GENERAL FELONY PRE-TRIAL DIVERSION & SPECIALTY COURTS

WHAT IS THE REFERRAL PROCESS FOR GENERAL FELONY PRE-TRIAL DIVERSION?

SMART ALTERNATIVE TO CONVICTION

BENEFITS

- Client will avoid a felony conviction
- Client will undergo a comprehensive needs assessment
- Client will be referred/linked to community resources as appropriate
- Client's charges will be dismissed & eligible for expunction

ELIGIBILITY

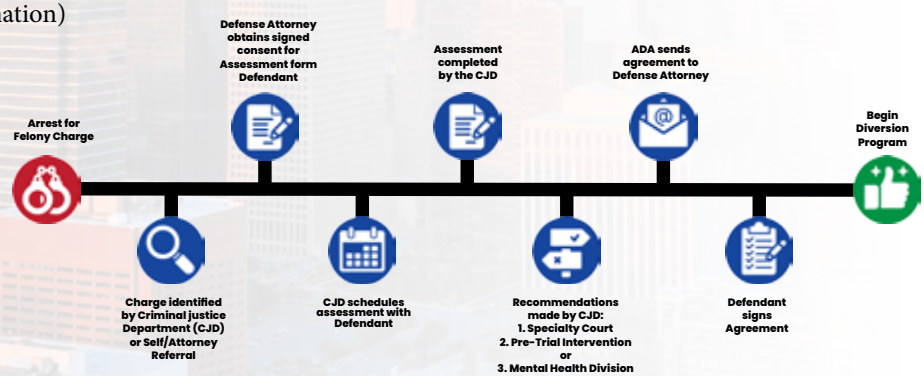
- Defendant is an Adult First Time Felony Offender
- No previous felony conviction, probation, deferred probation, or prior PTD program
- No holds above Class C or pending felonies in another jurisdiction
- Case is either preindictment or within 120 days of indictment, unless waiver granted
- The following charges are ineligible for pre-trial diversion:
  - Charges involving assault, violence or threat of violence
  - Offenses involving death or major accident
  - Sexual, Arson or Felony Intoxication Charges
  - F1 Man/Del charges (F2 case by case determination)
  - No gang affiliation noted on TLETS
  - Other possible offenses after review by ADA

REFERRAL PROCESS

- Submit a PreTrial Diversion Referral/Consent/Discovery Pause Form to **jaildiversion@dallascounty.org** or submit in person to Criminal Justice Department on 8th floor Room C103 from 8:30am-1pm daily
- Receive acknowledgement that your referral was received
- Defendant will be assessed to determine treatment, social service needs, and appropriate program recommendation

USE THE QR CODE TO ACCESS THE GENERAL FELONY PRETRIAL DIVERSION REFERRAL FORM

Use QR code to access the Restorative Justice web page



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CONTACT: **jaildiversion@dallascounty.org** / Check status of application by stopping by CJD Window on 8th floor

GENERAL FELONY PRE-TRIAL INTERVENTION (PTI) AGREEMENT

Getting Started with the Referral and Assessment

- Download the application for the PTD referral
- Submit signed PTD referral and consent form to **jaildiversion@dallascounty.org** or drop off at the 8th floor, Room C103 (8:30am -1pm) to schedule the assessment.
- After the assessment is completed, if a PTI is recommended, the PTI ADA will review the case and accept/deny, and email the defense a PTI Agreement.
- The PTI ADA will exercise prosecutorial discretion to determine the appropriate PTI program and conditions.

TYPES OF PTI AGREEMENTS

SUPERVISED

- PTS PTI – Monthly meetings, UAs, assigned conditions
- EAC PTI – Appear in EAC Court, comply with conditions, up to 18 months, $202 fee
- RMS PTI – Alcohol-related focus, 4-phase program, up to 12 months
- CSCD PTI – Monthly meetings, UAs, assigned conditions, $102 fee

UNSUPERVISED

- No case manager; defendant completes conditions independently and emails proof to **PTIAttorney@dallascounty.org**

Contract & Fees

- Sign and return PTI Contract to **PTIAttorney@dallascounty.org** within 3 weeks.
- Pay CSCD/EAC fees at CSCD window (8th floor) before emailing receipt, if applicable.
- $500 PTI Fee is required for all agreements. A waiver can be requested if the defendant is unable to pay. The PTI fee waiver applications must be submitted on the 11th floor, Check Division, with a $5 fee.

Program Details

- PTI starts after prosecutor signs and sends expiration date
- Court appearances are determined by the judge
- Pass slips may be signed by court prosecutors
- Misdemeanors must be passed in assigned misdemeanor court

Completion or Termination

- Completion → case dismissed, eligible for expunction (handled by defendant)
- Violations, new offenses, or missed conditions → PTI terminated, case returns to trial court

Resources & Questions

- Refer to PTI Agreement, Resource Packet (English/Spanish), assigned case manager, or email **PTIAttorney@dallascounty.org**

1 ASSESSMENT → 2 DA REVIEW → 3 APPROVAL OR DENIAL → 4 3-18 MONTH PTI AGREEMENT

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The **DIVERT** Court Program was developed to provide an efficient and effective means to reduce the adverse impact of repeat drug offenders in the Dallas County Criminal Justice system. The Mission of the Dallas County DIVERT Court Program is to enhance public safety by providing a judicially supervised regimen of treatment and innovative case management to substance use offenders with the goal of returning sober, law-abiding citizens to the community and thereby closing the "revolving door" to the criminal justice system. The first DIVERT Court was convened on January 6, 1998. The court was founded by the Honorable John Creuzot.

If interested in **DIVERT** Court, please submit a general **PTD Referral** to **jaildiversion@dallascounty.org.**

DIVERT Court Judges rely on the interdisciplinary team for objective input on participant admission, progress, and discharge. The team's diverse composition ensures all system perspectives are represented, providing balanced and well-informed recommendations.

Team members include

- **Drug Court Judges**
- **Drug Court Program Manager**
- **Drug Court Intake Coordinator**
- **Dallas County Assistant District Attorney**
- **Dallas County Public Defender**
- **Dallas County Investigator**
- **Community Supervision Officers/ Case Managers and Supervisor**
- **Field Work/Surveillance Officer**
- **Program Counselors & Clinical Supervisor**
- **Clinical Assessment Specialist**

For general information or questions about DIVERT please contact
DIVERTCourt@dallascounty.org

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In exchange for successful completion:
YOUR CASE IS NEVER INDICTED OR IS DISMISSED •YOU RECEIVE SUBSTANCE USE TREATMENT
CASE ELIGIBLE FOR IMMEDIATE EXPUNCTION

WHAT IS DIVERT COURT?

AIM COURT

What Is AIM Court?

AIM is an innovative and unique program within the Dallas County Criminal Justice System sponsored by the District Attorney's Office. It is a court-supervised program for young adults only arrested in Dallas County who face a first-time felony charge(s). AIM involves frequent court appearances, random drug testing as well as job-skills training, employment assistance, and group and individual counseling.

Eligibility

- 17-24 years old at time of offense
- Pending felony in Dallas County
- No prior felony convictions or probations (including deferred)
- No disqualifying circumstances
- Willing to make a change for the better

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5-Phase Program:

- 13-18 Months
- AIM Court Sessions
- Report to Case Manager
- Clinical Treatment
- Individualized AIM Plan with Educational, Vocational and Life Skills goals
- Community Service - 40 hours
- Random Weekly Urinalysis
- Peer Recovery Support
- Transportation Assistance

$500 fee, payments can be made at each phase (indigency needs considered/fee modified or waived)

For general information or questions about AIM Court please contact **DA.AIMCourt@dallascounty.org**

UPON GRADUATION FROM AIM COURT THE CASE IS DISMISSED AND ELIGIBLE FOR IMMEDIATE EXPUNCTION

MHJD/SET COURT

The Dallas County District Attorney's Office established the **MHJD/SET** Court Program to advocate for incarcerated persons with mental illnesses. The Program's mission is to improve public safety and the well-being of individuals with mental illness by providing court-supervised, community-based treatment and support, while promoting accountability and reducing recidivism. The Court's program includes judicial intervention, CSCD supervision, rehabilitative services, individualized mental health treatment plans, referral to housing, education, and employment resources, substance use treatment, and additional therapeutic support for twelve to eighteen months. Participants are represented by the Public Defender's Office while in **MHJD/SET**.

The program has two tracks: misdemeanor (MHJD) and felony (SET)

Eligibility Criteria

- Individuals charged with felony (SET) or misdemeanor (MHJD) offense(s), identified as high-risk/high-need, and diagnosed with a qualifying mental health diagnosis:
  - Schizophrenia
  - Bipolar Disorder
  - Schizoaffective Disorder
  - Major Depressive Disorder
- Must be a resident of Dallas County
- No out of county holds greater than Class C
- At least 18 y.o.
- Certain felony offenses are **ineligible**:
  - Offenses involving death
  - Sex assaults
  - Intoxication offenses
  - Crimes against children

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3-Phase Program

- SET 12-18 months and MHJD 6 months
- Weekly court appearances
- Appointments with case manager, probation (SET), and psychiatrist
- Substance use treatment if needed (clinically assessed by licensed clinicians and can include inpatient residential treatment)
- Peer-recovery support
- Random weekly Urinalyses
- Working toward stable long term housing
- Employment or adequate support
- As a participant phases up, court attendance is decreased to every other week

For general information or questions about **MHJD/SET** Court please contact **SETCourt@dallascounty.org**

SUCCESSFUL COMPLETION LEADS TO DISMISSAL OF CASE(S) AND EXPUNCTION ELIGIBILITY

VET COURT

The Dallas County Veterans Treatment Court (**"VTC"**) is a specialty court diversion program that provides an alternative to traditional criminal prosecution for veterans who meet specific criteria. The purpose of the program is to provide treatment for mental health and/or substance use issues that caused or affected the actions of the veteran in the criminal offense charged.

Eligibility/Disqualifying Criteria

- Connection between military service and current charged offense.
- Honorable discharge; "Other than Honorable" discharges considered on a case by case basis.
- No case involving Manufacturing or Delivering or Sex related offenses.
- Prior Criminal history considered on a case by case basis.
- Not previously participated in any Veterans Treatment Court.

Key Points About Participation

- Participants come to court every Thursday at 2pm (every other Thursday in phase 2), meet with supervision officer once per week, and attend prescribed treatment.

Benefit of Successful Completion

- Dismissal of the pending charges and in most cases the charges will also be expunged.

Direct Referral: Application can be obtained from the program coordinator or email **VETCourt@dallascounty.org**. They will need to send an email to obtain an application. Once it is completed they can send the completed application back along with a copy of their DD214. It is important that all areas of the application are filled out and signed as this helps us obtain the necessary records to process the application.

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HOW TO MAKE A REFERRAL FOR MISDEMEANOR PRE-TRIAL DIVERSION?

ADA extends the MISD PTI Agreement Form as an offer

- May not waive or reduce the CSCD Supervision Fee
- Note: if Judge waives the CSCD Supervision Fee, per statute, immediate expunction may not be available.
- Gives defendant and attorney MISD PTI CONTRACT & PTI RESOURCE PACKET

Defendant and Attorney will accept/sign agreement or decline

- After full review of agreement and signatures by the Defendant and Attorney, return agreement to assigned ADA to sign.
- Def Attorney stays on Defendant case until end of PTI.

Defendant is instructed to contact CSCD for reporting information/payment of CSCD Supervision Fee

- Defendant must immediately report to the 9th floor and pay $122 supervision fee.
- CSCD may waive/reduce their fee – documentation of financial needs goes directly to CSCD.

CSCD supervises defendant on PTI

- CSCD has discretion whether to require court appearances or allow remote appearances
- All documentation of completion of conditions should be sent directly to CSCD and the assigned ADA to be uploaded to case file.
- CSCD will check in with Defendant and defense attorney at 30 days after signing PTI and 60 days after signing PTI.
- CSCD signs pass slip along with Defendant and/or Defense attorney first, then submits to DA with notes regarding Defendant's progress for their approval and signature.
- Contacts ADA in writing when completed for dismissal by sending a dismissal approval document that is then uploaded in the case file.
- Contacts ADA in writing if Defendant fails to appear on a court date or obtains a warrant.
- Case dismissed upon successful completion of the agreement.

HOW TO MAKE A SEPARATE REFERRAL FOR MENTAL HEALTH DIVISION?

Where to Refer:

- 6th Floor, Frank Crowley Courts Building (hallway by Auxiliary Court 2).
- Forms available: on wall across from frosted glass window or at the window.

What's Required:

- Referral form signed by defense counsel & assigned prosecutor (no objection).
- Documentation of mental health diagnosis:
  1. Preferred: **16.22 Adapt report**
  2. Other medical records accepted
  3. If no report → request through **Adapt (8th Floor)**

Processing:

- Average review: **4 days**
- If more info needed → referrer notified

Referral Notes & Misconceptions

1. **All case types reviewed** (including violent/assaultive).
2. **Victims are contacted** – we inform & get input.
3. **All diagnoses considered** if related to offense.
   Only exclusion: confirmed anti-social personality disorder.
4. **Diagnosis ≠ automatic acceptance** – must not be primarily substance-driven (co-occurring disorders may qualify).
5. **Not eligible:** ICE holds, parole holds, trial settings, or most probation violations we did not place.

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