

COMMITTEE BILL ANALYSIS

Bill: House Bill 38

Printer's No.: 14

Sponsor: Representative Caltagirone

Prepared by: Gregg Warner

Synopsis: This bill amends sections of the Judicial Code, Title 42 of the Pennsylvania Consolidated Statutes, to conform those sections to the changes made by 2010 Act 114 to the jurisdictional limits of the Philadelphia Municipal Court and magisterial district judges.

Summary: The bill amends section 1725 (Philadelphia Municipal Court fees), section 1725.1 (Magisterial district judge fees), and section 3571 (Commonwealth portion of fines) of the Judicial Code.

Philadelphia Municipal Court

For the commencement of a civil action in the amount of \$2,001 to \$10,000 in the Philadelphia Municipal Court, there is a filing fee of \$40. This legislation increases \$10,000 to \$12,000.

Magisterial district judges

For the commencement of a civil action or landlord tenant action in the amount of \$4,000 to \$8,000 before a magisterial district judge, there is a filing fee of \$75. This legislation increases \$8,000 to \$12,000. Of the amount paid to a magisterial district judge for a civil action in the amount of \$4,000 to \$8,000, \$50 is payable to the Commonwealth. Of the amount paid to a magisterial district judge for a landlord tenant action in the amount of \$4,000 to \$8,000, \$35 is payable to the Commonwealth. In both cases \$8,000 is increased to \$12,000.

Effective date

This act takes effect immediately.

Background: The House of Representatives passed House Bill 38 on February 15, 2011 by a vote of 197 to 0.

2010 Act 114

During the 2009-2010 legislative session, House Bill 2172 (2010 Act 114) amended the Judicial Code to increase the jurisdictional limits for the Philadelphia Municipal Court and for magisterial district judges. The Philadelphia Municipal Court's jurisdiction over civil actions was increased to \$12,000. Previously, the jurisdictional limit for the Philadelphia Municipal Court was \$10,000. The jurisdictional limit for magisterial district judges over civil actions was increased to \$12,000. Previously, the jurisdictional limit for magisterial district judges was \$8,000.

In enacting 2010 Act 114 conforming amendments should have been made to sections of the Judicial Code relating to the fees that are charged. House Bill 38 changes the jurisdictional amounts to which the fees attach so that the amounts are consistent with the Act 114 changes. The fees themselves remain the same.

Fees increased annually by Supreme Court

Pursuant to statute, the Supreme Court annually increases the statutory fees in sections 1725, 1725.1 and 3571 by the percentage of increase in the Consumer Price Index for Urban Workers for the immediate preceding calendar year. The increased fees are published in the Pennsylvania Bulletin.