

IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED
JAN 11 2002
NOEL K. DESSAINT
CLERK SUPREME COURT
BY

In the Matter of:)

ARIZONA CODE OF JUDICIAL)
ADMINISTRATION § 6-207:)
UNIFORM CONDITIONS OF)
PROBATION)
_____)

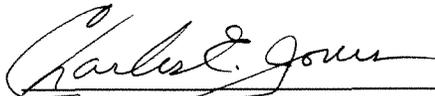
Administrative Order
No. 2002 - 8

The above captioned provision having come before the Arizona Judicial Council on December 13, 2001, and having been approved and recommended for adoption,

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the above captioned provision, attached hereto, is adopted as a section of the Arizona Code of Judicial Administration.

Dated this 11th day of January, 2002.



CHARLES E. JONES
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 6: Probation
Chapter 2: Adult Services
Section 6-207: Uniform Conditions of Probation

A. Definitions. In this section the following definitions apply:

“Court” means the superior court.

“Presiding judge” means the presiding judge of the superior court in each county.

B. Applicability. Based on the administrative authority provided by Article VI, Section 3 of the Arizona Constitution, the attached forms and the following procedures shall govern the uniform conditions of probation imposed by the superior court.

C. Purpose. The attached uniform conditions of probation are adopted in order to ensure consistency among courts and probation departments.

D. General Administration.

1. Each presiding judge shall ensure all judges within their jurisdiction use the uniform conditions of probation.
2. A court shall not alter or modify the uniform conditions of probation.
3. If special conditions are imposed, the court shall attach a separate document containing those conditions.

E. Committee.

1. The AOC shall establish the Uniform Probation Conditions Committee with representatives from each local probation department.
2. The Uniform Probation Conditions Committee shall annually review the uniform conditions of probation and recommend any revisions.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
UNIFORM CONDITIONS OF PROBATION

STATE OF ARIZONA

COUNTY / DIVISION: _____

VS. _____

CASE / CR: _____

A.R.S. §13-901.01 [] 1st Offense [] 2nd Offense

SID #: AZ _____

[] Reinstatement Commencing [] Today's Date [] This Date: _____

IT IS THE JUDGMENT OF THE COURT THAT THE DEFENDANT IS GUILTY OF: _____

It is ordered suspending imposition of sentence and placing defendant on probation under supervision of the Adult Probation Department (APD) for a period of _____ [] year(s) [] month(s) from this date: ____/____/____ under the following conditions.

THE DEFENDANT SHALL: (Conditions Checked Also Apply)

- 1. Obey all laws.
2. Not knowingly associate with any person engaged in criminal activity...
3. Report as directed by the APD.
4. Let the APD know where you live and provide safe access...
5. Submit to search and seizure of your person or property by the APD without a search warrant.
6. Not possess or control any firearms, ammunition or deadly weapons...
7. Not possess or use illegal drugs, toxic vapors, prescription drugs without a valid prescription...
8. Not drink any alcoholic beverage to excess.
9. Submit to drug and alcohol testing, as directed by APD.
10. Participate and cooperate in any program of counseling or assistance as directed by APD.
11. Seek, obtain and maintain employment and / or attend school as directed by APD and advise of any change.
12. Not leave the state without written permission of the APD.
13. Waive extradition for any probation revocation proceedings in this matter, pursuant to A.R.S. § 13-901.
14. Provide a sample for DNA testing as defined by law.
15. Abide by and comply with any written directive of the APD to enforce compliance with the conditions of probation.

- [] 16. Not drink any alcoholic beverage.
[] 17. Not have any contact with the victim(s) whatsoever, unless approved in writing by the APD.
[] 18. Complete _____ hours of approved community work service at a minimum rate of 20 hours per month beginning at sentencing or as otherwise directed in writing by the APD.
[] 19. Apply for Interstate Compact supervision in the state of _____, and, if accepted, abide by all rules and regulations of the program. Do not proceed to any state prior to acceptance unless a resident of that state, or reporting instructions are received from that state.
[] 20. Not remain in or return to the United States illegally, if deported or processed through voluntary departure. All conditions except for #1 are suspended while outside the United States.
[] 21. Be incarcerated in the county jail for _____ [] days [] months, beginning ____/____/____ with credit for _____ days served. Upon screening and acceptance, abide by all conditional release program rules. Report to the APD within 72 hours of release.
[] 22. Be committed to the Arizona Department of Corrections for _____ [] months [] years, with credit for _____ days served. Report to the APD within 72 hours of release.
[] 23. Abide by the Judgment and Orders of Restitution, Fines and Fees in this case.
[] 24. Register as a Sex Offender as defined by law.
[] 25. Abide by the attached special conditions of probation.
[] 26. _____

RECEIPT AND ACKNOWLEDGMENT: I hereby acknowledge receipt of the conditions of probation and, if applicable, the attached addenda to these conditions. I understand and will comply with the conditions. I understand that a violation of any of the conditions could result in the revocation of my probation and the court may impose sentence upon me in accordance with the law.

Defendant _____ Date _____

Judge of the Superior Court _____ Date _____

Defendant Address _____ Apt. _____ City _____ State _____ Zip _____ Phone _____

DISTRIBUTION: Original - Court, Copies - APD, Defendant

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
CONDITIONS OF INTENSIVE PROBATION**

STATE OF ARIZONA

COUNTY / DIVISION: _____

VS.

CASE / CR: _____

SID #: AZ

PURSUANT TO CONDITION 25 OF THE UNIFORM CONDITIONS OF PROBATION THE DEFENDANT SHALL:

1. Remain at your place of residence at all times except to go to work, attend school, perform community service or as specifically allowed in each instance by the APD.
2. Perform not less than 40 hours of community service each month. Full-time students may be exempted or required to perform fewer hours of community service. For good cause the court may reduce the number of community service hours performed to not less than 20 hours each month.
3. Submit all wages to the Intensive Probation Supervision account. These wages are subject to the payment of all court ordered financial obligations and may be held and / or dispersed as authorized by the APD.
4. Abide by and comply with any written directive of the APD to enforce compliance with IPS program rules and regulations.

RECEIPT AND ACKNOWLEDGMENT: *I hereby acknowledge receipt of the conditions of intensive probation. I understand and will comply with the conditions. I understand that a violation of any of the conditions could result in the revocation of my probation and the court may impose sentence upon me in accordance with the law.*

Defendant

Date

Judge of the Superior Court / Probation Officer

Date

DISTRIBUTION: Original - Court, Copies - APD, Defendant

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA FINANCIAL JUDGMENT AND ORDER

STATE OF ARIZONA

COUNTY / DIVISION: _____

VS.

CASE / CR: _____

SID #: AZ Reinstatement Commencing Today's Date This Date _____

PURSUANT TO CONDITION 23 OF THE UNIFORM CONDITIONS OF PROBATION THE DEFENDANT SHALL ABIDE BY THE FOLLOWING JUDGMENT AND ORDERS OF RESTITUTION, FINES AND FEES:

FINANCIAL SANCTIONS	TOTAL	MONTHLY PAYMENT	BEGIN DATE
<input type="checkbox"/> Restitution A.R.S. 13-804	\$ _____	\$ _____	/ /
<input type="checkbox"/> Time Payment Fee A.R.S. 12-116	\$ _____	\$ _____	/ /
<input type="checkbox"/> Probation Fees A.R.S. 13-901	\$ _____	\$ _____	/ /
<input type="checkbox"/> Fine A.R.S. 13-801/802/821	\$ _____	\$ _____	/ /
Surcharge % _____	\$ _____	\$ _____	/ /
<input type="checkbox"/> Reimbursement	\$ _____	\$ _____	/ /
<input type="checkbox"/> Interstate Processing Fee	\$ _____	\$ _____	/ /
<input type="checkbox"/> Attorney Fees	\$ _____	\$ _____	/ /
<input type="checkbox"/> DNA Identification A.R.S. 31-281	\$ _____	\$ _____	/ /
<input type="checkbox"/> Extradition Fee	\$ _____	\$ _____	/ /
<input type="checkbox"/> Other	\$ _____	\$ _____	/ /
Total Monthly Payment	\$ _____	\$ _____	/ /

It is ordered credit be given for any monies paid to date and, if necessary, balances be adjusted accordingly. All modified orders are to be considered new orders for billing purposes.

Condition(s) # _____ of previous order dated _____ / _____ / _____ is/are deleted.

Condition(s) # _____ is/are suspended until further order.

- ▶ *If restitution is not paid in full, the court may extend the period of probation pursuant to A.R.S. §13-902(C).*
- ▶ *Should you become more than two months behind in your monthly payments, the adult probation department is authorized to order you to surrender your wages. Court ordered financial obligations will be deducted and the remainder of your wages will be returned to you.*

Defendant _____ Date _____

Judge of the Superior Court _____ Date _____

Defendant Address _____ Apt. _____ City _____ State _____ Zip _____ Phone _____

DISTRIBUTION: Original - Court, Copies - APD, Defendant