



Ventura County Behavioral Health Department
DRIVING UNDER THE INFLUENCE PROGRAM / ALCOHOL AND DRUG PROGRAMS

PROGRAM RULES AND REGULATIONS
PLEASE READ CAREFULLY

You are responsible for knowing and following the program rules and requirements contained in the following pages of these Rules and Regulations. You may be disqualified and returned to court /probation and/or DMV for violation of the following rules and regulations or for failure to complete all of the identified program requirements in a timely manner.

It is your responsibility to enroll in the correct level program. Failure to enroll in the correct Program may result in no credit being given for incorrect enrollment and will cost you more time and money than is required by your court sentence or the DMV.

You will have an opportunity to discuss the rules and regulations with your intake counselor. You will be given one copy to keep and you will sign a copy for your file (to verify that you have reviewed and agree to follow the program rules and requirements). If you do not understand any portion of these rules and regulations or your responsibilities in the program, ask your counselor or their supervisor for clarification.

VERY IMPORTANT!! Any time you contact the program, please note the day, time and name of the DUI Program staff person with whom you spoke. **Call between the Hours of 8:00 a.m. and 5:00 p.m. Monday through Friday**

By Appointment Only

Oxnard DUI Program	1911 Williams Dr. Suite C, Oxnard CA 93036	805-981-9210
Accounting Office (for payments)	1911 Williams Dr. Suite C, Oxnard CA 93036	805-981-8914 or 981-8925
Ventura DUI Program	5850 Thillie Street #105, Ventura CA 93003	805-662-1840
Thousand Oaks DUI Program	125 W. Thousand Oaks Blvd, Suite 400, Thousand Oaks CA 91360	805-777-3506
Simi Valley DUI Program	3150 Los Angeles Ave, Simi Valley CA 93065	805-520-0305
Fillmore DUI Program	828 Ventura Street #250, Fillmore CA 93015	805-524-8645

SECTION 1 – INTRODUCTION

You have been ordered by the court/probation and/or by the California DMV to attend a Driving Under the Influence Program.. The Ventura County Driving Under the Influence Program is licensed by the State of California Department of Alcohol and Drug Programs to provide services for both FCP (First Conviction Program) and MCP (Multiple Conviction Program) referrals.

The First and Multiple Conviction Programs are designed to provide education and treatment. The program will provide you with an opportunity to evaluate and make responsible choices concerning the use of alcohol and other drugs. To accomplish this goal, the program is committed to providing a program environment of genuine care that emphasizes the values of responsibility, honesty, commitment, and integrity.

Abstinence from the use of alcohol and or illicit drugs as a goal during your participation in the program leads to greater outcomes and may prevent the risk of subsequent DUIs.

SUMMARY OF FCP AND MCP PROGRAM REQUIREMENTS - You must complete all of the requirements in the table below within your assigned program level.

MINIMUM PROGRAM ACTIVITY

Assigned Program	12 Hour Education Program <input type="checkbox"/>	FCP 3 Month Program <input type="checkbox"/>	FCP 6 Month Program <input type="checkbox"/>	FCP 9 Month Program <input type="checkbox"/>	MCP 12 Month Program * <input type="checkbox"/>	MCP 18 Month Program <input type="checkbox"/>
Assessment	Within 60 days of program involvement	Within 60 days of program involvement	Within 60 days of program involvement	Within 60 days of program involvement	Within 60 days of program involvement	Within 60 days of program involvement
Individual Face-to-Face meetings (in addition to intake)	1 Exit interview	3 FF Sessions (15-30 min.) once every 4 to 6 weeks	13 FF Sessions (15-30 min.)	13 FF Sessions (15-30 min.)	26 FF Sessions (15-30 min.) At least once every other calendar week	26 FF Sessions (15-30 min.) At least once every other calendar week
Education Classes	6 Sessions (2 hrs each)	6 Sessions (2 hrs each)	6 Sessions (2 hrs each)	6 Sessions (2 hrs each)	6 Sessions (2 hrs each)	6 Sessions (2 hrs each)
Group Counseling Sessions		12 Sessions (1½ hrs each)	19 Sessions (1½ hrs each)	30 Sessions (1½ hrs each)	35 Sessions (1½ hrs each)	35 Sessions (1½ hrs each)
Re-Entry						5 Group Sessions (1 hr each) and 1 Discharge FF (1 hr)
Minimum duration of continuous active participation		3 Calendar months of <u>continuous</u> participation	6 Calendar months of <u>continuous</u> participation	9 Calendar months of <u>continuous</u> participation	12 Calendar months of <u>continuous</u> participation *Arrested prior to 12-31-89	12 Calendar months of <u>continuous</u> participation for primary program and 6 calendar months for the reentry phase



SECTION 2- PROGRAM FEES AND ADDITIONAL CHARGES

The Driving Under the Influence Program is supported solely by participant fees. Payment of these fees is a requirement of your attending the program AND/OR a condition of your probation. In addition to this agreement "Program Rules and Regulations", you will complete and sign a "Participant Payment Agreement" which is an addendum to this contract and which will specify your specific program fee and payment schedule. It is your responsibility to pay the program fees as agreed. The program does not send monthly billing reminders. Failure to pay program fees as agreed may result in dismissal from the program.

- Payments are only accepted at the administrative office (front desk), and by phone with a credit card (Visa or MasterCard only). A receipt for each payment will be issued at the time of payment. Never make a payment without getting a receipt. Payments are never accepted in activities. Please include your DUI ID# on your check or money order. Payments by check or money order can be made after hours via the drop box. **Never put cash in the payment drop box.**
- It is a participant's responsibility to contact Ventura County DUI Program to request a financial assessment of their payment schedule. The participant will be required to provide documented evidence of financial hardship resulting from the payment schedule. No one will be denied services because of their documented inability to pay. Refer to *Section 3 Financial Assessments* below.
- Participants reinstating or converting to a different program level will pay fees calculated on a fee per service basis for the remaining services needed for completion, based on the current rates at the time of reinstatement or conversion. A reinstatement fee will be charged for re-enrollment after dismissal.
- The participant is responsible for paying all fees incurred in this contract. If the participant obtains a new conviction; stops attending Ventura Co. DUI Program, and/or attends a longer program when DMV may only require a program shorter in length, the participant will be responsible for paying for all services rendered. All fees incurred will be owed regardless if the participant enrolls in another program with Ventura Co. DUI. Ventura County DUI Program will utilize a collection agency unless the participant is willing to work with the program to develop an acceptable payment plan.

The DUI Program will take 10 days to process your DL 101 certificates. In order to comply with Senate Bill 1696, all DL 101 certificates will be electronically submitted by DUI Program directly to DMV headquarters in Sacramento.

IMPORTANT: A NOTICE OF COMPLETION FOR THE DMV WILL NOT BE ISSUED UNTIL ALL PROGRAM FEES, including additional fees outlines below, ARE PAID. A replacement fee of \$12 will be charged for a lost or missing Notice of Completion.

The program fees are calculated for the services required to complete the requirements and duration of each program.

First Offender Program (FCP 12 hours)	\$ 270.00
First Offender Program (FCP 3 months)	\$ 843.00
First Offender Program (FCP 6 months)	\$1,400.00
First Offender Program (FCP 9 months)	\$1,851.00
First Offender/Multiple Offender Program (FCP/MCP 12 months)	\$2,407.00
Multiple Offender Program (18 months)	\$2,581.00

ADDITIONAL FEES WILL BE CHARGED FOR THE FOLLOWING:

- Missed Activity Fee for Missed Group (\$20.00)
- Missed Activity Fee for Missed Education (\$20.00)
- Missed Activity Fee for Missed Face to Face (\$20.00)
- Replacement Notice of Completion (\$12.00)
- Late Payment Fee (\$10.00)
- Testing for Under the Influence (\$27.00)
- Replacement Fee for lost or missing Notice of Completion (DL 101) – (\$12.00)
- Leave of Absence Fee (\$40.00)
- Reschedule Fee (\$20.00)
- Reinstatement Fee (\$44.00)
- Transfer-Out Fee for enrolled clients (\$62.00)
- NSF Returned Check Charge (\$30.00)

NOTE: There is no grace period for making payments. Your payment due date is established by the program and is always due on that same date each month. If you do not make your monthly payment on time a late fee (\$10.00) will be added to your account balance. All additional fees will be added to your account when incurred and are due and payable immediately.

A Non-compliance action will be taken if you fail to keep your payment agreement. Failure to make payment in full and on time, including additional fees charged will be viewed as an unwillingness to pay program fees and WILL result in action up to and including disqualification from the program and a referral back to the court and/or DMV.



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Upon disqualification, you will be subject to:

- Referral back to the court and/or DMV
- Collection action on amount due through submission of account to collection and credit reporting agencies; garnishment of wages, liens against bank accounts and tax returns, and civil action in small claims court;
- Denial of readmission to the program until full balance past due is paid for disqualification and you obtain a current referral from the court and/or DMV for readmission to the program.

REFUNDS:

A refund is issued for any payments that have been paid in advance exceeding fees due for services rendered within 45 days after formal notification of your intent not to return to the Ventura County DUI Program. In the absence of formal notification from the participant, refunds to participants who have been dismissed shall be issued within 90 days of the date of dismissal from the program.

SECTION 3 - FINANCIAL ASSESSMENTS

A financial assessment is conducted to determine a participant’s ability to pay the program fee:

1. When requested by a participant;
2. When a participant’s payments are more than 30 days past due; and/or,
3. prior to dismissing a participant for failure to pay program fees.

To conduct a financial assessment, the program will:

1. Schedule a date and time for the financial assessment interview with you; and,
2. The participant:
 - a. must provide documentation of income (as specified below), and
 - b. will be required to pay the program fee if required documentation of income is not provided.

The program shall consider as income any of the following when earned or received by the participant or any person legally required to support the participant:

1. Gross wages, salaries, bonuses, commissions, and tips;
2. Compensation of work related expenses in excess of the actual expense;
3. Net profits from self-employment;
4. Net income from real or personal property
5. Spousal income or spousal support; and,
6. Regular payments from Social Security, retirement, unemployment compensation, strike benefits from union funds, veterans’ payments, public assistance (including CalWORKs, Supplemental Security Income (SSI), emergency assistance money, non-federally funded general assistance or general relief money payments), educational grants or training stipends.

A program fee waiver is available to any participant who can document that their income is less than the established General Relief Rate. The maximum assessed program fee is set at \$5.00 for each month the participant can document that their income is less than the “General Relief Rate”.

To be eligible for a program fee waiver, the participant must provide documentation of income as specified below:

1. An award letter from the County Welfare Department confirming eligibility for general assistance (no further documentation of income required); OR
2. Documentation of non-general relief assistance income in the forms of:
 - a. an award letter from the County Welfare Department, or other governmental agency, documenting eligibility for other public assistance and indicating income level on which eligibility was based; or,
 - b. pay vouchers or pay stubs documenting salary for the prior two months, bank statements reflecting cash receipts and cash payments for the prior two months; AND
3. Income tax returns for the prior year.

The DUI Program may accept (or require) additional documentation of income at its option. The program will verify the participant’s ability to pay on a quarterly basis and approval requires Clinic Administrator approval.

SECTION 4 - ATTENDANCE AND DISQUALIFICATION

A. Attendance of program activities must be given a high priority. You must be on time for all appointments and scheduled activities. It is the responsibility of the Participant to access and sign the session roster. Failure to do so, may result in loss of credit and require you to attend and be charged for a Missed Activity session.

B. The following constitutes an “absence”:

- A participant fails to attend a scheduled Group, Education session, Re-Entry session, or a Face-to-Face session.
- A participant is late, or leaves the scheduled activity early.
- A participant fails to sign the attendance roster
- Participant is asked to leave an activity because they created a disruption, e.g., cell phone
- Participant sleeps or is otherwise inattentive during the activity



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NOTE: There is no grace period and you must be present for activities as scheduled.

If you miss a scheduled program activity, you:

1. Will receive an absence and be required to make up the activity;
2. Will have to pay additional service fees to make-up activity; and,
3. Will be subject to the conditions below for any excessive absences.

Absences which are not prearranged are counted toward the allowable limit. Exceeding the limit will result in dismissal from the Program. The following limitations apply to absences which were not prearranged:

- Participants in the 12 Hour Education Program, shall not be allowed more than 2 total absences
- Participants in the FCP 3 Month Program, shall not be allowed more than 5 total absences
- Participants in the FCP 6 Month Program, shall not be allowed more than 7 total absences.
- Participants in the FCP 9 Month Program, shall not be allowed more than 7 total absences.
- Participants in the MCP 12 Month Program, shall not be allowed more than 7 total absences.
- Participants in the MCP 18 Month Program, shall not be allowed more than 10 total absences.
- Participants in Re-Entry Phase of MCP 18 Month Program, shall not be allowed 2 consecutive absences.

Failure to attend program activities for 21 days or longer without obtaining a leave of absence will result in dismissal from the program

PREARRANGED ABSENCE: If a Participant notifies the assigned on-duty Staff (Front Office), either in person, via telephone or by leaving a voicemail message (which is date/time stamped) prior to the start of a scheduled activity, this qualifies as a Prearranged Absence. (see page 1 of this document for your program location/phone number) Such an absence will not count toward the allowable limit (see above). A Rescheduling Fee (\$20.00) will be charged.

- Voice messages or contact with your assigned Counselor will not suffice; you must be given the authorization by the assigned on-duty Staff.
- Such an absence will not count toward the allowable limit (see above) and a **Rescheduling Fee (\$20.00)** will be charged. **The Rescheduling Fee is added to your account when incurred and is due and payable immediately.** Failure to pay the charge may result in action taken for disqualification.
- A Prearranged Absence must be made up by attending a **scheduled** Missed Activity session, a time and date which may be at the preference of the Program.
- Absences which are not prearranged prior to the start of the activity **are** counted toward the allowable limit. Exceeding the limit will result in dismissal from the Program and return to court and/or DMV.
- Pre-arranged absences must be re-scheduled and attended in a timely manner or may result in a loss of your ability to pre-arrange absences in the future.

It is the Participant's responsibility to maintain adequate attendance and compliance with all Program requirements.

NOTE: PARTICIPANTS THAT FAIL TO COMPLY WITH RESCHEDULING PROCEDURES MAY BE SUBJECT TO TERMINATION UNDER TITLE 9, CCR, SECTION 9886 (a) (3) - Failure to comply with Driving Under the Influence Program Rules.

NOTE: **DISQUALIFIED PARTICIPANTS MUST BE REINSTATED WITHIN 24 MONTHS TO RECEIVE CREDIT FOR PRIOR PROGRAM PARTICIPATION. THOSE PARTICIPANTS WHO FAIL TO DO SO SHALL LOSE CREDIT FOR ATTENDED SERVICES AND PAYMENTS.**

SECTION 5 – MISSED ACTIVITIES

All absences must be made-up promptly and by appointment or reservation. A missed activity charge will be added for each activity at the rates specified in your Participant Payment Agreement.

Have your counselor re-schedule the activity for you by:

1. Reserving an open space in any education class offering the particular topic or module missed.
2. Reserving a space in a Missed Activity group; OR
3. Setting an appointment for a face-to-face with your counselor (by appointment only and not "squeezed" between other participants).

Missed Face-to-Face meetings for the MCP must be made up prior to the next scheduled Face-to-Face meeting or the participant is in non-compliance with the program and licensing regulations. Missed activity fees will be added to your account when incurred and are due and payable immediately. Failure to pay the assessed missed activity charge may result in action taken for disqualification.

SECTION 6 - LEAVES OF ABSENCES (LOAs)

By State regulation, any absence from the program that will exceed over 21 days from the last point-of-contact to attendance at the next program activity will require a request for a Leave of Absence. Last point of contact is defined as any scheduled program service. An LOA can be requested for a shorter period.



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Approval is not automatic; The Clinic Administrator is the only staff with authority to approve or disapprove your LOA request.

- Your fees must be paid current to obtain authorization.
- You will continue to be responsible for your payments while on LOA, as set forth in your contract.
- It is the participant’s responsibility to verify that the LOA has been approved and that it covers the dates requested.
- The established procedures must be followed to obtain an LOA.

A LOA must be requested in advance (unless impossible to do so) and will be granted only for:

1. Military personnel whose orders or responsibilities require an extended absence;
2. Participants whose work requires travel for an extended period of time;
3. Participants who are absent due to their own extended illness or medical treatment or that of a family member;
4. Participants who are incarcerated or participating in a residential alcoholism or drug abuse recovery or treatment program;
5. Participants who cannot participate in program services due to an extreme personal hardship or family emergency. The program shall document in the participant’s record the nature of the personal hardship or family emergency; and
6. Participants who have requested a leave of absence for a vacation.

NOTE: A leave of absence shall be granted for a vacation only if the participant has made up all absences and paid all outstanding fees, assessed by the program in accordance with the participant’s ability to pay, prior to the leave of absence.

Prior to program completion, the program shall require the participant to make up all scheduled program activities missed while on a leave of absence. An administrative fee of \$40.00 will be due and payable upon return.

Time missed while on a leave of absence shall not be counted as participation time. In addition, the payment agreement and scheduled monthly payments continue to be due as scheduled unless otherwise noted on LOA request.

Both the counselor and the participant arranging a LOA must complete a Request for Leave of Absence form and document:

1. Exactly when the participant will leave and return;
2. Who they must see and what they must do to become reactivated; and,
3. What documentation the participant must bring on their return.

If a participant is unable to return by the approved LOA return date, they must contact the Clinic Administrator at their DUI Program site to request an extension. Failure to meet ANY of these criteria will result in automatic disqualification from the program and return to court/probation and/or DMV.

SECTION 7 – CONFIDENTIALITY

The FCP and MCP are covered by State and Federal regulations protecting the confidentiality of the program participants. We cannot discuss your case or verify your involvement in the program with anyone other than representatives of the DUI system (courts, probation, DMV etc.) unless we have a signed release from you.

Do not have anyone (friends, spouses, parents, attorneys, etc) call us or appear for any reason on your behalf unless you have provided a signed release in person and in advance.

These rules apply to you as well. You are not to reveal any information to any person, agency, or institution that might reveal the identity of any other participant in the program. Any breach of this rule will leave you subject to:

1. Immediate referral back to court/probation and/or DMV; and,
2. Legal action for civil damages by the participant whose confidentiality you violated.

SECTION 8 - ABSTINENCE FROM ALCOHOL AND OTHER DRUGS

DUI Program participants are encouraged to maintain complete abstinence while in the program. **Abstinence from the use of alcohol and or illicit drugs as a goal during your participation in the program leads to greater outcomes and may prevent the risk of subsequent DUIs.**

Both MCP and FCP participants are never to appear on any DUI Program premises at any time for any reason with any traces of alcohol or other drugs in your system no matter what their source (e.g. cough medicines, mouthwash etc.). This is one of the areas in which the DUI Program has no discretion. If any DUI Program staff has reason to believe that you are under the influence, you will be requested to take a breath test. If you appear under the influence of other drugs, you will face disqualification from the Program. Any drug testing (in order to refute our determination) will be at your discretion and therefore at your expense.

If you test **positive** for an Alcohol breath test, you will be:

1. Asked to surrender your car keys if you are driving and arrange for alternative transportation (if you refuse to surrender your keys and attempt to drive, we will call the police); and,
2. Automatically disqualified from the program and returned to court/probation and /or DMV.



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SECTION 9 - REASONS FOR DISQUALIFICATION

Participants can be disqualified for the following reasons:

- Fails to participate in required program activities within 21 days of transfer to another drinking driver program licensed by the Department;
- Fails to maintain program sobriety;
- Fails to submit to a sobriety test according to Section 23157 of the Vehicle Code
- Fails to comply with Driving Under the Influence Program rules (including payment of fees);
- Fails to maintain contact with the program for 21 or more consecutive days, without obtaining approval for a leave of absence (Contact is defined as "any scheduled program activity");
- Exceeds the number of absences allowed without an approved leave of absence;
- Is physically or verbally abusive to program staff or other program participants;
- Fails to pay, within 30 days of the date due, his/her program fee assessed in accordance with program requirements;
- Fails to reschedule and attend a financial assessment interview.
- Another DUI conviction;
- Sexual harassment of staff or other program participants;

Participants reinstating from disqualification status will be subject to all new changes in Rules and Regulations including fee changes.

SECTION 10 – ADDITIONAL PROGRAM RULES

- No children or guests are allowed in any of the program activities
- Children cannot be left alone in the waiting area
- Attire: Participants must wear shirts and shoes while on DUI Program premises. Clothing which advertises alcoholic beverages or other drugs is considered inappropriate attire while participating in DUI Program activities. Clothing which attracts inappropriate attention will not be allowed. Clothing imprinted with profanity or phrases having sexual connotations or innuendos will not be worn at any time on the DUI Program premises.
- No item or apparel which covers or partially blocks the participant's eyes may be worn while in the facility. This includes but is not limited to hats, scarves, and dark glasses (not including tinted glasses), unless current medical documentation is provided
- No bicycles, electric scooters, or other vehicles can be parked/used inside DUI Program premises
- Cell phones will be turned off while on DUI Program premises; participants found using such equipment during scheduled activities may lose credit for that activity. **No** electronic equipment may be used while on DUI Program premises.
- Use of any electronic equipment to record or photograph or transmit DUI Program activities, staff or other participant identity or images is not allowed on DUI Program premises; participants found using such equipment during scheduled activities may lose credit for that activity and be subject to Disqualification for disruption of the Program.
- No weapons of any type are allowed on DUI Program premises (do not bring into the premises tools, knives, etc. that may be considered weapons)
- Participants will take tests and/or complete questionnaires as required.
- Refrain from use of tobacco products and vapor devices while attending program activities.
- It is the responsibility of each participant to provide a current address and an accessible telephone number. Failure to do so could result in not receiving important information in a timely fashion.

AMENDMENTS:

Should any change to this document be required, DUI Program may do so by an amendment issued or mailed to me at the last known address shown for my account.

SECTION 11 - TRANSFERRING TO ANOTHER COUNTY

Ventura County Driving Under the Influence Program is the agent for the Ventura Courts and Probation to monitor defendants referred to other counties. This means that, if you are going to work or live in another county and would like to attend another drinking driver program there, you must be transferred there by our agency. Because such transfers must adhere to strict regulations, failure to transfer correctly will result in your disqualification and return to court/probation and/or DMV even if you are attending or complete another program. Our service to the courts and to you is to assure that the transfer complies with the court order and all related DUI regulations.

In order to transfer, you must:

1. Provide at least 2 weeks advance notice so we can make needed preparations;
2. Make an appointment with the receptionist
3. have all of your program fees current; and, pay the transfer-out fee in advance or at the time of transfer (fee is \$62.00).



SECTION 12 – CONCERNS AND GRIEVANCES

With a program of this size, there will always be special needs and issues. Please do not wait until it is too late to bring a concern forward. The following protocol has been designed to assist you.

PROTOCOL

Your Assigned Counselor

Your assigned counselor can answer most questions or they can direct you to their Supervisor.

Program Supervisor

If you do not believe you received a satisfactory or fair response, feel free to review the issue with a Program Supervisor at your treatment site (see numbers listed on page 1).

DUI Program Manager

It is the role of the Program Supervisor to determine if it is necessary to forward your concerns to the DUI Program Division Manager. If you feel that your concerns or questions are not being properly addressed feel free to request this or call the Manager's office at our main facility at 805 981-9210.

Client Advocate

If you still have questions or do not feel you received resolution of your problem, call the Client Advocate for Ventura County Department of Alcohol and Drug Programs (see Client Rights form for contact information).

Participants who wish to contest the outcome of a financial assessment may contact:

Department of Health Care Services
Substance Use Disorder Compliance Division
P.O. Box 997413, MS2602
Sacramento, California 95899-7413

(Note: The Department of Alcohol and Drug Programs only reviews whether or not procedures mandated by State regulations were followed)

ACKNOWLEDGEMENT OF RECEIPT AND AGREEMENT TO DRIVING UNDER THE INFLUENCE PROGRAM RULES AND REGULATIONS

I have read, understand, and have received a copy of the DUI Program Participant Agreement to Program Rules and Regulations.

I agree to participate fully and cooperatively, and to comply with all program rules and regulations. I understand that if I fail or refuse to comply, I may be disqualified and returned to court/probation and/or DMV, and I may incur additional program costs.

Signed: _____

Date: _____

Witnessed: _____

Date: _____

Printed Name & Title: _____