

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO.

Senate Bill 949

PRINTER'S NO.

1141

AMOUNTImpact covered through
existing appropriations**FUND**

General

DATE INTRODUCED

June 9, 2009

PRIME SPONSOR

Senator Baker

HISTORY OF BILL

Referred to JUDICIARY, June 9, 2009
Reported as committed, June 16, 2009
First consideration, June 16, 2009
Second consideration, June 17, 2009
Re-referred to APPROPRIATIONS, June 17, 2009

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 949 creates a freestanding act entitled the Interbranch Commission on Juvenile Justice Act. This act establishes a joint legislative, executive and judicial commission (Commission) on juvenile justice. The Commission would be responsible for conducting an investigation into the Luzerne County juvenile justice system and how it failed. Additional duties include restoring public confidence in the administration of justice, prevent similar events from occurring in the future, and make recommendations, no later than May 31, 2010, to the Governor, Supreme Court, Senate of Pennsylvania and the House of Representatives.

Members:

The Commission shall consist of the following eleven members:

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- (1) Four members appointed by the Chief Justice, of which one of them must have served on the Juvenile Court Judges' Commission;
- (2) Four members knowledgeable and experienced in juvenile law or providing services to juveniles, of which none of them may be a member of the General Assembly. These members are appointed, one each, by the President pro tempore of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, and Minority Leader of the House of Representatives; and
- (3) Three members appointed by the Governor, one of whom must be a member of the general public and another who must be a member of the Coalition of Pennsylvania Crime Victim Organizations who is directly involved in providing services to victims associated with juvenile crime.

The members of the Commission shall be appointed within 15 days of the effective date and the Chief Justice of Pennsylvania shall appoint the chairperson.

Meetings and Hearings:

The first meeting of the Commission shall occur within 45 days of the effective date and shall thereafter meet at least once a month. The Commission shall hold public hearings as necessary.

Compensation and Expenses:

Members of the Commission will not receive compensation but will be reimbursed for expenses incurred in the service of the Commission.

Administrative Services and Assistance:

The Administrative Office of Pennsylvania Courts will provide administrative services for the Commission and upon request, the Pennsylvania Commission on Crime and Delinquency and the Joint State Government Commission will provide administrative assistance. The Juvenile Court Judges' Commission may provide analyses, reports and recommendations.

Powers of the Commission:

The Commission will have the following powers:

1. Investigate and analyze the events, practices, processes and procedures in Luzerne County, involving judges, attorneys,

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- county officials, probation and parole officers, and providers of juvenile services;
2. Review the procedures, practices and rules relating to the appointment of counsel to represent juvenile offenders and the exercise of the right to counsel in Luzerne County;
 3. Review the exercise of authority and abuse of power with regard to the disposition and placement of juveniles in Luzerne County;
 4. Review procedures used in responding to judicial and attorney conduct and make recommendations as necessary with respect to both disciplinary systems; and
 5. Review the oversight of juvenile detention facilities and investigate the utilization of facilities in Luzerne County.

This act takes effect immediately and expires on June 30, 2010.

FISCAL IMPACT:

It is expected that the Commission will incur costs of approximately \$250,000 for holding mandatory monthly meetings and public hearings throughout the Commonwealth. Although there is a minimal fiscal impact on Commonwealth funds, the Administrative Office of Pennsylvania Courts and the Governor's Policy Office have indicated that funding is available from existing funds remaining in the current fiscal year. Some of these costs would be for the following:

- Work sessions;
- Travel / Lodging / Meals
- Mileage reimbursement / Airfare;
- Advertisement of Public Notices (Sunshine Law);
- Printing of meeting materials
- Expert testimony fees;
- Sign Language Interpreter fees;
- Stenographer fees;
- Final report fees, including design, printing and postage.