

## DTC Admission Conditions<sup>1</sup>

<b>Defendant name:</b>	<b>Defendant DOB:</b>	<b>Defendant case #:</b>
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The above named defendant has been referred to the **[County or Court]** DTC program.  
Per MCL 600.1066 the court finds the following conditions to be true, prior to the defendant's admission to the **[County or Court]** DTC program:

- (1) The individual has been assessed and has been shown to meet clinical eligibility criteria under MCL 600.1066a.
- (2) The individual understands the consequences of entering the DTC and agrees to comply with all court orders and requirements of the program and treatment providers.
- (3) The individual is not an unwarranted or substantial risk to the safety of the public or any individual, based upon the screening and assessment or other information presented to the court.
- (4) The individual is not a violent offender.
- (5) The individual has completed a preadmission screening and evaluation assessment that includes the following:
  - A complete review of the individual's criminal history and whether the individual has been admitted to, has participated in, or is currently participating in a VTC, DTC, or specialty court, and the results of the individual's participation
  - An assessment of the risk of danger or harm to the individual, others, or the community
  - A review of the individual's history regarding SUD and an assessment of whether the individual has a current SUD disorder
  - A review of the individual's mental health history
  - A review of any special needs or circumstances of the individual that may potentially affect the individual's ability to receive treatment and follow the court's orders

and has also agreed to cooperate with any future evaluation assessment as directed by the DTC

- (6) The following deferral condition applies:
  - The individual has been assigned the status of youthful trainee under section 11 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11
  - The individual has had criminal proceedings against him or her deferred and has been placed on probation under the following:
    - Section 7411 of the public health code, 1978 PA 368, MCL 333.7411 (controlled substance), or a local ordinance or another law of this state, another state, or the United States that is substantially similar to that section.

<sup>1</sup> This model document is provided by SCAO as a resource and for informational purposes only to facilitate the operation of problem solving courts by local units of government and courts in compliance with statutory requirements. SCAO's sharing this model document is not intended (and cannot be construed) as legal advice.

- Section 4a of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.4a (domestic violence), or a local ordinance or another law of this state, another state, or the United States that is substantially similar to that section.
- Section 350a (parental kidnapping) or 430 (health care professional practicing under the influence) of the Michigan penal code, 1931 PA 328, or a local ordinance or another law of this state, another state, or the United States that is substantially similar to that section.
- MCL 600.1070 (DTC Deferral)

No deferral applies

(7)

- Upon successful completion of the program **[specify the details of the agreement].**<sup>2</sup>
- Upon failure to successfully complete the program **[specify the details of the agreement].**
- With the agreement of the prosecutor sentencing is delayed in this matter as provided in section 1 of chapter XI of the code of criminal procedure, 1927 PA 175, MCL 771.1. At the end of the delay period **[specify the details of the agreement].**
- Other:  
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- No offer has been made that is contingent upon participation in, or completion of, this program.

\_\_\_\_\_ P \_\_\_\_\_

Honorable **[name]**, DTC program Judge, **[court number and type]** Court

\_\_\_\_\_ Date

<sup>2</sup> Under MCL 600.1066(g) the admission findings or statement must include, “The terms, conditions, and duration of the agreement between the parties, and the outcome for the participant of the [DTC] upon successful completion by the participant or termination of participation.” This will vary by program and should be tailored to each DTC participant.