

**IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA**

**IN RE:** : **CV-2021-0006**  
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:  
**Probation Violations** : **Administrative Order**  
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**ADMINISTRATIVE ORDER**

**And Now**, this 12 day of March, 2021, in order to clarify the Court's position with respect to violations of probation, in order to provide uniformity to the parties and, to protect the rights of those individuals on supervision, this Order shall be entered as follows:

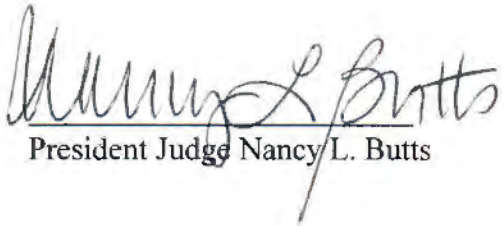
A resentence for a violation of probation can be imposed after the expiration of the probationary period if the revocation is based on a violation which occurred within the probationary period. Although there is no presumptive period in which a defendant's probation must be revoked under such circumstances, revocation hearings must be held with reasonable promptness after the expiration of the probationary period.

For technical violations, the policy of the Court and the directive to the Lycoming County Adult Probation Office shall be to hold all final hearings no later than prior to the maximum date of the underlying probationary term unless the circumstances prohibit such. Under those circumstances, the final hearing shall be held within 60 days of the maximum date of the underlying probationary term. Of course, there may be exceptions depending on the length of the delay, the reasons for the delay, and the prejudice resulting to the defendant from the delay.

Under no circumstances will the probationary term continue without a further order of court appropriately entered after notice and a hearing.

As for violations based on new criminal charges, those hearings shall be held as speedily as possible taking into account the length of delay, the reasons for the delay, the prejudice resulting to the defendant, and any prejudice resulting to the defendant with respect to the underlying charge(s). It would be expected that under such circumstances, the final hearing would not be held until the criminal charges were resolved and that while the defendant's maximum probationary term might expire, the defendant's probation would not be extended and that bail would control.

By the Court:



President Judge Nancy L. Butts

cc: Nancy L. Butts, President Judge  
Marc F. Lovecchio, Judge  
Joy Reynolds McCoy, Judge  
Eric R. Linhardt, Judge  
Ryan M. Tira, Judge  
Adrienne J. Stahl, District Court Administrator  
Edward McCoy, Chief Adult Probation Officer  
APO; PD  
Nicole Spring, Chief Public Defendant  
Robert Hoffa, Esq., Defense Bar