

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 197 Session of 2023

INTRODUCED BY HOGAN, KENYATTA, GUENST, MARCELL, KINKEAD, ZABEL AND CONKLIN, MARCH 8, 2023

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 8, 2023

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 in accordance with section 6105(e)
 18 (relating to responsibilities of law enforcement agencies). The

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

7 * * *

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

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

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

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

7 * * *

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