

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2361 Session of
1982

INTRODUCED BY ALDEN, PICCOLA, HAGARTY, McVERRY, CIVERA, ARTY,
MICOZZIE, RYAN, SPENCER, O'DONNELL, FREIND, DURHAM AND
B. SMITH, MARCH 24, 1982

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 24, 1982

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 arbitrators and the arbitration limit.

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

6 Section 1. Section 7361 of Title 42, act of November 25,
7 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated
8 Statutes, is amended to read:

9 § 7361. Compulsory arbitration.

10 (a) General rule.--Except as provided in subsection (b),
11 when prescribed by general rule or rule of court such civil
12 matters or issues therein as shall be specified by rule shall
13 first be submitted to and heard by a board of three members of
14 the bar of the court.

15 (b) Limitations.--No matter shall be referred under
16 subsection (a):

17 (1) which involves title to real property; or

18 (2) where the amount in controversy, exclusive of

1 interest and costs, exceeds:

2 (i) \$20,000 in judicial districts embracing first,
3 second, second class A or third class counties or home
4 rule counties which but for the adoption of a home rule
5 charter would be a county of one of these classes; [or]

6 (ii) \$10,000 in any other judicial district; or

7 (iii) \$3,000 in any judicial district wherein the
8 court of common pleas has adopted this limit by rule.

9 (c) Procedure.--The arbitrators appointed pursuant to this
10 section shall have such powers and shall proceed in such manner
11 as shall be prescribed by general rules. The court of common
12 pleas of any judicial district which has adopted the arbitration
13 limit of subsection (b)(iii) may, by rule, provide for
14 arbitration by a single arbitrator.

15 (d) Appeal for trial de novo.--Any party to a matter shall
16 have the right to appeal for trial de novo in the court. The
17 party who takes the appeal shall pay such amount or proportion
18 of fees and costs and shall comply with such other procedures as
19 shall be prescribed by general rules. In the absence of appeal
20 the judgment entered on the award of the arbitrators shall be
21 enforced as any other judgment of the court. For the purposes of
22 this section and section 5571 (relating to appeals generally) an
23 award of arbitrators constitutes an order of a tribunal.

24 Section 2. This act shall take effect immediately.