

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 144 Session of
2025

INTRODUCED BY KRAJEWSKI, SANCHEZ, WAXMAN, K.HARRIS, CEPHAS,
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HOHENSTEIN, DOUGHERTY, BOYD AND FRANKEL, OCTOBER 10, 2025

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
FEBRUARY 3, 2026

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in juvenile matters,
3 further providing for informal adjustment; and making an
4 editorial change.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The definition of "dependent child" in section
8 6302 of Title 42 of the Pennsylvania Consolidated Statutes is
9 amended to read:

10 § 6302. Definitions.

11 The following words and phrases when used in this chapter
12 shall have, unless the context clearly indicates otherwise, the
13 meanings given to them in this section:

14 * * *

15 "Dependent child." A child who:

16 (1) is without proper parental care or control,
17 subsistence, education as required by law, or other care or

1 control necessary for his physical, mental, or emotional
2 health, or morals. A determination that there is a lack of
3 proper parental care or control may be based upon evidence of
4 conduct by the parent, guardian or other custodian that
5 places the health, safety or welfare of the child at risk,
6 including evidence of the parent's, guardian's or other
7 custodian's use of alcohol or a controlled substance that
8 places the health, safety or welfare of the child at risk;

9 (2) has been placed for care or adoption in violation of
10 law;

11 (3) has been abandoned by his parents, guardian, or
12 other custodian;

13 (4) is without a parent, guardian, or legal custodian;

14 (5) while subject to compulsory school attendance is
15 habitually and without justification truant from school;

16 (6) has committed a specific act or acts of habitual
17 disobedience of the reasonable and lawful commands of his
18 parent, guardian or other custodian and who is ungovernable
19 and found to be in need of care, treatment or supervision;

20 (7) has committed a delinquent act or crime, other than
21 a summary offense, while under the age of ten years;

22 (8) has been formerly adjudicated dependent, and is
23 under the jurisdiction of the court, subject to its
24 conditions or placements and who commits an act which is
25 defined as ungovernable in paragraph (6);

26 (9) has been referred pursuant to section 6323 (relating
27 to informal adjustment and diversion), and who commits an act
28 which is defined as ungovernable in paragraph (6); or

29 (10) is born to a parent whose parental rights with
30 regard to another child have been involuntarily terminated

1 under 23 Pa.C.S. § 2511 (relating to grounds for involuntary
2 termination) within three years immediately preceding the
3 date of birth of the child and conduct of the parent poses a
4 risk to the health, safety or welfare of the child.

5 * * *

6 Section 2. Section 6323 of Title 42, amended October 16,
7 2024 (P.L.1006, No.108), is amended to read:

8 § 6323. Informal adjustment and diversion.

9 (a) General rule.--

10 (1) Before a petition is filed, the probation officer or
11 other officer of the court designated by it, subject to its
12 direction, shall, in the case of a dependent child where the
13 jurisdiction of the court is premised upon the provisions of
14 paragraph (1), (2), (3), (4), (5) or (7) of the definition of
15 "dependent child" in section 6302 (relating to definitions)
16 and if otherwise appropriate, refer the child and [his] the
17 child's parents to any public or private social agency
18 available for assisting in the matter. Upon referral, the
19 agency shall indicate its willingness to accept the child and
20 shall report back to the referring officer within three
21 months concerning the status of the referral.

22 (2) Similarly, the probation officer may in the case of
23 a delinquent child, or a dependent child where the
24 jurisdiction of the court is permitted under paragraph (6) of
25 the definition of "dependent child" in section 6302, refer
26 the child and [his] the child's parents to an agency for
27 assisting in the matter.

28 (3) The agency may return the referral to the probation
29 officer, local government agency or other officer for further
30 informal adjustment or other diversion program if it is in

1 the best interests of the child.

2 (b) Counsel and advice.--Such social agencies and the
3 probation officer or other officer of the court [may]:

4 (1) May give counsel and advice to the parties with a
5 view to an informal adjustment or other diversion program if
6 it appears:

7 [(1)] (i) counsel and advice without an adjudication
8 would be in the best interest of the public and the
9 child;

10 [(2)] (ii) the child and [his] the child's parents,
11 guardian, or other custodian consent thereto with
12 knowledge that consent is not obligatory; and

13 [(3)] (iii) in the case of the probation officer or
14 other officer of the court, the admitted facts bring the
15 case within the jurisdiction of the court.

16 (2) Shall offer the child an opportunity to complete an
17 informal adjustment or other diversion program if:

18 (i) the child has fewer than three prior informal
19 adjustments or prepetition diversions in the past three
20 years;

21 (ii) the child is referred for any offense except
22 those enumerated in section 9714(g) (relating to
23 sentences for second and subsequent offenses) or 18
24 Pa.C.S. § 2502 (relating to murder);

25 (iii) the child and the child's parents, guardian or
26 other custodian provide informed consent, with knowledge
27 that consent is not obligatory; and

28 (iv) in the opinion of the probation officer or
29 other officer of the court, the admitted facts bring the
30 case within the jurisdiction of the court.

1 (b.1) Construction.--Nothing in subsection (b) shall be
2 construed to prevent a probation officer from offering an
3 informal adjustment or other diversion program when it is in the
4 best interest of the child, the victim and the public,
5 consistent with subsection (h).

6 (c) Limitation on duration of counsel and advice.--The
7 giving of counsel and advice by the probation or other officer
8 of the court shall not extend beyond [six] four months from the
9 day commenced unless extended by an order of court for an
10 additional period not to exceed [three] two months.

11 (d) No detention authorized or admission of guilt.--Nothing
12 contained in this section shall authorize the detention of the
13 child[.] or require an admission of guilt as a prerequisite to
14 any informal adjustment or diversion program.

15 (d.1) No monetary obligations other than restitution
16 authorized.--Notwithstanding any other provision of law, an
17 informal adjustment or other diversion program under this
18 section shall not incorporate fines, fees, costs or other
19 monetary obligation, nor shall a child with an informal
20 adjustment be ordered to participate in a program or service
21 that requires the child or the child's family to pay a fee, cost
22 or other monetary obligation, except costs imposed under section
23 1101 of the act of November 24, 1998 (P.L.882, No.111), known as
24 the Crime Victims Act.

25 (e) Privileged statements.--An incriminating statement made
26 by a participant to the person giving counsel or advice and in
27 the discussions or conferences incident thereto shall not be
28 used against the declarant over objection in any criminal
29 proceeding or hearing under this chapter.

30 (f) Terms and conditions.--The terms and conditions of an

1 informal adjustment may include payment by the child of
2 reasonable amounts of [money as costs, fees or] restitution,
3 including a [supervision fee and] contribution to a restitution
4 fund established by the president judge of the court of common
5 pleas pursuant to section 6352(a)(5) (relating to disposition of
6 delinquent child).

7 (g) Expungement of records.--Upon motion, or sua sponte,
8 including upon receiving notice under section 6304(a.2)
9 (relating to powers and duties of probation officers), the court
10 shall commence expungement proceedings under 18 Pa.C.S. § 9123
11 (relating to juvenile records) and the Pennsylvania Rules of
12 Juvenile Court Procedure if the court finds:

13 (1) six months have elapsed since the child's successful
14 discharge from informal adjustment supervision; and

15 (2) no proceeding seeking adjudication or conviction is
16 pending.

17 ~~(h) Notification and input to victims. Prior to final~~ <--
18 ~~acceptance of a juvenile into a diversion program, the district~~
19 ~~attorney or juvenile probation office shall notify the victim of~~
20 ~~the alleged offense, eligibility criteria for diversion,~~
21 ~~conditions or program proposed, and the victim's opportunity to~~
22 ~~provide a written or oral statement:~~

23 ~~(1) Providing the victim's perspective on the offense~~
24 ~~and proposed diversion.~~

25 ~~(2) Requesting consideration of restitution, community~~
26 ~~service or other appropriate conditions of diversion.~~

27 ~~(3) If applicable, and to the extent available and~~
28 ~~appropriate, indicating a preference regarding participation~~
29 ~~in restorative justice or victim-offender dialogue.~~

30 ~~(4) Requesting protective measures and reasonable~~

1 accommodations.

2 ~~(5) Providing input on any other victim relevant~~
3 ~~considerations.~~

4 (H) NOTIFICATION AND INPUT TO VICTIMS.--

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5 (1) PRIOR TO FINAL ACCEPTANCE OF A JUVENILE INTO A
6 DIVERSION PROGRAM, THE DISTRICT ATTORNEY OR JUVENILE
7 PROBATION OFFICE SHALL NOTIFY THE VICTIM OF THE ALLEGED
8 OFFENSE, ELIGIBILITY CRITERIA FOR DIVERSION, CONDITIONS OR
9 PROGRAM PROPOSED, AND THE VICTIM'S OPPORTUNITY TO PROVIDE A
10 WRITTEN OR ORAL STATEMENT WITHIN 30 DAYS OF NOTIFICATION:

11 (I) PROVIDING THE VICTIM'S PERSPECTIVE ON THE
12 OFFENSE AND PROPOSED DIVERSION.

13 (II) REQUESTING CONSIDERATION OF RESTITUTION,
14 COMMUNITY SERVICE OR OTHER APPROPRIATE CONDITIONS OF
15 DIVERSION.

16 (III) IF APPLICABLE, AND TO THE EXTENT AVAILABLE AND
17 APPROPRIATE, INDICATING A PREFERENCE REGARDING
18 PARTICIPATION IN RESTORATIVE JUSTICE OR VICTIM-OFFENDER
19 DIALOGUE.

20 (IV) REQUESTING PROTECTIVE MEASURES AND REASONABLE
21 ACCOMMODATIONS.

22 (V) PROVIDING INPUT ON ANY OTHER VICTIM-RELEVANT
23 CONSIDERATIONS.

24 (2) NOTWITHSTANDING SUBSECTION (B) (2), IF THE JUVENILE'S
25 VICTIM OPPOSES THE JUVENILE'S COMPLETION OF INFORMAL
26 ADJUSTMENT OR ENTRY INTO A DIVERSION PROGRAM, THE DISTRICT
27 ATTORNEY OR JUVENILE PROBATION OFFICE SHALL NOTIFY THE COURT
28 AND THE COURT SHALL FIX A TIME FOR A REVIEW HEARING WHICH, IF
29 THE CHILD IS IN DETENTION OR SHELTER CARE, SHALL NOT BE LATER
30 THAN 10 DAYS AFTER NOTIFICATION TO THE COURT FROM THE

DISTRICT ATTORNEY OR JUVENILE PROBATION OFFICE.

(i) Construction and confidentiality.--Nothing in this section shall be construed to preclude rights of victims of crime established by the Crime Victims Act, or responsibilities established by section 1318.1 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949. All communications and notifications pursuant to this section shall be maintained as confidential.

(j) Definition.--As used in this section, the term "diversion program" means an alternative to initial or continued formal processing of youths in the juvenile delinquency system.

Section 3. This act shall take effect in 60 days.