TACOMA MUNICIPAL COURT, COUNTY OF PIERCE, STATE OF WASHINGTON	
City of Tacoma **Plaintiff,** **vs.** _____ **Defendant.**	**No.**_____ **STIPULATION AND ORDER OF CONTINUANCE ON AGREED CONDITIONS (SOC)**

Defendant is charged with the following crime(s), which carry the maximum penalties of:

1. _____ Max: _____days jail; $_____ fine
2. _____ Max: _____days jail: $_____ fine
3. _____ Max: _____days jail: $_____ fine
4. _____ Max: _____days jail: $_____ fine

The parties jointly move the Court to set a final review date of: _____

During this period of continuance, Defendant agrees to abide by and complete the following:

- ☐ No new criminal law violations.
- ☐ Abide by all court orders.
- ☐ Abide by all No Contact/Harassment Orders.
- ☐ Immediately notify court of change of address.
- ☐ Provide proof of completion of each condition.
- ☐ Attend all future court dates.
- ☐ Pay all fees.
- ☐ Pay restitution of $_____
- ☐ Attend DV Victims Impact Panel by: _____
- ☐ Attend DUI Victims Impact Panel by: _____
- ☐ Complete Substance Abuse/Batterer's Evaluation by: _____
- ☐ Provide monthly treatment compliance reports.
- ☐ Complete all recommended treatment.
- ☐ Driver Safety Course Level _____by_____
- ☐ Alcohol/Drug Information School by: _____
- ☐ Other:_____

_____ Defendant shall not possess or consume any alcohol, marijuana, any product containing THC, or mood-altering drugs unless prescribed to the Defendant.

In addition, as a condition of this agreement with the City, the Defendant makes the following acknowledgements, waivers, and stipulation:

_____ Defendant acknowledges that s/he has the right to a speedy trial pursuant to CrRLJ 3.3 and the following constitutional rights: to a trial by jury; to a speedy trial; to remain silent before and during trial; to refuse to testify against herself/himself; to hear and question the witnesses against her/him; to present evidence on her/his behalf; and to testify and have witnesses testify on her/his behalf. Defendant waives all of these rights by entering into this Stipulated Order of Continuance (SOC). Defendant waives her/his right to a speedy trial for an additional 90 days beyond the expiration date of this SOC.

Speedy Trial Expiration Date is: _____

_____ Defendant understands and agrees that the Court may take action on the Prosecution's motion alleging the Defendant's failure to comply with any of the conditions of this SOC. The Defendant specifically agrees that a conviction for a criminal law violation occurring after the entry of this SOC is a violation of this SOC, but not a prerequisite to the Prosecutor's motion to revoke this SOC. A failure to comply may be established by stipulation,

police report(s), affidavits and/or court records and must be proved by a preponderance of the evidence. Civil infractions (for example, but not limited to, speeding tickets) are not considered criminal law violations. Accordingly, the Defendant's commission of a civil infraction does not constitute a violation unless otherwise stated in this SOC.

☐ Defendant gives up the right to contest or object to any evidence and the right to present evidence on the Defendant's own behalf as to the Defendant's guilt or innocence regarding the underlying charge(s). This SOC and the agreements herein are not an admission of guilt nor of the sufficiency of the facts or evidence to warrant a finding of guilty.

☐ Defendant understands that upon conviction that the judge can impose any sentence up to the maximum regardless of any sentencing recommendation and /or agreement of the parties. Defendant understands that the agreed conditions above can be modified only by a written agreement of the parties.

☐ Defendant understands and agrees that her or his presence is necessary and required at all future court hearings unless that presence is waived in writing by the judge.

☐ Defendant agrees that failure to file with the Court Clerk written proof of compliance with any condition in this SOC, when such proof of compliance is required herein, shall be a material violation of this SOC and a basis for revocation. A noncompliance report showing that the Defendant is not in compliance with treatment, or stating that the Defendant is not making satisfactory progress towards successful completion of treatment, is a violation of this SOC and a basis for revocation.

☐ Defendant understands and agrees that she or he shall fully and completely satisfy all of the conditions of the SOC, and that failure or neglect to carry out and fulfill any term or condition of this SOC shall constitute a material violation of this SOC. Part, partial or substantial performance does not entitle the Defendant to the benefit of her or his bargain under this SOC.

The parties agree that, when determining guilt or innocence, the Court may look beyond the confines of the Defendant's court file and may consider evidence found in the Defendant's Washington State Department of Licensing driving abstract, in the Washington State Judicial Information System and in the Statewide Electronic Collision and Ticket Online Records.

The City of Tacoma agrees that if the Defendant has complied with every condition contained herein the charges shall be:

☐ dismissed with prejudice on the date set forth herein.

☐ amend count ☐ to _____.

Defendant agrees that no one has made any threats or promises to Defendant to get Defendant to enter into this SOC. Defendant is entering into this SOC freely and voluntarily. I declare, under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

Dated: _____ _____

Defendant Signature

Signed at Tacoma, Washington

The Court finds a knowing, voluntary and intelligent waiver of speedy trial, jury trial and confrontation rights and accepts the agreement.

_____

Judge/Commissioner/Protem

_____ _____

City Prosecuting Attorney WSBA#_____ Defendants Attorney WSBA#_____