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any questions or comments

DIRECTIVE # 1-01

To: Assignment Judges

From: Richard J. Williams

Subject: Revised Standards for Community Service Programs

Date: January 24, 2001

At its October 10, 2000 Administrative Conference the Supreme Court approved the revised **Standards for Community Service Programs in New Jersey** (attached). These revised Program Standards, which supersede the set of standards the Court had adopted in 1985, are effective immediately.

Summary of the Revisions

As noted, the revised Standards represent an update of the 1985 document. Several standards have been eliminated and others added; the entire document has been streamlined; and the organization of several sections has been revised. Wherever necessary, the Standards and commentary have been modified so as to incorporate intervening statutory and policy changes, such as court unification and the creation of the Comprehensive Enforcement Program. Also, all of the forms used in the community service programs have been reviewed, consolidated, redesigned, and standardized. The specific revisions are summarized as follows (no summaries are provided here for those sections that remain unchanged from the 1985 version):

Introduction and History -- Updated and revised to incorporate Probation role and goals.

Chapter I - Standards for the Courts

Standard 1.2 New language added to state that community service sites are limited to governmental agencies or private, non-profit organizations. This has been the practice since the program's inception, but previously was not stated in the Standards.

Standard 1.3 Language added in section (C) and footnote 4 to clarify that handicapped individuals are not excluded from community service participation solely on the basis of their disability.

Standard 1.5 Amended to say that judges *should* be guided by the recommended ranges of hours of community service.

Standard 1.6 The rate for converting municipal fines to community service under *N.J.S.A. 2A:8-31.1* was increased from \$3.00 of fine per hour of community service to \$5.00 of fine per hour. This would result in crediting \$30.00 of fine obligation for each full day of community service performed.

Standards 1.8 to 1.10 Revised so as to include the Comprehensive Enforcement Program (CEP) as an enforcement option.

Chapter II - Standards for Probation

Standard 2.2 Updated to reflect that as a result of unification the Judiciary now takes responsibility for the required insurance. The prior standards had indicated that

individual counties were responsible for the required insurance.

Standard 2.3 This is a new standard. It provides for enhanced background and criminal record screening of offenders ordered to perform community service.

Standard 2.4 Modified to provide more detailed direction to staff at intake stage.

Standard 2.5 This is a new standard. It sets out recommendations for minimum hours of community service to be completed. These same recommendations were contained in the commentary to the prior standards.

Standard 2.6 This is a new standard to address the transfer of cases within the state. It incorporates the requirements of the Intercounty Transfer Policy, approved by the Judicial Council in 1999.

Standard 2.7 This standard addresses interstate transfers, and is the same as prior Standard 2.14.

Standard 2.8 This is a new standard, incorporating commentary from prior Standard 2.14. It authorizes Probation staff to allow out-of-state residents to identify their own placement site. Probation staff will be responsible for verifying the placement.

Standard 2.9 Revision of prior Standard 2.6, requiring the completion of the work site agreement with every community service site.

Standard 2.10 This is prior Standard 2.9.

- Standard 2.11 This is prior Standard 2.10, revised to add CEP as an enforcement tool.
- Standard 2.12 This is prior Standard 2.8, requiring statistical reports. This standard will be operational only until the Comprehensive Automated Probation System (CAPS) is fully programmed and implemented.

Implementation

The revised Standards for Community Service Programs are applicable in all instances where courts are authorized to use community service as a disposition. Please ensure that all judges sitting in the Criminal and Family Divisions in your vicinage, all of your vicinage's Municipal Court judges, and appropriate staff in those courts receive copies and become familiar with the requirements of the revised Standards.

Your Chief Probation Officer is prepared to play a lead role in the implementation of the revised Standards. AOC Probation Services Division staff also are available to assist with the implementation.

Also, in keeping with the approach that we have been taking in our standardization efforts, I would ask that **by March 30, 2001** you advise me in writing that your vicinage is in compliance with the revised standards or, if it is not, then identify which of the standards you are not yet in compliance with and the steps you are taking to achieve compliance (including the date by which you expect to achieve compliance).

R.J.W.

SDB/jm
attachment

cc: Chief Justice Deborah T. Poritz
Criminal Presiding Judges

Family Presiding Judges
Municipal Court Vicinage Presiding Judges
Theodore J. Fetter, Deputy Administrative Director
AOC Directors and Assistant Directors
Trial Court Administrators
Vicinage Chief Probation Officers
Division Managers (Criminal, Family, Municipal)
William D. Burrell, Chief
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CONFERENCE OF CHIEF PROBATION OFFICERS

**STANDARDS
FOR
COMMUNITY SERVICE PROGRAMS
IN
NEW JERSEY**

Approved by the Supreme Court

October 10, 2000

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STANDARDS FOR COMMUNITY SERVICE PROGRAMS IN NEW JERSEY

Introduction

This document is the revised edition of the *Standards for Community Service Programs in New Jersey*. The original edition was adopted by the Supreme Court in January 1985. The revisions represent the experience of many probation staff across the state who have administered the community service programs in the probation divisions.

The task of revising the *Standards* was performed by the Core Services Subcommittee of the Conference of Chief Probation Officers. VACPO Richard A. Traverso of the Passaic Probation Division chaired the subcommittee, and the Conference extends its thanks to him for his leadership, and to the full subcommittee for their hard work. The community service program directors contributed greatly to the revised document, and reviewed the final product.

When the first edition of this document was published, it had a great positive influence on the operation of the community service programs. Since that time, many millions of hours of community service have been performed for private, non-profit organizations and government agencies across the state. It is the hope of the Conference that this revised edition will help to strengthen the programs to enable many more millions of hours to be worked to benefit the citizens of the state.

History

Community Service is a relatively recent development in the administration of juvenile and criminal justice. The first organized formal use of community service as a sentencing option was in Alameda County, California in 1966. Indigent traffic offenders were given community service as an alternative to their traffic fines. The concept spread slowly to the other courts in California, and other states.

Also in 1966, a committee in England recommended the use of community service as an alternative to incarceration. Implementation took some time, but in 1972, the British Parliament authorized a pilot program in six counties, for use as an alternative to short term incarceration. In 1975, community service programs were authorized to operate throughout the United Kingdom. The British experience was well documented and had significant exposure within the academic and justice system communities throughout the United States.

During the 1970s, community service sentencing developed slowly in the United States, and began to take hold in New Jersey. In 1976, the Supreme Court upheld the concept of restitution for juvenile offenders¹. This decision laid the foundation for the Juvenile Restitution Project in 1979, a federally funded project to increase the use of restitution with juvenile offenders. By the end of the project, approximately half of the juveniles in the program were performing community service as their restitution.

In 1979, six counties received federal funding to develop community service as a condition of enrollment in the Pretrial Intervention (PTI) programs. That was expanded in 1982 when the Supreme Court approved amendments to *The Guidelines for Operation of Pretrial Intervention Programs* and authorized use of community service in PTI statewide.

In 1979, the *Code of Criminal Justice* was amended to provide the *performance of community related service* as both an authorized disposition in itself for criminal offenders and as a condition of probation.

In 1980, four probation departments (now divisions) received federal funding to establish community service programs in their counties. With the addition of these programs, there was a significant amount of community service activity occurring with juvenile and adult offenders in the State. This would serve probation well as a foundation for what was to come.

¹ State in the Interest of D.G.W. 70 N.J. 488 (1976).

In January 1982, amendments to N.J.S.A. 39:4-50 were signed, increasing the penalties for second and subsequent convictions for driving under the influence of alcohol or drugs. Community service was mandated for second convictions (30 days) and subsequent convictions (up to 90 days). Estimates suggested that between three and four thousand offenders would be convicted annually under these statutes. This represented a substantial (three to four fold) increase in the volume of community service in the state.

The Administrative Office of the Courts reviewed this situation and determined that the probation departments, with their existing programs and experience with community service would be the best place to establish a statewide community service program. At the urging of the New Jersey Association on Correction, the Governor and Legislature provided a small appropriation to the Judiciary in the Fiscal Year 1983 Budget to provide at least one probation officer in each probation department to handle community service. That funding was distributed, and in September 1982, the statewide probation community service program began. At that time, there were 2,552 persons under court order to perform community service.

Since that time, many laws have been passed authorizing community service as a sentence or disposition. The *Code of Juvenile Justice*, enacted in July 1982 authorized community service as a disposition for juvenile adjudicated delinquent. Community service is also authorized for juveniles who are diverted through the Juvenile Conference Committees and the Intake Service Conferences.

Specific amendments to other motor vehicle statutes have provided community service penalties for driving without liability insurance, passing a stopped school bus and parking in handicapped spaces. The *Comprehensive Drug Reform Act* (1986) provided mandatory community service for certain drug offenders.

As a sentencing and dispositional option, community service is clearly well established in New Jersey. The probation divisions' community service programs provide service to all courts in the State authorized to impose community service. Since 1982, more than 375 thousand adult and juveniles have been ordered by a court to perform community service. More than 23 million hours

of work have been performed, providing approximately \$140 million worth of service to the citizens of the State.

Role and Goals

The role of probation is:

To promote the welfare and safety of children, families and communities in New Jersey by enforcing court orders, supervising offenders, monitoring behavior, and intervening to produce positive outcomes.

The goals of the community service programs are:

1. To provide a viable, cost-effective sentencing and dispositional option to the courts.
2. To enforce the orders of the court and hold the offenders accountable for compliance.
3. To hold offenders accountable to the community for their actions, thereby promoting greater community confidence in the courts and the justice system.
4. To provide valuable service to the community, through both private, non-profit organizations and government agencies.

Community service by offenders is now being routinely utilized as a sentencing and dispositional option. Persons ordered to perform community service work without compensation at private non-profit organizations or government agencies. The punitive aspect of a community service order is reflected in the imposition upon the time and freedom of the offender. In addition to serving this punishment function, community service directly benefits the public through the performance of service that may otherwise not be available.

Performance of community service may also have a rehabilitative impact on offenders. It is often a positive experience for the offender, helping to produce changes in attitude and behavior. The offender may also gain valuable work experience or vocational training through their community service assignment. A number of offenders have been hired by the agency or organization where they worked.

Community service provides increased opportunities for the public to be aware of and involved in the justice system. Citizens see offenders working and providing symbolic restitution to the community through their labor. The community also becomes involved by providing work sites and being involved with on-site supervision of offenders. Through these activities, the community sees the courts and probation divisions in action, working in the interest of better communities.

PURPOSE AND ORGANIZATION OF THIS DOCUMENT

The Standards for Community Service Programs in New Jersey is a working model designed to guide the courts and probation in the use of community service as a dispositional sentencing option. A *standard* is defined as a clearly articulated rule for decision making, a guide by which to evaluate behavior and performance. The standards found herein are presented to fulfill those definitions and thus provide direction for the utilization of community service. The standards in this report will appear in bold type as in the following example:

STANDARD 1.1: ALL OFFENDERS OBLIGATED BY A JUDGE TO PERFORM COMMUNITY SERVICE SHALL BE REFERRED BY COURT STAFF TO THE APPROPRIATE COMMUNITY SERVICE PROGRAM IN THE PROBATION DIVISION. PROGRAMS OUTSIDE THE PROBATION DIVISION MUST BE APPROVED BY THE ADMINISTRATIVE DIRECTOR OF THE COURTS.

Commentary further clarifying or elaborating the standard will appear below the standard.

This document is divided into two chapters. Chapter I, entitled "Procedural Standards for the Courts," is directed to judges and court personnel and includes a description of the target population for community service and guides for sentencing based upon the degree of offense. Chapter II, "Standards for the Community Service Program," is directed to the probation division programs and their staff. This chapter describes basic program management requirements such as the interviewing, screening, placement, and supervision of the offender. Basic information to guide statistical reporting is also included.

CHAPTER I

PROCEDURAL STANDARDS FOR THE COURTS

This chapter sets forth standards for the court when considering sentencing an offender to community service.

REFERRALS

STANDARD 1.1: ALL OFFENDERS ORDERED TO PERFORM COMMUNITY SERVICE SHALL BE REFERRED BY COURT STAFF TO THE APPROPRIATE COMMUNITY SERVICE PROGRAM IN THE PROBATION DIVISION. PROGRAMS OUTSIDE THE PROBATION DIVISION MUST BE APPROVED BY THE ADMINISTRATIVE DIRECTOR OF THE COURTS.

Commentary

The probation divisions administer the Community Service Program because:

- (a) The probation divisions are already equipped to monitor compliance with a court order, keep statistical records, maintain statewide insurance coverage on participants, and provide for the screening of criminal records;
- (b) A mechanism for intercounty transfer of supervision exists within the probation divisions;
- (c) Uniform program operations avoid competition for work sites which will accept offenders to perform community service; and
- (d) Central control of program administration encourages uniformity of operations.

Programs which operate outside of the probation divisions include the Atlantic County Volunteer Center, the Union County Youth Service Bureau, and several programs operated by municipalities for their Municipal Courts.

At the time of sentencing, it is the responsibility of the Court to forward the appropriate referral documentation to the Community Service Program. In addition, the court must provide a copy of the complaint and date of offense on the Municipal Court order.

To ensure and maintain uniform and consistent program operations throughout the state, the "Uniform Municipal Court Order" is to be used by the Municipal Courts (see Appendix II). This form is to be forwarded to the program promptly to initiate the community service process.

STANDARD 1.2: ALL REFERRED OFFENDERS WHO ARE APPROPRIATE FOR COMMUNITY SERVICE SHALL BE PLACED BY COMMUNITY SERVICE PROGRAM STAFF AT A NON-PROFIT ORGANIZATION OR GOVERNMENT AGENCY FOR THE PERFORMANCE OF COMMUNITY SERVICE.

Commentary

The Probation community service programs have established working agreements with local non-profit organizations and government agencies to facilitate placement of offenders. Through these agreements, work sites have informed the Community Service Program of the number of offenders the site wishes to use as well as any exclusions or placement conditions insisted upon due to the nature of an offense or offender. It is therefore recommended that judges refrain from specifying a placement site at the time of sentencing or specifying in the order the type of work for the offender to perform. The judge should contact the Community Service Program director in the Probation Division and discuss the preferred placement site or work assignment. The probation staff will endeavor to accommodate the judge's preferences.

Another important placement issue to consider is insurance coverage. Only offenders placed by the Probation Community Service Program are provided accident/medical insurance coverage while performing community service. The State of New Jersey has an insurance policy to cover all offenders under the jurisdiction of the Community Service Program. Offenders not placed through the Community Service Programs are not covered by the State's insurance policy.

EXCLUSIONARY CRITERIA

STANDARD 1.3: THE GREAT MAJORITY OF COMMUNITY SERVICE WORKSITES WILL NOT ACCEPT OFFENDERS SENTENCED FOR CERTAIN TYPES OF CRIMES, RECOGNIZING THAT THE FOLLOWING TYPES OF OFFENDERS SHALL BE CONSIDERED FOR EXCLUSION FROM COMMUNITY SERVICE UNLESS THE SENTENCING JUDGE, AFTER CAREFUL CONSIDERATION OF ALL FACTORS, DEEMS COMMUNITY SERVICE AN APPROPRIATE DISPOSITION:

- (A) **OFFENDERS CURRENTLY DIVERTED, CURRENTLY CONVICTED OR PREVIOUSLY CONVICTED OR ADJUDICATED DELINQUENT FOR ANY SEX OFFENSE AS DEFINED IN N.J.S.A. 2C:7 ET SEQ. AND N.J.S.A. 2C:14 ET SEQ.²**
- (B) **OFFENDERS CURRENTLY OR PREVIOUSLY CONVICTED, DIVERTED OR ADJUDICATED DELINQUENT OF ARSON OR ASSAULTIVE OFFENSES AS WELL AS PERSONS WITH EVIDENCE OF CURRENT OR RECENT VIOLENT BEHAVIOR.**³
- (C) **OFFENDERS WHO, BECAUSE OF A SERIOUS PHYSICAL OR MENTAL HEALTH DISABILITY, WOULD BE UNABLE TO COMPLETE A COMMUNITY SERVICE TASK WITH OR WITHOUT REASONABLE ACCOMMODATION AND/OR WHOSE CONDITION MAY PUT THEMSELVES OR OTHERS AT RISK OF INJURY.**⁴

² Given the nature, risk and treatment requirements of sex offenders, the placement and completion of the community service obligation has proven very difficult to accomplish over the years.

³ For this purpose, "violent behavior" includes convictions or adjudications for violent offenses. Violent offenses are defined as those involving unlawful force, deadly force, or an offense causing serious bodily harm, as defined in N.J.S.A. 2C:3-11a, b, and d.

2C:3-11. Definitions:

- a. "Unlawful force" means force, including confinement, which is employed without the consent of the person against whom it is directed and the employment of which constitutes an offense or actionable tort or would constitute such offense or tort except for a defense (such as the absence of intent, negligence, or mental capacity; duress, youth or diplomatic status) not amounting to a privilege to use the force....
- b. "Deadly force" means force which the actor uses with the purpose of causing or which he knows to create a substantial risk of causing death or serious bodily harm....
- d. "Serious bodily harm" means bodily harm which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ or which results from aggravated sexual assault or sexual assault.

⁴ Disabled persons are not to be excluded from community service merely because they are disabled. This category is listed to alert the courts and programs to the individual who may have a severe work-restrictive condition involving

- (D) **OFFENDERS WHOSE CHRONIC ABUSE OF ALCOHOL AND/OR DRUGS WOULD RENDER THE COMPLETION OF COMMUNITY SERVICE IMPOSSIBLE.**
- (E) **OFFENDERS WITHOUT A STABLE PLACE OF RESIDENCE.⁵**

Commentary

Almost all offenders have the potential to be able to complete some type of community service sentence. The success of the program, however, is strongly linked to community acceptance and support. This support is shown by the number of agencies willing to function as a placement site for offenders.

The list given in Standard 1.3 reflects certain categories of offenders generally rejected by placement sites. This rejection is most often due to the nature of the offense, i.e., sex offenses or violent, assaultive offenses. The list also includes a general type of offender who may cause the site unnecessary problems by disrupting its operations and may, therefore, cause the site to withdraw its support from the program.

In cases where the community service is mandatory by statute, the community service program will advise the court where these exclusionary criteria preclude placement.

ADVISORY NOTE: Out-of-State Residents

In those instances where the offender, either adult or juvenile, has been adjudicated and received a formal commitment to a term of probation, supervision can be transferred through the appropriate Interstate Compact. Not all states, however, have the capability to enforce a court order for community service. Some states refuse to accept supervision of a case with a community service order.

Due to the difficulty in monitoring out-of-state residents, the court is urged to refrain from issuing a community service order to such persons in non-mandatory cases.

Non-Probation Municipal Court offenders (e.g., motor vehicle and municipal ordinances) who move out of state can be monitored by the Probation Division. These offenders are advised to locate their own placement in their area of residence and report their completed service hours to the New Jersey Community Service Program.

a physical or psychiatric disability that either with or without reasonable accommodation would preclude the completion of the community service task or would put the health or well-being of the offender or others in jeopardy.

⁵ This category may include transients living in motels, hotels or YMCA's. Offenders in residential treatment or incarcerated for extended periods of time may also be included in this category.

SENTENCING GUIDES

STANDARD 1.4: ONE (1) DAY OF COMMUNITY SERVICE IS EQUAL TO SIX (6) HOURS OF WORK.

STANDARD 1.5: WHEN IMPOSING COMMUNITY SERVICE ORDERS, JUDGES SHOULD BE GUIDED BY THE RECOMMENDED RANGES IN TABLE I, EXCEPT WHERE SPECIFIC AMOUNTS OF COMMUNITY SERVICE ARE PROVIDED FOR BY STATUTE.

TABLE I

ADULTS			
OFFENSE TYPE	HOURS		
	Minimum	Midpoint	Maximum
Municipal Ordinances	20	35	50
First time motor vehicle offenses	20	35	50
Petty Disorderly Persons	20	35	50
Disorderly Persons	40	70	100
4 th Degree	60	130	200
3 rd Degree	80	190	300
2 nd and 1 st Degrees	100	250	400
Pretrial Intervention	50	75	100
JUVENILES			
CASE TYPE	HOURS		
	Minimum	Midpoint	Maximum
Juvenile Conference Committee	6	12	18
Intake Conference	6	12	18
Court (Informal/Formal Calendar Cases)	15	30	45

Commentary

Due to the amount of time needed to set up community service cases, consideration should be given to the amount of hours ordered. The minimum recommended is one day. The standards for sentencing allow the punitive effect of a community service sentence to be impressed upon an offender, while permitting the offender to successfully complete the sentence within a reasonable period of time. Additionally, statewide use of these standards reduces sentence disparity.

STANDARD 1.6: WHEN FINES IMPOSED IN MUNICIPAL COURT HAVE BEEN CONVERTED TO COMMUNITY SERVICE HOURS, ONE HOUR OF COMMUNITY SERVICE SHALL BE EQUIVALENT TO \$5.00 OF THE FINE OR COURT COSTS.

SUCCESSFUL COMPLETION OF THE PROGRAM REQUIREMENTS

STANDARD 1.7: OFFENDERS WHO SATISFACTORILY COMPLETE THEIR COMMUNITY SERVICE OBLIGATION ARE TO BE DISCHARGED FROM THE COMMUNITY SERVICE PROGRAM.

Commentary

The total number of hours of service completed by each offender shall be recorded. The court shall be informed of successful completion via the *Community Service Report* (CS-09).

FAILURE TO COMPLY WITH THE PROGRAM REQUIREMENTS

STANDARD 1.8: OFFENDERS WHO FAIL TO COOPERATE WITH EITHER PROGRAM STAFF OR SITE STAFF AND/OR FAIL TO APPEAR AT EITHER THE PROBATION DIVISION OR PLACEMENT SITE WILL BE REFERRED TO THE COMPREHENSIVE ENFORCEMENT PROGRAM (CEP). IF THERE ARE VIOLATIONS OF OTHER CONDITIONS TO BE ADDRESSED, THE CASE SHOULD BE RETURNED TO COURT.

STANDARD 1.9: OFFENDERS WHO HAVE BEEN REJECTED FROM ONE OR MORE PLACEMENT SITES MAY BE REFERRED TO THE COMPREHENSIVE ENFORCEMENT PROGRAM (CEP). IF THERE ARE VIOLATIONS OF OTHER CONDITIONS TO BE ADDRESSED, THE CASE SHOULD BE RETURNED TO COURT.

Commentary

Placement sites can reject offenders upon their initial interview or dismiss offenders at any time for behaving inappropriately or disruptively while in the process of working at the site.

STANDARD 1.10: OFFENDERS ARE RETURNED TO COURT WITH DOCUMENTATION OF NON-COMPLIANCE IN THE FOLLOWING MANNER:

- (A) OFFENDERS ENROLLED IN PRE-TRIAL INTERVENTION (PTI) WHO FAIL TO COMPLETE THEIR COMMUNITY SERVICE HOURS SUCCESSFULLY MAY BE REFERRED TO THE PTI DIRECTOR OR OTHER DESIGNATED OFFICER OR PERSON RESPONSIBLE FOR SUPERVISING PTI CASES WHO SHALL DETERMINE IF THE OFFENDER SHOULD BE REFERRED TO CEP OR RETURNED TO COURT FOR TERMINATION FROM PTI.
- (B) OFFENDERS GIVEN A COMMUNITY SERVICE ORDER BUT NOT PLACED ON PROBATION WHO FAIL TO COMPLETE THEIR COMMUNITY SERVICE HOURS SUCCESSFULLY MAY BE REFERRED TO CEP. IF THERE ARE OTHER VIOLATIONS, THE OFFENDER SHOULD BE RETURNED TO COURT.
- (C) OFFENDERS WHO ARE ON PROBATION AND FAIL TO COMPLETE THEIR COMMUNITY SERVICE HOURS SUCCESSFULLY SHOULD BE REFERRED TO CEP. IF THERE ARE VIOLATIONS OF OTHER CONDITIONS, THE OFFENDER SHOULD BE CHARGED WITH VIOLATION OF PROBATION (N.J.S.A. 2C:45-3) AND RETURNED TO COURT.

Commentary

The presumption is that for non-compliance that is limited to community service, the first enforcement step would be referred to CEP. In the event that there are other violations, the case is then to be returned to court.

STANDARD 1.11: AFTER ALL ENFORCEMENT OPTIONS HAVE BEEN EXHAUSTED AND AN OFFENDER IS RETURNED TO COURT FOR UNSATISFACTORY PERFORMANCE, IT IS RECOMMENDED THAT THE COURT CONSIDER SOME PUNITIVE SANCTION AND WITHDRAW THE COMMUNITY SERVICE ORDER.

CHAPTER II

STANDARDS FOR THE COMMUNITY SERVICE PROGRAMS

**This chapter contains the standards for basic operations
of the Community Service Program
in the local Probation Divisions.**

MANAGEMENT

STANDARD 2.1: THE COMMUNITY SERVICE PROGRAM WILL MAINTAIN AN OFFENDER TRACKING SYSTEM.

Commentary

An offender tracking system is necessary to ensure compliance with the community service order and to monitor the offender accurately through the community service process.

STANDARD 2.2: THE JUDICIARY PROVIDES AN ACCIDENT/MEDICAL INSURANCE POLICY TO COVER ALL PARTICIPANTS FOR INJURIES OCCURRED WHILE PERFORMING COURT-ORDERED COMMUNITY SERVICE UNDER THE JURISDICTION OF THE PROGRAM.

Commentary

This insurance is secondary to any primary insurance coverage which may already be in effect on the offender. The policy covers participants for injuries incurred while on site as well as while traveling to and from the community service site. The State of New Jersey carries no liability or worker's compensation coverage for community service participants. N.J.S.A. 59:7A-1 provides immunity to liability for counties and municipalities for incidents which arise out of community service. N.J.S.A. 2A:53A-7 provides general immunity for non-profit organizations. All sites should review the provisions of the appropriate laws with their legal counsel.

SCREENING

STANDARD 2.3: ALL REFERRED OFFENDERS MUST BE SCREENED FOLLOWING STATE POLICE CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS) PROCEDURES TO DETERMINE SUITABILITY FOR PLACEMENT IN THE COMMUNITY. WHERE AVAILABLE, THE PRESENTENCE OR PREDISPOSITION REPORT AND PRIOR PROBATION RECORDS SHALL BE REVIEWED.

Commentary

The screening process enables the program staff to assess the suitability of offenders to community service work sites based on criteria in Standard 1.3.

ENROLLMENT

STANDARD 2.4: THE INTAKE FORM (CS-01), STANDARD CONDITIONS OF COMMUNITY SERVICE (CS-02), AND PHYSICAL LIMITATION STATEMENT (CS-03) SHALL BE COMPLETED FOR ALL OFFENDERS ENROLLED IN THE COMMUNITY SERVICE PROGRAM.

Commentary

These forms assist program staff in the enrollment of offenders at the time of the initial interview.

PLACEMENT OF OFFENDER

STANDARD 2.5: OFFENDERS WHO HAVE BEEN SUCCESSFULLY SCREENED AND ENROLLED SHALL BE PLACED AT A WORKSITE APPROVED BY COMMUNITY SERVICE PROGRAM STAFF. OFFENDERS WILL BE REQUIRED TO PERFORM COMMUNITY SERVICE AT A MINIMUM NUMBER OF HOURS ON A WEEKLY BASIS.

Commentary

Offenders shall be placed at approved sites through the issuance of an assignment form to the site. (CS-04).

The Community Service program should set minimums for hours to be performed on a weekly basis. Suggested guidelines according to case type are presented in Table II.

TABLE II

Juveniles	3 hours per week
Adults	6 hours per week
Unemployed Adults	12 hours per week

These guidelines are suggestive, the Community Service Program Director has the authority to adjust the minimum if a case warrants it.

TRANSFER OF CASES

STANDARD 2.6: ALL OFFENDERS WHO RESIDE IN NEW JERSEY BUT OUTSIDE OF THE SENTENCING COUNTY SHALL BE TRANSFERRED TO THE COUNTY OF RESIDENCE AS PER THE INTERCOUNTY TRANSFER POLICY. THE SCREENING AND ENROLLMENT PROCESS SHALL TAKE PLACE IN THE COMMUNITY SERVICE PROGRAM IN THE COUNTY OF RESIDENCE.

Commentary

In order to alleviate duplication of work and to facilitate a speedy transfer, the case may be transferred to the county of residence upon receipt of court documentation without the benefit of a personal interview. Pending statewide implementation of the Comprehensive Automated Probation System (CAPS), a completed Transfer Form (CS-05) must be submitted to the receiving county, acknowledged by program staff, and returned to the transferring division.

STANDARD 2.7: ALL INTERSTATE TRANSFERS OF PROBATION CASES WITH COMMUNITY SERVICE CONDITIONS SHALL BE CONDUCTED THROUGH PROCEDURES ESTABLISHED IN *THE INTERSTATE COMPACT FOR THE SUPERVISION OF PAROLEES AND PROBATIONERS* AND *THE INTERSTATE COMPACT ON JUVENILES*.

Commentary

Only those cases with a judgement of conviction or adjudication and a formal commitment to probation will be accepted for transfer through the Compacts.

OUT OF STATE RESIDENTS

STANDARD 2.8: INNON-PROBATION CASES WHERE COMMUNITY SERVICE IS ORDERED FOR OUT-OF-STATE RESIDENTS, OFFENDERS MAY LOCATE THEIR OWN PLACEMENT AT A PRIVATE NON-PROFIT ORGANIZATION OR GOVERNMENT AGENCY.

Commentary

Community Service Program staff will verify the appropriateness of the proposed out of state site as a community service site (CS-06).

SITE MANAGEMENT

STANDARD 2.9: THE COMMUNITY SERVICE PROGRAM SHALL EXECUTE A WORKSITE AGREEMENT WITH EACH SITE. THE RESPONSIBILITIES OF THE SITE AND THE COMMUNITY SERVICE PROGRAM MUST BE CLEARLY EXPLAINED, AND A SITE SAFETY BROCHURE SHOULD BE PROVIDED TO EACH SITE PRIOR TO OFFENDER PLACEMENT.

Commentary

The Work Site Agreement (CS-07) outlines the basic responsibilities of the site and the program. This contractual agreement delineates the responsibilities of both agencies. The Worksite Agreement shall be renewed annually or when site supervisory staff has changed.

SUCCESSFUL COMPLETION OF THE PROGRAM REQUIREMENTS

STANDARD 2.10: OFFENDERS WHO SATISFACTORILY COMPLETE THEIR COMMUNITY SERVICE OBLIGATION ARE TO BE DISCHARGED FROM THE PROGRAM.

Commentary

The sentencing court and/or supervising Probation Officer shall be informed of successful completion. Municipal Courts shall be informed via the Notice to the Court form (CS-09). The total number of hours of service completed by each offender shall be recorded. See Standard 2.12.

FAILURE TO COMPLY WITH THE PROGRAM REQUIREMENTS

STANDARD 2.11: OFFENDERS WHO FAIL TO COMPLY WITH THE COURT ORDER, TO COOPERATE WITH EITHER PROGRAM STAFF OR SITE STAFF, OR TO APPEAR AT EITHER THE PROBATION DIVISION OR PLACEMENT SITE WILL BE REFERRED TO THE COMPREHENSIVE ENFORCEMENT PROGRAM (CEP) OR THE SENTENCING COURT.

Commentary

The following acts of non-compliance will result in a summons to CEP or a return to the sentencing court:

- (a) Two missed appointments without adequate explanation.
- (b) Violations of either the program or site rules.
- (c) Failure to meet a minimum hourly requirement as directed by the program.
- (d) Inappropriate behavior while at the worksite.
- (e) Rejection from one or more worksites.

A minimum of one Notice of Failure to Comply with Community Service (CS-08) must be sent to the offender before summoning the case to CEP or returning it to the sentencing court. The program staff will provide a recommendation (CS-09) to CEP or the sentencing court.

The Community Service Notice to the Court (CS-09) shall be used to inform the court of the reasons for return of the case. A CEP referral form shall be used to refer cases to CEP.

As a consequence of continued non-compliance, community service program staff shall initiate a Summons to CEP (CS-10) or Notice to the Court (CS-09) procedures.

- (a) Offender shall be mailed a Summons to CEP.
- (b) Should offender not appear at the CEP hearing, a bench warrant may be issued or the case may be returned to the sentencing court.
- (c) Should offender appear at the CEP hearing, the nature of the infraction shall be addressed, and a recommendation/order will be signed.

STATISTICS

STANDARD 2.12: THE COMMUNITY SERVICE STATISTICAL REPORT (CS-12) SHALL BE SUBMITTED MONTHLY TO THE ADMINISTRATIVE OFFICE OF THE COURTS NO LATER THAN THE 15TH OF THE MONTH FOLLOWING THE MONTH OF THE REPORT.

Commentary

The summary statistics to be kept are listed below:

- (a) All new offenders added each month, by offender group;
- (b) All new hours ordered each month, by offender group;
- (c) All offenders discharged after performance of all hours ordered by the court, by offender group;

- (d) All offenders discharged not having not performed all hours ordered by the court, by offender group;
- (e) All offenders discharged each month;
- (f) Total hours served by persons discharged each month who successfully completed the community service order;
- (g) Active cases -- defined as the cases placed and working at a site;
- (h) Inactive cases -- defined as cases pending placement or pending court proceedings (having been returned to court); and
- (i) All service hours performed each month, by offender group.

When CAPS (Comprehensive Automated Probation System) is fully functional, this report will no longer be required.

APPENDIX I

**This Appendix contains all Community Service
forms adopted for use
by the Community Service Programs**

PROBATION DIVISION

COMMUNITY SERVICE PROGRAM
INTAKE FORM

CAPS Client ID: _____
File #: _____

Name: _____ Date of Birth: _____ Age: _____

Address: _____ Apt#: _____ City: _____ State: _____ Zip: _____

Mailing Address if different than above: _____

Telephone: Home: _____

Social Security Number: _____ - _____ - _____ SBI #: _____

Gender: _____ Race: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

Marital Status: _____ No. of Children: _____ Ages: _____

Driver's Licence #: _____ License Revoked: Yes No

State of License: _____

Name, Address, Telephone Number and Relationship of Closest Relative: _____

NCIC to be reviewed for Prior Record: Yes No

Prior Criminal Record: _____

On Probation Now? Yes No

If Yes, where?: _____ Officer: _____

EMPLOYMENT/SKILLS

Employer Name: _____ Telephone: _____

Employer Address: _____

Work Schedule: _____ Means of Transportation: _____

Trade or Profession: _____ Other Skills: _____

Do you have any volunteer experience?: Yes No

If Yes, explain: _____

EDUCATION

Attending School Now? Yes No Schedule: _____

Where? _____

DAYS AND TIMES AVAILABLE FOR COMMUNITY SERVICE WORK: _____

COMMUNITY SERVICE PROGRAM

Standard Conditions of Community Service

Name: _____ **Ind/Acc/Complaint/Docket #:** _____

Court: _____ **CAPS Client ID#:** _____

Date of Sentence: _____ **File #:** _____

While performing Community Service you will be under the supervision of the COMMUNITY SERVICE PROGRAM. You are required to comply with the conditions listed below.

1. You are required to perform _____ hours of Community Service.
2. You shall perform a minimum of _____ hours of community service per week/month.
3. You shall report to the assigned worksite on time and ready to work.
4. You shall not use or be under the influence of alcohol/drugs while at the worksite.
5. You shall report to the Community Service Program staff or Court's designee as required.
6. You shall be cooperative, courteous and reliable while at the worksite.
7. You will notify the worksite in advance when you will not be present to work.
8. You shall provide a doctor's note for any extended absence from the worksite.
9. You must notify the Community Service Program staff of any change in address, telephone number or other circumstance which will affect your ability to perform community service work.
10. Notice of injury must be given to Community Service and site staff within 24 hours of the accident. You must provide verification that the injury was related to the performance of Community Service. You are not eligible for worker's compensation.
11. Your work site will report your work progress to the Community Service Program and this information will be made available to the court. However, you are responsible for maintaining a personal record of hours performed in addition to the records of the Community Service work site.
12. You agree to give the Community Service staff permission to release information about you to participating agencies.
13. You understand that failure to comply with the rules and procedures of the program and participating agencies may be cause for returning your case to court for another disposition that may include sentence to a period of incarceration.
14. Hours are not acceptable if completed prior to entering this agreement, if work is performed by an associate, relative or employee of the participant, if supervised by relatives or current employers, or if hours exchanged for monetary and/or material contributions.

The above has been explained to me and I have been provided with a copy of this document.

OFFENDER

DATE

PROBATION OFFICER/INVESTIGATOR

DATE

PLEASE NOTIFY PROBATION OF DISABILITY ACCOMMODATION AND INTERPRETIVE NEEDS

c: File

AOC Form CS-02



COMMUNITY SERVICE PROGRAM
Physical Limitation Statement

As a condition of your court order, you are required to complete _____ hours of Community Service. You may be assigned to undertake a variety of tasks during the course of this service.

In order to properly assign you, we require precise description of any physical limitations, handicaps or disabilities you may have, as well as any prescribed medications you are currently taking.

If you have any condition which limits your work ability **in any way**, please describe this condition and the manner in which you are restricted:

Health Problems/Allergies: _____

Medications: _____

Any special problems (not indicated above) which might affect performance of Community Service?: _____

Please list the name, address and telephone number of a physician(s) who can verify the above.

Physician: _____ Telephone: _____

Address: _____

How long have you been under this physician's care? _____

I have physical limitations and will furnish medical verification of any current disabilities which will prohibit my participation in the Program within 14 days. _____ (please initial)

I have no physical limitations. _____ (please initial)

I attest that the above statements are true to the best of my knowledge and have received a copy.

PROBATION OFFICER/INVESTIGATOR

DATE

PLEASE NOTIFY PROBATION OF DISABILITY ACCOMMODATION AND INTERPRETIVE NEEDS

c: File
Offender

AOC Form CS-03



COMMUNITY SERVICE PROGRAM

Community Service Assignment Form

Name: _____ **Date:** _____

Address: _____ **Ind/Acc/Complaint/Docket**

#: _____

_____ **File #:** _____

Telephone #: _____ **CAPS Client ID#:** _____

Emergency Contact: _____

Telephone #: _____

On _____, _____ Court sentenced you to perform

Date

_____ hours of Community Service for the charge of _____.

You are required to perform at a minimum rate of _____ hours per week/month starting no later than _____.

It has been arranged for you to perform your Community Service at:

Worksite:

Address:

You are directed to contact the Worksite Representative:

Contact Person:

Telephone Number:

It is your responsibility to contact the Worksite Representative by _____ to arrange an interview and work schedule.

Failure to report as directed will be considered a violation of the court order and additional penalties can be imposed.

Probation Officer/Investigator

Date

PLEASE NOTIFY PROBATION OF DISABILITY ACCOMMODATION AND INTERPRETIVE NEEDS

c: File
Worksite

AOC Form CS-04

c: File

AOC Form CS-05

COMMUNITY SERVICE PROGRAM
Instructions for Locating a Community Service Site

Name: _____ File #: _____
Address: _____ CAPS Client ID#: _____
_____ Apt # _____

You were sentenced by a court in the State of New Jersey to perform Community Service. Because you reside outside the jurisdiction of this agency, it is your responsibility to locate an appropriate community service work site. These guidelines must be followed:

- A. The proposed agency must be a non-profit or government agency.
- B. A letter from the organization on their letterhead must be sent to the Community Service Program agreeing to your performing hours of work and detailing the service to be performed.
- C. This letter must include the mailing address, telephone number and name of site representative who will document your hours of work performed.
- D. You must obtain the approval of the N.J. Community Service Program prior to starting your hours of work.
- E. Site proposal letters should be sent to:
Community Service Program
_____ Probation Services Division
Attention: _____
Address: _____
- F. The accompanying Community Service Forms (CS-01, CS-02, CS-03) must be signed, completed and returned to this office within 14 days of receipt of these instructions.
- G. Failure to follow these instructions within 14 days of receiving this letter will be cause for returning your case to court for another disposition that may include sentence to a period of incarceration.

Probation Officer/Investigator

Date
Telephone: _____
FAX: _____

INTERPRETIVE NEEDS

c: File

AOC Form CS-06

**COMMUNITY SERVICE PROGRAM
WORK SITE AGREEMENT**

In its capacity as a non-profit organization or government agency, _____
_____ (hereinafter referred to as the work site) agrees to
consider offenders on referral from the Community Service Program for
community service work.

The work site agrees:

1. To supervise the work of the offenders.
2. To submit monthly written reports to Community Service Program staff on the offender's performance.
3. To keep all information concerning the offenders strictly confidential.
4. To ensure that the use of offenders with a community service order will in no way reduce present staff nor preclude the hiring of additional personnel.
5. To designate a work site contact person through whom referrals will be made.
6. To give to each offender a clear explanation of site rules and expectations.
7. To dismiss an offender and promptly notify the program if:
 - a. The offender appears to be under the influence of alcohol or illegal drugs.
 - b. The offender has committed an infraction of site rules.
 - c. The offender is behaving uncooperatively, is repeatedly tardy, rude or is otherwise inappropriate.
8. To provide a safe work place and promptly notify the Community Service Program staff of any injury to an offender.
9. To maintain written records on all clients.

The Community Service Program agrees:

1. To provide a secondary accident/medical insurance policy that covers all offenders with a community service order.
2. To complete a screening of all offenders prior to referral for placement and exclude any offenders as listed.
3. To send sufficient information on each offender to facilitate referral and placement at work site.
4. To designate a community service program staff contact person for the work site.
5. To conduct periodic site visits.
6. To provide information to the work sites on safety matters (see Work Site Safety brochure).

Please list any offenses your agency will not accept: _____

Work Site Representative

Date: _____

Program Representative

Date: _____

Designated Site Contact Person:

Name: _____

Title: _____
Address: _____
Telephone: _____

c: File

AOC Form CS-07

_____ PROBATION DIVISION

COMMUNITY SERVICE PROGRAM

Notice of Failure to Comply with Community Service

TO: _____

Date: _____
Sentence Date: _____
File #: _____
CAPS Client ID#: _____

9 You failed to appear for an appointment at this office on _____.
A final appointment is scheduled for you on _____ at _____.

9 Your work site _____:

9 Reported that you failed to make contact with them to begin your
community service. You must contact the site at telephone # ___ and
begin your community service by _____.

9 Indicates you have performed _____ hours for the period of _____.
This does not meet your mandatory minimum hour requirement of _____
hours per week/month. You have a remaining balance of _____
hours.


9 Indicates you have not been cooperative with site staff while
performing Community Service. You must contact this office
immediately to discuss this matter.

9 Other: _____

You must comply with the above checked requirement. If you fail to
comply, the next letter you receive will be a court summons to appear at a
hearing of the Comprehensive Enforcement Program or the sentencing court. If
you are found to be in violation of the conditions of your sentence one or several
of the following may happen:

1. Involuntary enrollment in either the Sheriff's Labor Assistance or Enforced Community Service Program as an alternative to direct incarceration (cost to you: \$15 enrollment fee and \$2 per day fee)
2. Alternative sentencing as the Judge directs, including the possibility of incarceration
3. Your driver's license may be suspended
4. If on Probation or a diverted sentence:
 - < Your probation may be revoked
 - < You may be sentenced to a period of incarceration
 - < Your period of supervision may be extended for a longer period of time
 - < Additional conditions may be imposed on your probation sentence

You can avoid these actions if you come into compliance as directed above.
If you wish to discuss your case call ()

Probation Officer/Investigator


Date

PLEASE NOTIFY PROBATION OF DISABILITY ACCOMMODATION AND INTERPRETIVE NEEDS

_____ PROBATION DIVISION
COMMUNITY SERVICE PROGRAM

Notice to the Court

TO: _____
Date: _____
Offender: _____
Ind/Acc/Comp/Summons #: _____
CAPS Client ID #: _____
Court Date: _____

9 The offender has satisfactorily completed the community service obligation of _____ hours/days at _____.

9 The offender's performance of the community service obligation has been unsatisfactory.

9 Failure to comply with scheduled appointments on the following dates:

9 Failure to perform work at sites

Site _____ Date Placed _____
Hours completed _____ Last date CS performed _____

Site _____ Date Placed _____
Hours completed _____ Last date CS performed _____

Total Hours Performed _____ Balance of Hours _____

9 Unable to locate offender.
9 Failure to appear at CEP Hearing Date Scheduled: _____
9 Failure to comply with CEP (Order attached)
9 Medical Reasons: _____

9 Other: _____

Therefore as of this date:

9 We are closing our interest in this case.
9 If no disposition or other communication is received from the court within 30 days of this notice, we will close this case.
9 We recommend the following action: _____

Name: _____ Telephone: _____
Title: _____

**SUPERIOR COURT OF NEW JERSEY
PROBATION DIVISION**



TO:

IND/ACC/DKT #: _____
File #: _____
CAPS Client ID#: _____

Summons -- Comprehensive Enforcement Program

On _____ you appeared in the _____
Court before the Honorable _____ for sentencing to
the charge of _____.
It was the Sentence of the Court
that you perform _____ hours of Community Service.

**TAKE NOTICE: You have failed to comply with the Court Order.
You are required to appear before the Hearing Officer in the _____
_____ County Superior Court,**

on _____ at _____ am/pm.

If you choose to be represented by an attorney, you may do so at your own expense. You are strongly urged to bring with you any documents you feel may explain your failure to perform Community Service. If you will need an interpreter during the hearing, call the undersigned at least two days before the hearing so that arrangements can be made to provide an interpreter for you.

If you do not appear at this hearing a bench warrant for your arrest may be ordered.

Probation Officer/Investigator

Date



Telephone #

INTERPRETIVE NEEDS

c: File

AOC Form CS-10

COMMUNITY SERVICE PROGRAM

Offender Contact Form

TO: _____

Date: _____
File #: _____
CAPS Client ID#: _____

On _____, you appeared in _____ Court and were sentenced to _____ hours of Community Service.

Please note the item(s) checked below:

9 Your first appointment with this office is scheduled for: _____
at _____ am/pm
at _____
Address/Location

9 You have been removed from the worksite. Contact this office immediately.

9 You have received an additional sentence of Community Service. Immediately return a signed copy of the enclosed Community Service conditions. Your worksite will be advised of the additional hours.

9 Your case is on "Medical Hold". You must provide current medical documentation as to your inability to perform your community service hours to this office by _____.

9 Contact this office to discuss your Community Service case by _____.

9 Other: _____

Name

Title

**PLEASE NOTIFY PROBATION OF DISABILITY ACCOMMODATION AND
INTERPRETIVE NEEDS**

c: File

AOC Form CS-11



COMMUNITY SERVICE MONTHLY STATISTICS

CASES/HOURS

COUNTY: _____

MONTH ENDING DATE: _____

INSTRUCTIONS: Please forward by 15th of the month to: Matthew A. Kowalski Administrative Office of the Courts P.O. Box 987 Trenton, NJ 08625-0987	SUPERIOR COURT			MUNICIPAL COURT			TOTALS
	PTI	Criminal	Juvenile	Criminal	DUI	Motor Vehicle	
1. PREVIOUS MONTH'S TOTAL							

2. CASES ADDED THIS MONTH:

a. CASES FROM HOME COUNTY <i>(From own county, JCC's or intake conference)</i>							
b. TRANSFER IN - OTHER COUNTY <i>(Cases transferred from another county)</i>							
c. TRANSFER IN - OTHER STATE <i>(Cases transferred from another state)</i>							
d. TRANSFER RETURNED <i>("Returned without placement" or discharged-"hours not</i>							
e. TOTAL CASES ADDED <i>(Sum "A" through "D")</i>							
f. NEW HOURS ORDERED THIS MONTH <i>(from "A" only)</i>							

3. CASES SUBTRACTED THIS MONTH:

a. RETURNED WITHOUT PLACEMENT <i>(Removed because of inability to place; deemed inappropriate for placement by Program Director-BEFORE any hours were served)</i>							
b. DISCHARGED - HOURS COMPLETED <i>(Removed after performance of all hours ordered by Court; include out-of-county, out-of-state)</i>							
c. DISCHARGED - HOURS NOT COMPLETED <i>(Removed not having performed all of the hours ordered by Court; include out-of-county and out-of-state cases)</i>							
d. TRANSFER OUT - OTHER COUNTY <i>(Transferred to another county for supervision)</i>							
e. TRANSFER OUT - OTHER STATE <i>(Transferred to another state for supervision)</i>							
f. OTHER <i>(Cases subtracted for reasons other than above "a" through "e"; i.e. removed due to appeal, deceased, etc.)</i>							
g. TOTAL CASES SUBTRACTED THIS MONTH <i>(Sum "a" through "f")</i>							
h. TOTAL HRS SERVED WHILE IN PROGRAM <i>(From "b" only)</i>							

4. CASES REMAINING THIS MONTH:

a. TOTAL SUPERVISED CASES <i>(Will reflect all cases supervised as of the last day of the</i>							
b. TOTAL HOURS SERVED THIS MONTH							
c. CASES REPORTING HOURS							
d. CASES PLACED AT WORK SITES							
e. CASES REFERRED TO CEP							
f. REFERRED TO COURT							
g. CASES PENDING PLACEMENT							

TOTAL AVAILABLE SITES	
TOTAL SITES IN USE (if possible)	

COMPLETED BY (Signature)

(Print Name)

TELEPHONE #

APPENDIX II

**This Appendix contains non-Community Service
forms used by
Community Service Programs**

vs.

Court Code _____

Docket # _____

Defendant

Municipality of Offense: _____

JUDGMENT OF CONVICTION

CHANGE OF JUDGMENT

SUSPENSION OF PROCEEDINGS

Address

Date of Birth: _____

SS#: _____

Whereas, on ___ / ___ / ___ the above named defendant pled guilty to; was convicted of; or was granted suspended proceedings for; violating the provisions of _____, _____, _____, _____. It is Ordered that, commencing on ___ / ___ / ___, the defendant:

Be placed/continued on PROBATION for ___ (months) ___ (years) and comply with the standard conditions of probation pursuant to R. 7:9-1.d. of the Rules Governing Practice in the Municipal Courts. If the offense occurred on or after February 1, 1993 and the sentence is to probation or to a State Correctional facility, a transaction fee of up to \$1.00 is to be paid on each occasion when a payment or installment payment is made. (N.J.S.A. 2C:46-1d.);

Be placed/continued on SUPERVISORY TREATMENT (N.J.S.A. 2C:36A-1) for ___ (months) ___ (years);

Perform COMMUNITY SERVICE for a period of ___ (days) ___ (hours) to be performed under the direction and supervision of the _____ County Probation Services;

Work Release recommended

Serve a JAIL sentence of _____. Jail Time Credit: _____

SLAP Recommended

Complete an out-patient/residential TREATMENT program at _____ to be arranged by Probation by defendant;

Pay the following:	AMOUNT	PAY TO (T)		PAID AT SENTENCING
		PROB	CRT	
VCCB	\$			\$
	\$			\$
	\$			\$
	\$			\$
	\$			\$

Other: Please specify	AMOUNT	PAY TO (T)		PAID AT SENTENCING
		PROB	CRT	
	\$			\$
	\$			\$
	\$			\$
	\$			\$
TOTAL	\$			\$

The total remaining financial obligation of \$ _____ is to be paid in installments of \$ _____ per _____;

1. Restitution Beneficiary: _____ (Name) _____ (Address) _____ (Amount)

2. Restitution Beneficiary: _____ (Name) _____ (Address) _____ (Amount)

The defendant's driving privileges are revoked for ___ (months) ___ (years);

Comply with the following additional conditions of Probation/Supervisory Treatment: (see attached)

THE FOLLOWING MUST BE COMPLETED PRIOR TO FILING WITH THE SUPERIOR COURT CLERK:

CREDITOR	AMOUNT	CREDITOR	AMOUNT	CREDITOR	AMOUNT
1.	\$	3.	\$	5.	\$
2.	\$	4.	\$	6.	\$

Judge (name): _____

Judge (signature): _____

Date: ___ / ___ / ___

**COMPREHENSIVE ENFORCEMENT PROGRAM
COMMUNITY SERVICE ORDER**

**Superior Court of New Jersey
Criminal Division**



STATE OF NEW JERSEY vs	Dkt/Cmpt/Ind #
---------------------------	----------------

Hearing Date ____/____/____	County of	Municipality
-----------------------------	-----------	--------------

CAPS/Probation #	Promis Gavel #	Municipal Code
------------------	----------------	----------------

This matter has been opened to the Court by Probation Services Division for an Order

Service upon which this order is based: Personal service
 Regular Mail Not Returned Returned Other _____

OBLIGATION FULFILLED _____ Community Service Hours completed.

CREDIT of _____ hours applied. The remaining obligation of _____ days / hours is modified as follows:
 CONTINUED in Community Service Program. Hours must be completed by ____/____/____ at _____ hours per week.
 OTHER _____

_____ days / hours county jail under the authority of the **Sheriff's Labor Assistance Program (SLAP) or Enforced Community Service Program**. (Cost to defendant: \$25.00 enrollment fee and \$8.00 per day fee.) Failure to comply may result in mandatory incarceration. Total cost \$ _____

RELIST for Enforcement Court on _____

A BENCH WARRANT for the defendant is hereby recommended/ordered. The defendant was properly served for court appearance and failed to appear (service noted above).

I HEREBY DECLARE THAT I UNDERSTAND AND CONSENT TO ALL PROVISIONS OF THIS RECOMMENDATION/ORDER AND DO NOT WISH TO APPEAL.

Defendant: _____ Witness: _____
 This order is being entered in default.

So recommended to the Court by the Hearing Officer.

Name: _____ Signature: _____

So ORDERED by the Court:

Date: ____/____/____ Name: _____ Signature: _____

Indictable: Original to Criminal Records/Defendant's File Copy to (1) Probation Services Division - (2) Calendar Coord./file - (3) Sheriff's Office, if applicable - (4) Defendant
 Mun. Compl: Original to Probation Services Division Copy to (1) Municipal Court - (2) Calendar Coord./file - (3) Sheriff's Office, if applicable

**COMPREHENSIVE ENFORCEMENT PROGRAM
COMMUNITY SERVICE ORDER**

Superior Court of New Jersey
Chancery Division, Family Part



STATE OF NEW JERSEY In the Interest of:	Complaint #
--	-------------

Hearing Date ____/____/____	County of	County Code
-----------------------------	-----------	-------------

CAPS/Probation #	Party ID #	Municipality
------------------	------------	--------------

This matter has been opened to the Court by Probation Services Division for an Order

Service upon which this order is based: Personal service
 Regular Mail Not Returned Returned Other _____

OBLIGATION FULFILLED _____ Community Service Hours completed.

CREDIT of _____ hours applied. The remaining obligation of _____ days / hours is modified as follows:
 CONTINUED in Community Service Program. Hours must be completed by ____/____/____ at _____ hours per week.
 OTHER _____

_____ days / hours county detention under the authority of the **Sheriff's Labor Assistance Program (SLAP) or Enforced Community Service Program**. (Cost to juvenile: \$25.00 enrollment fee and \$8.00 per day fee.) Failure to comply may result in mandatory detention. Total cost \$ _____

RELIST for Enforcement Court on _____

A BENCH WARRANT for the juvenile is hereby recommended/ordered. The juvenile was properly served for court appearance and failed to appear (service noted above).

I HEREBY DECLARE THAT I UNDERSTAND AND CONSENT TO ALL PROVISIONS OF THIS RECOMMENDATION/ORDER AND DO NOT WISH TO APPEAL.

Juvenile: _____ Parent/Guardian: _____

This order is being entered in default. Witness: _____

So recommended to the Court by the Hearing Officer.

Name: _____ Signature: _____

So ORDERED by the Court:

Date: ____/____/____ Name: _____ Signature: _____

Original to Family Records/Juvenile's File Copy to (1) Probation Services Division - (2) Calendar Coord./file - (3) Sheriff's Office, if applicable - (4) Juvenile
 Mun. Compl: Original to Probation Services Division Copy to (1) Municipal Court - (2) Calendar Coord./file - (3) Sheriff's Office, if applicable - (4) Juvenile

ADMINISTRATIVE OFFICE OF THE COURTS
STATE OF NEW JERSEY

RICHARD J. WILLIAMS, J.A.D.
ADMINISTRATIVE DIRECTOR OF THE COURTS



RICHARD J. HUGHES JUSTICE COMPLEX
PO Box 037
TRENTON, NEW JERSEY 08625-0037
(609) 984-0275
FAX: (609) 292-3320

Call 609-292-1589 with
any questions or comments

Addendum to DIRECTIVE # 1-01

To: Assignment Judges

From: Richard J. Williams *RJW*

Subject: Revised Standards for Community Service Programs – Updated Appendix II Forms

Date: February 6, 2001

This follows-up on Directive #1-01, my January 24, 2001 memorandum distributing the approved Revised Standards for Community Service Programs in New Jersey. Appendix II to the Revised Standards included two forms for Comprehensive Enforcement Program community service orders, one for Criminal Division matters (AOC Form CEP-25), and one for Family Part matters (AOC Form CEP-26). Those two forms were recently revised so as to reflect statutory changes to the enrollment fees for labor assistance programs. Unfortunately, the prior version of each form was appended to the Directive, rather than the updated version. Accordingly, attached are the updated versions of AOC Form CEP-25 and AOC Form CEP-26 (both reflecting a December 2000 revision date). These should be used in lieu of the superseded versions of the forms distributed with the Directive.

R.J.W.

SDB/jm
attachments (forms)

cc: Chief Justice Deborah T. Poritz
Criminal Presiding Judges
Family Presiding Judges
Municipal Court Vicinage Presiding Judges
Theodore J. Fetter, Deputy Administrative Director
AOC Directors and Assistant Directors
Trial Court Administrators
Vicinage Chief Probation Officers
Division Managers (Criminal, Family, Municipal)
William D. Burrell, Chief
Steven D. Bonville, Special Assistant
Francis W. Hoeber, Special Assistant

**COMPREHENSIVE ENFORCEMENT PROGRAM
COMMUNITY SERVICE ORDER**

Superior Court of New Jersey
Criminal Division



STATE OF NEW JERSEY vs	Dkt/Cmpt/Ind #	
Hearing Date ____/____/____	County of	Municipality
CAPS/Probation #	Promis Gavel #	Municipal Code

This matter has been opened to the Court by Probation Services Division for an Order

Service upon which this order is based: Personal service
 Regular Mail → Not Returned Returned Other _____

OBLIGATION FULFILLED _____ Community Service Hours completed.

CREDIT of _____ hours applied. The remaining obligation of _____ days / hours is modified as follows:
 CONTINUED in Community Service Program. Hours must be completed by ____/____/____ at _____ hours per week.
 OTHER _____

_____ days / hours county jail under the authority of the **Sheriff's Labor Assistance Program (SLAP) or Enforced Community Service Program.** (Cost to defendant: \$25.00 enrollment fee and \$8.00 per day fee.) Failure to comply may result in mandatory incarceration. Total cost \$ _____

RELIST for Enforcement Court on _____

A BENCH WARRANT for the defendant is hereby recommended/ordered. The defendant was properly served for court appearance and failed to appear (service noted above).

I HEREBY DECLARE THAT I UNDERSTAND AND CONSENT TO ALL PROVISIONS OF THIS RECOMMENDATION/ORDER AND DO NOT WISH TO APPEAL.

Defendant: _____ Witness: _____
 This order is being entered in default.

So recommended to the Court by the Hearing Officer.
Name: _____ Signature: _____

So ORDERED by the Court:
Date: ____/____/____ Name: _____ Signature: _____

Indictable: Original to Criminal Records/Defendant's File Copy to (1) Probation Services Division - (2) Calendar Coord./file - (3) Sheriff's Office, if applicable - (4) Defendant
Mun. Compl: Original to Probation Services Division Copy to (1) Municipal Court - (2) Calendar Coord./file - (3) Sheriff's Office, if applicable

**COMPREHENSIVE ENFORCEMENT PROGRAM
COMMUNITY SERVICE ORDER**

Superior Court of New Jersey
Chancery Division, Family Part



STATE OF NEW JERSEY In the Interest of:	Complaint #	
Hearing Date ____/____/____	County of.	County Code
CAPS/Probation #	Party ID #	Municipality

This matter has been opened to the Court by Probation Services Division for an Order

Service upon which this order is based: Personal service
 Regular Mail → Not Returned Returned Other _____

OBLIGATION FULFILLED _____ Community Service Hours completed.

- CREDIT** of _____ hours applied. The remaining obligation of _____ days / hours is modified as follows:
- CONTINUED** in Community Service Program. Hours must be completed by ____/____/____ at _____ hours per week.
- OTHER** _____

_____ days / hours county detention under the authority of the Sheriff's Labor Assistance Program (SLAP) or Enforced Community Service Program. (Cost to juvenile: \$25.00 enrollment fee and \$8.00 per day fee.) Failure to comply may result in mandatory detention. Total cost \$ _____

RELIST for Enforcement Court on _____

A BENCH WARRANT for the juvenile is hereby recommended/ordered. The juvenile was properly served for court appearance and failed to appear (service noted above).

I HEREBY DECLARE THAT I UNDERSTAND AND CONSENT TO ALL PROVISIONS OF THIS RECOMMENDATION/ORDER AND DO NOT WISH TO APPEAL.

Juvenile: _____ Parent/Guardian: _____

This order is being entered in default. Witness: _____

So recommended to the Court by the Hearing Officer.

Name: _____ Signature: _____

So ORDERED by the Court:

Date: ____/____/____ Name: _____ Signature: _____

Original to Family Records/Juvenile's File Copy to (1) Probation Services Division - (2) Calendar Coord./file - (3) Sheriff's Office, if applicable - (4) Juvenile
 Mun. Compl: Original to Probation Services Division Copy to (1) Municipal Court - (2) Calendar Coord./file - (3) Sheriff's Office, if applicable - (4) Juvenile