
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 88 Session of
 1983

Report of the Committee of Conference

To the Members of the House of Representatives and Senate:

We, the undersigned, Committee of Conference on the part of the House of Representatives and Senate for the purpose of considering House Bill No. 88, entitled:

"An act amending Title 42 (Judicial and Judiciary Procedure) of the Pennsylvania Consolidated Statutes, FURTHER providing for the temporary assignment of SENIOR Philadelphia Municipal Court judges AND OTHER JUDGES AND FOR APPEALS,"

respectfully submit the following bill as our report:

SAMUEL RAPPAPORT

MATTHEW J. RYAN

(Committee on the part of the House of Representatives.)

RICHARD A. SNYDER

D. MICHAEL FISHER

MICHAEL A. O'PAKE

(Committee on the part of the Senate.)

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for additional
3 judges for the courts of common pleas, compensation of
4 assigned district justices and assignment of senior
5 Philadelphia Municipal Court judges.

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

8 Section 1. Sections 911 and 4122 of Title 42 of the
9 Pennsylvania Consolidated Statutes are amended as follows:

10 § 911. Courts of common pleas.

11 (a) General rule.--There shall be one court of common pleas
12 for each judicial district of this Commonwealth consisting of
13 the following number of judges:

14		Number of
15	Judicial District	Judges
16	First	81
17	Second	[6] <u>7</u>
18	Third	5
19	Fourth	1
20	Fifth	[39] <u>41</u>
21	Sixth	[6] <u>8</u>
22	Seventh	[10] <u>11</u>
23	Eighth	2
24	Ninth	[3] <u>4</u>
25	Tenth	[8] <u>9</u>
26	Eleventh	7
27	Twelfth	6
28	Thirteenth	1

1	Fourteenth	4
2	Fifteenth	[7] <u>8</u>
3	Sixteenth	2
4	Seventeenth	[1] <u>2</u>
5	Eighteenth	1
6	Nineteenth	[6] <u>7</u>
7	Twentieth	1
8	Twenty-first	5
9	Twenty-second	1
10	Twenty-third	[6] <u>7</u>
11	Twenty-fourth	[3] <u>4</u>
12	Twenty-fifth	1
13	Twenty-sixth	1
14	Twenty-seventh	5
15	Twenty-eighth	1
16	Twenty-ninth	3
17	Thirtieth	2
18	Thirty-first	[6] <u>7</u>
19	Thirty-second	[14] <u>15</u>
20	Thirty-third	1
21	Thirty-fourth	1
22	Thirty-fifth	3
23	Thirty-sixth	5
24	Thirty-seventh	1
25	Thirty-eighth	15
26	Thirty-ninth	2
27	Fortieth	2
28	Forty-first	1
29	Forty-second	1
30	Forty-third	[2] <u>3</u>

1	Forty-fourth	1
2	Forty-fifth	5
3	Forty-sixth	[1] <u>2</u>
4	Forty-seventh	[4] <u>5</u>
5	Forty-eighth	1
6	Forty-ninth	2
7	Fiftieth	3
8	Fifty-first	[1] <u>2</u>
9	Fifty-second	3
10	Fifty-third	[2] <u>3</u>
11	Fifty-fourth	1
12	Fifty-fifth	1
13	Fifty-sixth	1
14	Fifty-seventh	1
15	Fifty-eighth	1
16	Fifty-ninth	1
17	Sixtieth	1

18 (b) Single county districts.--In single county judicial
19 districts the court of common pleas of the district shall be
20 known as the "Court of Common Pleas of (the respective) County."

21 (c) Multicounty districts.--In multicounty judicial
22 districts the court of common pleas of the district shall be
23 known as the "Court of Common Pleas of the (respective) Judicial
24 District." There shall be a separate branch of the court in each
25 county comprising the judicial district.

26 § 4122. Assignment of district justices.

27 (a) General rule.--Subject to general rules any district
28 justice may be temporarily assigned to any other magisterial
29 district or the Pittsburgh Magistrates Court or the Traffic

1 Court of Philadelphia, and may there hear and determine any
2 matter with like effect as if duly commissioned to sit in such
3 other district or in such court.

4 (b) Senior district justices.--A senior district justice who
5 shall not have been defeated for reelection or been suspended or
6 removed from office may, with his consent, be assigned on
7 temporary magisterial service pursuant to subsection (a). A
8 senior district justice shall be paid a per diem salary at the
9 same annual rate as is applicable in the district where he is
10 temporarily assigned and shall receive expenses at the same per
11 diem rate as other justices temporarily assigned.

12 (c) Additional compensation.--A district justice, assigned
13 by the court of common pleas to perform additional part-time
14 duties in a district other than the one in which he is elected,
15 shall be entitled to receive additional compensation of \$20 per
16 day for each day he performs assigned duties. Any assignment
17 which exceeds five days within any 30-day period shall be
18 approved by the Court Administrator of Pennsylvania.

19 Section 2. Title 42 is amended by adding a section to read:
20 § 4124. Assignment of senior Philadelphia Municipal Court
21 judges.

22 A senior judge of the Philadelphia Municipal Court who has
23 not been defeated for reelection or suspended or removed from
24 office and who has served an aggregate of four years as an
25 elected judge and who is required to retire at age 70 may, with
26 his consent, be assigned on temporary judicial service to that
27 court.

28 Section 3. The vacancies created by the new judgeships added
29 by section 1 of this act shall be filled by election at the
30 first municipal election occurring after the effective date of

1 this act, except that the vacancies created in the fifth,
2 twenty-fourth and thirty-second judicial districts shall be
3 filled pursuant to 42 Pa.C.S. § 3135 (relating to increase in
4 number of judges).

5 Section 4. This act shall take effect immediately.