

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY
COMMONWEALTH OF PENNSYLVANIA
CRIMINAL DIVISION**

**IN RE: ADMINISTRATIVE ORDER
2021-25 - DETENTION OF
INCARCERATION OF JUVENILES
PURSUANT TO AMENDMENTS OF THE
FEDERAL JUVENILE JUSTICE REFORM
ACT**

No.: C-48-AD-244-2021

2021 DEC 21 P 4:25
CLERK OF COURT
CRIMINAL DIVISION
NORTHAMPTON COUNTY, PA

FILED

ADMINISTRATIVE ORDER

AND NOW, this 21st day of December, 2021, pursuant to recent amendments of the federal Juvenile Justice Reform Act ("JJRA") of 2018, 34 U.S.C. § 11101 *et seq.*, it is hereby **ORDERED** and **DECREED** as follows:

1. A juvenile (a child under the age of 18) arrested on or after December 21, 2021, for an act designated as a crime under the laws of this Commonwealth and subject to adult criminal proceedings, including criminal proceedings initiated pursuant to provisions of the Juvenile Act (42 Pa.C.S.A. §§ 6302 and 6355), and who is not released on bail, shall be detained at the Northampton County Juvenile Justice Center until a Judge of the Court of Common Pleas of Northampton County promptly makes the "interest of justice" determination required by 34 U.S.C. § 11133(a)(11)(B) and commits the juvenile for incarceration in the Northampton County Prison. The period(s) of incarceration of the subject juvenile shall be in accordance with the requirements of the

JJRA, unless waived in writing or on the record by the juvenile. See 34 U.S.C. § 11133(a)(11)(B).

2. The Court adopts the detailed protocols for the handling of "direct file" juveniles, pursuant to 42 Pa.C.S.A. § 6302, set forth in Exhibit "A," attached hereto, which remain subject to future modifications to be posted on the Court's website at <https://www.nccpa.org/>.
3. This Administrative Order shall be effective immediately and shall remain in effect until further order of this Court.

BY THE COURT:



CRAIG A. DALLY
ACTING PRESIDENT JUDGE

Exhibit "A"

**JUVENILE DIRECT-FILE PRELIMINARY ARRAIGNMENT &
DETENTION/INCARCERATION PROCEDURE**

Pursuant to the recent amendments of the federal Juvenile Justice Reform Act ("JJRA") of 2018, in cases where a juvenile (a child under the age of eighteen) is arrested on or after December 21, 2021, the procedure for preliminary arraignments and detention is as follows:

Juveniles charged as adults shall be brought before the Magisterial District Judge on-duty for preliminary arraignment. In the event the juvenile is not released on bail for the adult charges, the arresting officers shall transport the juvenile to the Northampton County Juvenile Detention Center. The Magisterial District Judge shall notify the detention center of the transport, at such time.

A Court of Common Pleas judge shall hold an "interest of justice" hearing promptly upon the detention of the juvenile to make a determination of incarceration in the Northampton County Prison ("NCP"). Upon the determination that incarceration shall commence, the Northampton County Sheriff's Department shall transport the juvenile to NCP.

Pursuant to the JJRA, the juvenile incarcerated at NCP shall not have any "sight or sound" with adult inmates at any time. NCP shall hold the juvenile inmate in a separate housing section from adult inmates. The requirement for no "sight or sound" with adult inmates, includes but is not limited to, transporting the juvenile inmate to and from hearings at the Northampton County Government Center.