

**FAMILY VIOLENCE EDUCATION PROGRAM
APPLICATION, ORDERS AND DISPOSITION**

JD-FM-97 Rev. 10-21
C.G.S. §§ 46b-38a, 46b-38c(h) and (i), 53a-3; P.A. 21-102 § 16

Instructions

1. Fill out the Application section of this form, and make 2 copies.
2. File the original Application with the Clerk of Court with the \$100 application fee unless you file an Affidavit of Indigency - Fee Waiver, Criminal form (JD-AP-48) or you are or are eligible to be represented by a Public Defender.
3. Send 1 copy to the prosecuting attorney. Keep 1 copy for your records.

STATE OF CONNECTICUT
SUPERIOR COURT

www.jud.ct.gov



For information on ADA accommodations, contact a court clerk or go to: www.jud.ct.gov/ADA.

TO: The Superior Court of the State of Connecticut

Name and address of defendant (Number, street, town, and zip code)

Docket number

Name and address of court

Crime(s) charged (Name and statute number)

E-mail address of defendant

Application

I have been charged with a family violence crime, and I am applying for the Family Violence Education Program.

If the Court grants my application:

1. I agree to the tolling of the statute of limitations in this case. (This gives the state more time to prosecute you in this case if you do not successfully finish the program.)
2. I agree to waive (give up) my right to a speedy trial in this case.
3. I understand that I will be subject to the \$300 program fee. (Select one.)

I will pay the \$300 program fee.
 I am or I am eligible to be represented by a Public Defender, so the court must waive the fee.
 I cannot afford the program fee, and ask the court to waive the fee.

(You must file an Affidavit of Indigency - Fee Waiver, Criminal form (JD-AP-48) with the Clerk if you select this.)

I understand that the Court cannot allow me into the Family Violence Education Program if:

1. I have been convicted of any "family violence crime" that happened on or after October 1, 1986.
("Family violence crime" is defined in General Statutes § 46b-38a.)
2. I have used the Family Violence Education Program for any other case before.
3. I have used the Accelerated Rehabilitation program for any "family violence crime" that happened on or after October 1, 1986.
(The Accelerated Rehabilitation program is allowed under General Statutes § 54-56e.)
4. I am charged with a class A, B, or C felony in this case.
5. I am charged with an unclassified felony for which the punishment could be a term of imprisonment of more than 10 years in this case.

If I am charged with one of the offenses listed below, I also understand that the Court can only allow me into the Family Violence Education Program if it finds good cause (a good reason). (Select all that apply.)

I am charged with a class D felony in this case.
 I am charged with an unclassified offense for which the punishment could be a term of imprisonment of more than 5 years in this case.
 I am charged with an offense in this case that caused the "serious physical injury" of another person.
("Serious physical injury" is defined in General Statutes § 53a-3.)

If you chose any check box above, you must explain to the court in writing why you think there is good cause to allow you into the program. You must attach your written explanation to this Application before you file it with the Clerk of Court.

Dismissal Application

If the Court grants my Application and I complete the Family Violence Education program, I also ask the Court to dismiss this case if it finds that I have successfully completed the education program and that I have followed all of the conditions that the Court set during the Family Violence Education Program.

By signing this form, I am saying that I have read this whole Application, or that I have had this whole Application read to me, and I understand it. I ask the court to allow me into the Family Violence Education Program.

| | | | |
|--------------------|-------------|--|-------------|
| Signed (Defendant) | Date signed | If Minor, Consented to By (Parent or Guardian) | Date Signed |
|--------------------|-------------|--|-------------|

For Court Use Only

| | | | |
|--|--|-----------------------------|--|
| Date Victim Notified (Use form JD-FM-96) | Date of Family Violence Intervention Unit Report | | |
| Affidavit of inability to pay or indigency | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Continuances (If Any) | To | | |
| | To | | |

Oath (Optional with the Court)

The defendant appeared before the undersigned individual, designated by the clerk and duly authorized to administer oaths, and confirmed, and swore that the statements made in the application and, if applicable, any statements attached to the application containing the reasons why the defendant believes good cause exists for the court to allow them into the program even though they are charged with a class D felony, an unclassified offense for which the punishment could be a term of imprisonment of more than 5 years, or an offense that caused serious physical injury to another person.

| | | |
|---|------------|------|
| Signed (Assistant Clerk/Duly Authorized person) | Print name | Date |
|---|------------|------|

First Order of Court

The application is denied.
 The defendant is referred to the Family Violence Intervention Unit, and this case is continued to the Court Hearing Date and Time listed below and pending the submission of the report of the Family Violence Intervention Unit to the court.

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|-----------------------------|--------------------------------|-------------|
| Court Hearing Date and Time | Signed (Judge/Assistant Clerk) | Date Signed |
|-----------------------------|--------------------------------|-------------|

Second Order of Court

THE COURT, having considered the application, the report of the Family Violence Intervention Unit, and the statement(s), if any, of the victim(s) finds:

That the defendant is eligible for the Family Violence Education Program.
 That the defendant is charged with a class D felony, an unclassified offense for which the punishment could be a term of imprisonment of more than 5 years, or an offense that caused serious physical injury to another person, and that good cause exists to allow the defendant into the program.
 That the defendant is NOT eligible for the Family Violence Education Program.

The court orders:

The application is DENIED.
 The application is GRANTED, and the defendant is released to the custody of the Family Violence Intervention Unit for the period of _____ (specify period). The following conditions are also imposed:

The court denies the application for waiver of fee.
 The defendant is ordered to pay the clerk the applicable program fee.
 The court waives the fee, having found that the defendant is indigent or unable to pay, or because the defendant is or is eligible to be represented by a Public Defender.

| | |
|-----------------------------------|------|
| <input type="checkbox"/> FEE PAID | |
| Clerk's Initials | Date |

| | | |
|-----------------------------------|--------------------------------|------|
| Case continued to (Date and Time) | Signed (Judge/Assistant Clerk) | Date |
|-----------------------------------|--------------------------------|------|

Disposition (Complete One Side Only)

Program successfully completed and charges dismissed
 Program not successfully completed
 Conditions not complied with

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|--------------------------------|------|--------------------------------|------|
| Signed (Judge/Assistant Clerk) | Date | Signed (Judge/Assistant Clerk) | Date |
|--------------------------------|------|--------------------------------|------|