



## JUDICIAL COUNCIL OF CALIFORNIA

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www.courts.ca.gov

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# R E P O R T T O T H E J U D I C I A L C O U N C I L

For business meeting on January 15, 2019

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**Title**

Rules and Forms: Miscellaneous Technical Changes

**Agenda Item Type**

Action Required

**Effective Date**

January 22, 2019

**Rules, Forms, Standards, or Statutes Affected**

Amend Cal. Rules of Court, rules 4.551 and 4.700; revise forms CR-160, CR-170, CR-184/MIL-184, CR-191, and CR-220

**Date of Report**

November 28, 2018

**Recommended by**

Sarah Fleischer-Ihn, Attorney  
Criminal Justice Services

**Contact**

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### Executive Summary

Judicial Council staff have identified errors in title 4 of the California Rules of Court and in the Judicial Council criminal forms resulting from typographical errors and changes resulting from legislation and previous rule amendments and form revisions. Judicial Council staff recommend making the necessary corrections to avoid causing confusion for court users, clerks, and judicial officers.

### Recommendation

Judicial Council staff recommend that the council, effective January 22, 2019:

1. Amend rule 4.551(a)(1) and (2), to replace references to form MC-275 with form HC-001, the updated form number for the *Petition for Writ of Habeas Corpus*.
2. Amend rule 4.700(a), to add a reference to Family Code section 6211 to the end of the subdivision (following the reference to Pen. Code, § 13700), in accordance with an addition to Penal Code section 136.2 made by Senate Bill 910 (Stats. 2014, ch. 638).



3. Revise *Criminal Protective Order–Domestic Violence* (form CR-160), item 11, to replace an outdated reference to Penal Code section 136.2(i)(2) with Penal Code section 136.2(i)(3), incorporating a renumbering change made by Assembly Bill 264 (Stats. 2017, ch. 270).
4. Revise *Notification of Decision Whether to Challenge Recommendation* (form CR-170), to correct a typographical error by replacing a reference in the footer to Penal Code section 2982.1 with Penal Code section 2972.1.
5. Revise *Order for Dismissal (Military Personnel)* (form CR-184/MIL-184), items 5 and 6, to delete references limiting relief to felonies so that the order accurately reflects that relief under Penal Code section 1170.9(h) applies to both misdemeanor and felony convictions. Penal Code section 1170.9(h) authorizes a court to restore a defendant who acquired a criminal record due to a mental health disorder stemming from service in the United States military, including granting a dismissal of the conviction under Penal Code section 1203.4.
6. Revise *Declaration of Counsel for Appointment in Capital Case* (form CR-191), to replace an incorrect reference to Penal Code section 992 with California Rules of Court, rule 4.117, which defines the qualifications for appointed trial counsel in capital cases.
7. Revise *Proof of Enrollment or Completion–Alcohol or Drug Program* (form CR-220), to replace a reference to Vehicle Code section 23205 with Vehicle Code section 23655. Vehicle Code section 23205 was repealed and replaced by Vehicle Code section 23655 by Senate Bill 1186 (Stats. 1998, ch. 118).

The text of the amended rules and revised forms are attached at pages 4–11.

### **Relevant Previous Council Action**

Although the Judicial Council has acted on these rules and forms previously, this proposal recommends only minor corrections unrelated to any prior action.

### **Analysis/Rationale**

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

### **Policy implications**

None

### **Comments**

These proposals were not circulated for public comment because they are noncontroversial, involve technical revisions, 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**

None

**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 technical corrections, case management systems are unlikely to need updating to implement them.

**Attachments and Links**

1. Cal. Rules of Court, rules 4.551 and 4.700, at page 4
2. Forms CR-160, CR-170, CR-184/MIL-184, CR-191, and CR-220, at pages 5–11



Rules 4.551 and 4.700 of the California Rules of Court would be amended, effective January 22, 2019, to read:

**Rule 4.551. Habeas corpus proceedings**

**(a) Petition; form and court ruling**

- (1) Except as provided in (2), the petition must be on the *Petition for Writ of Habeas Corpus* (form ~~MC-275~~ HC-001).
- (2) For good cause, a court may also accept for filing a petition that does not comply with (a)(1). A petition submitted by an attorney need not be on the Judicial Council form. However, a petition that is not on the Judicial Council form must comply with Penal Code section 1474 and must contain the pertinent information specified in the *Petition for Writ of Habeas Corpus* (form ~~MC-275~~ HC-001), including the information required regarding other petitions, motions, or applications filed in any court with respect to the conviction, commitment, or issue.

(3)–(5) \* \* \*

**(b)–(h) \* \* \***

**Rule 4.700. Firearm relinquishment procedures for criminal protective orders**

**(a) Application of rule**

This rule applies when a court issues a criminal protective order under Penal Code section 136.2 during a criminal case or as a condition of probation under Penal Code section 1203.097(a)(2) against a defendant charged with a crime of domestic violence as defined in Penal Code section 13700 and Family Code section 6211.

**(b)–(d) \* \* \***



<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY  <h1 style="margin: 0;">DRAFT</h1>  <h2 style="margin: 0;">Not approved by the Judicial Council</h2>
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> VS. DEFENDANT:	CASE NUMBER:
<b>CRIMINAL PROTECTIVE ORDER—DOMESTIC VIOLENCE</b> <b>(CLETS - CPO) (Pen. Code, §§ 136.2, 1203.097(a)(2),</b> <b>136.2(i)(1), 273.5(j), 368(f), and 646.9(k))</b> <input type="checkbox"/> <b>ORDER UNDER PENAL CODE, § 136.2</b> <input type="checkbox"/> <b>MODIFICATION</b> <input type="checkbox"/> <b>PROBATION CONDITION ORDER (Pen. Code, § 1203.097)</b> <b>ORDER UNDER:</b> <input type="checkbox"/> <b>PENAL CODE, § 136.2(i)(1)</b> <input type="checkbox"/> <b>PENAL CODE, § 273.5(j)</b> <input type="checkbox"/> <b>PENAL CODE, § 368(f)</b> <input type="checkbox"/> <b>PENAL CODE, § 646.9(k)</b>	

**This Order May Take Precedence Over Other Conflicting Orders; See Item 4 on Page 2.**

PERSON TO BE RESTRAINED ( <i>complete name</i> ):									
Sex: <input type="checkbox"/> M <input type="checkbox"/> 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 of 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.
4. FULL NAME, AGE, AND GENDER OF EACH PROTECTED PERSON:

5. ☐ For good cause shown, the court grants the protected persons named above the exclusive care, possession, and control of the following animals:
6. ☐ The court has information that the defendant owns or has a firearm or ammunition, or both.

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

7. must not harass, strike, threaten, assault (sexually or otherwise), follow, stalk, molest, destroy or damage personal or real property, disturb the peace, keep under surveillance, or block movements of the protected persons named above.
8. **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 his or her 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 his or her 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*): \_\_\_\_\_
9. must not attempt to or actually prevent or dissuade any victim or witness from attending a hearing or testifying or making a report to any law enforcement agency or person.
10. must take no action to obtain the addresses or locations of protected persons or their family members, caretakers, or guardian unless good cause exists otherwise. ☐ The court finds good cause not to make the order in item 10.
11. ☐ must be placed on electronic monitoring for (*specify length of time*): \_\_\_\_\_ . (Not to exceed 1 year from the date of this order. Pen. Code, § 136.2(a)(1)(G)(iv) and Pen. Code, § 136.2(i)(3).)
12. ☐ must have no personal, electronic, telephonic, or written contact with the protected persons named above.
13. ☐ must have no contact with the protected persons named above through a third party, except an attorney of record.
14. ☐ must not come within \_\_\_\_\_ yards of the protected persons and animals named above.
15. ☐ must not take, transfer, sell, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the animals described in item 5.
16. ☐ may have peaceful contact with the protected persons named above, as an exception to the "no-contact" or "stay-away" provision in item 12, 13, or 14 of this order, only for the safe exchange of children and court-ordered visitation as stated in:
  - a. ☐ the Family, Juvenile, or Probate court order in case number: \_\_\_\_\_ issued on (*date*): \_\_\_\_\_
  - b. ☐ any Family, Juvenile, or Probate court order issued *after* the date this order is signed.
17. ☐ The protected persons may record any prohibited communications made by the restrained person.
18. ☐ Other orders including stay-away orders from specific locations:

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



## WARNINGS AND NOTICES

1. **VIOLATION OF THE ORDER IS SUBJECT TO CRIMINAL PROSECUTION.** Violation of this protective order may be punished as a misdemeanor, a felony, or a contempt of court. Taking or concealing a child in violation of this order may be a felony and punishable by confinement in state prison, a fine, or both. Traveling across state or tribal boundaries with the intent to violate the order may be punishable as a federal offense under the Violence Against Women Act, 18 U.S.C. § 2261(a)(1) (1994).
2. **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 8 on page 1 of this order. *The court must check the box under item 8 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).)

### 3. ENFORCING THIS ORDER IN CALIFORNIA

- This order must be enforced in California by any law enforcement agency that has received the order or is shown a copy of the order or has verified its existence on the California Law Enforcement Telecommunications System (CLETS).
- Law enforcement must determine whether the restrained person had notice of the order. If notice cannot be verified, law enforcement must advise the restrained person of the terms of the order and, if the restrained person fails to comply, must enforce it. (Fam. Code, § 6383.)

### 4. CONFLICTING ORDERS-PRIORITIES FOR ENFORCEMENT

**If more than one restraining order has been issued, the orders must be enforced according to the following priorities:**

- a. *Emergency Protective Order:* If one of the orders is an Emergency Protective Order (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders. (Pen. Code, § 136.2(c)(1)(A).)
- b. *No-Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
- c. *Criminal Order:* If none of the orders include a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. (Pen. Code, § 136.2(e)(2).) Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- d. *Family, Juvenile, or Civil Order:* If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

### 5. CERTIFICATE OF COMPLIANCE WITH VIOLENCE AGAINST WOMEN ACT (VAWA).

This protective order meets all Full Faith and Credit requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994). This court has jurisdiction over the parties and the subject matter, and the restrained person has been afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in each jurisdiction throughout the 50 United States, the District of Columbia, all tribal lands, and all U.S. territories, and shall be enforced as if it were an order of that jurisdiction.

### 6. EFFECTIVE DATE AND EXPIRATION DATE OF ORDERS

- These orders are effective as of the date they were issued by a judicial officer.
- These orders expire as ordered in item 2 on page 1 of this order, **or as explained below.**
- Orders under Penal Code section 136.2(a) are valid as long as the court has jurisdiction over the case. They are not valid after imposition of a county jail or state prison commitment. (See *People v. Stone* (2004) 123 Cal.App.4th 153.)
- Orders issued under Penal Code sections 136.2(i)(1), 273.5(j), 368(l), and 646.9(k) are valid for up to 10 years and may be issued by the court whether the defendant is sentenced to state prison, county jail, or ~~or~~ subject to mandatory supervision or if imposition of sentence is suspended and the defendant is placed on probation.
- Orders under Penal Code section 1203.097(a)(2) are probationary orders, and the court has jurisdiction as long as the defendant is on probation.
- To terminate this protective order, courts should use form CR-165, *Notice of Termination of Protective Order in Criminal Proceeding (CLETS)*.

### 7. CHILD CUSTODY AND VISITATION

- Child custody and visitation orders may be established or modified in Family, Juvenile, or Probate court.
- Unless box a or b in item 16 on page 1 is checked, contact between the restrained and protected persons permitted by a Family, Juvenile, or Probate court order for child custody or visitation must not conflict with the provisions of this order.
- If box a or b in item 16 on page 1 is checked, the restrained and protected persons should always carry a certified copy of the most recent child custody or visitation order issued by the Family, Juvenile, or Probate court.







ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NO.: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (name): _____		FOR COURT USE ONLY  <h1 style="text-align: center;">DRAFT</h1>  <h2 style="text-align: center;">Not approved by the Judicial Council</h2>
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: _____ DATE OF BIRTH: _____		
<b>ORDER FOR DISMISSAL (Military Personnel)</b> <b>(Pen. Code, §§ 17(b), 1170.9(h))</b>		CASE NUMBER: _____

The court finds from the records on file in this case, and from the foregoing petition, that granting restorative relief is in the interests of justice, and that the petitioner (*the defendant in the above-entitled criminal action*) is eligible for and ORDERS the following requested relief:

1. ☐ The court deems all conditions of probation, other than victim restitution, to be satisfied, including fines, fees, assessments, and programs.
2. ☐ The court terminates probation prior to the expiration of the term of probation, if the term of probation has not yet expired.
3. The court **GRANTS** the petition for reduction of a felony to a misdemeanor (maximum punishment of 364 days per Pen. Code, § 18.5) under Penal Code section 17(b) and reduces the following felony convictions to misdemeanors:
  - ☐ ALL FELONY CONVICTIONS in the above-entitled action; or
  - ☐ Only the following felony convictions in the above-entitled action (*specify charges and date of conviction*):
4. The court **DENIES** the petition for reduction of a felony to a misdemeanor under Penal Code section 17(b) for the following felony convictions:
  - ☐ ALL FELONY CONVICTIONS in the above-entitled action; or
  - ☐ Only the following felony convictions in the above-entitled action (*specify charges and date of conviction*):
5. The court **GRANTS** the petition for dismissal regarding the following **felony** convictions in accordance with Penal Code section 1203.4, as specified in Penal Code section 1170.9(h)(3)(C), and it is ordered that the pleas, verdicts, or findings of guilt be set aside and vacated and a plea of not guilty be entered and that the complaint be, and is hereby, dismissed:
  - ☐ ALL **FELONY** CONVICTIONS in the above-entitled action; or
  - ☐ Only the following **felony** convictions in the above-entitled action (*specify charges and date of conviction*):
6. The court **DENIES** the petition for dismissal regarding the following **felony** convictions under Penal Code section 1170.9(h):
  - ☐ ALL **FELONY** CONVICTIONS in the above-entitled action; or
  - ☐ Only the following **felony** convictions in the above-entitled action (*specify charges and date of conviction*):



PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:

CASE NUMBER:

7. ☐ The court ORDERS, in accordance with Penal Code section 1170.9(h)(4)(D), the sealing of police records of the arrest and court records of the dismissed action, hereafter viewable by the public only in accordance with a court order.
8. ☐ The court ORDERS that the Department of Justice be notified of the sealing order.
9. If this order is granted under the provisions of Penal Code section 1170.9(h):
- a. The petitioner is released from all penalties and disabilities resulting from the offense(s) of which he or she has been convicted in the dismissed action.
  - b. Dismissal of the conviction does not *automatically* relieve a person from the requirement to register as a sex offender under Penal Code section 290. (See, e.g., Pen. Code, § 290.5.)
  - c. The petitioner is not obligated to disclose the arrest on the dismissed action, or the conviction that was set aside when information concerning prior arrests or convictions is requested to be given under oath, affirmation, or otherwise, except when he or she is required to disclose the arrest, the conviction that was set aside, and the dismissed action in response to any direct question contained in any questionnaire or application for any law enforcement position.
  - d. The dismissal of the action shall be a bar to any future action based on the conduct charged in the dismissed action.
  - e. In any subsequent prosecution for any other offense, a conviction that was set aside in the dismissed action may be pleaded and proved as a prior conviction and shall have the same effect as if the dismissal had not been granted.
  - f. A conviction that was set aside in the dismissed action may be considered a conviction for the purpose of administratively revoking or suspending or otherwise limiting the petitioner's driving privilege on the ground of two or more convictions.
  - g. The petitioner's DNA sample and profile in the DNA data bank shall not be removed by a dismissal.
  - h. Dismissal of an accusation, information, or conviction does not authorize a petitioner to own, possess, or have in his or her custody or control any firearm or prevent his or her conviction pursuant to Chapter 2 (commencing with Section 29800) of Division 9 of Title 4 of Part 6.
10. In addition, as required by Penal Code section 299(f), relief under Penal Code sections 17(b) or 1170.9(h) does *not* release petitioner from the separate administrative duty to provide specimens, samples, or print impressions under the DNA and Forensic Identification Database and Data Bank Act (Pen. Code, § 295 et seq.) if he or she was found guilty by a trier of fact, not guilty by reason of insanity, or pled no contest to a qualifying offense as defined in Penal Code section 296(a).

FOR COURT USE ONLY

Date:

(JUDICIAL OFFICER)



<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY  <b>DRAFT</b>  <b>Not approved by the Judicial Council</b>
PEOPLE OF THE STATE OF CALIFORNIA  VS.  DEFENDANT:	
<b>DECLARATION OF COUNSEL FOR APPOINTMENT IN CAPITAL CASE</b>	CASE NUMBER:

I request appointment under rule 4.117 of the California Rules of Court (please check 1 or 2):

1. ☐ My qualifications are set forth in the declaration on file with this court.
2. ☐ My qualifications are *(attach additional sheets if necessary)*:
  - a. ☐ I am an active member of the State Bar of California. My State Bar number is:
  - b. ☐ I am admitted to practice *pro hac vice* pursuant to rule 9.40.
  - c. ☐ I have the following criminal or civil trial experience *(specify case name, number, county, judge, and your role, including whether you were lead or associate counsel)*:
  - d. ☐ I have the following experience in death penalty trials *(specify case name, number, county, judge, and your role, including whether you were lead or associate counsel)*:
  - e. ☐ I have the following experience with expert witnesses and psychiatric and forensic evidence *(specify)*:
  - f. ☐ In the past *(specify)*: \_\_\_\_\_ years, I have completed *(specify)*: \_\_\_\_\_ hours of specialized training in the defense of persons accused of capital crimes *(specify nature of training)*:
  - g. ☐ I have ongoing consultation support from the following experienced death penalty counsel *(name and address)*:
  - h. ☐ I am certified by the State Bar of California's Board of Legal Specialization as a criminal law specialist.

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

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE)



<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<b>FOR COURT USE ONLY</b>  <h1 style="margin: 0;">DRAFT</h1>  <h2 style="margin: 0;">Not approved by the Judicial Council</h2>
NAME OF DEFENDANT: STREET ADDRESS: CITY: STATE: ZIP CODE:	CASE NUMBER:
<b>DATE OF COURT ORDER:</b>	
<b>(check one):</b> <input type="checkbox"/> <b>PROOF OF ENROLLMENT IN ALCOHOL OR DRUG PROGRAM</b> <input type="checkbox"/> <b>PROOF OF COMPLETION OF ALCOHOL OR DRUG PROGRAM</b>	

DESCRIPTION OF ALCOHOL OR DRUG PROGRAM	
Name of program:	
Address of program:	
Program license number:	Program telephone number:

### PROOF OF ENROLLMENT

1. Defendant (*name*): \_\_\_\_\_ enrolled in the alcohol or drug education program  
 described above on (*specify date of enrollment*): \_\_\_\_\_.

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

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)



\_\_\_\_\_  
 (SIGNATURE OF DEFENDANT)



\_\_\_\_\_  
 (SIGNATURE OF PROGRAM DIRECTOR OR INSTRUCTOR)

\_\_\_\_\_  
 (TITLE)

### PROOF OF COMPLETION

2. Defendant (*name*): \_\_\_\_\_ successfully completed the alcohol or drug education  
 program described above on (*specify date of completion*): \_\_\_\_\_.

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

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)



\_\_\_\_\_  
 (SIGNATURE OF DEFENDANT)



\_\_\_\_\_  
 (SIGNATURE OF PROGRAM DIRECTOR OR INSTRUCTOR)

\_\_\_\_\_  
 (TITLE)

### — INSTRUCTIONS —

**YOU NEED TWO OF THESE FORMS:**

1. UPON ENROLLMENT IN A COURT-ORDERED ALCOHOL OR DRUG EDUCATION PROGRAM, FILL OUT THE PROOF OF ENROLLMENT PORTION OF ONE COPY OF THIS FORM AND FURNISH IT TO THE SENTENCING COURT WITHIN THE TIME AND IN THE MANNER SPECIFIED BY THE COURT.
2. UPON SUCCESSFUL COMPLETION OF THE PROGRAM, FILL OUT THE PROOF OF COMPLETION PORTION OF A SECOND COPY OF THIS FORM AND FURNISH IT TO THE SENTENCING COURT WITHIN THE TIME AND IN THE MANNER SPECIFIED BY THE COURT.

**FAILURE TO COMPLY WITH THESE REQUIREMENTS MAY RESULT IN THE REVOCATION OF YOUR PROBATION.**

**SI USTED NO CUMPLE CON ESTOS REQUISITOS, SU INCUMPLIMIENTO PUEDE RESULTAR EN LA REVOCACION DE SU LIBERTAD**