



## Maryland Drug Courts

**IMPORTANT NOTE: Laws change frequently, and this may not be an up-to-date description of drug court statutes, availability, or eligibility requirements. Talk with a lawyer in your state if you have questions about drug court availability and eligibility.**

§ 6-229 of the Maryland Code's Criminal Procedure Article	Available for:
<p>Courts can divert defendants to drug treatment before they enter a guilty plea only if a motion is made by the State's Attorney – the State's Attorney can make the motion on his own, or the defendant can request that the State's Attorney make this motion.</p> <p>If the motion is granted, and the defendant successfully completes drug treatment, the State's Attorney either</p> <ol style="list-style-type: none"> <li>1. Enters a nolle prosequi (see Maryland Rule 4-247, Criminal Causes) on the court docket, thus dismissing the charge and the case against the defendant, OR</li> <li>2. Moves that the court indefinitely postpone trial of the charge by marking the charge stet (see Maryland Rule 4-248, Criminal Causes) on the court docket. A charge marked as stet may be rescheduled for trial at the request of either party within one year after the charge is steted. After that year, the charge can only be scheduled for trial by order of the court, and only if good cause is shown.</li> </ol>	<p>Defendants who</p> <ol style="list-style-type: none"> <li>1. Have NOT been charged with a crime of violence (see § 14-101 of the Criminal Law Article) or with any of the following violations of the Criminal Law Article: §§ 3-601 through 3-607; §§ 3-801 through 3-806; § 3-203; § 3-204; § 5-612; § 5-613; § 5-614; § 5-621; § 5-622; or § 5-628, <u>and</u></li> <li>2. Have NOT been convicted of a crime of violence (see § 14-101 of the Criminal Law Article) within the previous 5 years, <u>and</u></li> <li>3. Undergo an evaluation to determine if they are amenable to drug or alcohol treatment, <u>and</u></li> <li>4. Sign a consent to release any treatment information that may be necessary to notify criminal justice units of the nolle prosequi or stet, <u>and</u></li> <li>5. Unless the court makes a finding on the record that a defendant is financially unable to pay, pay a \$150 administrative fee to the court. (This fee goes into the Maryland Substance Abuse Fund.)</li> </ol>