

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2553 Session of
1980

INTRODUCED BY MESSRS. BERSON, O'DONNELL, RIEGER, WHITE, ROCKS
AND SALVATORE, MAY 13, 1980

SENATOR SCHAEFER, JUDICIARY, IN SENATE, AS AMENDED, JUNE 24,
1980

AN ACT

1 Fixing the fees to be received by the prothonotary of
2 Philadelphia County.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Fees established.

6 The fees to be received by the prothonotary of the trial
7 division of the court of common pleas, and as clerk of the
8 family division of the said court, in counties of the first
9 class, shall be as follows:

10 ACCOUNTS AND REPORTS

11 The filing and docketing of a report or an
12 account..... \$11.00

13 ADDITIONAL DEFENDANT

14 See "DEFENDANT'S FIRST FILING"

15 ADOPTION

16 See "COMMENCEMENT"

1 ANSWER

2 See "DEFENDANT'S FIRST FILING"

3 APPEALS

4 (1) The filing of an appeal to the Supreme,
5 Superior or the Commonwealth Court, including
6 all services..... \$50.00

7 (2) The filing of any other appeal including
8 an appeal from administrative agencies, arbi-
9 tration, Petition for Writ of Certiorari and
10 any other paper and all services..... \$40.00

11 ARBITRATION

12 See "TRIAL AND TRIAL LISTINGS"

13 ASSUMPSIT, ACTION OF

14 See "COMMENCEMENT"

15 CERTIFICATES OF READINESS

16 See "TRIAL AND TRIAL LISTINGS"

17 CERTIFICATIONS

18 (1) Any certification or certificate..... \$ 8.00

19 (2) Any exemplification..... \$25.00

20 (3) If the same involves more than one page,
21 for each additional page..... \$ 2.00

22 (4) Certification of Notorial Certificate.... \$25.00

23 CLASS ACTIONS

24 See "COMMENCEMENT"

25 COMMENCEMENT

26 Commencement of any civil action by writ of
27 summons, complaint, AMICABLE ACTION, <—
28 petition or otherwise
29 including Actions in Assumpsit, Trespass,
30 Ejectment, Quiet Title, Replevin, Mandamus,

1 Quo Warranto, Divorce or Annulment of
2 Marriage, ADOPTION, Mortgage <—
3 Foreclosure, Ground Rent
4 Foreign Attachment, Fraudulent Debtor's
5 Attachment, Equity, Partition of Real Prop-
6 erty, ~~Fe~~ ACTIONS TO Prevent <—
7 Waste, Mechanics' Liens,
8 Class Actions, ACTIONS Involving Minors, <—
9 Declaratory Actions, AMICABLE ACTIONS, Mental <—
10 Health (Incompetents), except Complaint in
11 Confession of Judgment (see "Judgments") and
12 Commencement of Commonwealth Tax Liens (see
13 "Liens"). This is a composite fee which
14 includes the filing of all plaintiff's
15 pleadings, discovery, or any other paper NOT OTHERWISE <—
16 PROVIDED FOR IN THIS ACT and termination
17 except trial and trial listings, judgment,
18 execution, attachment, revival, post judg-
19 ment papers and services..... \$30.00
20 COMMONWEALTH TAX LIENS
21 See "LIENS"
22 COMPLAINT
23 See "COMMENCEMENT"
24 COMPLAINT AGAINST ADDITIONAL DEFENDANT
25 See "DEFENDANT'S FIRST FILING"
26 DECLARATORY ACTIONS
27 See "COMMENCEMENT"
28 DEFENDANT'S FIRST FILING
29 The filing on behalf of any defendant (or
30 additional defendant) of the first pleading,

1 entry of appearance, answer, preliminary ob-
 2 jections, writ to join (with entry of appear-
 3 ance) or complaint against additional defen-
 4 dant, or other paper NOT OTHERWISE <—
 5 PROVIDED FOR IN THIS ACT. A pleading,
 6 appearance or other paper NOT OTHERWISE <—
 7 PROVIDED FOR IN THIS ACT filed on behalf of
 8 more than one defendant shall require only one
 9 fee. The filing of separate initial pleadings
 10 by defendants require a separate fee.
 11 This is a composite fee which includes the
 12 filing of all defendant's pleadings, dis-
 13 covery or any other paper NOT OTHERWISE <—
 14 PROVIDED FOR IN THIS ACT and termination
 15 except trial and trial listings, judgment,
 16 execution attachment, ~~rental~~, REVIVAL, post judg- <—
 17 ment papers and services..... \$15.00
 18 EMINENT DOMAIN
 19 (1) Commencement of action by Declaration
 20 of Taking or Petition for Appointment of a
 21 Board of View..... \$30.00
 22 (2) Initial fee charged for each premises,
 23 parcel or plot..... \$ 1.00
 24 For Defendant, see "DEFENDANT'S FIRST FILING"
 25 EQUITY
 26 See "COMMENCEMENT"
 27 EXECUTION
 28 See "WRITS OF EXECUTION"
 29 FICTITIOUS INDIVIDUAL AND CORPORATE NAMES
 30 (1) The filing of an application for the

1	registration of an individual fictitious	
2	name including any subsequent filing and	
3	cancellation.....	\$45.00
4	(2) The filing of an application for the	
5	registration of a fictitious corporate	
6	name and any subsequent filing including	
7	cancellation.....	\$60.00
8	Search, see "SEARCHES"	
9	FINANCING STATEMENTS	
10	(1) The filing of the U.C.C.I. or any	
11	initial filing under the Uniform Commer-	
12	cial Code.....	\$15.00
13	All subsequent filings including termina-	
14	tion except continuation statements are	
15	filed without fee.	
16	(2) Continuation statements.....	\$ 5.00
17	FOREIGN ATTACHMENT	
18	See "COMMENCEMENT"	
19	FRAUDULENT DEBTOR'S ATTACHMENT	
20	See "COMMENCEMENT"	
21	FUNDS ON DEPOSIT	
22	(1) Receiving and distributing money paid	
23	into court for each dollar under \$500.....	\$.04
24	(2) For each dollar exceeding \$500.....	\$.01
25	GROUND RENT, ACTION FOR	
26	See "COMMENCEMENT"	
27	INCOMPETENTS	
28	See "COMMENCEMENT"	
29	INDEXING	
30	There is no charge for the indexing of premises,	

1	names or papers, except Eminent Domain.	
2	INTERROGATORIES TO COMMISSIONERS	
3	Interrogatories (Certificate to Commis-	
4	sioners).....	\$15.00
5	JOINDER	
6	Defendants joinder of each additional defendant,	
7	EXCEPT INITIAL ACTION WITH APPEARANCE,	<—
8	each.....	\$25.00
9	JUDGMENT	
10	(1) Entry of Judgment in any action commenced	
11	in this county.....	\$15.00
12	(2) Entering from another jurisdiction.....	\$25.00
13	(3) Entering by agreement.....	\$25.00
14	(4) Judgment by confession.....	\$25.00
15	(5) Complaint in Confession of Judgment.....	\$25.00
16	Search, see "SEARCHES"	
17	LIENS	
18	(1) The filing of any Federal Tax Lien, Mechan-	
19	ics Lien or any lien not covered under this	
20	act, Waiver and "To The Use of Lien" includ-	
21	ing Affidavit of Service, including all index-	
22	ing and Termination.....	\$10.00
23	(2) Commencement of any Commonwealth Tax Lien,	
24	including the lien, complaint to use claims,	
25	Writs of Scire Facias, all pleadings, default	
26	judgment, the filing of any paper, and ser-	
27	vices, except Revival, including indexing.....	\$42.00
28	MECHANICS' LIENS, ACTION UPON	
29	See "COMMENCEMENT"	
30	MECHANICS' LIENS WAIVER	

1	See "LIENS"	
2	MENTAL HEALTH	
3	See "COMMENCEMENT"	
4	MINORS	
5	See "COMMENCEMENT"	
6	MORTGAGE FORECLOSURE, ACTION OF	
7	See "COMMENCEMENT"	
8	NONJURY	
9	See "TRIAL AND TRIAL LISTINGS"	
10	NONPAYMENT	
11	See "SUGGESTION OF NONPAYMENT"	
12	NOTARY PUBLIC	
13	Registration of commission of notary public	
14	and signature.....	\$25.00
15	PAPERS	
16	The filing of any interlocutory paper not	
17	included in any composite fee.....	\$ 3.00
18	PETITIONS	
19	See "COMMENCEMENT"	
20	The filing of an interlocutory petition or	
21	motion not included in any composite fee.....	\$10.00
22	POWER OF ATTORNEY	
23	The filing of a power of attorney, including	
24	all services and revocation.....	\$25.00
25	PARTITION OF REAL PROPERTY	
26	See "COMMENCEMENT"	
27	PARTNERSHIPS AND ASSOCIATIONS	
28	The filing of any partnership agreement or	
29	association under their applicable acts, in-	
30	cluding all subsequent papers and termina-	

1	tion.....	\$45.00
2	PRELIMINARY OBJECTIONS	
3	See "DEFENDANT'S FIRST FILING"	
4	PREVENT WASTE, ACTION TO	
5	See "COMMENCEMENT"	
6	QUIET TITLE, ACTION TO	
7	See "COMMENCEMENT"	
8	QUO WARRANTO, ACTION OF	
9	See "COMMENCEMENT"	
10	REFUNDS	
11	There will be no refund of any amount less	
12	than \$5.00 in the event of overpayment of	
13	fees.	
14	REPLEVIN, ACTION OF	
15	See "COMMENCEMENT"	
16	REVIVALS	
17	The filing of any writ, amicable agreement	
18	judgment, petition, pleading and all papers...	\$40.00
19	SEARCHES	
20	(1) Every certified judgment or lien search	
21	for each period of five years or less, each	
22	property.....	\$30.00
23	(2) Every certified locality search, for	
24	each period of five years or less, each	
25	property.....	\$30.00
26	(3) Every certified search of five years or	
27	less the Uniform Commercial Code index.....	\$30.00
28	(4) Fictitious and Fictitious Corporate Name	
29	Searches:	
30	(i) Every certified search from the year	

1	1953 to date or any fraction thereof from	
2	the Fictitious name or Fictitious Corporate	
3	name index.....	\$25.00
4	(ii) Every five years theretofore or any	
5	fraction thereof.....	\$10.00
6	(iii) Every search of any given five year	
7	period or any fraction thereof.....	\$10.00
8	(5) Uniform Commercial Code Searches:	
9	(i) Every certified search of the Uniform	
10	Commercial Code index of five years or	
11	less.....	\$30.00
12	(ii) Each additional statement found over	
13	one.....	\$ 1.00
14	(iii) Searches beyond five years for addi-	
15	tional five years or any fraction thereof.	\$30.00
16	SUBPOENA	
17	(1) Issuing a subpoena form.....	\$ 2.00
18	(2) Producing a record in response to a sub-	
19	poena based on four-hour service.....	\$25.00
20	(3) Service beyond four hours or a fraction	
21	thereof.....	\$15.00
22	(4) For each mile travelled (round trip) for	
23	service out of county.....	\$.17
24	SUGGESTION OF NONPAYMENT	
25	Including all papers and termination.....	\$40.00
26	TERMINATION PAPERS	
27	There is no charge for the filing of any satis-	
28	faction, discontinuance or termination type	
29	paper.	
30	TRESPASS, ACTION OF	

1 See "COMMENCEMENT"

2 TRIAL AND TRIAL LISTINGS

3 (1) Jury fee when jury trial is demanded

4 (including listing)..... \$60.00

5 (2) Compulsory arbitration listing..... \$15.00

6 (3) Certificate of Readiness..... \$15.00

7 Nonjury listing, see "CERTIFICATE OF READINESS"

8 UNIFORM COMMERCIAL CODE

9 Searches, see "SEARCHES"

10 Filings, see "FINANCING STATEMENTS"

11 WRITS OF EXECUTION

12 Issuing any writ of execution, attachment, all

13 papers and services including indexing..... \$25.00

14 Section 2. Fees for similar services.

15 The fee for any paper or service not specially provided for

16 in section 1, shall be the same as for a similar service.

17 Section 3. Fees exclusive of taxes.

18 The fees enumerated in section 1, shall be exclusive of any

19 tax now levied including law library taxes or that may hereafter

20 be levied.

21 Section 4. Fees required before papers received or services

22 performed.

23 The prothonotary shall not be required to receive any paper

24 or perform any service until the proper fee is paid.

25 Section 5. Jury fee.

26 The jury fee when paid shall not be refunded.

27 Section 6. Repeals.

28 (a) The act of August 31, 1971 (P.L.418, No.100), entitled

29 "An act fixing fees to be received by the prothonotary of the

30 trial division of the Court of Common Pleas in Philadelphia, and

1 as clerk of the family division of the said court," is repealed
2 to whatever extent it remained in effect pursuant to section
3 24(a) of the act of July 9, 1976 (P.L.586, No.142).

4 (b) All other acts or parts of acts are repealed insofar as
5 they are inconsistent herewith.

6 Section 7. Effective date.

7 This act shall take effect on July 1, 1980.