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3
4 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

5 STATE OF OREGON

6 Plaintiff

7 vs.

8
9 Defendant

CASE NUMBER:

**TREATMENT COURT ORDER ON
CONDITIONAL DISCHARGE IN
ACCORDANCE WITH ORS 475.245
AS TO COUNT(s) CTS 1 through 4**

District Attorney:
Defense Counsel:

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11 The defendant appeared and was advised on the consequences of a guilty plea. The court
12 having found that the defendant freely, knowingly, and voluntarily changed his/her plea to guilty,
13 that the defendant consented to a conditional discharge pursuant to ORS 475.245, and that the
14 defendant is a suitable candidate for the treatment court conditional discharge program;

15 **IT IS THE JUDGMENT OF THIS COURT** that based upon the previously submitted
16 Petition for Conditional Discharge, and the defendant pled guilty, and being fully advised in the
17 premises, and with the consent of the defendant, said defendant having been represented and
18 advised by competent legal counsel, no conviction shall be entered at this time.

19 **IT IS FURTHER ORDERED** that the defendant be placed on supervised probation with the
20 Jackson County Community Justice Department for a minimum period of 18 months, subject to all
21 general statutory conditions of probation and subject to the following special conditions of
22 probation. As part of the conditional discharge, the defendant shall abide by and comply with the
23 rules of the Jackson County Treatment court and the following conditions apply:

- 24 1) The defendant shall actively participate in the Jackson County Treatment court, obey all
25 rules of, and appear in, as directed by the probation officer, evaluator, or treatment
26 providers;
- 2) The defendant shall immediately report to Jackson County Community Corrections, 1101
West Main Street, Medford, Oregon;

- 1 3) The treatment court judge may communicate with others about the defendant's
2 participation in treatment court without an attorney for defendant present. The defendant
3 shall sign any releases or other documents necessary so that the treatment court team can
4 discuss his/her progress in all programs including, but not limited to, drug/alcohol
5 treatment, domestic violence and mental health counseling. The defendant agrees to
6 waive any rights of state or federal confidentiality he/she may have regarding discussions
7 about his/her case and/or treatment between *only* those persons who are directly involved
8 with TREATMENT COURT. The defendant DOES NOT WAIVE any rights of privacy or
9 confidentiality regarding any aspect of the case or treatment concerning communications
10 with any person or agency that is not affiliated with treatment court except as mandated
11 by law. The waiver shall apply only while the defendant is a participant in treatment court.
12
- 13 4) If the defendant has ANY doubt, confusion or misgiving about what treatment court, the
14 probation officer or any treatment provider expect of the defendant, the defendant will
15 communicate with them for clarification. Defendant understands that ignorance will not be
16 a sufficient defense for his/her actions.
- 17 5) The defendant understands the treatment provider will be informed of any criminal history.
18 Defendant will be required to disclose any supervision or treatment the defendant is
19 involved in, has successfully completed or been terminated from. Upon the request of the
20 treatment provider, the defendant will sign a release of information agreement and
21 authorize such program to provide supervision and treatment information to the treatment
22 court Program.
- 23 6) The defendant shall not use or possess any substance prohibited by the probation officer or
24 the treatment provider.
- 25 7) The defendant shall submit to random urinalysis or a breath test at the direction of the
26 court, the probation officer and/or the treatment provider;
- 8) The defendant shall reside in the state of Oregon until the underlying case is dismissed by
the court;
- 9) The defendant shall not reside in an Oregon county other than Jackson County, or change
place of employment or residence without obtaining prior permission of the probation
officer;
- 10) The defendant shall pay a treatment court program fee to the Jackson County Community
Justice Department or OnTrack as directed and pay court appointed attorney fees to the
Jackson County Circuit Court pursuant to a payment schedule established by the probation
officer, or within nine (9) months from the date of this order, whichever is sooner; the
defendant shall pay a monthly probation supervision fees, fines, restitution, and all other
fees ordered by the Court;
- 11) The defendant shall remain a law-abiding citizen.
- 12) The defendant hereby waives all criminal statutory and constitutional rights as long as
he/she is in treatment court.
- 13) Any violation may result in termination of defendant's participation in treatment court.

- 1 14) The defendant, as a condition of participation in treatment court, will not operate a motor
2 vehicle without a valid driver's license and insurance. If the defendant does not have a
3 valid driver's license and insurance, the defendant will make efforts to obtain them.
- 4 15) The defendant shall attend a minimum of two 12 step support groups per week unless
5 otherwise so ordered and shall provide proof to the court of attendance.
- 6 16) The defendant shall provide probation officer with prescriptions within ten (10) days and
7 within ten (10) days of issuance thereafter.
- 8 17) The defendant shall report any contact with law enforcement to a member of the treatment
9 court team;
- 10 18) The defendant will not work as a confidential informant (engage in controlled substance
11 buys) without obtaining written permission from both the treatment court judge and
12 Jackson County Community Justice;
- 13 19) The defendant will appear in court on all scheduled dates; the defendant agrees the Court
14 may require the defendant to appear at any time regardless of compliance and success in
15 the treatment program. The defendant will provide written documentation verifying
16 absences as directed;
- 17 20) The defendant shall keep the treatment court staff treatment provider, probation officer
18 and case manager apprised of any current address and phone number and shall notify
19 them of changes within 24 hours.
- 20 21) The defendant understands that treatment court staff and its partner agencies are
21 mandatory reporters under Oregon state law. They cannot be exempted from this law and
22 must make a report to the Department of Human Services- Child Welfare Division if they
23 have reasonable cause to suspect child abuse and neglect.
- 24 22) The defendant understands his/her decision to enter into treatment court is irrevocable.
- 25 23) The defendant shall agree the court may extend the duration of treatment court for
26 additional time to allow defendant to successfully complete the requirements. Probation
may extend beyond the term of participation in TREATMENT COURT.
- 24) The defendant shall be subject to any sanction imposed by the court or the probation
department, including, but not limited to, community service, work crew, court days and
jail.
- 25) If previously a condition of the defendant's conditional discharge, he/she will complete 40
hours of community service.
- 26) If revoked, Defendant will be sentenced on the underlying charge.

