

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1

Session of
1977

INTRODUCED BY MESSRS. RHODES, SCIRICA, IRVIS, BERSON, MILLER,
W. D. HUTCHINSON, FLAHERTY, WILLIAMS, WHITE, RICHARDSON AND
COHEN, JANUARY 4, 1977

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 25, 1977

AN ACT

1 Amending the act of December 6, 1972 (P.L.1464, No.333),
2 entitled "An act relating to the care, guidance, control,
3 trial, placement and commitment of delinquent and deprived
4 children," further defining "child," "delinquent act," and
5 "deprived child," further defining certain words, changing
6 certain references from "deprived" to "dependent," further
7 providing for informal adjustment and consent decrees,
8 further regulating detention and shelter care and imposing
9 certain duties on counties and the Department of Public
10 Welfare, further providing for transfers, making related
11 changes and making certain repeals. ~~and providing an~~ <—
12 ~~appropriation.~~

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Clauses (1), (2), (3), (4) and (6) of section 2,
16 section 3, subsection (a) of section 4, subsection (a) of
17 section 8, subsection (c) of section 8.1, sections 9, 14 and
18 14.1, subsections (a) and (b) of section 15, subsection (a) of
19 section 18, subsection (a) of section 22, subsections (a), (b)
20 and (c) of section 23, sections 24, 25 and 26, clause (4) of
21 subsection (a) of section 28, and sections 31 and 32, act of
22 December 6, 1972 (P.L.1464, No.333), known as the "Juvenile

1 Act," are amended or added to read:

2 Section 2. Definitions.--As used in this act:

3 (1) "Child" means an individual who is: (i) under the age of
4 eighteen years; or (ii) under the age of twenty-one years who
5 committed an act of delinquency before reaching the age of
6 eighteen years; or who was adjudicated deprived before reaching
7 the age of eighteen years and who, while engaged in a course of
8 instruction or treatment, requests the court to retain
9 jurisdiction until the course has been completed, but in no
10 event shall a child remain in a course of instruction or
11 treatment past the age of twenty-one years.

12 (2) "Delinquent act" [means: (i)] means an act designated a
13 crime under the law of this State, or of another state if the
14 act occurred in that state, or under Federal law, or under local
15 ordinances[; or (ii) a specific act or acts of habitual
16 disobedience of the reasonable and lawful commands of his
17 parent, guardian, or other custodian committed by a child who is
18 ungovernable]. "Delinquent act" shall not include the crime of
19 murder nor shall it include summary offenses unless the child
20 fails to pay a fine levied thereunder, in which event notice of
21 such fact shall be certified to the court. No child shall be
22 detained, committed or sentenced to imprisonment by a district
23 magistrate, municipal court judge, or traffic court judge.

24 (3) "Delinquent child" means a child ten years of age or
25 older whom the court has found to have committed a delinquent
26 act and is in need of treatment, supervision or rehabilitation.

27 (4) ["Deprived"] "Dependent child" means a child who: (i) is
28 without proper parental care or control, subsistence, education
29 as required by law, or other care or control necessary for his
30 physical, mental, or emotional health, or morals; or (ii) has

1 been placed for care or adoption in violation of law; or (iii)
2 has been abandoned by his parents, guardian, or other custodian;
3 or (iv) is without a parent, guardian, or legal custodian able
4 to provide protection, supervision or care for him; or (v) while
5 subject to compulsory school attendance is habitually and
6 without justification truant from school; (vi) has committed a
7 specific act or acts of habitual disobedience of the reasonable
8 and lawful commands of his parent, guardian or other custodian
9 committed by a child who is ungovernable and found to be in need
10 of care treatment or supervision; (vii) is under the age of ten
11 years and has committed a delinquent act; or (viii) has been
12 formerly adjudicated dependent, and is under the jurisdiction of
13 the court, subject to its conditions or placements; or a child
14 who has been referred pursuant to section 8, and who commits an
15 act which is defined as ungovernable in section 2(4)(vi).

16 * * *

17 (6) "Protective supervision" means supervision ordered by
18 the court of children found to be [deprived] dependent.

19 * * *

20 Section 3. Jurisdiction.--This act shall apply exclusively
21 to the following:

22 (1) Proceedings in which a child is alleged to be delinquent
23 or [deprived] dependent.

24 (2) Proceedings arising under sections 32 through 35.

25 (3) Transfers arising under section 7.

26 (4) Proceedings under the "Interstate Compact on Juveniles,"
27 section 731, act of June 13, 1967 (P.L.31), known as the "Public
28 Welfare Code."

29 Section 4. Powers and Duties of Probation Officers.--(a)
30 For the purpose of carrying out the objectives and purposes of

1 this act, and subject to the limitations of this act or imposed
2 by the court, a probation officer shall:

3 (1) Make investigations, reports, and recommendations to the
4 court.

5 (2) Receive and examine complaints and charges of
6 delinquency or [deprivation] dependency of a child for the
7 purpose of considering the commencement of proceedings under
8 this act.

9 (3) Supervise and assist a child placed on probation or in
10 his protective supervision or care by order of the court or
11 other authority of law.

12 (4) Make appropriate referrals to other private or public
13 agencies of the community if their assistance appears to be
14 needed or desirable.

15 (5) Take into custody and detain a child who is under his
16 supervision or care as a delinquent or [deprived] dependent
17 child if the probation officer has reasonable cause to believe
18 that the child's health or safety is in imminent danger, or that
19 he may abscond or be removed from the jurisdiction of the court,
20 or when ordered by the court pursuant to this act or that he
21 violated the conditions of his probation.

22 (6) Perform all other functions designated by this act or by
23 order of the court pursuant thereto.

24 * * *

25 Section 8. Informal Adjustment.--(a) Before a petition is
26 filed, the probation officer or other officer of the court
27 designated by it, subject to its direction, shall, in the case
28 of a [deprived] dependent child [or in the case of a delinquent
29 child to be charged under section 2(2) (ii), and may, in the
30 case of a delinquent child to be charged under section 2(2) (i)

1 of this act, where commitment is clearly not appropriate] where
2 the court's jurisdiction is premised upon the provisions of
3 section 2(4)(i),(ii),(iii),(iv),(v) or (vii) and if otherwise
4 appropriate, refer the child and his parents to any public or
5 private social agency available for assisting in the matter.
6 Upon referral, the agency shall indicate its willingness to
7 accept the child and shall report back to the referring officer
8 within three months concerning the status of the referral.
9 Similarly, the probation officer may in the case of a delinquent
10 child, or a dependent child where the court's jurisdiction is
11 permitted in section 2(4)(vi) refer the child and his parents to
12 an agency for assisting in the matter. The agency may return the
13 referral to the probation officer or other officer for further
14 informal adjustment if it is in the best interests of the child.

15 * * *

16 Section 8.1. Consent Decree.--* * *

17 (c) A consent decree shall remain in force for six months
18 unless the child is discharged sooner by probation services with
19 the approval of the court. Upon application of probation
20 services or other agency supervising the child, made before
21 expiration of the six-month period, a consent decree may be
22 extended by the court for an additional six months.

23 * * *

24 Section 9. Venue.--A proceeding under this act may be
25 commenced (i) in the county in which the child resides, or (ii)
26 if delinquency is alleged, in the county in which the acts
27 constituting the alleged delinquency occurred, or (iii) if
28 [deprivation] dependency is alleged, in the county in which the
29 child is present when it is commenced.

30 Section 14. Place of Detention.--(a) A child alleged to be

1 delinquent may be detained only in:

2 (1) A licensed foster home or a home approved by the court;

3 (2) A facility operated by a licensed child welfare agency
4 or one approved by the court;

5 (3) A detention home, camp, center or other facility for
6 delinquent children which is under the direction or supervision
7 of the court or other public authority or private agency, and is
8 approved by the Department of Public Welfare; or

9 (4) Any other suitable place or facility, designated or
10 operated by the court and approved by the Department of Public
11 Welfare. Under no circumstances shall a child be detained,
12 [placed, or committed] in any facility with adults, or where he
13 or she is apt to be abused by other children [unless there is no
14 appropriate facility available, in which case the child shall be
15 kept separate and apart from such adults at all times and shall
16 be detained, placed, or committed under such circumstances for
17 not more than five days]. Until two years after the effective
18 date of this amendatory act a child may be detained in a
19 facility with adults if there is no appropriate facility
20 available within a reasonable distance or a contiguous county,
21 whichever is nearer, for the detention of the child in which
22 case the child shall be kept separate and apart from such adults
23 at all times and shall be detained under such circumstances for
24 not more than five days.

25 (b) The official in charge of a jail or other facility for
26 the detention of adult offenders or persons charged with crime
27 shall inform the court immediately if a person who is or appears
28 to be under the age of eighteen years is received at the
29 facility and shall bring him before the court upon request or
30 deliver him to a detention or shelter care facility designated

1 by the court.

2 (b.1) Two years after the effective date of this amendatory
3 act, it shall be unlawful for any person in charge of or
4 employed by a jail knowingly to receive for detention or to
5 detain in such jail any person whom he has or should have reason
6 to believe is a child. Until such time, a jail may be used for
7 the detention of a child who is alleged to be delinquent only if
8 such detention is necessary for the safety of the public and if
9 such jail has been approved for the detention of such child by
10 the Department of Public Welfare and such detention has been
11 ordered by the court. The Department of Public Welfare shall
12 approve for use for purposes of and in accordance with the
13 provisions of this section any jail which it finds maintains,
14 for the detention of any such child, an appropriate room under
15 adequate supervision: Provided, That the Department of Public
16 Welfare shall, no later than sixty days after the effective date
17 of the act, by regulation promulgate standards governing the
18 operations of such provisions of such jails as are used for the
19 detention of children pursuant to this section and shall cause
20 such jails to be inspected by the Department of Public Welfare
21 at least once every six months until this confinement is
22 terminated in accordance with provisions in this act. Under no
23 circumstances shall it be lawful for any court to detain a
24 child, or a person believed to be a child, in any jail if the
25 county operates a juvenile detention center approved by the
26 Department of Public Welfare.

27 (c) If a case is transferred for criminal prosecution the
28 child may be transferred to the appropriate officer or detention
29 facility in accordance with the law governing the detention of
30 persons charged with crime. The court in making the transfer may

1 order continued detention as a juvenile pending trial if the
2 child is unable to provide bail.

3 (d) A child alleged to be [deprived] dependent may be
4 detained or placed [in shelter care only in the facilities] only
5 in a shelter care facility as stated in clauses (1), (2) and (4)
6 of subsection (a), and shall not be detained in a jail or other
7 facility intended or used for the detention of adults charged
8 with criminal offenses [or of children alleged to be
9 delinquent], but may be detained in the same shelter care
10 facilities with alleged delinquent children.

11 (e) The Department of Public Welfare shall develop or assist
12 in the development in each county of the Commonwealth approved
13 programs for the provision of shelter care for children referred
14 to or under the jurisdiction of the court.

15 (f) (1) Each county, acting alone or in conjunction with
16 other counties as provided in section 14.1, shall submit to the
17 Department of Public Welfare for approval a plan for the removal
18 of children from adult facilities. Such plan shall be submitted
19 within one year of the effective date of this amendatory act. If
20 no such plan is submitted or accepted by the department within
21 the allocated period, the department, after determining the
22 detention needs of individual counties, shall thereafter take
23 whatever steps it deems necessary to provide the required
24 detention services for any such county or counties; including
25 the construction of a regional detention facility to meet the
26 needs of the counties insofar as is consistent with prohibitions
27 against the use of adult facilities for juvenile offenders as
28 herein provided. The department, after exhausting all other
29 available funds including law enforcement assistance
30 administration funds and any other Federal or State funds

1 available for such purpose, shall charge the cost of
2 establishing the necessary regional detention facilities to the
3 counties that will utilize its services.

4 (2) The amount due the Commonwealth for the services or
5 facilities provided pursuant to clause (1) shall be paid by the
6 county within fifteen months after receipt of notice of the
7 amount due. In determining the amount which each county shall be
8 charged for the establishment of a regional detention facility,
9 the department shall take into account the extent to which the
10 participating counties shall utilize the facilities.

11 (3) Except as provided in clause (4), the charges made by
12 the department against any county pursuant to this subsection
13 shall not exceed \$50,000.

14 (4) In addition to the charges authorized for the providing
15 of regional detention facilities and notwithstanding the
16 limitations on such charges set forth in clause (3), the
17 Commonwealth shall be entitled to an additional amount for
18 providing such facilities equivalent to seven percent of the
19 costs imposed on the county.

20 (5) All sums collected from the counties pursuant to this
21 subsection shall be paid into the General Fund and credited to
22 the Department of Public Welfare.

23 Section 14.1. Regional Detention Facilities.--(a) Where the
24 operation of an approved detention facility by a single county
25 would not be feasible, economical or conducive to the best
26 interest of a child needing detention care, the Department of
27 Public Welfare shall:

28 (1) Make provisions directly or by contract with a single
29 county for the implementation and operation, in accordance with
30 the regulations promulgated by the Department of Public Welfare

1 of regional detention facilities serving the needs of two or
2 more counties.

3 (2) Arrive at mutually agreeable arrangements with counties
4 participating in the use of such regional detention facilities
5 for the equitable sharing in the costs of constructing and
6 operating such regional detention facilities, including
7 necessary expenditures to transport children and their parents,
8 guardians, or custodians to and from such regional detention
9 facilities with funds contributed by the State and by such
10 counties.

11 (b) The Department of General Services shall make available
12 any vacant Commonwealth building which the Department of Public
13 Welfare certifies as appropriate for renovation as a regional
14 detention facility.

15 Section 15. Release from Detention or Shelter Care; Hearing;
16 Conditions of Release.--(a) If a child is brought before the
17 court or delivered to a detention or shelter care facility
18 designated by the court, the intake or other authorized officer
19 of the court shall immediately make an investigation and release
20 the child unless it appears that his detention or shelter care
21 is warranted or required under section 12. The release of the
22 child shall not prevent the subsequent filing of a petition as
23 provided in this act. If he is not so released, a petition shall
24 be promptly made and presented to the court within twenty-four
25 hours or the next business day of the child's admission to
26 detention or shelter care.

27 (b) An informal [detention] hearing shall be held promptly
28 by the court or the master and not later than seventy-two hours
29 after [he] the child is placed in detention or shelter care to
30 determine whether his detention or shelter care is required

1 under section 12 and if the child is alleged to be delinquent,
2 that probable cause exists, that the child has committed a
3 delinquent act. Reasonable notice thereof, either oral or
4 written, stating the time, place, and purpose of the [detention]
5 hearing shall be given to the child and if they can be found, to
6 his parents, guardian, or other custodian. Prior to the
7 commencement of the hearing the court or master shall inform the
8 parties of their right to counsel and to appointed counsel if
9 they are needy persons, and of the child's right to remain
10 silent with respect to any allegations of delinquency.

11 * * *

12 Section 18. Summons.--(a) After the petition has been filed
13 the court shall fix a time for hearing thereon, which, if the
14 child is in detention, shall not be later than ten days after
15 the filing of the petition. If the hearing is not held within
16 such time, the child shall be immediately released from
17 detention. A child may be detained for an additional single
18 period not to exceed ten days where the court determines at a
19 hearing that evidence material to the case is unavailable and
20 due diligence to obtain such evidence has been exercised and
21 there are reasonable grounds to believe that such evidence will
22 be available at a later date and the court finds by clear and
23 convincing evidence that the child's life would be in danger,
24 the community would be exposed to a specific danger or that the
25 child will abscond or be removed from the jurisdiction of the
26 court. The court shall direct the issuance of a summons to the
27 parents, guardian, or other custodian, a guardian ad litem, and
28 any other persons as appear to the court to be proper or
29 necessary parties to the proceeding, requiring them to appear
30 before the court at the time fixed to answer the allegations of

1 the petition. The summons shall also be directed to the child if
2 he is fourteen or more years of age or is alleged to be a
3 delinquent. A copy of the petition shall accompany the summons.

4 * * *

5 Section 22. Investigation and Report.--(a) If the
6 allegations of a petition are admitted by a party or notice of
7 hearing under section 28 has been given, the court, prior to the
8 hearing on need for treatment or disposition, may direct that a
9 social study and report in writing to the court be made by an
10 officer of the court or other person designated by the court,
11 concerning the child, his family, his environment, and other
12 matters relevant to disposition of the case. If the allegations
13 of the petition are not admitted and notice of a hearing under
14 section 28 has not been given, the court shall not direct the
15 making of the study and report until after the court has heard
16 the petition upon notice of hearing given pursuant to this act
17 and the court has found that the child committed a delinquent
18 act or is a [deprived] dependent child.

19 * * *

20 Section 23. Hearing; Findings; Dismissal.--(a) After
21 hearing the evidence on the petition the court shall make and
22 file its findings as to whether the child is a [deprived]
23 dependent child, or if the petition alleges that the child is
24 delinquent, whether the acts ascribed to the child were
25 committed by him. If the court finds that the child is not a
26 [deprived] dependent child or that the allegations of
27 delinquency have not been established it shall dismiss the
28 petition and order the child discharged from any detention or
29 other restriction theretofore ordered in the proceeding.

30 (b) If the court finds on proof beyond a reasonable doubt

1 that the child committed the acts by reason of which he is
2 alleged to be delinquent it shall enter such finding on the
3 record and it shall then proceed immediately or at a postponed
4 hearing, which shall occur not later than twenty days after
5 adjudication if the child is in detention, to hear evidence as
6 to whether the child is in need of treatment, supervision or
7 rehabilitation and to make and file its findings thereon. In the
8 absence of evidence to the contrary, evidence of the commission
9 of acts which constitute a felony shall be sufficient to sustain
10 a finding that the child is in need of treatment, supervision or
11 rehabilitation. If the court finds that the child is not in need
12 of treatment, supervision or rehabilitation it shall dismiss the
13 proceeding and discharge the child from any detention or other
14 restriction theretofore ordered.

15 (c) If the court finds from clear and convincing evidence
16 that the child is [deprived] dependent, the court shall proceed
17 immediately or at a postponed hearing, which shall occur not
18 later than twenty days after adjudication if the child has been
19 removed from his home, to make a proper disposition of the case.

20 * * *

21 Section 24. Disposition of [Deprived] Dependent Child.--(a)
22 If the child is found to be a [deprived] dependent child the
23 court may make any of the following orders of disposition best
24 suited to the protection and physical, mental, and moral welfare
25 of the child:

26 (1) Permit the child to remain with his parents, guardian,
27 or other custodian, subject to conditions and limitations as the
28 court prescribes, including supervision as directed by the court
29 for the protection of the child.

30 (2) Subject to conditions and limitations as the court

prescribes transfer temporary legal custody to any of the following: (i) any individual in or outside Pennsylvania who, after study by the probation officer or other person or agency designated by the court, is found by the court to be qualified to receive and care for the child; (ii) an agency or other private organization licensed or otherwise authorized by law to receive and provide care for the child or (iii) a public agency authorized by law to receive and provide care for the child.

(3) Without making any of the foregoing orders transfer custody of the child to the juvenile court of another state if authorized by and in accordance with section 32.

(b) Unless a child found to be [deprived] dependent is found also to be delinquent he shall not be committed to or confined in an institution or other facility designed or operated for the benefit of delinquent children.

(c) Every county of the Commonwealth shall develop programs for children referred to the court under section 2(4)(v) or (vi).

Section 25. Disposition of Delinquent Child.--If the child is found to be a delinquent child the court may make any of the following orders of disposition best suited to his treatment, supervision, rehabilitation, and welfare:

(1) Any order authorized by section 24 for the disposition of a [deprived] dependent child.

(2) Placing the child on probation under supervision of the probation officer of the court or the court of another state as provided in section 34, under conditions and limitations the court prescribes.

(3) Committing the child to an institution, youth development center, camp, or other facility for delinquent

1 children operated under the direction or supervision of the
2 court or other public authority and approved by the Department
3 of Public Welfare.

4 (4) [Committing] If the child is twelve years of age or
5 older, committing the child to an institution operated by the
6 Department of Public Welfare or special facility for children
7 operated by the Department of Justice. In selecting from the
8 alternatives set forth in this section, the court shall follow
9 the general principal that the disposition imposed should
10 provide the means through which the provisions of this act are
11 executed and enforced consistent with section 1 and when
12 confinement is necessary, the court shall impose the minimum
13 amount of confinement that is consistent with the protection of
14 the public and the rehabilitation needs of the child.

15 (5) Ordering payment by the child of reasonable amounts of
16 money as restitution as deemed appropriate as part of the plan
17 of rehabilitation considering the nature of the acts committed
18 and the earning capacity of the child.

19 Section 26. Limitation on Length of Commitment.--(a) No
20 child shall initially be committed to an institution for a
21 period longer than three years or a period longer than he could
22 have been sentenced by the court if he had been convicted of the
23 same offense as an adult, whichever is less. The initial
24 commitment may be extended for a similar period of time, or
25 modified, if the court finds after hearing that the extension or
26 modification will effectuate the original purpose for which the
27 order was entered. The child shall have notice of the extension
28 or modification hearing and shall be given an opportunity to be
29 heard. The committing court shall review each commitment every
30 six months and shall hold a disposition review hearing at least

1 every [twelve] nine months.

2 (b) Three months after placement of the child, and if his
3 progress with the institution warrants it, the institution may
4 seek to transfer said child to a less secure facility, including
5 a group home or foster boarding home. The institution shall give
6 the committing court written notice of such transfer. If the
7 court does not object to such transfer within ten days after
8 receipt of the notice, such transfer may be effectuated. If the
9 court objects to such transfer, it shall hold a hearing within
10 twenty days after objecting to the transfer for the purpose of
11 reviewing its commitment order. If the institution seeks to
12 transfer to a more secure facility the child must have a full
13 hearing before the committing court. At the hearing, the court
14 may reaffirm or modify its commitment order.

15 Section 28. Transfer.--(a) After a petition has been filed
16 alleging delinquency based on conduct which is designated a
17 crime or public offense under the laws, including local
18 ordinances, of this State, the court before hearing the petition
19 on its merits may rule that this act is not applicable and that
20 the offense should be prosecuted, and transfer the offense,
21 where appropriate, to the trial or criminal division or to a
22 judge of the court assigned to conduct criminal proceedings, for
23 prosecution of the offense if:

24 * * *

25 (4) The court finds that there is a prima facie case that
26 the child committed the delinquent act alleged, and that the
27 delinquent act would be considered a felony if committed by an
28 adult, and the court finds that there are reasonable grounds to
29 believe that: (i) the child is not amenable to treatment,
30 supervision or rehabilitation as a juvenile through available

1 facilities, in determining this the court may consider age,
2 mental capacity, maturity, previous record and probation or
3 institutional reports; and (ii) the child is not committable to
4 an institution for the mentally retarded or mentally ill, and
5 (iii) the interests of the community require that the child be
6 placed under legal restraint or discipline or that the offense
7 is one which would carry a sentence of more than three years if
8 committed as an adult.

9 * * *

10 Section 31. Disposition of Nonresident Child.--(a) If the
11 court finds that a child who has been adjudged to have committed
12 a delinquent act or to be [deprived] dependent is or is about to
13 become a resident of another state which has adopted the Uniform
14 Juvenile Court Act, or a substantially similar act which
15 includes provisions corresponding to this section and section 32
16 hereof, the court may defer hearing on need of treatment and
17 disposition and request by any appropriate means the appropriate
18 court of the county of the child's residence or prospective
19 residence to accept jurisdiction of the child.

20 (b) If the child becomes a resident of another state while
21 on probation or under protective supervision under order of a
22 court of this State, the court may request the court of the
23 state in which the child has become a resident to accept
24 jurisdiction of the child and to continue his probation or
25 protective supervision.

26 (c) Upon receipt and filing of an acceptance the court of
27 this State shall transfer custody of the child to the accepting
28 court and cause him to be delivered to the person designated by
29 that court to receive his custody. It also shall provide that
30 court with certified copies of the order adjudging the child to

1 be a delinquent, or [deprived] dependent child, of the order of
2 transfer, and if the child is on probation or under protective
3 supervision under order of the court, of the order of
4 disposition. It also shall provide that court with a statement
5 of the facts found by the court of this State and any
6 recommendations and other information or documents it considers
7 of assistance to the accepting court in making a disposition of
8 the case or in supervising the child on probation or otherwise.

9 (d) Upon compliance with subsection (c) the jurisdiction of
10 the court of this State over the child is terminated.

11 Section 32. Disposition of Resident Child Received from
12 Another State.--(a) If a juvenile court of another state which
13 has adopted the Uniform Juvenile Court Act, or a substantially
14 similar act which includes provisions corresponding to section
15 31 and this section, requests a court of this State to accept
16 jurisdiction of a child found by the requesting court to have
17 committed a delinquent act or to be an unruly or [deprived]
18 dependent child, and the court of this State finds, after
19 investigation that the child is, or is about to become, a
20 resident of the county in which the court presides, it shall
21 promptly and not later than fourteen days after receiving the
22 request issue its acceptance in writing to the requesting court
23 and direct its probation officer or other person designated by
24 it to take physical custody of the child from the requesting
25 court and bring him before the court of this State or make other
26 appropriate provisions for his appearance before the court.

27 (b) Upon the filing of certified copies of the orders of the
28 requesting court (i) determining that the child committed a
29 delinquent act or an unruly or [deprived] dependent child, and
30 (ii) committing the child to the jurisdiction of the court of

1 this State, the court of this State shall immediately fix a time
2 for a hearing on the need for treatment, supervision or
3 rehabilitation and disposition of the child or on the
4 continuance of any probation or protective supervision.

5 (c) The hearing and notice thereof and all subsequent
6 proceedings are governed by this act. The court may make any
7 order of disposition permitted by the facts and this act. The
8 orders of the requesting court are conclusive that the child
9 committed the delinquent act or is an unruly or [deprived]
10 dependent child and of the facts found by the court in making
11 the orders. If the requesting court has made an order placing
12 the child on probation or under protective supervision, a like
13 order shall be entered by the court of this State.

14 Section 2. Subsection (b) of section 343, act of June 13,
15 1967 (P.L.31, No.21), known as the "Public Welfare Code," is
16 repealed.

17 ~~Section 3. The sum of \$1,500,000, or as much thereof as may~~ <—
18 ~~be necessary, is hereby appropriated to the Department of Public~~
19 ~~Welfare to be used by the department to implement the provisions~~
20 ~~of section 14 and to provide grants to counties for the same~~
21 ~~purpose.~~

22 Section 4 3. This act shall take effect immediately, but the <—
23 jurisdictional changes contained in section 2(2) and (4) shall
24 apply only to proceedings instituted after the effective date.