sources in the future because we do have this kind of cooperation and there's not anything like this anywhere.

**Do you have any advice for anyone else who might be considering this type of program or collaboration?**

**JUDGE SMITH:** I think you have to be open minded and look beyond traditional ways of doing things and see ways you can cooperate and how you could benefit. It's so difficult to make things work when you're worried about where the lines are and about offending someone, but you end up shooting yourself in the foot when you don't use the things that are right in front of you.

**JUDGE WAHWASSUCK:** I think a lot of times, when it comes to tribes, people may not necessarily know how to approach things, and I think that one piece of advice would be to not worry about what you don't know, just come and ask. That's what Judge Smith did. He said in order to make this work we need to try to work together. It's so important to just make that first step, to try to establish

relationships early on and build that level of trust. I think that everybody can get so used to being in their one little area. The story I always tell is the story of the mouse. There's this mouse whose whole world was what his whiskers could touch out in the field and under the grass. Then one day he climbed up to the top of the grass and saw that there's this whole huge world out there.

I know over the last year it's been really amazing to see the things that have happened. In February we had a ceremony down here and the tribe presented Judge Smith with one of our tribal flags, and it was installed here in the courtroom. That's the first time that a tribal flag has ever been installed in a state court, and now it flies right next to the state flag. So I think you just have to take that first step and those positive things just grow exponentially.

***Cass County/Leech Lake Band of Ojibwe Wellness Court  
OVERVIEW***

***Introduction***

The Cass County/Leech Lake Band of Ojibwe Wellness Court (DWI Court) is designed to coordinate substance abuse intervention with judicial oversight through enhanced supervision and individual accountability. The need for a Wellness Court in Cass County and on the Leech Lake Reservation has been an evolutionary process. As the number of DWI offenders has increased over the years, those in the court system are exploring various ways to deter and address repeat alcohol offenses and pursue more effective treatment options. As the growth and success of drug court programs nationally has increased, that philosophy has been adapted to the DWI arena as well. The DWI Court is the best vehicle within the criminal justice system for expediting the time between arrest and entry into treatment and for providing consistent and lengthy structure so the offender will benefit from the treatment experience.

***Steering Committee***

The Steering Committee is comprised of executive level personnel from the below listed agencies to facilitate the process, to expeditiously resolve issues and to provide buy-in at the upper echelon, so that later committees with non-executive level personnel will be comprised of people who are confident that the head of each agency is supportive of the Wellness Court mission. The Steering Committee consists of representatives from the following agencies:

9<sup>th</sup> Judicial District Court  
Leech Lake Band of Ojibwe  
    -Tribal Court  
    -Law Enforcement  
    -Treatment

County Attorney  
9<sup>th</sup> Judicial District Public Defender's Office  
Department of Corrections  
Cass County Probation  
Cass County Sheriff's Department  
Cass County Human Services

***Planning/Core Team***

The planning/core team is a working group of people who carry out the daily tasks involved in planning, implementing and operating the Wellness Court program. The group meets regularly as a team and is comprised of the following representatives:

John P. Smith, 9<sup>th</sup> Judicial District Court Judge  
Korey Wahwassuck, Leech Lake Tribal Court Judge  
Earl Maus, County Attorney  
Jay Sommer, Public Defender  
Pam Norenberg, Coordinator  
Sue Opsahl, DOC, Probation Officer  
Reno Wells, Director of Cass County Probation

Ryan Fisher, Leech Lake Police Officer  
Tom Burch, Chief Deputy, Cass County Sheriff's Department  
Steve Day, Chief of Police – Leech Lake Police Dept.  
Rachel Mueller, Director of Pine Manor, Inc.  
Judy Tholen, Leech Lake Opiate Program  
Troy Gilbertson, Evaluator

***Mission Statement***

The mission statement of the Cass County/Leech Lake Band of Ojibwe Wellness Court is to enhance public safety by providing hope and opportunities for appropriate treatment with accountability thereby improving the quality of life within families and in the community.

***Goals and Objectives***

Goal 1: Reduce costs associated with chemical use and criminal behavior.

Objective 1: Reduced incarceration costs by approximately \$3,000 per gross misdemeanor level participant (\$50/day x 60 days) and by approximately \$6,000 per felony level participant (\$50/day x 120 days)

Goal 2: Reduce criminal behavior and recidivism

Objective 1: 70% of participants will graduate from the program within 3 years of their start date.

Objective 2: 70% of participants will have 90 consecutive days of sobriety by the end of their first year in the program.

Objective 3: 90% of participants will not experience a driving impaired violation within one year after graduation.

Goal 3: Enhance public safety

Objective 1: 70% of participants will successfully complete treatment (inpatient, outpatient, aftercare/continuing care) within 9 months of entering the Wellness Court.

Objective 2: 90% of participants who have violations will receive sanctions within one week.

Objective 3: Participants will have lower recidivism rate than non-participants in the historical control group, 1 year after release from the Wellness Court or custody.

Goal 4: Enhance the well-being of participants

Objective 1: As appropriate, participants without a high school diploma will be enrolled and actively pursuing their GED within 8 months of entering the Wellness Court.

Objective 2: As appropriate, participants will further their education by utilizing vocational/avocational services.

Objective 3: 90% of Wellness Court participants will be actively employed or actively enrolled in an education program within 12 months of entering the Wellness Court.

Objective 4: Wellness Court participants will actively go through the process of having their driving privileges reinstated.

### ***Structure/Model***

The Wellness Court is a post-sentencing DWI court admitting gross misdemeanor and felony driving impaired offenders.

### ***Referrals – Admission Process***

Offenders are screened for eligibility at arraignment/Rule 5 Hearing (first appearance) by the prosecutors and referred to the Cass County Court Liaison Officer for further review.

A letter is sent to out-of-custody offenders instructing them to report to the Cass County Court Liaison Officer for an initial Wellness Court interview. If offenders are still incarcerated the Cass County Court Liaison Officer will conduct the initial interview at their detaining facility.

The Wellness Court program and handbook is explained fully to prospective candidates by the Cass County Court Liaison Officer. Personal data from each offender is documented on Wellness Court investigation forms, residence and work plan are discussed, as well as their ability and desire to participate in drug treatment. Income information including insurance and Medicaid coverage information is reviewed to determine if the offender is able to pay for treatment or if public assistance is needed.

If the offender indicates a willingness to participate in the Wellness Court Program, the Cass County Court Liaison Officer notifies the Chemical Assessor so an assessment can be scheduled. The Chemical Assessor provides the Wellness Court with a copy of the completed assessment which includes the diagnosis and recommendations. A packet which includes the offender's Wellness Court investigation and evaluation is prepared by the Cass County Court Liaison Officer and reviewed by the Cass County Attorney for a recommendation to the Wellness Court.

If the offender is considered appropriate for Wellness Court, he or she will be sentenced to Wellness Court as a condition of probation and is placed on the next Wellness Court docket. The Cass County Court Liaison Officer prepares case packets which are provided to the Wellness Court Coordinator and the Wellness Court Judge. The Wellness Court Judge will use the packet for reference in Court. The Judge introduces the defendant to Wellness Court, and signs appropriate orders and contracts.

### ***Target Population***

The target population for the Wellness Court will be offenders convicted of any Minnesota Impaired Driving Code--MSA §169A.

### ***Eligibility Criteria***

The guidelines that the Wellness Court uses to identify and enter offenders into the program are as follows:

- No predatory offenses and or past convictions for a predatory offense as outlined in MSA §243.166 and MSA §243.167.
- No violent offenders as defined by federal code.

- Must have a Rule 25 Chemical Dependency Assessment diagnosis of chemical dependency.
- Must be physically and mentally stable and able to actively participate in the program.
- Must be willing to sign a treatment contract to undergo drug treatment which includes regular urine screens, group, individual counseling, or other recommended treatment. Every participant must sign designated releases of confidentiality.
- Must be able to make arrangements to attend treatment at the scheduled time.
- Must be a resident of Cass County.
- Must be an adult.
- Pending offense must from Cass County.
- Must be willing to actively seek employment and/or enroll in an educational program and fully participate.
- Must not be registered as a gang member or affiliated with a gang.
- Must be willing to accept sanctions of the Wellness Court Judges which may include incarceration, community services, increased reporting to court and/or probation officer, and increased attendance at community support meetings, such as AA or NA.
- Must not be identified by law enforcement as a dealer of drugs.
- Must not be currently supervised by another agency for a felony level violation of law.

### ***Disqualifications***

The guidelines that the Wellness Court uses to identify that an offender is ineligible for the program are as follows:

- The offender declines program participation.
- The offender is a juvenile.
- The offender has a violent criminal history, is on felony supervised probation and/or the current violation is a presumptive commitment to prison.
- The offender fails to report for interview, contract signing and/or initial court date.
- The offender shows a lack of desire for change.
- The offender wants to transfer supervision out of Cass County.
- The offender is required to pay a large amount of restitution.
- The offender has a serious mental health and/or medical problems.
- The chemical assessment and/or mental health assessment indicates the offender is not appropriate for treatment services.
- The offender is not a resident of Cass County.

### ***Phases***

#### **Phase 1 (Treatment Phase)**

Objective: To enter and successfully complete the chemical assessment recommended treatment programs.

Duration: 3-6 months

Requirements: Successfully complete treatment and follow recommendations, submit to random chemical testing (1-4 times a week), supervised probation contacts (1-4 times a week), attend weekly court hearings.

Requirements to move to Phase 2: 60 days of continuous sobriety, complete all

treatment recommendations, attend all court appearances and submit a Petition for Phase Change form for consideration.

### Phase 2 (Transition Phase)

Objective: Utilize recovery skills to maintain sobriety and work the individualized case plan.

Duration: 6 months for gross misdemeanor and 12 months for felony

Requirements: Get a job, go back to school, perform community service work, make progress towards driver's license reinstatement, attend community support meetings, get a sponsor, attend group sessions, submit to random chemical testing with probation contacts 1-2 times per week, attend all court appearances: GM first 3 months—weekly/ second 3 months—biweekly. Felony first 6 months-weekly/ second 6 months-biweekly.

Requirements to move to Phase 3: 90 days of continuous sobriety, make progress on their individualized case plan, attend all court appearances, abide by all rules, and submit a Petition for Phase Change form for consideration.

### Phase 3 (Living Well Phase)

Objective: To continue abstinence and maintenance of recovery to live a chemical-free lifestyle.

Duration: 6 months for gross misdemeanor and 18 months for felony

Requirements: Maintain the established individualized case plan, submit to random chemical testing, attend monthly court appearances, probation contact once a week, attend community support meetings.

Requirements to Graduate: 180 days of continued sobriety, attend all court appearances, pay all fees, maintenance of individualized case plan, abide by all rules, and submit a Petition to Graduate Wellness Court.

### ***Graduation Criteria***

- The client must prepare a written application for graduation which shows that they understand their personal problems with addiction, criminal behavior, and relapse prevention.
- The client must show continued sobriety—no positive tests for 180 consecutive days prior to graduation.
- The client must be gainfully and consistently employed or in vocational/academic training.
- The client must make all court appearances and treatment appointments.
- The client must reach the goals of their individual case plan.
- The client must have stable living arrangements with clean and sober relationships.
- The client must have a definitive continuing care plan that may include community support meetings, mental health care, outpatient counseling, or group attendance.
- The client must fulfill all court obligations.

### ***Commencement***

The clients will be eligible for commencement from the program when they have successfully progressed through all three phases of the program. The Wellness Court Team will determine

when they have completed the phases and when the clients are ready for commencement. At commencement, there will be a special ceremony and acknowledgement by the Wellness Court.

### ***Wellness Court Alumni***

This optional phase is available to clients who are living a life free from alcohol and other drug use but feel the need for continued support. This support could assist the client to maintain a healthy lifestyle and/or reach established personal goals such as college education, long-term employment, etc. Since this is an optional phase, there are no duration limits.

### ***Incentives***

Incentives are responses to compliance, perceived as a positive by the receiver. The Wellness Court Judges will reward participants with incentives for complying with program requirements on the basis of their own discretion and recommendations from the Wellness Court Team.

Incentives may include any of the following:

- Verbal recognition/praise
- Applause
- Phase advancement
- Decreased restrictions (fewer drug tests, fewer court appearances, etc.)
- Court appearance priority (appear at the beginning of the calendar versus the end)

### ***Sanctions***

Sanctions are the imposition of a consequence, perceived as negative by the receiver, as a direct result of a prohibited activity. The Wellness Court Judges will impose sanctions on participants on the basis of their own discretion and recommendations from the Wellness Court Team.

Sanctions may include any of the following:

- Verbal reprimands and warnings from the judges
- Verbal or written apology to the judges or team members
- Community service/additional educational programs
- More chemical testing, court hearings, and /or support meetings
- Moved back a phase
- Jail



*Cass County – Leech Lake Band of Ojibwe*  
**WELLNESS COURT**

**CONTACT INFORMATION**

**LEECH LAKE TRIBAL COURT**

The Honorable Korey Wahwassuck, Chief Judge  
115 6<sup>th</sup> Street NW, Suite E  
Cass Lake, Minnesota 56633  
Telephone: (218) 335-4418  
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**CASS COUNTY DISTRICT COURT**

The Honorable John P. Smith, District Judge  
Cass County Courthouse  
300 Minnesota Avenue  
P.O. Box 3000  
Walker, Minnesota 56484  
Telephone: (218) 547-7200  
Facsimile: (218) 547-1904  
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"Obstacles are those frightful things you see when you take your eyes off your goal."

*-Henry Ford*