

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1178 Session of
2003

INTRODUCED BY GRUCELA, BEBKO-JONES, BELFANTI, CAPPELLI, CAWLEY,
DALLY, FRANKEL, FREEMAN, GEIST, HARHAI, JAMES, JOSEPHS,
KELLER, KOTIK, LAUGHLIN, LEACH, LEDERER, McCALL, REICHLEY,
ROONEY, SHANER, SOLOBAY, TANGRETTI, TIGUE, WALKO, WASHINGTON,
YOUNGBLOOD, WOJNAROSKI, MELIO, BROWNE AND HORSEY,
APRIL 15, 2003

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 15, 2003

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for assessment
3 and counseling of chronic runaways.

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

6 Section 1. Section 6302 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a definition to read:
8 § 6302. Definitions.

9 The following words and phrases when used in this chapter
10 shall have, unless the context clearly indicates otherwise, the
11 meanings given to them in this section:

12 * * *

13 "Chronic runaway." A child who comes to the attention of law
14 enforcement officers as a runaway more than once in any month or
15 at least three times in any year.

16 * * *

Section 2. Sections 6327(f) and 6331 of Title 42 are amended to read:

§ 6327. Place of detention.

* * *

(f) Development of approved shelter care programs.--

(1) The Department Public Welfare shall develop or assist in the development in each county of this Commonwealth approved programs for the provision of shelter care for children needing these services who have been taken into custody under section 6324 (relating to taking into custody) and for children referred to or under the jurisdiction of the court.

(2) A county may develop a runaway treatment plan to address problems with chronic runaway children in the county. The county shall submit the plan to the department for approval and may request funding for its implementation, and the department may award funding to a county to implement an approved county runaway treatment plan. The plan shall identify the problems associated with chronic runaway children in the county and specific solutions the county will implement, including, but not limited to, the development and operation of a runaway assessment and counseling center.

§ 6331. Release from detention or commencement of proceedings.

(a) General rule.--If a child is brought before the court or delivered to a detention or shelter care facility designated by the court, the intake or other authorized officer of the court shall immediately make an investigation and release the child unless it appears that his detention or shelter care is warranted or required under section 6325 (relating to detention of child). The release of the child shall not prevent the

subsequent filing of a petition as provided in this chapter. If he is not so released, a petition shall be promptly made and presented to the court within 24 hours or the next court business day of the admission of the child to detention or shelter care.

(b) Runaways.--

(1) Within 24 hours of being detained, either in a runaway assessment and treatment center or a detention facility, a chronic runaway shall be assessed by a counselor who specializes in runaway profiles to determine the following:

(i) The reasons why the child is a chronic runaway.

(ii) Whether the child should be adjudicated dependent.

(iii) What treatment procedures should be prescribed for the child and for the parent, legal guardian or custodian from whom the child ran away.

(2) As soon as practicable following the assessment, and not later than the informal hearing required under section 6332 (relating to informal hearing), the child, the counselor and the child's parent, legal guardian or custodian shall meet in an initial counseling session for the purpose of:

(i) Identifying the underlying causes for the runaway behavior.

(ii) Developing a plan to address those causes.

(3) A chronic runaway shall be released from a runaway assessment and treatment center to the child's parent, legal guardian or custodian after the initial counseling session unless the counselor believes that it would not be in the best interest of the child to do so.

1 (4) A chronic runaway may be adjudicated dependent if
2 his parent:

3 (i) Fails to attend this initial counseling session.

4 (ii) Is unwilling to take custody of the child at
5 the conclusion of the informal hearing.

6 (iii) The court finds other compelling reasons to do
7 so, including, but not limited to, the counselor's
8 recommendations.

9 Section 3. This act shall take effect in 60 days.