



**Supreme Court**  
STATE OF LOUISIANA  
New Orleans

CHIEF JUSTICE  
BERNETTE J. JOHNSON  
JUSTICES  
GREG GERARD GUIDRY  
SCOTT J. CRICHTON  
JEANNETTE THERIOT KNOLL  
MARCUS R. CLARK  
JEFFERSON D. HUGHES III  
JOHN L. WEIMER

Seventh District  
First District  
Second District  
Third District  
Fourth District  
Fifth District  
Sixth District

JOHN TARLTON OLIVIER  
CLERK OF COURT  
400 ROYAL STREET  
NEW ORLEANS, LA 70130  
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April 25, 2016

**MEMORANDUM**

**TO:** District Court Judges, Court Administrators  
**FROM:** Chief Justice Bernette Joshua Johnson  
**RE:** Uniform Commitment Order, Revised Form

In August, 2011, the Supreme Court authorized the use of a Uniform Commitment Order (UCO) pursuant to the requirements of C.Cr.P. art. 892. The UCO form has now been revised, as a result of a collaborative proposal by the Department of Corrections, the District Judges, and the Clerks of Court. The proposed changes were to amend the instruction pertinent to section B(7) clarifying the "split sentence," and to automatically populate section E(2) providing credit for time served as per C.Cr.P. art. 880. On March 30, 2016, the Supreme Court considered the proposed changes and adopted them in full.

**This memorandum shall serve to advise you that the new form replaces the old form and shall be used in all district courts, pursuant to C.Cr.P. art. 892, effective April 25, 2016.**

A revised version of the form is attached to this memorandum. You may also find the form on the Louisiana Supreme Court website, [www.lasc.org](http://www.lasc.org), and on the Louisiana District Judges Association website, [www.ldja.org](http://www.ldja.org).

Attachment

cc: Sandra Vujnovich, Norm Gobert, Frank DiFulco, Jennifer Eagan

State of Louisiana Uniform Commitment Order

Judicial District Court Section

Parish of Commitment Docket Number

A Defendant/Case Identifiers:						
(1) Name of Convicted						
(2) Race		Date of Birth (MM/DD/YYYY)				
(3) Sex		(5) State ID Number (SID)				
B Sentence: The above noted offender shall be imprisoned at hard labor in the custody of the Department of Public Safety and Corrections for:						
Convicted of: <i>(Revised Statute &amp; Crime)</i> (1)	Num of Cts (2)	Verdict /Plea: (3)	Enh/Mod (4)	Drug Offense Type and Activity (5)	Total Sentence Length (6) Yr/Month/Day	Imposed time to be served in custody (7) Yr/Month/Day
C Sentence/Offense Dates (MM/DD/YYYY): (For each of the above numerated convictions)						
(1) Offense Date(s)						
(2) Adjudication Date						
(3) Sentence Date						
(4) Revocation Date(s)						
D Sentence Conditions:						
(1) Yes	No	This sentence shall be concurrent with any or every sentence the offender is now serving				
		Docket Number(s) Parish(es), Judicial District(s) of Docket Number(s)				
(2) Concurrent with:						
(3) Consecutive to:						
(4) Charges Dismissed or Not Guilty						
(5) C.Cr.P. 890.1, Waiver of minimum mandatory sentences, excludes R.S. 14:2(B) & R.S.15:541 offenses					Yes	No
(6) Is this part of a multiple bill proceeding?					Yes	No

E Special Comments, Program Participations or Instructions	
	(1) Defendant is given years without benefit of probation, parole or suspension of sentence
X	(2) Defendant is given credit for time served pursuant to C.Cr.P. 880
	(3) Probation After Incarceration:
	(4) Substance Abuse Treatment:
(5) Comments:	

F Involved Parties (Printed Names and Addresses):	
Minute Clerk:	Court Reporter :
Prosecutor:	Defense Attorney:
Address:	Address:

The above sentence, handed down in Open Court, is the order of this Court and this shall be sufficient warrant for its execution. Thus Done and Signed this day of , 20.

G Judge's Printed Name and Mailing Address:

Judge's Signature

# **State of Louisiana Uniform Commitment Order**

## **Instructions for Completion of Form**

### **A. Defendant/Case Identifiers**

1. Name of Convicted – name of person being sentenced.
2. Race – race of person being sentenced.
3. Sex – sex of person being sentenced.
4. Date of Birth – in format of MM/DD/YYYY.
5. State ID Number – number assigned to defendant by Louisiana State Police at the time of fingerprinting.

### **B. Sentence Details**

1. “Convicted Of (Revised Statute Number) – the R.S. code for the statute under which the defendant was convicted and the offense description: e.g. “14:30.1, 2<sup>nd</sup> Degree Murder”. If the offender is convicted as a habitual offender, that is recorded on the first line in the “convicted of” field. That is the offense charged in the bill of information La.R.S. 15:529.1 (the habitual offender provision). In this instance the second line of “convicted of” field is used to record the crime and docket number of the sentence that was vacated by the habitual offender sentence.
2. Number of counts – number of counts, per statute, for which the defendant was convicted.
3. Verdict/Plea – manner in which defendant was convicted: Guilty, Plead Guilty, Nolo Contendere.
4. Enhancements/Modifiers – if there are any modifiers or enhancements to the conviction, such as but not limited to: 1<sup>st</sup> Offense, 2<sup>nd</sup> Offense, 3<sup>rd</sup> Offense, Principal (14:24), Attempt (14:27), Conspiracy (14:26), Accessory after the Fact (14:25), etc.
5. Drug offense Type and Activity: only for drug offense convictions, list the drug and the activity level, e.g. “marijuana: possession”, or “heroin: distribution”, “meth: manufacturer”, etc. This is important because the crime of conviction is often different than the crime on the bill of information.
6. Sentence Length – length of time defendant is to be incarcerated for conviction under R.S. code, and as articulated by the judge as the stated time which the defendant is ordered to serve, including any time that may be suspended under the sentence. *Example: 2 years, 6 months, 30 days.*
7. Imposed time to be served in Custody of DOC – The total length of sentence imposed that is served in the custody of DOC. This is intended to deal with the imposed/split sentence (some in custody; some on probation). The “Imposed Time” field is intended to capture the portion of the sentence that is not suspended. For example, if the judge sentences the defendant to ten (10) years and suspends four (4), then the imposed time is six (6) years. The imposed time is the time the judge intends the offender to serve in prison. If “imposed time” is not provided on the form, then comments in section (E5) must articulate the sentence imposed by the Judge – “Defendant sentenced to ten (10) years with four (4) years suspended”. This will alert DOC that the judge ordered a split sentence and additional research is required to determine the sentence.

### **C. Sentence/Offense Dates**

1. Offense date(s) – offense dates related to convictions listed in Sentence Details section.
2. Adjudication date – date case was adjudicated.
3. Sentence Date – date defendant is being sentenced for offenses listed in Sentence Details section.
4. Revocation Date(s) – date(s) of revocation.

### **D. Sentence Conditions**

## **State of Louisiana Uniform Commitment Order**

1. Concurrent with all sentences the defendant is now serving. This is provided to allow for the situation where the court may not be aware of all proceedings involving defendant.
2. Concurrent with – list all docket numbers along with corresponding parish and judicial district with which this sentence will run concurrent.
3. Consecutive to - list all docket numbers along with corresponding parish and judicial district for any sentence to be served consecutive to this sentence.
4. Charges Dismissed or Not Guilty - Indicate which counts from the filed bill have been dismissed or which counts the defendant was found not guilty
5. Waiver of minimum mandatory sentence – indicate if there is a waiver of the minimum mandatory sentence for the conviction. The judge is required to state on the record whether the statute was applied in determining the sentence. The clerk will simply record this on the form in accordance with the judge's statement. Offenses of violence and sex offenders are excluded from the waiver.
6. Multiple Bill Proceeding – indicate if this is part of a multiple bill proceeding. This information is needed to alert DOC of the potential that this sentence will be vacated and the offender will be re-sentenced as a habitual offender. If the habitual offender sentencing occurs on the same day as the sentence for the underlying offense, then that conviction will be the first conviction listed in the “convicted of” field. If the court is made aware that the offender will be resentenced at some time in the future under the habitual offender provision, then this section should simply be marked to alert DOC to the possibility of that occurrence. The clerk may request that the prosecutor provide that information on the date of sentencing. If the prosecutor does not provide that information on the date of sentencing, then the clerk should advise the sentencing judge that the UCO will be prepared without that information.

### **E. Special Comments, Program Participation or Instructions**

1. Number of years without benefit of probation, parole or suspension of sentence – indicate if the defendant will have any length of time without benefit of probation, parole or suspension of sentence.
2. Credit for time served – This is defaulted to the provisions and restrictions of the C.Cr.P. 880 which provides the defendant with credit for time served.
3. Any additional conditions of the sentence imposed and not contained in the other sections of the document, such as suspended sentence or good time, should be listed in this section.
4. Special Programs- indicate if the defendant is to participate in any special Department of Corrections programs.
5. Comments – Any comments or notations not covered by this form should be listed in this section. When the Imposed time is not provided in (B7), (E5) should contain the sentence imposed by the Judge – “Defendant sentenced to ten (10) years and four (4) years suspended.” This is required in order to alert DOC that the judge ordered a split sentence and additional research is required to determine the sentence.

**F. Involved Parties** – this section contains the printed names of the parties involved at the time of sentencing: Minute Clerk, Court Reporter, Prosecutor, and Defense Attorney. The addresses of the prosecutor and defense attorney are requested.

**G. Signature Section** – The document must be accurately dated and signed by the Judge. Include the judge's printed name and mailing address in the box provided.

***The completed sentencing form should be forwarded to the Sheriff within 36 hours of the defendant's commitment to Department of Public Safety and Corrections.***