
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 304 Session of
2014

INTRODUCED BY GREENLEAF, STACK, COSTA, RAFFERTY, BAKER AND
YUDICHAK, MARCH 13, 2014

REFERRED TO JUDICIARY, MARCH 13, 2014

A RESOLUTION

1 Directing the Joint State Government Commission to establish an
2 advisory committee to conduct a study of the Juvenile Act and
3 related issues.

4 WHEREAS, The Juvenile Act, 42 Pa.C.S. Ch. 63, enacted in
5 1976, governs proceedings in which a child is alleged to be
6 delinquent or dependent and determines whether a child is
7 subject to a proceeding in juvenile court or criminal court; and

8 WHEREAS, The Juvenile Act has been amended dozens of times
9 over nearly four decades; and

10 WHEREAS, In 2005, the Pennsylvania Supreme Court adopted
11 Rules of Juvenile Court Procedure with terminology and
12 procedures inconsistent with the Juvenile Act, including the
13 suspension of a dozen provisions of the Juvenile Act; and

14 WHEREAS, The Juvenile Act should be thoroughly reviewed to
15 determine whether there are substantive and procedural issues
16 that need to be addressed and whether revisions are necessary in
17 the Juvenile Act to make it and the judicial rules consistent;

18 and

1 WHEREAS, Since the United States Supreme Court decision in
2 *Miller v. Alabama*, 132 S. Ct. 2455 (U.S. 2012), there has been
3 interest nationwide in the sentencing of juveniles convicted of
4 murder; and

5 WHEREAS, During 2012, the General Assembly responded to
6 *Miller v. Alabama* by enacting the provisions of 18 Pa.C.S. §
7 1102.1 into law, and the Pennsylvania Supreme Court decided
8 *Commonwealth v. Cunningham*, 81 A.3d 1 (Pa. 2013), on the
9 retroactivity of *Miller*, therefore be it

10 RESOLVED, That the Senate direct the Joint State Government
11 Commission to establish an advisory committee to conduct a study
12 of the Juvenile Act and related issues; and be it further

13 RESOLVED, That in addition to considering revisions to the
14 Juvenile Act, the study include a review of how Pennsylvania and
15 other states have responded to *Miller v. Alabama*, and whether
16 changes should be made to Pennsylvania law as a result; and be
17 it further

18 RESOLVED, That the advisory committee have approximately 30
19 members and be comprised of representatives from those groups
20 most likely to make useful and insightful contributions, such as
21 representatives of the judiciary, prosecution, defense, law
22 enforcement, victim assistance and private and public
23 organizations involved in juvenile justice issues; and be it
24 further

25 RESOLVED, That the advisory committee report its findings and
26 recommendations to the Senate no later than one year after
27 adoption of this resolution.