

**Instruction for Defense Counsel or Pro Per Defendant: AB150 Petition to Modify  
Probation- Misdemeanor or Felony**

- Defendant or defense counsel files a petition with the Court using the correct form for a misdemeanor or felony. Filing party shall serve the District Attorney and Probation Department with a copy of the petition and provide proof of service to the Court.
- If the parties reach an agreement prior to the filing of the petition, an attachment may be added to expedite the process of submitting the petition to the Court for review.
- Pursuant to the standing order filed January 4, 2021, the Court shall hold the petition for 10 calendar days to allow the District Attorney to file in writing any objection to those cases outlined in the petition filed by the probation department or defendant.
- If the Court does not receive a filed objection by the District Attorney, the Clerk will submit the petition to a judicial officer for review and entry of the order, if appropriate on the 11<sup>th</sup> day after the service of the petition.
- If an objection is received, the Court shall place the matter on calendar after notice of hearing to the District Attorney, Probation Department and Defense Attorney within 10 calendar days of the filing of the objection.
- If the petition is granted after the hearing, the Court will direct that an Order after Hearing be prepared and submitted to the Court indicating the new expiration date of the defendant's probation.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address):  <b>TELEPHONE NO:</b> <b>EMAIL ADDRESS:</b> <b>ATTORNEY FOR (Name):</b>	FOR COURT USE ONLY
<b>FAX NO:</b>	
PEOPLE OF THE STATE OF CALIFORNIA  VS.  DEFENDANT:	
<b>DEFENDANT'S PETITION &amp; ORDER – AB 1950 FELONY</b>	<b>CASE NUMBER:</b>
<ul style="list-style-type: none"> <li>• Upon filing, petitioner is required to immediately provide notice by providing a copy of the Petition to the District Attorney and Probation Department</li> <li>• Proof of service to the District Attorney and Probation Department must be provided to the Court.</li> </ul>	

On (*date*) \_\_\_\_\_, the above-named defendant was granted \_\_\_\_\_ years formal probation. Pursuant to AB 1950, which amended sections 1203a and 1203.1 of the California Penal Code, the defendant petitions the Court to modify the imposed term of probation.

- Request for the outstanding warrant to be recalled.
- Request for future court dates to be vacated.

Date: \_\_\_\_\_  
\_\_\_\_\_  
 Petitioner/Defendant/Attorney for Defendant

**MODIFIED ORDER OF PROBATION**

Pursuant to Section (1203a or 1203.1) of the California Penal Code, as amended effective January 1, 2021, the Court orders the following:

- Petition as to AB 1950 granted. Probation is modified and deemed served.
- Petition as to AB 1950 granted. Probation is modified to \_\_\_\_\_ and shall expire \_\_\_\_\_. All other terms not in conflict, shall remain in full force and effect.
- Petition as to AB 1950 denied.
- The Court orders the warrant recalled.
- The Court orders the future date vacated.

Date: \_\_\_\_\_  
\_\_\_\_\_  
 Judge of the Superior Court