

Request to access the Drug Court

Select only one box	☐ Ballarat – drugcourtballarat@courts.vic.gov.au
	☐ Dandenong - drugcourtdandenong@courts.vic.gov.au
	☐ Melbourne - drugcourtmelbourne@courts.vic.gov.au
	☐ Shepparton - drugcourtshepparton@courts.vic.gov.au

ACCUSED DETAILS			
Surname:			
Given Names:		CRN:	
Is your client in custody?	Yes ☐ No ☐	Date of Birth	
Usual place of residence:			
Does the accused identify as:	Aboriginal ☐	Torres Strait Islander ☐	Both ☐ N/A ☐
What is the accused country of birth?			
Legal practitioner's name:			
Name of firm:			
Legal practitioner's email:			
Legal practitioner's mobile:		Office phone number:	
Is an interpreter required?	Yes ☐ No ☐	If yes, what language?	
Have all reports (e.g. medical/psych reports) been attached?			Yes ☐ No ☐

MATTERS REFERRED FOR SCREENING	
Informant	Next Hearing Date

By lodging this document with the Drug Court, I (insert name)..... hereby certify that the cases listed above are ready to proceed as guilty pleas with all negotiations completed **(screening will not progress unless matters are certified as ready)**.

SIGNATURE:

(Legal Practitioner)

NB: In the event the presiding Drug Court Magistrate determines the accused has met the eligibility criteria at the Screening Hearing, the matter will be adjourned for assessment pursuant to s.18ZQ of the Sentencing Act Vic 1991.

It is the responsibility of the legal practitioner to inform the accused that Drug Court will provide a Consent Form to the accused. The Consent Form will allow the Drug Court to assess, gather and/or obtain all relevant health information from Prisons Health Records for the purpose of the assessment.

DRUG COURT ELIGIBILITY CRITERIA			
Criteria	Yes	No	Unsure
1) Catchment area ¹ : Does the accused qualify?	☐	☐	☐
2) Guilty plea ² : Is the case ready to proceed as a guilty plea?	☐	☐	☐
3) Serious offences ³ : Would the offences warrant immediate gaol?	☐	☐	☐
4) Is the accused dependant on drugs and/or alcohol ⁴ ?	☐	☐	☐
5) Are any sex offences amongst the charges coming to the Drug Court ⁵ ?	☐	☐	☐
6) Do any of the offences involve the infliction of actual bodily harm ⁶ ?	☐	☐	☐
a) If, yes, is that actual bodily harm of a minor nature ⁷ ?	☐	☐	☐
7) Is the accused subject to the following ⁸ :			
a) Parole; and/or	☐	☐	☐
b) A sentencing order of the County or Supreme Court?	☐	☐	☐
8) Are there breach proceedings listed at the County Court?	☐	☐	☐
a) When is the breach listed?			

Please email completed form to the Drug Court ASAP

¹ The usual place of residence of the accused (if he or she has one) is within a postcode area within the specified catchment area of the Drug Court (s4B(1)(b) Magistrates' Court Act 1989).

² The Drug Court will not hear contests or contest mentions nor undertake summary case conferences. All disputed charges must be resolved in the general division of the Magistrates' Court before the case can come to the Drug Court. S18Z(1)(a) Sentencing Act 1991.

³ s18Z(1)(d) Sentencing Act 1991

⁴ s18Z(1)(c) Sentencing Act 1991

⁵ s18Z(1)(a)(i) Sentencing Act 1991

⁶ s18Z(1)(a)(ii) Sentencing Act 1991

⁷ s18Z(5) Sentencing Act 1991

⁸ S18Z(2) Sentencing Act 1991