

PRETRIAL ALCOHOL EDUCATION PROGRAM APPLICATION

JD-CR-44 Rev. 1-20
C.G.S. § 54-56g

STATE OF CONNECTICUT
SUPERIOR COURT
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.

For information on ADA accommodations, contact a court clerk or go to: www.jud.ct.gov/ADA.

Notice to Clerk: Seal the file on order of the court per section 54-56g of the Connecticut General Statutes.

TO: The Superior Court of the State of Connecticut

Judicial District GA 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, 14-227m, 14-227n(a)(1) or (2), 15-133, or 15-140n of the Connecticut General Statutes, 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. (Select 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

A person is **not** eligible for the Pretrial Alcohol Education Program if:

- (1) The applicant is charged with a violation of Section 14-227a, 14-227g, 14-227m, 14-227n(a)(1) or (2), or 15-133(d) of the Connecticut General Statutes that caused another person serious physical injury, as defined in section 53a-3 of the Connecticut General Statutes, unless the applicant shows the court good cause (a good reason) why the applicant should be allowed into the program; or
- (2) The applicant is charged with a violation of 14-227a, 14-227m, or 14-227n(a)(1) or (2) while operating a commercial motor vehicle or while the applicant had a commercial driver's license or a commercial driver's instruction permit.

Oath

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

- (1) the applicant has not had the Pretrial Alcohol Education Program invoked in the applicant's behalf within the preceding ten (10) years;
- (2) the applicant has never been convicted of a violation of:
 - a. Section 14-227g, 14-227m, 14-227n(a)(1) or (2), 15-132a, 15-133(d), 15-140l, 15-140n, 53a-56b, or 53a-60d of the Connecticut General Statutes;
 - b. Section 14-227a(a) of the Connecticut General Statutes before, on or after October 1, 1981; or
 - c. Section 14-227a(a)(1) or (2) of the Connecticut General Statutes on or after October 1, 1985;
- (3) the applicant 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), 14-227m, 14-227n(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); and
- (4) the applicant has sent Judicial Branch form JD-CR-167, *Notice of Application for Pretrial Alcohol Education Program*, 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, by registered or certified mail, so that those victim(s) are aware of the opportunity to give the court their opinion on this application.

Signed (*Duly authorized person*)

Print name

Date signed

First Order of the Court

(*Select 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: (*Select 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 (*Date and time*)

Signed (*Judge, Assistant Clerk*)

Date signed