

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

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 26<sup>th</sup> day of March, 2009, this Order acknowledges the Court's receipt of the Special Master's First Interim Report and Recommendations, which was prepared in pursuit of this Court's directive to investigate "the alleged travesty of juvenile justice in Luzerne County ... [and] to identify the affected juveniles and rectify the situation as fairly and swiftly as possible." 81 MM 2008, order dated 2/11/2009. A copy of the First Interim Report and Recommendations is attached to this Order.

The Special Master's First Interim Report proposes procedures to identify in an expeditious fashion a certain class of Luzerne County juvenile cases where the Master believes that summary relief should be afforded in the form of vacating the underlying adjudications or consent decrees, and ordering expungement of the records of such consent decrees or adjudications. The Special Master requests authorization to grant such relief. This Court hereby specifically authorizes the Special Master to grant such relief as expeditiously as possible. Furthermore, we **ADOPT AND APPROVE** the entirety of the Special Master's First Interim Report and Recommendations, subject only to the following two qualifications.

(1) The Special Master has noted that some of the affected juveniles or their counsel may wish to delay expungement until they can collect records and information for

use in pending civil lawsuits. This Court's primary concern remains with identifying and correcting miscarriages of justice in the underlying criminal consent decrees and adjudications as quickly as possible. Accordingly, once appropriate cases are identified according to the criteria the Special Master has set forth, orders of vacatur and expungement shall be entered promptly. This directive in no way shall affect the discretion of the Special Master to provide reasonable advance notice to affected juveniles, and to entertain specific, supported requests to delay the effect of the expungement aspect of such orders.

(2) In order to promptly identify the affected juveniles, the Special Master requests that this Court authorize the Luzerne County Probation Office to release copies of the Luzerne County Juvenile Court daily case lists from January 1, 2003 to May 31, 2008 ("daily lists") to the District Attorney of Luzerne County and an attorney for the Juvenile Law Center ("JLC"). Since this Court's prior order of February 11, 2009, appointing the Special Master, we are aware that the JLC has filed a federal civil law suit seeking monetary damages and attorneys' fees arising from the underlying Juvenile Court adjudications and consent decrees. Notwithstanding the JLC's adversarial role, this Court recognizes that the JLC has been of assistance to the Special Master in addressing the situation in Luzerne County and remains fairly positioned to represent the interests of those juveniles with whom it has specific representation agreements in the proceedings below. However, the Special Master's authorized task is singular: to identify every affected juvenile for purposes of recommending immediate appropriate relief from his or her criminal consent decree and adjudication. Accordingly, the Court directs that the release of these lists is for the sole purpose of identifying those juveniles - whether they are presently represented or not - who fit the criteria for the accelerated disposition proposed by the Special Master, and not for purposes of collateral litigation. The release shall be subject to the security provisions identified by the Special Master, with discretion remaining in the Special Master to modify

or expand those procedures as implementation of this amendment and subsequent events may require.

This Order specifically recognizes that the Special Master's First Interim Report and Recommendations concerns itself only with one class of cases of the many subject to review. See Report and Recommendations at 8, ¶ B(1). Recommendations as to other cases are to follow in due course.

Jurisdiction is retained.