

VIRGINIA: IN THE CIRCUIT COURT OF AMHERST COUNTY

**ORDER FOR COMMUNITY SERVICE CREDIT  
TOWARD DISCHARGE OF FINES AND COSTS**

Pursuant to the authority granted to the court in § 19.2-354(C), of the Code of Virginia, it is **ORDERED** that the Amherst County Circuit Court establishes the following program to provide an option to any person upon whom a fine and costs have been imposed to discharge all or part of that obligation by Community Service. In accordance with amendments to § 19.2-354(C), credit may only be granted for Community Service work performed in programs specified by the statute while incarcerated.

**GENERAL PROVISIONS FOR ALL COMMUNITY SERVICE**

Credit for community service can only be applied to fines and costs. Community Service cannot be applied toward restitution obligations. However, credit for Community Service for fines or costs may be earned even though a restitution balance is still owed.

Credit for Community Service will not be granted for Community Service hours performed as part of the Sentencing Order of the court.

The Community Service must be performed after the offense date.

Applicant shall include case number for case(s) upon which credit is requested for Community Service towards costs and/or fines. If Applicant does not include a case number, then credit shall be applied to the lowest case number (oldest) first. Credit(s) shall be applied first to costs and thereafter fines.

Applicant must certify under penalty of perjury that he/she has not requested nor received credit for the submitted hours to satisfy a sentence, nor was credit requested or received towards fines and costs in any other court, nor been paid for hours submitted to the court (except by DOC).

**COMMUNITY SERVICE BEFORE OR AFTER INCARCERATION**

The Community Service must be performed for a *bona fide* charity or Community Service program (non-profit).

For Community Service performed *before or after any period of incarceration*, the rate of credit towards fines or costs shall be at the rate set by the Virginia minimum wage in effect at the time the work is performed.

In order to receive credit for Community Service, the defendant must submit the completed Certification of Community Service form and a letter from the charity or Community Service program on that group's letterhead, (including the address and telephone number), listing the

dates and hours of service performed, as well as the total of Community Service hours performed, and shall include original signature of the person with that agency who supervised the work performed.

**COMMUNITY SERVICE WHILE INCARCERATED**

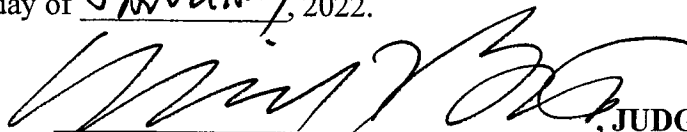
Pursuant to § 19.2-354(C), credit for Community Service performed while incarcerated can only be credited for **work performed by inmates in the following programs:**

- Community Corrections Alternative Program - VA Code § 19.2-316.4
- County workforces VA Code § 53.1-128
- Court-ordered workforces - VA Code § 53.1-129
- Court-ordered work release or “rehabilitative programs designed to supplement work release” from jails - VA Code § 53.1-131
- Prison work release outside prison - VA Code § 53.1-60
- State prisoners working for localities - VA Code § 53.1-59

For Community Service while incarcerated, the defendant must complete a fully completed Certification of Community Service form completed by an official of the Department of Corrections or local/regional jail, which must contain an original signature of person with that agency and indicate the specific program and code section applicable for the work program from above list. There must be an attached printout of the hours worked and must indicate the amount paid, if any, for work performed.

For Community Service performed *while incarcerated*, the rate of credit towards fines or costs shall be the Virginia minimum wage in effect at the time the work was performed, less any pay received by the inmate for the work performed.

ENTERED this 4<sup>th</sup> day of JANUARY, 2022.

  
\_\_\_\_\_, JUDGE  
MICHAEL T. GARRETT

**CERTIFICATION OF COMMUNITY SERVICE WORK PERFORMED  
FOR COMMUNITY SERVICE CREDIT § 19.2-354(C)**

**TO BE COMPLETED BY DEFENDANT:**

**Defendant/Applicant:** \_\_\_\_\_ **Case No(s)** \_\_\_\_\_

In support of my Application: I state that:

\_\_\_\_ While **not** incarcerated, I performed a total of \_\_\_\_ community service hours between the dates of \_\_\_\_\_ and \_\_\_\_\_ at \_\_\_\_\_ (place) as shown on the attached document.

**OR**

\_\_\_\_ While incarcerated at \_\_\_\_\_ (Detention, Jail or Correctional Facility), I performed a total of \_\_\_\_ community service hours between the dates of \_\_\_\_\_ and \_\_\_\_\_ as confirmed by the facility below and as shown on the attached document(s).

I have not submitted and will not submit the same community service hours attached hereto to any other court for credit against fines, costs or community service; and I have not been paid for the work listed (except by Department of Corrections).

**I hereby certify that all of the above is true and correct under penalty of perjury.**

\_\_\_\_\_  
**Signature of Defendant/Applicant**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Printed Name of Defendant/Applicant**

\_\_\_\_\_  
**Defendant's PO Box/Street Address**

\_\_\_\_\_  
**Area Code and Phone Number**

\_\_\_\_\_  
**City State Zip**

**TO BE COMPLETED BY REPRESENTATIVE OF DOC, DETENTION OR JAIL:**

I confirm that the records of the \_\_\_\_\_ (Corrections/Detention/Jail/Facility) indicate that the Defendant/Applicant participated in the following program(s):

- \_\_\_\_ Community Corrections Alternative Program - VA Code § 19.2-316.4
- \_\_\_\_ County workforces - VA Code § 53.1-128
- \_\_\_\_ Court-ordered workforces - VA Code § 53.1-129
- \_\_\_\_ Court-ordered work release or "rehabilitative programs designed to supplement work release" from jails - VA Code § 53.1-131
- \_\_\_\_ Prison work release outside prison - VA Code § 53.1-60
- \_\_\_\_ State prisoners working for localities - VA Code § 53.1-59

The defendant participated in the above listed program(s) and performed \_\_\_\_ hours set forth on the attached documents.

\_\_\_\_\_  
**Signature of Facility Representative**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Title of Facility Representative**

\_\_\_\_\_  
**Facility (Area Code) Phone No. & Ext.**