

**KING COUNTY DISTRICT COURT  
STATE OF WASHINGTON  
OFFICE OF THE PRESIDING JUDGE**

**GENERAL ADMINISTRATIVE ORDER  
NO. 19-06**

**Judge-Supervised Probation:**

**King County District Court Monitoring Standards for Probation Officers Supervising Defendants on Active Supervision, and for Probation Officers and Compliance Clerks Performing Compliance Monitoring Duties; Repealing GAO NO. 16-07 and all previous GAOs and probation policies on this subject.**

**BACKGROUND**

Since 2004, the King County District Court (KCDC or Court) has conducted the supervision and monitoring of defendants receiving a suspended or deferred sentence (sentence), a deferred prosecution (DP), or Stipulated Order of Continuance (SOC) in its therapeutic courts, through a program known as “Judge-Supervised Probation”. Under Judge-Supervision Probation, a judge establishes the conditions of sentence or DP a defendant must follow, or in the case of a SOC, the conditions a defendant has agreed to follow. The Court’s probation officers and compliance monitoring clerks supervise or monitor, respectively, the defendant’s adherence to those conditions.

In 2018, the Court implemented a new technology system called “eProbation” to assist the Court with monitoring defendants placed on Active Supervision and Compliance Monitoring. The purpose of this updated GAO is to reflect this new technology and the integration with the Court’s new case management system called “eCourt”. It is anticipated the eCourt and eProbation systems will be integrated in 2019. The Court’s program of Judge-Supervised Probation for Active Supervision and Compliance Monitoring, as revised herein, remains in effect until such time as it is revised by the Court.

This GAO also reflects the Court’s practice of rotating judicial assignments. Under this practice, the sentencing judge on a case may move to another courthouse. When that occurs, a different judge assumes the supervision of the case. For ease of reference in this GAO, the sentencing judge and the judge who subsequently assumes supervision of the case are referred to as the “supervising judge”.

***IT IS HEREBY ORDERED:***

**A. DEFINITIONS**

The following definitions of probation status and other terms apply to Judge-Supervised Probation.

1. "Active Supervision" occurs when a judge places a defendant under the supervision of an assigned KCDC probation officer. Probation officer includes the Court's Mental Health Specialists performing duties in KCDC Mental Health Court and Regional Veteran's Court.
2. "Compliance Monitoring" occurs when the monitoring of a defendant's compliance with conditions of a sentence, DP, or SOC is conducted by a compliance clerk. In some instances, a KCDC probation officer will perform compliance monitoring duties on a defendant's case when the defendant is also on Active Supervision with the probation officer for another KCDC case.
3. "Limited Monitoring Pending Review" (LMPR) occurs when a judge terminates Active Supervision or Compliance Monitoring on a case and orders a review hearing be scheduled. When a case is in LMPR status, documents received by the probation officer or the compliance clerk are filed in eProbation and forwarded to the Court file so the information is available for review by a judge.
4. "Bench warrant" occurs when a supervising judge orders a bench warrant for a defendant on a KCDC case. When a bench warrant is ordered, Active Supervision, Limited Monitor Pending Review or Compliance Monitoring of the defendant on that case is terminated immediately. A bench warrant order terminates the probation officer's responsibility to meet with the defendant and conduct Active Supervision of the case; and in the case of Compliance Monitoring, it terminates a probation officer's or compliance clerk's responsibility to monitor a defendant's compliance with the conditions of the case. Documents filed with the Probation Services Division when a case is on bench warrant status are not filed in eProbation. All documents are forwarded to the Court file. Jurisdiction of the case is tolled upon issuance of a warrant.
5. "Case Management System" or "CMS" is the technology system the KCDC uses to enter and track cases. Currently the system is maintained by the Administrative Office of the Courts (AOC) and is known as the Judicial Information System (JIS). JIS may be accessed through either the JIS or the Judicial Access Browser System (JABS). The KCDC is in the process of implementing a new CMS for the Court known as eCourt. eCourt is separate from JIS but is planned to have an electronic data exchange (EDE) with JIS allowing users access and exchange of case information state-wide. King County judges, probation officers, clerks and other approved users will continue to utilize JIS/JABS to access information about a defendant or cases outside of KCDC.
6. "Writing" shall include any preserved form of writing.

## B. ACTIVE SUPERVISION

King County probation officers assigned to a case under the supervision of a defendant's supervising judge shall monitor compliance with the conditions of the sentence, DP, or SOC in therapeutic courts as the directed herein, unless otherwise instructed in writing by the supervising judge.

1. A defendant placed on Active Supervision will be seen in-person once a month for an appointment, hereinafter referred to as the "monthly probation appointment". In KCDC therapeutic courts, or in an individual cases, a judge may require a defendant to be seen by the probation officer more than once per month. In those cases, the judge will specify the frequency of in-person probation appointments in a written order.

2. The probation officer will conduct the monthly probation appointment in a designated courthouse facility.

3. A scheduled monthly probation appointment may be rescheduled by mutual agreement between the probation officer and the defendant prior to the date of the appointment. If the defendant personally contacts the assigned probation officer within two business days of missing an appointment, a missed appointment may be reset. There may be no more than two resets of a missed appointment at the probationer's request, within a three-month period, without prior approval of the supervising judge.

4. At the first probation appointment, the assigned probation officer will adhere to the Judge-Supervised Standardized Intake Appointment guidelines. Those guidelines are incorporated herein by reference as **Attachment A**. The probation officer will maintain chronological notes of the probation appointment. At all subsequent probation appointments, the assigned probation officer will adhere to the Judge-Supervised Standardized Return Appointment guidelines incorporated herein by reference as **Attachment B**, and maintain chronological notes of all subsequent probation appointments. The probation officer shall notify the supervising judge of any change in the defendant's mailing address through the Court's Case Management System (CMS). The Court's current CMS is the state Judicial Information System (JIS). The Court's new CMS will be the KCDC eCourt system.

5. During each monthly probation appointment, the probation officer will check the CMS, JABS, and the Washington Department of Licensing (DOL) Abstract of Driving Record (ADR) to determine whether the defendant has committed any new law violations, or has any new bench warrants, license suspensions, or license restrictions issued. The probation officer will conduct this review prior to requesting the supervising judge consider review, revocation or termination of the Court's supervision of the defendant. Any new law violations or outstanding warrants discovered through the CMS, JABS, or ADR review, not previously reported, shall be reported to the supervising judge within twelve (12) business days of discovery.

6. If during an in-person monthly appointment the probation officer determines, through the CMS, JABS, or ADR review, the defendant has an outstanding KCDC bench warrant meeting the criteria for release on personal recognizance, as set forth in KCDC GAO 16-03, the probation officer will escort the defendant to a court clerk at the clerk's office front counter to address the bench warrant. If the KCDC bench warrant cannot be recalled by the court clerk, pursuant to the provisions of KCDC GAO 16-03, or if

the bench warrant is not a KCDC bench warrant, the probation officer will notify a King County Marshall assigned to courthouse security at that facility of the outstanding bench warrant. No further action is required by the probation officer. The probation officer will make no attempt to arrest the defendant because KCDC probation officers have no arrest powers.

7. At each monthly probation appointment, the probation officer will confirm with the defendant whether he or she is enrolled and participating in any required treatment, along with the name and address of the agency or provider who is providing the treatment, and the status of all other programs or conditions ordered by the supervising judge. The monitoring of any condition prohibiting the defendant from engaging in a specified behavior will be limited to asking the probationer whether he or she has engaged in such behavior and noting the defendant's response. A probation officer may request a defendant to sign the KCDC "Declaration of Non-Driving" to record the defendant's response that he or she is not driving.

8. If the defendant is ordered by the supervising judge to participate in treatment services, the treatment agency or provider, not the probation officer, shall be responsible for monitoring the defendant's compliance with any alcohol or drug use conditions, and all attendance at alcohol or drug use support group meetings. Each treatment agency or provider shall report to the assigned probation officer, in writing once a month, concerning the defendant's progress and/or noncompliance with the treatment program. Any treatment non-compliance referenced in the treatment agency's or provider's report must be reported to the supervising judge. If the treatment agency or provider fails to send the required monthly report to the probation officer, the probation officer will contact the treatment agency or provider, by phone or in writing, about the missing report. If a treatment agency or provider fails to submit a monthly report to the probation officer within seven (7) business days after being advised the monthly report has not been filed, the probation officer must notify the supervising judge in writing of this failure. There may be more than one treatment agency or provider providing treatment services to a defendant.

In the KCDC therapeutic courts, and as may be ordered in other cases, the supervising judge may issue a written order directing the assigned probation officer to direct a defendant submit to random urinalysis testing. The probation officer will monitor those results and report violations to the supervising judge.

9. A defendant may not consume alcohol prior to an in-person appointment with a probation officer. At each in-person appointment, the probation officer must ask the defendant if he or she has consumed alcohol. If during an appointment the probation officer detects alcohol or reasonably believes the defendant has recently consumed alcohol, a portable breath test (PBT) will be administered to the defendant, if available. Any positive result will be reported immediately to a King County Marshall assigned to courthouse security at that facility. The probation officer shall send a written report to the supervising judge within three (3) business days. No other alcohol testing will be conducted by the probation officer, except as specified for KCDC therapeutic court cases.

- a. If at an in-person appointment the probation officer reasonably believes the defendant has recently used any non-prescribed controlled drug or has abused any prescribed drug, the probation officer will notify immediately the defendant's chemical dependency treatment agency or provider, if any; and the King County Marshall assigned to courthouse security at that facility. The probation officer shall send a written report to the supervising judge within three (3) business days.

- b. In the KCDC therapeutic courts, the supervising judge may issue a written order authorizing the supervising probation officer to require the defendant to submit to immediate urinalysis testing at a Court-approved laboratory. The probation officer will monitor the results and report violations to the supervising judge.

10. In those cases where the defendant is not required to participate in treatment with a drug or alcohol treatment agency or provider, but is required by the supervising judge to attend self-help support group meetings, the defendant must present to the probation officer at each in-person monthly appointment written proof of self-help support group attendance. The written proof will be placed in the probationer's eProbation file. If the defendant fails to provide the proof of the required meeting attendance, the probation officer will advise the supervising judge.

11. If a defendant is required, as part of a sentence, DP, or SOC to install an ignition interlock device (IID) on all motor vehicles operated by the defendant, the assigned probation officer shall attempt to verify the installation of the IID device or devices. In order to meet this requirement, the defendant shall be required to provide written proof of installation from a company licensed to do business in Washington state that an IID device or devices, certified by the Washington State Patrol and posted to the WSP website, has been installed in the defendant's vehicle(s).

- a. If the probation officer does not receive from the defendant written verification of the IID installation within 30 days of the entry of the sentence, DP, or SOC, from either the defendant or from the IID installation company, the probation officer shall inform the supervising judge within twelve (12) business days.

- b. Except as set forth above, the probation officer shall have no further obligation to supervise or monitor the use or installation of the IID by the defendant, unless otherwise ordered by the supervising judge. If the probation officer receives notice of a violation of an IID installation requirement or IID usage, the probation officer must report this information to the supervising judge within twelve (12) business days of the receipt of the violation and request judicial review.

12. No later than the deadline ordered by the supervising judge, the probation officer will confirm whether any court-ordered restitution has been paid. The confirmation of any restitution condition is conducted by reviewing the Court's CMS. If the defendant is not in compliance with the restitution order, the probation office must advise the supervising judge in writing.

13. When supervising defendants convicted of crimes of domestic violence, the probation officer will mail to the victim's last known mailing address, if known, a letter advising the victim of the probation officer's name and phone number.

14. Except for paragraphs 8 and 10, these monitoring standards shall not apply when the assigned probation officer is absent from the office due to illness or other pre-approved leave. During such absence, adherence to paragraphs 8 and 10, and receipt of information will be monitored and received by an individual appointed by the Probation Director or the Director's designee. The Probation Director or the designee may appoint an individual to conduct an abbreviated monthly appointment with the defendant that includes performing a CMS, JABS, and ADR review as described in paragraph 5, verifying treatment compliance, confirming current residence address information, and scheduling a future monthly

appointment with the assigned probation officer.

15. The Active Supervision of a defendant under a KCDC case number shall be automatically terminated whenever a bench warrant has been ordered for the defendant under that case number. If Active Supervision is terminated on a case due to the issuance of a bench warrant, and the defendant has other open KCDC cases, the probation officer will promptly notify the supervising judge(s) on those KCDC case(s) about the bench warrant, and the probation officer will recommend suspension of Active Supervision on those other cases until the warrant is resolved. The supervising judge(s) on those other cases will decide whether to terminate Active Supervision on those other cases.

16. Any non-compliance revealed through these monitoring standards, and any additional monitoring standards ordered in writing by the supervising judge, unless otherwise specified, shall be reported in writing to the supervising judge within twelve (12) business days of the knowledge of the noncompliance. Active Supervision of a defendant is automatically terminated within ten (10) business days of the probation officer sending written notice of noncompliance to the supervising judge, unless the supervising judge sends written notice to the probation officer that Active Supervision will continue pending the review hearing.

17. The supervising judge will be notified in writing by the probation officer when Active Supervision of a case has been terminated pursuant to paragraph 16, and the probation officer shall send written copies of such notification to the Chief Presiding Judge and the Probation Director. The case shall be set for a hearing for the supervising judge to review any non-compliance. The probation officer may make recommendations to the supervising judge along with any noncompliance report.

### **C. COMPLIANCE MONITORING**

KCDC compliance clerks and probation officers performing Compliance Monitoring duties will monitor a defendant's compliance with the conditions of sentence, DP, or a SOC (when ordered by a therapeutic court), as directed herein, unless otherwise instructed in writing by the supervising judge.

1. Compliance clerks and probation officers conducting Compliance Monitoring duties shall not independently investigate the conduct of a defendant beyond the authority delegated under this GAO and these monitoring standards, unless instructed to do so in writing by the supervising judge.
2. A compliance clerk or probation officer performing Compliance Monitoring duties shall notify the defendant's supervising judge in writing of all reports received by the probation officer or compliance clerk, or any CMS, JABS, or ADR review, indicating the defendant has violated a condition of sentence, DP, or SOC. Notification to the supervising judge must occur within twelve (12) business days of written receipt of such information.
3. If a defendant is required, as part of a sentence, DP, or SOC to install an ignition interlock device (IID) on all motor vehicles operated by the defendant, the assigned probation officer or compliance clerk performing the Compliance Monitoring duties on the case shall attempt to verify the installation of the IID device or devices. In order to meet this requirement, the defendant shall be required to provide written proof of installation from a company licensed

to do business in Washington state that an IID device or devices, certified by the Washington State Patrol and posted to the WSP website, has been installed in the defendant's vehicle(s).

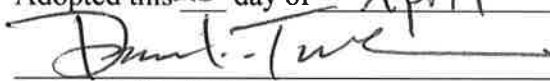
- a. If the compliance clerk or probation officer performing compliance monitoring duties does not receive from the defendant written verification of the IID installation within 30 days of the entry of the sentence, DP, or SOC from either the defendant or from the IID installation company, the probation officer or compliance clerk shall notify the supervising judge within twelve (12) business days.
  - b. Except as set forth above, the compliance clerk or probation officer performing compliance monitoring duties shall have no further obligation to supervise or monitor the use or installation of the IID by the defendant, unless otherwise ordered by the supervising judge. If the compliance clerk or probation officer receives notice of a violation of an IID installation requirement or IID usage, the compliance clerk or probation officer must report this information to the supervising judge within twelve (12) business days and request judicial review.
4. Compliance clerks and probation officers performing Compliance Monitoring duties shall monitor a treatment agency's or provider's compliance with treatment reporting requirements in accordance with the Compliance Monitoring Procedures incorporated herein by reference as **Attachment C**. If a defendant placed on Compliance Monitoring is still in treatment, and the treatment agency or provider fails to send the required monthly report, the compliance clerk or probation officer performing Compliance Monitoring duties will contact the agency or provider, by phone or in writing, regarding the missing report. If a treatment agency or provider fails to submit a monthly report to the Court with seven (7) business days after being advised the monthly report has not been filed, the compliance clerk or probation officer must notify the supervising judge within twelve (12) business days of receipt of such information
5. If a defendant on Compliance Monitoring is required to submit proof of self-help group attendance, the proof must be filed with the Court as directed, and will be placed in the appropriate Court file (eProbation or the Court's electronic court records (ECR) or eCourt.) If the defendant fails to timely file proof of the required self-help group attendance, the compliance clerk or probation officer must advise the supervising judge within twelve (12) business days of failure to file report.
6. The compliance clerk or probation officer must advise the supervising judge of any reported non-compliance with treatment or other conditions within twelve (12) business days of the written receipt of such non-compliance.
7. No later than the deadline ordered by the supervising judge, the compliance clerk or probation officer will confirm whether any court-ordered restitution has been paid. The confirmation of any restitution condition is conducted by reviewing the CMS. If the defendant is not in compliance with the restitution order, the compliance clerk or probation office must advise the supervising judge in writing.

**C. RECISSION**

GAO 16-07, and all previous KCDC GAOs on this subject are rescinded. King County District Court, Division of Probation Policy Manual (POL-201 - 820) remains rescinded.

**D. ATTACHMENTS.**

- A. Standardized Judge-Supervised Probation Intake Appointment
- B. Standardized Judge-Supervised Probation Return Appointment
- C. Compliance Monitoring Procedures

Adopted this 25 day of April, 2019  


Donna K. Tucker  
Chief Presiding Judge  
King County District Court



## **STANDARDIZED JUDGE-SUPERVISED PROBATION INTAKE APPOINTMENT**

I. REVIEW COURT ORDER .....	2
II. REVIEW COURT DOCKET .....	2
III. REVIEW ePROBATION SYSTEM .....	2
IV. COMPLETE A BASELINE CRIMINAL HISTORY RECORD CHECK. ....	2
V. CHECK ePROBATION AND ECR FOR EVALUATIONS OR ANY CURRENT TREATMENT STATUS REPORTS .....	2
VI. CONDUCT INTAKE INTERVIEW WITH DEFENDANT .....	3
VII. SCHEDULE NEXT APPOINTMENT .....	4
VIII. COMPLETE ePROBATION LOG ENTRY OF APPOINTMENT .....	4
IX. COMPLETE INTAKE APPOINTMENT FOLLOW UP WORK .....	4

These procedures are not subject to change without written approval of the Court or on a case-by-case basis by written instruction from the supervising judge.

## **I. REVIEW COURT ORDER**

- A. Confirm Active Supervision was ordered.
- B. Check all treatment conditions and deadlines.

## **II. REVIEW COURT DOCKET**

- A. Check for scheduled review hearings, recent court appearances, court Rulings and motions from defense.
- B. Check that docket entries reflect current status of case per supervising judge e-mails or other communication to probation officer.

## **III. REVIEW ePROBATION SYSTEM**

- A. Verify case is set up with defendant's name in eProbation and JABS.
- B. Verify that all conditions ordered by supervising judge are entered into eProbation. Match conditions with treatment agencies.
- C. Verify DV victim letter has been sent (if applicable).
- D. Verify the court, judge, case number and charges have been entered.
  - 1. Contract city cases have separate court designation.
  - 2. Prior cases and charges are closed correctly as applicable.

## **IV. COMPLETE A BASELINE CRIMINAL HISTORY RECORD CHECK**

- A. Check Defendant Individual Case History in JABS  
Search by last name, first name as there may be multiple name codes for the same individual
- B. Check Department of Licensing (DOL) Abstract of Driving Records (ADR).
- C. If new charges and/or bench warrants (BW) are found in DOL or JABS Records and follow GAO guidelines herein.

## **V. CHECK ePROBATION AND ECR FOR EVALUATIONS OR ANY CURRENT TREATMENT OR STATUS REPORTS**

- A. Check eProbation and ECR for any treatment or mental health evaluation that may have been received and review the documents.
- B. Check eProbation and ECR for any status report regarding treatment compliance and review the documents.

## **VI. CONDUCT INTAKE INTERVIEW WITH DEFENDANT**

- A. Provide general overview and orientation.
- B. Explain Judge-Supervised Probation.
- C. Review Court Order and condition deadlines with defendant:
  - 1. Suspended Sentence or Deferred Sentence
  - 2. Deferred Prosecution
  - 3. Stipulated Order of Continuance
  - 4. Review Order.
- D. Obtain any necessary releases of information for identified treatment agencies or providers.
- E. Provide referral lists as appropriate.
- F. Review the "Rights, Conditions and Warnings" from the sentencing form.
  - 1. Clarify the expectation of appearing for probation appointment clean and sober in addition to any court-order condition of abstinence.
  - 2. Caution the defendant s/he can be subject to a Portable Breath Test (PBT).
  - 3. Explain Interstate Compact for Adult Offender Supervision (ICAOS) requirements if moving out of state.
- G. Review background information or intake form.
- H. Verify defendant's current mailing address and telephone.
  - 1. Ask about defendant's residence address if is different from mailing address.
  - 2. Prepare a Change of Address (COA) form and have defendant review and initial the form if defendant's mailing address and/or telephone is different from the information contained in JABS.
  - 3. Submit a copy of the COA to the Probation Desk Clerk to update in DISCIS.
- I. Verify current driver's license and insurance, if it is a condition of case.
  - 1. Enter the license expiration date into eProbation.
  - 2. Enter the insurance expiration date into eProbation.
  - 3. If any violations are found, follow GAO guidelines herein.
- J. Ask Defendant About Criminal Justice Agency Contacts.
  - 1. Include new criminal charges, citations, court appearances, and contacts with law enforcement.
  - 2. Discuss any discrepancies between defendant's statements and the Criminal History Check completed by probation officer.
- K. Ask defendant about the use of alcohol and/or other drugs.
  - 1. If "Yes", follow GAO guidelines herein.

2. If "No", but probation officer suspects alcohol usage (e.g. detects odor of alcohol on defendant's breath) follow GAO guidelines herein.
3. If "No", but probation officer suspects use of non-prescribed drug(s) or abuse of prescribed drugs(s), follow GAO guidelines herein.
4. Upon notification to courthouse security, per GAO guidelines herein, the probation officer will not attempt to detain the defendant or take the defendant's car keys.

## **VII. SCHEDULE NEXT APPOINTMENT**

- A. Inform the defendant of the date and time of next appointment.
  1. Give the defendant an appointment card if defendant does not have an appointment book or phone calendar.
  2. Enter appointment date and time into eProbation.

## **IX. COMPLETE INTAKE APPOINTMENT FOLLOW UP WORK**

- A. Document use of standardized questionnaire.
- B. Report any non-compliance to supervising judge per GAO guidelines herein.
- C. Contact treatment provider if the use of alcohol and/or non-prescribed drugs or abuse of prescribed drugs by defendant is reported or suspected.
- D. Send out referral letters with Criminal Justice Release form to identified treatment agencies or providers.
- E. Staff any questions arising from Intake Appointment with Probation Management

## STANDARDIZED JUDGE-SUPERVISED PROBATION RETURN APPOINTMENT

I. REVIEW ePROBATION SYSTEM .....	2
II. REVIEW COURT DOCKET .....	2
III. COMPLETE A CRIMINAL HISTORY RECORD CHECK. ....	2
IV. VERIFY CURRENT ADDRESS AND TELEPHONE WITH DEFENDANT .....	2
V. ASK ABOUT CRIMINAL JUSTICE AGENCY CONTACTS .....	3
VI. VERIFY CURRENT DRIVER'S LICENSE AND INSURANCE IF CONDITION/REQUIREMENT...	4
VII. ASK DEFENDANT ABOUT USE OF ALCOHOL OR OTHER DRUGS .....	4
VIII. CONFIRM ENROLLMENT WITH ANY TREATMENT AGENCY, COMMUNITY SERVICE, OR OTHER PROGRAM AS ORDERED BY THE SUPERVISING JUDGE .....	4
IX. ASK ABOUT SELF-HELP SUPPORT GROUP MEETINGS .....	4
X. REVIEW ANY COURT-ORDERED RESTITUTION REQUIRMENTS .....	4
XI. VERIFY REMAINING JURISDICTION .....	5
XII. SCHEDULE NEXT APPOINTMENT .....	5
XIII. COMPLETE ePROBATION ENTRY OF APPOINTMENT .....	5
XIV. COMPLETE RETURN APPOINTMENT AND FOLLOW UP WORK .....	5

These procedures are NOT subject to change without written approval of the Court or on a case-by-case basis by written instruction from the supervising judge.

## **I. REVIEW ePROBATION SYSTEM**

- A. Check for prior missed appointments and rescheduled appointments.
- B. Check the status of for any follow-up from the last appointment.
- C. Check date of the last treatment report(s) as noted in eProbation.
  - 1. If last report noted in eProbation is not current, check Electronic Court Records (ECR) for more recent reports
  - 2. If more recent reports are in ECR, update the eProbation documents.
  - 3. If the treatment agency has failed to send a monthly report, follow GAO guidelines for obtaining the report.

## **II. REVIEW COURT DOCKET** Check for scheduled review hearings, recent court appearances and court rulings.

- A. Check that docket reflects current status of case per supervising judge e-mails or orders.

## **III. COMPLETE A CRIMINAL HISTORY RECORD CHECK** A. Check Defendant Individual Case History from JIS/JABS.

Search by last name, first name because there may be multiple name codes for the same individual.

- B. Check Department of Licensing (DOL) Abstract of Driving Records (ADR).
- C. If new charges and/or bench warrants (BW) are discovered in DOL or JABS records, follow GAO guidelines noted herein.

## **IV. VERIFY CURRENT ADDRESS AND TELEPHONE WITH DEFENDANT**

- A. Ask the defendant to state his/her current mailing address and confirm the address as contained in eProbation matches. Update information if necessary.
- B. Ask about the defendant's residence address if different than mailing address.

- C. If the mailing and/or residence address and/or telephone number has changed:
  - 1. Update the information in eProbation.
  - 2. Advise defendant of his/her responsibility to notify DOL of the applicable change(s).
- D. If mailing address has changed:
  - 1. Prepare a Change of Address (COA) form and have defendant review and initial the COA.
  - 2. Submit a copy of initialed COA to the Probation Desk Clerk to update in JIS.

#### **V. ASK ABOUT CRIMINAL JUSTICE AGENCY CONTACTS**

- A. Include new criminal charges, citations, court appearances, and contacts with the police.
- B. Discuss any discrepancies between the defendant's statements and the Criminal History Check completed by the probation officer.

#### **VI. VERIFY CURRENT DRIVER'S LICENSE AND INSURANCE, IF IT IS A CONDITION OF THE CASE**

- A. Check the defendant's license status in eProbation.
  - 1. If license status is "NA," do nothing further.
  - 2. If other than "NA" and different than DOL/ADR records, note and correct.
- B. If "Yes" after confirmation or corrections:
  - 1. Check the license expiration date in ADR.
    - a. If the expiration date is subsequent to the current date, do nothing further.
    - b. If the license expiration date has passed, ask the defendant to see the new license and make a log note in eProbation file.
- C. Check the insurance coverage expiration date:
  - 1. If the expiration date is subsequent to the current date, do nothing.
  - 2. If the insurance expiration date has passed, ask the defendant for proof of new insurance verification and make a log note in eProbation file
- D. If any violations are found, follow GAO guidelines herein.

**VII. ASK ABOUT USE OF ALCOHOL AND/OR OTHER DRUGS**

- A. If "Yes", follow GAO guidelines herein.
- B. If "No", but probation officer reasonably suspect alcohol usage (e.g. detect odor of alcohol on defendant's breath), follow GAO guidelines herein.
- C. If "No", but probation officer suspect use of non-prescribed drug(s) or abuse of prescribed drug(s), follow GAO guidelines herein.
- D. Upon notification to courthouse security, per GAO guidelines herein, the probation officer will not attempt to detain the defendant, or take the defendant's car keys.

**VIII. CONFIRM ENROLLMENT WITH ANY TREATMENT AGENCY OR PROVIDER, COMMUNITY SERVICE, AND ANY OTHER PROGRAM ORDERED BY THE SUPERVISING JUDGE**

- A. Review treatment conditions, progress, and deadlines.
  - 1. Call treatment agency or provider if no current report was received, or there is a discrepancy between the agency's/provider's information and the defendant's reported information.
  - 2. Enter the completion date in eProbation for any completed treatment.
- B. Review community service hour requirements and deadlines.
- C. Review other program requirements, progress and deadlines.
- D. If any violations are discovered, follow GAO guidelines herein.

**IX. ASK ABOUT SELF-HELP SUPPORT GROUP MEETINGS**

- A. Ask about self-help group attendance if alcohol/drug use support group meetings are a condition of sentence, DP, or SOC, and
- B. The defendant is not attending treatment with an agency providing the treatment services, or
- C. Alcohol/drug use support group attendance has been required without a concurrent treatment requirement.



**X. REVIEW ANY COURT-ORDERED RESTITUTION CONDITION**

- A. Check the amount and deadline for payment of restitution on the Restitution Order.
- B. Check JIS to determine whether restitution has been paid no later than the deadline.
  - 1. Enter the completion date and status in eProbation.
  - 2. If any noncompliance is found, follow GAO guidelines herein.

**XI. VERIFY REMAINING ACTIVE SUPERVISION OF CASE**

- A. Note any bench warrant (BW).that may require adjustment to jurisdiction end date.
- B. Confirm any calculated revision to the end of the Active Supervision with the supervising judge, and if needed, enter revised dates into eProbation.

**XII. SCHEDULE NEXT APPOINTMENT**

- A. Inform defendant of the date and time of next appointment.
  - 1. Give the defendant an appointment card if the defendant does not have an appointment book or phone calendar.
  - 2. Enter appointment date and time into eProbation.

**XIII. COMPLETE ePROBATION ENTRY OF APPOINTMENT**

- A. Document use of standardized questionnaire.
- B. Note the next appointment date in eProbation.

**XIV. COMPLETE RETURN APPOINTMENT AND FOLLOW UP WORK**

- A. Contact treatment provider if there is use or suspected use of alcohol and/or non-prescribed drugs, or abuse of prescribed drugs.
- B. Report noncompliance issues to the supervising judge per GAO guidelines herein.
- C. Write early termination or final disposition report if all affirmative conditions of Active Supervision have been satisfied.

## Compliance Monitoring Review Procedures

### Overview

- A. **For cases monitored in eProbation**, Probation Management will forward the **"Compliance Monitoring Due Date Report"** at the beginning of the month for the conditions that are scheduled to be reviewed. The initial "Interim Monitor" and "Final Monitor" condition dates are entered in the Compliance Monitoring Sentence by the Probation Officer at the time the case is transferred from Active Supervision to Compliance Monitoring.
- B. **For cases monitored in JIS**, Location Management (Court Coordinators) will forward the **"CRS Report" (Case Review Report)** at the beginning of the month for the conditions that are scheduled to be reviewed. The MON (Monitoring) and FNL (Final) dates are entered into PLS at the time of sentencing, or at the entry of a Deferred Prosecution or SOC.
- C. Cases that have transitioned from JIS to eProbation for compliance monitoring should have a docket entry made by a clerk in JIS stating: **"Case transitioned to eProbation for all future monitoring"** and a note included in the JIS Note Field **"eProbation"**.
- D. Cases on the **"Compliance Monitoring Due Date Report"** and the **"CRS Report"** will be reviewed for compliance with case "Sentence Requirements/Conditions", and for accuracy and completeness of the tracking codes entered.
- E. Cases are to be initially reviewed at 100 days after sentencing and then every 6 months thereafter (MON date), with a final review 3 months prior to the end of jurisdiction (FNL date).
- F. No Active Supervision cases will be reviewed with the **"CRS Report"**. If an Active Supervision case appears in either the JIS or eProbation monitoring reports, the following docket entry should be made in JIS or a log note added to eProbation: **"Compliance Monitoring Review - Compliance Review on case # XYZ not completed because defendant is currently on Active Supervision"**.
- G. When working from the **"CRS Report"** for JIS cases or the **"Compliance Monitoring Due Date Report"** for eProbation cases, work the Final Review (FNL) cases before working on the Interim monitoring cases.
- H. Review cases for compliance with the **"Sentence Requirements/Conditions"**, including any commitment, any additional or modified Sentence Requirements or Conditions, and any new law violations.

- I. If there are multiple cases reflected on one Court Order (Judgment and Sentence, Stipulated Order of Continuance, Deferred Prosecution), each case should be reviewed to verify the "Sentence Requirements/Conditions" have been entered correctly and are in compliance. Each case should have all "Sentence Requirements/Conditions" entered in eProbation or JIS.
- J. If cases are being tracked with other cases, review all tracking cases at the time of the compliance review. Docket in JIS or make a log note for any non-complied conditions for each case. Refer all tracking cases to the Supervising Judge for review.

## Procedures for Completing Compliance Monitoring in eProbation

This section is for cases that are being monitored in eProbation only.

**Note:** The clerk will use the “**Compliance Monitoring Due Date Report**”. In addition the clerk will need to have access to JIS, eProbation, the Jail Screen, ECR and JABS to complete the reviews.

1. **Bench Warrant Status** - Review the Notes screen in eProbation and the JIS docket. If the case is in warrant status, the Compliance Monitoring Supervision will need to be closed if it has not been done already.

- a. **Remove the Caseload Assignment.** Click the Caseload Information tab and then the highlighted Caseload Personnel name:

The screenshot shows a web application interface with four tabs: 'Case Specific Requirements', 'Requirement Summary', 'Caseload Information' (which is circled), and 'Court Reports'. Below the tabs, there is a section titled 'Caseload Assignments' with a sub-header 'Add Caseload Assignment'. Below this is a table with the following columns: 'Caseload Name', 'Caseload Personnel', 'Active', and 'Start Date'. The table contains one row: 'TEST - Potter', 'Grant Potter' (circled), 'Yes', and '11/02/2018'.

Caseload Name	Caseload Personnel	Active	Start Date
TEST - Potter	Grant Potter	Yes	11/02/2018

- b. Change the assignment status to Active: No, then click Save & Back.

The screenshot shows a form titled 'Update Caseload Assignment'. It has four fields: 'Caseload\*' with a dropdown menu showing 'TEST - Potter - Potter'; 'Start Date\*' with a date field showing '11/02/2018'; 'Active\*' with a dropdown menu showing 'No' (which is circled); and 'End Date' with a date field showing '11/16/18'. Below the fields is a 'Note:' label and a large text area. At the bottom of the form are three buttons: 'Save & Back' (circled), 'Back', and a button with a checkmark icon.

- c. To close the Compliance Monitoring Supervision, click on the small box on the Gold Bar:

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- d. Update and close the Compliance Monitoring Supervision. Closure reason is Warrant. Make a note: **“Compliance Monitoring Review – case # XYZ is in warrant status. Compliance Monitoring terminated. All Sentence Requirements to be addressed at booking/review hearing.”**

#### Update Supervision

Supervision Type\*

Supervising Judge

Order Date

Status

Sentencing/Hearing Review Date

Closure Date\*

Closure Reason\*

Supervision Length

Supervision Length Unit

Supervision Start Date

Supervision End Date

#### Note:

Compliance Monitoring Review – case #1Test123 is in warrant status. Compliance Monitoring terminated. All Sentence Requirements to be addressed at booking/review hearing.”

2. If the case is **NOT** in warrant status, review the log notes, JIS or JABS docket entries, and any past probation reports (if any) for any recent action or non-compliant conditions that need to be addressed by the Court.

3. Review the Court order (e.g., Judgment and Sentence (J&S), Stipulated Order of Continuance (SOC), Deferred Prosecution (DP), Order on Review/Revocation, Restitution Order or any other miscellaneous order) for "Sentence Requirements", including commitments, sanctions or any additional requirements or conditions.
4. Check the Case Specific Requirements tab in eProbation to verify "Sentence Requirements" are accurately entered, including the Interim Monitor date and Final Monitor date. Update the status of any completed "Sentence Requirements", and identify any "Sentence Requirement" that has not been completed or is overdue (See Paragraph 8 if defendant is not in compliance). Check for any filed documents that may have been scanned into ECR but not scanned to eProbation.

a. Add any missing "Sentence Requirements" if needed:



Add Sentence / Requirement ▾ Add Condition ▾ Add Fulfillment ▾ Add Violation ▾

b. Correct any existing "Conditions" if needed:



No Criminal Law Violations - 1 Length: None | Amount: None Status: In Progress

No Violations - For Life of Sentence Status: In Progress

**Note:** For cases where the Court Order reflects the possibility of continuing self-help group meeting attendance **after** the completion of treatment, review the treatment agency's final treatment report and/or compliant Discharge Summary for any recommendation of continuing self-help group attendance post treatment completion. If there is such a recommendation, refer the case to the Supervising Judge for a decision on whether continued self-help group attendance will be required. After the Judge returns the decision, update the "Sentence Requirement" as directed. In some cases, the Judge may set a hearing to address whether self-help group attendance will continue to be required.

5. Check the Defendant Case History (DCH) in JABS (or DCH in JIS if JABS is not available) for possible new law violations. Check the Abstract of Driving Record (ADR) in JABS for any traffic violations and to verify the DP Status or a conviction of a criminal traffic violation is shown. **Note:** violations from Seattle Municipal Court (SMC) sometimes do not appear on a DCH. In addition, Out-of-State law violations will not appear on a DCH, but driving-related violations cited in other States may appear on the defendant's ADR.

**Note:** To determine new law violations, follow the requirements of the Court Order.

- a. A case being tracked for “no alcohol-related violations” would include infractions as well as criminal charges.
- b. For DUI or Physical Control cases: refer all new criminal charges, alcohol-related infractions, drug-related infractions, license and insurance infractions to the Supervising Judge for review.
- c. For all other criminal traffic cases: refer all new criminal charges, license and insurance infractions to the Supervising Judge for review.
- d. For all criminal non-traffic cases: refer all new criminal charges to the Supervising Judge for review. (If the Court Order indicates “no alcohol or drug related infractions”, or there is an abstinence condition, refer any alcohol/drug related law violations, infraction or criminal, to the Supervising Judge for review).
- e. Any Infraction not specified above will be referred to the Supervising Judge for review if specified on the Court Order.

**Note:** Defendants who are on Compliance Monitoring and who live out of state (an out-of-state address as found in JIS or ADR) should have an NCIC check performed. Send the request for an NCIC check (via e-mail) to Probation Management with the following information:

Subject line –

NCIC request – Defendant name and case number(s)

Body of message –

Name: Last, First Middle

DOB: MM/DD/YYYY

Race:

Gender:

Reason for request:

Judge:

Needed by:

**\*\*** If a defendant is on ICAOS, it is up to the receiving state to conduct the check.

The NCIC request should be included in the notes. When a response is received from Probation Management make a new log note with the results.

6. If defendant is in compliance with "Sentence Requirements":

- a. Enter a fulfillment to the Interim Monitor or Final Monitor condition. - -  
- Click on the Add Fulfillment tab and select the Compliance condition:


Add Sentence / Requirement ▾ Add Condition ▾ **Add Fulfillment ▾** Add Violation ▾

Select Condition to Add to:  
Interim Monitor (In Progress) > Compliance Monitoring > 5TEST123  
No Violations (In Progress) > Do not commit any new law violations > 5TEST123

The 'Case Specific Requirements' tab displays all the requirements, fulfillments, and violations.

Complete the Compliant, Quantity and Unit boxes, and make a log note: **"Compliance Monitoring Review on case # XYZ. JIS/JABS/ECR/DOL/eProbation checked. No new violations, reports of non-compliance, or failure to meet completion dates".**

Type\* Interim Monitor ▾

Fulfillment Date\* 11/19/2018 

Compliant?\* Yes ▾

Quantity\* 1.00

Unit\* Monitors ▾

Note:

Compliance Monitoring Review on Case #5Test123.  
JIS/JABS/ECR/DOL/eProbation checked. No new violations,  
reports of non-compliance, or failure to meet completion  
dates.

- b. Update the requirement condition to reflect the next Interim Monitoring date 6 months out. Click the Grey Interim Monitor bar:

Compliance Monitoring - 2 Length: None | Amount: None Status: In Progress 5TEST123

Interim Monitor - Due: 11/08/2018 | Before Due Date Last fulfillment: Interim Monitor on 11/09/2018 Status: Complete

- Then change the Due Date. Click Save and Back.

Condition Type\* Interim Monitor ▾

Due Date 04/08/19 

- c. **Note:** If this is the last Interim monitoring review, mark the condition as completed instead and **do not** update to a future date



- d. If all conditions are compliant, the Clerk will prepare an **eProbation Compliance Monitoring: Compliant Report** in eProbation using the Generate Reports function. Print, scan and Index the report in ECR as “**eProbation Compliance Monitoring: Compliance Report**” with an automatic docket entry.
7. If this is a Final Monitoring review and the defendant is in compliance:
  - a. At the end of jurisdiction, when all “Sentence Requirements” have been completed or fulfilled, and there are no new violations, change the note on the Final Monitoring Fulfillment screen to read: “**Final Compliance Monitoring Review on case # XYZ: (specify judgment type: DP, Suspended, SOC or Deferred), JIS/JABS/ECR/DOL/eProbation checked. No new violations, reports of non-compliance, or failure to meet completion dates (except for fines/fees/costs if applicable). Refer to Supervising Judge for final review and action.**”

Type*	Final Monitor
Fulfillment Date*	11/19/2018
Compliant?*	Yes
Quantity*	1.00
Unit*	Monitors
Note*	<p>Final Compliance Monitoring Review on Case #5Test123.          Suspended sentence, JIS/JABS/ECR/DOL/eProbation checked. No new violations, reports of non-compliance, or failure to meet completion dates (except for fines/fees/costs if applicable). Refer to Supervision Judge for final review and action.</p>

- b. **Note:** Pay attention to whether there has been any post-sentence warrant activity that may affect jurisdiction. If the defendant has been in warrant status after sentence, change the note to read: “**Final Compliance Monitoring Review on case # XYZ: (specify judgment type: DP, Suspended, SOC or Deferred), JIS/JABS/ECR/DOL/eProbation checked. No new violations, reports of non-compliance, or failure to meet completion dates (except for fines/fees/costs if applicable). Defendant has been in warrant status after sentencing. Refer to Supervising Judge for jurisdiction, final review and action.**”

- c. For cases with outstanding No Contact Orders (NCO's, note this information in the note filed before referring the case to the Judge for final review.
- d. If all conditions are compliant, the clerk will prepare a **Compliance Monitoring Report** addressed to the Supervising Judge. Set the case for administrative review or follow your court's procedures.
  - \*\*For cases with outstanding No Contact Orders (NCO's), include that information in compliance monitoring report and log notes.
- e. **After the administrative review is completed, or ruling is received from the Supervising Judge**, update the "Condition" to Complete and the Parent Requirement to show as Closed. (**Note:** Currently there is a glitch in eProbation. When the Requirement is "Closed", the status of the Condition is not changing to "Complete" automatically. When the glitch is corrected this step will be updated).

#### Update Requirement Condition

##### Requirement Condition

Condition Type*	Final Monitor
Due Date	08/02/2021
Quantity	
Unit	
Rate	Before Due Date
Condition Status	Complete

If you need to update the condition's parent requirement status, you can do so below:

Parent Requirement Status	Closed
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8. If the defendant is **NOT** in compliance

- a. Enter a Fulfillment to the Monitor condition, indicating the defendant is not in compliance and add a note for the non-compliant condition:  
**“Compliance Monitoring Review on Case #5Test123. JIS/JABS/ECR/DOL/eProbation checked. New law violation found: (e.g. Abstinence, new law violation, non-compliance with treatment, etc.) Refer to Supervising Judge”.** See step 6-a for adding a Fulfillment.
- b. Update “Sentence Requirements” by adding a violation to the non-complied “Sentence Requirement” and enter note in “add violation” screen. (e.g. **“New violation – DWLS 3<sup>rd</sup> 3/20/2018”**). The system will update the Case Specific Requirement status to Non-Compliant in eProbation. Click the Add Violation tab and select the correct Condition to add the violation to:

The 'Case Specific Requirements' tab displays all the requirements under which the defendant is currently being monitored, fulfillments, and violations.

Select condition to Add to:

- Final Monitor (In Progress) > Compliance Monitoring > 5TEST123
- No Violations (In Progress) > Do not commit any new law violations > 5TEST123
- No Violations (In Progress) > Do not Possess Firearms or dangerous weapons > 5TEST123

- Select the drop down for type, make a note regarding the violation. Violation box will prefill

**Add Violation**

Add to No Violations > Do not commit any new law violations > 5TEST123

Type\* Committed a new criminal law v

Violation Date\* 11/09/2018

Note: New law violation: DUI 3/28/18

Select any of the conditions below that this violation applies to.

- ☐ Final Monitor (In Progress) > Compliance Monitoring > 5TEST123
- ☐ Interim Monitor (Complete) > Compliance Monitoring > 5TEST123
- ☒ No Violations (In Progress) > Do not commit any new law violations > 5TEST123
- ☐ No Violations (In Progress) > Do not Possess Firearms or dangerous weapons > 5TEST123
- ☐ Provide Proof (Complete) > Community Service > 5TEST123
- ☐ Provide Proof (In Progress) > Complete a certified Domestic Violence Treatment program with a provider approved by the judge or probation > 5TEST123
- ☐ Provide Proof (In Progress) > Counseling > 5TEST123
- ☐ Report (Complete) > Active Supervision > 5TEST123

- c. Make a docket entry in JIS – **“Compliance Monitoring Review completed in eProbation. Non-compliant conditions found: (enter the non-compliant condition). Referred to the Supervising Judge for review”.**

- d. The clerk will prepare a **Compliance Monitoring Report** addressed to the Supervising Judge which notes the non-compliance "Sentence Requirements". The **Compliance Monitoring Report** should include any documentation of the non-compliance, (e.g. treatment reports, UA reports, etc.). Forward the report to the Supervising Judge according to the court location procedures.
- e. A signed copy of the **Compliance Monitoring Report** and any attached documents to be reviewed by the Supervising Judge shall be scanned and indexed into ECR by the clerk as "**Compliance Monitoring Report**" with an automatic docket entry. **Note:** Documents to be reviewed by the Supervising Judge are scanned as **attachments** to the report, not as separate documents.
- f. When the administrative review is received from the Supervising Judge, enter a log note in eProbation regarding the action to be taken and make a docket entry in JIS. Take any action on the case as ordered by the Supervising Judge.
- g. Scan and index the Supervising Judge's response into ECR and eProbation.
- h. The clerk will update the monitored Condition status. If this is an Interim Monitor, enter a new Interim Monitor date 6 months out (refer to steps 6-b). If this is the last Interim Monitor, complete the condition (refer to step 6-c).

## Procedures for Completing Compliance Monitoring in JIS

This section is for cases that are being monitored in JIS only

**Note:** The clerk will use the “**CRS (Case Review Report)**”. In addition the clerk will need to have access to JIS, the Jail Screen, ECR and JABS to complete the reviews.

1. **Bench Warrant status** - Review the JIS docket. If a case is in warrant status, make the following docket entry: “**Compliance Monitoring Review – case is in warrant status. Compliance monitoring terminated, all conditions to be addressed at booking/review**”.
2. If this is an Interim monitoring review, terminate the current and any past MON dates in PLS. If this is a Final monitoring review, do **not** terminate the FNL condition.
3. If a case is NOT in warrant status, review the JIS docket, probation reports, and court orders (J&S, SOC, DP, Order on Review/Revocation, Restitution or other miscellaneous Orders) for “Sentence Requirements/Conditions”, including commitments, sanctions and any additional requirements/conditions that may be missing.
4. Check PLS screen to verify “Sentence Requirements/Conditions” are accurately entered, including MON/FNL dates. Check ECR to verify if required proof(s) are filed. Update the status of any completed sentence requirements/conditions and identify any “Sentence Requirement/Conditions” that has not been completed and is overdue.

**Note:** For cases where the Court Order reflects the possibility of continuing self-help group meeting attendance **after** the completion of treatment, review the treatment agency’s final treatment report and/or compliant Discharge Summary for any recommendation of continuing self-help group attendance post treatment completion. If there is such a recommendation, refer the case to the Supervising Judge for a decision on whether continued self-help group attendance will be required. After the Judge returns the decision, update the “Sentence Requirement” as directed. In some cases, the Judge may set a hearing to address whether self-help group attendance will continue to be required.

## Example of entering MON/FNL dates in PLS

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F/Jdgmnt: G_ 07 27 2017 F/Jdg: DJS F/JReas: _ _ _ _ _ THC: _ _ _
Sent Date: 07 27 2017 S/Judge: DJS Waived Counsel: _ _ _ _ _ BAC: _ _ _
Jail Sentence: 364 Suspended Jail: 184 Credit: _ _ _ Jail Complied: Y
Fine: 5000.00 Suspended: 5000.00 Other: _ _ _ Total:
Case Conditions 1 - 6 of 6 Time --Fee--- Imposed Dt Review Date C
NCR No Criminal Violations 24_M _ _ _ 07 27 2017 _ _ _ N
NLI No Driving w/o License and In 24_M _ _ _ 07 27 2017 _ _ _ N
MON Monitored Unsupervised Probat 24_M _ _ _ 07 27 2017 10 27 2018 N
FNL Final Review-Monitored Probat 24_M _ _ _ 07 27 2017 04 28 2019 N
MON Monitored Unsupervised Probat 24_M 480.00 _ _ 07 27 2017 10 27 2017 Y
MON Monitored Unsupervised Probat 24_M _ _ _ 07 27 2017 04 27 2018 Y
  
```

- First MON Review Date: 3 months out from the Sentencing Date
- Second MON Review Date: 9 months out from the Sentencing Date (i.e. 6 month out from the first MON Review Date)
- Third MON Review Date: 15 months out from the Sentencing Date (i.e. 6 months out from the second MON Review Date)
- Final FNL Review Date: 3 months prior to end of case jurisdiction

\*\* Do not set review dates for Interim conditions, such as Victim's Panel (VIC), Alcohol Information School (AIS), Alcohol Treatment (ALT), etc. These conditions are tracked with the MON and FNL Review Dates.

\*\* For cases which FNL review has been completed, set a new MON Review Date if the court imposes any new Sentence Requirement/Condition, but does not set a hearing for proof of compliance. This is for the purposes of tracking compliance with the new Sentence Requirement/Condition.

5. Check the Defendant Case History (DCH) in JABS (or DCH in JIS if JABS is not available) for possible new law violations. Check the Abstract of Driving Record (ADR) in JABS for any traffic violations and to verify the DP status or a conviction of a criminal traffic violation is shown. **Note:** Violations from Seattle Municipal Court (SMC) sometimes do not appear on the DCH. In addition, Out-of-State law violations will not appear on a DCH, but driving-related violations cited in other States may appear on the defendant's ADR.

**Note:** To determine new law violations, follow the requirements of the Court Order.

- a. A case being tracked for “no alcohol-related violations” would include infractions as well as criminal charges.
- b. For DUI or Physical Control cases: refer all new criminal charges, alcohol-related infractions, drug-related infractions, license and insurance infractions to the Supervising Judge for review.
- c. For all other criminal traffic cases: refer all new criminal charges, license and insurance infractions to the Supervising Judge for review.
- d. For all criminal non-traffic cases: refer all new criminal charges to the Supervising Judge for review. (If the Court Order indicates “no alcohol or drug related infractions”, or there is an abstinence condition, refer any alcohol/drug related law violations, infraction or criminal, to the Supervising Judge for review).
- e. Any Infraction not specified above will be referred to the Supervising Judge for review if specified on the Court Order.

**Note:** Defendants who are on Compliance Monitoring and who live out of state (an out-of-state address as found in JIS or ADR) should have an NCIC check performed. Send the request for an NCIC check (via e-mail) to Probation Management with the following information:

Subject line –

NCIC request – Defendant name and case number(s)

Body of message –

Name: Last, First Middle

DOB: MM/DD/YYYY

Race:

Gender:

Reason for request:

Judge:

Needed by:

**\*\*** If a defendant is on ICAOS, it is up to the receiving state to conduct the check.

The NCIC request should be included in the notes. When a response is received from Probation Management make a new log note with the results.

6. If defendant is in compliance, the clerk will make a docket entry:  
**"Compliance Monitoring Review - JIS/JABS/ECR/DOL checked. No new violations, reports of non-compliance, or failure to meet completion date".** Mark "Y" for the MON review date that is being worked on in PLS.
7. Final compliance monitoring review - At the end of jurisdiction, when all "Sentence Requirements/Conditions" have been met and there are no new violations, make a docket entry: **"Final Compliance review: (specify disposition type: DP, Suspended, or Deferred). JIS/JABS/ECR/DOL checked. No new violations, reports of non-compliance, or failure to meet completion dates (except for fine if applicable). Refer to Supervising Judge for final review and action".** Mark "Y" for the FNL review date that is being worked on in PLS.
  - a. **Note:** Pay attention to whether there has been any post-sentence warrant activity that may affect jurisdiction. If the defendant has been in warrant status after sentence, change the note to read: **"Final Compliance Monitoring Review on case # XYZ: (specify judgment type: DP, Suspended, SOC or Deferred), JIS/JABS/ECR/DOL checked. No new violations, reports of non-compliance, or failure to meet completion dates (except for fines/fees/costs if applicable). Defendant has been in warrant status after sentencing. Refer to Supervising Judge for jurisdiction, final review and action."**
  - b. For cases with outstanding No Contact Orders (NCO's, note this information in the note filed before referring the case to the Judge for final review.
8. If defendant is NOT in compliance, make a docket entry: **"Compliance Monitoring Review - non-compliant conditions found: (enter the non-compliant condition). Referred to the Supervising Judge for review".** Follow the court location procedures for referring the case to the Judge. Mark "Y" for the MON review date that is being worked on in PLS.