

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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**FILED**  
AUG 29 2002  
NOEL K. DESSAINT  
CLERK SUPREME COURT  
BY

In the Matter of: )  
)  
AMENDING ARIZONA CODE OF )  
JUDICIAL ADMINISTRATION § 6-202: )  
ADULT INTENSIVE PROBATION )  
)  
)  
\_\_\_\_\_ )

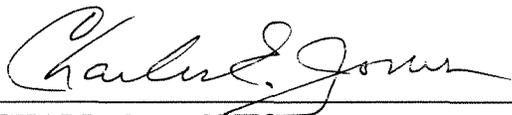
Administrative Order  
No. 2002 - 93  
(Affecting Administrative  
Order No. 2000-77)

An amendment to the above captioned section of the Arizona Code of Judicial Administration having been recommended for adoption to address a statutory change,

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

IT IS ORDERED that Arizona Code of Judicial Administration Section 6-202 is amended as indicated on the attached document. All other provisions of § 6-202, as originally adopted, remain unchanged and in effect.

Dated this 29th day of August, 2002.

  
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CHARLES E. JONES  
Chief Justice

Subsection I.1.2 of § 6-202: Adult Intensive Probation is amended to read:

**I. Sentencing Provisions.**

1. A.R.S. § 13-914(E) provides that intensive probation shall be conditioned on the offender:
  1. Maintaining employment or maintaining full-time student status at a school subject to the provisions of Title 15 or Title 32, Chapter 30 and making progress deemed satisfactory to the probation officer, or both, or being involved in supervised job search and community service work at least six days a week throughout the offender's term of intensive probation;
  2. Paying restitution and probation fees of not less than ~~\$40~~ \$50 unless, after determining the inability of the offender to pay the fee, the court assesses a lesser fee;
  3. Establishing residence at a place approved by the intensive probation team and not changing the offender's residence without the team's prior approval;
  4. Remaining at the offender's place of residence at all times except to go to work, to attend school, to perform community service and as specifically allowed in each instance by the adult probation officer;
  5. Allowing administration of drug and alcohol tests if requested by a member of the intensive probation team;
  6. Performing not less than forty 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 twenty hours each month;
  7. Meeting any other conditions imposed by the court to meet the needs of the offender and limit the risks to the community, including participation in a program of community punishment authorized in Title 12, Chapter 2, Article 11.
2. Good cause, in the context of reducing an intensive probationer's monthly community service requirement, includes but is not limited to:
  - a. Disability;
  - b. Physical or mental illness;
  - c. Participation in or completion of long term residential treatment;

- d. Working full time and attending at least 6 college credit hours or 6 hours at general equivalency diploma, adult basic education or vocational education classes per week;
  - e. Working full time and participating in intensive outpatient, short term residential, or day treatment; or
  - f. Successful completion of levels I or II of intensive probation.
3. The court shall exempt community service requirements while the probationer is incarcerated as a condition of intensive probation. In addition, where otherwise appropriate and permissible, a probationer incarcerated as a condition of intensive probation is eligible for work furlough and job search programs while incarcerated.
  4. A.R.S. § 13-918(B) provides:

The person's wages shall be paid directly to an account established by the chief adult probation officer from which the chief adult probation officer shall make payments for restitution, probation fees, fines, and other payments. The balance of the monies shall be placed in an account to be used for or paid to the person or his immediate family in a manner and in such amounts as determined by the chief adult probation officer or the court. Any monies remaining in the account at the time the person successfully completes probation shall be paid to the person.