

# PROBLEM SOLVING COURT REFERRAL PROCESS

1<sup>ST</sup> JUDICIAL DISTRICT PROBLEM-SOLVING COURTS

DIVISION S/COURTROOM 100-Magistrate Joel Schaefer

RECOVERY COURT - RC

VETERAN'S TREATMENT COURT - VTC

BEHAVIORAL HEALTH COURT - BHC

**TO START A REFERRAL: The sentencing Division will order a screening for the desired program and CJA will enter the trigger in JPOD.**

PSI unit of Probation receives the trigger and forwards on to PSC coordinators. RC and VTC will usually have a completed PSI at this point that program criteria will be screened from, approximately 1-2 weeks prior to sentencing date. If program criteria are met (varies with each program) the case will be forwarded on to the DA's office to check for legal criteria.

VTC has the added step of confirming military service and benefit status with a representative from the Veteran's Administration.

BHC has a similar process but requires a bit more time, as a clinician from Jefferson Center Mental Health needs to schedule a meeting (approximately 2 hours) with the defendant to determine SMI status for the program after legal eligibility is determined.

There are some cases that require a special circumstances small committee screening to determine legal eligibility: possession or threatened use of a deadly weapon, death of another, 2<sup>nd</sup> degree Assault-Strangulation, DF1 or Special Offender conviction, 14 grams + of controlled substances or acts of Domestic Violence, and participation in a prior Problem-Solving Court. Representatives from DA, PD and Probation will meet with the Magistrate to discuss if the defendant is appropriate and if any potential risk can be mitigated or managed to participate in the program.

The PSC Coordinators will file a special report in JPOD with the results of the screening prior to sentencing. The special report will note what day and time to order the defendant to report to Division S.

As a note: Defendants on parole are ineligible for PSCs and BHC requires revocation.

For any questions, please contact the PSC team, Brigitte Smith or Russell Marsitto:

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