

**SUPREME COURT OF PENNSYLVANIA
MINOR COURT RULES COMMITTEE**

ADOPTION REPORT

**Adoption of Rule 210.1 and Amendment of Rule 320 of the Pennsylvania Rules
of Civil Procedure Governing Actions and Proceedings
Before Magisterial District Judges**

On December 1, 2025, the Supreme Court adopted Rule 210.1 and amended Rule 514.1 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges. The rule changes are intended to add a prohibition on *ex parte* communications and establish procedures for stipulated judgments, respectively. The Minor Court Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

The Committee was advised that, on occasion, a plaintiff will file a request with the magisterial district court to mark the civil complaint settled and to request entry of a judgment in favor of the plaintiff. Frequently, the request is made *ex parte* and without the written consent of the defendant. The Committee saw the opportunity for misuse if the filing does not reflect notice to or consent by the defendant. The Committee examined methods to: (1) prohibit unauthorized *ex parte* communications with the magisterial district judge; and (2) develop a procedure for the parties to advise the magisterial district court of a settlement agreement that includes the entry of a stipulated judgment for the plaintiff.

The Committee first examined *ex parte* communications in magisterial district courts. Magisterial district judges and attorneys are bound by codes of conduct that prohibit unauthorized *ex parte* communication. See Rule 2.9 of the Rules Governing Standards of Conduct of Magisterial District Judges and Pa.R.P.C. 3.5 (respectively). In contrast, there is no similar obligation for parties. Thus, while magisterial district judges and attorneys have guidance concerning *ex parte* communications, the same cannot be said for a self-represented litigant who is not law trained.

The Committee reviewed prohibitions on *ex parte* communications by the parties in the Pennsylvania Rules of Juvenile Court Procedure. See Pa.R.J.C.P. 136 and 1136 (pertaining to delinquency and dependency proceedings, respectively). These rules are germane to the issue before the Committee and were used as the basis for developing Pa.R.Civ.P.M.D.J. 210.1.

Certain *ex parte* communications, *e.g.*, proceedings for emergency protective relief, are permitted in magisterial district court. See Pa.R.Civ.P.M.D.J. 1207 (pertaining

to hearings for emergency protective relief). Moreover, Rule 2.9(A)(1) of the Rules Governing Standards of Conduct of Magisterial District Judges identifies permissible *ex parte* communications, e.g., scheduling, administrative, or emergency purposes.

Next, the phrase “stipulated judgment” is intended to mean a consensual judgment that is entered without a hearing by the magisterial district judge at the request of the parties. Because the Committee was informed that *ex parte* requests for stipulated judgments are being filed with magisterial district courts, it agreed on the necessity for a procedure to ensure that a defendant is an informed and active participant in a request to enter a stipulated judgment.

Pa.R.Civ.P.M.D.J. 320(B), pertaining to settlements, has been bifurcated. Subdivision (b)(1) reflects current subdivision (B), regarding a request to mark a civil action settled without the entry of a stipulated judgment. This provision may be used if the parties reach an out of court settlement that does not include the entry of a judgment by the court.

Subdivision (b)(2) includes new provisions relating to a stipulated judgment and emphasizes participation of the parties. Subdivision (b)(2)(ii) provides for a new statewide form to request entry of a stipulated judgment by the magisterial district court. The amount of the judgment will be entered on the form. The amount of the judgment will not include court costs insofar as those are determined by Pa.R.Civ.P.M.D.J. 206(B), are the responsibility of the unsuccessful party, and are reflected in the judgment.

Regarding subdivision (b)(2)(ii)(B)(I), which advises the defendant to review the terms of a settlement agreement, it was not the Committee’s intention to require judicial approval of the terms of these agreements. The primary risk to the defendant in entering a stipulated judgment is that the plaintiff may execute upon a judgment prematurely or that the levy may be excessive in relation to prior payments on the judgment. Should that occur, the defendant can file an objection to the levy pursuant to Pa.R.Civ.P.M.D.J. 413, which can be the subject of a request for reconsideration at the court of common pleas.

The Committee observes that parties inclined to negotiate a settlement, including a stipulated judgment, will have limited time, unless a continuance is sought, to negotiate an agreement, execute it, and file the request with the magisterial district court. However, parties who have achieved a mutually satisfactory outcome should be incentivized to proceed as directed in Pa.R.Civ.P.M.D.J. 320.

The Committee published the proposal for public comment. See 54 Pa.B. 2344 (May 4, 2024). The comment period ran through June 18, 2024 and the Committee received no comments in response to the publication.

The amendment takes effect on April 1, 2026.