

## **Forms C Uniform Defendant Reporting System**

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Robert D. Lipscher  
Administrative Director

The Criminal Practice Committee, in its 1988-90 Report, recommended a package of forms which were developed by the Criminal Presiding Judges and Criminal Division Managers to replace existing forms prepared by court support staff for use by judges in making bail, pretrial intervention, conditional discharge and sentencing decisions. The forms package is designed to expedite the collection of relevant information and to avoid duplication by assuring that information is collected only once but available for a number of court events. The package uses a "building block" approach in which subsequent reports are prepared using forms already completed, adding to these forms any additional information relevant to the particular report then being written.

The Supreme Court, at its January 14, 1991 Rules Conference has decided to require use of the Uniform Defendant Reporting System to replace, effective no later than January 1, 1992, forms presently being utilized by criminal division support staff for intake, bail, pretrial intervention and sentencing. The Court directs use of the forms under the following guidelines: (1) information contained on the intake form can be used by the court without restriction for purposes of the setting of bail, appointment of counsel and pretrial intervention; (2) the information on the intake form is prohibited from use in grand jury proceedings and at trial, even for purposes of cross-examination; and (3) information contained on the intake form may be used at sentencing unless the defendant objects. Should the defendant object, the information cannot be used over his or her objection.

Of course, whether or not the defendant objects to the use of the intake form, he or she should still be instructed to appear for a presentence report interview wherein he or she shall be asked whether there are any statements he or she wishes to make for inclusion in the presentence report, as under present practice.

### **EDITOR-S NOTE**

No change has been made to the original text. Only the introduction to the system has been reproduced here. The forms are available from the Criminal Practice Division of the Administrative Office of the Courts.

## **I. Introduction C Uniform Defendant Reporting System**

The Uniform Defendant Reporting System breaks down the total of the courts' information needs for Intake, Bail, PTI, and Sentencing into a *series of independent sections of an omnibus form*.

The heart of the system is a Uniform Defendant Intake Report (UIDR) which captures the *main objective information* needed about a defendant.

The Uniform Defendant Intake Report is the "foundation" report for each of the key decision points (Bail, PTI, PSI, etc.) of a case. Additional information, narrative, or recommendations which are indigenous to the particular event at hand are added to the Uniform Defendant Intake Report to form the full report for that event. Under this system, information is collected only once, handled only once, but may serve the needs of various decision points in the case process.

The Uniform Defendant Reporting System includes 9 separate forms, generally each only one page in length (except the three page Uniform Defendant Intake Report). The package includes:

- Section A. Uniform Defendant Intake Report (UDIR)**
- Section B. Uniform Defendant Intake Report/Supplemental Defendant Report**
- Section C. Case History Update**
- Section D. Bail Report**
- Section E. Offense Information Report**
- Section F. Prior Court History Report**
- Section G. PTI Report**
- Section H. Presentence Report**
- Section I. Case Supervisor Analysis Report**

## **II. Description of Uniform Defendant Reporting System**

**Section A. The Uniform Defendant Intake Report** (U.D.I.R.) serves as the initial data collection instrument for use through the duration of the case. The U.D.I.R. also serves as the application for representation by the Public Defender.

It is intended for inclusion in Bail, PTI, and Presentence Reports. Information is gathered pertaining to Identification, Residence, Employment, Criminal Justice Status, Income and Health. This information should be collected on all cases at the earliest opportunity. The second page of the UDIR is also used as the application for representation by the public defender's office.

**Section B. The Uniform Supplemental Defendant Report** collects Military and Education data for completion on all cases. Space for collection of information in a report format pertaining to Family History should be collected on any case with a high probability of disposition by Guilty Plea, Conviction, or PTI. In counties with intake interviews prior to Prosecutor screening, Family History may be omitted for subsequent data collection at an interview pertaining to a PTI application or a presentence interview.

**Section C. The Case History Update Record** is a vehicle for recording corrections, changes and addenda to the Uniform Defendant Reporting System. The early data collection approach enables the case supervisor to commence verification and investigation while the case is proceeding toward subsequent

events such as PTI or sentencing. The Case History Update Record provides a sense of continuity in the investigative process without requiring a completely revised version of previously completed reports.

**Section D. The Bail Report** is a Facesheet for bail reports on incarcerated defendants. The Case Supervisor's summary and co-defendant status are provided for the first bail review. The form provides space for recording information pertaining to subsequent bail hearings.

**Section E. The Offense Information Report** captures the Official Version of the Offense, Special Factors Relative to the Offense and the Defendant's Version (completed upon application for PTI and after conviction). This information is incorporated by attachment to Bail, PTI and Presentence Reports.

**Section F. The Prior Court History Report** provides the Court with a Discussion of Prior Court History followed by the listing of prior offenses and dispositions in the traditional format. The Prior Case History Report is an integral part of all Bail, PTI and Presentence Reports. Placement of the discussion and rap sheet on the same page is an improvement over prior report formats which placed the two sections apart from one another.

**Section G. The Pretrial Intervention Report** is a Facesheet which provides the Case Supervisor with a Recommended Conditions section to discuss special conditions, restitution and duration of supervision. Co-defendant Status is also included for the Court's consideration. Additional Comments are permitted to alert the Court to special information unique to the case or the individual Judge's requirements.

**Section H. The Presentence Report Form** is a Facesheet which provides space for a brief summary of the defendant's case status at the time of sentencing. Type of Conviction, Custodial Status, Jail Credit Time, Original Charges, Final Charges, the Plea Agreement (if applicable) are also reported on the form. An additional optional form is provided for cases where the offender is being sentenced on multiple indictments or accusations.

**Section I. The Case Supervisor's Analysis Report** presents an Assessment of Factors Contributing to the Offense, an Assessment of the Defendant's Personality and Potential Regarding the Use of Probation Supervision as well as a discussion of available resources for assistance.

### III. How the Sections Became Reports; The Building block Approach

<p>A. <u>INTAKE INTERVIEW, THE U.D.I.R.</u> Completed soon after arrest at intake interview, at CJP, First Appearance, or at jail interview; otherwise complete soon after Prosecutorial screening. In any event never later than arraignment on indictment.</p> <p>Section B contains information not needed until PTI or sentencing. While it is not recommended to delay completion of this form, it may be desirable depending on nature of interview or type of case.</p>	COMPLETE SECTION A U.D.I.R.
	SECTION B OPTIONAL  (See Appendix I for form set)
<p>B. <u>BAIL REPORT</u> U.D.I.R. completed at jail interview. Bail narrative offense information reports completed soon after at C.C.M.O. Section F, the criminal history analysis and rap sheet may also be added; however, the U.D.I.R. contains a capsule criminal history which may be sufficient.</p>	SECTION D BAIL REPORT
	SECTION E OFFENSE INFORMATION REPORT
	SECTION F PRIOR COURT HISTORY REPORT (OPTIONAL)
	SECTION A U.D.I.R. *
	SECTION B OPTIONAL *
(See Appendix II for form set)	

\* NOTE: ASTERISK INDICATES SECTION PREVIOUSLY COMPLETED

#### C. ON-GOING FILE DEVELOPMENT

After securing the U.D.I.R. after CJP or other intake interview, and having completed the bail report if necessary, the case supervisor begins to reach out for information needed to develop other forms. This process is somewhat flexible

given the type of cases. Obviously, a case amenable to PTI, early plea to simultaneous sentence will require earlier attention than serious violent crimes.

<p><b>D. <u>PRETRIAL INTERVENTION REPORT</u></b> Forms completed or process commenced at intake, CJP, ESP or upon walk-in application. Again, most offenders will not have a criminal history, or a slight one, and the U.D.I.R. capsule will suffice.</p>	SECTION G PTI REPORT
	SECTION E OFFENSE INFORMATION REPORT *
	SECTION F PRIOR COURT HISTORY REPORT * (OPTIONAL)
	SECTION A U.D.I.R. *
	SECTION B OPTIONAL *
	SECTION C UPDATE IF APPROPRIATE
	(See Appendix III for form set)

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<p>E. <u>PRE-SENTENCE REPORT</u> This "report" is being developed throughout the life of a case. It mainly consists of form reports used at earlier hearings (Bail, PTI). It is the ideal that this "report", at least for less serious cases, be essentially "ready" at all times in the file, able to move the case to disposition, and satisfy simultaneous sentencing opportunity.</p>	SECTION H PRE-SENTENCE REPORT
	SECTION E OFFENSE INFORMATION REPORT *
	SECTION F PRIOR COURT HISTORY REPORT * (OPTIONAL)
	SECTION A U.D.I.R *
	SECTION B OPTIONAL *
	SECTION I CASE SUPERVISOR'S ANALYSIS REPORT
	ADDITIONAL RPTS/ DOCUMENTS AS REQ-D
	(See Appendix IV for form set)

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