

INTRODUCTION

The Juvenile Court Procedural Rules Committee is soliciting public comment on proposed modifications to Rule 409 before it considers any recommendations to the Supreme Court of Pennsylvania. These proposed modifications address the extension of time in determining whether the juvenile is in need of treatment, supervision, or rehabilitation.

The Committee requests that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel, Christine Riscili at juvenilerules@pacourts.us. Email is the preferred method for receiving comments in an effort to conserve paper and expedite the distribution of comments to the Committee. Emailed comments need not be reproduced and sent via hard copy. The Committee will acknowledge receipt of your comment.

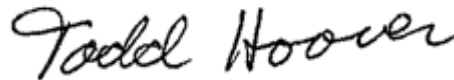
For those who do not have access to email, comments may be faxed to the Committee at 717-231-9541 or written comments may be mailed to:

Christine Riscili, Esq.
Supreme Court of Pennsylvania
Juvenile Court Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Ave, Suite 6200
P.O. Box 62635
Harrisburg, PA 17106-2635.

All comments shall be received no later than Monday, February 10, 2014.

12/27/2013

BY THE JUVENILE COURT PROCEDURAL RULES
COMMITTEE:



Honorable Todd A. Hoover, Chair



Christine Riscili
Counsel

EXPLANATORY REPORT

The Juvenile Court Procedural Rules Committee (Committee) is seeking public comment on amendments to Rule 409 regarding the extension of time for finding a juvenile in need of treatment, supervision, or rehabilitation when there is an agreement between the parties.

The Committee was made aware that several judicial districts had open cases that were pending without any judicial determinations for extended periods. The current rule does not specify how long the case could be extended when there is an agreement between the parties.

After much discussion, the Committee believes that the court should know whether a juvenile is in need of treatment, supervision, or rehabilitation after two six-month extensions. If there are pending issues and the case cannot be closed, it is clear that an order adjudicating the child delinquent is necessary at this point.