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Chief Justice Castille Provides Update on Reforms Resulting from Luzerne County Juvenile Justice Scandal

HARRISBURG, March 1, 2011 — Pennsylvania Supreme Court Chief Justice Ronald D. Castille today released a progress report on changes the courts are in the process of making in response to the juvenile justice scandal in Luzerne County.

Most of the changes stem from recommendations of the Interbranch Commission on Juvenile Justice that was created by the courts, in conjunction with the executive and legislative branches, in August 2009 to investigate the scandal and develop recommendations for reform.

“I believe it is important for the people of Pennsylvania to know that Pennsylvania’s Unified Judicial System and the Supreme Court have not let the Commission’s report simply gather dust on a shelf,” Chief Justice Castille said. “The Judiciary is committed to improving the juvenile justice system so that the problems that were highlighted by the tragedy in Luzerne County are never repeated there or in any other county.”

The Chief Justice said that over the past nine months since the Commission issued its report, the Supreme Court, its various committees and the Administrative Office of Pennsylvania Courts (AOPC) are in the process of implementing scores of recommendations including rules changes addressing:

- The rights of victims in juvenile cases – changes will allow victims to be more involved in the judicial process including making sure they are given more notice of upcoming hearings and being given the opportunity to testify.
- The authority, duties and training of juvenile probation officers – authority and duties are now delineated in the rules.
- The placement of juvenile offenders – judges will now be required to state, on the record, findings of fact and conclusions of law when placing a juvenile out of home and requiring the least restrictive placement that is consistent with the protection of the public and best suited to the juvenile’s treatment, supervision, rehabilitation and welfare.

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- The presumption of indigence for juveniles – the determination of indigence will now be based on the juvenile’s income alone.
- The use of restraints on a juvenile during a court proceeding – the new rules will limit the use of restraints except in certain circumstances to prevent harm, disruptive behavior or flight.

Other changes include:

- Allowing a juvenile to admit to the commission of the charges leveled against him or her.
- Creating specific questions the juvenile must answer before a court can accept a guilty plea.
- Giving juveniles the ability to waive counsel, in some ways similar to the same right as adults.
- Creating rules to “fast track” appeals of trial court decisions that transfer or deny transfer of juvenile matters to adult court or vice-versa.
- Requiring any judge who is the target of investigation by law enforcement to notify the Supreme Court of that investigation within five days.

The status of each recommendation is included in the report. The courts will issue further progress reports in the coming months.

“Ironically, Pennsylvania’s juvenile justice system has long been considered one of the best in the nation,” Chief Justice Castille said. “There are many individuals in the system who are dedicated to the welfare of juveniles who become involved in the justice system. Unfortunately, two judges in Luzerne County, by their criminal conduct, have caused unimaginable taint to those good people and to Pennsylvania’s juvenile justice system as a whole.

“The Judiciary has taken the Commission’s recommendations seriously. We are committed to continue to improve the juvenile justice system in every feasible way. Our work will continue.”

The Chief Justice’s progress report can be found by [clicking here](#).

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