

# NEW LAWS SERVICE

## Subscribing to PSATS' New Laws Service

As a subscriber to the State Association's New Laws Service, you will receive all the new laws affecting townships passed by the state legislature each year.

The subscription fee for the Association's New Laws Service appears on your annual dues statement. If your township wishes to subscribe to the service, simply pay the amount due.

Binders for storing the new laws are also available for purchase using the order form enclosed with the laws.

## NEED MORE INFORMATION?

Townships interested in learning more about the Township Legal Defense Partnership or the New Laws Service should call PSATS.



### PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS

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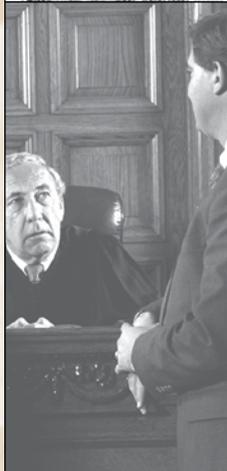
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# PSATS' TOWNSHIP LEGAL DEFENSE PARTNERSHIP AND NEW LAWS SERVICE



Member Services  
of the Pennsylvania State  
Association of  
Township Supervisors



# PARTICIPATING IN PSATS' TOWNSHIP LEGAL DEFENSE PARTNERSHIP

## Why This Program?

Townships continue to be faced with an overwhelming and growing number of lawsuits. These court cases can, and do, set a statewide precedent that can affect all townships in Pennsylvania.

That's why the Executive Board of the Pennsylvania State Association of Township Supervisors established the Township Legal Defense Partnership to support townships in litigating legal disputes that have **statewide implications**.

## How the Program Is Funded

The State Association funds the Legal Defense Partnership through **voluntary contributions from member townships**. Townships that believe they are involved in a case that could have statewide implications may apply for assistance through the program to fight the case.

The Legal Defense Partnership is not an insurance program protecting your township against the possibility of a lawsuit or guaranteeing victory once a case is undertaken. PSATS, with advice from legal counsel, will determine which cases have the potential to affect townships statewide. Funds will be allocated only for those cases that meet the criteria of the Legal Defense Partnership.

In establishing the Legal Defense Partnership, the State Association's Executive Board has taken an important step in advancing the cause of township government.

## How Cases Are Selected

The Association selects cases based on the following criteria:

- **Statewide significance of the case** — Does the case have a statewide interest?
- **Appellate-level cases** — Most statewide issues are likely to reach final resolution in Pennsylvania's appellate-level courts. Also, most cases at the com-

mon pleas level require substantially more time involvement than at the appellate level and therefore would create an undue drain on Association finances.

## How the Association Will Participate in Selected Township Court Cases

After deciding to get involved in a court case that meets the Legal Defense Partnership's criteria, the Association will direct legal counsel to file an amicus curiae (*friend of the court*) brief on behalf of the township and work in conjunction with the township's solicitor throughout the adjudication of the case.

## How to Contribute to the Program

Contributing to the program is simple and affordable. Your annual dues statement already includes your township's annual voluntary contribution to the Legal Defense Partnership based on population.

If your township wishes to make its contribution to the fund, simply pay the amount due.

## Why Should Your Township Contribute?

No township is immune to the financial devastation that a lawsuit can bring. As proven in the past, townships from all over the state can be adversely affected by a court decision in a township hundreds of miles away.

A nominal contribution to the fund can be beneficial to your township even if it is never directly involved in a court case requiring financial assistance.

## How to Contact PSATS About a Case

To request assistance in an appellate-level court case, your solicitor or the board of supervisors should send a letter to PSATS' executive director outlining the details of the case, along with supporting documents, **as soon as a case is filed at the state level**. Upon receipt of your letter, PSATS will contact you.

## RECENT SUCCESSES AND ONGOING EFFORTS

**PSATS' Township Legal Defense Partnership has been giving townships a collective voice in the courts for more than 20 years, and 2015 was no different.**

**Following are summaries of a few cases the Partnership participated in during the past year. Some decisions were still pending at the time of this writing:**

- **In a major victory for municipalities, the Pennsylvania Supreme Court affirmed the constitutionality of the \$500,000 damages cap in the Political Subdivision Tort Claims Act. This ruling came after a jury awarded a plaintiff \$14 million and the trial judge reduced that to comply with the cap.**
  - **The Pennsylvania Supreme Court affirmed the dismissal of a wrongful death claim against a township and two of its police officers after the pursuit of a suspected drunk driver. The court also held that local agencies and police officers owe no duty of care to unknown passengers in vehicles driven by fleeing suspects.**
  - **The Pennsylvania Supreme Court will determine if the Commonwealth Court correctly ruled that the Public Utility Commission is prohibited from reviewing local ordinances for compliance with Act 13 of 2012 and the Municipalities Planning Code.**
- The Partnership is also participating in cases involving the Right-to-Know Law, police and firefighter arbitration, and volunteer firefighters, among others.**
- Townships' ongoing support will enable the Partnership to continue its important role in cases that affect townships statewide.**

