

**COURTESY SUPERVISION & TRANSFER OF ADULT CASES IN CALIFORNIA
PURSUANT TO SECTION 1203.9 PC**

- AUTHORITY:** Sections 11175-11179PC, Section 1203.9 Agreements of the Parole & Probation Compact Administrator's Association
- RESCINDS:** Procedure Manual Item 2-3-007, dated 12/31/08
- FORMS:**
- | | |
|---|---------------|
| Form Chrono Request for Courtesy Supervision | (F057-1073) |
| Courtesy Supervision Cover Letter | (F057-2004AF) |
| Monthly Report Form | (F057-1023) |
| Form Chrono and Request for 1203.9 PC | (F057-1073) |
| Transfer Proceedings | |
| 1203.9 PC Referral Document (Residence Verification Form) | (F057-1217) |
| 1203.9 PC Summary Transfer Chrono | (F057-1249) |
| Reassessment of Risk/Needs Chrono | (F057-2034) |
| Assessment of Adult Risk | (F057-2036) |
| Interim (Transfer) Chrono | (F057-2041) |
| Waiver of Appearance by Probationer | (F0502-2079) |
- PURPOSE:** To outline the procedure for the transfer of adult probation cases for Courtesy Supervision and/or for legal jurisdiction/probation supervision to the county of the probationer's residence.

I. GENERAL INFORMATION

A. Courtesy Supervision

- Courtesy Supervision can be provided by other probation departments (receiving county) that accept the responsibility for supervision of probationers who were placed on probation in another jurisdiction (sending county).**
- Applies to probationers who reside in other counties within the state of California.
- Used when transfer is not possible pursuant to Section 1203.9 PC.
- Providing courtesy supervision for other counties is not required by law.
- Counties provide varying levels of supervision on a courtesy basis.

B. 1203.9 PC

- Probationers are accepted on a courtesy basis until the legal jurisdiction has been transferred.

C. Cases not eligible:

- Nonsupport (270 PC).

2. Welfare Fraud (10980 W&I).
3. 1000 PC Diversion.
4. Cases not supervised by the Probation Department.
5. Cases with unresolved probation violations.
6. Cases with outstanding warrants.
7. Cases specified by the Court to be modified to Conditional Sentence (Informal) status after a period of time or relief of supervision for Superior Court cases (1203.9 PC).
8. Probationers residing in a treatment facility, jail or on house arrest/electronic confinement (1203.9 PC). (A board and care home is not considered a treatment facility).
9. Cases that are going back to Court on appeal (1203.9 PC).
10. Cases with pending Court dates (1203.9 PC).

D. Residence

1. The defendant must have been a resident of the receiving county for at least 30 days.
2. The defendant must intend to remain a resident of the county.

E. Time on Probation

There must not be less than 14 months remaining on the probation grant when referred for 1203.9 PC transfer.

II. PROCEDURE

A. Cases being supervised by field Probation Officers and going to another county.

1. Field Probation Officer:
 - a. Carefully reviews the probationer's plan to move to ensure that he/she is not attempting to avoid supervision.
 - b. If in doubt about the extent of supervision provided by a county, consults with one of our Courtesy Supervision deputies.
 - c. Forms and details to be completed:
 - (1) A complete, current record check to confirm that there are no known warrants or probation violations pending.

- (2) Request for Courtesy Supervision form chrono (F057-1073).
- (3) File must contain copy of registration form, as appropriate, reflecting probationer's current address.
- (4) Reassessment of Adult Risk/Needs Packet.
- (5) A 1203.9 PC Waiver (F0502-2079) signed by the probationer.
- (6) Ensure that the file is up-to-date and complete, including a P&S or typed Summary Grant Report with complete information.

2. Instructions to the Probationer:

- a. Continue to make all fine and restitution payments to the Orange County Probation Department.
- b. Immediately notify Orange County Probation of any change of residence prior to acceptance of supervision by receiving county.
- c. Submit Monthly Report Forms (F057-1023) until accepted for supervision by receiving county.
- d. Advise probation as to who his C/S Officer will be by continuing assignment share of calling the C/S Officer of the Day. Write officer's name on MRF.
- e. Submit file to the Unit Supervisor for review and transfer to the Courtesy Supervision Unit, making sure CMS is updated.

3. Courtesy Supervision Probation Officer:

- a. Processes referral.
- b. Awaits acceptance or rejection by the receiving County of Orange.

B. New Outgoing Cases

1. Courtesy Supervision Probation Officer:

- a. Receive file;
- b. Set an appointment;
- c. Have the defendant complete a Summary Grant;
- d. Take a photo;
- e. Have the defendant sign the minute order;
- f. Have the defendant sign the instructions;

- g. Have the defendant sign the Transfer Agreement;
- h. Give the defendant 6 months MRF's;
- i. Take the defendant to see a financial officer;
- j. Type a Case Summary and email it to the clerk;
- k. Give a packet to the clerk consisting of:
 - (1) Case Summary
 - (2) Summary Grant
 - (3) Police Report or Pre-Plea Report
 - (4) Tahl Form
 - (5) Complaint
 - (6) Signed Minute Order
 - (7) Signed Instructions
 - (8) Signed Transfer Agreement
- l. Wait for pink RV/Transfer Acceptance from our court and a yellow RV/Transfer Acceptance from their court; and
- m. Complete a 1203.9 Summary Chrono for financial.

C. New Incoming Cases:

- 1. Set an appointment;
- 2. Have defendant complete a Summary Grant;
- 3. Take a photo;
- 4. Copy the defendant's social security card, CDL, registration, birth certificate, utility bill, and pay stub;
- 5. Update information in Adult ICMS;
- 6. Verify DNA has been done if eligible or have the defendant submit DNA and update CMS;
- 7. Have the defendant sign the Instructions;
- 8. Complete the (RV) Residence Verification/Transfer Acceptance;

9. Complete an assessment and make 2 copies;
10. Give the defendant an appointment letter or send to Admin or FM; and
11. Complete an Information for Unit Clerk Form.

REFERENCES:

Procedures:	2-1-101	Adult Restitution
	2-1-104	Chronological History Sheet – Adult
	2-3-012	Adult Cost of Probation and Cost of Incarceration Services
	2-3-021	Adult Risk/Needs Assessment and Reassessment Packet
Policies:	B-2	Inter and Intra-Agency Confidentiality
	E-4	Clients With Legal Residence Out of County
	E-8	Restitution

J.Nolen:mas

APPROVED BY:

Chris Bieber
Division Director

May 26, 2010
Date