

STANDARDS GOVERNING THE USE OF ALTERNATIVES TO SECURE DETENTION

- I. The Administrative Judge of the Juvenile Court shall determine whether alternatives to secure detention are available to the county to meet the needs of children referred to the Court.**

Alternatives to secure detention include, but are not limited to: release to parent(s), guardian(s), or other custodian(s); in-home detention status; placement with relatives; foster care; shelter care; other licensed facility; or a medical facility if a child is believed to suffer from a serious physical condition or illness which requires prompt treatment.

Upon request, the Juvenile Court Judges' Commission will provide technical assistance to counties regarding the development of alternatives to secure detention.

- II. In every situation in which the use of secure detention is to be considered, judges, masters, and juvenile probation officers must first consider and give preference to alternatives to secure detention which could substantially reduce the risk of flight by the child and/or reduce the risk of danger to the child, the victim or the community.**

Even though eligibility criteria may indicate that a particular child may be detained in secure detention, such detention is not mandatory. The least restrictive alternative available to meet the needs of the child should be used, with first consideration being given to an unconditional release to the parent(s) or guardian(s).

- III. Alternatives to secure detention must be used when a child alleged to be delinquent cannot be released solely because there is no parent, guardian, or custodian able to assume responsibility or adequately supervise the child.**
- IV. A juvenile petition must be filed within 24 hours, or the next Court business day, of the placement of a child alleged to be delinquent in shelter care, foster care, or where the child is otherwise committed to a licensed facility.**

- V. An informal hearing shall be held pursuant to The Juvenile Act at 42 Pa.C.S. §6332, not later than 72 hours after a child alleged to be delinquent is placed in shelter care, foster care, or other licensed facility.
- VI. In every situation in which a child is placed on in-home detention status as an alternative to secure detention, the following criteria shall apply:
- A. The placement of a child on in-home detention status shall be authorized only by a probation officer, master or judge;
 - B. Written conditions governing a child's in-home detention status shall be provided to the child and the child's parent(s), guardian(s), or other custodian(s) within 24 hours of the child's placement on such status, during which time the child shall be notified of his/her right to counsel;
 - C. Cases where a child has been placed on in-home detention status shall have priority over cases involving an unconditional release to the parent(s), guardian(s), or other custodian(s) in scheduling adjudication hearings;
 - D. In cases where a child is placed on in-home detention status, the probation officer shall have daily contact with the child or a custodian, with a minimum of one personal contact with the child every 48 hours until the adjudication hearing;

Where electronic monitoring technology is used the level of contact may be reduced, provided that violations are responded to immediately.
 - E. Pre-adjudication in-home detention status shall not exceed 30 days.