
COMMONWEALTH OF
PENNSYLVANIA

--VS--

: IN THE COURT OF COMMON PLEAS
: OF LACKAWANNA COUNTY

:
: CRIMINAL DIVISION

:
: Number:
:

Domestic Violence Court Participation Contract

1. Conditions for Acceptance into Domestic Violence Court

- 1.1. I understand that I will be required to attend court hearings, treatment sessions, submit to random drug testing, remain clean and sober, and remain law-abiding.
- 1.2. I agree to pay the fee to all treatment providers, or make arrangements for a payment plan.
- 1.3. I understand that I am required to diligently seek and maintain employment as directed by the Domestic Violence Court Team. I understand that my failure to do so may result in a sanction and possible termination from DV Court.
- 1.4. While participating in DV Court, I agree that any motions or hearings regarding the above listed case(s) must be set before the DV Court Judge.
- 1.5. I agree to waive my right to have a court reporter present during regular DV Court Review Hearings.
- 1.6. I agree to execute the Consent for Release and Exchange of Confidential Health Information (HIPAA). Any information obtained will be kept separate from the court file.
- 1.7. I expressly waive my right to a speedy trial pursuant to Pa. Rule 600.
- 1.8. I expressly waive my right to be sentenced within 90 days pursuant to Pa. Rule 704 (a)(1).
- 1.9 I expressly waive my right to withdraw my guilty plea and understand that upon unsuccessful termination from the program my plea will remain to the top charge of the information.
- 1.10 I acknowledge that the District Attorney, Assistant District Attorney, or employee of the District Attorney's Office may be a part of the Domestic Violence Treatment Court Team and may share information received from any of the witnesses on the case with team members regardless of whether I or my counsel is present.

2. Rules

- 2.1. I understand that I may not use or possess drugs or alcohol.
- 2.2. I understand that I may not possess drug paraphernalia.
- 2.3. I will submit to the drug testing procedures of DV Court and understand the following:
 - 2.3.1. I may be tested for the presence of drugs or alcohol in my system at any time
 - 2.3.2. I understand I may be sanctioned for failure to produce a sample.
 - 2.3.3. I understand that I will be sanctioned, including possible incarceration and or termination from the program, for producing a positive sample.
- 2.4. I will not keep weapons on my person, in my car, or in my household.
- 2.5. I agree to attend DV Court Review Hearings specifically as ordered, but generally once per month.
- 2.6. I understand that I may not schedule work, appointments, or other obligations which will conflict with required DV Court Review Hearings and agree to abide by the following rules:
 - 2.6.1. I will arrive on time and remain until excused.
 - 2.6.2. I will dress appropriately and behave respectfully.
 - 2.6.3. If I bring small children to court, I will have someone with me who can care for them outside the courtroom if necessary.
- 2.7. With respect to law enforcement, I will report any law enforcement contact to my probation officer on the next business day.
- 2.8. I will notify my Probation Officer of any PFA's filed against me and/or any violations of a PFA alleged against me.

3. Sanctions and Termination

- 3.1. I understand that failure to abide by the provisions of this contract will result in sanctions.
- 3.2. I understand sanctions may include termination from DV Court, time in custody, community service, increased treatment sessions, increased drug testing, re-instatement and/or modification of any bail conditions, entry of an immediate sentence, and any other consequences deemed appropriate by the DV Court Team.
- 3.3. With respect to drug testing, I understand the following:
 - 3.3.1. Positive tests will result in sanctions.
 - 3.3.2. Late or missed tests are treated as positive tests and will result in sanctions.
 - 3.3.3. If I dispute the validity of test results, I may request to have the sample retested within 24 hours of the initial results and pay for a more detailed analysis of my urine.

- 3.4. I understand that failure to abide by the rules, failure to conform my behavior as directed, and acts of fraud or deception (e.g. attempting to use another's urine during drug testing) are grounds for termination from the program.
- 3.5. I understand that failure to successfully complete and graduate from the program cannot be a basis for withdrawing my previously entered guilty plea.
- 3.6. I understand that if I do not successfully complete DV Court, I may be sentenced to prison or jail as provided by law.

4. Re-Affirmation

- 4.1. I understand that participation in DV Court is a privilege, not a right, and that it is an opportunity to obtain information, associations, services, and skills to help me change my life and fulfill my potential. I promise to give DV Court my best efforts.
- 4.2. I have read and understood the above contract, and I am willing to enter into this agreement with the Lackawanna County Court of Common Pleas Domestic Violence Court Program.

Date: _____

Signature of Defendant

Date: _____

Signature of Attorney for Defendant

Date: _____

Signature of Prosecutor