

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL  
No. 910

Session of  
1983

INTRODUCED BY SNYDER, ANDREZESKI, SHAFFER, ROCKS, GREENLEAF,  
SHUMAKER AND WENGER, JULY 1, 1983

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
NOVEMBER 27, 1984

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, ~~further providing for~~ <—  
3 ~~compulsory arbitration.~~ PROVIDING FOR PAYMENT BY THE <—  
4 COMMONWEALTH OF THE COSTS AND EXPENSES INCURRED IN TRIALS  
5 RESULTING FROM ISSUANCE OF PRESENTMENTS BY MULTICOUNTY  
6 INVESTIGATING GRAND JURIES.

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

9 ~~Section 1. Section 7361 of Title 42 of the Pennsylvania~~ <—  
10 ~~Consolidated Statutes is amended to read:~~

11 ~~§ 7361. Compulsory arbitration.~~

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

17 ~~(b) Limitations. No matter shall be referred under~~  
18 ~~subsection (a):~~

1       ~~(1) which involves title to real property; or~~  
2       ~~(2) where the amount in controversy, exclusive of~~  
3       ~~interest and costs, exceeds[.] \$40,000.~~

4               ~~(I) THE AMOUNT, BUT NOT MORE THAN \$40,000, PROVIDED~~ <—  
5       ~~BY RULE OF COURT IN JUDICIAL DISTRICTS EMBRACING FIRST~~  
6       ~~CLASS COUNTIES OR HOME RULE COUNTIES WHICH, BUT FOR THE~~  
7       ~~ADOPTION OF A HOME RULE CHARTER, WOULD BE A COUNTY OF THE~~  
8       ~~FIRST CLASS;~~

9               ~~[(i)] (II) \$20,000 in judicial districts embracing~~ <—  
10       ~~[first,] second, second class A or third class counties~~ <—  
11       ~~or home rule counties which but for the adoption of a~~  
12       ~~home rule charter would be a county of one of these~~  
13       ~~classes; or~~

14               ~~[(ii)] (III) \$10,000 in any other judicial~~ <—  
15       ~~district.]~~

16       ~~(c) Procedure. The arbitrators appointed pursuant to this~~  
17       ~~section shall have such powers and shall proceed in such manner~~  
18       ~~as shall be prescribed by general rules.~~

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

28       ~~Section 2. This act shall take effect in 60 days.~~

29       SECTION 1. SECTION 4553 OF TITLE 42 OF THE PENNSYLVANIA <—  
30       CONSOLIDATED STATUTES IS AMENDED TO READ:

§ 4553. EXPENSES OF INVESTIGATING GRAND JURIES AND TRIALS  
RESULTING THEREFROM.

(A) COUNTY.--THE EXPENSES OF A COUNTY INVESTIGATING GRAND  
JURY SHALL BE BORNE BY THE COUNTY IN WHICH IT IS IMPANELED.

(B) MULTICOUNTY.--THE EXPENSES OF ANY MULTICOUNTY  
INVESTIGATING GRAND JURY SHALL BE BORNE BY THE COMMONWEALTH. IN  
ADDITION, THE COSTS AND EXPENSES RESULTING FROM ANY TRIAL OF A  
PERSON AGAINST WHOM A PRESENTMENT HAS BEEN ISSUED BY A  
MULTICOUNTY INVESTIGATING GRAND JURY SHALL BE BORNE BY THE  
COMMONWEALTH. COSTS AND EXPENSES UNDER THIS SUBSECTION INCLUDE,  
BUT ARE NOT LIMITED TO, THE COSTS INCURRED BY THE COUNTY FOR THE  
SERVICES OF THE COURTS, THE TRIAL JURY, THE SHERIFF, THE CLERK  
OF COURTS, THE COUNTY PRISON, THE DISTRICT ATTORNEY AND ANY  
PUBLIC DEFENDER APPOINTED BY THE COURT, AND RELATED COSTS AND  
EXPENSES INCURRED BY THE COUNTY IN THE COURSE OF THE TRIAL.  
COUNTIES SHALL BE REIMBURSED FROM THE GENERAL FUND OF THE  
COMMONWEALTH UPON APPLICATION TO THE STATE TREASURER PURSUANT TO  
PROCEDURES PRESCRIBED BY THAT OFFICE.

SECTION 2. THE SUM OF \$100,000, OR AS MUCH THEREOF AS MAY BE  
NECESSARY, IS HEREBY APPROPRIATED FOR THE FISCAL YEAR JULY 1,  
1984, TO JUNE 30, 1985, FOR THE COSTS OF TRIALS RESULTING FROM  
PRESENTMENTS WHICH ARE ISSUED BY MULTICOUNTY INVESTIGATING GRAND  
JURIES.

SECTION 3. THIS ACT SHALL BE RETROACTIVE TO MARCH 29, 1983.

SECTION 4. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.