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# P E N N S Y L V A N I A J U V E N I L E J U S T I C E

Commonwealth of Pennsylvania, Edward G. Rendell, Governor

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July 2005

## Pennsylvania Conference on Juvenile Justice will feature Nurse-Family Partnership



Clay Yeager

The keynote presentation at the 2005 Conference on Juvenile Justice, **“Research to Results: The Nurse-Family Partnership”** will feature David Olds, Professor of Pediatrics, Psychiatry, and Preventive Medicine at the University of Colorado Health Sciences Center, and Director of the Prevention Research Center for Family and Child Health, and Clay Yeager, President and CEO of Nurse-Family Partnership (NFP). Their presentation will provide information regarding this internationally acclaimed, evidence-based program that matches young, pregnant, low-income women with specially trained nurses.



David Olds

Under the NFP model, home visits begin early in the pregnancy and continue throughout the child's second year to provide support, education, and counseling on health and behavioral issues. “The Nurse-Family Partnership has prevented adolescents from falling into life-styles that can compromise their lives forever,” says David Olds, “our research has shown that when these babies become adolescents, they are much less likely to engage in substance abuse, to have multiple sexual partners, or to be arrested for criminal behavior.”

Research studies regarding NFP have demonstrated the following:

- 79 percent reduction in child abuse and neglect;
- 80 percent fewer days of hospitalization for injury or ingestion;
- 69 percent reduction in arrests of mothers;
- 44 percent reduction in mothers' behavior problems due to drug or alcohol use;

*Conference, continued on page 2*

### *Conference, from page one*

- 56 percent reduction in arrests of 15-year-olds born to NFP mothers;
- 81 percent reduction in convictions of 15-year-olds born to NFP mothers; and,
- 66 percent fewer mental health problems in 6-year-olds born to NFP mothers.

Pennsylvania currently has 23 NFP sites serving 35 counties, and the program enjoys widespread support. "We know the dramatic effect that good parenting can have on children," says Estelle Richman, Secretary of the Department of Public Welfare. "When Nurse-Family Partnership empowers these young women with critical skills and knowledge, fragile families learn how to become healthy families. This is a valuable investment in prevention."

The Washington State Institute for Public Policy found that Nurse-Family Partnership delivers a net return of more than \$17.18 per child and Rand Corporation says the program delivers a 400 percent return on investment over the course of the child's life. The program has been recognized as a model prevention program by many national organizations and agencies including the Office of Juvenile Justice and Delinquency Prevention (OJJDP), Substance Abuse and Mental Health Services Administration (SAMSA), the President's New Freedom Commission on Mental Health, the Center for the Study and Prevention of Violence, Blueprints for Violence Prevention, the Council for Excellence in Government, the Coalition for Evidence-Based Policy, the National Governor's Association, the National Center for Infant and Early Childhood Health Policy, and the National Institute for Early Education Research.

This publication is produced monthly at the Center for Juvenile Justice Training and Research at Shippensburg University.

Guest articles are always welcome; please submit them by email or on a disk. We particularly enjoy your photographs, but we ask that these be mailed - we will be happy to return them to you.

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The 2005 *Pennsylvania Conference on Juvenile Justice* will be held November 2-4, 2005, at the Harrisburg Hilton and Towers. If hotel rooms at the Harrisburg Hilton and Towers, 717-233-6000, are unavailable, contact the Crowne Plaza on Market Square, 717-234-5021, or the Radisson Penn Harris, 717-763-7117. Registration information regarding the *2005 Pennsylvania Conference on Juvenile Justice* will be available in August.

## **School-based Probation**

Sixty-five school-based probation officers and supervisors attended the fifth annual Juvenile Court Judges Commission-sponsored School-based Probation Forum June 16-17. Twenty-five counties were represented.

Day one began with diversity presentations by Bernard Chatman, Juniata County School District Behavior Modification Specialist, Drug Free Safe Schools Mobilizer, and Bruce Haselrig, Associate Dean of Student Life, University of Pittsburgh, Johnstown. Immediately following lunch, Rick Steele and Kelly Franklin gave a brief presentation on the MacArthur Foundation Model Systems Project. The day concluded with the school-based probation officers separating into small groups. They discussed obstacles and possible solutions for juveniles returning to the educational system following placement. Participants also shared effective and innovative programs being used in their respective counties. Some of the programs mentioned were summer work programs and school-based probation officer home rooms.

On day two, Albert Wille and Debra Kehoe, from the Northern Area Alliance Against Highly Addictive Drugs, presented information on their community outreach initiative. Included in this presentation was a powerful video titled "Listen," which provided the participants with first-hand accounts of families who have lost loved ones to heroin addiction. The forum concluded with two brave young men from Allegheny County who shared their personal struggles with substance abuse and recovery. The school-based probation officers asked many questions of the youth and admired their willingness to speak about their experience in the juvenile justice system.

A subsequent forum is planned for the spring. If you would like to serve on the school-based probation forum committee, please contact Kathy Hooven at JCJC, 717-705-5633, or khooven@state.pa.us.

## Staff development news: On-line training included in Fall 2005 schedule

The Center is now piloting a collaboration with Community Corrections e-Learning Collaborative (CCELC) and The Education Coalition (TEC) to extend to all juvenile probation officers the opportunity to complete on-line training courses during the upcoming training season. The Center's fall staff development schedule was e-mailed to the training distribution list in mid-July and mailed in printed form in late-July. The schedule will include four courses that are currently being offered by CCELC/TEC: Family Dynamics & Domestic Violence, Individual & Group Cognitive-Behavioral Approaches, Introduction to the Supervision of Sex Offenders, and Motivational Interviewing. These courses are currently being used by 65 federal, state, and local probation and parole agencies across 22 states, the District of Columbia, and Canada.

Each course is two-weeks long, is facilitated by expert trainers, and the cost for registration is \$95. The courses allow you to work at times that best suit your schedule, 24/7; you don't have to be on-line at a specific time. Classes have 20 or fewer students to foster collaborative learning. You will spend 60-90 minutes a day on the course and you may participate from any computer or laptop (home or work), which has a 56K modem and Internet access. A short orientation course (\$15) is required for new students to familiarize them with the technology and facilitated learning.

Certificates of completion for 16 credit-hours will be awarded by CCELC/TEC. CJJT&R will recognize these courses as approved training toward the 40-hour annual requirement and JCJC training funds may be used to cover registration fees for these courses as well.

It is anticipated that juvenile justice staff from throughout the Commonwealth will find these programs to be of high quality, while providing needed flexibility and convenience. CJJT&R will continue working with CCELC/TEC in the future to develop other juvenile justice and Pennsylvania-specific courses if our system's use of on-line learning justifies the investment.

Please see the listing of courses, schedules, and registration form at the front of the upcoming Fall 2005 training brochure to take advantage of this opportunity.

*Staff Development, bottom of column 2*

## Weekend Master's Degree program accepting applica- tions for Shippensburg University Class of 2008

Applications are now being accepted for the Juvenile Court Judges' Commission-sponsored Weekend Master's Degree program at Shippensburg University. Members of the class of 2008 will begin classes in the fall of 2006.

The Shippensburg University program offers students a Master of Science degree in the Administration of Justice. This is a 36-credit hour program that includes courses in research methods, theory, administration, and policy analysis. Also featured is a summer internship where students will get an opportunity to develop, implement, and evaluate a program in their home counties, or evaluate an existing program that serves juvenile offenders. Classes in this two-year program are scheduled every third weekend in the fall, spring, and summer, with no classes scheduled in July and August. The program is open to county juvenile probation officers who will have at least two years of post-baccalaureate experience in the juvenile justice field prior to the start of classes. Applicants who have an undergraduate grade point average of less than 2.75 must take and pass the Miller Analogies Test (MAT) or the GRE.

The deadline for applying to the JCJC-sponsored MSAJ program class of 2008 at Shippensburg University is September 1, 2005. Tuition costs, educational fees, and room and board are paid for by JCJC for all eligible students. If you would like more details or are interested in applying for the program, please call Greg Young at 717-447-1797, or send an e-mail to [gyoung@state.pa.us](mailto:gyoung@state.pa.us).

*Staff Development, from column 1*

**Please note that registration and payment for these courses is separate from all other CJJT&R workshops!** Specific inquiries regarding on-line courses and registration may be directed to Stephen Bishop at 717-477-1294. For details on other future Center-sponsored training, please refer to the upcoming Fall 2005 training brochure or visit the Commission website: [www.jcjc.state.pa.us](http://www.jcjc.state.pa.us) and click on training and then Fall 2005 to review the entire calendar.

## Youths near 1,000 hours of community service

Many communities throughout Butler County look a little brighter this summer thanks to the efforts of Butler County's Department of Community Corrections/Juvenile Court Services' Section Summer Community Service Projects. The projects make use of juvenile offenders ordered by the Court of Common Pleas of Butler County to perform community service work as part of their probation supervision. The work takes place at municipalities and school districts throughout the county.

Juvenile probation youth have already exceeded last year's mid-summer total by more than 200 hours. As of mid-July, the youth have completed nearly 1,000 hours of community service. Juvenile probation officers have put in nearly 500 hours supervising and working with the offenders.

Nearly every youth who comes through juvenile court in Butler County is ordered to complete a minimum of 25 community service hours. During the summer, work takes place several days a week throughout the county. As part of their requirements, juvenile offenders are painting curbs and fire hydrants, weeding and cleaning up brush, performing general cleanup duties, and completing various special projects.

The projects are seen as a way for the youth to "give back" to the community affected by their offenses. This ideal is consistent with the philosophy of Balanced and Restorative Justice in that it provides for the protection of the community, the imposition of accountability for offenses committed, and the development of competencies to enable the children to become responsible and productive members of the community.

Each school district in the county has a community-based juvenile probation officer assigned to it. Those officers supervise the juveniles in completing the work. This summer, work is being done at Slippery Rock, Chicora, Mars, Saxonburg, and Zelenople boroughs, and at Butler City and Butler County's Alameda Park. Work is also being done for and within the school districts in Butler County. Special projects are planned throughout the summer; some of those already completed include clean-up following the Saxonburg Firemen's Carnival, help with all aspects of the American Diabetes Foundation's annual Tour de Cure bicycle race held at the Seneca Valley School District, and cleaning up Main Street in Butler.

"This is a way to show the public that juvenile court youth are doing their part to help repay the harm they caused by their offenses," said Jim Switzer, the juvenile probation officer who coordinates the community service program at Juvenile Court Services. "These youth and the officers are working extremely hard and the municipalities and schools are benefitting, along with the youth themselves." Some projects continue throughout the school year on a more limited basis, mostly within the schools themselves.

## Weekend Master's Degree graduates

Congratulations to the class of 2005 of the Juvenile Court Judges' Commission-sponsored Weekend Master's Degree Program at Shippensburg University. Commencement ceremonies were held at Seth Grove Stadium on Saturday, May 7, 2005. The 18 members of this year's class are Roslyn Ditmar and Robert Smith (Montgomery County), Timothy Duff (Adams County), Mary Gaspari and Tricia Ushler (Chester County), Dean Hiestand and Lonnie McMillan (Bucks County), William Price IV, Bonnie Savitski, and Kelly Waltman-Spreha (Dauphin County), Denise Schechterly (Columbia County), Larry Smith (Lycoming County), Kelly Thompson and Michael Webb (York County), Scot Walkowski (Venango County), Chad Weaver (Jefferson County), Gregory Wilt (Union County), and Joseph Viti (Montgomery County Youth Center).

Kelly Waltman-Spreha was named the Graduate Student of the Year. She will receive the Dr. Anthony F. Ceddia Award for Outstanding Scholarship in Juvenile Justice at the Pennsylvania Conference on Juvenile Justice in November, 2005.

On behalf of the Juvenile Court Judges' Commission and the faculty at Shippensburg University, we offer our congratulations on these students' outstanding achievements, and wish them all the very best in their future endeavors.



# Supreme Court of Pennsylvania Adopts Rules of Juvenile Court Procedure

*(Last of a three-part series)*

The Pennsylvania Supreme Court adopted Rules of Juvenile Court Procedure governing delinquency cases on April 1, 2005. The majority of the rules become effective on October 1, 2005. The five rules dealing exclusively with proceedings involving juvenile court masters become effective April 1, 2006. The following are among the more significant provisions of the Rules of Juvenile Court Procedure:

## Chapter Four Adjudicatory Hearing

- **Rule 401 (Introduction to Chapter Four)** provides that under these rules and the Juvenile Act, a determination for each case requires separate and distinct findings. First, the Court is to hold an adjudicatory hearing (governed by Rule 406) or receive an admission from the juvenile of the allegations (governed by Rule 407).

Second, after hearing the evidence or receiving an admission, the Court is to rule on the offenses (pursuant to Rule 408) stating with particularity the grading and counts of each offense.

Third, after ruling on the offenses or entering its findings, the Court is to determine if the juvenile is in need of treatment, supervision, or rehabilitation (pursuant to Rule 409).

After the Court has made these findings and if the Court finds that the juvenile is in need of treatment, supervision, or rehabilitation, the Court is to hold a dispositional hearing (pursuant to Rule 512) and is to enter a dispositional order (pursuant to Rule 515). Nothing in these rules precludes the court from making these determinations at the same proceeding as long as the requirements of Rules 406 and 409 are followed.

- **Rule 406 (Adjudicatory Hearing)** provides that the Court must conduct the adjudicatory hearing without a jury, in an informal but orderly manner. The adjudicatory hearing must be recorded. The adjudicatory hearing must be transcribed at the request of a party, pursuant to a court order, or when there is an appeal.
- **Rule 407 (Admissions)** provides that at any time after a petition is filed, the juvenile may tender an admission to the facts, adjudication of delinquency, and / or disposition. Before the Court can accept an admission, the Court must determine that the admission is made voluntarily and knowingly and, in making this determination, the Court must ask specific questions as set forth in this Rule.

If the parties agree upon the terms of an admission, the tender must be presented to the Court. If the Court accepts the tender, the Court must enter an order incorporating any agreement. If the Court does not accept the tender, the case shall proceed as if no tender had been made. An admission cannot be withdrawn after the Court enters the dispositional order.

(The *Comment* to Rule 407 notes that the Court is not to accept a plea of *nolo contendere*. The *Comment* also notes that nothing in the rule is intended to prevent the Court from using a written form to ascertain the necessary information, provided the Court asks questions of the juvenile, on the record, to authenticate the juvenile's completion and understanding of the form and the juvenile's agreement with the statements made.)

- **Rule 408 (Ruling on Offenses)** provides that within seven days of hearing the evidence on the petition or accepting an admission under Rule 407, the Court must enter a finding by specifying which, if any, offenses, including grading and counts, alleged in the petition were committed by the juvenile. If the Court finds the juvenile did not commit the alleged delinquent acts, the Court shall dismiss the allegations and release the juvenile, if detained, unless there are other grounds for the juvenile's detention. If the Court finds that the juvenile committed any delinquent act, the Court must proceed as provided in Rule 409.
- **Rule 409 (Adjudication of Delinquency)** provides that once the Court has ruled on the offenses, the Court shall conduct a hearing to determine if the juvenile is in need of treatment, supervision, or rehabilitation.

If the Court determines that the juvenile is not in need of treatment, supervision, or rehabilitation, jurisdiction shall be terminated and the juvenile must be released, if detained, unless there are other reasons for the juvenile's detention.

If the Court determines that the juvenile is in need of treatment, supervision or rehabilitation, the Court must enter an order adjudicating the juvenile delinquent and proceed in determining a proper disposition under Rule 512.

If the juvenile is in detention, the Court shall make its finding within twenty days of the ruling on the offenses under Rule 408. If the juvenile is not in detention, the Court must make its finding within sixty days of the ruling on the offenses. These time restrictions may be extended if there is an agreement by both parties.

(The *Comment* notes that absent evidence to the contrary, evidence of the commission of acts that constitute a felony is sufficient to sustain a finding that the juvenile is in need of treatment, supervision, or rehabilitation.)

## **Chapter Five Dispositional Hearing**

### **Part B Dispositional Hearing and Aids**

- **Rule 510 (Prompt Dispositional Hearing)** provides that if the juvenile is detained, the dispositional hearing shall be held no later than twenty days after the ruling on the offenses. The dispositional hearing may be continued, if necessary. If the juvenile is detained, each continuance shall not exceed twenty days.

(The *Comment* notes that if there is a continuance, the Court should review the juvenile's case every twenty days until there is a final dispositional order.)

- **Rule 512 (Dispositional Hearing)** provides that the Court shall receive any oral or written evidence which is helpful in determining disposition, including evidence that was not admissible at the adjudicatory hearing. Before deciding disposition, the Court shall give the juvenile and the victim an opportunity to make a statement. (The *Comment* to Rule 512 urges that to the extent practicable, the judge or master that presided over the adjudicatory hearing should preside over the dispositional hearing.)
- **Rule 515 (Dispositional Order)** provides that when the Court enters a disposition, the Court must issue a written order, which provides balanced attention to the protection of the community, accountability for offenses committed, and development of competencies to enable the juvenile to become a responsible and productive member of the community. The order must include:
  1. the terms and conditions of the disposition;
  2. the name of any agency or institution that is to provide care, treatment, supervision, or rehabilitation of the juvenile;
  3. the date of the order; and
  4. the signature and printed name of the judge entering the order.

If restitution is ordered in a case, the dispositional order must include a specific amount of restitution to be paid by the juvenile, to whom the restitution is to be paid, and a payment schedule, if so determined by the Court.

(The *Comment* to Rule 515 notes that dispositional order should comport in substantial form and content to the model orders of the Juvenile Court Judges' Commission.)

## **Chapter Six Post-dispositional Procedures**

### **Part A Summons and Notice**

- **Rule 600 (Summons and Notice of the Commitment Review, Dispositional Review, and Probation Revocation Hearing)** provides that the Court shall issue a summons compelling the juvenile and the juvenile's guardian to appear for the commitment review, dispositional review, or probation revocation hearing. The Court must give notice of the hearing to the attorney for the Commonwealth, the juvenile's attorney, the juvenile probation office, and the placement facility staff, if the juvenile is in placement. The general summons and notice procedures of Rule 124 must be followed.

## **Part B**

### **Modifications, Reviews, and Appeals**

- **Rule 605 (Detaining Juvenile for Modification of the Dispositional Order or Violation of Probation)** provides that a juvenile may be detained for a modification of a dispositional order or a violation of probation by:
  1. the filing of a motion for modification of the dispositional order;
  2. the anticipated filing of a motion for modification of the dispositional order within twenty-four hours of the juvenile's detention; or
  3. the filing of a motion alleging probation violations.

The Court must adhere to the detention, notice, time, and manner of hearing provisions of Rules 240, 241, and 242.

- **Rule 610 (Disposition and Commitment Review)** requires a dispositional review hearing to be held at least every six months in all cases when the juvenile is removed from the home. If the parties agree, commitment and dispositional review hearings may be held by teleconferencing, two-way simultaneous audio-visual communication, or another similar method when a juvenile is committed to a placement facility. The juvenile shall be permitted to communicate fully and confidentially with the juvenile's attorney immediately prior to and during the proceeding.

(Please note that Rule 610 departs from 42 Pa. C.S. §6353, which requires the committing court to review the commitment every six months and hold a disposition review hearing every nine months.)

- **Rule 613 (Termination of Court Supervision)** requires the juvenile probation officer to file a motion to move for the termination of the court's supervision when the juvenile has completed the terms of the dispositional order. The motion must set forth the following: the juvenile has completed the terms of the court's disposition order; restitution, fines, and costs have been paid in full; and the juvenile has not committed any new offenses in which a criminal proceeding or proceeding governed by the Juvenile Act may be commenced.

A number of additional procedural areas were identified but not included in this initial set of rules, including: open proceedings; DNA testing; transfer of disposition and supervision of juvenile to another state; disposition and supervision of a juvenile received from another state; post-dispositional procedures - appeals; and release of juvenile pending appeal.

Copies of the Rules of Juvenile Court Procedure, the Supreme Court's Order approving the Rules of Juvenile Court Procedure, the Explanatory Report, and other information regarding the work of the Juvenile Court Procedural Rules Committee can be downloaded from the website of the Administration of the Pennsylvania Courts, at <http://www.courts.state.pa.us/Index/supctcmtes/juvct/dockjuvct.asp>.