STATE OF FLORIDA
IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY
VS _____

CASE NUMBER(S): _____

CHARGE(S): _____

# Volusia County Drug Court Participation Agreement

I have a substance abuse problem and hereby request to be considered for the Volusia County Drug Court Program, a Problem-Solving Court of the Seventh Judicial Circuit. 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. **I will enter the Program as a condition of probation:** I understand that I will enter this program as a condition of probation and that I must comply with the requirements of the program as outlined in this participation agreement, all standard conditions of probation, and any special conditions imposed at sentencing. Failure to comply with the Drug Court obligations may result in a violation of my probation, the issuance of an arrest warrant or a modification of my probation conditions (including, but not limited to, the completion of residential treatment). If I am found in violation of probation and sentenced out of the program, the presiding Drug Court Judge is not bound by any predetermined sentences.

   If agreed upon by all parties at the time of sentencing, I may be eligible to have my plea/sentence vacated and all charges against me dismissed upon successful completion of the program.

2. **I consent to ex parte communication** (communication outside my presence and/or the presence of my attorney) among all members of the treatment team regarding my health, mental health, addiction, employment, legal status, and other personal information the treatment team deems appropriate as a part of my treatment. My consent to ex parte communication will be withdrawn and will end upon my return to a regular court docket for any reason.
3. **I authorize all members of the Drug Court team** to use and disclose to one another, as necessary, my substance use disorder information, notes, and records for the purposes of coordinating, administering, and monitoring my participation in a Seventh Judicial Circuit Problem-Solving Court. I may revoke this consent by submitting a written notice to the Problem-Solving Court Coordinator and the treatment provider. I understand that revoking consent may result in termination from the Problem-Solving Court Program and that revocation will not affect disclosures already made in reliance on this consent.
4. **I hereby waive my right of privacy and confidentiality** concerning information contained in Department of Children and Families records. I consent to allow this information and all other information concerning me to be given to all Drug Court Team members as needed to carry out official tasks. This includes, but is not limited to: urinalyses results, treatment group attendance, office visits, field visits and overall program progress.

5. **I agree to waive my due process rights** with regard to the imposition of any sanction and to submit to any reasonable search of my person or property while a participant in Drug Court. The waiver of due process rights does not include violation of probation proceedings or a Drug Court Team decision for expulsion or termination from the program.
6. **Health:** I understand that health care is an important part of becoming clean and sober. Therefore, I will make a diligent effort to maintain or apply for health care coverage as soon as possible upon entry into the program.
7. **Treatment:** I will cooperate with substance abuse screenings and/or assessments as needed to participate in Drug Court. I will report to my treatment provider as instructed, which will be as soon as possible after entering the program. I will develop and sign an individualized treatment plan with my counselor and participate toward accomplishing the goals and objectives in my plan. Periodic modifications to my plan will be made. If my treatment plan requires additional evaluation, counseling, medication, medical treatment or residential placement, I understand that I may be required to pay some expenses related to these services. I agree to fully participate in any treatment that is recommended during my time in Drug Court. I understand that treatment requirements may be adjusted based on individual progress, ongoing assessment, or program changes.
8. **Program Requirements:** I have been provided a copy of the Volusia County Adult Drug Court Handbook, which outlines specific requirements of the program, including requirements to advance from one Phase to the next and to graduate successfully from the program. Advancement to the next phase and/or graduation is based on the recommendation of the Team and final approval of the Judge.
9. ___ **Initials:** I acknowledge that I have reviewed the phase requirements included as an addendum to this agreement.
10. **I understand that it will take a minimum of ten (10) months to graduate Drug Court;** however, based on my progress and the date of the next scheduled graduation ceremony, it could take longer. Graduates who have transferred into the program may be eligible to withdraw their plea and have their charges dismissed.
11. Graduates who have entered the program as a condition of probation may be eligible to be successfully terminated from probation early.
12. **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, the Seventh Judicial Circuit's Court Administration, and the Drug Court Judge.
13. **I understand that supervision officers employed by both the Florida D.O.C. Probation and Court Administration** will conduct supervisory contacts concerning me. These contacts may occur, consistent with the confidentiality of my treatment, at my home, my work, the treatment center, the courthouse, or anywhere deemed necessary. I will report when and where as directed by these officers. Each participant must provide a working telephone number on which they can be contacted at any time.

14. **Remaining drug free:** I understand that Drug Court will assist me to remain drug free by requiring me to not use alcohol, illegal drugs, prescription drugs without a valid prescription, or any other mind- or mood-altering substances. I understand that I will be required to submit random, frequent urine samples during the duration of the program. I agree to not ingest, purchase, or possess any illegal drugs or mind/mood-altering substances.
15. **Incentives, Sanctions, and Service Adjustments:** I understand that I can expect to receive incentives when I progress in the program and sanctions when I do not. Various forms of incentives, sanctions, and service adjustments are outlined in the Participant Handbook.
16. **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 the Court Supervision Officer either in person or by phone within twenty-four (24) hours of the contact. I agree to obey all lawful directions given to me by a Drug Court Team member.
17. **Employment and Education:** Within 45 days of advancing to Phase 2, I agree to maintain lawful employment and/or to advance my educational status in a manner that is approved by the Drug Court Team. I will not change my educational or employment status without approval of the Drug Court Team.
18. **I will not violate the law**, possess weapons or associate with any person engaged in criminal activity.
19. **I agree to reside locally** and to not change my address without the approval of the Drug Court Team.
20. **I will not leave Volusia County** without the advance approval of the Drug Court Team.
21. **Restitution, First Step and Cost of Supervision:** If I have been ordered to pay restitution, I will make paying it a priority. I understand that I should pay my restitution in incremental amounts or in full before paying any other fees, costs or fines and before being permitted to graduate. Within thirty (30) days of advancing to Phase 2, I agree to pay $12.48 per case to the Florida Department of Corrections (DOC) for the purpose of funding First Step Inc., a non-profit organization that assists probationers to include Drug Court participants in need of basic necessities. The ‘cost of supervision fee’ normally paid to DOC is suspended during my participation in Drug Court and is waived upon successful completion. At that time, court costs and other fees, excluding restitution, may be reduced to a civil judgment. Restitution, if any, must be paid in full in order for my case to be closed.
22. **Drug Court Surcharge:** I agree to pay the drug court treatment provider a surcharge of $1000.00 for the first twenty-four (24) months of participation in drug court. I understand that I may substitute community service hours performed at an approved site for payment of the fee at the rate of $15.00 per hour. This surcharge may be waived or suspended or modified by the Court, at its discretion. If I am still participating in Drug Court beyond twenty-four (24) months from my starting date, then I also agree to pay $80.00 for each additional month, beginning on the first day of each month, thereafter until I graduate or am sentenced out of the Program.

23. **I understand that required community service work hours** must be completed at a work site that has been approved by the Drug Court Team. Although completed work hours can be used to offset the drug court surcharge, money will not be accepted in lieu of completing community service work hours.
24. **Additional Tasks:** I will complete any and all tasks as directed by the Drug Court Judge.
25. **I understand that the confidentiality** of my alcohol and drug treatment records are protected under Federal regulations: Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2 and the HIPPA Privacy Rule, 45 CFR 160, 162, and 164. I further understand and consent to the Office of the State Courts Administrator (OSCA) staff having access to the data provided in the Florida Drug Court Case Management System, as a required part of Florida Drug Court compliance, for purposes of providing administrative oversight, program monitoring and evaluation, and data compliance review. OSCA's contracted vendor, Advanced Computer Technologies, also has access to the data for purposes of web hosting, support, and database maintenance.

I understand and accept the contents of this form which I have read or have had read to me. I also understand that my information may be shared with the Office of State Court's Administration for purposes of providing administrative oversight, program monitoring and evaluation, and data compliance review.

Defendant's Signature / Date

_____

Defense Counsel / Date

_____

Defendant's Complete Physical Address

_____

Defendant's Phone Number

_____

## Complete Phase Requirements

### Phase 1 (Assessment, Orientation and Stabilization): Minimum duration is 26 days

- **Court Appearances:** Once per week in front of the Drug Court Judge
- **Group Therapy Sessions:** Attend all treatment recommended groups
- **Individual Therapy Sessions:** Attend at least 1 session per week
- **Drug Tests:** As instructed through the random drug testing system and by Drug Court Team members
- **Support Groups such as:** AA/NA/SMART Recovery: Attend 1 meeting each day, 5 days per week
- **Supervisory Office Visits:** At least once per week with Court Services Officer
- **Probation Office Visits:** Once per month as instructed by Probation Officer
- **To advance to next phase:** Complete 10 community service work hours at approved site
- **To advance to next phase:** Complete a minimum of 16 group therapy sessions during the phase, either in residential or outpatient treatment
- **To advance to next phase:** Complete and pass the dilute UA quiz
- **To advance to next phase:** Acquire a minimum of 20 consecutive “clean urine days”

### Phase 2 (Outpatient): Minimum duration is 90 days

- **Court Appearances:** Every 2 weeks or as scheduled by the Drug Court Judge
- **Group Therapy Sessions:** Continue to attend all treatment recommended groups
- **Individual Therapy Sessions:** Attend at least 1 session every 2 weeks
- **Drug Tests:** As instructed through the random drug testing system and by Drug Court Team members
- **Support Groups such as:** AA/NA/SMART Recovery: Attend 1 meeting each day, 4 days per week
- **Supervisory Office Visits:** At least once every 2 weeks with Court Services Officer
- **Probation Office Visits:** Once per month as instructed by Probation Officer
- **First Step, Inc. Fee:** Pay in full within 30 days of advancing to Phase 2 ($12.48 per case)
- Obtain and maintain lawful employment within 45 days of advancing to Phase 2
- **To advance to next phase:** Complete 10 community service work hours at approved site
- **To advance to next phase:** Pay treatment provider $300 of Drug Court surcharge
- **To advance to next phase:** Acquire 45 consecutive “clean urine days”

  *For those participants transitioning from residential treatment into Phase 2 there may be additional meetings with Supervision and/or treatment scheduled

**Phase 3 (Transitional Outpatient): Minimum duration is 120 days**

- **Court Appearances:** Every 3 weeks or as scheduled by the Drug Court Judge
- **Group Therapy Sessions:** Continue to attend all treatment recommended groups
- **Individual Therapy Sessions:** Attend at least 1 session every 3 weeks
- **Drug Tests:** As instructed through the random drug testing system and by Drug Court Team members
- **Support Groups such as:** AA/NA/SMART Recovery: Attend 1 meeting each day, 4 days per week
- **Supervisory Office Visits:** At least once every 3 weeks with Court Services Officer
- **Probation Office Visits:** Once per month as instructed by Probation Officer
- **To advance to next phase:** Pay treatment provider 100% of drug court surcharge
- **To advance to next phase:** Acquire 120 consecutive “clean urine days”

**Phase 4 (Continuing Care): Minimum duration is 60 days**

- **Court Appearances:** Every 4 weeks or as scheduled by the Drug Court Judge
- **Group Therapy Sessions:** Continue to attend all treatment recommended groups
- **Individual Therapy Sessions:** Attend at least 1 session every four weeks
- **Drug Tests:** As instructed through the random drug testing system and by Drug Court Team members
- **Support Groups such as:** AA/NA/SMART Recovery: Attend as instructed by treatment counselor
- **Supervisory Office Visits:** At least once every 4 weeks with Court Services Officer
- **Probation Office Visits:** Once per month as instructed by Probation Officer
- **To graduate:** Pay treatment provider 100% of Drug Court surcharge
- **To graduate:** Acquire 60 consecutive “clean urine days” in Phase 4 and a minimum of 120 consecutive days of abstinence accumulated between Phase 3 and Phase 4