



## Wayne County Common Pleas Court Adult Probation Department Intervention in Lieu of Conviction Process

---

- A. Attorney of record files a motion for Intervention in Lieu of Conviction
- B. Directly after the offender's pretrial, he/she will be referred to the Probation Department.
- C. The assigned probation officer will conduct the following:
  1. Complete the Intervention in Lieu of Conviction Eligibility Checklist
  2. Ensure that a journal entry is filed indicating that the defendant's proceedings are stayed to allow the defendant to be assessed pursuant to O.R.C. 2951.041 (A) and that an assessment/treatment plan shall be submitted to the court within 45 days
  3. Refer and schedule the offender to the appropriate treatment provider for the chemical dependency assessment / treatment plan.
  4. Have the offender sign releases of information to:
    - a. The Court/Probation Department
    - b. Attorney of record
    - c. Any other entities involved in the case
  5. Conduct a criminal history check
  6. Obtain the police report and supplemental information
  7. Forward all pertinent information including the court order to the treatment provider.

### **Intervention in Lieu of Conviction Assessment/Treatment Plan**

- A. The treatment provider will complete and return the assessment / treatment plan to the assigned officer within 45 days of the pre-trial.
- B. As required by the Ohio Revised Code the assessment/treatment plan will include the following mandated information to determine eligibility:
  1. In your professional opinion was drug and/or alcohol use a contributing factor in the criminal offense for which the offender was charged?
  2. In your professional opinion would intervention substantially reduce the likelihood of any future criminal activity?
- C. When the assessment/treatment plan is received, the assigned officer will forward a copy to the Court, attorney of record and the prosecutor.

### **Assigned Probation Officer**

- A. The assigned probation officer will handle *all* intervention cases.
- B. The assigned officer will work in collaboration with the identified treatment provider to assist in the coordination of the referral process and obtaining the assessment / treatment plan within 45 days of the pre-trial.