

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MOHAVE

BY:

FILED

DEC -6 PM 2:53

SUPERIOR COURT CLERK

IN THE MATTER OF:

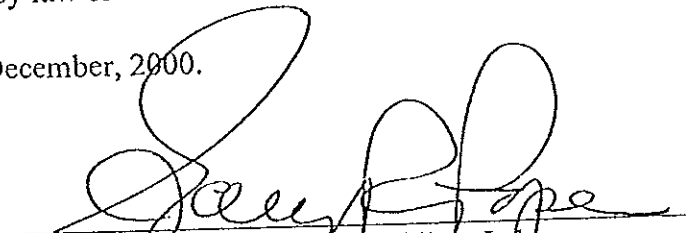
COMMUNITY WORK SERVICE CREDITS  
APPLIED BY THE SUPERIOR COURT  
PROBATION DEPARTMENT

ADMINISTRATIVE ORDER  
2000-59

WHEREAS, it is recognized special circumstances can arise in which persons performing Community Work Service may contribute special skills, resources or materials of significant value to community service beyond their manual work alone;

IT IS ORDERED that the Chief Probation Officer may assess and grant greater-than one-for-one work service credits to such qualifying persons who are not on Intensive Probation Supervision or otherwise prohibited by law or court order.

DATED this 6th day of December, 2000.

  
Honorable Gary R. Pope, Presiding Judge  
Mohave County Superior Court

Original filed with the Clerk of the Superior Court in Mohave County

**MOHAVE COUNTY PROBATION DEPARTMENT  
DEPARTMENTAL DIRECTIVE**

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CHAPTER: ADULT AND JUVENILE SUPERVISION

TITLE: Community Work Service Extra Credits

DATE: 12/01/00

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APPLICABILITY: All probation staff

AUTHORITY: Mohave County Superior Court Administrative Order #2000-59:

*"Inasmuch as it is recognized special circumstances can arise in which persons performing Community Work Service may contribute personal skills, EFFORTS, resources or materials of significant BENEFIT OR value to community service beyond their manual work alone, It Is Ordered the Chief Probation Officer may assess and grant greater-than one-to-one work service credits to such qualifying persons who are not on Intensive Probation Supervision or otherwise prohibited by law or court order."*

PURPOSE: To identify which defendants or juveniles may qualify for extra credits, the types of services persons may provide the community for extra credit, and how these may be assessed and granted.

POLICY: The Department believes Community Work Service is a valuable tool which holds the offender accountable and restores wholeness to the community. The offender and the community are both partners in this effort: each must actively participate and cooperate if restorative justice is to be accomplished. While direct, hands-on work is the preferred and most easily accountable method for achieving this goal, the Department also recognizes on occasion offenders may contribute special skills, efforts, resources or materials of significantly greater benefit or value to the community than just their manual work alone. Such special contributions should therefore be appropriately recognized and credited.

PROCEDURES:

A. QUALIFICATIONS:

1. All defendants or juveniles may be considered potential candidates for extra work service credits **UNLESS** they belong to one of the following categories:

Departmental Directive  
Community Work Service Extra Credits  
December 1, 2000

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- a. IPS or JIPS probation,
  - b. Are expressly prohibited from receiving other than one-to-one work service credits by law or court order.
2. Additional services provided by a defendant or juvenile which the CPO may approve for extra credit include -- but are not limited to:
- a. Specialized skills, tools, equipment, vehicles or facilities required for a specific project;
  - b. Contribution of personally owned materials (or consumable products) of significant value needed to perform a community service task:
    1. Materials will be assessed an estimated value based on likely purchase cost saved by the department or community,
    2. The estimated cost will be divided by the *minimum hourly wage* to determine comparable hour value (example: \$42.00 worth of materials divided by \$5.25 = 8 hours),
    3. The CPO will retain discretion in granting either full or partial extra credits for such contributions, taking into consideration other factors such as the offender's total CWS obligation and portion to be completed manually by the offender;
  - c. Compelling and exceptional personal effort or investment made towards addressing a community service need.

B. REQUESTING EXTRA CREDITS:

1. Applications for extra credit work service must be submitted in writing

to the Chief Probation Officer for screening and approval (SEE attached form).

- a. Applications are similar to court petitions and should include -- in addition to offender, case and CWS order information -- the following:
    - I. Number of extra credit work hours requested for actual work performed (IE: special skills, etc.),
    - II. Number of extra credit work hours requested through value of materials provided by offender at own expense (IE: total dollar value divided by minimum wage),
    - III. Total of ALL extra credit (work and material) hours being requested for offender, and
    - IV. Dated signature of officer making request.
  - b. Applications also include space for the CPO to approve or disapprove request, to specify actual number of extra credit hours approved, and add any notes or comments which may be pertinent.
2. Greater-than one-for-one work credits may only be granted through signed approval by the CPO:
- a. Approval for special credits should not be presumed by case officers when assigning CWS nor implied to be available for any offender *without prior approval* by the CPO;
  - b. The CPO however retains discretion to grant extra credits retroactively in deserving cases.

C. AUTHORITY:

1. Authorization to grant extra credits for work service rests solely with the Chief Probation Officer.
2. Neither probation staff nor work site providers may, on their own decision, grant extra credits. Department employees doing so should be referred to their supervisors for appropriate action. Procedures for handling reports of unauthorized extra credits given by site providers are outlined in the department's Community Work Service Manual (SEE: "CWS/CWSO Expectations").

REQUEST FOR CWS EXTRA CREDIT

Mohave County Probation Department

Offender: \_\_\_\_\_ ( ), # \_\_\_\_\_  
(DEFENDANT or JUVENILE'S NAME) (AGE) (CASE or FILE NUMBER)

was ORDERED on \_\_\_\_\_, by Judge \_\_\_\_\_,

TO COMPLETE \_\_\_\_\_ hours of Community Work Service (due by: \_\_\_\_\_)

for the OFFENSE \_\_\_\_\_, a CLASS \_\_\_\_\_ Misd ( ) Felony ( ).

THIS OFFICER ATTESTS the offender is NOT on IPS or JIPS and the total number of CWS hours ordered are NOT stipulated by the offender's sentencing plea NOR mandated to be only at one-to-one credit by any known statute or court order;

THAT this officer believes the offender should be granted: \_\_\_\_\_ hours extra credit due to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(USE BACK OF SHEET IF NECESSARY)

FURTHER THAT the offender is providing at own expense the following materials: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

which are valued at: \$ \_\_\_\_\_, and worth (divided by \$5.25) \_\_\_\_\_ hours extra credit.

THEREFORE THIS OFFICER RECOMMENDS the offender receive total CWS extra credits of \_\_\_\_\_ hours.

\_\_\_\_\_  
(Officer's Name) (Date)

EXTRA CREDIT FOR THIS OFFENDER IS: NOT approved ( )  
( ) APPROVED in the amount of \_\_\_\_\_ hours

SPECIAL NOTES:

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Rod L. Marquardt, Chief Probation Officer

Date