

Allegheny County Juvenile Court Rules



Juvenile Court Dependency Rules

And now, to wit this 10th day of March, 1987, pursuant to action of the Board of Judges, the within local rules affecting the Juvenile Section of the Family Division of the Court of Common Pleas are adopted effective upon publication in the Pennsylvania Bulletin.

By the Court

MICHAEL J. O'MALLEY,
President Judge

Allegheny County Juvenile Court Dependency Rules

Rule 1 *Notice of Proceedings.*

- A. Notice of the time, date and place of any hearings shall be given to all parties and attorneys of record by Children and Youth Services unless a Court order places this responsibility on another party.
- B. Whenever feasible, the Court also shall give notice to all parties and attorneys of record of the next Court hearing during the hearing in which the parties and their counsel are present.
- C. If a party is not present at a Court hearing, Children and Youth Services shall file a certificate of notice which sets forth the manner in which notice of the time, date and place of a hearing was provided. Alternatively, this information may be presented through testimony placed on the Court record.

Rule 2 *Service.*

- A. Except as provided in paragraph B of this rule, dependency petitions shall be served upon the parties in conformity with the service requirements of Rule 411 or Rule 412 of the Pennsylvania Rules of Civil Procedure.
- B. Service of the dependency petition upon the children for whom a dependency finding is sought shall be made by personal service or by first class mail addressed to the attorney for the children, and service of the petition upon any other party who is already represented by an attorney of record shall be made by personal service or by first class mail addressed to this attorney and by first class mail addressed to or personal service upon the party.
- C. The petition shall begin with a notice to defend in substantially the form set forth in FORM D of these rules.

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- D. A certificate of service shall be filed with the Prothonotary of the Juvenile Section within five days of service and prior to the hearing date.

- E. Service is complete upon a party when:
- (1) a party or his or her counsel is present at any hearing involving the dependency proceeding, and does not object to jurisdiction of the Court, or;
 - (2) the certificate of service filed with the Court shows that the party was personally served by a competent adult, includes a return of the registered mail receipt personally signed by the party, shows compliance with paragraphs A or B of this rule, or shows compliance with a special order obtained by petition.
 - (3) Upon written petition, this Court finds other evidence satisfactory to the Court.
- F. If a parent of a child cannot be located or identified, Children and Youth Services shall file an affidavit setting forth the nature and extent of the investigation which has been conducted to ascertain the identity, whereabouts and residence of the parent.
- G. Any petition, motion, or other legal paper other than the dependency petition shall be served pursuant to Rule 440 of the Pennsylvania Rules of Civil Procedure. Where a party is represented by a Court-provided Allegheny County Bar Association Parent Advocate, the party shall also be served by leaving a copy of the legal paper for or by mailing a copy to that party at his or her last known address. Any party serving such legal paper shall file with the Prothonotary of the Juvenile Section within five days of service a certificate of service.

Rule 3 *Conduct of Shelter Hearing.*

- A. The shelter hearing is an informal hearing to determine whether shelter care is required. Testimony may be in narrative form. Ordinarily, the Court will consider only evidence which is relevant to the issue of whether the child should remain in shelter care pending a dependency hearing.
- B. The parties or their counsel may at this time (1) advise the Court as to any stipulations that relate to future hearings or any agreements concerning future placement and (2) make requests for disposition alternatives which, if reasonable, should be reviewed by Children and Youth Services.
- C. The parties or their counsel may waive the requirement for a hearing of the dependency petition within 10 days of the filing of the dependency petition. Also, the Court will consider the request of any party to schedule the hearing beyond this ten (10) day period.

- D. Any parent to an action who is indigent and cannot afford counsel, may request representation by a Court-appointed counsel at the beginning of the shelter hearing for purposes of the shelter hearing and future hearings.

Rule 4 *Motions/Petitions Filed by Private Parties.*

- A. All motions and petitions, with the exception of dependency petitions, shall be presented in person to the judge to whom the case has been assigned. These motions and petitions shall be presented at 9 a.m. when the judge is sitting in Juvenile Court.
- (1) If that judge is unavailable and an emergency situation exists, the motion or petition shall be presented to another judge.
 - (2) If a case has been assigned to a judge no longer sitting in the Juvenile Section, the motion or petition shall be presented to the Administrative Judge.
 - (3) If a case has not been assigned to a judge, the motion or petition shall be presented to the Administrative Judge or to the judge assigned to hear shelter-detention hearings on that day.
- B. Dependency petitions filed by private parties shall include an order of Court in conformity with FORM A. These petitions shall initially be presented to a Motions Judge. If a hearing is granted by the Court, the petition, with a signed order, shall be presented to the Calendar Control Office for assignment to a judge and schedule. After the petition is assigned a hearing date, the petition shall be filed in the Prothonotary's Office.

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- C. All motions or petitions, except as provided in paragraph H, shall include a Notice of Presentation and Certificate of Service combined on a separate page of the motion or petition immediately following the identification sheet. The notice shall be in conformity with FORM B.

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- D. All motions or petitions, except as provided in paragraph H, shall be mailed by first-class mail or otherwise delivered to all parties no later than five days prior to the date of presentation.
- E. Notice shall be given to counsel for each party. If a party is not represented by counsel or is represented by an Allegheny County

Bar Association Parent Advocate, notice shall be given to that party at his or her last known mailing address.

- F. All motions or petitions shall contain a proposed order of Court.
- G. The moving party shall serve upon any party not appearing a copy of the order entered by the Court.
- H. Motions for continuances shall be governed by the following:
 - (1) all motions shall be in conformity with FORM C;

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- (2) oral notice of a motion for continuance is sufficient, except as provided in subparagraph 6;
- (3) counsel, or an unrepresented party, may orally consent to such a motion;
- (4) if the motion is contested, the moving party shall present the written motion or FORM C to the appropriate judge on a date agreed upon by the parties. Reasonable oral notice of the presentation is sufficient;
- (5) if the motion is uncontested, the moving party shall present the motion to the appropriate judge. A copy of the order of Court shall be served upon all parties not present; and
- (6) if the hearing has been specially scheduled by a judge (or if more than ONE hour has been set aside for the hearing), then the motion must be presented to the appropriate judge no later than five days prior to the hearing date, with notice to be given in accordance with paragraphs 3, 4 and 5 of Rule 4(H). If the circumstances do not permit full compliance with this timetable, the attorney shall promptly give notice to the parties and present the motion as soon as practicable. Motions seeking a continuance of specially scheduled hearings will be granted only upon a showing of exigent circumstances.

Rule 5 ***Dependency Hearing.***

- A. The order and manner of the presentation of evidence rests in the Court's discretion. Formal rules of evidence shall apply in the adjudication stage of the proceedings. All documents which a party wishes the Court to consider, including Allegheny County Children and Youth Services addenda, must be presented and

- moved into evidence. A party shall not mail or present any addenda or reports to the Court prior to the time of hearing.
- B. At the adjudication stage of the proceeding, a party may seek to introduce an expert's written report as the testimony of the expert only if the expert is present for cross-examination or if all parties agree to the report's introduction.
 - C. If a child is found to be dependent, the Court will ordinarily proceed immediately on the same day to make a proper disposition of the case. Formal rules of evidence will not be applied in the disposition stage of the proceeding, in accordance with the Juvenile Act.
 - D. A Court order directing the Sheriff to transport a parent incarcerated in jail to a Court hearing may be obtained only upon a petition presented pursuant to Rule 4.

Rule 6 *Expert Reports.*

- A. Whenever feasible, expert reports shall be provided to all counsel of record, or the parties if unrepresented by counsel, 48 hours prior to a hearing at which the report is to be presented. Any report to be presented shall be sent to counsel or the parties only, and not to the Court. Any party who seeks to present the testimony of an expert whose report has not been provided to the other parties or their counsel in accordance with this rule shall, upon objection of any party, explain the failure to comply with this rule.

Rule 7 *Change in Placement.*

- A. Except as provided in subparagraph B, unless a Court order specifically permits Children and Youth Services to change a child's placement without further Court authorization, a child's placement may not be changed without Court approval obtained through a Court proceeding. FORMS E and F are examples of placement orders.

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- B. Children and Youth Services may change a child's placement without further Court authorization if all parties, including counsel for the child, agree to the change in the placement of a child. Within five days after the placement is changed pursuant to this subparagraph B, Children and Youth Services shall serve on

all parties and file with this Court a writing which sets forth the placement change and the manner by which the parties consented to the placement change.

- C. This rule shall not prevent Children and Youth Services from changing temporarily the placement of a child in an emergency situation provided that a shelter hearing is scheduled within 72 hours to seek Court approval for the placement change.
- D. This rule shall not prevent Children and Youth Services from returning a child to a parent or guardian without Court authorization unless the attorney for the child, who shall receive notice of the proposed return, requests a Court hearing prior to the child's return.



Allegheny County
Juvenile Section
Administrative Orders



**IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA****FAMILY DIVISION—JUVENILE SECTION****Administrative Docket No. 1114 of 1998****In re: ESTABLISHMENT OF A FORMAL COURT SESSION
TO RESOLVE MOTIONS REGARDING
DEPENDENCY ACTIONS****Administrative Order of Court**

And now, this 26th of May 1998, in order to provide a prompt and efficient mechanism for the resolution of appropriate disputes and handling of uncontested matters, it is hereby ordered as follows:

1. Motions related to any aspect of dependency may be presented to the motions judge at 8:30 a.m. on every Monday, Wednesday and Friday this Court is in session.
2. The front page of each motion shall be a cover sheet. The second page shall be a notice of presentation and certificate of service, unless the motion is consented to in writing. The notice of presentation and certificate of service shall be in the form attached hereto, made a part hereof, and designated exhibit "A." The substance of the motion shall be contained on the third page and any additional pages needed to complete it. The final page attached to the motion shall contain a proposed order setting forth the relief sought through the motion.
3. The notice of presentation shall state the date, time and place where the motion will be presented.
4. The certificate of service shall indicate that at least seven days notice of presentation has been provided in the absence of an emergency or the consent of the opposing party or counsel. In an emergency situation, notice of less than seven days can be provided, but as much notice as is practical under the circumstances of the emergency shall be provided. Absent averments of irreparable harm, motions will not be granted in the absence of notice appropriate to the emergency situation.
5. If a motion is consented to, the title of the motion on the cover page and in its body should designate it as a "consent motion to ..." For instance, if the motion seeks to return a child to its home,

it should be stylized a “consent motion to return child to home.” If such motion is not consented to, it should be merely designated a “motion to return child to home.”

6. On the same date that a motion is presented, the party who presents the motion the motions judge should obtain any required hearing date from the juvenile court scheduling clerk, file the motion and court order entered as a result thereof with the juvenile section prothonotary and serve the resulting order on all counsel or opposing parties.
7. Motions court is not a hearing court. Accordingly, unless the motions judge specifically designates otherwise, no witnesses should be brought to motions court, as evidence will generally not be heard.
8. Notwithstanding, the creation of a motions court hereby, it is recognized that certain motions may require the taking of evidence or the involvement of the trial judge most familiar with the matter under scrutiny. Nothing herein precludes the presentation of a motion directly to the trial judge responsible for a case during a juvenile court dependency proceeding, if such presentation is more appropriate. However, nothing precludes the trial judge from denying the motion without prejudice and directing that it be presented in motions court.

BY THE COURT,
MAX BAER, A.J.

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**IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA**

FAMILY DIVISION—JUVENILE SECTION

Administrative Docket No. 1116 of 1998

In re: SHELTER HEARING PROCEDURE

Administrative Order of Court

And now, this 26th of May 1998, in order to serve the efficient administration of justice in this court, it is hereby ordered as follows:

1. In accordance with §§6332, 6324 and 6325 of the Juvenile Act, a shelter hearing is an informal hearing which must be held not later than 72 hours after a child is placed into shelter to determine whether such shelter is required. A child may be taken into shelter without a prior order of court if it is reasonably believed that the child is suffering from an illness or injury or is in eminent danger from their surroundings, and that their removal from their then current placement is therefore necessary. The child may also be taken into shelter if there is reasonable grounds to believe that the child has run away from his parents, guardian or other custodian. If a child is taken into shelter, such child may be detained to protect his person, to prevent him from absconding from the jurisdiction, or because he has no parent, guardian, custodian or other person able to provide supervision and care for them.
2. Children should only be taken into custody under these facts, and only cases in which children have been taken into custody in accordance herewith should be placed on the shelter list. In all other cases, either emergency relief or subsequent full review should be sought through motions court.
3. Attached hereto and made a part hereof by reference is a new form entitled "Shelter Hearing Scheduling Request." Any individual seeking a shelter hearing shall complete this form and forward it to Judge Baer's Office in the Adult Section of the Family Division which is located at 601 City-County Building. It may be delivered in person, by mail or by fax to 350-3127. It will be reviewed as soon as possible and returned. Unless it appears that the case is not appropriate for a shelter hearing, a shelter hearing date and time will be assigned in conformity with the law

- and the court's schedule. If a shelter hearing is not granted, the moving party may seek further relief through motions court.
4. Shelter hearings shall be held every Monday, Wednesday and Friday promptly at 8:30 a.m., in the Juvenile Court building before Judge Baer. Shelter hearings shall not occur at any other time. Any case not arriving on a timely basis will be continued to a different date.
 5. In accordance with applicable law, no witnesses shall be required at shelter hearings. Counsel and/or parties shall be prepared to summarize their positions.
 6. This order shall be effective June 1, 1998.

BY THE COURT,
MAX BAER, A.J.

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**IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA**

FAMILY DIVISION—JUVENILE SECTION

Administrative Docket No. 366 of 2000

**In re: ESTABLISHMENT OF A UNIFORM SYSTEM
FOR TRANSFER PETITIONS TO JUVENILE COURT**

Administrative Order of Court

AND NOW, this 26th day of July, 2000, it is hereby ORDERED:

1. The Order of May 26, 1998 which vacated paragraphs 17 through 22 the order of April 2, 1996 is hereby vacated in its entirety.
2. Paragraphs 17 through 22 of the order of April 2, 1996 is hereby amended to the following:

(TRANSFER FROM CRIMINAL COURT)

17. Should any Defendant (hereafter referred to as Excluded Actor) seek transfer of his case from Criminal Division to Juvenile Court in accordance with §6322 of the Act, such Excluded Actor shall file a Petition to Transfer (“Petition”) with the Clerk of Courts within ten days after his or her preliminary hearing.
18. The petition shall recite whether the Excluded Actor has had prior involvement with the Juvenile Court (either on the dependency or delinquency side) and, if so, the date of the order and name of the Judge who entered the last order.
19. A copy of the Petition to Transfer shall be mailed or delivered to the Honorable Joseph Jaffe, the Honorable Robert Kelly and, if applicable, to the Judge who entered the last Juvenile Court order if that Judge continues to sit in Juvenile Court.
20. Unless it is necessary to schedule the case before another judge as set forth herein, the petition shall be scheduled for hearing by Judge Jaffe. Hearings shall be scheduled, if possible, so as not to conflict with Judge Jaffe’s civil trial schedule.
23. At the request of the Juvenile Court Judge, the Transfer Petition will be listed for hearing in Juvenile Court.

24. If, due to the civil trial term, vacation or illness, Judge Jaffe is unable to hear the Petition in a timely fashion, Judge Kelly shall assign another judge to hear the case.
25. Judge Jaffe and all Juvenile Court Judges are designated Judges of this Court's Criminal Division for purposes of hearing petitions to transfer in accordance with §3322 of the Act.
26. All petitions shall be heard on an expedited basis, generally within 20 days.
27. The Clerk of Courts shall identify and segregate all case files maintained on Excluded Actors, and upon request make such files available to the presiding judge at the transfer hearing at any time such files are necessary for the orderly administration of justice.
28. If the Excluded Actor's Petition is denied, the case shall proceed in the Criminal Division.
29. If the Excluded Actor's Petition is granted, the criminal case shall halt immediately, and the case shall proceed as a juvenile delinquency proceeding. To the extent the Excluded Actor has been confined in the Allegheny County Jail, he shall be transferred immediately to Shuman. To the extent the Excluded Actor has been free on bail, he/she shall be given notice at the time of the granting of the Petition that a detention hearing shall take place at Shuman Center at a time specified to be within two business days of the granting of the Petition. The notice shall direct the actor to appear at Shuman Center on the date and time specified. The appropriate Juvenile Court personnel shall be given a copy of the notice so as to schedule the hearing.
30. This order shall be effective for all cases in which preliminary hearings are held after July 31, 2000. For all pending cases as of the date of this order to which a criminal division judge has not yet been assigned, Petitions to Transfer must be filed on or before September 8, 2000.

BY THE COURT,
ROBERT A. KELLY, P.J.
K. R. MULLIGAN, A.J.
GERARD M. BIGLEY, A.J.

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY
COUNTY, PENNSYLVANIA**

FAMILY DIVISION—JUVENILE SECTION

Administrative Docket No. A-8 of 2001

**In re: APPOINTMENT OF COUNSEL POLICIES AND
PROCEDURES AND REVISED FEE BILL;
FAMILY DIVISION**

Administrative Order

Now, this 9th day of November, 2001, upon recommendation of the Court's Juvenile Section, it is hereby Ordered that the following policy regulating the appointment of counsel in all Family Division, Juvenile Section cases before the Judges of the Court of Common Pleas of Allegheny County is adopted for cases in which the order for appointment of counsel is made after December 1, 2001.

It is further Ordered that the District Court Administrator of Allegheny County publicize this policy in the Pennsylvania Bulletin forthwith.

By the Court
KATHLEEN MULLIGAN,
Administrative Judge

**Policies and Procedures Governing Court Appointed Counsel for
Delinquency Cases**

- I. General Guidelines
 - A. The appointment of counsel for delinquent Juvenile cases shall be made by the Supervising Judge of the Juvenile Section, her designee or by the Judge or Hearing Officer assigned to the specific case. Each appointment shall require a motion by the Public Defender of Allegheny County, setting forth the basis for the conflict. The Public Defender's office shall, upon reasonable notice of the Court, make itself available to the appointing Judge. Unless there is good cause, motions shall be submitted in writing in advance of the scheduled hearing.

- B. The Supervising Judge of the Juvenile Section will keep a list of eligible attorneys. Attorneys interested in being considered for appointments shall submit a letter and summary of criminal and family division defense experience to the supervising Judge of the Juvenile Section. This list is available for distribution to any Family Division Judge, upon request.
- C. Immediately upon appointment, counsel shall prepare the Appointment Order (Form 24 A Juv. Ct.) for judicial signature. The appointed Attorney shall copy this order to three sources. Blank orders may be picked up in the office of the Judicial Services supervisor. It is important that the appointed attorney completes the order in full, insuring that it contains the JID number, the Docket number, and the Case Log number. The Court Clerk shall make the distribution of the appointment order in Court as follows:
- Original—Prothonotary
 First Copy—District Court Administrator, Fiscal Affairs,
 300 Frick Building, 437 Grant Street, Pittsburgh, PA 15219
 Second Copy—Information Management Dept.
 Third Copy—Appointed Attorney (to be later used with invoicing)
- D. Attorneys receiving appointments agree to accept and adhere to the policies and procedures as set forth in this document including the Pro Bono section.
- II. Fee Schedule
- | | |
|--------------------------|--------------------------|
| A. Necessary Preparation | \$ 50.00 per hour |
| B. Court Appearance | |
| 1. Full Court Day | \$500.00 |
| 2. Half Court Day | \$250.00 (up to 4 hours) |
| C. Expert Fees | |
| 1. Preparation | \$ 50.00 per hour |
| 2. Full Court Day | \$500.00 |
| 3. Half Court Day | \$250.00 (up to 4 hours) |
| D. Investigator Fee | \$ 30.00 per hour |

III. Fee Guidelines

Court-appointed invoices in excess of the following amounts shall require the approval and signature of both the assigned Judge and the Supervising Judge of the Juvenile Section.

- | | |
|--|------------|
| A. Trial (includes pre-trial conference, Cont'd hrgs. def'd hrgs., etc.) | \$1,000.00 |
| B. Plea (investigative & office time or Cont'd Hrgs. resulting in plea) | \$ 750.00 |
| C. Preliminary Hearings | \$ 250.00 |
| D. Expert Fees | \$1,500.00 |
| E. Investigator Fees | \$ 500.00 |
| F. Pre-Trial Conference | \$ 50.00 |

IV. Pro Bono Program

- A. Attorneys accepting appointments under this program shall participate in pro bono work.
- B. Participating attorneys shall submit one pro bono invoice for every four appointments (25%). Attorneys submitting invoices must designate the pro bono case upon submission of the invoice to the assigned judge.
- C. The District Court Administration Fiscal Affairs Office shall maintain a record of all appointments. Policy enforcement shall be the responsibility of the Juvenile Section Administration. Failure to comply with the Pro Bono requirements may result in designation by the Court of pro bono work, upon invoices received.
- D. The District Court Administrator shall report quarterly to the Judges of the Family Division concerning the Pro Bono work of all participating attorneys.

V. Billing Guidelines

- A. Appointed attorney shall submit all invoices to the appointment Judge. The invoice shall be submitted on firm letterhead, include the firm's address and telephone number, date and take the following format:
 1. A chronological listing of appointment work with dates, amount of time devoted to the legal work, and associated expense.

2. Clearly identify miscellaneous expenses (copying, postage, etc.) and include actual original receipts.
 3. Include statements of services rendered by experts and investigators.
 4. Attach a copy of the Appointment Order (Form 24 A Juv. Ct.).
 5. Include a completed Payment Order (Form 24 B. Juv. Ct) for execution by the assigned judge and the Supervising Judge, if necessary.
- B. Counsel must submit requests for payment within 60 days of case completion. For the purpose of this policy, case completion shall be defined as:
1. Not Guilty Verdict
 2. Disposition (if no post-disposition motions)
 3. Disposition of post-disposition motion
 4. Dismissal/Withdrawal of Charges
 5. Acceptance of Consent Decree
 6. Disposition of Appeal
- C. The following limitations are established by the policy:
1. The Court will not reimburse for preparation or closing the case on the same day as the trial/plea/consent decree.
 2. The Court will not reimburse for more than two half days or one full day per attorney per day. The only exception to this standard will be a situation in which counsel is asked to provide representation on-the-spot for a defendant. These cases usually involve little or no preparation or research to provide effective representation. In such case, counsel may invoice at a \$50-per-hour rate for that case, beyond what is being invoiced for the original case that brought counsel to the Court.
 3. The Court will not reimburse for a full day in Juvenile Court if counsel has submitted an invoice for work performed in another division of the Court on the same day.

IV. Billing Procedures

- A. Counsel shall submit their invoice, a copy of the appointment Order, and completed payment order without the Judge's signature. This package is to be submitted to the Administration Secretary of the Juvenile Section.
- B. The Juvenile Section Administration Secretary will record the receipt of such package and pass it to the Administrative Services Clerk who begins a preliminary audit of the invoice to ensure proper rates are being charged and addition is correct. The invoice package is then returned to the Juvenile Section Administration Secretary.
 - 1. Upon determination that there is a discrepancy or question on the invoice, the Juvenile Section Assistant Administrator will contact counsel and attempt to resolve the discrepancy.
 - 2. Upon resolution, the Assistant Administrator will submit the package with a recommendation that the assigned judge sign the Payment Order.
 - 3. If the discrepancy is unresolved, a notation will be made on the invoice and the package will be presented to the assigned Judge. The Judge will enter an appropriate order or direct the attorney to present a motion pursuant to the motions procedures. After an order is entered, the judicial staff will provide a copy to counsel and will forward the package to the Juvenile Section Administration for further processing.
- D. The Administration of the Juvenile Section will forward the invoice package with payment order to the assigned Judge for signature. Once the Judge has approved the payment order and invoice, the package will be returned to the Juvenile Section Administration Secretary and it will be promptly submitted to the Fiscal Affairs Department.
- E. The Fiscal Affairs Department shall promptly review the documents and post the transaction to the Court's respective account, prepare a payment voucher, and forward to the Office of County Controller.

1. If any discrepancy is discovered by the Fiscal Affairs Department, the package will be returned to the Assistant Administrator of the Juvenile Section who will resolve the discrepancy or advise the assigned Judge that a problem exists.
- F. The Court will make every effort to assure payment within 14 days of receipt of the invoice.
- G. The following issues may cause delay in prompt payment and or rejection of any expense or invoice:
 1. Failure to submit within the established time constraints
 2. Failure to submit required receipts
 3. Failure to notify the Fiscal Affairs Department of a change of address
 4. Failure to correctly complete a W-9 form
 5. Failure to comply with any provision of this policy
 6. Inquiry of the Court's Fiscal Affairs Department, Administration Department or Controller Office inquiry

Reminders

- * Fee schedules and Fee Guidelines only apply to Court Appointments of the Juvenile Section of the Family Division
- * Signature of Juvenile Section Supervising Judge is required for amounts in excess of Fee Guidelines
- * A request for payment must be completed within 60 days of case completion.—See Section V., Subsection B.

See Forms Index

Allegheny County Juvenile Court Forms



See Rule 2

FORM D

IMPORTANT NOTICE

A court proceeding concerning your child(ren) has been brought for the purpose of having him/her/them declared dependent.

A hearing has been scheduled before Judge _____ on _____, 20____, at _____, ____M., at Juvenile Court, 3333 Forbes Avenue, Pittsburgh (Oakland) Pennsylvania 15213. Because your rights to raise your child(ren) are involved, you should attend this hearing. If you fail to attend the hearing, the court may proceed in your absence.

You are advised that if the court finds the child(ren) to be dependent, the court may remove the child(ren) from your custody.

YOU ARE ENTITLED TO BE REPRESENTED BY A LAWYER AT THIS HEARING. YOU SHOULD TAKE THIS PAPER AT ONCE TO YOUR LAWYER. IF YOU DO NOT HAVE A LAWYER, OR IF YOU CANNOT AFFORD ONE, YOU MAY CONTACT ONE OF THE PARENT ADVOCATES (ALLEGHENY COUNTY BAR ASSOCIATION JUVENILE COURT PROJECT) LISTED BELOW TO SEE IF YOU ARE ELIGIBLE FOR THEIR FREE SERVICE:

James Alter, Esq. 2006 Noble Street Pittsburgh, Pa. 15218 271-7100	Linda Ehrenreich, Esq. 419 Frick Building Pittsburgh, Pa. 15219 471-3969	Gary Zolyak, Esq. 4229 Northern Pike Monroeville, Pa. 15146
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SHOULD YOU BE FOUND TO BE INELIGIBLE FOR THEIR SERVICES, YOU MAY CONTACT:

Lawyer Referral Service
920 City-County Building
Pittsburgh, Pa. 15219
261-0518

This action was initiated by Children and Youth Services of Allegheny County, and the caseworker assigned to this case is _____, whose telephone number is _____.

The child(ren) will be represented by Child Advocacy Legal Aid, whose office telephone number is 431-4930.

You must keep the court informed of your current address in order that you receive actual notice of all hearings. You should immediately complete and return the attached, postage-paid postcard to the court indicating your correct address so that you will receive copies of all legal papers, court orders and hearing notices filed in this case. If your address changes while the case is still active with the court, you must immediately send written notice of your new address to Prothonotary, Juvenile Court, 3333 Forbes Avenue, Pittsburgh, Pa. 15213. (Please be sure to include the docket number(s) in all correspondence.) Your failure to notify the court of a change in your address may result in court action being taken even though you had no actual notice of the court hearing.

* *

(last name/first name) (docket number)
I hereby verify that for the purpose of receiving legal notice, my address is:

Telephone Number _____

(Signature)
* To be completed prior to service.

Prothonotary
Juvenile Court
3333 Forbes Avenue
Pittsburgh, PA 15213

FORM 100 (long-term foster care placement)

See Rule 4

FORM A

IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA
FAMILY DIVISION—JUVENILE SECTION

IN RE:) Docket no.
)
) History no.

ORDER OF COURT

AND NOW, to wit, this _____ day of _____,
20____, it is hereby ORDERED that a hearing upon the within Petition be
scheduled for the _____ day of _____, 20____, be-
fore the Honorable _____ at _____ o'clock
____.M.

Notice shall be promptly given by petitioner to:

Allegheny County Children and Youth Services
933 Penn Avenue
Pittsburgh, Pa. 15222

Child Advocacy Legal Aid
1933 East Carson Street
Pittsburgh, Pa. 15203

Parent(s) or their counsel

Other Caretaker (if applicable)

BY THE COURT:

J.

See Rule 4

FORM C

IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA
FAMILY DIVISION—JUVENILE SECTION

IN RE:) Docket no.
)
) History no.

MOTION FOR CONTINUANCE AND ORDER OF COURT

AND NOW comes _____ who in support of the within motion avers that a hearing for the above-named respondent(s) was set for the _____ day of _____, 20__, and requests that it should be re-scheduled for the reason that _____.

I aver that oral notice of the presentation of this motion has been given to the parties listed below and that their response thereto is as indicated:

Attorney (or the party if unrepresented):

_____ () consents () will not consent
_____ () consents () will not consent
_____ () consents () will not consent

Signature

On this _____ day of _____, 20__, it is hereby ORDERED that this motion for continuance is (granted) (denied) and the hearing will be held on the _____ day of _____, 20__.

BY THE COURT:

J.

See Rule 7

FORM F

Form 101 (other placements)

IN THE COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY, PENNSYLVANIA
FAMILY DIVISION—JUVENILE SECTION

IN THE INTEREST OF:)	Docket no. _____
_____ ,)	History no. _____
a minor		

ORDER OF COURT

On this _____ day of _____, 20__ , it is hereby ORDERED that:

1. Children and Youth Services of Allegheny County (“C&YS”) is granted permission to place the above-named child in the following (residential care facilities or programs) (foster home):

2. Once the child is placed, the child shall remain in this placement until the child is returned to a parent or other family member or until further order of court. If the child is placed in a foster home by a program which provides for foster care, the child may not be moved to another foster family without court permission.

3. Prior to placement, the C&YS caseworker assigned to this case shall notify counsel for the child that the child is being placed. Prompt notice shall also be provided to counsel for any other parties who have participated in these proceedings (or to such parties if they are not represented by counsel).

4. C&YS shall place the child in accordance with the provisions of this order of court by _____ unless C&YS obtains a modified court order prior to this date.

BY THE COURT:

J.

See Ad. Ord. 1114 of 1998

IN THE COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY, PENNSYLVANIA
FAMILY DIVISION—JUVENILE SECTION

IN THE INTEREST OF:) Docket no. _____

)

_____,) History no. _____

a minor

NOTICE OF PRESENTATION

TO: _____

PLEASE TAKE NOTICE that the within Petition shall be presented to the Motions Judge, Family Division Juvenile Section, Court of Common Pleas, Allegheny County, Juvenile Court Building, 3333 Forbes Avenue, on the _____ day of _____ (month), 2000, at 8:30 a.m. before the Motions Judge.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Petition and Notice of Presentation were served to _____ (Respondent(s) or his or her attorney's name) by depositing same in the U.S. Mail, First Class, postage prepaid, or personally served by an adult over eighteen years of age, on the _____ day of _____, 2000.

EXHIBIT "A"

See Ad. Ord. 1116 of 1998

SHELTER HEARING SCHEDULING REQUEST

Child's Name	Birth Date	Case Number	History Number	Docket Number	Current Location & Date Placed at this Location

Section 6332 (Informal Hearing) of the Juvenile Act states:

A Shelter Hearing is an informal hearing which must be held not later than 72 hours after a child is placed into shelter to determine whether such shelter is required. A child may be taken in shelter if it is reasonably believed that the child is suffering from an illness or injury or is in eminent danger from his surroundings, and that the child's removal from his current placement is therefore necessary. A child may also be taken into shelter if there is a reasonable ground to believe that the child has run away from his parents, guardian or other custodian. If a child is taken into shelter, the child may be detained to protect his person, to prevent him from absconding from the jurisdiction, or because he has no parent, guardian, custodian or other person able to provide supervision and care for him.

Briefly and clearly describe how this shelter hearing falls within the above definition. If your case does not constitute a shelter hearing, you should have your counsel proceed through motions court.

Description: _____

Based on the above, please schedule a shelter hearing for the above named child(ren) before Judge Baer.

Caseworker

Supervisor

Regional Office

Fax Number

See Ad. Ord. No. A-8 of 2001

IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA
FAMILY DIVISION—JUVENILE SECTION

IN THE INTEREST OF _____ (A MINOR)

CASELOG NUMBER _____

JID NUMBER _____

DOCKET NUMBER _____

CONFLICT COUNSEL APPOINTMENT ORDER

AND NOW, to wit, this ____ day of _____, 20____, in accordance with the Public Defender Act of 1968, December 2, P.L. 1144, 16 P.S. 9960.7, it appearing to the Court that the above-named Defendant is unable to hire private legal counsel to represent him/her at the above numbered matter, it also appearing to the Court that the Public Defender of Allegheny County, having been appointed to represent the Defendant is unable to do so on the date and time set for trial and for the reason: Conflict,

IT IS HEREBY ORDERED that _____ Esq., be appointed to represent the Defendant in the matter before the Court at the above number and that he/she be awarded reasonable compensation upon completion of said representation.

BY THE COURT:

Judge

Address: _____

**APPEARANCE FOR THE ABOVE NAMED
YOUTH IS WITHDRAWN**

BY THE COURT:

Judge