

PRACTICE DIRECTIVE 12

CHANGE IN OPTIONAL CONDITIONS OF PROBATION ORDERS

APPLICATION OF THE PRACTICE DIRECTIVE AND TO WHOM MADE

12.01 An application pursuant to Section 732.2(3) of the *Code* shall be made in Form 8 or such other form acceptable to the court and in accordance with Practice Directive 6.02.

CONTENT OF APPLICATION

12.02(1) Every Notice of Application, whether prepared in Form 8 or otherwise, shall state:

- (a) the optional condition to be changed, or
- (b) the period of time and/or the terms on which the applicant seeks relief from compliance with an optional condition of the order; or
- (c) the period for which the probation order remains in effect where a decrease of that period is sought.

12.02(2) The applicant shall set out on the Notice of Application the reason(s) for:

- (a) the change of the optional conditions, or
- (b) the request for relief from an optional condition, or
- (c) the decrease in the period for which the order remains in effect.

MATERIALS IN SUPPORT OF APPLICATION

12.03(1) The applicant shall file with the application, a copy of the existing probation order sought to be changed.

12.03(2) The applicant may file in support of the application

- (a) an affidavit prepared in accordance with Practice Directive 4.04; and
- (b) the original or copy of any other document.

SERVICE AND FILING

12.04(1) The Notice of Application shall be served in accordance with Practice Directive 6.03(1).

12.04(2) The Notice of Application and other supporting materials shall be filed in accordance with Practice Directive 6.03(2).