

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA

IN RE: APPROVAL FOR MAGISTERIAL:
DISTRICT JUDGES TO :
SENTENCE OFFENDERS TO :
INTERMEDIATE PUNISHMENT :
: NO.

ORDER

AND NOW, this 30th day of August, 2016, it is hereby Ordered that the Administrative Order for Magisterial District Judges to sentence to Intermediate Punishment is amended as attached.

The Clerk of Courts is directed as follows:

- (1) File one (1) copy of the Administrative Order with the Administrative Office of Pennsylvania Courts
- (2) Two (2) copies and CD-ROM of the Administrative Order shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- (3) One certified copy shall be sent to the Fayette County Law Library and the Editor of the *Fayette Legal Journal*.

The Administrative Office of Fayette County Courts is directed as follows:

- (1) Publish a copy of the Administrative Order on the website of the Administrative Office of Fayette County Courts.
- (2) Thereafter, compile the Administrative Order within the complete set of local rules no later than 30 days following the publication in the *Pennsylvania Bulletin*.

The amendment of the Administrative Order for Magisterial District Judges to sentence to Intermediate Punishment shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

BY THE COURT:

John F. Wagner Jr
President Judge

ATTEST:

Janice Snyder
Clerk of Courts

AMENDED ADMINISTRATIVE ORDER

APPROVAL FOR MAGISTERIAL DISTRICT JUDGES TO SENTENCE OFFENDERS TO INTERMEDIATE PUNISHMENT

It is hereby **ORDERED** that, pursuant to Act 41 of 2000, the Magisterial District Judges of Fayette County are approved to sentence, at their discretion, offenders who are convicted of a violation of 75 Pa. C.S.A. § 1543(a) (Driving While Operating Privilege is Suspended or Revoked) and 75 Pa. C.S.A. § 1543(b) (Driving While Operating Privilege is Suspended or Revoked – DUI Related) to Intermediate Punishment for the applicable mandatory period.

All court costs, fines and the Offender Supervision Fee shall be collected and disbursed by the Magisterial District Judges. The Electronic Monitoring fee shall be collected by the Fayette County Adult Probation and Parole Department.

The Magisterial District Judges of Fayette County are further authorized and approved to revoke an offender's participation in the Intermediate Punishment Program upon motion by the Fayette County Adult Probation Office and after hearing. Upon revocation of an offender's participation in the Intermediate Punishment Program the Magisterial District Judge shall have the authority to resentence and shall have the discretion to credit the offender for time served while on Intermediate Punishment with electronic monitoring.