

Vigo County Veterans Treatment Court Application Procedure

STEP 1: Veteran defendants identified and referred

Referral Forms are located in Superior Court Offices, the Public Defender's Office and in the Veterans Treatment Court office.

(INCLUDE DEFENSE ATTORNEY E-MAIL ADDRESS ON THE REFERRAL FORM)

Defense counsel, or Public Defender's office send completed referral form and the advisement of right to counsel is sent to Vigo County Veterans Treatment Court coordinator.

The advisement of right to counsel acknowledges that defendant has right to counsel throughout process and legal proceedings. Defense counsel *must sign* the advisement of rights acknowledgement.

The referral form also serves as a short screen to preliminarily determine if a case is appropriate.

STEP 2: Coordinator receives referral form and contacts VJO and Prosecutor's office to confirm all current charges and appropriateness of for Veterans Court, as well as confirming Veterans Administration Benefits (VA) eligibility.

STEP 3: Coordinator send Notice of Eligibility to defense counsel, which includes the participant agreement, and schedules an orientation session with defendant. Orientation is informal, and will also include an IRAS and Veterans Affairs assessment. It is a review of program rules and expectations. It is NOT for providing legal advice and it is NOT a negotiating session.

Orientation is held on the first and third Friday of each month.

Defense counsel to discuss Veterans Treatment court with client – highly structured, demanding program focusing on high risk / high need and low risk / high need defendants.

Follow up contact with defense counsel occurs within in two weeks of Notice of Eligibility.

STEP 4: Defense counsel must meet with prosecutor to complete terms of participant agreement, i.e., deferral, diversion, or probation as the basis for admission.

STEP 5: A ***COMPLETED participant agreement*** must be submitted to the court coordinator, James Ramer, veterans.court@vigocounty.in.gov, **within fourteen (14) days of the Notice of Eligibility. This deadline ensures that applicants can be staffed in a timely manner. Not meeting this deadline may have adverse effects on the defendant's eligibility to apply.**

NOTE: IT IS IMPERATIVE that defendants review and understand the Participation Agreement prior to the participant agreement being submitted.

STEP 6: Defense counsel notified if case accepted or not. If accepted, court coordinator will Notice of Acceptance with court of origin, and will e-mail defense counsel.

DEFENSE COUNSEL WILL FILE A MOTION AND PROPOSED ORDER TRANSFERRING CASE TO VIGO SUPERIOR COURT DIVISION 1 ONLY AFTER THE NOTICE OF ACCEPTANCE HAS BEEN FILED.

The date for first appearance in Veterans Treatment will be included in the Notice of Acceptance.

STEP 7: First Appearance: All participant agreements and/or plea agreements must be submitted in and accepted by Vigo county Veterans Treatment Court, Vigo Superior Court Division 1 for all cases originating in Vigo County.