

## RECOMMENDATION RESPONSES

### Issue: Court Costs and Collections

<p>Recommendations</p>	<p>The Fifth Judicial District should develop a standardized method of communication during the Adult Probation interview process and demonstrate a good faith effort to share with individuals on probation about their court costs at the beginning of supervision as well as when their cases are closed if there is a remaining amount.</p> <ul style="list-style-type: none"> <li>• During the intake interview, the assigned probation officer should review an itemized list of court-ordered financial obligations and have the individual on probation sign an agreement that they have reviewed the fines and fees owed to the court with their probation officer.</li> <li>• When probation cases are closed with outstanding court costs, Adult Probation should make a documented attempt to communicate the balance of remaining costs to individuals.</li> </ul>
<p>1) Will the recommendation be implemented?</p>	<p>Yes, Adult Probation is committed to ensuring that individuals on probation are aware of their court costs and the negative repercussions of having costs go to collections.</p>
<p>2) What department will be responsible?</p>	<p>Adult Probation</p>
<p>3) Estimated timeline for implementation</p>	<p>Adult Probation will train all staff on communication procedures by mid-May. Currently, all individuals who go through intake at the courthouse are provided a form (see attachment on p.8) with instructions about how to make payments towards restitution, costs/fines, and supervision fees. Additionally, probation officers will be trained to review an individual's financial obligations, share the amount of court costs owed, and discuss the negative effects of costs going to collections during the initial interview. This conversation will take place during review of the rules of probation, and the information has been added to the rules document (see attachment on p. 9). The rules are signed by the individual on probation to document the review. As a note, individuals who go straight to a low-risk caseload (which is the least restrictive level of supervision), normally do not have an initial interview in person. In these cases, the probation officer will either review the rules by phone or mail a copy.</p> <p>Probation officers will also be trained to notify individuals at</p>

	the end of their probation, when possible, of their remaining court costs and that payment is necessary to keep costs from going to collections. Officers will document the conversation in the Adult Probation database.
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Recommendation	The Fifth Judicial District should formalize and make public a process for removing court costs from collections, in cases where an individual is trying to fulfill his or her court cost obligations.
1) Will the recommendation be implemented?	Yes. Although the Fifth Judicial District will not have the capacity to assist all individuals in removing costs from collections, the Office of the Public Defender will develop a process to file motions to remove costs from collections and make the process public.
2) What department will be responsible?	The Office of the Public Defender
3) Estimated timeline for implementation	The Office of the Public Defender will develop a process to file motions to remove court costs from collections on behalf of clients who can demonstrate an ability and commitment to make payments. The Office of the Public Defender will determine eligibility criteria for filing motions within three months and publish the process on their website. They will also explain the process to clients during expungement clinics.

Recommendations	<p>The Fifth Judicial District should establish an indigency policy for fees that are not statutorily mandated, and consider a sliding scale for payment based on an individual's income, similar to the sliding scale used for those that are on Electronic Home Monitoring.</p> <p>The Fifth Judicial District should forgive a percentage of the \$477 million in uncollected court costs, particularly those associated with marijuana convictions.</p> <p>The Fifth Judicial District should determine a process that allows the collections company to negotiate fines and fees that are not mandated by state statute.</p>
1) Will the recommendations be implemented?	No
2) Why the recommendations cannot be implemented.	While the Fifth Judicial District understands the burden of costs and agrees that the criminal justice system should be fully funded by the state, court costs, including those that are not statutorily mandated, are currently necessary to fund the operations of the court. The Fifth Judicial District is unable to implement policies that would result in a lower level of court costs being collected.

Recommendation	Allegheny County should consider rebidding the contract for the company that collects court costs to ensure that the lowest possible administrative fee is charged and to encourage a diverse group of firms to apply.
1) Will the recommendation be implemented?	There is not yet a response to this recommendation, but Allegheny County will provide a response to the Community Advisory Committee at a later date.

**Issue: Language Access for Court-Ordered Programs**

<p>Recommendations</p>	<ul style="list-style-type: none"> <li>• The Fifth Judicial District should develop a comprehensive list of frequently court-ordered programs and the languages that they are provided in to give to judges, attorneys, and probation officers.</li> <li>• The Fifth Judicial District and Allegheny County Department of Human Services should collaborate to identify a central point of contact for English language learners who need to connect to accessible services to fulfill court obligations.</li> <li>• The Fifth Judicial District and Allegheny County Department of Human Services should collaborate to expand language access for court-ordered services and programs that do not currently provide services for English language learners.</li> </ul>
<p>1) Will the recommendation be implemented?</p>	<p>Yes, the recommendations will be implemented in part.</p>
<p>2) What department will be responsible?</p>	<p>Fifth Judicial District Court Administration and DHS Office of Equity and Engagement</p>
<p>3) Estimated timeline for implementation</p>	<p>DHS and the Fifth Judicial District recognize that having access to interpretation or other supports can be necessary for English language learners to complete court-ordered requirements or to successfully fulfill the terms of an agreement between prosecution and defense. In some cases, such as CRN evaluations, DUI classes, and Generations parenting classes the court directly manages programs and ensures that interpretation is available. In these cases, any questions or concerns related to language access can be directed to Court Administration. In other cases, an individual may be referred to a program or asked to seek out a service or program that fulfills a specific requirement. Depending on the type of service or program, the provider may or may not be required to provide interpretation. Any provider who receives government funding is required to provide language assistance, and instances of providers failing to offer language assistance should be reported to the DHS Director’s Action Line at 1-800-862-6783.</p> <p>To assist in clarifying which services and programs provide language assistance the Fifth Judicial District Administration and DHS will develop a list of programs that are frequently utilized by people in the court process and whether they provide language assistance. This list will be completed by the</p>

	<p>end of 2022. This list will be distributed to judges, prosecutors, and defense attorneys.</p> <p>At this time, there is a challenge in identifying a community-based provider that could provide service connection in a timely enough manner to be responsive to people involved in the court process. DHS and the courts would like to develop and distribute the list of language assistance for frequently utilized services, and then meet with representatives of the CAC to determine where gaps remain. DHS and the courts will also work to better quantify the language needs of participants in the court process.</p>
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**Issue: Immigration and Customs Enforcement Policy for the Fifth Judicial District**

<p>Recommendations</p>	<p>The Fifth Judicial District should create a policy to demonstrate its commitment to equitable treatment of all individuals, regardless of immigration status. The policy should clarify that employees of the Fifth Judicial District shall not:</p> <ul style="list-style-type: none"> <li>• Assist with federal immigration enforcement activities in the course of their employment, in any courtroom of the Fifth Judicial District</li> <li>• Inquire into the immigration status of any individual within any courthouse unless such information about a person’s immigration status is necessary for the determination of program, service or benefit eligibility or the provision of services.</li> <li>• Provide any information to immigration enforcement officers regarding persons appearing before the court, such as location of the individual, phone number, or address.</li> </ul> <p>Additionally, the Fifth Judicial District should ensure that employees are trained on the new policy.</p>
<p>1) Will the recommendation be implemented?</p>	<p>The Fifth Judicial District is committed to upholding the Constitutional and civil rights of persons regardless of their immigration status. The court recognizes that this issue is, to some extent, addressed by Pennsylvania Rule of Evidence 413, which outlines the procedure for admitting immigration status of an individual into evidence, and the U.S. Department of Homeland Security memorandum dated April 27, 2021, which states that civil immigration enforcement should not be undertaken in or near a courthouse, except in limited circumstances that are outlined in the memorandum.</p> <p>The Fifth Judicial District wishes to gather further information regarding the scope of any issue in Allegheny County and whether court personnel are inappropriately using or asking about immigration status before creating a formal policy. The Fifth Judicial District will provide a single point of contact to report any issues of court personnel inappropriately sharing the immigration status of court participants or acting on administrative warrants from ICE, or ICE presence in courtrooms that is suspected to be related to notification from court personnel. The Fifth Judicial District will document and track any issues that arise to determine the need for a court wide policy.</p>

2) What department will be responsible?	Fifth Judicial District, Court Administration
3) Estimated timeline for implementation	<p>The Fifth Judicial District will make contact information for the Chief Deputy Court Administrator available immediately to report any instances in which it is suspected that court participant's immigration status was used/asked about in an inappropriate manner.</p> <p>Court Administration will document any reported incidents and review them each month. If there are reported incidents indicating that a court-wide policy is necessary, the Court will work to develop and adopt a policy, including training staff on the policy.</p>

**DEPARTMENT OF COURT RECORDS**  
436 Grant Street, Courthouse Room 114  
Pittsburgh, Pennsylvania 15219

**RESTITUTION:**

To make payments toward your restitution you have three options:

- 1.) Take cash or credit card *in your name* / money order to the above listed address and make a payment in person
- 2.) Mail a money order or cashier's check to the above listed address
- 3.) Make an online payment at <http://ujportal.pacourts.us/ePay/Default.aspx>

\*Please note that your court case number must be identified (example: CC12345678) as well as the words "Restitution Only". Payments should be made out to the "Department of Court Records". Also, the first \$60.00 applied will go to the Crime Victim's Compensation Fund.

**COURT COSTS/FINES:**

To make payments toward your costs/fines you have three options:

- 1.) Take cash or credit card *in your name* / money order to the above listed address and make a payment in person
- 2.) Mail a money order or cashier's check to the above listed address
- 3.) Make an online payment at <http://ujportal.pacourts.us/ePay/Default.aspx>

\*Please note that your court case number must be identified (example: CC12345678). Payments should be made out to the "Department of Court Records".

**SUPERVISION FEES:**

To make payments toward your costs/fines you have three options:

- 1.) Take cash or credit card *in your name* / money order to the above listed address and make a payment in person
- 2.) Mail a money order or cashier's check to the above listed address
- 3.) Make an online payment at <http://ujportal.pacourts.us/ePay/Default.aspx>

\*Please note that your Miscellaneous Case number must be identified (ask your PO for the number) as well as the words "Supervision Fees". Payments should be made out to the "Department of Court Records".

***Please be aware that this is only an information page. The Probation Office strongly suggests contacting the Department of Court Records directly to ensure payments are applied to the proper place.***





**FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA**  
**ALLEGHENY COUNTY ADULT PROBATION & PAROLE**  
[https://www.alleghencourts.us/criminal/adult\\_probation/default.aspx](https://www.alleghencourts.us/criminal/adult_probation/default.aspx)  
**Main Number: 412-350-2320**  
**24 Hour Emergency Number: 412-350-0400**

Name \_\_\_\_\_ Docket Number \_\_\_\_\_ OTN \_\_\_\_\_

*The Allegheny County Court of Common Pleas has conditionally placed you under the supervision of the Allegheny County Adult Probation & Parole Department. You must comply with all probation rules set forth, including any/all additional special conditions imposed by the court. The sentencing court has the authority to alter conditions as needed. Infractions of your conditions may result in your detention in a correctional facility and/or return to court for further action. Finding of formal violation may result in revocation of your probation and/or parole.*

**GENERAL RULES OF PROBATION AND PAROLE**

1. **YOU MUST REPORT TO YOUR ASSIGNED PROBATION OFFICER** as required and/or allow your probation officer to visit you at your home or work site.
2. **YOU MUST OBEY ALL LOCAL, STATE AND FEDERAL LAWS**, and notify your probation officer at once if you are arrested or cited by the police.
3. **YOU MAY NOT POSSESS ANY FIREARM, AMMUNITION, OR PROHIBITED OFFENSIVE WEAPON.**
4. **UPON REASONABLE SUSPICION, PROBATION OFFICERS ARE AUTHORIZED TO SEARCH YOU, YOUR VEHICLE AND YOUR HOME WITHOUT A WARRANT.** Any weapons, illegal drugs/paraphernalia, intoxicants and/or contraband in your possession are subject to seizure.
5. **YOU MUST NOTIFY THE PROBATION OFFICE IMMEDIATELY OF ANY CHANGE OF ADDRESS.**
6. **NO TRAVEL OUTSIDE PENNSYLVANIA IS PERMITTED WITHOUT WRITTEN PERMISSION FROM YOUR PROBATION OFFICER.** International travel requires court permission.
7. **YOU MAY NOT USE OR POSSESS ANY CONTROLLED SUBSTANCES**, unless legally prescribed for a medical or mental health need. You may be subject to random drug and alcohol testing.
8. **YOU MUST SUBMIT TO IDENTIFICATION PROCEDURES** if required by law. This could include fingerprinting, photographing, DNA or other identification procedures.
9. **YOU MAY BE REQUIRED TO UNDERGO AN ASSESSMENT TO DETERMINE YOUR SUPERVISION NEEDS AND PARTICIPATE IN ANY PROGRAMS THAT CAN ASSIST IN YOUR SUPERVISION.**
10. **YOU MUST PAY ANY RESTITUTION, FINES, COSTS AND SUPERVISION FEES** during the term of your court supervision. You will be required to establish a monthly payment plan based on your ability to pay. Failure to make payments may result in your case balance being sent to a collection agency. Any questions can be directed to the Department of Court Records at: 412-350-5322.  
<https://www.alleghenycounty.us/court-records/criminal/index.aspx>
11. **IF YOU VIOLATE THE TERMS OF YOUR SUPERVISION, ARE ARRESTED FOR A NEW OFFENSE OR ARE CONVICTED OF ANOTHER OFFENSE WHILE UNDER COURT SUPERVISION** – your period of supervision may be revoked and you may be sentenced to a new period of supervision, or a period of incarceration consistent with the recommended sentencing guidelines.

**SPECIAL CONDITIONS OF PROBATION AND PAROLE:**

**See Order of Sentence filed for any special conditions**

By signing these general conditions and rules of probation/parole, you acknowledge that you have read them or that they have been read to you, that you understand them, that you have been given an opportunity to ask any questions you have about them. Upon request, the probation office will provide a copy of these rules.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*If you have a grievance regarding your supervision, you may submit a timely complaint in writing to the Deputy Director of Adult Probation, Allegheny County Adult Probation Office, 564 Forbes Avenue, 12th Floor Manor Building, Pittsburgh, PA 15219.*