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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE RESOLUTION

## No. 2

Session of  
1981

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INTRODUCED BY PETRARCA, PIEVSKY, KOLTER, OLASZ, VAN HORNE,  
CIMINI, CLARK AND ROCKS, JANUARY 6, 1981

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REFERRED TO COMMITTEE ON RULES, JANUARY 7, 1981

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In the House of Representatives, January 6, 1981

1 WHEREAS, The General Assembly passed Senate Bill 1367 which  
2 would abolish the "English Rule" by a vote of 49-0 in the Senate  
3 and 178-11 in the House of Representatives; and

4 WHEREAS, Supreme Court Justice Samuel J. Roberts urged  
5 Governor Thornburgh to veto the bill; and

6 WHEREAS, The communication from Justice Roberts' noted it was  
7 in response to the court's constitutional mandate to exercise  
8 general supervisory and administrative authority over the  
9 judiciary system; and

10 WHEREAS, The right to countersue for "malicious use of civil  
11 process" goes beyond the ordinary definitions of supervision and  
12 administration; and

13 WHEREAS, Justice Roberts lobbying effort was an unwarranted  
14 intrusion into the legislative process; therefore be it

15 RESOLVED, That the Speaker of the House of Representatives  
16 appoint five members of the House, three of who shall be of the  
17 majority party and two of the minority party to a Legislative

1 Board of Inquiry to investigate the intrusion of the Judicial  
2 Department of the Commonwealth into the legislative process with  
3 respect to Senate Bill 1367 of the 1980 session of the General  
4 Assembly; and be it further

5       RESOLVED, That the Board of Inquiry may hold public hearings,  
6 take testimony, and make its inquiry and study at such places in  
7 the Commonwealth as it deems necessary; and be it further

8       RESOLVED, That the Board of Inquiry shall report its  
9 findings, together with its recommendations for appropriate  
10 action, to the House of Representatives as soon as the  
11 investigation is completed.