



TESTIMONY ON TITLE 45 ADS IN LEGAL JOURNALS

On Behalf Of The

Pennsylvania Bar Association

May 19, 2011

Good morning, Chairman Creighton, Minority Chairman Freeman, members of the committee, and staff. I am Matthew J. Creme, Jr., and it is my honor to serve the judges and lawyers of the legal profession in our Commonwealth as the President of the Pennsylvania Bar Association. I am testifying on behalf of the 28,000 members of the Association.

House Bill 633, like Senate Bills 804 and 805, while permitting publication of public notice advertisements on the Internet instead of publication in a newspaper of general circulation, will continue to require the publication of such notices in county legal journals where the rules of court have designated such county legal journals as the instrument of publication of such notices. The Bar believes this is sound policy in the best interest of all residents of the Commonwealth.

County legal journals serve as an extension of the court system. County legal journals inform the public and, specifically, professionals such as lawyers, accountants, and bankers, of the filings of lawsuits, openings of estates and formations of business entities, among other things. In many instances, county legal journals are the only county-wide publications that provide such information.

County legal journals also serve as trade journals for the legal community, and as such are widely used and relied upon by that community. The journals allow lawyers and other professionals to obtain timely information on significant legal events affecting title to real estate, such as liens and the foreclosure of ownership by sheriff's sale as well those items affecting the business affairs of individuals and legal entities. This service can be of particular importance to the local community and municipal entities and the professionals that serve them. Because of the nature of these notices it is essential that they be found all in one place and on a county by county basis because in order to affect title to real estate the notices must be provided in the county where the real estate is located.

Should House Bill 633, Senate Bill 804, or Senate Bill 805 be enacted into law, publication of the government public notices with which they are concerned are for the most part not the kind of public notices that are required to be advertised in county legal journals. Notices of meetings or local administrative hearings are not required to be placed in county legal journals. Neither are requests for bids. However, it is appropriate to provide in this legislation for the clear

understanding of the public that nothing in this bill is intended to affect the requirements of publication or advertising of notice found in the rules of court.

Finally, and in addition, please know that county legal journals are cost effective and, for the most part, the advertising charges are paid by the individuals and businesses that use the service and are a public service provided at little or no cost to the taxpayer.

The 28,000 members of the Pennsylvania Bar Association thank you for giving me this opportunity to testify.