
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1778 Session of
2013

INTRODUCED BY PETRI, COHEN, DUNBAR, EVERETT, HEFFLEY, JAMES,
LAWRENCE, MCGEEHAN, MILLARD, MURT, SWANGER AND WATSON,
OCTOBER 21, 2013

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 21, 2013

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in judicial boards and
3 commissions, further providing for composition of jury
4 selection commission; in facilities and supplies, further
5 providing for county judicial center or courthouse; and, in
6 juries and jurors, further providing for challenging
7 compliance with selection procedures.

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

10 Section 1. Section 2122(a) of Title 42 of the Pennsylvania
11 Consolidated Statutes is amended to read:

12 § 2122. Composition of jury selection commissions.

13 (a) General rule.--Except in the first judicial district
14 [and], other home rule charter counties and counties where the
15 office of jury commissioner has been abolished, the jury
16 selection commission shall consist of two jury commissioners
17 elected as provided in this section and the president judge of
18 the court of common pleas of the judicial district embracing the
19 county. The president judge may from time to time assign another
20 judge of court to perform his duties temporarily. The president

1 judge or his assigned replacement shall be chairman. In counties
2 where the office of jury commissioner has been abolished, the
3 jury selection commission shall consist solely of the president
4 judge of the court of common pleas of the judicial district
5 embracing the county.

6 * * *

7 Section 2. Section 3721(a) of Title 42 is amended by adding
8 a paragraph to read:

9 § 3721. County judicial center or courthouse.

10 (a) General rule.--There shall be maintained at the county
11 seat of each county a facility known as the county judicial
12 center, which may be the existing county courthouse. The
13 facility shall provide accommodations and supporting facilities
14 and services for the following functions, agencies and units of
15 or related to the unified judicial system:

16 * * *

17 (6.1) The facility need not provide accommodations or
18 supporting facilities and services for the office of jury
19 commissioner in counties where that office has been
20 abolished.

21 * * *

22 Section 3. Section 4526(b) and (d) of Title 42 are amended
23 to read:

24 § 4526. Challenging compliance with selection procedures.

25 * * *

26 (b) Hearing on petition.--At the hearing on the petition
27 filed under subsection (a), the moving party is entitled to
28 present in support of the petition the testimony of the jury
29 [commissioners or their] selection commission or the jury
30 selection commission's clerks, any relevant records and papers

1 not public or otherwise available used by the jury
2 [commissioners or their] selection commission or the jury
3 selection commission's clerks and any other relevant evidence.
4 If the court determines that in selecting persons to fill the
5 array the [commissioners have] jury selection commission failed
6 to substantially comply with this subchapter, the court shall
7 stay the proceedings requiring the service of jurors pending the
8 selection of a new array in conformity with this subchapter or
9 may grant other appropriate relief.

10 * * *

11 (d) Records.--The contents of any records or papers used by
12 the jury [commissioners or their] selection commission or the
13 jury selection commission's clerks in connection with the
14 selection process and not made public under this subchapter
15 shall not be disclosed (except in connection with the
16 preparation or presentation of a petition filed under subsection
17 (a)) until after the list of qualified jurors or jury wheel has
18 been emptied and refilled and all persons selected to serve as
19 jurors before the list of qualified jurors or jury wheel was
20 emptied have been discharged.

21 * * *

22 Section 4. This act shall take effect immediately.