

# Communications & Legislative Affairs Update

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# Learning Objectives

By the end of this session, you will:

1. Understand the role of the Legislative Affairs staff;
2. Be familiar with the judicial budget and its components; and
3. Be up-to-date on recent enactments and pending legislation of interest.

# Legislative Affairs

Who are we? What do we do?

- Normally a staff of two, reporting directly to the Court Administrator
- Liaison between the AOPC/all courts and the legislative and executive branches.



National Portrait Gallery, Smithsonian Institution;  
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# Legislative Affairs

Who are we? What do we do?

- Work and coordinate with all AOPC departments and boards, committees, and councils of the Supreme Court.
- Field and coordinate responses to legislative data and other requests.



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# Legislative Affairs

It's a quest for ... fun?

Find the sweet spot between providing vital information that assists in creating good legislation, while not taking or offering a position on policy changes

# What We Do

- Budget, budget, and more budget.
- Monitor, provide feedback, and – where appropriate – seek amendments to legislation amending the Crimes, Domestic Relations, Judicial and Transportation Codes, and numerous unconsolidated acts, including Landlord and Tenant, Crime Victims, PCCD.



# What We Do

- Work with several legislative committees in both chambers including Judiciary, Aging / Children, Transportation and State Government.
- Serve as liaison to Supreme Court boards and councils when necessary.



# Judicial Budget

Three components:

- General appropriations – i.e., line items
- “Act 49” augmenting revenues
- Judicial Computer System



# 2022-23 Budget

## Act 1A of 2022

The 2022-23 GAA totaling \$42.114 billion – 12.4% overall increase.

Provides the judiciary with \$362.369 million, a \$6.405 million, or 1.8% overall increase.

Appropriates \$45.6 million from the JCSAA for JCS operations

# 2022-23 Budget

Act 54 of 2022

Fiscal Code 2022-23 budget implementation act

Reauthorized the Act 49 surcharges until July 31, 2023 - \$72 million in 2022-23

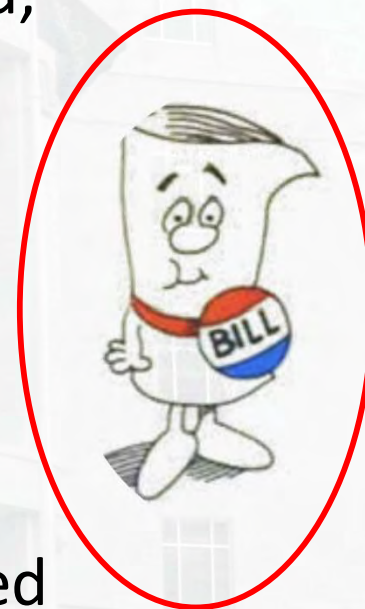
Extended the suspension of the \$15 million diversion from the JCSAA to the School Safety and Security Fund for the 2022-23

# Current Legislative Summary

During the month of June, 73 bills were passed and enacted into law and four were vetoed. Of those enacted, 21 have some impact on the courts generally – e.g., budget, IT/systematic, probation standards.

Art. 5 (Judiciary) constitutional amendments moved forward, but ultimately did not pass both chambers.

Twenty-one other bills of judicial interest were considered but did not make it to the governor's desk – still in play this fall. The House and Senate have six or seven session days remaining, including a few post-election.



# Judicial Vacancies

On July 8, the Senate confirmed nominations to fill vacancies in common pleas and magisterial district court seats.

By a vote of 49-1, common pleas vacancies were filled in Allegheny, Berks, Blair, Chester (2), Columbia/Montour, Lancaster (2), Lycoming and Philadelphia (4).

By a vote of 50-0, magisterial district court vacancies were filled in Bucks, Delaware, Juniata/Perry, Monroe, Schuylkill, Snyder/Union, Washington and York.

# Crime Victims & Notification of Proceedings

Act 71 of 2022

- Amends the Crime Victims Act, requiring arresting officers to provide victim name and contact information to the magisterial district court (MDC) or the Philadelphia Municipal Court (PMC) conducting the preliminary arraignment so to provide notice of proceedings to modify bail conditions and allow victims to appear.
- Requires the MDC or PMC to transmit the contact information with the transcript of the proceedings to the court of common pleas at the conclusion of the preliminary hearing so clerks of courts can notify the victim of any proceedings to modify bail and the victim may exercise the opportunity to appear.

# Art. 5 Amendments

## House Bill 1910

- Amends section 10 to allow the General Assembly to, by statute, prescribe general rules governing practice, procedure, and conduct of the courts.
- Removes the language directing that all laws inconsistent with the rules are suspended.
- Reported from House Judiciary, by a party line vote of 15-10, on March 30, 2002.

# Art. 5 Amendments

## House Bill 2660

- Amends section 10, allowing the General Assembly to establish venue in civil cases by statute.
- Reported from House Judiciary on June 21, 2022, by a vote of 14-11 with all by one Republican in favor and all Democrats opposed.

# Art. 5 Amendments

## House Bill 1881

- Amends section 16, removing the language that currently precludes the diminishment of judicial compensation during a term in office.
- This bill has not moved from committee.



# Alternatives to Title 75 Sanctions

## Senate Bill 1049

- Amends Titles 42 and 75, allowing MDJs to place individuals whose operating privileges are suspended pursuant to certain Vehicle Code provisions in an appropriate public service program/other adjudicative alternative.
- Reported from Senate Transportation 14-0 and referred to Senate Appropriations.

# Determinate Sentence in Summary Traffic Cases

Addressing *Commonwealth v. Eid*, 249 A.3d 1031 (Pa. 2021)

Senate Bill 1031 and House Bills 2106 and 521

- Amends Titles 42 and 75 allowing a court to impose a determinate sentence for a summary traffic violation when the maximum sentence of total confinement imposed is 90 days or less and repeals current sentencing ranges enumerated in 75 Pa.C.S., § 1543.
- Senate Bill 1031 and House Bill 2106 remain in their chamber of origin. House Bill 521 has crossed chambers.

# Referral to Collection Agencies Upon Default

## Senate Bill 1208

- Redo of vetoed Senate Bill 516.
- Amends Title 42, under current law regarding default, allowing MDJs who have noticed and scheduled a financial determination hearing, for which the defendant fails to appear, to turn delinquent accounts over to a private collection entity.
- Defendants may request a new hearing.

# Referral to Collection Agencies (Cont'd)

- Allows for the waiver or reductions of costs and fines (not restitution) if the defendant is found unable to pay.
- Requires the issuing authority to waive an existing collection fee that was not previously collected from a defendant who is determined to be without the financial means to pay.
- Passed Senate. Pending in House.

# Additional Information

Provided with your PowerPoint presentation:

- Legislative process 101 document

# Contact Information

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