

**IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
CHAMPAIGN COUNTY, ILLINOIS**

**COUNTY ADMINISTRATIVE ORDER 2009-04**

**FELONY, MISDEMEANOR AND TRAFFIC PLEA / SENTENCING FORMS**

The attached felony plea and sentencing forms have been developed by the Court. The attached forms are the **ONLY** forms that the Court will accept in these matters. Any deviation from the forms attached hereto will not be accepted. (Party names, case numbers, offense information and other information to be filled-in by the attorneys will obviously differ from case to case. However, no changes in format will be accepted). The offense(s) involved in the case will be set forth in all capital letters and will contain no symbols or abbreviations.

The forms will be modified by the parties to include only those conditions of probation applicable to the defendant in the case before the Court. All conditions not to be imposed by the Court will be eliminated from the form prior to submission to the Court.

Specific conditions related to the types of assessments or treatment that defendants will undergo have been deliberately eliminated from the forms. The decisions regarding specific types of assessments or treatment to be required of the defendant will be made by the Champaign County Court Services Department and are incorporated by the Court through execution of these documents.

Four copies of the documents will be submitted to the Court (an original and three copies). The documents submitted must be completed in their entirety and will be type-written whenever possible.

**Any documents submitted to the Court in contravention of this Order will be immediately destroyed and further Court proceedings for these cases will be continued until such time as the proper forms are presented to the Court.**

**DATE:** \_\_\_\_\_

**ENTER:** \_\_\_\_\_  
**THOMAS J. DIFANIS, PRESIDING JUDGE**

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
CHAMPAIGN COUNTY, ILLINOIS**

The People of the State of Illinois,	)	
Plaintiff	)	
	)	
V.	)	Case: _____
	)	
_____	)	
Defendant	)	

**JUDGMENT ORDER ON GUILTY PLEA/OPEN SENTENCING**

The People appear by Assistant State’s Attorney \_\_\_\_\_. The Defendant appears personally and by counsel, \_\_\_\_\_.

The Court, by addressing the Defendant personally in open court pursuant to the provisions of the Supreme Court Rule 402, has informed the Defendant of the nature of the charge, of the possible consequences of the Court’s accepting the Defendant’s offer to plead guilty, and of the rights which the Defendant has and is waiving by the Defendant’s offer to plead guilty. The Court finds that the Defendant understands all of the foregoing, that the Defendant understandingly, knowingly, and voluntarily waives those rights and persists in the offer to plead guilty, that there is a factual basis for the guilty plea, that the guilty plea is being made pursuant to an agreement between counsel as stated in open court, and that no force or threats have been used on the Defendant to coerce the Defendant to plead guilty. Accordingly, the Defendant’s offer to plead guilty is accepted by the Court.

THE COURT FURTHER FINDS that the Defendant committed the offense of \_\_\_\_\_ (ALL CAPS) \_\_\_\_\_, a class \_\_\_\_\_ felony, in the manner and form set forth in Count \_\_\_\_\_ of the Information/Indictment filed on \_\_\_\_\_. (Eligible for extended term)

Based thereon, the Court hereby orders the Champaign County Court Services Department to complete and place on file the following:

- |  |                                     |
|--|-------------------------------------|
| _____ Presentence Report   | _____ T.A.S.C. Suitability Report   |
| _____ Alcohol/Substance Abuse<br>Evaluation pursuant to<br>625 ILCS 5/11-501 (e) | _____ Drug Court Suitability Report |
| _____ Sex Offender Evaluation  |                                     |

AGREEMENTS OF THE STATE: \_\_\_\_\_

The Defendant is ordered to report to Champaign County Court Services Department immediately for the preparation of the above marked reports.

This cause is continued for sentencing until \_\_\_\_\_, in Courtroom \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

Based thereon, THE COURT ORDERS judgment in favor of the People of the State of Illinois and against the Defendant on that finding and for costs.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Entered

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
CHAMPAIGN COUNTY, ILLINOIS**

The People of the State of Illinois,	)	
Plaintiff	)	
	)	
V.	)	Case: _____
	)	
_____	)	
Defendant	)	

**SENTENCING ORDER**

The People appear by Assistant State’s Attorney \_\_\_\_\_. The Defendant appears personally and by counsel, \_\_\_\_\_.

The Court, by addressing the Defendant personally in open court pursuant to the provisions of the Supreme Court Rule 402, has informed the Defendant of the nature of the charge, of the possible consequences of the Court’s accepting the Defendant’s offer to plead guilty, and of the rights which the Defendant has and is waiving by the Defendant’s offer to plead guilty. The Court finds that the Defendant understands all of the foregoing, that the Defendant understandingly, knowingly, and voluntarily waives those rights and persists in the offer to plead guilty, that there is a factual basis for the guilty plea, that the guilty plea is being made pursuant to an agreement between counsel as stated in open court, and that no force or threats have been used on the Defendant to coerce the Defendant to plead guilty. Accordingly, the Defendant’s offer to plead guilty is accepted by the Court.

THE COURT FURTHER FINDS that the Defendant committed the offense of \_\_\_\_\_ (ALL CAPS) \_\_\_\_\_, a class \_\_\_\_\_ felony, in the manner and form set forth in Count \_\_\_\_\_ of the Information/Indictment filed on \_\_\_\_\_. (Eligible for extended term)

**JUDGMENT**

Judgment is entered in favor of the People and against the Defendant on the finding of guilt and for costs. The Defendant is hereby ordered to:

Entry of judgment is deferred for a period of \_\_\_\_\_ months and the Defendant is ordered to:

**PROBATION/CONDITIONAL DISCHARGE/COURT SUPERVISION**

- 204    Serve a period of \_\_\_\_\_ months Probation,
- 822    Serve a period of \_\_\_\_\_ months of TASC Probation pursuant to 20 ILCS 301/40-10,
- 823    Serve a period of \_\_\_\_\_ months Probation pursuant to the Champaign County Drug Court Probation Program,
- 206    Serve a period of \_\_\_\_\_ months of Conditional Discharge,
- 208    Serve a period of Court Supervision,
- 821    Serve a period of First Offender Probation pursuant to 720 ILCS 550-10 of the Cannabis Control Act,
- 820    Serve a period of First Offender Probation pursuant to 720 ILCS 570-410 of the Controlled Substances Act,

subject to the following standard rules and conditions of probation/conditional discharge/court supervision:

- a. that the Defendant not violate any criminal statute of any jurisdiction,
- b. that the Defendant report in person to the Champaign County Court Services Department twice per month or more or less often or in a different fashion, as that department might direct in writing,
- c. that the Defendant refrain from possessing a firearm or other dangerous weapon,
- d. that the Defendant not leave the State without the consent of the Court or, in circumstances in which the reason for the absence is of such an emergency nature that prior consent of the Court is not possible, without the prior notification of the Defendant’s Probation Officer,
- e. that the Defendant permit the Probation Officer to visit him at his home or elsewhere to the extent necessary to discharge his duties,
- f. that the Defendant advise the Probation Officer immediately in writing of any change of residence, school, or employment,
- g. that the Defendant refrain from possessing or having in his/her body the presence of any alcohol or illicit drug, prohibited by the Cannabis Control Act or Controlled Substances Act, unless prescribed by a physician and submit to random bodily fluid and/or breath testing at the request of his or her Probation Officer,

- h. that the Defendant attend and participate in such counseling, treatment or educational programs as may be directed in writing by a Probation Officer and abide by all rules, regulations and directions of any such program,
- i. that the Defendant support his or her dependants,
- j. that the Defendant, if not employed, obtain and maintain employment,
- k. sign all authorizations for release of information requested by the Court Services Department to enable said agency to monitor compliance with terms of probation/conditional discharge.

**INCARCERATION**

- 201 Serve a period of incarceration of \_\_\_\_\_ years in the Illinois Department of Corrections.
- 202 Serve \_\_\_\_\_ days in the Champaign County Correctional Center.
- 211 With credit for \_\_\_\_\_ days previously served.

**FINANCIAL OBLIGATIONS**

All financial obligations shall be paid in equal monthly installments to the Champaign County Circuit Clerk (within one hundred eighty (180) days). Any bond posted is to be applied first to any court ordered bond assignment on file and then to all restitution ordered and then to all financial obligations in this case. Any remaining bond shall be discharged to the individual who posted the bond. Pay all fines, fees and costs as authorized by statute.

- 301 Pay a fine in the amount of \$\_\_\_\_\_.
- 801 Pay a local anti-crime (Crime Stoppers) assessment fee of \$5.00/\$10.00.
- 853 Pay a crime laboratory analysis fee of \$100.00/\$150.00 (DUI).
- 302 Pay restitution in the amount of \$\_\_\_\_\_ to be disbursed by the Circuit Clerk as follows:

\_\_\_\_\_  
 Restitution to be joint and several with any restitution ordered in Case Number(s) \_\_\_\_\_.

- 852 Pay a Violent Crime Victims Assistance Act Fee.
- 800 Pay a Probation service fee fixed in the amount of \$\_\_\_\_\_ per month.
- 854 Pay a genetic marker grouping analysis fee of \$200.00, in accordance with 730 ILCS 5/5-4-3(j).
- 802 Receive a \$\_\_\_\_\_ credit towards all fines for \_\_\_\_\_ days spent in custody.
- 850 Pay a \$\_\_\_\_\_ mandatory street value fine to be distributed to the following law enforcement agency/agencies:\_\_\_\_\_.
- 851 Pay a \$\_\_\_\_\_ mandatory assessment.

**GENERAL OBLIGATIONS**

- 500 Submit specimens of blood, saliva, or tissue to the Illinois Department of State Police in accordance with 730 ILCS 5/5-4-3 unless the Defendant has already done so.
- 209 Perform \_\_\_\_\_ hours of public service work under the supervision of the Champaign County Court Services Department, within the first \_\_\_\_\_ months of sentence. The Defendant is to be given credit on Public Service Work for any hours completed in education, treatment, aftercare, sobriety based self-help group meetings, Victim Impact Panel, and G.E.D. classes.
- 414 Attend the next scheduled Victim Impact Panel presented by Court Services.
- 842 The Court hereby finds that the victim of this offense, \_\_\_\_\_, is a family or household member of his within the meaning of 725 ILCS 5/112A-3(3); 720 ILCS 5/12-3.2(b); 720 ILCS 5/12-30(d); and 730 ILCS 5/5-91.5.
- 841 Have no contact, directly or indirectly, in person, by telephone, or electronically with \_\_\_\_\_.
- 410 Undergo medical testing pursuant to 730 ILCS 5/5-5-3(g) within \_\_\_\_\_ days.
- 831 Refrain from entering the area outlined in the attached map.
- 832 Submit a letter of apology, addressed to \_\_\_\_\_, to Court Services for approval and delivery by said Department.

**STATE AGREEMENTS**

- 834 Defendant's probation in \_\_\_\_\_ is hereby unsuccessfully terminated.
- 835 Count(s) \_\_\_\_\_ is/are hereby dismissed.
- 836 Case number(s) \_\_\_\_\_ is/are hereby dismissed. Any bond posted in said case(s) shall be transferred to the instant case and shall be applied to any fines, fees, costs, assessments, and/or restitution imposed herein; any remaining bond shall be used to satisfy such other of the Defendant's Champaign County criminal or traffic cases in which the Defendant owes an outstanding balance of fines, fees, costs, assessments, and/or restitution.
- 837 The State agrees not to file any criminal charges against the Defendant based solely on conduct described in \_\_\_\_\_ (police report numbers).
- 838 Court Services is authorized to transfer Defendant's probation to the county/state of Defendant's residence.

839 The State agrees not to file a Petition to Revoke in case number \_\_\_\_\_  
solely on the basis of this conviction.

840 The Petition to Revoke in case number \_\_\_\_\_ is withdrawn and dismissed.

IT IS SO ORDERED.

804 The Defendant has been advised of the rights of a Defendant under Supreme Court Rule 605 and the Court finds that the Defendant understands those rights.

Appointment of Counsel to continue for 30 days for post-judgment matters, excluding post-conviction relief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Entered

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
CHAMPAIGN COUNTY, ILLINOIS**

The People of the State of Illinois,	)	
Plaintiff	)	
	)	
V.	)	Case: _____
	)	
_____,	)	
Defendant	)	

**SENTENCING ORDER/Resentencing on Petition to Revoke Probation**

The People appear by Assistant State’s Attorney \_\_\_\_\_. The Defendant appears personally and by counsel, \_\_\_\_\_. The Defendant having previously been found guilty of the offense of \_\_\_\_\_ (ALL CAPS), a class \_\_\_\_\_ misdemeanor/felony, in the manner and form set forth in Count \_\_\_\_\_ of the information/indictment filed on \_\_\_\_\_, and having previously been sentenced to a term of Probation/Conditional Discharge/Court Supervision, the Court, having found that the Defendant violated the terms of said Probation/Conditional Discharge/Court Supervision in the manner and form as outlined in the Petition to Revoke previously filed, the Court further finds and orders as follows:

**JUDGMENT**

Judgment is entered in favor of the People and against the Defendant on the finding of guilt and for costs. The Defendant is hereby ordered to:

Entry of judgment is deferred for a period of \_\_\_\_\_ months and the Defendant is ordered to:

**PROBATION/CONDITIONAL DISCHARGE/COURT SUPERVISION**

- 204    Serve a period of \_\_\_\_\_ months Probation,
- 822    Serve a period of \_\_\_\_\_ months of TASC Probation pursuant to 20 ILCS 301/40-10,
- 823    Serve a period of \_\_\_\_\_ months Probation pursuant to the Champaign County Drug Court Probation Program,
- 206    Serve a period of \_\_\_\_\_ months of Conditional Discharge,
- 208    Serve a period of Court Supervision,
- 821    Serve a period of First Offender Probation pursuant to 720 ILCS 550-10 of the Cannabis Control Act,
- 820    Serve a period of First Offender Probation pursuant to 720 ILCS 570-410 of the Controlled Substances Act,

subject to the following standard rules and conditions of probation/conditional discharge/court supervision:

- a. that the Defendant not violate any criminal statute of any jurisdiction,
- b. that the Defendant report in person to the Champaign County Court Services Department twice per month or more or less often or in a different fashion, as that department might direct in writing,
- c. that the Defendant refrain from possessing a firearm or other dangerous weapon,
- d. that the Defendant not leave the State without the consent of the Court or, in circumstances in which the reason for the absence is of such an emergency nature that prior consent of the Court is not possible, without the prior notification of the Defendant’s Probation Officer,
- e. that the Defendant permit the Probation Officer to visit him at his home or elsewhere to the extent necessary to discharge his duties,
- f. that the Defendant advise the Probation Officer immediately in writing of any change of residence, school, or employment,
- g. that the Defendant refrain from possessing or having in his/her body the presence of any alcohol or illicit drug, prohibited by the Cannabis Control Act or Controlled Substances Act, unless prescribed by a physician and submit to random bodily fluid and/or breath testing at the request of his or her Probation Officer,
- h. that the Defendant attend and participate in such counseling, treatment or educational programs as may be directed in writing by a Probation Officer and abide by all rules, regulations and directions of any such program,
- i. that the Defendant support his or her dependants,
- j. that the Defendant, if not employed, obtain and maintain employment,
- k. sign all authorizations for release of information requested by the Court Services Department to enable said agency to monitor compliance with terms of probation/conditional discharge.

INCARCERATION

- 201 Serve a period of incarceration of \_\_\_\_\_ years in the Illinois Department of Corrections.
- 202 Serve \_\_\_\_\_ days in the Champaign County Correctional Center.
- 211 With credit for \_\_\_\_\_ days previously served.

FINANCIAL OBLIGATIONS

The Defendant is ordered to pay all outstanding financial obligations previously imposed and all other fines, fees, and costs as authorized by statute. Cash bond posted to be applied first to any bond assignment on fine, then to all monetary obligations. Remaining cash bond to be refunded pursuant to bond order on file.

- 800 Pay a Probation service fee fixed in the amount of \$ \_\_\_\_\_ per month.
- 854 Pay a genetic marker grouping analysis fee of \$200.00, in accordance with 730 ILCS 5/5-4-3(j).
- 802 Receive a \$ \_\_\_\_\_ credit towards all fines for \_\_\_\_\_ days spent in custody.

GENERAL OBLIGATIONS

- 500 Submit specimens of blood, saliva, or tissue to the Illinois Department of State Police in accordance with 730 ILCS 5/5-4-3 unless the Defendant has already done so.
- 209 Perform \_\_\_\_\_ hours of public service work under the supervision of the Champaign County Court Services Department, within the first \_\_\_\_\_ months of sentence. The Defendant is to be given credit on Public Service Work for any hours completed in education, treatment, aftercare, sobriety based self-help group meetings, Victim Impact Panel, and G.E.D. classes.
- 414 Attend the next scheduled Victim Impact Panel presented by Court Services.
- 841 Have no contact, directly or indirectly, in person, by telephone, or electronically with \_\_\_\_\_.
- 410 Undergo medical testing pursuant to 730 ILCS 5/5-5-3(g) within \_\_\_\_\_ days.
- 831 Refrain from entering the area outlined in the attached map.
- 832 Submit a letter of apology, addressed to \_\_\_\_\_, to Court Services for approval and delivery by said Department.

STATE AGREEMENTS

- 834 Defendant's probation in \_\_\_\_\_ is hereby unsuccessfully terminated.
- 835 Count(s) \_\_\_\_\_ is/are hereby dismissed.
- 836 Case number(s) \_\_\_\_\_ is/are hereby dismissed. Any bond posted in said case(s) shall be transferred to the instant case and shall be applied to any fines, fees, costs, assessments, and/or restitution imposed herein; any remaining bond shall be used to satisfy such other of the Defendant's Champaign County criminal or traffic cases in which the Defendant owes an outstanding balance of fines, fees, costs, assessments, and/or restitution.
- 837 The State agrees not to file any criminal charges against the Defendant based solely on conduct described in \_\_\_\_\_ (police report numbers).
- 838 Court Services is authorized to transfer Defendant's probation to the county/state of Defendant's residence.
- 839 The State agrees not to file a Petition to Revoke in case number \_\_\_\_\_ solely on the basis of this conviction.
- 840 The Petition to Revoke in case number \_\_\_\_\_ is withdrawn and dismissed.

IT IS SO ORDERED.

- 804 The Defendant has been advised of the rights of a Defendant under Supreme Court Rule 605 and the Court finds that the Defendant understands those rights.

Appointment of Counsel to continue for 30 days for post-judgment matters, excluding post-conviction relief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Entered