

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

No. 144

Session of  
2025

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

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

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

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

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

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

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

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

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

1       DISTRICT ATTORNEY OR JUVENILE PROBATION OFFICE.

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

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

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