

**PRETRIAL ALCOHOL EDUCATION PROGRAM APPLICATION**

JD-CR-44 Rev. 1-20  
C.G.S. § 54-56g

STATE OF CONNECTICUT  
**SUPERIOR COURT**  
www.jud.ct.gov



**Instructions to person filling out this application:**

1. File the original of this application with the Clerk of Court.
2. Send a copy to the prosecuting attorney.
3. A \$100 application fee and a nonrefundable \$100 evaluation fee, or an application for waiver of the fees, must be filed with this application.

For information on ADA accommodations, contact a court clerk or go to: [www.jud.ct.gov/ADA](http://www.jud.ct.gov/ADA).

**Notice to Clerk:** Seal the file on order of the court per section 54-56g of the Connecticut General Statutes.

**TO: The Superior Court of the State of Connecticut**

Judicial District GA number	Address of court	Docket Number	
Name of defendant		Address of defendant (Number, street, apartment number, town, and zip code)	
Alias/Maiden name of defendant	Telephone number of defendant	Operator's license number	Issuing state
Offense(s) charged			

I am charged with a violation of section 14-227a, 14-227g, 14-227m, 14-227n(a)(1) or (2), 15-133, or 15-140n of the Connecticut General Statutes, and I am applying for the Pretrial Alcohol Education Program.

If my application is granted:

1. I agree to give the State more time to prosecute me (the tolling of any statute of limitations for this offense(s) and to waive my right to a speedy trial) for the offense(s) listed above if I do not complete the program.
2. I understand that the Department of Mental Health and Addiction Services (DMHAS) and the Court Support Services Division (CSSD) will make a recommendation to the court about whether I should take part in 10 or 15 counseling sessions in an alcohol intervention program or at least 12 sessions in a substance abuse treatment program. I also agree to begin the alcohol intervention or substance abuse treatment program that the court orders me into within 90 days unless the court gives me more time, and I understand that I can wait to begin my program until after the suspension of my license is over. I also agree to finish the program that the court orders me into, and after I finish my program, if CSSD thinks I need more treatment, I agree to accept any additional treatment in a treatment program recommended by a DMHAS contractor, or to be placed in a state-licensed treatment program that meets standards set by DMHAS.
3. I agree to take part in at least one (1) Victim Impact Panel if the court orders me to.
4. If I decide to enter the program ordered by the court after the suspension of my license is over, I agree to tell CSSD the date that my license was suspended and how long my license was suspended for.
5. I agree to pay the court a nonrefundable program fee of \$350 if I am ordered into the 10 session alcohol intervention program, or \$500 if I am ordered into the 15 session alcohol intervention program (these fees may be changed by the legislature), or to pay the costs of taking part in a substance abuse treatment program if I am ordered into a treatment program, except that, if I cannot pay or if I am indigent, I will file with the court an affidavit saying I cannot pay or that I am indigent, and the court may decide that I do not have to pay some or all of the program fee or costs of the treatment program if it finds that I am indigent or unable to pay.

I give my permission to CSSD to get information about any criminal or motor vehicle program I may have been in in this state or in any other jurisdiction so that CSSD can decide if I can be allowed into the program. If I am telling the court that I cannot pay or that I am indigent by filing an affidavit of my inability to pay or of my indigency, I give my permission to CSSD to get information to decide if I cannot pay or if I am indigent. (Select one of the following)

- I plan to claim that I cannot pay or that I am indigent
- I plan to pay the program fee.

**By signing this form, I am saying that I understand all of the information above, and I request that I be allowed into the Pretrial Alcohol Education Program under section 54-56g of the Connecticut General Statutes.**

I have read this entire application, and I understand it.	Signed (Defendant)	Date signed	Consented to by (Parent or guardian)
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## Notice

A person is **not** eligible for the Pretrial Alcohol Education Program if:

- (1) The applicant is charged with a violation of Section 14-227a, 14-227g, 14-227m, 14-227n(a)(1) or (2), or 15-133(d) of the Connecticut General Statutes that caused another person serious physical injury, as defined in section 53a-3 of the Connecticut General Statutes, unless the applicant shows the court good cause (a good reason) why the applicant should be allowed into the program; or
- (2) The applicant is charged with a violation of 14-227a, 14-227m, or 14-227n(a)(1) or (2) while operating a commercial motor vehicle or while the applicant had a commercial driver's license or a commercial driver's instruction permit.

## Oath

The applicant stated under penalties of perjury before me, duly designated by the clerk and authorized to administer oaths, that:

- (1) the applicant has not had the Pretrial Alcohol Education Program invoked in the applicant's behalf within the preceding ten (10) years;
- (2) the applicant has never been convicted of a violation of:
  - a. Section 14-227g, 14-227m, 14-227n(a)(1) or (2), 15-132a, 15-133(d), 15-140l, 15-140n, 53a-56b, or 53a-60d of the Connecticut General Statutes;
  - b. Section 14-227a(a) of the Connecticut General Statutes before, on or after October 1, 1981; or
  - c. Section 14-227a(a)(1) or (2) of the Connecticut General Statutes on or after October 1, 1985;
- (3) the applicant has not been convicted in any other state, at any time, of an offense that has essential elements that are substantially the same as sections 14-227a(a)(1) or (2), 14-227m, 14-227n(a)(1) or (2), 15-132a, 15-133(d), 15-140l, 15-140n, 53a-56b, or 53a-60d of the Connecticut General Statutes or a violation of Public Act 16-126 section 1 or section 2(a)(1) or (2); and
- (4) the applicant has sent Judicial Branch form JD-CR-167, *Notice of Application for Pretrial Alcohol Education Program*, to any victim(s) of the alleged violation(s) or crime(s) who suffered a serious physical injury, as that term is defined by section 53a-3 of the Connecticut General Statutes, by registered or certified mail, so that those victim(s) are aware of the opportunity to give the court their opinion on this application.

Signed ( <i>Duly authorized person</i> )	Print name	Date signed
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## First Order of the Court

(*Select all that apply*)

- The application is **denied**.
- The court waives the following fee(s) or portion of fees having found that the defendant is indigent or unable to pay:  
 Application fee: all ; \$ \_\_\_\_\_  Evaluation fee: all ; \$ \_\_\_\_\_
- The applicant's oath under section 54-56g of the Connecticut General Statutes was taken: (*Select one*)
- in open court.
- outside of court by a person duly designated by the clerk and authorized to administer oaths.
- The case is continued until the date and time listed below to consider the CSSD assessment of eligibility and the DMHAS evaluation and/or for the applicant to file an affidavit of indigency and for CSSD to seek to confirm such indigency.
- The Court orders the court file sealed as to the public.

Case Continued To ( <i>Date and time</i> )	Signed ( <i>Judge, Assistant Clerk</i> )	Date signed
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