

NEWS RELEASE

CONTACT:

[Art Heinz](#), Communications Coordinator
(717) 795-2062

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Supreme Court of Pennsylvania Approves Expungement of Juvenile Records in Luzerne County

HARRISBURG, March 26, 2009 — The Supreme Court of Pennsylvania today authorized the expungement of a substantial number of juvenile records involving cases handled over a five-year period by former Judge Mark A. Ciavarella Jr. in Luzerne County.

“This order represents another positive step in the Court’s resolve to restore public trust and confidence in the juvenile justice system of Luzerne County,” said Chief Justice of Pennsylvania Ronald D. Castille. “Citizens of the county — and the Commonwealth — have a right to expect a full accounting of what happened and the correction of any abuse of judicial authority.”

The order applies to cases Ciavarella heard while presiding in Luzerne County Juvenile Court from 2003 to 2008. The juvenile defendants whose records are to be expunged were charged with minor offenses known as summary offenses and certain low-level misdemeanors.

Ciavarella has entered a guilty plea in the U.S. District Court for the Middle District of Pennsylvania to defrauding the public of honest service in office and conspiracy to commit tax fraud. Former Luzerne County Senior Judge Michael T. Conahan has entered a guilty plea to the same charges.

The former judges have admitted taking kickbacks in connection with the building of two private juvenile detention centers. Luzerne County juvenile defendants were placed in the two facilities in unusually high numbers.

The Supreme Court's order was issued in response to a report and recommendation submitted on March 12 by Special Master Arthur E. Grim, a Berks County senior judge who is also chairman of the Pennsylvania Juvenile Court Judges' Commission. The Court named Judge Grim special master on February 11 and directed him to review all juvenile cases handled by Ciavarella and to recommend an appropriate disposition of those cases.

The process of reviewing Luzerne County juvenile cases is far from complete. Judge Grim must conduct a further analysis to identify all cases covered by today's Supreme Court order. An exact number of case records to be expunged will not be known until that work is finished.

“Today’s order is not intended to be a quick fix.” the Chief Justice added. “It’s going to take some time, but the Supreme Court is committed to righting whatever wrong was perpetrated on Luzerne’s juveniles and their families.”

(MORE)

A separate review will be conducted by Judge Grim of cases involving more serious juvenile offenses. Cases involving more serious offenses are not included in today's order.

In its order appointing Judge Grim on February 11, the Supreme Court said: “The goal of this Court is to determine whether the alleged travesty of juvenile justice in Luzerne County occurred, and if it did, to identify the affected juveniles and rectify the situation as fairly and swiftly as possible.”

The Court has directed Luzerne County court officials and the District Attorney's office to cooperate with Judge Grim in carrying out his mission.

(A copy of the court's order can be found at:

<http://www.pacourts.us/OpPosting/Supreme/out/81mm2008pco3.pdf>

A copy of the report can be found at:

<http://www.pacourts.us/OpPosting/Supreme/out/JudgeGrimFirstInterimReport3-12-09.pdf>

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