
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 AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 13, 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, SUBSECTION (A) OF <—
21 SECTION 27, clause (4) of subsection (a) of section 28, and

1 sections 31 and 32, act of December 6, 1972 (P.L.1464, No.333),
2 known as the "Juvenile Act," are amended or added to read:

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

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

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

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

28 (4) ["Deprived"] Dependent child" means a child who: (i) is
29 without proper parental care or control, subsistence, education
30 as required by law, or other care or control necessary for his

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

17 * * *

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

20 * * *

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

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

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

26 (3) Transfers arising under section 7.

27 (4) Proceedings under the "Interstate Compact on Juveniles,"
28 section 731, act of June 13, 1967 (P.L.31, No.21), known as the
29 "Public Welfare Code."

30 Section 4. Powers and Duties of Probation Officers.--(a)

1 For the purpose of carrying out the objectives and purposes of
2 this act, and subject to the limitations of this act or imposed
3 by the court, a probation officer shall:

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

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

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

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

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

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

25 * * *

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

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

16 * * *

17 Section 8.1. Consent Decree.--* * *

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

24 * * *

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

1 Section 14. Place of Detention.--(a) A child alleged to be
2 delinquent may be detained only in:

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

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

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

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

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

1 deliver him to a detention or shelter care facility designated
2 by the court.

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

28 (c) If a case is transferred for criminal prosecution the
29 child may be transferred to the appropriate officer or detention
30 facility in accordance with the law governing the detention of

persons charged with crime. The court in making the transfer may order continued detention as a juvenile pending trial if the child is unable to provide bail.

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

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

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

administration funds and any other Federal or State funds
available for such purpose, shall charge the cost of
establishing the necessary regional detention facilities to the
counties that will utilize its services.

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

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

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

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

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

(1) Make provisions directly or by contract with a single
county for the implementation and operation, in accordance with

1 the regulations promulgated by the Department of Public Welfare
2 of regional detention facilities serving the needs of two or
3 more counties.

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

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

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

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

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

12 * * *

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

1 before the court at the time fixed to answer the allegations of
2 the petition. The summons shall also be directed to the child if
3 he is fourteen or more years of age or is alleged to be a
4 delinquent. A copy of the petition shall accompany the summons.

5 * * *

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

20 * * *

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

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

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

21 * * *

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

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

(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

1 development center, camp, or other facility for delinquent
2 children operated under the direction or supervision of the
3 court or other public authority and approved by the Department
4 of Public Welfare.

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

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

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

1 six months and shall hold a disposition review hearing at least
2 every [twelve] nine months.

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

16 SECTION 27. ORDER OF ADJUDICATION; NONCRIMINAL.--(A) AN <—
17 ORDER OF DISPOSITION OR OTHER ADJUDICATION IN A PROCEEDING UNDER
18 THIS ACT IS NOT A CONVICTION OF CRIME AND DOES NOT IMPOSE ANY
19 CIVIL DISABILITY ORDINARILY RESULTING FROM A CONVICTION OR
20 OPERATE TO DISQUALIFY THE CHILD IN ANY CIVIL SERVICE APPLICATION
21 OR APPOINTMENT. A CHILD SHALL NOT BE COMMITTED OR TRANSFERRED TO
22 A PENAL INSTITUTION OR OTHER FACILITY USED PRIMARILY FOR THE
23 EXECUTION OF SENTENCES OF ADULTS CONVICTED OF A CRIME [UNLESS
24 THERE IS NO OTHER APPROPRIATE FACILITY AVAILABLE, IN WHICH CASE
25 THE CHILD SHALL BE KEPT SEPARATE AND APART FROM SUCH ADULTS AT
26 ALL TIMES].

27 * * *

28 Section 28. Transfer.--(a) After a petition has been filed
29 alleging delinquency based on conduct which is designated a
30 crime or public offense under the laws, including local

1 ordinances, of this State, the court before hearing the petition
2 on its merits may rule that this act is not applicable and that
3 the offense should be prosecuted, and transfer the offense,
4 where appropriate, to the trial or criminal division or to a
5 judge of the court assigned to conduct criminal proceedings, for
6 prosecution of the offense if:

7 * * *

8 (4) The court finds that there is a prima facie case that
9 the child committed the delinquent act alleged, and that the
10 delinquent act would be considered a felony if committed by an
11 adult, and the court finds that there are reasonable grounds to
12 believe that: (i) the child is not amenable to treatment,
13 supervision or rehabilitation as a juvenile through available
14 facilities, in determining this the court may consider age,
15 mental capacity, maturity, previous record and probation or
16 institutional reports; and (ii) the child is not committable to
17 an institution for the mentally retarded or mentally ill, and
18 (iii) the interests of the community require that the child be
19 placed under legal restraint or discipline or that the offense
20 is one which would carry a sentence of more than three years if
21 committed as an adult.

22 * * *

23 Section 31. Disposition of Nonresident Child.--(a) If the
24 court finds that a child who has been adjudged to have committed
25 a delinquent act or to be [deprived] dependent is or is about to
26 become a resident of another state which has adopted the Uniform
27 Juvenile Court Act, or a substantially similar act which
28 includes provisions corresponding to this section and section 32
29 hereof, the court may defer hearing on need of treatment and
30 disposition and request by any appropriate means the appropriate

1 court of the county of the child's residence or prospective
2 residence to accept jurisdiction of the child.

3 (b) If the child becomes a resident of another state while
4 on probation or under protective supervision under order of a
5 court of this State, the court may request the court of the
6 state in which the child has become a resident to accept
7 jurisdiction of the child and to continue his probation or
8 protective supervision.

9 (c) Upon receipt and filing of an acceptance the court of
10 this State shall transfer custody of the child to the accepting
11 court and cause him to be delivered to the person designated by
12 that court to receive his custody. It also shall provide that
13 court with certified copies of the order adjudging the child to
14 be a delinquent, or [deprived] dependent child, of the order of
15 transfer, and if the child is on probation or under protective
16 supervision under order of the court, of the order of
17 disposition. It also shall provide that court with a statement
18 of the facts found by the court of this State and any
19 recommendations and other information or documents it considers
20 of assistance to the accepting court in making a disposition of
21 the case or in supervising the child on probation or otherwise.

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

24 Section 32. Disposition of Resident Child Received from
25 Another State.--(a) If a juvenile court of another state which
26 has adopted the Uniform Juvenile Court Act, or a substantially
27 similar act which includes provisions corresponding to section
28 31 and this section, requests a court of this State to accept
29 jurisdiction of a child found by the requesting court to have
30 committed a delinquent act or to be an unruly or [deprived]

1 dependent child, and the court of this State finds, after
2 investigation that the child is, or is about to become, a
3 resident of the county in which the court presides, it shall
4 promptly and not later than fourteen days after receiving the
5 request issue its acceptance in writing to the requesting court
6 and direct its probation officer or other person designated by
7 it to take physical custody of the child from the requesting
8 court and bring him before the court of this State or make other
9 appropriate provisions for his appearance before the court.

10 (b) Upon the filing of certified copies of the orders of the
11 requesting court (i) determining that the child committed a
12 delinquent act or an unruly or [deprived] dependent child, and
13 (ii) committing the child to the jurisdiction of the court of
14 this State, the court of this State shall immediately fix a time
15 for a hearing on the need for treatment, supervision or
16 rehabilitation and disposition of the child or on the
17 continuance of any probation or protective supervision.

18 (c) The hearing and notice thereof and all subsequent
19 proceedings are governed by this act. The court may make any
20 order of disposition permitted by the facts and this act. The
21 orders of the requesting court are conclusive that the child
22 committed the delinquent act or is an unruly or [deprived]
23 dependent child and of the facts found by the court in making
24 the orders. If the requesting court has made an order placing
25 the child on probation or under protective supervision, a like
26 order shall be entered by the court of this State.

27 Section 2. Subsection (b) of section 343, act of June 13,
28 1967 (P.L.31, No.21), known as the "Public Welfare Code," is
29 repealed.

30 Section 3. The sum of \$1,500,000, or as much thereof as may

1 be necessary, is hereby appropriated to the Department of Public
2 Welfare to be used by the department to implement the provisions
3 of section 14 and to provide grants to counties for the same
4 purpose. EXCLUDING PROBATION SERVICES, NO COUNTY SHALL BE <—
5 REQUIRED TO PAY MORE THAN TEN PERCENT OF THE COSTS OF OPERATING
6 NEW SHELTER CARE PROGRAMS REQUIRED TO IMPLEMENT THE
7 RECLASSIFICATION PROVIDED FOR IN SECTION 2(4)(VI), PROVIDED THAT
8 THE COUNTY:

9 (1) HAS APPLIED FOR EXISTING FEDERAL FUNDS TO IMPLEMENT
10 SECTION 2(4)(VI);

11 (2) THE COUNTY HAS NOT BEEN DEEMED INELIGIBLE FOR THESE
12 FEDERAL FUNDS; AND

13 (3) THE PROGRAMS ARE APPROVED AS NECESSARY BY THE DEPARTMENT
14 OF PUBLIC WELFARE TO IMPLEMENT SECTION 2(4)(VI). FOR THE
15 PURPOSES OF THIS SECTION, SHELTER CARE SHALL NOT INCLUDE
16 INSTITUTIONAL FACILITIES.

17 Section 4. This act shall take effect immediately, but the
18 jurisdictional changes contained in section 2(2) and (4) shall
19 apply only to proceedings instituted after the effective date.