

## **RESUMPTION OF DRUG COURT AND STATUS OF NEW ADMISSIONS**

Beginning January 25, 2021, the Superior Court Drug Intervention Program (“Drug Court” or “the program”) resumed hearings on a virtual basis for those persons already in the program. The hearings occur remotely in virtual Courtroom 111-R on Mondays and Wednesdays. Drug testing is occurring on a weekly basis and intensive outpatient treatment is being offered through virtual sessions. Residential treatment is available for those participants who need it. The rewards and sanctions model has been modified to adapt to current safety conditions. Graduations have been held on Fridays on an *ad hoc* basis, when participants have reached all the required steps in the program.

Drug Court is currently able to accept 25 new participants into the program. However, the admissions process will be significantly modified, as follows: (1) the Drug Court judge will handle the entire admissions process, including the entry of any pleas, once the defendant has been referred to Drug Court; (2) the first step in the referral process is that the case must be screened by the prosecutor’s office (USAO or OAG) for eligibility under their respective guidelines; (3) if a defendant is found eligible, an offer may be extended to defense counsel; (4) a Status Hearing will be set in CR 111-R on a Wednesday afternoon at 2 p.m. beginning June 23, 2021 (but excluding July 21, 2021) – **no more than 6 defendants** will be set on any Wednesday; (4) at the Status Hearing the Drug Court judge will review with the parties the remaining necessary steps to complete admission, which will generally include drug testing of the defendant, a treatment assessment and eligibility screening by the Pretrial Services Agency (“PSA”), orientation of the defendant to Drug Court by PSA staff, to include participation by the Public Defender Service Drug Court Attorney and trial counsel, the signing of the Drug Court contract and the preparation of all plea paperwork; (5) an Admission Hearing will be set by the Drug Court judge once all the above necessary steps have been completed and any pleas will be entered before the Drug Court judge during the Admissions Hearing; (6) assigned trial counsel shall remain active in the case until the defendant has entered any pleas and has been formally admitted – assigned trial counsel is responsible for handling

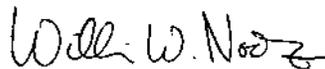
the plea hearing and the submission of any related paperwork at least two days before the Admission Hearing.

Should a defendant either be found ineligible for Drug Court or decides to decline participation at any point in this process, the case will be returned to the trial calendar.

A number of defendants have been identified who have already entered pleas anticipating Drug Court participation prior to the pandemic but were never admitted. Those defendants will be given priority for admission.

In addition to referrals being made by Criminal Division judges hearing matters in court, defense counsel may apply directly to Judge Nooter's chambers with an Email copied to the government with the subject line: "Drug Court Admission referral" after having received an offer for a Drug Court disposition and oral acceptance of the offer by the defendant. Chambers staff will set the matter for a Wednesday Status Hearing.

Once 25 defendants have been referred for admission to Drug Court, the Drug Court judge will issue an announcement that all available slots have been filled. **Please do not make further referrals after the issuance of that announcement.** It is expected that additional slots for admission will be opening in the future, particularly as operations in the courthouse expand. Further announcements will be issued accordingly.



**William W. Nooter**

Presiding Judge

Superior Court Drug Intervention Program

D.C. Superior Court

Washington, D.C. 20001

Dated: June 11, 2021