

## **LEHIGH COUNTY RULES OF JUVENILE COURT PROCEDURE FOR DELINQUENCY MATTERS**

### **Leh.R.J.C.P. 102. CITATION OF RULES.**

All juvenile court procedural rules promulgated by the Court of Common Pleas of Lehigh County shall be cited as Lehigh Rules of Juvenile Court Procedure ("Leh.R.J.C.P.")

### **Leh.R.J.C.P. 105. SEARCH WARRANTS.**

Leh.R.Cr.P. 202 (Approval of Search Warrant Applications by Attorney for the Commonwealth.) shall apply to search warrant applications in juvenile delinquency matters.

*Comment:* Leh.R.Cr.P. provides: "The District Attorney of Lehigh County having filed a certification pursuant to Pa.R.Crim.P. 202, search warrants, in all circumstances, shall not be issued by any judicial officer unless the search warrant application has the approval of an attorney for the Commonwealth prior to filing."

### **Leh.R.J.C.P. 120. DEFINITIONS.**

Unless the context clearly indicates otherwise, the words and phrases used in any juvenile court procedural rule adopted by the Court of Common Pleas of Lehigh County shall be given the same meaning as is given those words and phrases in the Pennsylvania Rules of Juvenile Court Procedure with the following exceptions and additions: (1) "Court", means the Court of Common Pleas of Lehigh County; (2) "Rule", means any rule of juvenile court procedure adopted by the Court of Common Pleas of Lehigh County; (3) "Clerk of Courts" means the Clerk of Courts of the Court of Common Pleas of Lehigh County; and (4) "except as otherwise provided", means except as provided by statute, by the Pennsylvania Rules of Juvenile Court Procedure, or by specific local juvenile court rule.

### **Leh.R.J.C.P.121. EFFECTIVE DATES OF RULES.**

(a) A Rule or amendment to a Rule shall become effective upon the date specified by the court in adopting or amending such rule, but in no case until after the requirements of Pa.R.J.C.P. 121(D) and (E) are met.

(b) If no effective date is specified, the Rule or amendment to the Rule shall become effective on the first day of January or July, whichever is earlier, following the thirtieth day after its adoption, filing and publication in the *Pennsylvania Bulletin* (Pa.B.).

## **Leh.R.J.C.P. 210. ARREST WARRANTS.**

**A. Application** The following judges and magisterial district judges are designated by the President Judge as issuing authorities to receive and act upon applications for arrest warrants in juvenile delinquency proceedings initiated in and for the 31<sup>st</sup> Judicial District of Pennsylvania composed of Lehigh County:

1. All commissioned judges of the Court of Common Pleas of Lehigh County, all commissioned magisterial district judges in the 31<sup>st</sup> Judicial District of Pennsylvania, and any senior judge or senior magisterial district judge assigned to perform the duties of a judge or magisterial judge within the 31<sup>st</sup> Judicial District of Pennsylvania at the time of the application.

2. During normal business hours of the courts, such applications should normally be made to the magisterial district judge in whose district the offense(s) or any one offense is/are alleged to have occurred, or to a judge of the Court of Common Pleas regularly assigned to hear delinquency cases. After normal business hours and on holidays, these applications should normally be made to an on-call magisterial district judge. Nothing in this paragraph, however, shall diminish the authority of any judge or magisterial district judge designated in paragraph 1 of this order to receive and act upon such applications.

Note: This same designation was originally contained in an Order of Court dated September 30, 2005, and effective October 1, 2005. The Order of September 30, 2005, shall govern until this Rule becomes effective.

**B. Approval of Commonwealth.** The District Attorney of Lehigh County having filed a certification pursuant to Pa.R.J.C.P. 231, all applications for arrest warrants under Pa.J.C.P. 210 shall be approved by an attorney for the Commonwealth before the application for the warrant is submitted to an issuing authority.

## **Leh.R.J.C.P. 231. WRITTEN ALLEGATION (APPROVAL BY AN ATTORNEY FOR THE COMMONWEALTH).**

The District Attorney of Lehigh County having filed a certification pursuant to Pa.R.J.C.P. 231, all written allegations in which it is alleged that an act of delinquency graded as a felony was committed shall be received and approved by an attorney for the Commonwealth before any delinquency proceeding is commenced.

## **Leh.R.J.C.P. 330. PETITION: FILING, CONTENTS, FUNCTION (FILING BY AN ATTORNEY FOR THE COMMONWEALTH).**

The District Attorney of Lehigh County having filed a certification pursuant to Pa.R.J.C.P. 330, all petitions alleging a juvenile to be delinquent shall be filed only by an attorney for the Commonwealth.

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA  
JUVENILE

IN RE:	DESIGNATION OF ISSUING	)	
	AUTHORITIES TO RECEIVE AND	)	
	ACT UPON APPLICATIONS FOR	)	File No. AD-1612 -2005
	ARREST WARRANTS IN	)	
	JUVENILE CASES PURSUANT TO	)	
	Pa.R.J.C.P. 210(A)	)	

**ORDER**

AND NOW, this 30 day of September, 2005, pursuant to the provisions of Pa.R.J.C.P. 210(A), IT IS ORDERED that the following judges and magisterial district judges be and are designated as issuing authorities to receive and act upon applications for arrest warrants in juvenile delinquency proceedings initiated in and for the 31<sup>st</sup> Judicial District of Pennsylvania composed of Lehigh County:

1. All commissioned judges of the Court of Common Pleas of Lehigh County, all commissioned magisterial district judges in the 31<sup>st</sup> Judicial District of Pennsylvania, and any senior judge or senior magisterial district judge assigned to perform the duties of a judge or magisterial judge within the 31<sup>st</sup> Judicial District of Pennsylvania at the time of the application.

2. During normal business hours of the courts, such applications should normally be made to the magisterial district judge in whose district the offense(s) or any one offense is/are alleged to have occurred, or to a judge of the Court of Common Pleas regularly assigned to hear delinquency cases. After normal business hours and on holidays, these applications should normally be made to an on-call magisterial district judge. Nothing in this paragraph, however, shall diminish the authority of any judge or magisterial district judge designated in paragraph 1 of

this order to receive and act upon such applications.

IT IS FURTHER ORDERED that seven (7) certified copies of this Order shall be filed with the Administrative Office of Pennsylvania Courts; that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin; that one (1) certified copy shall be filed with the Juvenile Court Procedural Rules Committee of the Supreme Court of Pennsylvania; and that one copy shall be filed with the Clerk of Courts for Lehigh County.

THIS ORDER IS EFFECTIVE October 1, 2005.

BY THE COURT:

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William H. Platt  
President Judge

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA  
CRIMINAL

IN RE:           ADOPTION OF LEHIGH COUNTY           )  
                  RULES OF JUVENILE COURT                )       File No. AD-1613 - 2005  
                  PROCEDURE FOR DELINQUENCY           )  
                  MATTERS                                    )

**ORDER**

AND NOW, this 5th day of October, 2005, IT IS ORDERED that the following Rules of Juvenile Court Procedure for Delinquency Matters, in and for the 31<sup>st</sup> Judicial District of Pennsylvania composed of Lehigh County, be, and the same are, promulgated herewith, to become effective thirty (30) days after their publication in the Pennsylvania Bulletin.

IT IS FURTHER ORDERED that seven (7) certified copies of this Order and the attached Rules of Juvenile Court Procedure shall be filed with the Administrative Office of Pennsylvania Courts; that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin; that one (1) certified copy shall be filed with the Juvenile Court Procedural Rules Committee of the Supreme Court of Pennsylvania; and that one copy shall be filed with the Clerk of Courts of Lehigh County.

BY THE COURT:

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William H. Platt  
President Judge