

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
COURT OF COMMON PLEAS CRIMINAL SECTION  
AND  
MUNICIPAL COURT CRIMINAL SECTION**

General Court Regulation No. 2024-01  
In re: Probation Reform Act Postsentence Review Procedures

**AND NOW** this 8<sup>th</sup> day of July, 2024 this Court adopts this General Court Regulation to establish the Postsentence Review Program and provide procedural guidance for the expeditious processing of all postsentence reviews required under Section 7 of the ***Probation Reform Act***, Act No. 44 of 2023, Dec. 14, 2023 (hereinafter, “the Act”). This General Court Regulation shall apply to all individuals sentenced or resentenced to a term of probation prior to June 11, 2024.

1. The probation office responsible for the supervision of a defendant (hereinafter, “Probation Office”) shall calculate the date of eligibility for a postsentence review as set forth under Section 7, Paragraphs (1) and (2) of the Act and shall prepare a Postsentence Review Report (hereinafter, “Report”) for each eligible defendant under its supervision.
2. The Report shall include the following:
  - a. The date the Defendant is eligible for a postsentence review pursuant to Section 7 of the Act, Paragraph (1)(i);
  - b. A statement identifying the Judge supervising the Defendant’s probationary sentence;
  - c. A statement as to whether the Defendant has satisfied any of the conditions described in Section 4, Paragraphs (c)(1) and (c)(2) of the Act;
  - d. A statement as to whether the Defendant has completed all treatment or any other program required as a condition of probation;
  - e. Any additional information relevant to the Court’s review of whether the Defendant should be considered for early termination of probation or modification of the terms and conditions of probation; and
  - f. A recommendation that:
    - i. The Defendant’s probation be terminated;
    - ii. The Defendant’s probation continue as previously ordered; or
    - iii. The Defendant’s probation continue under different, reduced or increased terms and conditions.
3. The Probation Office shall file the Report with the Office of Judicial Records. The Report shall be served on the Commonwealth, the Defendant, the Defendant’s last counsel of record, and the Defenders Association of Philadelphia in accordance with Pa. R. Crim. P. 576 and Phila. Crim. R. \*576.

4. The Report shall be filed at the earliest time practicable, but no later than 45 days prior to the date the Defendant is eligible for a postsentence review pursuant to Section 7 of the Act.
5. The Probation Office shall immediately provide the Criminal Listings Department (hereinafter, "Criminal Listings") with the case information for each matter in which a Report was filed.
6. Upon receiving the case information, Criminal Listings shall schedule the matter for a Postsentence Review Hearing (hereinafter, "Hearing"), which will be scheduled before the sentencing judge on the next available date. If the sentencing judge is no longer sitting in the Trial Division – Criminal of the Philadelphia County Court of Common Pleas, or Municipal Court – Criminal Division, the Hearing will be scheduled before a judge assigned to preside over non-sitting judge Postsentence Review Hearings in the appropriate Court. Criminal Listings shall notify the Probation Office, the Defendant's last counsel of record, the Commonwealth and the Defenders Association of Philadelphia of the date and location of the Hearing. The Probation Office shall notify the Defendant of the date and location of the Hearing. The Defendant's appearance at a Hearing shall not be required for the initial listing.
7. The Defendant and the Commonwealth may file a Response to the Report with the Office of Judicial Records no later than 10 business days prior to the scheduled Hearing. Responses shall be served on the opposing party, the Probation Office and the Defenders Association of Philadelphia in accordance with Pa. R. Crim. P. 576 and Phila. Crim. R. \*576.
8. If, at the Hearing, the Court determines that the Defendant's presence is necessary for its determination, the Court shall continue the Hearing, and the Probation Office shall notify the Defendant of the date and location of the Hearing and that their presence is required.
9. Following the Hearing, the Court shall enter an Order terminating probation or continuing probation with the same or modified terms.
10. If the Court terminates probation at the Hearing and in the absence of the Defendant, the Probation Office shall promptly notify the Defendant that the sentence of probation was terminated.
11. Nothing in this General Court Regulation shall be construed to limit the Court's authority to terminate probation prior to the Hearing after receiving input from the Commonwealth and the Defense. If the Court terminates probation prior to the Hearing date, the Court shall promptly transmit its Order to the Office of Judicial Records, who shall file and serve the Order pursuant to Pa. R.Crim. P. 114, and notify Criminal Listings that the scheduled Hearing should be cancelled.
12. If a Defendant's Postsentence Review Hearing has not commenced within the time frame specified in Section 7, Paragraph (1)(i) of the Act, defense counsel or the Defendant if unrepresented may file a motion requesting a Postsentence Review Hearing.

This General Court Regulation is issued pursuant to *Probation Reform Act*, Act No. 44 of 2023, Dec. 14, 2023 and shall become effective immediately. The original General

Court Regulation shall be filed with the Office of Judicial Records in a Docket maintained for General Court Regulations issued by the Administrative Judge of the Court of Common Pleas of Philadelphia County, shall be published in the *Pennsylvania Bulletin*, and copies shall be submitted to the Administrative Office of Pennsylvania Courts and to the Criminal Procedural Rules Committee. Copies of the General Court Regulation will be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and posted on the website of the First Judicial District of Pennsylvania at <http://courts.phila.gov>.

BY THE COURT:

/s/ Daniel Anders

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HONORABLE DANIEL ANDERS  
Administrative Judge, Trial Division  
Court of Common Pleas

BY THE COURT:

/s/ Joffie Pittman, III

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HONORABLE JOFFIE PITTMAN, III  
Administrative Judge,  
Municipal Court