

District Court Administrator

Specialty Treatment Court Case Transfer Protocol

As of 4-12-19

I. Specialty Treatment Court Transfers: In-County, Out-of-County or Out-of-District

- A. Request is made to assigned judge or assigned judge's staff for possible transfer to a specialty court.
- B. If approved by both judges and the participant has been accepted into the treatment court, transfer will proceed. DCA for the originating district is to verify approved on both sides.
- C. Court staff* for the originating county will create an application for judicial assignment to the specialty court judge via the electronic assignment system. The application reason used should be "**Assigned to Specialty Court,**" (include the name of the specialty court judge), and the "comment" field should indicate that both judges agree to the transfer.
- D. For in-county or intra-district out-of-county assignments, the DCA processes and approves the assignment request via the electronic assignment system. Notices of reassignment should be sent in whatever manner the district normally notifies courts of assignments.
- E. For out-of-district assignments, the DCA in the originating district will notify the DCA in the assigned district prior to sending the assignment request to Court Operations for approval via the electronic assignment system. Once approved by the Director, notice of the assignment should be sent by Court Operations to the following:
 - 1. Judge, DCA and DAA in the originating district via email
 - 2. Judge, DCA and DAA in the district with the new specialty court via email
 - 3. CoC in originating county via non-party filing in the eFiling system for eFiled cases, or US mail or fax for non-eFiled cases.
- F. DAA in originating district distributes copies of Assignment Order to the following:
 - 1. Court staff* of originating judge via email
 - 2. Court staff* of the new specialty court judge via email
- G. The Assignment Order will automatically be placed in the originating county's Clerk of Court electronic assignment queue for import unless the assignment application was manually entered into the system at the District Court Office.

II. Specialty Treatment Court Return Transfers: Removal from Specialty Treatment Court

If the defendant's case needs to be transferred out of the specialty treatment court, the case should be transferred back to the originating county and/or the originating judge via a termination of the Assignment Order.

- A. Specialty court judge's staff* should notify their DCA and the originating judge's staff* that the defendant's case needs a return transfer out of the specialty treatment court.
- B. If assignment back to originating court crosses only a county line, the DCA should terminate the Assignment Order and use the comment "**Terminate Specialty Court Assignment.**" DAA or DCA distributes copies of the Termination Order to the following:
 - 1. Court staff* of originating judge via email
 - 2. Court staff* of specialty court judge via email
 - 3. CoC office in originating county via non-party filing in the eFiling system for eFiled cases, or US mail or fax for non-eFiled cases.
- C. If assignment back to the originating court crosses a district line, the DCA from the specialty court district, contacts the DAA or DCA in the originating district. The DAA or DCA in the originating district then requests Court Operations to terminate the Assignment Order. Comment box reason used should be "**Terminate Specialty Court Assignment.**" Once approved by the Director, the Termination Order should be sent by Court Operations to the following:
 - 1. The judge, DCA and DAA in district with originating county via email
 - 2. The judge, DCA and DAA in district with specialty court county via email
 - 3. The CoC in originating county via non-party filing in the eFiling system for eFiled cases, or US mail or fax for non-eFiled cases.
 - 4. The DCA or DAA in originating district then distributes copies of Termination Order to the following:
 - a. Court staff* of originating judge via email
 - b. Court staff* of specialty court judge via email

* Court staff or judge's staff may be the Judicial Assistant, Clerk of Circuit Court, trial clerk, or court room clerk.