

No. 1982-203

AN ACT

SB 852

To ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in home rule counties or counties of the second class A and the third to eighth class; to provide the time of paying the same and to repeal certain acts.

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

Section 1. Fees.

The fees to be received by the prothonotary of the court of common pleas of this Commonwealth in home rule counties or counties of the second class A and the third to eighth class shall be as follows:

APPEALS

Appeal from the court of common pleas to an appellate court..... \$30.00

ACKNOWLEDGMENTS

Acknowledgment of sheriff, treasurer or tax claim bureau deeds..... \$ 5.00

ASSIGNMENTS

Assignment, filing..... \$ 5.00

BUILDING AGREEMENTS

Filing of any building agreement, waiver, stipulation.. \$10.00

CERTIFICATION

Certifying copy of any paper:

First page..... \$ 3.00

Additional pages, each..... 1.00

Certification of notary public, justice of peace or similar paper..... 2.00

Exemplification of records..... 10.00

COMMENCEMENT OF ACTIONS

Commencement of any action at law or equity, regardless of procedure, a fee of not less than \$15 or more than \$50 shall be fixed by the prothonotary of each court of common pleas, on or before January 1 of each year, except in 1982 when it shall be fixed immediately and, when added to all other fees charged, shall bear a reasonable relationship to the sum sufficient to maintain and operate the office of the

prothonotary. After an action has been commenced, no other fees shall be payable except as herein otherwise specifically provided. The fee fixed shall be the same and apply to all actions without variation except with respect to divorce actions where an additional fee not to exceed \$15 may be charged for each count in the complaint in excess of the count requesting the divorce.

EXECUTIONS

Filing of any praecipe for a writ of execution, including attachment, possession or any other writ of execution not herein specifically provided for and all services incident thereto..... \$15.00

JUDGMENTS

Entry of any judgment or decree, which is final, whether by agreement, confession, demurrer, non pros, or preliminary objection or motion on verdict or award, by court order, finding, opinion, default, transcript, copy of docket entries, ex-record, certified copy of non-payment of inheritance tax, certified copy from criminal court or domestic relations including all services..... \$ 9.00

LIENS

Filing any lien: municipal, mechanics, Federal, Commonwealth, certified copy of lien..... \$ 9.00

NOTARY PUBLIC

Registration of signature of notary public..... \$ 2.00

POUNDAGE

For the handling of money paid into court for each dollar of the first \$1,000..... \$ .03
For each dollar of each additional \$1,000 or fraction thereof ..... .01

REVIVALS

Including in every instance any entry of judgment:
(1) Continuing any lien not reduced to judgment.. \$ 9.00
(2) Reviving the lien of any judgment by amicable proceedings..... 9.00
(3) Reviving the lien of any judgment by adverse proceedings..... 15.00

SUBPOENA

Each..... \$ 2.00

## SEARCHES

Search of any record or index, including certification:	
Five years.....	\$ 5.00
Each reference.....	1.00

## SATISFACTIONS

Entering satisfactions, releases, postponements, assignments, subordinations, of all encumbrances or liens by power of attorney or otherwise; or settlement, discontinued ending or termination of any civil action at law or in equity.....	\$ 5.00
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## ARBITRATIONS

Where arbitration proceedings are processed by the prothonotary.....	\$15.00
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## Section 2. Definitions.

As used in this act:

(1) Filing shall mean and include docketing, entering, indexing and filing.

(2) A counterclaim is not to be considered as commencing a new action.

(3) Procedures involved in joinder of additional defendants shall be considered as part of the original action and not subject to separate charge.

(4) Garnishment proceedings shall not be considered as commencement of a new action but shall be considered part of execution.

(5) Proceedings on any lien other than revival, shall be interpreted as commencement of new action.

(6) Certification of any papers or giving of any memorandum of filing may be included in the services herein enumerated and rendered.

(7) Any action or proceeding to strike off, or open, any judgment shall be considered as commencement of an action.

## Section 3. Similar services; payment in advance; State tax.

(a) The fees for services not herein specifically provided for or included in any other service shall be the same as for similar services.

(b) The prothonotary shall not be required to enter on docket any suit or action or order of court or enter any judgment thereon or perform any services whatsoever for any person, political subdivision or the Commonwealth until the requisite fee is paid.

(c) The fees hereinbefore enumerated shall be exclusive of any State tax now levied or that may hereafter be levied.

## Section 4. No separate charges.

There shall be no separate charges for printing, forms, postage or similar services.

## Section 5. Maximum charge to political subdivisions.

The maximum fee to be charged a political subdivision for any one of the services provided for herein shall be \$10.

Section 6. Repeals.

The following acts or parts of acts are repealed insofar as they are inconsistent with this act:

Section 1725 of Title 42, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes.

Section 24(a) of the act of July 9, 1976 (P.L.586, No.142), known as the "Judiciary Act of 1976."

Section 7. Effective date.

This act shall take effect immediately.

APPROVED—The 26th day of November, A. D. 1982.

DICK THORNBURGH