

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS)
)
 v.) Case No. _____
)
 _____)
 Defendant)

DRUG COURT PROGRAM GUIDELINES AND REQUIREMENTS

I. INTRODUCTION: The information provided in this document is intended to be a guideline. This Guideline is not intended to be an exclusive list of your Drug Court Program requirements. If you are admitted to the Drug Court Program, the Drug Court Probation Order signed by the Court will set forth the exact terms and requirements of your Drug Court Probation. The Drug Court Probation Order controls over and supersedes anything in this Guideline.

The adult Drug Court Program is a Court-managed drug intervention treatment program designed to provide a cost-effective alternative to traditional criminal case processing. If you choose to participate in this program, and are eligible for and accepted into the program, you must be willing to commit to the entire program. The program consists of Phases I – IV. Exclusive of aftercare, the program may be successfully completed within twelve (12) months; however, your aftercare will extend for twelve additional months plus any extension ordered due to non-compliance. The Probation Officer or Drug Court Officer will explain Phases I – IV to you. At anytime during your participation you may be terminated from the program, and resentenced for non-compliance with rules and treatment plans.

II. BEFORE ADMISSION TO THE DRUG COURT PROGRAM, YOU MUST:

- A. Truthfully answer all questions to the satisfaction of the Drug Court Officer and the Drug Court Judge.
- B. Cooperate fully with the Drug Court Officer and the Drug Court Judge.
- C. Admit to the use of or addiction to a drug or drugs.
- D. Demonstrate a willingness to participate in a treatment program.
- E. Not have previously completed or been discharged from a Drug Court Program.

- F. Sign a Plea Agreement, Plea of Guilty and Waiver of Rights with your attorney and the State's Attorney/Assistant State's Attorney and plead guilty to an offense that qualifies for Drug Court, or in the alternate, admit to a violation of probation, conditional discharge, or Court supervision involving an underlying offense which qualifies for Drug Court. You must also waive all rights, including the right to a hearing concerning sanctions and termination from the Drug Court Program.
- G. Sign a Drug Court Probation Order agreeing to all its terms.
- H. Have the Drug Court Judge find you eligible for and willing to participate in the Drug Court Program, and enter a Drug Court Probation Order.

III. IF ADMITTED TO THE DRUG COURT PROGRAM, YOU WILL BE REQUIRED TO COMPLY WITH THE TERMS OF A DRUG COURT PROBATION ORDER WHICH WILL REQUIRE YOU TO DO ALL OF THE FOLLOWING PLUS OTHER REQUIREMENTS DEEMED APPROPRIATE FOR YOUR PARTICULAR CASE:

ATTEND ALL SCHEDULED DRUG COURT SESSIONS. You must attend all Court sessions as scheduled by the Drug Court Judge or the Drug Court Officer. As a participant you will be expected to dress appropriately for Court. Clothing bearing drug or alcohol related themes, promoting, or advertising alcohol or drug use is considered inappropriate. As a participant, you must appear before the Drug Court Judge at a minimum of once every 30 days.

ATTEND ALL ORDERED TREATMENT SESSIONS. You must attend all individual and group counseling sessions, educational sessions, cognitive-behavioral programming and other treatment as directed. Unexcused, failed treatment sessions may result in the imposition of a sanction. If you are late for treatment, you will not be allowed to participate and will be considered non-compliant. Contact your counselor if there is a possibility that you may be late. Participants are required to attend 12-step or self-help group meetings and provide verification of their attendance.

ABSTAIN FROM THE USE OF ALCOHOL AND ILLICIT DRUGS. This condition is fundamental to successful completion of the program. Any prescription and over-the-counter medication must be approved by the Drug Court Team prior to use. You may be required to submit written documentation of the need for any prescription and over-the-counter medication before approval by the Drug Court Team. Abuse of prescription or over-the-counter drugs will result in a sanction. Use of someone else's prescription or non-approved medication will result in a sanction.

SUBMIT TO URINALYSIS AND/OR BREATH TESTS AS REQUESTED. You will be tested throughout the entire program. During the first phase, you will be tested frequently and randomly. As you progress through the program, testing will be required on a less frequent basis. The Drug Court Judge will have access to all drug testing results including any refusals to submit to a test. Any refusals, insufficient samples, failure to report, or appearing late to submit a urine test will be treated as a violation. Adulterated urine, which may include diluting, tampering, or falsifying, will be considered a positive test and may result in termination from the program as well as the possibility of receiving a new charge. The goal of the Drug Court Program is to help you achieve total abstinence from alcohol and illicit drugs; however, a positive breath or urine test will not automatically disqualify you from the program. Dishonesty concerning use will result in a more harsh sanction. The Judge will review your overall performance with the Drug Court staffing team to determine appropriate consequences. No new criminal charges will be filed against you as a result of a positive breath or urine test, unless a separate crime has been committed.

DO NOT MAKE THREATS TOWARDS OTHER PARTICIPANTS OR STAFF OR BEHAVE IN A VIOLENT, OR UNACCEPTABLE MANNER. Violent or inappropriate behavior will not be tolerated and will be reported to the Court. This behavior may result in a sanction or termination from the Drug Court Program.

EMPLOYMENT. You may be required to obtain and maintain full-time employment at some point during your involvement in the program. Participants will be permitted to change jobs while in the program; however the Drug Court Officer must approve of the change. If unemployed, the participant will actively engage in searching for employment and provide proof of this search weekly. Furthermore, at the recommendation of the Drug Court Officer, the Defendant will successfully complete participation in the Job Skills class as offered by the Probation Department.

EDUCATION. Participants with less than a high school diploma will be required to actively seek their GED certificate or actively participate in a literacy program.

SUPERVISION. Supervision of participants consists of face-to-face meetings with the probation officer or Drug Court Officer at least on a weekly basis, as well as the participant's residence. Unannounced site visits to the participant's place of employment and residence will also be conducted by the Drug Court or Probation Officer.

COST AND FINANCIAL OBLIGATIONS. You may be required to pay all or partial costs for participation in the Drug Court Program. Any Drug Court Participant with Court-related financial obligations, (i.e., child support, restitution, fines, victim's compensation fund, fees, Court costs) will make Court-approved payments on a regular schedule and provide staff with documentation of payments.

VIOLATIONS AND SANCTIONS. Violations of your Drug Court Probation Order may result in a sanction. Any of the following is considered a violation of your Drug Court Probation Order: Unsuccessful termination from either residential or outpatient treatment; illegal substances found in the biological system; failure to maintain scheduled appointments with Treatment Provider, Drug Court Officer, or Court; providing a diluted, fraudulent, or insufficient drug test specimen; a new arrest; failure to reside at an approved residence; curfew violation; refusal to participate in treatment program; failure to submit to drug testing when required; or having contact with a person whom is known to use or deal drugs.

Sanctions consist of penalties imposed for violations and non-compliance with the Drug Court Probation Order and the program rules. Sanctions can include, but are not limited to:

- 1). Admonishment from the Drug Court Judge;
- 2). Curfew;
- 3). Electronic Monitoring;
- 4). Incarceration or Jail sentence;
- 5). Periodic Imprisonment;
- 6). Increased fines, community service work or reporting;
- 7). Increased drug testing, counseling or meetings;
- 8). Increased level of treatment (in-patient or out-patient);
- 9). Courtroom Detention;
- 10). Extension of Drug Court completion date;
- 11). Termination from Drug Court;
- 12). Other penalties as determined by the Drug Court Judge.

REWARDS AND INCENTIVES. Rewards can be imposed as deemed appropriate by the Court and team. Rewards may be appropriate when an individual has either successfully completed a treatment phase or has been in compliance for a significant period of time. Rewards may include but are not limited to:

- 1). Praise from the Team
- 2). Reduction in Previously Imposed Sanctions

- 3). Tokens of Progress
- 4). Decreased Court Appearances
- 5). Decreased Levels of Supervision
- 6). Credit toward fine
- 7). Graduation

Drug Court Team members continually look for opportunities to recognize and support participants' efforts to make positive changes.

GRADUATION

To successfully complete the program and graduate you must complete the following:

- 1.) Achieve 12 months of sobriety.
- 2.) Be gainfully employed.
- 3.) Obtain GED if no High School Diploma and be gainfully employed.
- 4.) Successfully complete all treatment as required.
- 5.) Have stable living environment.
- 6.) Be in full and complete compliance with all conditions of the Drug Court Probation.

DEFENDANT'S REVIEW OF GUIDELINES AND REQUIREMENTS

I understand my application for Drug Court is the first step in the screening process. If eligible for participation in the Drug Court Program this application is preliminary and does not guarantee placement in the program. My lack of truthfulness or cooperation in any stage of the screening process could disqualify me for acceptance to the program. I have reviewed Phases I – IV of the Drug Court Program. The Drug Court Officer has explained each Phase to me. I have reviewed a sample Drug Court Probation Order with the Drug Court Officer. The Drug Court Officer has answered all my questions. I agree to comply with any conditions set forth in that Order which may be deemed appropriate by the Judge for my particular case. I understand and agree that the Drug Court Probation Order signed by the Judge will set forth the exact requirements of my Drug Court Program. I agree to comply with that Order.

Date: _____

Defendant

I have reviewed, read and explained the above guidelines and requirements of the Drug Court Program with the Defendant. I have reviewed Phases I – IV of the Drug Court Program with the Defendant. I have reviewed a sample Drug Court Probation Order with the Defendant. I have answered all of the Defendant's questions.

Date: _____

Drug Court Officer