ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

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Supreme Court Continues to Strengthen Rules to Protect Kids in Court

HARRISBURG —Masters and hearing officers who hear cases in juvenile court will be required to meet consistent experience, education and training standards, Chief Justice of Pennsylvania Ronald D. Castille announced today. The requirements are contained in new rules adopted by the Supreme Court.

"This is the 58th step we've taken to protect children's rights when involved in the justice system," said Chief Justice Castille. "Besides standardizing requirements across the state for the first time ever, we'll ensure that masters and hearing officers who hear juvenile cases are properly educated about the Juvenile Act, child development and the problems unique to the relationship between children and their families."

Masters, who are also called hearing officers, are attorneys appointed by the court to preside over hearings and make recommendations to the judge, who evaluates those recommendations and issues an order. Rulings from masters and hearing officers may be appealed.

The new rules set requirements for qualifications and continuing education of juvenile masters and hearing officers who may hear cases in both juvenile dependency and delinquency proceedings. Prior to the rules, no statewide uniformity on masters' qualifications or training existed. As a result, the president judge in each county had no guidance when selecting masters for juvenile cases.

Masters and hearing officers will have two years to complete the required standards.

"These rules will strengthen what is recognized nationally as an excellent juvenile justice system," Chief Justice Castille noted. "The system has a lot of good individuals working in it day and night who want to make sure justice is achieved for these young offenders and their victims."

The new rules originated from a series of recommendations from the Interbranch Commission on Juvenile Justice, which was chaired by Supreme Court appointee Senior Judge John M. Cleland of McKean County. The commission, which was formed in response to the Kids for Cash scandal in Luzerne County, proposed juvenile court improvements for all three branches of state government.

The chief justice said that with the rules adopted by the Supreme Court yesterday, 58 changes have been made to the rules governing procedures in both the appellate and juvenile courts. Some of the changes implemented by the court, its various committees and the AOPC include:

- prohibiting the use of restraints on a juvenile in the courtroom unless it's for the safety of court personnel and the juvenile
- requiring juveniles to have an attorney present during proceedings
- establishing an extensive question-and-answer process before the judge before a juvenile can enter a plea agreement
- creating an expedited appeal process whenever a juvenile is removed from his or her home as a sentence
- strengthening the special ethical obligations of juvenile court prosecutors.

The new rules were proposed by the Supreme Court's 13-member Juvenile Court Procedural Rules Committee. The committee's primary goal is to simplify juvenile delinquency and dependency law practice by recommending new rules or amendments to existing procedural rules. The committee reviews legislation and monitors court decisions to ensure that the rules conform to developments in the law as well as to the realities of juvenile law practice. The committee strives to promote statewide uniformity of practice, to streamline procedures and to encourage the prompt disposition of juvenile matters.

The Supreme Court's rules committees are made up of judges and attorneys appointed by the court. Committee members are not paid for their work and typically serve three-year terms with a two-term maximum.

The following are links to the Supreme Court Order, the rules and an explanatory report:

Order

Rules of Juvenile Procedure

Explanatory Report

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