

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

In the Matter of,

CASE NUMBER _____

**THIRD-PARTY CONSENT TO
JURISDICTION, WAIVER OF
RIGHTS AND CONSENT TO
EX-PARTE COMMUNICATION**

I understand that _____, who is my _____, is a participant in the Community Family Court (CFC). I understand that CFC has conditions and expectations for individuals living with, who are engaged in intimate relations, or who the CFC team and Judge feel have significant influence over the CFC participant. I, _____, am currently involved with the participant in a manner that meets the above stated conditions and I am desirous of continuing to do so. I respectfully petition the Court for acceptance into Community Family Court (CFC). I understand the Community Family Court Program is designed to coordinate services and interventions intended to rehabilitate court-involved families and individuals. CFC is not available to everyone due to limited resources and eligibility criteria. If this petition is accepted by the Court, I agree to be bound by the rules and procedures of the Community Family Court, agree to give up the following rights and to carry out the agreements set forth below:

1. I agree to cooperate and actively participate in any activity, assessments, or counseling deemed appropriate by the CFC Judge to assist the aforementioned participant's rehabilitation efforts.
2. I will appear, as requested, in court on scheduled dates. I agree the Court may require me to appear at any time. I will provide written documentation verifying absences if unable to comply with CFC directives.
3. I agree to remain clean and sober.

4. I agree to submit to random drug testing at the request of the CFC program staff. Any refusal or failure to give a drug test will be considered a positive or a dirty test. A positive or a dirty drug test will not necessarily terminate me from CFC, but may lead to a sanction or recommendation by the treatment provider.
5. I agree to provide CFC with information regarding the above mentioned participant's compliance with CFC and treatment directives and expectations.
6. If living with the participant, I agree to promote/provide a substance free living environment and to help support the participant's recovery effort.
7. If diagnosed with addiction, I agree to complete a treatment program at my expense and to attend a minimum of two support groups (NA/AA) per week unless otherwise ordered. I will follow and comply with all requirements of the treatment program.
8. I agree the CFC Judge may communicate with others about my participation in CFC without my attorney or me present. I agree to sign any releases or other documents necessary so that the CFC team can discuss my progress in all my programs, including, but not limited to, drug/alcohol treatment and mental health counseling. I further waive any rights, state or federal, of confidentiality I may have regarding discussions about my case and/or treatment between *only* those persons who are directly involved with CFC. I DO NOT WAIVE any rights of privacy or confidentiality regarding any aspect of my case or treatment concerning communications with any person or agency that is not affiliated with CFC. The waiver shall apply only so long as I am a participant in CFC
9. I voluntarily consent to the jurisdiction of the court and freely, voluntarily and knowingly waive the following rights: my right to written notice, to an adversarial hearing, to confront any witnesses against me, to subpoena witnesses, my right to a speedy trial and my right to remain silent. I have discussed these waivers with my attorney and fully understand their significance. If I have signed this waiver without the assistance of an attorney, I acknowledge that I am aware I have the right to have an attorney, and if I cannot afford an attorney, the Court would appoint an attorney to assist me.
10. I agree that any violations of the terms of this agreement may result in modification or termination from CFC. I agree the Court can impose immediate consequences, including but not limited to up to eight days in detention/jail, if the Court determines that I have not complied with Orders of the Court or the requirements of the program. I agree the court may impose other sanctions including, but not limited to, community service, work crew, court days and jail, rather than terminate my participation in CFC. Third party participants who are sanctioned to jail will be charged with misdemeanor contempt of court.
11. I understand any false statement made by me in this petition will result in my petition for CFC being rejected. I further understand any false statement made by me in this petition may result in prosecution by the District Attorney.

I have read and understand the terms of this petition:

Date

Petitioner's Signature

CERTIFICATE OF COUNSEL

The undersigned, as attorney for the above-named Participant, certifies as follows:

12. I have read the foregoing Petition and have discussed with the applicant each section contained therein;
13. I have fully explained to the applicant each statement in the Petition and believe the applicant comprehends the program.
14. To the best of my knowledge and belief, the statements and representations and declarations made by the applicant in the foregoing Petition are in all respects accurate and true.

Date

Attorney for Participant OSB # _____

CERTIFICATE OF PARTICIPANT IF UNREPRESENTED BY COUNSEL

The undersigned certifies as follows:

1. I have been advised that I have the right to have an attorney represent me in this matter and explain this document to me.
2. I understand that if I cannot afford an attorney the court would appoint an attorney to represent me.

3. I hereby waive my right to an attorney and agree that I am signing this document knowingly, voluntarily and that I understand its contents.

Date

CFC Participant