

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1579 Session of
1983

INTRODUCED BY RAPPAPORT AND SPENCER, OCTOBER 12, 1983

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MAY 29, 1984

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, PROVIDING FOR DIVIDING <—
3 THE THIRTY-NINTH JUDICIAL DISTRICT INTO TWO SEPARATE
4 DISTRICTS; providing for ~~additional judges on the~~ <—
5 ~~Commonwealth Court and for~~ additional judges in the FIFTH, <—
6 sixth, seventh, ninth, tenth, fifteenth, seventeenth,
7 nineteenth, twenty-third, twenty-fourth, thirty-first,
8 thirty-second, THIRTY-NINTH, FORTY-THIRD, forty-sixth, fifty- <—
9 first and fifty-third judicial districts; AND PROVIDING FOR <—
10 ADDITIONAL COMPENSATION FOR ASSIGNMENT OF DISTRICT JUSTICES.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Sections ~~561~~ 901 and 911 of Title 42 of the <—
14 Pennsylvania Consolidated Statutes are amended to read:

15 ~~§ 561. Commonwealth Court.~~ <—

16 ~~The Commonwealth Court of Pennsylvania shall consist of~~
17 ~~{nine} 11 judges.~~

18 § 901. JUDICIAL DISTRICTS. <—

19 (A) GENERAL RULE.--THE COMMONWEALTH IS DIVIDED INTO [60] 61
20 JUDICIAL DISTRICTS, NUMBERED AND COMPOSED AS FOLLOWS:

1 FIRST.--CITY AND COUNTY OF PHILADELPHIA.
2 SECOND.--COUNTY OF LANCASTER.
3 THIRD.--COUNTY OF NORTHAMPTON.
4 FOURTH.--COUNTY OF TIOGA.
5 FIFTH.--COUNTY OF ALLEGHENY.
6 SIXTH.--COUNTY OF ERIE.
7 SEVENTH.--COUNTY OF BUCKS.
8 EIGHTH.--COUNTY OF NORTHUMBERLAND.
9 NINTH.--COUNTY OF CUMBERLAND.
10 TENTH.--COUNTY OF WESTMORELAND.
11 ELEVENTH.--COUNTY OF LUZERNE.
12 TWELFTH.--COUNTY OF DAUPHIN.
13 THIRTEENTH.--COUNTY OF GREENE.
14 FOURTEENTH.--COUNTY OF FAYETTE.
15 FIFTEENTH.--COUNTY OF CHESTER.
16 SIXTEENTH.--COUNTY OF SOMERSET.
17 SEVENTEENTH.--COUNTIES OF SNYDER AND UNION.
18 EIGHTEENTH.--COUNTY OF CLARION.
19 NINETEENTH.--COUNTY OF YORK.
20 TWENTIETH.--COUNTY OF HUNTINGDON.
21 TWENTY-FIRST.--COUNTY OF SCHUYLKILL.
22 TWENTY-SECOND.--COUNTY OF WAYNE.
23 TWENTY-THIRD.--COUNTY OF BERKS.
24 TWENTY-FOURTH.--COUNTY OF BLAIR.
25 TWENTY-FIFTH.--COUNTY OF CLINTON.
26 TWENTY-SIXTH.--COUNTIES OF COLUMBIA AND MONTOUR.
27 TWENTY-SEVENTH.--COUNTY OF WASHINGTON.
28 TWENTY-EIGHTH.--COUNTY OF VENANGO.
29 TWENTY-NINTH.--COUNTY OF LYCOMING.
30 THIRTIETH.--COUNTY OF CRAWFORD.

1 THIRTY-FIRST.--COUNTY OF LEHIGH.
2 THIRTY-SECOND.--COUNTY OF DELAWARE.
3 THIRTY-THIRD.--COUNTY OF ARMSTRONG.
4 THIRTY-FOURTH.--COUNTY OF SUSQUEHANNA.
5 THIRTY-FIFTH.--COUNTY OF MERCER.
6 THIRTY-SIXTH.--COUNTY OF BEAVER.
7 THIRTY-SEVENTH.--COUNTIES OF FOREST AND WARREN.
8 THIRTY-EIGHTH.--COUNTY OF MONTGOMERY.
9 THIRTY-NINTH.--[COUNTIES] COUNTY OF FRANKLIN [AND FULTON].
10 FORTIETH.--COUNTY OF INDIANA.
11 FORTY-FIRST.--COUNTIES OF JUNIATA AND PERRY.
12 FORTY-SECOND.--COUNTY OF BRADFORD.
13 FORTY-THIRD.--COUNTY OF MONROE.
14 FORTY-FOURTH.--COUNTIES OF SULLIVAN AND WYOMING.
15 FORTY-FIFTH.--COUNTY OF LACKAWANNA.
16 FORTY-SIXTH.--COUNTY OF CLEARFIELD.
17 FORTY-SEVENTH.--COUNTY OF CAMBRIA.
18 FORTY-EIGHTH.--COUNTY OF MCKEAN.
19 FORTY-NINTH.--COUNTY OF CENTRE.
20 FIFTIETH.--COUNTY OF BUTLER.
21 FIFTY-FIRST.--COUNTY OF ADAMS.
22 FIFTY-SECOND.--COUNTY OF LEBANON.
23 FIFTY-THIRD.--COUNTY OF LAWRENCE.
24 FIFTY-FOURTH.--COUNTY OF JEFFERSON.
25 FIFTY-FIFTH.--COUNTY OF POTTER.
26 FIFTY-SIXTH.--COUNTY OF CARBON.
27 FIFTY-SEVENTH.--COUNTY OF BEDFORD.
28 FIFTY-EIGHTH.--COUNTY OF MIFFLIN.
29 FIFTY-NINTH.--COUNTIES OF CAMERON AND ELK.
30 SIXTIETH.--COUNTY OF PIKE.

1 SIXTY-FIRST.--COUNTY OF FULTON.

2 (B) CHANGE IN NUMBER OR BOUNDARIES.--EXCEPT AS OTHERWISE
3 PROVIDED THEREIN, ANY STATUTE AMENDING SUBSECTION (A) SO AS TO
4 CHANGE THE NUMBER OR BOUNDARIES OF THE JUDICIAL DISTRICTS OF
5 THIS COMMONWEALTH SHALL TAKE EFFECT 30 DAYS AFTER THE ENTRY OF
6 AN ORDER OF THE SUPREME COURT EVIDENCING THE ADVICE AND CONSENT
7 OF THE COURT TO THE AMENDMENT PURSUANT TO SECTION 11 OF ARTICLE
8 V OF THE CONSTITUTION OF PENNSYLVANIA.

9 § 911. Courts of common pleas.

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

13		Number of	
14	Judicial District	Judges	
15	First	81	
16	Second	6	
17	Third	5	
18	Fourth	1	
19	Fifth	[39] <u>42</u>	<—
20	Sixth	[6] <u>8</u>	
21	Seventh	[10] <u>11</u>	
22	Eighth	2	
23	Ninth	[3] <u>4</u>	
24	Tenth	[8] <u>9</u>	
25	Eleventh	7	
26	Twelfth	6	
27	Thirteenth	1	
28	Fourteenth	4	
29	Fifteenth	[7] <u>8</u> <u>9</u>	<—
30	Sixteenth	2	

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

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

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

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

24 SECTION 2. SECTION 4122 OF TITLE 42 IS AMENDED TO READ: <—

25 § 4122. ASSIGNMENT OF DISTRICT JUSTICES.

26 (A) GENERAL RULE.--SUBJECT TO GENERAL RULES ANY DISTRICT
27 JUSTICE MAY BE TEMPORARILY ASSIGNED TO ANY OTHER MAGISTERIAL
28 DISTRICT OR THE PITTSBURGH MAGISTRATES COURT OR THE TRAFFIC
29 COURT OF PHILADELPHIA, AND MAY THERE HEAR AND DETERMINE ANY
30 MATTER WITH LIKE EFFECT AS IF DULY COMMISSIONED TO SIT IN SUCH

1 OTHER DISTRICT OR IN SUCH COURT.

2 (B) SENIOR DISTRICT JUSTICES.--A SENIOR DISTRICT JUSTICE WHO
3 SHALL NOT HAVE BEEN DEFEATED FOR REELECTION OR BEEN SUSPENDED OR
4 REMOVED FROM OFFICE MAY, WITH HIS CONSENT, BE ASSIGNED ON
5 TEMPORARY MAGISTERIAL SERVICE PURSUANT TO SUBSECTION (A). A
6 SENIOR DISTRICT JUSTICE SHALL BE PAID A PER DIEM SALARY AT THE
7 SAME ANNUAL RATE AS IS APPLICABLE IN THE DISTRICT WHERE HE IS
8 TEMPORARILY ASSIGNED AND SHALL RECEIVE EXPENSES AT THE SAME PER
9 DIEM RATE AS OTHER JUSTICES TEMPORARILY ASSIGNED.

10 (C) ADDITIONAL COMPENSATION.--A DISTRICT JUSTICE, ASSIGNED
11 BY THE COURT OF COMMON PLEAS TO PERFORM ADDITIONAL PART-TIME
12 DUTIES IN A DISTRICT OTHER THAN THE ONE IN WHICH HE IS ELECTED,
13 SHALL BE ENTITLED TO RECEIVE ADDITIONAL COMPENSATION OF \$20 PER
14 DAY FOR EACH DAY HE PERFORMS ASSIGNED DUTIES.

15 SECTION 3. THE PROVISIONS OF THIS ACT, CREATING A NEW
16 JUDICIAL DISTRICT, SHALL TAKE EFFECT 30 DAYS AFTER THE ADVICE
17 AND CONSENT OF THE SUPREME COURT OF PENNSYLVANIA IS GIVEN BY
18 ORDER OF THE COURT PURSUANT TO SECTION 11 OF ARTICLE V OF THE
19 CONSTITUTION OF PENNSYLVANIA.

20 Section ~~2~~ 4. The vacancies created by the new judgeships <—
21 added by section 1 of this act shall be filled by election.

22 Section ~~3~~ 5. This act shall take effect January 1, 1985. <—