

No. 2007-64

AN ACT

SB 117

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the establishment and operation of the Juvenile Court Judges' Commission; prescribing its powers and duties; and repealing provisions relating to Juvenile Court Judges' Commission.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Chapter 63 of Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a subchapter to read:

SUBCHAPTER F
JUVENILE COURT JUDGES' COMMISSION

Sec.

6371. Definitions.

6372. Juvenile Court Judges' Commission.

6373. Powers and duties.

6374. Power to make grants.

6375. Funding.

§ 6371. Definitions.

The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Commission.” The Juvenile Court Judges' Commission created pursuant to section 6372(a) (relating to Juvenile Court Judges' Commission).

“Commissioner.” A member appointed to the Juvenile Court Judges' Commission pursuant to section 6372(b) (relating to Juvenile Court Judges' Commission).

§ 6372. Juvenile Court Judges' Commission.

(a) Establishment.—There is hereby established in the Office of General Counsel the Juvenile Court Judges' Commission.

(b) Composition.—The commission shall consist of nine judges who shall be appointed by the Governor from a list of judges, serving in the juvenile courts, selected and submitted by the Chief Justice of Pennsylvania.

(c) Tenure.—Of the first nine appointees to the commission, three shall serve for three years, three for two years and three for one year. After the initial term, the term for all members shall be three years.

(d) *Officers.*—The commission shall annually select one of its members as chairman and one member as secretary.

(e) *Staff.*—The chairman, with the approval of the majority of the commission, may appoint and fix the compensation of assistants, clerks and stenographers as he deems necessary to enable the commission to perform its powers and duties. During his term of employment, no assistant shall engage, directly or indirectly, in the practice of law in any juvenile court in this Commonwealth.

(f) *Staff compensation.*—The compensation of the assistants, clerks and stenographers shall be fixed within limitations fixed by the Executive Board and shall be eligible to apply for membership in the State Employees' Retirement System.

(g) *Meetings.*—Each year there shall be quarterly meetings of the commission and such additional meetings as the chairman shall deem necessary. Each commissioner attending the meetings shall be paid only his necessary expenses incurred in attending the meetings. Five members of the commission shall constitute a quorum at meetings.

§ 6373. *Powers and duties.*

The commission shall have the power and is required to do the following:

(1) Advise the juvenile court judges of this Commonwealth in all matters pertaining to the proper care and maintenance of delinquent and dependent children.

(2) Examine the administrative methods and judicial procedure used in juvenile courts throughout this Commonwealth, establish standards and make recommendations on the same to the courts presiding over juvenile proceedings within this Commonwealth.

(3) Examine the personnel practices and employment standards used in probation offices in this Commonwealth, establish standards and make recommendations on the same to courts presiding over juvenile proceedings within this Commonwealth.

(4) Collect, compile and publish such statistical and other data as may be needed to accomplish reasonable and efficient administration of the juvenile courts system.

§ 6374. *Power to make grants.*

The commission shall have the power, and its duty shall be to make annual grants to political subdivisions for the development and improvement of probation services for juveniles.

§ 6375. *Funding.*

The General Assembly shall annually appropriate such sums as it deems to be necessary for the operation and expenses of the commission.

Section 2. Repeals are as follows:

(1) The General Assembly declares that the repeals under paragraphs (2) and (3) are necessary to effectuate the addition of 42 Pa.C.S. Ch. 63 Subch. F.

(2) The act of December 21, 1959 (P.L.1962, No.717), entitled "An act providing for the creation and operation of the Juvenile Court Judges' Commission in the Department of Justice; prescribing its powers and duties; and making an appropriation."

(3) Sections 905.1 and 905.2 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 3. This act shall be a continuation of the act of December 21, 1959 (P.L.1962, No.717), entitled "An act providing for the creation and operation of the Juvenile Court Judges' Commission in the Department of Justice; prescribing its powers and duties; and making an appropriation." The following apply:

(1) Except as otherwise provided in 42 Pa.C.S. Ch. 63 Subch. F, all activities initiated under the act of December 21, 1959 (P.L.1962, No.717), entitled "An act providing for the creation and operation of the Juvenile Court Judges' Commission in the Department of Justice; prescribing its powers and duties; and making an appropriation," shall continue and remain in full force and effect and may be completed under 42 Pa.C.S. Ch. 63 Subch. F. Orders, regulations, rules and decisions, which were made under the act of December 21, 1959 (P.L.1962, No.717), and which are in effect on the effective date of section 2 shall remain in full force and effect until revoked, vacated or modified under 42 Pa.C.S. Ch. 63 Subch. F. Contracts and obligations entered into under the act of December 21, 1959 (P.L.1962, No.717), are not affected nor impaired by the repeal of the act of December 21, 1959 (P.L.1962, No.717).

(2) Any difference in language between 42 Pa.C.S. Ch. 63 Subch. F and the act of December 21, 1959 (P.L.1962, No.717), is intended only to conform to the style of the Pennsylvania Consolidated Statutes and is not intended to change or affect the legislative intent, judicial construction or administration and implementation of the act of December 21, 1959 (P.L.1962, No.717).

Section 4. This act shall be a continuation of sections 905.1 and 905.2 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929. The following apply:

(1) Except as otherwise provided in 42 Pa.C.S. Ch. 63 Subch. F, all activities initiated under sections 905.1 and 905.2 of The Administrative Code of 1929 shall continue and remain in full force and effect and may be completed under 42 Pa.C.S. Ch. 63 Subch F. Orders, regulations, rules and decisions, which were made under sections 905.1 and 905.2 of The Administrative Code of 1929 and which are in effect on the effective date of section 2 of this act shall remain in full force and effect until revoked, vacated or modified under 42 Pa.C.S. Ch. 63 Subch. F. Contracts and obligations entered into under sections 905.1 and 905.2 of The Administrative Code of 1929 are not affected nor impaired by the repeal of sections 905.1 and 905.2 of The Administrative Code of 1929.

(2) Any difference in language between 42 Pa.C.S. Ch. 63 Subch. F and sections 905.1 and 905.2 of The Administrative Code of 1929 is intended only to conform to the style of the Pennsylvania Consolidated Statutes and is not intended to change or affect the legislative intent, judicial construction or administration and implementation of sections 905.1 and 905.2 of The Administrative Code of 1929.

Section 5. This act shall take effect immediately.

APPROVED—The 4th day of December, A.D. 2007.

EDWARD G. RENDELL