

**SUPREME COURT OF PENNSYLVANIA  
CRIMINAL PROCEDURAL RULES COMMITTEE**

**ADOPTION REPORT**

**Amendment of Pa.R.Crim.P. 574**

On September 11, 2023, the Supreme Court amended Pennsylvania Rule of Criminal Procedure 574 governing the admission of a certified forensic lab report in lieu of the expert appearing and testifying in court. The Criminal Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

The Juvenile Court Procedural Rules Committee was asked to consider a new Rule of Juvenile Court Procedure similar to Pa.R.Crim.P. 574 (Forensic Laboratory Report; Certification In Lieu of Expert Testimony). The proposed rule would govern the admission of a certified forensic lab report in lieu of the expert appearing and testifying in court. One reason for the requested rulemaking was to increase consistency among the bodies of rules for prosecutors and defenders crossing over from criminal proceedings to delinquency proceedings. To that end, the Juvenile Court Procedural Rules Committee published for comment proposed Pa.R.J.C.P. 405. See 52 Pa.B. 7266 (November 26, 2022).

One commenter, the American Association of Laboratory Accreditation, recommended that the Comment not name specific certifying organizations because the certifying organization contained in the Comment no longer exists as named. Instead, the Association suggested referencing the forensic testing standard and the standard for the accrediting body. The Association provided information as to the specific standards. That suggestion was incorporated into the Comment to Pa.R.J.C.P. 405. Because the same certifying organization was referenced in the Comment to Pa.R.Crim.P. 574, the Criminal Procedural Rules Committee has likewise incorporated the Association's suggestion into the Comment to Pa.R.Crim.P. 574. Additionally, Pa.R.Crim.P. 574 has been restyled, subdivision (d) and (e) have been deconstructed to improve readability, and a citation to authority has been corrected.

The following commentary has been removed from Rule 574:

Official Note: New Rule 574 adopted February 19, 2014, effective April 1, 2014.

*Committee Explanatory Reports:*

Final Report explaining new Rule 574 providing for notice and demand procedures regarding forensic laboratory reports published with the Court's Order at 44 Pa.B. 1311 (March 8, 2014).

The amendment of Rule 574 becomes effective January 1, 2024.