

APPLICATION FOR ACCELERATED PRETRIAL REHABILITATION

JD-CR-9 Rev. 8-04
C.G.S. 54-56e
Pr. Bk. Sec. 39-33

INSTRUCTIONS

1. Forward first two copies to clerk of court.
2. Send third copy to the opposing attorney(s). Keep the last copy.
3. A \$35.00 application fee, or an application for waiver of the fee, must be filed with this application.



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TO: The Superior Court of the State of Connecticut

DOCKET NO. (For court use only)

FROM (Name of accused)	DATE OF BIRTH	PLACE OF BIRTH	RACE	SEX	SOCIAL SECURITY NO.
ALIAS/MAIDEN NAME	ADDRESS (No., street and town)			TELEPHONE	
JUDICIAL DISTRICT OR G.A.	ADDRESS OF COURT				
CRIME(S) OR MOTOR VEHICLE VIOLATIONS(S) CHARGED AGAINST THE ACCUSED (Name and statute)					

APPLICATION	<input type="checkbox"/> STATE'S ATTORNEY <input type="checkbox"/> ACCUSED I, the undersigned hereby make application and say:	6. That the Accused agrees that he/she will give notice of this Application to the victim(s) of said Crime(s) or Motor Vehicle Violation(s) so that the victim(s) will have an opportunity to be heard in this matter.
	1. That the above-named Accused is charged with the above Crime(s), and/or motor vehicle violation(s) for which a sentence to a term of imprisonment may be imposed, pending before this Court, which do not include (1) a class A felony, (2) a class B felony, except a violation of section 53a-122 that does not involve the use, attempted use or threatened use of physical force against another person, (3) a violation of Connecticut General Statutes 14-227a, 53-21(a)(2), 53a-56b, 53a-60d, 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b, 53a-90a, section 5 or 6 of Public Act 04-139, (4) a crime or motor vehicle violation which caused the death of another person, (5) a family violence crime, as defined by law, with regard to which the Accused (a) is eligible for the pretrial family violence education program established by law or (b) has previously had the pretrial family violence education program invoked in his/her behalf, or (6) a violation of Connecticut General Statutes 21a-267 or 21a-279 if the Accused (a) is eligible for the pretrial drug education program established under Connecticut General Statute 54-56i, or (b) has previously had the pretrial drug education program invoked in the Accused's behalf.	7. That the Accused never had such program invoked in his/her behalf, and will so state in open court under the penalties of perjury.
	2. The above-named Accused has not been adjudged a youthful offender within the preceding five years under the provisions of sections 54-76b to 54-76n, inclusive.	8. The Accused agrees and stipulates, as a condition of being granted accelerated rehabilitation, that any physical evidence being held by the police may, at the discretion of the Court, be ordered returned to the rightful owner prior to the final disposition of the case. The Accused further agrees and stipulates that, in the event that the case must be eventually tried, that secondary evidence, e.g. photographs, etc., may be admitted in evidence in lieu of said physical evidence.
	3. If the Crime(s) charged above are a class C felony, good cause exists for granting this application.	9. The Accused agrees, if this application is granted, to pay to the court forthwith a fee of \$100 or \$425 if ordered to participate in a Hate Crimes Diversion Program, for participation in the pretrial rehabilitation program, except that if the Accused claims indigency or inability to pay, the Accused will file with the court an Affidavit of indigency or inability to pay. The Accused realizes that the court may waive the program fee if it finds that the Accused is indigent or unable to pay the \$100 fee or the \$425 fee, if applicable.
	4. That the Accused has no previous record of conviction of a crime or of a violation of Connecticut General Statutes 14-196, 14-215(c), 14-222a, 14-224(a), or 14-227a.	("X" one of the following) <input type="checkbox"/> The Accused intends to claim indigency or inability to pay. <input type="checkbox"/> The Accused intends to pay the \$100 program fee or the \$425 program fee, if applicable.
	5. That the Accused agrees to the tolling of any statute of limitations and waives the right to a speedy trial, with respect to the Crime(s) or Motor Vehicle Violation(s) charged above.	WHEREFORE, the undersigned requests that said Accused be granted pretrial rehabilitation in accordance with Connecticut General Statute 54-56e.

I have read the above and understand it. I agree to the foregoing statements and affirm under penalty of perjury that said statements are true.		SIGNED (Accused)	DATE SIGNED
CONSENTED TO BY (Parent or guardian)	SIGNED (Attorney for accused)	SIGNED (State's attorney)	

OATH	The Accused stated, under penalties of perjury, that (s)he never had this program invoked before on his/her behalf.	SIGNED (Assistant clerk/duly authorized person)	DATE SIGNED
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FIRST ORDER OF THE COURT

The foregoing Application is denied.
 The foregoing Application is continued to the following Court Hearing Date, for a determination of eligibility and so that the Accused may notify the victim(s) of the opportunity to be heard on this matter. Notice to the victim(s) must be given on form JD-CR-10 by Registered or Certified Mail on or before the Notice Date indicated below.

COURT HEARING DATE AND TIME	NOTICE DATE	SIGNED (Judge or assistant clerk)	DATE SIGNED	<i>For Court Use Only</i>	
ELIGIBILITY REPORT				FILE DATE	
				<input type="checkbox"/> ACCUSED IS ELIGIBLE <input type="checkbox"/> ACCUSED IS NOT ELIGIBLE for the following reasons: <input type="checkbox"/> PRIOR CONVICTION - See attached <input type="checkbox"/> OTHER (Specify): _____ <input type="checkbox"/> PRIOR A.R. PARTICIPATION <input type="checkbox"/> Y.O. WITHIN 5 YEARS	
ELIGIBILITY REPORT PROVIDED BY	DATE OF REPORT	CLIENT NUMBER	STATE I.D. NUMBER		

SECOND ORDER OF THE COURT

<input type="checkbox"/> <i>The court finds that due notice to the victim(s) was given and the case continued to the date specified below:</i>	DATE OF FINDING	CLERK'S INITIALS
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- The foregoing Application is denied.
- The Accused, having reached the age of sixteen years but not having reached the age of eighteen years, the case is continued to the date specified below for receipt of an assessment by a youth service bureau or its designee.
- Due notice to the victim(s) having been given, the Court, believing that the Accused probably will not offend in the future and that the Defendant has not been adjudicated as a youthful offender within the preceding five years and has no previous record of conviction of a crime or of a violation of section 14-196, 14-215(c), 14-222(a), 14-224a or 14-227a of the Connecticut General Statutes, the Application is granted; the case is continued to the below date; and the Accused, **unless otherwise noted below**, is released to the custody of the Court Support Services Division for the Period of Probation specified below, subject to the following conditions, which the Accused has accepted.
- The Accused is transferred, under the conditions specified and accepted below, to the court handling the criminal docket for drug dependent persons, established pursuant to section 51-181b of the Connecticut General Statutes.
- The court denies the application for a fee waiver and the Defendant is ordered to pay the clerk forthwith a program fee of
 - \$100.
 - \$425 if ordered to participate in a Hate Crimes Diversion Program.
- The court waives the fee having found that the Defendant is indigent or unable to pay.

- ADDITIONAL CONDITIONS ACCEPTED BY THE ACCUSED
 - The Accused having been charged with a violation of section 46a-58, 53-37a, 53a-181j, 53a-181k or 53a-181l, shall participate in a Hate Crimes Diversion Program in accordance with 54-56e(e), consisting of an educational program and supervised community service. The Accused shall pay a program fee of \$425, unless such fee was ordered waived (see above court orders).

CASE CONTINUED TO <i>(Date and time)</i> ____M.		PERIOD OF PROBATION OR SUPERVISION	THE ACCUSED ACKNOWLEDGES THESE CONDITIONS <i>(Sign)</i>
SIGNED <i>(Assistant clerk)</i>		DATE SIGNED	BY THE COURT <i>(Name of judge)</i>

FINAL PROGRESS REPORT

- The above-named Accused:
- HAS** satisfactorily completed the period of probation and/or supervision.
 - HAS NOT** satisfactorily completed the period of probation and/or supervision.
- REASONS FOR NON-COMPLIANCE:

SIGNED <i>(C.S.S.D. Officer/duly authorized personnel)</i>	DATE SIGNED
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DISPOSITION

- Probation/Supervision successfully completed and charges dismissed
- Probation/Supervision not satisfactorily completed, a plea of not guilty entered and this case immediately placed on the trial list.

BY THE COURT <i>(Name of Judge)</i>	SIGNED <i>(Assistant Clerk)</i>	DATE SIGNED
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