



**Superior Court of California  
COUNTY OF ALAMEDA**

February 28, 2020

**Notice to Attorneys and to All Interested Parties:**

**Invitation to Comment on Proposed Amendments to Local Rules and Forms**

As required by California Rules of Court, Rule 10.613(g), the Superior Court of California, County of Alameda hereby distributes for public comment the attached proposal to amend its local forms.

The proposal also may be viewed on the [Court's website](#). In addition, a hard copy of the proposal is available upon request by email at [pcomments@alameda.courts.ca.gov](mailto:pcomments@alameda.courts.ca.gov) or by phone at 510-891-6012.

**Important dates:**

- The last day to comment is **April 17, 2020**.
- The proposed local form will take effect **no later than July 1, 2020**, pursuant to Rule 10.613(i)(1).

**Summary and Text of Proposed Amendments:** *see attached.*

**Comments must be submitted in writing to:**

Jasmine Polar  
Superior Court of California, County of Alameda  
1225 Fallon Street, Room 209  
Oakland, CA 94612  
510-891-6276 fax  
[pcomments@alameda.courts.ca.gov](mailto:pcomments@alameda.courts.ca.gov)

**SUMMARY OF PROPOSED AMENDMENTS  
TO THE SUPERIOR COURT'S LOCAL RULES AND FORMS**

**Effective Date:** No later than July 1, 2020

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**Affected Rule, Form, or Section:** Pretrial Release Order and Release Agreement

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**Proposed Action:** Introduce new local form for Pretrial Release Order and Release Agreement.

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**Text of Amendments:**

**NEW FORM – PLEASE SEE BELOW**

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA		<b>For Court Use Only</b>	
<b>Pretrial Release Order and Release Agreement</b>			
Arrestee:		Doc. ID.:	
AKA:		Bail Schedule: \$	
DOB:		Case No.:	
CEN:	PFN:	Arrest Agcy.:	Rpt. No.:

By order of JUDGE

Date &amp; Time:

- Judge has reviewed Probable Cause Declaration.

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**COURT ORDER**

Considering the recommendation of Pretrial Services, the Judicial Officer:

- Denies Pretrial Release. Orders the individual be detained pending arraignment or bail.**
- Orders the arrestee be released on own recognizance with court reminder call for every court date.**
- Orders Pretrial Release as recommended by Pretrial Services as stated below.**
- Orders Pretrial Release as modified below.**

**Conditions of Release:**

- Arrestee ordered released with the following Standard Pretrial Conditions:
- Pretrial Monitoring (Reminder Only)
    - + Court date reminder for every court date
    - + Criminal history check before court date
  - Pretrial Supervision Level I
    - + Court date reminder for every court date
    - + Criminal history check before court date
    - + Face-to-face contact once a month
    - + Special conditions compliance verification
  - Pretrial Supervision Level II
    - + Court date reminder for every court date
    - + Criminal history check before court date
    - + Face-to-face contact every other week
    - + Special conditions compliance verification
  - Pretrial Supervision Level III
    - + Court date reminder for every court date
    - + Criminal history check before court date
    - + Face-to-face contact every other week
    - + Alternative contact every other week
    - + Special conditions compliance verification

- Arrestee ordered to comply with the following conditions of release:
  - Submit to such substance use education, counseling, or treatment as directed by the Pretrial Services Officer.
  - Submit to substance use testing as directed by the Pretrial Services Officer including, but not limited to, urinalysis.
  - Enter or continue mental health treatment. Follow all treatment directives of the therapist, including taking medication if prescribed. Do not terminate treatment without the permission of the therapist and the court.
  - Do not use or possess any  alcohol or  narcotics or other unprescribed drugs.
  - Do not own, use, or possess any firearm, ammunition, explosive, or any other dangerous or deadly weapon.
  - Comply with all protective orders.
  - Have no personal, electronic, telephonic, or written contact with \_\_\_\_\_.
  - Do not harass, strike, threaten, assault (sexually or otherwise), follow, stalk, molest, destroy or damage personal or real property, disturb the peace, keep under surveillance, or block movement of \_\_\_\_\_.
  - Stay at least 100 yards away from the person, residence, school, vehicle, and place of employment of \_\_\_\_\_.
  - Stay at least 100 yards away from the following location(s): \_\_\_\_\_.
  - Participate in the Pretrial Electronic Monitoring Program at the direction of pretrial services and obey all conditions of the program, including:  Alcohol Monitoring (Transdermal Monitoring)  Electronic Monitoring/GPS
  - Submit to search and seizure by any Pretrial Services Officer or any other law enforcement officer at any time of the day or night, with or without a search warrant, any vehicle, person, or any property under your control.
  - Submit to search and seizure by any Pretrial Services Officer or any other law enforcement officer at any time of the day or night, with or without a search warrant, any vehicle, residence, person, or any property under your control.
  - Submit to search and seizure by any Pretrial Services Officer or any other law enforcement officer at any time of the day or night, with or without a search warrant, any vehicle, residence, person, or any property under your control to include all electronic devices, and supply passwords upon request.
  - Other: \_\_\_\_\_

The arrestee shall appear in Dept. No. \_\_\_\_\_ on \_\_\_\_\_, at \_\_\_\_\_, for \_\_\_\_\_ at the following court location \_\_\_\_\_.

It is so ordered.

Judge: \_\_\_\_\_ Date & Time: \_\_\_\_\_

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### Release Agreement

An order having been made by the above entitled court releasing me on my own recognizance, I agree:

- To report in person to Pretrial Services within one (1) business days of my release from custody and as directed by Pretrial Services.
- To report in person to Pretrial Services within two (2) business days of my release from custody and as directed by Pretrial Services.
- ✓ That I will be of good conduct and obey all laws.
- ✓ That I will obey all conditions imposed by the court as a condition of my release.
- ✓ That I will appear at all times and places as ordered by any court.
- ✓ That I will not depart this State without leave of the court.
- ✓ That if I fail to appear and am apprehended outside the State of California, I hereby waive extradition.
- ✓ I understand that any court of competent jurisdiction may revoke this order of release and either return me to custody or require that I give bail or other assurance for my appearance.
- ✓ I further understand that if I fail to appear when required to do so by the court I may be charged with the additional crime checked below:
  - a MISDEMEANOR, violation of Penal Code section 1320(b). I further understand that punishment following conviction is imprisonment in the county jail not exceeding six months, or by fine not exceeding One Thousand Dollars (\$1000) or by both.
  - a FELONY, violation of Penal Code section 1320(b). I further understand that punishment following conviction is by fine not exceeding Five Thousand Dollars (\$5000) or imprisonment in state prison, or in the county jail for not more than one year, or by both such fine and imprisonment.
- ✓ I understand that my failure to appear as agreed may also result in a revocation by the court of this release order and an issuance of a bench warrant for my arrest. A violation of any condition of release may further result in the revocation of this release order, my return to custody, and the requirement of bail for my release.

Arrestee: \_\_\_\_\_ Date & Time: \_\_\_\_\_