



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 20-173

For business meeting on September 25, 2020

Title

Criminal Forms: Miscellaneous Technical Changes

Agenda Item Type

Action Required

Effective Date

January 1, 2021

Rules, Forms, Standards, or Statutes Affected

Revise forms CR-150, CR-162, CR-200, CR-251, and CR-300

Date of Report

September 25, 2020

Recommended by

Judicial Council staff
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Criminal Justice Services

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Executive Summary

Judicial Council staff recommend revising five criminal forms to incorporate changes resulting from legislation and a prior rule amendment. The changes are technical, minor, and noncontroversial. Judicial Council staff recommend making the necessary corrections to conform to statutes and rules and avoid causing confusion for court users, clerks, and judicial officers.

Recommendation

Judicial Council staff recommend that the council, effective January 1, 2021:

1. Revise *Certificate of Identity Theft: Judicial Finding of Factual Innocence* (form CR-150) to include a gender nonbinary identification checkbox and conform to changes to Penal Code section 530.6, as amended effective January 1, 2003, to add two additional findings;

2. Revise *Order to Surrender Firearms in Domestic Violence Case* (form CR-162) to avoid the use of gendered pronouns¹ and replace a reference to Penal Code section 136.2(a)(7)(B), which was renumbered by Assembly Bill 1850 (Stats. 2014, ch. 673);
3. Revise *Form Interrogatories—Crime Victim Restitution* (form CR-200) to correct the reference to Code of Civil Procedure section 2030, which was repealed by Assembly Bill 3081 (Stats. 2004, ch. 182), and replaced with sections 2030.010–2030.410;
4. Revise *Order for Transfer* (form CR-251) to reflect changes to Penal Code section 1203.9 and California Rules of Court, rule 4.530; and
5. Revise *Petition for Revocation* (form CR-300) to add a reference to Penal Code section 3000(b)(4), to conform to Penal Code section 3000.08(h), which was amended by Senate Bill 1023 (Stats. 2012, ch. 43) to include persons subject to parole under section 3000(b)(4) as warranting special parole status.

The proposed revised forms are attached at pages 5–12.

Relevant Previous Council Action

The recommendation to revise form CR-251 is related to the Judicial Council’s prior amendment of California Rules of Court, rule 4.530, effective January 1, 2017. Although the Judicial Council has acted on the other forms previously, this proposal recommends only minor corrections unrelated to any prior action.

Analysis/Rationale

The changes to these forms are technical in nature and necessary to conform to statutory changes and correct inadvertent omissions and incorrect references.

Revisions to *Certificate of Identity Theft: Judicial Finding of Factual Innocence* (form CR-150) are recommended to conform to changes to Penal Code section 530.6. The section was amended by Assembly Bill 1219 (Stats. 2002, ch. 851) to allow victims to petition the court in two additional circumstances: “where the perpetrator of identity theft was . . . cited for . . . a crime under the victim’s identity, or where a criminal complaint has been filed against the perpetrator in the victim’s name.” The proposed change would add these two circumstances to the petition form, using substantially identical language as the statute.

Revisions to *Order for Transfer* (form CR-251) are recommended to conform to changes to Penal Code section 1203.9 and California Rules of Court, rule 4.530. Section 1203.9 was

¹ This form includes checkboxes indicating whether the person surrendering firearms is male or female. Judicial Council staff is monitoring how the Department of Justice is modifying the California Restraining and Protective Order System (CARPOS) to include a nonbinary gender option and intends to update this form to reflect those changes at a future date.

amended by Assembly Bill 673 (Stats. 2015, ch. 251) to change court jurisdiction over the collection and distribution of court-ordered debt after intercounty transfer. Rule 4.530 was amended, effective January 1, 2017, to make the rule consistent with the changes to section 1203.9 on court-ordered debt and to add additional file transfer requirements after intercounty transfer. Form CR-251 currently reflects prior versions of both the statute and rule. The revisions to form CR-251 incorporate the same changes the Judicial Council previously approved to rule 4.530 regarding court-ordered debt (Cal. Rules of Court, rule 4.530(h)(1)(A)) and file transfer requirements (Cal. Rules of Court, rule 4.530(g)(5)).

Policy implications

This proposal promotes accuracy and consistency with statutes and rules.

Comments

This proposal was not circulated for public comment because the recommended changes are corrections, technical revisions, and minor modifications that are unlikely to create controversy, and are therefore within the Judicial Council's purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

Alternatives considered

Revising the forms later, alongside more substantive revisions, was considered. However, revising the forms at this time appears to be the better option, to avoid having courts and court users continuing to rely on inaccurate forms for an unforeseen amount of time.

Fiscal and Operational Impacts

Operational impacts are expected to be minor. The proposed revisions may result in reproduction costs if courts provide hard copies of any of the forms recommended for revision. Because the proposed changes are minor or technical corrections, case management systems are unlikely to need updating to implement them.

Attachments and Links

1. Forms CR-150, CR-162, CR-200, CR-251, and CR-300, at pages 5–12
2. Link A: Pen. Code, § 530.6,
http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=530.6&lawCode=PEN
3. Link B: Assembly Bill 1219 (Stats. 2002, ch. 851),
http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=200120020AB1219
4. Link C: Assembly Bill 1850 (Stats. 2014, ch. 673),
http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201320140AB1850
5. Link D: Assembly Bill 3081 (Stats. 2004, ch. 182),
http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=200320040AB3081
6. Link E: Pen. Code, § 1203.9,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1203.9&lawCode=PEN

7. Link F: Assembly Bill 673 (Stats. 2015, ch. 251),
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB673
8. Link G: Cal. Rules of Court, rule 4.530,
https://www.courts.ca.gov/cms/rules/index.cfm?title=four&linkid=rule4_530
9. Link H: Pen. Code, § 3000.08,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=3000.08&lawCode=PEN
10. Link I: Senate Bill 1023 (Stats. 2012, ch. 43),
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201120120SB1023

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER:
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PEOPLE OF THE STATE OF CALIFORNIA

vs.

DEFENDANT:

CERTIFICATE OF IDENTITY THEFT: JUDICIAL FINDING OF FACTUAL INNOCENCE (Penal Code, § 530.6)	CASE NUMBERS:
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Warrant No. (if any): _____ Violation Date: _____

1. Petitioner Information:

Name: _____ Date of Birth: _____

Gender: M F Nonbinary Ht: _____ Wt: _____

Hair Color: _____ Eye Color: _____ Race: _____ Age: _____

Booking No.: _____ Driver's License or Identification No.: _____

Other Identifying Information: _____

2. The court finds that:

Another person was arrested for, cited for, or convicted of a crime under the identity of the petitioner in this case.

A criminal complaint has been filed against another person under the name of the petitioner in this case.

The petitioner is not the person for whom the warrant in this case was issued.

The petitioner's identity has been mistakenly associated with a record of the criminal conviction in this case.

Accordingly, the court finds that the petition is meritorious and that there is no reasonable cause to believe that the petitioner committed the offense in this case, and that the petitioner is factually innocent of that offense.

Date: _____

JUDICIAL OFFICER

CERTIFICATION

(SEAL)

I certify that the foregoing is a true and correct copy of the original on file in my office.

Date: _____

Clerk, by _____

(DEPUTY)

1. The box to the right contains the petitioner's

right thumbprint

other print (specify):

2. The print was taken on (date):

3. The print was taken by

a. Name:

b. Position:

c. Badge or serial No.:

ANY ALTERATION RENDERS THIS FORM VOID.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:	
ORDER TO SURRENDER FIREARMS IN DOMESTIC VIOLENCE CASE (CLETS - CPO) (Penal Code, § 136.2(a)(1)(G)(ii))	CASE NUMBER:

PERSON TO SURRENDER FIREARMS (*complete name*):

Sex: M F Ht.: Wt.: Hair color: Eye color: Race: Age: Date of birth:

1. This proceeding was heard on *(date)*: _____ at *(time)*: _____ in Dept.: _____ Room: _____ by judicial officer *(name)*: _____
2. **This order expires on *(date)*: _____ . If no date is listed, this order expires three years from date issuance.**
3. Defendant was personally served with a copy of this order at the court hearing, and no additional proof of service of this order is required.

GOOD CAUSE APPEARING, THE COURT ORDERS THAT THE ABOVE-NAMED DEFENDANT

4. must not own, possess, buy or try to buy, receive or try to receive, or otherwise obtain a firearm or ammunition. The defendant must surrender to local law enforcement, or sell to or store with a licensed gun dealer, any firearm owned by the defendant or subject to **the defendant's** immediate possession or control within 24 hours after service of this order and must file a receipt with the court showing compliance with this order within 48 hours of receiving this order.
 - The court finds good cause to believe that the defendant has a firearm within **the defendant's** immediate possession or control and sets a review hearing for *(date)*: _____ to ascertain whether the defendant has complied with the firearm relinquishment requirements of Code Civ. Proc., § 527.9. (Cal. Rules of Court, rule 4.700.)
 - The court has made the necessary findings and applies the firearm relinquishment exemption under Code Civ. Proc., § 527.9(f). The defendant is not required to relinquish this firearm (*specify make, model, and serial number of firearm*): _____

Executed on: _____ (DATE) _____ (SIGNATURE OF JUDICIAL OFFICER) Department/Division: _____

WARNINGS AND NOTICES

This order is effective as of the date it was issued by the judicial officer and expires as ordered in item 2.

This order is to be used ONLY when the court orders firearms relinquishment but does not make any other protective or restraining orders. Do NOT use in conjunction with other Criminal Protective Orders (form CR-160 or CR-161).

NOTICE REGARDING FIREARMS. Any person subject to a protective order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment. The person subject to these orders must relinquish any firearms (by surrendering the firearm to local law enforcement, or by selling or storing it with a licensed gun dealer) and not own or possess any firearms during the period of the protective order. (Pen. Code, § 136.2(d).) Under federal law, the issuance of a protective order after hearing will generally prohibit the restrained person from owning, accepting, transporting, or possessing firearms or ammunition. A violation of this prohibition is a separate federal crime.

Specified defendants may request an exemption from the firearm relinquishment requirements stated in item 4 of this order. *The court must check the box under item 4 to order an exemption from the firearm relinquishment requirements.* If the defendant can show that the firearm is necessary as a condition of continued employment, the court may grant an exemption for a particular firearm to be in the defendant's possession only during work hours and while traveling to and from work. If a peace officer's employment and personal safety depend on the ability to carry a firearm, a court may grant an exemption that allows the officer to carry a firearm on or off duty, but only if the court finds, after a mandatory psychological examination of the peace officer, that the officer does not pose a threat of harm. (Code Civ. Proc., § 527.9(f).)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

TELEPHONE NO.:

FAX NO. (Optional):

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

SHORT TITLE OF CASE:

FORM INTERROGATORIES—CRIME VICTIM RESTITUTION

Asking Party:

Answering Party:

Set No.:

CASE NUMBER:

Sec. 1. Instructions to All Parties

- (a) Interrogatories are written questions prepared by a party to the action that are sent to any other party in the action to be answered under oath. The interrogatories below are form interrogatories approved for use by victims in criminal cases to assist them in recovering unpaid restitution.
- (b) For time limitations, requirements for service on other parties, and other details, see Code of Civil Procedure sections 2030.010—2030.410 and the cases construing those sections.
- (c) These form interrogatories do not change existing law relating to interrogatories, nor do they affect an answering party's right to assert any privilege or make any objection.

- (f) Whenever an interrogatory may be answered by referring to a document, the document may be attached as an exhibit to the response and referred to in the response. If the document has more than one page, refer to the page and section where the answer to the interrogatory can be found.
- (g) Whenever an address and telephone number for the same person are requested in more than one interrogatory, you need only provide them in the first interrogatory asking for that information.
- (h) If you are asserting a privilege or making an objection to an interrogatory, you must specifically assert the privilege or state the objection in your written response.
- (i) Your answers to these interrogatories must be verified, dated, and signed. You may wish to use the following form at the end of your answers:

Sec. 2. Instructions to the Asking Party

- (a) These interrogatories are designed for optional use by crime victims to assist them in recovering unpaid restitution as provided in Code of Civil Procedure section 2033.720.
- (b) Check the box next to each interrogatory that you want the answering party to answer. Take care to choose those interrogatories that are applicable to the case.
- (c) Additional interrogatories may be attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing answers are true and correct.

(DATE)

(SIGNATURE)

Sec. 3. Instructions to the Answering Party

- (a) You must answer or provide an appropriate response to each interrogatory checked by the asking party.
- (b) As a judgment debtor you must disclose assets up to an amount clearly sufficient to satisfy the judgment.
- (c) As a general rule, within 30 days after you are served with these interrogatories, you must serve your responses on the asking party and serve copies of your responses on all other parties to the action who have appeared in court. See Code of Civil Procedure sections 2030.260—2030.270 for details.
- (d) Each answer must be as complete and straightforward as the information reasonably available to you, including the information possessed by your attorneys or agents, permits. If an interrogatory cannot be answered completely, answer it to the extent possible.
- (e) If you do not have enough personal knowledge to fully answer an interrogatory, say so, but make a reasonable and good-faith effort to get the information by asking other persons or organizations, unless the information is equally available to the asking party.

Sec. 4. Definitions

Words in **BOLDFACE CAPITALS** in these interrogatories are defined as follows:

- (a) **PERSON** includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.
- (b) **ADDRESS** means the street address, including city, state, and zip code.
- (c) **ASSET** or **PROPERTY** includes any interest in real estate or personal property. It includes any interest in a pension, profit-sharing, or retirement plan.
- (d) **SUPPORT** means any benefit or economic contribution to the living expenses of another person, including gifts.

Sec. 5. Interrogatories

The following interrogatories have been approved by the Judicial Council under Code of Civil Procedure section 2033.720:

CONTENTS

- 1.0 Identity of Persons Answering These Interrogatories
- 2.0 General Background Information—Individual
- 3.0 Current Income
- 4.0 Employment Information
- 5.0 Employment History
- 6.0 Support Received From Others
- 7.0 General Background Information—Business
- 8.0 Bank Accounts and Cash
- 9.0 Property
- 10.0 Other Assets
- 11.0 Other Income
- 12.0 Liabilities and Debts

1.0 Identity of Persons Answering These Interrogatories

- 1.1 State the name, **ADDRESS**, telephone number, and relationship to you of each **PERSON** who prepared or assisted in the preparation of the response to these interrogatories. (*Do not identify anyone who simply typed or reproduced the responses.*)

2.0 General Background Information --Individual

- 2.1 State:
- (a) your full name;
 - (b) every name you have used in the past;
 - (c) the dates you used each name.
- 2.2 State the date and place of your birth.
- 2.3 State:
- (a) your present residence **ADDRESS** and telephone number;
 - (b) whether you live in a private home, apartment, or other type of residence;
 - (c) if you live in a private home, who owns it;
 - (d) if you live in an apartment, the name and **ADDRESS** of your landlord, the monthly rent, and the name of the **PERSON** who pays the rent;
 - (e) your residence **ADDRESSES** for the past five years;
 - (f) the dates you lived at each **ADDRESS**.
- 2.4 State:
- (a) the name, **ADDRESS**, and telephone number of each school or other academic or vocational institution you have attended, beginning with high school;
 - (b) the dates you attended;
 - (c) the highest grade level you have completed;
 - (d) the degrees you received;
 - (e) the dates the degrees were received.
- 2.5 Do you have a driver's license or identification card? If so, state:
- (a) the state or other issuing entity;
 - (b) the license or identification card number, type of license, and expiration date.
- 2.6 State any and all social security numbers that you have.
- 2.7 Are you married? If so, state:
- (a) your spouse's full name;
 - (b) any maiden name;
 - (c) the date of your marriage;
 - (d) your spouse's current **ADDRESS**.

- 2.8 Have you ever filed for bankruptcy? If so, state:
- (a) the disposition;
 - (b) the court;
 - (c) the year.
- 2.9 Have you filed income tax returns during the last three years? If so, state:
- (a) the dates filed;
 - (b) a date and place where the records can be inspected;
 - (c) whether you are attaching the income tax records to your answers to these interrogatories.

3.0 Current Income

- 3.1 List all income you received during the past 12 months, its source, the basis for its computation, and the total amount received from each source.

4.0 Employment Information

- 4.1 State:
- (a) the name, **ADDRESS**, and telephone number of your present employer;
 - (b) your current title, the nature of your work, and dates of employment;
 - (c) whether you work part-time or full-time;
 - (d) the frequency of payment (weekly, biweekly, or monthly);
 - (e) gross pay;
 - (f) net pay;
 - (g) whether you receive additional compensation for overtime pay;
 - (h) the average amount of overtime you work per week;
 - (i) the form of payment of salary (*check, cash, or other; if other, please explain*);
 - (j) the name and **ADDRESS** of each bookkeeper, payroll clerk, or other person having records of salaries or other sums of money paid to you by your present employer.
- 4.2 Are you self-employed or an independent contractor? If so, state:
- (a) the address and telephone numbers of the persons or businesses for whom you have performed work or services during the last 12 months;
 - (b) the nature of the work or services performed and the dates they were provided;
 - (c) whether you billed each service or the work performed at a flat rate, an hourly rate, or a job rate, and the amount of payment you received;
 - (d) the name and **ADDRESS** of each bookkeeper, payroll clerk, or other person having records of salaries or other sums of money paid to you during the last three years for your work.

5.0 Employment History

- 5.1 State the employer's name and **ADDRESS**, dates of employment, job title, and nature of the work for each job you have had in the last five years. If you were self-employed in the last five years, state your business **ADDRESS**, dates of self-employment, title, and nature of the work.

6.0 Support Received From Others

- 6.1 Have you received any financial **SUPPORT** in the last three years? If so, state:
- the name, age, **ADDRESS**, and relationship to you of each **PERSON** from whom you have received **SUPPORT**;
 - the dates you received the **SUPPORT** and the amount you received.

7.0 General Background Information— Business

- 7.1 Are you in any partnerships? If so, state for each:
- the current partnership name;
 - all other names used by the partnership in the last five years and the dates each was used;
 - whether you are a limited partnership and, if so, in what jurisdiction it operates;
 - the name and **ADDRESS** of each general partner;
 - the **ADDRESS** of the principal place of business
- 7.2 Have you done any business under a fictitious name during the last five years? If so, state:
- the current and any former fictitious business names;
 - the dates each was used;
 - the **ADDRESS** of the principal place of business.

8.0 Bank Accounts and Cash

- 8.1 Do you have, in your own name or jointly with another **PERSON**, any bank accounts, commercial savings accounts, credit union accounts, or safe deposit boxes? If so, state for each:
- the institution's name and **ADDRESS** where the account or the safe deposit box is located;
 - the amount of the balance of any account and the contents of any safe deposit box;
 - the source of the money in any account or safe deposit box;
 - the date you last made a deposit;
 - the type and the amount of your last deposit;
 - the amount of cash that you currently possess.
- 8.2 Does your spouse have, in his or her own name or jointly with another **PERSON**, any bank accounts, commercial savings accounts, credit union accounts, or safe deposit boxes? If so, state for each:
- the institution's name and **ADDRESS** where the account or the safe deposit box is located;
 - the source of the money in your spouse's bank account or safe deposit box.

9.0 Property

- 9.1 Do you or your spouse own or have any interest in **PROPERTY** in California or elsewhere? If so, state:
- the **ADDRESS** of any real estate, land, buildings, apartments, or condominiums in which you hold an interest;
 - the date acquired and the current value of any real estate, land, buildings, apartments, or condominiums in which you hold an interest.
- 9.2 Do you or your spouse own or have any interest in stocks, bonds, or other securities or IRA, Keogh, or deferred compensation accounts? If so, state the source, value, and location of each.

- 9.3 Are you or your spouse entitled to any money from any federal, state, city, county, or governmental department or agency? If so, state the agency, the date you received or will receive the money, and the amount.
- 9.4 Have you or your spouse inherited any money or property in the last two years? If so, state the nature and value of the money or property and the date you received it.
- 9.5 Do you or your spouse have vehicles? If so, state for each:
- the model, make, year, and owner's name;
 - whether you own it;
 - if it is encumbered, state to whom and to the amount.
- 9.6 Do you have any pending civil actions? If so, state for each:
- the parties' names, the court, and the case number;
 - the nature of the claim.
- 9.7 During the last three years have you received any judgments or insurance settlements? If so, state for each:
- the source or the judgment or insurance settlement;
 - the amount of the judgment or insurance settlement.
- 9.8 Have you or your spouse applied for loans from any banks, credit unions, financial companies, or other lending institutions in the last three years? If so, state for each:
- if the loan was approved;
 - the amount of the loan;
 - what you or your spouse did with the proceeds.
- 9.9 Do you own any of the following items? If so, describe each item, the item's location, its approximate value, and any joint owner:
- office equipment;
 - farm equipment;
 - gemstones or jewelry;
 - camera or video equipment;
 - antiques;
 - precious metals (gold or silver);
 - musical instruments;
 - weapons;
 - motorcycles;
 - motor homes;
 - boats;
 - airplanes;
 - furs;
 - watches;
 - stamp or coin collections;
 - china;
 - original works of art;
 - crystal.

10.0 Other Assets

- 10.1 Does any **PERSON**, company, or institution owe you money? If so, state for each:
- the name, **ADDRESS**, and telephone number of the person or institution;
 - the amount of the debt;
 - the basis of the debt;
 - the date the debt is due to be paid.

- 10.2 Do you have any pending court proceedings in a California court where you have posted cash bail to guarantee your appearance? If so, state:
- (a) the name of the court and date of posting;
 - (b) the amount of cash bail posted;
 - (c) the date to appear.
- 10.3 Are you the beneficiary of any trusts, or do you have any ownership interest in any partnerships, corporations, or companies? If so, state:
- (a) the name and **ADDRESS** of each trustee, partnership, corporation, or company;
 - (b) the date each entity or trust was established;
 - (c) the **ASSETS** of each trust or entity.

11.0 Other Income

- 11.1 During the last three years have you received cash or other property not identified in the above interrogatories? If so, state:
- (a) the nature and value of the cash or property
 - (b) the source of the cash or property;
 - (c) the current location of the cash or property.

12.0 Liabilities and Debts

- 12.1 Are there any other judgments of record against you? If so, state for each:
- (a) the date entered;
 - (b) the location of the court and the names of the parties;
 - (c) the case number;
 - (d) the amount of the judgment;
 - (e) whether you have made any payments;
 - (f) the amount and source of the payments;
 - (g) the amount still due.
- 12.2 What are your average monthly expenses, and how are they met?
- 12.3 Are there any liens, levies, or garnishments against your assets or wages? If so, please explain each in detail.
- 12.4 Have you paid any fines or fees in the criminal case in which the asking party is the victim?

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: CITY AND ZIP CODE: BRANCH NAME: DEPT.:	FOR COURT USE ONLY
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	DATE OF BIRTH:
ORDER FOR TRANSFER (Pen. Code, § 1203.9 and Cal. Rules of Court, rule 4.530)	CASE NUMBER:

1. A motion for intercounty transfer of (*select one*): probation mandatory supervision in the above-entitled case was heard by this court on (*date*):
2. Notice of the motion was provided as required by California Rules of Court, rule 4.530(d).
3. Before deciding the motion, the court considered
 - a. any comments provided by the receiving court; and
 - b. at least the following factors: (1) the permanency of the supervised person's residence, (2) the availability of appropriate programs for the supervised person, (3) restitution orders, and (4) victim issues.
4. The motion for transfer is (*select one*):
 - Denied** for the reasons stated on the record.
 - Granted**. The court has determined the supervised person's county of residence and the case is hereby ordered transferred to the Superior Court of the County of:
 - a. The court of the receiving county must accept entire jurisdiction over the case.
The balance of time remaining on supervision is (*specify*):
 - b. The supervised person is committed to the care and custody of the probation officer of the receiving county. Reimbursement of the reasonable costs for processing this transfer are to be paid by the supervised person to the county of the transferring court in accordance with Penal Code section 1203.1b.
 - c. The entire original court file, excluding exhibits **or any records of payments**, must be transmitted to the receiving court. **If transfer is ordered in a case involving more than one defendant, the court must transmit certified copies of the entire original court file, excluding exhibits and any records of payment.**
 - d. The probation officer of the transferring county must transmit, at a minimum, any court orders, probation or mandatory supervision reports, **and** case plans to the probation officer of the receiving county.
 - e. The probation officer of the transferring county must notify the supervised person of this transfer order.
 - f. The supervised person must report to the probation officer of the receiving county (*select one*):
 - within 30 days of this order.
 - within (*specify*): days of this order.
 - within 30 days of release from custody.
 - within (*specify*): days of release from custody.
 - g. Any jail sentence imposed as a condition of probation or mandatory supervision prior to transfer must be served in the transferring county unless otherwise authorized by law.
 - h. If the transferring court has ordered the supervised person to pay fines, fees, forfeitures, penalties, assessments, or restitution, and those and any other amounts ordered by the court are still unpaid at the time of transfer, the supervised person is ordered to pay to the collection program for the transferring court for proper distribution and accounting once collected.**

Date:

By:

(JUDICIAL OFFICER)

FOR COURT USE ONLY
