



# The Judiciary Review

## Report from the Senate Judiciary Committee (D)

JAY COSTA, DEMOCRATIC CHAIRMAN

(717) 787-7683

FEBRUARY 2006

## SENATE CONFIRMS CYNTHIA BALDWIN AS JUSTICE OF THE PENNSYLVANIA SUPREME COURT

**T**he Honorable Cynthia A. Baldwin was confirmed by the Senate on Wednesday, February 15 by a vote of 47-1 as a Justice of the Supreme Court of Pennsylvania. The previous day, Judge Baldwin appeared before the Senate Judiciary Committee for her confirmation hearing. As the Democratic Chairman of the committee, Senator Costa was proud to join the endorsement of Judge Baldwin's stellar legal career capping it with her appointment to the high court.

As attorneys in Allegheny County we saw firsthand the type of temperament Judge Baldwin possesses . . . the intellect . . . her diligence. She is one of the hardest working judges in Allegheny County . . . She is extremely well regarded by the Allegheny County Bar . . . She is clearly one of Western Pennsylvania's best, and I am very, very proud to be able to support her for this nomination . . . You will not find a person of greater integrity than Judge Baldwin.

SENATOR JAY COSTA

February 15, 2006

Governor Rendell nominated Allegheny County Court of Common Pleas Judge Cynthia A. Baldwin to fill the vacancy on the

Pennsylvania Supreme Court that began on January 2, 2006. The term of her appointment will extend to the first Monday in January 2008. At that time she would be succeeded by a jurist elected at the 2007 election.

Judge Baldwin received degrees in English (BA) and English Literature (MA) from the Pennsylvania State University and her law degree from Duquesne University. After a distinguished career as a private attorney and service as attorney-in-charge for the Bureau of Consumer Protection for the Office of the Attorney General, Judge Baldwin was the first elected African-American female judge on the Allegheny County Court of Common Pleas in 1989. Additionally, Judge Baldwin served on the Pennsylvania Commission on Crime and Delinquency and the Pennsylvania Commission on Sentencing. Judge Baldwin previously served in the civil division of the Allegheny County Court of Common Pleas after assignments in the family division and as a juvenile court judge. In addition to her judicial duties, Judge Baldwin currently serves as the chairperson for the Penn State University Board of Trustees.

### The Senate Judiciary Committee Reports

#### ■ **Senate Bill 773** **Printer's No. 952**

The legislation amends section 7516 of Title 18 (Crimes Code) making it a misdemeanor of the first

degree to simulcast a greyhound race for commercial purposes. Simulcasting includes the interstate or intrastate transmitting or receiving of such races.

Currently, it is a misdemeanor of the first degree to hold, conduct or operate a greyhound race for public exhibition for monetary remuneration.  
*Current Status—Senate Calendar, Second Consideration*

#### ■ **Senate Bill 866** **Printer's No. 1124**

The legislation amends section 6106 and 6109 of Title 18 (Crimes Code) to provide members of the National Guard and Armed Forces a 90-day extension for a license to carry a firearm. The extension will be granted if the person was deployed overseas and the permit is scheduled to expire while they are deployed overseas. The extension will begin at the end of the deployment period and they shall use their license and a copy of their military orders to show proof of their ability to carry a firearm during the extension period. Currently, permits to carry a firearm or concealed weapon are valid for a period of five years from the date of issuance by the county sheriff. 18 Pa.C.S. § 6109.

*Current Status—Senate Calendar, Second Consideration*

#### ■ **Senate Bill 1069** **Printer's No. 1519**

The legislation establishes the Pennsylvania Innocence Commission. The purpose of the commission is to study and evaluate the underlying



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SENATOR JAY COSTA, Democratic Chairman

### ■ Costa Resolution Honors Neighborhood Legal Services

*A resolution sponsored by Senator Costa honors the work of Neighborhood Legal Services. As such it designates March 18 as Neighborhood Legal Services Day. Pennsylvania is fortunate to have a strong legal services community throughout the Commonwealth. Southwestern Pennsylvania and particularly Allegheny County are very fortunate to be served by a group of dedicated individuals at Neighborhood Legal Services. NLS represents clients in a variety of legal matters who would not otherwise have the resources to hire an attorney to represent them in whatever legal difficulty they may be experiencing. The range of issues that NLS attorneys provide representation include landlord tenant matters, consumer credit issues, domestic relations issues and advice to elderly clients on estate planning and government aid.*

*Costa has worked closely with Neighborhood Legal Services over the last several years, particularly with its popular "Older and Wiser" program that takes attorneys into the neighborhoods of Allegheny County to provide valuable information on retirement, estate planning and Medicare/Medicaid issues.*

causes of wrongful conviction as they occur in the Commonwealth. The commission will be responsible for reviewing cases of wrongful conviction in which a person was convicted of a criminal offense and later found to be innocent of the crime for which the person was convicted. After identifying common causes of wrongful conviction, the commission will be responsible for identifying solutions in the form of legislative enactments, court rule or procedural changes.

The commission will be composed of approximately thirty (30) members recommended by the Chief Justice, Governor and members of the General Assembly. The legislation requires that the commission's membership be geographically and professionally diverse. The Joint State Government Commission will serve as the professional staff of the Commission.

*Current Status—Senate Appropriations*

### Bills Previously Reported in the Judiciary Review

#### ■ House Bill 1467 Printer's No. 3588

This legislation would provide for an alternative dispute resolution procedure relating to residential construction defects between contractors and homeowners.

*Current Status—Governor's Desk*

#### ■ Senate Bill 595 Printer's No. 1496

The bill amends Title 15 (Corporations and Unincorporated Associations) further providing for removal of directors, control persons and qualifications of directors.

*Current Status—Act 6 of 2006*

#### ■ Senate Bill 303 Printer's No. 1356

The Senate unanimously approved Senate Bill 303, which would increase the fees that

constables charge for their judicial services in both civil and criminal proceedings.

The measure also, in some cases, enables a constable to be accompanied by a second constable. In addition, the bill allows for the pre-payment of fees in landlord-tenant actions.

*Current Status—Referred to House Judiciary 2/8/06*



## State Senator JAY COSTA

### OFFICES TO SERVE YOU

#### FOREST HILLS

1501 Ardmore Boulevard  
Suite 403  
Pittsburgh, PA 15221  
(412) 241-6690

#### CARRICK

2306 Brownsville Road  
Pittsburgh, PA 15210  
(412) 488-6111

#### HOMESTEAD

314 East 8th Avenue  
Homestead, PA 15120  
(412) 565-7536

#### HARRISBURG

Senate Box 203043  
Harrisburg, PA 17120-3043  
(717) 787-7683

#### E-MAIL

costa@pasenate.com

#### WEB SITE

www.SenatorCosta.com