

Recommended Policies for Juvenile and Dependency Courts:

- a. The Juvenile Act provides that the “general public shall be excluded from hearings under this chapter,” except in specific circumstances. 42 PaCS 6336 (d), (e), (f)
 - b. In the context of juvenile court hearings in dependency courts, the general public is not admitted to the hearing. See 42 PaCS 6336(d). The record of dependency proceedings is only available to an individual if they are a party to the matter, an attorney involved in the case, an employee of the court system, or the department of corrections, if needed to discharge an official duty. Access can be made available by leave of the court to “any person or agency or institution having a legitimate interest in the proceedings...” Pa.R.J.C.P 1160. ICE should never be deemed to have a legitimate interest in a particular case, or the work of the court, as dependency proceedings are governed by the child’s best interest and fundamentally at odds with ICE’s efforts to tear apart families through deportation.
 - c. In the context of juvenile court hearings in delinquency court, “the general public shall be excluded from hearings... Only the parties, their counsel, witnesses, the victim and counsel for the victim, other persons accompanying a party or a victim for his or her assistance, and any other person as the court finds have a proper interest in the proceeding or in the work of the court shall be admitted by the court.” 42 PaCS 6336(d). ICE should never be deemed to have a proper interest in a delinquency proceeding, as ICE’s efforts to tear families apart through deportation are fundamentally at odds with the restorative justice principles governing delinquency proceedings.
 - i. The exception to this general rule covers cases in which the child is 14 years old or older and charged with a felony, or 12 years old or older and charged with an enumerated first-degree felony. 42 PaCS 6336(e).
 - ii. The trend toward privacy is illustrated by the passage of the Clean Slate Act in June 2018, further limiting the public availability of juvenile delinquency records to the general public. Pennsylvania House Bill 1419, signed into law by Governor Wolf 06/28/28.
 - d. State court judges have inherent authority to regulate the conduct of individuals within the courtroom and in the entire courthouse, including its outlying premises, to ensure the administration of justice.
 - e. Judges shall exercise that authority by making clear that any immigration arrests unsupported by a judicial warrant are prohibited within juvenile courthouses, to ensure that the best interests of children are protected.
- B. Non-public Areas
- a. Immigration officials shall not be permitted entry to any non-public area of a courthouse absent a judicial warrant
- C. Security
- a. Courthouse security shall keep a log of all law enforcement officers requesting courthouse access and whether they were granted access to any part of the courthouse.
 - b. Upon entry to a courthouse, all law enforcement officers shall be instructed to check in with court security officers, provide identification, identify whether they are armed, and state the purpose of their visit.
- D. Transparency

- a. The court staff shall keep records of any immigration enforcement action on courthouse grounds, including the date, identity of the immigration enforcement officers (if known), identity of the individual arrested (if known), and location of the arrest, and report this information quarterly to the Attorney General. The Attorney General shall post this information publicly on the Attorney General's website.
 - b. All courthouse policies related to immigration enforcement shall be posted publicly in the courthouse in English and the top five languages spoken in Philadelphia.
- E. Prohibition on assisting with immigration enforcement
 - a. Court personnel shall be prohibited from assisting, or using any court resources to assist, immigration officials conducting enforcement actions on courthouse ground.
 - b. Court personnel shall be prohibited from sharing any information, including providing access to courthouse records or databases, with immigration officials about individuals having business before the courts. See Pa.R.J.C.P. 137. See also Pa. R.J.C.P. 195(B)
- F. Prohibition on collection of personal information
 - a. Court personnel shall be expressly prohibited from inquiring into the immigration or citizenship status of any person having business before the courts, unless required by law. Court personnel shall also be prohibited from discussing an individual's immigration status in open court.
- G. Definitions:
 - a. Court Security Officers: any and all personnel that is employed to work in the courthouse or on courthouse grounds for the purpose of providing courthouse or courtroom security, including the Sheriff's Office.
 - b. Personal Information means information that is maintained by an agency that identifies or describes an individual, including, but not limited to, his or her name, social security number, physical description, home address, school address, work address, home telephone number, education, financial matters, and medical or employment history. It includes statements made by, or attributed to, the individual.