

THE COURTS

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Victim Services Fee; No. CP-10-AD-1-2015

[45 Pa.B. 771]

[Saturday, February 14, 2015]

Motion to Raise Victim Services Fee

And Now, comes Richard A. Goldinger, District Attorney of Butler County, and presents the following:

1. The District Attorney's Office has certain responsibilities to victims of criminal offenses as set forth in 18 P. S. Section 11.213.
2. In order to comply with said responsibilities, the District Attorney's Office employs two individuals on a full-time basis who deal strictly with victims and witnesses of criminal offenses.
3. The Pennsylvania Commission on Crime and Delinquency, hereinafter referred to as "PCCD," has provided grant funding to counties to assist in employing individuals who are responsible for District Attorney compliance with 18 P. S. Section 11.213.
4. Said grant funding from PCCD consists of the Rights and Services Act grant (RASA) and the Victim of Juvenile Offenders grant (VOJO).
5. Butler County has applied for and been the recipient of each of these grants for at least the previous ten years.
6. While PCCD continues to offer these grants to Butler County, and all other counties across the Commonwealth, the amount of funding available has continually decreased.
7. Butler County has been fortunate to receive sufficient funding from these grants to maintain two full-time employees in the last few years.
8. Although Butler County has been fortunate, the number of employees funded by these grants has gone from three full-time employees and one-part-time employee to the current situation.

9. In 2015, the funding provided by the RASA and VOJO grants will be insufficient to pay the salaries and benefits of the two full-time employees aforementioned.

10. The deficiency is the result of continued cuts to funding by PCCD along with increases in salaries and increased costs of benefits for the employees.

11. Currently in Butler County, court costs of \$60.00 are imposed in all criminal cases, and \$25.00 in all juvenile cases to be applied for victim services.

12. Of those costs, the county keeps \$25.00 of the costs imposed in criminal cases.

13. 18 P. S. Section 11.1101 provides that the counties may keep the \$25.00 they now receive plus 70% of the costs imposed under this section that exceed \$60.00.

14. If the victim services fee were increased to \$100.00 in criminal cases, the county would receive more than double what it receives now in court costs for victim services.

15. These sums should be sufficient to compensate for the shortfall the county is currently facing in victim services funding.

16. This increase in court costs would allow the District Attorney's Office to maintain two full-time employees devoted to victim services.

17. This increase will also continue to allow the county to not utilize taxpayer dollars to fund these two positions.

Wherefore, it is requested the President Judge enter an Administrative Order which increases the Victim Witness Service court cost to \$100.00 in all criminal cases, including cases sentenced at the Magisterial District Courts, with said funds retained by the County of Butler to be placed into a fund to be used for compensation for victim services employees in the District Attorney's Office of Butler County.

RICHARD A. GOLDINGER,
District Attorney

Administrative Order of Court

And Now, this 20th day of January, 2015, upon consideration of the within filed Motion, this Court Orders, pursuant to 18 P. S. Section 11.1101(a), the assessment of the Crime Victim's Compensation Fund and Victim Witness Services Fund shall be increased to a total of \$100.00, unless otherwise ordered by court. This cost shall be imposed at both the Magisterial District Courts for ungraded misdemeanors and misdemeanor 3 and the Common Pleas Court of the 50th Judicial District notwithstanding any statutory provision to the contrary.

Pursuant to 18 P. S. Section 11.1101(b) all fees collected shall be disbursed pursuant to law.

The costs assessed and collected under Section (b)(2) that exceed \$60.00 shall be returned by the Pennsylvania Commission on Crime and Delinquency to the County of

Butler for victim witness services.

It is Ordered that this Administrative Order shall be effective thirty (30) days after the publication thereof in the *Pennsylvania Bulletin*, and shall govern all matters then pending.

It is Further Ordered that in accordance with Pa.R.Crim.P. 105, that the District Court Administrator shall:

(a) File one (1) certified copy hereof with the Administrative Office of Pennsylvania Courts,

(b) Distribute two (2) certified copies hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*,

(c) File one (1) certified copy hereof with the Criminal Procedural Rules Committee,

(d) Cause a copy hereby to be published in the *Butler County Legal Journal* once a week for two successive weeks at the expense of the County of Butler, and

(e) Cause a copy hereby to be delivered to the Clerk of Courts and the seven Magisterial District Judge in Butler County to ensure implementation of this order.

(f) Supervise the distribution hereof to all Judges and all members of the Criminal Bar of this Court.

By the Court

THOMAS J. DOERR,
President Judge

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webmaster@PaBulletin.com