
Anchorage Felony DUI Court Eligibility Standards (additional standards may exist)

Minimum Standard

A defendant is eligible for consideration for participation in the Anchorage Felony DUI Court if:

1. The *situs* of the alleged crime is within the Anchorage venue district; and
2. The defendant is:
 - a. currently charged with a felony DUI or felony refusal;
 - b. on probation for a felony DUI or felony refusal and has not previously participated more than once in the therapeutic court; or
 - c. currently charged with DUI or refusal & has two or more DUI or refusal convictions within the past 10 years
 - d. has not previously participated more than once in a drug or alcohol therapeutic court
 - e. is 18 years old or older
 - f. the current charge has not been indicted.

A defendant who meets the requirements set forth above cannot participate in the Anchorage Felony DUI Court if the defendant:

1. is charged with an unclassified felony, a class A felony or an offense under AS11.41 defined as offense against the person
2. prior felony offense under AS 11.41 or a similar offense in another jurisdiction
3. any prior drug distribution history
4. has ever been convicted in a homicide case.

The AWC is a problem-solving court or therapeutic court that hears cases involving defendants with substance abuse problems who are charged with felony offenses. The court ensures public safety while focusing on treatment and rehabilitation of the individual.

The Anchorage Wellness Felony Court is a cooperative effort by:

- Alaska Court System
- Alaska Department of Law
- Alaska Public Defender Agency
- Alcohol Safety Action Program

Anchorage Felony DUI Court Status Hearings are open to the public.

They are held on Mondays at 2:30 p.m.
Nesbett Courthouse
825 W. 4th Avenue, Anchorage
(907)264-0892

For more information:

Anchorage Wellness Court
Project Coordinator
303 K Street #248
Anchorage, AK 99501
(907)264-0892

Alaska Therapeutic Courts

Anchorage Wellness Felony DUI Court

Mission Statement

The mission of the Anchorage Wellness Courts (AWC) is to enhance the quality of life in our community and public safety by breaking the cycle of criminality of drug-and-alcohol-addicted persons, and to reduce the cost associated with re-arrest, criminal case processing, confinement, and jail overcrowding. Using evidence-based practices, the Anchorage Wellness Court supports participants' abstinence from drugs and alcohol and promotes self-sufficiency while they reside in the community and rebuild their lives.

Who is eligible?

The Felony DUI Court is a voluntary court for defendants who want to overcome addiction to alcohol and other drugs and achieve sobriety. To be considered your case needs to be in pre-indictment stage. You must have been charged with a felony DUI anywhere in Alaska, but will need to reside in Anchorage during participation in the program. Defendants must meet all Eligibility Standards (some of which are listed on the back of this brochure).

What are the program benefits?

- Expedited substance abuse treatment
- Reduced jail time and fines
- Eligibility for limited drivers' license
- If eligible, financial assistance for treatment services, housing, and other basic needs
- Case management support
- Achieve life time sobriety and avoid future criminal involvement.

How does AWC work?

The program involves a team of designated and specially trained professionals who meet regularly and consistently participate in AWC proceedings.

The AWC case plan requires each participant adhere to the following:

- Work with a case manager
- Participate in a substance abuse assessment
- Participate in substance abuse treatment
- Adhere to any referrals for services outside of the scope of the court or substance abuse treatment such as mental health, medical, behavioral health, or vocational/employment services
- Attend community-based recovery meetings as assigned
- Participate in Moral Reconciliation Therapy
- Maintain engagement in structured activity
- Undergo regular alcohol and drug testing
- Maintain sobriety
- Participate for 18 months

The judge will monitor the defendant's case plan through regular status hearings and standardized reporting from various members of the AWC team.

How much does it cost?

The first 12 weeks of the program will be at no cost to the participant. After the initial 12 weeks the participant will be assessed for program fees based on their budget and on a sliding fee scale.

How do I enter AWC?

The district attorney flags certain cases that meet the initial legal criteria for AWC. In addition, your attorney can request an application to AWC. Interested defendants may watch AWC proceedings with no commitment to participate. If they desire to enter the program and the AWC team agrees, defendants may "opt-in" to the program. If they decide they are not interested, their case will proceed in regular court proceedings.

What is required to enter?

- The defendant will be asked to complete an application packet and forms.
- The defendant will be scheduled for court observation and informed whether or not he/she will be eligible to continue through the admission process.
- The defendant will be given an opportunity to "opt in" to the AWC.
- A case coordinator is assigned to assist in completing the remaining requirements of the referral/admission process.
- The district attorney offers a Criminal Rule 11 that incorporates the AWC case plan.
- The defendant accepts the agreement and enters a plea.
- The AWC judge approves the negotiated sentence agreement.