

Policy on Transfers:

Please do not accede to requests to transfer venue unless:

- All parties agree to the transfer AND
- One of the following conditions is met:
 - A resolution has already been reached and reduced to writing. The purpose of the transfer is to hold a consolidated COP/Sentencing hearing for convenience of the parties; OR
 - The purpose of the transfer is to allow a defendant to participate in a program that does not exist in the sending county (ex: DUI Treatment Court, Drug Court), and the defendant has already been accepted into that program in the receiving county; OR
 - There is a conflict of interest here in Windsor County. (Please speak with me if you perceive a conflict.)

Also, kindly note that venue and jurisdiction are separate concepts. If you file a motion or stipulation to transfer venue pursuant to V.R.Cr.P. 21 from Sending Court to Receiving Court, it does not follow that Receiving State's Attorney's Office has jurisdiction over the case. If you wish to transfer venue, please come speak with me to ensure that we have deputized someone in the Receiving State's Attorney's Office so that the Receiving SA Office will have jurisdiction. Just because DSA "X" in County "Z" has agreed take the case does not mean that DSA "X" is actually deputized to prosecute a case arising from criminal conduct that occurred in Windsor County.

When in doubt, come talk to me.