

PROBATION ORDERS

(Standard Wording Used in Edmonton Provincial Criminal Court)

This document contains the standard wording of conditions used in the Edmonton Provincial Criminal Court. It is intended to be a reference when completing a case specific checklist of specific conditions. It is not intended as the Checklist itself. The blanks in this document correspond with the blanks in the Checklist.

MANDATORY CONDITIONS

You must:

1. keep the peace and be of good behaviour;
2. appear before the Court when required to do so by the Court;
3. notify the Court or your Probation Officer in advance of any change of your name or address, and promptly notify your Probation Officer of any change of your employment or occupation;
4. not communicate, directly or indirectly with _____, except:
___ to arrange access to your children through a third party or by court order;
___ as may be specifically approved in advance in writing by your Supervisor;
___ by telephone or other electronic communication in the presence of a mutually-agreed upon third party or in a public place.
5. ___ not attend at _____ (address or location)
___ You may return to _____ (address or location)
on one occasion in order to retrieve personal property at a date and time agreed upon with the occupant, and only if accompanied by police.

Any provision in this Order that requires you to obtain prior approval from your Supervisor only begins on the date scheduled for your first meeting with your Supervisor.

INTERMITTENT SENTENCES

___ You may serve your sentence on an intermittent basis by reporting to the Fort Saskatchewan Correctional Centre in a clean and sober state at 8:00 p.m. on Friday the ___ day of _____, 20 ___ and remain there until your release at 4:00 p.m. on Sunday the ___ day of _____, 20 ___, and you will continue to report on the same basis until your sentence has been served.

ADDITIONAL CONDITIONS

REPORTING

You will report to a Supervisor

___ within ___ working days from today, or
___ within ___ working days from your release
and, after that, as directed by your Supervisor.

REMAIN IN ALBERTA

You will remain within Alberta unless you have obtained written permission from your Supervisor to leave Alberta.

PASSPORT

You will deliver all passports in your name to the Clerk of the Court to be held by the Clerk of the Court and will provide your Supervisor with satisfactory proof that you have done so. You may not make any application for a passport or renewal of any passport for any country.

APPROVED RESIDENCE

You will live at _____ / an address for which you have written approval from your Supervisor (your Approved residence@). If you want to move to a different address you must get your Supervisor=s written approval.

HOUSE ARREST

For the first _____ (days / months) of this Order you will remain in your approved residence 24 hours per day, 7 days per week, subject to any exceptions set out in this Order.

CURFEW

You will follow a curfew by being in your approved residence between the hours of _____ (a.m. / p.m.) and _____ (a.m. / p.m. the following day) _____ days a week:
_____ for a period of _____ days/months following the period of house arrest (or)
_____ for the remaining term of the order after the period of house arrest (or)
_____ for a period of _____ days/months (or)
_____ for the term of the order.

HOUSE ARREST/CURFEW COMPLIANCE [this clause will always be included when house arrest and/or curfew are ordered unless the judge orders otherwise]

When you are subject to house arrest or a curfew, you will come to the door of your approved residence if your Supervisor or a Peace Officer comes to see whether you are home during the house arrest or curfew period. You will maintain/obtain a land line telephone (which cannot have a call-forwarding feature) and you will be available to answer that telephone during the house arrest or curfew period. You will provide your Supervisor with the land line telephone number when you first meet with your Supervisor or within the time permitted by your Supervisor.

EXCEPTIONS TO HOUSE ARREST/CURFEW CONDITIONS [this clause will always be included when house arrest and/or curfew are ordered unless the judge orders otherwise]

You may be absent from your approved residence during any period of house arrest or curfew only if you have prior written approval for the absence from your Supervisor and only for the following reasons:

- A. to attend any educational or training programs approved by your Supervisor;
- B. to go to work;
- C. to look for work;
- D. to perform any community service required by the Court;
- E. to attend appointments with your lawyer or to attend Court;
- F. to attend for any assessment, treatment or counselling as directed by your Supervisor;
- G. to attend any medical, dental or other health appointment for yourself or a dependent child;
- H. to attend any other programs or services that your supervisor directs you to attend;
- I. to shop for the necessities of life for a maximum of 4 hours each week;
- J. for religious observation;
- K. to vote in a municipal, provincial or federal election;
- L. other _____

If you or a dependent child requires emergency medical or dental treatment you must go directly to the nearest medical or dental facility. After treatment, you must return to your approved residence as quickly as possible and you must immediately notify your Supervisor about your absence, the reason for your absence and the location you attended. You must also immediately provide your Supervisor with satisfactory proof of the emergency treatment.

EMPLOYMENT OR EDUCATION

If you are working you will provide your Supervisor with the name, address and telephone number of your employer, and your work schedule if requested by your Supervisor. If you quit or are terminated from your employment, you will immediately advise your Supervisor, and take whatever steps your Supervisor directs.

If you are attending an educational institution, you will provide your Supervisor with your class/training schedule if requested by your Supervisor. If you finish, leave or are terminated from your education or training program you will immediately advise your Supervisor, and take whatever steps your Supervisor directs.

If you are not working or attending an educational institution, you will do whatever your Supervisor tells you to do to find employment, or pursue educational opportunities. You will provide your Supervisor with evidence satisfactory to your Supervisor of your efforts to find employment or pursue educational opportunities.

ASSESSMENT, COUNSELLING AND TREATMENT

You will attend whatever assessment, counselling or treatment your Supervisor tells you to take. The assessment, treatment or counselling may include but is not limited to the following areas:

- A. psychiatric or psychological
- B. alcohol/drug abuse
- C. financial management
- D. domestic violence
- E. anger management
- F. marital issues
- G. parenting issues
- H. other: _____

You will complete any programs your Supervisor directs you to take and provide proof satisfactory to your Supervisor that you have done so.

You will attend the _____ program and follow all of the rules of that program.

RELEASE OR WAIVER

You will sign whatever release or waiver your Supervisor requires you to sign so that your Supervisor can have access to any information necessary for your Supervision.

DOCTOR'S CARE

You will remain under the care of Dr. _____ or his / her designate, follow all instructions and take all medications as prescribed by that doctor.

ALCOHOL AND DRUGS

__ You will not possess or consume alcohol or other intoxicating substances.

__ You will not possess or consume drugs except in accordance with a medical prescription in your name.

SAMPLES

You will provide samples of your breath or urine to your Supervisor or a Peace Officer who has reasonable grounds to believe you have consumed alcohol, other intoxicating substances or non-prescribed drugs. You acknowledge that you have advised the Court that you agree to this requirement.

LICENSED PREMISES

You will not be in any bar or other establishment whose primary business is the sale or service of alcohol.

ELECTRONIC DEVICES

You may not use or possess any electronic device (such as a cell phone) that is designed to or able to send or receive telecommunication of any kind, except with prior written permission of your Supervisor.

INTERNET USE

You may not have internet access at your residence.

You may not possess any device capable of accessing the internet.

You may not attend at an Internet café or other commercial establishment whose primary business is the provision of internet services to the public.

You may not access the internet except at your place of employment or at an educational institution and then only for valid reasons relating to your employment or education.

You may not possess any data storage media and you may not access any online data storage services.

MOTOR VEHICLES

You may not be

in a motor vehicle

behind the steering wheel of a motor vehicle

unless:

you have the written permission of the registered owner

the registered owner is present

you are a passenger in a form of public transportation

IDENTITY DOCUMENTS

You may not possess any identification documents, credit cards, debit cards, or mail, except that which is lawfully in your name or addressed to you.

NO WEAPONS

You will not own, possess or carry a weapon. "Weapon" is defined in the *Criminal Code* as:

“Anything used, designed to be used or intended for use

(a) in causing death or injury to any person, or

(b) for the purpose of threatening or intimidating any person and, without restricting the generality of the foregoing, includes a firearm.”

ACTIVITIES INVOLVING UNDER-AGED CHILDREN

You may not

___ attend at a public park or public swimming area where persons under the age of (14/16/18) years are present or can reasonably be expected to be present, or a day care centre, school ground or community centre.

___ seek, obtain or continue with any employment or volunteer activity that involves being in a position of trust or authority towards persons under the age of (14/16/18) years.

___ have any contact with any person under the age of (14/16/18) years unless in the presence of a parent or guardian.

___ Other: _____

RESTITUTION

You will make restitution as follows:

Amount: \$ _____

To: _____

Address: _____

which amount(s) will be payable to the Clerk of the Provincial Court of Alberta with payment of:

\$ _____ on or before the ____ day of every month commencing _____, 20 ____;

payment of the entire amount(s) to be completed by _____, 20 ____.

COMMUNITY SERVICE

You will perform ___ hours (maximum 240 over a period not to exceed 18 months) of community service as directed by your Supervisor, within the first ___ months of this Order, (at the rate of ___ hours per month for ___ months) and provide satisfactory written confirmation to your Supervisor that you have completed the hours by the ___ day of the following month or as permitted by your Supervisor.

TEMPORARY WRITTEN EXEMPTION

Your Supervisor may grant a temporary written exemption from any of the terms of this Order for the purposes of addressing an immediate need or for any purpose permitted by your Supervisor.

OTHER TERMS: _____