

**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 HER                   : No. 81 MM 2008  
MOTHER, L.T.; ON BEHALF OF THEMSELVES AND           :  
SIMILARLY SITUATED YOUTH                                   :**

**ORDER**

**AND NOW**, this 7<sup>th</sup> day of August, 2009, pursuant to the authority granted the undersigned by the Supreme Court of Pennsylvania, **IT IS HEREBY ORDERED AS FOLLOWS:**

1. All cases in juvenile court over which Mark A. Clavarella, Jr. presided and in which adjudications of delinquency or consent decrees were entered between January 1, 2003 and May 31, 2008 shall be preserved under seal and in keeping with the authority of the Special Master as set forth herein.
2. The documents retained shall consist of the following:
  - a. The actual case file from the Luzerne County Clerk of Courts' Office, including all original and other documents contained therein; and
  - b. A certified copy of the Luzerne County Juvenile Court docket entries for the juvenile's case; and
  - c. All documents in the juvenile's file in the Luzerne County Juvenile Probation Office to which the juvenile would be entitled; and
  - d. All notes of testimony, whether transcribed or not.

3. All documents as set forth in Paragraph 2 shall be kept under seal in the custody of the Office Director of the Juvenile Probation Office, or in such other location as may be approved in writing by the Special Master, or by order of a court of competent jurisdiction. Said files shall be kept in alphabetical order.
4. All files which have been placed under seal pursuant to Paragraph 3 above shall not be accessed by any individual except upon written authorization by the Special Master or by order of court of competent jurisdiction.
5. Files in the custody of the Luzerne County Juvenile Probation Office which have been placed under seal pursuant to Paragraph 3 above shall not be destroyed until the conclusion of the trial, or termination of the actions by dispositive motion or agreement, in *B.W., by Florence Wallace v. Powell*, U.S.D.C. M.D. Pa., Docket No. 09-cv-0286, *Conway v. Conahan*, U.S.D.C. M.D. Pa., Docket No. 09-cv-0291, *H.T. v. Ciavarella*, U.S.D.C. M.D. Pa., Docket No. 09-cv-357, and *Humanik v. Ciavarella*, U.S.D.C. M.D. Pa., Docket No. 09-cv-630 and after thirty (30) days prior notice has been given in the following manner:
  - a. Public notice through the Luzerne County Law Journal c/o Wilkes-Barre Law and Library Association as well as through one newspaper of general circulation in Luzerne County; and
  - b. Actual notice to counsel in the Federal cases listed above.
6. Service of this Order. This Order shall be served upon the following in the manner indicated:
  - a. Lourdes M. Rosado, Esquire, Juvenile Law Center (by fax to [215] 625-2808);

b. The Honorable Jacqueline M. Carroll, District Attorney of Luzerne County  
(by fax to [570] 825-1622);

c. The Wilkes-Barre Law and Library Association, by fax and First Class  
Mail to:

Wilkes-Barre Law and Library Association  
Courthouse  
Wilkes-Barre, PA 18711-1001  
Fax: (570) 822-8210

d. By First Class Mail to:

Mr. Robert F. Reilly  
Clerk of Courts  
Luzerne County Courthouse  
200 North River Street  
Wilkes-Barre, PA 18711


e. By First Class Mail to:

Mr. John E. Johnson  
Department of Probation Services  
Juvenile Division  
Penn Place Building, Suite 329  
20 North Pennsylvania Ave.  
Wilkes-Barre, PA 18701-3607

f. By First Class Mail to:

The Honorable A. Richard Caputo  
United States District Judge for the  
Middle District of Pennsylvania  
Max Rosen U.S. Courthouse  
197 South Main Street, Suite 161  
Wilkes-Barre, PA 18701

BY THE COURT:



ARTHUR E. GRIM, S.J., SPECIAL MASTER