

No. 1979-54

AN ACT

HB 392

Amending the act of July 9, 1976 (P.L.586, No.142), entitled "An act amending Titles 42 (Judiciary and Judicial Procedure), 15 (Corporations and Unincorporated Associations), 18 (Crimes and Offenses) and 71 (State Government) of the Pennsylvania Consolidated Statutes, adding revised, codified and compiled provisions relating to judiciary and judicial procedure, including certain judicially enforceable rights, duties, immunities and liabilities and separately enacting certain related provisions of law," further providing fees charged by the office of the clerk of the court of common pleas of all counties of the second class.

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

Section 1. Subsection (e) of section 24, act of July 9, 1976 (P.L.586, No.142), known as the "Judiciary Act of 1976," is amended to read:

Section 24. Financial matters.—* * *

(e) Until otherwise provided by statute, the prothonotary *and the clerk of the orphans' court division* of all counties of the second class shall set apart [~~the sum of 50c~~] from the fees fixed under *or pursuant to* 42 Pa.C.S. § 1725 *or under any other statute* and collected by them on the following *actions*, proceedings *and appeals* and remit monthly the total collected to the county treasurer for the exclusive use and benefit of the public law library in the county:

(1) [~~All~~] *The sum of \$1.00 for all* appeals to the court of common pleas from any administrative [~~boards, agencies, commissions, authorities, ordinances of local government bodies, or other entities~~] *agency, independent agency, government unit, government agency, or Commonwealth agency.*

(2) [~~Any~~] *The sum of \$1.00 for any* and all other appeals which are filed with or are to be heard by the court of common pleas *which are* not specifically set forth in paragraph (1), including, but not limited to appeals from district justices, *the Pittsburgh Magistrates Court and the Traffic Court of Pittsburgh.*

(3) [~~Appointments~~] *The sum of \$1.00 for appointments* of Boards of View.

(4) [~~Certiorari~~] *The sum of \$1.00 for certiorari* to district justices and [~~magistrates~~] *the Pittsburgh Magistrates Court and the Traffic Court of Pittsburgh.*

(5) [~~Commencement~~] *The sum of \$1.00 for the commencement* of any civil action *or proceeding.*

(6) [~~Filing praecipes~~] *The sum of \$1.00 for the filing of a praecipe* for and issuance of [~~writs~~] *a writ* of execution *or attachment.*

(7) [~~Entry~~] *The sum of \$1.00 for the entry* of any judgment by confession *or otherwise.*

(8) **[Filing]** *The sum of \$1.00 for the filing of adversary and amicable scire facias proceedings.*

(9) *The sum of \$1.00 for every filing with respect to fictitious names, whether individual or corporate.*

(10) *The sum of \$1.00 for the probate of any will, the issuance of letters of administration, or any petition for disposition of decedents estates independent of the issuance of letters testamentary or of administration.*

(11) *The sum of \$1.00 for the filing of any account of any fiduciary in the office of the clerk of the orphans' court division or in the office of the prothonotary.*

(12) *The sum of \$1.00 for the filing of any petition for a writ of habeas corpus for the custody of a minor child or any petition for the award of custody of a minor child.*

[(9) Miscellaneous] (13) *The sum of \$1.00 for the filing of any praecipe for the issuance of any miscellaneous writs or for the filing of any petition for a citation or the filing of any caveat not specifically provided for in this subsection.*

* * *

Section 2. This act shall take effect on July 1, 1979.

APPROVED—The 20th day of July, A. D. 1979.

DICK THORNBURGH