

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 376 Session of
1999

INTRODUCED BY REINARD AND McILHINNEY, FEBRUARY 8, 1999

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 8, 1999

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for judgment by
3 confession filed against incorrectly identified debtors.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 2737.1. Incorrect debtor identified.

9 At the time a creditor files for a judgment by confession
10 under section 2737(3) (relating to powers and duties of the
11 office of the prothonotary), the creditor filing the judgment
12 shall provide the debtor with written instructions regarding the
13 procedure to follow to strike the judgment. A debtor who has
14 been incorrectly identified and had a confession or judgment
15 entered against him shall be entitled to costs and reasonable
16 attorney fees as determined by the court. The instructions
17 provided to the debtor shall explain to the debtor that under
18 this section he is entitled to costs and reasonable attorney

1 fees as determined by the court if he was incorrectly
2 identified.

3 Section 2. This act shall take effect in 60 days.