

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

ADOPTION REPORT

Amendment of Pa.R.J.C.P. 200, 300, 302, and 630

On February 18, 2026, the Supreme Court amended Pennsylvania Rules of Juvenile Court Procedure 200, 300, 302, and 630 governing venue, intercounty transfers, courtesy supervision, and closing of delinquency cases. The Juvenile Court Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

The genesis of this proposal was a request to create a statewide form to be used for the transfer of delinquency cases from one county to another. This request prompted the Committee to examine the transfer rules in light of previous rulemaking concerning the transfer of dependency cases. See 50 Pa.B. 2389 (May 9, 2020).

The Juvenile Act permits a delinquency proceeding to be commenced in the county where the juvenile resides or in the county where the acts constituting the alleged delinquency occurred. See 42 Pa.C.S. § 6321(b)(1)-(b)(2). Within the rules, Pa.R.J.C.P. 300 (Venue) addresses where a delinquency proceeding can be commenced. The rule also provides for a change of venue and the transmission of records.

The Juvenile Act also permits the intercounty transfer of a delinquency case if the juvenile resides in one county and the proceeding is commenced in another county. See *id.* § 6321(c)(1). Similarly, a transfer is permitted if the juvenile's residence has changed during the proceeding, or the juvenile is adjudicated delinquent and there are other pending proceedings in the juvenile's county of residence. See *id.* The Juvenile Act indicates that a transfer is discretionary ("the court ... may transfer the proceeding"). See *id.* (emphasis added).

Regarding changes of venue, the Committee proposed amendment of Pa.R.J.C.P. 300 to facilitate the transmission of records by specifying when the records should be transferred, requiring identification of the mode of transfer, creating a feedback loop for the receipt of records, assigning responsibility for scheduling the next court proceeding, and addressing the effect a change of venue has on the timing requirements for the next court proceeding.

Concerning the records transfer, the Committee believed the use of Common Pleas Case Management System would expedite the transfer rather than relying upon paper records and the United States Postal Service. Further, at this stage of a proceeding, the record typically is not voluminous.

Concerning the timing requirements for the next court proceeding, the effective date for the change of venue would be used to calculate the next procedural deadline. As Pa.R.J.C.P. 300(b) only permits a juvenile to seek a change of venue, the time restriction on detention for an untimely adjudicatory hearing would presumably be subject to the exception permitted by Pa.R.J.C.P. 240(D)(2) (permitting continued detention for delays caused by the juvenile).

Regarding intercounty transfers, the Committee proposed amending Pa.R.J.C.P. 302(a) to permit transfers any time after the ruling on offenses pursuant to Pa.R.J.C.P. 408, including after adjudication of delinquency pursuant to Pa.R.J.C.P. 409, but before disposition pursuant to Pa.R.J.C.P. 512. Currently, the rule only permits transfer after a ruling on the offenses pursuant to Pa.R.J.C.P. 408, but not after adjudication of delinquency pursuant to Pa.R.J.C.P. 409. The Committee proposed this amendment to provide more flexibility on when to transfer. Further, such an amendment would eliminate any potential inconsistency between the rule and the Juvenile Act. See 42 Pa.C.S. § 6321(c) (permitting transfer “after the adjudicatory hearing or at any time prior to final disposition”).

Borrowing from Pa.R.J.C.P. 1302, the Committee proposed intercounty transfer procedures that require notice to the parties and the juvenile probation office of the transferring county. The district attorney in the proposed receiving county would also receive notice and have standing to participate in the transfer hearing. For convenience, the district attorney in the proposed receiving county would be able to participate via advanced communications technology.

Next, the Committee considered the standard for granting or denying an intercounty transfer motion. Pa.R.J.C.P. 1302(C) incorporates a “best interest” standard for dependency transfers. The Committee proposed the standard found in 42 Pa.C.S. § 6352 governing delinquency dispositions: The transfer must be consistent with the protection of the public interest and best suited to the juvenile’s treatment, supervision, rehabilitation, and welfare.

The Committee next considered whether the discretion to transfer should be solely vested in the transferring court or whether it should be shared with the receiving court insofar as both courts must agree. The Committee observed that the case law illustrates a practice, at least with regard to dependency transfers, where both the transferring county and the receiving county are able to weigh in on a transfer. See, e.g., *Interest of J.S.M.*, 514 A.2d 899 (Pa. Super. 1986); *In re G.B.*, 530 A.2d 496 (Pa. Super. 1987). The transferring county makes the “transfer” decision, and the receiving county makes the “acceptance” decision.

The Committee believed there was value in participatory decision-making between the courts. Such an approach would reduce the possibility of cases “ping ponging” back to the transferring court if the receiving court disagrees with the initial transfer decision. Further, the Committee found the Uniform Child Custody Jurisdiction and Enforcement Act’s procedure of allowing the receiving court to decline jurisdiction in certain circumstances to

be an example of shared decision-making between courts. See 23 Pa.C.S. §§ 5427, 5428. Ultimately, the Committee concluded that the rules should allow the receiving court to participate in the transfer decision. This would also be consistent with the procedures for the intercounty transfers of dependency cases.

As proposed, the procedural concept for intercounty transfers involves a two-step process. First, the transferring county is to conduct a hearing to determine whether it is consistent with the goals of juvenile justice. Second, assuming the transferring court determines in the affirmative, the transferring court then communicates with the receiving court to ascertain whether jurisdiction will be accepted.

To bridge the two-step process, the commentary states that a transfer is not consistent with the goals of juvenile justice if the receiving judicial district does not accept jurisdiction. This was believed necessary so the order denying the transfer remains in the transferring county as opposed to docketing the 42 Pa.C.S. § 6352 decision in the transferring county and the rejection of jurisdiction decision in the receiving county.

Proposed Pa.R.J.C.P. 302(a)(4)(i) would require subsequent communication with the court in the receiving judicial district to determine whether the receiving court will accept jurisdiction. The manner of communication and requirements of a record in subdivision (a)(4)(i) are intentionally non-specific. Judges, at their preference, may opt to communicate via email or telephonically. A “record of the communication” could be a memorialization of communications or a transcript. Thereafter, the parties may file written responses with the transferring court regarding the decision to accept jurisdiction. While the Committee did not anticipate that courts would frequently reject intercounty transfers, this provision for written responses was intended to provide due process if there is a rejection. Subdivision (a)(6) permits the courts to discuss administrative matters without informing the parties or making a record. Subdivision (a)(4)(i) and (a)(6) were based, in part, on the Uniform Child Custody Jurisdiction and Enforcement Act, 23 Pa.C.S. § 5410.

The remaining procedures would be consistent with those found in Pa.R.J.C.P. 1302 with the exception of subdivision (a)(8), which is based on proposed Pa.R.J.C.P. 300(d). Subdivision (a)(8) would “reset” the procedural deadlines to commence from the effective date of transfer.

Lastly, the Committee proposed amendment of Pa.R.J.C.P. 630 to add subdivision (b). This subdivision would require the transferring county to order a transferred case closed within 30 days of the transfer.

The Committee published the proposal for comment. See 54 Pa.B. 5087 (August 10, 2024). One comment was received.

The commenter contended that the rule does not provide any guidance to the receiving county court on whether to accept or reject a transfer. The Committee believes

the basis for refusing to accept a transfer is case specific. Further, the analogue dependency rule also does not contain a similar standard for the receiving court.

The commenter also requested that the order closing a transferred case in the transferring county, as proposed in Pa.R.J.C.P. 630(b), be served on the parties. The Committee observes that order would be served by the clerk pursuant to Pa.R.J.C.P. 167(B) so there would be no need to add this specific requirement to Pa.R.J.C.P. 630.

Aside from stylistic revisions, which included the Comment to Pa.R.J.C.P. 200, the following commentary has been removed:

Pa.R.J.C.P. 300

Official Note: Rule 300 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended May 21, 2012, effective August 1, 2012.

Committee Explanatory Reports: Final Report explaining the provisions of Rule 300 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005). Final Report explaining the amendments to Rule 300 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010). Final Report explaining the amendments to Rule 300 published with the Court's Order at 42 Pa.B. 3203 (June 9, 2012).

Pa.R.J.C.P. 302

The purpose of allowing transfer of disposition and supervision of the juvenile to the juvenile's county of residence is to allow probation to supervise the juvenile closely. Supervision is difficult if the juvenile lives in another county.

Under paragraph (B), this rule also may apply if the juvenile moves to a different county in this Commonwealth at some stage in the proceedings.

When the case is being transferred under paragraph (A), the transferring court should enter a finding of the amount of restitution owed and to whom it should be paid, if ordered. A restitution order should be included in the dispositional order, if applicable, under paragraph (B).

Official Note: Rule 302 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended May 21, 2012, effective August 1, 2012.

Committee Explanatory Reports: Final Report explaining the amendments to Rule 302 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010). Final Report explaining the amendments to Rule 302 published with the Court's Order at 42 Pa.B. 3203 (June 9, 2012).

Pa.R.J.C.P. 630

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. 1146 (March 8, 2008).

The amendments become effective July 1, 2026.