

## 9<sup>th</sup> Annual Healing to Wellness Court Training

Palm Springs, CA

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### Disclaimer

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- Explaining their rights
- Pros and cons of waiver
- Needed for a 'look and see'

Speedy Trial



Entry into Healing to Wellness

- Advising of requirements
- Role of prosecutor
- Advising of rights
- When and who?



#### Diversion

- Agree to trial on police report
- Stipulated continuance

#### • Plea

- Defer judgment
- Withdraw plea
- Lighter sentence
- Probation

# Entry - Voluntary or by Court Order

- Impact on rights
- Impact on sanctions
- Impact on exit





Entry through Court Sentence

- Role of defense
- Role of prosecutor
- Role of judge
- Impact on termination
- Impact on sentence

# Use of Jail Sanction Early



Drug Court Standards Vol. 1 – "Jail sanctions are imposed judiciously and sparingly..."



Phase 1 safety vs individual responsibility



## Defending Sanctions

When to defend sanctions? Every time? Jail only?

### Termination

- Drug Court Standards Vol. 1:
  - no longer can be managed safely in the community or
  - they fail repeatedly to comply with treatment or supervision requirements
  - not terminated from the Drug Court for continued substance
  - use if they are otherwise compliant with their treatment and supervision conditions, unless they are nonamenable



## Rentry after Termination