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| **healing to wellness court***Case Closure/**Transfer (Out)*20 **process/Procedure Bench Card** |
| **Specific and clear legal transfer procedures promote sound and transparent case processing between dockets and from Court to Court.** |
| Path – Process  | Protocol – Procedure |
|  |

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| --- | --- |
| **Court terminates Transfer participant from Wellness Court** | □ |
| **Court produces Order stating the bases of closure and transfer** | □ |
| **Court enters Order (signed/file stamped)** | □ |
| **Court delivers to**:

|  |  |  |  |
| --- | --- | --- | --- |
| □ | Wellness Court case file | □ | Client |
| □ | Prosecutor | □ | Defense Counsel |
| □ | Tx/Healing Resource/Counselor | □ | Police |
| □ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |

 | □ |
| **Court delivers Order to referral jurisdiction** | □ |
| **Court delivers Order to participant’s After Care provider file** | □ |

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|  ***Action Judge’s response – responsibilities***  |
| Wellness Court Receives Motion/ Request to Close Case and Transfer | □ Review Motion and any support documents □ Review participant’s Wellness Court file for status (docs showing status, completion, withdrawal, termination, etc.)□ Review Order Accepting Transfer (w/original motion) to determine if any conditions of transfer are met |
| Wellness Court Receives Notice of Graduation w/Motion to Close Case | □ Review Motion and support documents□ Review participant’s Wellness Court file for pertinent documentation □ Write final comment in file and/or to participant |
| Wellness Court Terminates Transfer Client | □ Prepare Order of Termination (which could include Order to Close Case and Transfer if not done separately)□ State in Order how termination was decided and how due process was afforded participant□ Review defendant’s Original Order, if any, to assure Termination Order is delivered to appropriate jurisdiction |
| Wellness Courit Prepares Closure and Transfer | □ State short procedural history leading to case closure, including if case was transferred from sister jurisdiction□ State the circumstances of closure, if participant completed process, withdrew, or was terminated□ State whether all conditions of transfer were completed and that case is closed |
| Court Enters OrderAnd Delivers | □ Assure the Order includes the names of those it must be delivered□ Forward Final Order with your signature to Clerk/Coordinator for file stamp□ Instruct court staff of any special and immediate deliveries of the Order □ Assure Order is delivered to After Care provider, if applicable |
| Record, Research & Rule References |
| Data Points & Performance Measures# of case closures by graduation per month# of case closures by termination per month# of case closures by client withdrawal per qtr.# of open spots below program max. per qtr.# of eligible participants on a waiting list per qtr.# of cases transferred (intra-tribal court) per qtr.# of cases transferred (sister jurisdiction) per qtr. | **Wellness Court Policies & Procedures** | Code/Statute Sections |
| Code/Statute Sections |
| Resources/Technology: [www.WellnessCourts.org](http://www.WellnessCourts.org) [www.home.tlpi.org](http://www.home.tlpi.org), [www.ndci.org](http://www.ndci.org), [www.american.edu/spa/jpo/initiatives/drug-court/](http://www.american.edu/spa/jpo/initiatives/drug-court/) , [www.ndcdr.org](http://www.ndcdr.org), [www.drugcourtonline.org](http://www.drugcourtonline.org)  |