

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS

ADMINISTRATIVE ORDER NO. 00 - 4-a

(Amended November 1, 2000)

Re: Qualifications and Procedure for Certification of
Community Based Alcohol and Drug Safety Action Programs
pursuant to K.S.A. 8-1008, as amended

I. REQUIREMENTS AND QUALIFICATIONS

In addition to any requirements or qualifications established by the Secretary of Social And Rehabilitation Services for the State of Kansas, each community based alcohol and drug safety action program ("ADSAP program") must satisfy the following requirements and qualifications in order to be certified, to be recertified, or to continue to be certified:

- 1. The Program.** The program must demonstrate that it will provide in a competent and professional manner the services set forth in K.S.A. 8-1008, as amended, or as otherwise required by law.
- 2. The Evaluators.** Any individual (a) performing an evaluation or testing of, (b) preparing or signing any report relating to, (c) performing any supervision or monitoring of, or (d) making any recommendation regarding, a person referred to

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the ADSAP program by a court is an evaluator.

Every evaluator shall be currently certified by the Kansas Alcoholism and Drug Addiction Counselors' Association or registered by the Behavioral Sciences Regulatory Board of the State of Kansas as an Alcoholism and Drug Addiction Counselor.

Every evaluator employed by or affiliated in any way with the ADSAP program shall be qualified to administer, score, and interpret the SASSI 2 (in its current form) and any other test he or she may use.

Every evaluator and manager of the ADSAP program shall attend and participate in any conference initiated by the Chief Judge for training on matters relating to the evaluating of, or the providing of services to, persons referred by a court.

3. Reports. All reports shall be submitted to a court in timely fashion and in the form, and with the required attachments, approved and required by the Chief Judge from time to time. The current form of report is attached to this Administrative Order.

3. Conflict of Interest. When an evaluator has performed an evaluation, made a recommendation for treatment, or provided any testing for a person to comply with the requirements of K.S.A. 8-1008, as amended, neither the ADSAP

program that the evaluator is employed by or affiliated with, nor any other ADSAP program which is under the common ownership or control with the evaluator's ADSAP program shall provide treatment absent an informed and voluntary waiver by the person of this conflict of interest in the form approved by the Chief Judge. Treatment includes, but is not limited to, individual counseling; family or group counseling; and outpatient, intensive outpatient, or inpatient treatment. Treatment does not include purely educational programs.

4. Other Requirements. In order to assure the quality of services provided to the courts and to persons subject to the provisions of K.S.A. 8-1008, as amended, the Chief Judge may, from time to time, specify other or additional requirements for certified ADSAP programs and for applicants for certification.

II. PROCEDURE

1. Application. The original and 50 copies of the completed application for certification, together with all supporting documents, shall be submitted to the Chief Judge on the form approved by the Chief Judge. The applicant shall submit such further information, permit such site visits, and attend such meetings as the Chief Judge or his designee may require to evaluate the merits of the application.

2. Notice of Certification. Notice of certification of a program shall be in the

form of a letter from the Chief Judge.

3. Annual Report. On or before each May 31 after notice of certification, the person responsible for the administration and supervision of the ADSAP program and of the evaluators shall submit the original and 10 copies of the completed annual report, together with all supporting documents, to the Chief Judge on the form approved by the Chief Judge.

4. Duration of Certification. Certification of a program is from the date of the notice from the Chief Judge until the first to occur of any of the following:

- A. The 31st day of May preceding the fourth anniversary of the notice of certification.
- B. No evaluator identified in the application continues to be employed by or affiliated with the ADSAP program. Should this occur, the ADSAP program shall immediately notify the Chief Judge in writing.
- C. Failure of a certified ADSAP program to comply with such other or additional requirements specified by the Chief Judge pursuant to ¶ I.4. of this Administrative Order.
- D. Revocation of the ADSAP program's certification by the Chief Judge upon the Chief Judge's determination that it reasonably appears that the ADSAP program, its evaluators, or its supervision and management

lacks the ongoing expertise, capability, or willingness to provide quality services to the courts and to the persons referred by the courts.

5. Recertification. At least 60 days before the expiration of the period of certification, the ADSAP program shall submit the original and 50 copies of the completed application for recertification, together with all supporting documents, to the Chief Judge on the form approved by the Chief Judge. The applicant shall submit such further information, permit such site visits, and attend such meetings as the Chief Judge or his designee may require to evaluate the merits of the application for recertification.

An ADSAP program's certification shall automatically expire if notice of recertification is not sent to the ADSAP program by the Chief Judge before the certification expiration date.

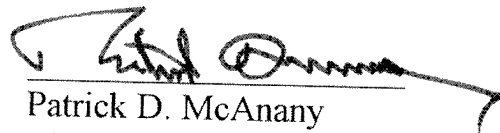
6. Discretion of the Chief Judge. The certification, recertification, revocation of certification, and the establishing of qualifications as provided in K.S.A. 8-1008, as amended, are within the discretion of the Chief Judge. In exercising that discretion, the Chief Judge will take into account the needs of the courts and of the community; the history of the program; the capability of the program's evaluators, supervisors, managers, and other providers; and such other factors that bear upon the qualifications of the applicant or ADSAP program to provide appropriate

services to the courts and to the community.

III. OTHER MATTERS

1. **ADSAP Advisory Committee.** The Chief Judge may designate such committees and persons to act as his designee from time to time in the evaluation and certification process, and to assist in the evaluation, training, and education of evaluators and other persons associated with the ADSAP programs.
2. **ADSAP Program Committee.** There is established an ADSAP Program Committee which shall consist of all certified ADSAP programs, the representative of one of which shall chair the committee on a one-year rotating term. The committee shall meet from time to time and carry out such activities necessary to facilitate cooperation between the courts and the ADSAP programs. The committee shall advise the Chief Judge of its activities and recommendations on a timely basis.

Dated and effective this 1st day of November, 2000


Patrick D. McAnany
Chief Judge