

TERMS AND CONDITIONS OF PROBATION ORDER UNDER IDAHO CODE 20-520

Any juvenile offender placed on probation and his/her parents/guardians shall abide by the following terms and conditions. A Juvenile Justice staff member will explain the requirements of Exhibit A and will require the juvenile and his/her parents/guardians to sign and date Exhibit A. All juvenile offenders and their parents/guardians are required to obey the following rules of probation unless waived in writing:

STANDARD terms:

1. **Law Violations:** A juvenile offender and the parents/guardians shall not encourage, participate in, or commit any act that constitutes a violation of the laws of the United States, Idaho, or its cities. A juvenile and/or the parents/guardians who violate the law may be charged criminally for the violation. The probation officer may also file a probation violation and pursue contempt sanctions against the juvenile and/or the juvenile's parents.
2. **Warrantless Home Checks and Searches:** The juvenile and parents or guardians are ordered by the Court to maintain a crime-free home and property. The home and property must be free from illegal items including: drugs, prohibited intoxicating substances, weapons, pornography, stolen property, drug paraphernalia and gang paraphernalia. A juvenile offender and the parents/guardians shall submit to periodic unannounced and warrantless home checks and searches by probation officers at any time and without probable cause. During such home checks, a law enforcement officer may assist the probation officer for the probation officer's safety. All of the home, secured rooms, safes, the grounds, any outbuildings vehicles, school lockers, bags and electronic devices such as computers, cell phones, i-pods, game systems, electronic storage devices, social media accounts and/or internet activity may be searched without a warrant. No unapproved juveniles or adults may spend the night in the home. The juvenile and the parents/guardians specifically ***waive*** their constitutional right to be free from such searches.
3. **Restitution:** If the court orders any restitution paid to the juvenile offender's victim and the juvenile and/or the parents/guardians object to the amount ordered, they may request a Restitution Hearing. The juvenile and/or the parents/guardians must provide the court written notice of their objection within twenty (20) days of the restitution order. A failure to do so makes the restitution order final. Parents/guardians are legally responsible for paying any restitution that the juvenile fails to pay. Restitution shall be paid to: Bannock County Courthouse, Bonds & Fines, 624 E. Center, Pocatello, Idaho, 83201. If the court terminates probation or the juvenile or the parents/guardians fail to obey the restitution order, the court may convert the restitution order to a civil judgment for the unpaid balance against the juvenile and the parents/guardians who are designated in the restitution order.
4. Maintain contact with your probation officer and obtain the officer's consent to move, leave Bannock County, or leave the state of Idaho, which may require approval of interstate compact as well. If your address changes, these rules apply to the new residence as well.
5. Avoid any contact with individuals not approved of by your probation officer and your parent(s)/guardian(s).
6. Follow all of the rules at home.
7. Follow school rules. Attend school every day unless excused by your parent and probation officer. At the discretion of the probation officer, a note from a medical provider may be required to excuse an absence. Truancies are reported to your probation officer and may constitute a new juvenile offense. Your probation officer will have access to your report cards and attendance records.
8. Not use or possess any alcohol, any form of tobacco (including vaping), illegal narcotics, drug paraphernalia, prescription medication not prescribed to you, or other intoxicants.
9. Not be in possession of pornography, sexually explicit or violent materials.

10. May not have possession of any weapons, including guns, knives, slingshots, and razor blades without the approval of the parent/guardian and probation officer
11. Not spend any nights away from home unless accompanied by parent or guardian.
12. Pay Juvenile Justice \$25.00 for each month you are on probation. Payments are due on the last day of the month.
13. Community Service: A juvenile offender may be ordered by the court to perform community service for each offense. The probation officer has discretion to suspend hours as he/she deems appropriate. Ordered community service must be completed within 60 days of the order. The juvenile and the parents/guardians shall pay \$.60 per hour for workmen's compensation coverage. The fee shall be paid to: Bannock County Courthouse, Bonds & Fines, 624 E. Center, Pocatello, Idaho, 83201. If the fee is not paid, Bannock County may obtain a civil judgment against the juvenile and the parents/guardians.
14. Classes/Programs: A juvenile offender and the parents/guardians shall attend, participate in, and complete any of the following classes or programs that the court has ordered as they are scheduled.
 - ☐ Parent Orientation
 - ☐ GED
 - ☐ Bannock County Youth Development Center
 - ☐ Drug Court
 - ☐ ART
 - ☐ Tobacco Cessation
 - ☐ Parenting with Love & Limits
 - ☐ Tutoring
 - ☐ Letter of Apology
 - ☐ Families in Action
 - ☐ Individual Counseling
 - ☐ Family Counseling/Family Mediation
 - ☐ Restorative Conference
 - ☐ Family Group Decision Making Conference
 - ☐ Complete a substance abuse evaluation and comply with all recommendations.
 - ☐ Complete a family assessment and comply with all recommendations.
 - ☐ Study time - _____ hours
 - ☐ _____
 - ☐ _____
15. Detention Costs: A juvenile offender and the parents/guardians shall pay up to \$125.00 for each day the juvenile is in detention. Probation officers have discretion to decrease or waive this fee if the juvenile and the parents/guardians are complying with probation.
16. Probation Officer's Discretion: When necessary a probation officer may order the juvenile offender and/or the parents/guardians to complete any of the following:
 - A. Individual, group, or family counseling;
 - B. Alcohol/drug evaluations, counseling, and education programs;
 - C. Random drug/alcohol testing of the juvenile as directed by the Probation Officer. Juvenile and/or parent(s) may be required to pay for positive tests;
 - D. Victim Offender Mediation;
 - E. Parent Orientation/Parent Education/Parent/ Family therapy;
 - F. Obtain your probation officer's consent to apply for a driver's license or take drivers training. If you already have a license, it may be suspended by your probation officer or the Court, if you do not follow the rules of probation.
 - G. Home Detention: The probation officer may require the juvenile offender to remain at home at all times unless he/she is at school and/or work. The probation officer may use an electronic monitor while the juvenile is on home detention. A daily fee for the monitor is charged.

- H. School Grounds Restrictions: Not go to any school or school event where you are not registered without permission of your probation officer. If you are found on such school grounds, you may be charged with trespassing.
- I. Closed School Campus: Not leave the school campus of which you are enrolled during school hours.
- J. Curfew as set by the probation officer and/or parent.

Inactive Probation: Any juvenile placed on inactive probation must follow the terms and conditions of Exhibit A other than those identified on the Inactive Probation Form.

Additional Requirements for Juvenile Offenders Who Violate Probation

A juvenile who is found to be in violation of their probation may face the following consequences, in addition to any other legally authorized consequences:

1. Serve detention time, home detention, or be placed on the electronic monitor and pay a fee for each day the juvenile is on the monitor.
2. Perform twenty (20) additional hours of community service for each violation.
3. Attend any additional classes that the probation officer may deem appropriate.
4. Remain on probation for additional time or be monitored at a higher probation level.
5. Receive a Juvenile Violation Report for criminal contempt or for any additional juvenile and/or misdemeanor charges.

Additional Requirements for Parents/Guardians Who Violate This or Any Court Order

If the parents/guardians of the juvenile allow, encourage, participate in, or do not report to the probation officer all violations of this Order, the parents/guardians may be required to attend an Order to Show Cause hearing before the Judge. At the Order to Show Cause hearing, the State has the burden to prove beyond a reasonable doubt that the parents/guardians have violated the terms of Probation. Possible sanctions for a contempt conviction include: a \$1,000.00 fine; up to five (5) days in jail for each violation; and /or additional classes or to be charged with the crime of contempt. See Idaho Code §§ 20-520; 18-1801.

By signing below, I **acknowledge** that I have **received** a copy of Exhibit A, that I have **read** Exhibit A, that I **understand** all terms of probation, and that I **will obey** all probationary requirements.

JUVENILE	MOTHER/GUARDIAN	FATHER/GUARDIAN
Date	Date	Date
Name (Print)	Name (Print)	Name (Print)
Signature	Signature	Signature
Address	Address	Address
City/State/Zip	City/State/Zip	City/State/Zip
Telephone	Telephone	Telephone
Birth Date	Email address	Email address
School enrolled		