

BEAVER COUNTY COURT OF COMMON PLEAS
TREATMENT COURT PROGRAM

PARTICIPANT CONTRACT

I, _____, with a date of birth of ____/____/____
and an address of _____ having
entered a guilty plea and/or having stipulated to a parole / probation violation in criminal
case number(s) _____ hereby
enter into this Treatment Court Contract, binding myself to the terms below.

Please initial the line at the end of each paragraph to indicate that you understand and agree to its terms.

1. I understand that the validity of this contract is conditioned upon my eligibility for the Treatment Court Program. If at any time after the execution of this agreement and in any phase of the Treatment Court program, it is discovered that I am, in fact, ineligible to participate in the program, I may be immediately terminated from the program and sentenced at the discretion of the presiding Judge. In the case of a guilty plea, I will not be allowed to withdraw my previously entered plea of guilty unless my ineligibility is based on facts or information which should have been known to the prosecutor prior to admission into the program, or upon Constitutional grounds. _____

2. I understand that if I enter this program and fail to complete it, I may be barred from future participation. _____

3. I understand that participation in Treatment Court involves a minimum time commitment of 18-24 months but may extend longer depending on my individual progress in the program. _____

4. I will report as directed to my Treatment Court Officer and attend all appointments for treatment and ancillary services as scheduled. _____

5. I understand that during the course of the Treatment Court Program, I will be required to attend court sessions as directed and that failing to attend will result in a warrant for my arrest. _____

6. For the purposes of regularly scheduled status hearings, I agree to waive my right to have my attorney of record present. I understand that my case may be discussed without my attorney or the prosecutor present. _____

7. I agree to cooperate in an assessment/evaluation for planning an individualized course of treatment for drug & alcohol and/or mental health, in order to adequately meet my needs. I agree to execute the Consent for Disclosure of Confidential Substance Abuse information. _____

8. I understand that my individual course of treatment may include but is not limited to: residential or outpatient treatment, education, and/or self-improvement courses, that may be imposed at the discretion of the Treatment Court team. I agree to adhere to all recommended treatment programs and sign appropriate releases, allowing treatment providers to release information as it relates to my individualized treatment plan.

9. I will not leave any treatment program without prior approval of the Treatment Court Team and my treatment provider. I agree to complete all required financial disclosure declarations as necessary to obtain funds for my treatment. If funding is not available, I understand that I am responsible for the costs of my treatment.

10. I agree to keep the Treatment Court Team informed of my current address and phone number at all times and will not change my residence without prior consent from my Treatment Court Officer. My place of residence is subject to Treatment Court approval. _____

11. I will not travel more than thirty (30) miles from my address of record without receiving prior permission from my Treatment Court Officer or the Treatment Court Coordinator. I will not travel outside of Pennsylvania without written permission from the Officer or Coordinator. _____

12. I understand that I must comply with all local, state, and federal laws. I agree to inform any law enforcement officer who contacts me that I am in Treatment Court. I must immediately notify the Treatment Court Officer of any contacts, arrests, or investigations by/with a law enforcement agency. _____

13. I will not possess, have control of, or have in my place of resident or vehicle any of the following: stolen property, non-prescribed controlled substances, drug paraphernalia, firearms, or deadly weapons/instruments of crime. I will submit my person, property, place of residence, vehicle, and/or personal effects to search at any time by a member of the Treatment Court Team or representative based upon reasonable suspicion that I am in possession of the aforementioned items. _____

14. I understand that I may not participate in Treatment Court if I am a gang member.

15. I understand that any false statements, verbal or written, made by me to any member of the Treatment Court Team may result in termination from the program.

16. I agree not to threaten, harass, intimidate, or abuse in any way any member of the Treatment Court Team or its representative. _____

17. I understand that I am not permitted to be romantically involved with other Treatment Court participants or any member of the Treatment Court team.

18. I understand that participating in the Treatment Court program, I am required to be drug and alcohol free at all times. I will not associate with people who possess drugs, nor will I be present while drugs are being used or possessed by others. _____

19. I agree to submit to urinalysis and/or breathalyzer testing on a random basis, as directed and according to procedures established by the Treatment Court Team and/or treatment provider. I understand that refusal to submit to testing, failing to report for testing, and/or failure to provide a sample for testing will be considered a positive test and a violation of this Contract. _____

20. I will not substitute, alter, or in any way attempt to change my bodily fluids or testing specimen, including attempting to dilute the sample or provide a sample other than my own. _____

21. I understand that I may dispute positive test results and request a laboratory confirmation. I am responsible for the reimbursement of the costs associated with laboratory fees in the event of a positive confirmation of drug use. _____

22. I am responsible for what goes in my body. Before taking any over-the-counter medication of any kind, I will check to ensure that it is non-narcotic, non-addictive, and contains no alcohol. I will inform the Treatment Court Team of all prescription medications and provide requested documentation regarding its use. I will sign appropriate release forms, as necessary. _____

23. I understand that during the initial phases of the Treatment Court program, I may be precluded from working or gaining employment. I further understand that within the time directed by the Treatment Court Team, I will seek legitimate employment, job training, and/or education as approved by the Team. _____

24. I understand that I must pay all fines, costs, restitution, and fees associated with my participation in the Treatment Court Program. At the time designated by the

Treatment Court Officer, I will enter into a monthly payment agreement and adhere to the agreement made. _____

25. I agree to inform the Beaver County Domestic Relations Office and/or Beaver County Children & Youth Services of my participation in Treatment Court, as long as I have open cases with such agencies. I agree to sign appropriate releases for all parties involved with said agencies to allow for communication on my status and progress in the Treatment Court Program. _____

26. I agree to abide by the rules and regulations imposed by the Treatment Court Team and understand that failure to comply may result in service adjustments, sanctions, and/or termination from the program. _____

27. I understand that upon entering the Treatment Court Program, I am waiving my right to be sentenced within ninety (90) days from entering a plea of guilty and/or stipulation to a parole/probation violation. This waiver is required to meet the time commitments of the Treatment Court Program. _____

28. I understand that I may voluntarily withdraw from Treatment Court at any time. If I do so, I may be sentenced up to the maximum penalty allowed for the underlying offense(s) and at the discretion of the presiding Judge. _____

29. I understand that my failure to successfully compete and graduate from the Beaver County Court of Common Pleas Treatment Court Program will result in the imposition of the previously deferred sentencing and/or sentencing for a violation of parole/probation. I understand that my failure to complete the program cannot be a basis for the withdrawal of my previously entered guilty plea and/or stipulation to my parole/probation violation(s). I understand that any attempt to withdraw my guilty plea and/or stipulation to parole/probation violation(s) would be prejudicial to the Commonwealth. Any sentence imposed shall be at the discretion of the presiding Judge. _____

30. If the charges for which I entered into Treatment Court are new criminal charges, upon successful completion of the Treatment Court Program and the payment of all outstanding costs, fines, fees, and restitution, the criminal charges filed against me will be dismissed. The District Attorney's Office will agree to seek to expunge the pertinent charges, subject to court approval. _____

31. If the charges for which I entered into Treatment Court were the result of a parole/probation violation, upon successful completion of the Treatment Court Program, any remaining term of supervision may be terminated. I understand that parole/probation violation cases are not eligible to be expunged. _____

32. I acknowledge that failure to pay costs, fines, fees, and restitution will result in all open cases being referred to a collections enforcement agency and may reflect negatively upon my dismissal and/or expungement of charges. _____

33. I understand that failure to adhere to the aforementioned conditions may result in my termination from the Treatment Court Program. _____

ACKNOWLEDGEMENT

I hereby acknowledge that I have read, or have had read to me, the foregoing rules, regulations, and conditions of participation in the Treatment Court Program. I understand that the Treatment Court Program is constantly improving, therefore, it may be necessary for me to review, and sign updated contracts during the course of the program. I am willing to enter into this agreement to participate in the Beaver County Treatment Court.

Participant's Signature

Date

Attorney for the Participant

Date

Attorney for the Commonwealth

Date