

IN THE SUPERIOR COURT OF _____ COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

v.

Defendant.

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CRIMINAL ACTION

CASE NO. _____

MENTAL HEALTH COURT CONTRACT

If you are voluntarily entering the Mental Health Court program and have talked to your legal representative about the requirements/consequences prior to pleading into this program, read the terms of this contract carefully, initial each term of the contract, and date and sign the contract indicating you agree with the terms.

1. _____ I will at all times treat Mental Health Court team members, treatment provider staff, surveillance officers, and other participants with respect.
2. _____ I will pay \$40.00 per month (after 30 days into the program) as a Mental Health Court fee for each month I am in the program.
3. _____ I will not violate the law. However, if I do violate the law, I will report it immediately (within 24 hours) and I understand such violations may subject me to termination from the Mental Health Court program.
4. _____ I will not use or possess alcohol in any form.
5. _____ I will be gainfully employed full time insofar as is possible, unless the Judge approves otherwise. I understand that the LMJC Mental Health Court team may speak with my employer at any time and request income records. I also understand that I must be employed within 30 days of entering the program and that failure to achieve and maintain employment may result in sanctions, work release, or discharge from the program.

I also understand that if I am unable to be gainfully employed, I must provide supporting documentation to be exempt from employment requirements. I will instead be required to participate in pro-social activities, which could include volunteering or other court-approved alternatives.

6. _____ I will not use any illegal drugs. I will submit any prescription for drugs to the Mental Health Court coordinator/case manager for verification and approval. I will not use over-the-counter, non-prescription medications without permission of the Mental Health Court coordinator/case manager, as some over-the-counter

medications will produce a positive reading on drug screens and contain substances such as codeine.

7. _____ I will take all prescribed medications as directed.
8. _____ I will enroll and complete any inpatient/outpatient counseling program as ordered.
9. _____ I will obey all policies & instructions from the coordinator and/or Mental Health Court team.
10. _____ I will maintain my residence within the Lookout Mountain Judicial Circuit and I will allow the surveillance officer, law enforcement, and the Mental Health Court coordinator to visit me in my home or elsewhere.
11. _____ I will immediately inform the Mental Health Court coordinator/case manager of any change of address, new members of my household, telephone number, and employment status. I will not leave the state of Georgia for any reason without first obtaining permission from the Mental Health Court.
12. _____ I will attend the court ordered number of community support meetings per week and submit proof of attendance as required.
13. _____ I will give a breath, blood, urine, hair or sweat sample, as required, for drug testing and may be responsible for payment for confirmation if I request confirmation.
14. _____ I will be responsible for my own transportation and will appear for all Mental Health Court sessions, counseling sessions, and meetings as required and comply with any sanctions imposed. Should I fail to appear for any Mental Health Court hearings, counseling sessions, and meetings as required, I understand that I may be subject to sanctions.
15. _____ I understand that the Mental Health Court program will last 18-24 months, but the program may last longer if all requirements have not been met.
16. _____ I will not possess a firearm, vicious or aggressive animals, or other dangerous or offensive weapons while in the Mental Health Court program. I am to bring NO weapons of ANY kind to the Mental Health Court treatment center.
17. _____ I will support any legal dependents that I may have to the best of my ability.
18. _____ I will avoid people or places of disreputable or harmful character. This may include people currently on probation or parole and people with felony convictions, drug users, and drug dealers.
19. _____ I understand the Court will impose sanctions for program violations that include, but are not limited to stricter curfews, community service, in-court detention,

demotion to a lower program level, issuance of arrest warrants, jail time, and termination from the program.

20. _____ I will read the Participant Handbook in its entirety and follow all other program rules of which I am informed.
21. _____ I will not engage in romantic relationships with other participants.
22. _____ While I am a participant in the program, I will not get any new tattoos.
23. _____ I will dress appropriately for all Mental Health Court sessions and treatment sessions.
24. _____ I understand I will enter the program with a curfew and I will honor any curfews imposed on me by the Court.
25. _____ I understand that depending on my needs, as determined by the Court, my treatment program, schedule, and court attendance may be changed.
26. _____ I understand that providing false information to Mental Health Court may result in termination from the program.
27. _____ I understand that the Mental Health Court judge, as well as other team members including the prosecutor, probation officers, law enforcement, and treatment providers will participate in Mental Health Court staffing meetings, Mental Health Court sessions, Mental Health Court functions, and other Mental Health Court activities. Thus, the Mental Health Court judge may gain knowledge of my past, my attitude, my performance in treatment, and other details about me and my life.
28. _____ I understand that my case will be assigned to the Mental Health Court judge upon my entry into Mental Health Court and that the case may remain with the Mental Health Court judge even if I am terminated.

WAIVERS

29. _____ I hereby waive my 4th Amendment Rights under the U.S. Constitution and the corresponding provisions of the Georgia Constitution and agree that I will submit to a search of my person, property, residence, papers and/or effects (including but not limited to cell phones and electronic devices), without there having to be probable cause to conduct the search, and without there being a warrant, any time of the day or night whenever required to do so by a probation officer, law enforcement officer, or drug treatment staff, and I specifically consent to the use of anything seized as evidence in any hearing or judicial disciplinary proceedings. This also includes providing bodily substances for drug testing.

- 30. _____ I understand that the Mental Health Court team, which includes the Mental Health Court defense attorney, has regular staffing meetings, in person and via electronic means. I hereby waive any right to be personally present at said staffing meetings.
- 31. _____ I understand and agree that if it is reported to the Court that I have violated a rule of the Mental Health Court, failed to appear as required, or I am at serious risk of harming myself or others, the judge upon receipt of a sworn affidavit from the surveillance officer or his/her designated representative, may issue an arrest order for me without prior notice to me and without me having an opportunity to be heard.
- 32. _____ I hereby waive any due process rights to have a hearing regarding any sanctions which may be imposed, short of a termination hearing.
- 33. _____ I understand that most Mental Health Court sessions are not recorded and I waive any right to have the proceedings recorded. All intake, sanctions, termination, and sentencing hearings will be recorded.

RIGHTS

- 34. _____ I have the right to a termination hearing in the event I am served with a Notice of Termination. I understand that the Court may require me to remain in custody until such time as a hearing may be held.
- 35. _____ I have the right to be represented by an attorney at intake and at any termination or sentencing hearing.
- 36. _____ I have a right to request to be terminated and sentenced at any time.
- 37. _____ I have the right to refuse to enter Mental Health Court and have my case proceed in the normal flow of criminal cases.

I acknowledge that I understand the terms and conditions of this contract and have received a copy of same.

This contract supersedes and voids any previous order you may have on your charges in this case and serves as your basis to remain free from custody during the pendency of your case.

Participant

Date

The Honorable Kristina Graham
Chief Superior Court Judge

Date