

Survey to Chief APOs

Issue: MDJs and Community Service

Question: (from Butler County)

I'm trying to find out if any other counties are being questioned by their MDJs regarding community service for individuals unable to pay fines, costs, and/or restitution for driving during suspension offenses. Act 138 of 2024 gives the MDJs the option to allow for community service if the individuals are unable to pay. The summary Act 138 of 2024

- Can't suspend license without a finding of "able to pay"
- Community service is the option if unable to pay money
- Timeline for suspending DL will increase to 30 days

Are any of the county probation departments involved with the MDJs when community service is ordered? If so, does the probation department oversee the community service work, or do they just provide community service sites to the MDJ's?

Adams County

(same as Juniata Co) Have adult and juvenile community service programs. We do get referrals from the MDJ for juveniles with fines. Nothing with MDJ on adults.

Chester County

In Chester County, my Minor Judiciary Coordinator reached out and asked me about this. We were able to provide the MDJ courts with a list of approved and legit sites that we refer individuals to for community service. She then provided it to all our MDJ's. The verification of hours falls on the MDJ courts. As a side note, this also affects Common Pleas Summary Appeals, our Clerks Office is now unable to suspend DL for nonpayment. As such we have agreed to accept that case into our post supervision collections court.

Clarion County

Adult Probation is not involved with the MDJs when community service is ordered

Elk County

Adult Probation is not involved with the MDJs when community service is ordered

Juniata County

Juniata County has adult and juvenile community service programs. We do get referrals from the MDJ for juveniles with fines. Nothing with MDJ on adults.

We have the liability insurance for those referrals to our program. Referencing York County, I would just be concerned if individuals completing on their own, without a referral through us, are covered for insurance.

Lancaster County

We are not involved in the MDJ Community Service, but we have provided them with site locations and our community service protocols for sentenced clients.

Lebanon County

Adult Probation is not involved with the MDJs when community service is ordered

Westmoreland County

Adult Probation is not involved with the MDJs when community service is ordered unless the defendant is placed on supervision with Pretrial Services.

York County

York county does oversee community service for MDJs because we have the liability insurance that covers if anyone gets injured. Frankly, we don't often get referrals though. Some MDJs still do their own thing.