

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 815

PRINTER'S NO. 833

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 11, 2011

PRIME SPONSOR

Senator Baker

HISTORY OF BILL

Referred to JUDICIARY, March 11, 2011

Reported as committed, April 12, 2011

First consideration, April 12, 2011

Re-referred to APPROPRIATIONS, May 4, 2011

Re-reported as committed, May 23, 2011

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 815 amends §6337 of Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to further provide for the right to counsel in juvenile matters.

This legislation deletes language in current statute that permits the waiver of counsel for a child by a parent or guardian and inserts additional language that specifically clarifies that counsel for the child cannot be waived at any hearing. Additional language specifies that although a delinquent may appear with counsel at the intake conference conducted by a juvenile probation officer, counsel is not mandatory at this proceeding.

Many counties currently require mandatory representation by counsel in juvenile court. This legislation would mandate it statewide.

This Act would take effect in 60 days.

FISCAL IMPACT:

Testimony in a Pennsylvania House of Representatives Judiciary Committee meeting during the previous legislative session revealed that in "well over 90% of juvenile cases, the youth will have an attorney." Therefore, the population that would be impacted by this legislation would be minimal.

It has been determined that the enactment of this legislation would not result in any fiscal impact on Commonwealth funds. Additionally, it is expected that any additional costs to the counties would be minimal.