

No. 1978-71

AN ACT

HB 817

Establishing the fees to be charged and collected by the clerk of courts in second, second class A, third, fourth, fifth, sixth, seventh and eighth class counties and home rule counties.

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

Section 1. The fees to be charged and collected by the clerks of courts or equivalent officer in home rule counties or second, second class A, third, fourth, fifth, sixth, seventh and eighth class counties shall be as follows:

(1) A fee of not less than \$35 nor more than \$75 for all proceedings in all misdemeanor and felony cases disposed of at any time during or after trial.

(2) A fee of not less than \$20 nor more than \$50 for all proceedings in all misdemeanor and felony cases disposed of before trial.

(3) The fees referred to in paragraphs (1) and (2) shall be set annually by the clerk of courts on or before March 1 of each year to apply to fees charged during the next ensuing year and when added to other fees charged shall bear a reasonable relationship to the sum sufficient to maintain and operate the office of clerk of courts except that the fees for 1979 shall be set on December 1, 1978.

(4) A fee of \$15 for all proceedings in summary matters.

(5) A fee of \$5 for all certifications.

(6) A fee of \$10 for all other matters filed in the office and for all reports prepared by the clerk except that no fee shall be charged for filing township and borough audit reports or transcripts received which indicate a final disposition by the district justice.

(7) When the clerk has been unable to collect a fee from an indigent person and the court has certified it as uncollectible the office shall be entitled to a credit from the county and the same shall be deemed an earned fee.

Section 2. (a) The act of June 11, 1915 (P.L.938, No.413), entitled, as amended, "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer, general jail delivery, and quarter sessions of the peace, in counties of the second and second A class," is repealed.

(b) The act of June 25, 1947 (P.L.956, No.403), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer, and quarter sessions, of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes," is repealed.

Section 3. This act shall take effect December 1, 1978.

APPROVED—The 22nd day of June, A. D. 1978.

MILTON J. SHAPP