

**MISSION OF MARION COUNTY
MISDEMEANOR DRUG COURT
(MDC) PROGRAM**

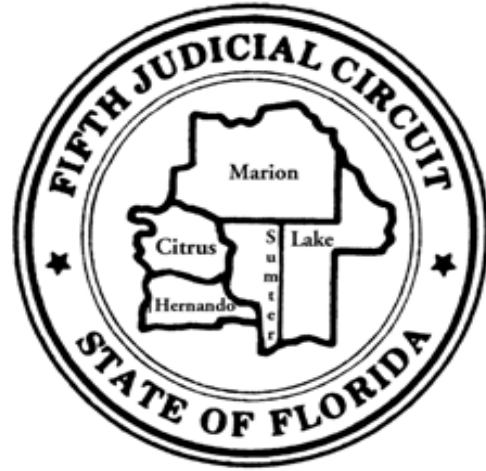
The mission of the Marion County Misdemeanor Drug Court (MDC) Division is to protect public safety, health and property. This is accomplished by reducing drug abuse and other criminal acts through education, treatment, the monitoring of offenders; and decreasing the recidivism rate among the participants. This reduces their financial impact on the judicial system and the citizens of Marion County by providing a cost avoidance of tax funded services including jail and court costs. Diversion courts are demonstrably effective in reducing drug addiction and drug related crime.

This program division diverts select defendants charged with non-violent, non-traffic related misdemeanors from the Marion County Jail and from active criminal prosecution.

The program is a minimum of six (6) months but may run up to one year.

AUTHORITY

The Marion County Misdemeanor Drug Court (MDC) division is established pursuant to Florida Statute 397.334 (2) Pretrial Based Drug Court.



**Marion
County
Misdemeanor
Drug Court
(MDC)**

Contact Information:
Court Administration
110 NW First Avenue
Room 1-1057
Ocala, Florida 34475
Telephone: 352/401-8146

Approved -10-26-16

**Marion County
Misdemeanor Drug Court Team**

- Marion County Probation Provider;
- Office of the State Attorney;
- Public Defender's Office;
- Court Administration; and
- Treatment Providers

The Marion County Misdemeanor Drug Court (MDC) does not discriminate against qualified applicants on the basis of race, color, religion, gender, age, national origin, marital status, handicap (disability) or veteran status or as otherwise prohibited by federal, state or local law.

If you are a person with a disability who needs any accommodation in order to participate in this program, you are entitled, at no cost to you, to the provision of certain assistance, please contact the ADA Coordinator at the Office of the Trial Court Administrator, Marion County Judicial Center, 110 NW 1st Avenue, Ocala, Florida 34475, Telephone (352)401-6710. If you are hearing or voice impaired, call 711.

Eligibility:

Defendants charged with a misdemeanor for controlled substance or drug paraphernalia under Florida Statute 893; prostitution under Florida Statute 796.07; possession of alcohol while under 21 years of age under Florida Statute 562.111; possession of a controlled substance without a valid prescription under Florida Statute 499.03, or other allowable misdemeanors may be considered for participation in this program.

In addition to the above criteria:

- the Defendant may not have been previously convicted of a felony;
- the Defendant must be a resident of Marion County, Florida;
- the Defendant's participation must be voluntary and the Defendant must consent in writing to fully participate in the MDC before he/she may be accepted into the MDC;
- the application must be approved by the presiding MDC judge and;
- the Defendant must waive their right to a speedy trial and execute an "Agreement To Participate In The Marion County Misdemeanor Drug Court Program Division."

Incentives/Sanctions:

As a participant progresses through the phases of the program, the presiding judge will use incentives to recognize participants' achievements. These may include, but are not limited to verbal recognition from the court; certificates, phase advancement.

If a participant is not following the program, the Judge may utilize sanctions as a tool. Sanctions may include, but are not limited to, demotion to a lower phase, community service, more frequent court hearings, sanction fee(s); additional support group meetings, additional drug screens, or essays.

Referrals:

Prospective participants will be responsible for completing the application and agreement to participate in the Marion County Misdemeanor Drug Court (MDC). The application fee must accompany the completed application. The application and agreement will be presented to the Office of the State Attorney for review prior to their acceptance in the program. Prospective participants are identified from reviewing the Marion County Sheriff's Office daily booking information; arraignment dockets and from referrals from judges, assistant state attorneys and defense counsel.

Applications:

Applications may be picked up in Room 1-1057 on the 1st Floor of the Marion County Judicial Center

Fees:

Fees are Non-Refundable

- \$25.00 Application fee due at the time of the application;
- Defendants accepted into the MDC will also be required to pay:
- \$10.00 per month administrative fee to Court Administration; and
- Participants will be responsible for all other program related cost. (ex. Drug screens)

(Excludes additional sanctions fees, if applicable).

Graduation:

The court shall dismiss the charges upon finding that the defendant has successfully completed the Misdemeanor Drug Court program.

Phase I: (Minimum of 6 weeks)

- to call the Marion County Drug Court Color Line everyday between 6:00 a.m. to 12:00 p.m.;
- to show up on time for any random drug screens as directed by the Marion County Drug Court Staff ;
- to attend at a minimum, two (2) peer support group meeting a week, with proof of attendance to the Marion County Court Assistant as required;
- to maintain a journal outlining what you learned or gained from attendance at your support group meetings;
- to have available for review, your journal before and at each court appearance;
- to schedule and obtain an evaluation appointment from a licensed treatment provider within seven (7) days of my first MDC appearance;
- to begin any and all recommended treatment.
- to attend all meetings with the Drug Court staff, as scheduled or instructed;
- to have no more than four (4) positive drug screens, (exceptions will be addressed in court, if applicable)
- to attend weekly court appearances or as instructed by the court;
- to seek and/or maintain lawful employment or demonstrate enrollment as a full-time student, unless in residential treatment or have proof of disability;
- to be sanction free for at least 2 weeks prior to phase movement;
- to pay all fees, in a timely manner; and
- to follow added instructions from the court.

Phase II: (Minimum of 12 weeks)

- to call the Marion County Drug Court Color Line everyday between 6:00 a.m. to 12:00 p.m.;
- to show up on time for any random drug screens as directed by the Marion County Drug Court Staff;
- to attend at a minimum, two (2) peer support group meeting a week, with proof of attendance to the Marion County Court Assistant as required;
- to maintain a journal outlining what you learned or gained from attendance at your support group meetings;
- to have available for review, your journal before and at each court appearance;
- to be attending any required treatment sessions and following through with any treatment plan objectives, goals and recommendations;
- to attend and complete any required substance abuse course;
- to attend bi-monthly (2 times a month) court appearances or as instructed by the court;
- to attend all meetings with your Marion County Court Assistant as scheduled or instructed;
- to continue to seek and/or maintain lawful employment or demonstrate enrollment as a full-time student, unless in residential treatment or have proof of disability;
- to be sanction free for at least 2 weeks prior to phase movement;
- to have all fees paid up to date; and
- to follow added instructions from the court.

Phase III: (Minimum of 6 weeks)

- to call the Marion County Drug Court Color Line everyday between 6:00 a.m. to 12:00 p.m.;
- to show up on time for any random drug screens as directed by the Marion County Drug Court Staff;
- to attend at a minimum, two (2) peer support group meeting a week, with proof of attendance to the Marion County Court Assistant as required;
- to maintain a journal outlining what you learned or gained from attendance at your support group meetings;
- to have available for review, your journal before and at each court appearance;
- to continue attending any required treatment or educational sessions, following through with any treatment plan objectives, goals or recommendations and to complete a relapse prevention plan approved by the counselor as part of your aftercare plan (*This aftercare plan must be approved by the drug court team*);
- if not attending treatment, to provide an aftercare relapse prevention plan to the court, , that will recount what you have learned during your time in the program, how you will apply these skills in the future and what safety plan you have in case you feel like you are slipping into a relapse (*This aftercare plan must be approved by the drug court team*);
- To consistently have negative drug screens;
- to be sanction free for at least 4 weeks; and
- to have all fees paid in full.