



THE COURTS

LEHIGH COUNTY

Promulgation of Rule of Juvenile Procedure 167 (Service of Orders and Court Notices); Rescinding Juvenile Rule 121; and Approving Protocol for Community Justice Panels and School Justice Panels; No. AD-12-2011

[41 Pa.B. 6671]

[Saturday, December 10, 2011]

Administrative Order

And Now, this 15th day of November, 2011, *It Is Hereby Ordered That*:

I. The following Lehigh County Rule of Juvenile Procedure be and the same is hereby *Adopted*:

Leh.R.J.C.P.167. Service of Orders and Court Notices.

(a) Except as otherwise provided in Paragraph (B) of this local rule, the Clerk of Courts-Criminal shall serve copies of all orders and court notices filed with the Clerk.

(b) Copies of orders and court notices generated by the Court Administrator shall be served by the Court Administrator, who shall indicate on the original transmitted to the Clerk for filing, each attorney or party served, including their names, as well as addresses, dates, and methods of service.

II. The following Lehigh County Rule of Juvenile Procedure be and the same is formally *Rescinded*:

Leh.R.J.C.P. 121 (Effective Dates of Rules) is *Rescinded*.

Comment: This Rule was allowed to lapse pursuant to the January 11, 2010, amendment to Pa.R.J.C.P. 121B, as being superfluous and, to an extent, inconsistent with the statewide rule. This explicit rescission of the Rule is adopted to insure notice that the local rule is no longer in existence.

III. The following protocol for Community Justice Panels and School Justice Panels, approved by the District Attorney of Lehigh County and the Chief Juvenile Probation Officer of Lehigh County in conjunction with the Lehigh County Juvenile Court Working Group:

1. Programs for alternative "prosecution" of certain cases involving offenders under the age of 18 have been established by the Court of Common Pleas of Lehigh County in conjunction with the Juvenile Probation Office, the Office of the District Attorney, local school authorities and police agencies serving Lehigh County. The program provides for Community Justice Panels and School Justice Panels throughout the County.

2. Cases, other than felonies, may be referred to those panels by police agencies, the District Attorney, Magisterial District Judges and juvenile probation officers prior to and in lieu of formal institution of charges. The Community Justice Panels hear cases which occur in the community and the School Justice Panels, cases which occur on school property.

3. Persons accused of offenses referred to these panels must agree to the referral and must waive any otherwise applicable statute of limitations or speedy trial rule or statute. If the panel is unable to successfully resolve a case, it will be returned to the referring authority for prosecution.

4. Referral to these panels of cases pending before the Minor Judiciary are permitted under the standards set forth in Pa.R.Crim.P. 458 (Dismissal of Summary Cases Upon Satisfaction or Agreement) or Pa.R.Crim.P. 546 (Dismissal Upon Satisfaction or Agreement); or

Pa.R.J.C.P. 335 (Withdrawal of Petition).

5. This Protocol may be modified upon the joint recommendation of the District Attorney of Lehigh County, the Chief Juvenile Probation Officer of Lehigh County and the Lehigh County Juvenile Court Working Group subject to the approval of the President Judge.

This Order shall take effect thirty (30) days after its publication in the *Pennsylvania Bulletin* and on the UJS Portal.

It Is Further Ordered that one (1) certified copy of this Order shall be filed by the Court Administrator of Lehigh County with the Administrative Office of Pennsylvania Courts; that two (2) certified copies and a computer diskette or CD-ROM copy that complies with the requirement of 1 Pa. Code § 13.11(b) shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Juvenile Procedural Rules Committee, which Committee has certified to this court that this Administrative Order is not inconsistent with any general rule of the Supreme Court. Finally, it is ordered that the Court Administrator of Lehigh County publish a copy of this Order on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

By the Court

CAROL K. MCGINLEY,
President Judge

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