

**PRE-TRIAL ALCOHOL
EDUCATION SYSTEM**
APPLICATION, ORDER, DISPOSITION
JD-CR-44 Rev. 9-01
C.G.S. § 14-227a, 54-56g

INSTRUCTIONS TO PREPARER

1. Original to clerk of court.
2. Forward a copy to prosecuting attorney.
3. A \$50.00 application fee, or an application for waiver of the fee, must be filed with this application.



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TO: The Superior Court of the State of Connecticut

				BAIL COMMISSION CASE NO.	
G.A. NO.	ADDRESS OF COURT			DOCKET NO.	
NAME OF APPLICANT/DEFENDANT		SEX	OPERATOR'S NO.	SOCIAL SECURITY NO.	DATE OF BIRTH
ADDRESS OF APPLICANT (Number, street, town and apt. no.)				TELEPHONE NO.	

The applicant, charged with a violation of Gen. Stat. §14-227a, hereby applies for participation in the Pre-Trial Alcohol Education System and agrees, if this application is granted:

1. To the tolling of any statute of limitations and to waive the right to a speedy trial with respect to this violation.
2. To participate in at least 10 counseling sessions in an alcohol program, or if charged with a violation of subdivision (2) of subsection (a) of Gen. Stat. § 14-227a where the ratio of alcohol in the blood was sixteen-hundredths of one percent or more of alcohol, by weight, to participate in at least 15 counseling sessions, and complete the assigned program, and to accept placement in a treatment program upon recommendation of a provider under contract with the Department of Mental Health and Addiction Services pursuant to Gen. Stat. § 54-56g(d) or placement in a treatment program which has standards substantially similar to, or higher than, a program of a provider under contract with the Department of Mental Health and Addiction Services if the Bail Commission deems it appropriate.
3. To participate in at least one victim impact panel, if ordered by the court.
4. To notify the Bail Commission of the date the applicant's license was suspended and the length of the suspension, if the applicant opts for entry into the program when the period of the suspension, pursuant to Gen. Stat. §14-227b, is completed.
5. To pay the court a statutory nonrefundable fee of \$425 or \$600 if charged with a violation of subdivision (2) of subsection (a) of Gen. Stat. § 14-227a and the ratio of alcohol in the blood was sixteen-hundredths of one percent or more of alcohol, by weight, (as those fees may be amended by the legislature) for participation in the Pre-Trial Alcohol Education System, except that if indigent or unable to pay, the applicant will file with the court an affidavit of indigency or inability to pay.

I hereby authorize the Bail Commission to obtain information concerning my criminal/motor vehicle/program participation record in this and any other jurisdiction in order to confirm my eligibility for the pre-trial alcohol education system. If an affidavit of indigency or inability to pay is filed, such indigency or inability to pay must be confirmed by the Bail Commission and the court may waive the program fee if it finds that the applicant is indigent or unable to pay the statutory fee for participation in this program.

("X" one of the following) I intend to claim indigency or inability to pay I intend to pay the statutory program fee.

Wherefore, the undersigned request that the applicant be granted Pre-Trial Alcohol Education in accordance with Gen. Stat. 54-56g.

I have read this application in its entirety and understand it.	SIGNED (Applicant) X	DATE SIGNED	CONSENTED TO BY (Parent or guardian)
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NOTICE → Unless good cause is shown, a person shall be ineligible for participation in the Pre-Trial Alcohol Education System if the alleged violation of section 14-227a caused the serious physical injury, as defined in section 53a-3, of another

OATH

The applicant stated under penalties of perjury before me, duly designated by the clerk and authorized to administer oaths, that (s)he has never had the Pre-Trial Alcohol Education System invoked in his/her behalf and that (s)he has not been convicted of a violation of Gen. Stat. §§ 53a-56b or 53a-60d, a violation of subsection (a) of Gen. Stat. § 14-227a before or after October 1, 1981, or a violation of subdivision (1) or (2) of subsection (a) of Gen. Stat. § 14-227a on or after October 1, 1985, and that (s)he has not been convicted in any other state at any time of an offense the essential elements of which are substantially the same as Gen. Stat. §§ 53a-56b or 53a-60d or subdivision (1) or (2) of subsection (a) of Gen. Stat. § 14-227a.

SIGNED (Duly authorized person)	PRINT NAME OF PERSON SIGNING AT LEFT	DATE SIGNED
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FIRST ORDER OF COURT

("X" ALL THAT APPLY)

- The foregoing application is denied. The applicant's oath under Gen. Stat. § 54-56g was taken in open court.
- The case is continued until (date) _____ at (time) _____ a.m./p.m. to permit the applicant to file an affidavit
- The applicant stated under penalties of perjury that (s)he has never had the Pre-Trial Alcohol Education System invoked in his/her behalf and that (s)he has not been convicted of a violation of Gen. Stat. §§ 53a-56b or 53a-60d, a violation of subsection (a) of Gen. Stat. § 14-227a before or after October 1, 1981, or a violation of subdivision (1) or (2) of subsection (a) of Gen. Stat. § 14-227a on or after October 1, 1985, and that (s)he has not been convicted in any other state at any time of an offense the essential elements of which are substantially the same as Gen. Stat. §§ 53a-56b or 53a-60d or subdivision (1) or (2) of subsection a) of Gen. Stat. § 14-227a.

(Continued...)

- The court orders the court file sealed as to the public, orders the applicant to forthwith pay the clerk a nonrefundable
 \$425.00 program fee **\$600.00 program fee** (check if BAC is .16 of one percent or higher and the applicant is charged with violating 14-227a(a)(2)),

unless the fee is waived below, and refers the applicant to the Bail Commission for assessment and confirmation of the eligibility of the applicant. If the Bail Commission confirms that the applicant is eligible, the Bail Commission shall refer the applicant to the Department of Mental Health and Addiction Services for evaluation and placement in an appropriate alcohol program for one year. The applicant has opted to enter the program:

- without delay.
- when the period of the applicant's license suspension pursuant to General Statute § 14-227b is completed. The applicant is ordered to notify the Bail Commission of the date the applicant's license was suspended and the length of the suspension.
- The defendant shall participate in one victim impact panel.
- The court denies the application for waiver of fees and the applicant is ordered to pay the clerk forthwith the statutory program fee.
- The court waives the fee having found that the applicant is indigent or unable to pay.

CASE CONTINUED TO (Date and time)	SIGNED (Judge, Assistant Clerk)	DATE SIGNED
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BAIL COMMISSION ASSESSMENT AND CONFIRMATION

CHEMICAL ANALYSIS RESULTS (Specify BAC)	OUT-OF-STATE D.W.I. CONVICTION <input type="checkbox"/> YES <input type="checkbox"/> NO	PRIOR 14-227a CONVICTION <input type="checkbox"/> YES <input type="checkbox"/> NO	PRIOR SYSTEM PARTICIPATION <input type="checkbox"/> YES <input type="checkbox"/> NO
ABLE TO PAY PROGRAM FEE <input type="checkbox"/> YES <input type="checkbox"/> NO (Affidavit attached)	ASSESSMENT <input type="checkbox"/> ELIGIBLE <input type="checkbox"/> INELIGIBLE	14-227a(a)(2) CHARGED <input type="checkbox"/> YES <input type="checkbox"/> NO	SIGNED (Bail Commissioner)

SECOND ORDER OF COURT (If assessed ineligible or claim of indigency)

- The court, having determined that the defendant is ineligible, denies the foregoing application and the court file is ordered to be unsealed, a plea of not guilty entered and this case is to be immediately placed on the trial list.
- The foregoing application is granted and the applicant is referred to the Bail Commission for referral to the Department of Mental Health and Addiction Services for evaluation and placement in an appropriate alcohol program for one year. The applicant has opted to enter the program:
- without delay
- when the period of the applicant's license suspension pursuant to Gen. Stat. § 14-227b, is completed. The applicant is ordered to notify the Bail Commission of the date the applicant's license was suspended and the length of the suspension.
- The defendant shall participate in one victim impact panel.

- The program fee is: \$425 \$600 (Check if BAC is .16 of one percent or higher and applicant is charged with violating 14-227a(a)(2))
- The court denies the application for waiver of fees and the accused is ordered to pay to the clerk forthwith the statutory program fee.
- The court waives the fee having found that the applicant is indigent or unable to pay.

CASE CONTINUED TO (Date and time)	SIGNED (Judge, Assistant Clerk)	DATE SIGNED
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THIRD ORDER OF COURT (If motion for extension filed)

- The defendant's motion for extension of the one-year placement period to complete the assigned program:
- is DENIED.
- is GRANTED. The period is extended to the date shown below, the defendant having established good cause for such extension.

CASE CONTINUED TO (Date and time)	SIGNED (Judge, Assistant Clerk)	DATE SIGNED
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FINAL PROGRESS REPORT

DISPOSITION

- The defendant: ("X" one only).
- HAS satisfactorily completed the assigned program.
- HAS NOT satisfactorily completed the assigned program.
- is no longer amenable to treatment under the program.
- Program satisfactorily completed and charges dismissed.
- Program not satisfactorily completed, or the defendant is no longer amenable to treatment under the program. The court file is to be unsealed, a plea of not guilty entered and this case to be immediately placed on trial list.

SIGNED (Bail Commissioner)	DATE SIGNED	SIGNED (Judge, Assistant Clerk)	DATE SIGNED
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