|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **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 | | |
|  | | | |  |  | | --- | --- | | **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** | □ | | | |
| ***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 Order  And 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) | | | | | |