

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Superior Court Division

STATE VERSUS

REFERRAL/ORDER FOR SENTENCING SERVICES PLAN

G.S. 7A-773.1(a), 7A-774(2)

Name Of Defendant

Race Sex DOB

Attorney For State

Attorney For Defendant

The above named defendant, charged with the following offense(s), has been identified as eligible for Sentencing Services:

Table with 3 columns: File No.(s), Felony/Misd., Offense Description

A. PRE-PLEA REFERRAL

Referred by: comprehensive sentencing services program plan priority case. G.S. 7A-774(2)
the defendant the attorney for the defendant the district attorney
request of the presiding judge (pre-plea)

NOTE: "B. Certification By Attorney For Defendant" section below must be completed.

B. CERTIFICATION BY ATTORNEY FOR DEFENDANT

Applicable to pre-plea cases only.

The defendant chooses to:

Participate in the development of a sentencing plan. Defendant may be located at (Include home address and phone number; if in jail, include location, address and phone number for jail, if known.)

Decline participation in the development of a sentencing plan.* G.S. 7A-773.1(a)

*Pursuant to the local comprehensive sentencing services program plan rules, if this certification by attorney declining participation is not signed and either filed with the clerk's office or returned to the Sentencing Services Program by (date or event), sentencing plan development will begin.

Name And Address Of Program

Date Name Of Attorney For Defendant (Type Or Print) Signature Of Attorney For Defendant

C. POST-PLEA ORDER

Referred by: order of the presiding judge (upon plea of verdict of guilt).

D. REFERRAL AUTHORIZATION

Sentencing plan is to be completed by (date or event)

Date Of Referral Name Of Judge Or Referral Agent (Type Or Print) Signature Of Judge Or Referral Agent

CERTIFICATION OF PLAN DISTRIBUTION BY SENTENCING

Name Of Defendant

File No.

Pursuant to G.S. 7A-773.1(b):

- a copy of the sentencing plan has been forwarded to the following:
 - attorney for defendant defendant district attorney judge
- a copy of the sentencing plan will be distributed at sentencing to any authorized person who does not already have a copy of the plan, or
- _____ copies of the sentencing plan are enclosed within the attached sealed envelope for presentation to the following upon a finding of guilt.
 - attorney for defendant defendant district attorney judge other _____

Date

Name (Type Or Print)

Signature

INSTRUCTIONS

CERTIFICATION OF PLAN DISTRIBUTION BY SENTENCING SERVICES (see above)

After the sentencing plan is completed, the sentencing services program fills out each portion of this section, as appropriate, to document the distribution of the plan. Enter the lead case file number, as determined by the clerk's office. Check all boxes that apply. If plans are placed in the clerk's files, this side of the form should be completed and stapled to the outside of the sealed envelope.

REFERRAL/ORDER FOR SENTENCING SERVICES PLAN (reverse side)

NOTE: This form must be filed with the clerk if the defendant declines to participate in the development of a sentencing plan or if the court orders a sentencing plan upon a finding of guilt. The filing of this form in other situations is governed by the local comprehensive sentencing services program plan.

Pre-plea referrals. For all pre-plea referrals, Sections A and D must be completed, and the judge or other referral agent must sign Section D. (The program itself is the referral agent for priority cases specified in the local program plan.) For all pre-plea referrals except those from the defense attorney or defendant, notice must be given to the defendant, and the "Certificate of Service" section below must be completed. The attorney for the defendant must complete Section B on the reverse side and either file the form with the clerk's office or return it to the sentencing services program, as specified in the local program plan.

Post-plea referrals. Only a judge may refer cases post-plea. Sections C and D must be completed, and Section D signed by the judge making the referral.

CERTIFICATE OF SERVICE (see below)

In accordance with the local comprehensive sentencing services program plan, the Certificate of Service section should be completed to indicate the method by which the defendant was notified of the referral to the sentencing services program.

CERTIFICATE OF SERVICE

I certify that a copy of this Referral/Order was served by:

- depositing a copy enclosed in a postpaid, properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service directed to the
 - defendant's attorney. defendant.

Date Mailed

Signature Of Person Mailing

I certify that a copy of this Referral/Order was served by:

- delivering a copy personally to the
 - defendant's attorney. defendant.
- leaving a copy at the
 - office of the defendant's attorney. defendant's attorney box in the courthouse.

Date Served

Signature Of Person Serving