

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA  
MISCELLANEOUS

In Re: Establishment of Juvenile ) No. AD- - 2014  
Court Restitution Fund )

**ORDER OF COURT**

AND NOW, this 15th day of August, 2014, IT IS HEREBY  
ORDERED that Clinton County Administrative Order No. AD- - 2014  
establishing a Juvenile Court Restitution Fund shall become effective thirty (30)  
days after publication in the Pennsylvania Bulletin and the procedures  
established by this Administrative Order shall be utilized to govern the operation  
of the Juvenile Court Restitution Fund.

IT IS FURTHER ORDERED as follows:

- (1) One (1) certified copy of this Administrative Order shall be  
filed with the Administrative Office of the Pennsylvania Courts;
- (2) Two (2) certified copies of this Administrative Order and a diskette,  
CD-ROM, or electronic copy that complies with the requirements of 1 Pa.Code  
§ 13.11(b) shall be submitted to the Legislative Reference Bureau for  
publication in the Pennsylvania Bulletin;
- (3) One (1) certified copy of this Administrative Order shall be filed

with the Juvenile Court Procedural Rules Committee of the Supreme Court of Pennsylvania;

(4) One (1) certified copy shall be available in the Clinton County Law Library; and

(5) One (1) certified copy shall be kept continuously available for publishing, inspection, and copying in the Office of the Clerk of Courts.

BY THE COURT:

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CRAIG P. MILLER  
President Judge

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA  
MISCELLANEOUS

In Re: Establishment of Juvenile ) No. AD- 2014  
Court Restitution Fund )

**ORDER OF COURT**

AND NOW, this 15th day of August, 2014, IT IS HEREBY  
ORDERED that the Clinton County Juvenile Court Restitution Fund be  
established as follows:

**Authority**

The statutory authority for the creation of the Fund may be found at  
42 Pa.C.S.A. § 6352(a)(5).

**Purpose of Fund**

The purpose of the Fund is to provide a means whereby the Court may  
direct children under its supervision to pay a reasonable amount of money  
into a common fund, which is under the supervision of the Court, and which will  
be distributed in a fair and equitable manner to the victims of delinquent  
behaviors as defined in the Juvenile Act.

**Guidelines**

The Juvenile Probation Department shall establish and administer the

Fund in accordance with the following guidelines and any further guidelines promulgated by the President Judge.

**Name**

The name of the Fund shall be the “Clinton County Juvenile Court Restitution Fund.” For brevity, when referenced in orders, decrees, judgments or other legal or financial documents, the Fund may be referred to as the “Juvenile Restitution Fund.”

**Eligibility**

For the purpose of the Fund, eligibility will be defined as follows:

Eligible Benefactor – An eligible benefactor of the Fund is any child under the jurisdiction of the Clinton County Juvenile Probation Department on or after the effective start date of the Fund and whose disposition, as rendered by the Court or Juvenile Probation Department, requires the child to pay restitution to a victim of a delinquent act.

Eligible Recipient – An eligible recipient of the Fund is any person, business, organization, etc., including the Commonwealth Crime Victim Compensation Fund, who has a legitimate restitution claim on file with the Clinton County Juvenile Probation Department after the effective start date of the Fund that is the result of the delinquent act(s) of an Eligible Benefactor.

## **Fund Revenue**

On or after the effective date of the creation of the Fund, it will be supported financially in the following manner:

A. The Juvenile Probation Department shall assess a fee in the amount of \$50.00 payable to the Juvenile Restitution Fund to every child subject to delinquency proceedings whose case results in an Informal Adjustment.

B. The Juvenile Probation Department shall assess a fee in the amount of \$50.00 payable to the Juvenile Restitution Fund to every child who is adjudicated delinquent or placed on a Consent Decree.

C. Pursuant to 42 Pa.C.S.A. § 6304.1, monies collected from a child whose case has been referred to the Juvenile Probation Department for nonpayment of fines and costs imposed by a magisterial district court shall be deposited in the Juvenile Restitution Fund.

D. The Court, at its discretion or upon the recommendation of the Juvenile Probation Department, will explore other sources of revenue payable to the fund as the same becomes available.

E. The Chief Juvenile Probation Officer, with the approval of the President Judge, may waive the requirement of any juvenile to pay the Juvenile Restitution Fund Fee due to indigency and/or other appropriate reasons.

## **Fund Management**

The Fund receipts and expenditures will be managed by the Juvenile Probation Department. Any and all funds received by the department that may be considered revenue for the Fund will be deposited into an account separate and apart from all other accounts managed by the Juvenile Probation Department. The purpose of this account will be to receive and disburse funds associated with the Fund. As of the date of creation of the Fund, the account(s) used by the Juvenile Probation Department shall require for disbursement the signatures of two (2) of the following individuals: the Chief Juvenile Probation Officer, the Office Manager of Collections, or a person designated by President Judge.

## **Review Committee**

The President Judge will establish a committee to review the requests made by the eligible benefactors requesting benefits from the Fund. The committee will be comprised of the following individuals:

Chief Juvenile Probation Officer  
Victim Services Coordinator for Juvenile Court  
The child's supervising Probation Officer

## **Fund Expenditures**

Eligible benefactors of the Fund will be able to request assistance from

the Fund in the following manner:

A. The Juvenile Probation Department will prepare an application for eligible benefactors to utilize in order to request assistance from the Fund.

The application will include the following information:

1. Descriptive information about the child including name, DOB, type and length of supervision, and the child's ability to pay.

2. A report as to the child's overall performance while under supervision, including school (report cards and attendance), home and community behavior (summary citations), community service hours ordered and completed and the amount of restitution ordered and paid to date.

B. The review board committee will review the memorandum and recommend the amount of expenditures to be made on behalf of the appellant.

C. The President Judge will authorize the amount to be expended from the Fund and credited to the applicant's restitution account. The Juvenile Probation Department will then disburse payment to all the applicant's victims in a proportionate share.

D. The Juvenile Probation Department shall require the juvenile to complete community service at the minimum wage rate for monies expended from this Fund.

### **Suspension of Activity**

The President Judge shall have the authority to suspend any and all activities associated with the Fund.

### **Audit**

The fund shall be subject to an audit by the duly elected Auditors of Clinton County on an annual calendar year basis, and any other audit required by law or authorized by the President Judge.

### **Effective Date**

The establishment of the Clinton County Juvenile Court Restitution Fund shall become effective thirty (30) days after publication of this Order in the Pennsylvania Bulletin.

BY THE COURT:

CRAIG P. MILLER  
President Judge