
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1276 Session of
2021

INTRODUCED BY FARRY, MILLARD, HILL-EVANS, PICKETT, THOMAS,
MADDEN, GUENST, ROTHMAN, SANCHEZ, SCHLEGEL CULVER, TOPPER,
SCHLOSSBERG, NEILSON, CIRESI, FREEMAN, R. BROWN, O'MARA AND
STEPHENS, APRIL 23, 2021

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 23, 2021

AN ACT

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

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

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

8 § 6110. Emergency relief by minor judiciary.

9 * * *

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

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

8 * * *

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

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

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

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

8 * * *

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