

(2) The act of April six, one thousand nine hundred twenty-one (P. L. 99), entitled "An act relating to the jurisdiction, powers, and procedure of the court of common pleas as to sale, mortgage, conveyance upon ground rent, and lease for years of real estate, where the legal title is held by a married person whose spouse is an habitual drunkard, and providing for the disposition of the proceeds thereof."

APPROVED—The 11th day of July, A. D. 1957.

GEORGE M. LEADER

No. 380

AN ACT

Authorizing the Supreme and Superior Courts of Pennsylvania to prescribe general rules of practice and procedure in all criminal actions in certain courts of this Commonwealth; authorizing certain courts to prescribe and adopt local rules, not inconsistent with such general rules of the Supreme and Superior Courts of Pennsylvania; authorizing the Supreme and Superior Courts of Pennsylvania to appoint a Criminal Procedural Rules Committee, and fixing and defining its powers and duties; imposing duties on judges and other officers of every court of record; fixing penalties.

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

Section 1. The Supreme and Superior Courts of Pennsylvania shall have the power to prescribe by general rule the forms of process, writs, pleadings, and motions, and the practice and procedure prior to and including verdict or plea of guilty and motions in respect thereto in all criminal cases and proceedings in the courts of oyer and terminer and courts of quarter sessions of every county and for all other courts having jurisdiction in criminal actions. Such rules shall be consistent with the Constitution of this Commonwealth and shall neither abridge, enlarge nor modify the substantive rights of any party nor the jurisdiction of any of the said courts, nor affect any statute of limitations. At the time of the adoption, promulgation, and publication of its general rules, the Supreme and Superior Courts shall fix the effective date thereof, which shall not be less than six months from the date of the adoption thereof. As soon as promulgated, a copy of all rules shall be sent to the prothonotaries or clerks of all courts which may be affected thereby, and shall be published by such prothonotaries or clerks in the same manner as local rules adopted by such courts.

Criminal Procedural Rules Committee.

Power to prescribe general rules and forms.

Limitation.

Effective date to be fixed.

Suspension of act of General Assembly inconsistent with rule.

From and after the effective date of any rule promulgated under this section, and so long as said rule shall be operative, the operation of any act of Assembly relating to practice or procedure in such courts, and inconsistent with such rule, shall be suspended in so far as such act may be inconsistent with such rule.

Powers of local courts to adopt local rules.

Section 2. Each of the courts of oyer and terminer, quarter sessions, and other courts established by the General Assembly, may adopt additional local rules for the conduct of its business, which shall not be inconsistent with or in conflict with the general rules prescribed by the Supreme and Superior Courts of Pennsylvania.

Power to appoint Criminal Procedural Rules Committee.

Section 3. The Supreme and Superior Courts of Pennsylvania are hereby authorized and empowered to appoint a Criminal Procedural Rules Committee, the members of which shall have been admitted to practice before the Supreme Court of Pennsylvania, which shall assist the Supreme and Superior Courts of Pennsylvania in preparation, revision, promulgation, publication, and administration of the said general rules.

Duty of subordinate court officers to furnish information.

Section 4. It shall be the duty of the judges, clerks, prothonotaries, and other officers of the several courts of record in this Commonwealth, to furnish to the Supreme and Superior Courts of Pennsylvania or to the Criminal Procedural Rules Committee such statistics and information, as may be reasonably requested, concerning the administration of justice in criminal actions in said courts. In the event of the failure of any judge, clerk, prothonotary or other officer of such courts to comply with the requirements of this section, the Supreme Court of Pennsylvania may, after hearing, impose such penalties as may be lawfully imposed for contempt of court.

General repeal.

Section 5. All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act.

Act effective immediately.

Section 6. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 11th day of July, A. D. 1957.

GEORGE M. LEADER