

PRETRIAL ALCOHOL EDUCATION PROGRAM APPLICATION

JD-CR-44 Rev. 10-16
C.G.S. § 54-56g; P.A. 16-126 §§ 4,5

STATE OF CONNECTICUT
**SUPERIOR COURT
JUDICIAL BRANCH**
www.jud.ct.gov



Instructions To Person Filling Out This Application

1. File the original of this application with the Clerk of Court.
2. Send a copy to the prosecuting attorney.
3. A \$100 application fee and a nonrefundable \$100 evaluation fee, or an application for waiver of the fees, must be filed with this application.

Notice To Clerk: Seal the file on order of the court per C.G.S. § 54-56g.

ADA Notice

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

TO: The Superior Court of the State of Connecticut

GA/JD number	Address of court	Docket number	
Name of defendant		Address of defendant (Number, street, apartment number, town, and zip code)	
Alias/Maiden name of defendant	Telephone number of defendant	Operator's license number	Issuing state
Offense(s) charged			

I am charged with a violation of section 14-227a, 14-227g, 15-133, or 15-140n of the Connecticut General Statutes or a violation of Public Act 16-126 section 1 or section 2(a)(1) or (2), and I am applying for the Pretrial Alcohol Education Program.

If my application is granted:

1. I agree to give the State more time to prosecute me (the tolling of any statute of limitations for this offense(s) and to waive my right to a speedy trial) for the offense(s) listed above if I do not complete the program.
2. I understand that the Department of Mental Health and Addiction Services (DMHAS) and the Court Support Services Division (CSSD) will make a recommendation to the court about whether I should take part in 10 or 15 counseling sessions in an alcohol intervention program or at least 12 sessions in a substance abuse treatment program. I also agree to begin the alcohol intervention or substance abuse treatment program that the court orders me into within 90 days unless the court gives me more time, and I understand that I can wait to begin my program until after the suspension of my license is over. I also agree to finish the program that the court orders me into, and after I finish my program, if CSSD thinks I need more treatment, I agree to accept any additional treatment in a treatment program recommended by a DMHAS contractor, or to be placed in a state-licensed treatment program that meets standards set by DMHAS.
3. I agree to take part in at least one (1) Victim Impact Panel if the court orders me to.
4. If I decide to enter the program ordered by the court after the suspension of my license is over, I agree to tell CSSD the date that my license was suspended and how long my license was suspended for.
5. I agree to pay the court a nonrefundable program fee of \$350 if I am ordered into the 10 session alcohol intervention program, or \$500 if I am ordered into the 15 session alcohol intervention program (these fees may be changed by the legislature), or to pay the costs of taking part in a substance abuse treatment program if I am ordered into a treatment program, except that, if I cannot pay or if I am indigent, I will file with the court an affidavit saying I cannot pay or that I am indigent, and the court may decide that I do not have to pay some or all of the program fee or costs of the treatment program if it finds that I am indigent or unable to pay.

I give my permission to CSSD to get information about any criminal or motor vehicle program I may have been in in this state or in any other jurisdiction so that CSSD can decide if I can be allowed into the program. If I am telling the court that I cannot pay or that I am indigent by filing an affidavit of my inability to pay or of my indigency, I give my permission to CSSD to get information to decide if I cannot pay or if I am indigent.

("X" one of the following) I plan to claim that I cannot pay or that I am indigent I plan to pay the program fee.

By signing this form, I am saying that I understand all of the information above, and I request that I be allowed into the Pretrial Alcohol Education Program under section 54-56g of the Connecticut General Statutes.

I have read this entire application, and I understand it.	Signed (Defendant)	Date Signed	Consented to By (Parent or guardian)
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Notice **Unless good cause is shown, a person is not eligible for the Pretrial Alcohol Education Program if the alleged violation of section 14-227a, 14-227g, or 15-133(d) of the Connecticut General Statutes, or of Public Act 16-126 section 1 or section 2(a)(1) or (2) caused the serious physical injury, as defined in section 53a-3, of another person.**

Oath

The applicant stated under penalties of perjury before me, duly designated by the clerk and authorized to administer oaths, that

- (1) if (s)he is charged with a violation of section 14-227a, 14-227g, 15-133(d), or 15-140n of the Connecticut General Statutes or a violation of Public Act 16-126 section 1 or section 2(a)(1) or (2), (s)he has not had the Pretrial Alcohol Education Program invoked in his/her behalf within the preceding ten (10) years for a violation of section 14-227a, 14-227g, 15-133(d), or 15-140n of the Connecticut General Statutes or a violation of Public Act 16-126 section 1 or section 2(a)(1) or (2);
- (2) that (s)he has never been convicted of a violation of:
- a. Section 14-227g, 53a-56b, or 53a-60d of the Connecticut General Statutes;
 - b. Public Act 16-126 section 1 or section 2(a)(1) or (2);
 - c. Section 14-227a(a) of the Connecticut General Statutes before, on or after October 1, 1981; or
 - d. Section 14-227a(a)(1) or (2) of the Connecticut General Statutes on or after October 1, 1985;
- (3) that (s)he has not been convicted of a violation of section 15-132a, 15-133(d), 15-140l, or 15-140n of the Connecticut General Statutes;
- (4) that (s)he has not been convicted in any other state, at any time, of an offense that has essential elements that are substantially the same as sections 14-227a(a)(1) or (2), 15-132a, 15-133(d), 15-140l, 15-140n, 53a-56b, or 53a-60d of the Connecticut General Statutes or a violation of Public Act 16-126 section 1 or section 2(a)(1) or (2);
- (5) if (s)he is charged with a violation of section 14-227a of the Connecticut General Statutes or a violation of Public Act 16-126 section 1 or section 2(a)(1) or (2), (s)he was not operating a commercial motor vehicle as that term is defined in section 14-1 of the Connecticut General Statutes or holding a commercial driver's license or commercial driver's inspection permit at the time of the violation; and
- (6) that (s)he has given, by registered or certified mail, notice of this application to any victim(s) of the alleged violation(s) or crime(s) who suffered a serious physical injury, as that term is defined by section 53a-3 of the Connecticut General Statutes, so that those victim(s) are aware of the opportunity to give the court his or her opinion on this application.

Signed (<i>Duly authorized person</i>)	Print name	Date Signed
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First Order of the Court

(*"X" all that apply*)

- The application is **denied**.
- The court waives the following fee(s) or portion of fees having found that the defendant is indigent or unable to pay:
- Application fee: all ; \$ _____
 - Evaluation fee: all ; \$ _____
- The applicant's oath under section 54-56g of the Connecticut General Statutes was taken: (*"X" one*)
- in open court.
 - outside of court by a person duly designated by the clerk and authorized to administer oaths.
- The case is continued until the date and time listed below to consider the CSSD assessment of eligibility and the DMHAS evaluation and/or for the applicant to file an affidavit of indigency and for CSSD to seek to confirm such indigency.
- The Court orders the court file sealed as to the public.

Case Continued To (<i>Date and time</i>)	Signed (<i>Judge, Assistant Clerk</i>)	Date Signed
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