

ORDER OF COURT

AND NOW, this 9th day of February, 2022, IT IS HEREBY ORDERED that the Adams County Department of Probation Services conduct a Community Service Program for the purposes of developing community service opportunities and supervising and overseeing participation and completion of community service by those who are court ordered to perform community service.

1. Program guidelines, policy, and procedure shall be developed by the Department of Probation Services and approved by the Court. All agencies/entities at which public service is provided shall require prior Court approval.
2. Community service shall not be a standard condition of any sentence or A.R.D. admission unless statutorily required. Rather, community service, and the amount of community service, will be assigned on a case-by-case basis at the time of sentencing as determined by the sentencing judge or, in case review or Gagnon I proceedings, at the time of the proceeding upon agreement of the parties confirmed by court order. Community service may be imposed as a condition of A.R.D. admission or original sentence, on re-sentencing following revocation of a sentence, or as a sanction in a case review proceeding. In juvenile proceedings, community service, and the amount thereof, will be assigned on a case-by-case basis as a condition of a consent decree, following an adjudication of delinquency, as a condition following revocation, or as a sanction following case review agreed upon by all parties and confirmed by the Court.
3. Persons convicted or adjudicated of any of the following offenses are ineligible to participate in community service:
 - a. murder – 18 Pa. C.S.A. § 2502;
 - b. aggravated assault – 18 Pa. C.S.A. § 2702;
 - c. terroristic threats – 18 Pa. C.S.A. § 2706;
 - d. kidnapping – 18 Pa. C.S.A. § 2901;
 - e. any offense under Chapter 31 of the Crimes Code;

- f. arson – 18 Pa. C.S.A. § 3301;
 - g. burglary – 18 Pa. C.S.A. § 3502;
 - h. criminal trespass – 18 Pa. C.S.A. § 3503(a); and
 - i. robbery – 18 Pa. C.S.A. § 3701.
4. The Department of Probation Services is authorized to adopt policy, subject to pre-approval by the Court, permitting credit against public service for in-kind contributions to charitable organizations or other nonprofit causes. The trade-off will be at a rate of \$10 of in-kind goods or services in exchange for credit of one (1) hour of public service.
5. This Order shall not alter any program by the Adams County Department of Probation Services which permits juvenile offenders to offset financial obligations through the performance of public service or participation in a public service program as the Department of Probation Services is expressly authorized to continue said programs and create similar programs in the future subject to preapproval by the Court.
6. This Order is effective immediately and supersedes Administrative Order No. 3 of 2018 which is hereby repealed and vacated. This Order shall not apply retroactively to any sentence entered prior to the date of its adoption.

BY THE COURT:

MICHAEL A. GEORGE
President Judge

Board of Judges
Donald A. Fennimore, District Court Administrator
Kelly A. Lawver, Clerk of Courts Office
Gale A. Kendall, Executive Director of Department of Probation Services
Brian R. Sinnett, District Attorney
Kristin L. Rice, Public Defender
Adams County Treasurer's Office
jvs