

IN THE COMMON PLEAS COURT OF MEIGS COUNTY, OHIO
DRUG COURT DOCKET

STATE OF OHIO

Plaintiff,

VS.

Case:

Defendant

DRUG COURT AGREEMENT

ACKNOWLEDGMENT OF REQUIREMENTS OF THE MEIGS COUNTY COMMON PLEAS COURT
DRUG COURT AND JOURNAL ENTRY ACCEPTING THE DEFENDANT INTO MEIGS COUNTY
COMMON PLEAS COURT DRUG COURT.

I wish to be placed in the Meigs County Common Pleas Court Drug Court (Drug Court) docket (as a condition of community control or judicial release) and I am willing to participate in the Meigs County Common Pleas Court Drug Court and comply with all the program terms and expectations set forth in the participant handbook that has been reviewed with me. I understand that the participation agreement outlines the process and requirements of the Meigs County Common Pleas Court Drug Court.

Waiver of Rights

I understand that by entering into the Meigs County Common Pleas Court Drug Court I will be waiving some of my constitutional rights. I may elect to rescind the waiver of one or more of these rights at any time. The consequences for rescinding the waiver of one or more of these rights may include termination from the Meigs County Common Pleas Drug Court, resulting in the imposition of any suspended jail sentence. These rights include:

- a. Right to Due Process including in the imposition of sanctions other than the imposition of jail or probation revocation.
- b. Right to an Attorney:
- c. 1. Limited scope of Representation. Participant agrees to be represented by a Public Defender appointed by the Meigs Common Pleas Court Judge during their participation in this Drug Court Program. Appearances with counsel are limited to hearings contesting violations of this agreement and the imposition of sanctions. Participant waives the right to counsel otherwise.
- d. 2. Private Counsel. Other counsel may be utilized if that attorney provides a notice of appearance. Participant has the right to request the attendance of defense counseling during the portion of the Treatment Team meeting concerning the Participant and during the Status Review Hearing. Participant is solely responsible for contacting defense counsel and making arrangements for their attendance if such attendance is desired by the Participant.
- e. Right to Remain Silent and Right Against Self-Incrimination, including at status hearings;
- f. Right to Freely Associate, including the right to freely associate with persons who, in the sole discretion of the Court, interfere with or impede the recovery of the participant;
- g. Right against Unlawful Search and Seizure. The participant agrees to a search, without warrant, of his or her person, motor vehicle, or place of residence by a supervising officer or law enforcement officer or other authorized representative of the Court at any time.

Successful completion of the Drug Court Program requires you to follow the orders of the court and

obey the terms and conditions of the program. Failure of participants to obey the rules will result in sanctions in the program or being placed on traditional probation with more severe terms, conditions, and penalties, including WRC or jail incarceration or prison.

AGREEMENT TO PARTICIPATE IN THE PROGRAM

1. I understand and have read the participant's handbook, the description and requirements of the Drug Court Program and, in order to be admitted to the program, I agree to the following terms and conditions: _____
2. I understand that the program consists of four phases, and that I must successfully complete the requirements of each phase before I can graduate from the program:

3. I understand that participation in Drug Court involves a minimum time commitment of 12 months. _____
4. I understand that, during each of the phases, I must submit to random drug screens. I agree to all drug screens as ordered by the Judge or requested by probation/treatment providers or case management. _____
5. I understand that substituting, altering, or trying in any way to change my body fluids for purposes of testing, including attempts to dilute the sample; will be grounds for sanctions, including termination, imposed at the discretion of the Drug Court Judge. _____
6. I understand that participating in Drug Court requires me to be drug free at all times. I will not possess drugs or drug paraphernalia. I will not associate with people who use or possess drugs, nor will I be present while drugs are being used by others. _____
7. I understand I will inform all treating physicians that I am in recovery from a substance use disorder. If a treating physician wished to treat me with narcotic or addictive medications or drugs, I must disclose this to my treatment provider and get specific permission from the Drug Court Team to take such medication. _____
8. I understand I must inform treatment staff and probation staff of any and all prescriptions obtained by me by the next business day after receipt of the prescription. I also understand that I must inform all staff of any and all over-the-counter medications that I take by the next business day following taking the medication. _____
9. I understand I agree to be responsible for what goes into my body that may affect drug test results. Before taking medication of any kind, I will check with the pharmacist to ensure that it is non-narcotic, non-addictive and contains no alcohol. _____
10. I understand that I must call the number provided by Meigs County Community Control every day to see if I have been selected for a random drug screen. _____
11. I understand that drug testing is done on a random, frequent, and observed basis, I must appear in the office ready to provide an observed breath, saliva and/or urine sample for testing. The choice of testing will be at the probation's officer discretion. _____

12. I understand the following acts are to be treated as positive test and immediately sanctioned: Failing to submit to testing, submitting an adulterated sample, submitting the sample of another individual, diluting the sample. The court will receive immediate notification of all positive tests which shall be immediately sanctioned. _____
13. I understand that, during each of the phases, I must meet with my Probation Officer (P.O.), unless otherwise ordered by the court: _____
14. I understand that I must meet with a substance abuse treatment counselor and follow the recommendations of that counselor, unless otherwise ordered by the court: _____
15. I understand that drug court reviews are held on Mondays at 9:00 AM. _____
16. I understand that, I will be required to attend case reviews with the Judge at least weekly during the initial phase. Thereafter I will be required to appear regularly before the judge for progress reviews no less than monthly. I further understand that these hearings will not be private, and that other program participants will be in the courtroom at the same time: _____
17. I understand that if I violate the terms and conditions of Drug Court during the course of the program, immediate, graduated and individualized sanctions will be imposed these include, but are not limited to, the following: _____
- Warning from the Judge
 - Community service
 - Increasing court appearance
 - Individualized sanctions performing other activates such as writing essays, or performing other activates to reflect upon unacceptable behavior.
 - Fines
 - Increase in drug testing
 - Daily “call-in” or “in person check-in” responsibilities
 - Increased time in phase
 - Drug rehabilitation center
 - House arrest
 - Electronic monitoring
 - Work Release Center
 - Incarceration (Jail) or Prison
18. I understand I have the right to an attorney present upon my request during the portion of the treatment team meeting concerning the defendant and during case review proceedings which may include hearing for imposition of jail or probation revocation. However, having been informed of these rights, I hereby waive the Right to Consult and be represented by an attorney at status hearings and other Drug Court events, other than a hearing for imposition of jail or probation revocation. _____
19. I understand that me and my family members may be encouraged to attend family and/or individual activities, arranged by the drug court team: _____

20. I understand that if I complete the program successfully, the Judge may dismiss my case, reduce jail time and/or probation time: _____
21. I understand that I am agreeing to allow the exchange of information as necessary between all program personnel and their respective agencies with regard to my progress, performance, and compliance with the Drug Court Program: _____
22. I understand that if I complete Medication Assisted Treatment (MAT) as part of my treatment protocol it must be with a court approved credentialed addiction specialist, medical professional (e.g. ASAM or SAMHSA) or physician with advanced knowledge of recovery issues: _____
23. I agree to pay a supervision fee each month that I am in the Drug Court Program. I further understand that admission is not conditioned on financial status, and a participant cannot be barred from graduating solely on the basis of inability to pay. A participant shall endeavor to pay financial obligations while in Curg Court. However, no participants shall be denied graduation solely on the basis of unpaid fines, costs or fees. _____
24. I have read this entire form, (or in the event that a participant has any challenges reading or understanding this form, the probation officer shall read all of the Participant Agreement and Participant Handbook aloud to each participant). _____
25. Even though I understand I am waiving the right to legal representation at most all phases of a post-conviction drug court program, I understand that I am entitled to request and confer with counsel prior to any hearing wherein incarceration is to be imposed or when my probation is being revoked.

I have read this Acknowledgement and understand this agreement, and I freely and voluntarily relinquish the rights discussed and further agree to abide by all rules and conditions of the Meigs County Common Pleas Court Drug Court. After consultation with my attorney, I hereby sign the Agreement to participate in the Meigs County Common Pleas Court Drug Court.

Defendant

Date

Defendant Attorney

Date

Prosecutor

Date

Having reviewed the Meigs County Common Pleas Court Drug Court Admissions Assessment and eligibility requirements the Court hereby accepts this case and the Defendant into the Meigs County Common Pleas Court Drug Court.

It is so ordered.

Judge Linda R. Warner

Date