
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 421 Session of
2019

INTRODUCED BY WHITE, STAATS, SCHLOSSBERG, BARRAR, MILLARD,
ZIMMERMAN, MACKENZIE AND MOUL, JUNE 19, 2019

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 19, 2019

A RESOLUTION

1 Calling upon the Supreme Court of Pennsylvania to establish
2 rules to expedite the resolution of cases in which it appears
3 that the constitutional rights of a litigant are being
4 infringed, minimize the costs of resolving suits that are
5 brought for the purpose of stifling speech in matters of
6 public importance and ensure that litigants who abuse the
7 judicial process face appropriate consequences.

8 WHEREAS, There has been a disturbing increase in meritless
9 lawsuits brought for the purpose of intimidating and silencing
10 critics in matters of public importance by burdening them with
11 the often overwhelming costs of a legal defense; and

12 WHEREAS, Such lawsuits, often called "strategic lawsuits
13 against public participation" or "SLAPPs," chill the valid
14 exercise of the constitutional rights of freedom of speech and
15 petition for the redress of grievances; and

16 WHEREAS, Repeated frivolous litigation against a nonprofit or
17 civic organization may cause an increase in the cost of
18 directors' and officers' liability insurance, further
19 interfering with the organization's ability to operate; and

20 WHEREAS, Such lawsuits may also intimidate others from

1 participating in public debate; and

2 WHEREAS, It is in the public interest to encourage
3 participation in matters of public importance; and

4 WHEREAS, The Constitution of Pennsylvania guarantees open
5 access to the courts and remedy by due course of law for
6 injuries to property, person or reputation; and

7 WHEREAS, Strategic lawsuits against public participation
8 improperly rely on the right to open courts as tools to infringe
9 upon the constitutional rights of others to the free exercise of
10 speech and the right to petition the government; and

11 WHEREAS, Such lawsuits are brought not to seek a just
12 resolution of disputes but instead to silence the economically
13 weaker party; therefore be it

14 RESOLVED, That the House of Representatives call upon the
15 Supreme Court of Pennsylvania to establish rules to expedite the
16 resolution of cases in which it appears that the constitutional
17 rights of a litigant are being infringed, minimize the costs of
18 resolving suits that are brought for the purpose of stifling
19 speech in matters of public importance and ensure that litigants
20 who abuse the judicial process face appropriate consequences.