

Sample Drug Court Order of Special Conditions

COMMONWEALTH OF MASSACHUSETTS

FRANKLIN, SS.

Trial Court of the Commonwealth
District Court Department
Orange Division
Complaint No.

COMMONWEALTH OF MASSACHUSETTS

v.

Order Of Special Conditions Relating To
The Franklin County Substance Abuse Intervention Program
("Drug Court")

As you have agreed to enter the Franklin County Substance Abuse Court Intervention Program (hereinafter, "Drug Court"), IT IS ORDERED that you comply with the following special conditions of probation:

1. Be honest in all matters pertaining to the Drug Court program.
2. Comply with all phase requirements.
3. Do not consume alcohol or alcoholic beverages; do not have alcoholic beverages in your residence; do not enter a business where alcoholic beverages are the primary product for sale.
4. Do not use prescription drugs except when taken according to directions and pursuant to a valid prescription from a medical practitioner.
 - A. Do not accept a prescription for a narcotic without first advising the prescribing physician of your addiction history, your participation in Drug Court, and your treatment program.
 - B. Fill prescriptions at only one pharmacy.
 - C. Do not use prescribed drugs until approved by probation unless it is a verified emergency.

- D. Provide a copy of every new prescription to your probation officer no later than the day after it is written; if the courthouse is closed then on the next day it is open.
 - E. Immediately produce all prescription drug containers and drugs for inspection upon request.
 - F. Do not use non-prescription drugs or products which might interfere with the accuracy of a drug screen.
 - G. Sign any releases needed to confirm your compliance with this order.
5. Do not use over-the-counter products which contain alcohol unless approved in advance by probation. (Check every label.)
6. Submit to drug and alcohol screens including random testing as directed. Failure to screen will be viewed as a positive test result
7. Cooperate with home and work visits.
8. Comply with all conditions of Drug Court. You shall:
- A. Comply with orders for placement and treatment in a non-residential or residential program ordered by the Court
 - B. Participate in self-help programs approved by your probation officer at least five (5) times each week unless ordered otherwise by the Court.
 - C. Produce proof of participation in required self-help programs at the Drug Court session and when ordered to do so by your probation officer.
 - D. Attend group therapy or counseling meetings and/or individual therapy or counseling sessions as ordered at a place determined by the treatment provider.
 - E. Verify attendance at required group therapy or counseling meetings and/or individual therapy or counseling sessions when you appear at the Drug Court session and as ordered by your probation officer.
 - F. Be on time for all court, counseling, medical and employment appointments.
 - G. Obtain a sponsor.
 - H. Comply with such other conditions as may be required from time to time by this Court, the treatment provider, or your probation officer.
 - I. Appear at each session of the Drug Court unless excused in advance by the Court.

- J. Comply with all conditions of probation imposed by this and any Court including the payment of money and performance of community service.
- K. Satisfy the Court that you have gained control of your addiction or of your abuse of substances including alcohol and drugs, that you are employed if employable or have otherwise created a stable environment for yourself, and that you have a plan that will help you avoid the dangers of a relapse after graduation.
- L. Other special conditions:

12. By signing below, you agree to the terms of this Order, you acknowledge having read the Drug Court handbook and this order including the addendum below, you understand that you are giving up your right to insist that the judge not hear anything about your case unless you or your attorney are present, and you acknowledge that failure to comply with any condition identified in this order may result in discipline including termination from the Franklin County Substance Abuse Intervention Program (Drug Court) and, after hearing, imposition of different terms of probation or incarceration.

 Defendant

 Defendant's Attorney

Date: _____

 Justice

ADDENDUM TO ORDER OF SPECIAL CONDITIONS

1. The judge, probation officers, and treatment consultants or providers will meet to review your progress in the Drug Court program. Those drug court team review meetings may also be attended by defense attorneys, prosecutors, police officers, and the sheriff or the sheriff's representative. By agreeing to participate in this program, you agree to waive your right to be present and your right to be represented by an attorney at these meetings.

2. Your progress and the appropriateness of assigning rewards and sanctions may be discussed at drug court team review meetings. No sanction will be imposed until you are before the judge at which time you have a right to be represented by an attorney. If you request an attorney but cannot afford to hire one, an attorney will be assigned to represent you. Your attorney will be informed of any information provided to the judge ex parte or discussed at the review meeting which may affect the judge's decision. You may request that a different judge handle your probation violation hearing.

3. To participate in the Drug Court, you must sign a release of confidential information which will permit those who participate in the review meetings to share information about your identity, diagnosis, urinalysis results, treatment attendance or non-attendance, cooperation with treatment, progress in treatment, and prognosis. If you refuse to consent or withdraw your consent, you may be terminated from Drug Court.

4. If you move your residence to a location that falls under the jurisdiction of a different drug court, your entire case may be transferred to that court. For example, if you live in Greenfield when sentenced, but then move to Orange, your entire case may be transferred to the Orange District Court. Your probation order from the original court will continue to be in effect.