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ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

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## NEWS RELEASE

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### **Luzerne County Juvenile Case Review Begins Phase Two More Serious Cases Considered for Possible Expungement**

**HARRISBURG, May 20, 2009** - The Special Master reviewing a five-year span of potentially tainted Luzerne County juvenile cases has begun the second phase of his work. In this phase, the adjudications of serious misdemeanor and low-level felony cases will be re-examined for potential dismissal and expungement.

"We are continuing our effort to address the miscarriage of justice that has come to light in Luzerne County," said Chief Justice of Pennsylvania Ronald D. Castille. "This is the next step in our commitment to restore public confidence and to rebuild the juvenile justice system in the county."

Senior Judge Arthur E. Grim, of Berks County, has been assigned by the Supreme Court to conduct a review of juvenile cases to determine whether juveniles were improperly committed to detention centers or denied their constitutional right to counsel by former Luzerne County Judge Mark A. Ciavarella between 2003 and 2008.

Ciavarella and former Luzerne County Senior Judge Michael T. Conahan have pleaded guilty to federal fraud and tax charges in connection with kickbacks they received relating to the construction of two private juvenile detention centers. They are awaiting sentencing.

Judge Grim, who is chairman of the Pennsylvania Juvenile Court Judge's Commission, was appointed Special Master by the Supreme Court on February 11 with a directive to act on the court's behalf to rectify the "alleged travesty of juvenile justice" in Luzerne County.

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In the first phase of his review, Grim recommended to the court in March that an estimated 800 juveniles adjudicated by Ciavarella for minor crimes known as summary offenses or low-level misdemeanors have their cases vacated and their records expunged. The Supreme Court on March 26 approved that recommendation and directed Grim to proceed "as expeditiously as possible" to carry out the expungements.

"Phase Two of the review is now beginning," said Chief Justice Castille. "Our goal for this phase is to have it completed by mid-July or early August. We estimate that another 400 cases will be reviewed in Phase Two. The charges include first and second-degree misdemeanors, the more serious types of misdemeanors, and low-level felonies of a non-violent nature.

"As he did in Phase One, Judge Grim will file a report and recommendation with the Supreme Court relative to these cases."

Castille said that after Phase Two is complete, there will be at least one additional phase of review, involving more serious charges.

Castille said Judge Grim, in conducting his review, convened the Luzerne County Juvenile Probation Department, the Luzerne County District Attorney's Office and the Philadelphia Juvenile Law Center to begin the review process.

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*Other news releases and copies of Supreme Court orders relating to Luzerne County Juvenile Court issues may be seen on the "For the Media " page of the Web site of Pennsylvania's Unified Judicial System at [www.pacourts.us](http://www.pacourts.us).*