

PRE-TRIAL DRUG EDUCATION PROGRAM APPLICATION, ORDER, DISPOSITION

JD-CR-118 Rev. 2-2000
C.G.S. § 54-56i

INSTRUCTIONS

1. Original to clerk of court, forward a copy to the prosecuting attorney.
2. If you intend to claim indigency or inability to pay, you must file an affidavit of indigency or inability to pay with this application.

NOTICE TO CLERK:
Seal the file on order of the court per C.G.S. § 54-56i(b).



TO: The Superior Court of the State of Connecticut

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

The applicant, charged with a violation of Gen. Stat. § 21a-267 or § 21a-279, hereby applies for participation in the Pre-Trial Drug Education Program 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 such crime.
2. To any conditions that may be established by the Department of Mental Health and Addiction Services concerning participation in the drug education program including conditions concerning participation in meetings or sessions of the program. The department shall require, as a condition of the assigned program, that such person participate in, and successfully complete, a four-day community service labor program established under section 53a-39c of the general statutes.
3. To accept placement in a treatment program upon the recommendation of a provider under contract with the Department of Mental Health and Addiction Services or placement in a treatment program that 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.
4. To pay the court a non-refundable statutory fee of \$350 (as may be amended by the legislature) for participation in the Drug Education Program, 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 Court Support Services Division to obtain information concerning my prior participation in the Pre-Trial Drug Education Program and the Pre-Trial Community Service Labor Program in order to confirm my eligibility for the Pre-Trial Drug Education Program.

If an affidavit of indigency or inability to pay is filed, such indigency or inability to pay must be confirmed by the Court Support Services Division and the court may waive all or any part of 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 have filed an affidavit of indigency, form JD-AP-48. I intend to pay the statutory program fee.

Wherefore, the undersigned requests that the applicant be granted the Pre-Trial Drug Education Program in accordance with Gen. Stat. 54-56i.

I have read the above and understand it.	SIGNED (Applicant) X	DATE SIGNED	CONSENTED TO BY (Parent or guardian)
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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 previously participated in the Drug Education Program established under section 54-56i of the general statutes or the pre-trial community service labor program established under Sec. 53a-39c of the general statutes.

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. 54-56i was taken in open court.
- The foregoing application is granted. The court orders the court file sealed as to the public and refers the applicant to the Court Support Services Division for assessment and confirmation of the eligibility of the applicant. If the Court Support Services Division confirms that the applicant is eligible, the Court Support Services Division shall refer the applicant to the Department of Mental Health and Addiction Services for evaluation and placement in an appropriate drug program, and require the applicant to participate in, and successfully complete, a community service labor program established under section 53a-39c for a period of 4 days.
- The applicant is to forthwith pay the clerk a nonrefundable three hundred and fifty dollar program fee.
- The case is continued until (date) _____ at (time) _____ a.m./p.m. to permit the Court Support Services Division to process the filed affidavit of indigency or inability to pay.

CASE CONTINUED TO (Date and time)	SIGNED (Judge, assistant clerk)	DATE SIGNED
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COURT SUPPORT SERVICES ASSESSMENT AND CONFIRMATION

PRIOR CSLP <input type="checkbox"/> YES <input type="checkbox"/> NO	PRIOR PROGRAM PARTICIPATION <input type="checkbox"/> YES <input type="checkbox"/> NO	ABLE TO PAY PROGRAM FEE <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> PARTIAL	ASSESSMENT <input type="checkbox"/> ELIGIBLE <input type="checkbox"/> INELIGIBLE
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SIGNED (C.S.S.D. Officer)

X

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.
- The foregoing application is granted and the applicant is referred to the Court Support Services Division for referral to the Department of Mental Health and Addiction Services for evaluation and placement in an appropriate drug program which shall require the applicant to participate in, and successfully complete, a four-day community service labor program established under section 53a-39c.
- 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.
- The court waives a portion of the fee, having found that the applicant is unable to pay the full fee. The applicant is ordered to pay the clerk forthwith \$ _____ as payment for the program fee.

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 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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FOURTH ORDER OF COURT (If request to attend out-of-state program)

The defendant's request to attend a program in another state that has standards similar to, or higher than, those of Connecticut, due to the defendant's employment or residence or schooling making it unreasonable to attend a drug program in Connecticut:

- is GRANTED, subject to the payment of the program fee provided by statute unless the fee is waived above (see second order of the court).
- is DENIED.

CASE CONTINUED TO (Date and time)	SIGNED (Judge, assistant clerk)	DATE SIGNED
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FINAL PROGRESS REPORT

DISPOSITION

<p>Drug Education: ("X" one only).</p> <p><input type="checkbox"/> HAS satisfactorily completed the assigned program.</p> <p><input type="checkbox"/> HAS NOT satisfactorily completed the assigned program.</p> <hr/> <p>Community Service: ("X" one only).</p> <p><input type="checkbox"/> HAS satisfactorily completed community service.</p> <p><input type="checkbox"/> HAS NOT satisfactorily completed community service.</p>	<p><input type="checkbox"/> Program and community service satisfactorily completed and charges dismissed.</p> <p><input type="checkbox"/> Program and/or community service not satisfactorily completed. The court file is to be unsealed, a plea of not guilty entered and this case to be immediately placed on trial list.</p>
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SIGNED (C.S.S.D. Officer)	DATE SIGNED	SIGNED (Judge, assistant clerk)	DATE SIGNED
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