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

) **GENERAL ADMINISTRATIVE ORDER**
)
) **NO. 14-02**
)
) **Judge-Supervised Probation:**
) **King County District Court Monitoring**
) **Standards (Amending GAO No. 11-130)**

IT IS HEREBY ORDERED that probation officers assigned to probation cases under the supervision of the probationer's assigned sentencing judge, shall monitor compliance with probation conditions as the court directs herein, unless otherwise instructed in writing, by the sentencing/supervising judge.

- 1. Probationers will be seen face-to-face once a month. The probation officer will conduct monthly appointments in a designated court facility.**
- 2. The monthly scheduled probation appointment may be rescheduled if the probationer personally contacts the sentencing/supervising judge's assigned probation officer on or before the date of that monthly appointment. During the probation term, there may be no more than two rescheduled appointments without approval of the sentencing/supervising judge.**
- 3. At the first probation appointment, the sentencing/supervising judge's assigned probation officer will adhere to the Judge-supervised Standardized Intake Appointment guidelines incorporated herein by attachment and keep chronological notes. At all subsequent scheduled appointments, the sentencing/supervising judge's assigned probation officer will adhere to the Judge-supervised Standardized Return Appointment guidelines incorporated herein by attachment and keep chronological notes. The sentencing/supervising judge will be notified of any change in mailing address through the Court Case Management System (CCMS).**
- 4. During each face-to-face monthly appointment, the probation officer will check the CCMS, and Abstract of Driving Record (ADR) to determine if there are any new violations of the law, issuance of warrants with the probationer or license suspensions or restrictions. The probation officer will also conduct this check prior to notifying the sentencing/supervising judge that the court consider review, revocation or termination of the court's supervision of the probationer. Any new violations of the law or outstanding warrants discovered through the CCMS**

and/or ADR check, not previously reported, shall be reported to the sentencing/supervising judge within seven (7) business days of discovery.

5. If during a face-to-face monthly appointment the probation officer determines through a CCMS search as outlined in paragraph 4 above that the probationer has an outstanding warrant, the probation officer will advise a King County Deputy Sheriff assigned to court security at the designated court facility. No further action is required. The probation officer will make no effort to arrest the probationer, as there is no arrest power vested with King County District Court probation officers.
6. The probation officer will confirm through the probationer enrollment with and participation in any treatment agency, community service and/or other program as ordered by the sentencing/supervising judge at each face-to-face monthly appointment. Monitoring of prohibitive conditions will be limited to asking the defendant at each face-to-face appointment whether they have engaged in the prohibited behavior.
7. If the probationer is ordered by the sentencing/supervising judge to participate in treatment services, any alcohol/drug use probation conditions, and attendance at alcohol/drug use support group meetings, will be monitored by the treatment agency providing the treatment services and not by the probation officer. A treatment agency will be required to report to the assigned probation officer in writing, once a month, concerning the probationer's progress and/or non-compliance with treatment program(s). If the treatment agency fails to send the monthly report the probation officer will follow up by contacting that agency. Any treatment non-compliance contained in the treatment agency report will be reported to the sentencing/supervising judge. There may be more than one treatment agency providing treatment services to the probationer.
8. Probationers may not consume alcohol prior to a face-to-face appointment with a probation officer. During any face-to-face appointment the probation officer will ask the probationer if he/she has consumed alcohol. If during an appointment the probation officer believes that the probationer has recently consumed alcohol, a portable breath test (PBT) will be administered, if available, and any positive results will be reported to the sentencing/supervising judge and a King County Deputy Sheriff assigned to court security at that courthouse facility. No other alcohol test is required. If at an appointment the probation officer believes the probationer has recently used any non-prescribed controlled drug(s) or has abused any prescribed drug(s), the probation officer will notify the probationer's chemical dependency treatment provider, if any, the sentencing/supervising judge, and the King County Deputy Sheriff assigned to court police security at that courthouse facility.
9. Where the probationer is not in treatment with a drug or alcohol treatment agency, but required by the sentencing/supervising judge to attend self-help

support group meetings, the probationer will present to the probation officer written proof of self-help support group attendance at each face-to-face monthly appointment. That written proof will be placed in the probationer's probation file.

10. The probation officer will confirm whether any court-ordered restitution has been paid no later than the deadline and in the amount set by the sentencing/supervising judge. Confirmation of restitution is to be done by checking the court docket.
11. King County District Court probation officers shall not independently investigate the conduct of a probationer beyond the authority delegated by these monitoring standards without written instruction from the sentencing/supervising judge. Any probation officer will, however, notify the probationer's sentencing/supervising judge of all oral or written reports actually received by that probation officer that the probationer has violated condition(s) of probation. Notification to the sentencing/supervising judge will occur within seven (7) business days of actual receipt of such information.
12. Supervised probation under a given King County District Court cause number is automatically terminated whenever a warrant has been ordered for the probationer under that cause number. If supervision is suspended on an active cause because of a bench warrant, and the probation officer is supervising companion KCDC causes, the probation officer will notify the other judge(s) and recommend suspension of the other cause(s) until the warrant is resolved.
13. If a probationer is required, as part of the probationer's judgment and sentence, to install an ignition interlock device on all motor vehicles operated by the probationer, the assigned probation officer shall attempt to verify the installation of the ignition interlock device or devices. In order to meet this requirement, the probationer shall be required to provide written proof of installation from a company doing business in this state that a device or devices certified by the Washington State Patrol and posted to the WSP website has been installed.

If the probation officer does not obtain written verification of installation within 30 days of the judgment and sentence – either directly from the probationer or from the installation company – the probation officer shall promptly inform the sentencing/supervising judge.

Except as set forth above, the probation officer shall have no further obligation to actively monitor or supervise the use or installation of the ignition interlock device or devices by the probationer unless otherwise ordered by the sentencing/supervising judge. If the probation officer becomes aware of violations of ignition interlock installation or usage, the probation officer must report to the court and request a review hearing, in accordance with GAO Item 14.

14. Any probation non-compliance revealed through use of these monitoring standards and such additional standards, if any, set in writing by the probationer's

sentencing/supervising judge, shall be reported in writing to the sentencing/supervising judge within seven (7) business days of actual discovery of the non-compliance. Supervised probation is automatically terminated within ten (10) business days of the probation officer sending written notice of non-compliance to the sentencing/supervising judge, unless the sentencing/supervising judge sends written notice that supervised probation should not be terminated. The sentencing/supervising judge will be notified in writing by the probation officer that the case has been closed per GAO, with a copy to the Chief Presiding Judge and the Division Director, and a court review shall be set. The probation officer may make written recommendations to the sentencing/supervising judge with the delivery of any non-compliance report to the sentencing/supervising judge.

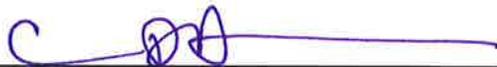
15. In judge-supervised probation of domestic violence probationers, the probation officer will mail to the victim's last known mailing address a notice advising him/her of the probation officer's name, phone number and availability.
16. Except for paragraphs 7 and 10 herein, these monitoring standards shall not apply where the sentencing/supervising judge's probation officer is absent from his/her office due to illness or other pre-approved leave. During such absence, adherence to paragraphs 7 and 10, and actual receipt of information as described in paragraph 11, will be monitored and/or received by an individual appointed by the Probation Director or his/her designee. The Probation Director or his/her designee may appoint an individual to conduct an abbreviated monthly appointment that includes performing a CCMS/ADR check as stated in paragraph 4, verifying treatment compliance, current residence address information, and the scheduling of a monthly appointment with the sentencing/supervising judge's probation officer.
17. The King County District Court, Division of Probation Policy Manual (POL-201 - 820) is rescinded.

Attachments:

Standardized Judge-Supervised Probation Intake document
Standardized Judge-supervised Probation Return Appointment document

EFFECTIVE June 3, 2014

DONE this 3 day of June, 2014



Corinna Harn
Chief Presiding Judge
King county District Court



**STANDARDIZED JUDGE-SUPERVISED PROBATION INTAKE
APPOINTMENT**

I. REVIEW COURT ORDER	2
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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 sentencing/supervising judge. [Revised 9/26/11]



King County District Court

I. REVIEW COURT ORDER

- A. Confirm active probation was ordered
- B. Check all treatment conditions and deadlines

II. REVIEW COURT DOCKET

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

III. REVIEW PROBATION CASE MANAGEMENT SYSTEM (PCMS)

- A. Verify case is set up with defendant's name in DISCIS
- B. Verify that all court conditions have been entered to PCMS
 - 1. Match conditions with treatment agencies
- C. Verify victim letter has been sent (if applicable).
- D. Verify that the court, judge, case number and charges have been entered
 - 1. City contract 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 and print Defendant Case History (DCH)
 - 1. Search by defendant name, NOT by current supervised case number
- B. Check and print Department of Licensing (DOL) Abstract of Driving Records (ADR)
- C. If new charges and/or bench warrants (BW) are found in DOL or DCH records, follow GAO #4 and #5

V. CHECK PCMS AND ECR FOR EVALUATIONS OR ANY CURRENT TREATMENT STATUS REPORTS

VI. CONDUCT INTAKE INTERVIEW WITH DEFENDANT

- A. Provide general overview and orientation
- B. Explain Judge-supervised Probation

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King County District Court

- C. Review Court Order and condition deadlines with defendant
 1. Stipulated Order of Continuance
 2. Deferred Prosecution
 3. Order of Judgment and Sentence
- D. Obtain necessary releases for identified treatment agencies
- E. Provide referral lists as appropriate
- F. Review Rights, Warnings, and Other Conditions
 1. Clarify expectation of appearing for probation appointment clean and sober versus court condition of abstinence
 2. Caution defendant that s/he can be subject to Portable Breath Test
 3. Explain Interstate Compact for Adult Offender Supervision (ICAOS) requirements for moving out of state if applicable
- G. Review background information or intake form
- H. Verify current mailing address and telephone with defendant
 1. Ask about defendant's residence address if different from mailing address.
 2. Prepare a Change of Address (COA) form and have defendant review and initial if mailing address and/or telephone is different than DISCIS.
 3. Submit copy of initialed COA to the Probation Desk Clerk for DISCIS update.
- I. Verify current driver's license and insurance if court requirement
 1. Enter the license expiration date on the PCMS Defendant screen
 2. Enter the insurance expiration date
 3. If any violations are found follow GAO #13
- J. Ask About Criminal Justice Agency Contacts
 1. Include new criminal charges, citations, court appearances, and contacts with police.
 2. Discuss any discrepancies between defendant statements and PO-completed Criminal History Check.
- K. Ask about use of alcohol and/or other drugs
 1. If Yes, follow GAO #8
 2. If No, but you suspect alcohol (i.e. detect odor of alcohol on defendant's breath) follow GAO #8
 3. If No, but you suspect use of non-prescribed drug(s) or abuse of prescribed drugs(s), follow GAO #8
 4. Upon notification to security per GAO #8, Probation staff will not attempt to detain the defendant or take the defendant's car keys.



VII. SCHEDULE NEXT APPOINTMENT

- A. Inform defendant of the date and time
 - 1. Give defendant appointment card if they do not have their own appointment book or phone calendar.
 - 2. Enter appointment date and time on the PCMS Defendant Screen.
 - 3. Enter appointment in Outlook.

VIII. COMPLETE PCMS LOG ENTRY OF APPOINTMENT

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

IX. COMPLETE INTAKE APPOINTMENT FOLLOW UP WORK

- A. Report any non-compliance to court, following GAO #13.
- B. Contact treatment provider if there is use of alcohol and/or non-prescribed drugs or abuse of prescribed drugs.
- C. Send out referral letters with Criminal Justice Release to identified agencies.
- D. Staff any additional questions arising from Intake Appointment with Supervisor.



**STANDARDIZED JUDGE-SUPERVISED PROBATION
RETURN APPOINTMENT**

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VI. VERIFY CURRENT DRIVER'S LICENSE AND INSURANCE IF COURT REQUIREMENT	3
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I. REVIEW PROBATION CASE MANAGEMENT SYSTEM (PCMS)

- A. Check prior missed appointments and reschedules.
- B. Check the status of any follow-ups required from last appointment.
- C. Check date of the last treatment reports as noted in the PCMS Defendant Screen
 1. If last report noted in PCMS is not current, check Electronic Court Records (ECR) for more recent reports.
 2. If more recent reports are in ECR, update the PCMS Defendant Screen.
 3. If the treatment agency has failed to send a monthly report, follow General Administrative Order (GAO) 07-120, #7.

II. REVIEW COURT DOCKET

- A. Check for scheduled review hearings, recent court appearances, court rulings, motions from defense.
- B. Check that docket reflects current status of case per sentencing/supervising Judge e-mails.

III. COMPLETE A CRIMINAL HISTORY RECORD CHECK

- A. Check Defendant Case History (DCH)
 1. Search by Defendant name, NOT by current supervised case number.
 2. Notify the Probation Desk Clerk if there are multiple name codes which need combining for defendant.
- B. Check Department of Licensing (DOL) Abstract of Driving Record (ADR) for current license status and out-of-state charges.
- C. If new charges and/or bench warrants (BW) are found in DOL or DCH records, follow GAO #4 and #5.



IV. VERIFY CURRENT ADDRESS AND TELEPHONE WITH DEFENDANT

- A. Ask the defendant to state his/her current mailing address and confirm that the address shown on Defendant Screen in PCMS is correct.
Update 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. Correct on the PCMS Defendant screen.
 - 2. Advise defendant of his/her responsibility to notify DOL of applicable changes.
- D. If mailing address has changed:
 - 1. Prepare a Change of Address (COA) form and have defendant review and initial it.
 - 2. Submit a copy of initialed COA to the Probation Desk Clerk for DISCIS update.

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 PO-completed Criminal History Check.

VI. VERIFY CURRENT DRIVER'S LICENSE AND INSURANCE IF COURT REQUIREMENT

- A. Check the license status on the PCMS defendant screen:
 - 1. If license status is "NA," then do nothing further,
 - 2. If other than "NA" and different than DOL/ADR records noted in B(1), then correct.
- B. If "Yes" after confirmation or corrections:
 - 1. Check the license expiration date on the PCMS defendant screen.
 - a. If the expiration date is subsequent to the current date, do nothing.
 - b. If the expiration date has passed, ask to see new license and make a copy for the file.
- C. Check the insurance expiration date

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1. If the expiration date is subsequent to the current date, do nothing.
 2. If the expiration date has passed, ask for new insurance verification and make a copy for the file.
- D. If any violations are found, follow GAO #13.

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

- A. If Yes, follow GAO #8.
- B. If No, but you suspect alcohol (i.e. detect odor of alcohol on defendant's breath), follow GAO #8.
- C. If No, but you suspect use of non-prescribed drug(s) or abuse of prescribed drug(s), follow GAO #8.
- D. Upon notification to security per GAO #8, Probation staff will not attempt to detain the defendant, or take the defendant's car keys.

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

- A. Review treatment conditions, progress, and deadlines
 1. Call treatment agency if no current report or there is a discrepancy between agency and probationer-reported information
 2. Enter the completion date and Y on Defendant screen 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 found, follow GAO #13.

IX. ASK ABOUT SELF-HELP SUPPORT GROUP MEETINGS

- A. If alcohol/drug use support group meetings are a condition of sentencing **and**
- B. The defendant is not in a treatment agency providing the ordered treatment services **or**
- C. Alcohol/drug use support group attendance has been required without a concurrent treatment requirement.

X. REVIEW ANY COURT-ORDERED RESTITUTION REQUIREMENTS

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- A. Check deadline on order and amount
- B. Check docket to confirm restitution has been paid no later than the deadline and in the amount set.
 - 1. Enter the completion date and Y on the defendant screen if completed
 - 2. If any violations are found, follow GAO #13

XI. VERIFY REMAINING JURISDICTION

- A. Note BW(s) which may require adjustment to jurisdiction.
- B. Confirm any calculated changes to length of judge-supervised probation with the sentencing/supervising judge.

XII. SCHEDULE NEXT APPOINTMENT

- A. Inform defendant of the date and time
 - 1. Give defendant appointment card if they do not have their own appointment book or phone calendar.
- B. Enter appointment date and time on the PCMS Defendant Screen.
- C. Enter appointment in Outlook.

XIII. COMPLETE PCMS LOG ENTRY OF APPOINTMENT

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

XIV. COMPLETE RETURN APPOINTMENT FOLLOW UP WORK

- A. Contact treatment provider if there is use of alcohol and/or non-prescribed drugs or abuse of prescribed drugs.
- B. Report non-compliance issues to the court following GAO #13.
- C. Write early termination or final disposition report if all affirmative conditions have been met.