

CHAPTER 400. [EXECUTION OF JUDGMENTS FOR THE PAYMENT OF MONEY]
ENFORCEMENT OF JUDGMENTS RENDERED BY MAGISTERIAL DISTRICT
JUDGES FOR THE PAYMENT OF MONEY

{THIS IS AN ENTIRELY NEW RULE}

Rule 401.1. Assignment of Judgment; Parties.

If the judgment has been assigned, upon request of the real party in interest the magisterial district judge shall:

(1) Cause a docket entry to be made indicating the assignment and the name of the original plaintiff and the name of the real party in interest.

(2) Issue an amended notice of judgment indicating the assignment and the name of the original plaintiff and the name of the real party in interest.

Official Note: The real party in interest (assignee) must produce an assignment of judgment on a form prescribed in accordance with Rule 212, properly executed by the original plaintiff (assignor), before the magisterial district judge notes the assignment on the docket or issues an amended notice of judgment.

When an assignment is entered on the docket pursuant to this rule, the real party in interest becomes the plaintiff as defined in Rule 401, and the original plaintiff shall have no further rights with respect to the judgment.

If the judgment is assigned while there is an outstanding order of execution, the real party in interest should notify the executing officer who is holding the order to assure that any proceeds are distributed properly.

If the judgment has been entered in the court of common pleas the magisterial district judge may not take any action pursuant to this rule. See Rule 402D (4).