

STATE OF FLORIDA

IN COUNTY COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
VOLUSIA COUNTY

VS

CASE NUMBER(S): _____
CHARGE(S): _____

**Volusia County DUI Court in Daytona Beach, FL
Participant Application, Disclosure and Order (Revised March 1, 2022)**

I would like to be considered as a candidate for the Volusia County DUI Court in Daytona Beach, FL because I have an alcohol related substance abuse problem and would like to benefit from the stringent regimen of this program. I request to be scheduled for the next DUI Court hearing so that I may be considered for acceptance in this program. I agree to abide by the requirements outlined in this document and understand that if I am accepted into this program I will be ordered to follow these rules as a special condition of probation in addition to my other probation conditions. I understand that **the opportunity to participate in this program is a privilege**, not an entitlement.

1. **Cooperate with treatment counselor** – A substance abuse treatment assessment will be conducted by a qualified treatment provider to determine whether my participation in this program is clinically appropriate. If appropriate, an individualized treatment plan will be customized to address my needs. Although most participants will not need residential treatment services; I understand that I may need residential treatment services. I will cooperate with my treatment counselors.
2. **I will cooperate in the completion of all background checks** that will be conducted to determine if my participation in this program is appropriate.
3. **No alcohol or other drugs** - I will abstain from possessing or ingesting alcohol, medications that contain alcohol, food that contains alcohol, illegal drugs, medications prescribed to others, prescription drugs (without valid prescription), anything containing poppy seeds or any mood altering substance to include synthetic marijuana. Also, I will not enter businesses whose primary purpose is selling alcoholic beverages. I will not have alcoholic beverages in my home.
4. **I agree to provide a valid urine sample** for drug screening upon request. Failure to provide a valid non-dilute sample of appropriate volume or failure to report for a drug screen may be considered a positive result and could result in a sanction to include a loss of clean days or days in jail. Additionally, I will provide oral fluid, breath and/or hair samples for drug screening purposes if requested.
5. **I agree to call the random drug screening message line every morning** as instructed, seven days a week, including weekends and holidays. I will show up for my drug tests when instructed.
6. **I will obey the law** and avoid associating with people who are engaged in illegal activities.
7. **I will cooperate with and follow all lawful instructions from DUI Court Team members** to include keeping appointments, attending court hearings, answering questions promptly and truthfully, participating in additional treatment sessions and submitting to required screens for alcohol and other drugs. I understand that the DUI Court Team consists of the Judge, treatment counselors and my attorney as well as representatives from the State Attorney's Office, Public Defender's Office, Program Coordinator, Court Administration, Law Enforcement and the Clerk of the Court. I understand that failure to appear in Court as ordered may result in a warrant for my arrest being issued.
8. **I consent to allow information concerning me to be shared with all DUI Court Team members** as needed to carry out official tasks of the program. This includes, but is not limited to urinalysis results, medical records, prescriptions, treatment attendance and progress, required program compliance and overall program progress. I understand that after I sign an authorization form to allow confidential information about me to be exchanged between specified entities that my consent will be irrevocable until there has been a formal and effective termination or revocation of my release from probation under which I was mandated into treatment.
9. **I will complete all tasks as directed by the Court.** Examples of such tasks may include: paying restitution, purchasing treatment literature, remaining employed, staying in school, life skill education, literacy training, vocational rehabilitation, community resource referrals, and community service.
10. **I reside in Volusia County** and will continue to live in Volusia County as long as I am in this program. Before moving or changing my employment status, I will inform the Program Coordinator of my intentions. Also, I understand that DUI Court Hearings are held in Daytona Beach, FL.

11. **I agree to fully participate in the substance abuse treatment that will be delivered in the following DUI Court phases.** I should expect to start with treatment services immediately. Advancement to the next phase will be conditional upon input from the team and approval of the Judge.

Phase 1 (Minimum duration of four weeks)

- Weekly court appearances
- Weekly meetings with Program Coordinator
- Two group therapy sessions per week (90 minutes each); must complete at least eight (8) groups and Truthought questionnaire before advancing to next phase
- Individual therapy once a week
- Random home visits as deemed appropriate by the DUI Court Team
- Attend three approved support groups per week such as Alcoholic Anonymous (AA) or Smart Recovery
- Frequent random screens for alcohol and other drugs
- Develop a plan to pay restitution, court costs and pay \$100 towards program fees before advancing to next phase
- At least twenty consecutive “clean” days are needed to advance to the next phase

Phase 2 (Minimum duration of twelve weeks)

- Biweekly (every other week) court appearances
- Biweekly (every other week) meetings with Program Coordinator
- Two group therapy sessions per week (90 minutes); must complete at least twenty-four (24) groups before advancing to next phase
- Individual therapy once a week
- Random home visits as deemed appropriate by the DUI Court Team
- Attend three approved support groups per week such as Alcoholic Anonymous (AA) or Smart Recovery
- Frequent random screens for alcohol and other drugs
- Enroll in DUI School
- Maintain employment, continue education or seek job skills
- Pay \$300 towards program fees before advancing to next phase
- At least forty consecutive “clean” days are needed to advance to the next phase

Phase 3 (Minimum duration twelve weeks)

- Court appearances every three weeks
- Meetings with Program Coordinator every three weeks
- Two group therapy sessions per week (90 minutes); must complete at least twenty-four (24) groups before advancing to next phase
- Individual therapy every two weeks
- Random home visits as deemed appropriate by the DUI Court Team
- Attend three approved support groups per week such as Alcoholic Anonymous (AA) or Smart Recovery
- Frequent random screens for alcohol and other drugs
- Complete DUI School and Victim Awareness Program before advancing to next phase
- Maintain employment, continue education or seek job skills
- Pay \$400 towards program fees before advancing to next phase
- At least sixty consecutive “clean” days are needed to advance to the next phase

Phase 4 (Minimum duration eight weeks)

- Court appearances every four weeks
- Meetings with Program Coordinator every four weeks
- One group therapy session (90 minutes); must complete one group every four weeks until graduation
- Individual therapy every four weeks
- Random home visits as deemed appropriate by the DUI Court Team
- Attend three approved support groups per week such as Alcoholic Anonymous (AA) or Smart Recovery
- Frequent random screens for alcohol and other drugs
- Develop relapse prevention plan and complete group presentation “What I Have Learned While in DUI Court”
- Maintain employment, continue education or seek job skills
- Pay restitution, court costs and \$200 towards program fees no later than one week before graduating
- At least one hundred twenty consecutive “clean” days are needed to graduate or advance to the graduation phase (may include sixty-four clean days from Phase 3)

Graduation Phase (Maximum duration eight weeks — waiting for graduation ceremony)

- Court appearances every four weeks
 - Meetings with Program Coordinator every four weeks
 - One group therapy session (90 minutes); must complete one group every four weeks until graduation
 - Individual therapy every four weeks
 - Random home visits as deemed appropriate by the DUI Court Team
 - Attend three approved support groups per week such as Alcoholic Anonymous (AA) or Smart Recovery
 - Frequent random screens for alcohol and other drugs
 - Maintain employment, continue education or seek job skills
 - No treatment provider fee
12. **I should expect to receive incentives when following the rules and making progress.** Some examples are: applause, words of encouragement and certificates of recognition, phase advancement and “A Team” designation.
13. **I should expect to receive sanctions when not following the rules or not making progress.** Some examples are: verbal reprimand, written assignments, loss of clean days, community service work and days in jail.
14. **I understand that the Program Coordinator or other DUI Court team members may visit or call** me at home, work, the treatment center, the courthouse, or anywhere he/she deems necessary. By signing this agreement I am consenting to the search of my person or any vehicle, residence, item or container in which I have the standing to give consent to search, by any member of the DUI Court Team or any other person or entity directed by a member of the DUI Court Team to conduct a search. I understand that I am authorizing such a search at any time for as long as I am a DUI Court participant. I further consent and authorize any law enforcement officer or case manager to search, at any time my person and all vehicles, premises, items and containers in which I have standing to give consent to search.
15. **I understand that participation in DUI Court may not satisfy all components of the sentence** that was imposed.
16. **I will not use prescription drugs without a valid prescription** and will tell my treatment counselor before taking medications except in the case of an emergency where disclosure may take place the next workday. I understand that use of a controlled prescription drug may delay my advancement in or completion of the DUI Court program, regardless of the drug being validly prescribed. 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 alcohol and other drugs is my goal.
17. **I must tell my treatment counselor about all over the counter (OTC) medications** that I plan to take **before** I take the medication. I understand that some OTC medications can test positive. Failure to notify my treatment counselor of medications that I take could result in receiving a sanction for a positive drug test. Additionally, I know that OTC medication, when not taken as the label instructs, may be dangerous to me.
18. **I must keep a medication log of all alcohol and other drugs** that I take to include prescriptions, over the counter medicines and illicit drugs. I must keep the list up to date and will give it to my treatment counselor upon request.
19. **I understand that I may “opt out” of this program** in lieu of sanctions at any time and that “opting out” will be treated as a violation of probation.
20. **I understand that I must successfully complete this program.** Failure to comply with DUI Court obligations may result in a violation of probation and the issuance of an arrest warrant.
21. **I agree to pay a \$1000 DUI Court treatment provider fee to SMA Healthcare for my participation in this program.** Each phase in the program outlines the amount towards fees that must be paid in order to advance to the next phase. Phase advancement and graduation is contingent upon my progress in paying these fees. This DUI Court program relies on these fees to provide services; however, community service work hours may be substituted for these fees.

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

Defendant Signature / Date

Defense Counsel / Date

Upon successful completion of the Volusia DUI Court program, the State Attorney's Office agrees to:

Assistant State Attorney/Date

The above captioned case is hereby transferred to Division 87, DUI Court and the probationer is ordered to enter and successfully complete the DUI Court program to include all of the conditions specified above as a special condition of probation.

DONE AND ORDERED in Volusia County, Florida, this _____ day of _____, 20_____.

Volusia County Judge