

**COMMUNITY SERVICE
CREDIT FOR COSTS
PROCEDURES**

For those defendants choosing to use community service hours to credit their court obligations, the following procedures shall apply:

NOTE: For those under the supervision of a probation officer and are not currently working community service hours, please see your probation officer for approval of community service locations PRIOR to beginning work.

1. Defendant shall provide to the court documentation from the facility or business where they worked a statement on letterhead or other official documentation that includes:
 - a. Name & Date of Birth or Social Security Number (partial is acceptable)
 - b. Date(s) worked
 - c. Total hours worked
 - d. Pay rate for hours worked
2. Defendant shall complete the Petition for Community Service Hours to Apply to Costs form.
3. Defendant shall provide to the Court proof of any obligations owed in other courts, with restitution and fines, costs, interest, and fees shown separately.
4. Defendant shall petition the court for a hearing date on the criminal docket using the court-provided form.
5. Defendant shall discuss with the court at the hearing under penalty of perjury, a payment plan for any remaining balances of restitution or collections fees that are not included, by Virginia Code §19.2-354, to be paid by community service credit.
6. Defendant shall notify the Court of any change in work circumstance, including gaining paid employment.
7. **Once the defendant is release from incarceration, the defendant can petition to apply community service towards Court fines/costs.**

These procedures are current as of July 1, 2021

**MOTION TO REQUEST COURT DATE
FOR COMMUNITY SERVICE CREDIT ON COURT OBLIGATIONS**

NAME: _____ PHONE NUMBER: _____

ADDRESS: _____

EMAIL ADDRESS: _____

CASE NUMBERS: _____

Please see attached for total list of cases

I, _____, hereby petition the Court to be added to the Criminal Docket for a hearing regarding my petition for credit on my court obligations from my Community Service Hours. I have provided to the Court documentation from the facility or business that I worked for that lists the dates I worked, my pay rate per hour, and my total hours worked.

I acknowledge that the total hours I have worked may total more than my court obligations. I further acknowledge that I know the amount of community service hours I have worked in excess of my eligible amount owed shall not and does not constitute an amount of funds due to me as a refund. The Community Service Program may credit my court costs, fines, and interest owed to the locality and the state. I further acknowledge that any restitution amounts I owe in addition to any Collection Fees shall not be credited by my Community Service hours.

I ask for this:

HEARING DATE: _____

Documentation Attached: _____

**COURT PETITION FOR COMMUNITY SERVICE HOURS
TO APPLY TO COSTS**

Total Amount Due the Court Eligible to be Credited for Community Service: \$ _____
(Costs, Fines, & Interest)

NAME: _____ PHONE: _____

CURRENT ADDRESS: _____

I hereby petition the Court to allow the hours I have worked at _____
to be counted toward my court costs. My total number of hours is _____. I received wages for
these hours at the rate of \$ _____ per hour and this amount will be subtracted from the total wage
credit on my account. I have attached documentation from the facility or business that I worked for that
lists the dates I worked, my pay rate per hour, and my total hours worked. I acknowledge that I know I
cannot use this credit to pay for collection fees or restitution amounts due.

Rate: \$7.25 (-) _____ (wage rate) = _____/hour Hours: _____

Total Amount Eligible per Hours Worked: \$ _____

*Any number of hours worked in excess of costs due to the Court shall not be construed as a refund due to the defendant. *

Defendant

Date

Amount approved: _____

Judge

Date

**CERTIFICATE OF HOURS PREVIOUSLY APPLIED
FOR COMMUNITY SERVICE CREDIT ON COURT OBLIGATIONS**

Defendant's Name: _____ Phone Number: _____

Current Address: _____

Email Address: _____

Facility or Business Worked: _____

This notice is to certify that the above-named defendant has applied to this Court to have his or her hours worked to be counted toward court costs. The attached documentation was provided by the defendant at the time of the petition and has been approved.

Rate: \$7.25 (-) _____ (wage rate) = _____/hour Hours: _____

Total Amount Eligible per Hours Worked: \$ _____

Hours credited toward Montgomery County obligations: \$ _____

Total Eligible Hours to apply to another Court: \$ _____

The petition signed by the Judge as well as the documented hours are attached. If you have any questions regarding this certification, please let us know.

Thank you.

Erica Conner, Clerk of Montgomery County Circuit Court