

Early Termination of Probation Pursuant to Rule 35(c) Notice to Probationers

Please be advised that Rule 35(c) of the Superior Court Rules of Criminal Procedure requires that your motion for termination of probation must include a signed certificate from the Probation Unit of the Department of Corrections. If you have any questions regarding your certificate, please contact:

Lynn Borch
18 Wilma Schesler Ln, Cranston, RI 02920
phone: (401)-462-2242
email: lynn.borch@doc.ri.gov

If you receive a certificate stating that you meet the criteria for early termination of probation provided under Rule 35(c), and, therefore, the Probation Unit of the Department of Corrections recommends that your probation be terminated, you may wish to contact the Office of the Public Defender to request assistance in filing a motion with the Superior Court for termination of probation. The contact person at the Office of the Public Defender is:

Emmett Hardiman,
phone: (401)-458-3050 or
email: ehardiman@ripd.org

You do not need an attorney to file a Rule 35(c) motion to terminate your probation.
You can represent yourself.

If you wish to hire an attorney or represent yourself in a motion for termination of probation, please be advised that:

- Your motion, with the original certificate received from the Probation Unit, must be filed with the Superior Court at least ten (10) business days (days do not include Saturdays, Sundays and holidays) before the date scheduled for a hearing.
- A copy of the motion for termination must be provided to the Attorney General's Office.

RI Attorney General's Office
Attn: Sentence Reduction
150 South Main St.
Providence, RI 02920

- The Attorney General shall be given the opportunity to object to your motion for termination of probation.
- You must appear in Court on the date of the hearing on your motion.
- At the hearing you may be questioned under oath by the Court or the attorney for the State.
- The Court may, in its discretion, grant your motion to terminate your probation.
- If your motion is granted, the court will issue an order and enter a new judgment reflecting the change(s) in the sentence.