

Tuesday 28th February, 2006.

It is ordered that the Rules heretofore adopted and promulgated by this Court and now in effect be and they hereby are amended to become effective May 1, 2006.

Amend Form 10, Appendix of Forms, Part Three A to read as follows:

Form 10. Contents of Sentencing Orders.

(Pursuant to the provisions of Code § 19.2-307, all orders wherein an accused is sentenced for a criminal conviction shall conform substantially to the following form. In cases where no prior criminal conviction order has been entered of record, state the defendant's plea, the verdict or findings, the adjudication, whether or not the case was tried by a jury, and, if not, whether the consent of the accused was concurred in by the court and the attorney for the Commonwealth.)

SENTENCING ORDER

VIRGINIA: IN THE CIRCUIT COURT OF _____

FEDERAL INFORMATION
PROCESSING STANDARDS
CODE: _____

Hearing Date: _____

Judge: _____

COMMONWEALTH OF VIRGINIA

v.

_____, DEFENDANT

This case came before the Court for sentencing of the defendant, who appeared in person with his attorney, _____. The Commonwealth was represented by _____.

On _____ the defendant was found guilty of the following offenses:

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR	OFFENSE DATE	VA. CODE SECTION	VIRGINIA CRIME CODE REFERENCE
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

The presentence report was considered and is ordered filed as a part of the record in this case in accordance with the provisions of Code § 19.2-299.

Pursuant to the provisions of Code § 19.2-298.01, the Court has considered and reviewed the applicable discretionary sentencing guidelines and the guidelines worksheets. The sentencing guidelines worksheets and the written explanation of any departure from the guidelines are ordered filed as a part of the record in this case.

Before pronouncing the sentence, the Court inquired if the defendant desired to make a statement and if the defendant desired to advance any reason why judgment should not be pronounced.

The Court **SENTENCES** the defendant to:

Incarceration with the Virginia Department of Corrections for the term of: _____ for _____, and _____ for _____. The total sentence imposed is _____.

This sentence shall run (concurrently/consecutively) with _____.

The Court **SUSPENDS** _____ of the _____ sentence and _____ of the _____ sentence, for a period of _____, for a total suspension of _____, upon the following condition(s):

Good behavior. The defendant shall be of good behavior for _____ from the defendant's release from confinement.

Supervised probation. _____ of the sentence of incarceration is suspended. The defendant is placed on probation to commence _____ under the supervision of a Probation Officer for _____ or unless sooner released by the court or by the Probation Officer. The defendant shall comply with all the rules and requirements set by the Probation Officer. Probation shall include substance abuse counseling and/or testing as prescribed by the Probation Officer.

Community-based Corrections System Program pursuant to Virginia Code § 19.2-316.2 or 19.2-316.3. The defendant shall successfully complete the _____ program. Successful program completion shall be followed by a period of intensive probation supervision of _____ and followed by a period of supervised probation of (at least one year). (If applicable: The defendant shall remain in custody until program entry.)

Post-Incarceration supervision following felony conviction pursuant to Virginia Code § 18.2-10 and 19.2-295.2.

A. **Post-Incarceration Supervised Probation:** The court has imposed above a term of _____ of incarceration and has suspended (at least 6 months) of the term of incarceration. The defendant is placed on supervised probation to commence upon release from incarceration for a period of (at least 6 months), unless released earlier by the court. The defendant shall comply with all the rules and requirements set by the Probation Officer.

OR

B. **Post-Incarceration Post-release Supervision:** In addition to the above sentence of incarceration, the court imposes an additional term of (not less than 6 months nor more than 3 years) of incarceration. This term is suspended and a period of post-release supervision of (not less than 6 months nor more than 3 years), which is to commence upon release from incarceration. The defendant shall comply with all the rules and requirements set by

the Probation Officer.

Special Conditions. The defendant shall complete any substance abuse screening, assessment, testing and treatment as directed by the Probation Officer, as well as the following conditions:

_____.

Costs. The defendant shall pay costs of _____.

Fine. A fine of \$_____ for _____.

Restitution. The defendant shall make restitution as follows:
_____ to _____.

DNA and Fingerprints. The defendant shall provide a DNA sample and legible fingerprints as directed.

Credit for time served. The defendant shall be given credit for time spent in confinement while awaiting trial pursuant to Code § 53.1-187.

DATE

ENTER: _____
JUDGE

DEFENDANT IDENTIFICATION:

Name: _____
Alias: _____
SSN: _____ DOB: _____ Sex: _____

SENTENCING SUMMARY:

TOTAL INCARCERATION SENTENCE IMPOSED: _____
TOTAL SENTENCE SUSPENDED: _____
TOTAL SUPERVISED PROBATION TERM: _____
TOTAL POSTRELEASE TERM IMPOSED and
SUSPENDED _____

A Copy,

Teste:

Clerk