

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 AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 21, 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 an individual who is under 18 years of age and is
10 not emancipated is charged with a summary offense for which
11 jurisdiction is vested in a district justice under section 1515
12 (relating to jurisdiction and venue), the district justice shall
13 send a copy of the citation by certified mail, return receipt

1 requested, to the parents or legal guardians of the individual
2 at the time of the filing of the citation. WHERE THE INDIVIDUAL <—
3 IS NOT RESIDING WITH A PARENT OR LEGAL GUARDIAN, THE COPY OF THE
4 CITATION SHALL BE SENT TO THE PERSON WITH WHOM THE INDIVIDUAL
5 RESIDES. In such cases a district justice shall not accept a
6 plea or schedule a hearing before 72 hours has lapsed from the
7 time of the mailing of the notice to the parents or legal <—
8 guardian AS REQUIRED UNDER THIS SECTION. Failure to provide <—
9 notice under this section shall not constitute grounds for
10 dismissal of the summary offense.

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