

## General Eligibility Criteria

*Eligibility criteria is determined by the local Recovery Court Advisory Committee.*

### Minimum Considerations:

- Adult Recovery Courts primarily target non-violent offenders with substance use disorder(s).
- Participation in a recovery court is voluntary and requires a written agreement among the defendant, the Commonwealth, and concurrence of the Court.
- Candidates are assessed for high risk/high needs using a validated risk-needs assessment and clinical assessment tools.
- Beginning July 2024, individuals are **not eligible** for participation in a recovery court **if any of the following conditions apply:**

1. The offender is presently charged with a felony offense or is convicted of a felony offense while participating in any recovery court where:

- The offender carried, possessed, or used a firearm or any dangerous weapon specified in VA Code § 18.2-308 during such offense;
- The death or serious bodily injury of any person occurred during such offense; or
- The use of force against any other person besides the offender occurred during such offense; or

2. The offender was previously convicted as an adult of any felony offense that involved the use of force or attempted use of force against any person with the intent to cause death or serious bodily injury.

## National Best Practice Standards

### Standard 1: Administration

Recovery courts depend upon a comprehensive and inclusive planning process.

### Standard 2: Recovery Court Team

### Standard 3: Target Population, Eligibility Criteria, and Equity and Inclusion

### Standard 4: Substance Use Disorder Treatment

Consequences for participants' behavior are predictable, fair, consistent, and administered with evidence-based principles of effective behavior modification.

### Standard 5: Complementary Services and Recovery Capital

Participants receive desired evidence-based services from qualified treatment, public health, social service, or rehabilitation professionals that safeguard their health and welfare, help them to achieve their chosen life goals, sustain indefinite recovery, and enhance their quality of life.

### Standard 6: Participant Compliance

### Standard 7: Testing

Drug and alcohol testing provides an accurate, timely, and comprehensive assessment of unauthorized substance use throughout participants' enrollment in the Specialty Docket.

### Standard 8: Role of the Judge

### Standard 9: Evaluation and Monitoring

The recovery court has results that are measured, evaluated, and communicated to the public.

### Standard 10: Education and Training

The recovery court team requires continued interdisciplinary education, training, and program assessment.



## Virginia Adult Recovery Courts

### According to Code of Virginia § 18.2-254.1 - Recovery Court Act

Recovery courts are specialized court dockets within the existing structure of Virginia's court system offering judicial monitoring of intensive treatment and strict supervision of addicts in drug and drug-related cases. Local officials must complete a recognized planning process before establishing a recovery court program.

## Adult Drug Treatment Court Dockets **WORK**

*Adult Drug Treatment Court dockets save Virginia taxpayers \$19, 234 per adult participant compared to traditional case processing.*



In 2019, Adult Drug Treatment Court dockets saved the Commonwealth of Virginia nearly \$11 million.



Since 2009, Virginia's Adult Drug Treatment Court dockets have seen increases in the number of active participants.

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Adult Drug Treatment Court dockets are approved to operate in Virginia.

Graduates of Adult Drug Treatment Court dockets are less likely to be rearrested or reconvicted when compared to those who are terminated.

<http://www.courts.state.va.us/courtadmin/aoc/djs/programs/dtc/>

## How does it work and what are the benefits?

Through voluntary admission, eligible defendants are invited to participate in the Drug Treatment Court docket following a specialized screening and assessment. For those who submit to the terms and conditions of community-based supervision, a team of program and treatment professionals work together to develop service plans and supervise participants.

Preliminary research demonstrates that Adult Drug Treatment Court Docket participants tend to have lower rates of criminal activity and increased linkages to treatment services when compared to defendants who go through the traditional court system.

<https://rga.lis.virginia.gov/Published/2019/RD527/PDF>

**Drug Court Dockets divert offenders from incarceration thereby offering several potential benefits:**

- ⇒ Drug Court Dockets *reduce prison costs* by reducing the inmate population and freeing up expensive jail and prison space for more serious offenders.
- ⇒ *Recidivism* rates of drug court docket participants as a whole far out perform the comparison group - "the business as usual alternative" (jail, and/or prison, probation)
- ⇒ Drug Court Dockets *provide needed services* such as substance use disorder and mental health treatment that may not be available in jail or prison.

## Application Process

**Authorization Process** - A circuit or district court which intends to establish a Drug Treatment Court must petition the Supreme Court of Virginia for authorization before beginning operation of a Drug Treatment Court docket or in the instance of an existing Drug Treatment Court, continuing its operation.

[http://www.courts.state.va.us/courtadmin/aoc/djs/programs/dtc/procedures/dtc\\_apply\\_to\\_establish.pdf](http://www.courts.state.va.us/courtadmin/aoc/djs/programs/dtc/procedures/dtc_apply_to_establish.pdf)

The link above is to the Application to Establish A Drug Treatment Court Docket Program:

- Application
  - Jurisdiction Name
  - Name of Judge
  - Name of Coordinator
  - Proposed Start Date

<http://www.courts.state.va.us/courtadmin/aoc/djs/programs/dtc/home.html>

The link above provides information about Drug Treatment Court Dockets:

- Virginia Drug Treatment Court Standards
- Directory of Virginia Drug Treatment Court Dockets
- Evaluation Reports
- Informational Videos
- Resources and Reference Materials

