

Best Practice Guide for Court-Authorized Eligibility for a Restricted Probationary Driver License

The purpose of this guide is to demonstrate the use of the Restricted Probationary Driver License form. Use of these steps will assure that the form is sent to MVD through an automated process; therefore, the form will be sent electronically and clerks will no longer need to mail or fax the document.

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Description of the form

The purpose of this form is to notify the Motor Vehicle Division that a convicted 2nd /3rd/Subsequent DUI/BAC offender is properly eligible for a restricted probationary driver license. When the instructions in this guide are followed, the form will then be automatically picked up and delivered electronically to MVD.

Withdrawal of eligibility can also be reported using this form, although it will not be delivered automatically.

When to use the form

Note: use of the Restricted Probationary Driver License form does not take the place of reporting the conviction. Report the conviction using your court's normal process.

The Restricted Probationary Driver License form is to be used when eligibility is not reported at the same time as the conviction (Ignition Interlock), or is not available at the time of reporting the conviction (participation in 24/7 or SCRAM program or DUI Court).

You may continue to report eligibility for a restricted probationary driver license at the same time you report the conviction. If you use one of these methods, you should not be submitting the Restricted Probationary Driver License form.

- The Manual Disposition Report includes Y/N field for Interlock Device and Probationary License. You may also fill in the "comments" field indicating that the defendant is eligible for a restricted probationary license.
- Electronically submitted dispositions will indicate if the FullCourt record fields Probationary License Eligible and Interlock Required have been checked.

▶ Use the Restricted Probationary Driver License form if court-authorized eligibility is not sent to MVD with the disposition at the time of conviction, as indicated above.

▶ Also, use the Restricted Probationary Driver License form when, perhaps months after the conviction, the defendant engages in some activity for which the court will grant eligibility, such as participation in DUI Court or a 24/7 or SCRAM program.

Note from MVD:

MVD discourages post-conviction submission of separate documents to report eligibility for a restricted probationary driver license. These documents may include:

- Correspondence
- Separate Court Orders
- An Amended Disposition, or
- An A-C-T Referral form.

MVD requests that instead, you use the Restricted Probationary Driver License form.

Creating the Restricted Probationary Driver License form

► The form does not use any additional information from the FullCourt record.

Display the FullCourt Criminal case for which you want to report eligibility for a restricted, probationary driver license.

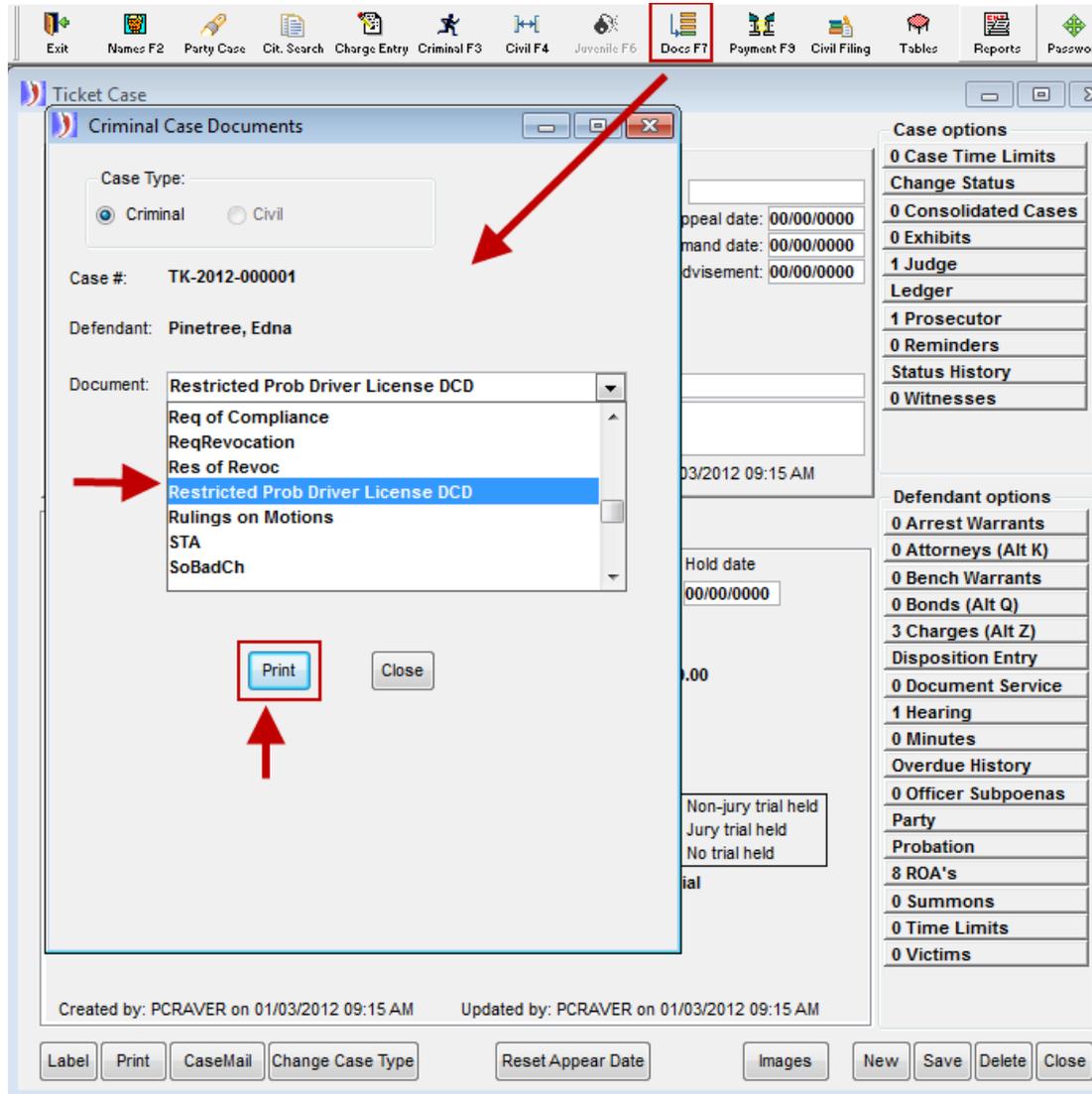
The screenshot displays the 'Ticket Case' application window. The main area shows case information for 'TK-2012-000001', including the judge 'Jay A Sheffield 540', prosecutor 'Cassidy, Bernard', and filing date '01/03/2012'. The case status is 'Pending'. A sidebar on the right lists various case options such as 'Case Time Limits', 'Change Status', and 'Consolidated Cases'. The bottom section is dedicated to the defendant, 'Pinetree, Edna', with fields for attorney, arraignment date, custody status, and bond. The interface includes a bottom toolbar with buttons for 'Label', 'Print', 'CaseMail', 'Change Case Type', 'Reset Appear Date', 'Images', 'New', 'Save', 'Delete', and 'Close'.

Defendant	Agreement
Defendant 1 of 1	
Pinetree, Edna	
Attorney: [none]	
Speedy Trial date: 07/02/2012	
Arraignment: 00/00/0000	<input type="checkbox"/> Attorney waiver Amount due: 0.00
Custody status: None	
MANS: []	
Bond ordered: 1,655.00	
Probation officer: [none]	
<input type="radio"/> Non-jury trial held <input type="radio"/> Jury trial held <input type="radio"/> No trial held	
Appearance / Hearing date: 2/23/2012 01:30 PM	<input type="checkbox"/> Overdue FTA Jury Trial
<input type="checkbox"/> No online partial payments	

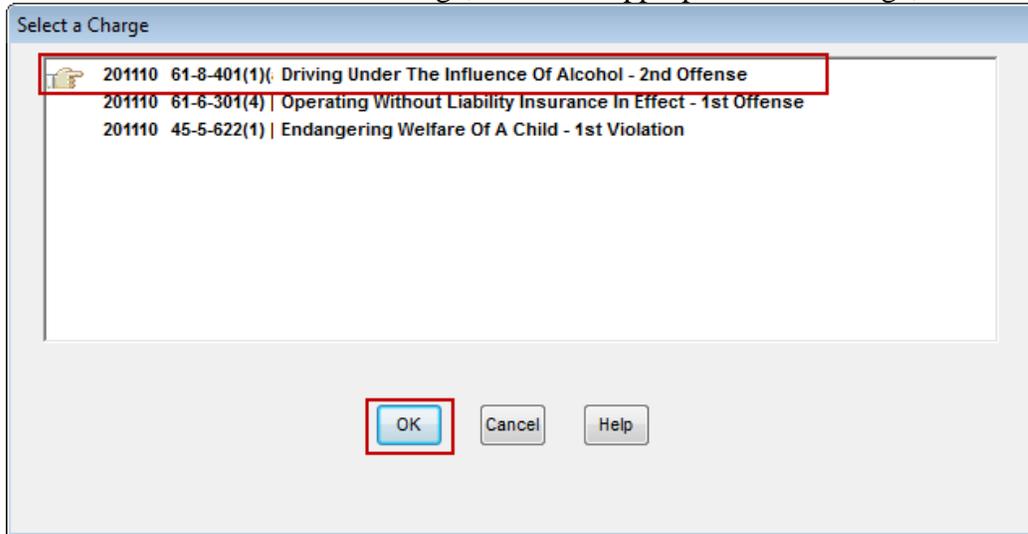
Courts without scanners will create the document and index the image to the case.

If your court does not have a scanner, use the following steps to create the Restricted Probationary Driver License document and index the image to the case.

Use the **Docs F7** icon to bring up the Criminal Case Documents window, select the Document: “Restricted Prob Driver License DCD” and click the **Print** button.



If the case has more than one charge, select the appropriate DUI charge, then click **OK**.



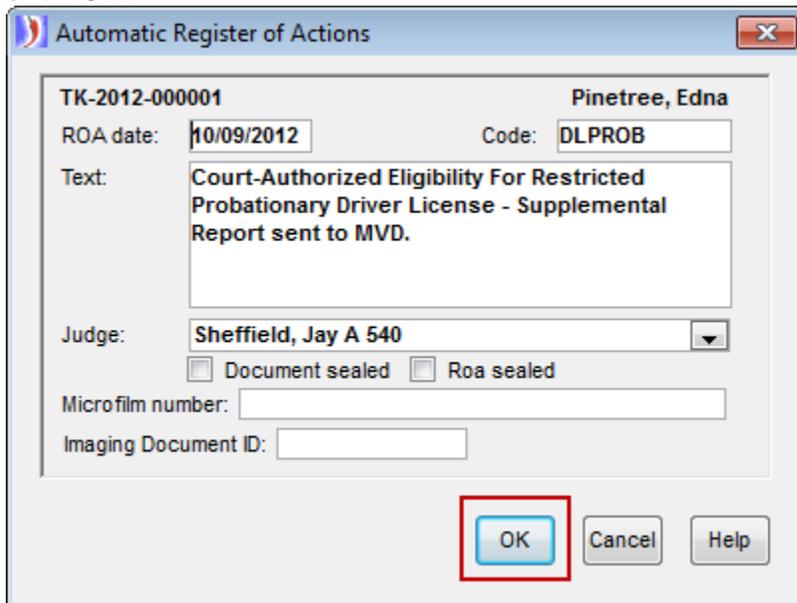
The screenshot shows a dialog box titled "Select a Charge". It contains a list of three charges:

- 201110 61-8-401(1)(c) Driving Under The Influence Of Alcohol - 2nd Offense
- 201110 61-6-301(4) Operating Without Liability Insurance In Effect - 1st Offense
- 201110 45-5-622(1) Endangering Welfare Of A Child - 1st Violation

The first charge is highlighted with a red box. Below the list are three buttons: "OK", "Cancel", and "Help". The "OK" button is also highlighted with a red box.

You will get an automatic ROA to show that the Restricted Probationary Driver License form was sent to Motor Vehicle Division.

Click **OK**.



The screenshot shows a dialog box titled "Automatic Register of Actions". It contains the following information:

- TK-2012-000001
- Pinetree, Edna
- ROA date: 10/09/2012
- Code: DLPROB
- Text: Court-Authorized Eligibility For Restricted Probationary Driver License - Supplemental Report sent to MVD.
- Judge: Sheffield, Jay A 540
- Document sealed
- Roa sealed
- Microfilm number: [text box]
- Imaging Document ID: [text box]

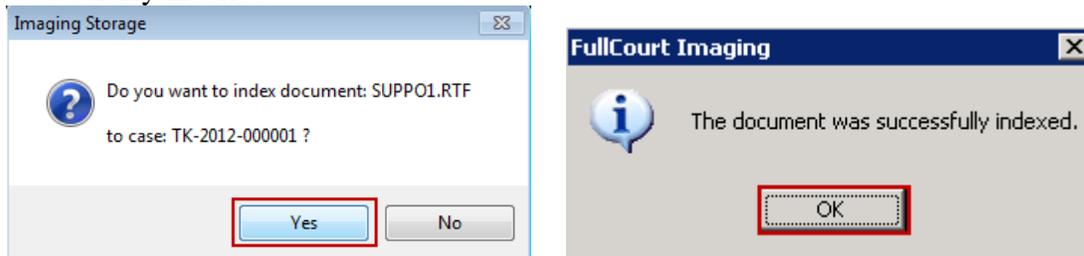
At the bottom are three buttons: "OK", "Cancel", and "Help". The "OK" button is highlighted with a red box.

The document will be created automatically. Check the appropriate boxes in Section 4, completing *only one* of the sections:

- Ignition Interlock Waiting Period
- 24/7 Participant (this section is also used for SCRAM participation)
- DUI Court Participant

Add the date and electronic signature endorsement in the gray areas where indicated. Use the following format for the signature line: **/s Judge Name**

Answer **Yes** to index the image to the case and **OK** to the message that the document was successfully indexed.



You can now print the document if desired, and have the Judge sign next to the electronic signature. This hard copy with the signature can be added to the case file.

Close the FullCourt Imaging window.



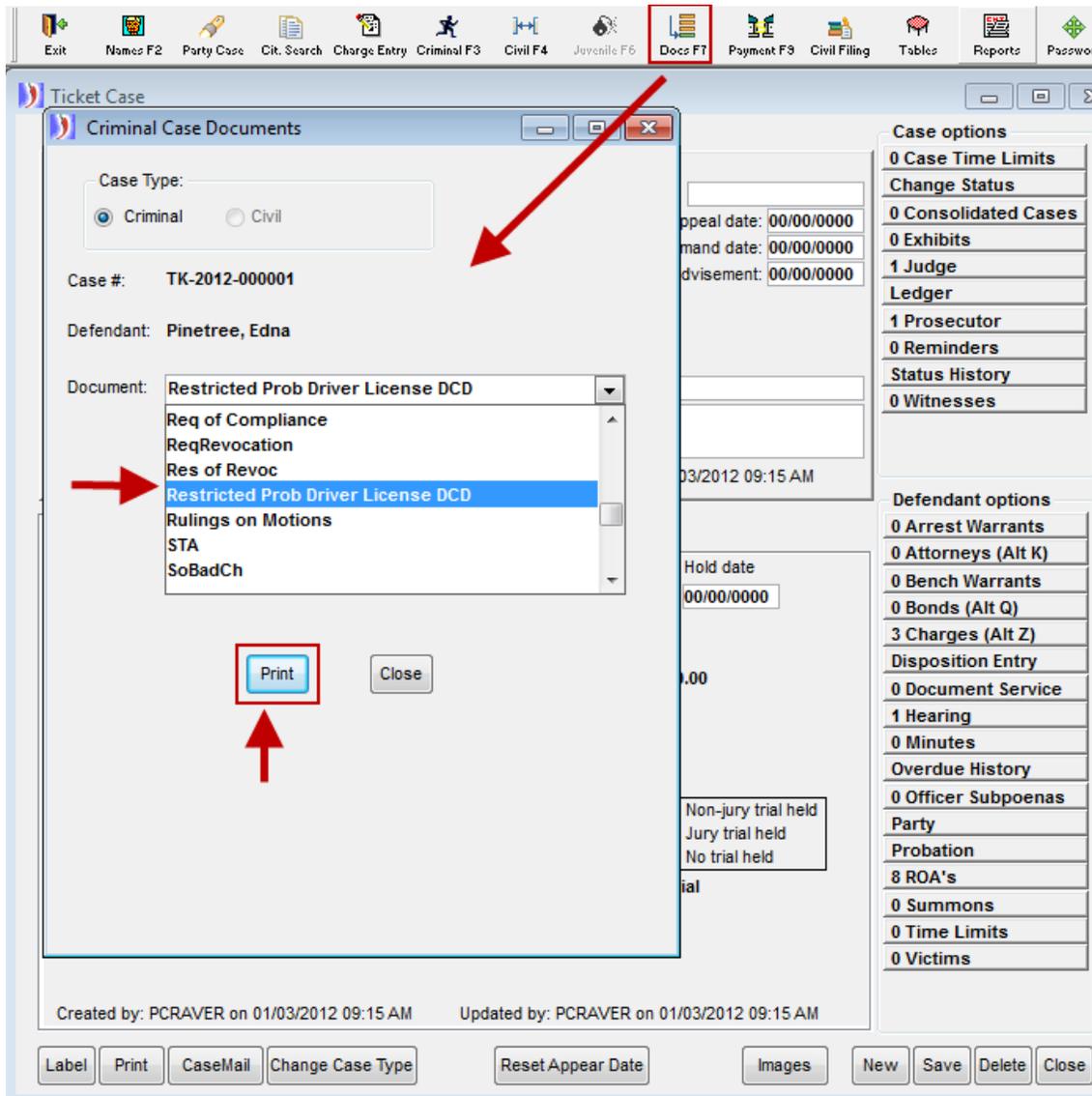
Close the case document window.

► **Now that the document is successfully imaged, an automatic process will pull the Restricted Probationary Driver License form and send it to the Motor Vehicle Division electronically.**

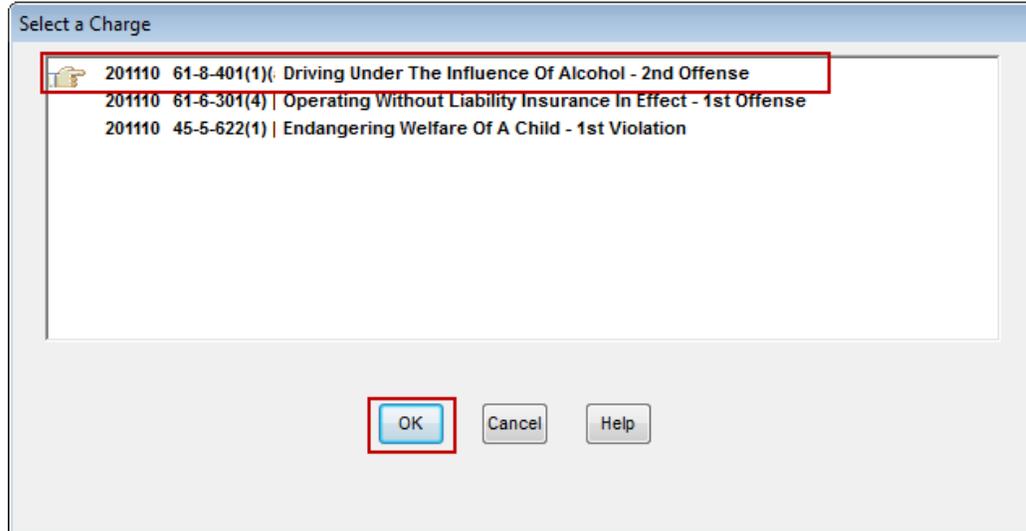
Courts with scanners may want to create the document, then print, sign and scan the image to the case.

If your court has a scanner, you can use the following steps to create the Restricted Probationary Driver License document, print and sign it, then scan the signed form to the case.

Use the **Docs F7** icon to bring up the Criminal Case Documents window, select the Document: “Restricted Prob Driver License DCD” and click the **Print** button.

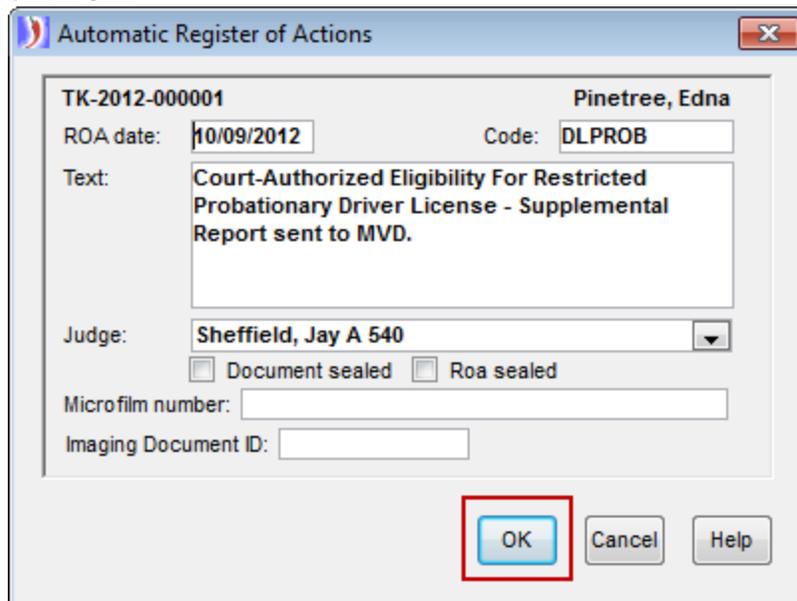


If the case has more than one charge, select the appropriate DUI charge, then click **OK**.



You will get an automatic ROA to show that the Restricted Probationary Driver License form was sent to Motor Vehicle Division.

Click **OK**.



The document will be created automatically. Check the appropriate boxes in Section 4, completing *only one* of the sections:

- Ignition Interlock Waiting Period
- 24/7 Participant (this section is also used for SCRAM participation)
- DUI Court Participant

See the document below for an example:

COURT-AUTHORIZED ELIGIBILITY FOR RESTRICTED PROBATIONARY DRIVER LICENSE
SUPPLEMENTAL REPORT TO MVD
 2ND - 3RD - Subsequent DUI / BAC Conviction
 (Mont. Code Ann. §§ 61-8-208 - 44-4-1205 - 61-8-231)

Not a Conviction Disposition
 Report Conviction as Required

COURT #: 540

1. **COURT NAME:** Lincoln County Justice Court
 Mailing Address: 418 Mineral Ave Telephone: (406) 293-7781
 City Libby, Montana 59923 Email Address:

2. **DRIVER**
 Name: Edna Pinetree
 Date of Birth: 1/5/1973 Driver's License Number: 5169889080000
 Driver Address: P.O. Box xxxxx Driver's License State: MT
 Troy, MT 59935 Gender: M

3. **CONVICTION INFORMATION**

Court Case Number: TK-2012-000001	Conviction Date: 6/4/2012
Charge ID: 1	Citation Number (If Assigned in the Case): B 12071
Statute: 61-8-401(1)(a) [2nd]	UVC: V5110 Violation Date: 1/1/2012

4. **ELIGIBILITY FOR RESTRICTED PROBATIONARY DRIVER LICENSE:** In accordance with law, this supplemental information is reported by the court for the above-listed violator and conviction. The court has determined that, if otherwise eligible in accordance with driver records retained by the Motor Vehicle Division, the violator is eligible for a restricted probationary driver license.

Complete One Section Only

Ignition Interlock Waiting Period
 MCA § 61-8-208

24/7 Participant
 Title 44
 Chapter 4
 Part 12

DUI Court Participant
 MCA § 61-8-231

Ignition Interlock - Waiting Period
 MVD-enforced 45 day waiting period MVD-enforced 90 day waiting period
 Ignition Interlock
 On or before the end date of the required one-year suspension period, the violator must provide to the Motor Vehicle Division proof of completion of A - C - T.

24/7 Participant
 Violator is assigned to 24/7 program established by the Sheriff.
 Violator has successfully completed court-approved chemical dependency treatment program (MCA § 44-4-1205).
 Violator has provided the court with proof of required motor vehicle liability insurance.

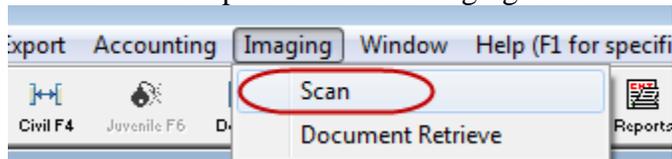
DUI Court Participant
 Ignition Interlock
 On or before the end date of the required one-year suspension period, the violator must provide to the Motor Vehicle Division proof of completion of A - C - T.

Supplemental Report Sent to MVD Date: 10/09/2012 Signature: _____
 (Judge)

PRINT the form and obtain the Judge's signature on the form. This hard copy with the signature can be added to the case file after it is scanned.

Scan the signed Restricted Probationary Driver License form to the case, using the following steps.

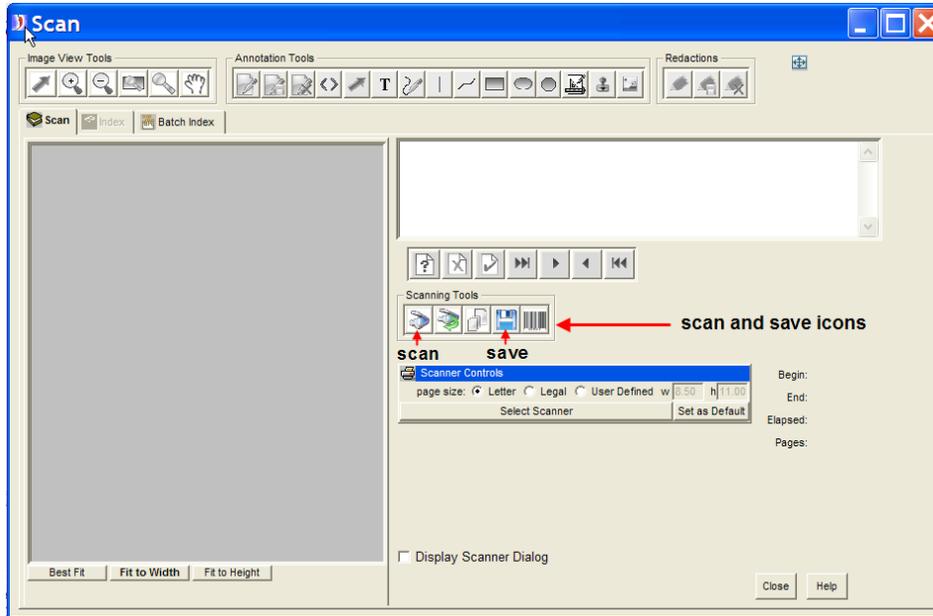
Select the Scan option from the Imaging Menu:



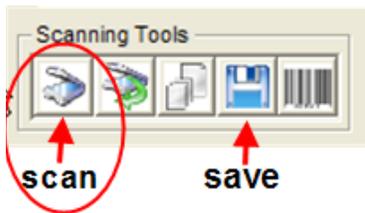
It might take just a minute for the Scan window to appear.

➔ The next three steps are:

1. Scan
2. Save
3. Index – indexing has three steps of its own

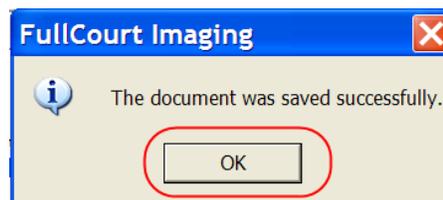
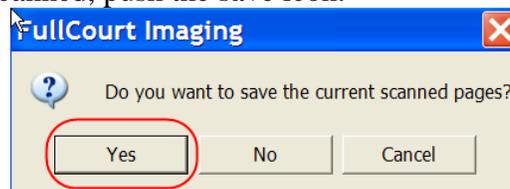
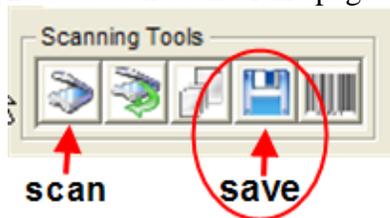


➔ **1. Scan:** place the document in the scanner with the printed side down and with the top of the document feeding first. Push the scan icon:



It might take just a minute for the scanner to start feeding the page.

➔ **2. Save:** once all of the pages are scanned, push the save icon.



➔ **3. Index:** Click on the Index tab. Indexing consists of three important steps -
➔ **IMPORTANT:** Select the document title “**Restricted Prob Driver License DCD**” from the drop down list. This is required in order to automatically send the form to MVD.

➔ **Select the DLPROB ROA.** There may be more than one ROA available, so make sure that you have selected the correct ROA. The selected one has the pointing finger and is highlighted in bold.

➔ **SAVE.** You will get a message indicating that you have indexed the document successfully. The document ID is stored with the ROA and is visible from the Register page.

Use the drop-down to select the title: Restricted Prob Driver License DCD

Select the ROA: DLPROB

Click **Close** at bottom of scanning window.

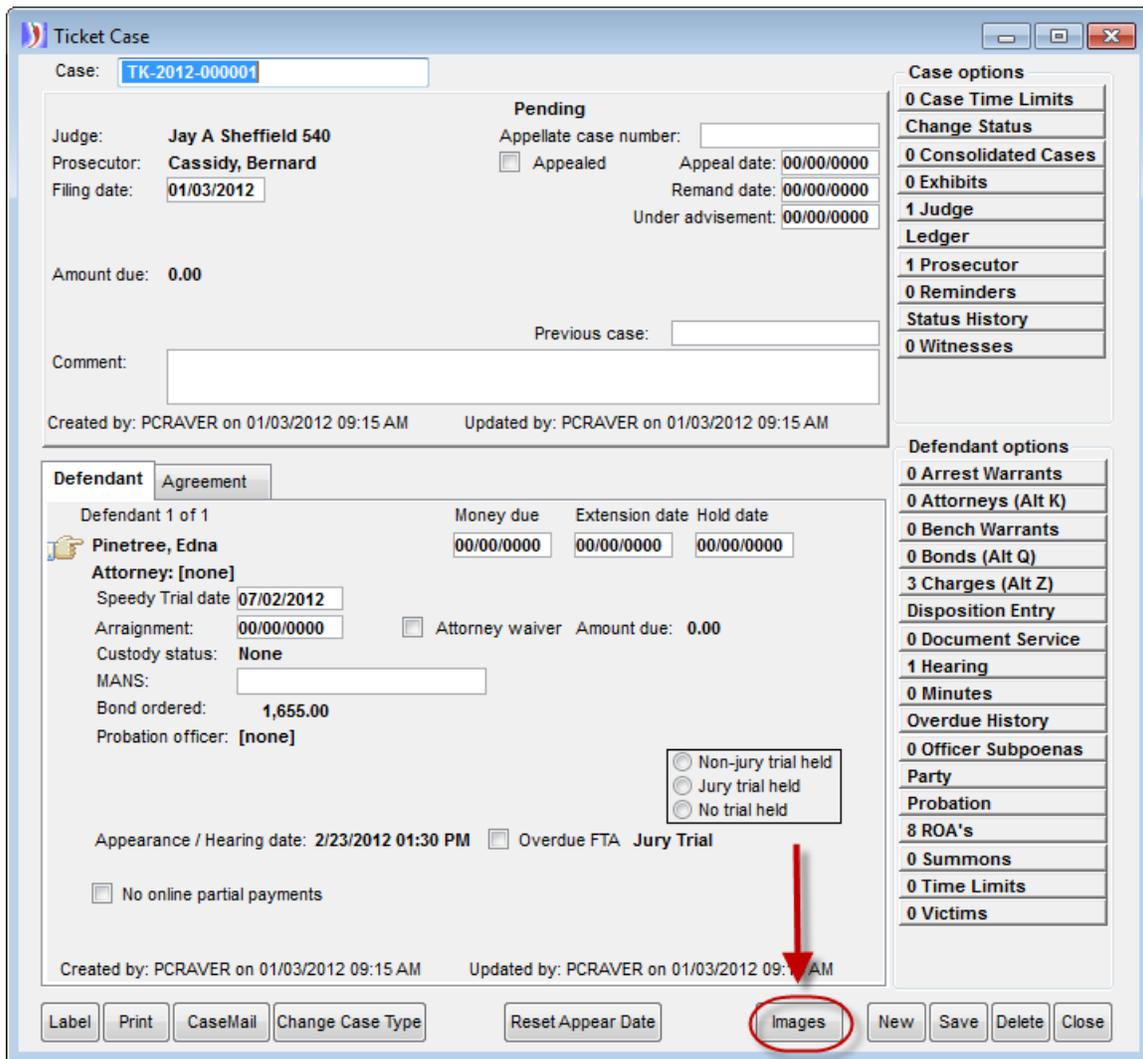
▶ **Now that the document is successfully imaged, an automatic process will pull the DL Suspension form and send it to the Motor Vehicle Division electronically.**

(OPTIONAL for courts without scanners) Attach the document image to the corresponding ROA.

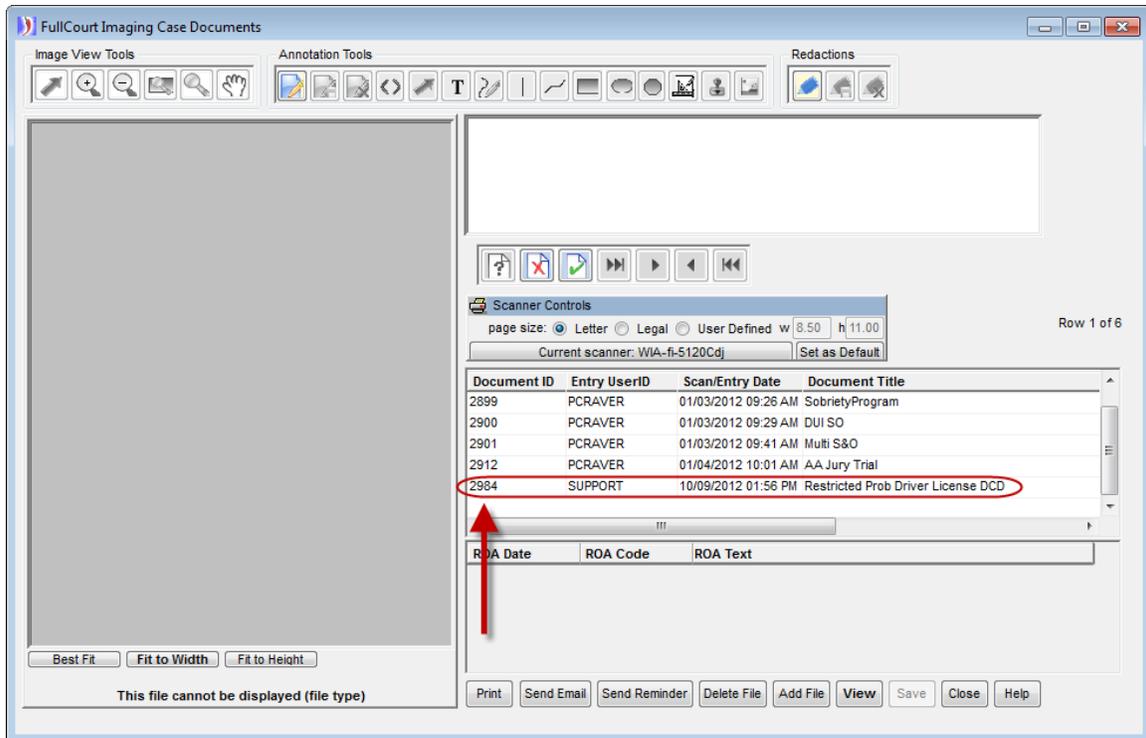
► This step is a suggested best practice and is not necessary for the process to work, but could be helpful when searching for documents on a case.

IMPORTANT: DO NOT change the Document Title in the images window as that information is needed to process the form (electronically sending it to MVD).

From the case main screen, click on the **Images** button.

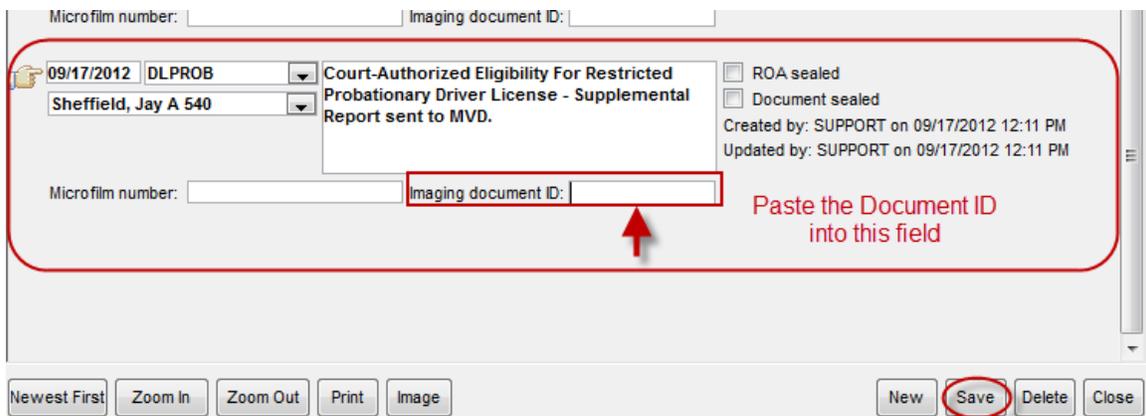


Locate and select the image titled Restricted Prob Driver License DCD from the list and observe that there is a Document ID associated with the image. See the example on the next page.



Copy the Document ID number by clicking in the Document ID field of the correct image and using Control+C on your keyboard. *Note: You can also right click on the Document ID number and select Copy from the menu.*

Open the ROA window and click into the Imaging Document ID field of the DLPROB ROA.



Use Control+V on your keyboard to paste the Document ID into the field. *Note: You can also right click in the Imaging Document ID field and select Paste from the menu.*

Save your changes. The image is now attached to the ROA and available for viewing by using the Image button at the bottom of the ROA page.

Withdrawing Eligibility for Restricted Probationary Driver License

If the court determines that the defendant is no longer eligible for a restricted probationary driver license due to any type of non-compliance, use a copy of the originally submitted form and complete these two sections:

- fill in the date and Judge signature lines under the Withdrawn Eligibility section near the bottom of the form. If you are using the /s Judge Name format to fill the form electronically, remember to print the form and have a paper copy on file with the Judge's actual signature.
- Also fill in the CC: fields to indicate that this notice is being sent to MVD, as well as to the violator, the prosecutor and any other agent who needs to receive notice.

(Judge)

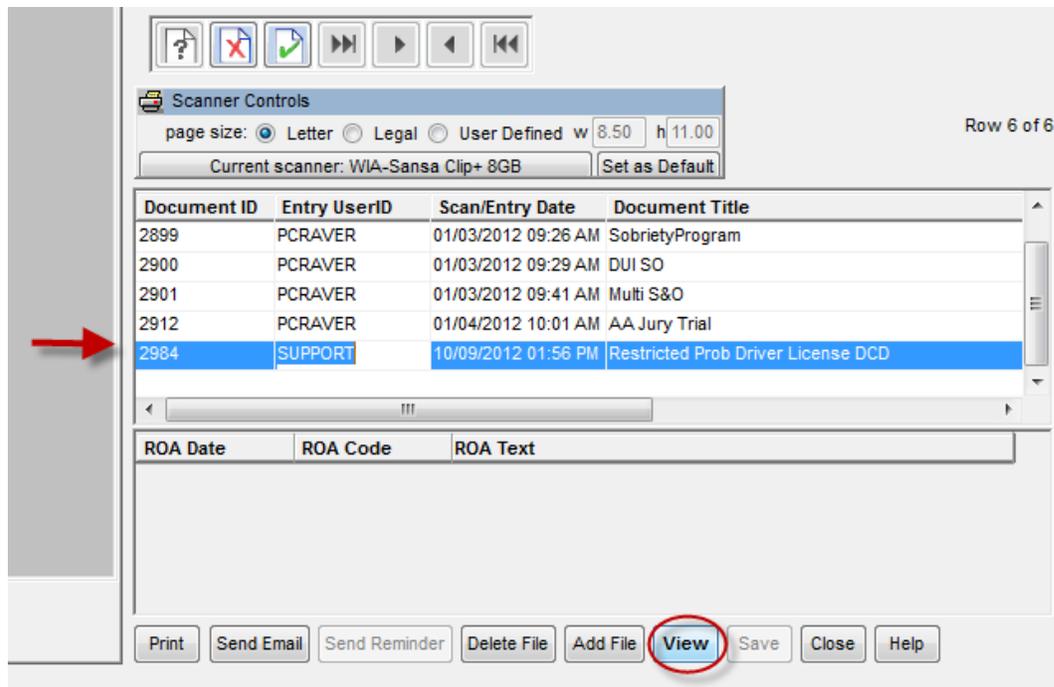
Withdrawn Eligibility for Prob DL: Date: <u>10/11/2012</u> Signature: <u>/s Jay A. Sheffield</u>	(Judge)
The court has determined non-compliance and hereby directs the MVD to reinstate the remainder of driver license suspension period.	
CC: compliance officer 	<input checked="" type="checkbox"/> Prosecutor <input checked="" type="checkbox"/> Violator <input checked="" type="checkbox"/> MVD

The form must then be emailed to mvdcourtreports@mt.gov or faxed to 406-444-1631 or mailed to MVD, POB 201430, Helena, MT 59620-1430 as well as to those on the CC line.

How to email the withdrawal information to MVD

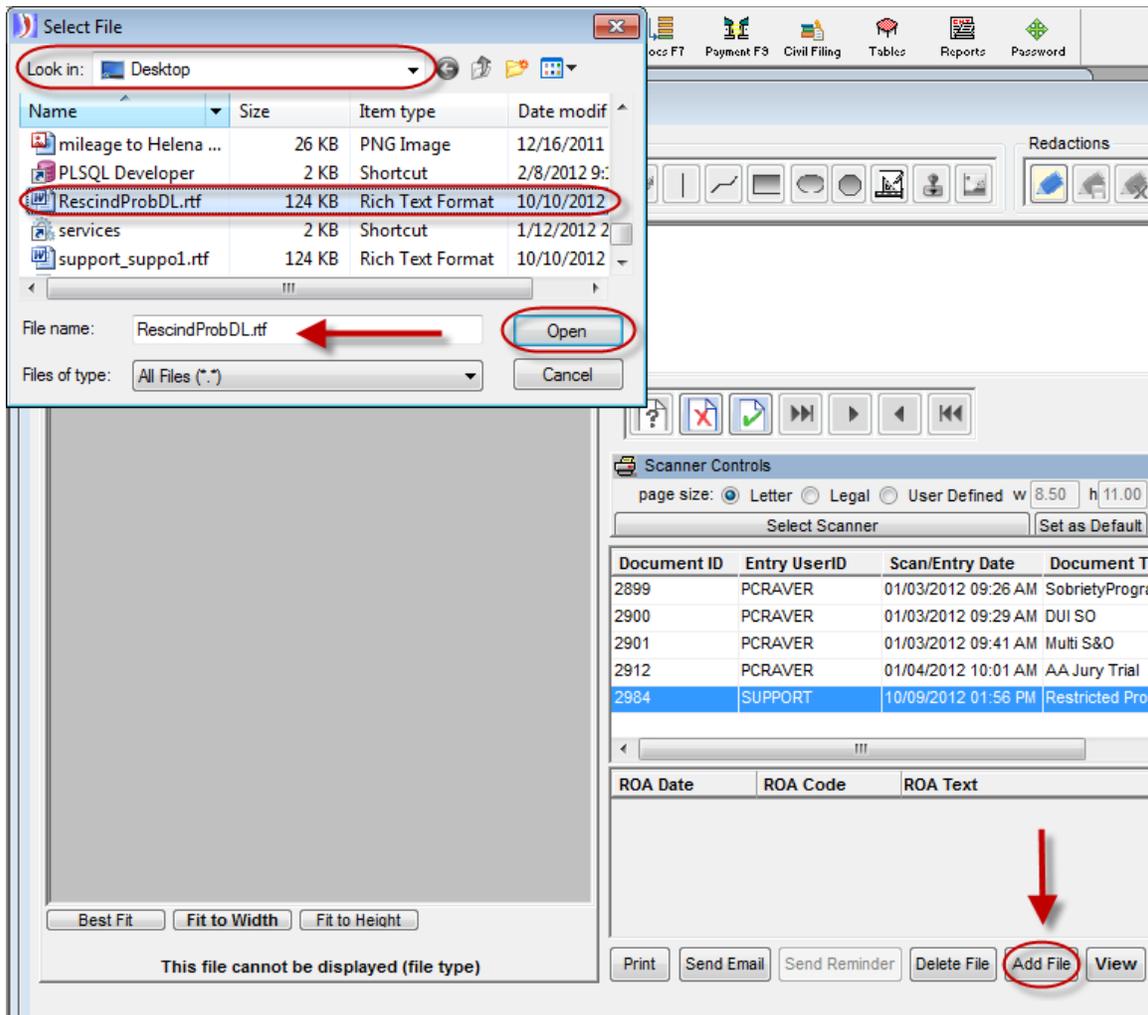
Emailing the form is recommended because it is secure and quick. To email the form, you will need to:

1. create a copy of the original,
 2. fill in the two required fields and save your work,
 3. add the filled-in form to the images window, and
 4. send the form via email.
1. Create a copy of the original form by going to the Images window from the main case screen, selecting the document Restricted Prob Driver License, and clicking the View button.

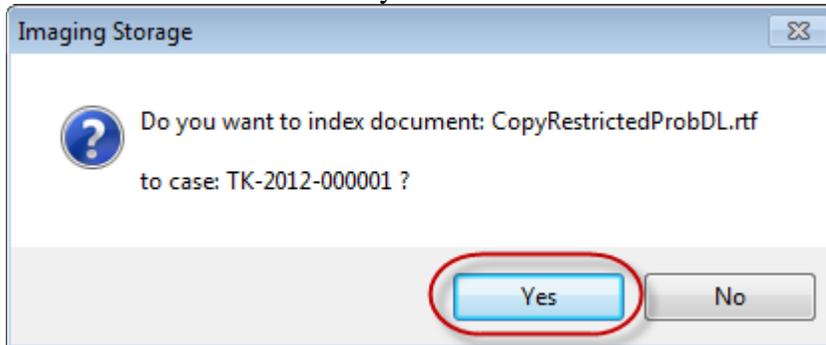


The document will be displayed in Word. Use the SAVE AS option in Word to save your document to another name and location. Since this is only a temporary file, the location is not important. In the example below, the file is saved to the desktop, with name RescindProbDL.rtf. **Important Note:** DO NOT use the file name: Restricted Prob Driver License at this time.

3. Add the filled-in form to the FullCourt Images window. Use the “Add File” button and browse to the location where you saved the file. In the example, the file is found by looking in the desktop, for the file named RescindProbDL.rtf.



Answer “Yes” when asked if you want to index the document to the case:



You may now delete the temporary file that you may have saved on your desktop or other hard drive location, since it is copied and saved in FullCourt.

4. Send the completed form to MVD using the send email button. Highlight the new image and click on the Send Email button.

Document ID	Entry UserID	Scan/Entry Date	Document Title
2900	PCRAVER	01/03/2012 09:29 AM	DUI SO
2901	PCRAVER	01/03/2012 09:41 AM	Multi S&O
2912	PCRAVER	01/04/2012 10:01 AM	AA Jury Trial
2984	SUPPORT	10/09/2012 01:56 PM	Restricted Prob Driver License DCD
2989	SUPPORT	10/10/2012 11:26 AM	rescindprobdl

ROA Date	ROA Code	ROA Text
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Highlight the document and click on Send Email.

Print Send Email Send Reminder Delete File Add File View Save Close Help

When the email window opens up, add the email address mvdcourtreports@mt.gov to the "To:" line. You may also add other email addresses if you want the report to go to other individuals such as the defendant or court compliance agent.

Send Email - TK-2012-000001

To: mvdcourtreports@mt.gov

CC:

Subject: Case: TK-2012-000001 - STATE OF MONTANA vs. Edna Pinetree - File Attached

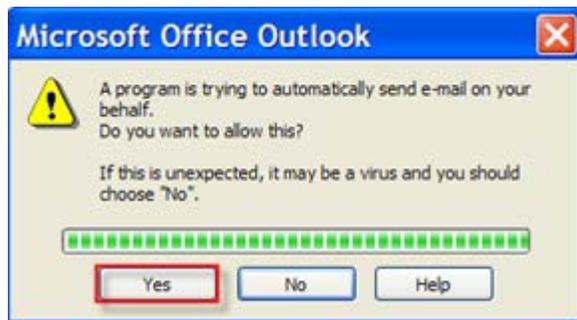
Please enter your message:

Name of Document: rescindprobdl - File Attached

Attached file: RESCINDPROBDL.rtf

FullCourt Address Book Local Address Book Attach File Remove File Send Cancel Help

You may need to answer “Yes” if this message appears:



You will get an ROA in the case that the image was emailed.

Alternate method of emailing the withdrawn eligibility for courts with scanners.

If you have a scanner you may choose to print out the original, fill in the additional date, signature and CC fields and then scan the completed form to the FullCourt case. Type in an appropriate document title, such as “Rescind Prob DL.” **Important: DO NOT** use the document title: Restricted Prob Driver License.

You may then use the Send Email button in the Images window to send the file to MVD, as described on the previous page.