

SIGNIFICANT PROVISIONS OF **RULES OF COURT-RULE 4.540**

1. Filing of Petition (Form CR-300) only after all three predicates (Rule 4.540(c)(2):
 - 1) Supervising agency has established probable cause.
 - 2) After assessment, no reasonable alternatives exist.
 - 3) There has been notice to supervised person and counsel.
2. Within five days, court/hearing officer does probable cause review. (4.540(d)(1-2))
3. Notice of hearings to counsel, prosecutor, victim(s). (4.540(e))
Marsy's Law compliance.
4. Supervised person can waive formal hearing, counsel and accept disposition. (4.540(f))
5. If violated:
 - 1) Three options:
 - i. Return to supervision with modifications including jail;
 - ii. Revoke and confine;
 - iii. Refer to reentry court.
 - 2) If no reporter or recorder, hearing officer must do written findings; otherwise oral statement on record of reasons suffice.