

**DuPage County**  
**Mental Illness Court Alternative Program**  
**MICAP**  
**Participant Guidelines**

MICAP is a court supervised program for criminal defendants who suffer with mental illness. In MICAP, a participant is on bond supervision for a period of 12-24 months with special conditions. The program is for defendants who are committed to accepting medication and other mental health services as an alternative to punishment. Those who are successful in MICAP will have their criminal charges reduced or dismissed upon successful completion of the program.

**The Application Process** for admission to MICAP has 3 steps. First a MICAP Application Order must be entered in court. This order will also prompt a criminal history report to be completed by the Probation Department as part of the application process. Your case will be temporarily assigned to Court Room #4001 for the duration of the application process. Next you and your attorney must review and sign documents in the MICAP Application packet which includes: Request for consideration in MICAP, an Ongoing Release of Confidential Information form and the Preliminary Information sheet. If these documents are not filled out completely it can hold up the application process. These documents will be retained by the program office and copies will be provided to the State's Attorney's Office where the materials will be reviewed. If the State's Attorney approves your case for screening, an Intake and Screening Assessment order will be entered at the next court date. In order to continue in the application process you must agree to comply with the terms of the Intake and Assessment Order. You will have an opportunity to review the orders and conditions in each step of the process with your attorney.

The Screening Process includes a clinical mental health assessment by the MICAP Clinician or a Probation Officer and a criminal risk assessment will be completed by a MICAP Probation Officer.

You may also be required to provide a urine specimen for drug testing as part of the screening process. Once your assessment has been completed a written report will be given to the MICAP team to be discussed at the weekly MICAP staff meeting to determine if you meet the eligibility criteria for the program. The MICAP team is made up of the Judge, State's Attorney, Defense Attorney, Clinician and the MICAP Probation Officers.

If the team determines you are eligible for the program and you are agreeable to the terms and conditions, an Acceptance to MICAP Order will be entered at the next court date. Your case will remain in Court Room #4001 and will be heard by the MICAP Judge for the duration of your participation on the program. If your case is rejected or you decide not to participate in MICAP, the case will be returned to the original court room for disposition.

The Program can last from 12 to 24 months depending on the offense you have been charged with your individual progress in treatment. The MICAP team will monitor your participation and progress in treatment and in the program.

If the State's Attorney files a Petition to Terminate for violating the program rules which could result in discharge or termination from the program or if you choose to withdraw from the program you can be sentenced on the original offense you were charged with prior to being accepted into MICAP.

The benefits of the Program are the MICAP team will help you get clinical case management services, mental health treatment, medication and counseling and supportive services to meet your individual needs. If you successfully participate with your treatment plan, avoid any criminal activity, your criminal charges will be reduced or dismissed. MICAP also offers you a chance to avoid jail, prison or a possible conviction of the current charges and provide you with the opportunity to move forward in your life. There are many people who make up the MICAP team and everyone wants to see you succeed. If you take advantage of the

assistance offered, you can discover ways to improve your life and enhance your recovery.

## **The Rules of MICAP**

### 1. Appear in Court as scheduled

You will be required to appear in front of the MICAP Judge on a regular basis. The Judge will be given progress reports regarding your attendance and participation in treatment and the other components of your supervision plan. The Judge may ask you about your progress and achievements, as well as discuss any problems you may be having. Depending on your situation, you may have to appear in court weekly. As you make progress, your court appearance and appointment schedule will be reduced.

The Judge will ultimately decide what consequences will occur if you are not cooperating with program requirements.

### 2. Follow your treatment and supervision plan

Your treatment plan could include any of the following components:

- Regular appointments with a Psychiatrist
- Taking medications prescribed by a Psychiatrist
- Regular appointments with the Mental Health Clinician
- Participation in a mental health treatment program, such as a day treatment program, intensive outpatient treatment, or inpatient care
- Participation in substance abuse or alcohol treatment\Participation with intensive case management services
- Attendance of MRT, a cognitive therapy group
- Regular meetings with a MICAP Probation Officer

Your treatment plan may include additional components as well, such as participation in educational and/or vocational programs, self-help support groups, counseling to focus on a specific need or issue, and in some instances supervised housing.

### 3. Medications

It is extremely important that you take medications that your psychiatrist prescribes to you and follow all of the doctor's recommendations. Medications will be essential for managing symptoms of most mental illness. Willful refusal or repeated failures to take medications may result in a sanction being imposed by the MICAP Judge.

### 4. Mental Health Treatment Programs

Your treatment program will require that you participate in mental health treatment program. Your treatment provider will report to the MICAP staff about attendance and progress in treatment. You must attend all scheduled appointments and follow all of the components of your treatment plan. You will need to sign a release of Information allowing your mental health clinician and your probation officer to discuss the treatment plan, your progress and any issues that might arise.

### 5. Co-Occurring Substance Abuse Treatment

Candidates for MICAP will be asked about any history of substance and alcohol use and/or abuse. While you are in MICAP you will be submitting to random drug testing. Participants may be required to attend in Mental Illness/Substance Abuse ("MISA or Co-Occurring Disorder") treatment if they:

- Have a history of illicit or un-prescribed substance and/or alcohol use/abuse/addiction

- Have current charges or previous convictions involving drug related offenses
- Have positive results for illegal substances or alcohol when providing a drug test
- Show signs of ingesting illegal drugs or alcohol

#### 6. Infraction, Rewards and sanctions

The following is a list of infractions of the MICAP bond conditions (it is not all inclusive)

- New criminal offense
- Missed treatment appointments
- Missed appointments with Clinician or Probation officer
- Missed a court appearances
- Failure/refusal to take prescribed medications
- Refusal to provide a urine sample
- Failure to follow through with recommendations from your treatment provider including a housing program
- Making a threat of violence and/or an act of violence
- Using illegal substances including alcohol
- Leaving treatment including a housing program without permission
- Not following the directions of the MICAP Judge and/or staff

#### Responses and Sanctions:

The MICAP State's Attorney, Clinician, Probation Officer and Judge will respond to all infractions with either a treatment response or a sanction which include but are not limited to:

- Reprimand
- More frequent meetings with your probation officer
- More frequent court appearances

- Additional treatment or group participation (i.e., cognitive behavioral groups, money management, MISA groups, employment groups and anger management)
- Loss of privileges in treatment and/or housing program
- limiting your ability to travel out of state
- Unannounced visits by MICAP staff
- Increase in drug testing
- Community Service Hours
- SWAP (sheriff's work alternative program)
- Scram bracelet
- Detox and substance abuse treatment
- Transfer to more restrictive housing or treatment programs
- Warrant issued for your arrest
- Time in jail for violation of bail bond conditions or contempt of court

### Rewards

In addition to receiving a dismissal or reduction in your charges upon graduation, Demonstrating effort and making progress in treatment will be acknowledged by the MICAP team. Some ways we acknowledge hard work and progress include:

- Reduced frequency of appointments with MICAP Probation Officer
- Reduced frequency of appointments with your clinician
- Reduced frequency of Court appearances
- Transfer to less restrictive housing or treatment programs
- Approving a furlough or travels out of state