

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

**IN RE: EXPUNGEMENT OF JUVENILE RECORDS AND VACATUR OF LUZERNE
COUNTY JUVENILE COURT CONSENT DECREES OR ADJUDICATIONS FROM
2003-2008**

RELATED TO:

IN RE: J.V.R.; H.T., A MINOR THROUGH: No. 81 MM 2008
HER MOTHER, L.T.; ON BEHALF OF :
THEMSELVES AND SIMILARLY :
SITUATED YOUTH :

ORDER

PER CURIAM

AND NOW this 29th day of March, 2010, upon consideration of the Special Master's Report submitted to this Court on February 25, 2010, it is hereby ordered as follows:

(1) On November 24, 2009, the Office of the District Attorney of Luzerne County filed a sealed document with the Supreme Court Prothonotary's Office, identifying specific juvenile cases that the District Attorney intended to re prosecute, in accordance with the order of this Court entered on October 29, 2009. Thereafter, during an in-chambers conference conducted on January 25, 2010, the District Attorney informed Senior Judge Arthur E. Grim, acting as this Court's Special Master, that the District Attorney's Office was withdrawing "[its] request for permission to proceed in all of the remaining cases."

In light of the above developments, the Office of the District Attorney of Luzerne County is hereby directed to file a sealed document with the Supreme Court Prothonotary's Office, memorializing its intention not to proceed with reprosecution of the juveniles whose cases were identified in the District Attorney's November 24, 2009 filing.

(2) Judge Grim is authorized to vacate and dismiss with prejudice the juvenile adjudications and consent decrees in those cases identified in the sealed document filed by the Office of the District Attorney with the Supreme Court Prothonotary's Office on November 24, 2009.

(3) Judge Grim is authorized to direct that the records of those juveniles identified in the November 24, 2009 sealed document be expunged, with copies to be retained under seal in accordance with any other order of court.

(4) Judge Grim has advised that the process of preparing orders of vacatur and expungement, as well as the process of retaining copies of expunged records under seal, is ongoing and time-intensive. To assure eventual total expunction in all cases, Judge Grim is directed to submit sealed documentation to the Supreme Court Prothonotary's Office identifying each juvenile case in which an order of vacatur and expungement has been entered and for which documents have been retained and sealed in accordance with this Court's August 7, 2009 order. We leave to Judge Grim's discretion whether to provide interim documentation or a single, final summary.

(5) The Luzerne County Probation Office is directed to assist Judge Grim with the identification of the juvenile cases referred to in Paragraph 4 of this order.