

**RULE 39-708. Rules and Special Conditions for Probation and Parole Supervision and Procedures for Adding Special Conditions by the Probation Department Subsequent to Sentencing.**

(A) The Franklin and Fulton County Probation Departments are directed and authorized to implement the following Rules and Conditions which have been approved by the Court for probation and parole supervision and which shall be standard Rules of Supervision applicable to all offenders placed under the supervision of the respective County Adult Probation Departments:

- 1. Rules and Special Conditions for General Supervision.**
- 2. Rules and Conditions for House Arrest/Electronic Monitoring and Intense Supervision.**
- 3. Rules and Conditions for the Pre-Trial Release Program** which shall comply with the conditions of Pennsylvania Rules of Criminal Procedure 520 et seq.
- 4. Rules and Conditions for the Pre-Release Program.**

Each Probation Department will be required to maintain all of the above Rules for Probation and Parole Supervision on file at the Probation Department.

From time to time the Chief Adult Probation Officer will review the Rules and Conditions and make recommendations to the Court for any updates and modifications.

Such modifications and updates must be approved by the Court. The Rules and Conditions currently in effect must be available for inspection and copying by probationers and parolees, their counsel and for any other interested parties, including the public, in general. The Probation Department is responsible for insuring that any modifications or updates approved by the Court are immediately included in the

Probation Department's file of Rules and Conditions.

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(B) Probationers and parolees placed under the supervision of either Franklin or Fulton County Adult Probation Department shall be subject to the Conditions of Supervision approved by the Court as described above, as well as any Special Conditions imposed by the Court at the time of sentencing or by Order of Court thereafter.

Probationers and parolees shall be subject to any Special Conditions of supervision relating to the protection of society and/or the likelihood of the defendant's success in rehabilitation and/or living as a law-abiding citizen. In the event it is necessary to add or modify Special Conditions of probation/parole subsequent to the imposition of sentence, the conditions must be approved by the Court and an appropriate Order must be entered.

Each Probation Department must provide notice to all interested parties and an opportunity to be heard unless a voluntary Waiver of these rights is obtained from the probation/parolee.

In the event Special Conditions of supervision must be added by either the Franklin or Fulton County Adult Probation Department after the imposition of sentence, the probation officer must obtain the approval of the sentencing judge. The probation/parole officer will complete the Special Conditions of Supervision Form, which notifies the defendant, in writing, of the Special Condition(s) being imposed and the reasons for imposing the conditions. The defendant may agree to the additional conditions and sign a Waiver of his right to a hearing before the Court prior to the imposition of the new conditions. In the event the defendant does not agree to the addition of Special Condition(s) after

sentencing, the Probation Department will schedule the matter for a hearing before the Court and provide notice thereof to the defendant. The Special Conditions of Supervision Form must be signed by the supervising officer, a supervisor or the Chief Adult Probation Officer, in addition to the defendant. The completed form will be sent to the Sentencing Judge for review. If approved by the Judge, the Order of Court imposing the Special Condition(s) will be signed and filed with the Clerk of Courts.

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