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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE RESOLUTION

## No. 241

Session of  
1984

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INTRODUCED BY PETRARCA, SALOOM, COLAFELLA, LAUGHLIN, GEIST,  
PHILLIPS, BELFANTI AND WOGAN, JUNE 13, 1984

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REFERRED TO COMMITTEE ON RULES, JUNE 14, 1984

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### A RESOLUTION

1 Urging the Supreme Court of Pennsylvania to rescind its order of  
2 May 24, 1984, No. 48 amending Pennsylvania Rule of Judicial  
3 Administration, No. 102.

4 WHEREAS, The Supreme Court, by order of May 24, 1984,  
5 effective immediately, amended its Pennsylvania Rule of Judicial  
6 Administration No. 102 to abrogate usage of the term "justice of  
7 the peace," "district justice," "office of justice of the  
8 peace," "office of district justice," or "district court" and to  
9 direct the usage of the term "district magistrate" or  
10 "magisterial court" henceforth. It provides that in any law,  
11 rule or official report, a reference to justice of the peace or  
12 district justice is to be deemed a reference to district  
13 magistrate; and

14 WHEREAS, The Constitution of Pennsylvania designates members  
15 of the minor judiciary as justices of the peace; and

16 WHEREAS, The statutory law of the Commonwealth refers to  
17 these judicial officers as justices of the peace and district  
18 justices; and

1       WHEREAS, Literal compliance with the order amending these  
2 Rules of Judicial Administration will entail sizable  
3 expenditures by the Commonwealth and its county governments to  
4 purchase retitled symbols and documents required by the minor  
5 judiciary to conduct official business, expenditures which are  
6 without apparent benefit to the people of the Commonwealth or to  
7 the administration of justice; and

8       WHEREAS, The variation in nomenclature between the  
9 designations set forth in the Constitutional and statutory law  
10 and the designation created by order of court has created  
11 substantial confusion and concern; therefore be it

12       RESOLVED, That the House of Representatives of Pennsylvania  
13 hereby urges the Supreme Court to reconsider and rescind its  
14 order of May 24, 1984, No. 48, amending Pennsylvania Rule of  
15 Judicial Administration No. 102; and be it further

16       RESOLVED, That a copy of this resolution be directed to the  
17 Chief Justice and each Justice of the Supreme Court.