

DRUG COURT RIGHTS, RESPONSIBILITIES AND AGREEMENT

Drug Court is an innovative alternative to prosecution and punishment of drug offenders and criminal defendants suffering from chemical substance abuse. Drug Court participants are placed in a new setting for defendants which is therapeutic rather than confrontational. Drug Court participants submit to frequent and random drug testing, appear regularly before a judge and are closely monitored for program compliance.

Drug Court is a team approach between the treatment provider, probation office and Court to restructure the thinking of an offender, provide tools and treatment to prevent future drug use and provide an immediate sanction for violation of the Drug Court rules. A Drug Court participant will be expected to abstain from all drugs, including alcohol, except as prescribed by a licensed medical doctor and approved by the treatment provider and probation officer.

In a traditional Court setting, the judge would not discuss a case with others or review information about a party until presented in open Court. In Drug Court, a Drug Court participant's progress in treatment and the Drug Court Program will be made known to the Drug Court Judge outside the courtroom. The information provided may result in a sanction being imposed upon the participant or an acknowledgment being presented. If you are going to participate in Drug Court, you agree the Drug Court Judge can discuss your case with members of the Drug Court Team, including the probation officer and treatment provider.

Because of state and federal law requirements, treatment results and records related specifically to Drug Court are **confidential**. Your court file may have two parts, one part which is confidential and not open to the public, although available to the Drug Court Judge and Drug Court Team. The other part of the file will be open to the public and will contain the charging document, sentence or conditional discharge judgment, procedural orders and any probation violations instituted by the Clatsop County District Attorney's Office.

Drug Court sessions are open to the public. Treatment and performance on probation will be discussed in open court. Information that a participant hears during drug court about other participants **must be kept confidential**.

A Drug Court participant will be in the program a minimum of 52 weeks before graduating. To be eligible for graduation, a participant must be clean and sober for **six months** prior to graduation and has completed all other Drug Court requirements.

The attached release of information and waiver of rights must be completed:

**DRUG COURT RELEASE OF INFORMATION
AND WAIVER OF RIGHTS**

As a Drug Court participant, I agree and authorize the following:

1. I agree and authorize the Drug Court Judge to discuss my Drug Court case and my treatment progress with my probation officer or officers, my treatment providers and the Drug Court Team outside the courtroom and outside my presence.

2. I agree and acknowledge as part of the Drug Court Program I will not disclose to any other person, business or organization any treatment information I hear regarding another Drug Court participant during a Drug Court session.

3. I authorize my treatment providers to exchange my treatment information with the Court and probation officer. I further allow the Court and probation officer to disclose that treatment information to Drug Court team members and other medical, mental health and treatment providers.

4. I authorize the probation officer and Court to discuss my treatment progress and records during Drug Court sessions. I authorize the probation officer and treatment provider to disclose to the Drug Court Judge the results of any urinalysis and to have those results discussed in court.

5. I authorize my sentence judgment and conditional discharge order, even though it orders me to participate in Drug Court, to be placed in the court file which is open to the public.

I understand that this consent will remain in effect and cannot be revoked by me until there has been a formal and effective termination or revocation of my release by me in writing. I agree I cannot participate in Drug Court unless all releases remain in effect. I further acknowledge that this release will expire upon my successful completion of probation and the Drug Court Program.

Drug Court Participant

Date