

**2<sup>nd</sup> Circuit Coordinated Drug Court Program**  
**Pre-Admittance Procedural Summary**

1. Drug Court Program Referral Form is completed and presented to Drug Court Officer and State's Attorney.
2. The Drug Court Officer:
  - a. examines court file;
  - b. researches candidate's probation/c.d./supervision status;
  - c. researches criminal and juvenile history; and
  - d. researches past drug court participation.
3. If candidate is either prior treatment or prior offense ineligible, referral terminates; case continues in regular criminal court.
4. However, if candidate is ineligible only because of the nature of a *pending charge*, the State's Attorney may, without committing to acceptance, consent to referral going forward with prospect of reduced charge.
5. If referral hasn't been terminated by this time, and the candidate agrees to be screened for Drug Court, the Court Officer:
  - a. has candidate sign Agreement to Screening and Waiver and Notice of Rights of Confidentiality for Drug Court Participants and Consent for Disclosure of Confidential Information;
  - b. notifies candidate to appear at next Drug Court session if scheduled before next criminal case setting, otherwise, reminds candidate of next criminal case setting; and
  - c. notifies the State's Attorney, defense counsel, the Presiding Judge and the Drug Court Judge that the case is proceeding to a Stay Hearing.
6. At candidate's appearance, the candidate signs agreement for stays & tolling of deadlines.
7. At said hearing, the Presiding Judge or Drug Court Judge:
  - a. records the referral, files documents executed before the Drug Court Officer, and accepts and files agreement for stays and tolling of deadlines;
  - b. stays criminal proceedings;
  - c. orders the candidate to report to Drug Court Officer for screening and fulfill all other requirements made by the Drug Court Officer; and
  - d. notifies the candidate to report at the next Drug Court session to be notified of disposition of referral and, if provisionally accepted, to present plea and agreement for entry into the Drug Court Program.

8. **Prior to screening, the Drug Court Officer :**
  - a. obtains booking photo from Sheriff's Dept.;
  - b. enters case file into computer/events calendar; and
  - c. if candidate is or has been under an order of probation, conditional discharge or supervision in the Circuit, investigates the candidate's compliance with same.
  
9. **At the screening, the Drug Court Officer:**
  - a. conducts dependency pre-screen and intake using the LSIR; and
  - b. ascertains that the candidate does not deny abuse of alcohol or other drugs and is willing to participate in a court-monitored drug treatment program; and
  - c. unless cannot establish both criteria under b. above, arranges for a TASC assessment/screening (T.C.U.) and notifies the candidate when and where to appear for same. (If cannot establish both criteria under b., Drug Court Officer notifies the Presiding Judge, the Drug Court Judge, and defendant's counsel, and the case returns to criminal court.)
  
10. **If the TASC screening result is positive for dependency, the Drug Court Officer:**
  - a. has the candidate sign waivers and releases;
  - b. completes a home visit;
  - c. makes collateral contacts;
  - d. reminds the candidate of Drug Court setting; and
  - e. forwards the file to the Drug Court Judge.
  
11. **If TASC screening is not positive for dependency, the Drug Court Officer so notifies the candidate, candidate's counsel, the State's Attorney, the Presiding Judge, and the Drug Court Judge, whereupon the referral terminates and the case resumes in criminal court.**
  
12. **At the Initial Drug Court Staffing, the Drug Court Team determines candidate's non-acceptance or provisional acceptance. (The Drug Court Judge or the State's Attorney may veto participation in the program, or either track of the program, but only at the conclusion of the Initial Drug Court Staffing.)**
  
13. **If the Drug Court Team provisionally admits the candidate to either Track of the Drug Court Program, the case immediately proceeds to the defendant's initial Drug Court Appearance, imposition of agreed Drug Court Probation, and admittance to Drug Court Program by the Drug Court Judge.**