

**SUPREME COURT OF PENNSYLVANIA  
JUVENILE COURT PROCEDURAL RULES COMMITTEE**

**NOTICE OF PROPOSED RULEMAKING**

**Proposed Amendment of Pa.R.J.C.P. 1510**

The Juvenile Court Procedural Rules Committee proposes the amendment of Rule 1510 to establish that a dispositional hearing shall be conducted within 20 days of any adjudicatory hearing finding a child dependent for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

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All communications in reference to the proposal should be received by **August 31, 2018**. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Juvenile Court Procedural Rules Committee,

Judge Jennifer R. Sletvold, Chair

**SUPREME COURT OF PENNSYLVANIA  
JUVENILE COURT PROCEDURAL RULES COMMITTEE**

**REPORT**

**Proposed Amendment of Pa.R.J.C.P. 1510**

The Juvenile Court Procedural Rules Committee proposes the amendment of Rule 1510 to establish that a dispositional hearing shall be conducted within 20 days of any adjudicatory hearing finding a child dependent.

The Juvenile Act states:

If the court finds from clear and convincing evidence that the child is dependent, the court shall proceed immediately or at a postponed hearing, which shall occur not later than 20 days after adjudication if the child has been removed from his home, to make a proper disposition of the case.

42 Pa.C.S. § 6341(c). Reflective of the Act, Rule 1510 presently contains a 20-day requirement for holding a dispositional hearing in cases in which the dependent child is removed from home. However, a similar period does not exist when the child is at home.

The Committee received a request to amend Rule 1510 to extend the 20-day requirement to all dispositional hearings regardless of whether the child is removed from home. The goal is to create uniformity and to ensure there is a procedural requirement for children remaining in their home lest the absence of such a requirement be interpreted as an invitation for those hearings to occur more than 20 days after adjudication.

The Committee believes this amendment will facilitate a timely dispositional hearing to establish a permanency plan and begin services necessary to achieve that plan. Accordingly, the Committee is proposing to eliminate the conditional phrase, “if the child has been removed from the home,” from the rule text.

The Committee invites all comments, concerns, and suggestions regarding this rulemaking proposal, especially in those counties where the practice may be for dispositional hearings for at-home dependent children to occur more than 20 days after adjudication.

## **RULE 1510. PROMPT DISPOSITIONAL HEARING**

**[If the child has been removed from the home, t]The** dispositional hearing shall be held no later than twenty days after the findings on the petition under Rule 1408.

### **Comment**

For continuances, see 42 Pa.C.S. § 6341(e).

**Official Note:** Rule 1510 adopted August 21, 2006, effective February 1, 2007.

**Amended \_\_\_\_\_, 2018, effective \_\_\_\_\_, 2018.**

### *Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 1510 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006). Final Report explaining the amendments to Rule 1510 published with the Court's Order at \_\_\_ Pa.B. \_\_\_ (\_\_\_ \_\_, 2018).