

INTRODUCTION

The Juvenile Court Procedural Rules Committee is planning to recommend to the Supreme Court of Pennsylvania that the modification of Rule 510 be adopted and prescribed. The proposed modified Rule 510 sets forth the time requirement for a dispositional hearing for a non-detained juvenile. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory *Report* highlights the intent of the rules. Please note that the Committee's *Reports* should not be confused with the official Committee *Comments* to the rules. Also note that the Supreme Court does not adopt the Committee's *Comments* or the contents of the explanatory *Reports*.

We request that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel,

A. Christine Riscili, Esq.
Staff Counsel
Supreme Court of Pennsylvania
Juvenile Court Procedural Rules Committee
5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055

no later than Thursday, Jan. 31, 2008.

December 17, 2007

BY THE JUVENILE COURT PROCEDURAL RULES
COMMITTEE:

Francis Barry McCarthy, Chair

A. Christine Riscili, Esq.
Staff Counsel

EXPLANATORY REPORT

RULE 510 - PROMPT DISPOSITIONAL HEARING

The proposed rule adds a time requirement for a hearing when a juvenile is not detained. The dispositional hearing is to be held no later than sixty days after the Court has ruled on the offenses pursuant to Rule 408.

Once it has been determined that a juvenile has committed an offense(s), the disposition should be as timely as possible to effectuate the purposes of the Juvenile Act, including development of competencies, accountability, and protection to the community.

The Committee is proposing deletion of the Juvenile Act cite in the Comment because the Juvenile Act requires a hearing for treatment, supervision, and rehabilitation within sixty days of the ruling of the offenses. The proposed rule adds an additional time requirement that will provide that the dispositional hearing shall be held within sixty days of the ruling on the offenses.

PART B
DISPOSITIONAL HEARING AND AIDS

- 510. Prompt Dispositional Hearing
- 512. Dispositional Hearing
- 513. Aids in Disposition
- 515. Dispositional Order
- 516. Service of the Dispositional Order

RULE 510. PROMPT DISPOSITIONAL HEARING

A. General rule.

1) Juvenile is detained. If the juvenile is detained, the dispositional hearing shall be held no later than twenty days after the ruling on the offenses under Rule 408.

2) Juvenile not detained. If the juvenile is not detained, the dispositional hearing shall be held no later than sixty days after ruling on the offenses pursuant to Rule 408.

B. Continuances. The dispositional hearing may be continued, if necessary. If the juvenile is detained, each continuance shall not exceed twenty days.

COMMENT

Under paragraph (B), if there is a continuance, the court should review the juvenile's case every twenty days until there is a final dispositional order.

[See 42 Pa.C.S. § 6341(b).]

Official Note: Rule 510 adopted April 1, 2005, effective October 1, 2005.