

Name _____

Case # _____

Judge _____

VETERANS COURT AGREEMENT

1. I hereby understand that I have been accepted into the Third District Veterans Court Program under one of the following conditions:

PLEA IN ABEYANCE

I understand that the plea(s) I have entered will be held in abeyance. I understand that if I remain compliant with court orders, the pleas(s) will not be entered as (a) conviction(s) while I am participating and compliant in the Veterans Court Program. I also understand that I am waiving the right to be sentenced within the statutory time period of more than two days and no more than 45 days.

I understand that if I successfully complete the Veterans Court Program as ordered by the Court, I will be allowed to withdraw my plea(s) and charge(s) will be dismissed. I further understand that if I successfully complete the Veterans Court Program and my plea(s) and charges(s) are dismissed, the District Attorney may not prosecute said charge(s) in the future, and I may be eligible to file a motion to have the record of my initial arrest expunged by the Court.

I understand that if I fail to satisfactorily complete the Veterans Court Program, the Court can remove me from the Program, enter my plea(s) as (a) conviction(s) and sentence me for those offenses.

CONDITION OF PROBATION

I understand I have been accepted into the Veterans Court Program as a condition of probation. This will require an entrance of a plea(s) of guilty and a subsequent sentence being imposed by the Court. I further understand that if I successfully complete the Veterans Court Program and I am in compliance with the other conditions of my probation, I will be successfully discharged and terminated from probation. I understand I may be eligible for a reduction of my charges pursuant to § 76-3-402.

I also understand that if I fail to satisfactorily complete the Veterans Court Program, the Court may revoke my probation and sentence me in accordance with the provisions of law.

2. I understand and agree that satisfactory completion of the Veterans Court Program will take a minimum of eighteen months. I further understand that the Plea in Abeyance term or condition of probation will be 36 months and may be extended or terminate early on agreement of the parties. The average time for completion of the Program is 20-24 months. To qualify for graduation, I must pay restitution or have a court ordered arrangement regarding restitution with which I comply. Also to qualify for graduation, I must not use alcohol, illegal drugs or drugs outside my prescription(s) for six months prior to graduation; all drug tests must be taken, be valid and drug free. Failure to qualify for graduation could result in a 6-month extension of the Program for me.

3. I understand and agree that while I am in the Veterans Court Program, I will:
 - a.) Commit no new criminal offenses;
 - b.) Strive to successfully complete the Veterans Court Program;
 - c.) Abide by all requirements set forth in the Veterans Court Agreement;
 - d.) Not tamper with drug tests;
 - e.) Comply with clinical treatment recommendations from my VA and/or other providers;
 - f.) Follow all Court orders;
 - g.) Not use or possess, or have under my custody or control, any firearm;
 - h.) _____

4. I understand that the Veterans Court Program is a special program which requires reliance on drug testing and the recommendations of treatment personnel imposing treatment conditions and/or sanctions for violating the Veterans Court Program rules, policies, or requirements. Drug tests may be challenged with the prior permission of the treatment staff and my payment for additional verification. The Court is not bound to wait for the results of a verification test before sanctions may be imposed.

5. I understand and agree that in the event there is a claim that I failed a drug test or I am otherwise not in compliance with the policies, rules or requirements of the Veterans Court Program, the Court may impose sanctions, other than removal from the Program without conducting an Order to Show Cause hearing. I further understand and agree that the sanctions which the Court may impose for failure to comply with policies, rules or requirements of the Program may include, but are not limited to, modification of treatment conditions, administrative sanctions, community service, fines, jail or a specified jail term. In the event there is a claim that I have failed to comply with the policies, rules or requirements of the Veterans Court Program, I hereby waive my right to a hearing or counsel advocating in court on that claim.

6. I understand and agree that a defense attorney in the Veterans Court Program does not always have the role of traditional adversarial advocate. I understand and agree that I will appear in court without counsel and that I may be responsible to personally advocate my position at all Veterans Court hearings, unless the hearing involves an Order to Show Cause where the

prosecution is seeking my removal from the Veterans Court Program. Defense counsel will assist me in preparing to advocate before the Court and will be present in the courtroom at my request, but will not argue my position to the Court. Defense counsel will not disclose information to the Veterans Court team that may result in my removal from Veterans Court or that may result in additional criminal charges being filed against me. However, I understand and agree that defense counsel may disclose any other information about me, regardless of the source of such information and including otherwise privileged communications, if defense counsel reasonably believes that such disclosure will further my goal of achieving and maintaining sobriety. Defense counsel will communicate my position to the Veterans Court team during staffing meetings, but will have the discretion to advocate a position different than my own if defense counsel reasonably believes that a different position will further my goal of achieving and maintaining sobriety. Upon request from me, defense counsel may communicate to me information discussed during staffing regarding proposed sanctions.

7. I agree to sign all releases of information and other documents necessary for entry into and satisfactory completion of the Veterans Court Program.
8. I agree to allow Veterans Court personnel to search my residence, vehicle, cell phone, personal articles and person as set forth in the Veterans Court Policy and Procedures Manual.
9. I agree to report all contact with law enforcement to my case manager within 48 hours.
10. I agree to notify Veterans Court of any lawfully prescribed prescription before filling the prescription whenever medically practicable and provide appropriate notice to my medical care provider of my Veterans Court status.
11. I agree to keep the treatment provider, my supervising officer, the Court and Adult Probation and Parole if applicable, advised of my current address and phone number at all times during the Veterans Court Program. I agree not to change addresses without the Court's permission.
12. I understand and agree that the Court may order me to pay fees during my participation in the Veterans Court Program. These fees may be based on an assessment of my ability to pay, and that a payment schedule may be established by the Court for payment of fees.
13. I understand that if restitution is owed by me, it must be paid in full before I can graduate from Veterans Court, unless special arrangements have been agreed to by my case manager, the Court, and the District Attorney's Office.

RESTITUTION INFORMATION

Name of Victim:			
Address:			
City:	State:	Zip:	Phone:
Amount Owed:		Monthly Payment Amount:	
Payable to: AP&P <input type="checkbox"/> Court <input type="checkbox"/> Other <input type="checkbox"/>			

I have read the above statement of my rights and hereby waive those rights and agree to the terms and conditions of the Veterans Court Program as provided above and do hereby enter into this agreement with the Court for admission into the Salt Lake County Veterans Court Program.

Defendant's signature Date

Defendants' name (print)

Attorney for Defendant Date