

**Administrative Order
2001-3
Juvenile Drug Court Diversion Calendar**

In order to enhance substance abuse treatment and case management services to all juveniles referred to Family Court, a juvenile drug court diversion calendar shall be established in all counties. The calendar will commence on Friday, December 7, 2001, at 2:00 p.m. as follows:

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| Every Friday at 2:00 p.m. in Providence County | Garrahy Judicial Complex Courtroom 3A (or as assigned) |
| Every Monday at 2:00 p.m. in Kent County (Commencing December 10, 2001) | Leighton Judicial Complex Courtroom 8 |
| Every other Tuesday at 2:00 p.m. in Washington County (Commencing December 18, 2001) | McGrath Judicial Complex Jury Assembly Room or Law Library |
| Every other Wednesday at 2:00 p.m. in Newport County (Commencing December 12, 2001) | Murray Judicial Complex Jury Assembly Room |

Cases will be referred to this calendar by the Family Court Juvenile Services department and/or juvenile calendar judges. To be eligible, a juvenile must be charged with an alcohol or other drug (AOD) offense or another non-violent offense with a history of AOD use or abuse. Appropriate candidates are those offenders who have no prior adjudications and no pending matters before the court except for open Department of Child, Youth and Families petitions alleging dependency, neglect or abuse. Status offenders along with youth who have had prior juvenile hearing board or police contacts as well as prior Juvenile Services diversions are eligible for referral.

The drug court diversion track is a pre-arraignment court supervised substance abuse treatment program. Youth referred to this track will be assessed and monitored by drug court staff for compliance with an individual treatment plan developed for each juvenile. All treatment plans will include attendance at substance abuse counseling and submission to random drug screens. Other services such as school interventions, anger management, family counseling and mediation, mental health treatment and the like may be offered. The program may employ incentives and sanctions short of incarceration to encourage participants to abstain from alcohol or drugs. Incentives encompass less frequent court appearances, praise, certificates of achievement,

extension or deletion of curfews, and, ultimately, closure of the petition. Sanctions may include frequent court appearances, curfews, community service, writing assignments, special projects, and home confinement.

All juveniles referred to this program must complete an intake conference and a waiver of rights form. A mandatory notice to appear before the drug court diversion calendar will be provided to juveniles. No plea will be entered by a juvenile; instead the case will be handled as a pre-arraignment matter. If the court determines that a juvenile is not compliant with his or her treatment plan, or is rearrested, the drug court magistrate may set the matter down for arraignment on the juvenile calendar. After three months of participation in the diversion program, a juvenile may request discharge from the program and an arraignment date. Otherwise, juveniles are expected to remain in the program for three to six months depending upon progress in treatment.

Once a juvenile has successfully completed his or her treatment program, the petition(s) will be closed and sealed. A drug court graduation ceremony will be held to commemorate the event.

11/29/01

Date

Jeremiah S. Jeremiah, Jr.
Chief Judge