

## MISSION

The mission of the Marion County Misdemeanor Drug Court (MDC) is to protect public safety, health and property.

### GOALS & OBJECTIVES

- To reduce drug abuse and illicit use and other related criminal acts through education, treatment, monitoring, advocating, connecting and promoting accountability.
  - Decreasing jail recidivism rates among participants.
  - Decreasing relapse rates among participants.
  - Promoting prosocial accountable behavior among participants and their support system.
  - Reduce the financial impact on the judicial system and the citizens of Marion County by providing cost avoidance of tax funded services (jail, court costs etc)
  - Ensure advocacy for a significantly marginalized population of those with addiction and other behavioral health issues.
- All of the above will help ensure public safety

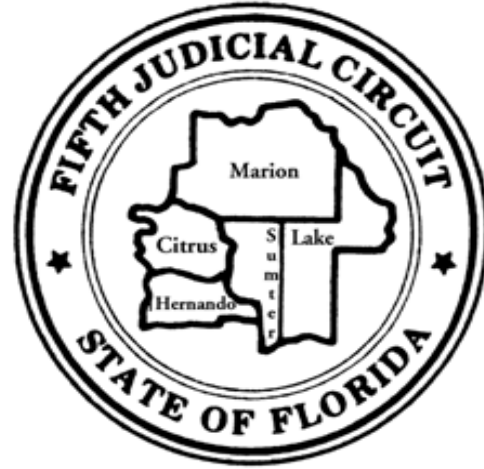
This program diverts select defendants charged with non-violent, non-traffic related misdemeanors from the Marion County Jail and from active criminal prosecution.

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

### **AUTHORITY**

The Marion Misdemeanor Drug Court is established pursuant to Florida Statute 397.334(2); Pretrial Based Drug Courts and Florida Statute 948.16; misdemeanor pretrial substance abuse education and treatment intervention program.

# Marion County Misdemeanor Drug Court (MDC)



Honorable Robert E. Landt  
Presiding Judge

### **Contact Information:**

Court Administration  
110 NW First Avenue  
Ocala, Florida 34475  
Room 1-1062

352-401-8146  
emozell@circuit5.org

## 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 .
- Final determination for the admission of a defendant will be made by the Misdemeanor Drug Court Judge based on input from the Drug Court Team. 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 & Therapeutic Adjustments:**

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, or show greater need; the Judge may utilize sanctions or therapeutic adjustments as tools. Sanctions may include, but are not limited to, community service, more frequent court hearings, sanction fees, additional drug screens, or essays. etc. Therapeutic adjustments may include but are not limited to: additional support group meetings, increased level of care or medication etc.

**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 1062 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)
- All fees must be paid unless waived or adjusted by the Judge presiding over the drug court program.

(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 5:00 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 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 attend court appearances 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 1 week 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 5:00 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 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 court appearances 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 5:00 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 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 relapse prevention plan must be approved by the treatment provider*);
- 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.