

Chapter 3

Overview of Pennsylvania's Juvenile Justice System

Summary of Contents

This chapter will provide a kind of diagram of Pennsylvania's juvenile justice system, with a brief account of its beginnings and the way it has changed over the years; a look at how the system's different elements are organized, administered, and funded; a statistical overview of delinquency case processing in the state, based on recent arrest, disposition, and residential placement data; and a summary of the collaborative structures in place for interstate transfers of juvenile cases.

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§ 3-1 The Origins and Development of Pennsylvania Juvenile Courts

Prior to the establishment of juvenile courts in Pennsylvania and elsewhere, the common law recognized no such category as "juvenile delinquents," but divided all law-breakers into "infants" and adults. Children under 7 were conclusively presumed incapable of forming the intent to commit a crime— "felonious discretion" at such an age being considered "an impossibility in nature."¹ This "infancy defense" was also available to children between 7 and 14, but in their case it was rebuttable. Prosecutors could and did present evidence to show that individual children in this age group were capable of criminal intent. And children over 14 could not use the infancy defense at all; they were always prosecuted and punished just like adult criminals.²

Widespread dissatisfaction with this approach during the 19th century sparked a number of local reforms intended to deal with young criminals more effectively and humanely, and in particular to isolate them from adults. Philadelphia saw the creation of one of the nation's first "Houses of Refuge" for children in 1826, and separate correctional institutions for children convicted of crimes, vagrancy, and "incurability" became common in subsequent years.³ By 1893, Pennsylvania law already required separate trials and trial

dockets for children, and prohibited their confinement with alleged or convicted adult criminals.⁴

In 1899, Illinois established what is now generally regarded as the world's first juvenile court, in Cook County. The court used broad powers and informal procedures to deal with law-breaking children in an

Pennsylvania's juvenile courts are over a century old.

entirely new way—so that, as the new court's enabling legislation put it, “as far as practical they shall be treated not as criminals but as children in need of aid, encouragement, and guidance.”⁵ Most states followed suit soon afterwards. Pennsylvania passed its first Juvenile Court Act, modeled on the Illinois law, in 1901. While the 1901 law did not survive an initial constitutional challenge, an amended Juvenile Court Act of 1903 was immediately enacted and upheld by the Pennsylvania Supreme Court.

Originally, the juvenile court's jurisdiction in Pennsylvania extended only to minor crimes. The Juvenile Court Law of 1933, besides giving the court new authority to deal with “ungovernable” behavior and truancy, expanded the court's jurisdiction to cover all crimes except murder committed by children under 16. A 1939 amendment gave the court jurisdiction over children up to age 18.

While the juvenile court movement caught on quickly, it was not without critics. Despite the professed benevolence of the courts' intentions, their failure to afford basic due process safeguards to juveniles was regarded by many as unfair and inconsistent with our traditions. Eventually, the U.S. Supreme Court came to agree, concluding in a series of decisions, beginning with *Kent v. United States* in 1966, *In re Gault* in 1967, and *In re Winship* in 1970, that juveniles accused of delinquent acts were entitled to many of the basic rights enjoyed by adults accused of crimes.

In Pennsylvania, the legislature responded with the passage of the Juvenile Act of 1972. Based on the Uniform Juvenile Court Act, a model law developed by the National Conference of Commissioners on Uniform State Laws, the 1972 Act codified the rights of accused juveniles to receive written notice of charges against them, to be assisted by counsel, to confront accusers, and to be convicted only upon proof beyond a reasonable doubt.

Significant amendments to the Juvenile Act of 1972 were enacted in 1977, 1980, 1981, 1986, 1989, 1995 and 2000:

- The 1977 change established 10 as the minimum age at which a child could be considered delinquent, and deleted “ungovernable behavior” from the definition

of “delinquent acts” –so that from then on courts would deal with cases of ungovernability as “dependency” rather than delinquency matters.

- A 1980 law authorized fingerprinting and photographing of juveniles and required that district attorneys receive notice before juveniles in secure custody could be stepped down to a less secure facility.
- In 1981, and again in 1986 and 1989, the Juvenile Act was amended to relax confidentiality restrictions related to the records of some categories of juvenile offenders.
- The 1986 amendments also for the first time gave victims and their counsel and supporters the right to attend juvenile hearings, and prohibited the entry of a consent decree without the district attorney's assent.
- Pennsylvania's Juvenile Act took what is essentially its present shape in 1995, when the legislature redefined the court's mission in juvenile delinquency cases to incorporate the principles of “balanced and restorative justice” (see discussion in Chapter 2) and acted to restrict the juvenile court's initial jurisdiction over a number of serious felonies (see § 4-5 for a listing of excluded offenses).
- In 2000, the Crime Victims Act was amended to give basic rights to victims of juvenile crime. While these amendments represented a critical first step in recognizing victims as clients of the justice system, they extended many of the most important rights only to victims of personal injury crimes. The Rules of Juvenile Court Procedure for Delinquency Matters expanded these rights to ALL victims of crimes committed by juveniles.
- Pennsylvania's juvenile justice system has long been regarded as a model for the nation, and this status has been further enhanced by the dramatic strengthening of due process protections for juveniles in response to the recommendations of the Interbranch Commission on Juvenile Justice⁶ and the system-wide commitment to evidence-based policy and practice that is at the foundation of the Juvenile justice System Enhancement Strategy (JJSES) (see discussion in Chapter 2).

§ 3-2 Basic Juvenile Justice Structure and Funding

Especially in comparison with most other states, Pennsylvania's is a highly decentralized juvenile justice system, characterized by an unusual amount of local control and

experimentation and a very diverse mix of private delinquency service providers to supplement the public services network. There are states in which a single “Department of Juvenile Justice,” answerable to the governor, is responsible for everything. Pennsylvania isn't one of them. Here the state provides leadership, but the local juvenile courts administer the probation departments. Most juvenile detention centers are operated by counties. Judges decide where local juveniles will be

Pennsylvania’s county-based, public/private approach to delinquency has produced a model system.

committed, and relatively few end up in state-operated facilities. Even youth that are placed outside the home are far more likely to go to private facilities than public ones. And wherever they go, they remain subject to local court custody and supervision.

This diversified approach has some weaknesses, but it has many more strengths, and Pennsylvania has long been regarded as a national leader in juvenile justice policy and practice.

Basic Elements of the System

The basic elements of the Pennsylvania juvenile justice system are the following:⁷

- ***Juvenile Courts.*** The Pennsylvania Constitution gives the Courts of Common Pleas in each of the state's 67 counties “unlimited original jurisdiction in all cases except as may otherwise be provided by law.”⁸ This general grant of authority extends to juvenile delinquency matters, among many others. Some counties have established permanent “juvenile divisions” of their Courts of Common Pleas, while others merely hold regularly scheduled “juvenile days.” By custom, however, whenever a Court of Common Pleas is hearing a juvenile matter, it is referred to as a “juvenile court,” and this usage will be observed throughout this work.
- ***Court Administration.*** In most counties, the administrative direction of the juvenile court is entrusted to an administrative judge designated by the president judge of the county. (In Philadelphia and Allegheny Counties, however, the administrative judge of the Family Court is appointed by the Supreme Court.) In a number of jurisdictions, the president judge functions as the administrative judge of the juvenile court. A chief juvenile probation officer is appointed by the court to oversee the county's juvenile probation department.

- **Juvenile Probation.** County juvenile probation officers in Pennsylvania are the juvenile court's foot soldiers, serving as the primary points of contact with court-involved youth from intake through case termination. They are responsible for initial screening, predisposition investigation, probation supervision, and “aftercare” or post-commitment supervision. In some counties, they play a role in victim services as well. Juvenile probation officers in Pennsylvania tend to be experienced, educated, and well- trained. To be hired, a juvenile probation officer must have a bachelor's degree with at least 18 credits in the social sciences, but about a quarter of all juvenile probation officers statewide hold graduate degrees. The annual turnover rate has historically been less than 10%.⁹ The Juvenile Court Judges' Commission offers an optional 40-hour orientation for new officers through its Center for Juvenile Justice Training and Research at Shippensburg University, and mandates 40 hours of continuing training annually. The JCJC also underwrites tuition for probation officers who complete a two-year weekend master's program at Shippensburg University that was developed especially for juvenile probation officers.
- **Detention.** There are a total of 14 secure juvenile detention facilities in operation in Pennsylvania—2 private facilities and 12 that are owned and operated by individual counties or several counties—accepting temporary custody of juveniles awaiting adjudication, disposition or placement. Some house only youth from their own counties and others serve multiple counties. With a combined total of approximately 714 beds, these facilities accept as many as 9,000 admissions in a typical year.¹⁰ The median length of stay in detention tends to be about 9 days.¹¹ Facility utilization rates (average daily population divided by bed capacity) tend to range from a low of about 28% to a high of about 72%.¹² Between 2006 and 2017, 10 secure juvenile centers ceased operations in Pennsylvania.¹³
- **State-Operated Facilities.** The Bureau of Juvenile Justice Services (BJJS) within the Department of Human Services, Office of Children, Youth and Families (OCYF) administers and manages a network of Youth Development Centers and Youth Forestry Camps. There are a total of 5 such state-operated facilities, with an overall capacity of 351 beds (252-secure and 99 non-secure, including a 48-bed facility for females). Specialized programs serve sex offenders, substance abusers, emotionally disturbed youth, developmentally delayed youth, and dually-diagnosed youth. As with the secure juvenile detention centers, the number and bed capacity of state-operated facilities has decreased significantly in the past decade.

- **Private Providers.** Pennsylvania's array of private sector delinquency service providers is arguably the best in the nation. There are well over 500 separate programs for delinquent youth in Pennsylvania, including secure placement programs, group homes, day treatment programs, alternative schools, wilderness programs, shelter and foster care programs, and specialized mental health, drug and alcohol, and sex offender treatment programs, all privately run but inspected and approved by the Department of Human Services.

State Leadership Organizations

Key state agencies and organizations with juvenile justice responsibilities in Pennsylvania include the following:

- **The Juvenile Court Judges' Commission.** The Juvenile Court Judges' Commission (JCJC) is a valuable resource for all juvenile court judges. The JCJC is a statutorily created body that is mandated to advise juvenile court judges on all matters relating to the proper care of both dependent and delinquent children. The JCJC also collects and disseminates Pennsylvania juvenile court statistics, establishes administrative and procedural standards for juvenile courts, and sets personnel practices and employment standards for juvenile probation departments. Local juvenile probation departments benefit from JCJC grants intended to improve probation practice and promote various kinds of specialized probation (including school-based, community-based, intensive, and aftercare probation), and receive training, continuing education and graduate education through the JCJC's Center for Juvenile Justice Training and Research at Shippensburg University. The JCJC's nine judge-members are nominated by the Chief Justice of the Pennsylvania Supreme Court and appointed by the Governor for three-year terms, and are served by a permanent staff in Harrisburg and at Shippensburg University. In 2012, Act 42 of 2012 amended the enabling legislation of the Juvenile Court Judges' Commission at 42 Pa.C.S. § 6373 (4) to provide that the Commission shall have the power and is required to "collect and analyze data to identify trends and to determine the effectiveness of programs and practices to ensure the reasonable and efficient administration of the juvenile court system; make recommendations concerning evidence-based programs and practices to judges, the Administrative Office of Pennsylvania Courts and other appropriate entities; and post related information on the commission's publicly accessible Internet website."

- ***Department of Human Services.*** The Department of Human Services (DHS) through its Office of Children, Youth and Families, operates the state's delinquency institutions, and approves and licenses many local and private institutions for juveniles. The DHS also fixes each county's "needs-based budget" for purposes of state reimbursement of county-purchased services for juveniles (see discussion of "Needs-Based/Act 148," below), and administers the state's "placement maintenance" program for juveniles placed outside their homes (see sidebar, "Title IV-E Reimbursement Under the Social Security Act").
- ***The Pennsylvania Commission on Crime and Delinquency.*** The Pennsylvania Commission on Crime and Delinquency (PCCD) is the agency responsible for statewide criminal and juvenile justice system planning, coordination, and policy analysis. The PCCD provides data analysis, research, and legislative recommendations to the Governor's Office and the General Assembly, and administers and supports a number of important juvenile justice grant funding initiatives that benefit local governments. The state's Victim/Witness Assistance Program and its Crime Victims' Compensation Fund are overseen by the PCCD as well. The PCCD's expenditure of federal and state juvenile justice funds is guided by a formal advisory group of service providers and other professionals that sits as the Juvenile Justice and Delinquency Prevention Committee.
- ***The Pennsylvania Council of Chief Juvenile Probation Officers.*** The "Chiefs' Council" is a highly regarded membership organization of chief probation officers, deputy chiefs, supervisors, and probation staff that works closely with the Juvenile Court Judges' Commission on probation training, education, and system planning, and legislative issues. The Council also works closely with all other juvenile justice system stakeholders, is well represented on the JJSES Leadership Team, and has been critically important to the successful implementation of this initiative.

Juvenile Justice Funding

Pennsylvania juvenile justice system costs—including the costs of housing, supervising, treating, and otherwise meeting the needs of youth in the system—may be paid for out of private,¹⁴ federal, state and county funds. In general, Pennsylvania law¹⁵ provides that no state or local funds may be expended on behalf of a juvenile until all available federal and private funds for which the juvenile is eligible have been exhausted. Allowable costs not otherwise covered by federal or private sources are shared by the state and county. Their

respective shares are determined by means of a detailed schedule of state reimbursements laid out in the Human Services Code.¹⁶ As is discussed more fully below (see “Needs-Based/Act 148 Funds”), the state reimbursement rates vary between 50% and 100% based on the type of service. State Act 148 reimbursement is “capped” meaning that each county is allocated a certain amount of funds that cannot be exceeded regardless of whether the expenses are allowable. Funding levels are determined through a statutorily defined needs-based budgeting process to determine yearly funding made available for services to dependent and delinquent children and youth. The county itself is liable for actual expenditures that exceed the cap.

The principal sources of funding for juvenile justice in Pennsylvania are as follows:

Federal

- **Title IV-E.** Established under Title IV-E of the federal Social Security Act, the Title IV-E Foster Care Placement Maintenance program reimburses Pennsylvania counties for a substantial portion (ranging between 50 – 54%, depending on Federal Medical Assistance Percentage (FMAP) rate in effect at the time of the service) of the costs of maintaining eligible juveniles placed in federally defined foster care settings (See sidebar, “Title IV-E Reimbursement under the Social Security Act.”) The remaining cost is shared between the state and county governments based on the state reimbursement rates mentioned above.

Title IV-E is an open-ended entitlement program, administered since 1980 by the Children's Bureau of the U.S. Department of Health and Human Services, which provides funds to help cover the expenses of maintaining needy children in foster homes and child care institutions. Under Sec. 472(a) of the Social Security Act, 42 U.S.C. §672, a juvenile who has been removed from the home must meet certain requirements to be eligible for Title IV-E reimbursement. First and foremost, the juvenile must meet the definition of “Child” under the Juvenile Act and be determined to be a “Shared Case Responsibility” case, meaning the youth is served by both the juvenile probation officer for delinquency concerns and the children & youth office for dependency concerns. The youth must also meet financial need as determined by the Aid to Families with Dependent Children (AFDC) criteria established in 1996. The court must make a determination at the initial hearing that placement in out-of-home care is in the juvenile’s best interest and that the removing court has examined the facts and determined that removal from the family home was necessary and could not reasonably have been avoided. Basically, Title IV-E placement assistance is available in delinquency cases if courts make the

determinations regarding such issues as child safety, permanency and well-being that they are required by law to make in dependency cases, and if the juvenile is placed in a federally defined “foster care” setting with eligible costs.

Under 42 U.S.C. §671 and 45 CFR 1356.21, a county can access Title IV-E financial support only if its courts make detailed, timely, and clearly documented findings on three issues in the cases of juveniles who require out-of-home placement:

- ***Necessity of removal.*** The court authorizing a juvenile's removal from the home must make a fact-based determination that “continuation in the home would be contrary to the welfare” of the juvenile--because he poses a threat to himself if left at large, for example, or needs out-of-home treatment, or will otherwise continue offending and thereby risk injuries or further penalties. (The court can also consider making a finding that the placement in out-of-home care is in the juvenile’s “best interest.”) The court must make the “contrary to welfare/best interest” finding in the first order that sanctions the juvenile's removal, even temporarily. So, for example, in a delinquency case that commences with a juvenile's being taken into custody and placed in detention, the court must make a “contrary to the welfare/best interest” finding at the time of the detention hearing--even though detention is not a “placement” qualifying for IV-E funding. Failure to do so means that the costs of any subsequent placement--even in a qualifying institution--will not be reimbursable.
- ***Efforts to prevent removal.*** Within 60 days of removal, the court must find that “reasonable efforts” were made to prevent removal—or that, under the circumstances, a failure to make advance efforts to prevent removal was “reasonable.”
- ***Efforts to finalize permanency.*** Within 6 months of the date that the juvenile enters IV-E eligible foster care—generally at a “permanency hearing” that is required for juveniles who have remained that long in placement—the court must find that “reasonable efforts have been made to finalize a permanent placement for the child.”

Title IV-E placement assistance helps cover the costs of “24-hour substitute care” in “licensed or approved” foster homes or child care institutions that fall within the federal definition of “foster care.” Detention centers, training schools, forestry

camp, and other facilities “operated primarily for the detention of children who are determined to be delinquent” are specifically disqualified.

- **Medicaid.** The costs of a wide variety of medically necessary in-patient and out-patient services for eligible juveniles are reimbursable under Pennsylvania's federally funded Medical Assistance program. The DHS implemented its Integrated Children's Services Initiative—often referred to as “Medicaid Realignment”—to maximize the use of federal Medical Assistance funding for “medically necessary” treatment services to dependent and delinquent youth. Through this initiative, DHS identified behavioral health treatment services across the state that could be funded through the Medical Assistance program. This was a complex process requiring agencies and services to adhere to licensing and accreditation standards, some of which are difficult to meet, particularly for some small or rural county services. Child welfare and juvenile justice services (including court ordered services) that do not fall under “medical necessity” may be paid for with state and local funds through the needs-based budgeting process (described below) in some instances. If the cost is determined unallowable for state participation, the county supports the expense.
- **TANF.** A portion of Pennsylvania's block grant under the federal Temporary Assistance for Needy Families program established by Title IV-A of the Social Security Act is allocated to the state Office of Children, Youth and Families to support county services for means-eligible youth, including (among many other things) emergency shelter placement services and in-home services for adjudicated delinquents required to participate in community-based programs. Unlike reimbursement under Title IV-E, reimbursement under TANF is for 100% of the eligible county costs.

State

- **“Needs-Based/Act 148” Funds.** After all other available funding sources have been tapped, including child-generated revenue, like child support and supplemental security income payments, and all applicable federal funding, the county can utilize Act 148 funds to match federal funds, if applicable, and to support costs not supported by federal programs or costs in excess of federal funding allotments. Under 62 P.S. §704.1 of the Human Services Code, the state provides reimbursement through the “County Needs-Based Plan and Budget Process” for most of the costs of county-purchased services for juveniles, including day treatment, counseling, foster and institutional care, and detention. Act 148 reimbursement varies from 50% to 90% of covered costs, with the remaining costs covered by local matching funds. For

instance, in-home and community-based services that the state wishes to encourage (such as counseling, referral, and day treatment services) are generally 80%-reimbursed, while reimbursement rates are deliberately set lower for secure detention (50%), secure residential (60%), and non-community-based residential services (60%). Evidence-based programs are 95% reimbursed and Promising Practices are 90% reimbursed when requested under Special Grants through the Needs-Based Plan and Budget process. The total annual Act 148 amount a county may receive is limited. Every year a finite state allocation is set for each county, determined by the Department of Human Services on the basis of the county's "Needs-Based Plan and Budget Estimate" for dependent and delinquent youth, which is submitted by the local children and youth agency. The plan/budget must take into account the county's previous spending, current spending, the number of dependent and delinquent youth entering/exiting the system, projected trends, needed services, changes in legislation, etc. The plan/budget must be arrived at with the participation of juvenile court judges as well as juvenile probation departments. To ensure that the judiciary has had input into the process and an opportunity to determine that the proposed budget estimate accurately reflects the needs of dependent and delinquent youth served by the court, judges are required to "sign off" on these estimates before they are submitted. (See §11-2)

- **JCJC Juvenile Probation Services Grant.** The Juvenile Court Judges' Commission administers a state-funded grant-in-aid program that supports staff positions and limited operational costs in virtually all county juvenile probation departments. The grants are conditioned upon adherence to certain JCJC Standards and the approval of an annual county Juvenile Justice System Enhancement Strategy implementation plan.¹⁷
- **Special grants.** In addition to the above, the Pennsylvania Commission on Crime and Delinquency administers a number of grant programs that support local juvenile justice and delinquency prevention services.¹⁸ Many of these grants require the county to pay for some portion of the expense covered by the grant with its own matching funds.

Local

- **County budgets.** County tax dollars pay for everything that is not funded by the above sources, including juvenile court support staff, most probation staff, building

and operating costs, local dollar matches required for state and federal grants, and amounts that exceed the Act 148 reimbursement cap.

Victim Services Funding

The state's Victim/Witness Assistance Program is administered by PCCD. Funding support for the victim advocates who provide service to victims of juvenile offenders is provided through PCCD's Victims of Juvenile Offenders (VOJO) program. These and other victim services funds are typically awarded by PCCD upon the recommendation of PCCD's Victims Services Advisory Committee (VSAC), which also develops the funding announcements.

- ***Victims of Juvenile Offenders (VOJO) Funding.*** This state appropriation provides financial support, training and technical assistance under the Commonwealth's Crime Victims Act, specifically for victims whose offenders are under the age of 18. PCCD provides grants and technical assistance to District Attorney's Offices, Juvenile Probation offices, and community-based victim service programs to safeguard the statutory rights of victims of juvenile offenders
- ***Rights and Services Act (RASA) Funding.*** The goal of the RASA program is to support the full range of procedural services related to victim rights throughout criminal and juvenile justice proceedings. These funds may only be used to support procedural services as outlined in the Crime Victims Act and Rules of Juvenile Court Procedure.
- ***Victims of Crime Act (VOCA) Funding.*** This federal grant program provides funding for the provision of direct services to victims of crime as well as financial support, via Victims Compensation Assistance, to victims of crime. Victims of Crime Act funding is distributed primarily to community-based victim services agencies, although several programs administered by justice agencies also receive this funding.

§ 3-3 Statistical Overview of Case Processing and Recidivism Rates

A quick look at statistical information available from a variety of sources will convey a broad sense of the kinds of cases the juvenile courts normally handle and how they dispose of them:

- **Overall volume.** Pennsylvania law enforcement authorities make more than 50,000 arrests a year involving persons under 18.¹⁹ Most of these arrests do not involve serious crimes—in fact, more than nine out of ten are for nonviolent offenses. But about half of juvenile arrests result in referrals to juvenile courts. Pennsylvania juvenile courts and probation departments dispose of more than 23,000 delinquency referrals a year, about three-quarters of them from police sources.
- **Typical offenses.** The most common offenses disposed of in a typical year are theft-related offenses, assault (simple & aggravated), possession of drugs, robbery, and burglary.
- **Formal v. informal handling.** About 40% of all referrals are handled without petitioning, while the remaining 60% are petitioned.²⁰
- **Dispositions.** Consent decrees are the most frequently used formal response to juvenile offending in Pennsylvania, accounting for nearly one in five juvenile court dispositions. When you add cases resolved with probation orders and informal adjustments, over half of all cases referred to the juvenile court in a typical year result in some form of in-home supervision. By contrast, only about 6% of the total dispositions involves court-ordered placement in a residential facility.²¹ And following the 1995 Juvenile Act amendments excluding a number of serious offenses from initial juvenile court jurisdiction (see § 6-1), judicial transfers to criminal court have become extremely rare also, with approximately ½ of 1% of statewide referrals resulting in transfer in a typical year.²²
- **Types of placements.** Of the relatively small number of youth who receive placement dispositions in Pennsylvania, over half go to private non-secure institutions. Fewer than one in ten go to the most secure public institutions—the Youth Development Centers operated by the state DHS.
- **Case processing times.** On average, the amount of time it takes to bring a formal delinquency case to disposition varies considerably from county to county, from as few as four or five weeks to as many as twenty. In most years the statewide median for formally handled cases is about ten to twelve weeks. Processing times for

informally handled cases range even more widely, but the statewide median is generally about ten weeks.

- **Recidivism rates.** Juvenile recidivism in Pennsylvania is defined as a subsequent delinquency adjudication or conviction in criminal court for either a misdemeanor or felony offense within two years of case closure. Under this definition, about 22% of juveniles whose cases were closed in the years 2007-2010 recidivated.²³

§ 3-4 Managing the Interstate Movement of Juveniles

The Interstate Compact for Juveniles is a contract between the states that regulates the interstate movement of juveniles who are under court supervision or who have run away from home and left their state of residence. States ratifying the compact are bound by federal law to observe the terms of the agreement. The Compact provisions take precedence over conflicting state laws, including conflicting provisions of the Juvenile Act (42 Pa.C.S. §§ 6361-6365). The Compact provides for states' supervision and return of juveniles who have run away from home and left their state of residence; are on probation, parole, or other supervision, or have escaped to another state; and have been accused of an offense in another state. Questions and requests for assistance should be directed to the office Pennsylvania's Compact Administrator in the Department of Human Services: <https://www.juvenilecompact.org/east/pennsylvania>

For further information, see:

Interstate Commission for Juveniles website: <http://www.juvenilecompact.org/>

ICJ Toolkit for Judges:

<http://www.juvenilecompact.org/Legal/Judges/ToolkitforJudges.aspx>

¹ Blackstone, Sir William. Commentaries on the Laws of England.

² McCarthy, Pa. Juvenile Delinquency Prac. & Proc. (4th Ed.), § 1-2.

³ Bremner, R. (1971). Children and Youth in America: A Documentary History, Vols. 1 and 2. Cambridge, MA: Harvard University Press.

⁴ See Anderson, J. (March 1999). "Pennsylvania's Juvenile Justice System: A Rich Heritage, Clear Mission, and Bright Future." Pennsylvania Juvenile Justice 8(3). Shippensburg, PA: Center for Juvenile Justice Training & Research.

Except where otherwise noted, all subsequent material on the history of the Pennsylvania juvenile courts is taken from Anderson.

⁵ “An Act to Regulate the Treatment and Control of Dependent, Neglected and Delinquent Children,” Revised Statutes of the State of Illinois, 1899, quoted in Trattner, W. (1999). *From Poor Law to Welfare State*. New York, NY: The Free Press.

⁶ <http://www.pacourts.us/assets/files/setting-2032/file-730.pdf?cb=4beb87>

⁷ Except where otherwise noted, information in this section is taken from National Center for Juvenile Justice. (2002). “Pennsylvania.” *State Juvenile Justice Profiles*. Pittsburgh, PA: NCJJ. Available online at <http://www.ncjj.org/stateprofiles/>.

⁸ Article V, Section 5, Pennsylvania Constitution.

⁹ Juvenile Court Judges’ Commission, 2016 JCJC Juvenile Probation Personnel Report

¹⁰ *2015 Pennsylvania Juvenile Court Dispositions*, Juvenile Court Judges’ Commission, 2016, page 13.(www.jcjc.pa.gov)

¹¹ *Ibid*, p.14.

¹² *Ibid*, p.16.

¹³ 2017 Pennsylvania Juvenile Justice and Delinquency Prevention Plan, Pennsylvania Commission on Crime and Delinquency.

¹⁴ For example, 62 P.S. §704.1(e) authorizes courts to order financially able parents to pay all or part of the cost of services to their minor children, in fulfillment of their general support obligations under 23 Pa.C.S. §4321.

¹⁵ 62 P.S. §704.2.

¹⁶ 62 P.S. §704.1.

¹⁷ The JCJC grant is contingent on an annual appropriation from the General Assembly.

¹⁸ Funding streams administered by the PCCD are described in the “Grants” section of the Commission’s website at <http://www.pccd.state.pa.us/>.

¹⁹ Unless otherwise noted, the source of arrest and offense information summarized in this part is Pennsylvania State Police Uniform Crime Reporting data.

²⁰ In 2016, about 58% of the cases handled were petitioned. The remaining 42% were disposed of without petitioning.

²¹ In 2016, probation accounted for about 17.5% of all juvenile court dispositions, consent decrees for 22.3%, and informal adjustments for 16.7%. Court-ordered placements made up 6.3% of dispositions, counting both original dispositions and disposition reviews.

²² Only 62 transfers occurred in the whole state in 2016, accounting for less than half a percent of the total juvenile court dispositions

²³ See *The Pennsylvania Juvenile Justice Recidivism Report: Juveniles with Cases Closed in 2007, 2008, 2009, 2010, 2011, and 2012*. Pennsylvania Juvenile Court Judges’ Commission, 2016.