

AN ACT

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in selection and retention of judicial officers, further providing for content of course of instruction and examination and for continuing education requirement.

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

Section 1. Section 3113 of Title 42 of the Pennsylvania Consolidated Statutes is amended by adding subsections to read: § 3113. Content of course of instruction and examination.

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(c) Specific topics of instruction.--The course of training and instruction shall specifically include:

(1) Information regarding the awareness, support, treatment and diversionary options relating to mental health, intellectual disabilities, autism and addiction.

(2) Instruction on the imposition and collection of fines, costs and restitution in summary cases, including the following topics:

(i) Properly evaluating a defendant's ability to pay.

(ii) Setting affordable payment plans.

(iii) Possible collection methods.

(iv) Alternatives to payment.

(v) Proper procedures when a defendant does not pay.

(vi) Sentencing options if a defendant willfully does not pay.

(vii) The right to appeal.

(viii) The right to counsel.

(3) Information regarding the following:

(i) Adolescent development.

(ii) At-risk behaviors and causes.

(iii) The intersection of dependency and delinquency.

(iv) Positive behavior tools and juvenile-specific resources designed to improve outcomes for individuals under 18 years of age.

(d) Public information.--All materials for the course of training and instruction shall be made available on the publicly accessible Internet website of the board.

Section 2. Section 3118(a) of Title 42 is amended to read:
§ 3118. Continuing education requirement.

(a) Magisterial district judges.--

(1) Every magisterial district judge shall complete a continuing education program each year equivalent to not less than 32 hours per year in such courses or programs as are approved by the board. [At least every six years, the program shall include the identification of mental illness, intellectual disabilities and autism and the availability of diversionary options for individuals with mental illness, intellectual disabilities or autism.] Annual training topics shall specifically include:

(i) Information regarding the awareness, support, treatment and diversionary options relating to mental health, intellectual disabilities, autism and addiction.

(ii) Instruction on the imposition and collection of

finances, costs and restitution in summary cases, including the following topics and any updates on relevant rules and case law:

(A) Properly evaluating a defendant's ability to pay.

(B) Setting affordable payment plans.

(C) Possible collection methods.

(D) Alternatives to payment.

(E) Proper procedures when a defendant does not pay.

(F) Sentencing options if a defendant willfully does not pay.

(G) The right to appeal.

(H) The right to counsel.

(iii) Information regarding the following:

(A) Adolescent development.

(B) At-risk behaviors and causes.

(C) The intersection of dependency and delinquency.

(D) Positive behavior tools and juvenile-specific resources designed to improve outcomes for individuals under 18 years of age.

(1.1) All materials for the course under paragraph (1) shall be made available on the publicly accessible Internet website of the board.

(2) If a magisterial district judge fails to meet these continuing education requirements, such judge shall be subject to suspension by the Supreme Court until such time as

evidence of compliance with such requirements is submitted by the board, but in no event longer than six months at which time the failure to meet the continuing education requirements shall be grounds for the Supreme Court, after a hearing, to declare a vacancy in that district.

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Section 3. This act shall take effect in 60 days.