

No. 1980-133

AN ACT

HB 2553

Fixing the fees to be received by the prothonotary of Philadelphia County.

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

Section 1. Fees established.

The fees to be received by the prothonotary of the trial division of the court of common pleas, and as clerk of the family division of the said court, in counties of the first class, shall be as follows:

ACCOUNTS AND REPORTS

The filing and docketing of a report or an account.. \$11.00

ADDITIONAL DEFENDANT

See "DEFENDANT'S FIRST FILING"

ADOPTION

See "COMMENCEMENT"

ANSWER

See "DEFENDANT'S FIRST FILING"

APPEALS

(1) The filing of an appeal to the Supreme, Superior or the Commonwealth Court, including all services..... \$50.00

(2) The filing of any other appeal including an appeal from administrative agencies, arbitration, Petition for Writ of Certiorari and any other paper and all services..... \$40.00

ARBITRATION

See "TRIAL AND TRIAL LISTINGS"

ASSUMPSIT, ACTION OF

See "COMMENCEMENT"

CERTIFICATES OF READINESS

See "TRIAL AND TRIAL LISTINGS"

CERTIFICATIONS

(1) Any certification or certificate \$ 8.00

(2) Any exemplification..... \$25.00

(3) If the same involves more than one page, for each additional page \$ 2.00

(4) Certification of Notarial Certificate..... \$25.00

CLASS ACTIONS

See "COMMENCEMENT"

COMMENCEMENT

Commencement of any civil action by writ of summons, complaint, amicable action, petition or

otherwise including Actions in Assumpsit, Trespass, Ejectment, Quiet Title, Replevin, Mandamus, Quo Warranto, Divorce or Annulment of Marriage, Adoption, Mortgage Foreclosure, Ground Rent Foreign Attachment, Fraudulent Debtor's Attachment, Equity, Partition of Real Property, Actions to Prevent Waste, Mechanics' Liens, Class Actions, Actions Involving Minors, Declaratory Actions, Amicable Actions, Mental Health (Incompetents), except Complaint in Confession of Judgment (see "Judgments") and Commencement of Commonwealth Tax Liens (see "Liens"). This is a composite fee which includes the filing of all plaintiff's pleadings, discovery, or any other paper not otherwise provided for in this act and termination except trial and trial listings, judgment, execution, attachment, revival, post judgment papers and services

\$30.00

COMMONWEALTH TAX LIENS

See "LIENS"

COMPLAINT

See "COMMENCEMENT"

COMPLAINT AGAINST ADDITIONAL DEFENDANT

See "DEFENDANT'S FIRST FILING"

DECLARATORY ACTIONS

See "COMMENCEMENT"

DEFENDANT'S FIRST FILING

The filing on behalf of any defendant (or additional defendant) of the first pleading, entry of appearance, answer, preliminary objections, writ to join (with entry of appearance) or complaint against additional defendant, or other paper not otherwise provided for in this act. A pleading, appearance or other paper not otherwise provided for in this act filed on behalf of more than one defendant shall require only one fee. The filing of separate initial pleadings by defendants require a separate fee. This is a composite fee which includes the filing of all defendant's pleadings, discovery or any other paper not otherwise provided for in this act and termination except trial and trial listings, judgment, execution attachment, revival, post judgment papers and services.

\$15.00

EMINENT DOMAIN

(1) Commencement of action by Declaration of Taking or Petition for Appointment of a Board of View

\$30.00

(2) Initial fee charged for each premises, parcel or plot..... \$ 1.00

For Defendant, see "DEFENDANT'S FIRST FILING"

EQUITY

See "COMMENCEMENT"

EXECUTION

See "WRITS OF EXECUTION"

FICTITIOUS INDIVIDUAL AND CORPORATE NAMES

(1) The filing of an application for the registration of an individual fictitious name including any subsequent filing and cancellation \$45.00

(2) The filing of an application for the registration of a fictitious corporate name and any subsequent filing including cancellation \$60.00

Search, see "SEARCHES"

FINANCING STATEMENTS

(1) The filing of the U.C.C.I. or any initial filing under the Uniform Commercial Code \$15.00
All subsequent filings including termination except continuation statements are filed without fee.

(2) Continuation statements \$ 5.00

FOREIGN ATTACHMENT

See "COMMENCEMENT"

FRAUDULENT DEBTOR'S ATTACHMENT

See "COMMENCEMENT"

FUNDS ON DEPOSIT

(1) Receiving and distributing money paid into court for each dollar under \$500..... \$.04

(2) For each dollar exceeding \$500 \$.01

GROUND RENT, ACTION FOR

See "COMMENCEMENT"

INCOMPETENTS

See "COMMENCEMENT"

INDEXING

There is no charge for the indexing of premises, names or papers, except Eminent Domain.

INTERROGATORIES TO COMMISSIONERS

Interrogatories (Certificate to Commissioners)..... \$15.00

JOINDER

Defendants joinder of each additional defendant, except initial action with appearance, each \$25.00

JUDGMENT

(1) Entry of Judgment in any action commenced in this county \$15.00

(2) Entering from another jurisdiction \$25.00

(3) Entering by agreement \$25.00

(4) Judgment by confession	\$25.00
(5) Complaint in Confession of Judgment.....	\$25.00
Search, see "SEARCHES"	
LIENS	
(1) The filing of any Federal Tax Lien, Mechanics Lien or any lien not covered under this act, Waiver and "To The Use of Lien" including Affidavit of Service, including all indexing and Termination.....	\$10.00
(2) Commencement of any Commonwealth Tax Lien, including the lien, complaint to use claims, Writs of Scire Facias, all pleadings, default judgment, the filing of any paper, and services, except Revival, including indexing	\$42.00
MECHANICS' LIENS, ACTION UPON	
See "COMMENCEMENT"	
MECHANICS' LIENS WAIVER	
See "LIENS"	
MENTAL HEALTH	
See "COMMENCEMENT"	
MINORS	
See "COMMENCEMENT"	
MORTGAGE FORECLOSURE, ACTION OF	
See "COMMENCEMENT"	
NONJURY	
See "TRIAL AND TRIAL LISTINGS"	
NONPAYMENT	
See "SUGGESTION OF NONPAYMENT"	
NOTARY PUBLIC	
Registration of commission of notary public and signature	\$25.00
PAPERS	
The filing of any interlocutory paper not included in any composite fee	\$ 3.00
PETITIONS	
See "COMMENCEMENT"	
The filing of an interlocutory petition or motion not included in any composite fee	\$10.00
POWER OF ATTORNEY	
The filing of a power of attorney, including all services and revocation	\$25.00
PARTITION OF REAL PROPERTY	
See "COMMENCEMENT"	
PARTNERSHIPS AND ASSOCIATIONS	
The filing of any partnership agreement or association under their applicable acts, including all subsequent papers and termination.....	\$45.00
PRELIMINARY OBJECTIONS	
See "DEFENDANT'S FIRST FILING"	

PREVENT WASTE, ACTION TO

See "COMMENCEMENT"

QUIET TITLE, ACTION TO

See "COMMENCEMENT"

QUO WARRANTO, ACTION OF

See "COMMENCEMENT"

REFUNDS

There will be no refund of any amount less than \$5.00 in the event of overpayment of fees.

REPLEVIN, ACTION OF

See "COMMENCEMENT"

REVIVALS

The filing of any writ, amicable agreement judgment, petition, pleading and all papers

\$40.00

SEARCHES

(1) Every certified judgment or lien search for each period of five years or less, each property

\$30.00

(2) Every certified locality search, for each period of five years or less, each property

\$30.00

(3) Every certified search of five years or less the Uniform Commercial Code index

\$30.00

(4) Fictitious and Fictitious Corporate Name Searches:

(i) Every certified search from the year 1953 to date or any fraction thereof from the Fictitious name or Fictitious Corporate name index

\$25.00

(ii) Every five years theretofore or any fraction thereof

\$10.00

(iii) Every search of any given five year period or any fraction thereof

\$10.00

(5) Uniform Commercial Code Searches:

(i) Every certified search of the Uniform Commercial Code index of five years or less

\$30.00

(ii) Each additional statement found over one

\$ 1.00

(iii) Searches beyond five years for additional five years or any fraction thereof

\$30.00

SUBPOENA

(1) Issuing a subpoena form

\$ 2.00

(2) Producing a record in response to a subpoena based on four-hour service

\$25.00

(3) Service beyond four hours or a fraction thereof

\$15.00

(4) For each mile travelled (round trip) for service out of county

\$.17

SUGGESTION OF NONPAYMENT

Including all papers and termination

\$40.00

TERMINATION PAPERS

There is no charge for the filing of any satisfaction, discontinuance or termination type paper.

TRESPASS, ACTION OF

See "COMMENCEMENT"

TRIAL AND TRIAL LISTINGS

(1) Jury fee when jury trial is demanded (including listing)	\$60.00
(2) Compulsory arbitration listing.....	\$15.00
(3) Certificate of Readiness	\$15.00

Nonjury listing, see "CERTIFICATE OF READINESS"

UNIFORM COMMERCIAL CODE

Searches, see "SEARCHES"

Filings, see "FINANCING STATEMENTS"

WRITS OF EXECUTION

Issuing any writ of execution, attachment, all papers and services including indexing \$25.00

Section 2. Fees for similar services.

The fee for any paper or service not specially provided for in section 1, shall be the same as for a similar service.

Section 3. Fees exclusive of taxes.

The fees enumerated in section 1, shall be exclusive of any tax now levied including law library taxes or that may hereafter be levied.

Section 4. Fees required before papers received or services performed.

The prothonotary shall not be required to receive any paper or perform any service until the proper fee is paid.

Section 5. Jury fee.

The jury fee when paid shall not be refunded.

Section 6. Repeals.

(a) The act of August 31, 1971 (P.L.418, No.100), entitled "An act fixing fees to be received by the prothonotary of the trial division of the Court of Common Pleas in Philadelphia, and as clerk of the family division of the said court," is repealed to whatever extent it remained in effect pursuant to section 24(a) of the act of July 9, 1976 (P.L.586, No.142).

(b) All other acts or parts of acts are repealed insofar as they are inconsistent herewith.

Section 7. Effective date.

This act shall take effect immediately.

APPROVED—The 11th day of July, A. D. 1980.

DICK THORNBURGH