
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1933

Session of
1991

INTRODUCED BY GRUITZA, CLARK, NICKOL, RUDY, TIGUE, GERLACH,
HECKLER, JOHNSON, D. R. WRIGHT, GEIST, BATTISTO, FAJT,
STABACK, KRUSZEWSKI, OLASZ, COY, NOYE, BROWN AND FLEAGLE,
JULY 22, 1991

REFERRED TO COMMITTEE ON JUDICIARY, JULY 22, 1991

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, restricting the right to
3 appeal certain actions to the court of common pleas from a
4 court of the minor judiciary.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 932.1. Default judgment appeals.

10 No person shall have an automatic right to appeal a civil
11 action rendered by a district justice, magistrate or other court
12 of the minor judiciary unless he rendered a defense to the
13 action at the hearing held by the district justice, magistrate
14 or other court of the minor judiciary. If the person did not
15 attend the hearing held by the district justice, magistrate or
16 other court of the minor judiciary and suffered a default
17 judgment and wishes to file an appeal to the court of common
18 pleas, he must show cause to the court of common pleas as to why

1 he should be permitted to proceed with an appeal. The court of
2 common pleas shall have the authority to approve or deny the
3 request.

4 Section 2. This act shall take effect in 60 days.