**CrRLJ 7.6**

**PROBATION**

**(a)** [Unchanged.]

**(b) Jurisdiction.** The court may, at its discretion, authorize the probation department of a different court to supervise the defendant if (i) the defendant so requests, (ii) the supervising court approves, and (iii) the supervising court is located in a county where the defendant resides, works, or attends school.

**~~(b~~c) Revocation or Modification of Probation.** The court shall not revoke or modify probation except (1) after a hearing in which the defendant shall be present ~~and apprised of the grounds on which such action is proposed~~, or (2) upon stipulation of the parties. ~~The defendant is entitled to be represented by a lawyer and may be released pursuant to rule 3.2 pending such hearing. A lawyer shall be appointed for a defendant financially unable to obtain one.~~ The defendant has the right to be physically present at all hearings. The court has discretion to allow the defendant to appear through counsel or remotely.

**(d) Release Pending Probation Hearing.** If the defendant has been arrested for an alleged probation violation, the court shall release the defendant or set bail pursuant to rule 3.2 pending a probation hearing.

**(e) Timing of Probation Hearing.** If a defendant is held in custody on the alleged probation violation, the court must hold a probation hearing in which the defendant has the right to be physically present within two weeks of the defendant’s arrest unless the defendant requests a continuance.

**(f) Rights of the Defendant Unless Waived.** The defendant is entitled to be represented by a lawyer, and a lawyer shall be appointed for a defendant financially unable to obtain one. Before a probation hearing, the court or prosecutor shall apprise the defendant of the nature and evidence of the alleged violation and the names and contact information of witnesses the court or prosecutor intends to call. At the hearing, the defendant shall have the right to present evidence and cross-examine witnesses. The defendant shall have the right to confront adverse witnesses unless the court specifically finds good cause for not allowing confrontation. If the court revokes probation, it must issue a written statement as to the evidence it relied on and the reasons for revocation.