

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA

In Re: Offender Supervision Fee

**Administrative Order
No. 34 of 2013**

ORDER OF COURT

AND NOW, this 29th day of May, 2013, pursuant to 18 P.S. § 11.1102, IT IS HEREBY ORDERED:

- I. An offender supervision fee shall be assessed in the amount of \$40 per month for any offender placed on probation, parole, accelerated rehabilitative disposition, probation without verdict, or intermediate punishment unless the Court finds and orders that the fee should be reduced, waived, or deferred based on the offender's inability to pay. The fee shall be assessed as costs against the offender and shall be collected by the Adams County Clerk of Courts Office for distribution as follows:
 - A. 50 percent shall be deposited in the State Offender Supervision Fund established pursuant to 18 P.S. § 11.1102(b); and
 - B. 50 percent shall be deposited in the Court Offender Supervision Fund designated in the Adams County Treasurer's Office as account number .
- II. In every case in which an offender is seeking transfer of the supervision of a sentence or A.R.D. placement to a state or county probation department within the Commonwealth of Pennsylvania, a transfer fee in the amount of \$100 per case transferred shall be assessed to the offender's account as costs by the Clerk of Courts Office. The Clerk of Courts Office shall assess the fee upon written memorandum from the Department of Probation Services that such a fee is appropriate under the circumstances. The Clerk of Courts Office shall forward the fees collected to the Treasurer's Office to be deposited in the Court Offender Supervision Fund designated as account number . It is noted the fee imposed

herein shall not be assessed to transfers under the interstate compact as those fees are governed by 61 Pa. C.S.A. § 7115.

- III. Where supervision of an offender is transferred to another jurisdiction, the offender shall not be charged a monthly supervision fee for the period the offender is supervised by another jurisdiction. For purposes of defining application of the fee, the monthly fee will be imposed for any month during which any day within that month the offender was supervised by the Department of Probation Services.
- IV. The defendant shall pay at least \$200 on account to the Clerk of Courts Office prior to the transfer of supervision to another jurisdiction unless the Court orders, upon petition from the Department of Probation Services, to permit the transfer prior to prepayment due to limited economic resources. Proof of payment to the Clerk of Courts Office shall be required by the Department of Probation Services prior to transfer unless the Court has otherwise granted waiver of this paragraph.

IT IS FURTHER ORDERED that Administrative Orders No. 4 of 2004, No. 57 of 2009, and No. 13 of 2010 are rescinded and vacated.

This Order is effective immediately.

BY THE COURT:

MICHAEL A. GEORGE
President Judge

Board of Judges
Don A. Fennimore, District Court Administrator
Adams County Commissioners
Terry Adamik, Treasurer
Steve Renner, Controller
Kelly A. Lawver, Clerk of Courts Office
Neil E. Burkholder, Director of Department of Probation Services
jvs