

Summary of Contents

This chapter will treat issues relating to the administration of juvenile courts, including judicial rotation and calendaring, the use of masters, the proper management and expungement of juvenile records, and court and probation performance measurement.

- § 11-1. The Role of the Administrative Judge
- § 11-2. Making Good Use of Judicial Resources
- § 11-3. Safeguarding Juvenile Records
- § 11-4. Promoting Accountability for Performance and Outcomes
- § 11-5. Sources of Further Information

Key Statutes

- 42 Pa.C.S. §6305 (masters)
- 42 Pa.C.S. §6307 (inspection of court files and records)
- 42 Pa.C.S. §6308 (law enforcement records)
- 42 Pa.C.S. §6309 (juvenile history record information)
- 42 Pa.C.S. §9123 (expungement of juvenile records)

Rules

- Rules 160-167, Pa.R.J.C.P. (records)
- Rules 170-172, Pa.R.J.C.P. (expungement)
- Rules 185-192, Pa.R.J.C.P. (masters)

JCJC Standards

- Administration of Juvenile Court
- Release of Information Contained in Juvenile Court Files and Juvenile Probation Records and Reports

§ 11-1 The Role of the Administrative Judge

The JCJC Standards Governing the Administration of Juvenile Court provide that in each judicial district in Pennsylvania, regardless of size, an administrative judge must be designated

The administrative judge must be a zealous advocate for local children.

to serve as the “one person through whom all administrative direction will be channeled” and to “meet the probation department’s need for one source of administrative authority....” In some jurisdictions, the President Judge functions in this capacity. The administrative judge’s broad duties include the following:

- *Developing and reviewing policy.* The administrative judge, preferably with the involvement of other judges in the district, should oversee the development and review of local juvenile court policies on intake practice, diversion guidelines, detention, probation and aftercare supervision, victim notification and accommodation, and the like.
- *Ensuring the adequacy of services.* “The Administrative Judge of the Juvenile Court shall be concerned with the adequacy of services provided to the Court by outside agencies.” The JCJC Standards make clear that a judge in this position should not passively make do with a situation in which local juveniles are deprived of needed services, but must “become an advocate for children and...insist that the community develop appropriate services according to its means for the use of the Court in its rehabilitative work.”
- *Calling attention to unfilled needs.* “If the services provided to the Court by outside agencies are not adequate, the Administrative Judge of the Juvenile Court shall inform the public.” The Standards suggest press conferences, news releases, and announcements at public meetings as possible ways of keeping the public informed on a regular basis regarding gaps in the continuum of local services for juveniles, from prevention to aftercare.
- *Working with community members.* “The Administrative Judge of the Juvenile Court shall appoint a Juvenile Court Advisory Committee of interested citizens from within the judicial district to help the judge ensure the availability of adequate services.” The citizen advisory group is a means of two-way communication: it helps the court understand the community’s problems and priorities, while enabling the community to understand, appreciate, and support the work of the court.
- *Leading the probation department.* “The Administrative Judge of the Juvenile Court shall appoint and oversee a Chief Juvenile Probation Officer to see that staff carry out the policies and procedures of the Court.” The Standards require the administrative judge and chief probation officer to see that probation department policy and procedures governing such matters as personnel practices, training requirements, work duties and supervisory responsibilities, and rules for the conduct of hearings and the maintenance and control of records are spelled out in a written operations manual.¹

**ACCESSING INFORMATION ON LOCAL NEEDS —
FROM THE PENNSYLVANIA ELECTRONIC
JUVENILE JUSTICE DATABOOK**

Administrative judges who wish to lead local planning, needs-based budgeting, program development, and risk/resource assessment efforts should become familiar with the Pennsylvania Electronic Juvenile Justice Databook—a free, user-friendly, on-line storehouse of current statistical information related to delinquency risk factors and juvenile crime and justice trends at the county level. The Databook gives users instant access to nine categories of county-by-county, year-by-year data on Pennsylvania youth:

- *Population*: County population figures and trends since 1990 are reported here, broken down by gender, by race, and by age group.
- *Health*: A variety of health-related data can be found here for each county, including information on suicide and firearms-related deaths; detailed breakdowns on pregnancies, live births, fetal deaths and abortions by age group; marriage and divorce rates; and even per capita liquor sales.
- *Economy*: This section shows local poverty rates by age group, per capita personal income, percentages of households and/or individuals receiving food stamps and welfare services, and employment figures for selected years.
- *Education*: In addition to various measures of educational attainment, data in this section give a detailed county-level picture of public high school withdrawal trends since 1992—broken down by sex, race, grade, and reason for dropping out.
- *Child Abuse and Neglect*: Look here for total substantiated and unsubstantiated incidents of child abuse and neglect in each county, broken down by the genders and ages of the victims and the perpetrators, the relationships between them, and the types of resulting injuries.
- *Reported Crime*: This section contains county-by-county reporting and clearance statistics on index crimes, as well as both raw numbers and rates for selected violent and property crimes reported to and cleared by law enforcement authorities.
- *Arrests*: An enormous amount of county-level information on arrests in 29 offense categories—from murder to loitering—can be accessed here, with age, sex, and race breakdowns.
- *Juvenile Court Cases*: Data collected by the Juvenile Court Judges' Commission on juvenile court dispositions are available here for each Pennsylvania county. For any year covered you can find out both (1) how many dispositions were handed down in cases involving particular offenses and (2) how many cases resulted in consent decrees, probation, placements, transfers to criminal court, etc. Information of both types can in turn be broken down by age group and by gender.
- *Adult Custody Rates*: Data from the Pennsylvania Department of Corrections give a picture of each county's adult incarceration rate.

The Pennsylvania Electronic Juvenile Justice Databook was developed for the Pennsylvania Commission on Crime and Delinquency by the National Center for Juvenile Justice, and is accessible via a link on the PCCD's home page at www.pccd.state.pa.us. (From the home page, just click on "Links," then "Juvenile Justice Links," then "Pennsylvania Data Book.")

§ 11-2 Making Good Use of Judicial Resources

Among the most important duties of an administrative judge is to advocate for resources for the juvenile court—including a sufficient number of competent and committed judicial officers to handle the court’s workload. When too few experienced judges are assigned to hear delinquency matters, the results are often crowded dockets, long delays, hasty and superficial

Judging in juvenile court takes commitment, maturity, expertise, and time.

hearings, excessive reliance on masters—and ultimately a kind of second-class justice. It is primarily up to the administrative judge in each district to speak out against these evils, and to argue in favor of assignment, rotation, and calendaring policies that give juvenile delinquency and dependency cases the time and attention they deserve.

Judicial Assignment and Rotation

“This is no job for most rookies.”

This statement from Judge Isaac Garb² is based on a career’s worth of experience in the Court of Common Pleas, Bucks County. Now retired, Judge Garb was a long-term member and former Chairman of the Juvenile Court Judges’ Commission. Unfortunately, as Judge Garb points out, in too many jurisdictions the juvenile court bench is considered a place “for the judge to learn his or her trade.” This despite the fact that “the juvenile court is arguably the most important of all the courts within the trial court constellation.” Certainly judges presiding over juvenile courts are entrusted with unusually broad discretion. Their most important decisions are seldom guided by cut-and-dried rules, and often call for considerable wisdom, insight, and knowledge of the world. And while a juvenile court judge’s lapses in attention or errors of judgment may not cost anyone money, they can have devastating consequences for the young people involved, and will not ordinarily be corrected by even the most vigilant appellate courts.

For these reasons, it is essential that judges appointed to the juvenile court have maturity and experience—and that they stay put long enough to bring these qualities to bear. Traditional judicial rotation practices—in which judges may sit in juvenile court for only a few months at a time, before moving on to something else—work against the long-term development of expertise, commitment, and leadership on the bench. As Judge Garb puts it, “juvenile court requires a certain continuum of attention from the judge not only because some youngsters are in the system for extended periods of time, but also because the court is an extremely dynamic one as we continue to learn more and more about the human behavior of children.” Administrative judges should do all they can to limit the practice of rotation, and should make efforts over time to attract and retain veteran judges who are willing to devote their careers to the juvenile court.

Judicial Workload and Calendaring Practices

Administrative judges should also work for the reform of case assignment and calendaring practices that overwhelm judges, discourage deliberation, and create courthouse conditions that are at best chaotic and at worst degrading and unconscionable. So-called “cattle call” scheduling—in which numerous juvenile court hearings are set for the same time in the same courtroom, and parties and their attorneys, victims, witnesses, families and supporters restlessly crowd the lobbies and hallways, waiting for their cases to be heard—is still the rule in too many jurisdictions. Administrative judges should use their authority to move their courts in the direction of manageable judicial caseloads and time-certain scheduling, in which specific time slots are assigned to individual hearings.³ If it is not possible to move all at once to a time-certain system, block scheduling—in which limited numbers of hearings are stacked in one-hour blocks—will capture many of the same benefits.

Use of Masters

The Juvenile Act authorizes courts to “direct that hearings in any case or class of cases be conducted in the first instance” by attorneys appointed as masters, rather than by judges.⁴ Prior to the adoption of the Rules of Juvenile Court Procedure for Delinquency Matters, there were no real limits on the use of masters in delinquency cases. Problems associated with scarce resources, overburdened judges and overbooked juvenile courtrooms eventually led to widespread and arguably excessive reliance on masters to do the work of juvenile court judges. As the Juvenile Court Procedural Rules Committee’s Explanatory Report noted, “Masters were introduced to ease the court docket due to a rapidly increasing number of juvenile cases. Masters were not intended to take over the juvenile system or the judges’ primary responsibilities and duties. In a minority of counties, the judges rarely hear juvenile cases and the master sets forth the ‘judgments’ with the judges’ rubber-stamped order... The Committee wanted to prohibit the master-run systems and ensure the judges performed the important duties they were elected to do. The Committee wanted to stress the importance of juvenile cases and the very serious consequences of a juvenile adjudication.”

Accordingly, Rule 187, Pa.R.J.C.P., which became effective April 1, 2006, severely restricted the use of masters in delinquency cases. Masters may now preside over only the following:

- Detention hearings, detention review hearings, or shelter-care hearings;
- Discovery, pre-adjudicatory, or preliminary proceedings for misdemeanors;
- Any hearing in which the petition alleges only misdemeanors; and
- Uncontested dispositional review hearings and uncontested probation revocation hearings.⁵

Masters are specifically prohibited from doing any of the following:

- Conducting transfer hearings;
- Issuing warrants; or
- Hearing requests for writs of habeas corpus.⁶

Prior to the commencement of any master-run proceeding, the master must inform the parties that they have a right to have the matter heard by a judge. If the juvenile or the attorney for the Commonwealth objects to having the matter heard by the master, the case must be heard before a judge.⁷ If the parties do not object, the master must announce findings and recommendations on the record at the conclusion of the hearing, and submit a summary within one business day to the juvenile court judge. Any party may challenge the recommendation by filing an oral or written motion requesting a rehearing within three days.⁸ The judge may accept or reject the master's recommendation, send it back for clarification, or schedule a rehearing within seven days.⁹

§ 11-3 Safeguarding Juvenile Records

Confidentiality has always been one of the core values of the juvenile court system. In order to safeguard a young person's chances of a decent future, it is often necessary to deny or

restrict access to records relating to his past—and sometimes even to bury that past altogether.

Juvenile courts must be guardians and protectors of the privacy of the young people they work with.

Accordingly, Pennsylvania law strictly limits access to court files and records in delinquency proceedings¹⁰ as well as to law enforcement records relating to juveniles,¹¹ and provides procedures for the expungement of juvenile records in appropriate cases.¹²

Limits on Access to Juvenile Records

Court files and records in delinquency cases—including petitions, motions, hearing transcripts, findings and orders as well as social reports and other documents prepared at the court's request—are not open to inspection by the public.¹³ Such records may be examined and copied, without special court authorization, only by the following individuals and agencies:¹⁴

- *Courts.* The court's own judges, officers, and professional staff may inspect juvenile records, as can the Administrative Office of Pennsylvania Courts and the courts of any other jurisdiction needing access to such records in the discharge of their official duties.
- *Parties.* Case files and records may be inspected by parties and their attorneys and representatives, although the court may restrict access to social reports containing the names of confidential sources.

- *Custodial agencies.* Public and private agencies entrusted with supervision or custody of the juvenile may inspect court records.
- *Access for sentencing purposes.* In connection with the preparation of a pre-sentence report in a criminal case, both the officers and staff of the court and the attorney for the defendant may inspect records related to the defendant’s juvenile court career.
- *Limited access for bail-setting purposes.* Likewise, a judge or other official making a bail determination in a criminal case may inspect juvenile court petitions, adjudication and disposition orders, orders resulting from disposition review hearings, and bench warrant and escape histories relating to the accused.
- *Limited adult correctional, parole board and probation access.* Officials of the Department of Corrections or of a state correctional or penal institution housing a former delinquent may inspect records related to the former delinquent, as can an adult parole board, court or county probation official making parole or supervision decisions about a former delinquent, but none of these officials may see social reports containing the names of confidential sources except with court permission.
- *Access for sex offender assessment purposes.* As noted above (see § 10-4), for purposes of an assessment of a committed sex offender by the State Sexual Offenders Assessment Board, the Board is entitled to inspect the juvenile court files and records pertaining to the offender.
- *Special access with leave of court.* Those who can show “a legitimate interest in the proceedings or in the work of the unified judicial system” may inspect juvenile court records with the court’s leave.

Note that similar access restrictions—with similar exceptions—apply to law enforcement agencies’ records and files relating to juveniles.¹⁵ Under JCJC Standards Governing the Release of Information Contained in Juvenile Court Files and Juvenile Probation Records and Reports, the president judge of each court should adopt written policies governing dissemination of juvenile probation records and reports, which should require that juvenile probation staff be present at inspection and responsible for any copying, that a case-specific record of the names and addresses of those to whom copies are provided be maintained, and that all records provided to individuals be accompanied by a statement prohibiting secondary dissemination.¹⁶

Although the above-listed individuals and agencies are the only ones entitled to *inspect* juvenile records without special authorization from the court, there are three additional situations in which the law authorizes limited disclosures of juvenile record information:

- *Publicly available information about certain serious offenders.* The public is entitled to know certain items of information—the juvenile’s name, address, age, charged offenses, substantiated offenses, and case disposition—regarding the following categories of juveniles:¹⁷
 - A juvenile adjudicated delinquent for an act committed at age 14 or above which would have been a felony if committed by an adult;

- A juvenile adjudicated delinquent for an act committed at age 12 or 13 which constituted one of the enumerated felonies that requires open proceedings (see § 8-3).
- A juvenile against whom a petition has been filed alleging an act subject to open proceedings, who has previously been adjudicated delinquent for...
 - an act committed at age 14 or above which would have been a felony if committed by an adult
 - an act committed at age 12 or 13 which constituted one of the enumerated felonies that requires open proceedings.

Under Rules 330 and 515, Pa.R.J.C.P., each delinquency petition must contain an averment as to whether the case is eligible for limited public information pursuant to the Juvenile Act. In addition, every disposition order must include a designation whether the case is eligible for limited public information.

- *Information that must be released to schools.* Whenever a juvenile who is enrolled in school is found delinquent, the juvenile probation department must provide the building principal or designee with the juvenile’s name and address, a listing of the delinquent acts the juvenile was found to have committed together with a brief description of them, and the disposition of the case.¹⁸ In the case of a juvenile adjudicated of a felony offense, the probation department must also provide relevant information from the juvenile’s probation or treatment reports, supervision plan and prior delinquency history. In addition, the court or juvenile probation department may share any additional information deemed necessary to protect public safety or facilitate the juvenile’s appropriate treatment, supervision or rehabilitation. All delinquency information provided to schools must be maintained separately from official school records, and transferred when the juvenile transfers.
- *Information released pursuant to court order.* Finally, the court may authorize release of other information contained in juvenile court files or probation records or reports in response to a request for access in the form of a motion.¹⁹ The motion must specify the information being sought and the purpose for which it will be used. In disposing of the motion, “the court should consider the purpose for which the information will be used, the nature of the information requested, administrative or legislative authority governing the release of the information, the nature of the offense, and the impact that the release of the information would have on the child and the community.”²⁰ Any order granting such a motion should prohibit further dissemination of any information disclosed.

Expungement

Pennsylvania law sets out procedures for the expungement of juvenile court records in a variety of situations.²¹ Although it can be regarded as a “remedy”—a form of relief to be requested by juveniles and their families—expungement is also possible on the court’s own motion, and should really be a matter of routine in all cases in which juveniles have done what the court expected of them. It is not a special favor handed out to individuals, in other words. It is how the court balances its books. Accordingly, in all cases in which an expungement would be granted if a juvenile were to request it (see below), courts should set in place procedures under which the probation department initiates the expungement process

automatically after the appropriate length of time has elapsed. It is recognized that in cases where the juvenile has been adjudicated delinquent, determining whether the expungement would normally be granted is far more complicated than in cases involving an informal adjustment or consent decree.

Juvenile records may be expunged upon motion. The motion must take the form of a proposed expungement order specifying the juvenile's name, date of birth, and case docket number, the allegations and the law enforcement agency that made the allegations, the date of the arrest, any reference or tracking number that would assist the law enforcement agency in locating the pertinent police report or written allegation, the disposition of the case, the statutory authority for expungement (see below), and the agencies upon which the order is to be served.²² The motion must be served on the chief juvenile probation officer as well as the attorney for the Commonwealth and any other party upon whom service is ordinarily required in a delinquency case. Unless the attorney for the Commonwealth answers in opposition to the motion, it may be disposed of without a hearing.

Except upon cause shown, expungement is required in cases in which the court finds any one of the following:²³

- The complaint was not substantiated or the petition was dismissed.
- The juvenile was successfully discharged from consent decree supervision and six additional months have elapsed without his becoming the subject of a pending action.
- The juvenile completed a period of commitment, probation or other disposition, was discharged, has gone five years without being adjudicated delinquent or convicted of a crime, and is not now the subject of a pending action seeking conviction or adjudication of delinquency.

In addition, with the consent of the attorney for the Commonwealth, the court is authorized to order expungement of the juvenile records of any individual who has reached the age of 18, if it appears advisable in view of the following factors: the type of offense; the individual's age, job history, criminal activity and drug or alcohol problems; any "adverse consequences that the individual may suffer if the records are not expunged;" and whether the public's safety requires retention of the records.²⁴

Destruction of Fingerprints and Photographs

The Juvenile Act authorizes arresting agencies to take fingerprints and photographs of juveniles, and requires that they be taken of juveniles who have been found delinquent.²⁵ The fingerprints and photographs of alleged as well as adjudicated delinquents must be forwarded to a central repository maintained by the Pennsylvania State Police,²⁶ and may be disseminated to federal, state, and local law enforcement agencies for investigative purposes as well,²⁷ although in all instances they must be stored separately from those of adults.²⁸ In any case in which the court finds that the juvenile did not commit the delinquent acts ascribed to him, however, the court must at the time of dismissal direct that the State Police and any other law enforcement agencies with fingerprints and photographs of the juvenile in their possession destroy them immediately.²⁹

§ 11-4 Promoting Accountability for Performance and Outcomes

Accountability is not just for juveniles. The juvenile court must hold itself accountable as well, setting clear goals and measurable objectives, monitoring its ongoing performance, and assessing and publicly reporting its record of success. It is up to the administrative judge to lead this effort, and more broadly to establish firm standards and performance expectations for court and probation programs and personnel.

Historically, our nation's juvenile courts and probation departments have not been good at quantifying what they do, measuring their success at it, or demonstrating that success to the public. Often, the only hard numbers available focused on their *failures*—recidivism rates. Their many accomplishments—instances in which tangible progress is made, lessons learned, harm repaired, communities made safer—literally go uncounted.

Juvenile courts have an obligation to document what they do and measure their results.

Fortunately, Pennsylvania juvenile courts have since 2004 participated in a statewide juvenile justice system outcome measurement program that tracks benchmark indicators of system performance in achieving the primary goals of balanced and restorative justice. Courts submit quarterly outcome data to the Juvenile Court Judges' Commission, which reports them annually

in an aggregate "report card" format. The outcome measures report for 2006 accounted for 17,576 delinquency cases closed during the year, with the following concrete results:

- *Community Protection.* 86.8% of juveniles successfully completed supervision without a new offense.
- *Accountability.* 84.8% of juveniles required to pay restitution satisfied their obligations, while 94.1% of those with assigned community service successfully completed it.
- *Competency Development.* 80.6% of juveniles were employed or engaged in an educational or vocational activity at case closing.³⁰

Measurement and reporting of this kind help to focus juvenile courts and probation departments on what matters, and serve in the long run to strengthen understanding and support for the juvenile justice system's mission among other branches of government and the public at large. They can also provide an invaluable management tool to judges and chief juvenile probation officers. Administrative judges should pay attention to what the data say about the current performance of their own courts and probation departments, and actively promote future efforts to improve performance through outcome measurement.³¹

§ 11-5 Sources of Further Information

The Pennsylvania Juvenile Delinquency Benchbook is intended to be read in combination with current Pennsylvania statutes and case law, all applicable rules and standards, and other sources of information pertinent to Pennsylvania juvenile court and probation practice. Some of the most important sources of further information and support for Pennsylvania juvenile court judges are described below.

Juvenile Court Judges' Commission Standards

Among the Juvenile Court Judges' Commission's most important functions is that of establishing uniform standards governing the administrative practices and judicial procedures used in Pennsylvania juvenile courts and personnel practices and employment standards used in juvenile probation offices. Some JCJC Standards are "mandatory" in the sense that a county must meet them in order to receive *any* JCJC-administered grant-in-aid funding. Others are mandatory only with respect to specialized probation positions (such as aftercare, intensive, school-based, and so on) that are supported by JCJC grant-in-aid funds. "Advisory" standards lay out the minimum requirements of good, professional juvenile court and probation practice.

As of 2006, the JCJC has issued the following standards:

- *Standards Required for Participation in JCJC Grant-in-Aid Program*
 - Operation of a Juvenile Probation Merit System
 - Juvenile Court Intake
 - Secure Detention Under the Juvenile Act
 - Hearings and Administrative Reviews for Children Held in Secure Detention

- *Standards Governing Specialized Probation Services*
 - Aftercare Services
 - Community-Based Probation Services
 - Intensive Probation Services
 - School-Based Probation Services
 - Specialized Intensive Probation Services for Drug and Alcohol Offenders
 - Specialized Intensive Aftercare Services for Drug and Alcohol Offenders

- *Advisory Juvenile Court Standards*
 - Administration of Juvenile Court
 - Use of Juvenile Court Masters
 - Juvenile Court Jurisdictional Procedures
 - Juvenile Court Police Procedures
 - Inter-County Transfer of Delinquency Cases
 - Use of Alternatives to Secure Detention
 - Development of the Social Study
 - Allegation of Delinquency Involving a Charge of DUI or Under a Controlled Substance
 - Home Passes to Delinquent Children in Placement
 - Juvenile Court Policies Regarding the Human Immunodeficiency Virus
 - Qualifications and Training of Court-Appointed Special Advocates
 - Collection and Disbursement of Restitution

Administration of Restitution Funds
Assignment of Community Service in Juvenile Delinquency Cases

All JCJC Standards can be downloaded free at the JCJC's website (www.jcjc.state.pa.us). In addition, print copies can be ordered from:

- *Pennsylvania Juvenile Court Judges' Commission*
Room 401
Finance Building
Harrisburg, PA 17120-0018
(717) 787-6910

Model Petitions and Court Orders
For Use in Juvenile Act Proceedings Involving Dependent and Delinquent Children

Developed jointly by the Juvenile Court Judges' Commission and the Department of Public Welfare, the Model Petitions and Court Orders are intended to help Pennsylvania juvenile courts comply with all federal Title IV-E requirements for placement assistance, and particularly the mandates of the federal Adoption and Safe Families Act (ASFA) of 1997 (P.L. 105-89). (For an explanation of the requirements of Title IV-E of the Social Security Act, see the discussion at § 3-2.) The form orders and petitions are of the fill-in-the-blank type and are designed to be easily modified to conform to local practice. The introduction to each form states its purpose, identifies its key provisions, and explains what sort of document may be acceptable as a substitute if the form is not used.

A "dependency series" of forms pertains to alleged/adjudicated dependent children, while a "delinquency series" covers alleged/adjudicated delinquents. Each series contains an emergency court order, a petition, shelter care orders, orders relating to disposition, and disposition review/permanency petitions, determinations and orders.

All Model Petitions and Court Orders can be downloaded free at the JCJC's website (www.jcjc.state.pa.us). The forms are also available on disk and in print from the Pennsylvania Juvenile Court Judges' Commission.

Achieving Balanced and Restorative Justice in
Pennsylvania's Juvenile Justice System

This 23-minute videotape, produced in 2002 by the Juvenile Court Judges' Commission and the Pennsylvania Council of Chief Juvenile Probation Officers, offers a quick introduction to the balanced and restorative justice philosophy as it is being implemented in Pennsylvania. Narrated by Judge Emanuel Cassimatis of York County, the tape highlights actual examples of innovative court-community programs and practices that are achieving community protection, victim restoration and youth redemption in local Pennsylvania communities. Whether it is shown in courthouse waiting areas, in school settings, or before business and community groups, the tape provides a useful orientation to the juvenile court's basic mission and purposes.

"Achieving Balanced and Restorative Justice in Pennsylvania's Juvenile Justice System" can be ordered from the Pennsylvania Juvenile Court Judges' Commission.

***Pennsylvania Commission on Crime and Delinquency
Victims of Juvenile Offenders Program Standards and Procedures Manual***

In 2001, the Pennsylvania Commission on Crime and Delinquency and its Victims' Services Advisory Committee approved a complete set of program management and service standards for counties receiving Victims of Juvenile Offenders (VOJO) Program funding. The VOJO Program provides local juvenile probation departments and district attorneys' offices with grant funding for victim/witness assistance and other services designed to guarantee victims' rights under the Crime Victims Act, which was amended (by Act 86—2000) to cover victims of juvenile offenders. The VOJO Program Manual spells out basic and enhanced service standards for a whole range of victim services—notification, accompaniment to hearings, courtroom orientation, collection of impact statements, and so on—as well as detailed procedures for implementing them.

To receive a copy of the VOJO Program Standards and Procedures Manual, contact:

- *Pennsylvania Commission on Crime and Delinquency*
Office of Victims' Services
Victim Services Division
P.O. Box 1167
Harrisburg, PA 17108-1167
(717) 783-0551
(800) 692-7292

Pennsylvania Juvenile Delinquency Practice and Procedure (5th Ed.)

This authoritative guide by Professor Francis Barry McCarthy of the University of Pittsburgh School of Law has been relied on by Pennsylvania lawyers for decades and is cited throughout this Benchbook. It thoroughly covers a number of practice issues—including search and seizure, admissibility of confessions, double jeopardy, and the effect of delinquency determinations in future proceedings—that are treated superficially if at all in the present work. To order a copy, contact:

- *West Group*
(800) 344-5008
<http://www.west.thompson.com>.

The Desktop Guide to Good Juvenile Probation Practice

This 200-page guide, thoroughly revised and updated in 2002, explains how to practice “active, collaborative, results-oriented” juvenile probation. Suitable as a training tool for new hires or as a reference book for probation officers and administrators, the Desktop Guide contains chapters on the historical background of juvenile probation, legal issues affecting the profession, and research on delinquency and prevention as well as how-to coverage of juvenile probation practice from intake to aftercare. Individual chapters can be downloaded free at <http://www.ncjj.org/>. To order bound copies, contact:

- *National Center for Juvenile Justice*
3700 S. Water St., Suite 200
Pittsburgh, PA 15203
(412) 227-6950

Juvenile Justice Agencies and Organizations

- *Pennsylvania Juvenile Court Judges' Commission*
Room 401
Finance Building
Harrisburg, PA 17120-0018
(717) 787-6910
www.jcjc.state.pa.us/

- *Pennsylvania Commission on Crime and Delinquency*
P.O. Box 1167
Harrisburg, PA 17108-1167
(800) 692-7292
<http://www.pccd.state.pa.us/>

- *Pennsylvania Department of Public Welfare*
Office of Children, Youth and Families
State Court Liaison Unit
<http://www.dpw.state.pa.us/ocyf/>

East: Family Court Building
1801 Vine Street, Rm. 165M
Philadelphia, PA 19103
(215) 560-1800

Central: Harrisburg State Hospital Administrative Building
P.O. Box 2675
Harrisburg, PA 17105
(717) 705-8242/43

West: New Castle Youth Development Center
RR#6, Box 21A
Frew Mill Road
New Castle, PA 16101
(724) 656-7316/18

- *National Center for Juvenile Justice*
3700 South Water Street, Ste. 200
Pittsburgh, PA 15203
(412) 227-6950
<http://www.ncjj.org/>

ENDNOTES

¹ For more detailed requirements relating to the running of juvenile probation departments, see the Juvenile Court Judges' Commission's Standards Governing the Operation of a Juvenile Probation Merit System. These and all other JCJC Standards are available online at <http://www.jcjc.state.pa.us/jcjc/>.

² Quotations in this section are taken directly from unpublished correspondence of Senior Judge Isaac Garb, Court of Common Pleas, Bucks County, with Jim Anderson, Executive Director, Juvenile Court Judges' Commission.

³ In a time-certain scheduling system, the amount of time that will be needed for each hearing must be estimated on the basis of past experience with similar hearings. Note that some case management information systems are capable of capturing the starting and ending times of hearings, so that data analysis will yield highly accurate scheduling predictions.

⁴ 42 Pa.C.S. §6305. In any hearing before a master, the juvenile must be informed at the outset of the right to a hearing before a judge; either the juvenile or the Commonwealth may insist on a judicial hearing. The master's findings and recommendations become final only when confirmed in writing by the judge, who may order a rehearing "at any time upon cause shown."

⁵ Rule 187(A), Pa.R.J.C.P.

⁶ Rule 187(B), Pa.R.J.C.P.

⁷ Rule 187(C), Pa.R.J.C.P.

⁸ Rule 192, Pa.R.J.C.P.

⁹ Rule 191, Pa.R.J.C.P.

¹⁰ 42 Pa.C.S. §6307.

¹¹ 42 Pa.C.S. §6308.

¹² 18 Pa.C.S. §9123.

¹³ 42 Pa.C.S. §6307.

¹⁴ 42 Pa.C.S. §6307(a)(1)-(7). See also Rule 160, Pa.R.J.C.P., and 37 Pa. Code §200.802.

¹⁵ See 42 Pa.C.S. §6308, which requires law enforcement records relating to juveniles to be kept separate from those of adults, and permits disclosure of their contents only to courts, counsel for the parties, commitment agencies, law enforcement officials from other jurisdictions, etc.

¹⁶ 37 Pa. Code §200.802(c).

¹⁷ 42 Pa.C.S. §6307(b).

¹⁸ 42 Pa.C.S. §6341, Rule 163, Pa.R.J.C.P., and 37 Pa. Code §200.803.

¹⁹ 37 Pa. Code §200.802(b).

²⁰ 37 Pa. Code §200.802(b)(2).

²¹ 18 Pa.C.S. §9123.

²² Rule 170(B), Pa.R.J.C.P. Under Rule 172, Pa.R.J.C.P., an order to expunge must contain all of these items plus the judge's name and signature and the date of the order.

²³ 18 Pa.C.S. §9123(a).

²⁴ 18 Pa.C.S. §9123(a)(4).

²⁵ 42 Pa.C.S. §6308(c).

²⁶ 42 Pa.C.S. §6309(b).

²⁷ 42 Pa.C.S. §6308(c)(2).

²⁸ 42 Pa.C.S. §6308(c)(3).

²⁹ 42 Pa.C.S. §6341(a).

³⁰ Pennsylvania Juvenile Court Judges' Commission. (2007). *Juvenile Justice System Outcomes: Statewide Outcome Measures 2006*. Harrisburg, PA: Juvenile Court Judges' Commission.

³¹ For more information, see Harp, C., Bell, D. Bazemore, G., and Thomas, D. (2006). *Guide to Developing and Implementing Performance Measures for the Juvenile Justice System*. Alexandria, VA: American Prosecutors Research Institute.