

NOTICE TO THE BAR

Directive #2-02 (Re Manual for Operation of Adult Drug Courts in New Jersey) is attached to this Notice. The Manual is available on the Judiciary's website at www.judiciary.state.nj.us/directive/dctman.pdf.

Dated: July 25, 2002

Directive #2- 02

TO: Assignment Judges

FROM: Richard J. Williams

RE: Manual for Operation of Adult Drug Courts in New Jersey

DATE: July 22, 2002

Last September, legislation was enacted to fund the implementation of a Statewide Drug Court Program. The attached Manual for Operation of Adult Drug Courts in New Jersey, hereinafter Drug Court Manual, has been approved by the Judicial Council for statewide use. It was developed utilizing the collective expertise of the pilot drug court programs and is a joint product of the Criminal Presiding Judges, Criminal Division Managers, Vicinage Chief Probation Officers, Vicinage Drug Court Coordinators and staff from the AOC Criminal Practice and Probation Services Divisions. As part of the preapproval process the Attorney General's Office, the New Jersey County Prosecutors Association, the Office of the Public Defender and the Department of Health and Senior Services, Division of Addiction Services all reviewed the draft manual.

New Jersey is currently in a process of expansion and standardization of drug courts. The Drug Court Manual is a document that will be evolving over the next few years. The process of achieving statewide implementation, establishing new paradigms in multi-county vicinages and gathering constant feedback will undoubtedly necessitate that we amend certain procedures to better accommodate a systems approach to a statewide program. This document is intended to serve as the model for courts seeking guidance on process issues.

The Drug Court Manual sets forth drug court case processing guidelines and details the different phases of the drug court program and the different levels of supervision within each phase. The Drug Court Manual also details program eligibility criteria which the Judicial Council specifically approved at its June 27, 2002 meeting. The application of uniform statewide eligibility criteria is critical to operating the program equitably throughout the State. The two main sources for the eligibility criteria outlined in Section III of the Drug Court Manual were N.J.S.A. 2C:35-14 and the December, 2000 AOC report entitled: Drug Courts: A Plan for Statewide Implementation. The uniform application of these eligibility requirements will ensure that all of our drug court programs comport with the pledges the Judiciary made to the Legislature in seeking funding for a statewide program.

As noted, while the Drug Court Manual is now being promulgated for immediate statewide use, portions remain under ongoing development and refinement, e.g., the portions relating to drug testing, intercounty transfer of supervision responsibilities and data collection and reporting. As specific standards or procedures are developed and approved in those areas, the Drug Court Manual will be supplemented to include them.

Questions regarding the details of this Drug Court Manual or adult drug courts in general may be directed to Assistant Director for Criminal Practice Joseph J. Barraco (609/ 292-4638) or Assistant Director for Probation Services Mary M.

DeLeo (609/ 292-1589).