**ORDER IMPLEMENTING RECOMMENDATIONS, FOR MONITORING AND COSTS and SETTING HEARING**

**INSTRUCTIONS:**

These instructions are meant to guide you through the process of implementing Clearstart, L.L.C.’s recommendations and enrolling in the Family Court Monitoring Program through the Family Court Intervention “Kids First” program.

1. You shall contact Clearstart, L.L.C., at (337) 281-1545 within ***five (5) days*** of the mailing of the Order by the Clerk to enroll in the Family Court Monitoring Program.
2. Unless otherwise indicated, you are responsible for the cost of monthly monitoring in the amount of $50.00 per month, $30.00 drug screen fee per screen, plus a $12.00 collection fee per drug sample for the duration you are enrolled in the Family Court Monitoring Program.
   1. Drug screens shall be paid in advance to Clearstart ($30.00 per screen) within twenty-four (24) hours after assigned drug screen number is called on the drug screen hotline. Once payment is received, Clearstart will email an electronic document to the drug screen facility allowing you to report for random drug screening. Failure to comply will result in a Non-Compliance Report being forwarded to the Court.
   2. Any deviations from Clearstart’s recommendations are considered non-compliance and a reassessment may be required. If a reassessment is required, you will be responsible for the cost of $220.00. New recommendations will be forwarded to the Court.
   3. If you have a positive drug screen, you will be required to attend a positive screen review with Clearstart within seventy-two (72) hours. The cost is $50.00 and a report will be forwarded to the Court upon completion. Failure to comply will result in a Non-Compliance Report being forwarded to the Court.
   4. You will be given ***twenty-four (24) hours*** to drug screen. Failure to comply will result in a Non-Compliance Report being forwarded to the Court.
   5. Clearstart will contact you by telephone in the event a dilute specimen to determine if a review is necessary. Failure to return the call within twenty-four (24) hours will result in a Non-Compliance Report being forwarded to the Court.
   6. Failure to comply may result in extended monitoring, increased level of care, or other recommendations as determined by Clearstart.
3. Monthly reports will be sent to you personally, or through your attorney of record. The reports shall not be shown or distributed to anyone other than the parties or their attorneys, unless Court permission is obtained. **The reports shall not be discussed with, shown, or read to the minor child(ren) in the case.** The reports are confidential and shall not be admissible in any other proceedings.
4. If you fail to comply with the Order, you may be held in contempt of court with appropriate sanctions to be imposed after notice and hearing.
5. You must appear at your Hearing Officer Conference or in Open Court on the date(s) and time(s) specified in the Order to review your progress in monitoring, to determine if supervision/custodial periods should be modified, and to address any outstanding costs.
   1. If you intend to seek a modification of supervision of visitation/custodial periods, you shall:
      1. File a Motion notifying the other party(ies) in writing of the modification sought and the allegations in support thereof.
      2. The Motion shall be filed into the suit record and served on the opposing party(ies) at least ***ten (10) days*** prior to the hearing date.
      3. If you fail to comply with the provision, the matter shall be re-fixed for hearing upon objection by the opposing party.

**15TH JUDICIAL DISTRICT COURT**

**VERSUS DOCKET NO.**

**PARISH, LOUISIANA**

**ORDER IMPLEMENTING RECOMMENDATIONS, FOR MONITORING AND COSTS and SETTING HEARING**

This matter came to be heard on the \_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, to review the drug testing, clinical screening and/or CLEARSTART substance use disorder assessment and recommendations.

Present were the parties and/or their attorneys of record.

After reviewing drug testing, clinical screening and/or CLEARSTART substance use disorder assessment and recommendations dated the \_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, a copy of which is attached hereto as Exhibit “1”, and considering the agreement of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

IT IS ORDERED that **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** shall follow the recommendations of CLEARSTART as set forth in the above referenced report and said party shall contact CLEARSTART at (337) 281-1545 within five (5) days of the mailing of this Order by the Clerk of Court to commence the monitoring process for a period of nine (9) consecutive months.

IT IS FURTHER ORDERED that **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** shall pay the cost of monitoring by CLEARSTART in the amount of $50.00 per month, $30.00 drug screen fee per screen, plus a $12.00 collection fee per drug sample. Please note:

1. **Cost of Drug Screening:** Drug screens shall be paid in advance to CLEARSTART in the amount of $30.00 per screen within twenty-four (24) hours after assigned drug screen number is called on the drug screen hotline. Once payment is received, an electronic document will be emailed to the drug screen facility by CLEARSTART allowing said party to report for random drug screening. Failure to comply will result in a Non-Compliance Report being forwarded to the Court.
2. **Deviations from Recommendations:** Any deviations by said party from the recommendations of CLEARSTART as ordered above shall be considered non-compliant requiring a hearing by the Court to determine if a reassessment is required. If the Court orders a reassessment, said party shall be responsible for a reassessment fee of $180.00 to CLEARSTART, $120.00 screen fee to Acadiana Safety, plus $5.00 collection fee per sample for a total of $10.00, with new recommendations being forwarded to the Court by CLEARSTART.
3. **Positive Drug Screen:** In the event of a positive drug screen, the party will be required to attend a review with a CLEARSTART clinician within seventy-two (72) hours to identify the appropriate support and/or intervention at a cost of $50.00. Upon completion of the review, a report will be forwarded to the Court. Failure to comply will result in a Non-Compliance Report being forwarded to the Court. A positive drug screen may result in extended monitoring, an increased level of care or other recommendations as determined by CLEARSTART.
4. **Missed Drug Screen:** Client will be given twenty-four (24) hours to drug screen. Failure to drug screen within this time frame will result in a Non-Compliance Report being forwarded to the Court.
5. **Diluted Drug Screen Specimen:** CLEARSTART will discuss the specimen with the client via telephone to determine if a review is necessary. Failure to return the telephone call within twenty-four (24) hours will result in a Non-Compliance Report being forwarded to the Court.
6. **Failure to Comply:** Failure to comply with this Order may result in extended monitoring, increased level of care or other recommendations as determined by CLEARSTART.

IT IS FURTHER ORDERED that the parties shall be provided with a copy of any reports by mail either sent to them personally, or through their counsel of record. Reports shall not be shown or distributed to anyone other than the parties and their attorneys, unless court permission is obtained. Most importantly, it shall not be discussed with, shown or read to the minor child(ren) in this case. The reports shall be confidential and shall not be admissible in any other proceedings as mandated by La. R.S. 9:331.1.

IT IS FURTHER ORDERED that the willful failure of either party to comply with this Order may result in a rule for contempt being filed against them with appropriate sanctions to be imposed by the Court.

IT IS FURTHER ORDERED that the parties shall appear in Court on the **\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, at \_\_\_:\_\_\_ \_\_.m.** to review the progress of the aforesaid party in monitoring, to determine if supervision of visitation/custodial periods should be modified, and to address any outstanding costs. If modification of supervision of visitation/custodial periods is sought by either party, said party or parties shall file a motion which shall notify the other in writing of the modification sought and the factual allegations in support thereof. The motion shall be filed into the record of this proceeding and served on the other party at least ten (10) days prior to the hearing date. If the party seeking modification fails to comply with this provision, the matter shall be re-fixed for hearing upon objection by the opposing party.[[1]](#footnote-1)

IT IS FURTHER ORDERED that **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** shall follow all recommendations made by Clearstart, including any future recommendations made by Clearstart, if any.

RENDERED and SIGNED in Open Court at \_\_\_\_\_\_\_\_\_\_\_\_\_, Louisiana, on the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, District Judge

***CLERK TO FAX COPIES*** of Order to:

* FAMILY COURT INTERVENTION “KIDS FIRST”at **(337) 704-5336**
* CLEARSTART, LLC at **(337) 408-3982**

***CERTIFIED COPIES*** of Order to all attorneys of record and unrepresented parties as follows:

❑ Parties/Attorneys handed certified copies in open court

❑ Minute Clerk instructed to mail certified copies

❑ Clerk’s Office to mail certified copies

***NOTICE OF HEARING*** to all attorneys of record and unrepresented parties as follows:

❑ Notice waived in open court

❑ Minute Clerk instructed to mail Notices

❑ Clerk’s Office to mail Notices

***SERVICE BY SHERIFF***:

❑ Please serve \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_with Notice and a certified copy of Order

1. . The parent or party not participating in the Family Court Intervention “Kids First” program shall not be required to appear for the review hearing(s) unless a modification of supervision is requested by the participating party. [↑](#footnote-ref-1)