

Marmarie Kostelny
Presiding Judge

Julissa Gonzalez
Program Coordinator



16th JUDICIAL CIRCUIT KANE COUNTY TREATMENT ALTERNATIVE COURT

37W777 Route 38, St. Charles, IL 60175
Phone: (630)444-3158 Fax: (630)232-5825

Thank you for your interest in the Kane County Treatment Alternative Court (TAC). Eligibility and exclusionary criteria, basic program information, a referral form and a copy of the TAC Consent to Participate form have been included for your review.

Referral forms for the TAC program can be completed by Presiding Judges, defense attorneys, State's Attorney's Office representatives or Kane County Diagnostic Center representatives and submitted to the TAC Coordinator at (630)444-3158, or by email at gonzalezjulissa@16thcircuit.illinoiscourts.gov. Upon receipt of the referral, the referred defendant will be contacted and an office appointment will be scheduled to screen him/her for initial eligibility.

Should you have questions regarding the Treatment Alternative Court referral process please contact the TAC Coordinator at (630)444-3158 or gonzalezjulissa@16thcircuit.illinoiscourts.gov. On behalf of the Treatment Alternative Court team, we look forward to working with you.

Sincerely,

Julissa Gonzalez
Program Coordinator
Kane County Treatment Alternative Court

Treatment Alternative Court Eligibility Criteria

As stated in (730 ILCS 168/20) The Mental Health Court Treatment Act:

Section 20. Eligibility.

- (a) A defendant, who is eligible for probation based on the nature of the crime convicted of and in consideration of his or her criminal background, if any, may be admitted into a mental health court program only upon the agreement of the defendant and with the approval of the court.
- (b) A defendant shall be excluded from a mental health court program if any one of the following applies:
 - (1) The crime is a crime of violence as set forth in clause (3) of this subsection (b).
 - (2) The defendant does not demonstrate a willingness to participate in a treatment program.
 - (3) The defendant has been convicted of a crime of violence within the past 10 years excluding incarceration time, specifically first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson, arson, aggravated kidnapping, kidnapping, aggravated battery resulting in great bodily harm or permanent disability, stalking, aggravated stalking, or any offense involving the discharge of a firearm.

The Treatment Alternative Court team will act in accordance with the above referenced Mental Health Court Treatment Act to determine eligibility of Kane County Treatment Alternative Court referrals.

Treatment Alternative Court Eligibility Criteria

Kane County Residency

- Referred defendants must reside in Kane County at the time of initial referral or be willing and have the necessary resources to relocate to Kane County prior to the time of plea. Kane County residency must be maintained during Treatment Alternative Court program participation.

Required age

- Participants must be 18 years old or older at the time of their initial screening for eligibility for the Treatment Alternative Court program.

Eligible offense

- The following offenses, in addition to the violent offenses listed in the Mental Health Court Treatment Act are excluded from entry into the Treatment Alternative Court:
 - Residential burglary
 - All sex offenses except prostitution
 - All offenses involving deadly substances
 - All non-probationable offenses
 - DUI offenses
- All criminal misdemeanor offenses with the exception of those offenses that involve a weapon are eligible for the Treatment Alternative Court program.
- All Class II, III, and IV felonies that do not involve bodily harm, the use of a weapon or mandatory penitentiary time are eligible for the Treatment Alternative Court program.
- Verification of having a mental illness, co-occurring disorder, or developmental disability
- Guilty plea entered for current charges
- Legal eligibility will be reviewed by the State's Attorney Office
- Currently not supervised by Probation or Parole in another county if cannot be transferred to Kane County.
- Voluntary participation, with participants having a full understanding of the program requirements as explained to them

Please contact the TAC Coordinator with questions regarding eligibility criteria.

Treatment Alternative Court Exclusionary Criteria

Offenses excluded from entry into the Treatment Alternative Court include but are not limited to:

- First degree murder
- Second degree murder
- Predatory criminal sexual assault of a child
- Aggravated criminal sexual assault
- Criminal sexual assault
- Armed robbery
- Aggravated arson
- Arson
- Aggravated kidnapping
- Kidnapping
- Aggravated Battery resulting in great bodily harm or permanent
- Aggravated stalking
- Stalking
- Any offense involving the discharge of a firearm
- Residential burglary
- All sex offenses except prostitution
- All offenses involving deadly substances
- All non-probationable offenses
- DUI offenses

Felony Program

Team/Court Supervision and Treatment - Phase 1

- Weekly appearance before the Court
- Office meetings with the TAC Coordinator as determined by the TAC coordinator or TAC team
- Additional contact with the TAC Coordinator as determined by the TAC coordinator or TAC team
Coordinator contact may include home visits, treatment visits, employment visits or telephone conferences with participant, family member, treatment providers, or employers.
- DNA sample collection if participant has plead to a Felony offense
- Psycho-Social Rehabilitation (PSR) programming as determined by TAC team
- Weekly case management /counseling appointments
- Daily medication compliance
- Psychiatric appointment compliance
- Random drug screen compliance
- MISA/substance abuse treatment as determined by TAC team
- Self-help I support group attendance as determined by TAC team

Team/Court Supervision and Treatment - Phase 2

- Bi-monthly appearance before the Court
- Office meetings with the TAC Coordinator as determined by the TAC coordinator or TAC team
- Additional contact with the TAC Coordinator as determined by the TAC Coordinator or TAC team
Coordinator contact may include home visits, treatment visits, employment visits and/or telephone conference with participant, family member, treatment providers, or employers.
- Psycho-social Rehabilitation (PSR) programming as determined by TAC team
- Case management/counseling appointment compliance
- Daily medication compliance
- Psychiatric appointment compliance
- Random drug screen compliance
- MISA/ substance abuse treatment as determined by TAC team
- Self-help I support group attendance as determined by TAC team

Felony Program

Team/Court Supervision and Treatment - Phase 3

- Monthly appearances before the court
- Office meetings with TAC coordinator as determined by the TAC Coordinator or TAC team
- Additional contact with TAC Coordinator as determined by the TAC Coordinator or TAC team
 - Coordinator contact may include home visits, treatment visits, employment visits and/or telephone conference with participant, family member, treatment providers, or employers.
- Obtain employment or volunteer position; or enroll in educational courses (GED classes, higher educational, vocational training, etc.)
- Psychosocial Rehabilitation (PSR) programming as determined by TAC team if not involved in educational or vocational activities
- Case management/counseling appointment compliance
- Daily medication compliance
- Psychiatric appointments at minimum every 90 days
- Random drug screen compliance
- MISA/ substance abuse treatment as determined by TAC team
- Self-help I support group attendance as determined by TAC team

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TO BE COMPLETED BY REFERRING PARTY--PLEASE COMPLETE AND FORWARD TO THE
TREATMENT ALTERNATIVE COURT COORDINATOR

Defendant's name: _____

Address: _____ Apt #: _____

City: _____ Zip: _____ Home Phone: _____

Cell #: _____ Alternate Phone: _____

Defendant DOB: _____ Age: _____ Race: _____

Sex: Male: _____ Female: _____ SSN: _____

Attorney: _____ Attorney Contact Info: _____

Emergency Contact: _____ Relationship: _____

Address: _____ City: _____ Zip: _____

Phone: _____ Cell #: _____

<u>Case #</u>	<u>Current Charge</u>	<u>Class of Offense</u>

Best time for defendant to be contacted by TAC Coordinator:
(Days / Time) _____

Is the defendant currently incarcerated? Yes: _____ No: _____

Location: _____

Reason for Referral: _____

Date submitted to program coordinator: _____

Submitted By: _____

Print name Signature

NOTICE

IF YOU HAVE AN OUTSTANDING WARRANT IN ANY COURT, YOU MAY BE ARRESTED UPON ENTERING THE KANE COUNTY JUDICIAL CENTER.

IF YOU HAVE A SCHEDULED APPOINTMENT WITH THE TREATMENT ALTERNATIVE COURT COORDINATOR, PLEASE ENSURE ANY OUTSTANDING WARRANTS ARE QUASHED BY COURT ORDER PRIOR TO ATTENDING THE SCHEDULED APPOINTMENT.

THE TAC REFERRAL PROCESS WILL NOT BEGIN UNTIL ALL OUTSTANDING WARRANTS FOR THE REFERRED DEFENDANT HAVE BEEN QUASHED.