

PROBATION DEPARTMENT DIRECTIVE

No.: 1238

Issued: 8-23-2010

Post Until: 9-23-2010

SUBJECT: CESSATION OF MONITORING OF DEFERRED ENTRY OF JUDGMENT CASES

Pursuant to an agreement with the Superior Court, effective immediately, the Probation Department will no longer accept Deferred Entry of Judgment (DEJ) cases for monitoring. Defendants that contact Probation staff at the Area Office or the Probation Information Center, requesting instructions regarding a new grant of DEJ will be directed to the court, or the defendant's counsel, for further assistance. Area Office staff may provide the probationer with a list of Department of Health Services approved PC1000 programs prior to referring the probationer back to the court or counsel. (Please see attached letter from Supervising Judge Peter Espinoza.)

Supervision Intake Team staff will no longer be required to provide orientation instructions to participants in DEJ. Clerical staff will no longer enter the new case in the Adult Probation System for these new True Summary DEJ cases.

All DEJ cases currently being supervised by the Adult Bureau will continue to be monitored until further notice.

If you have any questions, please contact Randall Pineda, SIT Oversight Director at (626) 579-8500 or the Adult Consultant at (562) 940-2525.



Dave Leone, Acting Deputy Director
Field Services Division



CHAMBERS OF
PETER ESPINOZA
SUPERVISING JUDGE

CRIMINAL DIVISION
The Superior Court

LOS ANGELES, CALIFORNIA 90012

CLARA SHORTRIDGE FOLTZ
CRIMINAL JUSTICE CENTER
210 WEST TEMPLE STREET
(213) 974-1234

MEMORANDUM

Sent Via E-mail Only

June 21, 2010

TO: All Bench Officers Assigned to Criminal

FROM: Judge Peter Espinoza, Supervising Judge *PE*
Criminal Division

SUBJECT: PROBATION ISSUES

This memo is intended to address two issues of importance to both the Court and Probation Department.

First Issue – Interstate Compact:

As you know, other than for short-term travel out of the state, you cannot grant a probationer permission to relocate to another state without first requesting and receiving an interstate compact investigation. Probation has advised me that bench officers continue to routinely grant probationers permission to move without following this procedure. I recognize that the interstate compact agreement and its process are time consuming, but they are required by law.

Second Issue – Deferred Entry of Judgment:

This has to deal with defendants who are granted deferred entry of judgment. We have had a long-standing agreement with the Probation Department that when deferred entry of judgment is granted, that we will **NOT** place these defendants on formal probation and request supervision from the Probation Department. The Probation Department is not funded to supervise these defendants and it is not their responsibility. Any progress reports that are required regarding counseling and the payment of fees should be provided to the Court by the defendant or counsel.

If you have any questions regarding the above issues, please contact me at 213.974.5714.

PE:slr

c: Hon. Charles W. McCoy Jr., Presiding Judge
Hon. Lee Smalley Edmon, Asst. Presiding Judge
John A. Clarke, Executive Officer/Clerk
Zoe Venhuizen, Deputy Executive Officer
Susan Cichy, Senior Administrator
Tom Jeanneret, Senior Director, Probation Department