RULE NO. 9
CONDITIONS OF SUSPENDED AND DEFERRED SENTENCES ON CRIMINAL AND TRAFFIC MATTERS

The following general conditions are applicable to all suspended and deferred sentences and determents of a finding of guilty given in traffic and criminal cases. For purposes of this rule, "probation" shall refer to any one of the two categories:

a. General Conditions: During the period of probation or suspension the defendant shall not be convicted, forfeit bail, be awaiting sentencing or be under a deferred sentence or finding of guilty, with respect to any offense or claimed offense occurring after the date on which probation in this Court was granted. Further, any conduct reflecting moral turpitude or recklessness with respect to the operation of a motor vehicle will be considered a violation whether or not any charges are filed or carried to judgment.

b. Specific Conditions: The defendant must comply with the conditions specifically imposed by the Court and the conditions imposed by the department to which the defendant may be referred to sentence performance. Defendants must report directly after Court or release from jail to Probation if ordered. If the defendant is placed on Supervised Probation he/she must make an appointment to meet with a Probation Officer and attend that appointment.

c. Release from Probation: The defendant may be notified in writing by the clerk to appear at a hearing calendar on a certain date and time, at which time the defendant may be required to sign a written statement under oath and penalty of perjury with respect to compliance with the condition(s) of probation or suspension. In such case, the defendant will be required to appear in open court, may be sworn and be interrogated with respect to compliance.

d. Revocation of Probation: If, during the period of probation or suspension, information is received tending to show there is good reason to believe that the terms of probation are being violated, the Court may order the defendant to appear before the Court for a hearing on the question on whether or not the defendant is strictly complying with the terms of probation. The defendant may be represented by counsel and offer evidence at such hearing. If the Court finds that the defendant has not strictly complied with the terms and conditions of probation or suspension, the Court will take action which may result in a harsher penalty.

e. Further Information: The defendant should contact the probation office as often as may be necessary to understand the conditions of the deferral, suspension or probation, particularly the conditions that are specific to the defendant's case. The defendant must at all times advise the Court of his/her current address and stay current with all fines and costs owing.

(Adopted Effective September 1, 2010)