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DIRECTIVE # 01-16

[Supersedes Directives # 08-03 and # 09-03]

TO: **Assignment Judges**
Trial Court Administrators

FROM: **Glenn A. Grant, J.A.D., Acting Administrative Director**

SUBJ: **Superseding Directive - Policy for Violations of Probation for Juvenile Offenders**

DATE: **May 10, 2016**

The Judicial Council at its December 9, 2015 meeting approved the attached revised Policy for Violations of Probation for Juvenile Offenders. The revised policy, as promulgated by this directive, effective immediately supersedes the prior policy as set forth in Directives #8-03 ("Juvenile Violation of Probation Policy and Protocol for Completion of Reports for the Court") and #9-03 ("Juvenile Violation of Probation Policy – (a) Clarification Regarding Venue for Violation Hearings, (b) Omitted Language – Enumeration of Purposes of the Code of Juvenile Justice"). It combines aspects of both superseded directives with enhanced expectations on staff to provide timely responses to violations of probation and to report efforts to gain compliance using a combination of incentives, interventions and sanctions to reduce violations of probation and enhance rehabilitative practices in juvenile supervision. It also includes additional provisions of N.J.S.A. 2A: 4A-21 and makes reference to Administrative Directive #4-06 ("Prosecutor's Role in Violation of Probation (VOP) Procedures").

The Judicial Council adopted the revised policy after its review and endorsement by the Juvenile Probation Managers, the Conference of Chief Probation Officers, the Conference of Family Presiding Judges, the Administrative Council, and the Judiciary Management and Operations Committee. In addition to being posted on both the Internet and InfoNet under Administrative Directives, the directive and policy also will be posted on the InfoNet under Policies - Court Policies - Administrative Directives.

Questions regarding the revised policy promulgated by this directive may be directed to Liz Domingo, Assistant Director, Probation Services, at (609) 815-3810 ext. 16311 or to Don Bornheimer, Chief of Juvenile Probation Services at (609) 815-3810 ext. 16336.

Attachment (Policy Document)

cc: Chief Justice Stuart Rabner
Family Presiding Judges
Steven D. Bonville, Chief of Staff
AOC Directors and Assistant Directors
Clerks of Court
Melaney S. Payne, Special Assistant
Ann Marie Fleury, Special Assistant
Vicinage Chief Probation Officers
Family Division Managers
John Gusz, Chief, Probation Supervision Services
Don Bornheimer, Chief, Juvenile Probation Services

POLICY FOR VIOLATIONS OF PROBATION FOR JUVENILE OFFENDERS

AS PROMULGATED MAY 10, 2016 BY DIRECTIVE #01-16

[SUPERSEDES DIRECTIVES #8-03 AND #9-03]

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I. INTRODUCTION

The following standards and guidelines for violations of probation are meant to standardize juvenile supervision practices to ensure that conditions of probation are enforced fairly and consistently. Ensuring compliance with the court order is the core function of probation, and the activities of probation -- monitoring, enforcing and intervening -- are designed to meet that mandate.

The probation supervision strategy for supervising youth encourages behavior that positively impacts rehabilitation while providing effective responses to behavior that negatively impacts rehabilitation. Probation officers utilize interventions, incentives and intermediate sanctions to deal effectively with probationer noncompliance. [1]Interventions direct the probationer and/ or family to educational or therapeutic activities to enhance the chances of successful rehabilitation. Incentives are positive responses (such as verbal praise or a note from a supervisor) to enhance individual motivation and promote continued compliance with the conditions of probation. The selection of an intermediate sanction should be progressive, beginning with the least restrictive measure deemed appropriate, followed by more consequential measures if non-compliance continues. For example, an officer might increase reporting requirements, set a curfew or develop a contract with the juvenile/parents to move the juvenile into compliance. If despite these strategies the probationer continues to be non-compliant or the nature of the non-compliance is serious, a Violation of Probation should be filed. Swift decisive action is required when a probation officer believes the probationer's behavior and/or circumstances have the potential for harm.

Supervision strategies shall incorporate best probation practices for all probation officers assigned to the juvenile case type. Strategies are required to be consistent with the rehabilitative purposes of the New Jersey Code of Juvenile Justice as articulated in N.J.S.A. 2A:4A-21:

To preserve the unity of the family whenever possible and to provide for care, protection, and wholesome mental and physical development of juveniles coming within the provisions of the act;

Consistent with the protection of the public interest, to remove from children committing delinquent acts certain statutory consequences of criminal behavior, and to substitute therefore an adequate program of supervision, care and rehabilitation, and a range of sanctions designed to promote accountability and protect the public;

To separate juveniles from the family environment only when necessary for their health, safety or welfare or in the interests of public safety;

To secure for each child coming under the jurisdiction of the court such care, guidance and control, preferably in his own home, as will conduce to the child's welfare and the best interests of the State; and when such child is removed from his/*her* own family, to secure for him/her custody, care and discipline as nearly as possible equivalent to that which should have been given by his/her parents;

[1] New Jersey is the Annie E. Casey Foundation's model state for implementation of alternatives to detention. As part of this initiative, we are testing in multiple vicinages a "Structured Response System" to reduce violations of probation and enhance rehabilitative practices in juvenile supervision. This is subject to endorsement by the Conference of Chief Probation Officers.

To insure that children under the jurisdiction of the court are wards of the State, subject to the discipline and entitled to the protection of the State, which may intervene to safeguard them from neglect and injury and to enforce the legal obligations due to them and from them;

Consistent with the protection of the public interest, to insure that any services and sanctions for juveniles provide balanced attention to the protection of the community, the imposition of accountability for offenses committed, fostering interaction and dialogue between the offender, victim and community and the development of competencies to enable children to become responsible and productive members of the community; and

To insure protection and a safe environment for those sexually exploited juveniles who are charged with prostitution or who are alleged to be victims of human trafficking; and to provide these juveniles with the appropriate shelter, care, counseling and crisis intervention services from the time they are taken into custody and for the duration of any legal proceedings.

II. GUIDELINES FOR FINDING VIOLATIONS OF STANDARD AND SPECIAL CONDITIONS OF JUVENILE PROBATION

The statement in bold at the beginning of each numbered paragraph below sets forth one of the Standard Conditions of Juvenile Probation approved by the New Jersey Supreme Court in September 1995. The statement is followed by factors to be considered in responding to a violation of each condition.

1. You shall obey all laws - Federal, State, and Municipal.

The commission of a new offense while under probation supervision is considered a serious violation. When a probation officer becomes aware that a juvenile under probation supervision has incurred a new charge, action must be taken. The sanction for a new offense should be an appropriate action consistent with the probationer's risk to the community, severity of the new charge, and with prior probation adjustment. Sanctions must also be timely and have supervisor approval.

A Violation of Probation may be filed upon notification of a new offense, pursuant to the guidelines below and individual circumstances. Ideally, the disposition of the violation should be postponed pending the adjudication of the new offense. When possible, the violation should follow the new offense throughout the court process. This will serve to advise the court of the new offense, toll the term of probation, and provide the court with the opportunity to indicate how it wishes to proceed.

Special care should be taken by the probation officer to ensure that the date of the new offense does not pre-date the start of probation, thus nullifying a violation of probation.

A. Arrest for a violent crime or a first or second degree offense or equivalent charge from another state.

The probation officer shall file the Violation of Probation within five (5) working days of receiving notification of the offense. This will serve to advise the court of the offense, toll the term and provide an opportunity to the court to indicate how it wishes to proceed. (i.e., proceed with the VOP or wait adjudication on the new charge). The wording of the violation must include the specific new charge, the date of the offense, and the docket number, if available.

B. Arrest for a third or fourth degree offense.

Upon notification of the new offense, the probation officer, after consultation with the supervisor, may file a Violation of Probation prior to the adjudication of the new offense or hold until the new charge has been adjudicated. The decision on how to proceed is determined by the nature and circumstances of the new offense and the probationer's compliance or non-compliance with the current probation conditions. If the new offense is part of a pattern of non-compliance, the probation officer should include the new offense in the violation charges. For example, if the juvenile is testing positive for drug use, not attending counseling, and is charged with possession of marijuana, the decision may be made to include this new charge with the violation. In all cases, a Violation of Probation should be filed when the term of probation is within 90 days of expiration in order to toll the term.

C. Arrest for disorderly persons offense, petty disorderly persons offense, a motor vehicle violation or a municipal ordinance violation.

Upon notification of a new offense, and after consultation with the supervisor, the probation officer may file a Violation of Probation. Again, the decision on how to proceed is determined by the nature and circumstances of the new offense and the probationer's compliance or non-compliance with the current probation conditions. If no violation will be filed, intermediate sanctions should be utilized as appropriate. For example, if the juvenile is compliant with the conditions of probation but has been charged with damaging property, a decision may be made to increase the reporting schedule for a period of time rather than filing a violation of probation. This sanction, coupled with the court's disposition, may be determined to be most appropriate for this juvenile.

Special consideration should be given to motor vehicle violations such as Driving without a License (DWL), Driving without Insurance, etc., with respect to the offenses as well as the probationer's background and overall adjustment to community supervision.

Note: If the probationer meets the criteria for detention, pursuant to N.J.S.A. 2A:4A-34, and the probation officer/supervisor feels detention is necessary, the Officer should request that the probationer be held in an appropriate detention facility. A VOP Statement of Charges must be submitted within 24 hours for juveniles who are placed in custody as the result of a VOP or Court Order. (See *Procedures for Requesting Warrants to Arrest and Detain Juveniles for a Violation of Probation* Section IV of this document.)

2. You shall not have in your possession any firearm or other dangerous weapon.

Upon consultation with a supervisor, a violation of probation should be filed if a probationer is found to be in possession of a firearm or dangerous weapon or if a probationer fails to surrender any firearm, dangerous weapon or firearms purchase permit, after being noticed to do so. The

standard for filing the violation is to do so within five (5) working days of receiving notification.

3. You shall report to your probation officer as directed.

Reporting is critical to effective supervision and case management. During the reporting session, the officer reviews the probationer's progress, assesses the level of compliance, assesses the needs of the probationer, develops and/or modifies individual case plans, conducts urine monitoring and makes appropriate referrals to service providers. Reporting also puts responsibility on the probationer by holding them accountable for adherence to a reporting schedule. Failure to report has been upheld in case law as a violation of probation.

Prior to returning a probationer to court for not reporting, efforts to gain compliance should be taken. The efforts should include, but are not limited to, meeting with the parent or guardian, a home contact, sending a letter, and phone contact when appropriate. Upon consultation with a supervisor and after considering the history of compliance, a Violation of Probation should be filed if a probationer has missed three consecutive reports or has established a pattern of sporadic reporting for a period of 60 days.

4. You shall not leave the State of New Jersey without the permission of your probation officer.

When a probationer leaves the State of New Jersey without the permission of the probation officer, a violation of probation should be filed within five (5) working days. If the probationer returns prior to the above action then an appropriate sanction should be imposed and/or a violation of probation may be filed. Consultation with a supervisor should take place to determine the appropriate action and sanction.

5. You shall not leave your home/residence for more than 24 hours without permission of your probation officer.

Noncompliance with this condition should be dealt with promptly by attempting a meeting with the parent or guardian and efforts to gain compliance should be taken. The efforts should include, but are not limited to, contacting family members and friends, if appropriate, and by using an appropriate intervention or intermediate sanction. If the probationer continues to show a serious pattern of non-compliance, then, after consultation with a supervisor and after considering the history compliance, a Violation of Probation should be filed. In any such case, the parents/guardians should be advised to file a Missing Persons Report with the appropriate authorities.

6. You shall permit your probation officer to visit your residence and to see and talk with you at any suitable place.

If the probationer is present and directly denies the probation officer access to his/her own residence, or other suitable place, efforts to gain compliance should be taken, which can include, but are not limited to, meeting with the parent/guardian and an Administrative Review

with the supervisor. If these efforts are unsuccessful, and after consultation with the supervisor, a Violation of Probation should be filed.

Since juveniles reside with their parents or guardians it is imperative that the parents or guardians be advised at Intake of this condition of probation so as not to cause problems during the course of supervision. If a parent/guardian continues to deny access to the probation officer, the matter should be brought to the attention of the court.

7. You shall notify your probation officer immediately of any change in residence, school, employment, and contact with law enforcement agencies.

It is imperative that Probation knows the address of the probationer's residence. If the probationer wilfully fails to notify Probation of a new address and the whereabouts are unknown to the probation officer, then, upon consultation with a supervisor, a Violation of Probation should be filed within five (5) working days of notification of the noncompliance. If Probation is aware of the address from other sources, this can be addressed through the use of graduated sanctions for non-compliance.

Probation can only monitor school attendance and employment if advised of the school or employment location. Any failure to advise Probation of changes should result in an appropriate sanction being imposed.

Negative contact with a law enforcement agency is to be reported by the probationer. Failure to do so should result in a sanction being imposed.

At any time a probation officer detects a pattern of non-compliance with this condition and the sanctions imposed are not effecting a positive change, after consultation with a supervisor, a Violation of Probation should be filed.

8. You shall answer promptly, truthfully and completely all inquires made by your probation officer.

This principle is the basis of good probationer performance. In the event that the probation officer discovers that the probationer is not being truthful, efforts to gain compliance should be taken. These could include, but are not limited to, discussions with a parent/guardian or school authorities, and imposing an appropriate sanction.

Repeated non-compliance with this condition, substantiated with evidence, should be considered, after consultation with a supervisor, a violation of probation especially when other violations exist.

9. You shall participate in any detection, diagnostic, or therapeutic program as determined by the courts and/or your probation officer.

Any condition of probation imposed by the courts must be pursued diligently by the probation officer. All efforts to secure compliance should be taken immediately after sentencing and documented in the case notes.

Orders for counseling programs and/or evaluations should be referred to an appropriate agency by the probation officer within ten (10) working days of receiving the case. Noncompliance with such orders should result in a Violation of Probation.

A probation officer may request that a probationer submit to an evaluation and/or attend counseling if it is reasonably related to the probationer's rehabilitation. A recommendation for treatment/counseling should be supported by a professional evaluation. When obtaining an evaluation/assessment, a reasonable time frame should be set, and the probation officer should direct the probationer to a specific agency or advise the probationer to find an appropriate service provider. If the recommended treatment significantly changes the conditions of probation the matter should be reviewed by the court.

Once a probationer is deemed to be in need of treatment and an appropriate service provider is found, the probationer is expected to attend and cooperate fully. If noncompliant, efforts to gain compliance should be used. These efforts can include, but are not limited to, discussion with the parent/guardian, treatment provider, CMO and DCP&P if assigned, and addressing possible transportation problems or financial barriers. If these efforts are unsuccessful, and after consultation with a supervisor, a Violation of Probation should filed within ten (10) working days of being notified of the noncompliance.

A probation officer may utilize an approved substance abuse testing procedure for any probationer if there is reason to suspect that the probationer is using drugs. If a probationer tests positive for drugs, a referral should be made to an appropriate agency for an evaluation and/or treatment. If the probationer repeatedly tests positive in approved substance abuse testing procedures, refuses to submit to drug testing, and/or refuses to attend an evaluation or counseling, efforts to gain compliance should be made, including discussions with the parent/guardian and treatment provider, and the use of appropriate sanctions. If these efforts are not successful, after consultation with a supervisor, a Violation of Probation should be filed.

10. You shall attend school or be employed.

For any juvenile under the age of 16, school attendance is mandatory. This condition should be considered a priority and school attendance should be monitored regularly. If there are attendance problems, efforts to gain compliance should be made, including the officer speaking to the parent/guardian and the school officials to develop a plan to identify and address these obstacles or correct the behavior. Unexcused absences should not go without some action on the part of the probation officer, including but not limited to meeting with the parent or guardian and school officials and an Administrative Review with the supervisor. If all efforts prove futile, after consultation with the supervisor a Violation of Probation should be filed.

School attendance for probationers over 16 may also be ordered as a condition of probation. The same responses identified above apply. The probation officer should be an advocate for achieving educational and vocational goals. Any probationer over the age of 16 and not in school is expected to be employed or to be seeking employment diligently.

11. You shall pay, through the Probation Division, any and all monies ordered to be paid by the court in strict accord with the terms fixed by the court. Failure to comply will result in further court action, including filing of a civil judgment and/or extension of the probation term.

When the probation officer meets with the probationer and parent or guardian to review and obtain signatures on the Conditions of Probation, the payment plan should also be reviewed and clarified.

Collecting monetary obligations from juveniles is extremely difficult. Many probationers are below the legal working age, have transportation problems, or cannot work due to the school attendance requirement. Those not enrolled in school oftentimes have difficulty in securing employment. If, during supervision, the probationer and parent or guardian indicate that the established payment plan cannot be followed, with supervisor approval, the probation officer should request approval of the judge to modify the payment plan.

If this is the only condition with which the juvenile is not in compliance, consideration should be given to referring the case to the Comprehensive Enforcement Program. However, a Violation of Probation should be filed if the non-payment is willful.

12. You shall abide by the curfew imposed by your probation officer.

Curfew violations should result in a prompt and appropriate response by the probation officer. Efforts to gain compliance can include, but are not limited to, discussion with the probationer and parent/guardian, referrals to services for parent education and appropriate interventions or sanctions. When curfew violations occur frequently within a short timeframe, and/or in addition to other violations, upon consultation with a supervisor, a Violation of Probation should be filed.

13. You shall comply with any additional special conditions of probation specifically imposed by the court.

The courts have the authority to impose other conditions at the time of disposition. Pursuant to N.J.S.A. 2A:4A-43, the court may place the juvenile on probation to the Chief Probation Officer of the county for a period not to exceed three years upon such written conditions as the court deems will aid rehabilitation of the juvenile. Upon consultation with a supervisor, a Violation of Probation should be filed within five (5) working days of notification of non-compliance.

III. VIOLATION PROCESS AND PROCEDURES

Consistent with developmental and social learning principles, a combination of incentives, interventions and sanctions are more effective than the use of sanctions alone. Effectively responding to probationer behavior improves the likelihood that youth will successfully complete probation and also helps achieve greater consistency in the supervision of similarly situated youth, regardless of who the probation officer is or in what county. Since timeliness of response is an essential element of good probation practice, the time frame of non-compliant behavior is to be included in the decision-making process by the probation officer and supervisor. Probation officers should use all appropriate options for handling noncompliance prior to filing a VOP or requesting a warrant to detain the youth for the VOP.

Once it has been determined that a violation of probation must be filed, the following steps should be followed.

1. The **Violation of Probation - Statement of Charges** form (see Appendix A) must be filled out using sample charging language appropriate to the violation (see Appendix D). All information must be complete and accurate. Particular attention should be paid to completing the Reference (underlying) Docket numbers for this violation. Charges must be written clearly and detail the specifics of the violation(s).

2. The **Violation of Probation Summary** form (see Appendix B) should be filled out and attached. This form should support the specific violation(s) and include details and supporting evidence. The "Opening Statement" should briefly address the probationer□s current status in the court system and any facts specific to this violation. The "Efforts to Gain Compliance" should address the probation officer□s use of interventions, incentives and sanctions and the probationer□s resultant behavior. The "Probation Adjustment" should summarize the probationer□s adjustment with the other conditions of probation and compliance with the case plan. The "Officer□s Statement and Recommendations" should be consistent with the facts of the case, the probationer□s overall progress on probation and the underlying reasons for the Violation of Probation.

3. The completed forms must be reviewed and signed by the probation officer and then given to a supervisor for approval and signature.

4. The Violation of Probation – Statement of Charges should be docketed in the Family Court. Scheduling procedures may be different in each county. However, violations should be processed with minimal delay so as not to dilute the consequences of noncompliance with conditions of probation.

5. Whenever possible, the juvenile/parents should be noticed of the charges in person by the Probation Officer. If this is not possible, the notice may be sent registered or certified mail, return receipt requested.

6. Each County should also have a means for the expedient handling of emergent matters.

7. Juvenile violations of probation will be heard in the county where the juvenile currently resides and probation is being supervised, unless, the judge entering the underlying disposition included a jurisdictional retention provision in the dispositional order.

8. As per Directive #4-06, County Prosecutors, and not probation officers, are responsible for the prosecution of defendants charged with violating the terms of their probation.

IV. PROCEDURES FOR REQUESTING WARRANTS TO ARREST AND DETAIN JUVENILES FOR A VIOLATION OF PROBATION

Pursuant to N.J.S.A. 2A:4A-34 a juvenile may be placed in detention for one or more of the following reasons:

1. Detention is necessary to secure the presence of the juvenile at the next hearing as evidenced by a demonstrable record of recent willful failure to appear at juvenile court proceedings or to remain where placed by the court or the court intake service; or,

2. The physical safety of persons or property of the community would be seriously threatened if the juvenile were not detained and the juvenile is charged with an offense which, if committed by an adult would constitute a crime; or,

3. When the criteria for detention are met and the juvenile is charged with an offense which, if committed by an adult, would constitute a disorderly persons or petty disorderly persons, the juvenile may be placed in detention temporarily.

If a juvenile probationer meets the above criteria and the officer/supervisor feels detention is necessary, the following steps should be followed:

1. The *Violation of Probation - Statement of Charges* form must be completed, filed and docketed. The "Request WARRANT to be issued for the above-named block must be checked.

2. The request must be reviewed and approved by a supervisor.

3. The request must be taken to an appropriate judge for approval.

Note: Established procedures will be utilized if a juvenile must be detained on a Violation of Probation when the court is not open for business, e.g., a juvenile is apprehended late at night after leaving a court-ordered fields program. The Violation should be filed and docketed the next working day.

The probation officer may prepare a supplemental statement/summary form with a recommended course of action so as to limit the amount of time the juvenile is detained. If the probation officer will attend the first hearing and/or subsequent hearings, then the recommendation may be given verbally in court.

Note: No juvenile eleven (11) years of age or younger shall be placed in detention unless charged with an offense which, if committed by an adult, would be a crime of the first or second degree or arson. **(Asterisk was removed referencing transfers)**

This supersedes Directive #8-03, *Policy for Violation of Probation for Juvenile Offenders,* dated May 29, 2003 and issued by Richard J. Williams, Administrative Director, and Directive 9-03, *Juvenile Violation of Probation Policy – (a) Clarification Regarding Venue for Violation Hearings, (b) Omitted Language,* dated October 6, 2003 and issued by Richard J. Williams, Administrative Director.

APPENDIX A

VIOLATION OF PROBATION—STATEMENT OF CHARGES

VIOLATION of PROBATION – STATEMENT of CHARGES

SUPERIOR COURT OF NEW JERSEY Family Division, County of	JUDGE:
STATE OF NEW JERSEY, In the Interest of: Address:	VOP DOCKET # FACTS Party ID FACTS Probation ID: CAPS ID: SBI #: Reference Docket #s
DOB: SS#	
Parent/Guardian: Tel:	

The above-named juvenile is subject to the Standard Conditions of Family Probation in addition to any special conditions included in the disposition.
The juvenile is charged with violating the terms and conditions of probation as follows:

( ) Attached is a copy of the dispositional order(s) for the above-referenced docket numbers.
( ) VOP Summary attached
( ) Monetary/Community Services balances - CAPS printout
( ) Request HEARING to be scheduled
( ) Request WARRANT to be issued for the above-named
( ) Juvenile Court Record – Family FACTS printout
( ) Other (specify)

SIGNATURE OF PROBATION OFFICER or OTHER AUTHORIZED PERSON (W/TITLE) _____ PRINT NAME: _____	DATE
SIGNATURE OF CHIEF PROBATION OFFICER or OTHER AUTHORIZED PERSON (W/TITLE) _____ PRINT NAME: _____	DATE

Administrative Office of the Courts 11/02
cc: COURT; PROBATION; JUVENILE; JUVENILE□S PARENT; FAMILY INTAKE; PROSECUTOR

APPENDIX B

VIOLATION OF PROBATION SUMMARY

SUPERIOR COURT OF NEW JERSEY

_____ PROBATION DIVISION

Honorable [Judge]

VIOLATION OF PROBATION SUMMARY

Probationer Name:
DOB: [mo/day/yr]

CAPS ID:
FACTS Probation ID[PJ #]:

OPENING STATEMENT

EFFORTS TO GAIN COMPLIANCE
(Interventions, Incentives and Sanctions)

PROBATION ADJUSTMENT

OFFICER S STATEMENT & RECOMMENDATION

_____ _____ _____ _____
Date Probation Officer Name Date Supervisor

Print Name _____ Print Name: _____

APPENDIX C

STANDARD CONDITIONS OF FAMILY PROBATION

New Jersey Judiciary

STANDARD CONDITIONS of FAMILY PROBATION

PROBATIONER

CASE FILE#/DOCKET#

COUNTY

1. You shall obey all laws – Federal, State, and Municipal.
2. You shall not have in your possession any firearm or other dangerous weapon.
3. You shall report to your probation officer as directed.
4. You shall not leave the State of New Jersey without the permission of your probation officer.
5. You shall not leave your home/residence for more than 24 hours without permission of your probation officer.
6. You shall permit your probation officer to visit your residence and to see and talk with you at any suitable place.
7. You shall notify your probation officer immediately of any change in residence, school, employment and contact with law enforcement agencies.
8. You shall answer promptly, truthfully, and completely all inquiries made by your probation officer.
9. You shall participate in any detection, diagnostic, or therapeutic program as determined by the Court and/or your probation officer.
10. You shall attend school or be employed.
11. You shall pay, through the Probation Division, any and all monies ordered to be paid by the Court in strict accord with terms fixed by the Court. Failure to comply may result in further Court action, including filing a civil judgment and/or extension of your probation term.
12. You shall abide by curfew imposed by your probation officer or the Court.
13. You shall comply with any additional special conditions of probation specifically imposed by the Court.

( ) Submit to a search

( ) Driver's License Suspended for _____

( ) Obtain a General Equivalency Diploma (GED)

( ) Sex Offender Registration

( ) _____

( ) _____

VCCB $_____ VAF $_____ FLF $_____	DEDR$_____ Restitution $_____ Fine $_____ Other Fines $_____ Total Ordered 0.00	Community Service – These are to be served at a rate of _____hours per _____beginning _____
Total Amount Ordered $____.00 This will be paid at the rate of $_____per _____effective_____. If no payment schedule is established, the total is due immediately.		

I have received a copy of the conditions of probation which have been read and explained to me. I understand the above rules and conditions of probation and that they apply to me, and I further understand that I have been placed on probation for a period of _____ year (s) beginning _____. Failure to comply may constitute a violation of probation and may cause my return to Court.

Probation Officer (Signature) Print Name:	Probationer (Signature) Print Name:
Date	Parent/Guardian (Signature) Print Name:

Administrative Office of the Courts

CPO123(Revised 8/00)

cc: FILE;PROBATIONER;PARENT/GUARDIAN

APPENDIX D

SAMPLE LANGUAGE FOR COMPLETING *STATEMENT OF CHARGES* FORM

Juvenile Violation of Probation

SAMPLE LANGUAGE FOR COMPLETING *STATEMENT OF CHARGES* FORM

Condition #1: **NEW OFFENSE**

(A) The probationer has been charged with a new offense, specifically: (date), (location), (offense).

(B) The probationer was charged and adjudicated on a new complaint, specifically: (date), (location), (charge) (or date of hearing and disposition)

Condition #2 **POSSESSION OF FIREARM/DANGEROUS WEAPON**

The probationer possessed a firearm/other dangerous weapon as defined in N.J.S.A. 2C:39 et.seq., specifically: (date), (location), (name of person/agency to provide documentation), (details of event)

Condition #3: **FAILURE TO REPORT**

The probationer did not report to the Probation Officer as directed. Specifically, the probationer failed to report on the following dates:

Condition #4 **LEAVING STATE WITHOUT PERMISSION**

The probationer left the state of New Jersey without the permission of the probation officer, specifically: (date), (location), (details of event).

Condition #5 **LEAVING HOME/RESIDENCE FOR MORE THAN 24 HRS WITHOUT PERMISSION**

The probationer left his/her home/residence for more than 24 hours without the permission of the Probation Officer, specifically: (date), (location), (details of event).

Condition #6 **FAILURE TO PERMIT PROBATION OFFICER TO VISIT RESIDENCE**

The probationer has failed to permit the Probation Officer to visit residence/other suitable place, specifically: (date), (location), (details of event)

Condition #7 **FAILURE TO NOTIFY PROBATION OFFICER OF CHANGE OF ADDRESS/SCHOOL/EMPLOYMENT.**

The probationer has failed to keep the Probation Officer advised of a change of (address), (school),(employment) specifically: (date), (location), (details of event)

Condition #8 **FAILURE TO ANSWER ALL INQUIRIES**

The probationer has failed to truthfully answer inquiries made by the Probation Officer, specifically: (date), (location), (details of event)

Condition #9 **FAILURE TO PARTICIPATE IN DETECTION, DIAGNOSTIC, OR THERAPEUTIC PROGRAMS**

(A) The probationer failed to cooperate in examination/testing/counseling/treatment as directed by the Probation Officer, specifically: (date), (agency), (name of agency representative who provided documentation), (details of event).

(B) The probationer failed to submit to drug/alcohol testing as directed by the Probation Officer, specifically, (date), (agency), (name of agency representative who provided documentation), (details of event).

(C) The probationer submitted urine samples which tested positive for drug/alcohol use, specifically: (date), (test results).

(D) The probationer submitted an adulterated sample, specifically: (dates), (test results).

Condition #10 **FAILURE TO ATTEND SCHOOL/BE EMPLOYED**

(A) The probationer did not attend school on the following dates: (name/source of information/documentation), (details of event).

(B) The probationer has failed to seek/maintain employment, specifically: (dates), (name/source of information/documentation), (details of event).

Condition #11 **FAILURE TO PAY MONIES**

The probationer failed to pay Court imposed financial obligations, specifically: total amount ordered $, total amount paid $, total amount outstanding $, date of last payment: .

Condition #12 **FAILURE TO COMPLY WITH CURFEW**

The probationer failed to comply with the curfew imposed by the Probation Officer/Court, specifically: (dates), (details of event).

Condition #13 **SPECIAL CONDITIONS**

The probationer has failed to meet the Special Conditions of probation imposed by the Court, specifically: