

FINAL REPORT

Amendment to the Notes to Rules 341 and 342 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges

On September 9, 2008, effective October 1, 2008, upon recommendation of the Minor Court Rules Committee,¹ the Supreme Court of Pennsylvania approved an amendment to the Notes to Rules 341 and 342 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges.²

I. **Background**

The Minor Court Rules Committee (the Committee) undertook a review of Rules 341 and 342 following an inquiry from a District Court administrator. The administrator pointed out that Pa.R.C.P.M.D.J. No. 341 does not address who is required to pay for service of a request for entry of satisfaction. Instead, Rule 341 simply requires service “in accordance with the rules in the 300 Series regarding service of the complaint.” See Pa.R.C.P.M.D.J. No. 341B.

II. **Discussion and Proposed Rule Changes**

After reviewing the administrator’s inquiry, the Committee agreed that the lack of direction in Pa.R.C.P.M.D.J. No. 341, with regard to payment of service costs, was problematic. In attempting to fashion a solution, the Committee members settled upon adding language to the Notes of both Rules 341 and 342. The additional language makes it clear that the person who is requesting entry of satisfaction is the individual responsible for payment of any costs associated with his or her request.

¹ Minor Court Rules Committee Recommendation 2-2008.

² Supreme Court of Pennsylvania Order No. 247, Magisterial Docket No. 1, (September 9, 2008.)