**Commonwealth of Pennsylvania**

**In the Interest Of:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date of Birth** \_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

**JUVENILE DIVISION**

**DOCKET NO:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CONSENT DECREE ORDER**

**PERSONS APPEARING AT THIS HEARING:**

|  |  |  |  |
| --- | --- | --- | --- |
| ❑ Juvenile\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | ❑ Attorney for Juvenile\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | ❑ Guardian\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | ❑ Guardian\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| ❑ Police Officer\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | ❑ Attorney for Commonwealth \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | ❑ Probation Officer\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | ❑ Caseworker\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| ❑ Victim\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | ❑ Attorney for Victim\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | ❑ Victim Advocate\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | ❑ Witness\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| ❑ Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ after conducting a hearing:

**THE COURT FINDS that:**

# AGREEMENT OF THE PARTIES TO CONSENT DECREE

* The Commonwealth and the Juvenile agree to the entry of a consent decree.

# JUVENILE’S ADMISSION

* (a) The Juvenile has not admitted to any of the offenses alleged in the Petition.
* (b)The Juvenile has tendered an admission to some or all of the delinquent acts alleged in the Petition as indicated on Exhibit A, the admission is knowingly, intelligently and voluntarily made, and conforms to the requirements of Pa.R.J.C.P. 407 (A)(1); therefore, the admission is accepted by this Court.
* (c) The Juvenile has tendered an admission to some or all of the offenses alleged in the Petition; however, the Court rejects said admission for the following reasons:

# RULING ON THE OFFENSES

* The findings on the offenses set forth in Exhibit A attached are incorporated by reference herein.

# FURTHER FINDINGS

* THE COURT FURTHER FINDS:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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* Further Findings attached

**IT IS ORDERED that:**

# AMENDMENT OF THE PETITION

* Upon motion of the Attorney for the Commonwealth, the Petition is amended as follows:

# CONSENT DECREE

* COMMENCEMENT – A Consent Decree shall be commenced for a period of six months, scheduled to expire on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, under the supervision of the County Juvenile Probation Department. Proceedings are suspended until further order of this Court.

# FINANCIAL CONDITIONS

* (a) COURT COSTS – The Juvenile shall pay court costs in the amount of $\_\_\_\_\_\_\_\_.
* (b) FINE – For the offense of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the Juvenile shall pay a fine of $\_\_\_\_\_\_\_\_.
* (c) RESTITUTION – The Juvenile shall pay restitution in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_ for the benefit of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

* (d) JUVENILE RESTITUTION FUND – The Juvenile shall pay $\_\_\_\_\_\_\_\_ for the benefit of the County Juvenile Restitution Fund.
* (e) OTHER COSTS – The Juvenile shall pay $\_\_\_\_\_ for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
* (f) PAYMENT SCHEDULE – Based on their ability to pay, the Juvenile shall make payments as follows: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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# FINANCIAL LIABILITY OF THE GUARDIAN(S)

* The guardian(s) shall be liable for the payment of financial conditions as follows: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# COMMUNITY SERVICE

* The Juvenile shall perform \_\_\_\_\_ hours of community service as directed by the County Juvenile Probation Department.

# ADDITIONAL PROGRAMS AND CONDITIONS

* (a) The Juvenile shall be subject to the following additional programs and conditions: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* (b) The Juvenile shall be subject to the additional programs and conditions as specified in the attached document entitled “Additional Programs and Conditions” which is incorporated by reference and made a part of this order.

# EDUCATION/EVALUATIONS

* (a) **EDUCATIONAL NEEDS** – The Juvenile’s educational needs are [ ] being addressed [ ] not being addressed.
* (b) **HIGH SCHOOL DIPLOMA OR GED** – The Juvenile has attained a [ ] high school diploma [ ] GED.
	+ (i) The Juvenile is pursuing post-secondary education.
	+ (ii) The Juvenile is not pursuing post-secondary education.
* (c) **STABILITY AND APPROPRIATENESS** – In order to ensure the stability and appropriateness of the Juvenile’s education, the court orders the following services: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* (d) **EDUCATIONAL DECISION MAKER** – An educational decision maker:
	+ (i) Shall be appointed pursuant to Rule 147. Specify, if available: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
	+ (ii) Continues to be necessary at this time. Specify, if available: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
	+ (iii) Is not necessary at this time, in that: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
	+ (iv) Is not applicable at this time, in that: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* (e) **EDUCATIONAL EVALUATIONS** – Specify the educational evaluations, tests, counseling, or treatments that are necessary: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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* (f) **EDUCATIONAL SETTING** – While the Juvenile is in placement, he/she shall attend:
	+ (i) his/her school of origin.
	+ (ii) a public school in proximate location to the placement facility.
	+ (iii) a school facilitated by the placement facility, as this court finds it is not in the best interest of the Juvenile, or protective of the community, to attend school elsewhere.

# HEALTH/EVALUATIONS

* (a) **HEALTH CARE AND DISABILITY** – If parental consent cannot be obtained, the following evaluations and treatment are authorized: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* (b) **HEALTH EVALUATIONS** – Specify any health evaluations, tests, counseling, or treatments that are necessary: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

# SHARED CASE RESPONSIBILITY

* Case management responsibility for the Juvenile shall be shared by the County Juvenile Probation Office and the County Children and Youth Services Agency , specifically, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

# CONSEQUENCES FOR VIOLATING CONSENT DECREE CONDITIONS

* The Juvenile has been advised that the Petition may be reinstated and that the Juvenile may be held accountable as if the consent decree had never been entered if there is a new petition filed against the Juvenile, or the Juvenile fails to fulfill the express terms and conditions of the consent decree.

# FURTHER ORDERS

* (a) The Juvenile Probation Office is directed to complete the following evaluations and reports on the Juvenile:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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* (b) IT IS FURTHER ORDERED that:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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* Further Orders attached

**Next Scheduled Court Event:**

 **RECOMMENDED:**

  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

  Juvenile Court Hearing Officer

This Juvenile Court Hearing Officer's recommendation is not final until confirmed by the Court below. A party may challenge the recommendation by filing a motion with the clerk of courts within three (3) days of receipt of the recommendation.

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 20 \_\_\_\_, the Juvenile Court Hearing Officer's recommendation is hereby adopted as an Order of Court.

 **BY THE COURT:**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Judge

Copies To: