

# How to Establish a Specialty Docket

The Drug Treatment Court Act (§18.2-254.1) transferred the responsibilities for administration and supervision of drug courts to the Supreme Court of Virginia. Under the Act, the Court is responsible for (i) providing oversight for the distribution of funds for drug courts; (ii) providing technical assistance to drug courts; (iii) providing training for judges who preside over drug courts; (iv) providing training to the providers of administrative, case management, and treatment services to drug courts; (v) monitoring the completion of evaluations of the effectiveness and efficiency of drug courts in the Commonwealth. Since then, all specialty dockets follow a similar administrative path.

## How to Establish a Specialty Docket

1. The Docket Judge may contact the Chief Justice of the Supreme Court of Virginia by email or letter of the intention to plan a specialty docket.
2. Local officials shall complete a planning process recognized by the state corresponding docket advisory committee before establishing a specialty docket. Planning team to include:
  - Judge, Prosecutor, Public Defender/Defense Attorney, Treatment Representative, Specialty Docket Coordinator/ Planning Coordinator, Probation, local Law Enforcement, Peer support specialist (Behavioral Health), Department of Veterans Services (Veterans), School Representative (Juvenile), Child Welfare Protective Services Rep. (Family), local ASAP Representative (DUI), and Additional members to represent stakeholders, local gov't administration.
3. Schedule required training:
  - a. Developing a Mental Health Court: Interdisciplinary Training (BHD)
  - b. Virginia Veterans Treatment Dockets Implementation Training (VTD)
  - c. All Rise Foundational Training (DTCD)
4. Request Application to Establish a Specialty Docket:
  - a. <https://www.vacourts.gov/courtadmin/aoc/djs/programs/sds/home.html>
  - b. Applications are accepted year-round. The applications are reviewed by the corresponding State Advisory Committee. Drug Court applications are reviewed by the State Drug Treatment Court Advisory Committee/Operations Committee & forwarded to the full committee with recommendations for approval after all the questions are resolved.
  - c. Once the Drug Court Advisory Committee votes to approve your application, you are authorized to begin. After approved to operate, grants are available to apply for start-up funds or other program aspects such as drug testing.
5. Submit completed application with Policy and Procedures Manual and Participant Handbook to Ms. Anna Powers or [SpecialtyDockets@vacourts.gov](mailto:SpecialtyDockets@vacourts.gov) to forward to the appropriate statewide Advisory Committee for review.

- a. The Advisory Committee chair will respond to the planning judge with requests for clarification and application approval status.
6. If approved, establish a local Advisory Committee as outlined in statutes. Advisory Committee membership shall include, but shall not be limited to the following people or their designees:
  - a. Specialty Docket Judge, Commonwealth's Attorney, Defense Attorney, Representative of the VDOC or the VDJJ, Rep. of community corrections/pretrial services, local law enforcement, Rep. of the local CSB/BHA, Dept. of Social Services, and County Administrator or City Manager.
  - b. Each advisory committee shall ensure quality, efficiency, and fairness in the planning implementation and operation of the Specialty Dockets that serve the jurisdiction or combination of jurisdictions.
  - c. Each local Advisory Committee shall establish criteria for the eligibility and participation of participants.
    - i. The establishment of a Specialty Docket's criteria shall not be construed as limiting the discretion of the attorney for the Commonwealth to prosecute any criminal case arising therein which he/she deems advisable to prosecute, except to the extent the participating attorney for the Commonwealth agrees to do so.
    - ii. Adult Offenders who have been convicted of a violent criminal offense within the preceding 10 years, or juvenile offenders who previously have been adjudicated not innocent of any such offense within the preceding 10 years, shall not be eligible for participation in any Drug Court established or continued in operation as defined in §17.1-805 or 19.2-297.1.
    - iii. The violent offense prohibition is not extended to Behavioral Health or Veterans Treatment Dockets.
  - d. Each Specialty Docket Advisory Committee shall establish policies and procedures for the operation of the docket to attain the goals to comply with the national Best Practice Standards.
  - e. Each Advisory Committee may develop guidelines for each participant to contribute to the cost of the treatment he/she receives while participating in the Docket.
7. Operational Specialty Dockets:
  - a. Must demonstrate compliance to the established corresponding Virginia Standards for your model of specialty docket.
  - b. Must commit to entering complete and accurate data into the Specialty Dockets Database established by the Office of the Executive Secretary.
  - c. Comply with oversight by the Office of the Executive Secretary.

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