

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS**

PEOPLE OF THE STATE OF ILLINOIS

vs

Case No. _____

ORDER AND CERTIFICATE OF

FELONY PROBATION / **INTENSIVE PROBATION /** **CONDITIONAL DISCHARGE /**
 PROBATION PURSUANT TO SECTION 550/10 AND 570/410 OF CHAPTER 720 OF THE ILLINOIS COMPILED STATUTES

This cause coming on for sentencing, pursuant to a: finding of guilty negotiated plea of guilty open plea of guilty, Defendant having been adjudged guilty of _____, being a Class _____ Felony.

The Court after conducting a hearing or having accepted a negotiated plea, and after considering the factors and the nature and circumstances of the offense, and the history, character, and condition of the offender, and after considering Defendant's financial ability to pay the amount hereinafter assessed,

ORDERS:

Defendant is hereby sentenced to a term of _____ months probation/conditional discharge, the conditions of which are that Defendant shall:

- 1. Not violate any laws or ordinances of any jurisdiction, including traffic regulations;
- 2. Pay all fines, fees, court costs, assessments and restitution set forth on **Exhibit A** through the Office of the Clerk of the Circuit Court in equal monthly installments by the first of each month to be paid in full not later than 90 days before the termination date unless the Court orders otherwise;
- 3. Obtain/continue employment and/or attend educational programs unless otherwise ordered by the Court;
- 4. Not use or be in possession of any illegal substance, cannabis, or prescription medication of another, or use any substance designed to have the effects of an illegal substance, or be in the presence of anyone using or in possession of such substances;
- 5. Appear in Court on the oral or written notice of the Circuit Clerk, Compliance Officer, Probation Officer, State's Attorney, or the Court;
- 6. Unless otherwise ordered by this Court, not less than 90 days prior to the termination of this case, provide proof of completion of all terms and conditions of sentence to the Compliance Unit if sentenced to conditional discharge or the Lake County Adult Probation Services Division if sentenced to probation;
- 7. Strictly comply with the terms and provisions of any and all Orders of Protection;
- 8. Not operate a motorized vehicle without a valid driver's license;
- 9. Upon a violation of any term or condition of this Order, the Lake County Adult Probation Services Division may invoke any sanctions from the list of intermediate sanctions adopted by the Chief Judge;
- 10. Not consume or possess alcoholic beverages and not be in any establishment whose primary purpose is the sale of alcohol;
- 11. Submit a sample for DNA indexing as required by law;
- 12. Not possess any firearm or other dangerous weapon. Defendant is to surrender his or her Firearm Owner's Identification (FOID) Card to the Lake County Sheriff, Babcox Justice Center, 25 S Martin Luther King Jr. Ave., Waukegan, Illinois 60085, within 24 hours of the entry of this Order;
- 13. The following conditions apply to all Defendants sentenced to felony probation.
 - Defendant shall appear immediately in person before the Lake County Adult Probation Services Division at 215 W. Water Street, Waukegan, Illinois 60085, or if in custody immediately upon release from custody, to have an intake interview and thereafter report as often as directed by the Probation Officer;

- Comply with a curfew of 6:00 P.M. to 6:00 A.M. daily requiring Defendant to be in his/her residence except when performing probation obligations, attending treatment, working at employment approved by Probation Officer, attending court, or attending to other specific activities which have been approved in advance by his/her Probation Officer. The Defendant's Probation Officer may lessen or reinstate this curfew based upon Defendant's compliance and performance.
- Defendant shall not leave the State without the consent of the Court; however, upon verification and approval of the Probation Officer, the Defendant may leave the State for work, school, vacation, treatment, family emergencies and _____

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- Defendant shall notify the Probation Officer of home address and telephone contact information and notify Probation Officer immediately of any changes of home address or telephone contact information;
 - Defendant shall notify the Probation Officer within 24 hours of any new arrests and/or the issuance of a citation for any violation of law including traffic tickets;
 - Defendant shall permit the Probation Officer to visit Defendant at home or elsewhere to the extent necessary to discharge probation duties;
 - Defendant shall consent to and submit to searches of his/her person, residence, papers, automobiles, computers, any device capable of accessing the internet or storing electronic data, and/or other personal or real property accessible to Defendant at any time such requests are made by a Probation Officer. Defendant consents to the use of anything located, found or seized as evidence in any court proceeding and consents to the destruction of any contraband seized;
 - Defendant shall provide executed releases and execute such releases as requested by the Probation Officer including but not limited to all medical treatment, psychological, substance abuse, employment, financial, military, governmental, disability, phone records, internet provider, media, social network or other probation and criminal justice system records;
 - Defendant shall provide such proof of Defendant's details of employment, income, job search and/or attendance at educational programs as directed by the Probation Officer;
 - Defendant shall submit to random testing of urine and/or breathalyzer and/or blood testing, submitting a sample at such time and place as directed by a Probation Officer and pay the assessed fees;
 - Defendant shall not change present place of residence or move outside the County or the State without prior permission of the Court or Probation Officer;
 - Defendant shall upon request, provide the Probation Officer with immediate access to any e-mail, text or messaging services, internet chat rooms, blogs, and social media websites Defendant uses to communicate with anyone, as well as any electronic devices including but not limited to telephones, cellphones, smartphones, computer tablets and computers with internet capability.

14. The following conditions apply to all Defendants sentenced to Conditional Discharge.

- Defendant shall report immediately to the Compliance Unit located on the 1st floor of the Tower, or if in custody within 24 hours of the first workday following release from custody.
- Defendant shall not leave the State without the consent of the court; however, the Defendant may leave the State for the following purposes _____

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- Defendant shall notify the Compliance Officer of home address and telephone contact information and notify Compliance Unit within 72 hours of any changes of home address or telephone contact information.
 - Defendant shall not move outside the State without prior permission of the Court.
 - Defendant shall notify the Compliance Officer within 24 hours of any new arrests and/or the issuance of a citation for any violation of law including traffic tickets.
 - No less than 90 days prior to the completion of the termination of this case, Defendant shall serve upon the Clerk of the Circuit Court written evidence of completion of all primary treatment.
 - Any Defendant residing outside the State must immediately report to the Compliance Unit prior to returning to their home state.

IF CHECKED, THE FOLLOWING PROVISIONS APPLY

15. Defendant shall register as required by law as a sex offender arsonist child murderer other _____

Defendant shall submit to such testing as required by law or specifically required by separate order.

16. Defendant is sentenced to a determinate term of _____ days in the custody of the County Sheriff.
 No good time shall be awarded as injury resulted from offense.

17. Defendant shall serve a term of periodic imprisonment to be confined for twenty-four (24) hours, seven (7) days each week for a period of _____ months in the Sheriff's Community Based Corrections Center (CBCC) and shall follow all rules of the CBCC program, or if eligible, through the Sheriff's Electronic Home Monitoring program (EHM) and shall follow all rules of the EHM program. Defendant shall follow all rules of periodic imprisonment and shall be released to seek employment work attend school obtain treatment as ordered perform public service perform probation obligations other _____

18. Defendant shall serve a term in the County Work Release Program for a period of _____ months, which does not exceed the statutory term of 12 months, as required by 730 ILCS 5/5-7-1(d).

19. Defendant shall pay a fee for room and board electronic home monitoring at the rate established by Lake County Board Ordinance with the concurrence of the Chief Judge pursuant to statute.

20. Defendant shall perform _____ hours of public service at a minimum rate of _____ hours per month and report immediately to and register with the Public Service Unit of the Lake County Adult Probation Services Division. Defendant shall perform this service at the time and places directed and shall comply with all Public Service Unit protocols and shall serve upon the Public Service Unit written evidence of completion of the public service hours at least 90 days prior to the termination of this sentence.

21. Good cause having been shown, Defendant shall perform _____ hours of community service at a minimum rate of _____ hours per month and report immediately to and register with the Compliance Unit (if sentenced to conditional discharge) or the Lake County Adult Probation Services Division (if sentenced to probation). Defendant shall perform this service at a self-selected not-for-profit organization, public body, religious institution, charitable organization, or individual agreeing to accept community service from offenders as verified by the Compliance Unit or the Lake County Adult Probation Services Division and shall serve upon the Compliance Unit or the Lake County Adult Probation Services Division written evidence of completion of the community service hours at least 90 days prior to the termination of this sentence.

22. Defendant shall complete all requirements for high school graduation GED other _____

23. Defendant shall:
 reside at _____
 not reside at _____
 not engage in any abusive, violent, or harassing conduct of any kind with _____

 not be present at _____

 not have any contact of any kind directly or indirectly with members of street gangs and drug users or dealers and not wear clothing associated with any street gang, communicate or exhibit gang signs
 not have any contact of any kind directly or indirectly with _____

24. Defendant shall comply with the following evaluations, treatment recommendations, educational or vocational requirements by approved providers including the payment of fees:

- | | |
|--|---|
| <input type="checkbox"/> The Cognitive Program, "Thinking for a Change" | <input type="checkbox"/> Live victim impact panel |
| <input type="checkbox"/> Mental health/psychiatric treatment | <input type="checkbox"/> Substance abuse evaluation and treatment |
| <input type="checkbox"/> Parenting classes | <input type="checkbox"/> Sex offender evaluation and treatment |
| <input type="checkbox"/> Repatriate Project | <input type="checkbox"/> Domestic violence evaluation and treatment |
| <input type="checkbox"/> Physician/psychiatrist/psychologist treatment plans | <input type="checkbox"/> DCFS Service/Safety Plan |
| <input type="checkbox"/> Victim impact panel | <input type="checkbox"/> TASC |
| <input type="checkbox"/> Comply with medication plan as directed by physician, taking medications only as prescribed | |
| <input type="checkbox"/> DUI Project: <input type="checkbox"/> Level 1 <input type="checkbox"/> Level 2 Moderate <input type="checkbox"/> Level 2 Significant <input type="checkbox"/> Level 3 | |
| <input type="checkbox"/> Other: _____ | |

Defendant shall obtain all required evaluations or be actively engaged or enrolled in treatment, educational or vocational programs as ordered above within 45 days of today's date or, if in custody, within 45 days of release date, providing proof of same to the Compliance Unit (if sentenced to conditional discharge) or the Lake County Adult Probation Services Division (if sentenced to probation). Defendant shall meet all program and treatment schedules as set by the Compliance Unit or the Lake County Adult Probation Services Division and provide proof as required in Paragraph 6 of this order. Defendant must follow all programs/treatment/class rules, participate in a respectful, cooperative and constructive manner and complete all requirements.

25. Defendant shall be assessed for all risk factors and criminogenic needs by the Lake County Adult Probation Services Division at the time of his / her initial in-take interview as well as periodically throughout the term of probation, and based upon these assessments (which must include consideration of Defendant's criminal, psychological, intellectual, behavioral and social history), Defendant shall undergo all further assessments and evaluations including but not limited to, medical, psychological, psychiatric, substance abuse, anger management, domestic violence, sexual offender, educational and vocational, and successfully complete all necessary classes, programs, and treatment relating to the nature of the offense, or the rehabilitation of Defendant, or the protection of the public, or that may be beneficial to Defendant ("Rehabilitative Assessment and Services") as directed by the Lake County Adult Probation Services Division. This process requires Defendant to comply with all program and treatment schedules as set by the Lake County Adult Probation Services Division and provide proof of successful completion as set forth in Paragraph 6. Defendant must follow all programs/treatment/class rules, participate in a respectful, cooperative and constructive manner and complete all requirements including the payment of all fees.

26. Upon the approval of the receiving State, pursuant to the Interstate Compact Rules, Defendant may reside in _____ Defendant is required to pay a \$125.00 processing fee prior to submission of a transfer request. The Lake County Adult Probation Service Division fees will be assessed up to the date a transfer is accepted by the receiving State, and waived thereafter. Defendant will be required to pay supervision fees imposed by the receiving State. Any subsequent out-of-state transfers must obtain the approval from the 19th Judicial Circuit Court, prior to the relocation. Defendant will continue to remain under the jurisdiction of this Court and must continue to comply with all the Lake County Adult Probation Services Division requests and directives.

27. Upon the approval of the Lake County Adult Probation Services Division and acceptance of the probation supervision by another circuit of Illinois, Defendant may reside in a county (_____) within that circuit. Defendant is responsible for all the Lake County Adult Probation Services Division fees incurred up to the date a transfer is accepted by the receiving circuit and waived thereafter. Defendant will be required to pay probation fees imposed by the receiving circuit. Defendant will continue to remain under the jurisdiction of this Court and must continue to comply with all the Lake County Adult Probation Services Division requests and directives.

- 28. Defendant shall follow and comply with all of the additional terms and conditions of the following specialized probation supervision units as set forth in **Exhibit B** which is attached hereto and incorporated by reference:
 - Intensive Probation Supervision (IPS)
 - Domestic Violence Unit
 - Sex Offender Unit
 - DUI Unit

- 29. Defendant shall follow and comply with all of the additional terms and conditions of the following Therapeutic Intensive Monitoring (TIM) Court specialized probation set forth in **Exhibit B** which is attached hereto and incorporated by reference:
 - TIM Drug Court
 - TIM Mental Health Court
 - TIM Veterans Treatment and Assistance Court

Additionally, Defendant must follow, comply and complete all of the obligations undertaken by him/her in the Specialty Court Contract which is attached to and incorporated into both **Exhibit B** and this Probation Order by reference.

- 30. Defendant shall also comply with **OTHER** requirements as follows:

- 31. Upon the successful completion of Defendant's probation pursuant to 720 ILCS 570/410 or 720 ILCS 550/10, Defendant shall be discharged and the charges dismissed without further order of the Court.

- 32. Probation/conditional discharge will terminate and the Circuit Clerk shall transfer the case to closed status on _____ unless there is pending an unresolved petition to revoke probation or this order has been otherwise modified or extended.

- 33. The Clerk of this Court is directed to make all notifications and take all actions as required by law.

ENTER:

_____ JUDGE

Dated this _____ day of _____, 20____

Order prepared by _____

I, the above-named Defendant, acknowledge reading and receipt of this document.

I understand and have been advised in open court that if I am not a citizen of the United States, that a conviction or a sentence of supervision or probation for the offense for which I have been charged may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization under the laws of the United States.

I understand that any individual convicted of domestic battery may be subject to federal criminal penalties for possessing, transporting, shipping, or receiving any firearm or ammunition in violation of the federal Gun Control Act of 1968 [18 U.S.C. 922(g)(8) and (9)].

I understand that upon a finding of any violation of a condition contained in this Order or accompanying Exhibits, and after due notice and hearing, the Court may revoke this sentence, enter judgment of conviction and impose any penalty originally provided for by applicable statute or ordinance including a jail sentence.

I UNDERSTAND THAT FAILURE TO APPEAR IN COURT WHEN REQUIRED CONSTITUTES A **WAIVER** OF MY RIGHT TO CONFRONT WITNESSES AGAINST ME, AND A HEARING TO REVOKE MY SENTENCE CAN PROCEED IN MY ABSENCE AND RESULT IN RE-SENTENCING **WITHOUT MY BEING PRESENT**.

Street Address: _____

Date of Birth: _____

City/State/Zip: _____

_____ Defendant

Telephone No.: _____