

Report of
The Luzerne County Juvenile Justice
Task Force

To the
Children and Youth Committee
House of Representatives
Commonwealth of Pennsylvania

Presented by
Carol L. Lavery
Victim Advocate
Commonwealth of Pennsylvania
Task Force Chairperson
On behalf of the
Luzerne County Juvenile Justice Task Force

October 14, 2010
Shavertown, Pennsylvania

The Luzerne County Juvenile Justice Task Force was formed in May 2009 bringing together state and county level stakeholders to plan and coordinate services to victims; to identify community, system and individual needs; to secure resources to meet those needs; and to keep members current on developing legal issues. The target populations of victims addressed by the Task Force include the juveniles and their families, the original victims of crimes for which the juveniles were adjudicated, Luzerne County citizens, and professionals working within those systems.

While the Task Force, formerly named the Luzerne County Juvenile Justice Victim Response Task Force, continues to focus on the needs of victims in the aftermath of the scandal, the group has evolved into a consortium of state and county level stakeholders focused on the human service and juvenile justice needs of the community, working to ensure on-going coordination and cooperation, and endeavoring to keep the citizens of Luzerne County informed about changing services and systems.

A complete list of the members of the Task Force is attached to this report, although many other professionals from the county, state, and federal level continue to be engaged in the work.

This report to the House Children and Youth Committee is meant to communicate select accomplishments of the county level member agencies of the Task Force, to assist the Committee determine the current state of justice and services in Luzerne County, as they relate to the Interbranch Commission on Juvenile Justice's recommendations. In addition this report provides information beyond the topics of the Interbranch Commission's recommendations, to include progress of the county as a whole in addressing the restorative justice needs of the juveniles, the victims, and the community.

This report is an update to the report submitted by the Task Force to the Interbranch Commission, prior to the finalization of their report and recommendations. That initial report, dated April 19, 2010, can be found in the Interbranch Commission section of the Pennsylvania Unified Judicial System website at www.pacourts.us. Those involved in the Juvenile Justice System and the human service systems in Luzerne County continue to enhance and embark on the initiatives described in that prior correspondence.

The overall goals of these efforts and accomplishments, reported herein, are not only to improve the juvenile justice system in Luzerne County but also to create a model system for the state and for the nation.

In addition to reviewing the contents of the report itself, I encourage you to read through the individual letters, provided as attachments, from which you will be better able to judge the high level of commitment, energy, and hopefulness of the stakeholders on behalf of their agencies, systems, and the community. The majority of the information and materials below have excerpted from the individual letters attached to this report.

RESPONDING TO JUVENILE JUSTICE SYSTEM NEEDS/BALANCED AND RESTORATIVE JUSTICE:

JUVENILE COURT

Judge David W. Lupas has initiated numerous changes since his assignment to Juvenile Delinquency Court. He reports that listed below are only a few of the many positive steps that continue to occur in order to enhance the Juvenile Justice System in Luzerne County. Overall, the spirit of cooperation, open dialogue, and collaborative efforts of so many people, including members of the Juvenile Justice Task Force, is the engine which continues to motivate and drive all of these improvements. Judge Lupas lists the following initiatives and accomplishments in the county:

- Luzerne County Juvenile Court often consults with and seeks the assistance of the Juvenile Court Judges' Commission (JCJC). The JCJC has reviewed some of the practices in Luzerne County and offered recommendations. Enclosed herewith is a copy of July 30, 2009 correspondence from Keith B. Snyder, Deputy Director of the JCJC, addressed to then President Judge Chester B. Muroski, which contains the Juvenile Court Technical Assistance Report they prepared. Also enclosed is a copy of the January 15, 2010 correspondence addressed to Mr. Snyder confirming that all of the aforesaid recommendations have been addressed.
- Judge Lupas implemented and continues to conduct a "Juvenile Delinquency Roundtable" wherein various entities involved with the Juvenile Justice System in Luzerne County meet on a regular basis at least monthly, and at other times if necessary, to address any issues of concern and afford everyone an opportunity for open dialogue to address any issues to improve the Juvenile Justice System in Luzerne County. In addition to Judge Lupas, this group is comprised of members of the District Attorney's Office, members of the Public Defender's Office, members of the Juvenile Probation Department, and other participants when necessary. It has fostered a working relationship and spirit of cooperation among all of these entities and has led toward the development of many procedures to make the juvenile justice system in Luzerne County more efficient and address any potential problems in a timely fashion.
- One of the many items currently being addressed by the Roundtable involves those instances when it is necessary to utilize a secure detention facility. The facility in Luzerne County that was utilized in the past is no longer being used for those purposes. Some concerns were raised over the utilization of facilities which were quite some distance from Luzerne County and required somewhat lengthy travel time. Members of the Roundtable have brought this to the attention of and discussed this issue with County Commissioners and other county officials. This issue is being addressed so that facilities can be utilized which are closer in proximity to Luzerne County in order to cut down on inefficiencies and expense associated with the utilization of facilities which are more distant. It is hoped that an appropriate resolution will be achieved.
- An important goal and priority of the Juvenile Delinquency Roundtable was the development and enhancement of diversionary programs within the community. Great strides have been made in this area in that numerous meetings have been held with officials from other counties, including, but not limited to, Lehigh County and

Montgomery County, aimed toward the development of Youth Aid Panels in Luzerne County. Just recently, county officials have approved a coordinator position for the District Attorney's Office and it is anticipated that Youth Aid Panels will be up and running within Luzerne County in the not too distant future.

- All juveniles appearing in Luzerne County continue to be represented by counsel. The Luzerne County Public Defender's Office has recently created a Juvenile Unit and is adding attorneys and other staff to ensure that they have adequate resources to handle the caseload. Additionally, with regard to the representation of juveniles, the systems have been enhanced for the appointment of appropriate court-appointed conflict counsel to represent juveniles when the Public Defender's Office has a conflict with their representation. This is currently being done very early in the process and well in advance of intake conferences.
- Often times during court proceedings, juveniles and their families were raising issues involving schools and school-related matters. Judge Lupas suggested a need to establish additional dialogue and communication with the local school systems. Out of that discussion grew a cooperative effort of those involved in the Juvenile Justice System who are also members of the Task Force to embark on projects with the local schools. A presentation was made by the group with the local school superintendents. There are a number of sessions scheduled for December, 2010 with all of the school principals, as well as other presentations with lower level school officials. At these presentations, myself, along with members of the Juvenile Probation Department, District Attorney's Office, Public Defender's Office, service providers from within the community, and others will educate and explain all of the respective roles within the juvenile system to these various school officials with a strong emphasis on the concept of balanced and restorative justice and the overall goals of the Juvenile Justice System. This will be a great opportunity to continue enhancing the cooperative relationship between the schools and the Juvenile Justice System.
- Judge Lupas has increased the amount of court time allocated to Juvenile Court so that it is sufficient to meet the needs of the caseload. Juvenile Court sessions are typically held at least twice per week and at other times as necessary to handle matters such as detention hearings and the like. Also, when a case is initially scheduled, if it is not resolved by any agreement of the parties by way of admission, consent decree, etc., and will be a contested adjudication hearing, the matter is then scheduled for a future specific date certain and times so as to afford all of the party's sufficient court time to present the case.
- Judge Lupas also has made it his practice to attend the yearly Pennsylvania Conference on Juvenile Justice so as to obtain training and input from colleagues throughout the state. He has registered to attend the upcoming conference currently scheduled for November 3 – 5, 2010.

JUVENILE PROBATION DEPARTMENT

With the cooperative effort of everyone involved in the Luzerne County Juvenile Justice System, a number of new initiatives have been undertaken and a number are in the planning stages.

- In conjunction with Judge Lupas, and under the direction of the Juvenile Probation Department and with the consent of the parties, students majoring in criminal justice and related fields from the local colleges and universities sometimes sit in to observe Juvenile Court proceedings and often times meet with the attorneys and judge afterward to discuss the system and ask questions they may have so as to aid them with their understanding of the system and educational pursuits.
- Pursuant to Section 6352(a) (5) of the Juvenile Act, Luzerne County has established a Juvenile Restitution Fund and Restitution Program which has been working very successfully due to the efforts of the Juvenile Probation Department.
- The Juvenile Probation Department is also in the process of starting up a Luzerne County Juvenile Community Service Program wherein various community projects will be undertaken by juveniles ordered to perform community service and wherein they will be under the direct supervision of probation officers rather than the community service requirements of a juvenile court disposition being outsourced to other agencies or groups. It is hoped that this program will promote a sense of responsibility, self-esteem, and instill in the juveniles the importance of volunteering in their communities and will help develop a good rapport and working relationship between the juveniles and their probation officers who will be directly involved with them in these undertakings.
- One of the important goals and a priority of the Juvenile Delinquency Roundtable is the development of diversionary programs. The Roundtable has met with individuals with expertise who have provided important information to on Juvenile Justice Panels and Community Justice Panels and the steps to be taken to create such programs. It is the hope to implement more diversionary programs throughout the county in the near future.
- Some minor restructuring has taken place within the Juvenile Probation Department to add an additional supervisory position within that department in order to enhance the workings of the department and to ensure that there are adequate resources, including supervisory resources, available to be on-call twenty-four (24) hours a day.

DISTRICT ATTORNEY'S OFFICE

District Attorney Jacqueline Musto Carroll, with the goal of making the Luzerne County Juvenile Justice System a model for others to follow, has implemented numerous modifications, some of which are listed below:

- Pursuant to Rule 231 and Rule 330 of the Pennsylvania Rules of Juvenile Court Procedure, the District Attorney has elected to require initial receipt and approval or disapproval by the District Attorney's Office of all Written Allegations brought by police in Luzerne County. New Luzerne County Juvenile Written Allegation procedures have been instituted.
- Two specific Assistant District Attorneys (ADA's) have been assigned to handle all juvenile matters. As such, two experienced attorneys are available to handle Juvenile Court at all times. We will continue the training process for any new Assistant District Attorneys. They will be trained personally by both these attorneys who will follow a specific protocol.
- The Assistant District Attorneys attend and participate in the Juvenile Prosecutor's Network and have provided input to the Pennsylvania District Attorney's Association (PDAA) in formulating the Pennsylvania Juvenile Prosecutor Standards.
- The District Attorney, First Assistant and the two Juvenile Assistant District Attorneys participate in the Court's Roundtable Discussions held by Judge David W. Lupas, the Juvenile Court Judge.
- An Assistant District Attorney is participating in the Juvenile Prosecutor's Network's production of a Community Outreach video aimed toward school students. The juvenile ADA's will take part in traveling to the schools to make presentations along with the video on pertinent school subjects.
- The District Attorney's Office has instituted procedures for juvenile discovery.
- The Juvenile Court Assistant District Attorneys have been and will continue to attend all available seminars addressing Juvenile Court matters and will continue to keep current on any and all changes in the law.
- The District Attorney's Office Victim/Witness Unit participated in several Luzerne County Juvenile Justice Victim Response Task Force meetings along with state level experts and the Victims Resource Center identifying objectives and anticipating impacts regarding how to notify original victims of crimes committed by juveniles who appeared before former Judge Ciavarella, and their families, and receive their input in those cases being vacated/expunged.
- The District Attorney's Office Victim/Witness Unit provided notification letters to numerous victims of crimes committed by those juveniles whose cases are being vacated/expunged in an effort to give those victims the opportunity to share their thoughts, stories and feedback to the Office of Victim Advocate, Carol Lavery. This feedback would then be provided by Carol Lavery to the Interbranch Commission.

- The District Attorney's Office Victim/Witness Unit, along with state level experts, devised a letter to be sent to the original victims notifying them of Judge Grim's decision to vacate those cases heard during 2003-2008 by the former Judge Ciavarella and to provide the necessary information regarding services available to those victims, including the contact name and address for Victim Impact Statements to be sent to the Federal Judge handling former Judge Ciavarella's trial.
- The District Attorney's Office Victim/Witness Unit continues to work in tandem with Juvenile Probation and Victims Resource Center providing information, supportive counseling and referrals as requested by the victims in those cases being vacated/expunged.
- LUZERNE COUNTY DISTRICT ATTORNEY'S YOUTH AID PANEL PROGRAM:
As the District Attorney's Office continues to address the needs of the Juvenile Justice System in Luzerne County; we are open to exploring new programs to help enhance the response to and handling of crimes committed by juvenile offenders. Once such program that we are in the midst of establishing is the creation of Youth Aid Panels. Toward that effort on October 1, 2010 a new position of Youth Aid Coordinator was created within the District Attorney's Office. Funds are being provided from the Child Welfare Budget through Act 148. Luzerne County Children and Youth Agency has contracted with the DA's Office to provide funding for the position. These actions were approved at the Luzerne County Commissioner's Meeting and Salary Board Meeting by unanimous vote.
 - The Luzerne County District Attorney's Youth Aid Panel Program will be administered by a Panel Coordinator who will be contracted through Children and Youth Services to administer the Youth Aid Panel (YAP) Program.
 - The Luzerne County District Attorney will hire a qualified individual to administer the YAP program.
 - The Panel Coordinator will assist the DA in overseeing the operation and administration of the YAP. The Panel Coordinator will be the conduit through which general program information passes to and from the DA to the YAP volunteers. The primary duties and requirements of the position are contained within the District Attorney's Office section of attachments to this report.
- LUZERNE COUNTY CHILD ADVOCACY CENTER: On August 12, 2010 the Luzerne County District Attorney's Office opened the newly created Luzerne County Child Advocacy Center (CAC) in Wilkes-Barre, Pennsylvania.
 - The CAC is a facility where the cases of child physical and sexual abuse committed by both adult and juvenile offenders will be jointly investigated by law enforcement and Children and Youth Services in a safe, comfortable, child friendly setting. With a joint collaboration of this investigative team, we intend to provide children with two critical services: forensic interviews and sexual assault medical examinations.
 - Geisinger Wyoming Valley has provided the home for the CAC. The center includes an interview room family waiting room receptionist's office and file room, on-site medical examination room, observation room, conference room and offices for DA's, County Detectives, Children and Youth and Victim Advocate representatives.
 - All reported cases of child abuse in Luzerne County will now be handled at the CAC. A protocol outlining procedures for the use of the CAC will be distributed

to all participating parties. A training program is being set up for those officers will be investigating these cases. Only officers with special training, specifically in child abuse investigations, will handle these matters.

- In the first month of operation, we have seen nearly forty (40) children at the CAC, and have held the Multi-Disciplinary meeting at the center, including the DA, ADA's, DA Detectives, Children & Youth workers and police officers from throughout the county. Open cases were reviewed with the goal of identifying future action to be taken in each matter.
- On September 21, 2010, the CAC was approved as an Associate/Developing Member of the National Children's Alliance.

PUBLIC DEFENDER'S OFFICE

Chief Public Defender Al Flora reports that with the Public Defender's Office proactive approach to juvenile advocacy, the Office will insure that each child receives the effective representation of counsel that the Constitution mandates.

- As a result of the collaborative efforts of several entities, including the Luzerne County Commissioners, the county's Mental Health /Mental Retardation Office and the unwavering support of the Juvenile Defenders' Association of Pennsylvania, the Luzerne County Public Defender's Office (PDO) is in the process of developing a new and unprecedented Juvenile Defender Unit, which will provide quality, effective legal representation to all juveniles, regardless of parental income. This Unit will be completely staffed and operational by December of 2010.
- Although not currently mandated by law to do so, the PDO accepts every juvenile for legal representation, and will insure that every juvenile who appears in Juvenile Court has an attorney to represent them for every court appearance. Representation begins when the child receives the written allegations, and an attorney appears with the child at the juvenile probation intake and follows the child through the pre and post adjudication and pre and post disposition phases.
- A comprehensive search was conducted to select the best and brightest juvenile defense lawyers available to staff the Juvenile Defender Unit. Dean Loren Prescott of Wilkes University (who is also head of the Wilkes University law school initiative), Michael Zimmerman, Executive Director of Family Services Association of Wyoming Valley and a member of the Luzerne County Juvenile Justice Task Force, and Ned Delaney, a licensed psychologist and former Director of Catholic Social Services assisted in the interview process and provided valuable input.
- The new Juvenile Defender Unit will consist of three full-time attorneys exclusively trained and devoted to meeting the needs of adolescents facing juvenile delinquency proceedings and hearings from the ages of ten to twenty-one. A supervising attorney, Cheryl Sobeski-Reedy, Esq., with over fifteen years of defense experience, will lead the team of professionals. The Unit will operate with three other full-time employees: its own secretary (who has over 30 years of experience in the criminal defense field), an experienced investigator, and a licensed social worker.

- The lawyers will each be limited to accepting no more than 200 new cases per year, in accordance with nationally recommended caseload standards endorsed by the Juvenile Defenders' Association of Pennsylvania, the American Council of Chief Defenders of the National Legal Aid and Defenders Association and committed to by the Luzerne County Commissioners.
- A goal of the Juvenile Defender Unit is to advocate for the least restrictive placement or disposition alternative, which will best meet the juvenile's individualized needs. The Unit will argue for the juvenile to remain at home and in school with outpatient services, whenever necessary, in lieu of unwarranted and costly out-of-home placements. To achieve that goal, the Unit will utilize the services of a licensed social worker, who will meet with the juvenile and their family as soon as practical, review relevant records, and provide a comprehensive assessment to counsel and the court, when necessary, to allow for an informed decision. The licensed social worker will also actively assist juveniles in placement and follow their progress to allow the attorneys to petition the Court to send the children home when placement is no longer needed.
- The Unit will strive to professionally and personally attend to the needs of each juvenile to prevent recidivism, to help them develop into productive members of society and to deter them from entering the criminal justice system as adults.
- As the Public Defender's Office receives a copy of the juvenile's written allegation approved for prosecution by the District Attorney's Office early on, the PDO attorneys will continue the current practice of interviewing juveniles and their parents/legal guardians as soon as possible in a calm office setting. These lawyers will explain the juvenile court process, discuss their legal options and advise juveniles of their rights in a confidential manner. The Office will continue the policy to provide legal representation at the juvenile's introductory intake interview with the Juvenile Probation Office and to advocate for an informal adjustment or diversionary program, whenever applicable, which avoids the case being formally filed, taken to Court, and an adjudication of delinquency.
- The Unit will work diligently to investigate disputed factual issues, perform necessary pre-adjudication preparation and file pre-trial and post-disposition motions and appeals to challenge contested issues and for any juvenile who disagrees with their result in Juvenile Court. The Unit will also work to expunge juvenile delinquency records, whenever allowed by law, to enable the juvenile to have fresh start in adulthood.
- The Public Defender's Office will continue to meet monthly with the District Attorney's Office, Juvenile Probation Office, and the Juvenile Court Judge to discuss ways to improve the system, as well as participate in the Luzerne County Juvenile Justice Task Force.
- Public Defender's Office lawyers will be committed to actively attending juvenile defender training seminars sponsored by the Juvenile Defenders' Association of Pennsylvania, the National Juvenile Defender Center, and the Juvenile Court Judges' Commission, to insure that PDO attorneys have the most up-to-date legal knowledge available to the juvenile justice community.

COORDINATING WITH LUZERNE COUNTY SCHOOLS

LUZERNE COUNTY JUVENILE JUSTICE TASK FORCE – SCHOOL SUB-COMMITTEE

Outreach has been conducted by Task Force Sub-Committee members with local school district representatives. Several planning meetings were held to discuss tactical considerations to be brought to a Superintendent's Meeting with the Luzerne County Intermediate Unit 18

- A Meeting was held with 9 Superintendents, and 5 other representatives of the Intermediate Unit/School system. Task Force Sub-Committee representation included personnel from the Public Defender's office, District Attorney's office, Judge Lupas, Juvenile Probation Office, MH/MR Office, Office of Human Services, the Intermediate Unit, and Family Service Association of Wyoming Valley. Discussions were held regarding some of the major changes which have occurred within the juvenile court system. District Attorney Jackie Carroll, Public Defender Al Flora, and Deputy Chief Juvenile Probation Officer John Johnson each reported on changes within their offices and systems. A request was made for open dialogue to occur between schools and the justice system.

Points of discussion included:

- School-based Juvenile Probation Officers are critical, not only with probation clients, but also as a means to prevention. They would like to see more time in the schools.
 - Absenteeism an on-going issue which needs to be a priority. Representatives have met over the last 15 years with the District Justices to try and improve the truancy situation, but do not feel there has been much improvement. There seems to be no consistency on the part of the District Justices with funding cuts only exacerbating the issue.
 - Each district has a school board member who sits on the LIU board and attendance at a meeting would be the opportunity to reach each school board without having to attend every district's school board meeting.
 - Principal Jeff Namey, Wilkes Barre School District, recommended intervening with the younger students at the elementary level as research suggests that is the age shown to have a positive impact upon school performance, truancy, and legal difficulties.
- Representatives from the Sub-Committee attended the LIU Principals Academy and the LIU Board meeting where the Sub-Committee agreed to present 3 separate forums:
 - December 10, 2010 – Two forum sessions including A.M. and P.M. sessions at the LIU for principals and assistant principals of public/private/parochial schools
 - December 15, 2010 – A.M. session at Luzerne County Community College for other school personnel (i.e., guidance counselors, home and school visitors, school resource officers, dean of students)

RESPONDING TO THE HUMAN SERVICES NEEDS OF VICTIMS

ORIGINAL VICTIMS

VICTIMS RESOURCE CENTER

Victims Resource Center (VRC), a community-based agency that has been providing services to victims of crime in Luzerne County for thirty-six years initially determined that the agency had provided support services to approximately 540 victims and their significant others, whose offenders were adjudicated in Juvenile Court during the time period of 2003 – 2008. In order to offer assistance to this large number of victims, VRC applied for funding assistance through the Pennsylvania Commission on Crime and Delinquency and in September 2009, through an augmentation to their Victims of Crime Act (VOCA) funds, hired a full-time Counselor/Advocate to conduct outreach to all victims of juvenile offenders who the program served during this time frame.

- Since that time, VRC has worked to ensure that services are offered in the most victim-sensitive way possible to all original victims through phone contact and an outreach letter. VRC has provided support services to these original victims including; outreach, advocacy, crisis intervention, counseling, assessment, information and referral, emotional support and follow-up.
- As a result of participating on the Luzerne County Juvenile Justice Victims Response Task Force, VRC was made aware of the opportunity for community members in Luzerne County to submit Community Victim Impact Statements. Through use of materials provided through the Middle District Office of the United States District Attorney's website, VRC created a simple instruction sheet for completing and submitting Community Victim Impact Statements and offers support and assistance in this process. This information is being provided to VRC clients and to other community members.
- Additional meetings were held with the Luzerne County District Attorney's Office Victim/Witness Unit to clarify the role of VRC in this community crisis and to further coordinate response to victims.
- Cooperatively, Victims Resource Center and the Victim/Witness Unit conducted training for Help Line, a local referral service and first response point for crisis calls in Luzerne County, on managing calls regarding Juvenile Justice System issues.
- VRC support services continue to be available for original victims, follow-up contacts with clients are being made regularly and a third round of outreach attempts is currently being conducted by letter.
- Continued participation on this statewide Juvenile Justice Task Force, as well as some of its subcommittees, ensures that the voices of original victims are heard.

DISTRICT ATTORNEY'S OFFICE VICTIM/WITNESS UNIT (see District Attorney's Office section on page 5/6)

RESTITUTION FOR THE ORIGINAL VICTIMS

Members of the Task Force have worked together in response to concerns about unpaid restitution ordered for the original victims of crimes for which the juveniles were adjudicated from 2003 to 2008, and in response to a related request from Judge Arthur E. Grim in the transcript of proceedings of January 25, 2010, that the cases are to be vacated/expunged and that outstanding restitution orders were no longer valid.

- The Luzerne County District Attorneys Office and Juvenile Probation Office worked to identify all restitution orders with unpaid balances for each of the cases to be vacated/expunged.
- This information has been provided to the Office of the Victim Advocate in order to determine the scope of the problem.
- County agencies have begun to work together with the Office of the Victim Advocate, the Pennsylvania Commission on Crime and Delinquency, the Juvenile Court Judges' Commission, the Administrative Office of Pennsylvania Courts and court officials in the implementation of PA Act 46-2010 in order to pay the outstanding balances from legal restitution orders.

JUVENILES AND THEIR FAMILIES

LUZERNE COUNTY OFFICE OF HUMAN SERVICES

On-going services in Luzerne County through the Office of Human Services have been enhanced to address the needs of families and individuals in the county. Included in those services is "No Wrong Door" which was designed to enable the system to be more accessible and friendly. Northeast Behavioral Health Care Consortium, Community Care Behavioral Health Care Organization, and Drug & Alcohol Services have had a major presence in the multi-disciplinary process. For details on these initiatives, see the Luzerne County Office of Human Services section of the attachments to this report.

In addition to on-going services available in Luzerne County, specialized services for the juveniles and their families have been implemented by a number of agencies. Among those services:

- CHILDREN AND YOUTH SERVICES AGENCY

Children and Youth Services are partnering with the District Attorney to provide a support person to assist with the Youth Aid Panels which are being developed by the District Attorney as a diversion for youth from entering the Juvenile Justice System.

○ OFFICE OF MENTAL HEALTH / MENTAL RETARDATION

The Mental Health/Mental Retardation Office is providing funds to the Public Defender to set up a "Special Youth Unit". This is a model and maybe one of the first in the State.

THE ADVOCACY ALLIANCE

The Advocacy Alliance received some funds from the Department of Public Welfare, Office of Mental Health and Substance Abuse Services, and had developed several steps to ensure affected juveniles have a support system and psychological counseling readily available if needed.

A toll-free Juvenile Justice Support Line was made available at 1-888-558-3203, staffed by family peer advocates from the Advocacy Alliance. The confidential support line could receive calls 7 days a week, 24 hours a day. If an advocate was not available, the caller may leave a message to receive a return call. Individual psychological counseling was available for those individuals who were having difficulty handling the emotions that they encountered as a result of the scandal. The funding for this phone line ended in June 2010.

The Alliance also received grant money from the Mental Health Association in Pennsylvania for 3 non-public family forums which were held in 2010 to help families have a voice in submitting information to the Interbranch Commission as to what they felt should change in the Juvenile Justice System in Pennsylvania. A face book page was created as part of the project where families' suggestions and needs were posted and for families to use to communicate with each other. Two non-public forums were held for families to share and support each other. As a result of the number of concerns/comments from families reporting their child's negative school experiences, the Education Law Center presented two trainings on school enrollment, discipline, and special education law. These trainings were held for families as well as for the child system staff who work with them.

ADVOCACY ALLIANCE AND CHILDREN'S SERVICE CENTER

Juvenile Justice Support Group: Children's Service Center, in collaboration with Advocacy Alliance, since May, 2010 has been offering a support group for youth impacted by the Juvenile Justice scandal in Luzerne County. A parent support group in coordination with Community Counseling Services has also been made available for the families impacted. While the groups remain available, there has been no response from the community for the groups.

- The purpose of these groups is to help those who feel they have been negatively impacted by the Juvenile Justice System find a place for peer support to process their experiences, provide and receive emotional support, and identify strategies through information, encouragement and problem solving that will allow them to move on with their lives in a resilient, healthy and productive manner.

The goals are as follows:

- Youth will learn how to function as a group and lessen feeling of isolation.
- Youth will be welcome to express their feelings and receive support for these feelings.
- Youth will learn about and discuss their use of safe coping activities.

- Youth will feel more confident, address and move on from the negative impact of their juvenile justice experience.
- Youth will learn about their rights and resources to support them.
- Youth will learn problem solving.

RESPONDING TO THE COMMUNITY

FAMILY SERVICE ASSOCIATION OF WYOMING VALLEY

The Family Service Association of Wyoming Valley is a private, non-profit, non-sectarian agency that provides a variety of services to the community that impact juveniles and their families, including professional counseling, High Risk Youth Re-Entry, Help Line (a 24/7 information, referral, and crisis access), Family Group Decision Making, Anger Management, Batterer's Intervention Services, and Time Limited Family Reunification. Of these programs, there has been limited to no requests for service pursuant to the juvenile justice anomalies experienced by Luzerne County over the past year. The agency, however, remains vigilant to the needs of the community.

Help Line, which experiences an annual average of 100,000 calls per year and is the access point for after-hours calls to Victims Resource Center, mental health crisis services, children and youth emergency services, and drug and alcohol emergency services, continues to monitor all calls for services relative to juvenile justice concerns.

- Victims Resource Center and the Luzerne County District Attorney's Victim/Witness staff provided training to the Help Line staff of Family Service Association of Wyoming Valley on victim advocacy on September 22, 2009.
- The Help Line staff has updated its resource database to include resources available to juvenile crime victims and victims of the juvenile justice system.
- Daily monitoring of unfolding events and additional resources that come to light has occurred since the early fall.
- Voluntary consumer slots have been made available through the High Risk Youth Reentry and Family Strengthening program, in order to provide employment procurement, job training, and college planning.
- Family Group Decision Making and the High Risk Youth and Family Strengthening program has the capacity to service families as needed.
- The High Risk Youth Re-Entry program has not experienced service requests related to the Luzerne County Juvenile Justice system break-down, but it stands ready to assist. An additional High Risk Youth Targeted Case Manager has been added to the HRY team. This worker will focus on youth with drug and alcohol problems or youth placed in in-patient treatment facility. The goal of this position is to reduce drug and alcohol relapse and prevent future placement. Case Management will also focus on employment procurement, job training, academic progress in schools, and college planning. Cases are being accepted.

Attachments:

1. Luzerne County Juvenile Justice Task Force Membership.
2. October 8, 2010 correspondence from Judge David Lupas to Carol Lavery.
3. April 14, 2010 correspondence from Judge David Lupas to Carol Lavery.
4. July 30, 2009 correspondence from Keith B. Snyder, Deputy Director of the JCJC, addressed to then President Judge Chester B. Muroski, which contains the Juvenile Court Technical Assistance Report by the JCJC.
5. January 15, 2010 responding correspondence from Judge David Lupas addressed to Mr. Snyder confirming that all of the aforesaid recommendations have been addressed.
6. December 16, 2009 correspondence from District Attorney Jacqueline Musto Carroll to members of the Interbranch Commission on Juvenile Justice concerning change in Luzerne County written allegation procedures.
7. Document from District Attorney Musto Carroll titled "Modifications Implemented in the District Attorney's Office".
8. October 8, 2010 statement of the Luzerne County Public Defender's Office from Chief Public Defender Al Flora, Jr., Esq. and Juvenile Defender Cheryl Sobeski-Reedy, Esq.
9. Luzerne County Juvenile Justice Task Force School Sub-Committee Report.
10. Document from Victims Resource Center.
11. Document from Luzerne County Office of Human Services.
12. Document from the Mental Health Association in Pennsylvania re: Advocacy Alliance.
13. Document from Children's Service Center.
14. Document from Family Service Association of Wyoming Valley.

ATTACHMENT 1

LUZERNE COUNTY JUVENILE JUSTICE TASK FORCE

Chair:

Carol L. Lavery
Victim Advocate
Commonwealth of Pennsylvania
1101 South Front Street, Suite 5200
Harrisburg, PA 17104
clavery@state.pa.us
717-214-2256

Amy Freeman
High Risk Youth Re-entry Supervisor
Family Service Association of Wyoming Valley
31 W. Market Street
Wilkes-Barre, PA 18701
afreeman@fsawv.org
570-829-5144

Angela Zera
Supervisor
Luzerne County Juvenile Probation
Penn Place Bldg., Suite 329
20 North Pennsylvania Avenue
Wilkes-Barre, PA 18701
AZERA@luzcojuvprobation.com
570-825-1694

BJ Horn *
Director
Office of Victims' Services
Pennsylvania Commission on Crime and
Delinquency
P.O. Box 1167
Harrisburg, PA 17108-1167
bjhorn@state.pa.us
717-265-8731

Cheryl Sobeski-Reedy, Esq.
Assistant Public Defender
Luzerne County Public Defenders Office
Penn Place Building, Suite 235
20 N. Pennsylvania Avenue
Wilkes-Barre, PA 18701
Cheryl.Reedy@luzernecounty.org
570-408-8216

David Atkinson *
Senate of Pennsylvania
634 Main Capitol Building
Harrisburg, PA 17120
datkinson@pasen.gov
717-787-6535

Honorable David W. Lupas
Juvenile Court Judge
Luzerne County
200 North River Street
Wilkes-Barre, PA 18711
dlupas@luzernecountycourts.com
570-706-8410

Edward J. Coleman
Director, NE Region
Office of Children, Youth and Family Services
Scranton State Office Building
100 Lackawanna Ave.
Scranton, PA 18503
Ecoleman@state.pa.us
570-963-4510

George Mosee, Esq. *
Deputy District Attorney
District Attorneys Office
Juvenile Division
1401 Arch Street, 7th Floor
Philadelphia, PA 19102
George.Mosee@phila.gov
215-686-6302

Jacqueline Musto Carroll, Esq.
District Attorney of Luzerne County
Luzerne County District Attorney's Office
200 North River Street
Wilkes-Barre, PA 18711
jackie.carroll@luzernecounty.org
570-825-1674

James Anderson *
Executive Director
Juvenile Court Judges' Commission
401 Finance Building
Harrisburg, PA 17120
janderson@state.pa.us
717-787-6910

* Did not participate in drafting of report

James Davis
Mental Health Specialist
Luzerne/Wyoming MH/MR
111 N. Pennsylvania Boulevard
Wilkes-Barre, PA
jdavis@mhmr.luzerne.pa.us
570-825-9441

Jane Bishop
Emergency Behavioral Health Manager
Department of Public Welfare
DGS Annex Complex
PO Box 2675, Shamrock Bldg., Rm. 105
Harrisburg, PA 17105
jbishop@state.pa.us
717- 772-7452

Janet MacKay
Executive Director
Victims Resource Center
71 N. Franklin Street
Wilkes-Barre, PA 18701
jmackay@vrcnepa.org
570-823-0765

Jeffrey Tokach, Esq.
First Assistant District Attorney
Luzerne County District Attorney's Office
200 N. River Street
Wilkes-Barre, PA 18711
Jeffrey.Tokach@luzernecounty.org
570-825-1674

Joanne Vansaun
Social Service Coordinator
Luzerne County Children and Youth Services
111 N. Pennsylvania Boulevard
Wilkes-Barre, PA
Joanne.VanSaun@luzernecounty.org
570-826-8710

John Johnson
Deputy Chief
Juvenile Probation Office
Penn Place Bldg., Suite 329
20 N. Pennsylvania Avenue
Wilkes-Barre, PA 18701
jjohnson@luzcojuvprobation.com
570-825-1552

Joseph DeVizia
Executive Director
Luzerne County Office of Human Services
111 North Pennsylvania Avenue
Wilkes-Barre, PA 18701
jdevizia@ohs.luzerne.pa.us
570-826-8800 ext. 355

Joseph Mittleman, Esq. *
Director of Judicial Programs
Administrative Office of Pennsylvania Courts
601 Commonwealth Avenue, Suite 1500
Harrisburg, PA 17120
Joseph.Mittleman@pacourts.com

Judy Shopp, Esq. *
Chief Counsel
Office of General Counsel
Department of Education
Commonwealth of Pennsylvania
333 Market Street, 9th Floor
Harrisburg, PA 17101
jshopp@state.pa.us
717-787-5500

Kathy Wallace
Director
Advocacy and Community Mental Health
Services
The Advocacy Alliance
846 Jefferson Avenue
Scranton, PA 18510
kw@theadvocacyalliance.org
570-207-9199

Keith Keiper
Chief
Kingston Police Department
500 Wyoming Avenue
Kingston, PA
kkeiper@kingstonpd.org
570-287-6911

Keith Snyder *
Deputy Director
Juvenile Court Judges' Commission
401 Finance Building
Harrisburg, PA 17120
ksnyder@state.pa.us
717-787-5634

* Did not participate in drafting of report

Laurie A. Hague
Deputy Chief Juvenile Probation Officer
Berks County Juvenile Probation
633 Court Street, 10th floor
Reading, PA 19601
LHague@countyofberks.com
610-478-3200 ext. 6429

Laurie A. Reiley
Victim Witness Coordinator
US Attorney's Office
228 Walnut Street
Harrisburg, PA 17101
Laurie.Reiley@usdoj.gov
717-221-4482

Maggie Giannelli *
Senator Baker's Office
172 Main Capitol Building
Harrisburg, PA 17120
mgiannelli@pasen.gov
717-787-7428

Mamie Phillips, Esq.
Assistant District Attorney
Luzerne County District Attorney's Office
200 N. River Street
Wilkes-Barre, PA 18711
mary.phillips@luzernecounty.org
570-706-8422

Mary Claire Mullen
Clinical Director
Victims Resource Center
71 N. Franklin Street
Wilkes-Barre, PA 18701
mcmullen@vrcnepa.org
570-823-0765

Mary Walsh
Consultant/Victim Advocate
82 E. Merritt Street
Plains, PA 18705
Marywalsh84@gmail.com
717- 571-5292

Mary Jo Shisko
Professional Consultant/Interagency Coordinator
Luzerne Intermediate Unit
368 Tiogo Avenue
Kingston, PA 18704
mshisko@liu18.org
570-760-4458

Matthew Muckler, Esq.
Assistant District Attorney
Luzerne County District Attorney's Office
200 N. River Street
Wilkes-Barre, PA 18711
Matthew.Muckler@luzernecounty.org
570-825-1616

Michael Hopkins
President/CEO
Children's Service Center
S. Franklin Street
Wilkes-Barre, PA
mhopkins@e-csc.org
570-855-4655

Michael Pennington *
Director
Office of Juvenile Justice Delinquency
Prevention
Pennsylvania Commission on Crime and
Delinquency
3101 N Front St
Harrisburg, PA 17110
mpenningto@state.pa.us
717- 265-8461

Michael A. Vecchio
Director
Luzerne County Probation Services
Penn Place Suite 313
20 N. Pennsylvania Ave.
Wilkes-Barre, Pa. 18701
mvecchio@luzcoadultprobation.com
570-825-1728 Phone

Michael Zimmerman
Executive Director
Family Service Association of Wyoming Valley
31 W. Market Street
Wilkes-Barre, PA 18701
fsawv.exec@verizon.net
570-823-5144

Michele Hoover *
Research Analyst
House Majority leader
Representative Todd Eachus
110 Main Capitol
Harrisburg, PA 17120
MBorling@pahouse.net
717-705-2051

* Did not participate in drafting of report

Natalie Novotny-Goles *
Manager
Office of Victims' Services
Pennsylvania Commission on Crime and
Delinquency
3101 N. Front Street
Harrisburg, PA 17110
nnovotnygo@state.pa.us
717-265-8735

Peter Rubel
Administrator
Luzerne-Wyoming Counties MH/MR Program
111 North Pennsylvania Avenue, Suite 200
Wilkes-Barre, PA 18701
prubel@mhmr.luzerne.pa.us
570- 825-9441

Richard Burns
Deputy MH/MR Administrator
Luzerne-Wyoming Counties MH/MR Program
111 North Pennsylvania Avenue, Suite 200
Wilkes-Barre, PA 18701
rburns@mhmr.luzerne.pa.us
570- 825-9441

Richard J. Gold *
Deputy Secretary for Children, Youth &
Families
Department of Public Welfare
Health of Welfare Building, Room 131
Harrisburg, PA 17105
rgold@state.pa.us
717-787-4756

Robert Listenbee, Esq.
Chief
Juvenile Unit
Public Defenders Office
1441 Sansom Street
Philadelphia, PA 19102
rlistenbee@philadefender.org
267-765-6685

Romilda Crocamo
Law Clerk for Judge Gartley
Court of Common Pleas
Luzerne County
200 North River Street
Wilkes-Barre, PA 18711
rcrocamo@luzernecountycourts.com
570-830-5144

Scott Talley
Chief
Bureau of Children's Behavioral Health Services
Department of Public Welfare
DGS Annex Complex
Beechmont Bldg., Rm. 227
Harrisburg, PA 17110
stalley@state.pa.us
717-772-6427

Susan Blackburn *
Balanced & Restorative Justice Specialist
Juvenile Court Judges' Commission
1871 Old Main
Shippensburg, PA 17257
sblackburn@state.pa.us
717-477-1411

Tara Gallagher
Program Specialist
Luzerne/Wyoming MH/MR
111 N. Pennsylvania Boulevard
Wilkes-Barre, PA
tgallagher@mhmr.luzerne.pa.us
570-825-9441

Honorable Tina Polacheck Gartley
Court of Common Pleas Judge
Luzerne County
200 North River Street
Wilkes-Barre, PA 18711
tpolacheckgartley@luzernecountycourts.com
570-830-5144

Theresa Kline
Probation Officer
Luzerne County Juvenile Probation
20 N Pennsylvania Avenue
Penn Place Building, Suite 329
Wilkes-Barre, PA 18701
tkline@luzcojuvprobation.com
570-408-8210

Thomas B. Darr *
Deputy Court Administrator of Pennsylvania
Administrative Office of Pennsylvania Courts
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 1500
Harrisburg, PA 17120
Tom.Darr@pacourts.us
717-231-3326

* Did not participate in drafting of report

Tom Foley
Help Line Director
Family Service Association of Wyoming Valley
31 W. Market Street
Wilkes-Barre, PA 18701
Helpline.tfoley@fsawv.org
570-829-1341

Valerie Bender
Consultant
bendervalerie@yahoo.com

Wendy Wissler Luckenbill
Child Policy Coordinator
Mental Health Association in PA (MHAPA)
Co-Chair, Family Involvement Committee, PA
Council of Chief Juvenile Probation Officers
(PCCJPO)
1414 N. Cameron St, 1st Floor
Harrisburg , PA 17103
wluckenbill@mhapa.org
717-346-0549

Zygmunt A. Pines, Esq. *
Court Administrator of Pennsylvania
Administrative Office of Pennsylvania Courts
1515 Market Street, Suite 1414
Philadelphia, PA 19102
Zygmunt.Pines@pacourts.ua
215-560-6337

* Did not participate in drafting of report

Revision 10-6-2010

ATTACHMENT 2

LUZERNE COUNTY COURT OF COMMON PLEAS

LUZERNE COUNTY COURTHOUSE
200 NORTH RIVER STREET
WILKES-BARRE, PA 18711-1001



PHONE (570) 706-8410
FAX (570) 825-6242

CHAMBERS OF
JUDGE DAVID W. LUPAS

October 8, 2010

Ms. Carol Lavery, Victim Advocate
Office of the Victim Advocate
Commonwealth of Pennsylvania
1101 South Front Street, Suite 5200
Harrisburg, PA 17104-2522

Dear Carol:

Per your request, I am writing to you in your capacity as Chairperson of the Luzerne County Juvenile Justice Task Force in order to provide you with some information to update and supplement my prior correspondence to you dated April 14, 2010 concerning the ongoing efforts being made to improve the Juvenile Justice System in Luzerne County.

Initially, I would incorporate everything contained in my April 14, 2010 correspondence and reiterate what is contained therein and note that those involved in the Juvenile Justice System in Luzerne County continue to enhance and embark on the initiatives described in that prior correspondence. In addition thereto, I would also note the following:

- I continue to make it my practice to attend the yearly Pennsylvania Conference on Juvenile Justice and am registered to attend the upcoming conference currently scheduled for November 3 – 5, 2010.
- Our “Juvenile Delinquency Roundtable” continues to meet on a regular basis to address any issues or concerns with our Juvenile Justice System. One of the many items currently being addressed by this group involves those instances when it is necessary to utilize a secure detention facility. The facility in Luzerne County that was utilized in the past is no longer being used for those purposes. Some concerns were raised over the utilization of facilities which were quite some distance from Luzerne County and required somewhat lengthy travel time. Members of our roundtable have brought this to the attention of and discussed this issue with County Commissioners and other county officials. This issue is being addressed so that facilities can be utilized which are closer in proximity to Luzerne County in order to cut down on inefficiencies and expense associated with the utilization of facilities which are more distant. It is hoped that an appropriate resolution will be achieved.

Ms. Carol Lavery

October 8, 2010

Page - 2 -

- Some minor restructuring has taken place within the Juvenile Probation Department to add an additional supervisory position within that department in order to enhance the workings of the department and to ensure that there are adequate resources, including supervisory resources, available to be on-call twenty-four (24) hours a day.
- All juveniles appearing in Luzerne County continue to be represented by counsel. As you are aware, the Luzerne County Public Defender's Office has recently created a Juvenile Unit and is adding attorneys and other staff to ensure that they have adequate resources to handle the caseload. Additionally, with regard to the representation of juveniles, we have enhanced our systems for the appointment of appropriate court-appointed conflict counsel to represent juveniles when the Public Defender's Office has a conflict with their representation. This is currently being done very early in the process and well in advance of intake conferences.
- As you recall, at one of the Juvenile Justice Task Force meetings held at Misericordia University, I noted that often times during court proceedings, juveniles and their families were raising issues involving schools and school-related matters and I suggested a need to establish additional dialogue and communication with our local school systems. I am very happy that out of that discussion grew a cooperative effort of those of us involved in the Juvenile Justice System who are also members of the Task Force to embark on projects with our local schools. As you are aware, there has already been a presentation made by our group with the local school superintendents. There are a number of sessions scheduled for December, 2010 with all of the school principals, as well as other presentations with lower level school officials. At these presentations, myself, along with members of the Juvenile Probation Department, District Attorney's Office, Public Defender's Office, service providers from within the community, and others will educate and explain all of our respective roles within the juvenile system to these various school officials with a strong emphasis on the concept of balanced and restorative justice and the overall goals of the Juvenile Justice System. This will be a great opportunity to continue enhancing the cooperative relationship between our schools and the Juvenile Justice System.
- Also, as was mentioned in my April 14, 2010 correspondence, an important goal and priority of our Juvenile Delinquency Roundtable was the development and enhancement of diversionary programs within our community. I am happy to report that great strides have been made in this area in that numerous meetings have been held with officials from other counties, including, but not limited to, Lehigh County and Montgomery County, aimed toward the development of Youth Aid Panels in

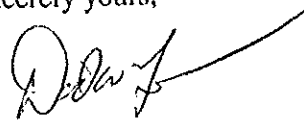
Ms. Carol Lavery
October 8, 2010
Page - 3 -

Luzerne County. Just recently, county officials have approved a coordinator position for the District Attorney's Office and it is anticipated that Youth Aid Panels will be up and running within Luzerne County in the not too distant future.

In conclusion, these are only a few of the many positive steps that continue to occur in order to enhance the Juvenile Justice System in Luzerne County. Overall, the spirit of cooperation, open dialogue, and collaborative efforts of so many people, including members of the Juvenile Justice Task Force, is the engine which continues to motivate and drive all of these improvements.

Thank you for all of your assistance and if you require anything further or have any questions, please do not hesitate to contact me.

Sincerely yours,



JUDGE DAVID W. LUPAS

DWL:sls

cc: Honorable Thomas Burke
District Attorney Jacqueline Musto Carroll
Al Flora, Chief Public Defender
Michael Vecchio, Director Probation Services
John Johnson, Chief Deputy Juvenile Probation

ATTACHMENT 3

LUZERNE COUNTY COURT OF COMMON PLEAS

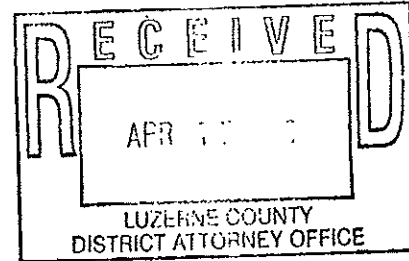
LUZERNE COUNTY COURTHOUSE
200 NORTH RIVER STREET
WILKES-BARRE, PA 18711-1001



PHONE (570) 706-8410
FAX (570) 825-6242

CHAMBERS OF
JUDGE DAVID W. LUPAS

April 14, 2010



Ms. Carol Lavery, Victim Advocate
Office of the Victim Advocate
Commonwealth of Pennsylvania
1101 South Front Street, Suite 5200
Harrisburg PA 17104-2522

Dear Carol:

Per our discussions, I am writing in order to provide you with various information in your capacity with the Luzerne County Juvenile Justice Task Force so that you may forward and submit this information to the Interbranch Commission on Juvenile Justice. As discussed, contained herein is information describing and outlining many of the steps that have been taken to improve the Juvenile Justice System in Luzerne County by those who have been and continue to be directly involved with that system.

Initially, we often consult with and seek the assistance of the Juvenile Court Judges' Commission (JCJC). They were kind enough to review some of the practices in Luzerne County and offer recommendations. Enclosed herewith is a copy of July 30, 2009 correspondence from Keith B. Snyder, Deputy Director of the JCJC, addressed to then President Judge Chester B. Muroski, which contains the Juvenile Court Technical Assistance Report they prepared. Also enclosed is a copy of my January 15, 2010 correspondence addressed to Mr. Snyder confirming that all of the aforesaid recommendations have been addressed.

As I believe you may also be aware, I have implemented what we are calling a "Juvenile Delinquency Roundtable" wherein various entities involved with the Juvenile Justice System in Luzerne County meet on a regular basis at least monthly, and at other times if necessary, to address any issues of concern and afford everyone an opportunity for open dialogue to address any issues to improve the Juvenile Justice System in Luzerne County. This group is comprised of myself, members of the District Attorney's Office, members of the Public Defender's Office, members of the Juvenile Probation Department, and other participants when necessary. I believe this has fostered a remarkable working relationship and spirit of cooperation among all of these entities and has led toward the development of many procedures to make our system more efficient and address any potential problems in a timely fashion. Some of our roundtable members have submitted documentation to me to provide with this correspondence and which I include as follows:

Ms. Carol Lavery
April 14, 2010
Page -2-

1. December 16, 2009 correspondence from District Attorney Jacqueline Musto Carroll to members of the Interbranch Commission on Juvenile Justice concerning change in Luzerne County written allegation procedures;
2. District Attorney Carroll's certifications under Rule 231 and Rule 330 of the Pennsylvania Rules of Juvenile Court Procedure;
3. A document dated April 12, 2010 from District Attorney Carroll titled "Changes Implemented in the District Attorney's Office"; and
4. April 13, 2010 statement of the Luzerne County Public Defender's Office from Cheryl Sobeski-Reedy, Esquire, as well as a document provided by Attorney Sobeski-Reedy titled "Luzerne County Juvenile Court Reforms".

As the Judge assigned to Juvenile Delinquency Court, I have increased the amount of court time allocated to Juvenile Court so that it is sufficient to meet the needs of the caseload. Juvenile Court sessions are typically held at least twice per week and at other times as necessary to handle matters such as detention hearings and the like. Also, when a case is initially scheduled, if it is not resolved by any agreement of the parties by way of admission, consent decree, etc., and will be a contested adjudication hearing, the matter is then scheduled for a future specific date certain and time so as to afford all of the parties sufficient court time to present the case. I have also made it my practice to attend the yearly Pennsylvania Conference on Juvenile Justice so as to obtain training and input from colleagues throughout the state. Under the direction of the Juvenile Probation Department and with the consent of the parties, students majoring in criminal justice and related fields from our local colleges and universities sometimes sit in to observe Juvenile Court proceedings and often times meet with the attorneys and judge afterward to discuss the system and ask questions they may have so as to aid them with their understanding of the system and educational pursuits.

With the cooperative effort of everyone involved in the Luzerne County Juvenile Justice System, a number of new initiatives have been undertaken and a number are in the planning stages. Pursuant to Section 6352(a)(5) of the Juvenile Act, Luzerne County has established a Juvenile Restitution Fund and Restitution Program which has been working very successfully due to the efforts of our Juvenile Probation Department. The Juvenile Probation Department is also in the process of starting up a Luzerne County Juvenile Community Service Program wherein various community projects will be undertaken by juveniles ordered to perform community service and wherein they will be under the direct supervision of probation officers rather than the community service requirements of a juvenile court disposition being outsourced to other agencies or groups. It is hoped that this program will promote a sense of responsibility, self-esteem, and instill in the juveniles the importance of volunteering in their communities and will help develop a good rapport and working relationship between the juveniles and their probation officers who will be directly involved with them in these undertakings.

Ms. Carol Lavery
April 14, 2010
Page -3-

One of the important goals and a priority of our Roundtable is the development of diversionary programs. Our Roundtable has met with individuals with expertise who have provided important information to us on Juvenile Justice Panels and Community Justice Panels and the steps to be taken to create such programs. It is our hope to implement more diversionary programs throughout our county in the near future.


Lastly, Luzerne County has partnered with the Juvenile Defenders' Association of Pennsylvania and the Defender Association of Philadelphia in providing a series of multiple trainings for attorneys who will be representing juveniles. This training has been very well received and is expected to continue into the future with more trainings being scheduled on an ongoing basis.

In conclusion, I am very impressed with the cooperation, open dialogue and collaborative efforts of all of those involved with the Juvenile Justice System who have been working and continue to work tirelessly to improve the Juvenile Justice System in Luzerne County. Contained in this correspondence is just an overview and sampling of these efforts.

I trust that you will submit this correspondence including all of its attachments to the Interbranch Commission on Juvenile Justice.

Thank you for all of your assistance and if you require anything further or have any questions, please do not hesitate to contact me.

Sincerely yours,



JUDGE DAVID W. LUPAS

DWL:sls
Enclosures

cc: Honorable Thomas Burke
District Attorney Jacqueline Musto Carroll
Cheryl Sobeski-Reedy, Asst. Public Defender
Michael Vecchio, Director Probation Services
John Johnson, Chief Deputy Juvenile Probation

ATTACHMENT 4



COMMONWEALTH OF PENNSYLVANIA
JUVENILE COURT JUDGES' COMMISSION

Room 401, Finance B
Harrisburg, PA 17120
(717) 787-6910
(717) 783-6288 Fax
www.jcjo.state.pa.us

CHAIRMAN

Hon. Arthur E. Olin
Berks County

VICE-CHAIRMAN

Hon. Kevin M. Dougherty
Philadelphia County

SECRETARY

Hon. Kim Berkeley Clark
Allegheny County

MEMBERS

Hon. Res B. Boylan
Bucks County

Hon. John M. Oisland
McKean County

Hon. Lori A. Dumas Brooks
Philadelphia County

Hon. Elizabeth K. Kelly
Erie County

Hon. H. William White
Venango County

Hon. Dwayne D. Woodruff
Allegheny County

July 30, 2009

Hon. Chester B. Muroski
Judges Chambers, Third Floor
Luzerne County Courthouse
200 N. River Street
Wilkes-Barre, PA 18711

Judge Muroski,

Enclosed is a copy of the Juvenile Court Technical Assistance Report prepared by Lisa Freese and me, after visiting Luzerne County on four occasions to interview various staff in an effort to become familiar with the policies and procedures of the juvenile probation department. We also observed hearings on two separate occasions to become familiar with the operations of the Juvenile Court.

Lisa and I would like to express our appreciation for the assistance and cooperation we received from Judge Lupas, John Johnson, and Angie Zera. All of the probation staff interviewed were very courteous and forthcoming.

The report is very much cursory in nature because of the limited time we had to interview staff, review documents, and observe hearings. The recommendations were primarily centered around compliance with the Juvenile Court Procedural Rules, with some "best practice" recommendations also offered for your consideration. A draft copy of the report was sent to John Johnson several weeks ago to ensure that our understanding of policies and procedures were factually correct.

Both Lisa and I would be happy to discuss the report with you, Judge Lupas, and/or probation staff. We hope the report will be helpful to you as an "independent" cursory review of operations.

Sincerely,

Keith B. Snyder
Deputy Directory

Luzerne County Juvenile Court Technical Assistance Request

JCJC Staff Persons: Keith Snyder, Deputy Director
Lisa Freese, Director of Policy and Program Development

Dates of Visits: May 8, 2009; May 18, 2009; May 21, 2009; and June 5, 2009

Legal and Procedural Issues

Written Allegation Forms

Law enforcement agencies in Luzerne County utilize a standardized "Allegation Complaint" form to submit allegations of delinquency to the Luzerne County Juvenile Probation Department. The District Attorney has not elected to require the receipt and approval of written allegation forms by an attorney for the Commonwealth.

Upon review, there are a number of required elements that do not appear on the form. It is recommended that the District Attorney require the use of the model "Written Allegation" form posted on the website of the Administrative Office of the Pennsylvania Courts, at <http://www.pacourts.us/Forms/>, or that Luzerne County's existing "Allegation Complaint" form be re-named as a "Written Allegation" form and revised to include the following requirements of Pa. R.J.C.P. 232:

1. A section dedicated to descriptions of juveniles in cases where the name, date of birth, and address of the juvenile is unknown [See R.J.C.P. 232(2)];
2. A statement that it is in the best interest of the juvenile and the public that the proceedings be brought [See Pa. R.J.C.P. 232(3)(a)];
3. A statement that the juvenile is in need of treatment, supervision, or rehabilitation [See Pa. R.J.C.P. 232(3)(b)];
4. A statement that the acts were against the peace and dignity of the Commonwealth of Pennsylvania or in violation of an ordinance of a political subdivision [See Pa. R.J.C.P. 232(8)];
5. A notation if criminal laboratory services are requested in the case [See Pa. R.J.C.P. 232(9)];
6. A verification by the person making the allegation that the facts set forth in the written allegation are true and correct to the person's personal knowledge, information, or belief, and that any false statements made is subject to the penalties of the Crimes Code, 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities [See Pa. R.J.C.P. 232(10)].

Utilizing check boxes or drop down menus on the allegation form for the race, ethnicity, eye color, and hair color of juveniles alleged to be delinquent will provide for more consistent information. The accuracy of race and ethnicity information is of particular importance.

Upon receipt by the juvenile probation department, allegation forms are "logged in" with a date and time stamp, and forwarded to Intake Officer Matt Skrepenak for processing.

Eligibility for Informal Adjustment Dispositions

A written policy, approved by Judge Chester Muroski on January 19, 1994, sets forth a list of offenses which prohibit a juvenile from receiving an informal adjustment disposition. According to Mr. Skrepenak, this policy is currently under review by Judge David Lupas. In addition to the list of offenses that would preclude a juvenile from receiving an informal adjustment disposition, Mr. Skrepenak reported that juveniles with a prior record are also ineligible for informal adjustment dispositions.

Based upon the aforementioned criteria, Mr. Skrepenak determines whether the juvenile will receive an informal adjustment disposition, or whether the case will be processed as "official", meaning the case will be scheduled for court. According to Mr. Skrepenak, the district attorney's office is not involved in decisions regarding the appropriateness of informal adjustment dispositions.

Intake Conferences

After Mr. Skrepenak determines which cases will receive informal adjustment dispositions and which cases will be scheduled for court, the cases are referred to one of the other three intake officers for an intake interview. The juvenile, the juvenile's parent/guardian, the police officer and victim are notified of the date and time of the intake conference. A copy of the written complaint form is provided to the juvenile and the juvenile's parent/guardian prior to the intake interview. Victims are afforded the opportunity to offer prior comment on the disposition of the case if informal adjustment is being considered.

Intake officers inform the juvenile and the juvenile's parent/guardian of the juvenile's rights at the beginning of the intake interview, and utilize a structured interview process. The "Intervention Needs and Competency Assessment" (INCA) provides a consistent method for a conducting comprehensive intake interviews within the department. Information obtained from the INCA is subsequently entered into a computer and a written report is generated.

The Luzerne County Juvenile Probation Department is currently participating in a pilot project to utilize the Youth Level of Service / Case Management Inventory (YLS/CMI) risk/needs assessment instrument during the intake process. Combining the INCA and YLS/CMI will provide a comprehensive, research-based method for gathering information, and identifying risk factors and appropriate levels of service.

For cases initially targeted for an informal adjustment disposition, intake officers offer an informal adjustment agreement to the juvenile and the juvenile's parent/guardian at the conclusion of the intake interview. However, the attorney for the Commonwealth is not notified of the decision resulting from the intake conference. It is recommended that the juvenile probation department provide the attorney for the Commonwealth with notice of the decision resulting from the intake conference, pursuant to Pa. R.J.C.P. 311(C).

Meetings involving the intake officers and the Chief Juvenile Probation Officer occur on a weekly basis to discuss "official" cases scheduled for court. During these meetings, intake officers present case information and dispositional recommendations are developed in preparation for court.

Filing of Petitions

Police officers file petitions alleging delinquency in Luzerne County. However, Pa.R.J.C.P. 330(B) requires that either the attorney for the Commonwealth or the juvenile probation officer shall file a petition with the clerk of courts. It is recommended that the practice of police officers filing petitions cease, and that either an attorney for the Commonwealth or a juvenile probation officer file petitions.

Content of Petitions

It is recommended the petition utilized in Luzerne County be revised to include the following elements required by Pa.R.J.C.P. 330(C):

1. an area to describe the juvenile if the juvenile's name, date of birth and address are unknown;
2. the date when the offense is alleged to have been committed;
3. the place where the offense is alleged to have been committed;
4. a summary of the facts sufficient to advise the juvenile of the nature of the offense alleged;
5. the official or customary citation of the statute and section, or other provision of law which the juvenile is alleged to have violated;
6. a certification that the juvenile has not complied with the sentence imposed for a conviction of a summary offense;
7. the name and age of any conspirators, if known;
8. a statement that the acts were against the peace and dignity of the Commonwealth of Pennsylvania or in violation of an ordinance of a political subdivision;
9. a notation if criminal laboratory services are requested in the case;
10. a statement that any false statements on the petition are subject to the penalties of the Crimes Code, 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities; and
11. an averment as to whether the case is eligible pursuant to 42 Pa.C.S. § 6307(b)(1)(ii) for limited public information.

A model petition alleging delinquency is attached for your consideration.

Service of Petition

Police officers file petitions alleging delinquency on the day that juveniles are scheduled for court, just prior to their adjudicatory hearing. Pa.R.J.C.P. 331(A) requires that upon the filing of the petition, a copy of the petition shall be served promptly upon the juvenile, the juvenile's guardian, the juvenile's attorney, the attorney for the Commonwealth, and the juvenile. The *Comment* to the rule states that the purpose paragraph (A) is to ensure the juvenile and the juvenile's attorney have notice of the allegations to prepare the case adequately. The practice in Luzerne County is that copies of written allegations are provided to the juvenile.

Pa.R.J.C.P. 331(B) requires that the service of the petition to the juvenile and the juvenile's guardian shall be by first-class mail or delivered in person, and Pa.R.J.C.P. 331(C) requires that the service of the petition to the juvenile's attorney, attorney for the Commonwealth, and juvenile probation officer shall be by first-class mail or delivered in person unless all individuals otherwise agree upon an alternative method.

The practice in Luzerne County is that police officers deliver petitions to the juvenile probation department on the day of court, and that juvenile probation department subsequently delivers them to the Clerk of Courts. The juvenile, the juvenile's guardian, the juvenile's attorney, and the attorney for the Commonwealth do not receive copies of petitions before or after court.

It is recommended that copies of petitions alleging delinquency be filed prior to court, and that copies of the petitions be served consistent with Pa.R.J.C.P.331.

Attorney Representation

A "Notice of Need for Legal Representation" is sent to all juveniles and parent(s)/guardian(s) along with the notice to appear for the intake conference. The notice contains a phone number and address of the Public Defender's Office, and strongly urges that the Public Defender's Office be contacted if an attorney cannot be afforded.

JCJC staff observed juvenile court proceedings on two separate days, and it was not unusual for juveniles to appear in court without legal counsel because the Public Defender's Office was not contacted. In all of these instances, Judge Lupas questioned the juvenile as to whether he/she would like to be represented by a public defender and, in all of the instances, a public defender was assigned to the case.

In each of these situations, juvenile court proceedings were temporarily halted to provide an opportunity for the juvenile to consult with the public defender. These consultations ranged from several minutes to over ten minutes, causing a delay.

In a significant number of other jurisdictions, juveniles are considered indigent and automatically approved for legal representation by the public defender. It is recommended that the Court review procedures regarding the legal representation of juveniles by public defenders in other jurisdictions, to reduce the number of juveniles appearing at hearings without attorneys. Assistance in this regard can be provided, upon request.

Best Practice Issues

Courtroom Security

There was no courtroom security provided during the two days of juvenile court hearings observed by JCJC staff. It is recommended that arrangements be made to provide courtroom security during all juvenile court proceedings.

Supervision of Employees

John Johnson and Angela Zera are both currently responsible for the direct supervision of an extraordinarily high number of employees. Mr. Johnson has a total of 13 direct reports, and Ms. Zera is responsible for directly supervising 19 juvenile probation officers. It is recommended that consideration be given to creating additional supervisory positions.

Initial Worksite of School-based Probation Officers

It is recommended that school-based probation officers be permitted to report directly to their assigned school buildings. In addition to eliminating a significant amount of unnecessary travel time, this would permit juvenile probation officers to immediately know whether juveniles on probation reported to school on time and would provide the school-based probation officers with the opportunity to immediately contact juveniles who do not report to school.

Technology

There are very few computers available to juvenile probation officers within the juvenile probation department, and no laptop computers available to juvenile probation officers doing fieldwork. All school-based probation officers are required to return to the juvenile probation department to enter information into the juvenile case management system, and juvenile probation officers must frequently "wait their turn" to enter data into the juvenile case management system.

It is recommended that the purchase of additional desktop computers be considered for use in the juvenile probation department, as well as laptops for use by probation officers doing field work.

Transportation

It is recommended that the current policy of not providing travel reimbursement for mileage driven by juvenile probation officers in their personal cars in the performance of their duties, and the policy governing the assignment of county vehicles to juvenile probation officers be reviewed. It was reported that a significant number of county vehicles assigned to the juvenile probation department are frequently in disrepair, which requires juvenile probation officers to use their personal vehicles to visit schools and homes of juveniles under juvenile court supervision without reimbursement for mileage driven.

On-call Procedures

The current policy of assigning one juvenile probation officer to provide all on-call services should be reviewed. Requiring one person to be available to respond to requests for detention in the middle of the night, every night of the year, is onerous. It is recommended that this duty be rotated among existing staff, as is done in most other juvenile probation departments.

Recommendations

1. It is recommended that the District Attorney require the use of the model "Written Allegation" form posted on the website of the Administrative Office of the Pennsylvania Courts, or that Luzerne County's existing "Allegation Complaint" form be re-named as a "Written Allegation" form and revised to include the elements required by Pa.R.J.C.P. 232.
2. It is recommended that the juvenile probation department provide the attorney for the Commonwealth with notice of the decision resulting from the intake conference, pursuant to Pa.R.J.C.P. 311(C).
3. It is recommended that the practice of police officers filing petitions cease, and that either an attorney for the Commonwealth or a juvenile probation officer file petitions.
4. It is recommended the petition utilized in Luzerne County be revised to include the elements required by Pa.R.J.C.P. 330(C).
5. It is recommended that copies of petitions alleging delinquency be filed prior to court, and that copies of the petitions be served consistent with Pa.R.J.C.P.331.
6. It is recommended that the Court review procedures regarding the legal representation of juveniles by public defenders in other jurisdictions to reduce the number of juveniles appearing at hearings without attorneys.
7. It is recommended that arrangements be made to provide courtroom security during all juvenile court proceedings.
8. It is recommended that consideration be given to creating additional supervisory positions.
9. It is recommended that school-based probation officers be permitted to report directly to their assigned school buildings.
10. It is recommended that the purchase of additional desktop computers be considered for use in the juvenile probation department, as well as laptops for use by probation officers doing field work.
11. It is recommended that the current policy of not reimbursing juvenile probation officers for mileage in their personal cars, in the performance of their duties, be reviewed.
12. It is recommended that on-call duties be rotated among existing staff.

ATTACHMENT 5

LUZERNE COUNTY COURT OF COMMON PLEAS

LUZERNE COUNTY COURTHOUSE
100 NORTH RIVER STREET
LEWISBURG, PA 18711-1001



PHONE (570) 706-8410
FAX (570) 825-6242

CHAMBERS OF
JUDGE DAVID W. LUPAS

January 15, 2010

Mr. Keith B. Snyder
Deputy Director
Juvenile Court Judges' Commission
Room 401, Finance Building
Harrisburg, PA 17120-0018

Dear Mr. Snyder:

I am writing in regard to the December 1, 2009 correspondence you addressed to former President Judge Chester B. Muroski wherein you had requested a brief update regarding the status of any changes made to Juvenile Court practices or procedures in response to your July 30, 2009 Juvenile Court Technical Assistance Report. Unfortunately, Judge Muroski has been out of the office recuperating from injuries sustained in a recent automobile accident and therefore, I am providing you with this response.

As you are aware, numerous changes have been made in the practices and procedures of Juvenile Court in Luzerne County and I believe you have been made aware of many of them through conversations with various Luzerne County officials. Such changes include, but are not limited to those recommendations mentioned in your July 30, 2009 report. In any event, I will provide you herein with brief written responses below which correspond to the numbered recommendations in your July 30, 2009 report and which indicate that all of your recommendations are being implemented. These responses are made after consultation with the Director of Probation Services and the Deputy Chief of Juvenile Probation and are as follows:

1. A new and updated written allegation form has been adopted and implemented which is modeled after the AOPC form and complies with the elements required by the Rules of Juvenile Court Procedure.
2. Juvenile Intake Officers have been and continue to provide the District Attorney's Office with notice in a timely manner of the decision resulting from the intake conferences in compliance with the Rules of Juvenile Court Procedure.

3. A process has been implemented so that in consultation with the District Attorney's Office the Deputy Chief of Juvenile Probation signs and files all petitions with the Clerk of Courts.
4. The petition utilized in Luzerne County has been revised, updated, and implemented to ensure inclusion of the elements required by the Rules of Juvenile Court Procedure.
5. Petitions are filed with the Clerk of Courts well in advance of Juvenile Court hearings and are disseminated and served as required by the Pennsylvania Rules of Juvenile Court Procedure.
6. Procedures have been put in place for some time to ensure that juveniles obtain representation and consult with members of the Public Defender's Office in advance of hearing dates and it is my observation that there have not been any juveniles appearing at scheduled court hearings without representation.
7. Arrangements have been made to ensure that the Luzerne County Sheriff's Department provides courtroom security during all Juvenile Court proceedings. Written correspondence was sent to the Sheriff's Department reminding them of this responsibility and Sheriff personnel continue to be verbally reminded to ensure their appearance at Juvenile Court proceedings.
8. The Court has authorized the posting and advertising for an additional supervisory position within the Juvenile Probation Department and is in the process of taking all necessary steps to fill that position.
9. With recent changes in the duties and responsibilities of juvenile probation officers and the recent closing of a probation satellite office, the issue of reporting of juvenile probation officers continues to be reviewed and studied by the probation department.
10. Each individual probation officer does have his/her own personal desktop computer for use. Additionally, the Probation Department is implementing the use of laptop computers for on-call officers and supervisors.

Keith B. Snyder
January 15, 2010
Page - 3 -

11. County owned Probation Department vehicles are available for use for field work by probation officers. Additionally, there is not a current policy for not reimbursing juvenile probation officers for mileage in their personal cars where such is necessary and appropriate.
12. The policies and practices regarding on-call duties is currently under review by heads of both the Juvenile and the Adult Probation Departments to ensure that these duties are appropriately addressed and staffed. Currently, there is more than only one person in the Juvenile Probation Department available for on-call duties since supervisors are also on-call to assist with and address issues as they arise.

In conclusion, I hope that the above adequately addresses your recommendations and I wish to thank you for your continuing interest and support for the Juvenile System in Luzerne County. As always, if there is anything further you require, please do not hesitate to contact me.

Sincerely yours,


JUDGE DAVID W. LUPAS

DWL:sls

cc: President Judge Thomas F. Burke
Judge Chester B. Muroski
Michael Vecchio, Director of Probation Services
John Johnson, Deputy Chief JPO

ATTACHMENT 6

DISTRICT ATTORNEY OF LUZERNE COUNTY

JACQUELINE MUSTO CARROLL
DISTRICT ATTORNEY



COURT HOUSE
200 NORTH RIVER STREET
WILKES-BARRE, PENNSYLVANIA 187
(570) 825-1674 • 825-1675
FAX (570) 825-1572
TDD (570) 825-1860

December 16, 2009

Honorable John M. Cleland, Chair
Tod C. Allen
Valerie Bender
Kenneth J. Horoho, Jr., Esquire
Honorable James A. Gibbons
Jason J. Legg, Esquire
Robert L. Listenbee, Esquire
George D. Mosee, Jr., Esquire
Honorable John C. Uhler
Ronald P. Williams
Honorable Dwayne D. Woodruff
Darren Breslin, Esquire
Interbranch Commission on Juvenile Justice
1515 Market Street
Suite 1414
Philadelphia, PA 19102

RE: Change in Luzerne County Written Allegation
Procedures Pursuant to Rule 231(B)(1) of the
Pennsylvania Rules of Civil Procedure

Dear Members of the Commission:

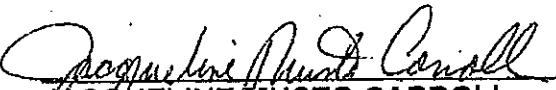
As an update to my testimony at the public hearing of November 10, 2009 before the Commission, I am enclosing a copy of the new Luzerne County Juvenile Written Allegation Procedures as well as the Certifications I have filed pursuant to Rule 231 and Rule 330 with the Luzerne County Clerk of Courts indicating that I have elected to require initial receipt and approval or disapproval by the District Attorney's Office of all Written Allegations brought by police officers in our County.

At the hearing, I testified that we were in the process of discussing the District Attorney's role in preparing the petitions. I am happy to report that the new procedures are now in place.

Members of the Commission
Page Two
December 16, 2009

I'd like to thank you for the work you are doing in our County. Should you need any further information from me, please let me know.

Very truly yours,

BY: 
JACQUELINE MUSTO CARROLL
Luzerne County District Attorney

JMC:sl
Encl.

DISTRICT ATTORNEY OF LUZERNE COUNTY

JACQUELINE MUSTO GARROLL
DISTRICT ATTORNEY



COURT HOUSE
200 NORTH RIVER STREET
WILKES-BARRE, PENNSYLVANIA 187
(570) 825-1674 • 825-1675
FAX (570) 825-1572
TDD (570) 825-1860

LUZERNE COUNTY

JUVENILE WRITTEN ALLEGATION PROCEDURES

Pursuant to Rule 231(B)(1) of the Pennsylvania Rules of Juvenile Court Procedure, the Luzerne County District Attorney's Office has elected to approve charges in the Juvenile Written Allegation forms submitted by law enforcement prior to petitions being filed by the Juvenile Probation Office. This process will ensure that charges that cannot be sustained will not be approved and cases that should be sent to a diversionary program will be identified early in the process. These procedures will streamline the current system to allow juveniles who are in need of supervision, care or rehabilitation to obtain the appropriate level of help while also protecting the community.

1. Any law enforcement officer who wishes to commence a delinquency action against a juvenile shall deliver the Juvenile Written Allegation form to the District Attorney's Office via U.S. Mail or hand-delivery.
2. The allegation form shall then be promptly placed in the "Juvenile Allegation Box" (located on top of the regular mailboxes in the District Attorney's Office).
3. The "Juvenile Allegation Box" will be checked each day by the Juvenile Assistant District Attorneys (ADAs).
4. The Juvenile ADAs shall review the juvenile allegations and either approve, disapprove or partially approve the charges contained therein.
5. After the juvenile allegations are reviewed, a cover sheet will be prepared by the Juvenile ADAs outlining the approved charges. Also, the cover sheet will include the pre-intake District Attorney's Recommendation for informal, consent decree or adjudication and a copy of the allegation will be made for the District Attorney's Office.
 - If charges require clarification, it will be the responsibility of the Juvenile ADA to contact the law enforcement officer for any information needed.
 - If charges are disapproved, it will be the Juvenile ADA's responsibility to notify the law enforcement officer.

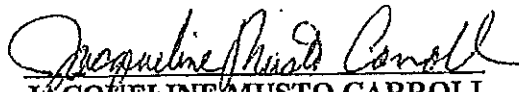
6. A copy of the Juvenile Written Allegation form and the coversheet will be given to the Juvenile Victim's Witness Coordinators to open a file for the District Attorney's Office.
7. The original Juvenile Written Allegation forms and attached coversheets will be hand-delivered to the Juvenile Probation Office by the Juvenile ADAs.
8. A copy of the Juvenile Written Allegation forms with a Public Defender Coversheet will be forwarded to the Public Defender's Office prior to the petition being filed.

JUVENILE PROBATION INTAKE PROCEDURES

1. The Deputy Chief of Juvenile Probation will receive all Juvenile Written Allegation forms from the District Attorney's Office.
 - The executive secretary will time stamp all incoming allegations.
2. The Deputy Chief will then distribute the Juvenile Written Allegation forms to the assigned Juvenile Intake Officer for review.
3. Intake Officers will do a prior record check on the allegation and log findings on the allegation. The allegation will be input into a Allegation Complaint excel spreadsheet assigned to each Intake Officer.
4. Intake Officers will photocopy the Juvenile Written Allegation form and distribute the copy to the clerical staff in charge of entering the charges into the JCMS system.
5. The Intake Officers will then proceed to process the allegation:
 - a) Notify juvenile, parents, and/or guardian by letter, advising the parties of the allegation and notifying them of the date and time scheduled for the intake interview.
 - b) Notify the Public Defender's Office or private counsel (if applicable) by letter of the date and time scheduled for the intake interview.
 - c) Notify the Victim's Witness Coordinator by letter of the date and time scheduled for the intake interview.
 - d) Notify the law enforcement officer who filed the allegation by letter of the date and time scheduled for the intake interview.

6. Intake Officers shall gather all relevant files and information necessary and commence the intake interview on the date and time scheduled.
7. Following the intake interview, prior to the Intake Officers making a final recommendation on how the case should proceed, the Intake Officer will:
 - If necessary, discuss the case with a Juvenile Assistant District Attorney.
 - Discuss the case with the Juvenile Victim's Witness Coordinators if an Informal Adjustment is offered.
8. Intake Officers will make a final recommendation on how the case should proceed. (All recommendations will be reviewed with the JPO administration).
 - A recommendation for an official hearing will require:
 - a) Intake Officers will give the Written Allegation to clerical staff to prepare the Juvenile Delinquency Petition.
 - b) Intake Officers schedule the court hearing with clerical staff.
 - c) Intake Officers ensure all paperwork for their individual cases is sent to the presiding judge prior to the court hearing.
 - d) Intake Officers provide a copy of the recommendations prepared after the intake interview to the Juvenile Assistant District Attorney and the Public Defender or private counsel (if applicable).
 - A recommendation for an Informal Consent or Diversionary Program will require:
 - a) Intake Officer to have approval from JPO administration.
 - b) Intake Officer to have made proper contacts with all parties involved.
 - c) Intake Officer sends a copy of the recommendation to the Juvenile Assistant District Attorney, Public Defender or private counsel (if applicable), law enforcement officer, and victim.
 - d) Intake Officer ensures that all referrals requested are properly made.
9. Detention Procedures
 - Intake Officers will rotate detention duties on a weekly basis and will provide intake services to any new juveniles admitted to detention or shelter care.
 - The on-duty Intake Officer is responsible for scheduling and facilitating the detention hearing for any new juvenile admitted to detention or shelter care during their respective week.
 - The on-duty Intake Officer is responsible for providing the clerical staff, the Juvenile Assistant District Attorney, Public Defender or private counsel (if applicable), and juvenile with a copy of the Written Allegation form prior to the detention hearing.

- The on-duty Intake Officer is responsible for filing a Juvenile Delinquency Petition within 24 hours of the detention hearing when a juvenile remains lodged in a detention or shelter care facility.


JACQUELINE MUSTO CARROLL
Luzerne County District Attorney

Date: December 16, 2009

1252MD

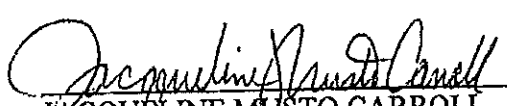
Certification under Rule 231, Pennsylvania Rules of Juvenile Court Procedure

Pursuant to Rule 231 of the Pennsylvania Rules of Juvenile Court Procedure the District Attorney hereby elects to require that every arrest warrant and/or written allegation brought by a law enforcement officer alleging delinquent conduct shall be submitted to and approved by an attorney for the Commonwealth before delinquency proceedings are initiated. An attorney for the Commonwealth shall be available at all times for this purpose.

Receipt and approval by an attorney for the Commonwealth shall be required when the alleged acts would constitute a felony or misdemeanor.

Receipt and approval by an attorney for the Commonwealth shall be required when the written allegation is brought by a non-law enforcement officer pursuant to the private delinquent complaint procedure. See Rule 233 of the Pennsylvania Rules of Juvenile Court Procedure.

Once the written allegation is approved, Juvenile Probation shall commence delinquency proceedings by filing a petition pursuant to Rule 330 of the Pennsylvania Rules of Juvenile Court Procedure except where the alleged offense is appropriate for informal adjustment under Rule 312 of the Pennsylvania Rules of Juvenile Court Procedure.



JACQUELINE MUSTO CARROLL,
DISTRICT ATTORNEY

December 16, 2009
DATE

BERT F. REILLY
CLERK OF COURTS

2009 DEC 16 PM 3:54

CRIMINAL DIV.
JUZERNE COURT


1253MD09

Certification under Rule 330, Pennsylvania Rules of Juvenile Court Procedure

Pursuant to Rule 330 of the Pennsylvania Rules of Juvenile Court Procedure the District Attorney hereby elects to require that every arrest warrant and/or written allegation brought by a police officer alleging delinquent conduct shall be submitted to and approved by an attorney for the Commonwealth before an arrest is effectuated or delinquency proceedings are initiated. An attorney for the Commonwealth shall be available at all times for this purpose.

Receipt and approval by an attorney for the Commonwealth shall be required when the alleged acts would constitute a felony or misdemeanor.

Receipt and approval by an attorney for the Commonwealth shall be required when the written allegation is brought by a non-law enforcement officer pursuant to the private delinquent complaint procedure. See Rule 233 of the Pennsylvania Rules of Juvenile Court Procedure


JACQUELINE MUSTO CARROLL,
DISTRICT ATTORNEY

December 16, 2009
DATE

JOSEPH F. REILLY
CLERK OF COURTS

2009 DEC 16 PM 3:53

CRIMINAL DIV.
LUZERNE COUNTY

ATTACHMENT 7

OFFICE OF THE
DISTRICT ATTORNEY OF LUZERNE COUNTY

JACQUELINE MUSTO CARROLL
DISTRICT ATTORNEY



COURT HOUSE
200 NORTH RIVER STREET
WILKES-BARRE, PENNSYLVANIA 18711-1001
(570) 825-1674 - 825-1675
FAX (570) 825-1572
TDD (570) 825-1860

**MODIFICATIONS IMPLEMENTED IN THE
DISTRICT ATTORNEY'S OFFICE**

As the District Attorney of Luzerne County, I am committed to continue to work to restore faith in the Luzerne County Juvenile Court System. Our goal here in Luzerne County is to make this system a model for others to follow. Below is a listing of a number of modifications that have been implemented so far within my office:

1. Pursuant to Rule 231 and Rule 330 of the Pennsylvania Rules of Juvenile Court Procedure, the District Attorney has elected to require initial receipt and approval or disapproval by the District Attorney's Office of all Written Allegations brought by police in Luzerne County. New Luzerne County Juvenile Written Allegation procedures have been instituted.
2. Two specific Assistant District Attorneys have been assigned to handle all juvenile matters. As such, two experienced attorneys are available to handle Juvenile Court at all times. We will continue our training process for any new Assistant District Attorneys. They will be trained personally by both these attorneys who will follow a specific protocol.
3. The Assistant District Attorneys attend and participate in the Juvenile Prosecutor's Network and have provided input to the PDAA in formulating the Pennsylvania Juvenile Prosecutor Standards.
4. The District Attorney, First Assistant and the two Juvenile Assistant District Attorneys participate in the Court's Roundtable Discussions held by Judge David W. Lupas, the Juvenile Court Judge.
5. An Assistant District Attorney is participating in the Juvenile Prosecutor's Network's production of a Community Outreach video aimed toward school students. Our juvenile ADAs will take part in traveling to the schools to make presentations along with the video on pertinent school subjects.
6. The District Attorney's Office has instituted procedures for juvenile discovery.
7. The Juvenile Court Assistant District Attorneys have been and will continue to attend all available seminars addressing Juvenile Court matters and will continue to keep current on any and all changes in the law.
8. The District Attorney's Office Victim/Witness Unit participated in several Luzerne County Juvenile Justice Victim Response Task Force meetings along with state level

experts and the Victims' Resource Center identifying objectives and anticipating impacts regarding how to notify original victims of crimes committed by juveniles who appeared before former Judge Ciavarella, and their families, and receive their input in those cases being vacated/expunged.

9. The District Attorney's Office Victim/Witness Unit provided notification letters to numerous victims of crimes committed by those juveniles whose cases are being vacated/expunged in an effort to give those victims the opportunity to share their thoughts, stories and feedback to the Office of Victim Advocate, Carol Lavery. This feedback would then be provided by Carol Lavery to the Interbranch Commission.
10. The District Attorney's Office Victim/Witness Unit, along with state level experts, devised a letter to be sent to the original victims notifying them of Judge Grimm's decision to vacate those cases heard during 2003-2008 by the former Judge Ciavarella and to provide the necessary information regarding services available to those victims, including the contact name and address for Victim Impact Statements to be sent to the Federal Judge handling former Judge Ciavarella's trial.
11. The District Attorney's Office Victim/Witness Unit continues to work in tandem with Juvenile Probation and Victim's Resource Center providing information, supportive counseling and referrals as requested by the victims in those cases being vacated/expunged.

LUZERNE COUNTY DISTRICT ATTORNEY'S YOUTH AID PANEL PROGRAM

As the District Attorney's Office continues to address the needs of the Juvenile Justice System in Luzerne County, we are open to exploring new programs to help enhance our response to and handling of crimes committed by juvenile offenders. One such program that we are in the midst of establishing is the creation of Youth Aid Panels. Toward that effort, on October 1, 2010, a new position of Youth Aid Coordinator was created within the District Attorney's Office. Funds are being provided from the Child Welfare Budget through Act 148. Luzerne County Children and Youth has contracted with the Luzerne County District Attorney's Office to provide funding for the position and the District Attorney will bill Children & Youth on a quarterly basis. These actions were approved at the Luzerne County Commissioners' Meeting and Salary Board Meeting by unanimous vote on October 1, 2010.

The Luzerne County District Attorney's Youth Aid Panel Program will be administered by a Panel Coordinator who will be contracted through Children and Youth Services to administer the Youth Aid Panel Program.

1. **SELECTION:**

The Luzerne County District Attorney will hire a qualified individual to administer the Youth Aid Panel (YAP) program.

2. **DUTIES:**

The Panel Coordinator will assist the Luzerne County District Attorney in overseeing the operation and administration of the Youth Aid Panel Program. The Panel Coordinator will be the conduit through which general program information passes to and from the Luzerne County District Attorney to the YAP Program volunteers. The primary responsibilities of the Panel Coordinator will be as follows:

- a. Act as a liaison between the Luzerne County District Attorney and the YAP Program volunteers;
- b. Ensure the efficient and effective operation of the Luzerne County District Attorney's Youth Aid Panel Program;
- c. Oversee program development and expansion;
- d. Oversee and administer the day-to-day operations of the Luzerne County District Attorney's Youth Aid Panel Program in a manner consistent with the YAP Program policies and procedures, YAP Program protocol, and the Program Guidebook;
- e. Assist the Luzerne County District Attorney in recruiting, interviewing, and training volunteers;
- f. Check volunteer references;
- g. Assist the Luzerne County District Attorney in monitoring the panels;
- h. Schedule juveniles for their initial panel appearance;
- i. Recruit community service sites for panel use;
- j. Provide follow up to client assignments to confirm that the obligation is being satisfactorily completed;
- k. Assist the Luzerne County District Attorney in the effective operation of the YAP Program;
- l. Ensure that victims are notified of all steps of the panel process, including allowing them the opportunity to speak before the panel;
- m. Manage the record keeping of all cases for purposes of program evaluation; and
- n. The Youth Aid Panel Coordinator will complete any and all other related duties as assigned by the Luzerne County District Attorney.

3. **JOB REQUIREMENTS:**

The Youth Aid Panel Coordinator must have excellent administrative and organizational skills.

We are also currently working on instituting the policies, procedures and protocols for the panels to follow and hope to have the program up and running as soon as possible.

LUZERNE COUNTY CHILD ADVOCACY CENTER

On August 23, 2010, the Luzerne County District Attorney's Office opened the newly created Luzerne County Child Advocacy Center which is located at 187 Hanover Street in Wilkes-Barre, Pennsylvania.

The CAC is a facility where the cases of child physical and sexual abuse committed by both adult and juvenile offenders will be jointly investigated by law enforcement and Children & Youth Services in a safe, comfortable, child friendly setting. With a joint collaboration of this investigative team, we intend to provide children with two critical services: forensic interviews and sexual assault medical exams.

We have been extremely fortunate to be the recipients of the kindness of Geisinger Wyoming Valley who has provided us with a home for our CAC. It is a former convent which was home to the Sisters of Mercy. I am sure the sisters would be delighted at the new use for their former convent. On the first floor of the center, there is an interview room, family waiting room, receptionist's office and file room. Also located on the first floor is an on-site medical examination room where the child will meet with a doctor for scheduled medical examination appointments only.

On the second floor, there's an observation room with monitors, conference room, offices for the Assistant District Attorneys, County Detectives, Children & Youth and Victim's Advocate representatives.

We plan for the CAC to be open on an as-needed basis, starting out three (3) days a week from 9:00 AM until 4:30 PM.

All reported cases of child abuse in Luzerne County will now be handled at the CAC. A protocol outlining procedures for use of the CAC will be distributed to all participating parties. Also, we are setting up a training program for those officers who will be investigating these cases. Only officers with special training, specifically in child abuse investigations, will handle these matters.


It is my personal hope and wish that we can eventually make our Child Advocacy Center a model for others to follow as a place where children are brought to meet with caring and knowledgeable professionals who make it their mission to put the child first and to make decisions that are in the best interests of each and every child.

In our first month of operation, we have seen nearly forty (40) children at our Child Advocacy Center and we have held our Multi-Disciplinary meeting at the center which was attended by myself, Assistant District Attorneys, District Attorney Detectives, Children & Youth workers and police officers from throughout the county. At this meeting, we reviewed open

cases with the goal toward identifying future action to be taken in each matter. We will continue to conduct our MDT meetings at our CAC.

I am proud to announce that on September 21, 2010, the Luzerne County Child Advocacy Center was approved as an Associate/Developing Member of the National Children's Alliance.

As the Luzerne County District Attorney, I am committed to restoring the trust and faith of our citizens in our judicial system. Any new initiatives and programs that will assist us in reaching that goal will in fact be pursued. I am dedicated to the people of Luzerne County, especially our children and I will not let the actions of criminal public figures be our lasting legacy. That I promise.


JACQUELINE MUSTO CARROLL
Luzerne County District Attorney

ATTACHMENT 8

20 N. Pennsylvania Avenue
Penn Place Building – Suite 235
Wilkes-Barre, Pa 18701-3509

OFFICE OF THE PUBLIC DEFENDER
LUZERNE COUNTY
Al Flora, Jr., Esq., Chief Public Defender

(570) 825-1754
Fax: (570) 825-1864
TDD: (570) 825-1860



STATEMENT OF THE LUZERNE COUNTY PUBLIC DEFENDER'S OFFICE
October 8, 2010

As a result of the collaborative efforts of several entities, including and most importantly the Luzerne County Commissioners, the county's Mental Health /Mental Retardation Office and the unwavering support of the Juvenile Defenders' Association of Pennsylvania, we are in the process of developing a new and unprecedented Juvenile Defender Unit within the Public Defender's Office, which will provide quality, effective legal representation to all juveniles, regardless of parental income. Our Unit will be completely staffed and operational by December of 2010.

Although not currently mandated by law to do so, we accept every juvenile for legal representation, and we insure that every juvenile who appears in Juvenile Court has an attorney to represent them for every court appearance. Representation begins when the child receives the written allegations, and an attorney appears with the child at the juvenile probation intake and follows the child through the pre and post adjudication and pre and post disposition phases.

A comprehensive search was conducted to select the best and brightest juvenile defense lawyers available to staff our Juvenile Defender Unit. Dean Loren Prescott of Wilkes University (who is also head of the Wilkes University law school initiative), Michael Zimmerman, Executive Director of Family Services Association of Wyoming Valley and a member of the juvenile task force, and Ned Delaney, a licensed psychologist and former Director of Catholic Social Services assisted in the interview process and provided valuable input.

Our new Juvenile Defender Unit will consist of three full-time attorneys exclusively trained and devoted to meeting the needs of adolescents facing juvenile delinquency proceedings and hearings from the ages of ten to twenty-one. A supervising attorney, Cheryl Sobeski-Reedy, Esq., with over fifteen years of defense experience, will lead the team of professionals. The Unit will operate with three other full-time employees: its own secretary (who has over 30 years of experience in the criminal defense field), an experienced investigator, and a licensed social worker.

Our lawyers will each be limited to accepting no more than 200 new cases per year, in accordance with nationally recommended caseload standards endorsed by the Juvenile Defenders' Association of Pennsylvania, the American Council of Chief Defenders of the National Legal Aid and Defenders Association and committed to by the Luzerne County Commissioners.

A goal of our Juvenile Defender Unit is to advocate for the least restrictive placement or disposition alternative, which will best meet the juvenile's individualized needs. Our Unit will argue for the juvenile to remain at home and in school with outpatient services, whenever necessary, in lieu of unwarranted and costly out-of-home placements. To achieve that goal, our Unit will utilize the services of a licensed social worker, who will meet with the juvenile and their family as soon as practical, review relevant records, and provide a comprehensive assessment to counsel and the court, when necessary, to allow for an informed decision. Our licensed social worker will also actively assist juveniles in placement and follow their progress to allow our attorneys to petition the Court to send our children home when placement is no longer needed.

Our Unit will strive to professionally and personally attend to the needs of each juvenile to prevent recidivism, to help them develop into productive members of society and to deter them from entering the criminal justice system as adults.

As our office receives a copy of the juvenile's written allegation approved for prosecution by the District Attorney's Office early on, our attorneys will continue our current practice of interviewing juveniles and their parents/legal guardians as soon as possible in a calm office setting. Our lawyers will explain the juvenile court process, discuss their legal options and advise juveniles of their rights in a confidential manner. We will continue our policy to provide legal representation at the juvenile's introductory intake interview with the Juvenile Probation Office and to advocate for an informal adjustment or diversionary program, whenever applicable, which avoids the case being formally filed, taken to Court, and an adjudication of delinquency.

Our Unit will work diligently to investigate disputed factual issues, perform necessary pre-adjudication preparation and file pre-trial and post-disposition motions and appeals to challenge contested issues and for any juvenile who disagrees with their result in Juvenile Court. Our Unit will also work to expunge juvenile delinquency records, whenever allowed by law, to enable the juvenile to have a fresh start in adulthood.

We will continue to meet monthly with the District Attorney's Office, Juvenile Probation Office, and the Juvenile Court Judge to discuss ways to improve our system, as well as participate in the Luzerne County Juvenile Justice Task Force.

Our lawyers will be committed to actively attending juvenile defender training seminars sponsored by the Juvenile Defenders' Association of Pennsylvania, the National Juvenile Defender Center, and the Juvenile Court Judges' Commission, to insure that our attorneys have the most up-to-date legal knowledge available to the juvenile justice community.

The task before this office is daunting as the approach being taken has never before been done in this state. However, we believe that this new innovative Juvenile Defender Unit, with its proactive approach to juvenile advocacy, will insure that each child receives the effective representation of counsel that our Constitution mandates.

Sincerely,
Al Flora, Jr., Esq. – Chief Public Defender
Cheryl Sobeski-Reedy, Esq. – Juvenile Defender

ATTACHMENT 9



**LUZERNE COUNTY
DEPARTMENT OF PROBATION SERVICES
JUVENILE DIVISION
PENN PLACE BLDG., SUITE 329
20 N PENNSYLVANIA AVE.
WILKES BARRE, PA 18701-3507
(570) 825-1552**

Luzerne County Juvenile Justice Task Force – School Sub-Committee

- Formed at May 10, 2010 Task Force meeting at Misericordia University
- Sub-committee members
 - Judge David Lupas
 - Judge Tina Polacheck Gartley
 - Jacqueline Musto Carroll – District Attorney
 - Jeff Tokach – 1st Assistant District Attorney
 - Al Flora – Public Defender
 - Judy Shopp – Department of Education
 - Keith Keiper – Kingston Police Chief
 - Kathy Stocki – Advocacy Alliance
 - Joe DeVizia – Luzerne County Human Services
 - Jim Davis – Luzerne County MH/MR
 - Michael Zimmerman – Family Service Association
 - Mary Jo Shisko – Luzerne Intermediate Unit
 - Susan Blackburn – CJJTR
 - Theresa Kline – Luzerne County JPO
- Initial Sub-committee meeting was held at the LIU on June 8, 2010
 - Discussion occurred regarding the timelines of meeting with Luzerne County School Officials. All parties agreed that the initial meeting should be held with superintendents and follow up with other school officials if necessary.
 - Established date of August 10, 2010 to meet with superintendents.
- A planning session occurred on July 13, 2010 at JPO.
 - Agenda was developed for the superintendents meeting.

- Meeting with LIU/Superintendents/Directors of CTC on August 10, 2010 minutes:

In attendance:

9 superintendents

2 career/technical center directors

3 LIU representatives

Judge David Lupas

Jeff Tokach

Al Flora

Angie Zera

Mike Zimmerman

Jim Davis

Jackie Musto-Carroll

Mamie Phillips

John Johnson

Theresa Kline

Joe DeVizia

Mary Jo Shisko

Theresa Kline – Reported on the work of the Task Force since inception and discussed the purpose and importance of the day's agenda.

Hal Bloss – *Some proactive programs occurring in the county: Lighthouse Academy, School Behavior Teams for at-risk youth. *Some programs in the works: Licensed social workers in schools to ensure proper treatment of students being funded through the individual districts. *Some reactive programs for kids who are not able to function in the regular school setting: ALC and Drop-out Prevention Program. The districts are currently revising the ALC program to include a therapeutic component, a vocational component and a recreational component. *The LIU holds a Principals Academy which would give the opportunity for on-going discussion. School Attendance and Zero-Tolerance are problems within the school setting – the schools need to be consistent, but haven't been able to, which results in problems with attorneys and parents when discipline varies.

Judge Lupas – Reported an overview of some of the major changes which have occurred within the Court system. Request was made for open dialogue to occur between schools and justice system.

Jackie Carroll – Reported the changes which have occurred within the DA's office.

Al Flora – Reported the on-going changes which have occurred within the PD's office.

John Johnson – Reported the on-going changes within the JPO.

Open Discussion:

- School-based JPO critical – not only with probation clients, but also as a means to prevention – would like to see more time in the schools
- Absenteeism an on-going issue which needs to be a priority – representatives have met over the last 15 years with the District Justices to try and improve the truancy situation, but don't feel there has been much improvement – no consistency on the part of the District Justices – funding cuts only exacerbate the issue.

- Each district has a school board member who sits on the LIU board and attendance at a meeting would be the opportunity to reach each school board without having to attend every district's school board meeting.
- Jeff Namey, Wilkes Barre School District, recommended intervening with the younger students at the elementary level as research suggests that is the age shown to have a positive impact upon school performance, truancy, and legal difficulties.

Joe DeVizia – Encouraged the continued good work of the Task Force and importance of collaboration between the schools, the courts and the social service agencies.

Next Step:

Representatives from the sub-committee attend the LIU Principals Academy and the LIU Board meeting.

- A planning session occurred on September 2, 2010 at the LIU to plan follow-up forums with school personnel.
 - Committee agreed to present 3 separate forums:
 - December 10, 2010 – A.M. and P.M. sessions at the LIU for principals and assistant principals of public/private/parochial schools
 - December 15, 2010 – A.M. session at Luzerne County Community College for other school personnel (i.e., guidance counselors, home and school visitors, school resource officers, dean of students)
- A planning session is scheduled for Monday, October 18, 2010 at the LIU to discuss the agenda for the upcoming forums.

ATTACHMENT 10

October 7, 2010

Victims Resource Center, a community-based agency that has been providing services to victims of crime in Luzerne County for thirty-six years, has been a member of this statewide Task Force on Juvenile Justice Issues since June 2009.

Initially, Intra-agency meetings were held with VRC's Executive Director, Clinical Director, Supervisor of Court Services and Supervisor of Client Services to review the history of VRC VOJO cases, and to plan and coordinate VRC's response to this crisis. It was determined that VRC provided support services to approximately 540 victims and their significant others during the time period of 2003 – 2008. While VRC wanted to make sure that all of these individuals received outreach, the need began to outweigh the resources that were available. VRC applied for assistance through the Pennsylvania Commission on Crime and Delinquency and in September 2009, through an augmentation to their Victims of Crime Act funds, hired a full-time Counselor/Advocate to conduct outreach to all victims of juvenile offenders that the program served during this time frame.

Since that time, VRC has worked to ensure that services are offered in the most victim-sensitive way possible to all original victims through phone contact and an outreach letter. VRC has provided support services to these original victims including; outreach, advocacy, crisis intervention, counseling, assessment, information and referral, emotional support and follow-up.

As a result of participating on the Task Force, VRC was made aware of the opportunity for community members in Luzerne County to submit Community Victim Impact Statements. Through use of materials provided through the Middle District Office of the United States District Attorney's website, VRC created a simple instruction sheet for completing and submitting Community Victim Impact Statements and offers support and assistance in this process. This information has been passed on to all VRC staff so that they may share it with their clients and other community members. Additional meetings were held with the Luzerne County District Attorney's Office Victim Witness Unit to clarify the role of VRC in this community crisis. Cooperatively, Victims Resource Center and the Victim Witness Unit conducted training for Help Line, a local referral service and first response point



www.vrcnepa.org

1.866.206.9050 Hotline

570.823.0765 Office
570.823.9115 Fax
570.208.4920 TTY
support@vrcnepa.org Email

71 North Franklin Street
Wilkes-Barre, PA 18701
570.823.0765 Hotline

119 Warren Street
Tunkhannock, PA 18657
570.836.5544 Hotline

616 North Street
Jim Thorpe, PA 18229
570.325.9641 Hotline

for crisis calls in Luzerne County, on managing calls regarding Juvenile Justice System issues.

VRC was present at all of the hearings held in Luzerne County by The Interbranch Commission, and the February 1st and 2nd hearings held in Harrisburg to hear the testimony of Pennsylvania's Victim Advocate, Carol Lavery. VRC has found that Ms. Lavery's testimony echoes the sentiments and concerns of original victims that have received services through the agency. These original victims have consistently conveyed a loss of faith in the system and a resistance to testifying themselves. They continue to experience not only the impact of their original victimizations, but the added victimization of having their cases vacated and expunged. Attendance at these hearings has allowed VRC staff to witness the process through which solutions are being sought and to relay that information to original victims who were unable or hesitant to attend.

VRC support services continue to be available for original victims, follow-up contacts with clients are being made regularly and a third round of outreach attempts is currently being conducted by letter. Continued participation on this statewide Juvenile Justice Task Force, as well as some of its subcommittees, ensures that the voices of original victims are heard.

ATTACHMENT 11

LUZERNE COUNTY
OFFICE OF HUMAN SERVICES
111 NORTH PENNSYLVANIA AVENUE - SUITE 110
WILKES BARRE PA 18701-3897

HUMAN SERVICES UPDATE

"No Wrong Door" was designed to enable the system to be more accessible and friendly to people. It was particularly established for those individuals and families who are in several systems at the same time. Thanks to the participation of our Human Service Systems, there have been several positive outcomes.

1. An Information and Referral Form that can follow a person through the system.
2. The Family Integrative Resource Team - an initiative developed within Children and Youth and brings together the various systems to discuss planning for individuals and families.
3. Multi-Discipline Clinic Team that is another process that enables agencies and systems to discuss the complex needs of individuals and families who are in several systems simultaneously.
4. Children and Youth have various planning meetings where in representatives from other systems are invited. This has been a great asset to plan for the comprehensive needs of individuals and families

"No Wrong Door" also has several sub-committees:

1. Cross Systems Training: In March we had a major training session concerning "trauma". In October, Diversity will be the theme for another Major Training Session.
2. Diversity - Because of its importance, Diversity is one of our committees.
3. ICSP (Integrated Children's Service Planning). The ICSP Process, which is a major planning process within the Children & Youth System, has been an excellent representation of the community, including a few youth, have participated. Some of the goals have been to reduce Child Abuse, work closely with NGA (National Governors' Association) to reduce placement of children, develop programs that would impact the issue of substance abuse (parental) which has been responsible for the placement of children.

LUZERNE COUNTY
OFFICE OF HUMAN SERVICES
111 NORTH PENNSYLVANIA AVENUE - SUITE 110
WILKES BARRE PA 18701-3897

Children & Youth

Children & Youth has participated in the National Governor's Association (NGA). This has been an excellent process, with the chief goal of keeping the family safely intact and providing permanency for children and adolescents. The process has been led by, Attorney Richard Gold who is the Deputy Secretary for Children & Youth. There has been significant reduction in placements as a result of this process.

The Integrated Children's Service Planning (ICSP) process has been an extraordinary process bringing many people together on an on-going process. The two chief goals are to reduce the number of children in child welfare placements and to reduce the number of substantiated cases of child abuse.

Children & Youth has in conjunction with Family Services have implanted Family Group Decision Making which is an evidenced based program as well as Family Reunification which is a "Promising Practice Program". The focus of these programs is to assist in keeping the family intact and provide permanency for children and adolescents.

Children and Youth are also partnering with the District Attorney to provide a support person to assist with the Youth Panels which are being developed by the District Attorney as a diversion for youth from entering the Justice System.

Mental Health / Mental Retardation

The MH/MR provided funds to the Public Defender to set up a "Special Youth Unit". This is a model and maybe one of the first in the State.

MH/MR has also had a major presence at many meetings as part of multi-discipline planning. This has been very helpful to children and families.

MH/MR is also in the process of hiring a Children's and Adolescents Service System Project (CASSP) Person.

Drug & Alcohol

Drug & Alcohol - has had a major presence at many multi-discipline meetings. This has been highly important because of the many people in our area who are victims of substance abuse. They are also working closely with Mental Health concerning those individuals who have co-occurring issues.

**LUZERNE COUNTY
OFFICE OF HUMAN SERVICES
111 NORTH PENNSYLVANIA AVENUE - SUITE 110
WILKES BARRE PA 18701-3897**

Health Choices - Managed Care for Behavioral Health

Northeast Behavioral Health Care Consortium (NBHCC) and Community Care Behavioral Health Care Organization (CCBHO) have also been very present in the areas of planning and Clinical Matters.

ATTACHMENT 12



Mental Health Association in Pennsylvania

An Affiliate of Mental Health America

April 15, 2010

Honorable Judge John M. Cleland and Interbranch Commission

From the perspective of a state level advocate, the County and Commonwealth response to the Luzerne County corruption scandal from government agencies has been heartening and unprecedented. The Luzerne County Taskforce has been an effective mechanism to support that response. With the excellent leadership of Carol Lavery and the Victim's Advocate office, the Taskforce has developed into a fast-track coordinating body to identify and respond to immediate needs as well as longer term issues which have arisen. I encourage the Interbranch Commission on Juvenile Justice to reinforce the Taskforce's commitment to accessible, responsive information sharing by embedding that value as central to the Commission's recommendations. Certainly everyone, from the Interbranch Commissioners, to the families I have interviewed in Luzerne County, identifies that the secret nature of this corruption, and the accompanying lack of helpful information for families on resources to protect themselves and their children, was the core factor that allowed this aberrant and egregious event to occur. The development of measures which address the current system's capacity to provide timely and accessible information to those impacted by the Juvenile Justice system is essential to your charge of averting future occurrences of the practices proliferated during this scandal. Thank you for your work on behalf of justice, and the welfare of children, their families and the community.

Wendy Luckenbill

Child Policy Coordinator, Mental Health Association in Pennsylvania

Chair, Family Involvement Workgroup, Balanced and Restorative Justice Implementation
Committee, Pennsylvania Council of Chief Juvenile Probation Officers

wluckenbill@mhapa.org

717-346-2255 Ex 3

ATTACHMENT 13



Children's Service Center of Wyoming Valley (CSC) along with the Advocacy Alliance offered support groups for youth impacted by the Juvenile Justice scandal in Luzerne County.

The Support Groups were scheduled and publicized; however, no youth involved in the scandal chose to attend.

CSC remains available to offer this support to the youth if needed.

Sincerely,

Michael P. Hopkins
President/CEO

ATTACHMENT 14



Family Service Association of Wyoming Valley

31 West Market Street, Wilkes-Barre, PA 18701-1304 • Telephone (570) 823-5144 • Fax (570) 829-5054

e-mail: fsawv.exec@verizon.net

"Stronger Communities through Stronger Families"

Board of Directors

John Thalenfeld, *President*
Paula Jump, *First Vice-President*
Joan Zelnick, *Second Vice-President*
Linda B. Ross, *Treasurer*
Frank B. Koronkiewicz, *Secretary*

Syreeta D. Anthony
Alice Baran
Marsha A. Basco, Esq.
Michael Brady
Sally Connor
Carol Douds
Lita Insalaco
Michael O'Boyle, CPA
Sandra J. Orlando
Ellen Smith
Eugene D. Sperazza, Esq.
Tracy Williams

Life Members

Richard M. Ross

Trustees

Dr. William V. Lewis, *President*
John Corcoran, *Vice-President*
Linda Casey, *Treasurer*
Sally Connor, *Secretary*

Charles Barber
James Gallagher
Martin Meyer, Esq.
Frank Nockley
Joseph Perugino
Robert Silvi

EXECUTIVE DIRECTOR

Michael Zimmerman



HELP LINE

1-888-829-1341

(570) 829-1341

Fax (570) 829-5055

www.helpline-nepa.info

helpline@fsawv.org

Statement of the Family Service Association of Wyoming Valley Activities:

Victims' Resource Center and the Luzerne County District Attorney's Victim/Witness staff provided training to the Help Line staff of Family Service Association of Wyoming Valley on victim advocacy on September 22, 2009.

The Help Line staff has updated its resource database to include resources available to juvenile crime victims and victims of the juvenile justice system.

Daily monitoring of unfolding events and additional resources that come to light has occurred over the past year.

Voluntary consumer slots have been made available through the High Risk Youth and Family Strengthening program (HRY), in order to provide employment procurement, job training, and college planning.

An additional High Risk Youth Targeted Case Manager has been added to the HRY team. This worker will focus on youth with drug and alcohol problems or youth placed in in-patient treatment facility. The goal of this position is to reduce drug and alcohol relapse and prevent future placement. Case Management will also focus on employment procurement, job training, academic progress in schools, and college planning. Cases are being accepted.

Family Group Decision Making and the High Risk Youth and Family Strengthening program has the capacity to service families as needed.

Overview;

The Family Service Association of Wyoming Valley is a private, non-profit, non-sectarian agency that provides a variety of services to the community that impact juveniles and their families, including professional counseling, High Risk Youth Re-Entry, Help Line (a 24/7 information, referral, and crisis access), Family Group Decision Making, Anger Management, Batterer's Intervention Services, and Time Limited Family Reunification. Of these programs, there has been limited to no requests for service pursuant to the juvenile justice anomalies experienced by Luzerne County over the past year. The agency, however, remains vigilant to the needs of the community.

Help Line, which experiences an annual average of 100,000 calls per year and is the access point for after-hours calls to Victims' Resource Center, mental health crisis services, children and youth emergency services, and drug and alcohol emergency services, continues to monitor all calls for services relative to juvenile justice concerns. Help Line and Family Service Association of Wyoming Valley is actively involved in the Juvenile Justice Task Force and has representation on the Public Affairs sub-committee.

The High Risk Youth Re-Entry program has not experienced service requests related to the Luzerne County Juvenile Justice system break-down, but it stands ready to assist

Visit us at www.fsawv.org