

INTRODUCTION

The Supreme Court of Pennsylvania has adopted the modifications to Rules 241, 242, 311, 312, 360, 406, 408, 409, 500, 512, 600, 610, 631, and 632 with this Recommendation. These changes are effective July 1, 2011.

EXPLANATORY REPORT MAY 2011

Under the Purposes Clause of the Juvenile Act, the court shall make findings and enter an order consistent with the protection of the public interest that provides balanced attention to the protection of the community, the imposition of accountability for offenses committed, and the development of competencies to enable the juvenile to become a responsible and productive member of the community. See 42 Pa.C.S. § 6301(b)(2).

Part of the juvenile's accountability is confronting the victim and seeking to repair the harm inflicted. These proposed rule changes emphasize that the victim must be part of the court process. The victim must receive notice of hearings and be afforded the opportunity to attend the proceedings and submit an oral and/or written victim-impact statement. See Rules 132, 241, 242, 311, 312, 360, 370, 371, 390, 406, 408, 409, 500, 512, 513, 600, 610, and 632.

Further, when there is a proposed change in the dispositional order pursuant to Rule 610, the victim must be given notice and an opportunity to be heard. This is especially important if the change is substantially different from the original court order. See Rule 610.

If the court schedules a hearing to terminate court supervision, the victim must be afforded an opportunity to be heard before the court enters its final order. See Rules 631 and 632.