

EACH SETTLEMENT CLASS MEMBER PARTICIPATING IN THE SETTLEMENT  
– WHETHER A JUVENILE CLASS MEMBER OR A PARENT CLASS MEMBER –  
MUST SUBMIT A SEPARATE PROOF OF CLAIM FORM.

**I. PERSONAL INFORMATION**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Email: \_\_\_\_\_

Home Phone No.: (\_\_\_\_)\_\_\_\_-\_\_\_\_ Cell Phone No.: (\_\_\_\_)\_\_\_\_-\_\_\_\_

Date of Birth: \_\_\_\_\_ SSN: \_\_\_\_\_-\_\_\_\_-\_\_\_\_\_

**II. OPT-OUT RIGHT**

You can elect to opt out of this Settlement and be free to legally pursue Robert K. Mericle and/or Mericle Construction, Inc., on your own or with your own attorney, and outside of the Settlement. To opt out means that you will receive no payment from the Cash Settlement Fund and you will not be a Settlement Class Member.

If you wish to opt out of the Settlement with Robert K. Mericle and Mericle Construction, Inc., please indicate below by signing your name.

**DO NOT SIGN UNLESS YOU INTEND TO OPT-OUT. IF YOU OPT-OUT, YOU WILL NOT RECEIVE ANY BENEFITS UNDER THIS SETTLEMENT.**

\_\_\_\_\_  
Signature of Settlement Class Member Date

\_\_\_\_\_  
Signature of Parent if Settlement Class Member is a Minor Date

**\*IF YOU OPT OUT OF THIS SETTLEMENT - STOP HERE.  
DO NOT ANSWER ANY ADDITIONAL QUESTIONS.**

**IF YOU DO NOT OPT OUT, AND YOU WISH TO  
PARTICIPATE IN THE SETTLEMENT,  
CONTINUE TO THE NEXT PAGE.**

If you have any questions, visit [www.kidswinsettlement.com](http://www.kidswinsettlement.com) or call 1-866-510-3030

### III. CATEGORIES FOR COMPENSATION

#### DIRECTIONS

On the questions below, check your response where indicated.

In order to determine whether you qualify for the Cash Settlement Fund, you must include your file from the Luzerne County Juvenile Probation Department -- OR -- sign the attached Release authorizing the Claims Committee to access your probation file. **You must submit either your file or the Release with your Proof of Claim Form.**

Note that this Form uses the following terms:

- “Ciavarella” refers to former Luzerne County Court of Common Pleas Judge Mark A. Ciavarella Jr.
- Being “adjudicated delinquent” is similar to being found guilty, but in Juvenile Court. An “adjudication” is a Juvenile Court Order adjudicating a youth delinquent based on an underlying juvenile petition. A Petition is a document containing all charges against a juvenile stemming from an alleged criminal act.
- “PACC/WPACC” refers to the juvenile detention and treatment facilities run by PA Child Care, LLC (in Luzerne County) and Western PA Child Care, LLC (in Butler County).
- A “NON-PACC/WPACC facility” is a juvenile detention or treatment facility (or other out-of-home placement facility) other than PACC/WPACC.

#### QUESTIONS

1. Are you a PARENT or a GUARDIAN of a child who appeared in the Luzerne County Juvenile Court before Ciavarella at any time during the period from January 1, 2003 through May 28, 2008?

--OR--

Are you a JUVENILE who appeared in the Luzerne County Juvenile Court before Ciavarella at any time during the period from January 1, 2003 through May 28, 2008?

PARENT/GUARDIAN \_\_\_\_ JUVENILE \_\_\_\_

➔ If you are a PARENT/GUARDIAN, go to Questions 15-19.

➔ If you are a JUVENILE, continue on to Question 2.

If you have any questions, visit [www.kidswinsettlement.com](http://www.kidswinsettlement.com) or call 1-866-510-3030

2. Were you adjudicated delinquent (found guilty) by Ciavarella at any time between January 1, 2003 and May 28, 2008?

AND/OR

Were you placed outside the home as a result of your appearance before Ciavarella during the period from January 1, 2003 through May 28, 2008?

YES, I was adjudicated delinquent and/or placed outside the home \_\_\_\_\_

NO, neither \_\_\_\_\_

➔ If YES, continue to Question 3.

➔ If NO, you are NOT eligible to participate in this Settlement. **\*\*STOP HERE\*\*** You do not need to answer any additional questions.

3. Were you sent to or detained at any juvenile detention facility or any other residential facility as a result of your appearance before Ciavarella during the period from January 1, 2003 through May 28, 2008?

YES \_\_\_\_\_ NO \_\_\_\_\_

➔ If YES, continue to Question 4.

➔ If NO, you are entitled to \$500. **\*\*STOP HERE\*\*** You do not need to answer any additional questions.

4. Were you detained or placed at PACC/WPACC as a result of your appearance before Ciavarella during the period from January 1, 2003 through May 28, 2008?

YES \_\_\_\_\_ NO \_\_\_\_\_

➔ If YES, continue to Question 5.

➔ If NO -- AND -- you were detained at a NON-PACC/WPACC facility for 90 days or more as a result of your appearance before Ciavarella during the period from January 1, 2003 through May 28, 2008, continue to Question 5.

➔ If NO -- AND -- you were detained at a NON- PACC/WPACC facility for less than 90 days as a result of your appearance(s) before Ciavarella during the period from January 1, 2003 through May 28, 2008, you are entitled to \$1000. **\*\*STOP HERE\*\*** You do not need to answer any additional questions.

If you have any questions, visit [www.kidswinsettlement.com](http://www.kidswinsettlement.com) or call 1-866-510-3030

5. At any time prior to May 28, 2008, including before January 1, 2003, were you ever adjudicated delinquent on (found guilty of) any of the following crimes: (1) rape; (2) arson of a dwelling; (3) any type of sexual assault; (4) any crime involving a firearm that was not a BB Gun; or (5) any other crime that you were originally charged with in adult criminal court or for which you appeared in adult criminal court?

YES \_\_\_\_\_ NO \_\_\_\_\_

→ If YES, you are entitled to \$5000. **\*\*STOP HERE\*\*** You do not need to answer any additional questions.

→ If NO, continue to Question 6.

6. At any time prior to May 28, 2008, including before January 1, 2003, were you adjudicated delinquent (found guilty) based on four (4) or more separate juvenile petitions?

YES \_\_\_\_\_ NO \_\_\_\_\_

→ If YES, you are entitled to \$5000. **\*\*STOP HERE\*\*** You do not need to answer any additional questions.

→ If NO, please answer all the questions in Section IV, Factors for the Enhanced Benefit Fund, below.

#### **IV. FACTORS FOR THE ENHANCED BENEFIT FUND**

Only check "YES" if you answer "YES" to all parts of a question. If your answer would be "NO" to any part of a question, you must check "NO."

7. Were you age 13 or younger at the time of your first offense for which you were adjudicated by Ciavarella or at the time of your first placement by Ciavarella during the period from January 1, 2003 through May 28, 2008?

YES \_\_\_\_\_ NO \_\_\_\_\_

If you have any questions, visit [www.kidswinsettlement.com](http://www.kidswinsettlement.com) or call 1-866-510-3030

8. From January 1, 2003 through May 28, 2008, were you adjudicated delinquent only once (based on only one (1) juvenile petition)?

-- AND --

Were you detained or placed at PACC/WPACC as a result of your appearance(s) before Ciavarella during the period from January 1, 2003 through May 28, 2008 for more than 10 days?

YES to both questions \_\_\_\_\_ NO \_\_\_\_\_

➔ If YES, was this single juvenile petition filed against you your FIRST offense?

YES \_\_\_\_\_ NO \_\_\_\_\_

9. From January 1, 2003 through May 28, 2008, were you adjudicated delinquent only twice (based on no more than two (2) separate juvenile petitions)?

-- AND --

Were you detained or placed at PACC/WPACC as a result of your appearance(s) before Ciavarella during the period from January 1, 2003 through May 28, 2008 for more than 25 days?

YES to both questions \_\_\_\_\_ NO \_\_\_\_\_

10. At any time prior to May 28, 2008, including before January 1, 2003, were you adjudicated delinquent three times or fewer (based on three (3) or fewer separate juvenile petitions)?

-- AND --

Were you detained or placed at PACC/WPACC as a result of your appearance(s) before Ciavarella during the period from January 1, 2003 through May 28, 2008 for at least one (1) day?

-- AND --

Were you detained or placed at a NON-PACC/WPACC facility as a result of your appearance(s) before Ciavarella during the period from January 1, 2003 through May 28, 2008 for more than 180 days?

YES to all three questions \_\_\_\_\_ NO \_\_\_\_\_

If you have any questions, visit [www.kidswinsettlement.com](http://www.kidswinsettlement.com) or call 1-866-510-3030

11. Did you suffer a physical injury or illness, for which you received treatment, either while you were detained or placed at PACC or WPACC or as a result of your detention or placement at PACC or WPACC by former Judge Ciavarella during the period from January 1, 2003 through May 28, 2008?

Written documentation supporting your claim from a healthcare professional, or a signed authorization allowing the Claims Committee to obtain records from the healthcare professional, is necessary to receive enhancement points. Authorization forms may be obtained at [www.kidswinsettlement.com](http://www.kidswinsettlement.com).

YES \_\_\_\_\_ NO \_\_\_\_\_

12. Did you suffer psychological or emotional harm, for which you received treatment from a licensed professional, either while you were detained or placed at PACC or WPACC or as a result of your detention or placement at PACC or WPACC by former Judge Ciavarella during the period from January 1, 2003 through May 28, 2008?

Written documentation supporting your claim from a licensed mental health professional, or a signed authorization allowing the Claims Committee to obtain records from the licensed mental health professional, is necessary to receive enhancement points. Authorization forms may be obtained at [www.kidswinsettlement.com](http://www.kidswinsettlement.com).

YES \_\_\_\_\_ NO \_\_\_\_\_

13. Was your educational progress adversely affected, including but not limited to loss of education credits or loss of a full or partial class year, as a result of your having been detained or placed at PACC or WPACC by former Judge Ciavarella during the period from January 1, 2003 through May 28, 2008?

Written documentation supporting your claim from an appropriate professional, such as a school counselor or school administrator, or a signed authorization allowing the Claims Committee to obtain records from the appropriate professional, is necessary to receive enhancement points. Authorization forms may be obtained at [www.kidswinsettlement.com](http://www.kidswinsettlement.com).

YES \_\_\_\_\_ NO \_\_\_\_\_

If you have any questions, visit [www.kidswinsettlement.com](http://www.kidswinsettlement.com) or call 1-866-510-3030

14. Were you **ONLY** detained or placed at a NON-PACC/WPACC facility for MORE than 90 days?

YES \_\_\_\_ NO \_\_\_\_

**V. PARENT PLAINTIFF COMPENSATION**

15. Did your child commit suicide as a result of having been detained or placed at PACC or WPACC during the period from January 2003 through May 28, 2008?

Written documentation supporting your claim from an appropriate professional, or a signed authorization allowing the Claims Committee to obtain records from the appropriate professional, is necessary to receive enhancement points. Authorization forms may be obtained at [www.kidswinsettlement.com](http://www.kidswinsettlement.com).

YES \_\_\_\_ NO \_\_\_\_

16. Was your child adjudicated delinquent or placed by Ciavarella during the period from January 1, 2003 through May 28, 2008?

YES \_\_\_\_ NO \_\_\_\_

➔ If YES, continue to Question 17.

➔ If NO, you are NOT eligible to participate in this Settlement. **\*\*STOP HERE\*\*** You do not need to answer any additional questions.

17. What are the name(s) and date(s) of birth of your child(ren) who were adjudicated delinquent or placed by Ciavarella at any time during the period from January 1, 2003 through May 28, 2008?

Name	D.O.B.
_____	_____
_____	_____
_____	_____
_____	_____

If you have any questions, visit [www.kidswinsettlement.com](http://www.kidswinsettlement.com) or call 1-866-510-3030

18. Did you make payments to Luzerne County or have wages, social security payments, unemployment compensation, or other entitlements garnished or withdrawn by Luzerne County as a result of your child's adjudication or placement by Ciavarella during the period from January 1, 2003 through May 28, 2008?

YES\_\_\_\_\_ NO\_\_\_\_\_

→ If YES, state how much: \_\_\_\_\_

→ If YES, attach all receipts and documentation of these payments, garnishments, or withdrawals.

19. Did you pay for court-ordered services or pay court-ordered costs, fees, interest, and/or penalties assessed against you or your child as a result of your child's adjudication or placement by Ciavarella during the period from January 1, 2003 through May 28, 2008?

YES\_\_\_\_\_ NO\_\_\_\_\_

→ If YES, state how much: \_\_\_\_\_

→ If YES, attach all receipts and documentation of these payments.