

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 717

Session of
1985

INTRODUCED BY B. SMITH, MAYERNIK, PRATT, J. L. WRIGHT,
MOEHLMANN, RYBAK, LETTERMAN, TRELLO, MRKONIC, PETRARCA,
LASHINGER, MANMILLER, VROON, SAURMAN, PERZEL, JOHNSON, ARTY,
PISTELLA, BOWLEY, NAHILL, BATTISTO, DISTLER, NOYE, COY,
AFFLERBACH, BARLEY, TIGUE, SIRIANNI, E. Z. TAYLOR, DORR,
BOWSER, JACKSON, MILLER, CESSAR, GEIST, LINTON, COWELL,
G. M. SNYDER, CLYMER, COLAFELLA, SEVENTY, BELFANTI, HERMAN,
MICHLOVIC, CIVERA, DeLUCA, BELARDI, BURD, FISCHER, RAYMOND,
MERRY, BUNT, HALUSKA, CARN, BOOK, ITKIN, MICOZZIE, GRUPPO,
BOYES, TELEK, A. C. FOSTER, JR., BROUJOS, BORTNER, PETRONE,
McVERY, CAWLEY, PICCOLA, RICHARDSON AND FOX, MARCH 25, 1985

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 10, 1985

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 juvenile appearances before district justices.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 1517. Juvenile appearances.

9 ~~Whenever any person who is under 18 years of age, unmarried~~ <—
10 ~~and charged with a summary offense is arraigned before a~~
11 ~~district justice for which jurisdiction is vested in a district~~
12 ~~justice under section 1515 (relating to jurisdiction and venue),~~
13 ~~that person shall be accompanied by a parent or legal guardian.~~

1 WHENEVER AN INDIVIDUAL WHO IS UNDER 18 YEARS OF AGE AND IS
2 NOT EMANCIPATED IS CHARGED WITH A SUMMARY OFFENSE FOR WHICH
3 JURISDICTION IS VESTED IN A DISTRICT JUSTICE UNDER SECTION 1515
4 (RELATING TO JURISDICTION AND VENUE), THE DISTRICT JUSTICE SHALL
5 SEND A COPY OF THE CITATION BY CERTIFIED MAIL, RETURN RECEIPT
6 REQUESTED, TO THE PARENTS OR LEGAL GUARDIANS OF THE INDIVIDUAL
7 AT THE TIME OF THE FILING OF THE CITATION. IN SUCH CASES A
8 DISTRICT JUSTICE SHALL NOT ACCEPT A PLEA OR SCHEDULE A HEARING
9 BEFORE 72 HOURS HAS LAPSED FROM THE TIME OF THE MAILING OF THE
10 NOTICE TO THE PARENTS OR LEGAL GUARDIAN. FAILURE TO PROVIDE
11 NOTICE UNDER THIS SECTION SHALL NOT CONSTITUTE GROUNDS FOR
12 DISMISSAL OF THE SUMMARY OFFENSE.

13 Section 2. This act shall take effect in 60 days.