

# **RULES OF JUVENILE COURT PROCEDURE**

## **DELINQUENCY MATTERS**

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See also Rule **[613] 631** for termination of court supervision.

**Official Note:** Rule 150 adopted April 1, 2005, effective October 1, 2005. **Amended February 26, 2008, effective April 1, 2008.**

#### *Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 150 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005). **Final Report explaining the amendments to Rule 150 published with the Court's Order at 38 Pa.B. -(, 2008).**

**PART C. CESSATION OF COURT JURISDICTION OR SUPERVISION**

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**RULE 630. LOSS OF COURT JURISDICTION**

**When the juvenile has attained the age of twenty-one, the court shall enter an order terminating court supervision of the juvenile.**

**COMMENT**

**The Juvenile Court has jurisdiction of a delinquent child if the child is under twenty-one years and committed an act of delinquency prior to reaching the age of eighteen. See 42 Pa.C.S. §§ 6302 & 6303.**

**Official Note: Rule 630 adopted February 26, 2008, effective April 1, 2008.**

**Committee Explanatory Reports:**

**Final Report explaining the provisions of Rule 630 published with the Court's Order at 38 Pa.B. - (-2008).**

**RULE [613]631. TERMINATION OF COURT SUPERVISION**

- A. **Notice.** [When the juvenile has completed the terms of the dispositional order, the juvenile probation officer shall move for the termination of the court's supervision by filing a motion.] The juvenile probation officer shall promptly notify the court when the conditions of probation have been satisfied. The court shall decide if supervision should be terminated. The [motion] notice shall set forth:
- 1) The juvenile has completed the terms of the court's dispositional order;
  - 2) Restitution, fines, and costs have been paid in full; and
  - 3) The juvenile has not committed any new offenses in which a criminal proceeding or proceeding governed by the Juvenile Act, 42 Pa.C.S. § 6301 *et seq.*, may be commenced.
- B. **Objection.** Any party may object to the [motion] notice under paragraph (A) and request a hearing. Such objection shall be made within thirty days of receipt of the [motion]notice; otherwise, objections are deemed waived.
- C. **Hearing.** If objections have been made under paragraph (B), the court shall hold a hearing and give each party an opportunity to be heard before the court enters its final order.
- D. **Termination.** When the requirements of paragraphs (A) through (C) have been met and the court is satisfied that the juvenile has carried out the terms of the dispositional order, the court may discharge the juvenile from its supervision.

**COMMENT**

For procedures on [motions]filing and service of the notice under paragraph (A), see Rule [344 and] 345. For procedures on the dispositional order, see Rule 515. See also, 42 Pa.C.S. § 6352.

For collection of restitution [Under paragraph (A)(2)], see 42 Pa.C.S. § 9728 [for collection of outstanding restitution].

See Rule 632 for early termination of court supervision by motion.

**Official Note:** Rule 613 adopted April 1, 2005, effective October 1, 2005. Renumbered Rule 631 and amended February 26, 2008, effective April 1, 2008.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 613 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005). Final Report explaining the renumbering of 613 to 631 and amendments to Rule 631 published with the Court's Order at 38 Pa.B. -(-, 2008).

## **RULE 632. EARLY TERMINATION OF COURT SUPERVISION BY MOTION**

- A. Motion. Any party may move for early termination of court supervision. The motion shall state with specificity why early termination is sought and why the requirements of Rule 631(A) have not been met.**
- B. Notice. In addition to the service requirements of Rule 345, any party moving for early termination shall serve the motion on the juvenile probation officer.**
- C. Objection. A party or the juvenile probation officer may object to the motion under paragraph (A) and request a hearing. Such objection shall be made within thirty days of receipt of the motion; otherwise, objections are deemed waived.**
- D. Hearing. If objections have been made pursuant to paragraph (C), the court shall hold a hearing and give each party and the juvenile probation officer an opportunity to be heard before the court enters its final order.**
- E. Court's motion. The court, *sua sponte*, may schedule a hearing for early termination of court supervision upon a request by the juvenile probation officer. All parties shall receive notice of the hearing.**
- F. Termination. When the requirements of paragraphs (A) through (D) have been met or pursuant to its own motion under paragraph (E) and the court is satisfied that there are compelling reasons to discharge the juvenile prior to the completion of the requirements of Rule 631(A), the court may order an early discharge of the juvenile from its supervision.**

### **COMMENT**

**For procedures on motions, see Rule 344. For filing and service requirements, see Rule 345. If all parties are in agreement with the termination, the court may terminate court supervision without a hearing.**

**For procedures on the dispositional order, see Rule 515. See also, 42 Pa.C.S. § 6352. For collection of outstanding restitution regardless of court supervision status, see 42 Pa.C.S. § 9728.**

**Official Note: Rule 632 adopted February 26, 2008, effective April 1, 2008.**

#### **Committee Explanatory Reports:**

**Final Report explaining the provisions of Rule 632 published with the Court's Order at 38 Pa.B. - (-2008).**