

Community Service Policy-Winchester Circuit Court

Pursuant to 19.2-354 (C), the Winchester Circuit Court has established a program that allows defendants upon whom a fine and costs have been imposed to discharge all or part of the fine or costs by earning credits for the performance of community service work **before or after** imprisonment. (Effective July 1, 2018)

Terms and conditions of the program are as follows:

1. Prior to earning credits for the performance of Community Service, an individual **must** obtain approval from the Court or their Probation Officer.
2. Individuals **must** complete a Community Service Application prior to the performance of any Community Service Work. Applications are available at the Circuit Court Clerk's Office.
3. Individuals **must** perform Community Service Work at a 501(c) non-profit organization or an agency approved by the Court or their Probation Officer. The Winchester Circuit Court, Local Based Probation and Adult Probation Offices will maintain a list of approved agencies. An individual may move the Court to allow for the performance of Community Service at a location or organization not on the approved list.
4. Individuals will receive credit at the rate of \$8.00 per hour for Community Service Work.
5. Individuals approved to perform Community Service Work to discharge all or part of their fine and costs **may** be required to make a monthly payment based upon their ability to pay.
6. Restitution or the Collection Fee **cannot** be discharged through the performance of Community Service work.
7. If an individual has been approved to perform Community Service work in lieu of payment of fine and costs, then the individual **must** submit monthly timesheets to the Clerk. Timesheets are available at the Circuit Court Clerk's Office.
8. Unless approved by the Court, an individual can earn credits for the performance of Community Service Work only when they are on probation.
9. An individual cannot receive credit for the performance of Community Service work if they have received credit for the Community Service Work from another criminal case or Court. (i.e. Defendant placed on 18.2-251 Probation in Frederick County and performs 100 hours of Community Service. An individual cannot apply these hours to discharge all or part of a fine and costs on a Winchester Case.)
10. An individual cannot earn credit for the performance of Community Service Work while in prison or at CCAP (Community Corrections Alternative Program).