

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 584 Session of 2007

INTRODUCED BY ORIE, RHOADES, GREENLEAF, KITCHEN, WAUGH, RAFFERTY, STACK, COSTA, WASHINGTON AND ERICKSON, MARCH 20, 2007

SENATOR GREENLEAF, JUDICIARY, AS AMENDED, DECEMBER 10, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for IN
3 ORGANIZATION AND JURISDICTION OF COURTS OF COMMON PLEAS,
4 AUTHORIZING THE ESTABLISHMENT OF PROBLEM-SOLVING courts.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 915. Drug PROBLEM-SOLVING courts.

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10 (a) Establishment.--The court of common pleas of a judicial
11 district and the Municipal Court of Philadelphia may establish a
12 drug court as a special criminal docket ONE OR MORE PROBLEM-
13 SOLVING COURTS AS SPECIAL DOCKETS whereby defendants are
14 admitted to a court-supervised individualized drug treatment
15 program. The court may adopt local rules for the administration
16 of the drug court and its PROBLEM-SOLVING COURTS AND THEIR
17 related treatment services. The local rules may not be
18 inconsistent with this section or any rules established by the

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1 Supreme Court.

2 (b) Statewide ~~drug~~ PROBLEM-SOLVING court coordinator.--The <—
3 Supreme Court may appoint a Statewide ~~drug~~ PROBLEM-SOLVING court <—
4 coordinator. The Statewide ~~drug~~ PROBLEM-SOLVING court <—
5 coordinator may:

6 (1) Encourage and assist in the establishment of a ~~drug~~ <—
7 ~~court~~ PROBLEM-SOLVING COURTS in each judicial district. <—

8 (2) Identify sources of funding for ~~drug~~ PROBLEM-SOLVING <—
9 courts and their related treatment services, including the
10 availability of grants.

11 (3) Provide coordination and technical assistance for
12 grant applications.

13 (4) Develop model guidelines for the administration of
14 ~~drug~~ PROBLEM-SOLVING courts and their related treatment <—
15 services.

16 (5) Establish procedures for monitoring ~~drug~~ PROBLEM- <—
17 SOLVING courts and their related treatment services and for
18 evaluating the effectiveness of ~~drug~~ PROBLEM-SOLVING courts <—
19 and their related treatment services.

20 (c) Advisory committee.--The Supreme Court may establish an
21 interdisciplinary and interbranch advisory committee to advise
22 and assist the Statewide ~~drug~~ PROBLEM-SOLVING court coordinator <—
23 in monitoring and administrating ~~drug~~ PROBLEM-SOLVING courts <—
24 Statewide.

25 ~~(d) Imposition of surcharge. A defendant convicted of a~~ <—
26 ~~drug or alcohol related offense in a judicial district in which~~
27 ~~the court has established a drug court may be ordered by the~~
28 ~~court to pay a surcharge of \$25 which shall be collected in the~~
29 ~~same manner as other court costs. In addition to any grants or~~
30 ~~other money that may become available through public or private~~

1 ~~sources, the money collected through this surcharge shall be~~
2 ~~used by the county to fund the drug court and its related~~
3 ~~treatment services.~~

4 ~~(c) Definitions. As used in this section, the following~~
5 ~~words and phrases shall have the meanings given to them in this~~
6 ~~subsection:~~

7 ~~"Drug or alcohol related offense." A criminal offense that~~
8 ~~the court determines was motivated by the defendant's~~
9 ~~consumption of or addiction to alcohol or a controlled~~
10 ~~substance, counterfeit, designer drug, drug, immediate precursor~~
11 ~~or marihuana, as those terms are defined in the act of April 14,~~
12 ~~1972 (P.L.233, No.64), known as The Controlled Substance, Drug,~~
13 ~~Device and Cosmetic Act.~~

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