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HOUSE BILL NO. _____

Drug Offender Accountability and Treatment Act

Sponsored by: Representative(s) Gingery

A BILL

for

1 AN ACT relating to Drug Courts; and providing for an
2 effective date.

3

4 *Be It Enacted by the Legislature of the State of Wyoming:*

5

6 **Section 1.** W.S. 7-13-1601 to 7-13-1612 are created to

7 read:

8

9 **7-13-1601. Title.**

10

11 This act shall be known and may be cited as the "Drug
12 Offender Accountability and Treatment Act"

13

14 **7-13-1602 Definitions.**

15

1 (a) As used in this act:

2 (i) "Assessment" means a diagnostic
3 evaluation to determine whether and to what
4 extent a person is a drug offender under this act
5 and would benefit from its provisions. The
6 assessment shall be conducted in accordance with
7 the standards, procedures, and diagnostic
8 criteria designed to provide effective and cost-
9 beneficial use of available resources.

10 (ii) "Continuum of Care" means a seamless
11 and coordinated course of substance abuse
12 education and treatment designed to meet the
13 needs of drug offenders as they move through the
14 criminal justice system and beyond, maximizing
15 self-sufficiency.

16 (iii) "Drug" includes the following:

17 (1) a "controlled substance" - a drug or
18 other substance for which a medical
19 prescription or other legal authorization is
20 required for purchase or possession;

21 (2) an "illegal drug" - a drug whose
22 manufacture, sale, use or possession is
23 forbidden by law; or

1 (3) "other harmful substance" - a misused
2 substance otherwise legal to possess,
3 including alcohol.

4 (iv) "Drug Court" means a judicial
5 intervention process that incorporates the Ten
6 Key Components and may include:

7 (1) "post-adjudication" where a drug
8 offender is ordered to participate in drug
9 court after entering a plea of guilty or
10 nolo contender or having been found guilty;

11 (2) "reentry" where a drug offender is
12 ordered to participate in drug court upon
13 release from a sentence or incarceration; or

14 (3) "combination program" which may include
15 post-adjudication and/or reentry.

16 (v) "Drug Court Coordinator" means an
17 individual who is responsible for coordinating
18 the establishment, staffing, operation,
19 evaluation, and the integrity of the drug court.

20 (vi) "Drug Court Team" consists of the
21 following members who are assigned to the drug
22 court:

1 (1) the judge, which may be a district
2 court judge, a circuit court judge, or a
3 circuit court magistrate;

4 (2) one (1) prosecuting attorney, selected
5 by the district attorney;

6 (3) one (1) member the bar who practices
7 criminal defense, selected by the judge of
8 the drug court;

9 (4) one (1) monitoring officer, selected by
10 and provided by the Department of
11 Corrections;

12 (5) a representative of the treatment
13 providers, agreed upon by the attorney
14 members of the committee and the judge;

15 (6) the drug court coordinator; and

16 (7) one (1) law enforcement officer,
17 selected by the county sheriff, but that
18 does not have to be a deputy sheriff.

19 (vii) "Drug offender" means a person charged
20 with a drug-related offense or an offense in
21 which substance abuse is determined from the
22 evidence to have been a significant factor in the
23 commission of the offense.

1 (viii) "Dual Diagnosis" means a substance
2 abuse and co-occurring mental health disorder.

3 (ix) "Local Advisory Committee" may consist
4 of the following members or their designees:

5 (1) the senior district court judge, who
6 shall serve as chair;

7 (2) the drug court judge, if different than
8 the senior district court judge, such as a
9 junior district court judge, a circuit court
10 judge, or a circuit court magistrate;

11 (3) district attorney;

12 (4) drug court coordinator;

13 (5) member of the criminal defense bar,
14 selected by the judge of the drug court;

15 (6) clerk of the district court;

16 (7) county sheriff

17 (8) a representative of the substance abuse
18 treatment providers, selected by the
19 attorneys of the drug court team and the
20 judge;

21 (9) a county commissioner

22 (10) such other person(s) as the chair deems
23 appropriate.

24 (x) "Memorandum of Understanding" (MOU)

1 means a written document setting forth an agreed
2 upon procedure.

3 (xi) "Recidivism" means any arrest for a
4 serious offense (carrying a sentence of at least
5 one year) resulting in the filing of a charge.

6 (xii) "Relapse" means a return to substance
7 use after a period of abstinence.

8 (xiii) "Split Sentencing" means a sentence
9 which includes a period of incarceration followed
10 by a period of supervision.

11 (xiv) "Staffing" means the meeting before a
12 drug offender's appearance in drug court in which
13 the drug court team discusses a coordinated
14 response to the drug offender's behavior(s).

15 (xv) "Substance abuse" means the illegal or
16 improper consumption of a drug.

17 (xvi) "Substance abuse treatment" means a
18 program designed to provide prevention,
19 education, and therapy directed toward ending
20 substance abuse and preventing a return to
21 substance usage.

22 (xvii) "Ten Key Components" means:

- 1 (1) Drug courts integrate alcohol and other
2 drug treatment services with justice system
3 case processing;
- 4 (2) Using a non-adversarial approach,
5 prosecution and defense counsel promote
6 public safety while protecting drug
7 offender's due process rights;
- 8 (3) Eligible drug offenders are identified
9 early and promptly placed in the drug court
10 program;
- 11 (4) Drug courts provide access to a
12 continuum of alcohol, drug, and other
13 related treatment and rehabilitation
14 services;
- 15 (5) Abstinence is monitored by frequent
16 alcohol and other drug testing;
- 17 (6) A coordinated strategy governs drug
18 court responses to drug offenders'
19 compliance;
- 20 (7) Ongoing judicial interaction with each
21 drug offender is essential;
- 22 (8) Monitoring and evaluation measure the
23 achievement of drug court goals and gauge
24 effectiveness;

1 (9) Continuing interdisciplinary education
2 promotes effective drug court planning,
3 implementation, and operations; and

4 (10) Forging partnerships among drug courts,
5 public agencies and community based
6 organizations generates local support and
7 enhances drug court effectiveness.

8 **7-13-1603 Purposes and Goals.**

9 (a) The legislature recognizes that a critical need
10 exists in this state for criminal justice system programs
11 that break the cycle of drug and alcohol abuse and
12 addiction and the crimes committed as a result of drug and
13 alcohol abuse and addiction. Local drug court programs
14 shall be facilitated for the purpose of providing
15 sentencing options for the judicial system to dispose of
16 cases stemming from drug use; by combining judicial
17 supervision, supervised probation, drug testing, treatment,
18 after-care and monitoring of drug offenders.

19 (b) The outcome measures of the drug court programs
20 funded under this act shall be:

21 (i) to reduce recidivism of drug offenders
22 in the drug court program;

23 (ii) to ensure retention and graduation of
24 drug offenders in the drug court program;

1 (iii) to ensure sobriety of drug offenders in
2 the drug court program;

3 (iv) to monitor the units of services
4 provided to each drug offender in the drug court
5 program.

6 (c) While working in drug court reshapes the
7 traditional roles of judges and lawyers, ethical duties do
8 not significantly differ from those in traditional
9 courtrooms. Drug court judges and lawyers must adhere to
10 the standards set forth in the Wyoming Code of Judicial
11 Conduct, the Wyoming Rules of Professional Conduct for
12 Attorneys at Law and the American Bar Association Standards
13 of Criminal Justice. The proper exercise of the roles of
14 judge or lawyer in the drug court need not conflict with
15 the professionals' ethical obligations and can enable
16 judges and attorneys to fulfill the highest aspirations of
17 their professional ethics while embarking on an innovative
18 way to break the cycle of substance abuse and crime. Drug
19 court judges and attorneys must remain continually
20 cognizant of the due process rights guaranteed to all
21 citizens and the state's substantial interest in
22 maintaining effective and efficient judicial and penal
23 systems.

1 **7-13-1604 Establishment of Drug Court Account. Rules**
2 **and Regulations.**

3 (a) There is created a drug court account. All
4 interest earned on funds within this account shall be
5 deposited in the account.

6 (b) With advice and recommendation from the State
7 Drug Court Advisory Commission, the Department of Health
8 shall make the determination whether an application for a
9 new drug court program meets the qualifications pursuant to
10 W.S. 7-13-1605(b) and shall determine the funding amounts
11 for each new and existing drug court. The Department of
12 Health may deny an application for a new drug court
13 program, even if the new drug court program meets the
14 qualifications pursuant to W. S. 7-13-1605(b), based on
15 funding considerations, specifically if the funding of the
16 new drug court program would substantially adversely affect
17 the funding levels of existing drug court programs.

18 (c) The Department of Health shall promulgate rules
19 and regulations as to the qualifications of a drug court
20 program, eligibility for participation by a drug offender,
21 operational standards and protocols of each drug court
22 program, training requirements of the drug court team and
23 staff, collection and maintenance of data, certification
24 requirements for treatment personnel participating in the

1 drug court program, and funding formulas for distribution
2 from the drug court account. The Department of Health
3 shall certify that the drug court(s) is in compliance with
4 the rules and regulations established by it and shall
5 revoke the certification of drug court(s) that do not
6 comply.

7 (d) All contractual agreements with treatment
8 providers for each drug court program shall be between the
9 Department of Health and the treatment provider.

10 (e) In addition to those funds appropriated to the
11 account under subsection (a) of this section the Department
12 of Health may accept, and shall deposit to the account any
13 gifts, contributions, donations, grants or federal funds
14 specifically given to the department for the benefit of the
15 drug courts or treatment providers in Wyoming.

16 (f) Any expenses incurred by the Department of Health
17 in implementing this act shall be paid from the drug court
18 account and shall not exceed ten percent (10%) of the
19 amounts appropriated to the drug court system on a biennium
20 basis.

21 (g) Nothing in this Act shall prohibit counties from
22 obtaining and/or providing supplemental funds.

23 **7-13-1605 Establishment of Drug Court System.**

1 (a) Each judicial district may establish drug
2 court(s) as determined by, directed by, and structured
3 accordingly by the senior district court judge within the
4 judicial district. The senior district court judge shall
5 determine the relationship between the circuit and district
6 courts within the judicial district in regard to drug
7 court, and the use of circuit court judges and/or circuit
8 court magistrates.

9 (b) Any drug court, which meets all of the following
10 qualifications and rules and regulations promulgated by the
11 Department of Health pursuant to W.S. 7-13-1604(c), is
12 eligible for funding from the Department of Health:

13 (i) application submitted by the board of county
14 commissioners from the county in which the drug
15 court shall be located stating that the county
16 shall be the contracting agent for all contracts
17 required for the drug court, with the exception
18 of treatment provider contracts; all employees
19 within the drug court program shall be employees
20 of the county; all funds and grants shall be
21 managed by the county; and all billing for the
22 drug court shall be the responsibility of the
23 county.

1 (ii) a statement from the senior district court
2 judge agreeing to establish the drug court(s)
3 within the judicial district in that particular
4 county and stating the structure to be used by
5 the court, including but not limited to, the
6 relationship between the district court and
7 circuit court pursuant to W.S. 5-3-112, the use
8 of circuit court judge and circuit court
9 magistrates.

10 (iii) demonstrate ability to utilize and
11 implement the ten key components as defined in
12 W.S. 7-13-1602(a)(xvii);

13 (iv) have maximized the use of available federal
14 funding from the United States department of
15 justice drug court program under the guidelines
16 of title 42, section 3796ii of the United States
17 Code;

18 (v) designate whether the drug court program
19 shall be an adult drug court, a family dependency
20 treatment court pursuant to W.S. , juvenile drug
21 court pursuant to W.S. , or a re-entry drug court
22 pursuant to W.S. ; and

23 (vi) provide a statement from the director of the
24 department of corrections that the department of

1 corrections shall be able to provide a monitoring
2 officer for the drug court.

3 **7-13-1606 Court Structure.**

4 (a) Participation in drug court, with the consent of
5 the prosecution and the court, shall be pursuant to a
6 written agreement. A drug offender may participate in a
7 post-adjudication, reentry, or combination program.

8 (b) If the court finds that the drug offender meets
9 the following it may grant reasonable incentives under the
10 written agreement:

- 11 (1) is performing satisfactorily in drug court;
12 (2) is benefiting from education, treatment and
13 rehabilitation;
14 (3) has not engaged in criminal conduct; and
15 (4) has not violated the terms and conditions of
16 the agreement;

17 (c) If the court finds that the drug offender meets
18 any of the following it may impose reasonable sanctions
19 under the written agreement, including but not limited to
20 incarceration or expulsion from the drug court program:

- 21 (1) is not performing satisfactorily in drug
22 court;
23 (2) is not benefiting from education, treatment
24 or rehabilitations;

1 (3) has engaged in conduct rendering him or her
2 unsuitable for the program;

3 (4) has otherwise violated the terms and
4 conditions of the agreement; or

5 (5) is for any reason unable to participate.

6 (d) Upon successful completion of drug court, a drug
7 offender's case shall be disposed of by the judge in the
8 manner prescribed by the agreement and by applicable
9 policies and procedures adopted by the drug court. This
10 may include, but is not limited to, dismissal of charges,
11 probation, deferred sentencing, suspended sentencing, split
12 sentencing, or a reduced period of incarceration. To expel
13 a drug offender from the drug court program, a motion to
14 expel a drug offender from drug court must be filed by the
15 district attorney. A hearing shall be held to hear the
16 motion to expel before a judge that has not participated in
17 staffing of the drug offender's case in the drug court
18 program or the drug offender may consent to the judge that
19 has participated in staffing of the drug offender's case
20 hearing the motion to expel.

21 (e) Drug court(s) must include the 'ten key
22 components' and the drug court team shall act to ensure
23 compliance with them.

1 (f) Cases handled pursuant to this act shall be
2 calendared on dedicated dockets, set aside from other
3 criminal cases.

4 (g) Each county that intends to establish drug
5 court(s), or continue the operation of an existing drug
6 court(s), shall establish a local drug court team.

7 (h) The drug court team shall, when practicable,
8 conduct a staffing prior to each drug court session to
9 discuss and provide updated information regarding drug
10 offenders. After determining their progress or lack
11 thereof, the drug court team shall agree on the appropriate
12 incentive or sanction to be applied. If the drug court
13 team cannot agree on the appropriate action, the court
14 shall make the decision based on information presented in
15 the staffing.

16 (j) Nothing in this act shall confer a right or an
17 expectation of a right to participate in drug court(s) nor
18 does it obligate the drug court(s) to accept every drug
19 offender. Neither the establishment of drug court(s) nor
20 anything herein shall be construed as limiting the
21 discretion of the district attorney to act on any criminal
22 case which he deems advisable to prosecute. Each senior
23 district court judge within the judicial district may
24 establish rules and may make such orders and rules as

1 necessary in regard to drug courts within the judicial
2 district that do not conflict with rules promulgated by the
3 state supreme court.

4 (k) Each drug offender shall contribute to the cost
5 of the substance abuse treatment in accordance with W.S.
6 §7-13-1607(f).

7 (m) A drug court administrator will be responsible
8 for the general administration of drug court.

9 **7-13-1607. Conditions for admission to a drug court**
10 **program.**

11 (a) Each drug court shall establish conditions for
12 referral to the drug court, which must include an
13 assessment. Any drug offender applying to enter the drug
14 court shall agree to the release of medical and other
15 records relevant to the treatment of the participant
16 pursuant to subsection (b) of this section.

17 (b) Drug court staff shall be provided with access to
18 all records of any state or local government agency
19 relevant to the treatment of any program participant. No
20 contents of records and reports shall be disclosed to any
21 person outside of the drug court. The records and reports
22 shall be maintained by the court in a confidential file not
23 available to the public.

1 (c) The judge who presides over the drug court shall
2 inform the eligible participant prior to acceptance into
3 the drug court program that the eligible participant may be
4 subject to a term of probation that exceeds the maximum
5 term of imprisonment established for the offense as
6 provided in W.S. 5-9-134.

7 (d) A court shall immediately order a drug offender
8 to participate in drug court if:

9 (i) an assessment reveals that an offender is a
10 substance abuser, and a referring court recommends
11 that the drug offender participate in drug court;

12 (ii) the court has reason to believe that
13 participation in drug court will benefit the drug
14 offender by addressing his or her substance abuse;

15 (iii) the district attorney consents to the drug
16 offender's participation in the program;

17 (iv) the drug offender's case is handled pursuant to
18 W.S. 7-13-1606(a).

19 (e) Where the court determines that participation
20 in drug court will not benefit the offender, or the
21 offender is not an appropriate candidate, the court shall
22 make a finding on the record that the offender is
23 ineligible to participate in drug court.

1 (f) A drug offender shall pay a reasonable portion of
2 the cost to participate. The costs assessed shall be
3 compensatory and not punitive in nature and shall take into
4 account the drug offender's ability to pay. Upon a showing
5 of indigency, the drug court may reduce or waive costs
6 under this subsection. Any fees received by the court from
7 an offender shall not be considered court costs or fines.

8 **7-13-1608. Treatment and support services.**

9 (a) Each drug court shall establish a system to
10 ensure that drug offenders are placed into a clinically
11 approved substance abuse treatment provider certified by
12 the Department of Health. Each drug court team shall
13 determine the type of treatment program and duration
14 necessary so that a drug offender's individualized needs
15 can be addressed. This determination should be based upon
16 objective medical diagnostic criteria. Treatment
17 recommendations accepted by the court, pursuant to this
18 Act, shall be deemed to be reasonable and necessary.

19 (b) An adequate continuum of care for drug offenders
20 shall be established in response to this Act.

21 (c) The relationship between the treatment program
22 and the court shall be governed by a Memorandum of
23 Understanding, which should include the timely reporting of

1 the drug offender's progress or lack thereof to the drug
2 court.

3 (d) It is essential to provide offenders with
4 adequate support services and aftercare.

5 (e) Recognizing that drug offenders are frequently
6 dually diagnosed, appropriate services should be made
7 available, where practicable.

8 (f) Recognizing that the longer a drug offender stays
9 in treatment, the better the outcome, the length of stay in
10 treatment should be determined by the drug court team based
11 on individual needs and accepted practices.

12 **7-13-1609. Drug Testing.**

13 (a) The drug court team shall ensure fair, accurate,
14 and reliable drug testing procedures.

15 (b) The drug offender shall be ordered to submit to
16 frequent, random, and observed drug testing to monitor
17 abstinence.

18 (c) The results of all drug tests shall be provided
19 to the drug court team as soon as practicable, but in the
20 event of a positive drug test, not later than seven days
21 from the test.

22 (d) Anyone in receipt of drug test results shall
23 maintain the information in compliance with the
24 requirements of federal and state confidentiality laws.

1 (e) The drug offender shall be responsible for costs
2 of drug testing, pursuant to W.S. 7-13-1607(f).

3 **7-13-1610. Program Integrity and Offender**
4 **Accountability**

5 (a) Drug court(s) shall collect and maintain the
6 following:

7 (i) prior criminal history;

8 (ii) prior substance abuse treatment history,
9 including information on the drug offender's
10 success or failure in those programs;

11 (iii) employment, education, and income
12 histories;

13 (iv) gender, race, ethnicity, marital, family
14 status, and any child custody and support
15 obligations;

16 (v) the number of (both addicted and healthy)
17 babies born to female drug offenders during and
18 after participation in drug court;

19 (vi) instances of relapse and recidivism
20 occurring before, during, and after successful
21 completion of drug court. Relapse and recidivism
22 shall be measured at intervals of one, two and
23 five years after successful graduation;

1 (vii) instances of relapse and recidivism
2 occurring before, during, and after a drug
3 offender's failed participation in drug court;

4 (viii) the number of offenders screened for
5 eligibility, the number of eligible drug
6 offenders who were and were not admitted and
7 their case dispositions;

8 (ix) the drug of choice and the estimated
9 daily financial cost to the drug offender at the
10 time of entry into the program;

11 (x) costs of operation and sources of
12 funding.

13 (b) A drug offender may be required as a condition of
14 probation or parole to provide the information described in
15 this subsection. The collection and maintenance of
16 information under this section shall be collected in a
17 standardized format according to applicable guidelines as
18 set forth by the Department of Health pursuant to W.S. 7-
19 13-1604(c)

20 (c) To protect drug offender's privacy in accordance
21 with federal and state confidentiality laws, treatment
22 records must be kept in a secure environment separated from
23 the court records to which the public has access.

1 (d) Drug court(s) shall comply with all state and
2 federal due process requirements.

3 (e) Drug court team members and staff shall be
4 trained in accordance with W.S. 7-13-1604(c).

5 **7-13-1611. State Commission and Local Advisory**
6 **Committees**

7 (a) The State Drug Court Advisory Commission shall be
8 established to plan, implement, and develop statewide drug
9 courts. It shall make recommendations concerning the
10 legal, policy, and procedural issues confronting the
11 state's drug courts.

12 (b) The State Drug Court Advisory Commission shall
13 consist of members of the executive, legislative, and
14 judicial branches. The commission shall be comprised of
15 the following:

16 (i) Two (2) members of the Wyoming Senate,
17 appointed by the president of the senate. Not
18 more than one (1) member shall be of the same
19 political party. The president of the senate
20 shall designate a cochairman of the committee;

21 (ii) Two (2) members of the Wyoming house of
22 representatives, appointed by the speaker of the
23 house. Not more than one (1) member shall be of
24 the same political party. The speaker of the

1 house shall designate a cochairman of the
2 committee.

3 (iii) Three (3) judges appointed by the chief
4 justice.

5 (iv) the chief justice;

6 (v) One (1) county and prosecuting attorney,
7 appointed by the Wyoming county and prosecuting
8 attorneys' association;

9 (vi) the state public defender;

10 (vii) director of the department of health;

11 (viii) director of the department of
12 corrections;

13 (ix) the attorney general or his designee;

14 (x) director of the department of family
15 services

16 (c) The State Drug Court Advisory Commission shall
17 make recommendations to the chief justice, the governor,
18 and the Joint Judiciary Committee for developing a
19 comprehensive, coordinated state policy concerning the
20 extent to which drug courts can provide a meaningful
21 solution to the devastating effect of substance abuse on
22 society.

1 (d) The commission shall recommend to the Department
2 of Health criteria for eligibility, procedural rules,
3 guidelines for operation, and standards and protocols.

4 (e) The commission shall promote training and
5 technical assistance for criminal justice personnel and
6 education for the public about the effectiveness of drug
7 court.

8 (f) The senior district judge shall appoint a local
9 advisory committee for each county within the judicial
10 district that operates a drug court(s). The local advisory
11 committee shall ensure quality, efficiency, and fairness in
12 planning, implementing, and operating the drug court(s)
13 that serve the county. The local advisory committee shall
14 establish evaluation criteria and procedures including
15 tracking the status of drug offenders after concluding drug
16 court. The critical performance measures to be collected
17 shall include those set forth in W.S. 7-13-1610(a). The
18 local advisory committee shall ensure the provision of a
19 full continuum of care for drug offenders and monitor the
20 cooperation and relationship between multiple drug courts
21 within a county.

22 (g) The local advisory committee shall annually
23 report regarding the previous fiscal year to the state drug

1 court advisory commission by August 1 of each year. The
2 report must include:

- 3 (i) a description of the drug court(s)
4 operating within the county;
- 5 (ii) participating judge(s);
- 6 (iii) community involvement;
- 7 (iv) education and training;
- 8 (v) use of existing resources;
- 9 (vi) collaborative efforts;
- 10 (vii) an evaluation of the critical data
11 elements required by W.S. 7-13-1610(a).

12 (h) The state drug court advisory commission shall
13 provide a statewide report annually to the supreme court,
14 governor, and joint judiciary committee regarding the need
15 for, and implementation of, this Act. The report shall
16 include a synopsis of such information or data necessary to
17 determine the impact, utility and cost and cost
18 effectiveness of its implementation and ongoing operation.

19 **7-13-1612. Immunity from liability.**

20 (a) Any individual who, in good faith, provides
21 services pursuant to this Act, shall not be liable in any
22 civil action. The grant of immunity provided for in this
23 subsection shall extend to all employees and administrative
24 personnel.

1 (b) Any qualified person who obtains, in a medically
2 acceptable manner, a specimen of breath, blood, urine, or
3 other bodily substance pursuant to any provision of this
4 Act shall not be liable in any civil action.

5

6 **Section 2.** W.S. 5-9-134, 7-13-304, 7-13-402, 14-3-429,
7 and 14-6-247 are amended to read:

8

9 **5-9-134. Probation correction and reduction of sentence.**

10 The circuit court may place a criminal defendant on
11 probation pursuant to W.S. 7-13-301 through 7-13-307.
12 Notwithstanding any other provision of law, the probation
13 period for a defendant whose disposition includes
14 participation in a substance abuse treatment program or a
15 drug court may exceed the maximum term of imprisonment
16 established for the offense, but shall not exceed ~~two (2)~~
17 three (3) years. The court shall conduct, on at least a
18 monthly basis, a review on the progress of a defendant
19 sentenced to treatment under this section. The review may
20 be conducted in a manner the court deems appropriate, but
21 shall include receiving regular progress reports from the
22 treatment provider.

23 **7-13-304. Imposition or modification of conditions;**
24 **performance of work by defendant; imposition of drug court.**

1 (d) As a condition of probation or suspension of
2 sentence, the court may require a defendant to successfully
3 complete a drug court program pursuant to W.S. 7-13-1601
4 through 7-13-1612.

5 **7-13-402. General powers and duties of board; eligibility**
6 **for parole; immunity.**

7 (c) In granting a parole the board shall fix terms
8 and conditions it deems proper to govern the conduct of the
9 parolee while the parole is in effect. The terms and
10 conditions may:

11 (i) Be special in each case, ~~or they may~~ including
12 ordering a parolee to participate in a drug court program
13 qualified under W.S. 7-13-1601 to 7-13-1612, provided the
14 drug court accepts the parolee for participation in the
15 drug court program. The drug court program must be
16 specialized as a reentry drug court;

17 (ii) Be prescribed by general rules and regulations of
18 the board; ~~7~~ or

19 (iii) Both.

20 (j) A parolee who enters a qualified drug court
21 program shall be subject to the sanctioning powers of the
22 drug court but shall remain under the authority of the
23 board for all other matters related to the parolee's
24 continuing parole.

1 **14-3-429. Decree where child adjudged neglected;**
2 **dispositions; terms and conditions; legal custody.**

3 (d) As a part of any order of disposition and the
4 terms and conditions thereof, the court may:

5 (iv) Require the child's parents or guardian and
6 the child to participate in a drug court program qualified
7 under W.S. 7-13-1601 to 7-13-1612, provided the drug court
8 accepts the child's parents or guardian and child for
9 participation in the drug court program. The drug court
10 program must be specialized as a family dependency
11 treatment court.

12 **14-6-247. Sanctions common to all levels.**

13 (a) For a child at any sanction level, the juvenile
14 court may:

15 (xiv) Require the child or the child's
16 parent's or guardian and the child to participate in a drug
17 court program qualified under W.S. 7-13-1601 to 7-13-1612,
18 provided the drug court accepts the child's parents or
19 guardian and/or the child for participation in the drug
20 court program. The drug court program must be specialized
21 as either a family dependency treatment court or a juvenile
22 drug court.

23

1 **Section 3.** W.S. 5-10-101 through 5-10-107; 7-13-
2 1201 through 7-13-1205; 2007 Session Laws Ch. 201 are
3 repealed.

4

5 **Section 4.** This act is effective immediately upon
6 completion of all acts necessary for a bill to become law
7 as provided by Article 4, Section 8 of the Wyoming
8 Constitution.

9

10 (END)