

PROCEDURE FOR TRANSFER OF ELIGIBLE DRUG COURT/VETERAN TREATMENT TRACK CASES FROM TOWN/VILLAGE COURT TO A DESIGNATED CITY COURT DRUG TREATMENT COURT

<p>Step 1</p> <p>2 Forms</p> <ul style="list-style-type: none"> • Eligibility Criteria • PSU Referral Form 	<p style="text-align: center;"><u>Legal Screening</u></p> <ul style="list-style-type: none"> ➤ Eligible Drug Court/Veteran Treatment Track cases (see eligibility criteria) will be identified by the city/town/village justice, prosecutor or defense attorney. ➤ Fax the referral form to the Westchester County Problem Solving Court Unit (PSU) at (212) 884-8951
<p>Step 2</p> <p>1 Form</p> <ul style="list-style-type: none"> • Assessment Report 	<p style="text-align: center;"><u>Clinical Screening</u></p> <ul style="list-style-type: none"> ➤ Defendant must contact PSU at (914) 824-5820 to schedule a clinical screening/assessment. ➤ The clinical assessment will be completed prior to the next court date. ➤ During the assessment, the defendant will be given a written copy of the program requirement. ➤ The outcome of the assessment will be shared with the courts, defense counsel and District Attorney Office. ➤ If found clinically appropriate for the drug court program, the defendant and his/her defense counsel will be given a court date to observe the drug court session and to execute the <u>Consent to Transfer</u> form.
<p>Step 3</p> <p>3 Forms</p> <ul style="list-style-type: none"> • Procedure for Transfer of Eligible DC Cases • Consent to Transfer • Order of Removal • Order of Rejection or Approval 	<p style="text-align: center;"><u>Transfer Protocols</u></p> <ul style="list-style-type: none"> ➤ After the observing the drug court session, the defendant will indicate to the Drug Court Judge if he/she is willing to participate in the Drug Treatment Court Program by signing a <u>Consent to Transfer</u> with his/her attorney. The District Attorney will also consent to the transfer by signing the Consent to Transfer. ➤ PSC staff (Spencer) will notify the city/town/village justices that the defendant is appropriate for the Drug Court Program. ➤ Upon motion of the Defense Attorney and with the consent of the District Attorney, the Town/Village Justice will sign an <u>Order of Removal</u> from the City/Town/Village Court. ➤ The <u>Order of Removal</u> will be delivered, along with the defendant's case file to the designated City Drug Court to the attention of the Chief Clerk. ➤ The Chief Clerk will prepare an <u>Order of Rejection or Approval</u> by the designated City Drug Court and submit to the DTC Judge for signature.