

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 866 Session of
2010

INTRODUCED BY EACHUS, BOBACK, CARROLL, MUNDY, PASHINSKI,
WANSACZ, YUDICHAK, BRIGGS, DERMODY, MCGEEHAN, BROWN,
CALTAGIRONE, KIRKLAND, MANN, GODSHALL, SWANGER, KULA,
JOSEPHS, MAHONEY AND BRADFORD, JUNE 24, 2010

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, JUNE 24, 2010

A CONCURRENT RESOLUTION

1 Urging the Pennsylvania Supreme Court to implement
2 recommendations made by the Interbranch Commission on
3 Juvenile Justice.

4 WHEREAS, The act of August 7, 2009 (P.L.143,No.32), known as
5 the Interbranch Commission on Juvenile Justice Act, established
6 the Interbranch Commission on Juvenile Justice to, inter alia,
7 restore public confidence in the administration of juvenile
8 justice in this Commonwealth; and

9 WHEREAS, The Interbranch Commission on Juvenile Justice Act
10 authorized the commission to conduct a noncriminal investigation
11 into events that occurred in Luzerne County involving the
12 administration of juvenile justice, make recommendations
13 intended to prevent similar events from occurring in the future
14 and to issue a final report of its activities by May 31, 2010;
15 and

16 WHEREAS, At a public meeting held on May 27, 2010, the
17 commission adopted its final report; and

1 WHEREAS, The commission's final report includes
2 recommendations intended to restore public confidence in the
3 administration of juvenile justice in this Commonwealth and to
4 ensure the events that transpired in Luzerne County do not occur
5 in the future; and

6 WHEREAS, The commission's final report makes recommendations
7 that are, or appear to be, within the exclusive jurisdiction of
8 the Pennsylvania Supreme Court under the Constitution of
9 Pennsylvania; therefore be it

10 RESOLVED (the Senate concurring), That the General Assembly
11 strongly encourage the Chief Justice of the Pennsylvania Supreme
12 Court and the Court Administrator to thoroughly review the
13 Interbranch Commission on Juvenile Justice's May 27, 2010, final
14 report; and be it further

15 RESOLVED, That the General Assembly strongly urge the Chief
16 Justice and the Court Administrator to swiftly implement the
17 recommendations of the commission under the jurisdiction of the
18 Pennsylvania Supreme Court included in its final report,
19 including the following:

20 (1) That appropriate educational materials be prepared
21 for attorneys and the general public to assure that both
22 communities understand what constitutes a violation of the
23 Rules of Professional Conduct governing the conduct of
24 attorneys in this Commonwealth and how to file a complaint.

25 (2) That the minimum number of ethics credit hours of
26 continuing legal education required of attorneys practicing
27 in this Commonwealth be increased from one to two.

28 (3) That judges of the courts of common pleas in this
29 Commonwealth who are assigned to handle delinquency matters
30 be required to attend a minimum of 12 hours continuing legal

1 education.

2 (4) That mandatory continuing education standards be
3 developed for juvenile masters and hearing officers.

4 (5) That the Pennsylvania Supreme Court provide
5 continuing oversight of the Luzerne County court system to
6 assure that the juvenile justice system functions in
7 accordance with 42 Pa.C.S. Ch. 63 (relating to juvenile
8 matters) and the Juvenile Rules Procedure;

9 and be it further

10 RESOLVED, That the Court Administrator issue written reports
11 to the Governor and to the General Assembly, which shall also be
12 accessible to the public, on a quarterly basis for a two-year
13 period commencing on the date the Governor approves this
14 concurrent resolution, articulating the Pennsylvania Supreme
15 Court's and the Administrative Office of Pennsylvania Court's
16 progress on implementing the commission's recommendations; and
17 be it further

18 RESOLVED, That the Court Administrator issue a final written
19 report to the Governor and the General Assembly on the date
20 occurring two years following the date the Governor approves
21 this concurrent resolution outlining all of the commission's
22 recommendations implemented by the Court Administrator as well
23 as articulating why any of the commission's recommendations were
24 not implemented, if applicable; and be it further

25 RESOLVED, That this concurrent resolution be presented to the
26 Governor for his signature and to the Chief Justice of the
27 Pennsylvania Supreme Court and the Court Administrator
28 immediately upon being signed.