

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
AMENDING ARIZONA CODE OF) Administrative Order
JUDICIAL ADMINISTRATION § 6-207:) No. 2007- 85
UNIFORM CONDITIONS OF) (Affecting Administrative
SUPERVISED PROBATION) Order No. 2006-22)
_____)

On January 1, 2008, the enactment of A.R.S. § 23-212 will directly impact the probation programs in the State of Arizona. A.R.S. § 23-212 places sanctions on Arizona employers who knowingly employ undocumented alien workers. The Uniform Conditions of Supervised Probation require all standard probation clients to seek, obtain and/or maintain employment during their probation term. In order to act consistently with A.R.S. § 23-212 and federal law, the requirement to seek and maintain employment must be limited to those who are legally authorized to work in the United States. To implement this policy, the Arizona Judicial Council (AJC) approved the following amendments to the ACJA Section 6-207: Uniform Conditions of Supervised Probation, Appendix A, Uniform Conditions of Supervised Probation Form on October 24, 2007.

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

IT IS ORDERED that Arizona Code of Judicial Administration § 6-207 is amended as indicated on the attached document. All other provisions of § 6-207, as amended, remain unchanged and in effect.

IT IS FURTHER ORDERED that probation departments may develop a cost-effective alternative to immediate use of the new conditions form to implement the amended condition of probation.

IT IS FURTHER ORDERED that probation departments shall seek modification of the conditions of probation in accordance with the Arizona Rules of Criminal Procedure for persons currently on probation as necessary to assure that any condition of probation concerning employment in effect is consistent with this order.

IT IS FURTHER ORDERED that the effective date of this order shall be January 1, 2008. All persons sentenced to probation on or after January 1, 2008 shall be subject to these conditions.

Dated this 29th day of November, 2007.

RUTH V. MCGREGOR
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 6: Probation
Chapter 2: Adult Services
Section 6-207: Uniform Conditions of Supervised Probation

[Added text is shown underlined, deleted text by ~~strikethrough~~.]

A. through D. [No change.]

**Section 6-207: Uniform Conditions of Supervised Probation
Appendix A
Uniform Conditions of Supervised Probation Form**

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
UNIFORM CONDITIONS OF SUPERVISED PROBATION**

STATE OF ARIZONA

COUNTY/DIVISION: _____ / _____

VS.

CR: _____

§13-901.01 Offense: 1st 2nd Ineligible

PID#: _____

OFFENSE(S): _____

It is ordered suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD),

- PLACING** the defendant on probation for a period of _____ year(s) month(s) lifetime
 to begin ____/____/____ or
 upon absolute discharge from prison for a separate offense or
 upon release from prison for felony DUI (____ months; ____ days credit)
- CONTINUING** the defendant on probation
 for a modified term
 with a revised expiration date of ____/____/____

THE DEFENDANT SHALL: (Conditions Checked Also Apply)

1. Obey all laws.
2. Not knowingly associate with any person engaged in criminal activity or who has a criminal record without the prior written approval of the APD.
3. Report to the APD within 72 (or ____) hours of sentencing, absolute discharge from prison, release from incarceration or residential treatment, and continue to report as directed.
4. Reside at an address approved by the APD, provide safe access, and obtain prior approval before changing residence.
5. Submit to search and seizure of your person or property by the APD without a search warrant.
6. Not possess or control any firearms, ammunition, or prohibited weapons as defined in A.R.S. § 13-3101.
7. Not possess or use illegal drugs, toxic vapors, or controlled substances, or use or possess any prescription drugs without a valid prescription.
8. Report any law enforcement contact to the APD within 72 (or ____) hours.
9. Submit to drug and alcohol testing as directed by the APD and/or court.
10. Participate and cooperate in any program of counseling or assistance as directed by the APD and/or court.
11. Seek, obtain and maintain employment, if legally permitted to do so, and/or attend school as directed by the APD and advise of any change.
12. Not leave the state (county) without prior permission of the APD.
13. Sign and submit any release, authorization, or consent required for the APD/court to exchange protected healthcare information related to the conditions of probation.
14. Provide a sample for DNA testing if required by law.
15. Comply with any written directive of the APD to enforce compliance with the conditions of probation.
16. Abide by the Judgment and Orders of Restitution, Fines and Fees in this case.

UNIFORM CONDITIONS OF SUPERVISED PROBATION – PAGE 2 OF 2

STATE OF ARIZONA COUNTY/DIVISION: _____ / _____
 VS. _____ CR: _____

- 17. Not consume or drink any substance containing alcohol.
- 18. Not have any contact with the victim(s) whatsoever, unless approved in writing by the APD.
- 19. Complete _____ hours of approved community restitution at a minimum rate of _____ hours per month beginning upon sentencing or as directed in writing by the APD.
- 20. Not remain in or return to the United States illegally if deported or processed through voluntary departure.
- 21. Be incarcerated in the county jail for _____ days month(s), beginning ____/____/____ with credit for _____ days served, not to be released until ____/____/____. Report to the APD within 72 (or _____) hours of release from jail. Comply with all program rules.
 - Be screened for or shall participate in Work Furlough.
 - Eligible for Work Release.
- 22. Register as a Sex Offender if required by law.
- 23. Be permitted to apply for Interstate Compact supervision in the state of _____. Do not proceed until reporting instructions are received and the APD issues a written travel permit.
- 24. Participate and cooperate in any counseling or assistance as directed by the APD pertaining to:

<input type="checkbox"/> Substance Abuse	<input type="checkbox"/> Mental Health
<input type="checkbox"/> ABE/GED	<input type="checkbox"/> Budgeting/Financial
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Parenting
<input type="checkbox"/> Cognitive Skills	<input type="checkbox"/> Sex Offender
<input type="checkbox"/> Anger Management	<input type="checkbox"/> _____
- 25. Abide by the attached special conditions of probation:

<input type="checkbox"/> Intensive Probation	<input type="checkbox"/> Drug Court
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> DUI Court
<input type="checkbox"/> Mental Health	<input type="checkbox"/> Gang
<input type="checkbox"/> Sex Offender	<input type="checkbox"/> _____
- 26. _____

RECEIPT AND ACKNOWLEDGMENT: *I hereby acknowledge receipt of the conditions of probation and any attached addenda. I understand that a violation of any of the conditions could result in the revocation of my probation and the court may impose sentence upon me in accordance with the law. As a further condition, I waive extradition for any probation revocation proceedings in this matter.*

Defendant	Date	Judge of the Superior Court	Date
Defendant's Address	Apt.	City	State Zip Phone

DISTRIBUTION: Original - Court, Copies - APD, Defendant **Revision 2004A**