

**THE 366th JUDICIAL DISTRICT
FELONY DWI/DRUG COURT PROGRAM
COLLIN COUNTY**



PARTICIPANT HANDBOOK

Name _____

Plea/Orientation Date: _____

ENTRY PROCEDURE

For entry and intake into the 366th DWI/Drug Court Program, please contact:

Dione Adams

972-548-4259

dadams@co.collin.tx.us

PLEASE NOTE THAT WE CANNOT ACCEPT ANYONE WHO HAS CURRENT OR PENDING ASSAULT CHARGES.

Every DWI/Drug Court participant must undergo a substance abuse evaluation. Based upon that evaluation, a certain regimen of treatment will be recommended for you, which could include inpatient or outpatient treatment. This is to help determine the extent of your substance abuse problem.

Your criminal history will be reviewed by the DWI/Drug Court team prior to entering a plea.

Once the Court has received your information, it will then be reviewed by the DWI/Drug Court team and determined if you are appropriate for the program. We will then contact your attorney and they will be given a plea and orientation date for you to appear.

PLEASE NOTE: IF YOU ACCEPT THAT YOU HAVE A PROBLEM AND WANT TO ENTER THE PROGRAM, YOU WILL BE REQUIRED, AT A MINIMUM, TO COMPLETE A SUPPORTIVE OUTPATIENT TREATMENT PROGRAM, EVEN IF YOUR EVALUATION INDICATES THAT YOU ONLY NEED AA.

PLEA: On this date you will enter your plea and then begin the orientation process with the Judge, DWI/Drug Court staff and probation officer. During this time you will be fully advised of all rules and procedures, sign your Participant Contract, complete all other necessary paperwork and meet with the probation officer. You will also be required to go to the Probation Department (CSCD) on the 1st floor of the Collin County Courthouse to submit to your entry UA.

This will be the time for you to ask any questions or address any concerns that you might have regarding the program. Please note the entire process may take all day, therefore, please make arrangements on this date to complete the orientation process, as you cannot leave and come back to complete it. Thank you for your participation.

**PLEASE MAKE ARRANGEMENTS TO BE IN COURT ALL DAY ON THE DATE OF YOUR
PLEA AND THE ORIENTATION PROCESS.**

SUBSTANCE ABUSE EVALUATION

To help determine the extent of your substance abuse problem, every DWI/Drug Court participant must undergo a Substance Abuse Evaluation. If you have not yet done so, please complete an alcohol/drug dependency evaluation. For your convenience, a list of providers is noted below. You are free to choose an agency listed here or another provider of your choice. Whoever you select, you are responsible for advising them, at the time you call to make your appointment, that a copy will need to be provided to the Court and your attorney before your application can be reviewed:

First Step Counseling Services

(SAE, IOP, SOP and Aftercare)
900 E. Park Blvd., Ste. 153
Plano, Texas 75074
(Locations in Plano, Denton and Dallas)
(972) 633-5544

Life Management Resources

(SAE, IOP, SOP and Aftercare)
3131 Custer, Ste. 265
Plano, Texas 75075
(Locations in Plano, Wylie and McKinney)
(972) 985-7565

Life Path Systems/Avenues Behavioral Healthcare

(SAE, IOP, SOP and Dual diagnosis- Locations in Plano & McKinney)
1416 North Church Street
McKinney, Texas 75069
(972) 562-9647

Randall Rubenstein, L.C.D.C.

(SAE and Individual Counseling)
3415 Custer Rd., Ste. 117
Plano, Texas 75074
(972) 824-2887

Recovery Healthcare Corp.

(SAE, IOP, SOP)
9090 North Stemmons Frwy
Dallas, Texas 75247
(972) 445-6300

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WELCOME

A letter from Judge Ray Wheless

Welcome to the 366th Judicial District Court DWI/Drug Court Program. This program is designed as a team approach to a serious problem. The Judge, Supervision Officer, Prosecutor, Defense Attorney, Treatment Provider, Court Reporter, Bailiff and Court Coordinator are here to help you achieve and maintain sobriety.

You will be successful in this program if you follow three simple rules:

BE HONEST: We can work through almost any problem together if you are truthful with us. You will not succeed in this program if you are dishonest with us, yourself or your family.

SHOW UP ON TIME: Respect the time of those who are trying to help you. If you are late to appointments, treatment and Court hearings, it is a signal that you are not serious about this program.

ACCEPT RESPONSIBILITY: You are in this program due to your own actions. Take responsibility for what you have done and what you need to do. We will help you, however, sobriety is hard to achieve, especially when you don't want it for yourself.

Please know that you have a lot of support in your effort to get sober. The DWI/Drug Court Team is here to help, as well as other participants in our program. We hope that working together, we can help you live a safe, clean and sober life.

Sincerely,

Ray Wheless

Judge, 366th District Court

This program was created to give persons with qualifying felonies an opportunity to seriously address their addiction to drugs and alcohol and recover from their addiction. By choosing to enter the DWI/Drug Court program, you are choosing perhaps the best opportunity you will ever have to reclaim and rebuild your life. However, the Program is not easy. In fact, there are far greater expectations on you than if you were on regular, felony probation.

The DWI/Drug Court Program is a one-year, post-conviction program designed primarily for people with felony DWI or drug offense convictions, including deferred adjudication probation. A person with any type of non-assaultive criminal conviction may enter the program, if the person admits that they have chronic alcohol and/or drug issues which contributed to their criminal conduct. ***However, if you don't believe you are addicted to alcohol or drugs, then you do not belong in this program.***

If you admit you have a substance abuse problem and you want help, you may avoid incarceration in the State prison by successfully completing this one-year program. Not everyone is suited to be placed in this program. It is a difficult program and requires a commitment to stop drinking and using drugs and begin following rules. For some, prison may be more appropriate.

This handbook is designed to answer your questions, provide overall information about the program, and explain what will be required of you as a drug court participant. As a participant, you will be expected to comply with drug court rules, follow instructions given in drug court by the judge and comply with the treatment plan developed for you by your treatment provider and the drug court team. We are happy to welcome you into the program and wish you every success in your recovery.

Please read this handbook carefully. It is your responsibility to be familiar with its contents. We encourage you to share this information with your family and friends who support your recovery. The information in this handbook may change, without prior notice, and should not be considered a binding agreement between you and the drug court program.

OVERVIEW

The Program is a voluntary, three-phase intervention program for adults who have been charged with one or more qualifying felony offenses and who are unable to stay clean and sober. It is a collaborative effort of the 366th District Court and the Collin County Community Supervision and Corrections Department. By working together, we seek to provide a variety of programs and consistent supervision geared toward supporting and helping you maintain a drug-free life.

DWI/Drug court involves frequent court appearances, strong judicial supervision, random drug testing, frequent, unscheduled home visits by drug court team members or police officers, group and individual drug/alcohol treatment, as well as other needed and assigned programs and services. The Court awards incentives for compliant behavior and progress and provides interventions for non-compliant behavior.

Participants who do not comply with drug court rules and requirements may be jailed, moved back to a previous phase of drug court, ordered to undergo increased treatment or be subject to a variety of other interventions. They may also be terminated from drug court. The staff working with drug court will assist you to be sure you understand what is expected of you.

BENEFITS OF THE FELONY DWI/DRUG COURT PROGRAM

The most important benefit of the Felony DWI/Drug Court Program is that if you complete it, you will be on the road to a successful, drug-free life. Your family, friends and employer will see a new you—a person who is clean, sober, reliable and responsible. However, there are other tangible benefits, including:

1. If you are unable to pay for alcohol/drug treatment, we will find a way to pay for it;
2. Your fine may be probated, saving you hundreds or thousands of dollars;
3. If your license is suspended, you may be granted an occupational license with only minimal expense to allow you to drive to and from work, perform essential household duties and attend required counseling sessions;
4. Court ordered community service may be waived so that you may concentrate on attending any required counseling and support meetings;
5. In most felony DWI cases, the law provides that you must install a “*deep lung device*” or “*DLD*” on your motor vehicle for at least 50% of the length of your sentence. We have working relationships with DLD providers that give us reduced rates. If you are in the program, your monthly monitoring fee is substantially less.

THE DRUG COURT TEAM:

Judge Ray Wheless serves as the lead partner of the Drug Court Team and presides at all team staffings and drug court sessions. The Judge and other team members will make all decisions regarding your participation in the drug court program based upon input from the various team members, providers, and other support services. In addition to the Judge, the Drug Court Team includes the following members:



- Dione Adams, Adult Probation
- Todd Hill, Court Coordinator
- Prosecutor and Defense Attorney
 - Treatment Professional

Prior to each drug court session, the drug court team members will meet to review your case so that your progress can be discussed with you during the drug court session.

SUBSTANCE ABUSE EVALUATION AND TREATMENT

To help determine the extent of your substance abuse problem, every DWI/Drug Court participant must undergo a substance abuse evaluation. Based upon that evaluation, a certain regimen of treatment will be recommended for you. You must participate in every aspect of your treatment just as recommended by the evaluation. *If you are not willing to follow the counselor's recommendations, you should not enter into the Program.* Missed appointments and failure to follow your counselor's recommendations indicate that you do not believe you have a substance abuse problem and you will be discharged from the Program. Once discharged, you are not eligible for re-entry.

ALCOHOL AND DRUG TREATMENT

The DWI/Drug Court Program is based upon traditional treatment programs, which may include the twelve-step model. There are alternatives available for those who are uncomfortable with the twelve-step programs, including Secular Organizations for Sobriety (SOS) and Celebrate Recovery. In addition to the variety of programs available, there are also different approaches to each program, depending upon the level of care an individual needs in alcohol rehab. The type you need will be determined by the Substance Abuse Evaluation (SAE), which you must complete before submitting your application to the program.

Detox: Detox is generally required for individuals who have been using drugs and alcohol consistently and heavily for a long period of time, resulting in the need for supervised medical detoxification in order to stabilize the body as it withdraws from the chemicals it has become accustomed to. Medical detox is generally followed by residential treatment.

Residential Treatment: Residential treatment usually involves 24-hour supervision at a residential facility or clinical care unit anywhere from 21 to 30 days, dependent upon the facility. This length of time can be extended, given the level of care needed. Generally, individuals entering residential treatment have a history of consistent and heavy drug or alcohol use and/or abuse. Residential treatment facilities generally offer therapy, drug and alcohol counseling, education on the disease model of addiction and group processing within a safe and structured environment. Individuals are generally introduced to the 12-step model of recovery through AA meetings, either held at the center or in the community, and learn how to build a support network as well as identify and prevent triggers that may lead them back to drinking once they leave the facility.

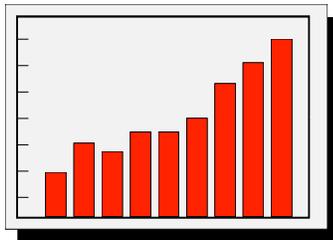
Outpatient: The lowest level of care available for people who abuse alcohol or other substances on a moderate level is an Outpatient program. Outpatient consists of group processing and individual counseling. Individuals reside at home and maintain a regular work or school schedule while attending outpatient sessions and checking in with an assigned counselor for a specified number of hours a week. Random drug and alcohol testing and 12-step meetings may also be included in an

outpatient program. There are two types of outpatient treatment: *supportive* outpatient and *intensive* outpatient treatment.

Aftercare: Following residential and/or outpatient treatment, some facilities offer *aftercare*, which generally consists of counseling sessions and group processing on a weekly basis, typically lasting 6-12 months following treatment.

PROGRESS REPORTS

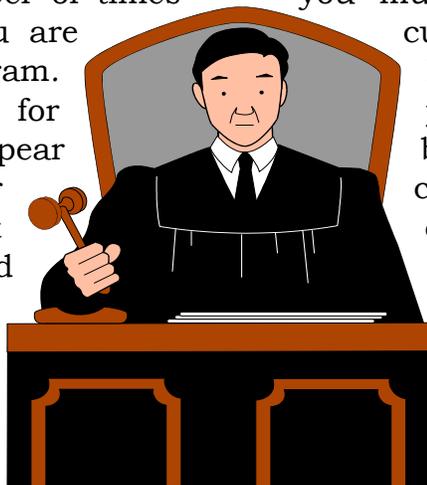
Before your drug court hearing, the Judge will be given a progress report presented by the Adult Probation Officer, the Drug Court Coordinator, and your treatment provider. The entire drug court team will review and discuss the progress report, which will discuss your participation and program, and compliance requirements. The judge will discuss your progress and discuss any problems you may be having. You will be expected to discuss openly and honestly how you are progressing in treatment and what issues may be affecting you for the week. If you are doing well you may be rewarded with incentives. If the team concludes from its consideration of your progress reports that you are not making progress or complying with rules and requirements the judge will discuss this with you and determine future action, which may include interventions to help you remember and pursue your goals in the program and move toward or maintain your recovery.



DRUG COURT SESSIONS

As a drug court participant, you will be required to appear in drug court on a regular basis. The number of times you must appear depends upon the phase of drug court you are currently in and the level of your success in the program. Failure to appear will result in a warrant being issued for your arrest and detention in jail until you can appear before the court. If you have questions about your court appearances you may contact the drug court coordinator. The phases of drug court are listed below.

While drug court is more informal than other court proceedings, participants still need to be concerned with their Courtroom behavior: The following behavior at court sessions will **NOT** be tolerated:



Arriving late and leaving early: You will attend Drug Court on Friday's at 11:30 A.M. An important part of Drug Court participation is attendance and attention for the duration of court sessions unless specifically excused by the court. You are responsible for arranging other obligations and plans to accommodate your attendance at complete drug court sessions.

Talking: Remember that while drug court sessions are more informal than other court proceedings, you are nevertheless in a courtroom in a formal court proceeding and are expected to conduct yourself accordingly. Chatting or visiting and movement in and out of the courtroom are not appropriate conduct during drug court sessions.

Attire, food and cell phones in the courtroom: Please wear appropriate clothing to court. This includes pants, skirts, blouses, t-shirts (must sit at or below the waist band). Hats are NOT to be worn in the courtroom. *Tank tops and cut-off shorts are not appropriate. Food, drinks and cell phones are not permitted in the courtroom.*

12-STEP/SELF-HELP GROUP PARTICIPATION

Participation in 12-step/self-help groups, such as NA, AA or Celebrate Recovery is required because such groups help you examine, understand and recover from your addiction through the guidance, support and encouragement of others who are in recovery from addiction and understand what you are going through. **Participants must attend each meeting in its entirety – staying only long enough to have an attendance slip signed is not permissible. Participants must also bring proof of AA, NA, Secular Organizations for Sobriety (SOS) or Celebrate Recovery attendance to the drug court sessions. Failure to attend full meetings or bring attendance slips to drug court sessions may result in a sanction.** If the groups that are available to you include some religious component that conflicts with your religious or personal beliefs, you may ask the judge to participate in alternative services or programs that provide similar help but do not conflict with your religious or personal beliefs.

PHASES OF DRUG COURT

Drug court is a minimum 12-month program divided into three phases followed by a voluntary alumni (continuing care) phase. A participant must successfully complete each phase before moving to the next phase. Each phase has a key concept or focus.

PHASE ONE

Key Concept:	Abstinence, Education and Information
Length of phase:	Ninety days
Requirements:	<ul style="list-style-type: none"> • Become and remain drug and alcohol free. • Possible use of Rx medications to help achieve sobriety • Drug court attendance weekly • Participation and progress in treatment • Daily call in for possible drug tests • Multiple random alcohol/drug tests per week • At least 3 self-help meetings per week • Install/maintain a DLD on your vehicle, if driving • Obtain a sponsor for self-help group or 12-step program • Begin Program Fee payments • When directed, prepare & submit a letter summarizing progress to date and requesting promotion

PHASE TWO

Key Concept:	Abstinence and Rebuilding
Length of phase:	Ninety days
Requirements:	<ul style="list-style-type: none"> • Remain drug and alcohol free • Continued use of prescribed medications to help maintain sobriety • Drug court attendance every other week • Continued progress in treatment • Daily call in for possible drug tests • Multiple random alcohol/drug tests per week • Intensity of treatment may decrease based on individual needs and provider recommendations • Maintain DLD on your vehicle, if driving • At least three self-help meetings per week • Continue to address Program Fee payments • When directed, prepare & submit a letter summarizing progress to date and requesting promotion

PHASE THREE

Key Concept:	Abstinence and Life Skills
Length of phase:	One Hundred and Eighty Days
Requirements:	<ul style="list-style-type: none">• Remain drug and alcohol free• Drug court attendance once per month• Complete and graduate from treatment program• Multiple random alcohol/drug tests per week• Attend at least three self-help meeting per week• Participate in the Victim Impact Panel (VIP) to learn how DWI offenses affect our community• Complete the DWI Repeat Offender Program, pay license reinstatement fees and set up an installment payment for DWI surcharges for reinstatement of driving privileges• Ensure the Program Fee is paid in full• When directed, prepare & submit a letter summarizing progress to date and requesting graduation

POST-GRADUATION

Key Concept:	Maintenance of a clean, sober and legal lifestyle
Length of phase:	The rest of your life
Requirements:	Voluntary. Graduates from the DWI/Drug Court Program are encouraged to continue in support groups and use the tools you have gained to maintain a healthy, productive, law-abiding life in order to build on what you have accomplished thus far.

PAYMENT OF COSTS AND FEES

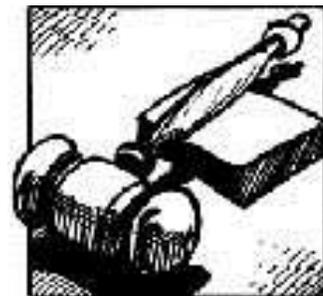
You will be required to pay drug court costs and fees to the extent that the judge finds that you have the reasonable ability to pay and that your payments won't interfere with your rehabilitation and recovery. Each participant is required to pay a drug court participation fee of \$400.00, fines (unless probated), court costs, probation fees, UA fees, monthly ignition interlock fees and other similar court costs.

CONFIDENTIALITY

State and federal regulations require that your identity and privacy be protected. To comply with these regulations, the drug court team and treatment providers have developed policies and procedures that guard your privacy. You will be required to sign an Authorization and Consent for Disclosure of Confidential Substance Abuse Information form. The consent allows confidential substance abuse information to be disclosed only to drug court team members and the information will be used solely for the purpose of monitoring your progress in treatment, and, when necessary, determining appropriate changes in your treatment or other program requirements or appropriate incentives or sanctions.

DRUG COURT RULES

As a participant you will be required to abide by the rules outlined in the participation agreement, including, but not limited to the following:



GENERAL RULES OF DWI/DRUG COURT:

1. Submit to an initial alcohol/drug evaluation.
2. Follow all recommendations of the substance abuse evaluator.
3. Do not drink or possess any alcoholic beverages, illegal drugs, marihuana or prescription drugs without a valid prescription.
4. Submit to random breath tests and urinalysis as often as requested by the Court or anyone acting on the Court's behalf.
5. Appear at all counseling sessions and Court hearings.
6. Attend all AA, NA, SOS or Celebrate Recovery meetings as recommended.
7. Do not drive a motor vehicle without a valid driver's license, and if ordered by the Court, do not drive a motor vehicle unless it is equipped with a deep lung device.
8. Obey all laws of the State of Texas.
9. Obtain and maintain employment, attend school, or a combination of both.
10. Notify the Court and probation officer of any address changes in home/work.
11. Do not reside with or associate with anyone who uses illegal substances.
12. Pay all fines, court costs and fees when due.
13. Comply with all terms and conditions of the Participant Contract entered into with the Court.
14. Comply with all terms and conditions of probation.

***COMPLIANCE WITH DRUG COURT RULES MAY RESULT IN INCENTIVES.
FAILURE TO COMPLY WITH RULES MAY RESULT IN SANCTIONS***

INCENTIVES



Incentives may be awarded by the judge, following consultation with the drug court team, when you comply with drug court rules and requirements and demonstrate progress. Incentives may include, but are not limited to:

- Recognition by the court/judge
- Reduction or waiver of probation requirements
- Promotion to next phase
- Removal of ignition interlock device
- Early graduation

INTERVENTIONS

Interventions may be imposed by the judge, following consultation with the drug court team, when you do not comply with drug court rules and requirements and/or do not demonstrate progress. While we hope everyone in the program will abstain from alcohol and drug use, we realize that some people may slip. If you slip while in the program, admit it. You may sign a form admitting to the use of alcohol and/or drugs and the consequences will be less severe than a positive UA. There is a wide range of interventions available that the judge can impose. Interventions may include, but are not limited to:



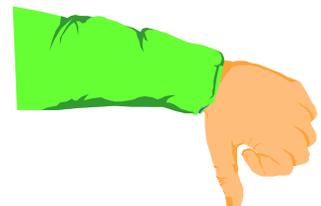
- Verbal reprimands
- Increased requirements such as more frequent UA testing
- Community service
- Demotion to an earlier phase
- Electronic monitoring
- Curfew
- House arrest
- Jail time
- Termination from the program for repeated or serious non-compliance

The court, at weekly staffings, determines whether or not you are in compliance with drug court requirements and makes decisions on appropriate incentives or interventions. **You do not have the right to a hearing before the court regarding such determinations.**

TERMINATION FROM DRUG COURT

New arrests, or serious/repeated violations of drug court rules, requirements or any aspect of your treatment plan, may result in termination from the drug court program. Violations that could result in termination include, but are not limited to:

- Failure to submit a drug test
- Positive drug tests
- Altering or tampering with a drug test



- Demonstrating a lack of program response by failing to cooperate with the drug court team or treatment program
- Violence or threat of violence directed at drug court staff, treatment staff, other participants of the program or other clients of the treatment providers

If you quit or are terminated from the drug court program, you will appear before the court for a hearing. The hearing will be held to determine whether your probation should be revoked and original sentence carried out.

CHEMICAL TESTING (DRUG SCREENING)

You will be required to submit to random drug testing throughout your participation in drug court. Testing measures may include urinalysis, breathalyzer, saliva strips, patch testing or other testing devices. Under no circumstances will drug test results be used as evidence of a new crime, or in any other manner not consistent with the goals of the drug court program.



- When you provide a sample for testing you will be directly observed by trained staff to ensure the absence of tampering or other errors.
- If you refuse to provide a sample when asked, you will be treated as if you had tested positive. If you miss a test, delay providing a sample more than 30 minutes, or provide a sample that is determined to be diluted or otherwise adulterated it may be considered a positive (dirty) test and other interventions may occur. Please be aware that the person administering the test will wait for no longer than 30 minutes to obtain a sample from participants due to a tight calendar and caseload.
- If you have a positive test in any drug court phase, you will lose your clean and sober time accumulated in drug court and the drug court judge, based on recommendations from the drug court team or treatment staff, may apply other immediate interventions, to help you stop your drug-using behavior.
- Dilute UA's are considered problematic and will be dealt with accordingly. It is up to you to provide a reliable sample.

Please take the following steps to ensure that your UA will not return diluted:

- 1)** Eat food at least one hour prior to testing;
- 2)** Do **NOT** consume large quantities (2 or more large cups) of water or other drinks immediately before your test; and
- 3)** Do not take/drink diuretics (diet shakes, teas, over the counter diuretics, etc).

GRADUATION

Upon your successful completion of a treatment program and satisfaction of all other drug court requirements, including continued sobriety and approval of your application for graduation by the drug court, you will graduate from the drug court program. If allowed you may be placed on from the drug court program and is recognized as a very family that support your at a special graduation congratulates you for

drug court, you will graduate from the by law, your probation may end early or unsupervised probation. Graduation represents a great accomplishment important event. Your friends and sobriety will be invited to join you ceremony as the drug court team successfully completing the drug court program and achieving your goal to establish a drug-free life.



CONTINUING CARE

In order to provide you with a continuing support system and to ensure that you can maintain your valuable sobriety, upon graduation you are encouraged to seek support groups that offer guidance as you continue on with your sobriety. **Please take advantage of this opportunity of continuing support of the sobriety you have worked so hard to achieve.** Your participation will also be an opportunity to prove to others, yourself and those that care about you, that you are committed to a new life as a productive, law-abiding, clean and sober member of society.



CONCLUSION

The goal of the Collin County Felony DWI/Drug Court Program is to help you achieve a life free of dependence on mind-altering substances. Your acceptance into the drug court means the drug court team has concluded that you can succeed. The judge and other drug court team members, court staff and treatment providers will be there to guide and assist you throughout your participation in drug court, **but the final responsibility for success or failure will be yours.** To succeed, you must honestly desire to change to a new life free of drugs and be willing to work hard with those who will be available to help you reach that goal.

Best Wishes



DRUG COURT



PHONE NUMBERS

(972) 548-4570
Todd Hill, Court Coordinator
thill@co.collin.tx.us

(972) 548-4259
Dione Adams, *Supervision Officer*
dadams@co.collin.tx.us

1-800-880-3394
SMART START

(972) 445-6300
Recovery Health Care
(SCRAM, Soberlink and Drug Patches)

SUMMARY OF DRUG COURT PARTICIPANT RULES



1. Be on time for court and treatment sessions, submit to random drug testing, and stay clean, sober and law abiding.
2. Attend and sign a DWI/Drug Court orientation contract, which outlines your rights, benefits, and responsibilities.
3. Don't associate with persons using or possessing drugs or be where drugs or alcohol are being used by others.
4. Don't use or possess any illegal drugs, alcohol or drug paraphernalia.
5. Tell your doctors you are a recovering addict and may not take narcotic or addictive medications or drugs, unless prescribed by Board-Certified Addiction Specialist who is aware of your addiction history and approved by the DWI/Drug Court Team.
6. Don't use or possess any weapons unless authorized by drug court, and disclose the presence of any weapons possessed by others in your household.
7. Advise the DWI/Drug Court Team of any changes in your current address and phone number.
8. Dress appropriately for court and treatment sessions.
9. Follow all DWI/Drug Court rules and regulations.
10. Pay fees and costs as ordered by the DWI/Drug Court Judge.
11. You and your property may be searched at any time the DWI/Drug Court coordinator or a police officer has a reasonable suspicion that you are violating court rules or orders.
12. Do not leave Collin County unless approved by the Judge or your probation officer.

**Remember, success comes
One day at a time**

Personal Notes
