

**Effective 5/12/2020**

**Superseded 5/5/2021**

**78A-5-302 Definitions.**

As used in this part:

- (1) "Defendant" means a veteran charged with a criminal offense.
- (2) "Domestic violence" means the same as that term is defined in Section 77-36-1.
- (3)
  - (a) "Participant agreement" means the record, required by Subsection 78A-5-304(1), of the policies and procedures of a veterans treatment court and any specific terms and conditions applicable to the defendant.
  - (b) "Participant agreement" includes a modification under Section 78A-5-310.
- (4) "Record," except as otherwise provided in Subsection 78A-5-307(1)(c), means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
- (5) "Servicemember" means:
  - (a) a member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard, of the United States; or
  - (b) a member of the National Guard of the United States.
- (6)
  - (a) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.
  - (b) "State" includes a federally recognized Indian tribe.
- (7) "Veteran" means a former servicemember who qualifies for health care benefits from the Veterans Administration.
- (8) "Veterans treatment court" means a veterans treatment court program administered under this part by a court of this state.