
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No.

441

Session of

1961

MR. SEYLER, IN PLACE, MARCH 21, 1961.

MR. KALMAN, COMMITTEE ON JUDICIARY GENERAL,
AS AMENDED, MAY 2, 1961.

AN ACT

Creating the Office of Court Administrator in counties of the first and second class authorizing the Chief Justice and Associate Justices of the Supreme Court to appoint Administrators for the State courts of record in counties of the first and second class and providing for a Judicial Council and a Judicial Conference

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

- 1 Section 1 This act shall be known and may be cited as the "Court
2 Administrator and Judicial Council Act"

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 Section 2 In order to make more effective the protection given
2 to litigants by article I section 11 of the Constitution of Pennsylvania
3 which requires that law and justice be administered without delay and
4 in order to relieve the serious court congestion and delay in counties
5 of the first and second class there is hereby created in each of these
6 counties an Office of Court Administrator

7 Section 3 The Chief Justice and the Associate Justices of the
8 Supreme Court of Pennsylvania shall appoint an Administrator for
9 each county of the first class and an Administrator for each county
10 of the second class Each Administrator shall maintain an office and
11 perform his duties in the county to which he is appointed The au-
12 thority activities and responsibilities of each Administrator shall be
13 confined to the county of his appointment and he shall have no power
14 of supervision over the ~~purely~~ judicial functions vested in the State
15 courts of record of his county Each Administrator shall have been
16 admitted to practice before the Supreme Court of Pennsylvania

17 Section 4 The compensation of the Administrators and of such
18 additional employes as the Chief Justice and the Associate Justices of
19 the Supreme Court may authorize to be employed shall be fixed by the
20 Chief Justice and Associate Justices.

1 In order to obtain and retain qualified and expert personnel
2 adequate salaries shall be paid

3 During the terms of their employment the Administrators shall
4 not engage directly or indirectly in the practice of law or in any other
5 profession or occupation and shall devote their full time to the per-
6 formance of their duties

7 The Administrators shall hold office at the pleasure of the appoint-
8 ing power

9 Each Administrator with the consent of the Chief Justice and
10 Associate Justices shall appoint such assistants as are necessary to en-
11 able him to perform the powers and duties vested in him

12 Section 5 It shall be the duty of the Administrators ACTING
13 SOLELY WITHIN THEIR RESPECTIVE COUNTIES OF AP-
14 POINTMENT under the supervision and direction of the Chief Justice
15 and the Associate Justices of the Supreme Court to

16 (1) Examine the administrative methods and systems employed by
17 the State courts of record and their officers and make recommenda-
18 tions for their improvement including the utilization of advanced
19 business methods and appliances for improving operating procedures

1 (2) Examine the state of the dockets of the said courts determine
2 the extent of the ~~backlog~~ CASES PENDING AND UNDISPOSED OF
3 and make recommendations for expediting the trial and disposition of
4 cases improving the conduct of the business operation of the said courts
5 and coordinating trial lists and trial calendars of the said courts in
6 order to avoid conflicts and to achieve greater efficiency in the admin-
7 istration of justice

8 (3) Collect and compile statistical and other data and make reports
9 and recommendations concerning the business transacted by the courts
10 to the end that proper action may be taken Copies of these reports
11 shall be sent to the Governor and the Legislature so that they may be
12 informed of the need for legislation and appropriations to provide addi-
13 tional judges where needed and to achieve a more effective judicial
14 system

15 (4) Collect statistical and other data and make reports relating
16 to the expenditure of public moneys State and local for the main-
17 tenance and operation of the judicial system

18 (5) Obtain reports from judges prothonotaries clerks and other
19 employes of the State courts of record on cases and other judicial

1 business in which action has been delayed beyond a reasonable period
2 and file reports regularly showing the status of such litigation

3 (6) Where recognized techniques for disposing of litigation have
4 been adopted and applied for a reasonable time and surveys indicate
5 that additional judges are necessary recommendations for additional
6 judges shall be made by the Administrator to the Chief Justice and the
7 Associate Justices the Governor and the Legislature These recom-
8 mendations shall be accompanied by complete statistical data showing
9 the procedures utilized to clear the dockets the amount of pending
10 litigation population growth the extent of increase in litigation and
11 other pertinent data bearing on the need for the creation of additional
12 judgeships

13 (7) Formulate and submit recommendations of policies for the
14 improvement of the judicial system including studies of judicial salaries
15 and retirement benefits

16 (8) Attend to such other matters RELATIVE TO THE BUSI-
17 NESS OPERATIONS OF SAID COURTS as may be required by the
18 Chief Justice and the Associate Justices

19 All reports and recommendations prepared pursuant to the provi-
20 sions of this section shall be submitted to the Chief Justice the Asso-

1 ciate Justices the judges of the courts of record and shall be available
2 to the Judicial Council

3 Section 6 The judges clerks and all other officers and employes
4 State and local of the State courts of record in counties of the first
5 and second class shall comply with all requests made by the Adminis-
6 trators ~~or their employes~~ for information and statistical data bearing
7 on the state of the dockets of such courts and such other information
8 as may reflect the JUDICIAL business transacted by them and the
9 expenditure of public moneys for the maintenance and operation of the
10 judicial system

11 Section 7 There is hereby established a Judicial Council which
12 shall survey the problems of the courts and make recommendations
13 to the Chief Justice and the Associate Justices of the Supreme Court
14 the courts the Governor and Legislature for the adoption of procedures
15 and legislation for simplifying and improving the administration of
16 justice and for improving the substantive law

17 In the discharge of its duties the Council shall conduct a con-
18 tinuous program of legal research and compile data showing the volume
19 of business and the status of litigation in all the courts

1 It shall cooperate with the Administrators appointed pursuant to
2 the provisions of this act

3 The Chief Justice shall appoint one Administrator to act as Secre-
4 tary of the Judicial Council and of the Judicial Conference and per-
5 form such other duties as may be assigned by the Judicial Council

6 Section 8 The Judicial Council shall be composed of the following

7 (1) The Chief Justice of the Supreme Court who shall be the
8 chairman

9 (2) The President Judge of the Superior Court

10 (3) The Attorney General of the Commonwealth

11 (4) ~~Four~~ ELEVEN judges of courts of record to be appointed by
12 the Chief Justice and the Associate Justices five from the First Judicial
13 District three from the Fifth Judicial District and ~~two~~ THREE from
14 other judicial districts of the Commonwealth

15 (5) The Chairman of the Judiciary General Committee of the
16 Senate the Chairman of the Judiciary Committee of the House of
17 Representatives the Chairman of the Civil Procedural Rules Commit-
18 tee of the Supreme Court and the Chairman of the Criminal Procedural
19 Rules Committee of the Supreme Court

1 (6) The President of the Pennsylvania Bar Association the Chan-
2 cellor of the Philadelphia Bar Association and the President of the
3 Allegheny County Bar Association

4 (7) Five members of the public residents of Pennsylvania not
5 learned in the law appointed by the Governor

6 (8) Deans of the law schools of Pennsylvania

7 Section 9 All appointed members of the Judicial Council shall
8 hold office during the pleasure of the appointing power No members
9 of the Judicial Council shall receive any compensation for his services
10 but shall be allowed his necessary expenses incurred in the performance
11 of his duties

12 Section 10 The Judicial Council shall meet at the call of the Chief
13 Justice at least three times a year

14 Section 11 The Chief Justice shall call annually a Judicial Confer-
15 ference composed of all the judges of courts of record within the Com-
16 monwealth and shall invite thereto representatives of the Bar the
17 General Assembly and other persons concerned with the administration
18 of justice for the purpose of discussing and considering problems of the
19 courts and the further improvement of the judicial system

1 Section 12 The salaries and other expenses incident to the opera-
 2 tion of the Offices of Court Administrator the Judicial Council and the
 3 Judicial Conference shall be paid out of the appropriations made to
 4 the Supreme Court

5 Section 18 This act shall take effect immediately

We certify that this bill has passed the Senate and the House of
 Representatives.

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 Chief Clerk, Senate

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 President pro tempore, Senate

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 Speaker, House of Representatives

Approved The day of A. D. 1961.

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 Governor