

**ADMINISTRATIVE OFFICE OF THE COURTS
STATE OF NEW JERSEY**

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**TO: Assignment Judges
 Trial Court Administrators**

FROM: Philip S. Carchman, J.A.D.

SUBJ: Standard Conditions of Adult Probation – Revised Form

DATE: April 13, 2007

The Supreme Court at its February 13, 2007 Administrative Conference approved a revised "Standard Conditions of Adult Probation" form. Copies of the revised form (in English and in Spanish) are attached.

The Court had approved previous "Standard Conditions of Adult Probation," as authorized by N.J.S.A. 2C:45-1(a), in 1993 for use with adult probation cases sentenced in Superior Court and Municipal Court. The revised form addresses the statutory requirement of providing a DNA sample by making it a standard condition of probation (DNA Database and Databank Act of 1994, N.J.S.A. 53:1-20.17*et seq.*, (as amended by L. 2000, c. 118 and L. 2003, c. 183)). The revised form also adds a listing of possible financial penalties so the penalties imposed will be clearly listed along with any other special conditions of supervision.

The revised form is to be used for all new adult probationers effective immediately. The form will be available in the *Probation Supervision Manual* and also will be posted on the Judiciary Infonet. Questions regarding the revised standard conditions and the form may be directed to Assistant Director Robert P. Sebastian, Probation Services, at (609) 984-5022, or to John Pizarro, Chief, at (609) 633-2022.

P.S.C.

cc: Chief Justice James R. Zazzali
 Criminal Presiding Judges
 Municipal Presiding Judges
 Theodore J. Fetter, Deputy Administrative Director
 AOC Directors and Assistant Directors
 Vicinage Chief Probation Officers
 Criminal Division Managers
 Municipal Division Managers
 Steven D. Bonville, Special Assistant
 Francis W. Hoeber, Special Assistant



New Jersey Judiciary Standard Conditions of Adult Probation

Probationer Name:

Case File Number:

Docket Number:

Order Date:

The court, believing that you are capable of living a useful and law-abiding life in the community, has sentenced you to probation for a period of _____, beginning _____. While on probation, you will be under the supervision of a probation officer. You are required to comply with the conditions of probation listed below.

If there is probable cause to believe that you have committed another offense during your term of probation, the Court may commit you to jail without bail. If the Court finds that you have violated your probation, it may impose on you any sentence authorized by law for the offense of which you were originally convicted, up to and including the maximum term of incarceration.

Standard Conditions

1. You shall obey all federal, state, and municipal laws and ordinances. You shall notify your probation officer if you are arrested or issued a summons in any jurisdiction.
2. You shall report to your probation officer as directed.
3. You shall answer truthfully all inquiries made by your probation officer.
4. You shall permit your probation officer to visit your residence or any other suitable place.
5. You shall submit at any time to a search conducted by a probation officer, without a warrant, of your person, place of residence, vehicle, or other personal property.
6. You shall promptly report any change of address or residence to your probation officer. You must obtain permission from your probation officer if you wish to move outside the county or state. You may not leave the state of New Jersey for more than 24 hours without permission from your probation officer.
7. You shall cooperate in any medical and/or psychological examinations, tests and/or counseling your probation officer recommends.
8. You shall submit to drug or alcohol testing at any time, as directed by your probation officer.
9. You shall support your dependents and meet your family responsibilities.
10. You shall seek and maintain gainful employment, and promptly notify your officer when you change your place of employment or find yourself out of work.
11. You shall not have in your possession any firearm or other dangerous weapon as defined in *N.J.S.A. 2C: 39 et seq.* If you possess a permit to purchase a handgun or a firearms purchaser identification card, you **must** surrender these documents promptly to your probation officer. In addition, if you presently own any weapons, they must either be surrendered to your local police department or to any other criminal justice agency designated by your probation officer.
12. You shall make payments on any fine, penalty assessment, restitution or other financial obligation as provided by Court order. Failure to comply may result in further Court action, pursuant to *N.J.S.A. 2C:46-2b*; including attachment of your wages, filing of a civil judgment, and/or extension of your probation term.
13. You shall provide a DNA sample as a condition of the sentence imposed, pursuant to DNA Database and Databank Act of 1994, *N.J.S.A. 53:1-20.17, et seq.* (see *L. 1994, c. 136, as amended by L. 2000, c. 118, as amended by L. 2003, c. 183* effective Sept. 22, 2003) unless you are convicted of a disorderly persons offense or a petty disorderly persons offense.

Standard Conditions of Adult Probation

Probationer Name: _____

Docket Number: _____

Financial Obligations Ordered

VCCB \$ _____	FLF \$ _____	Specify other penalties below: _____\$ _____ _____\$ _____ _____\$ _____ _____ Fine \$ _____ Probation Supervision Fee: \$ _____ per month
Restitution: _____	DEDR \$ _____	
_____	DAEF \$ _____	
_____	LEOTEF \$ _____	
_____	SNSF \$ _____	
_____	SSANE \$ _____	
Total Restitution \$ _____		

The Total Amount Ordered is \$ _____. This will be paid at the rate of \$ _____ per _____.

If no payment schedule is established, the total is due forthwith. If the offense occurred on or after February 1, 1993, a transaction fee of up to \$2.00 is to be paid on each occasion when a payment or installment payment is made (*N.J.S.A. 2C:46-1d.*).

Special Conditions

You must also comply with the following special conditions of probation imposed by the Court in accordance with *N.J.S.A. 2C: 45-1 et seq.*:

- ☐ _____ Hours of Community Service
- ☐ _____ Days in the County Jail
- ☐ Driver's License Suspended for _____
- ☐ Obtain a General Equivalency Diploma (GED)
- ☐ Complete Court Ordered Treatment Program
- Specify Program: _____

List other conditions below:

☐	_____
☐	_____
☐	_____
☐	_____
☐	_____

I have received a copy of the rules and conditions of probation which have been read and explained to me. I understand the above rules and conditions of probation and that they apply to me, and I further understand that failure to comply on my part constitutes a violation of probation and will cause my return to Court. If I am arrested or detained in any other state or jurisdiction within the United States while I am on this term of probation, my signature below shall be deemed to be a waiver of extradition.

_____ Probationer	_____ Date	Probationer Address:	
_____ Probation Officer	_____ Date	Telephone:	Date of Birth:
		Driver's License Number:	Social Security Number



Poder Judicial de Nueva Jersey
Condiciones Normales de
Libertad a Prueba de Adultos

New Jersey Judiciary
Standard Conditions
of Adult Probation

Nombre y apellido de la persona bajo libertad a prueba:
Probationer Name:

No. del expediente del caso:
Case File Number:

No. de la causa:
Docket Number:

Fecha de la orden:
Order Date:

Creyendo que usted es capaz de llevar en la comunidad una vida útil y respetuosa de las leyes, el juez lo ha sentenciado a libertad a prueba por un período de _____, que comenzará el _____. Mientras esté bajo libertad a prueba, estará bajo la supervisión de un oficial de libertad a prueba. Se requiere que usted cumpla con las condiciones de libertad a prueba que figuran a continuación.

The Court, believing that you are capable of living a useful and law-abiding life in the community, has sentenced you to probation for a period of _____, beginning _____. While on probation, you will be under the supervision of a probation officer. You are required to comply with the conditions of probation listed below.

Si existe causa suficiente para creer que usted ha cometido otro delito durante su término de libertad a prueba, el juez lo podrá hacer recluir en la cárcel sin fianza. Si el juez determina que usted ha infringido su libertad a prueba, le podrá imponer cualquier sentencia que autoricen las leyes para el delito del cual se le condenó anteriormente, hasta el término máximo de encarcelamiento.

If there is probable cause to believe that you have committed another offense during your term of probation, the Court may commit you to jail without bail. If the Court finds that you have violated your probation, it may impose on you any sentence authorized by law for the offense of which you were originally convicted, up to and including the maximum term of incarceration.

Condiciones normales / Standard Conditions

1. Respetará todas las leyes y ordenanzas federales, estatales y municipales. Notificará a su oficial de libertad a prueba si lo arrestan o citan judicialmente en cualquier jurisdicción.
You shall obey all federal, state, and municipal laws and ordinances. You shall notify your probation officer if you are arrested or issued a summons in any jurisdiction.
2. Se presentará a su oficial de libertad a prueba según se lo manden.
You shall report to your probation officer as directed.
3. Contestará verazmente a todas las indagaciones que le haga su oficial de libertad a prueba.
You shall answer truthfully all inquiries made by your probation officer.
4. Permitirá que su oficial de libertad a prueba visite su residencia o cualquier otro lugar apropiado.
You shall permit your probation officer to visit your residence or any other suitable place.
5. Se someterá en cualquier momento a un registro realizado por un oficial de libertad a prueba, sin una orden judicial, de su persona, residencia, vehículo o cualquiera de sus demás bienes muebles.
You shall submit at any time to a search conducted by a probation officer, without a warrant, of your person, place of residence, vehicle, or other personal property.
6. Notificará sin demora a su oficial de libertad a prueba de cualquier cambio de dirección o residencia. Debe obtener el permiso de su oficial de libertad a prueba si desea mudarse fuera del condado o estado. No podrá abandonar el Estado de Nueva Jersey durante más de 24 horas sin el permiso de su oficial de libertad a prueba.
You shall promptly report any change of address or residence to your probation officer. You must obtain permission from your probation officer if you wish to move outside the county or state. You may not leave the state of New Jersey for more than 24 hours without permission from your probation officer.
7. Cooperará en todos los exámenes, pruebas y asesoramientos médicos o psicológicos que recomiende su oficial de libertad a prueba.
You shall cooperate in any medical and/or psychological examinations, tests and/or counseling your probation officer recommends.
8. Se someterá en cualquier momento a las pruebas de detección de drogas o alcohol que ordene su oficial de libertad a prueba.
You shall submit to drug or alcohol testing at any time, as directed by your probation officer.

Condiciones normales de libertad a prueba de adultos / Standard Conditions of Adult Probation

Nombre y apellido de la persona bajo libertad a prueba:

Número de la causa:

Probationer Name: _____

Docket Number: _____

9. Mantendrá a las personas a su cargo y cumplirá con sus responsabilidades familiares.

You shall support your dependents and meet your family responsibilities.

10. Buscará y mantendrá un empleo remunerado y notificará sin demora a su oficial cuando cambie su lugar de empleo o se encuentre sin trabajo.

You shall seek and maintain gainful employment, and promptly notify your officer when you change your place of employment or find yourself out of work.

11. No tendrá en su poder ningún arma de fuego u otra arma peligrosa, según las define *N.J.S.A. 2C:39 et seq.* Si posee un permiso para comprar un arma corta o una tarjeta de identificación para compradores de armas de fuego, **debe** entregar dichos documentos sin demora a su oficial de libertad a prueba. Además, si usted actualmente tiene algún arma, la debe entregar a su jefatura de policía local o a la agencia de justicia penal que designe su oficial de libertad a prueba.

You shall not have in your possession any firearm or other dangerous weapon as defined in *N.J.S.A. 2C: 39 et seq.* If you possess a permit to purchase a handgun or a firearms purchaser identification card, you **must** surrender these documents promptly to your probation officer. In addition, if you presently own any weapons, they must either be surrendered to your local police department or to any other criminal justice agency designated by your probation officer.

12. Efectuará los pagos de cualquier multa, sanción impuesta, restitución u otra obligación económica que estipule la orden judicial. Si no cumple, podrá haber alguna acción judicial adicional, conforme a *N.J.S.A. 2C:46-2b*, que incluye el embargo de su sueldo, el registro de un fallo civil y/o la prolongación de su término de libertad a prueba.

You shall make payments on any fine, penalty assessment, restitution or other financial obligation as provided by Court order. Failure to comply may result in further Court action, pursuant to *N.J.S.A. 2C:46-2b* including attachment of your wages, filing of a civil judgment, and/or extension of your probation term.

13. Suministrará una muestra de ADN como condición de la sentencia impuesta, conforme a la Ley de Base de Datos y Banco de Datos de ADN de 1994, *N.J.S.A. 53:1-20.17 et seq.* (véase *L. 1994, c. 136, según la enmienda de L. 2000 c. 118, según la enmienda de L. 2003 c. 183 que entró en vigor el 22 de septiembre del 2003*) a menos que lo hayan condenado por una infracción de alteración del orden público o una infracción menor de alteración del orden público.

You shall provide a DNA sample as a condition of the sentence imposed, pursuant to DNA Database and Databank Act of 1994, *N.J.S.A. 53:1-20.17, et seq.* (see *L. 1994, c. 136, as amended by L. 2000 c. 118, as amended by L. 2003 c. 183 effective Sept. 22, 2003*) unless you are convicted of a disorderly persons offense or a petty disorderly persons offense.

Obligaciones económicas que se ordenan / Financial Obligations Ordered

VCCB \$ _____ VCCB	FLF \$ _____ FLF	Especifique otras sanciones a continuación: Specify other penalties below: _____ _____ _____ _____ Multa \$ _____ Fine \$ _____ Cargo por la supervisión de libertad a prueba Probation Supervision Fee: \$ _____ por mes per month
Restitución: \$ _____ Restitution: \$ _____ _____	DEDR \$ _____ DEDR	
_____	DAEF \$ _____ DAEF	
_____	LEOTEF \$ _____ LEOTEF	
_____	SNSF \$ _____ SNSF	
Restitución total \$ _____ Total Restitution	SSANE \$ _____ SSANE	

La suma total ordenada es de \$ _____. Ésta se pagará a razón de \$ _____ por _____.
The Total Amount Ordered is \$ _____. This will be paid at the rate of \$ _____ per _____.

Si no se establece un plan de pagos, la suma es pagadera inmediatamente. Si el delito ocurrió el primero de febrero de 1993 o después de esa fecha, se debe pagar un cargo por operación de un máximo de \$2.00 cada vez que se haga un pago o se pague una cuota (*N.J.S.A. 2C:46-1d*).

If no payment schedule is established, the total is due forthwith. If the offense occurred on or after February 1, 1993, a transaction fee of up to \$2.00 is to be paid on each occasion when a payment or installment payment is made (*N.J.S.A. 2C:46-1d*).

Condiciones normales de libertad a prueba de adultos / Standard Conditions of Adult Probation

Nombre y apellido de la persona bajo libertad a prueba:

Probationer Name: _____

Número de la causa:

Docket Number: _____

Condiciones especiales / Special Conditions

También debe cumplir con las siguientes condiciones especiales de libertad a prueba impuestas por el juez de acuerdo con *N.J.S.A. 2C:45-1 et seq.*:

You must also comply with the following special conditions of probation imposed by the Court in accordance with *N.J.S.A. 2C: 45-1 et seq.*:

- ☐ _____ Horas de servicio a la comunidad
Hours of Community Service
- ☐ _____ Días en la cárcel del condado
Days in the County Jail
- ☐ Suspensión de la licencia de conducir por _____
Driver's License Suspended for
- ☐ Obtenga un diploma de equivalencia general (GED)
Obtain a General Equivalency Diploma (GED)
- ☐ Complete el programa de tratamiento ordenado por el juez
Complete Court Ordered Treatment Program
- Especifique el programa: _____
Specify Program: _____

Enumere otras condiciones a continuación:**List other conditions below:**

☐	_____
☐	_____
☐	_____
☐	_____
☐	_____

He recibido una copia de las reglas y condiciones de libertad a prueba que me han leído y explicado. Entiendo las reglas y condiciones de libertad a prueba que figuran más arriba y que me aplican a mí, y entiendo además que mi incumplimiento constituirá una infracción de la libertad a prueba y causará que yo vuelva al tribunal. Si me arrestan o detienen en cualquier otro estado o jurisdicción dentro de los Estados Unidos mientras cumpla este plazo de libertad a prueba, mi firma que figura más abajo se considerará una renuncia a la extradición.

I have received a copy of the rules and conditions of probation which have been read and explained to me. I understand the above rules and conditions of probation and that they apply to me, and I further understand that failure to comply on my part constitutes a violation of probation and will cause my return to Court. If I am arrested or detained in any other state or jurisdiction within the United States while I am on this term of probation, my signature below shall be deemed to be a waiver of extradition.

_____		Dirección de la persona bajo libertad a prueba: Probationer Address:	
Persona bajo libertad a prueba Probationer	Fecha Date		
_____		Teléfono: Telephone:	Fecha de nacimiento: Date of Birth:
Oficial de libertad a prueba Probation Officer	Fecha Date	Número de la licencia de conducir: Driver's License Number:	Número de seguro social: Social Security Number