



# Judicial Information Systems

Trial Court System  
December 2010

## Delayed Sentence Changes

(Rev. 12/02/2010)

Contact: Starr Wieber, Technical Service Representative  
Susan Svoboda, Technical Service Representative  
e-mail at [TCSHELPDESK@courts.mi.gov](mailto:TCSHELPDESK@courts.mi.gov)

### IMPORTANT CIRCUIT COURT

Please forward or copy and distribute this announcement to all staff.

## TCS Delayed Sentencing Changes

### Effective: 11/01/2010

**Help Desk Phone:**  
888-339-1547

**Option 4:**  
TCS Help Desk  
(Software questions)

**Option 5:**  
Operations  
(Hardware)

**Help Desk Fax:**  
517-373-7451

**Help Desk E-mail:**  
[tcshelpdesk@courts.mi.gov](mailto:tcshelpdesk@courts.mi.gov)

**JIS Website:**  
[www.courts.mi.gov/jis](http://www.courts.mi.gov/jis)  
(click on Court Systems to find TCS link)

The State Court Administrators Office has determined that cases dismissed after a delayed sentence under MCL 771.1 should be counted as reopened for Caseload, if the charges are dismissed. Delayed Sentence cases are reported as disposed on the caseload report based upon the method by which the case was adjudicated: plea, jury verdict, bench verdict. Delayed sentence cases are public records.

MCL 771.1 - Delayed Sentence: "...the court may delay sentencing the defendant for not more than 1 year to give the defendant an opportunity to prove to the court his or her eligibility for probation or other leniency compatible with the ends of justice and the defendant's rehabilitation..." (Emphasis added).

TCS has changed the recommended procedure for processing these cases accordingly, they will no longer be a part of the deferral processing. On November 1, 2010 TCS will change Delay of Sentences to a pgm/rslt 'Result', instead of a pgm/rslt 'deferral'. TCS will also modify the processing categories for delay events and program/results as needed. A Delay of Sentence that is completed successfully after Nov. 1st, should be entered as explained in this notice.

It is important to understand that the events are basically entered in the same way but the automatic processing that is related to the delay events and program/results has changed. These changes will effect how the Register of Actions Charge History is displayed and Caseload reporting.

**Tip:**

A conviction that is delayed is considered a guilty disposition.

If a charge is abstractable, an abstract should be completed at adjudication or at the completion of the delay (sentencing), whichever is applicable based on the charge.

**When Delayed of Sentence is Granted**

Enter a SEN event with a **program/result of DLS**

- no charge processing will occur (charge is not flagged as DFR/delay), the prg/rslt is only informational
- court should complete EJUD, screen should include:  
 CSR: Sentence Delayed Until: (enter approx date) F/C/R \$500  
PROB: 24 M (should not include confinement terms)

```

                                Edit Event                                12/01/10
Crt: C 37 13 Jurist: SUPINA      Bond: CSH RED Auth:                ADJU Pub
Case: 2010 0000000521 FH        STATE OF MI V JOHN DOE
Atty: ABRAHAM - PRO PER        Worker:                      CHR DNA CVA
File: 1/04/2010 Dispose: 2/04/2010 Reopen:                      Close:
Evt: SEN Dte: 3/04/2010 Plea: ___ Dsp: ___ Pgm/Rslt: DLS Monetary: Y
Pty: D 1 Cnt: 1 Atty: ___ Jur: J 21169 Due Dte: ___
                                Suppress: Case: _ Party: _ Mic#: ___
Cmt: Sentence Delayed until 3/4/2011
Form: ___ Register: ___ Receipt: ___ Amount: ___
  
```

**Delay of Sentence is Terminated (Unsuccessful)**

Enter an event of **DLST**

- this event does not effect caseload
- once sentencing is completed, court should complete MJUD - Court Sentencing Remarks should include: CSR: Delayed Sentence Unsuccessful and include sentencing details (jail, probation, etc.)

```

STARR37    UCIXE1K                UCSGEN - TEST                HOJ
                                Edit Event                                10/04/10
Crt: C 37 13 Jurist: SUPINA      Bond:                      Auth:                ADJU Pub
Case: 2010 0000000521 FH        STATE OF MI V JOHN DOE
Atty: ABRAHAM - PRO PER        Worker:                      CHR DNA CVA
File: 1/04/2010 Dispose: 2/04/2010 Reopen:                      Close:
Evt: DLST Dte: 9/04/2010 Plea: ___ Dsp: ___ Pgm/Rslt: ___ Monetary: ___
Pty: D 1 Cnt: ___ Atty: ___ Jur: J 21169 Due Dte: ___
                                Suppress: Case: _ Party: _ Mic#: ___
Cmt: Failed to complete Delay sucessfully.
Form: ___ Register: ___ Receipt: ___ Amount: ___

Schedule Next Action:
Next: SEN Date: 10/04/2010 Time: 9:00 A Jur: J 21169 SUPINA Ctrm: 5
Cmt:
  
```

**After sentencing event case should be closed with FOJ.**

**Delay of Sentence is Completed** (successful but disposition doesn't change)

Enter an event of **DLSC**

- this event does not effect caseload
- once sentencing is completed, court should complete MJUD: should include-  
CIT: if Count was reduced new PACC code will display  
CSR: Court Sentencing Remarks should include: Delayed Sentence Completed and include sentencing details (jail, probation, etc.)

```
STARR37 UCIXE1K UCSEGEN - TEST HOJ
Edit Event 10/12/10
Crt: C 37 13 Jurist: SUPINA Bond: Auth: ADJU Pub
Case: 2010 0000000521 FH STATE OF MI V JOHN DOE
Atty: ABRAHAM - PRO PER Worker: CHR DNA CVA
File: 1/04/2010 Dispose: 2/04/2010 Reopen: Close:

Evt: DLSC Dte: 10/04/2010 Plea: ___ Dsp: ___ Pgm/Rslt: ___ Monetary: _
Pty: D 1 Cnt: 1 Atty: ___ Jur: J 21169 Due Dte: ___
Suppress: Case: _ Party: _ Mic#: ___
Cmt: Delay successful-Ct.1 reduced, Disposition does not change
Form: ___ Register: ___ Receipt: ___ Amount: ___

Schedule Next Action:
Next: SEN Date: 10/13/2010 Time: 9:00 A Jur: J 21169 SUPINA Ctrm: 5
Cmt: ___
```

**After sentencing event case should be closed with FOJ.**

**Delay of Sentence is Successful** and the prosecutor files a Nolle Prosequi after the period of delay.

Enter **DDS** (Dismiss Delay of Sentence) event prior to entry of the Nolle and select the applicable counts (**Note:** if case is in Closed status first enter REO event):

- the original conviction disposition will be removed for each related count (the new Dismissed disposition will be entered when the Nolle is filed/entered)
- the case will be counted on Caseload as a Reopen

```

STARR37   UCIXE1K                               UCSGEN - TEST                               HOJ
                                                Edit Event                               10/04/10
Crt: C 37 13 Jurist: SUPINA           Bond:           Auth:           ADJU Pub
Case: 2010 0000000521 FH           STATE OF MI V JOHN DOE
Atty: ABRAHAM - PRO PER           Worker:           CHR DNA CVA
File: 1/04/2010 Dispose: 2/04/2010 Reopen:           Close:

Evt: DDS   Dte: 10/04/2010 Plea: ___ Dsp: ___ Pgm/Rslt: ___ Monetary: _
Pty: D   1           Cnt: 1   Atty: ___ Jur: J 21169 Due Dte: ___
                               Suppress: Case: _ Party: _ Mic#: ___
Cmt: Relate this event to each count that is applicable
Form: ___ Register: ___ Receipt: ___ Amount: ___
  
```

Example of **Case Age Display G= Case Age on Work with Cases** screen

- Disposition Date is blank
- Caseload Disposition is blank
- Case Status is Open

```

STARR37   UCS5DFK                               UCSGEN - TEST                               HOJ
                                                Case Age Display                               10/04/10
Court: C 37 13                               Caseload Disp: OPEN
Case: 2010 0000000521 FH           STATE OF MI V JOHN DOE
Attorneys: ABRAHAM - PRO PER
Jurist: SUPINA           Filed: 1/04/2010 Disp: OPEN Reopen:

Begin Age  Evt  Begin Age  End Age  Evt  End Age  Dsp  Dtn # of  Rpt
Action     Nbr   Date      Action   Nbr   Date    Pnd Plc  Days  Days
Bindover   0    1/03/2010 Disposed  2    2/04/2010 D    32    32
Dispo Re-o  3    10/04/2010 Pending  0    10/04/2010 P    0     32
  
```

**Nolle Prosequi** is filed

Enter **NOP** event with disposition of Dismissed

- case is re-disposed with new disposition **DIS** for each **applicable** count
- counts on caseload Part 2, Line 4, Nolle Prosequi
- court should complete an MJUD

Court Disposition Code = CDC: NOP

Court Sentencing Remarks = CSR: Delayed Sentence Successful

```

STARR37    UCIXE1K                                UCSGEN - TEST                                HOJ
                                                Edit Event                                10/04/10
Crt: C 37  13 Jurist: SUPINA                    Bond:                                     Auth:                                     OPEN Pub
Case: 2010 0000000521 FH                        STATE OF MI V JOHN DOE
Atty: ABRAHAM - PRO PER                        Worker:                                   CHR DNA CVA
File: 1/04/2010 Dispose:                        Reopen:                                   Close:

Evt: NOP   Dte: 10/04/2010 Plea: ___   Dsp: DIS   Pgm/Rslt: ___ Monetary: ___
Pty: D    1      Cnt: 1   Atty: ___   Jur: ___   Due Dte: ___
                          Suppress: Case: _ Party: _   Mic#: ___

Cmt:
Form: ___   Register: ___   Receipt: ___   Amount: ___

```

**Case should then be closed with event CLOC.**

**Example of Case Age Display**

G= Case Age on Work with Cases screen after Nolle Prosequi

- Disposition Date is displayed
- Caseload Disposition is displayed
- Case Status is Adjudicated

The **2010 Caseload Audit** would report this case on the following lines:

```

STARR37    UCS5DFK                                UCSGEN - TEST                                HOJ
                                                Case Age Display                                10/04/10
Court: C 37  13                                Caseload Disp: NP
Case: 2010 0000000521 FH STATE OF MI V JOHN DOE ADJUDICAT
Attorneys: ABRAHAM - PRO PER
Jurist: SUPINA Filed: 1/04/2010 Disp: 10/04/2010 Reopen:

Begin Age  Evt  Begin Age  End Age  Evt  End Age  Dsp  Dtn # of  Rpt
Action     Nbr   Date      Action   Nbr   Date      Pnd Plc Days  Days
Bindover   0    1/03/2010 Disposed  2    2/04/2010 D      32      32
Dispo Re-o  3    10/04/2010 Disposed  4    10/04/2010 D      0      32

```

Part 1, Line 2, New File as of 01/03/2010  
 Part 1, Line 3, Reopen as of 10/04/2010

Part 2, Line 3, Guilty Plea as of 02/04/2010  
 Part 2, Line 4, Nolle Prosequi as of 10/04/2010

Part 4, Line 1, 0-90 Days Disposed as of 02/04/2010  
 Part 4, Line 1, 0-90 Days Disposed as of 10/04/2010

## Delay of Sentence Quick Reference

Delay Process	Edit Event	Criminal History Reporting	Caseload
Delay of Sentence <b>Granted</b>	Evt: SEN Pgm/Rslt: DLS	EJUD: CSR field will include - 'Sentence Delayed Until:	N/A
Delay of Sentence <b>Terminated</b>	Evt: DLST	MJUD: CSR field will include sentencing information	N/A
*Delay of Sentence <b>Dismissed</b>	Evt: DDS	N/A	Counts on Part 1, Section B, Line 3: Reopen
Nolle Prosequi	Evt: NOP Dsp: DIS	MJUD: CDC field will be NOP	Counts on Part 2, Section B, Line 4: Nolle Prosequi
Close Case	Evt: CLOC	N/A	N/A

\*If Delay of Sentence is dismissed and case is in a Closed Status, must first enter a Reopen (REO) event prior to the DDS event.