

IN THE SUPERIOR COURTS OF THE APPALACHIAN CIRCUIT

STATE OF GEORGIA

INTERNAL OPERATING PROCEDURE 2000-41

IN RE: COMMUNITY SERVICE PROGRAM

It is the policy of the Appalachian Judicial Circuit that each defendant who enters a plea or is sentenced directly by the Court shall receive a minimum of 40 hours of community service work unless otherwise modified by the Court.

In order to establish a procedure for the Community Service Program for defendants sentenced to probation with the special condition of community service work, the following Internal Operating Procedure is hereby established.

By definition, community service work is uncompensated work performed by offenders for the benefit of the community. It may be ordered by the court at the time of original sentencing, court ordered as a punitive action for a probation violation during the term of probation, court ordered in lieu of incarceration or if authorized by the sentencing judge, conversion of court ordered monies to community service work at the rate to be determined by the court.

I. The Community Service Program will be coordinated by the Community Service Coordinator who has the following job duties:

- A. Ensures that established procedures are utilized in the local coordination of community service activities.
- B. Maintains knowledge of all community service activities within the circuit and serves as the liaison between the court and the community in community service issues.
- C. Recruits community service agencies, assists them with necessary paperwork to become court approved and trains agencies in their responsibilities as a community service agency. Also, will provide agencies with standard forms and the official State Handbook for the proper supervision of probationers performing community service work.
- D. Monitors agencies and probationers for compliance with the requirements of the community service program.

- E. Interviews, assesses and assigns probationers to a specific court approved worksite, taking into account the probationer's physical/mental abilities, work schedule, skills and risks associated with any prior and/or present offenses and any other factors significant in the placement process.
- F. Determines validity of excuses for non-performance and/or non-compliance of community service hours and reports violations to the supervising officer and/or court.

1. Penalties for non-compliance may be imposed by the
Community Services Coordinator in the following manner:

- a. First unexcused absence will result in the addition of 8 hours community service work, or a warrant and/or court appearance.
 - b. Second unexcused absence will result in the addition of 16 hours community service work, or a warrant and/or court appearance.
 - c. Third unexcused absence will result in a warrant and jail time and/or court appearance for revocation.
 - d. For tardiness, the penalty is from two to four hours additional community service work.
 - e. For failure to wear the mandated orange reflective vest will result in the addition of 8 hours community service work.
- G. Evaluates and records probationer's performance when community service work is completed.
 - H. Serves as mediator between community service agencies and probationers.
 - I. Maintains a record keeping system to include a master log of all active community service probationers and a list of all approved community service agencies with the proper paperwork on file.
 - J. When a probationer is sentenced for an offense which is supervised by the Circuit Probation Officer and the conditions of probation include community service work, the Community Service Coordinator will interview, assess and assign the probationer to a court and state approved work site. The Community Service Coordinator will report any non-compliance and/or hours completed each month on each probationer to the

Circuit Probation Officer.

- II. Community Service Work site and Agency Responsibilities:
 - A. To ensure that community service work is not hazardous or unsafe and that community service workers are treated fairly.
 - B. To maintain records of community service workers, hours completed, offender performance, probation violations and proper reporting of work site injuries.
 - C. To ensure that community service work is performed only at court approved agencies, that community service workers are not working with or in control of any child or children and that outside community service work is canceled if temperatures are below 27 degrees Fahrenheit.

- III. Screening and Placement Procedure for probationers with community service hours is as follows:
 - A. Community service probationers must sign all required paperwork prior to community service placement; i.e. the community service agreement, the community service agency agreement, release of information and acknowledgment of penalties for violations.
 - B. The following factors are considered in work site placement:
 - 1. Prior and present offenses
 - 2. Level of supervision of the probationer
 - 3. Employment and skills
 - 4. Age and education
 - 5. Mental/physical status
 - 6. Family circumstances
 - 7. Agency needs
 - C. Give the probationer specific reporting instructions to his community service work site, supervisor's name, dates and times to report and work to be performed.
 - D. In cases where the offender is unsuitable for participation in the program, the sentencing judge should be consulted for further direction.

- IV. Special Community Service Credit Opportunities
 - A. When a probationer with community service is eligible for employment but is not employed, he may be referred to the Georgia Department of Labor Job

Search Workshop for employment assistance. Upon successful completion of the workshop, the probationer will be given 3 hours credit.

- B. When a probationer with community service utilizes his trade or skill and uses his own tools and/or materials for the community service assignment, he will be given credit for one hour at a rate to be determined by the court.

So ORDERED, this _____ day of March, 2000.

Brenda S. Weaver, Chief Judge
Superior Courts
Appalachian Judicial Circuit

Ronald J. Armstrong, Judge
Superior Courts
Appalachian Judicial Circuit