

STATE OF FLORIDA

IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT,
IN AND FOR FLAGLER COUNTY

VS

CASE NUMBER(S): _____

CHARGE(S): _____

Flagler County Adult Drug Treatment Division (Drug Court)
Participation Application, Disclosure and Agreement (Updated 09/26/18)

I have a substance abuse problem and hereby request to be considered for the Flagler County Adult Drug Treatment Division (Drug Court Program). I understand that the opportunity to participate in this program is a privilege, not a right. Understanding that accountability is an important aspect of the program, I acknowledge that if I am accepted, the following will apply to me as long as I am a participant in the program:

1. **There are two ways that one may enter this Program:**

A. **At sentencing as a Condition of Probation:** I understand that if I enter the program at sentencing as a condition of probation, that I must comply with the requirements of the program in addition to all other conditions of probation that are imposed by the sentencing judge. Failure to comply may result in violation of my probation and the issuance of an arrest warrant. If I successfully complete all the program requirements and graduate, I will be allowed to file a motion to withdraw my original plea in accordance with the Florida Rules of Criminal Procedures, with the possibility that the charges will be dropped by the State. I further understand that any claims to monies paid for costs, fees, fines and/or restitution are waived if the court dismisses the charges after successful completion of the Drug Court Program.

B. **Pre-Trial Intervention (P.T.I.):** I understand that to participate in this program, I must plead guilty to the charges against me, but that my plea will be withdrawn and the charges against me dismissed when I successfully complete the program. After having entered a plea, failure to successfully complete the program, will result in my case being disposed of by the Judge with any lawfully allowed sentence.

2. **I will fully cooperate in the completion of all background checks** that will be conducted to determine if my participation in the Program is appropriate.

3. **I understand that I can expect to receive incentives when I progress in the program and sanctions if I do not.** Various forms of positive reinforcement such as "A-Team" recognition, compliments from the Judge and certificates of recognition will be used by the Team to encourage me to progress in the program. Sanctions may occur for failure to attend required counseling sessions, AA/NA or SMART Recovery meetings, supervision office visits, and urinalyses tests, failure to remain drug and alcohol free or failure to participate in treatment. Sanctions may include, but are not limited to, the loss of clean days, additionally required community service work hours, written assignments, tighter supervision, incarceration or termination from the program. Modifications to my treatment requirements such as placement in residential treatment will be based on treatment needs. Eventhough such modifications might seem like a sanction to me, I understand that treatment requirements are not intended to be punitive.

4. **I understand and agree to waive my right of Due Process regarding a decision by the Drug Court Judge and Team to impose a sanction while participating in this Program.** This waiver does not apply if the sanction includes the decision for expulsion or termination from the program.

5. **I will appear at all Drug Court Hearings as instructed by any member of the Drug Court Team.** The Drug Court Team is comprised of representatives from the State Attorney's Office, the Public Defender's Office, the Clerk of the Court, substance abuse treatment providers, the Florida Department of Corrections (D.O.C.) Probation Office, Law Enforcement, the Seventh Judicial Circuit's Court Administration, and the Drug Court Judge.

6. **I understand that I may be required to provide a urine sample** at any time while I am in this program. Failure to provide a valid sample or missing a drug screen may result in a sanction and may be considered a positive result. Although urine testing is the primary way Drug Court tests for drug use, I acknowledge that I may also be subjected to other types of drug testing/screening. They may include, but not be limited to hair EtG testing.

7. **A substance abuse screening and assessment will be required** to determine my treatment needs and if my participation in this program is appropriate. I will cooperate with the treatment professionals by reporting and participating at the assigned time in the near future, as instructed.
8. **I consent to allow information concerning me to be shared among all Drug Court Team members** to carry out official tasks of the Program. This includes, but is not limited to: drug screening results, treatment group attendance and participation, required office visit compliance and overall program progress.
9. **I agree to fully participate in the substance abuse treatment** that will be delivered in the following five Drug Court Program phases. Advancement to a higher phase will be conditional upon recommendation of the Drug Court Team and final approval of the Drug Court Judge.

Phase 1 (Assessment, Stabilization and Orientation):

- A. Minimum Duration: Fifty-six (56) days (8 weeks) – about two (2) months
- B. Court Appearances: Once (1) a week in front of the Drug Court Judge
- C. Individual Therapy Sessions: One (1) per week
- D. Group Therapy Sessions: Two (2) or more sessions per week as indicated by treatment provider
- E. Drug Tests: Two (2) or more random and/or scheduled screens per week
- F. Support Groups such as AA/NA, or Smart Recovery: Attend at least three (3) meetings a week
- G. Supervisory Office Visits: Once (1) a week with a Court Services Officer (Coordinator)
- H. Probation Office Visits: Once (1) a week with DOC Probation Officer
- I. Group therapy sessions needed to advance to next phase: Sixteen (16)
- J. Complete two (2) community service work hours per week
- K. “Drug Free - Clean Days” needed to advance to next phase: Forty (40) consecutive days in Phase 1
- L. To advance to next phase, must be current with treatment fees and pay First Step, Inc. fees (\$12.48 per case), and have a sponsor.

Phase 2 (Outpatient):

- A. Minimum Duration: Fifty-six (56) days (8 weeks) – about two (2) months
- B. Court Appearances: Once (1) every two weeks in front of the Drug Court Judge
- C. Individual Therapy Sessions: Once (1) every two weeks
- D. Group Therapy Sessions: One (1) or more sessions per week as indicated by treatment provider
- E. Drug Tests: Two (2) or more random and/or scheduled screens per week
- F. Support Groups such as AA/NA, or Smart Recovery: Attend at least three (3) meetings per week
- G. Supervisory Office Visits: Once (1) every two weeks with a Court Services Officer (Coordinator)
- H. Probation Office Visits: Once (1) every two weeks with DOC Probation Officer
- I. Complete two (2) community service work hours per week
- J. “Drug Free - Clean Days” needed to advance to next phase: Forty (40) consecutive days in Phase 2
- K. To advance to next phase, must be current with treatment fees, and be employed

Phase 3 (Transitional Outpatient):

- A. Minimum Duration: Twelve (12) weeks – about three (3) months
- B. Court Appearances: Once (1) every three weeks in front of the Drug Court Judge
- C. Individual Therapy Sessions: Once (1) every three weeks
- D. Group Therapy Sessions: One (1) or more sessions per week as indicated by treatment provider
- E. Drug Tests: One (1) or more random and/or scheduled screens per week
- F. Support Groups such as AA/NA, or Smart Recovery: Attend at least three (3) meetings per week
- G. Supervisory Office Visits: Once (1) every three weeks with a Court Services Officer (Coordinator)
- H. Probation Office Visits: Once (1) every three weeks with DOC Probation Officer
- I. Complete two (2) community service work hours per week
- J. “Drug Free - Clean Days” needed to advance to next phase: a total of Ninety (90) consecutive clean days.
- K. To advance to next phase, must be current with treatment fees and be employed

Phase 4 (Continuing Care):

- A. Minimum Duration: Twenty (20) weeks – about five (5) months
- B. Court Appearances: Once (1) every four weeks in front of the Drug Court Judge
- C. Individual Therapy Sessions: Once (1) every four weeks
- D. Group Therapy Sessions: One (1) or more sessions per month as indicated by treatment provider
- E. Drug Tests: One (1) or more random and/or scheduled screens per week
- F. Support Groups such as AA/NA, or Smart Recovery: Attend at least four(4) meetings per week
- G. Supervisory Office Visits: Once (1) every four weeks with a Court Services Officer (Coordinator)

- H. Probation Office Visits: Once (1) every four weeks with DOC Probation Officer
- I. Complete two (2) community service work hours per week
- J. "Drug Free - Clean Days" needed to advance: Two hundred forty (240) consecutive days (may span multiple phases)
- K. To advance to Phase 5, Participants must be current with all requirements and well as being employed.

Phase 5 (Preparing for life after Drug Court):

- A. Minimum Duration: Nine (9) weeks
 - B. Court Appearances: Court hearing once every four weeks - as scheduled
 - C. Group Therapy Sessions: One session per month as indicated by treatment provider
 - D. Drug Tests: Call the UA number each and every morning and report as directed
 - E. Support Groups such as AA/NA, or Smart Recovery: Attend at least four (4) meetings per week
 - F. Supervisory Office Visits: Once (1) every four weeks with a Court Services Officer (Coordinator)
 - G. Probation Office Visits: Once (1) a month with DOC Probation Officer (or as directed by Probation)
 - H. NO Community Service Hours required in Phase 5
 - I. Treatment fees reduced to \$20 per month
 - J. NO Family Group (FEP) required (unless recommended by Treatment)
 - K. NO Individual Session required (unless recommended by Treatment)
 - L. "Drug Free - Clean Days" needed to graduate: 240 consecutive days (may span multiple phases)
 - M. Participate in two (2) Alumni functions per week (Support Groups, work project, or Social function)
 - N. Must present their written Aftercare Plan to the Team and/or Treatment
 - O. To graduate, one must fully pay all program related fees – Those participants who enter the program as a condition of their probation and successfully complete the program, may be eligible for early termination and successful completion of their probation.
10. **I agree to sign an individualized substance abuse treatment plan** that is prepared by both my treatment counselor and me. I will fully participate in an attempt to accomplish my treatment goals and objectives. Failure to make progress may result in increased treatment. If my treatment plan ultimately requires me to enter residential treatment, I understand that I may be required to pay some or all of the expenses related to residential treatment.
 11. **I will not use or possess alcohol, illegal drugs; medications prescribed to others, eat food containing poppy seeds or use CBD Oil (cannabidiol oil).**
 12. **"High Energy" drinks (such as –but not limited to - DynaPep Energy, Red Bull, Monster, 5-Hour Energy, Full-Throttle, Rockstar, Etc) have been known to test positive for amphetamines. Therefore you are discouraged from consuming these types of products. If you choose to consume high energy products and test positive for amphetamines, you will face sanctions for a positive drug test.**
 13. **I will not enter an establishment whose primary purpose is to sell alcoholic beverages.**
 14. **I must disclose to the Drug Court Team, ALL over the counter medications and/or ANY dietary/health supplements that I take or wish to take, prior to taking ANY such medications or supplements.**
 15. **I will not use prescription drugs without a valid prescription and disclosure to the Drug Court Team prior to taking the medications** except in case of an emergency where disclosure may take place the next workday after using the prescription. I understand that use of a controlled prescription drug may delay my advancement in or completion of the Drug Court program, whether or not the prescription is valid. Finally, I must disclose to any doctor who intends to prescribe medication to me, that I am a participant in this program where abstinence from substance abuse is my goal.
 16. **I will not use ANY mood or mind altering substances, whether legal or illegal, unless permission is FIRST granted by a Drug Court Team Member.**
 17. **I will not use Steroids without a valid prescription AND permission granted by a Drug Court Team Member.**
 18. **I understand that officers employed by both the Florida Department of Corrections and Court Administration will conduct supervisory contacts concerning me.** These contacts may occur at my home, my work, the treatment center, the courthouse, probation office or anywhere deemed necessary by the Drug Court Team.
 19. **I agree to obey all lawful directions given to me by any Drug Court Team member.**

20. **I agree to promptly and truthfully answer all questions** asked by any member of the Drug Court Team and understand that I must report any contact with Law Enforcement to my Probation Officer either in person or by phone within 24 hours of the contact.
21. **I agree to reside in Flagler County and will not change my address without approval of the Drug Court Team.**
22. **I will not leave the Flagler County without the approval of the Drug Court Team.**
23. **I agree not to change my educational/employment status without approval of the Drug Court Team.**
24. **I will not violate the law, possess weapons or associate with any person engaged in criminal activity.**
25. **Within twenty-five (25) days of entering the program, I agree to pay \$12.48 per case to the Florida Department of Corrections Probation for the purpose of funding First Step Inc.,** a non-profit organization that assists probationers and drug court participants in need of basic necessities.
26. **My recovery is important to me and I agree to pay my treatment provider \$20 per week,** which only pays for some of the actual costs of my treatment.
27. **I will perform Community Service Work Hours,** Two (2) Hours per week (excluding Phase 5), at a location that is pre-approved by the Drug Court Team.
28. **I will complete all tasks as directed by the Drug Court Judge.** Examples of such tasks may include, but are not limited to: paying restitution, remaining employed, staying in school, life skills education, literacy training, vocational rehabilitation, community resource referrals, and community service work.
29. **If admitted to the program, I understand that if I fail to successfully complete the requirements of Drug Court and as a result get unsuccessfully terminated, I face incarceration of up to five (5) years in State Prison for EACH Third Degree Felony to which I have been charged.**

I understand and accept the contents of this form which I have read or have had read to me.

Defendant's Signature / Date

Defense Counsel / Date

Defendant's Complete Physical Address

Defendant's Phone Number