

# THE COURTS

## Title 255—LOCAL COURT RULES

### SNYDER COUNTY

Juvenile Restitution Fund; No. CP-55-AD-0000010-2011

#### Order

*And Now*, this 23rd day of August, 2011, it is hereby *Ordered and Directed* that the Court of Common Pleas of Snyder County and Union County, Pennsylvania, adopts the Juvenile Restitution Fund pursuant to section 6352(a)(5) of the Juvenile Act.

The following Guidelines dated July 14, 2011 are incorporated herein by reference.

*By the Court*

MICHAEL H. SHOLLEY,  
*President Judge*

#### Snyder and Union County Juvenile Restitution Fund Guidelines July 14, 2011

#### I. Definitions

1. Restitution Fund—A fund established by the president judge of a court of common pleas under section 6352(a)(5) of the Juvenile Act (relating to disposition of delinquent child), from which disbursements are made at the discretion of the president judge pursuant to written guidelines promulgated by the president judge and the limitations of the Juvenile Act, and used to reimburse crime victims for financial losses resulting from delinquent acts.

2. Crime Victim—individual(s), non-profit-charitable organizations, and governmental entities that suffer financial loss as a result of delinquent acts.

#### II. Establishment and Administration of Restitution Funds

Monies currently in the Snyder County Juvenile Collection Trust Account will be used to create the new Juvenile Restitution Fund (JRF). To further fund the Juvenile Restitution Fund, every adjudicated delinquent or individual placed on consent decree shall pay a mandatory, one time, case management fee into the JRF, of twenty-five dollars. Payment of this case management fee cannot be waived, nor can community service, in place of payment, be used.

The Juvenile Restitution Fund will pay out a maximum of \$500 of restitution to a crime victim per case without a court order, depending on the cost of damages or financial loss resulting from delinquent acts. The adjudicated individual will then gradually pay back their restitution to the Juvenile Restitution Fund, based on the specific terms of their probation. Restitution shall not exceed the court's determination of restitution.

Should an individual victim's need be too great, as decided by the sentencing judge, and the restitution being paid out to that victim is determined to be too low, the sentencing judge may increase the pay out from the Juvenile Restitution Fund. This is at the sole discretion of the sentencing judge for special cases in which the

victim's financial hardship is such that restitution paid out to them is deemed insufficient.

All payments from the Juvenile Restitution Fund must be approved by the Chief Probation Officer and the Probation Officer assigned to the case. Any payments in excess of the \$500 referenced above shall be approved by the president judge.

All adjudicated individuals aged 16 years or older that cannot pay their restitution will be required to find part-time employment and use earnings to pay off restitution owed. If an adjudicated individual cannot find employment, they must submit five job applications per week as proof of an attempt to find employment.

Adjudicated individuals aged 12 to 15 years that cannot find, or are too young to have, part-time employment and cannot pay their restitution will be required to perform community service in lieu of a part-time job. The number of required hours of community service will be calculated by dividing the amount of restitution owed by the amount of Pennsylvania State minimum wage.

III. *Disbursements From The Restitution Fund* (adopted from The Pennsylvania Code, Subchapter F. Standards Governing the Administration of Restitution Funds)

The Juvenile Restitution Fund is to be administered by the Probation Department.

Disbursements from the restitution fund shall be made at the discretion of the president judge, and shall be used to reimburse crime victims for financial losses resulting from delinquent acts. Disbursements from the fund shall require the signatures of the Chief Probation Officer and either the Chief Juvenile Probation Officer or the Juvenile Probation Officer assigned to the case.

An annual report to the president judge, detailing the aggregate and individual data regarding payments to and disbursements from the restitution fund, and an annual audit, under county policy, of all payments to and disbursements from the fund, will be required.

[Pa.B. Doc. No. 11-1587. Filed for public inspection September 16, 2011, 9:00 a.m.]

### SNYDER COUNTY

Juvenile Restitution Fund; No. CP-55-AD-0000011-2011

#### Order

*And Now*, this 23rd day of August, 2011, the court hereby *Approves, Adopts and Promulgates* Snyder and Union County Administrative Order CP-55-AD-0000010-2011, effective thirty (30) days after the date of publication of this Rule in the *Pennsylvania Bulletin*, pursuant to Rule 105 of the Pennsylvania Rules of Criminal Procedure.

The Court Administrator of the 17th Judicial District is ordered and directed to do the following:

1. File seven (7) certified copies of this Order and Administrative Order CP-55-AD-0000010-2011 with the Administrative Office of Pennsylvania Courts.

2. Furnish two (2) certified copies of this Order and Administrative Order CP-55-AD-0000010-2011 and a computer diskette to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* for publication.

3. File one (1) certified copy of this Order and Administrative Order CP-55-AD-0000010-2011 with the Criminal Rules Committee.

*By the Court*

MICHAEL H. SHOLLEY,  
*President Judge*

[Pa.B. Doc. No. 11-1588. Filed for public inspection September 16, 2011, 9:00 a.m.]

**SNYDER COUNTY**

**Victim Services Fee; No. CP-55-AD-0000012-2011**

**Order**

*And Now*, this 26th day of August, 2011, it is hereby *Ordered and Directed* that the Court of Common Pleas of 17th Judicial District of Pennsylvania adopts a fee in the amount of seventy-five dollars (\$75.00) for all criminal and juvenile cases for which there is a victim for the purposes of sustaining victim services. This fee is created due to the Commonwealth's reduction of funding for victim services as mandated by the Crime Victims Act 18 P. S. § 11.01, et seq.

This fee shall be imposed in every juvenile and criminal case for which there is a victim.

The effective date of this Order shall be thirty (30) days after advertising in the *PA Legal Bulletin*.

*By the Court*

MICHAEL H. SHOLLEY,  
*President Judge*

[Pa.B. Doc. No. 11-1589. Filed for public inspection September 16, 2011, 9:00 a.m.]

**SNYDER COUNTY**

**Victim Services Fee; No. CP-55-AD-0000013-2011**

**Order**

*And Now*, this 1st day of September, 2011, the court hereby *Approves, Adopts and Promulgates* Snyder and Union County Administrative Order CP-55-AD-0000012-2011, effective thirty (30) days after the date of publication of this Rule in the *Pennsylvania Bulletin*, pursuant to Rule 105 of the Pennsylvania Rules of Criminal Procedure.

The Court Administrator of the 17th Judicial District is ordered and directed to do the following:

1. File seven (7) certified copies of this Order and Administrative Order CP-55-AD-0000012-2011 with the Administrative Office of Pennsylvania Courts.

2. Furnish two (2) certified copies of this Order and Administrative Order CP-55-AD-0000012-2011 and a computer diskette to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* for publication.

3. File one (1) certified copy of this Order and Administrative Order CP-55-AD-0000012-2011 with the Criminal Rules Committee.

*By the Court*

MICHAEL H. SHOLLEY,  
*President Judge*

[Pa.B. Doc. No. 11-1590. Filed for public inspection September 16, 2011, 9:00 a.m.]

**UNION COUNTY**

**Juvenile Restitution Fund; No. CP-60-AD-2-2011;  
1100633**

**Order**

*And Now*, this 23rd day of August, 2011, it is hereby *Ordered and Directed* that the Court of Common Pleas of Snyder County and Union County, Pennsylvania, adopts the Juvenile Restitution Fund pursuant to section 6352(a)(5) of the Juvenile Act.

The following Guidelines dated July 14, 2011 are incorporated herein by reference.

*By the Court*

MICHAEL H. SHOLLEY,  
*President Judge*

**Snyder and Union County**

**Juvenile Restitution Fund Guidelines**

**July 14, 2011**

*I. Definitions*

1. Restitution Fund—A fund established by the president judge of a court of common pleas under section 6352(a)(5) of the Juvenile Act (relating to disposition of delinquent child), from which disbursements are made at the discretion of the president judge pursuant to written guidelines promulgated by the president judge and the limitations of the Juvenile Act, and used to reimburse crime victims for financial losses resulting from delinquent acts.

2. Crime Victim—individual(s), non-profit-charitable organizations, and governmental entities that suffer financial loss as a result of delinquent acts.

*II. Establishment and Administration of Restitution Funds*

Monies currently in the Snyder County Juvenile Collection Trust Account will be used to create the new Juvenile Restitution Fund (JRF). To further fund the Juvenile Restitution Fund, every adjudicated delinquent or individual placed on consent decree shall pay a mandatory, one time, case management fee into the JRF, of twenty-five dollars. Payment of this case management fee cannot be waived, nor can community service, in place of payment, be used.

The Juvenile Restitution Fund will pay out a maximum of \$500 of restitution to a crime victim per case without a court order, depending on the cost of damages or financial loss resulting from delinquent acts. The adjudicated individual will then gradually pay back their restitution to the Juvenile Restitution Fund, based on the specific terms of their probation. Restitution shall not exceed the court's determination of restitution.

Should an individual victim's need be too great, as decided by the sentencing judge, and the restitution being paid out to that victim is determined to be too low, the sentencing judge may increase the pay out from the Juvenile Restitution Fund. This is at the sole discretion of the sentencing judge for special cases in which the victim's financial hardship is such that restitution paid out to them is deemed insufficient.

All payments from the Juvenile Restitution Fund must be approved by the Chief Probation Officer and the Probation Officer assigned to the case. Any payments in excess of the \$500 referenced above shall be approved by the president judge.

All adjudicated individuals aged 16 years or older that cannot pay their restitution will be required to find part-time employment and use earnings to pay off restitution owed. If an adjudicated individual cannot find employment, they must submit five job applications per week as proof of an attempt to find employment.

Adjudicated individuals aged 12 to 15 years that cannot find, or are too young to have, part-time employment and cannot pay their restitution will be required to perform community service in lieu of a part-time job. The number of required hours of community service will be calculated by dividing the amount of restitution owed by the amount of Pennsylvania State minimum wage.

III. *Disbursements From The Restitution Fund* (adopted from The Pennsylvania Code, Subchapter F. Standards Governing the Administration of Restitution Funds)

The Juvenile Restitution Fund is to be administered by the Probation Department.

Disbursements from the restitution fund shall be made at the discretion of the president judge, and shall be used to reimburse crime victims for financial losses resulting from delinquent acts. Disbursements from the fund shall require the signatures of the Chief Probation Officer and either the Chief Juvenile Probation Officer or the Juvenile Probation Officer assigned to the case.

An annual report to the president judge, detailing the aggregate and individual data regarding payments to and disbursements from the restitution fund, and an annual audit, under county policy, of all payments to and disbursements from the fund, will be required.

[Pa.B. Doc. No. 11-1591. Filed for public inspection September 16, 2011, 9:00 a.m.]

### UNION COUNTY

**Juvenile Restitution Fund; No. CP-60-AD-3-2011;  
1100634**

#### Order

*And Now*, this 23rd day of August, 2011, the court hereby *Approves, Adopts and Promulgates* Snyder and Union County Administrative Order CP-60-AD-2-2011 11-00633, effective thirty (30) days after the date of publication of this Rule in the *Pennsylvania Bulletin*, pursuant to Rule 105 of the Pennsylvania Rules of Criminal Procedure.

The Court Administrator of the 17th Judicial District is ordered and directed to do the following:

1. File seven (7) certified copies of this Order and Administrative Order CP-60-AD-2-2011 11-00633, with the Administrative Office of Pennsylvania Courts.

2. Furnish two (2) certified copies of this Order and Administrative Order CP-60-AD-2-2011 11-00633, and a computer diskette to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* for publication.

3. File one (1) certified copy of this Order and Administrative Order CP-60-AD-2-2011 11-00633, with the Criminal Rules Committee.

*By the Court*

MICHAEL H. SHOLLEY,  
*President Judge*

[Pa.B. Doc. No. 11-1592. Filed for public inspection September 16, 2011, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated August 2, 2011, under Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective September 1, 2011, for Compliance Group 3.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been transferred to inactive status by said Order, was published in the appropriate county legal journal.

Berney, Elizabeth Ann  
New York, NY

Bristow, Albert Christopher  
Cherry Hill, NJ

Brown, Jr., Jasper C.  
Winston-Salem, NC

Coleman, Jr., William T.  
Washington, DC

Davis, Mary G. McLaughlin  
San Diego, CA

Duffield, Michelle Laura  
Mount Laurel, NJ

Frank, Bradley Joseph  
Minneapolis, MN

Gordon, Kimberly M.  
Duluth, GA

Harris, John Gerard  
Wilmington, DE

Hawranko, George Edward  
Cleveland, OH

Herman, Richard Bruce  
New York, NY

Hudson, Craig S.  
Fort Lauderdale, FL

Inemer, Timothy P.  
Centreville, VA

Katsafanas, Vasilis C.  
Orlando, FL

Kim, Daniel Thomas  
Los Angeles, CA

Kitay, Harvey  
New York, NY

Lane, Mary Elisa  
Gaithersburg, MD

Masciocchi, Thomas G.  
Clementon, NJ

McCarthy, Shawn P.  
East Brunswick, NJ

Moldovsky, Joel S.  
Israel

O'Hearn, Christine P.  
Westmont, NJ

Pepe, Valerie J.  
Moorestown, NJ

Piccone, Louis Alfred  
Dalton, MA

Rich, Archie Leon  
Washington, DC

Robertson, David Patrick  
Washington, DC

Schmidt, R. Jeffrey  
Dallas, TX

Shaw, Sharyn  
Tallmadge, OH

Tamburro, James Augustus  
Marlton, NJ

Towers, Karin Dianne  
Kingston, MA

Tulloss, Mark Hutchins  
United Arab Emirates

Ware, Charles J.  
Columbia, MD

Weisbrot, Steven M.  
Edison, NJ

Ziegler, Chad  
Brooklyn, NY

SUZANNE E. PRICE,  
*Attorney Registrar*  
*The Disciplinary Board of the*  
*Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 11-1593. Filed for public inspection September 16, 2011, 9:00 a.m.]