

# THE COURTS

## Title 237—JUVENILE RULES

### PART I. RULES

[ 237 PA. CODE CHS. 100, 300 AND 800 ]

Order Amending Rules 120, 123, 124, 360, 364, 800 and Adopting New Rule 140; No. 438 Supreme Court Rules; Doc. No. 1

#### Order

*Per Curiam:*

Now, this 26th day of February, 2008, upon the recommendation of the Juvenile Court Procedural Rules Committee; the proposal having been published before adoption at 37 Pa.B. 1306 (March 24, 2007), in the *Atlantic Reporter* (Second Series Advance Sheets, Vol. 915, March 16, 2007), and on the Supreme's Court web-page, and an *Explanatory Report* to be published with this *Order*.

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that new Rule 140 and the amendments to Rules 120, 123, 124, 360, 364, and 800 of the Rules of Juvenile Court Procedure are adopted in the attached form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective June 1, 2008.

#### Annex A

### TITLE 237. JUVENILE RULES

#### PART I. RULES

##### Subpart A. DELINQUENCY MATTERS

##### CHAPTER 1. GENERAL PROVISIONS

##### PART A. BUSINESS OF COURTS

#### Rule 120. Definitions.

**ADULT** is any person, other than a juvenile, eighteen years old or older.

\* \* \* \* \*

**MINOR** is any person, other than a juvenile, under the age of eighteen.

**Official Note:** Rule 120 adopted April 1, 2005, effective October 1, 2005. Amended December 30, 2005, effective immediately. Amended March 23, 2007, effective August 1, 2007. **Amended February 26, 2008, effective June 1, 2008.**

*Committee Explanatory Reports:*

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**Final Report explaining the amendments to Rule 120 published with the Court's Order at 38 Pa.B. 1145 (March 8, 2008).**

#### Rule 123. Subpoenas.

\* \* \* \* \*

##### B. Service.

1) **Method of Service.** A subpoena shall be served upon a witness by:

\* \* \* \* \*

c) by first-class mail.

\* \* \* \* \*

D. *Bench Warrant.* If any subpoenaed person fails to appear for the hearing and the court finds that sufficient notice was given, the [ court ] judge may issue a bench warrant pursuant to Rule 140.

##### E. Parental notification.

1) **Generally.** If a witness is a minor, the witness's guardian shall be notified that the minor has been subpoenaed.

2) **Exception.** Upon prior court approval and good cause shown, a subpoena may be served upon a minor without such notification to the guardian. If and when necessary, request for such prior court approval may be obtained ex parte.

##### Comment

Prior to issuing a bench warrant for a minor, the judge should determine if the guardian of the witness was served. Nothing in these rules gives the guardians of witnesses legal standing in the matter being heard by the court or creates a right for witnesses to have their guardians present. In addition, lack of required notice to the guardian does not prevent the minor witness from testifying. See Rule 140 for procedures on bench warrants.

For power to compel attendance, see 42 Pa.C.S. § 6333. Nothing in this rule prohibits the court from holding a contempt hearing. See *In re Crawford*, 519 A.2d 978 (Pa. Super. Ct. 1987) for punishing juveniles for contempt.

**Official Note:** Rule 123 adopted April 1, 2005, effective October 1, 2005. **Amended February 26, 2008, effective June 1, 2008.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 123 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

**Final Report explaining the amendments to Rule 123 published with the Court's Order at 38 Pa.B. 1145 (March 8, 2008).**

#### Rule 124. Summons and Notice.

\* \* \* \* \*

C. *Bench Warrant.* If any summoned person fails to appear for the hearing and the court finds that sufficient notice was given, the [ court ] judge may issue a bench warrant pursuant to Rule 140.

##### Comment

[ Under Rule 800, 42 Pa.C.S. § 6335(c) was suspended only to the extent that it is inconsistent with this rule. Under paragraph (C), the judge is to find a summoned person failed to appear and sufficient notice was given to issue a bench warrant. The fact that the juvenile may abscond or may not attend or be brought to a hearing is not sufficient evidence for a bench warrant. This rule, however, does not prohibit probation from recommending detention. The normal rules of procedure in these rules are to be followed if a juvenile is detained. See Chapter Two, Part D. ]

See Rules 360(A), 500(A), and 600(A) for service of the guardian for a proceeding. Nothing in these rules gives the guardians of juveniles legal standing

**in the matter being heard by the court or creates a right for juveniles to have their guardians present. See 42 Pa.C.S. § 6310(e). See Rule 140 for procedures on bench warrants.**

**Official Note:** Rule 124 adopted April 1, 2005, effective October 1, 2005. **Amended February 26, 2008, effective June 1, 2008.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the amendments to Rule 124 published with the Court's Order at 38 Pa.B. 1145 (March 8, 2008).**

**Rule 140. Bench Warrants for Failure to Appear.**

A. *Issuance of warrant.*

1) Before a bench warrant may be issued by a judge, the judge shall find that the subpoenaed or summoned person received sufficient notice of the hearing and failed to appear.

2) For the purpose of a bench warrant, a judge may not find notice solely based on first-class mail service.

B. *Juvenile.*

1) *Where to take the juvenile.*

a) When a juvenile is taken into custody pursuant to a bench warrant, the juvenile shall be taken without unnecessary delay to the judge who issued the warrant or a judge designated by the President Judge to hear bench warrants.

b) If the juvenile is not brought before a judge, the juvenile shall be released unless:

i) the warrant specifically orders detention of the juvenile; or

ii) there are circumstances learned at the time of the surrender or apprehension that warrant detention of the juvenile.

c) If a juvenile is detained, the juvenile shall be detained in a detention facility or other facility designated in the bench warrant by the judge pending a hearing.

2) *Prompt hearing.*

a) If a juvenile is detained pursuant to a specific order in the bench warrant, the juvenile shall be brought before the judge who issued the warrant, a judge designated by the President Judge to hear bench warrants, or an out-of-county judge pursuant to paragraph (B)(4) within seventy-two hours.

b) If the juvenile is not brought before a judge within this time, the juvenile shall be released.

3) *Notification of guardian.* If a juvenile is taken into custody pursuant to a bench warrant, the arresting officer shall immediately notify the juvenile's guardian of the juvenile's whereabouts and the reasons for the issuance of the bench warrant.

4) *Out-of-county custody.*

a) If a juvenile is taken into custody pursuant to a bench warrant in a county other than the county of issuance, the county of issuance shall be notified immediately.

b) Arrangements to transport the juvenile shall be made immediately.

c) If transportation cannot be arranged immediately, then the juvenile shall be taken without unnecessary delay to a judge of the county where the juvenile is found.

d) The judge will identify the juvenile as the subject of the warrant, decide whether detention is warranted, and order that arrangements be made to transport the juvenile to the county of issuance.

5) *Time requirements.* The time requirements of Rules 240, 391, 404, 510, and 605 shall be followed.

C. *Witnesses.*

1) *Where to take the witness.*

a) When a witness is taken into custody pursuant to a bench warrant, the witness shall be taken without unnecessary delay to the judge who issued the warrant or a judge designated by the President Judge to hear bench warrants.

b) If the witness is not brought before a judge, the witness shall be released unless the warrant specifically orders detention of the witness.

c) A motion for detention as a witness may be filed anytime before or after the issuance of a bench warrant. The judge may order detention of the witness pending a hearing.

1) *Minor.* If a detained witness is a minor, the witness shall be detained in a detention facility.

2) *Adult.* If a detained witness is an adult, the witness shall be detained at the county jail.

2) *Prompt hearing.*

a) If a witness is detained pursuant to paragraph (C)(1)(c) or brought back to the county of issuance pursuant to paragraph (C)(4)(f), the witness shall be brought before the judge by the next business day.

b) If the witness is not brought before a judge within this time, the witness shall be released.

3) *Notification of guardian.* If a witness who is taken into custody pursuant to a bench warrant is a minor, the arresting officer shall immediately notify the witness's guardian of the witness's whereabouts and the reasons for the issuance of the bench warrant.

4) *Out-of-county custody.*

a) If a witness is taken into custody pursuant to a bench warrant in a county other than the county of issuance, the county of issuance shall be notified immediately.

b) The witness shall be taken without unnecessary delay and within the next business day to a judge of the county where the witness is found.

c) The judge will identify the witness as the subject of the warrant, decide whether detention as a witness is warranted, and order that arrangements be made to transport the witness to the county of issuance.

d) Arrangements to transport the witness shall be made immediately.

e) If transportation cannot be arranged immediately, the witness shall be released unless the warrant or other order of court specifically orders detention of the witness.

i) *Minor.* If the witness is a minor, the witness may be detained in an out-of-county detention facility.

ii) *Adult.* If the witness is an adult, the witness may be detained in an out-of-county jail.

f) If detention is ordered, the witness shall be brought back to the county of issuance within seventy-two hours from the execution of the warrant.

g) If the time requirements of this paragraph are not met, the witness shall be released.

D. Return and execution of the warrant for juveniles and witnesses.

1) The bench warrant shall be executed without unnecessary delay.

2) The bench warrant shall be returned to the judge who issued the warrant or to the judge designated by the President Judge to hear bench warrants.

3) When the bench warrant is executed, the arresting officer shall immediately execute a return of the warrant with the judge.

4) Upon the return of the warrant, the judge shall vacate the bench warrant.

Comment

Pursuant to paragraph (A), the judge is to ensure that the person received sufficient notice of the hearing and failed to attend. The judge may order that the person be served in-person or by certified mail, return receipt. The judge may rely on first-class mail service if additional evidence of sufficient notice is presented. For example, testimony that the person was told in person about the hearing is sufficient notice. Before issuing a bench warrant, the judge should determine if the guardian was notified.

Under Rule 800, 42 Pa.C.S. § 6335(c) was suspended only to the extent that it is inconsistent with this rule. Under paragraph (A)(1), the judge is to find a subpoenaed or summoned person failed to appear and sufficient notice was given to issue a bench warrant. The fact that the juvenile or witness may abscond or may not attend or be brought to a hearing is not sufficient evidence for a bench warrant. This rule, however, does not prohibit probation from recommending detention for a juvenile. The normal rules of procedure in these rules are to be followed if a juvenile is detained. See Chapter Two, Part D.

Pursuant to paragraph (B), the "juvenile" is the subject of the delinquency proceedings. When a witness is a child, the witness is referred to as a "minor." This distinction is made to differentiate between children who are alleged delinquents and children who are witnesses. See paragraph (B) for alleged delinquents and paragraph (C) for witnesses. See also Rule 120 for definition of "juvenile" and "minor."

Pursuant to paragraph (B)(1)(a), the juvenile is to be taken immediately to the judge who issued the bench warrant or a judge designated by the President Judge of that county to hear bench warrants. Pursuant to paragraph (B)(1)(b), if a bench warrant specifically provides that the juvenile may be detained in a detention facility, the juvenile may be detained without having to be brought before the judge until a hearing within seventy-two hours under paragraph (B)(2)(a). The juvenile is not to languish in a detention facility. Pursuant to this paragraph, if a hearing is not held promptly, the juvenile is to be released. See paragraph (B)(2)(b).

Under paragraphs (B)(2) and (B)(4), a juvenile taken into custody pursuant to a bench warrant is to have a hearing within seventy-two hours regardless of where the juvenile is found. See Rule 240 (C).

Pursuant to paragraph (B)(4), the juvenile may be detained out-of-county until transportation arrangements can be made.

Pursuant to paragraph (B)(5), the time requirements of all other rules are to apply to juveniles who are detained. See, e.g., Rules 240, 391, 404, 510, and 605.

Pursuant to paragraph (C)(1)(a), the witness is to be taken immediately to the judge who issued the bench warrant or a judge designated by the President Judge of that county to hear bench warrants. Pursuant to paragraph (C)(1)(b), if the judge is not available, the witness is to be released immediately unless the warrant specifically orders detention. Pursuant to paragraph (C)(1)(c), a motion for detention as a witness may be filed. If the witness is detained, a prompt hearing pursuant to paragraph (C)(2) is to be held by the next business day or the witness is to be released. See paragraph (C)(2)(b).

Pursuant to paragraph (C)(4)(b), a witness is to be brought before an out-of-county judge by the next business day unless the witness can be brought before the judge who issued the bench warrant within this time. When the witness is transported back to the county of issuance within seventy-two hours of the execution of the bench warrant, the witness is to be brought before the judge who issued the bench warrant by the next business day. See paragraph (C)(4)(f).

Pursuant to paragraph (D)(2), the bench warrant is to be returned to the judge who issued the warrant or to the judge designated by the President Judge to hear warrants by the arresting officer executing a return of warrant. See paragraph (D)(3).

Pursuant to paragraph (D)(4), the bench warrant is to be vacated after the return of the warrant is executed so the juvenile or witness is not taken into custody on the same warrant if the juvenile or witness is released. "Vacated" is to mean that the bench warrant has been served, dissolved, executed, dismissed, canceled, returned, or any other similar language used by the judge to terminate the warrant. The bench warrant is no longer in effect once it has been vacated.

See 42 Pa.C.S. § 4132 for punishment of contempt for juveniles and witnesses.

Official Note: Rule 140 adopted February 26, 2008, effective June 1, 2008.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 140 published with the Court's Order at 38 Pa.B. 1145 (March 8, 2008).

CHAPTER 3. PRE-ADJUDICATORY PROCEDURES

PART D(2) ADJUDICATORY SUMMONS AND NOTICE PROCEDURES

Rule 360. Summons and Notice.

\* \* \* \* \*

Comment

Section 6335 of the Juvenile Act provides that the court [ shall ] is to direct the issuance of a summons to the juvenile, guardian, and any other persons as appears to the court to be proper and necessary for the proceedings. 42 Pa.C.S. § 6335.

The guardian's failure to appear should not prevent the adjudicatory hearing from proceeding.

The attorney for the Commonwealth or the juvenile probation officer should notify the victim of the hearing. See Victim's Bill of Rights, 18 P. S. § 11.201.

Other persons may be subpoenaed to appear for the hearing. See 42 Pa.C.S. § 6333.

**Official Note:** Rule 360 adopted April 1, 2005, effective October 1, 2005. **Amended February 26, 2008, effective June 1, 2008.**

*Committee Explanatory Reports:*

**Final Report explaining the amendments to Rule 360 published with the Court's Order at 38 Pa.B. 1145 (March 8, 2008).**

#### **Rule 364. Failure to Appear on the Summons.**

If any summoned person fails to appear for the adjudicatory hearing and the [ court ] judge finds that sufficient notice was given, the [ court ] judge may issue a bench warrant pursuant to Rule 140.

#### **Comment**

See Rule 140 for issuance of a bench warrant.

**Official Note:** Rule 364 adopted April 1, 2005, effective October 1, 2005. **Amended February 26, 2008, effective June 1, 2008.**

*Committee Explanatory Reports:*

**Final Report explaining the amendments to Rule 364 published with the Court's Order at 38 Pa.B. 1145 (March 8, 2008).**

### **CHAPTER 8. SUSPENSIONS**

#### **Rule 800. Suspensions of Acts of Assembly.**

This rule provides for the suspension of the following Acts of Assembly that apply to delinquency proceedings only:

\* \* \* \* \*

2) The Act of July 9, 1976, P. L. 586, No. 142, § 2, 42 Pa.C.S. § 6335(c), which provides for the issuance of arrest warrants if the juvenile may abscond or may not attend or be brought to a hearing, is suspended only insofar as the Act is inconsistent with Rules 124 and 140, which requires a summoned person to fail to appear and the court to find that sufficient notice was given.

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#### **Comment**

The authority for suspension of Acts of Assembly is granted to the Supreme Court by Article V § 10(c) of the Pennsylvania Constitution. See also Rule 102.

**Official Note:** Rule 800 adopted April 1, 2005, effective October 1, 2005. Amended December 30, 2005, effective immediately. Amended March 23, 2007, effective August 1, 2007. **Amended February 26, 2008, effective June 1, 2008.**

*Committee Explanatory Reports:*

Final Report explaining the amendments to Rule 800 published with the Court's Order at 36 Pa.B. 187 (January 14, 2006).

Final Report explaining the amendments to Rule 800 published with the Court's Order at 37 Pa.B. 1485 (April 7, 2007).

**Final Report explaining the amendments to Rule 800 published with the Court's Order at 38 Pa.B. 1145 (March 8, 2008).**

#### **Introduction**

The Supreme Court of Pennsylvania has adopted the proposed changes to Rules 120, 123, 124, 360, 364, 800 and new Rule 140. The changes are effective June 1, 2008.

### **EXPLANATORY REPORT FEBRUARY 2008**

#### **Rule 120—Definitions**

There are two new definitions to this rule: the terms "minor" and "adult." In the new Rule 140, there is a difference between the treatment of a minor witness and an alleged delinquent. The term "minor" is used to describe a child who is a witness and is a non-delinquent child.

The term "adult" has also been added to this rule. An adult is any person over the age of eighteen, other than a juvenile. The phrase, "other than a juvenile," is important because a juvenile can be over the age of eighteen but under the age of twenty-one if the juvenile committed a delinquent act prior to reaching the age of eighteen. The two new definitions will help the reader distinguish between minors, juveniles, and adults.

#### **Rule 123—Subpoenas and Rule 124—Summons and Notice**

A reference was placed in these rules that the new Rule 140 on bench warrants governs. Additionally, in both rules, a parental notification paragraph has been added. The Committee felt that it was important to stress that the guardian of the minor witness or juvenile should be notified in most instances.

There are a few circumstances that notification of the guardian should not occur. In these few cases, there must be good cause shown for the court to approve that notification should not be sent.

#### **Rule 140—Bench Warrants for Failure to Appear**

This rule addresses the procedures on issuing bench warrants. This rule sets forth the requirements for issuing a bench warrant, where to take a juvenile or witness, prompt hearing requirements, notification of the guardian, out-of-county custody, and the return and execution of the warrant.

#### **Rule 360—Summons and Notice**

A sentence has been added to the Comment that a proceeding can proceed without the presence of the guardian. This issue is important because guardians often do not appear for their children's proceedings. As long as the guardian has been notified, there is no substantive right for the juvenile to have his or her guardian present.

#### **Rule 364—Failure to Appear on the Summons**

A cite to the new proposed Bench Warrant Rule 140 has been added to the Comment of this Rule.

#### **Rule 800—Suspensions of Acts of Assembly**

Rule 140 was added to paragraph (2) of Rule 800, which requires a summoned person to fail to appear for a proceeding and the court to find that sufficient notice of the hearing was given before an arrest warrant may be issued.

[Pa.B. Doc. No. 08-389. Filed for public inspection March 7, 2008, 9:00 a.m.]

**PART I. RULES**

[ 237 PA. CODE CHS. 150 AND 600 ]

Order Amending Rules 150 and 613 (Now Rule 631) and Adopting New Rules 630 and 632; No. 437 Supreme Court Rules; Doc. No. 1

**Order**

*Per Curiam:*

Now, this 26th day of February 2008, upon the recommendation of the Juvenile Court Procedural Rules Committee; the proposal having been published before adoption at 37 Pa.B. 3096 (July 7, 2007), in the *Atlantic Reporter* (Second Series Advance Sheets, Vol. 924, July 20, 2007), and on the Supreme's Court web-page, and an *Explanatory Report* to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that new Rules 630 and 632 and the amendments to Rules 150 and 613, now renumbered Rule 631, of the Rules of Juvenile Court Procedure are adopted in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective April 1, 2008.

**Annex A**

**TITLE 237. JUVENILE RULES**

**PART I. RULES**

**Subpart A. DELINQUENCY MATTERS**

**CHAPTER 1. GENERAL PROVISIONS**

**PART B. COUNSEL**

**Rule 150. Attorneys—Appearances and Withdrawals.**

\* \* \* \* \*

**Comment**

\* \* \* \* \*

See also Rule [ 613 ] 631 for termination of court supervision.

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**Official Note:** Rule 150 adopted April 1, 2005, effective October 1, 2005. **Amended February 26, 2008, effective April 1, 2008.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 150 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005). **Final Report explaining the amendments to Rule 150 published with the Court's Order at 38 Pa.B. 1147 (March 8, 2008).**

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**CHAPTER 6. POST-DISPOSITIONAL PROCEEDINGS**

**Rule 630. Loss of Court Jurisdiction.**

**When the juvenile has attained the age of twenty-one, the court shall enter an order terminating court supervision of the juvenile.**

**Comment**

**The Juvenile Court has jurisdiction of a delinquent child if the child is under twenty-one years and committed an act of delinquency prior to reaching the age of eighteen. See 42 Pa.C.S. §§ 6302 and 6303.**

**Official Note:** Rule 630 adopted February 26, 2008, effective April 1, 2008.

*Committee Explanatory Reports:*

**Final Report explaining the provisions of Rule 630 published with the Court's Order at 38 Pa.B. 1147 (March 8, 2008).**

Rule [ 613 ] 631. Termination of Court Supervision.

**A. Notice.** [ **When the juvenile has completed the terms of the dispositional order, the juvenile probation officer shall move for the termination of the court's supervision by filing a motion.** ] **The juvenile probation officer shall promptly notify the court when the conditions of probation have been satisfied. The court shall decide if supervision should be terminated.** The [ **motion** ] notice shall set forth:

1) The juvenile has completed the terms of the court's dispositional order;

2) Restitution, fines, and costs have been paid in full; and

3) The juvenile has not committed any new offenses in which a criminal proceeding or proceeding governed by the Juvenile Act, 42 Pa.C.S. § 6301 et seq., may be commenced.

**B. Objection.** Any party may object to the [ **motion** ] notice under paragraph (A) and request a hearing. Such objection shall be made within thirty days of receipt of the [ **motion** ] notice; otherwise, objections are deemed waived.

**C. Hearing.** If objections have been made under paragraph (B), the court shall hold a hearing and give each party an opportunity to be heard before the court enters its final order.

**D. Termination.** When the requirements of paragraphs (A) through (C) have been met and the court is satisfied that the juvenile has carried out the terms of the dispositional order, the court may discharge the juvenile from its supervision.

**Comment**

For procedures on [ **motions** ] filing and service of the notice under paragraph (A), see Rule [ 344 and ] 345. For procedures on the dispositional order, see Rule 515. See also, 42 Pa.C.S. § 6352.

**For collection of restitution [ Under paragraph (A)(2) ], see 42 Pa.C.S. § 9728 [ for collection of outstanding restitution ].**

**See Rule 632 for early termination of court supervision by motion.**

**Official Note:** Rule 613 adopted April 1, 2005, effective October 1, 2005. **Renumbered Rule 631 and amended February 26, 2008, effective April 1, 2008.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 613 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005). **Final Report explaining the renumbering of 613 to 631 and amendments to Rule 631 published with the Court's Order at 38 Pa.B. 1147 (March 8, 2008).**

**Rule 632. Early Termination of Court Supervision by Motion.**

A. *Motion.* Any party may move for early termination of court supervision. The motion shall state with specificity why early termination is sought and why the requirements of Rule 631(A) have not been met.

B. *Notice.* In addition to the service requirements of Rule 345, any party moving for early termination shall serve the motion on the juvenile probation officer.

C. *Objection.* A party or the juvenile probation officer may object to the motion under paragraph (A) and request a hearing. Such objection shall be made within thirty days of receipt of the motion; otherwise, objections are deemed waived.

D. *Hearing.* If objections have been made pursuant to paragraph (C), the court shall hold a hearing and give each party and the juvenile probation officer an opportunity to be heard before the court enters its final order.

E. *Court's motion.* The court, sua sponte, may schedule a hearing for early termination of court supervision upon a request by the juvenile probation officer. All parties shall receive notice of the hearing.

F. *Termination.* When the requirements of paragraphs (A) through (D) have been met or pursuant to its own motion under paragraph (E) and the court is satisfied that there are compelling reasons to discharge the juvenile prior to the completion of the requirements of Rule 631(A), the court may order an early discharge of the juvenile from its supervision.

**Comment**

For procedures on motions, see Rule 344. For filing and service requirements, see Rule 345.

If all parties are in agreement with the termination, the court may terminate court supervision without a hearing.

For procedures on the dispositional order, see Rule 515. See also, 42 Pa.C.S. § 6352. For collection of outstanding restitution regardless of court supervision status, see 42 Pa.C.S. § 9728.

**Official Note:** Rule 632 adopted February 26, 2008, effective April 1, 2008.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 632 published with the Court's Order at 38 Pa.B. (March 8, 2008).

**Introduction**

The Supreme Court of Pennsylvania has adopted the proposed changes to Rules 150 and 613 (now renumbered Rule 631), two new Rules 630 and 632, and the creation of a new Part C in Chapter Six of the Delinquency Rules: Cessation of Court Supervision and Jurisdiction. The changes are effective April 1, 2008.

**EXPLANATORY REPORT****FEBRUARY 2008****Rule 150—Attorneys—Appearances and Withdrawals**

The Comment was modified to reflect the renumbering of Rule 613 to Rule 631.

**Rule 630—Loss of Court Jurisdiction**

This rule has been added so the juvenile probation officer can notify the court when the juvenile has turned twenty-one because the court loses delinquency court supervision. This rule is a separate rule because the court loses jurisdiction when the juvenile turns twenty-one regardless of objections.

**Rule 631 (old Rule 613)—Termination of Court Supervision**

This rule was renumbered to Rule 631 to be a part of the new Part C in Chapter Six: Cessation of Court Supervision and Jurisdiction. This rule was restructured to be a notice rule, rather than a motions rule. The new Rule 632 will address early terminations by motion.

Juvenile probation officers are not parties to the proceedings; therefore, they cannot move for termination. This rule was modified and now requires notice to the court when a juvenile has completed the terms of his or her probation.

**Rule 632—Early Termination of Court Supervision by Motion**

This new rule addresses early termination of court supervision by motion. There are circumstances in which a court may want to terminate court supervision. For example, a juvenile may be charged with crimes as an adult and is being supervised by adult probation or the juvenile may be going to college or in the military and the court feels the juvenile is no longer in need of treatment, rehabilitation, or supervision.

[Pa.B. Doc. No. 08-390. Filed for public inspection March 7, 2008, 9:00 a.m.]

**COMMONWEALTH COURT****Regular Sessions of Commonwealth Court for the Year 2009; 126 M. D. No. 3****Order**

*And Now*, this 15th day of February, 2008, *It is Hereby Ordered* that the argument sessions of the Commonwealth Court of Pennsylvania shall be held in the year 2009 as follows;

<i>Dates</i>	<i>Situs</i>
January 26—30	Pittsburgh
February 23—27	Philadelphia
March 30—April 3	Harrisburg
May 4—8	Pittsburgh
June 8—12	Philadelphia
September 14—18	Harrisburg
October 13—16	Pittsburgh
November 9—13	Philadelphia
December 7—11	Harrisburg

BONNIE BRIGANCE LEADBETTER,

*President Judge*

[Pa.B. Doc. No. 08-391. Filed for public inspection March 7, 2008, 9:00 a.m.]