

VETERANS COURT

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Peter C. Knudson

House Sponsor: Paul Ray

LONG TITLE

General Description:

This bill authorizes the creation of veterans courts statewide.

Highlighted Provisions:

This bill:

- ▶ authorizes the Judicial Council to create veterans courts in each judicial district or a regional veterans court based on veteran geographic populations;
- ▶ specifies which veterans may be eligible for the court's consideration for participation in a veterans court and affiliated intervention programs;
- ▶ authorizes the court to seek federal funding to assist with the veterans courts;
- ▶ provides for participation by the United States Department of Veterans Affairs Veterans Justice Outreach Program; and
- ▶ requires an annual written report not later than October 1 of each year to the Veterans' and Military Affairs Commission.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78A-5-301, Utah Code Annotated 1953



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29 *Be it enacted by the Legislature of the state of Utah:*30 Section 1. Section **78A-5-301** is enacted to read:

31 **78A-5-301. Creation of a veterans court program -- Definition of a veterans court**
 32 **program -- Criteria for participation in a veterans court program -- Reporting**
 33 **requirements.**

34 (1) The Judicial Council may create a veterans court program in any judicial district or
 35 geographic region that demonstrates:

36 (a) the need for a veterans court program; and

37 (b) the existence of a collaborative strategy between the court, prosecutors, defense
 38 counsel, corrections, substance abuse treatment services, and the United States Department of
 39 Veterans Affairs Veterans Justice Outreach Program to divert veteran offenders.

40 (2) The collaborative strategy in each veterans court program shall:

41 (a) include monitoring and evaluation components to measure program effectiveness;

42 and

43 (b) be submitted, for the purpose of coordinating the disbursement of funding, to the ~~§~~ → [;

44 ~~(i)]~~ ← ~~§~~ Administrative Office of the Courts ~~§~~ → [;

45 ~~(ii) Department of Corrections]~~ ← ~~§~~ .

46 (3) A veterans court program shall include continuous judicial supervision using a
 47 cooperative approach with prosecutors, defense counsel, corrections, substance abuse treatment
 48 services, and the United States Department of Veterans Affairs Veterans Justice Outreach
 49 Program as appropriate to promote public safety, protect participants' due process rights, and
 50 integrate veteran diversion treatment programs with the justice system case processing.

51 (4) Screening criteria for participation in a veterans court program shall include:

52 (a) a plea to, conviction of, or adjudication for ~~§~~ → [~~a nonviolent offense or drug-related]~~ **a**
 52a **criminal** ← ~~§~~

53 offense;

54 (b) ~~§~~ → [an agreement to] ← ~~§~~ frequent alcohol and other drug testing, if appropriate;

55 (c) participation in veteran diversion outreach programs, including substance abuse
 56 treatment programs where appropriate; and

57 (d) ~~§~~ → [an agreement to submit to] ← ~~§~~ sanctions for noncompliance with diversion and
 58 substance abuse programs' requirements.

59 (5) The Administrative Office of the Courts shall submit in writing by October 1 of
60 each year, an annual report on each veterans court, including:
61 (a) types of programs;
62 (b) number of veteran participants;
63 (c) outcomes for veteran participants; and
64 (d) recommendations for future veterans court programs, including expansion and
65 funding.

Legislative Review Note
as of 2-13-15 2:45 PM

Office of Legislative Research and General Counsel