

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2180 Session of
1998

INTRODUCED BY SCHRODER, ARMSTRONG, FARGO, E. Z. TAYLOR,
CHADWICK, BROWN, HERMAN, DENT, HALUSKA AND LYNCH,
FEBRUARY 3, 1998

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 3, 1998

AN ACT

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

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

6 Section 1. Section 503(a) of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 503. Reassignment of matters.

9 (a) General rule.--The Supreme Court may by general rule
10 provide for the assignment and reassignment of classes of
11 matters among the several courts of this Commonwealth and the
12 district justices as the needs of justice shall require [and all
13 laws shall be suspended to the extent that they are inconsistent
14 with such general rules].

15 * * *

16 Section 2. Sections 701(b) and 726 of Title 42 are repealed.

17 Section 3. Section 1722(a) of Title 42 is amended to read:

18 § 1722. Adoption of administrative and procedural rules.

1 (a) General rule.--The governing authority shall have the
2 power to prescribe and modify general rules governing:

3 (1) Practice, procedure and the conduct of all courts,
4 district justices and all officers serving process or
5 enforcing orders of any court or district justice and for
6 admission to the bar and to practice law, and the
7 administration of all courts and the supervision of all
8 officers of the judicial branch, if such rules are consistent
9 with the Constitution of Pennsylvania and neither abridge,
10 enlarge nor modify the substantive rights of any litigant,
11 nor affect the right of the General Assembly to determine the
12 jurisdiction of any court or district justice, nor suspend
13 nor alter any statute of limitation or repose. [All statutes
14 shall be suspended to the extent that they are inconsistent
15 with rules prescribed under this paragraph.]

16 (2) The prescription of canons of ethics applicable to
17 judges and district justices and the prescription of rules or
18 canons applicable to the activities of all other personnel of
19 the system.

20 (3) Procedure under section 18 of Article V of the
21 Constitution of Pennsylvania.

22 (4) Procedure under section 18 of Article V of the
23 Constitution of Pennsylvania for the suspension, removal,
24 discipline and compulsory retirement of district justices.

25 (5) Any matter which is specifically authorized by
26 statute to be governed by general rules.

27 A governing authority other than the Supreme Court shall not
28 have power to prescribe general rules for assignment or
29 reassignment of classes of matters among the several courts and
30 district justices under section 503 (relating to reassignment of

1 matters) or otherwise.

2 * * *

3 Section 4. This act shall take effect upon the date of
4 publication in the Pennsylvania Bulletin of certification by the
5 Secretary of the Commonwealth that a constitutional amendment
6 has been adopted relating to rescinding the authority
7 of the Supreme Court to suspend statutes.