

on account of legal services and disbursements, and the board may upon application made to it commute the sum awarded for legal services and disbursements.

Section 2. This act shall take effect in thirty days.

Effective date.

APPROVED—The 28th day of February, A. D. 1956.

GEORGE M. LEADER

No. 357

AN ACT

Authorizing photostating, photographing, microphotographing, microfilming or other mechanical processing of court records on file ten years or more; making such copies and copies thereof admissible in evidence; and providing for the disposition, destruction or transfer of custody of certain originals.

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

Section 1. The court having jurisdiction over original papers forming the record in the office of any prothonotary, clerk of court, clerk of the orphans' court, or register of wills, may, from time to time, direct that all of such papers, or any part of them, that have been on file for a period of ten years or more, may be reproduced by any photostatic, photographic, microphotographic, microfilm or other mechanical process which produces a clear, accurate and permanent copy, microcopy or reproduction of the original, in accordance with standards not less than those approved for permanent records by the National Bureau of Standards. The court order may direct that the originals thereof, except original papers which determine ownership or establish title to real property, be disposed of or destroyed, and the reproductions substituted therefor as public records.

Courts authorized to have reproduced certain old records and to dispose or destroy same, except those records establishing title to real estate.

Section 2. The photostatic, photographic, microphotographic or microfilmed copy of any court record destroyed or disposed of as herein authorized, or a certified copy thereof, shall be admissible in evidence in any court or proceeding, and shall have the same force and effect as though the original court record had been produced and proved. It shall be the duty of the custodian of the records to prepare enlarged, typed or photographic copies of the records whenever their production in court is required.

Authorized reproduced records admissible in evidence.

Section 3. No prothonotary, clerk of any court, register of wills or other officer of any court shall be held liable on his official bond, or in the way of damages for loss, or in any other manner, civil or criminal, because of the destruction of records as herein authorized.

Proper officer destroying records as authorized not liable in any manner.

Microfilm to contain certain identifying data and signature.

Section 4. Each roll of microfilm bearing official copies of records shall begin with a separate photographic image showing on a title target, the name and location of the office holding the records copied, the name and title of the officer having custody of the records at the date of copying, a brief but clear title for the particular series of records copied, and such term, volume, numbers, inclusive dates and serial numbers as shall make identification of the records filmed clear and positive. Each roll shall end with a separate photographic image repeating in substance the information given on the title target, together with the signature of the camera operator appended to a certificate which shall state the day, month and year on which the records were copied and affirm that the copying was performed in accordance with procedures prescribed by the custodian. It shall be the responsibility of the custodian of the records copied to regulate and supervise the copying process and to inspect the resulting microcopies so as to satisfy himself that all copies are complete, accurate and clearly legible. When any enlarged reproduction of a negative or positive film is to be used as evidence, the reproduction shall contain, or have attached thereto, the signed and sealed attestation of the officer having the official custody of the negative or positive film that the same is a true and correct copy thereof.

Custodian's responsibility.

Duplicate rolls.

Section 5. In order to provide insurance for the more actively used film copies against damage or loss through wear or disaster, duplicate rolls of all microfilmed records shall be maintained at such locations as shall be approved by the court having jurisdiction of the records.

Disposition of certain records by the custodian to county commissioners for permanent preservation.

Section 6. If, in the opinion of the officer having custody of an original record, such original possesses sufficient value that it merits special care, he shall make a photographic or microphotographic copy of the record, which shall be officially certified and placed on file in lieu of the original record, and, with the approval of the court, he shall transfer the original to the custody of the county commissioners for permanent preservation.

Act effective immediately.

Section 7. This act shall take effect immediately.

APPROVED—The 28th day of February, A. D. 1956.

GEORGE M. LEADER