

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1639 Session of
1979

INTRODUCED BY RICHARDSON, SHADDING, RHODES, J. J. JOHNSON,
OLIVER AND WHITE, JULY 10, 1979

REFERRED TO COMMITTEE ON JUDICIARY, JULY 11, 1979

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, prohibiting defendants in
3 small claims cases from countersuing for the purpose of
4 forcing the case into a higher court.

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

7 Section 1. Title 42, act of November 25, 1970 (P.L.707,
8 No.230), known as the Pennsylvania Consolidated Statutes, is
9 amended by adding a section to read:

10 § 7103. Limitation on certain countersuits.

11 No defendant to a civil action filed in a court of the minor
12 judiciary shall be permitted to file a countersuit against the
13 plaintiff in an amount which would force the case to be
14 transferred to a higher court. The district justice or
15 magistrate shall have jurisdiction to decide whether or not such
16 countersuit would have such effect.

17 Section 2. This act shall take effect in 60 days and shall
18 apply to original actions filed on and after that date.