

SUPERIOR COURT

CRIMINAL DIVISION

\_\_\_\_\_ Unit

Docket No. \_\_\_\_\_

STATE OF VERMONT	v.	Defendant	Defendant's DOB
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**DEFERRED SENTENCE and PROBATION ORDER**

For the following Offense: \_\_\_\_\_

<input type="checkbox"/> <b>DEFERRED SENTENCE BY AGREEMENT</b>			
Pursuant to 13 V.S.A. § 7041, the State's Attorney and Defendant hereby agree that the State's Attorney does not object to a deferred sentence and that Defendant is willing to abide by the Terms of Deferred Sentence as set forth in this document.			
A presentence investigation is: <input type="checkbox"/> waived by the parties. <input type="checkbox"/> on file in this case.			
We agree to the terms of the deferred sentence set forth in this document:			
Date	Signature of Defendant	Signature of Defendant's Attorney	Signature of State's Attorney

<input type="checkbox"/> <b>DEFERRED SENTENCE WITHOUT AGREEMENT</b>			
The Court makes the following findings of fact:			
1. Defendant is 28 years old or younger;			
2. The offense that is the subject of the deferred sentence is not a listed crime under 13 V.S.A. § 5301(7);			
3. The victim has been afforded the right to submit a written or oral statement regarding a deferred sentence in this case;			
4. The court has reviewed any presentence investigation report and victim impact statement with the parties;			
5. A deferred sentence is in the interest of justice.			
A presentence investigation is: <input type="checkbox"/> waived by the parties <input type="checkbox"/> on file in this case.			

**TERMS OF DEFERRED SENTENCE**

1. Term of deferred sentence: \_\_\_\_\_ years \_\_\_\_\_ months
2. The duration of this deferred sentence agreement is from \_\_\_\_/\_\_\_\_/20\_\_\_\_ to \_\_\_\_/\_\_\_\_/20\_\_\_\_
3. During the period that this deferred sentence is in effect, the Defendant shall abide by Standard Probation Conditions (except as modified on the reverse side of this document) and the following Special Conditions:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**All applicable conditions (both standard and special) are set forth on the attached probation warrant.**

Based on the foregoing, a Deferred Sentence is ORDERED pursuant to 13 V.S.A. §7041. The defendant is placed on probation in the care and custody of the Commissioner of Corrections until further order of the Court.

\_\_\_\_\_ Date \_\_\_\_\_ Superior Court Judge

It is understood by the defendant and the undersigned that:

1. if Defendant violates the conditions of the deferred sentence, the Court shall impose sentence.
2. if Defendant fulfills the terms of probation and this agreement, the Court shall strike the adjudication of guilty and discharge the defendant. Upon discharge, the record of the criminal proceedings shall be expunged.

Date	Signature of Defendant	Signature of Defendant' Attorney	Signature of State's Attorney
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## STANDARD CONDITIONS OF PROBATION

The sentence is deferred and the defendant agrees to abide by the following standard conditions of probation together with those special conditions on page one of the Order while in the care and custody of the Commissioner of Corrections:

- A. You shall notify your probation officer within 48 hours if you are arrested or given a citation for a new offense.
- B. You must not be convicted of another crime.
- C. You must regularly work at a job or look for work, if your probation officer tells you to do so. You must get job training if your probation officer tells you to do so.
- D. You must regularly work at a community service job if the court orders you to do so.
- E. You must support your dependents and meet other family responsibilities.
- F. You must meet with your probation officer or designee whenever he/she tells you to do so.
- G. If you change your address or move, you must tell your probation officer within two days.
- H. If you change or lose your job, you must tell your probation officer within two days.
- I. You cannot leave the State without written permission from your probation officer.
- J. Upon request, and without delay, you must allow the probation officer to visit you wherever you are staying.
- K. If the probation officer or the court orders you to go to any counseling or training program, you must do so. You must participate to the satisfaction of your probation officer.
- L. You must not buy, have or use any regulated drugs unless they are prescribed by a doctor.
- M. Your probation officer or any other person authorized by your probation officer can require you to have random urinalysis testing.
- N. Violent or threatening behavior is not allowed at any time.
- O. You shall not operate, try to operate or be in actual physical control of a motor vehicle on a public highway unless in possession of a valid Vermont Operator's license.
- P. You shall not drink alcoholic beverages to the extent they interfere with your employment or the welfare of your family, yourself or any other person. You must submit to any alco-sensor test or any other alcohol test when your probation officer or their designee tells you to do so.
- Q. If the Department of Corrections asks, you must furnish information, including financial information about money earnings and property which will enable the Department to collect restitution.
- R. If restitution is ordered, you must cooperate fully with the Restitution Unit.
- S. You will pay any unpaid amounts due to the court or the Tax Department for any legal services provided at state expense.