

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF FLUVANNA
RE: COMMUNITY SERVICE IN LIEU OF PAYMENT OF FINES & COSTS

THIRD AMENDED ORDER

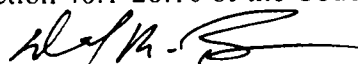
Pursuant to Section 19.2-354 (C) of the Code of Virginia, the following program is established to discharge all or part of the fine and costs imposed on a defendant by earning credits for the performance of community service work:

- Community Service hours must be submitted as a verifiable record from the supervising organization along with a motion or request for credit towards fines and costs.
- The submitted record must state the number of hours performed, the dates performed, and the rate of pay received by the defendant, if any. If no payment was received, the record must state this to be the case.
- Community services hours cannot be submitted to satisfy restitution.
- Community Service hours will be credited to fines and costs at the rate of \$12.00 per hour for community service hours performed when the defendant received no pay for such hours.
- While incarcerated, when the defendant receives payment at the rate of pay established by the Virginia Department of Corrections, verified Community Service hours submitted, less 10%, will be credited at the rate of \$12.00.
- This Court has authority as is reasonably necessary for or incidental to carrying out this program and has the sole discretion as to whether submitted hours will be credited toward fines and costs.

Community service is defined, for the purpose of this program, as work on (i) state, county, city, or town property, (ii) any property owned by a nonprofit organization that is exempt from taxation under 26 U.S.C. § 501(c)(3) and that is organized and operated exclusively for charitable or social welfare purposes on a voluntary basis, or (iii) a preapproved basis by the Court.

The Court may review this from time to time to modify or make adjustments as it deems appropriate, not less than once a year.

This Order is amended to change the rate of credit from \$11.00 to \$12.00 to coincide with the current minimum wage in Virginia, pursuant to Section 40.1-28.10 of the Code of Virginia.



DAVID M. BARREDO, JUDGE

1/18/23

DATE