

RULE 1302. INTER-COUNTY TRANSFER

A. Transfer. A court may transfer a case to another county at any **[time]stage of the dependency proceedings.**

1) Prior to the transfer of the case, the transferring court and receiving court shall communicate regarding jurisdiction of the case.

2) If there is an agreement to transfer the case:

a) the transferring court shall enter an order transferring the case; and

b) the receiving court shall enter an order accepting jurisdiction and scheduling the next court proceeding in accordance with these Rules.

B. Transmission of official court record. If the case is transferred pursuant to paragraph (A):

- 1) the transferring court shall transfer certified copies of all documents, reports, and summaries in the child's official court record to the receiving court; and
- 2) the county agency of the transferring court shall transfer all its records to the county agency where jurisdiction has been transferred.

COMMENT

Prior to the transferring of a case to another judicial district, the judge of the transferring court is to communicate with the judge of the receiving court. See paragraph (A)(1). Communication is essential to ensure all the details of the case are conveyed and any issues are resolved. If there is an agreement between the judges to transfer, each judge is to issue an order. The transferring court is to enter an order: 1) transferring the case to the receiving court; and 2) ordering the official court record and county agency records to be transferred with the case. See paragraphs (A)(2)(a) & (B). Pursuant to paragraph (A)(2)(b), the receiving court shall: 1) enter an order accepting jurisdiction of the case; and 2) schedule the next court proceeding.

To ensure there is no interruption in services to the child, the transferring county is to continue services until the case has been transferred officially by the entrance of court orders pursuant to paragraphs (A)(2)(a) & (b).

See 42 Pa.C.S. § 6321.

RULE 1515. DISPOSITIONAL ORDER

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COMMENT

See 42 Pa.C.S. §§ 6310, 6351.

If the dispositional order changes custody of the child, the order should be filed and docketed in Juvenile Court and in any existing custody case in Civil Court under the Domestic Relations docket.

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RULE 1608. PERMANENCY HEARING

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D. Court's findings.

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3) Transition plan for children eighteen years of age or older.

a) A hearing shall be held at least ninety days prior to the child turning eighteen years of age for the purpose of approving a transition plan.

b) Prior to the hearing, the child shall have the opportunity to make decisions about the transition plan and confer with the county agency about the details of the plan. The county agency shall provide the transition plan to the court and the plan shall, at a minimum, include:

i) the specific plans for housing;

ii) a description of the child's source of income;

iii) the specific plans for pursuing educational or vocational training goals;

iv) the child's employment goals and whether the child is employed;

v) a description of the health insurance plan that the child is expected to obtain and any continued health or behavioral health needs of the child;

vi) a description of any available programs that would provide mentors or assistance in establishing positive adult connections;

vii) verification that all vital identification documents and records have been provided to the child;

viii) a description of any other needed support services; and

ix) notice to the child that the child can request resumption of juvenile court jurisdiction until the child turns twenty-one years of age if specific conditions are met.

c) At the hearing, the court shall review the transition plan for the child. If the court is not satisfied that the requirements of paragraph (D)(3)(b) have been met, a subsequent hearing shall be scheduled.

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COMMENT

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The court is to move expeditiously towards permanency. A goal change motion may be filed at any time.

Pursuant to paragraph (D)(3)(b), the county agency is to assist the child and provide all the support necessary in developing a transition plan. See 42 U.S.C. § 675 (5)(A)-(H).

Pursuant to paragraph (D)(3)(c), the court is to approve a transition plan that is suitable for the child and that has been personalized at the direction of the child.

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RULE 1610. PERMANENCY HEARING FOR CHILDREN OVER EIGHTEEN

A. **Purpose and timing of hearing.** For every case for children over the age of eighteen, the court shall conduct a permanency hearing at least every six months for purposes of determining:

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- 2) whether the transition plan of the child is consistent with Rule **1608(D)(3)** **[1631 (E)(2)]**;

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RULE 1631. TERMINATION OF COURT SUPERVISION

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E. Children eighteen years of age or older.

- [1) Before the court can terminate its supervision of a child who is eighteen years of age or older, a hearing shall be held at least ninety days prior to the child turning eighteen years of age.**
- 2) Prior to the hearing, the child shall have the opportunity to make decisions about the transition plan and confer with the county agency about the details of the plan. The county agency shall provide the transition plan to the court and the plan shall, at a minimum, include:**
 - a) the specific plans for housing;**
 - b) a description of the child's source of income;**
 - c) the specific plans for pursuing educational or vocational training goals;**
 - d) the child's employment goals and whether the child is employed;**
 - e) a description of the health insurance plan that the child is expected to obtain and any continued health or behavioral health needs of the child;**
 - f) a description of any available programs that would provide mentors or assistance in establishing positive adult connections;**
 - g) verification that all vital identification documents and records have been provided to the child;**
 - h) a description of any other needed support services; and**
 - i) notice to the child that the child can request resumption of juvenile court jurisdiction until the child turns twenty-one years of age if specific conditions are met.**
- 3) At the hearing, the court shall review the transition plan for the child. If the court is not satisfied that the requirements of paragraph (E)(2) have been met, a subsequent hearing shall be scheduled.**
- 4) The court shall not terminate its supervision of the child without approving an appropriate transition plan pursuant to Rule 1608, unless the child, after an**

appropriate transition plan has been offered, is unwilling to consent to the supervision and the court determines termination is warranted.

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COMMENT

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[Pursuant to paragraph (E)(2), the county agency is to assist the child and provide all the support necessary in developing a transition plan. See 42 U.S.C. § 675 (5)(A)-(H).

Pursuant to paragraph (E)(3), the court is to approve a transition plan that is suitable for the child and that has been personalized at the direction of the child.]

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