



JUDGE'S CHAMBERS
TWENTY-NINTH JUDICIAL DISTRICT OF PENNSYLVANIA
LYCOMING COUNTY

MARC F. LOVECCHIO
JUDGE
COURT OF COMMON PLEAS

August 20, 2010

COUNTY COURTHOUSE
48 WEST THIRD STREET
WILLIAMSPORT, PA 17701
(570) 327-2336
FAX (570) 327-2288

NOTICE TO THE PROFESSION

From: Marc F. Lovecchio, Judge 

Re: **Underage Drinking Court**

After input from the District Attorney, it has been determined that the process for seeking and gaining admission to the Underage Drinking Court must remain the same except for a few modifications. An individual may seek admission to the Program in one of three methods.

The first method is pre-citation. Once a law enforcement officer has determined to charge an individual with an underage drinking violation, in lieu of filing the citation, the officer can submit a referral form to Chris Deal of West Branch Drug & Alcohol Abuse Commission. All departments have referral forms. If more are needed please contact Chris. The individual will then be staffed by the Underage Drinking Court Team and a determination will be made as to the whether that individual will be accepted. If accepted, the individual will be notified and once the individual appears for the first court session, the officer will be notified. Upon acceptance to the Court, the individual will be required to sign an appropriate waiver and admission. Conversely, if the individual is not accepted, the officer will be notified and may file the citation and proceed accordingly.

The second method is post-citation. Once the individual is cited with an underage offense, he or she may seek acceptance to the Underage Drinking Court by submitting a written application to my chambers c/o my secretary Rebecca Loner. The application forms are available at the MDJ offices or through my office. No application will be considered, however, without the prosecuting law enforcement officer's written approval. Once the written application is submitted with the officer's approval, the team will consider the application and advise the individual and law enforcement officer as appropriate. Pending a decision, no longer than 60 days, the MDJ may continue the case or dismiss it without prejudice.

The third method is post-conviction/appeal. If an individual is cited, takes a hearing and is found guilty, the individual may take an appeal to the Court of Common Pleas. The individual may then submit a completed application form to my chambers.

Once the application is submitted to the Court, a copy of such will be forwarded to the District Attorney's office. The application will not be considered unless the District Attorney with the consent of the arresting law enforcement officer agrees to an Underage Drinking Court disposition. Of course, the Defendant and the Defendant's attorney may submit whatever information they wish, to the District Attorney in support of the application.

If an individual is accepted to the Court under any of the above-referenced methods, the underlying citation will either be dismissed or held in abeyance pending the individual's completion of the program. If the charges are not filed or initially dismissed, they may be filed or re-filed if the individual fails to successfully complete the program.

Our Court has been very effective. Like similar "problem solving" Courts throughout the Country, it focuses on reducing the risk of prolonged and harmful alcohol use. I thank all of you who continue to support it. If there are any questions whatsoever, please feel free to contact me and thank you for your attention to these matters.

CC: President Judge Nancy Butts
Judge Dudley Anderson
Judge Richard Gray
Judge Joy McCoy
MDJ Carn
MDJ Lepley
MDJ McRae
MDJ Page
MDJ Schriener
MDJ Sortman
DA; PD; APO; JPO;
Underage Drinking Court Team
Chief Howard Dougherty; TVRPD
Corporal Jason Gill, Hughesville PD
Captain Donald Peters, PSP
Chief Terry O'Connell, SWPD
Chief William Solomon, OLTPD
Chief Dan Straley, Montoursville PD
Chief Richard Sutton, Muncy PD
Chief Gregory Foresman, Williamsport Bureau of Police
Penn College Police Dept. Attn: Chris Miller

MFL/bsl