

SONOMA COUNTY SUPERIOR COURT

DRUG COURT

NOTICE TO PARTICIPANTS

The Sonoma County Courts "Drug Court Program" provides persons charged with certain drug offenses, or other crimes, the opportunity to attend a treatment and counseling program after they have entered a plea to charges brought against them or admit a violation of probation. To take part in this program you must do the following:

You must read, sign, and file the "Drug Court Agreement".

You are eligible for this program if:

1. You are charged with drug offenses that involve the possession of illegal drugs, or being under the influence of illegal drugs, or committing other crimes because of addiction to drugs.
2. You can resolve all of your pending cases and charges at the time of entry into the Program.
3. You have no hold from another jurisdiction.
4. The deputy district attorney in the trial department does not object to you observing Drug Court.

Your case will be continued to allow you to see a session of Drug Court and to talk with defense counsel and the Drug Court Coordinator about participation in the Program. If you are interested in the program, you will complete a diagnostic evaluation in order to design your individual treatment plan and then return for a second court date in Drug Court. The Drug Court Judge will make the final decision of your eligibility for the Program.

You will return to your criminal department where you will waive your constitutional rights as outlined in the "Drug Court Agreement", or other document, and you will enter pleas to some or all of the charges brought against you by the District Attorney, or admit a violation of probation. You will sign the "Drug Court Agreement". You will be placed on probation or DEJ to the Court. You will be referred to the treatment program.

Within the first fourteen (14) days after your first appearance in Drug Court you can withdraw from the Drug Court Program. Likewise, the Judge may terminate you from the Program during the first fourteen (14) days. If this happens, your not guilty plea will be re-entered and your case will be transferred to another court. This is your only chance to voluntarily withdraw from the Program. After this court appearance the only way to leave the Program is to successfully complete the Program, or to be unsuccessfully terminated from the Program.

During the treatment program, you will be on probation or DEJ to the court subject to satisfactory compliance with the terms of the drug treatment program and any other conditions imposed by the Court.

After your first Drug Court appearance, you, not your attorney, will talk directly with the Judge about your progress in your treatment program. Your attorney will still be present with you in Court.

The most important thing during your treatment is to test, go to treatment and counseling sessions, and come to court as ordered. Non-participation will be dealt with most harshly. A range of sanctions will be imposed for non-compliance with program requirements. These could include increased treatment and counseling, more court appearances, immediate jail, termination from the program, or other sanctions the Court deems appropriate.

Successfully working through the program will result in fewer court obligations such as fewer groups and counseling sessions, and fewer court appearances.

The counseling/treatment criteria in each phase are the minimum required. The Court will order increases in these minimums if it is found necessary. Typically, positive urine tests indicate the need for increased counseling, meetings, or other sanction.

The general counseling/treatment plan criteria are explained in the Drug Court Agreement.

When you successfully complete the program you will graduate from Drug Court and your case will be expunged pursuant to Penal Code section 1203.4 or other action taken as allowed by law. Driving Under the Influence charges (i.e. Vehicle Code section 23152) will not be expunged, however probation will be modified to a conditional sentence.

The goal of the Drug Court Program is to help you stop using drugs, maintain a clean and sober lifestyle, and to end your involvement with the criminal justice system. For some of you this program will be the most difficult thing you have ever done. The people associated with the Drug Court and the counseling/treatment program are here to help you. The Court is here to help you make the transition to a drug free life. **WE WANT YOU TO SUCCEED!**

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SONOMA

PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

CASE NO.

vs.

DRUG COURT AGREEMENT

Defendant/

I agree to give up the following rights and to carry out the agreements listed below and as explained in the "Notice to Participants".

1. To enter the Drug Court Program, I understand I will plead to a certain charge or charges. The Judge will put me on probation or DEJ for twenty-four (24) months.
2. I also understand that any time within fourteen (14) days from today I can withdraw from the Drug Court Program by telling the Judge that I don't want to participate in the Program. Likewise, the Judge may also terminate me from the program during the first fourteen (14) days. If either happens, my not guilty plea will be re-entered and my case will be transferred back to a criminal department.
3. I agree to complete a diagnostic evaluation (or have already completed one) in order to design my individual treatment program. I authorize the release of all treatment information to the Court and to Drug Court personnel. This information cannot be used by the District Attorney to prosecute me, but it can be used by the Court to see how well I am doing in the program.
4. I understand that this is a minimum twelve (12) month intensive drug treatment program. It will include individual counseling, group counseling, urine testing, designated self-help meetings, and constant review by the Drug Court Judge. I agree to complete all objectives in my personal "counseling treatment plan. "
5. I understand that I will have to appear in court on a regular basis and will be personally accountable for my progress in the Drug Court Program. *I will speak for myself and speak directly to the Judge.*
6. I understand that any failure in the treatment program such as missing counseling sessions, missing urinalysis test(s), positive urinalysis test(s), or a new arrest will result in an immediate appearance in front of the Judge. The Judge will then have the option to sanction me for my behavior to include increased treatment and counseling, more court appearances, immediate jail, termination from the program, or other sanctions the Judge deems appropriate.

