PRINTER'S NO. 3422

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2284 Session of 2020

INTRODUCED BY FARRY, THOMAS, POLINCHOCK, MURT, FREEMAN, WILLIAMS, READSHAW, WEBSTER, BROWN, HILL-EVANS, JAMES, T. DAVIS, KULIK, CALTAGIRONE, YOUNGBLOOD, McNEILL, CIRESI, HOWARD AND DeLUCA, MARCH 4, 2020

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 4, 2020

AN ACT

Amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in protection from abuse, further providing for emergency relief by minor judiciary.

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

Section 1. Section 6110(b) and (d) of Title 23 of the Pennsylvania Consolidated Statutes are amended to read:

§ 6110. Emergency relief by minor judiciary.

* * *

(b) Expiration of order.--An order issued under subsection (a) shall expire at the end of the next business day the court deems itself available[.]<u>, unless a court by local rule provides that orders issued under subsection (a) expire when the court holds a hearing under this chapter or within 10 business days, whichever occurs sooner. Orders issued in counties that have adopted a local rule under this subsection shall be entered into the Statewide registry pursuant to section 6105(e) (relating to</u>

responsibilities of law enforcement agencies). The court shall schedule hearings on protection orders entered by hearing officers under subsection (a) and shall review and continue in effect protection orders that are necessary to protect the plaintiff or minor children from abuse until the hearing, at which time the plaintiff may seek a temporary order from the court.

* * *

(d) Instructions regarding the commencement of proceedings.--[Upon]

(1) Except in a county where by local rule an order issued under subsection (a) expires when the court holds a hearing under this chapter, upon issuance of an emergency order, the hearing officer shall provide the plaintiff instructions regarding the commencement of proceedings in the court of common pleas at the beginning of the next business day and regarding the procedures for initiating a contempt charge should the defendant violate the emergency order. The hearing officer shall also advise the plaintiff of the existence of programs for victims of domestic violence in the county or in nearby counties and inform the plaintiff of the availability of legal assistance without cost if the plaintiff is unable to pay for them.

(2) In a county where by local rule an order issued under subsection (a) expires when the court holds a hearing under this chapter, upon issuance of an emergency order, the hearing officer shall provide both the plaintiff and the defendant notice of the date, time and place of the hearing before the court of common pleas for the issuance of a final order or the continuation of a temporary order and shall

provide the plaintiff notice of the procedures for initiating a contempt charge should the defendant violate the emergency order. The hearing officer shall also advise the plaintiff of the existence of programs for victims of domestic violence in the county or in nearby counties and inform the plaintiff of the availability of legal assistance without cost if the plaintiff is unable to pay for them.

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Section 2. This act shall take effect in 60 days.