

243.49 COMMITMENT PAPERS; DUTY OF COURT ADMINISTRATOR.

Upon a plea of guilty or finding of guilty after trial, the court administrator of every court which sentences a defendant for a felony or gross misdemeanor to the custody of the commissioner of corrections or to the superintendent of the work house or work farm, shall provide the officer or person having custody of the defendant a certified record for commitment, including (1) a copy of the indictment and plea, (2) a transcript of the sentencing proceedings, with the date thereof, together with the defendant's statement under oath, if obtained, as to the defendant's true name, residence, if any, the date and place of birth, the names and addresses of parents and other relatives and of employers and others who know the defendant well, social and other affiliations, past occupations and employments, former places of residence and the period of time and the dates the defendant has resided in each, citizenship, the number, dates, places and causes of any prior convictions, and (3) if the person pleaded guilty, a transcript of the sentencing proceedings. The record shall also include the trial judge's impressions of the defendant's mental and physical condition, general character, capacity, disposition, habits and special needs. The court reporter shall provide the required transcripts. The certified record for commitment may be used as evidence in any postconviction proceeding brought by the defendant. The court administrator shall also deliver to the sheriff or other officer or person conveying the defendant to the correctional facility, work house, or work farm designated by the commissioner of corrections or the judge a warrant of commitment together with a certified copy of the warrant directing the conveyor to deliver the person and the certified record for commitment to the principal officer in charge of the correctional facility, work house, or work farm. Upon the delivery of any person, the principal officer in charge of the correctional facility, work house, or work farm shall keep the certified copy of the warrant of commitment and endorse the principal officer's receipt upon the original, which shall be filed with the sentencing court. The court administrator shall retain one copy of the required transcripts, and a tape recording and the court reporter's notes of all other proceedings.

History: (10797) *RL s 5436; 1911 c 228 s 1; 1961 c 602 s 1; 1965 c 869 s 15; 1967 c 696 s 1; 1969 c 448 s 2; 1973 c 654 s 15; 1975 c 271 s 6; 1983 c 40 s 1; 1985 c 38 s 1; 1986 c 444; 1Sp1986 c 3 art 1 s 82*