



# North Carolina Department of Public Safety

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## Community Corrections

Roy Cooper, Governor  
Erik A. Hooks, Secretary

W. David Guice, Chief Deputy Secretary  
Tracy K. Lee, Director

### ADMINISTRATIVE MEMORANDUM 01.06.07-17

July 10, 2017

TO: All Community Corrections Staff

FROM: Tracy K. Lee, Director

RE: Extensions of Probation

North Carolina General Statute allows for two types of extensions of probation; an “ordinary extension” [G.S. 15A-1344\(d\)](#) and a “special purpose extension” [G.S. 15A-1342\(a\)](#) [G.S. 15A-1343.2](#). Statute requires that in order for probation to be extended with an “ordinary extension”, there must be **notice and hearing** and the Court must make a finding of good cause to extend probation. Previously it was the agency’s interpretation that when an offender agreed to the extension and signed the modification order, the requirement for the hearing was waived. However, after a recent Court of Appeals opinion and further legal review, it has been determined that there is no statutory provision for a waiver of this hearing. Therefore, beginning immediately, any request for an ‘ordinary extension’ will require notice to the offender and a hearing before the Court. Policy has been updated to reflect this new process. A Notice of Hearing for Extension of Probation form (DCC-170) has been created to notify the offender of the hearing and to schedule the hearing before the Court. Managers and supervisors are encouraged to meet with your local clerks to review this process and the new form.

Special purpose extensions can be utilized if certain criteria are met. Offenders may consent to these extensions and a hearing is not required.

Attached with this memorandum is a brief PowerPoint reviewing the two types of extensions and how to properly complete the modification orders. Also attached are the policy update, outlining the new procedures for an “ordinary extension”, and the DCC-170 Notice of Hearing for Extension of Probation. Please forward any questions through your chain of command. Thank you for your attention to this matter.

**MAILING ADDRESS:**  
4250 Mail Service Center  
Raleigh, NC 27699-4250  
[www.ncdps.gov](http://www.ncdps.gov)



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**OFFICE LOCATION:**  
2020 Yonkers Rd.  
Raleigh, NC 27699-4250  
Telephone: (919) 716-3000  
Fax: (919) 324-6247