

RHODE ISLAND SUPERIOR COURT

**ADULT DRUG COURT PROGRAM**

**REFERRALS**

- Any party pursuant to § 8-2-39.2(d) of the Rhode Island General Laws may refer qualified individuals for participation in the Adult Drug Court Program by submitting a referral form to [drugcourt@courts.ri.gov](mailto:drugcourt@courts.ri.gov).
- The form can be found on the Rhode Island Judiciary Superior Court home page or by clicking on the following hyperlink: [ADC Referral](#).
- Once the application is received, the Attorney General's Office will review all referrals for legal eligibility as defined in § 8-2-39.2(a) and § 8-2-39.2(d) of the Rhode Island General Laws.
- A status court date will be scheduled for those individuals deemed legally eligible for participation in the program.
- For those individuals who are not legally eligible for participation in the program, the case will be returned to the Attorney General's Office for felony screening or the Superior Court calendar from which it was referred. However, upon request of counsel, a status court date will be scheduled to conference the case with the Court.
- Should counsel have questions concerning the eligibility determination, he or she should contact the Program Manager, Kaitlin Swinson, at [drugcourt@courts.ri.gov](mailto:drugcourt@courts.ri.gov).
- At the status court date, if it is determined by the Drug Court Magistrate that the individual should be assessed to determine clinical eligibility for the program, and assessment will be set up with the Program Manager and a new court date for a disposition will be scheduled.

**ASSESSMENT**

- The assessment will take place with the Program Manager of the Adult Drug Court. Assessments will be conducted either in person or via telephone, depending on the specific circumstances of the individual.
- Once the assessment is completed, a copy of the assessment is provided to the Court.
- If after the assessment, it is determined that the individual is clinically eligible but the Department of the Attorney General objects to his/her participation, the matter will be discussed at the next scheduled disposition date with all parties present at which time the Court will make the ultimate decision.

## **THE PROGRAM**

- When an individual is referred to the Adult Drug Court and it is determined that they are legally and clinically eligible, the Court will make the ultimate decision as to acceptance of the individual to the program.
- The Adult Drug Court is post-disposition, post-sentence. Successful completion of the program results in the dismissal of the charges and/or violations, OR a reduction in the sentence, in accordance with the previous agreement. Termination from the program results in the previously agreed to sentence being imposed. The Court will make the ultimate decision as to the final adjudication of the case prior to the individual entering into the program.
- The program requires weekly random drug screens, engaging in an appropriate level of substance abuse treatment (including, but not limited to, outpatient, intensive outpatient, residential treatment, and/or detox).
- There are four required corresponding documents that need to be executed by the individual prior to them entering into the program. These documents include: The Adult Drug Court Contract, the Adult Drug Court Memorandum of Understanding, the Adult Drug Court Release of Confidential Information, and the Adult Drug Court Waiver of Constitutional Rights. These forms can be found on the Rhode Island Judiciary Superior Court home page or by clicking on the following hyperlink: [ADC Forms](#).

## **PROGRESS REVIEWS**

- Upon entering the program, individuals will be assigned a case manager. For reviews, a report will be generated for the Court and the parties providing information on results of screens and treatment updates.
- If the individual is compliant with the program requirements, review dates will be scheduled every 4 – 6 weeks.
- If the individual is not compliant with the program requirements, and if necessary, the review date may be advanced on the calendar with notice to the individual and their counsel. Individuals will be given an opportunity to be heard by the Court concerning the nature of the violation as well as any mitigating information. The Court will then make a decision concerning the individual's continued participation in the program and whether any additional conditions need to be imposed. For extreme and repeated violations, individuals may be terminated from the program, resulting in either the case being returned to the Department of the Attorney General for felony screening or the Superior Court calendar from which it was referred, the imposition of the previously agreed upon sentence, or the imposition of a period of time to serve at the ACI.

## **GRADUATION**

- On average, individuals are required to remain in the program for a period of one year.
- Once the individual has successfully completed the program requirements they will be scheduled for a graduation date.

This protocol will take effect immediately and shall remain in effect until rescinded by the Court.

/s/

Amanda L. Valentino

Magistrate

Dated: September 24, 2024