

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 503

Session of  
1985

INTRODUCED BY LASHINGER, GODSHALL, NAHILL, HAGARTY, BUNT, REBER,  
CORNELL AND SALOOM, FEBRUARY 26, 1985

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JANUARY 28, 1986

AN ACT

1 To ascertain and appoint the fees to be received by the  
2 prothonotary, OR HIS COUNTERPART IN A HOME RULE COUNTY, of  
3 the court of common pleas of the Commonwealth in counties of  
4 the second class A only. <—

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

7 Section 1. Fees.

8 The fees to be received by the prothonotary, OR HIS  
9 COUNTERPART IN A HOME RULE COUNTY, of the court of common pleas  
10 of this Commonwealth in counties of the second class A only  
11 shall be as follows: <—

12 APPEALS

13 Appeal from the court of common pleas to an  
14 appellate court..... \$30.00

15 ACKNOWLEDGMENTS

16 Acknowledgment of sheriff, treasurer or  
17 tax claim bureau deeds..... \$ 5.00

1 ASSIGNMENTS

2 Assignment, filing..... \$ 5.00

3 BUILDING AGREEMENTS

4 Filing of any building agreement, waiver,

5 stipulation..... \$10.00

6 CERTIFICATION

7 Certifying copy of any paper:

8 First page..... \$ 3.00

9 Additional pages, each..... 1.00

10 Certification of notary public, district

11 justice or similar paper..... 2.00

12 Exemplification of records..... 10.00

13 COMMENCEMENT OF ACTIONS

14 For commencement of any action at law or equity, regardless

15 of procedure, a fee of not less than \$25 or more than \$125 shall

16 be fixed by the prothonotary, OR HIS COUNTERPART IN A HOME RULE <—

17 COUNTY, of each court of common pleas in counties of the second

18 class A only, on or before January 1 of each year (except in

19 ~~1985~~ 1986, when it shall be fixed within 20 days of the <—

20 effective date of this act) and, when added to all other fees

21 charged, shall bear a reasonable relationship to the sum

22 sufficient to maintain and operate the office of the

23 prothonotary, OR HIS COUNTERPART IN A HOME RULE COUNTY, and that <—

24 part of the court administrator's expenses attributed to those

25 functions required to process civil actions, as well as a

26 reasonable share of the cost of maintaining a public law

27 library, which cost shall be determined by the commissioners.

28 After an action has been commenced, no other fees shall be

29 payable except as herein otherwise specifically provided. The

30 fee fixed shall be the same and apply to all actions without

1 variation, except with respect to divorce actions, where an  
2 additional fee not to exceed \$15 may be charged for each count  
3 in the complaint in excess of the count requesting the divorce.

4 EXECUTIONS

5 Filing of any praecipe for a writ of  
6 execution, including attachment, possession or  
7 any other writ of execution not herein  
8 specifically provided for and all services  
9 incident thereto..... \$15.00

10 JUDGMENTS

11 Entry of any judgment or decree, which is  
12 final, whether by agreement, confession,  
13 demurrer, non pros, or preliminary objection or  
14 motion on verdict or award, by court order,  
15 finding, opinion, default, transcript, copy of  
16 docket entries, ex-record, certified copy of  
17 nonpayment of inheritance tax or certified copy  
18 from criminal court or domestic relations,  
19 including all services..... \$ 9.00

20 LIENS

21 Filing any lien: municipal, mechanics,  
22 Federal or Commonwealth, certified copy of lien... \$ 9.00

23 NOTARY PUBLIC

24 Registration of signature of notary public..... \$ 2.00

25 POUNDAGE

26 For the handling of money paid into court  
27 for each dollar of the first \$1,000..... \$ .03

28 For each dollar of each additional \$1,000  
29 or fraction thereof..... .01

30 REVIVALS

1	Including, in every instance, any entry of	
2	judgment:	
3	(1) Continuing any lien not reduced to	
4	judgment.....	\$ 9.00
5	(2) Reviving the lien of any judgment by	
6	amicable proceedings.....	9.00
7	(3) Reviving the lien of any judgment by	
8	adverse proceedings.....	15.00
9	SUBPOENA	
10	Each.....	\$ 2.00
11	SEARCHES	
12	Search of any record or index, including	
13	certification:	
14	Five years.....	\$ 5.00
15	Each reference.....	1.00
16	SATISFACTIONS	
17	Entering satisfactions, releases,	
18	postponements, assignments, subordinations, of	
19	all encumbrances or liens by power of attorney or	
20	otherwise; or settlement, discontinued ending or	
21	termination of any civil action at law or in	
22	equity.....	\$ 5.00
23	ARBITRATIONS	
24	Where arbitration proceedings are processed	
25	by the prothonotary, OR HIS COUNTERPART IN A HOME RULE	<—
26	COUNTY.....	\$15.00

27 Section 2. Definitions.

28 As used in this act:

- 29 (1) Filing shall mean and include docketing, entering,  
30 indexing and filing.

1           (2) A counterclaim is not to be considered as commencing  
2 a new action.

3           (3) Procedures involved in joinder of additional  
4 defendants shall be considered as part of the original action  
5 and not subject to separate charge.

6           (4) Garnishment proceedings shall not be considered as  
7 commencement of a new action but shall be considered part of  
8 execution.

9           (5) Proceedings on any lien other than revival shall be  
10 interpreted as commencement of new action.

11           (6) Certification of any papers or giving of any  
12 memorandum of filing may be included in the services herein  
13 enumerated and rendered.

14           (7) Any action or proceeding to strike off or open any  
15 judgment shall be considered as commencement of an action.

16 Section 3. Similar services; payment in advance; State tax.

17           (a) Similar services.--The fees for services not herein  
18 specifically provided for or included in any other service shall  
19 be the same as for similar services.

20           (b) Requisite fee to be paid.--The prothonotary, OR HIS  
21 COUNTERPART IN A HOME RULE COUNTY, shall not be required to  
22 enter on docket any suit or action or order of court or enter  
23 any judgment thereon or perform any services whatsoever for any  
24 person, political subdivision or the Commonwealth until the  
25 requisite fee is paid.

26           (c) Fees exclusive of State tax.--The fees enumerated herein  
27 shall be exclusive of any State tax now levied or that may  
28 hereafter be levied.

29 Section 4. No separate charges.

30           There shall be no separate charges for printing, forms,

1 postage or similar services.

2 Section 5. Maximum charge to political subdivisions.

3 The maximum fee to be charged TO THE COMMONWEALTH OR a  
4 political subdivision for any one of the services provided  
5 herein shall be \$10.

6 Section 6. Repeals.

7 The act of November 26, 1982 (P.L.744, No.203), entitled "An  
8 act to ascertain and appoint the fees to be received by the  
9 prothonotary of the court of common pleas of the Commonwealth in  
10 home rule counties or counties of the second class A and the  
11 third to eighth class; to provide the time of paying the same  
12 and to repeal certain acts," is repealed insofar as it relates  
13 to second class A counties only.

14 Section 7. Effective date.

15 This act shall take effect ~~immediately~~ IN 30 DAYS.

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