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IN THE IOWA DISTRICT COURT
FOR THE THIRD JUDICIAL DISTRICT OF IOWA

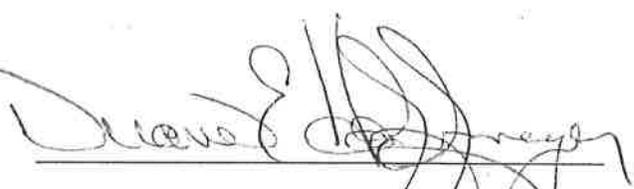
RE: WOODBURY COUNTY VETERANS' TREATMENT COURT	Administrative Order 2015 – 0112 #1 ADMINISTRATIVE ORDER APPROVING ADDITIONAL CONDITIONS OF PROBATION FOR WOODBURY COUNTY VETERANS COURT
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IT IS ORDERED THAT:

1. Pursuant to the Iowa Administrative Code 201-42.1(12), the attached Woodbury County Veterans Treatment Court Agreement and Consent are approved and shall apply to all Veterans Treatment Court individuals under supervision by the Third Judicial District Department of Corrections in Woodbury County.
2. Any defendant placed on probation shall comply with all of the terms and conditions outlined in the probation agreement. In addition, any individuals in Woodbury County Veterans Treatment Court shall comply with the attached conditions.

The court administrator shall file a copy of this order with the Woodbury County Clerk of Court in the Third Judicial District and with the Director of the Third Judicial District Department of Correctional Services.

Dated this 12th day of January, 2015.


DUANE E. HOFFMEYER, Chief Judge
Third Judicial District of Iowa

WOODBURY COUNTY VETERANS TREATMENT COURT AGREEMENT

State of Iowa vs. _____

Court Number _____ County _____

THIS AGREEMENT is entered into on this _____ day of _____, 20_____, by and between _____, the defendant, and the Woodbury County Veterans Treatment Court Program.

THE PARTIES AGREE THAT:

- 1) I understand the District Court has ordered that I complete the requirements of the Woodbury County Veterans Treatment Court Program (hereinafter referred to as "Veterans Court Program") as a condition of my probation, as noted in either a sentencing order, probation violation dispositional order, or other dispositive order.
- 2) I understand that I meet the criteria for admission into the Veterans Court Program and believe it is in my best interest to enter the Veterans Court Program. I agree to comply with the following special conditions of the Veterans Court Program.
- 3) I hereby waive all confidentiality rights and expressly consent to the sharing of confidential substance abuse treatment information, educational records, employment information, law enforcement data and medical/mental health information with any and all treatment providers, Veterans Court judge (which may be a district court judge or district associate judge), the county attorney's Office, the Department of Correctional Services, and the volunteer community panel members (hereinafter "panel members") and veteran mentors.
- 4) I agree to actively participate in the Veterans Court Program and appear on time at all veterans court appearances before the panel members, all court hearings, Veterans Court status review hearings, treatment meeting/sessions, probation meetings, educational programs and any other session/meeting deemed necessary by the probation officer/Veterans Court officer/panel members and/or a Veterans Court judge. I waive any right, if any, to have an attorney present at the Veterans Court appearances; to the reporting of the Veterans Court appearances; the presence of the Veterans Court judge; compliance with the procedures for finding a person in violation of probation and/or in contempt of court as provided for in the Code of Iowa; or compliance with the rules of procedure and evidence governing such matters in the district court.
- 5) I agree to truthfully answer all inquiries made by and shall follow all instructions given by the probation officer/Veterans Court officer, panel members, Veterans Court judge, and treatment providers and hereby grant permission to the probation officer/Veterans Court officer to visit my home, place of employment, school or educational setting, treatment program or other locations for the purpose of monitoring my compliance or noncompliance with the provisions of this agreement. I will keep the Court, the Department of Correctional Services, and all treatment providers informed of my current address and phone number.

6) I agree to abide by all city, state and federal laws, regulations, ordinances, and the conditions of probation or pre-trial release. I agree that I will not possess any firearms or weapons. I also agree I will not wear any clothing associated with gang activity in the local community or be at any gathering where illegal or gang activity is occurring. Any law enforcement contact with me shall be reported to probation officer/Veterans Court officer within 24 hours after such an incident.

7) I agree to comply with all the rules and requirements of the Veterans Court Program, school, job training site, place of employment, or medical/mental health/substance abuse treatment providers.

8) I agree to submit a list of known associates to the probation officer/Veterans Court officer prior to the next meeting with my probation officer/Veterans Court officer and shall not be found in the company of any known criminal or negative persons during the duration of this agreement.

9) I agree to submit my person, property, place of residence, vehicle, and any personal effects to search by a probation officer/Veterans Court officer for the purpose of finding any weapons, illegal substances, substances used in the manufacture of illegal substance, other contraband, or other evidence of illegal activity for the purpose of monitoring the compliance or noncompliance with the provisions of this agreement and/or the probation agreement. In addition, I consent to any random home visits by law enforcement and/or the Department of Correctional Services or any individuals working with the Court.

10) I agree to undergo any substance abuse evaluation and/or mental health evaluation and/or medical evaluation as directed by the district court judge, probation officer/Veterans Court officer, panel members, or Veterans Court judge and further agree to undergo any treatment services which are deemed necessary by any substance abuse/medical/mental health evaluators, the district court judge, probation officer/Veterans Court officer, panel members, or Veterans Court judge.

11) I agree to submit to any form of drug or alcohol testing (including a PBT) as directed by the district court judge, probation officer/Veterans Court officer/panel members or medical/mental health/substance abuse treatment providers or the Veterans Court judge.

12) I agree to not use, ingest, inject, huff, or smoke any alcohol, illegal substances or non-prescribed controlled substances or any other mood-altering substances or be in the presence of those who are using, ingesting, injecting, smoking or huffing these substances. I will keep the Court advised of any and all medications prescribed to me, and I will be compliant in taking them.

13) I agree to submit to electronic monitoring, surveillance, voice monitoring, house arrest, or other restrictions as deemed necessary by the district court judge, probation officer/Veterans Court officer, panel members, or the Veterans Court judge.

14) I agree to complete all community service work ordered by the district court judge, the probation officer/Veterans Court officer, panel members or Veterans Court judge and pay all

of alcohol, illegal substances, non-prescribed controlled substances, or huffing or use of mood-altering substances; (3) a failure to attend substance abuse treatment sessions (individual or group), or any other material violation of this agreement, the probation officer/Veterans Court officer and panel members may recommend to the Veterans Court judge and upon verbal approval of the Veterans Court judge may require immediate or delayed placement of me in the county jail for a period up to 72 hours. Furthermore, I consent and agree that the probation officer/Veterans Court officer and panel members have the authority to impose sanctions (as set out in paragraph 15 above) for other noncompliance with the terms of the probation or pre-trial agreement and/or this agreement, as well as alternative or additional sanctions (other than jail time) for noncompliance as set out in paragraphs (1), (2), and (3) above. I consent and agree that any of the above sanctions may be imposed without further notice; without a formal hearing in district court; without the right, if any, to consult counsel or have counsel present; without the requirement of complying with the procedures for finding a person in violation of probation and/or in contempt of court as provided for in the Code of Iowa; and without the requirement of complying with the rules of procedure and evidence governing contempt or probation violation matters in district court.

17) I agree that any sanctions imposed by the Veterans Court judge at a Veterans Court status review hearing and/or by the panel members at a Veterans Court appearance shall not preclude the district court from imposing any type of sanction on me in any subsequent court proceedings based in whole or in part on my conduct which gave rise to the sanctions imposed by the Veterans Court judge or panel members.

18) I agree that I may be required to appear at Veterans Court appearances before the panel members at which other Veterans Court Program participants will be present. All Veterans Court appearances before the panel members are confidential in nature and I agree that any information disclosed at said appearances involving any other participant will not be shared with others outside of the Veterans Court Program.

19) I agree that failure to comply with the terms of this agreement and/or the terms of probation may result in: (1) commencement of a district court probation or pre-trial revocation proceeding or other proceedings at the discretion of the probation officer/Veterans Court officer and/or county attorney's office and/or (2) termination from the Veterans Court Program.

20) I agree that the Veterans Court judge, probation officer/Veterans Court officer, and/or panel members may recommend that I be terminated from the Veterans Court Program based on my failure to abide by the terms of this Veterans Court Agreement or the terms of the probation or pre-trial agreement. If I disagree with the recommendation that I be terminated from the Veterans Court Program, the probation officer will file a probation revocation or pre-trial proceeding in the district court wherein I may contest my termination from the Veterans Court Program and any of the alleged noncompliance with the terms of this agreement or the probation or pre-trial agreement. I will be entitled to be represented by counsel at said proceeding and if I can't afford counsel, I will be appointed counsel if I meet the financial requirements for court-appointed counsel. If I agree to the recommendation for my termination from the Veterans Court Program, no hearing will be held. However, the probation officer/Veterans Court officer may still file a probation or pre-trial revocation proceeding in the district court to

restitution as ordered by the district court judge or as directed by the probation officer/Veterans Court officer or panel members.

15) I agree that at any time the Veterans Court judge may, upon the request of the probation officer/Veterans Court officer or panel members preside over a hearing (referred to as a Veterans Court status review hearing) to review the status of my participation in the Veterans Court Program. At such Veterans Court status review hearing, I will be present with my probation officer/Veterans Court officer. The Veterans Court judge will engage in an off-the-record discussion with me and my probation officer/Veterans Court officer. I waive any right, if any, to have an attorney present or to the reporting of the hearing. Furthermore, I consent and agree that the Veterans Court judge may engage in ex parte communications with the probation officer/Veterans Court officer, treatment providers or panel members prior to the Veterans Court status review hearing in order to become familiar with the status of my compliance or lack of compliance with the terms of probation or pre-trial release and/or the terms of this agreement. At the conclusion of the Veterans Court status review hearing, the Veterans Court judge will determine in his/her sole discretion whether there has been noncompliance with the terms of the probation agreement and/or the terms of this agreement. I consent and agree that if the Veterans Court judge determines that the defendant: (1) had a positive result from a urine, blood, breath, or other test for illegal substances, alcohol, or non-prescribed controlled substances; (2) has admitted use of alcohol, illegal substances, non-prescribed controlled substances, or huffing or use of mood-altering substances; (3) has failed to attend substance abuse treatment sessions (individual or group), or has materially violated this agreement in any other material way, the Veterans Court judge may impose sanctions for said violations including immediate or delayed placement into county jail for period up to 72 hours. Furthermore, I consent and agree that the Veterans Court judge has the authority to impose sanctions for noncompliance with other terms of the probation agreement and/or the terms of this agreement, as well as alternative or additional (other than jail time) sanctions for noncompliance as set out in (1), (2), and (3). The sanctions may include, but are not limited to: (a) performing community service hours; (b) undergoing a substance abuse/mental health/medical evaluation; (c) undergoing the recommended treatment or services; (d) attending AA/NA meetings; (e) seeking/maintaining employment; (f) beginning/completing schooling; and/or (g) undergo electronic monitoring. I consent and agree that any of the above sanctions may be imposed without further notice; without a formal hearing in the district court; without the right, if any, to consult counsel or have counsel present; without the requirement of complying with the procedures for finding a person in violation of probation and/or in contempt of court as provided for in the Code of Iowa and without the requirement of complying with the rules of procedure and evidence governing contempt or probation violation matters in the district court.

In addition, I agree and consent that any Veterans Court judge who has presided over one or more Veterans Court status review hearings involving me may be the presiding judge at any subsequent formal probation revocation proceedings involving me which occur in district court upon a filing initiated by the county attorney's office.

16) I agree that if, at the conclusion of a Veterans Court appearance before the panel members, there is a determination made by the probation officer/Veterans Court officer and panel members in their sole discretion that there has been (1) a positive result from a urine, blood, breath or other test for illegal substances, alcohol, or non-prescribed controlled substances; (2) any admitted use

seek sanctions and/or modification of the terms of probation or pre-trial release for my noncompliance with the terms of my probation agreement and/or this agreement. In any event, if I am terminated from the Veterans Court program, I will be reassigned to a new probation officer and will be subject to the provisions of the probation agreement and the special conditions of probation as set out in the sentencing order in my case.

21) I agree that this agreement may be modified, changed and/or amended at any time at the discretion of the administrators of the Veterans Court Program. I further agree that I will be bound by and will comply with any future modifications, changes, or amendments to this agreement upon their being given written notice of any such modifications, changes, or amendments.

I acknowledge that I have read this agreement; that I understand the terms and conditions of this agreement; that I know of no reason why I cannot complete the terms of this agreement and that I agree to abide by the terms and conditions of this agreement.

Dated this _____ day of _____, 20____, in _____ County, Iowa.

Participant

Probation Officer/Veterans Court Officer