



PENNSYLVANIA LEGAL RESEARCH HANDBOOK

Frank Y. Liu • Joel Fishman • Dittakavi N. Rao • Tsegaye Beru

The Legal Intelligencer

PENNSYLVANIA
LawWeekly

ALM

Pennsylvania Legal Research Handbook

Frank Y. Liu
Joel Fishman, Ph.D.
Dittakavi N. Rao
Tsegaye Beru

2008 Edition

ISBN 1-57786-286-4

ALM

1617 JFK Blvd., Suite 1750
Philadelphia, PA 19103
(215) 557-2300 or (800) 722-7670
Fax: 557-2301
www.thelegalintelligencer.com

Publisher

Hal M. Cohen

Associate Publisher, Editor-in-Chief

Hank Grezlak

Print/Production Coordinator

David Umfer

Director of Research and Reference Products

Amanda M. Shotsberger

Books Editor

Matt Slavick

The authors would like to thank the following individuals, companies and organizations for allowing their material to be reprinted in this book:

Law.com[™]

Lexis Nexis[®]

Thomson Reuters/West[®]

Widener Law Journal

Illustrations and screenshots of West[®] material reprinted with permission of Thomson Reuters/West.

Copyright ©2008 NLP IP Co. All rights reserved. No part of this publication may be reproduced in any form, electronic or otherwise, without the express written permission of American Lawyer Media.

This publication is sold with the understanding that the publisher is not engaged in rendering legal or other professional service. Although the editors have endeavored to provide an accurate and authoritative resource, the publisher makes no representation as to the consequences of referring to this volume when expert assistance of a competent professional person is required.

TABLE OF CONTENTS

**CHAPTER 1
INTRODUCTION**

§1.1	Paper Materials	1
§1.2	Lexis-Nexis® (Lexis) and Westlaw®	2
§1.3	Palawlibrary.com	3
§1.4	Internet	3
§1.5	Nature and Organization of this Book	4

**CHAPTER 2
CONSTITUTIONS**

§2.1	History of the State Constitutions	7
§2.2	Relationship Between the Pennsylvania Constitution and the United States Constitution	10
§2.3	Relationship Between the Pennsylvania Constitution and Other State Constitutions	12
§2.4	Amending the Constitution	12
§2.5	Pennsylvania Government Structure Based on the Pennsylvania Constitution	13
§2.6	Finding the Constitution	14
§2.6.1	Sources	14
§2.6.1.1	Pennsylvania Consolidated Statutes (Official)	14
§2.6.1.2	<i>Purdon's Pennsylvania Consolidated Statutes Annotated</i>	15
§2.6.2	Research Methods	15
§2.6.3	Online Resources	17
§2.6.3.1	Internet	17
§2.6.3.2	Fee-based Sites	20
§2.7.	Citation to the Constitution	22
§2.8.	Citators	22
§2.9.	Secondary Sources	22
	Appendix 1	24

**CHAPTER 3
LEGISLATION**

§3.1	General Assembly of Pennsylvania	30
§3.1.1	Legislative Sessions	30

TABLE OF CONTENTS

§3.1.2	Membership of the Assembly	30
§3.1.2.1	Biographical Sources for Members of the Assembly	31
§3.1.3	Legislative Reapportionment Commission	31
§3.1.4	Legislative Committees	32
§3.1.5	Rules	33
§3.2	Early Statutory Compilations	33
§3.2.1	Colonial Legislature	33
§3.2.2	18th Century Session Laws	33
§3.2.3	19th Century Session Laws	33
§3.2.3.1	Bioren's <i>Laws of Pennsylvania</i>	33
§3.2.3.2	Smith's <i>Laws of Pennsylvania</i>	34
§3.2.3.3	Dunlap's <i>Laws of Pennsylvania</i>	34
§3.2.3.4	<i>Statutes At Large of Pennsylvania</i>	34
§3.3	Current Statutory Compilations	36
§3.3.1	<i>Laws of Pennsylvania</i>	36
§3.3.1.1	Slip laws	36
§3.3.1.2	Bound Volumes	36
§3.3.2	<i>Purdon's Pennsylvania Legislative Service</i>	37
§3.4	Statutory Codes	38
§3.4.1	Historical Collections	38
§3.4.2	<i>Purdon's Pennsylvania Statutes Annotated (P.S.)</i>	39
§3.4.3	Short History of Codification	41
§3.4.4	<i>Pennsylvania Consolidated Statutes</i>	42
§3.4.4.1	Development of the <i>Consolidated Statutes</i>	42
§3.4.4.2	Contents and Arrangement of the <i>Consolidated Statutes</i>	43
§3.4.4.3	<i>Pennsylvania Consolidated Statutes</i>	45
§3.4.4.4	Relationship Between <i>Purdon's Pennsylvania Statutes Annotated (P.S.)</i> and <i>Pennsylvania Consolidated Statutes (Pa.C.S.)</i>	47
§3.4.4.5	Updating the <i>Purdon's Statutes</i>	48
§3.4.4.7	Citation	55
§3.4.5	Interpretative Researching in <i>Purdon's Statutes</i>	55
§3.4.5.1	Research Methods	55
§3.5	Citators	59
§3.6	Other Sources for Pennsylvania Law	61
§3.6.1	West's® <i>Pennsylvania Law Finder</i>	61
§3.6.2	<i>Martindale-Hubbell Law Directory</i>	62
§3.6.3	<i>Uniform Laws Annotated</i> , St. Paul: West® Publishing Co., 1968. Annual pocket parts	62
§3.6.4	Looseleaf Services	62
§3.7	Computerized Research	62
§3.8	Uniform and Model Laws	62
§3.9	Interstate Compacts	65
§3.9.1	Locating and Interpreting Compacts	67
§3.10	CD-ROM	68
§3.11	Online Sources	69
§3.11.1	Official Web Sites	69

TABLE OF CONTENTS

§3.11.2	Fee-Based Web Sites	72
	Appendix 1	74
	Appendix 2	88
	Appendix 3	90
	Appendix 4	104
	Appendix 5	108
	Appendix 6	111

CHAPTER 4 LEGISLATIVE PROCESS AND LEGISLATIVE HISTORY

§4.1	Legislative Process	115
§4.2	Legislative Histories	118
§4.2.1	Bills and Resolutions	119
§4.2.2	Committee Reports	123
§4.2.3	Joint State Government Commission Reports	123
§4.2.4	Public Hearings	123
§4.2.5	Legislative Journals	124
§4.2.6	Governor's Messages and Vetoes	126
§4.3	Research Methods	126
§4.3.1	Bill Tracking—Current Status of Legislative Bills	126
§4.3.2	History of [House or Senate] Bills	127
§4.3.2.1	Outline of the History	127
§4.3.2.2	Subject Index to the <i>Combined History of House and Senate Bills</i>	129
§4.3.3	Other Sources for Legislative Histories	129
§4.4	Secondary Sources	129
§4.5	Researching Legislative History for Pennsylvania: A Step-By-Step Guide	130
§4.6	Online Sources for House and Senate Bills	132
§4.6.1	132
§4.6.2	Official/Unofficial Sites	132
§4.6.3	Fee-based Sites	134
	Appendix 1	137
	Appendix 2	138

CHAPTER 5 MUNICIPAL LAW

§5.1	Constitutional Basis of Local Government	150
§5.1.1.	Home Rule Charters	151
§5.2	Local Government	151

TABLE OF CONTENTS

§5.3	Sources	153
§5.3.1	<i>Pennsylvania Code</i>	153
§5.3.2	Municipal Codes	153
§5.3.3	Pennsylvania Manual	154
§5.4	Research Methods	154
§5.4.1	West's® <i>Pennsylvania Digest 2d</i>	154
§5.4.2	<i>Ordinance Law Annotations</i>	154
§5.4.3	<i>Shepard's® Pennsylvania Citations, Statute Ed.</i> , 5th ed. (1987)	154
§5.4.4	Secondary Sources	154
§5.4.5	Continuing Legal Education	155
§5.5	Online Sources	155
	Appendix 1	157
	Appendix 2	162
	Appendix 3	163
	Appendix 4	164
	Appendix 5	184

CHAPTER 6 ADMINISTRATIVE LAW

§6.1	Governor	191
§6.1.1	Duties of the Governor	191
§6.1.2	Executive Orders and Vetoes	193
§6.2	Attorney General	194
§6.2.1	Duties of the Attorney General	194
§6.2.2	Attorney General Opinions	195
§6.2.2.1	Finding Attorney General Opinions	196
§6.3	Online Sources	197
§6.3.1	Official Site	197
§6.3.1.1.	Unofficial Site	198
§6.3.2	Fee-based Sites	199
§6.3.2.1	Lexis®	199
§6.3.2.2	Westlaw®	200
§6.4	Access to Attorney General Opinions	200
§6.5	Other Executive Departments and Agencies	201
§6.6	State Administrative Regulations	201
§6.6.1	Background–Rulemaking Process	201
§6.6.2	<i>Pennsylvania Bulletin</i>	201
§6.6.2.1	Organization of the <i>Pennsylvania Bulletin</i>	201
§6.6.2.2	Research Methods	203
§6.6.3	<i>Pennsylvania Code</i>	206

TABLE OF CONTENTS

§6.6.3.1	Organization of the <i>Pennsylvania Code</i>	206
§6.6.3.2	Updating the <i>Pennsylvania Code</i>	208
§6.6.3.3	Research Methods.	209
§6.6.3.4	Updating the <i>Pennsylvania Code</i> : Step-by-step guide . .	212
§6.7	Other Publications of Departments and Agencies. . . .	215
§6.8	State Administrative Decisions and Rulings	215
§6.9	Online Sources.	215
§6.9.1	Official Web Sites	215
§6.9.2	Fee-Based Sites	217
§6.10	Secondary Sources	223
	Appendix 1	225

CHAPTER 7 CASE LAW OF PENNSYLVANIA

§7.1	Introduction to the Court System of Pennsylvania . . .	228
§7.2	Pennsylvania Supreme Court	230
§7.2.1	Composition	230
§7.2.2	Jurisdiction.	230
§7.3	Pennsylvania Superior Court	231
§7.3.1	Composition	231
§7.3.2	Jurisdiction.	231
§7.4	Pennsylvania Commonwealth Court	232
§7.4.1	Composition	232
§7.4.2	Jurisdiction.	232
§7.5	Courts of Common Pleas.	233
§7.5.1	Composition	233
§7.5.2	Jurisdiction.	233
§7.6	Minor Courts	234
§7.6.1	Community Courts.	234
§7.6.2	Philadelphia Municipal Court	234
§7.6.3	Pittsburgh Magistrates Court	235
§7.6.4	Philadelphia Traffic Courts	235
§7.6.5	Third Class City Traffic Courts.	235
§7.7	Magisterial District Judges	236
§7.7.1	Composition	236
§7.7.2	Jurisdiction	236
§7.8	Court of Judicial Discipline.	237
§7.8.1	Composition	237
§7.9	Court Reports	237
§7.9.1	Supreme Court Reports	237
§7.9.1.1	Slip Opinions.	238
§7.9.1.2	Advance Sheets	239
§7.9.1.3	Bound Volumes.	239
§7.9.2	Superior Court Reports	240

TABLE OF CONTENTS

§7.9.2.1	Slip Opinions	241
§7.9.2.2	Advance Sheets	241
§7.9.2.3	Bound Volumes	241
§7.9.3	Commonwealth Court Reports	242
§7.9.3.1	Slip Opinions	242
§7.9.3.2	Advance Sheets	242
§7.9.3.3	Bound Volumes	242
§7.9.4	County Court Reports	242
§7.9.4.1	Slip Opinions	243
§7.9.4.2	Advance Sheets	244
§7.9.4.3	Bound Volumes	244
§7.10	Other Sources for Current Cases	244
§7.10.1	Legal Newspapers	245
§7.11	How to Find a Pending Case	245
§7.12	Federal Courts	246
§7.12.1	United States Court of Appeals for the Third Circuit	246
§7.12.2	United States District Courts	247
§7.12.3	United States Bankruptcy Courts	247
§7.13	Court Reports	247
§7.13.1	United States Circuit Courts of Appeals for the Third Circuit	247
§7.13.1.1	Slip Opinions	247
§7.13.1.2	Advance Sheets	247
§7.13.1.3	Early Nominative Reports	248
§7.13.1.4	<i>Federal Cases</i>	248
§7.13.1.5	West's® <i>Federal Reporter</i>	248
§7.13.1.6	West's® <i>Federal Appendix</i>	249
§7.13.2	United States District Court Reports	249
§7.13.2.1	Slip Opinions	249
§7.13.2.2	Advance Sheets	249
§7.13.2.3	Early Nominative Reports	249
§7.13.2.4	<i>Federal Cases</i>	249
§7.13.2.5	West's® <i>Federal Reporter 1st and 2d Series</i>	250
§7.13.2.6	West's® <i>Federal Supplement 1st and 2d</i>	250
§7.13.3	United States Bankruptcy Courts	250
§7.13.3.1	Slip Opinions	250
§7.13.3.2	Advance Sheets	250
§7.13.3.3	National Bankruptcy Register	250
§7.13.3.4	<i>Federal Cases</i>	250
§7.13.3.5	West's® <i>Federal Reporter & Federal Supplement</i>	251
§7.13.3.6	West's® <i>Bankruptcy Reporter</i>	251
§7.14	Other Sources for Current Cases	251
§7.15	Research Methods	251
§7.15.1	Finding Cases Through Digests	251

TABLE OF CONTENTS

§7.15.1.1	<i>Vale Pennsylvania Digest</i>	252
§7.15.1.2	West's® <i>Pennsylvania Digest 2d</i>	254
§7.15.1.3	<i>Atlantic Reporter Digest</i>	256
§7.15.1.4	West's® <i>Atlantic Reporter Digest 2d</i>	256
§7.15.1.5	West's® <i>Federal Digests</i>	256
§7.15.1.6	<i>Decennial Digests</i>	257
§7.15.1.7	<i>General Digests</i>	258
§7.15.1.8	Summary of Digest Contents	258
§7.15.2	Accessing the Digests	259
§7.15.2.1	Descriptive-Word Index	259
§7.15.2.2	Table of Cases Index	261
§7.15.2.3	Words and Phrases Index	262
§7.15.2.4	Topic Outline Approach	263
§7.15.3	Finding Pennsylvania Case Law Through Statutory Sources	266
§7.15.4	Finding Pennsylvania Case Law Through Secondary Sources	267
§7.15.4.1	<i>A.L.R.</i> Annotations	267
§7.15.4.2	Law Reviews	269
§7.15.4.3	Treatises	269
§7.15.4.4	Encyclopedias	269
§7.15.4.5	Continuing Legal Education (CLE) Materials	271
§7.15.4.6	Looseleaf Services	271
§7.15.4.7	Legal Newspapers	271
§7.15.4.8	Legal Newsletters	272
§7.16	Online Sources	273
§7.16.1	Official Web Sites	273
§7.16.2	Fee-based Sites	275
§7.17	Citators	278
§7.17.1	<i>Shepard's</i> ® Citations	278
§7.17.1.1	Organization of <i>Shepard's</i> ® Citations	278
§7.17.1.2	Outline of Contents	279
§7.17.1.3	Which Citator Should I Use?	280
§7.17.1.4	"What Your Library Should Contain"	286
§7.17.1.5	<i>Shepard's</i> ® <i>Pennsylvania Case Name Citator 2d</i>	286
§7.17.1.6	Parallel Citation Tables	287
§7.17.1.7	Online <i>Shepard's</i> ® Citations	287
§7.17.3	KeyCite®	289
§7.18	Records and Briefs	291
§7.18.1	Finding Court Briefs	291
§7.18.2	Access to the Briefs	292
	Appendix 1	293
	Appendix 2	297
	Appendix 3	299
	Appendix 4	302

**CHAPTER 8
COURT RULES**

§8.1	Background	309
§8.2	State Rules	310
§8.2.1	Internal Operating Procedures	311
§8.2.2	Rules of Civil Procedure.	311
§8.2.3	Rules of Criminal Procedure	311
§8.2.4	Rules of Appellate Procedure	312
§8.2.5	Rules of Evidence	313
§8.2.6	Supreme Court Orphans' Court Rules.	313
§8.2.7	Magisterial District Judges.	313
§8.2.8	Code of Civility	314
§8.3	Local Court Rules	314
§8.4	Court of Judicial Discipline Rules of Procedure.	315
§8.5	Other Supreme Court Rules	316
§8.5.1	Rules of Judicial Administration.	316
§8.5.2	Code of Judicial Conduct	316
§8.5.3	Judicial Conduct Board.	316
§8.5.4	Rules of Professional Conduct.	317
§8.5.5	Pennsylvania Rules of Disciplinary Enforcement	318
§8.6	Federal Rules	319
§8.6.1	Internal Operating Rules	319
§8.6.2	Unannotated Sources	319
§8.6.3	Annotated Sources	319
§8.6.4	Research Methods for State and Federal Rules.	320
§8.6.4.1	Unannotated Sources	320
§8.6.4.2	Annotated Sources	321
§8.6.4.3	Updating the Court Rules	321
§8.7	Sources	321
§8.7.1	Cases	321
§8.7.2	Digests.	322
§8.7.3	Citators	322
§8.7.4	Encyclopedias	323
§8.7.5	Treatises	323
§8.7.6	Forms.	325
§8.8	Online Sources	325
§8.8.1	Official Web Sites.	325
§8.8.2	Unofficial Sites	327
§8.8.3	Fee-Based Sites.	328

CHAPTER 9
SECONDARY SOURCES FOR
PENNSYLVANIA RESEARCH

§9.1	Encyclopedias	329
§9.1.1	Pennsylvania Law Encyclopedia 2d	329
§9.1.2	Summary of Pennsylvania Jurisprudence 2d	329
§9.1.3	<i>Standard Pennsylvania Practice 2d</i>	330
§9.1.4	<i>Laub's Pennsylvania Keystone</i>	330
§9.2	Pennsylvania Practice Books, Treatises & Other Publications	331
§9.3	Continuing Legal Education Publications	346
§9.4	Form Books	347
§9.4.1	Major Forms Sets	347
§9.4.1.1	<i>Pennsylvania Transaction Guide</i>	347
§9.4.1.2	<i>Dunlap-Hanna Pennsylvania Forms</i>	348
§9.4.1.3	<i>West's® Pennsylvania Legal Forms</i>	348
§9.4.2	Single Subject Forms Books	348
§9.5	Periodicals and Newsletters	349
§9.5.1	Law Reviews	349
§9.5.2	Legal Newsletters	351
§9.5.3	Legal Newspapers	352
§9.5.4	Research Methods for Periodicals and Newspapers . .	353
§9.6	Legal Directories	355
§9.6.1	Judicial Directories	355
§9.6.2	Attorneys' Directories	356
§9.6.3	Other Biographical Sources	357
§9.7	Online Sources	358
§9.7.1	Legal Directories	358
§9.7.2	Legal Encyclopedias	359
§9.7.3	Practitioners Aids	359
§9.7.4	Law Reviews and Other Legal Journals	360
§9.7.5	Legal Newspapers and Current Awareness	361
§9.7.5.1	Online indexes	362
§9.7.6	Forms	362
	Appendix 1	364

CHAPTER 10
INSTITUTIONS & ORGANIZATIONS

§10.1	Law School Libraries	379
§10.2	County Law Libraries	380
§10.3	Government Law Libraries	381
§10.4	State Appellate Court Libraries	382
§10.5	Federal Court Libraries	382
§10.6	Private Law Libraries	382
§10.7	Non-law Libraries	383
§10.8	Federal Government Depositories	383
§10.9	Bar Associations	384
§10.10	County Bar Associations	386
§10.11	Paralegal Associations/Schools	387
§10.12	Legal Secretaries Associations/Schools	387
§10.13	Legal Assistance	387
§10.14	Law Library Associations.	388
§10.15	Online Resources	388
	Appendix 1	390
	Appendix 2	406
	Appendix 3	412

CHAPTER 11
CONCLUSION

	Conclusion	417
	General Index.	419
	Biographies.	i

CHAPTER 1

INTRODUCTION

We begin this research handbook by presenting an overview of the state of Pennsylvania legal research. Since the publication of the first edition in 2001, much has changed in the American legal research scene. Westlaw and LexisNexis have become the predominant online legal research systems and there are an increasing number of official web sites of the courts and government agencies and the unofficial high quality legal web sites on the Internet. There is also an increasing number of secondary materials such as law review articles, legal encyclopedias, treatises, practice materials and former looseleaf services such as CCH and BNA materials, available online. In addition, the new generations of law students, lawyers and paralegals are Internet-and-computer-centered legal researchers. All these developments have changed the state of legal information resources and how legal research can be effectively conducted in Pennsylvania, the United States, and the world.

In the following, we will review the major types of legal information media and point out their respective importance in current legal research for Pennsylvania law.

§1.1 Paper Materials

Despite an increasing number of secondary materials available online, a vast amount of historical legal documents, legal treatises and state government documents have not been, and may never be, placed online. New legal treatises, practice books and CLE materials are still published in traditional book format.

However, most if not all materials of primary Pennsylvania law, i.e., the Constitution, statutes, cases, administrative regulations and decisions, are available from online comprehensive legal information systems such as Lexis[®], Westlaw[®] and other

newer, similar systems. The information on Lexis[®] and Westlaw[®] is much more current than the paper version; there is also information available on Lexis[®] and Westlaw[®] not easily available in a paper version. As a result, we saw the discontinuation of the *Pennsylvania Superior Court Reports* and *Pennsylvania Commonwealth Court Reports*. Cases of these two courts are now only available in the *Atlantic Reporter 2d*. However, almost all of the county court reports (the volumes listed in the *Pennsylvania District & County Reports*) are still being published in book form.

The manual legal research skills needed for using paper materials remain critically important and will be so for the foreseeable future. These include the skills for using and updating the key number case digests, annotated statutes, administrative code, etc., and a variety of secondary sources, such as practice and form books, looseleaf services, and CLE materials.

Lexis[®] and Westlaw[®] are still prohibitively expensive for practitioners to use for an extended period of time. Some aspects of information structure in Lexis[®] and Westlaw[®], such as case citations and statutory citations, are based on the same structure used in paper materials.

For example, West's[®] head notes and key numbers are important components of the Westlaw[®] online system. Therefore, an understanding of West's[®] reporter and key number digest system, both of which originated in the paper version, is essential for using Westlaw[®] effectively.

§1.2 Lexis-Nexis[®] (Lexis) and Westlaw[®]

The competition between Lexis[®] and Westlaw[®] has been beneficial for legal researchers. Both systems have continued to improve, resulting in more user-friendly access mechanisms, comprehensive and extensive law and law-related databases, and the creation of innovative research methods not available in paper format. The most important recent development for both systems is the extensive secondary legal materials added

to their databases. For example, Westlaw® added nutshells and hornbooks to its databases.

KeyCite® is now a well established citation system parallel to the online Shepard's Citations. One unique and helpful feature of KeyCite® is its graphical view of the direct history of a case or statutory provision in the form of a flow chart. Recently, Westlaw® added a new feature: "Westlaw WebPlus." It allows a user to search relevant law and law related web sites pre-sorted by the Westlaw® editors.

The speed of searching, the currency of information, the flexibility of their research methods and the depth and breadth of their databases have all made Westlaw® and Lexis® indispensable tools for contemporary legal research in American law.

In order to conduct the most thorough and up-to-date research on a legal issue, a modern legal researcher should obtain access to Lexis® and/or Westlaw® and learn the skills to use them effectively and efficiently. If extended use of Lexis® and/or Westlaw® is not cost-effective, the systems should be used to verify and update the final research products from manual research, as well as to search for hard-to-find information. Lexis® and Westlaw® research skills are easy to learn and frequent use of the systems will improve a legal researcher's proficiency.

§1.3 Palawlibrary.com

A very useful feed-based online legal search system for researching Pennsylvania law is Palawlibrary.com, developed by Jenkins Law Library and ALM-PA. The system has extensive databases for the county court opinions, county court rules, verdicts and settlements, trial listings, suites fixed, court notices and attorney directory.

§1.4 Internet

The development of the Internet brought about a sea change to the legal information media. Numerous legal infor-

mation or law-related web sites have been developed by individuals, federal or state governments, academic institutions and information vendors. For the Commonwealth of Pennsylvania, the slip opinions of the Supreme Court, Superior Court, and Commonwealth Courts have been posted on the Internet since December 1997 by the courts themselves, and are accessible free of charge. Also available are the *Pennsylvania Consolidated Statutes*, issued by the Pennsylvania legislature, and the *Pennsylvania Code* and *Pennsylvania Bulletin*, issued by the Pennsylvania Reference Bureau.

Many law schools have developed their own web sites intending to link all the relevant law and law-related web sites on the Internet for the use of their own faculty and students, which are generally free of charge. As time goes on, more official and free legal information and fee-based legal information will become available on the Internet. One of the authors of this handbook, Mr. Dittakavi N. Rao, has developed an extensive and exhaustive web site (www.pennsylvanialegalresearch.com) linking all the sites on the Internet relating to Pennsylvania legal research.

§1.5 Nature and Organization of this Book

Our goal for this handbook is to provide for legal researchers in one place a comprehensive and in-depth compilation of authentic legal information resources for researching Pennsylvania law. Wherever appropriate we have provided relevant historical information for legal information sources to help understand the development of a particular resource, such as the Constitution, statutes and court reporters.

Since there are already well written general legal research process books which teach the planning and executing of legal research tasks, this handbook will not delve into those aspects of researching Pennsylvania law.

From Chapters 2 to 10, we have organized the sources of Pennsylvania law and their research methods as follows:

Chapter 2: Constitutions

Chapter 3: Legislation

Chapter 4: Legislative Process and Legislative History

Chapter 5: Municipal Law

Chapter 6: Administrative Law

Chapter 7: Case Law

Chapter 8: Court Rules

Chapter 9: Secondary Sources

Chapter 10: Law Libraries & Organizations

The arrangement of the chapters is largely based on the hierarchy of authority of the legal information sources and the logical sequence of research for primary authority of law. Wherever applicable, each chapter is arranged according to the following pattern:

1. An introduction of the law-making body
2. A description of the law-making process
3. A description of legal information resources and research methods for each of the following media:
 - A. Paper materials
 - B. Web sites: official, free and commercial
 - C. Lexis[®] and Westlaw[®]
 - D. Other sources

A major emphasis of this handbook is to describe, in great detail, the structure of the law-making bodies and their respective law-making roles and processes, such as the General Assembly, governor, attorney general, other executive agencies, and the Courts of the Commonwealth of Pennsylvania. We believe that a clear understanding of the law-making processes is essential for conducting thorough and in-depth legal research in Pennsylvania law.

Selected illustrations are provided throughout the text to help researchers better understand a particular legal information resource. Useful appendices are provided wherever necessary for ready reference or for researchers to conduct further research.

CHAPTER 2

CONSTITUTIONS

Constitutions are the fundamental law of the land within a particular jurisdiction. A constitution describes the nature of the government and the relationship between the different branches of government: executive, legislative, and judicial. It also describes various rights provided to the people of that state. While the federal Constitution has been written only once and amended 27 times, all state constitutions have been revised at least twice, some as many as 10 times since the origin of the particular state. In Pennsylvania, we have had five constitutions and five constitutional conventions (the last one in 1968 being only a limited convention). The state constitutions are also much longer in size because they provide much more enumerated tasks than the government can or should perform.

§2.1 History of the State Constitutions

The constitutional history of the colonial period began with Swedish and Dutch control of the colony before the English conquered New York in 1666 and established the Duke of York's Laws. King Charles II's charter to William Penn in 1681 led to the colonization in 1682, the passage of the Great Law of 1682, and the succeeding constitutional charters of the Frames of Government of 1683, 1686, and 1696. The final Charter of Privileges of 1701 remained the basic constitutional document until the Revolution.¹

The Continental Congress's act of declaring a separate government on May 15, 1776, led radicals to call for a constitutional convention at the same time to reform the government. The convention met from July, 10 days after the acceptance of the Declaration of Independence, to September 28, 1776, and

1. For early history, *Statutes at Large of Pennsylvania During the Time of William Penn 1680-1700* Vol. 1 introduction (Gail McKnight Beckman, ed., 1976); 1 *Lawmaking and Legislators in Pennsylvania: A Biographical Dictionary* 11-33 (Craig W. Horle and Marianne S. Wokeck, eds., 1991). For a general constitutional history, see Rosalind Branning, *Pennsylvania Constitutional Development* (1960).

created a liberal constitution by a convention dominated by radicals such as Benjamin Franklin and David Rittenhouse, but also supported by outsiders George Bryan and John Cannon.

The constitution was one of the most liberal documents created by the states during the first wave of constitutional making. A one-house legislature and Supreme Council ruled Pennsylvania with a liberal voting franchise. The constitution lasted for only 14 years, until conservatives succeeded in 1790 in replacing a more conservative constitution that followed the recent federal model of a governor and two-house legislature as the basis of the government.²

It was not, however, until the 1820s and early 1830s that reform leaders began to push strongly for the calling of another constitutional convention. A new constitutional convention met over the period of eight months and resulted in its approval at the election of October 9, 1838, and was adopted by a majority of only 1,213 votes.

The new constitution limited the governor's authority in appointing local officials and had to obtain the approval of the senate for judicial nominations. The provision for amending the constitution led to four further amendments over the next three decades.

Four amendments were made between 1850 and 1871. Under Article V, §2, judges became popularly elected in 1850. Under Article 1, §4 the legislature increased its size to 100 members and placed limitation upon state borrowing (new Article XI) and provided for the creation of new counties (new Article XII) in 1857. Soldiers were given absentee voting under Article III, §4 in 1864, and the state treasurer was made an elective rather than appointive office under Article VI, §6 in 1871.³

The Constitution of 1874 was the product of its age. The economic growth at the time involved expansion of the rail-

2. For the standard history up to the 1776 convention, see J. Paul Selsam, *The Pennsylvania Constitution of 1776: A Study in Revolutionary Democracy* (1936); Robert L. Brunhouse, *The Counter-Revolution in Pennsylvania, 1776-1790* (1942); Branning, *supra* n.1 at 12-16.

3. Branning, *supra* n.1 at 31-33.

roads and the rise of new urban centers with its attendant problems of municipal growth, political patronage, and controversy between parties. The major issues facing the convention were reform of the legislature and the outlawing of special legislation, restraint of the power of corporations, rapid growth of cities with the attendant problems of the growth of city public works and local indebtedness, curtailment of political party influence at the state and local levels, and reform of the judiciary to eliminate a backlog of cases in the Supreme Court. The Convention met from November to December 1873, and was approved by a large majority vote at the election held on December 16, 1873.

Democrats supported the newly revised Constitution, while radical Republicans opposed it. Opposition appeared in the form of lawsuits but these were dismissed both in Philadelphia and Pittsburgh.⁴ Between 1901 and 1959 there were 86 amendments proposed and 59 approved by voters.⁵ Calls for conventions occurred as early as 1891, followed later by the Sproul Commission (1921), Earle Advisory Committee (1935), and the Woodside Commission (1959).⁶

The participation of the Pennsylvania Bar Association in 1961 created the impetus for change. Project Constitution led to the approval of revised articles of the constitution submitted and approved by the people at various dates: May 17, 1966, November 8, 1966, May 16, 1967 and April 23, 1968. The limited constitutional convention met on December 1, 1967 and completed its duties on February 29, 1968. The convention separated the draft into five proposals—legislative apportionment (Art. II, §17), state finance (Art. VIII), taxation (Art. VIII), local government (Art. IX), and judiciary (Art. V)—which were approved by referendum on April 23, 1968. Since 1968, however, there have been 16 attempts at revision, five of which were defeated, and one which the Supreme Court declared unconstitutional.

4. *Id.* at 109-122.

5. *Id.* at 127-145 documents the amendments made from 1901 to 1959.

6. *Id.* at 130-131, 136-137, 147-156.

§2.2 Relationship Between the Pennsylvania Constitution and the United States Constitution

It may be interesting to note that many of the features of the United States Constitution were modeled on the earlier state constitutions.⁷ The 1776 Constitution of the Commonwealth of Pennsylvania served as an important influence on other state constitutions, as well as on the development of the federal Constitution during the constitutional convention of 1787.⁸

Because the states were already in existence at the time the U.S. Constitution was implemented, the Constitution is not a source of authority that limits what states ought to do, but it serves as a limit to what states may do. The U.S. Constitution creates a federal government by specifying the function of the executive, legislative, and judiciary branches of government. The federal Constitution is also the supreme law of the land and, therefore, under Article VI of the Constitution, the federal Constitution has preemptive rights to invalidate states' laws that conflict with it. Article VI states in part:

"The Constitution, and Laws of the United States which shall be made in pursuance thereof; and all Treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding."

The relationship, however, between the federal and state constitutions has undergone some major changes in recent history.

In the past three decades, there has been emergence of state constitutional law in contrast to federal constitutional law. While the U.S. Supreme Court has ultimate authority of interpreting federal constitutional law, it is the state courts that

7. See for example, Robert F. Williams, *The State Constitutions of the Founding Decade: Pennsylvania's Radical 1776 Constitution and Its Influences on American Constitutionalism*, 62 *TEMPLE L. REV.* 541 (1989).

8. *Id.* at 561-580.

have the responsibility of interpreting their state constitutions. With the U.S. Supreme Court cutting back on its interpretation of rights for individuals, it has become the role of the state courts to maintain at least a basic level of rights that can be increased to the individual if desired by the state courts. This is the role of “judicial federalism” or “new federalism” which places a renewed interest on state court interpretation of constitutional law.

The state courts have the responsibility of interpreting their state constitutions, not the U.S. Supreme Court. The state courts currently follow a variety of approaches in interpreting their state constitutions.

The primacy approach gives primacy to the state constitutions even if the texts between federal and state are identical. Since many of the state bill of rights articles were created previously to the federal bill of rights (1791), state courts have to look at common law history, state history, state policy, and constitutional structure.

In Pennsylvania, the state Supreme Court has set out its requirements for state constitutional cases in *Com. v. Edmunds*, 586 A.2d 887 (1991).⁹

The second approach is called the conformity or lock-step method whereby the state court follows federal case law interpretations of clauses even if the text is not always the same.

The third approach is the supplemental/independent method in which state constitutional law is supplemental to federal law when the federal law does not protect the right asserted.¹⁰

9. The Supreme Court set down four factors that litigants had to brief and analyze: “1) text of the Pennsylvania constitutional law provision; 2) history of the provision, including Pennsylvania case law; 3) related case law from other states; 4) policy considerations, including unique issues of state and local concern, and applicability within modern Pennsylvania jurisprudence.” (*Com. v. Edmunds*, 586 A.2d 887, 895).

10. 1 JENNIFER FRIESEN, STATE CONSTITUTIONAL LAW, Ch. 1. (4th ed 2006).

§2.3 Relationship Between the Pennsylvania Constitution and Other State Constitutions

The relationship between two states over constitutional interpretations is similar to that of case law precedent. State courts can look to see how other states interpret their constitutions, but one state does not have to follow any precedent of another state.

§2.4 Amending the Constitution

It is standard to say that there have been four constitutions in Pennsylvania, with the 1967 Constitutional Convention only making limited changes to the Constitution of 1874 and thereby creating the Constitution of 1968. Although there were five conventions and recent amendments to the Constitution, none of them changed the 1776 Constitution entirely. Each, in their own way, accomplished their tasks by rewording, amending, rephrasing, and adding new provisions. The Constitution of the Commonwealth may be amended in various ways.

1. By Proposal of Amendments by the General Assembly.

Article XI, §1 of the Pennsylvania Constitution states in part, “Amendments to the Constitution may be proposed in the Senate or the House of Representatives; and if the same shall be agreed to by a majority of the members elected to each House...and if...such proposed amendment shall be agreed to by a majority of the members elected to each House...” the Secretary of the Commonwealth is charged with publishing the proposed constitutional amendments in at least two newspapers of each county three months before the next general election. If the majority of those voting approve the amendments, the amendments will be part of the Constitution. Such amendments may be to revise, invalidate, renumber or repeal a section of the Constitution. See Article XI, §1.

2. Emergency Situations

In cases of emergency, where the Commonwealth is threatened with some danger and there needs to be an immediate change in the Constitution to overcome the danger, such changes to the Constitution may be accomplished by putting

the proposal to the Senate or the House of Representatives at any of their regular or special sessions of the General Assembly. If the proposal is agreed upon by a two-thirds vote of each house, the changes will be written in the journals. The official in charge of statewide elections must publish the changes in at least two newspapers in each county. The General Assembly can then have an election by the people to approve the amendments at least one month after the Assembly's acceptance of the amendments. Upon passage by the majority of the electorate, the amendment becomes part of the Constitution. This section has never been implemented.

3. Conflicts with the Federal Constitution

If the Pennsylvania Constitution conflicts with the federal constitution, it will be rendered null and void. Article VI, §6, cited above, provides for the supremacy of the federal constitution over the state constitution, resulting in the courts invalidating any state law, statute, or constitution that will be in direct conflict with the federal constitution, statutes, treaties, or regulations.

4. Changes Through Constitutional Conventions

As we have seen earlier, the Constitution can also be amended, revised, invalidated, renumbered or repealed by a convention. The legislature may propose amendments to the Constitution as was the case in 1967 where some amendments to revise articles concerning the legislature, the executive, elections, private corporations, and amendments to the Constitution were proposed by the legislature. These proposals were adopted by the people at an election held on May 16, 1967. The people also authorized a constitutional convention to be held in 1967. The convention was finally held between December 1, 1967 and February 29, 1968. The voters approved the changes at an election held on April 23, 1968.

§2.5 Pennsylvania Government Structure Based on the Pennsylvania Constitution

Under the Constitution of 1968, Article II (Legislature), Article IV (Executive), and Article V (Judiciary) provide for the three branches of the government. Under Article II, the legislature, called the General Assembly, is divided into two houses:

the House of Representatives and the Senate. The Article provides for a description of the legislature, its sessions, the election of its members, the powers of each house, privileges of its members, and the selection of legislative districts. Under Article III, the method of passing legislation is outlined. Currently, there are 203 members of the House and 50 members of the Senate.

Under Article IV, the governor is the head of the state government. He or she has the power to approve (or veto) legislation, make addresses to the legislature, call the legislature into special sessions, appoint personnel to departments and agencies below the constitutional officers, and possesses a pardoning power. In addition, it provides for the offices of the lieutenant governor, state treasurer, auditor-general, and attorney general. The latter position was made elective in 1978 under Article IV, section 4.1.

Under Article V, the judiciary is now considered a unified judicial system (§1). As a unified system, the Supreme Court now has supervisory and administrative control over the other courts (§10). Under this provision, the court has limited the president judges of the common pleas courts to one five-year term, appointed the administrative judges of the divisions of the court of common pleas, supervised the Philadelphia Court of Common Pleas for two years, and has determined that the county court system should be part of the state judicial system.¹¹

The Supreme Court also oversees the lawyer disciplinary system and the mandatory continuing legal education program.

§2.6 Finding the Constitution

§2.6.1 Sources

§2.6.1.1 *Pennsylvania Consolidated Statutes* (Official)

This is the official publication of the Commonwealth prepared and edited by the staff of the Legislative Reference Bureau and the Legislative Data Processing Center. It is issued

11. *Allegheny County v. Com.*, 517 Pa. 65, 534 A.2d 760 (1987).

under the authority of 1 Pa.C.S. §501. Under 1 Pa.C.S. §503, the publication is declared to be an official publication and to be legal evidence of the Constitutional provisions.

The Constitution of the Commonwealth can be found in the first section of Binder One of the *Pennsylvania Consolidated Statutes*. It is current as of 1984 with a blue-page supplement update in the front of the volume.

The *Pennsylvania Consolidated Statutes*, where the Constitution of the Commonwealth is contained, is supplemented by pamphlets, issued as the bureau determines. There are annual supplementary blue pages that go in front of each title.

§2.6.1.2 *Purdon's Pennsylvania Consolidated Statutes Annotated*

A three-volume annotated edition of the current Constitution can be found in unnumbered volumes of *Purdon's Pennsylvania Consolidated Statutes Annotated* published by West® Publishing Company. Each section contains references to court cases, key number digest topics, encyclopedias, periodicals, and treatises.

The set is updated annually with pocket parts and a semi-annual pamphlet supplement.

§2.6.2 Research Methods

In both the *Pennsylvania Consolidated Statutes* and *Purdon's Consolidated Statutes Annotated*, the Constitution has an index at the end of the volume. The Constitution is also indexed as part of the General Index volumes (A-L, M-Z) at the end of the *Purdon's* set.

These references are to the Articles and sections of the Constitution.

CONSTITUTION OF THE COMMON-WEALTH OF PENNSYLVANIA

—Cont'd

- Appropriations,
 - Aged persons, pensions, **Const. Art. 3, § 29**
 - Blind persons, pensions or gratuities, **Const. Art. 3, § 29**
 - Charitable institutions, **Const. Art. 3, §§ 29, 30**
 - Denominational or sectarian institutions, **Const. Art. 3, § 29**
 - Dependent children, assistance to mothers, **Const. Art. 3, § 29**
 - Educational institutions, **Const. Art. 3, § 30**
 - Flood relief, **Const. Art. 8, § 17**
 - Military service, pensions or gratuities, **Const. Art. 3, § 29**
 - Normal schools, **Const. Art. 3, § 30**
 - Operating budget, **Const. Art. 8, § 13**
 - Parochial schools, **Const. Art. 3, §§ 29, 30**
 - Pensions, **Const. Art. 3, § 29**
 - Public purposes, **Const. Art. 9, § 9**
 - Scholarship grants or loans, **Const. Art. 3, § 29**
 - Veterans, support of widows and orphans, **Const. Art. 3, § 19**
- Area government,
 - Establishment and dissolution, **Const. Art. 9, § 6**
 - Grants of powers, **Const. Art. 9, § 7**
- Armed Forces reserve member holding office, **Const. Art. 2, § 6**
- Arms, right to bear, **Const. Art. 1, § 21**
- Army, time of peace, **Const. Art. 1, § 22**
- Arrests, electors, privilege, **Const. Art. 7, § 5**
- Associate judges,
 - Abolished, **Const. Sched. Art. 5, § 9**
 - Not learned in the law, **Const. Sched. No. 1, § 16**
 - Terms of office, **Const. Sched. Art. 5, § 9**
- Associations,
 - Flood relief, **Const. Art. 8, § 17**
 - Performance of municipal functions, delegation of legislative power, **Const. Art. 3, § 31**
- Attainder, **Const. Art. 1, §§ 18, 19**
 - Limitation of effect, **Const. Art. 1, § 19**
- Attorney general, **Const. Art. 4, § 1**
 - Contested elections, **Const. Art. 4, § 17**
 - Election, **Const. Art. 4, § 4.1**
 - Qualification for office, **Const. Art. 4, § 6**
- Auditor general, **Const. Art. 4, §§ 1, 18**
- Audits and auditors, **Const. Art. 8, § 10**
- Automatic recording devices, elections, **Const. Art. 7, § 10**
- Aviation fuel excise tax, **Const. Art. 8, § 11**
- Ball,
 - Excessive, **Const. Art. 1, § 13**
 - Prisoners to be bailable, **Const. Art. 1, § 14**
- Ballots, accepted method of voting, **Const. Art. 7, § 4**
- Bids, state purchases, **Const. Art. 3, § 22**
- Bill of attainder, **Const. Art. 1, § 18**
- Bill of rights, **Const. Art. 1, § 1 et seq.**
- Bills of attainder, **Const. Art. 1, § 18**

CONSTITUTION OF THE COMMON-WEALTH OF PENNSYLVANIA

—Cont'd

- Bill of rights—Cont'd
 - Claims against state, **Const. Art. 1, § 11**
 - Criminal information, **Const. Art. 1, § 10**
 - Cruel punishment, **Const. Art. 1, § 13**
 - Elections, **Const. Art. 1, § 5**
 - Exception from general powers of government, rights declared in, **Const. Art. 1, § 25**
 - Excessive bail, **Const. Art. 1, § 13**
 - Freedom of press and speech, **Const. Art. 1, § 7**
 - Habeas corpus, **Const. Art. 1, § 14**
 - Inherent rights of mankind, **Const. Art. 1, § 1**
 - Insolvent debtors, **Const. Art. 1, § 16**
 - Petition, **Const. Art. 1, § 20**
 - Political powers, **Const. Art. 1, § 2**
 - Prisoners, to be bailable, **Const. Art. 1, § 14**
 - Quartering of troops, time of peace, **Const. Art. 1, § 23**
 - Religion, **Const. Art. 1, § 4**
 - Religious freedom, **Const. Art. 1, § 3**
 - Right to bear arms, **Const. Art. 1, § 21**
 - Rights of accused in criminal prosecution, **Const. Art. 1, § 9**
 - Security from searches and seizures, **Const. Art. 1, § 8**
 - Security of searches and seizures, **Const. Art. 1, § 8**
 - Standing army, subordinate to civil powers, **Const. Art. 1, § 22**
 - Titles and offices, **Const. Art. 1, § 24**
 - Trial by jury, **Const. Art. 1, § 6**
- Bills. Legislature, post
- Blind persons, pensions or gratuities, **Const. Art. 3, § 29**
- Boards and commissions, audits, **Const. Art. 8, § 10**
- Bonds,
 - Conservation bonds, **Const. Art. 8, § 16**
 - Project 70, **Const. Art. 8, § 15**
- Borough officers, election, time, **Const. Art. 7, § 3**
- Boroughs,
 - Debts, not to be assumed by commonwealth, **Const. Art. 8, § 9**
 - Election districts, **Const. Art. 7, § 9**
- Boundaries,
 - Changing, municipalities, **Const. Art. 9, § 8**
 - Judicial districts, **Const. Art. 5, § 11**
- Bribery,
 - Elections, **Const. Art. 7, § 7**
 - Ineligibility to legislature, **Const. Art. 2, § 7**
- Budget, **Const. Art. 8, § 12**
- Capital budget, **Const. Art. 8, § 12**
- Legislature, **Const. Art. 8, § 13**
- Capital projects, state indebtedness, **Const. Art. 8, § 7**
- Certiorari, **Const. Sched. Art. 5, § 26**
- Challenge, notice, appeal and review, Pa. R.A.P. 521, 522

§2.6.3 Online Resources

§2.6.3.1 Internet

Official Site:

The Constitution can be found at the state government web site: http://sites.state.pa.us/PA_Constitution.html

<p>CONSTITUTION OF THE COMMONWEALTH OF PENNSYLVANIA</p>	<p>WE, the people of the Commonwealth of Pennsylvania, grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking His guidance, do ordain and establish this Constitution.</p> <p style="text-align: center;">Article 1 DECLARATION OF RIGHTS</p> <p><i>That the general, great and essential principles of liberty and free government may be recognized and unalterably established, WE DECLARE THAT -</i></p> <p>Inherent Rights of Mankind Section 1. All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness.</p> <p>Political Powers Section 2. All power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety and happiness. For the advancement of these ends they have at all times an inalienable and indefeasible right to alter, reform or abolish their government in such manner as they may think proper.</p> <p>Religious Freedom Section 3. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences; no man can of right be compelled to attend, erect or support any place of worship or to maintain any ministry against his consent, no human authority can, in any case whatever, control or interfere with the rights of conscience, and no preference shall ever be given by law to any religious establishments or modes of worship.</p>
--	--

2-2 State Website

Unofficial Web Site:

The historical and current constitutions can be found at www.paconstitution.duq.edu.

PENNSYLVANIA CONSTITUTION

- [Home Resources](#)
- [DU Daily & Events](#)
- [Athletics](#)
- [Recreation](#)

[About DU](#) [Academics](#) [Admissions](#) [Student Life](#) [Alumni and Friends](#) [Search DU](#) [Home](#)

PAC Home

Caselaw

Constitution in the News

Constitutional Commentary

Constitutional Law Summary

Constitutions

Constitutional Conventions

Periodicals

Treatises

Digests and Citators

Legislative Histories

Table of Cases

Attorney General's Opinions

Bibliography

Links to Related Sites

This site is maintained by [Professor Bruce Ledewitz](#) and [Dr. Joel Fishman](#), Co-Directors.

Most documents are provided in PDF format. In order to view these documents, you will need a copy of [Adobe Reader](#), available for free download at adobe.com.

Welcome!

Hello, and welcome to the **Pennsylvania Constitution Web Page** of the **Duquesne University School of Law**.

This site is meant to be a primary source of information about the text, history, and meaning of the Pennsylvania Constitution. Lawyers, journalists, and members of the public are welcome to start here when beginning research about the Pennsylvania Constitution, Pennsylvania constitutional law cases pending in various courts, and current public policy debates concerning the State Constitution.

There are relatively few Web sites dedicated solely to an analysis and presentation of a particular State's constitutional law and court decisions. All too often, state constitutions are overlooked and their true importance to the administration of state law under-appreciated. At the time of the creation of this site, there were virtually no current and accurate copies of the Pennsylvania Constitution available on the Internet. Amendments and court decisions that had altered the state constitution in some way were not always reflected in "current" written or on-line sites, even those that were produced by the Pennsylvania State government. As Pennsylvania voters occasionally amend the State constitution, and as court decisions clarify, modify, or even strike down provisions and amendments of that constitution, we will try our best to keep current with those changes and post them here. This site also contains reports of State and federal court decisions impacting the Pennsylvania Constitution, citations of law review articles, news items relating to the Pennsylvania Constitution and commentary and analysis about court decisions that affect interpretation and application of the State constitution. A summary of the past state constitutional is also posted here.

To promote scholarly and legal research, the site contains copies of earlier versions of the Pennsylvania Constitution with all amendments, past constitutional convention debates, attorneys-general opinions, treatises, digests, table of cases linked to the full-text, and bibliography, we are able to add to the site. We also provide links to several legal information resource sites, and to the web site for the Duquesne Law School Center for Legal Information. This project continues to be a work in progress as we continue to add materials to the various categories of documents.

Please note that Duquesne University assumes no liability for the accuracy of any information that is found at this web site, and cannot be held responsible for any problems that may occur from its use. Furthermore, information found at this site may change or disappear without warning. Copy or download anything that you deem really important.

2-3 Duquesne Website

This site is maintained by Professor Bruce Ledewitz and Dr. Joel Fishman of Duquesne University Law School. The web site is now the most comprehensive state constitutional law web site in the country. It contains Professor Bruce Ledewitz's current case law and analysis, bibliographies, and other secondary source information about the Pennsylvania Constitution. The web site contains all versions of the constitutions with their amendments. The debates of the constitutional conventions, legislative histories for individual amendments, and attorneys-general opinions have been added. Historical digests covering from 1754 to the 1930s offer alternatives to *Vale Pennsylvania Digest*. For secondary research, the three major constitutional law treatises are available by Charles Buckalew, Thomas White, and Robert Woodside, and several full-text articles have been added.

The drop down boxes on the left side of the home page will provide links to all materials.

- PA Constitution Home
- Caselaw
- Constitution in the News
- Constitutional Commentary
- Constitutional Law Summary
- Constitutions
- Constitutional Conventions
- Periodicals
- Treatises
- Digests and Citators
- Legislative Histories
- Table of Cases
- Attorneys General Opinions
- Bibliography
- Links to Related Sites

§2.6.3.2 Fee-based Sites

Lexis[®]

In Lexis[®], the Constitution can be found in PACNST file.

The screenshot displays the LexisNexis Total Research System interface. At the top, there is a navigation bar with tabs for Search, Research Tasks, Get a Document, Shepard's Alerts, Total Litigator, Transactional Advisor, and Counsel Selector. Below this, the source is identified as Pennsylvania > Find Statutes, Regulations, Administrative Materials & Court Rules > PA - Pennsylvania Constitution. The main content area shows a search for 'Pennsylvania Constitution' with options for 'Terms and Connectors' and 'Natural Language'. The search results are displayed as a list of items, each with a plus sign icon and a checkbox. The items are:

- CONSTITUTION OF THE COMMONWEALTH OF PENNSYLVANIA
 - PREAMBLE
 - ARTICLE I DECLARATION OF RIGHTS
 - ARTICLE II THE LEGISLATURE
 - ARTICLE III LEGISLATION
 - ARTICLE IV THE EXECUTIVE
 - ARTICLE V THE JUDICIARY
 - ARTICLE VI PUBLIC OFFICERS
 - ARTICLE VII ELECTIONS
 - ARTICLE VIII TAXATION AND FINANCE
 - ARTICLE IX LOCAL GOVERNMENT
 - ARTICLE X PRIVATE CORPORATIONS
 - ARTICLE XI AMENDMENTS
 - ARTICLE XII PUBLIC OFFICERS
 - ARTICLE XIII NEW COUNTIES
 - ARTICLE XIV COUNTY OFFICERS
 - ARTICLE XV CITIES AND CITY CHARTERS
 - ARTICLE XVI PRIVATE CORPORATIONS
 - ARTICLE XVII RAILROADS AND CANALS
 - ARTICLE XVIII FUTURE AMENDMENTS
 - SCHEDULE NO. 1 (ADOPTED WITH THE CONSTITUTION OF 1874)
 - SCHEDULE NO. 2 (AMENDMENTS OF NOVEMBER 2, 1909)

ILLUSTRATION 2-4

Copyright 2008 Lexis Nexis, a division of Reed Elsevier Inc. All rights reserved. Lexis Nexis and the Knowledge Burst logo are registered trademarks of Reed Elsevier Properties Inc. and are used with the permission of Lexis Nexis.

Westlaw®

In Westlaw®, the current Constitution of 1968 can be found in an unannotated file, PA-STAT or as an annotated edition as it appears in *Purdon's Pennsylvania Consolidated Statutes Annotated* in the PA-STAT-ANN file. In Lexis®, the Constitution can be found in the PACNST file.

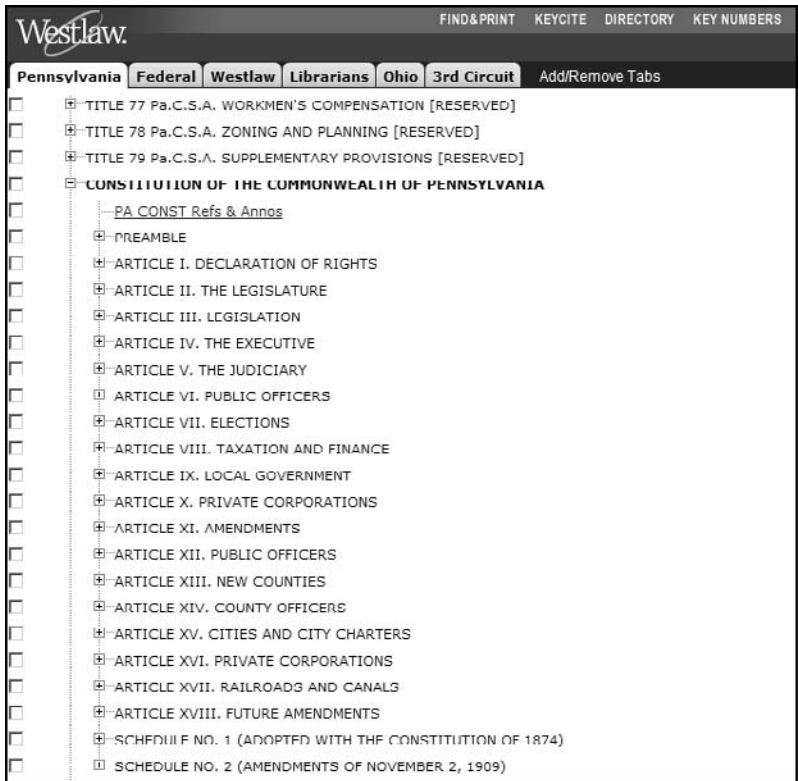


ILLUSTRATION 2-5

§2.7. Citation to the Constitution

There has been some confusion in the naming of the last two constitutions. The Fourth Convention convened in November 1872 and completed its work in 1873. The Constitution was ratified at the 1873 election, yet it is called the Constitution of 1874. Likewise, the constitutional changes made in referendum in 1966, 1967, and 1968, are part of the Constitution of 1968. This confusion was settled by a 1972 statutory provision located at 1 Pa.C.S. §906. According to this statute, the Constitution adopted by referendum of December 16, 1873, is cited as the Constitution of 1874, and the Constitution amended by referenda of May 17, 1966, November 8, 1966, May 16, 1967, and April 23, 1968, is cited as the Constitution of 1968.

§2.8. Citators

Shepard's® Pennsylvania Citations

Shepard's® Pennsylvania Citations, (2004 ed.) Statute Edition, Volume 1 contains the Constitutions of 1874 and 1968. The citations provide citations to amendments and to court cases interpreting the constitutions. *A.L.R.s* and law review articles are also cited.

Citators are also available online through Lexis® and Westlaw®. *Shepards® Pennsylvania Citations* is available through Lexis®, while Keycite® is available from Westlaw®. Both citators let you look up constitutional citations by article and section. However, neither system differentiates between the different versions of the constitution. Citations will have to be checked individually for the specific constitution.

§2.9. Secondary Sources

Rosalind L. Branning, *Pennsylvania Constitutional Development* (1960), is the standard constitutional history of Pennsylvania. Charles Buckalew, *An Examination of the Constitution of Pennsylvania...* (1874) is a participant's analysis of the Constitution and is useful for its cross-references to the debates. Thomas R. White, *Commentaries on the Constitution of Pennsylvania* (1907) is the standard scholarly work on the 1874 Constitution. Robert Woodside *Pennsylvania Constitutional Law* (1985) deals

chiefly with the 1968 Constitution; however, it is limited in its coverage of all articles and sections. Ken Gormley, principal ed; Jeffrey Bauman, Joel Fishman, and Leslie Kolzer, associate eds. *The Pennsylvania Constitution: A Treatise on Rights and Liberties* (2004) deals only with the Declaration of Rights, Article I of the 1968 Constitution. Each section has a chapter providing an *Edmunds* approach to its subject.¹² Finally, there are three dissertations that are useful for research: Mahlon H. Hellerich's *The Pennsylvania Constitutional Convention of 1873* (Ph.D. diss., U. of Pennsylvania, 1957); Gene Raymond Urey's *Judicial Reform in the Pennsylvania Constitutional Convention of 1967-1968* (Ph.D. diss., Syracuse University, 1974); Robert Lamontange's *Pressure Group Influence on the Pennsylvania Constitutional Convention, 1967-68* (Ph.D. diss., University of Maryland, 1974).

Jennifer Friesen's *State Constitutional Law* (4th ed 2006) is a well-balanced treatise on general state constitutional law. Her work contains bibliographies of articles by state.

Continuing legal education publications sometimes cover constitutional issues under specific topics like criminal law, employment law, etc. The Pennsylvania Bar Institute recently started a constitutional law seminar series, Constitutional Law Conclave, that covers federal constitutional law issues.

Periodical articles can be found either in the *Index to Legal Periodicals and Books* (1908-) or *Current Law Index* (1981-). Both titles are available as fee-based subscriptions directly with the companies. ILPB is available from 1980 online on Westlaw®. CLI is available as the *Legal Resources Index* (LRI) in both Westlaw and Lexis databases. The online version includes legal newspapers with more than one million articles in the online database, and *Legal Resources Institute* (LRI), which can be found in both Lexis® and Westlaw®. *Current Index to Legal Periodicals* (CILP) is a weekly indexing service from the University of Washington Law Library.

In addition, there are several legal periodicals devoted to constitutional law: *Hastings Constitutional Law Journal* and *University of Pennsylvania Journal of Constitutional Law*. In addition,

12. See note 9 above and attending text.

Albany Law Review and *Rutgers Law Journal* have single issues devoted to state constitutional law.

APPENDIX 1
CONSTITUTIONAL DOCUMENTS:
PRIMARY SOURCES

The proceedings of the constitutional conventions have been published as journals and debates and are available in microfiche from Congressional Information Service:

1. Pennsylvania. Constitutional Convention, 1776.

The proceedings relative to calling the conventions of 1776 and 1790....[Harrisburg: 1825].

2. Pennsylvania. General Assembly. Senate.

Resolutions on the part of calling a convention, to alter and amend certain parts of the constitution of this commonwealth. In Senate, January 9, 1812.

3. Pennsylvania. General Assembly. Senate. Select Committee to Whom Were Referred the Petitions of Citizens Praying for the Passage of a Law Authorizing the Call of a Convention to Alter the Constitution.

Report...Read in the Senate, February 20, 1833 [Harrisburg: 1833].

4. Pennsylvania. Constitutional Convention, 1837-1838.

Journal of the convention of the state of Pennsylvania, to propose amendments to the Constitution, commenced and held at the State Capitol in Harrisburg, on the second day of May, 1837 [Harrisburg and Philadelphia: 1837-1838] 2v.

5. Pennsylvania. Constitutional Convention, 1837-1838.

Proceedings of the debates of the convention of the commonwealth of Pennsylvania, to propose amendments to the constitution, commenced and held at Harrisburg, on the second day of May, 1837. Reported by John Agg, stenographer to the convention.... [Harrisburg: 1837-1839. 14 v.]/

6. Pennsylvania. Constitutional Convention, 1837-1838.

Conventional directory: containing the rules and orders of the convention, which assembled at Harrisburg, Penn., May 2, 1837; ...[Harrisburg: 1837].

7. Pennsylvania. Constitution.

An appeal to the people of the commonwealth of Pennsylvania, on behalf of the Constitution. Read, reflect, and decide. [n.p.] 1838.

8. Pennsylvania. Constitution.

Constitution of Pennsylvania, 1838 (In Thorpe, v. 5, p. 3104-3117).

9. Pennsylvania. Constitution.

Amendments to the constitution of 1838 (In Thorpe, v. 5, p.3117-3120).

10. Pennsylvania Constitutional Convention, 1872-1873.

Journal of the convention to amend the Constitution of Pennsylvania; convened at Harrisburg, November 12, 1872.... [Harrisburg: 1873. 9v].

11. Pennsylvania Constitutional Convention, 1872-1873.

Debates of the convention to amend the Constitution of Pennsylvania; convened at Harrisburg, November 12, 1872; adjourned November 27, to meet at Philadelphia, January 7, 1873 ... [Harrisburg: 1873. 9v].

12. Pennsylvania. Secretary of the Commonwealth.

Statistical and other information for the constitutional convention of Pennsylvania. Prepared by Francis Jordan, Secretary of the Commonwealth [Harrisburg: 1872].

13. Pennsylvania. Constitutional Convention, 1872-1873.

Proceedings of the trial of Hon. James Boyd, of Montgomery Co., Pa., June 14, 1873, by his colleagues of the constitutional convention [Philadelphia: 1874].

14. Pennsylvania. Constitutional Convention, 1872-1873.

...[Report] to the people of Pennsylvania, [Philadelphia: 1873].

15. *An answer to the report of the Constitutional Commission, as made to the legislature of Pennsylvania, at the session of 1875; by members of late constitutional convention from Luzerne County* [Philadelphia: 1875].

16. Pennsylvania. Constitution.

New constitution. Printed by order of the convention. To be submitted to a vote of the people, Tuesday, December 16, 1873 [Philadelphia: 1873].

17. Pennsylvania. Constitution.

The constitution of the commonwealth of Pennsylvania. With an introduction, notes, and references, and an exhaustive index:.... H. E. Wallance and D. Sanders [Philadelphia: 1874].

18. Pennsylvania. Constitution.

An examination of the constitution of Pennsylvania. Exhibiting the derivation and history of its several provisions, with observations and occasional notes thereon, references to judicial and other opinions upon their construction and application, to statutes for their enforcement, and to parallel provisions in the constitutions of other American states. By Charles R. Buckalew [Philadelphia: 1883].

19. Pennsylvania. Constitution.

Constitution of Pennsylvania analytically indexed and with index of prohibited legislation. By James McKirdy [Harrisburg: 1912. Legislative Reference Bureau; bulletin no. 1].

20. Pennsylvania. Commission on Constitutional Amendment and Revision.

Journal of proceedings...[and appendix] [Harrisburg: 1920. 3v.].

21. Pennsylvania. Commission on Constitutional Amendment and Revision.

Report of the commission to the General Assembly. December 15, 1920 [Harrisburg: 1921].

22. Pennsylvania. Commission on Constitutional Revision.

Report [Harrisburg: 1959].

23. Pennsylvania Bar Association. Committee on Constitutional Revision.

Report: Project Constitution, March 9, 1959 [Harrisburg: 1959].

24. Pennsylvania Bar Association.

"A Revised Constitution for Pennsylvania: Project Constitution." *Pennsylvania Bar Association Quarterly* 34 (January 1963, no. 2A).

25. Pennsylvania Bar Association.

Highlights of the Twelve Resolutions Presented to the 1963 Pennsylvania Legislature by the Pennsylvania Bar Association Which Would Constitute a Revised State Constitution.

26. Pennsylvania Bar Association. Special Committee on Project Constitution.

Report, December 1964 [Harrisburg: 1964].

27. Pennsylvania Bar Association.

A Revised Constitution for Pennsylvania: Project Constitution, December 17, 1963 [Harrisburg: 1963].

28. Pennsylvania. Governor's Commission on Constitutional Revision.

Report with Recommendations of Resolutions to be Introduced into the General Assembly [Harrisburg: 1964].

29. Pennsylvania Economy League, Inc.

Comparison of Proposed New Constitutional Provisions with Pennsylvania's Present Constitution. [revised ed., July 1965] [Harrisburg: 1963].

30. Pennsylvania Bar Association. Special Committee on Project Constitution.

Report to the Annual Meeting, January 1966 [Pittsburgh: 1966].

31. Pennsylvania Bar Association.

Proposals to the Preparatory Committee and the Constitutional Convention. [Harrisburg: 1967].

32. Pennsylvania Bar Association.

Pennsylvania Constitutional Revision: 1966 Handbook [Harrisburg: 1966].

33. Pennsylvania. Constitution.

Constitution of the Commonwealth of Pennsylvania, as amended by Majority Vote of the Electors in 1965, 1966, 1967 [Harrisburg: 1967].

34. Pennsylvania. Constitutional Convention, 1967-1968. Preparatory Committee.

Testimony at Public Hearings and Other Statements [Harrisburg: 1967].

35. Pennsylvania. Constitutional Convention, 1967-1968. Preparatory Committee.

Reference manual [Harrisburg: 1967 9v].

#1—*The Convention.*

#2—*Constitution of Pennsylvania and [the] Constitution of the United States.*

#3—*A History of Pennsylvania Constitutions.*

#4—*Local Government.*

#5—*The Judiciary.*

#6—*Legislative Apportionment.*

#7—*Taxation and State Finance.*

#8—*Bibliography.* By Florence C. Steigerwalt.

#9—*Index.*

36. Pennsylvania. Constitutional Convention, 1967-1968.

Debates of the Pennsylvania Constitutional Convention of 1967-1968 [Harrisburg: 1968. 2v].

37. Pennsylvania. Constitutional Convention, 1967-1968. *Delegate Proposals, Numbers 1000-1209* [Harrisburg: 1968].

38. Pennsylvania. Constitution.

Constitution of the Commonwealth of Pennsylvania. Harrisburg (In *Pennsylvania Consolidated Statutes*).

CHAPTER 3

LEGISLATION

Statutory law is the second major category of primary authority. On the federal, state and local levels, statutes are passed by legislative bodies: the United States Congress at the federal level, the General Assembly at the state level, and municipal legislative bodies, e.g., a board of county commissioners, at the local level. At the federal and state levels, texts of legislation are called “acts” or “statutes”; at the local level they are “ordinances.” Legislation is usually published chronologically into volumes called “session laws” (or “pamphlet laws” in Pennsylvania) and translated into codes by topic. Codes can be unannotated or annotated in terms of providing additional references to primary and/or secondary resources for research purposes. When there is more than one version published by commercial vendors, the text of the statutory material is the same, although the annotated references will vary to some degree.

Today, statutory law plays a major role in the development of case law both on the federal and state levels. Courts spend much of their time interpreting constitutions, statutes, municipal charters and ordinances. On a larger scale, courts hear disputes concerning the interpretation of particular statutes and determine the legislative language.

Statutory law also has a direct relationship to case law. Statutory law codifies, clarifies or supplements existing case law and can supersede common law. Statutory law can create new areas of law and can take precedence over case law.¹

Pennsylvania has a long history of publication of its statutory law. The documents associated with legislation have been published since the origins of the colony in 1680 with the granting of the Charter by King Charles II to William Penn. In fact, so much has been published that it is difficult for researchers today to know all of the various sets of statutory law. The aim of this chapter is to outline the legislation and the

1. Christina Kunz et al. *The Process of Legal Research*, 198 (6th ed. 2004).

numerous publications available for research purposes in searching statutory law.

§3.1 General Assembly of Pennsylvania

Under Article II of the Constitution of 1968 the legislature of the Commonwealth of Pennsylvania is organized and its authority provided for. Section 1 creates a senate and a house of representatives.

§3.1.1 Legislative Sessions

The term of office begins the first day of December after the election (§2), but according to §4 the first meeting is held on the first Tuesday of January at 12 o'clock noon. The sessions last for the entire year. Two years encompass one legislature, similar to the United States Congress. Bills introduced in the first session carry over into the second session; bills not passed into law by the end of the second session die and have to be reintroduced in the succeeding legislative session.

§3.1.2 Membership of the Assembly

The General Assembly of Pennsylvania is divided into two houses: the Senate and the House. Senators are elected to a four-year term, while representatives are elected to a two-year term (§3). Senators shall be a minimum of twenty-five years of age, while representatives need only be twenty-one years old (§5). A resident citizenship, four years of state residence and one year of district residence preceding the election is also required. According to §6, an assembly member cannot hold another office within the government "to which a salary, fee or perquisite is attached." Nor can a person convicted of "embezzlement of public moneys, bribery, perjury or other infamous crime be eligible for office" (§7).

According to §16, the Senate consists of 50 members and the House has 203. All members are elected under a party designation, e.g., Democrat, Republican, etc., take the oath of office and, in turn, elect either the senate pro tempore or the speaker of the house.

§3.1.2.1 Biographical Sources for Members of the Assembly

Biographical information on each legislator can be found in the following:

- *Pennsylvania Manual*. Provides short biographies of each member.
- *Guidebook to Pennsylvania Legislators* (Sacramento, CA: State Net) biennial. Provides biographies of each legislator; campaign finance data, including contributions from individual and political action committees; business disclosure interests; and group evaluations based on the National Federation of Independent Business and the Pennsylvania AFL-CIO.
- *State Yellow Book* (Washington: Leadership Directories), quarterly publication. Provides committee assignments and legislators' addresses, and phone and fax numbers.
- *Index to House and Senate Bills* (General Assembly), updated monthly. List of legislators with committee assignments, addresses, phone numbers.
- Legislature's web site, at www.legis.state.pa.us.

§3.1.3 Legislative Reapportionment Commission

Section 17 of the Constitution deals with the Legislative Reapportionment Commission.² Following the decennial census, this Commission meets to reapportion the Commonwealth. The commission consists of five members, including four members who are the majority and minority leaders of the house and senate or their designees. A fifth person is selected by the four to be chairman within 45 days following their certification as commission members. If they cannot select a chairman, it is left to the Supreme Court to appoint one after another 30 days. Ninety days after the selection of the commission or after the census is available, whichever is later, the commission is required to file a preliminary report with an additional 30 days to make corrections. If there are no challenges to the plan, it becomes law. However, if an opponent to

2. For background on the Commission, see Reference Manual #6 (1967); Ken Gormley, *The Reapportionment Commission of 1991* (1994).

the preliminary plan files exceptions, the Supreme Court can remand the plan back to the commission, which then must come up with a new plan within another 30 days. Or, if a person can prove the plan is against the law, he may file an appeal directly to the Supreme Court which can also remand the plan back to the commission for reconsideration. Once all appeals are finalized or no appeals are taken, then the plan becomes law. If a final plan is not filed, then it becomes the responsibility of the Supreme Court to determine a plan (§17(g)). Any reapportionment plan can then be published by the state elections officer in one newspaper of general circulation throughout the state within each house and senatorial district showing the full plan, a map of the reapportionment districts and the populations of both the senatorial and representative districts.

§3.1.4 Legislative Committees

The standing committees of the Senate (Rule 15) are Aging and Youth, Agriculture and Rural Affairs, Appropriations, Banking and Insurance, Communications and High Technology, Community and Economic Development, Consumer Protection and Professional Licensure, Education, Environmental Resources and Energy, Finance, Game and Fisheries, Intergovernmental Affairs, Judiciary, Labor and Industry, Law and Justice, Local Government, Public Health and Welfare, Rules and Executive Nominations, State Government, Transportation, Urban Affairs and Housing, and Veterans Affairs and Emergency Preparedness.³

The standing committees of the House of Representatives (Rule 43) are Aging and Youth, Agriculture and Rural Affairs, Appropriations, Business and Economic Development, Conservation, Consumer Affairs, Education, Federal-State Relations, Finance, Game and Fisheries, Health and Welfare, Insurance, Judiciary, Labor Relations, Liquor Control, Local Government, Military and Veterans Affairs, Professional Licensure, State Government, Transportation and Urban Affairs. Other committees include the Committee on Rules (Rule 46), Ethics Committee (Rule 47), Special Committee on Internal Affairs and House Administration (Rule 47(a)).⁴

3. 118 Pa. Manual 3-37-3-38 for committee members' assignments (2007 ed.).

4. *Id.* 3-183-3-186 for committee members' assignments.

§3.1.5 Rules

The legislature conducts its business under rules prescribed in Articles II and III of the Constitution and in Title 101 of the Pennsylvania Administrative Code.

§3.2 Early Statutory Compilations⁵

§3.2.1 Colonial Legislature

During the colonial period the provincial council assisted the governor and proprietor with the enactment of legislation. The proceedings of the General Assembly are found in two sets of books, *Colonial Documents* (16 vols.) and the *Journals of the General Assembly*, republished in *Pennsylvania Archives, Ninth Series*.

§3.2.2 18th Century Session Laws

The compilations of session laws began early in the colonial period. Reynier Jensen published the first abridged version of the session laws in 1702, while William Bradford published the first full compilation in 1714 as *The Laws of the Province of Pennsylvania Collected into One Volume*. Thereafter, compilations were published by Benjamin Franklin in 1742, Peter Miller in 1762, Hall and Sellers in 1775, and Thomas M'Kean in 1781. Francis Bailey published an edition of the laws in 1782 which covered the laws from 1776 to 1781. Finally, from 1797 to 1801, Alexander James Dallas published his four-volume folio, *The Laws of the Commonwealth of Pennsylvania*, covering the period from 1700 to the 1790s.

For a bibliography of these compilations, see Appendix 1.

§3.2.3 19th Century Session Laws

§3.2.3.1 Bioren's *Laws of Pennsylvania*

In the early nineteenth century, there were several compilations that were organized as chronological publications. John Bioren, printer to the legislature, published *Laws of Pennsylvan-*

5. For a more detailed account, see Joel Fishman, "The History of Statutory Compilations in Pennsylvania," 86 L. LIBRARY J. 559-96 (1994).

nia in four volumes in 1803 under the authority of the legislature.

§3.2.3.2 *Smith's Laws of Pennsylvania*

In 1810, John Bioren published his second set of *Laws of Pennsylvania* with legislative approval. Charles Smith, a noted attorney and judge, edited the work which has come to be known as *Smith's Laws*. Smith compiled the first five volumes that provided extensive historical notes that follow many of the acts. John Reed, author of *Pennsylvania Blackstone* (1830), prepared volumes 6 through 10. This 10-volume work, covering the period from 1700 to 1829, contains the public laws of Pennsylvania as derived from the original manuscript Law Books maintained by the Assembly.

Smith's Laws are numbered by chapter in sequential order whether they are public or private laws. The private laws only have their act number and title designation, but the text of the act is not given. One must consult the original session laws for the private legislation. *Smith's Laws* is probably the most widely used by practitioners, chiefly because it is referenced in *Purdon's Statutes* for all legislative enactments made between 1700 and 1829.

§3.2.3.3 *Dunlap's Laws of Pennsylvania*

Following John Reed's continuation of *Smith's Laws* up to the early 1840s, James Dunlap, author of a noted set of early form books, published his *Laws of Pennsylvania* for the period from 1700 to 1846, followed by a second edition in 1849 and a third in 1853. Each version contained the public laws of the Commonwealth published chronologically with important marginal notes.

§3.2.3.4 *Statutes At Large of Pennsylvania*

Even though *Smith's Laws* became the standard unofficial reference for over half a century, there still appeared to be a need for an official version of the colonial statutes. In 1887, the legislature enacted a law for the creation of an official set of statutory law for the eighteenth century (1700-1800), which was later amended by a 1923 act to bring the laws down to 1809. A commission of respected jurists and lawyers were appointed to carry out the legislature's enactments with James

Tyndale Mitchell, chief justice of the Pennsylvania Supreme Court, and Henry Flanders serving as the major compilers.

The *Statutes At Large of Pennsylvania*, published in 18 volumes between 1896 and 1915, cover the period from 1700 to 1809. The compilers began with volume II, beginning in 1700, because of their inability to obtain the necessary documents concerning the early foundations of Pennsylvania. It was not until 1976 that Gail McKnight Beckman, through the support of the American Philosophical Society and Pennsylvania Bar Association, compiled the first volume of the *Statutes At Large of Pennsylvania During the Time of William Penn, 1680-1700*. In fact, her compilation predates 1680, since it contains the longest version of the Duke of York's Laws, the Charter of King Charles II to William Penn, the Great Law of 1682, the three Frames of Government and the annual session laws. Beckman provides a useful historical introduction to the period. The work supersedes the earlier edition of Staundford George, Benjamin Nead, and Thomas McCamant, eds., *Charter to William Penn, and Laws of Pennsylvania, Passed Between the Years 1682 and 1700. Preceded by the Duke of York's Laws in Force from the Year 1676 to the Year 1682* for statutory materials. Despite the lengthy title, the work contains not only statutory materials, but its appendices deal with the history of the Pennsylvania courts during the late seventeenth and early eighteenth centuries. Beckman's volume, however, is not considered an "official volume" and is now replaced by an official electronic edition of volume 1 published by the Pennsylvania Legislative Reference Bureau in 2004.

Volume 1 contains the acts from 1682 to 1700. The appendices contain the Charter to William Penn and the Frames of Government of 1683, 1686, 1696, and 1701. It is only published electronically at the Pennsylvania Legislative Reference Bureau web site, at www.palrb.us.

§3.3 Current Statutory Compilations

§3.3.1 *Laws of Pennsylvania*

§3.3.1.1 Slip laws

The *Laws of Pennsylvania*, as passed by the legislature, are first published as slip laws, that is, without any annotations. The laws are first published in Roman type (double spaced, interlined and bracketed for additions and deletions) and eventually printed in typeset as it will appear in the bound volumes, *Laws of Pennsylvania*. In using the former version, one has to identify the final printer's number version for the final act. This can be identified from lists published in the *Pennsylvania Bulletin* or by calling the Legislative Reference Bureau at (717) 787-5320.

The *Laws of Pennsylvania* are now available online from 1970 to 2007 at the General Assembly web site, www.legis.state.pa.us, and in pdf version from 1970 to 2003 at the Pennsylvania Legislative Reference Bureau web site, www.palrb.us.

§3.3.1.2 Bound Volumes

The *Laws of Pennsylvania* began as pamphlet publications during the colonial period, hence the name "Pamphlet Laws." Later, the slip laws were accumulated into annual bound volumes of the session laws which are currently published as official publications. The volume is generally divided into Regular Laws, Joint Resolutions, Appropriation Laws (renumbered from 1A onwards), Proclamations of Constitutional Amendments, Vetoes of Bills, a Chronological Table of Statutes Affected, and Index to Laws, Joint Resolutions, Plans, Index to Appropriation Laws, and Index to Vetoes.

From 1776 to 1879, session laws were published annually; thereafter between 1879 and 1965 they were published in odd years. Beginning in 1965, they were again published annually. The bound volumes contain indices of tables affected by the new statutory law as well as a comprehensive topical index. (Microfiche collections of the state laws are available from University Microfilms and William S. Hein & Co.)

In citing the session laws, one cites first the date of passage, followed by P.L., and then the page number that the act begins on, e.g., October 12, 1999 P.L. 422, act no. 1999-39, can be found in the 1999 volume of the *Laws of Pennsylvania* on page 422. Sometimes, in the late nineteenth century session laws, a citation may appear as follows: April 2, 1869 P.L. (1871) 1439, because the act can be found in the 1871 session law volume as part of the appendix.

The *Laws* can be purchased from the Commonwealth Bookstore or sometimes obtained *gratis* with a call to your senator or representative.

The *Laws* from 1970 to 2003 are available online at the Pennsylvania Legislative Reference Bureau web site, www.palrb.us.

§3.3.2 *Purdon's Pennsylvania Legislative Service*

As a means of keeping current the statutory law found in *Purdon's Statutes*, West Publishing Company offers a legislative update that is a separate but useful addition to the main set. The *Legislative Service* is published as needed, usually having between three and seven pamphlets per legislative session. There is a table of contents for each pamphlet as well as a cumulative topical index in each pamphlet. Each act is printed as it appears in the original printed copy issued from the Legislative Reference Bureau. The publisher has added cross references in footnotes of the title and section of the new statutes when they will be added to *Purdon's Pennsylvania Statutes Annotated* (P.S.), while the *Pennsylvania Consolidated Statutes* are appropriately designated. There is a section for state appellate court rules as well as tables of statutes affected and lists of house and senate bills with their corresponding act numbers. When the pocket parts come out for the *Purdon's Statutes*, normally between May and July each year, then the previous year's legislative session law service can be discarded.

Beginning in 1997, West Group has published annual bound volumes of the pamphlet law service.

PURDON'S
PENNSYLVANIA
LEGISLATIVE SERVICE

LAWS
General, Special and Local

Session of 2007
191st Regular Session
Convened January 2, 2007
Acts 2007-1 to 2007-7



©2008 West Group

ILLUSTRATION 3-1 PURDONS LEGIS SERVICE

§3.4 Statutory Codes

§3.4.1 Historical Collections

The first attempt to bring statutory law together by subject was by Collinson Read in his *Abridgment of the Laws of Pennsylvania* (1801). In 1811, John Purdon, Jr. published the first edition of *Abridgment of the Laws of Pennsylvania*, followed by three more editions by 1830. The early editions contained statutes organized by topics with cross references over to Dallas, Bioren, and Smith's previous statutory editions. Editors of succeeding editions (5th through 13th editions) still kept Purdon's name in the title of their statutory compilations. The fifth to

seventh editions were edited by George Stroud, a judge of the District Court of Philadelphia County; the eighth to tenth editions were edited by Frederick C. Brightly, a noted lawyer and legal author of the Philadelphia bar. The eleventh and twelfth editions were compiled by his son, Frederick Frank Brightly, while the thirteenth edition was compiled by Ardemus Stewart.

For a listing of these early codes, see Appendix 1 in this chapter.

§3.4.2 *Purdon's Pennsylvania Statutes Annotated (P.S.)*

Beginning in 1930 the fourteenth edition can be recognized as the same set used today, that is, a multi-volume, green-colored binding, updated through recompiled bound volumes, annual pocket parts, and supplementary pamphlets. The publication was co-published by George T. Bisel Company and West® Publishing Company until 1992, when West® Publishing Company bought out Bisel Company's co-sponsorship. This was, and still is, an unofficial, annotated version of the statutory law of Pennsylvania. The set presently consists of:

- Constitution of 1968 and its amendments, annotated (3 volumes).
- Statutory law arranged under 77 titles of Purdon's Statutes and the 79 titles of the *Pennsylvania Consolidated Statutes*.
- Court rules found in bound volumes (Rules of Civil Procedure (4 volumes), Rules of Criminal Procedure (2 volumes), Rules of Appellate Procedure (1 volume), and Rules of Evidence and Rules for Magisterial District Judges (1 volume).
- Tables volumes that provide cross references between the chronological laws and the code sections (3 volumes).
- Indices (A-L, M-Z) paperback annual index volumes. The M-Z volume includes a popular name table at the end of the volume.

In addition, a semi-annual paper pamphlet updating the pocket parts is published.

The public *Laws of Pennsylvania* are arranged in 77 titles that are subdivided into sections. Each section has a cross reference to the session law where the section originated. If a section has a long statutory history, the previous statutory citations are provided. Each section also has cross references to *Corpus Juris Secundum*, West's® key number digest system, *Pennsylvania Law Encyclopedia*, periodical articles and digests of court cases from the United States Supreme Court down to the local county court reports, known as "side reports." For some titles, there is an introductory essay on a specific title at the front of the title. For a list of these titles, see Appendix 5 in this chapter.

**PURDON'S
PENNSYLVANIA STATUTES
ANNOTATED**

**Title 43
Labor
§§ 781 to 940**



WEST GROUP

Branch: Whitney • Clark • Boardman • Callaghan
Lawyers Cooperative Publishing • WESTLAW® • West Publishing

For Customer Assistance Call 1-800-328-4880

©2008 West Group

ILLUSTRATION 3-2 PURDONS STATUTES

§3.4.3 Short History of Codification

Pennsylvania's failure to codify its statutes has left it "unhappily unique among the states of the nation."⁶ Past unofficial compilations are, according to two recent authorities, somewhat unreliable because it was the "publishers' editors" that have determined what laws are to be in effect. "It is they who decide what laws have been repealed by implication or are not general or permanent."⁷

With the passage of over 45,000 statutes since 1682, the need to codify surely appears to be necessary; but the current slow transition means only confusion on the part of those who work with it.

Over the past two centuries, there were various efforts to codify the statutory law. In 1807, as a result of legislative enactment, a panel of judges prepared a list of over 200 statutes which listed British statutes in force in Pennsylvania.⁸ This list was expanded into an annotated edition compiled by Samuel Roberts, president judge of the Court of Common Pleas of Allegheny County, and published as *A Digest of Select British Statutes in Force in Pennsylvania* (1817). Robert Wright published a second edition of the same title in 1847.

Between 1830 and 1836, the appointed commissioners reviewed the civil laws and submitted eight reports comprising 29 bills to the legislature. The legislature enacted 24 acts based on the commission's reports.⁹ The thoroughness of their work is shown by noting "that almost all of our present probate law and laws relating to the judiciary derive from their efforts, and that the Judiciary Acts of 1834 and 1836 survived as the foundation of our judiciary until repealed by JARA in 1978."¹⁰ Criminal law was revised into a penal code in 1860,

6. For a history of codification, see Jefferson B. Fordham & Carroll C. Moreland, *Pennsylvania's Statutory Imbroglia: The Need of Statute Law Revision*, 108 U. PA. L. REV. 1093-123 (1960); Carroll C. Moreland, *The Legislative History of Statutory Revision in Pennsylvania*, 1 AM. J. LEGAL HIST. 197-214 (1957).

7. William H. Clark, Jr. *Introduction to the Pennsylvania Consolidated Statutes*, Title 1-3 Purdon's Pennsylvania Statutes and Consolidated Statutes annotated 2-3 (1995).

8. 3 Binn. 595 (1811).

9. 2 Eastman, 466-7.

10. Clark, *supra* note 7, at 3.

but it took another 110 years before the crimes code was again revised. The failure to codify law in Pennsylvania has resulted in Pennsylvania being called a "Common Law State."

§3.4.4 *Pennsylvania Consolidated Statutes*

§3.4.4.1 *Development of the Consolidated Statutes*

By the Commonwealth Documents Law of November 27, 1970, P.L. 707, the General Assembly adopted a general code known as the *Pennsylvania Consolidated Statutes*, which would eventually encompass all of the statutory law in effect in Pennsylvania. "Consolidation is the process of revising, restating and enacting the general and permanent pamphlet laws into a concise code that is clear, consistent, and organized."¹¹

In codifying statutes, several procedures can occur. Older statutes no longer in force or use can be declared obsolete. Consolidation of laws in order to bring all similar materials together is usually more difficult to understand. This is a two-step process. First, the sections in *Purdon's Statutes* (P.S.) have to be repealed. Once repealed, the text may be reenacted under a new title, or new language may be written which will replace the older section. In either case, there generally is a reference to where one may obtain the newer materials.

Since 1972, several major areas of particular subject matter have been codified and have been virtually completed, e.g.,

TITLE TOPIC

- 1 General Provisions
- 2 Administrative Law and Procedure
- 5 Athletics and Sports
- 13 Uniform Commercial Code
- 15 Corporations and Unincorporated Associations
- 17 Credit Unions

11. Craig R. Shagin, *The Political Causes and Consequences of the Pennsylvania General Assembly's Failure to Complete a Codified Consolidation, Statutory Drafting ("Including But Not Limited To...")* 39, at 40 (PBI 2000).

- 18 Crimes
- 20 Decedents, Estates and Fiduciaries
- 23 Domestic Relations
- 30 Fish
- 34 Game
- 42 Judiciary and the Judicial Process
- 45 Legal Notices
- 51 Military Affairs
- 54 Names
- 59 Partnerships
- 62 Procurement
- 66 Public Utilities Commission
- 75 Vehicles

Other partially codified titles include 2, 15, 22, 40, 68, 71, and 72. For a status of the consolidation project, see the chart prepared by Lawrence G. Feinberg, Esq., of the Pennsylvania Joint State Government Commission.

§3.4.4.2 Contents and Arrangement of the Consolidated Statutes

In codifying the statutory law, the 77 titles of *Purdon's Statutes* are being revised into 79 titles of *Pennsylvania Consolidated Statutes*. Thirty-nine of the 77 title headings are still being used, 15 new titles are added, five are renamed, four are renumbered while others were consolidated into new titles, e.g., nine whole titles or parts of titles are included in the new title 42 (Judiciary and Judicial Procedure) of the *Pennsylvania Consolidated Statutes*.

Fourteen new titles added are:

- 1 General Provisions
- 2 Administrative Law and Procedure
- 8 Boroughs and Incorporated Towns
- 11 Cities

- 14 Community Affairs
- 27 Environmental Resources
- 29 Federal Relations
- 37 Historical and Museums
- 44 Law and Justice
- 62 Procurement
- 64 Public Authorities and Quasi-Public Corporations
- 69 Saving and Validating Provisions
- 74 Transportation
- 78 Supplementary Provisions

Two titles were eliminated:

- 14 Cooperative Associations
- 67 Railroads and canals

Five titles were renamed:

- 10 Charities and Welfare to Charities
- 20 Decedents' and Trusts Estates to Probate, Estates and Fiduciaries
- 25 Elections and Electoral Districts to Elections
- 45 Legal Notices and Advertisements to Legal Notices
- 66 Public Service Companies to Public Utilities

Former titles 1 (Adoption), 11 (Children, except juvenile courts), 23 (Divorce), and 48 (Marriage) were consolidated into a new title 23 (Domestic Relations).

Former titles 2 (Aeronautics) and 55 (Navigation) were consolidated into new title 74 (Transportation).

Former titles 5 (Arbitration), 8 (Bonds and Recognizances), 11 (Children, juvenile court provisions), 12 (Civil and Equitable Remedies and Procedure), 13 (Constables), 17 (Courts), 19 (Criminal Procedure), 28 (Evidence and Witnesses), and 42 (Justices of the Peace, Aldermen and Magistrates) were consolidated into a new title 42 (Judiciary and Judicial Procedure).

Former portions of title 8 (Bonds and Recognizances) not transferred to the new title 42 were transferred to new title 62 (Procurement) and title 65 (Public Officers).

Former titles 21 (Deeds and Mortgages), 29 (Fences), and 64 (Public Lands) were consolidated into title 68 (Real and Personal Property).

Former title 38 (Industrial Police) was consolidated into title 22 (Detectives and Private Police).

Former titles 41 (Interest), 56 (Negotiable Instruments), 69 (Sales), and 73 (Trade and Commerce) were consolidated into a new title 12 (Commerce and Trade).

Former title 53 (Municipal and Quasi-Municipal Corporations) was divided into titles 8 (Boroughs and Incorporated Towns), 11 (Cities), 53 (Municipalities Generally), 64 (Public Authorities and Quasi-Public Corporations), 73 (Townships), and 78 (Zoning and Planning).

The following titles were renumbered: 12A (Uniform Commercial Code) to 13; 27 (Escheats) to 28; 37 (Hotels and Lodging Houses) to 48 (Lodging and Housing); 44 (Legal Holidays and Observances) to 38 (Holidays and Observances); 62 (Poor Persons and Public Assistance to 67 (Public Welfare); and 74 (United States) to 29 (Federal Relations).¹²

§3.4.4.3 *Pennsylvania Consolidated Statutes*

The new consolidated titles are called *Pennsylvania Consolidated Statutes* (Pa.C.S.) and are published as unannotated, individual pamphlets by the Commonwealth Legislative Reference Bureau in a 12-volume loose-leaf set. This set is considered an official version of the consolidated laws. The pamphlets are updated annually as new legislative enactments update the original laws.

For a listing of the 79 titles, see Appendix 5 in this chapter.

12. Clark, *supra* note 7, at 8-10.

PENNSYLVANIA CONSOLIDATED STATUTES



TITLE 25 ELECTIONS

2002 SPECIAL EDITION

Containing all provisions enacted through Act 2002-112
of the 2002 Legislative Session

Prepared and published under authority of Title 1,
Pa. Consolidated Statutes, Section 501, by the
Commonwealth of Pennsylvania
Legislative Reference Bureau
Harrisburg, Pennsylvania
July 31, 2002

ILLUSTRATION 3-3 PA CON STAT

§3.4.4.4 Relationship Between *Purdon's Pennsylvania Statutes Annotated (P.S.)* and *Pennsylvania Consolidated Statutes (Pa.C.S.)*

The consolidated statutes are also available in *Purdon's Statutes* in an unofficial version. The proper title for the revised statutes is *Purdon's Pennsylvania Consolidated Statutes Annotated (Pa.C.S.A.)*. The titles and sections are the same in both the official and unofficial versions, but the annotated version has the additional references listed above for each section of *Purdon's*.

In attempting to identify the *Purdon's Pennsylvania Statutes Annotated (Pa.C.S.A.)*, several methods can be used. First, the spine label on the completed titles 13, 18, 20, 23, 42, 66, 75, etc. have Pa.C.S.A. on the spine rather than reference to PENNA, which appears on the older P.S. volumes. This approach, however, is open to some difficulties when researching partial title changes.

Many titles have been only partly revised. For instance, in the volume covering titles 68-70, title 68 P.S. contains the Landlord-Tenant Act of 1951 (68 P.S. §250.205 et seq.) and 68 Pa.C.S.A. contains the Uniform Condominium Act (68 Pa.C.S.A. §3101 et seq.). In looking up sections, the appropriate citation (P.S. or Pa.C.S.A.) does appear at the top of each page. The consolidated section, however, appears usually after the unconsolidated section. On the first page of each new title in the bound volume or pocket part, if consolidated materials are available, there is a rectangular box which states that "Pennsylvania Consolidated Statutes appears as an Appendix to this title." Thus, one has to turn to the section after the unconsolidated statutes to find the consolidated statutes as indicated above with titles 22 or 68, for example.

Note: For some statutory laws not codified, they may be found in the P.S. sections following the Consolidated Statutes section. For instance, in multi-volume titles, there are portions of unconsolidated materials at the end of the title found in the last volume of a multi-volume title. For instance, the Crimes Victims Act (18 P.S. §11.103 et seq.) was not consolidated when it was enacted by the legislature in 1997 and can be found in the last pages of the bound volume and pocket part of the last volume of Title 18 Pa.C.S.A. 6501 to End.

§3.4.4.5 Updating the *Purdon's Statutes*

As a West® Publishing Company product, *Purdon's Statutes* is updated throughout the year.

A. *Pocket Parts.* *Purdon's Statutes* is updated annually with pocket parts that incorporate the previous year's enacted legislation by the General Assembly.

PURDON'S
PENNSYLVANIA STATUTES
AND CONSOLIDATED
STATUTES ANNOTATED

Title 43

Labor

§§ 781 to 940

2007
Cumulative Annual Pocket Part

For Use in 2007–2008

Replacing 2006 pocket part
supplementing 1991 main volume

Includes Acts through the
2006 Regular Session and 2005–2006 First Special Session

THOMSON
—*—
WEST

©2008 West Group

ILLUSTRATION 3-4 Purdon's PP

B. *Cumulative Interim Annotation Service*. This pamphlet is published twice a year (January and October) and supplements the pocket parts. It takes the current legislation and arranges the laws by title of *Purdon's*. The service also includes any changes in the Constitution and state court rules.

**PURDON'S
PENNSYLVANIA STATUTES
AND CONSOLIDATED
STATUTES ANNOTATED**

February 2008

Cumulative Interim Update No. 2
Directly Supplementing
2007 Pocket Parts



©2008 West Group

ILLUSTRATION 3-5 Purdon's Interim Annotation

C. *Revised Volumes.* West® Publishing Co. will send out revised volumes of *Purdon's Statutes*, as needed. There may be as many as eight or nine volumes revised during a year.

In using the main volumes of *Purdon's Statutes* the researcher must always check the pocket parts for updating in order to obtain the most recent statutory law. Since many titles have been partially changed already through the consolidation process, it is absolutely necessary to check to see if materials have been revised. For instance, title 68 contains updated materials to 68 P.S. in the annual pocket part *and* new material for title 68 of the *Consolidated Statutes* that follows as a separate section to P.S. title.

Generally, if a section appears in the pocket part to be declared obsolete or revised, after the section number, there will be a reference to the statutory law that repealed the section. For instance, several thousand statute sections in *Purdon's Statutes* were repealed by the act of April 28, 1978 P.L. 202, act no. 53. This is the Judiciary Act Repealer Act (JARA) which is the first of several major acts consolidating the judiciary process in the Commonwealth. In the pocket parts, a repealed section number will state in bold black print: **Repealed. 1978 April 28, P.L. 202, no. 53, section number designation, and the date that the act went into effect.**

Under the statement for the repeal, a reference is made: "For disposition of repealed subject matter, see Disposition Table preceding Title 42 Judiciary and Judicial Procedure of the Pennsylvania Consolidated Statutes Annotated." Turning to title 42, one must locate the first volume, covering sections 101 to 1700, and locate the table in the front of the work after the table of contents. Table 1 is the Disposition Table, wherein the old titles under *Purdon's Pennsylvania Statutes Annotated* (P.S.) are now cross-referenced over to the new consolidated statutes (Pa.C.S.A.). At the top of the left-hand column is "Purdon's Citation" with a listing of title and section given below. At the top of the second column listing the consolidated statutes, it states that the section listed is "42 Pa.C.S. section Unless Noted." One only has to look for the correct citation in the left column and read across to find the correct citation under 42 Pa.C.S. or other change. Individual sections may be declared

obsolete, have no cross-reference (indicated by a — line), or be assigned to another title under Pa.C.S.A.

There is usually a second table following the Disposition Table. The Derivation Table allows one to go from the new consolidated statutes back to the original titles and sections. For some sections, tens and hundreds of references are listed (especially for 42 Pa.C.S. §1722(a)(1)). This is not uncommon since whole volumes of earlier *Purdon's Statutes* have been eliminated, e.g., titles 12, 17, and 19 (see above). It is also useful when there have been multiple changes to a title over a period of years, e.g., Title 20 (Decedents, Estates & Fiduciaries).

In addition, for historical purposes one can consult the last volume in title 42, 42 Pa.C.S.A. 20001 to end, which is an annotated version of the Judiciary Act Repealer Act. Under each section, the original session law act is listed, along with a table providing the repealed section or act, the *Purdon's Statutes* citation (P.S.), and the current status in Title 42 Pa.C.S.A. section unless noted.

West® now provides an annual Master List of Disposition pamphlet that provides a cumulative table of all changes between the P.S. and Pa.C.S.A. titles and sections.

DISPOSITION TABLE

Showing where subject matter repealed absolutely or in part, or otherwise affected, by the Judiciary Act Repealer Act (JARA) and the JARA Continuation Act of 1980, was supplied in Title 42 Pa.C.S.A. Judiciary and Judicial Procedure, or otherwise as noted. Sections marked with * are repealed in part.

Constitution Sched., Art. 5 Section	42 Pa.C.S.A. Sec. Unless Noted	Purdon's Citation Title 2 Sec.	42 Pa.C.S.A. Sec. Unless Noted
1	721 et seq.	1411	5323
2 (first sentence	741 et seq.	1412	Obsolete
4	931 et seq.	1413	5322
13	1501 et seq.		5329
	3111 et seq.	1480	1722(a)(1)
	3154(a)	1482	6143
16(a)	951	1483	1726
(b)	951 et seq.	1484	6103
(c)	951 et seq.		6104
(d)	951 et seq.		
(e)	1121 et seq.	Title 3 Sec.	
	1321 et seq.	41k	763
(f)	325		1722(a)(1)
(g)	953		5105(a)(2)
	1723		5571
	See also Pa.R.J.A.	41m *	761
	702 and 706		931
(h)	Bill § 9		8502
(i)	325	58.12(e)	763
(j)	1723		1722(a)(1)
(r)	1123		5105(a)(2)
	Bill §§ 9(c) and 10	111.26(d)	5571
(s)	1302		763
(t)	Obsolete		1722(a)(1)
(u)	Obsolete		5105(a)(2)
(w)	Bill § 8	111.31 *	5571(a)
(z)	3321		761
18	951 et seq.	111.46	931
20	951 et seq.		763
21	1141 et seq.		1722(a)(1)
	1331 et seq.		5105(a)(2)
	3111 et seq.	285-10 *	5571(a)
	3131(d)		761
	3132(b)		931
	3152(a)(2)		8502
27	901 et seq.	Title 4 Sec.	
Purdon's Citation Title 2 Sec.	42 Pa.C.S.A. Sec. Unless Noted	209 *	763
1410	5322		1722(a)(1)
		351 to 353	5105(a)(2)
			5571
			7102(c)

ILLUSTRATION 3-6 Disposition Table

TABLE 2 — DERIVATION

1966 Borough Code from 1927 Code

Showing sections of the 1966 Borough Code and their source in the 1927 Code.

53 P.S. 1966 Code Sections	53 P.S. 1927 Code Sections	53 P.S. 1966 Code Sections	53 P.S. 1927 Code Sections	53 P.S. 1966 Code Sections	53 P.S. 1927 Code Sections
45101	45101	45301	45301	45501	45501
45102	45102	45302	45302	45502	45502
45103	45103	45303	45303	45503	45503
45104	45104	45304	45304	45504	45504
45105	45105	45305	45305	45505	45505
45106	45106			45506	45506
45107	45107	45401	45401		
45108	45108	45402	45402	45601	45601
45109	45109	45403	45403	45602	45602
45110	45110	45404	45404	45603	45603
45111	45110	45405	45405		
		45406	45406	45604	45604
45201	45201			45605	45605
45202	45202	45411	45410	45606	45606
45203	45203	45412	45411	45607	45607
45204	45204	45413	45412		
45205	45205	45414	45413	45701	46017
45206	45206			45702	46202-xxxxi
45207	45207	45416	45415	45703	(new material)
45208	45208	45417	45416		
45209	45209	45418	45417	45801	45801
45210	45210	45419	45418	45802	45802
45211	45211	45420	45419	45803	45803
45212	45212	45421	45420	45804	45804
45213	45702			45805	45805
45214	45703	45428	45425	45806	45807
45215	45704	45427	45426		
45216	45705	45428	45427	45811	45810
45217	45706			45812	45811
45218	45707	45429	45428	45813	45814
45219	45708			45814	45815
		45431	45430	45815	45816
45221	45215	45432	45431	45816	45817
45222	45216	45433	45432	45817	45818
45223	45217			45818	(new material)
45224	45218	45441	45702		
45225	45219	45442	45703		
45226	45220	45443	45704	45821	45820
45227	45221	45444	45705		
45228	45222	45445	45706	45831	45830
		45446	45707		
45231	45225	45447	45708	45841	45840
45232	45226	45448	(new material)		
45233	45227			45851	45845
45234	45228	45451	45720		
45235	45229	45452	45721		
		45453	45722	45881	45850

T. 53 P.S. §§ 45101-46200

XXV

ILLUSTRATION 3-7 Derivation Table

PURDON'S
PENNSYLVANIA
CONSOLIDATED
STATUTES
ANNOTATED

MASTER DISPOSITION TABLE

2007 Pamphlet

[Supersedes 2006 Pamphlet]

NOTICE:

Place this Pamphlet with your set of Purdon's Pennsylvania Statutes and Consolidated Statutes Annotated following the Tables volumes. This table covers laws through the 2006 Regular Session and 2005-2006 First Special Session of the General Assembly.



©2008 West Group

ILLUSTRATION 3-8 Master Disposition Table

§3.4.4.7 Citation

Different citation formats are provided by different sources. For the unconsolidated statutes, the citation is generally to both the session law and Purdon's citation, e.g., Act of June 26, 1895, P.L. 316, §2, 48 P.S. 92. The Legislative Reference Bureau cites *Pennsylvania Consolidated Statutes* as Pa.C.S., while the annotated version in *Purdon's Statutes* is usually cited as Pa.C.S.A. Nicholas Lippincott argues that it is not necessary to provide the parallel citation to the annotated version, since the text of the law is the same.¹³

However, the 18th edition of the *Uniform System of Citation* (known as the *Bluebook*) (2005), provides a different citation:

Purdon's Pennsylvania Statutes Annotated: x PA. STAT. ANN. §x (West year);

Pennsylvania Consolidated Statutes: x PA. CONS. STAT. §x (year)

Purdon's Pennsylvania Consolidated Statutes Annotated: x PA. CONS. STAT. ANN. §x (West year).¹⁴

Whichever version one follows, the writer should be extremely careful in citing to P.S. or Pa.C.S., since an incorrect citation of P.S., Pa.C.S., or Pa.C.S.A. can result in citing an incorrect statutory provision.

§3.4.5 Interpretative Researching in *Purdon's Statutes*

§3.4.5.1 Research Methods

A. *Subject Index.* *Purdon's Statutes* has a two-volume paperback subject index that can be found at the end of the set. It is revised annually similar to the *U.S.C.A.* and other state compilations. The indices cite to title and section providing the appropriate reference to the P.S. or Pa.C.S.A. citation. One should always check the main volume and its pocket part for the appropriate citation.

13. Nicholas Lippincott, "How to Cite Pennsylvania Statutes, Copy With the Transition from Pamphlet Laws to Consolidated Statutes," 55 PA BAR ASSN. Q. 114-16 (1984).

14. *The Blue Book: a Uniform System of Citation*, 229-30 (18th ed., 2005).

MACHINERY

MACHINERY AND EQUIPMENT—Cont'd
 Commercial development, industrial and commercial development authorities, 73 P.S. § 371 et seq.
 Compressed air works, 43 P.S. § 443
 Conduits, generally, this index
 Conflict of interest, economic development, loans, 12 Pa.C.S.A. § 2910
 Construction, this index
 Counties of second class, purchases, 16 P.S. § 3510
 Cranes, self propelled cranes, licenses and permits, 75 Pa.C.S.A. §§ 4962, 4968, 4979.4
 Fees, 75 Pa.C.S.A. § 1943
 Dairies and Dairy Products, this index
 Dangerous equipment, employees safety, 43 P.S. § 25-7
 Dealerships, Fair Dealership Law, 73 P.S. § 205-1 et seq.
 Death, dealer, repurchase, 73 P.S. § 205-5
 Definitions,
 Bingo, 10 P.S. § 303
 Cities of first class, economic development, 53 P.S. § 18200.712
 Fair Dealership Law, 73 P.S. § 205-2
 Local government capital project loan fund, 72 P.S. § 1602-D
 Pesticides, 3 P.S. § 111.24
 Public transportation assistance, 74 Pa.C.S.A. § 1301
 School construction or leasing, 24 P.S. § 7-701.1
 Department of property and supplies, 72 P.S. § 3920.30
 Device making equipment, definitions, unlawful device making equipment, 18 Pa.C.S.A. § 4106.1
 Discrimination, economic development, loans, 12 Pa.C.S.A. § 2909
 Distress for rent, levy and sale exemption, 68 P.S. § 250.403
 Duress or coercion, dealerships, 73 P.S. § 205-9
 Economic development,
 Environmental liability protection, 35 P.S. § 6027.1 et seq.
 Loans, 12 Pa.C.S.A. § 2901 et seq.
 Elections, this index
 Eminent domain, damages, removal, 26 Pa.C.S.A. § 707
 Employees safety, 43 P.S. § 25-1 et seq.
 Engines, generally, this index
 Environmental liability protection, 35 P.S. § 6027.1 et seq.
 Evidence, fish and game, prima facie evidence, possession, 30 Pa.C.S.A. § 922
 Exemptions, levy and sale on distress for rent, 68 P.S. § 250.403
 Fair dealerships, 73 P.S. § 205-1 et seq.
 Fees, operation or movement, 75 Pa.C.S.A. § 1943
 Financial statements and reports, economic development, loans, 12 Pa.C.S.A. §§ 2908, 2911

MACHINERY AND EQUIPMENT—Cont'd
 Fines and penalties, economic development, loans, 12 Pa.C.S.A. § 2906
 Firefighters and Fire Departments, this index
 Fish and boat commission, purchase, use of fish fund, 30 Pa.C.S.A. § 521
 Fish and game, prima facie evidence, possession, 30 Pa.C.S.A. § 922
 Funds,
 Economic development, loans, 12 Pa.C.S.A. § 2904
 Employment fund for the blind, 71 P.S. § 580.3
 Garbage feeding businesses, approval, licensing prerequisite, 3 Pa.C.S.A. § 2373
 Grocery stores, exemption from levy and sale on distress for rent, 68 P.S. § 250.403
 Guidelines, economic development, loans, 12 Pa.C.S.A. § 2912
 Hauling permits, fees, 75 Pa.C.S.A. § 1943
 Highways and Roads, this index
 Hoists and Hoisting, generally, this index
 Industrial and commercial development authorities, 73 P.S. § 371 et seq.
 Industrial equipment, exemption from levy and sale on distress for rent, 68 P.S. § 250.403
 Industrial redevelopment, environmental liability protection, 35 P.S. § 6027.1 et seq.
 Injunction, suppliers, 73 P.S. § 205-10
 Inspection and inspectors, economic development, loans, 12 Pa.C.S.A. § 2908
 Institutions, standards, 62 P.S. § 921
 Interest, repurchase, suppliers, 73 P.S. § 205-8
 Jury selection, use, 42 Pa.C.S.A. § 4525
 Labor and employment, children and minors, 43 P.S. § 44
 Land contamination, environmental liability protection, 35 P.S. § 6027.1 et seq.
 Leases, real estate, conflicting interest, 13 Pa.C.S.A. § 2A309
 Licenses and permits, cranes, self propelled cranes, 75 Pa.C.S.A. § 4979.4
 Loans, economic development, 12 Pa.C.S.A. § 2901 et seq.
 Maple products processing facilities, cleanliness, 3 Pa.C.S.A. § 6111
 Mass transit, metropolitan transportation authorities, acquisitions, 74 Pa.C.S.A. § 1747
 Meat markets, exemption from levy and sale on distress for rent, 68 P.S. § 250.403
 Metropolitan transportation authorities, acquisitions, 74 Pa.C.S.A. § 1747
 Military Forces, this index
 Mining equipment, exemption from levy and sale on distress for rent, 68 P.S. § 250.403
 Motor Carriers, this index
 Motor Vehicles, this index
 Motorcycles, safety, 75 Pa.C.S.A. § 3525
 Municipalities, local government capital project loan fund, 72 P.S. § 1603-D
 National guard. Military Forces, this index

B. *Title Index*. Each Title has its own index at the end of the last section. If researchers know their research issue falls within a particular Title, they can use the Title index rather than the two-volume General Index.

C. *Popular Names Table*. In the subject indexes, a popular names index of the Pennsylvania statutes can be found in the Index volume L-Z of the index after the Z listing. There are separate listings for uniform laws and interstate compacts under each reference respectively.

POPULAR NAME TABLE

This table contains a selective alphabetical listing of those Pennsylvania laws which are commonly referred to by a popular name or descriptive term, or by a statutory short title.

- Abandoned Coal Mines Sealing Act, 52 P.S. § 28.1 et seq.
- Abortion Control Act, 18 Pa.C.S.A. § 3201 et seq.
- Abuse Law, 23 Pa.C.S.A. §§ 6101 et seq., 6301 et seq.
- Access to Justice Act, 42 Pa.C.S.A. § 4901 et seq.
- Accident and Health Filing Reform Act, 40 P.S. § 3801 et seq.
- Acupuncture Registration Act, 63 P.S. § 1801 et seq.
- Administrative Agency Law, 2 Pa.C.S.A. § 501 et seq.
- Administrative code, 71 P.S. § 1 et seq.
- Administrative code of 1929, 71 P.S. § 51 et seq.
- Administrative rules and regulations, enactment and publication, 45 P.S. §§ 1102, 1201 et seq.
- Adoption Act, 23 Pa.C.S.A. § 2101 et seq.
- Adoption Opportunities Act, 62 P.S. § 771 et seq.
- Adult and Family Literacy Education Act, 24 P.S. § 6401 et seq.
- Advance Directive for Mental Health Act, 20 Pa.C.S.A. § 5821 et seq.
- Affordable Housing Act, 35 P.S. § 1691.1 et seq.
- Agreement on detainers, 42 Pa.C.S.A. § 9101 et seq.
- Agricultural and Rural Youth Development Act, 3 P.S. § 1601 et seq.
- Agricultural Area Security Law, 3 P.S. § 901 et seq.
- Agricultural cooperatives, 15 Pa.C.S.A. § 7501 et seq.
- Agricultural Development Act, 3 P.S. § 1301 et seq.
- Agricultural Fair Act, 3 P.S. § 1501 et seq.
- Agricultural Law Resource and Reference Center Act, 3 P.S. § 2201 et seq.
- Agricultural Lining Materials Act, 3 P.S. § 132-1 et seq.
- Agriculture code, 3 Pa.C.S.A. § 101 et seq.
- Agriculture Education Loan Forgiveness Act, 24 P.S. § 5198.1 et seq.
- Agriculture linked investment program, 3 P.S. § 1721 et seq.
- Air Pollution Control Act, 35 P.S. § 4001 et seq.
- Air Raid Precaution Act, 35 P.S. § 2001 et seq.
- Airport Zoning Act, 74 Pa.C.S.A. § 5911 et seq.
- Alcoholic beverages,
 Dram Shop Act, 47 P.S. § 4-497
 Drug and Alcohol Abuse Control Act, 71 P.S. § 1690.101 et seq.
- Emergency Liquor Tax Law, 47 P.S. § 794 et seq.
- First Class School District Liquor Sales Tax Act, 53 P.S. § 16131 et seq.
- Liquor Code, 47 P.S. § 1-101
- Malt Beverage Tax Law, 72 P.S. § 9001 et seq.
- Spirituos and Vinous Liquor Tax Law, 47 P.S. § 745 et seq.
- All Terrain Vehicle Law, 75 Pa.C.S.A. § 7101 et seq.
- Alternative Energy Portfolio Standards Act, 73 P.S. § 1648.1 et seq.
- Alternative Fuels Incentive Act, 73 P.S. § 1647.1 et seq.
- Ambulances, volunteer fire company, Ambulance Service and Rescue Squad Assistance Act, 72 P.S. § 3943.1 et seq.
- American, Commonwealth and Military Flag Act, 44 P.S. § 50.1 et seq.
- Amusement Ride Inspection Act, 4 P.S. § 401 et seq.
- Amusement Rider Safety and Liability Act, 4 P.S. § 501 et seq.
- Animal Byproduct Management Technology Act, 3 P.S. § 2001 et seq.
- Animal Health and Diagnostic Act, 3 P.S. § 430.1 et seq.
- Animals, Domestic Animal Law, 3 Pa.C.S.A. § 2301 et seq.
- Anthracite Coal Mine Act, 52 P.S. § 70-101 et seq.
- Anthracite Standards Law, 73 P.S. § 261 et seq.
- Anthracite Strip Mining and Conservation Act, 52 P.S. § 681.1 et seq.
- Antiarson Application Law, 40 P.S. § 1615.1 et seq.
- Antibid Rigging Act, 62 Pa.C.S.A. § 4501 et seq.
- Antihazing Law, 24 P.S. § 5351 et seq.
- Antique Boiler Law, 35 P.S. § 1330.1 et seq.
- Appalachian Trail Act, 64 P.S. § 801 et seq.
- Apprenticeship and Training Act, 43 P.S. § 90.1 et seq.
- Aquaculture Development Law, 3 Pa.C.S.A. § 4201

Shepard's® Acts and Cases By Popular Names is another source for citations to popular titles.

D. Tables. There are three volumes of tables which let the researcher locate parallel citations between the Laws of Pennsylvania and Purdon's Statutes. One can use the tables by obtaining the citation to the Laws of Pennsylvania (session laws) which consists of the year and page number on which the act begins in the bound volumes, e.g., April 28, 1978 P.L. 202, act no. 53 (Judiciary Act Repealer Act which is 42 Pa.C.S.). One has to look up the year and page number in the tables in order to obtain the parallel citations to the Purdon's Statutes. Under the year and page number, the sections are listed with the cross citation in Purdon's Statutes. With the codification process affecting almost a quarter of the titles, it is necessary to check the supplements (pocket parts or supplementary pamphlets) to determine if a particular statute has been revised and converted.

CHRONOLOGICAL TABLE OF LAWS

1937—Cont'd

May 20—Cont'd
 PL 174, Rep 1947, July 5, PL 1904.
 PL 758
 PL 177, No. 200
 1-33 PS § 57701
 PL 177, No. 200
 1-33 PS § 11307
 May 21, PL 797, No. 206, Rep 1948, June 1, PL 1942, art. XI, § 1101
 PL 171
 1-2-63 PS § 46006, 46017
 2-3-63 PS § 46070, 46103
 4-6-63 PS § 46108, 46109
 6-30 PS § 46129
 7-8, rep 1948, May 26, PL 1950, § 48
 11—Repealing section
 PL 197
 1-53 PS § 46263
 PL 199
 1-40 PS § 573, 574, 575
 PL 194, No. 210
 1-40 PS § 512a
 PL 194, No. 210
 1-2-36 PS § 652a, 652b
 2-4-36 PS § 652c, 652d
 5-6-36 PS § 652e, 652f
 7-8-36 PS § 652g, 652h
 9-10-36 PS § 652i, 652j
 11-12-36 PS § 652k, 652l
 13-14-36 PS § 652m, 652n
 15-16-36 PS § 652o, 652p
 17-36 PS § 652q
 18-19-36 PS § 652a, note
 PL 196, Rep 1948, May 31, PL 249, § 4
 PL 237
 2-73 PS § 5878a, 5878b
 3-4-73 PS § 5878c, 5878d
 6-73 PS § 5878e, note
 8—Effective date
 PL 198
 2-31 PS § 740, 741
 3-4-31 PS § 742
 6-8-31 PS § 743, 745
 8-10-31 PS § 744, 749
 11—Repealing section
 PL 171, Unconst. 159 & 696, 322 Pa 69
 May 25, PL 722, Rep 1951, Jan 8 (1952), PL 1944, No 494, § 7
 PL 232
 1-17 PS § 285
 2—Effective date
 PL 194, No 218 Rep 1947, July 7, PL 1410, § 13
 PL 794, No. 219
 1-18-38 PS § 2852-408 note
 PL 195
 1-71 PS § 1181
 2-83 PS § 234
 3-6-83 PS § 235, 237
 6-83 PS § 240
 8—Effective date
 PL 799
 1-2-39 PS § 15, 16
 4-38 PS § 18 note
 4—Effective date
 PL 300
 1-71 PS § 1927
 2—Repealing section
 3—Effective date
 PL 891
 1-20 PS § 50
 2 Rep 1955, Dec 15, PL 1179, § 201
 4-30 PS § 311, 326
 6-30 PS § 322, 361
 7-30 PS § 323, 359
 8-39 PS § 386
 9—Effective date
 PL 898
 Repealer—41 PS § 541-1, note
 1-2-81 PS § 541-1, 541-2
 3-8-81 PS § 541-3, 541-4
 5-8-81 PS § 541-5, 541-6
 6-10-81 PS § 541-7, 541-10

1937—Cont'd

May 25—Cont'd
 PL 817, Repealed
 PL 814, Rep 1955, May 31, PL 62, § 36
 PL 849, Rep 1955, May 31, PL 62, § 36
 May 26, PL 894
 1-40 PS § 4774
 PL 895
 1-40 PS § 753
 PL 895
 1-40 PS § 753
 1-5-7 PS § 490, 491
 1-7 PS § 495
 1-7 PS § 490 note
 PL 897
 1-7 PS § 815-1012a
 1-7 PS § 815-1012a, note
 PL 894
 2-38 PS § 1583, 1598
 3-4-38 PS § 1582, 1594
 4-5-38 PS § 1585, 1596
 5-8-38 PS § 1587, 1588
 10—Effective date
 PL 897
 1-62 PS § 1501, 1502, 1503, 1507
 PL 895
 2-43 PS § 5568a, 5568b
 3-4-43 PS § 5568c, 5568d
 5-6-43 PS § 5568e, 5568f
 8-12 PS § 5568a
 8—Effective date
 PL 895, No. 236
 1-12 PS § 933
 PL 895, No. 236
 1-12 PS § 933
 PL 895, No. 236
 1-12 PS § 933, 943, 945, 946
 PL 897, Rep 1951, Jan 8 (1952), PL 1944, No 494, § 7
 PL 895, No 236, Rep 1953, July 28, PL 723, art XXXVIII, § 3501, 1952, PL 895, No 236, § 290
 May 26, PL 894, Obsolete
 PL 899, No 229, Obsolete
 May 27, PL 201
 1-2-3 PS § 41a, 41b
 2-3-3 PS § 41c, 41d
 6-3 PS § 41e
 7-8-3 PS § 41f, 41g
 9-10-3 PS § 41h, 41i
 11-12-3 PS § 41k, 41l
 13-15-3 PS § 41m, 41n
 16-3-3 PS § 41o, 41p
 PL 305, art XXXVIII, Sect 55, PL 1964, § 31; 1981, Sept 27, PL 1706, § 10
 PL 905, Rep 1949, March 10, PL 59, § 2701
 PL 1-25 PS § 1301, 1306, 1311.
 PL 914
 1-72 PS § 5951b
 2-72 PS § 5951b note
 2—Effective date
 PL 915
 6-83 PS § 32940
 2—Effective date
 PL 917
 Repealing act
 2-2-84 PS § 321a, 321b
 3-4-84 PS § 321c, 321d
 5-8-84 PS § 321e, 321f
 7-8-84 PS § 321g, 321h
 9-10-84 PS § 321i, 321j
 11-12-84 PS § 321k, 321l
 13-15-84 PS § 321m, 321n
 16-18-84 PS § 321o, 321p
 19-21-84 PS § 321q
 23-25-84 PS § 321a note
 PL 916
 2-36 PS § 975, 978
 3-36 PS § 979, 975
 4-36 PS § 976, 977
 5-36 PS § 978, 979
 7-10-36 PS § 976, 977
 8-10-36 PS § 975, 978
 9-12—Effective date

ILLUSTRATION 3-11

§3.5 Citators

Shepard's[®] *Pennsylvania Citations*, Statute Edition, Volume 1 (2004 and supplements), contains citations for statutory law just as it does for case law. For Pennsylvania statutes, there are three major sections containing references for *Purdon's Pennsylvania Statutes Annotated*, *Pennsylvania Consolidated Statutes*, and the *Laws of Pennsylvania*. For *Purdon's Pennsylvania Statutes Annotated*, it is necessary to look up the citation by title and section, 40 P.S. §1301.309 et seq. The same is true for the *Pennsylvania Consolidated Statutes*, 75 Pa.C.S. §1901. For the *Laws of Pennsylvania*, one must have the year and the number following the P.L. in the citation. This is the page number of the bound volume of the book; it is not the act number. The act number comes under the citation.

There is one smaller section in the bound volume entitled "Miscellaneous Superseded Code Provisions (Not included in Purdon's Pennsylvania Statutes Annotated or Pennsylvania Consolidated Statutes)" that comes immediately after the Constitution of 1968 section. It has citations to older P.S. or Pennsylvania Consolidated Titles that have been chiefly repealed, but still may have citations to a limited number of cases.

For the main sections, under each citation, there will first be legislative changes to the section under review, e.g., amended, added, repealed, revised, superseded, etc. Citations to cases follow the cite to the statute. Like caselaw, *Shepard's*[®] provides judicial references from the state appellate and county court cases, other states, federal cases, periodicals, *ALR* annotations, and treatises (online only). In addition, marginal notes designate as to whether the act was found constitutional, unconstitutional, unconstitutional in part, void or invalid, valid, and void or invalid in part.

In looking up a statute, a statutory citation can be subdivided down into sections and paragraphs. It may be necessary to look at the various levels listed to get all the cases on a particular statute from the specific to more general: 75 Pa.C.S. §3303 Subd.a as well as 75 Pa.C.S. §3301 et seq.

To be sure you have checked all sources, check both the *Purdon's* or *Consolidated Statutes* citation along with the *Laws of Pennsylvania*.

§ 2201 Rs 1988No177	§ 2603 86PaC87 483A2d1065	§ 2611 86PaC88 483A2d1065	§ 2621 A 1972No168 86PaC88 483A2d1065 Cir. 3 612F2d139	67DC2d414 Cir. 3 530FS1106	Subd. f 449Pa292 297A2d823
§ 2202 R 1988No177	§ 2604 Rp 1978No53 86PaC87 483A2d1065	§ 2612 86PaC88 483A2d1065	§ 2622 86PaC88 483A2d1065 75DC2d383	§ 2652 492Pa96 29PaC574 34PaC373 37PaC520 372A2d487 383A2d897 391A2d36 422A2d490 Cir. 3 677F2d993	Subd. g 449Pa292 297A2d823
§ 2203 Subd. b ¶ 1 60MaL635	§ 2605 A 1972No374 A 1981No29 86PaC87 483A2d1065	§ 2613 86PaC88 483A2d1065	§ 2623 86PaC88 483A2d1065	Subd. a 46PaC595 407A2d466 67DC2d484 59.Æs236n	§ 2658 Subd. d Rp 1978No53
§ 2204 Subd. b ¶ 1 116PaC518 542A2d608	§ 2606 86PaC87 483A2d1065	§ 2614 86PaC88 483A2d1065	§ 2624 86PaC88 483A2d1065	Subd. b 13PaC561 320A2d391	§ 2659 Subd. a ¶ 1 A 1975No82
Subd. c ¶ 2 80DLR379	§ 2607 86PaC87 483A2d1065	§ 2615 A 1972No374 A 1972No5 A 1974No364 A 1980No119 86PaC88 483A2d1065	§ 2625 A 1974No364 R 1981No135	Subd. a ¶ 1 16PaC85 29PaC574 325A2d648 372A2d487 Cir. 3 431FS832	Subd. d.1 Ad 1972No41
Subd. e ¶ 1 509Pa393 502A2d167	Subd. a A 1974No364	Subd. 1 A 1978No12 R 1981No135	Subd. e R 1978No12	¶ 2 16PaC85 29PaC574 325A2d648 372A2d487 Cir. 3 431FS832	§ 2660 16PaC85 325A2d648 67DC2d484 Cir. 3 384FS1040
Subd. f 11PaC304 314A2d880	392A2d266	Subd. 2 R 1981No135	§ 2651 et seq. 1973No99 449Pa292 492Pa74 492Pa94 237PaS361 365PaS11 15PaC348 16PaC85 37PaC520 297A2d823 325A2d648 327A2d211 352A2d495 391A2d36 422A2d144 422A2d489 530A2d428 67DC2d484 12DC3d1 Cir. 3 431FS829 64.Æs774n	Subd. b ¶ 1 13PaC561 320A2d391	§ 2661 16PaC85 C 66PaC638 325A2d648 C 445A2d869
§§ 2541 to 2548 89McL557	§ 2607.1 Subd. d Rp 1978No53	§ 2616 A 1974No364 R 1981No135 Up 458Pa479 86PaC88 Up 329A2d250 483A2d1065	Subd. e.1 70DC2d676	¶ 3 A 1976No276 A 1976No277	Subd. a Rp 1981No48
§§ 2551 to 2556 87McL1874	§ 2607.2 86PaC87 483A2d1065	Subd. d A 1972No30 A 1972No31 A 1980No119	¶ 3 A 1978No12	§ 2653 A 1976No194 15PaC348 327A2d211	Subd. b 449Pa292 297A2d823 Cir. 3 411FS525
§ 2601 et seq. 458Pa479 237PaS361 10PaC501 311A2d162 329A2d250 352A2d495 12DC3d1 Cir. 3 808FS423	Subd. d.1 Ad 1972No42	Subd. d.1 Ad 1972No42	Subd. e A 1972No212 U 458Pa479 467Pa430 C 10PaC501 C 311A2d162 U 329A2d250 358A2d419 82DLR636	§ 2654 Rp 1978No53	¶ 5 Rp 1978No53
§§ 2601 to 2625 86PaC86 144PaC376 153PaC373 157PaC417 483A2d1065 601A2d876 621A2d1096 630A2d477	§ 2608 86PaC87 483A2d1065 67DC2d484	§ 2609 16PaC85 86PaC87 325A2d648 483A2d1065 59.Æs236n	Subd. e.1 70DC2d676	§ 2655 449Pa292 17PaC271 297A2d823 330A2d570	§ 2662 A 1975No82 A 1976No83 15PaC348 C 38PaC77 61PaC578 66PaC633 81PaC4 98PaC465 327A2d211 C 391A2d1134
§§ 2601 to 2624 134PaC303 578A2d620 82DLR636	Subd. a 464FS266	Subd. a 464FS266	§ 2617 86PaC88 483A2d1065	§ 2656 Subd. a 13PaC561 320A2d391	§ 2662.1 A 1975No82 A 1976No83 15PaC348 C 38PaC77 61PaC578 66PaC633 81PaC4 98PaC465 327A2d211 C 391A2d1134
§ 2602 Subd. a 86PaC87 483A2d1065	§ 2610.1 Cir. 3 607F2d597 464FS267	§ 2618 Rp 1978No53 86PaC88 483A2d1065	§ 2619 86PaC88 483A2d1065	§ 2657 Cir. 3 411FS525 449Pa292 17PaC271 297A2d823 330A2d570	Subd. c A 1973No75
	§ 2610 Rp 1978No53 16PaC85 86PaC88 325A2d648 483A2d1065 59.Æs236n	§ 2620 86PaC88 483A2d1065	§ 2620 86PaC88 483A2d1065	Subd. e 449Pa292 297A2d823	Subd. a C 434A2d858 472A2d1182 512A2d76 Cir. 3 411FS524 59.Æs236n C 38PaC77 C 391A2d1134

§3.6 Other Sources for Pennsylvania Law

§3.6.1 West's® *Pennsylvania Law Finder*

This one volume work, published in conjunction with West's® *Pennsylvania Digest 2d* series, is arranged by topic with references given below to *Purdon's Statutes*, West's® key number digest topics, *Pennsylvania Law Encyclopedia*, *Corpus Juris Secundum*, and other West's® publications.

West's
**PENNSYLVANIA
LAW FINDER**

A NEW TOPICAL REFERENCE GUIDE FOR
COORDINATED RESEARCH PROVIDING
COMPREHENSIVE REFERENCES TO THE
FOLLOWING WEST PUBLICATIONS:

Purdon's Pennsylvania Statutes and Consolidated
Statutes Annotated
Pennsylvania Practice Series
Pennsylvania Digest
Pennsylvania Forms
United States Code Annotated
Corpus Juris Secundum
Federal Publications
Key Number Publications
Texts and Treatises

2008 EDITION



©2008 West Group

ILLUSTRATION 3-13

§3.6.2 *Martindale-Hubbell Law Directory*

Annual with interim supplementation, one volume contains digests of 50 states' laws.

§3.6.3 *Uniform Laws Annotated, St. Paul: West® Publishing Co., 1968. Annual pocket parts.*

This set includes tables of statutory citations for adopting jurisdictions preceding the complete text of the uniform law.

Annotations include specific variations by state and case summaries.

§3.6.4 *Looseleaf Services*

Looseleaf services often reprint, digest or provide statutory citations of state laws for the particular subject field they cover, e.g., volume 10 of the CCH *Unemployment Insurance Reporter* contains Pennsylvania law, regulations and court cases referring to Social Security cases.

§3.7 *Computerized Research*

Both Lexis® and Westlaw® cover the *Purdon's Statutes* in their libraries on statutory law.

West® Publishing Company also provides for *Purdon's Statutes* on CD-ROM.

§3.8 *Uniform and Model Laws*

The National Conference of Commissioners on Uniform State Laws produces laws that can be adopted in a particular jurisdiction. West® Publishing Company published *Uniform Laws Annotated*, a multi-volume set of the uniform laws with annotations to the history of the law, references to case law, periodical articles and West® digest key number topics. Under each act, a table of jurisdictions that have adopted the act is provided. The set is kept up to date with annual pocket parts. A Master Edition Index provides a subject index to the uniform laws as well as a state-by-state listing of all uniform laws adopted.

Pennsylvania has adopted over 30 uniform laws:¹⁵

Acknowledgment Act	21 P.S. §§ 291.1-291.13
Anatomical Gift Act	20 Pa.C.S. §§8601-8607
Arbitration Act	42 Pa.C.S. 7301-7320
Athletic Agents Act	5 Pa.C.S. §§3101-3320
Attendance of Witnesses From Without a State in Criminal Proceedings Act	42 Pa.C.S. §§5961-5965
Blood Tests to Determine Paternity Act	23 Pa.C.S. §5104
Business Records as Evidence Act	42 Pa.C.S. §6108
Child Custody Jurisdiction & Enforcement Act	23 Pa.C.S. §§5341-5366
Commercial Code	13 Pa.C.S.
Commercial Driver's License Act	75 Pa.C.S. 1601
Condominium Act	68 Pa.C.S. §§3101-3414
Contribution Among Tortfeasors Act	42 Pa.C.S. §§8321-8327
Controlled Substances Act (1970)	
Controlled Substances Act (1990)	
Controlled Substances Act (1994)	35 P.S. §§780.101-780.144
Crime Reporting Act	18 P.S. 20.101-20.305
Criminal Extradition Act	42 Pa.C.S. §§9121-9148
Declaratory Judgment Act	42 Pa.C.S. §§7531-7541
Determination of Death Act	35 P.S. §§10201-10203
Division of Income for Tax Purposes Act	
Durable Power of Attorney Act	
Electronic Transactions Act	
Enforcement of Foreign Judgments Act	42 Pa.C.S. §4306
Facsimile Signatures of Officials Act	65 P.S. §§301-329
Federal Tax Lien Registration Act	74 P.S. §§157-1-157-8
Fiduciaries Act	7 P.S. §§6351-6404
Firearms Act	18 Pa.C.S. §§6101-6120
Foreign Money Judgment Recognition Act	42 P.S. §§22001-22009
Fraudulent Transfer Act	12 Pa.C.S. §§5101-5110
Gift to Minors Act	20 Pa.C.S. §§5301-5320
Interparty Agreement Act	69 P.S. §§541-546

15. The list is drawn from the Uniform Laws Annotated Directory of Uniform Acts and Codes Tables—Index 62 (Master Ed. 2007, 2007).

Interstate Air Pollution Agreements Act	35 P.S. §§4101-4106
Interstate and International Procedure Act	42 Pa.C.S. §§5321-5329
Interstate Arbitration of Death Taxes Act	72 P.S. §§2490.1-2490.15
Interstate Compromise Death Taxes Act	
Interstate Family Support Act	23 Pa.C.S. §71701
Juvenile Court Act	42 Pa.C.S. §§6301- 6365
Limited Partnership Act	15 Pa.C.S. §§8501-8594
Military Justice, Code of	51 Pa.C.S. §§5100- 6112
Nonprobate Transfers on Death Act	
Partnership Act	15 Pa.C.S. §§8301-8365
Penal Code (Model)	
Photographic Copies of Business and Public Records as Evidence Act	42 Pa.C.S. § 6109
Planned Community Act	68 Pa.C.S. §§5101-5114
Principal & Income Act	20 Pa.C.S. §§8101-8112
Prudent Investor Act	
Real Estate Cooperative Act (Model)	68 Pa.C.S. §4101 et seq.
Reciprocal Enforcement of Support Act	23 Pa.C.S. §§ 4501-4540
Rendition of Prisoners as Witnesses in Criminal Proceedings Act	42 Pa.C.S. §§5971-5979
Securities Act	70 P.S. §§1.101-1.704
Securities Ownership by Minors Act	70 P.S. §§101-106
Simultaneous Death Act	20 Pa.C.S. §§8501-8505
Single Publication Act	42 Pa.C.S. §§8341-8345
Statute of Limitations on Foreign Claims Act	42 Pa.C.S. §5521
Testamentary Addition to Trusts Act	20 Pa.C.S. §2515
Trade Secrets Act	12 Pa.C.S. §§5301-5308
Transfer to Minors Act	20 Pa.C.S. §§5301-5321
Trust Code	20 Pa.C.S. §§7701-7710.2
Written Obligations Act	33 P.S. §§1-8
Written Obligations Act	33 P.S. §§1-8

§3.9 Interstate Compacts

Article III, §1, cl. 10 of the United States Constitution stipulates that states have the right to engage in compact agreements with other states and then have such agreements ratified by the United States Congress. In Pennsylvania there have been 41 interstate compacts from 1783 onward. The early compacts dealt with boundary disputes between Pennsylvania and her neighbors, while twentieth century compacts deal with a variety of topics including interstate commerce, transportation, criminal law and procedure, environmental law, juvenile law, etc. The following is a list of Pennsylvania interstate compacts:

Adoption Compact Act	62 P.S. §§6000.1-
Adult Offender Supervision Act	61 P.S. §§324-324.4
Agreement on Detainers	42 Pa.C.S. §§9101-9108
Agreements Records Act	71 P.S. §§808.1-808.3
Air Pollution Control Act	35 P.S. §§4101-4106
Appalachian States Low Level Radioactive Waste Compact	35 P.S. §§7125.1-7125.4
Withdrawal from:	35 P.S. §§ 7131.306
Atlantic States Marine Fisheries Compact	30 Pa.C.S. §§7101-7106
Brandywine River Valley Compact	32 P.S. §818
Bus Taxation Proration & Reciprocity Agreement	75 Pa.C.S. §§8101-8105; Repealed 1992 P.L. 266
Chesapeake Bay Commission	32 P.S. §§820.11-820.12
Civil Defense & Disaster Compact	35 Pa.C.S. §7111
Compact on Education	24 P.S. §§5401-5403
Compact on Motor Fuels Consumed by Interstate Buses	75 Pa.C.S. §2251
Delaware-Pennsylvania Boundary Compact	71 P.S. §§1905-1913
Delaware River Basin Compact	32 P.S. §§815.101-815.106
Delaware River Joint Toll Bridge Compact	36 P.S. §§3401-3415
Delaware River Port Authority Compact	36 P.S. §§3503-3504
Delaware Valley Urban Area Compact	73 P.S. §701

Great Lakes Basin Compact	32 P.S. §§817.1-817.14
High Speed Intercity Rail Passenger Network Compact	55 P.S. §671
Interpleader Compact	42Pa.C.S. §7521-7524
Interstate Compact on Juveniles	62 P.S. §731-735
Interstate Compact on Placement of Nonresident Children	62 P.S. §761
Interstate Corrections Compact	61 P.S. §§1061-1063
Interstate Mining Act	52 P.S. §§3251-3257
Interstate Oil and Gas Conservation Compact	58P.S. §§191-196
Interstate Pest Control Compact	3 P.S. §§241-14-214-47
Interstate Placement of Children	62 P.S. §§761-771
Mental Health	62 P.S. §§1121-1126
Metropolitan Transportation Authorities Project Financing	74 Pa.C.S. §1531;
Repealed	1994 P.L. 20
Mid-Atlantic Forest Fire Protection Compact	32 P.S. §§422-424 (1953)
Milk Compact Act	31 P.S. §700j-311
Mutual Military Aid Compact	51 Pa.C.S. §4501
New Jersey-Pennsylvania Turnpike Bridge Compact	36 P.S. §3511-
New York-Pennsylvania Boundary Compact	2 Sm.L. 510; 71 P.S. §§1851-1852
New York City Milk Compact	31 P.S. §§700.1-700.5
New York-Pennsylvania Toll Bridge Compact (1977)	36 P.S. 3211 (1917)
Ohio River Valley Sanitation Compact	32 P.S. 1816.1-1816.7
Pennsylvania-New Jersey Boundary Compact	71 P.S. §§1801-1808
Pennsylvania-New Jersey Jurisdiction of the Delaware River	32 P.S. §§815.46-49a5
Pennsylvania-West Virginia-Ohio Boundary Compact	71 P.S. §1837
Pennsylvania-Virginia Boundary Compact	2 Sm.L. 261; 71 P.S. §§1831, 1832 (1831)
Potomac River Pollution Compact	32 P.S. §§741-74
Probation & Parole Compact	61 P.S. §§321-322

Pymatuning Lake Compact	71 P.S. §§1840-1842
Qualifications of Educational Personnel	24 P.S. §§2401.1-2403
Susquehanna River Basin Compact	32 P.S. §§820.1-820.8
Use Tax Collection	72 P.S. §7276
Vehicle Equipment Safety Compact	75 Pa.C.S. §§8111-8122 Repealed 1982 P.L. 32
Wheeling Creek Watershed Protection and Flood Prevention Compact	32 P.S. § 819.1-819.3

§3.9.1 Locating and Interpreting Compacts

One has to look up each law in *Purdon's Statutes* index or in *Shepard's® Acts and Cases By Popular Names* for their citations. The *Book of the States*, published by the Council of State Government, offers a chapter on interstate compacts with a listing of the acts adopted by each jurisdiction in tabular format. Other sources include:

American Jurisprudence Pleading and Practice Forms Annotated (West®). Provides state statutory citations for many subjects.

American Law Reports (A.L.R.). Provides citations to or lists of state statutes on a topic covered by the annotations.

Uniform Laws Annotated (West®). Provides statutory citations to all jurisdictions that have adopted a uniform law. A master index provides a listing by state of all uniform laws enacted.

West's® *Pennsylvania Law Finder* is an annual, one-volume work, published in conjunction with West's® *Pennsylvania Digest 2d series*, and is arranged by topic with references given below to *Purdon's Statutes*, West's® digest system, *Pennsylvania Law Encyclopedia*, *Corpus Juris Secundum*, and other West® treatises.

A general bibliographic source for state materials is C. Nyberg and C. Boast, *Subject Compilations of State Laws, Research Guides and Annotated Bibliography* (1984-).

Joseph F. Zimmerman, *Interstate Cooperation: Compacts and Administrative Agreements* (2002); Id., *Interstate Disputes: The Supreme Court's Original Jurisdiction* (2006).

These books attempt to list all subject compilations of statutory sources published in books and periodical articles since 1960. The books are complementary and should be used together. The first title presents a thorough introduction to research techniques for comparing the laws of states.

§3.10 CD-ROM

Purdon's Pennsylvania Statutes Annotated is available on one disc by the West® Group. This one disc contains the full text of the statutes, the Pennsylvania Constitution, court rules and orders. The search skills are similar to those of Lexis® and Westlaw®, either through Boolean logic connectors or natural language search. West's® CD-ROM requires installation of PREMISE search software to do the research. The disc is updated regularly. Subscribers to the West® discs can access Westlaw® for further updates free of cost.

§3.11 Online Sources

§3.11.1 Official Web Sites

- Pennsylvania Legislative Reference Bureau Web Site: www.palrb.us.

The Bureau publishes a complete set of state session laws from 1682 to the present. The web site is divided into three sections. First, *Statutes-At-Large of Pennsylvania*, covering the period from 1682 to 1809, is available for the complete set. Volume 1, covering from 1682 to 1700, is available only in electronic format.

Second, *Smith's Laws*, containing the laws from 1700 to 1829, are available, but only the first three volumes have been digitized at this time. Still, for those acts available, many have important, useful annotations.

Third, *Laws of Pennsylvania*, the official collection of session laws, are available from 1970 to 2003. As new volumes of session laws are published, the Bureau adds them to the web site.

COMMONWEALTH OF PENNSYLVANIA
LEGISLATIVE
REFERENCE
BUREAU

PENNSYLVANIA SESSION LAWS

The Legislative Reference Bureau, an agency of the Pennsylvania General Assembly, has undertaken a long-term preservation and public access project to digitize the laws enacted for the Province and Commonwealth of Pennsylvania and published on a periodic basis from 1682 to the most recently completed session of the Pennsylvania General Assembly, referred to for purposes of the project as "session laws."

The project plan provides for incremental availability of the session laws. The first collection, the *Statutes at Large*, has been completed. The 16 volumes in this collection contain public and private laws of the Province and Commonwealth of Pennsylvania through the early nineteenth century. The second collection, the *Smith's Laws*, and the third collection, the *Pamphlet Laws*, are in varying stages of completion.

Session laws are displayed as originally enacted and do not reflect subsequent amendments, repeals or other modification. Text is in Portable Document Format, and a browser plug-in is required to view the documents. Adobe Acrobat Reader is a free plug-in which may be downloaded from Adobe Systems Incorporated.

Contact Information:
Room 541 Main Capitol Building Harrisburg, PA 17120
As a strictly nonpartisan agency of the Pennsylvania General Assembly, the Legislative Reference Bureau cannot and will not respond to e-mail of political nature. The Legislative Reference Bureau is prohibited by law from providing legal advice to private citizens and will not respond to communications posing legal questions or seeking legal advice. Comments about site content or usability may be directed to: [project manager](#).

© 2002 Pennsylvania Legislative Reference Bureau. All Rights Reserved.
No claim to original text of session laws. Selection, arrangement, organization and formatting of session laws protected.
No data on this site may be acquired or reproduced for profit-making purposes.
Permission is granted to use data on this site for personal or non-profit purposes.
Adobe and Acrobat Reader are registered trademarks of Adobe Systems Incorporated.
[Privacy Policy](#) | [Disclaimer](#)

Illustration 3-14 PALR Home Page

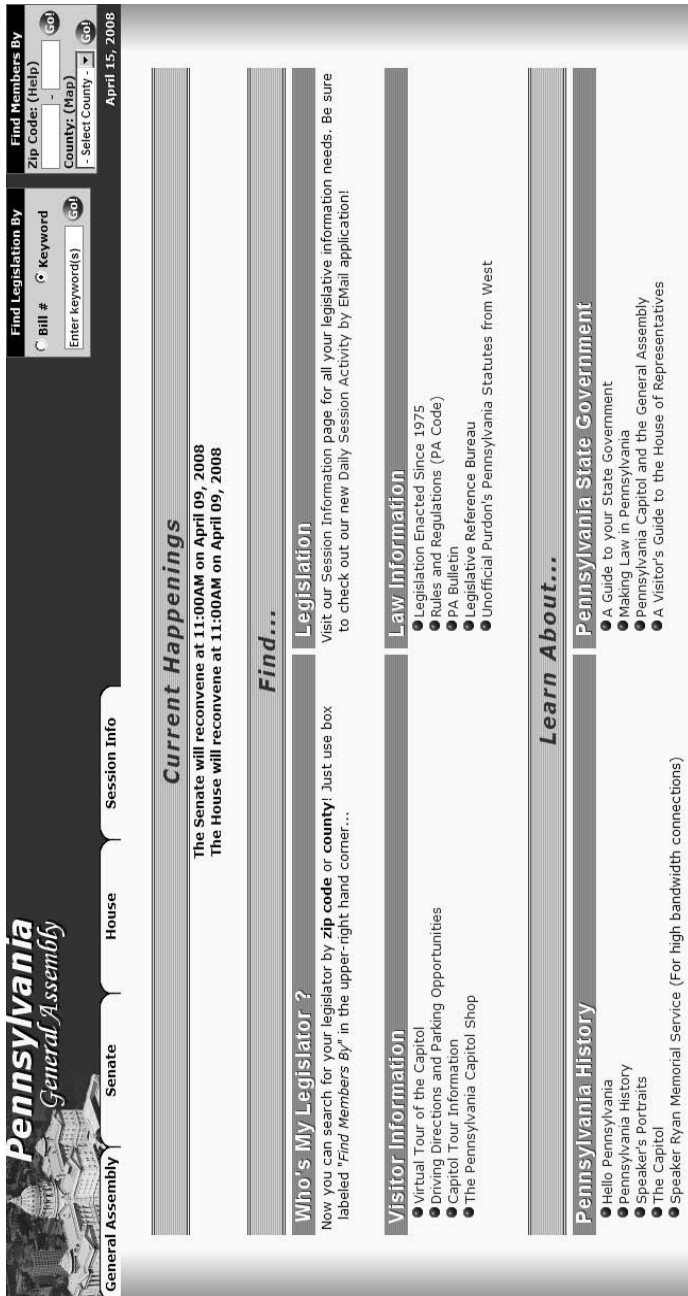
- The Pennsylvania General Assembly web site, at www.legis.state.pa.us.

The web site has both session laws and the *Pennsylvania Consolidated Statutes* available. The session laws can be located by the link, "Legislation Enacted Since 1975." One can then find a specific law chronologically by year and act number with a link to the House or Senate bill, providing all versions of the bills as well as legislative history. It is also possible to locate acts back to 1970 through the various access points available under the Session Info Tab.

The *Laws* are broken down into the following categories that can be selected first and then by year or one can go by year and then the subdivision by category: Acts on General Legislation Approved, Appropriation Acts Approved, Bills that have been Vetoed, Joint Resolutions (Amendments to the Constitution) passed, Supplemental Assistance Plans Adopted, Reorganization Plans Adopted, and Court Rules Reports Adopted.

The *Pennsylvania Consolidated Statutes* are also available on the web site posted in html or pdf versions. Since it has just been posted recently (summer 2007), it is unclear if the legislature will update the titles as new statutes are enacted or only once a year when a supplement is updated and published.

Purdon's Statutes are now available from the General Assembly web site (www.legis.state.pa.us). Under Law Information is the "Unofficial Purdon's Pennsylvania Statutes From West" link. However, the statutes are unannotated.



General Assembly | **Senate** | **House** | **Session Info** | **April 15, 2008**

Pennsylvania General Assembly

Find Legislation By
 Bill # Keyword
 Enter keyword(s)

Find Members By
 Zip Codes (Help) -
 County: (Map) - Select County:

Current Happenings

The Senate will reconvene at 11:00AM on April 09, 2008
 The House will reconvene at 11:00AM on April 09, 2008

Find...

Who's My Legislator ?
 Now you can search for your legislator by zip code or county! Just use box labeled "Find Members By" in the upper-right hand corner...

Legislation
 Visit our Session Information page for all your legislative information needs. Be sure to check out our new Daily Session Activity by Email application!

Visitor Information

- Virtual Tour of the Capitol
- Driving Directions and Parking Opportunities
- Capitol Tour Information
- The Pennsylvania Capitol Shop

Law Information

- Legislation Enacted Since 1975
- Rules and Regulations (PA Code)
- PA Bulletin
- Legislative Reference Bureau
- Unofficial Purdon's Pennsylvania Statutes from West

Learn About...

Pennsylvania History

- Hello Pennsylvania
- Pennsylvania History
- Speaker's Portraits
- The Capitol
- Speaker Ryan Memorial Service (For high bandwidth connections)

Pennsylvania State Government

- A Guide to your State Government
- Making Law in Pennsylvania
- Pennsylvania Capitol and the General Assembly
- A Visitor's Guide to the House of Representatives

ILLUSTRATION 3-15 GA website

§3.11.2 Fee-Based Web Sites

Westlaw[®]

Pennsylvania Statutes are included in the PA-ST-ANN (annotated) and PA-ST (unannotated) databases. Both can be accessed through the terms and connectors query or the natural language description. If you are uncertain as to your statutory topic, a table of contents search is also available.

The screenshot displays the Westlaw website interface. At the top, there are navigation links: FIND & PRINT, KEYCITE, DIRECTORY, KEY NUMBERS, COURT DOCS, and SITE MAP. Below these are tabs for Pennsylvania, Federal, Westlaw, Librarians, Ohio, 3rd Circuit, and Add/Remove Tab(s). The main content area is divided into several sections:

- Shortcuts:** Includes a link for "ALM VerdictSearch" with a description: "ALM Pennsylvania Jury Verdicts & Settlements on Westlaw: Exclusive partnership & leading verdict content."
- Find by citation:** A search box with a "Go" button and a "and Print" option. Below it is a link for "Find using a template".
- Finding Tools:** A list of links: "Find a Case by Party Name", "Find a Person", "Find a Brief by Party Name", "Find a Company", and "Find a Database".
- KeyCite this citation:** A search box with a "Go" button.
- Search these databases:** A dropdown menu currently showing "Recent Databases" and a "Go" button.
- Select Database(s):** A section with a "Cases" heading and a list of checkboxes:
 - Pennsylvania State Cases (i)
 - Pennsylvania State & Federal Cases (i)
 - Pennsylvania Law Weekly Cases (i)
 - 3rd Circuit Federal & State Cases (i)
 - All Federal & State Cases (i)
 - All State Cases (i)
 - All Federal Cases (i)
 - Pennsylvania District & County Court Cases (i)
 - Pennsylvania State Trial Court Orders (i)
 - State Trial Court Orders (i)
 - Pennsylvania Criminal Trial Court Orders (i)
- Statutes & Legislative Materials:** A list of checkboxes:
 - Pennsylvania Statutes Annotated | [Table Of Contents](#) | [Statutes Index](#) (i)
 - Pennsylvania Legislative Service (i)
 - Pennsylvania Legislative History (i)
 - Pennsylvania Bill Tracking - Summaries & Full Text Combined (i)
 - All State Statutes Annotated (i)
 - United States Code Annotated | [Table Of Contents](#) | [Statutes Index](#) (i)

ILLUSTRATION 3-16 Westlaw

Lexis®

Similar to Westlaw®, Lexis-Nexis® contains databases for Pennsylvania statutes that can be searched through the terms and connectors query, the table of contents, or the natural language description. *Pennsylvania Consolidated Statutes* (Pa.C.S.) is different from the Westlaw version, since Lexis-Nexis® provides its own case annotations to the statutory text. Headnotes are created by the company; however, the case annotations contain text of the cases, not summaries prepared by the company's editor-lawyers. Lexis-Nexis® also archives Pennsylvania statutes dating back to 1991. Lexis® provides all general and permanent laws enacted by the Pennsylvania Legislature and updates these laws on an annual basis.

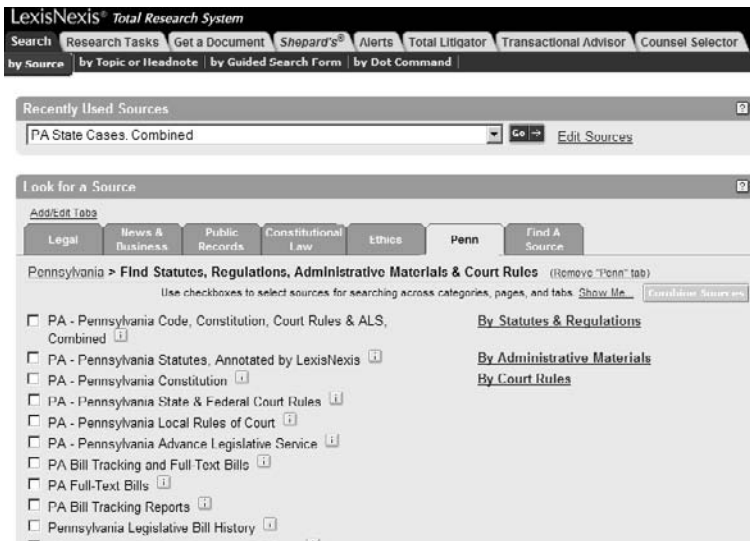


ILLUSTRATION 3-17 LEXISNEXIS

Copyright 2008 Lexis Nexis, a division of Reed Elsevier Inc. All rights reserved. Lexis Nexis and the Knowledge Burst logo are registered trademarks of Reed Elsevier Properties Inc. and are used with the permission of Lexis Nexis.

*Loislaw*TM

*Loislaw*TM has a database for Pennsylvania statutes, which allows you to search the statutes by title number and heading, section number and heading, chapter number and heading, statute text, statutory history and other limiting search options. General searches by keyword are likewise available. However, *Loislaw*TM contains no options for the Pennsylvania legislative bills.

APPENDIX 1 BIBLIOGRAPHY OF PENNSYLVANIA STATUTE EDITIONS¹⁶

I. Earliest Compilations

An Abstract or Abridgment of the Laws Made and Past by William Penn Absolute Proprietary, and Governour in Chief of the Province of Pensilvania and Territories Thereunto Belonging, with the Advice and Consent of the Free-man Thereof in Generall-Assembly Mett at New-castle the Fourteenth-Day of October and Continued by Adjournment till the Twenty-Seventh of November in the Year 1700. Philadelphia: Raynier Jansen, 1701.

The Laws of the Province of Pensilvania Collected into One Volume, by Order of the Governor and Assembly of the Said Province. Philadelphia: Andrew Bradford, 1714.

The Laws of the Province of Pennsylvania, Now in Force, Collected Into One Volume. Publish'd by Order to the General Assembly of the Aforesaid Province. Philadelphia: Andrew Bradford, 1728.

Collection of Charters and Other Publick Acts, Relating to the Province of Pennsylvania: Collections of All the Laws Now in Force. Philadelphia: B. Franklin, 1742. 46-page pamphlet.

The Charters of the Province of Pensilvania and City of Philadelphia. Philadelphia: B. Franklin, 1742. This work contained the royal charter, certain conditions of concessions agreed to by William Penn on July 11, 1681, the Charter of Privileges and the Charter of the City of Philadelphia as of October 20, 1701.

16. Joel Fishman, "History of Pennsylvania Statutory Compilations," 86 L. LIB. J. 559, 585-596 (1994); reprinted with permission.

This was followed by a section under a separate title page: *A Collection of All the Laws of the Province of Pennsylvania: Now in Force. Published by Order of the Assembly.* Philadelphia: B. Franklin, 1742. A third section had a separate title page: *An Appendix, Containing a Summary of Such Acts of Assembly as Have Been Formerly in Force within This Province, for Regulating of Descents and Transferring the Property of Lands, & C., but Are Since Expired, Altered or Repealed.* Philadelphia: B. Franklin, 1742.

The Charters and Acts of Assembly of the Province of Pennsylvania. In Two Volumes. Volume I. Containing the Charters of the Said Province, and the City, Boroughs and Towns Thereof: The Titles of All the Laws of the Said Province, Since Its First Establishment Down to the Year 1700: The Acts of the Said Assembly from the Year 1700 to 1743, Now in Force, and the Royal Confirmations and Repeals of the Said Acts, Compared with the Public Records. Volume II. Containing Acts of the Assembly of the Said Province, from the Year 1744 to 1759 Now in Force: A Collection of All the Laws That Have Been Formerly in Force within This Province, for Regulating of Descents and Transferring the Property of Lands, but Are Since Expired, Altered or Repealed, from the Establishment of the Province, Down to the Present Time. Compared with the Public Records. Together with an Index Referring to the Matters Contained in Both Volumes. Philadelphia: Peter Miller & Co., 1762.

A separate title page in vol. 2 was *An Appendix Containing Such Acts of Assembly as Have Been Formerly in Place within This Province and for Regulating Descents, and Transferring the Property of Lands, Etc., but Since Expired, Altered or Repealed.* The end of the volume had an index with the title page, *Abridgement of the Laws of Pennsylvania in Manner of an Index Year 1700 to 1743, Now in Force, and the Royal Confirmations and Repeals of the Said Acts, Compared in the Public Record.*

The Acts of Assembly of the Province of Pennsylvania, Carefully Compared with the Originals, and an Appendix, Containing Such Acts, and Parts of Acts, Relating to Property, as Are Expired, Altered or Repealed. Together with the Royal, Proprietary, City and Borough Charters; and the Original Concessions of the Honourable William Penn to the First Letters of the Province. Published by Order of Assembly. Philadelphia: Hall & Sellers, 1775. Includes "Appendix: With Notes Upon Divers of Them, by the Late Learned in the Law, Chief Justice Kinsey."

M’Kean, Thomas, ed. *The Acts of the General Assembly of the Commonwealth of Pennsylvania, Carefully Compared with the Originals; and an Appendix Containing the Laws Now in Force, Passed between the 30th Day of September 1775 and the Revolution. Together with the Declaration of Independence; the Constitution of the State of Pennsylvania; and the Articles of Confederation of the United States of America. Published by Order of the General Assembly.* Philadelphia: Francis Bailey, 1782.

Dallas, Alexander J., comp. *Laws of the Commonwealth of Pennsylvania from the Fourteenth Day of October, One Thousand Seven Hundred, to the First Day of October, One Thousand Seven Hundred and Eighty-One. Republished under the Authority of the Legislature, by Alexander James Dallas. Vol. I.* Philadelphia: Hall & Sellers, 1797.

- *Laws of the Commonwealth of Pennsylvania from the Second Day of October, One Thousand Seven Hundred and Eighty-One, to the Second Day of October, One Thousand Seven Hundred and Ninety. Republished under the Authority of the Legislature, by Alexander James Dallas. Vol. II.* Philadelphia: Hall & Sellers, 1793. Thomas Mifflin’s seal states that he appointed Dallas on May 8, 1793. Dallas’s preface note also has the same date for the publication.
- *Laws of the Commonwealth of Pennsylvania from the Seventh Day of December, One Thousand Seven Hundred and Ninety, to the Twentieth Day of April, One Thousand Seven Hundred and Ninety-Five. Published, under the Authority of the Legislature, by Alexander James Dallas. Vol. III.* Philadelphia: Hall & Sellers, 1795.
- *Laws of the Commonwealth of Pennsylvania from the First Day of December, One Thousand Seven Hundred and Ninety-Five, to the Twenty-Seventh Day of February, One Thousand Eight Hundred and One. Published, under the Authority of the Legislature, by Alexander James Dallas. Vol. IV.* Lancaster: Francis Bailey, 1801.

Carey, Mathew, and John Bioren, comps. *Laws of the Commonwealth of Pennsylvania, from the Fourteenth Day of October One Thousand Seven Hundred, to the Sixth Day of April, One Thousand Eight Hundred and Two. Republished under the Authority of the Legislature, by M. Carey and J. Bioren.* Philadelphia: John Bioren, for Mathew Carey and Self, 1803. 6 vols.

II. *Smith's Laws*

[Smith, Charles, ed.] *Laws of the Commonwealth of Pennsylvania, from the Fourteenth Day of October, One Thousand Seven Hundred, to the Twentieth Day of March, One Thousand Eight Hundred and Ten. Republished under the Authority of the Legislature, with Notes and References. In Four Volumes.* Philadelphia: John Bioren, 1810. Vol. 1 covers from September 15, 1701, to April 10, 1781. Vol. 2 covers from May 24, 1781, to April 5, 1790. Vol. 3 covers from December 7, 1790, to April 6, 1802. Vol. 4 covers from December 7, 1802, to March 28, 1801.

Vol. 5 covers from December 6, 1801, to March 31, 1812. An appendix contains some notes and resolutions, including a list of 105 resolutions passed since 1790 but now obsolete. A second appendix contains Charles II's charter to William Penn, concessions of 1681, charter of privileges (1683), Declaration of Independence, and Constitution of 1776 (pp. 406-35). Appendix III contains a summary of Pennsylvania Supreme Court cases since June 1808 (pp. 436-45). Bound in this volume is a cumulative index, "General Index to the Laws of Pennsylvania in Five Volumes. From the Year 1700, to the Thirty-first of March 1812, Inclusive." The index is more than just a listing of references, since it also provides some of the text from the acts according to volume and page number. An index to the notes can also be found in pages 350-59, followed by citations to court cases, pages 390-93.

[Reed, Joseph, ed.] *Laws of the Commonwealth of Pennsylvania, from the Fourteenth Day of October, One Thousand Seven Hundred. Republished under the Authority of the Legislature, with Notes and References.* Philadelphia: John Bioren, 1822. Vol. 6 covers from December 21, 1812, to March 25, 1817. This is the sixth volume of *Smith's Laws*, but the first volume edited by Reed. There are four pages of resolutions (pp. 507-10), followed by "Pensions and Pecuniary Gratuities, for Revolutionary and Military Services, from 1st December 1812 to the 25th March 1817" (pp. 511-13), appendix of notes (pp. 516-19), and index to the sixth volume (pp. 521-43).

Vol. 7 (1822) covers from December 21, 1812 to March 25, 1817. In the front of the book is a list of Pennsylvania laws that have been repealed, obsolete, and expired (pp. iii-xiii), fol-

lowed by "Pensions and Pecuniary Gratuities, for Revolutionary and Other Military Services, from 2d December 1818 to 2d April 1822" (pp. xiv-xix). Bound with *General Index to the Sixth and Seventh Volumes of the Laws of Pennsylvania, from December 1812, to April 1822, Inclusive*. Philadelphia: J. Bioren, 1823. The first section contains the index to the two volumes; the second part contains an index to the resolutions, followed by a table of explanatory of sundry technical law terms (pp. 25-28).

Vol. 8 (1842) covers from December 3, 1822, to April 11, 1825. Vols. 8-10 are published by James Kay, Jr. & Brother.

Vol. 9 (1843) covers from December 6, 1825, to April 17, 1827. Appendix A contains the case of *Prigg v. Com. of Pennsylvania* (1841) (pp. 447-56); Appendix B contains the commissioners' report of the Internal Improvement Fund of 1842 (pp. 457-59); extracts from the report of J. W. Hammond, bookkeeper in the Treasury Department (pp. 459-63), and the legislative act for drawing up this volume (p. 463), followed by the index to the volume (pp. 465-78).

Vol. 10 (1844) covers from December 4, 1827, to April 23, 1829. Appendix A covers the act for the gradual abolition of slavery (March 1, 1780), with an extensive note of four pages (pp. 466-70); Appendix B is a note on the 1829 penal law revisions (pp. 471-82), followed by the index (pp. 483-502).

III. *Dunlop's General Laws*

Dunlop, James, comp. *The General Laws of Pennsylvania from the Year 1700 to April 22, 1846, Chronologically Arranged with Notes and References to All the Decisions of the Supreme Court of Pennsylvania, Giving Construction to Said Laws, and a Copious Index*. Philadelphia: T. & J. W. Johnson, 1847.

- *The General Laws of Pennsylvania, 1700 to 1849, Chronologically Arranged with Notes and References to All the Decisions of the Supreme Court of Pennsylvania, Giving Construction to Said Laws*. 2d ed. Philadelphia: T. & J. W. Johnson, 1849.
- *The General Laws of Pennsylvania, from the Year 1700 to October 1852, Chronologically Arranged, with Notes and References to all the Decisions of the Supreme Court of Pennsylvania, Giving Construction to Said Laws, with a Copious and Minute Index*. 3d ed. Philadelphia: T. & J. W. Johnson, 1853.

IV. Other Compilations

Mitchell, James T., and Henry Flanders, comps. *The Statutes at Large of Pennsylvania from 1682 to 1801, Compiled under the Authority of the Act of May 19, 1887 by James T. Mitchell and Henry Flanders, Commissioners*. Clarence M. Busch, State Printer of Pennsylvania, 1896. Vol. 2 (1896) covers 1700 to 1712. Vol. 3 (1896) covers 1712 to 1724. Vol. 4 (1897) covers 1712 to 1744. Vol. 5 (1898) covers 1744 to 1759. Wm. Stanley Ray was the State Printer of Pennsylvania with this volume. Vol. 6 (1899) covers 1759 to 1765. Vol. 7 (1900) covers 1765 to 1770. Vol. 8 (1902) covers 1770 to 1776. Vol. 9 (1903) covers 1776 to 1779. Vol. 10 (1904) covers 1779 to 1781. Vol. 11 (1904) covers 1782 to 1785. Vol. 12 (1906) covers 1785 to 1787. (Harrisburg Publishing Co. was the State Printer with this volume.) Vol. 13 (1908) covers 1787 to 1790. Vol. 14 (1909) covers 1791 to 1793. Vol. 15 (1911) covers 1794 to 1797. (C. E. Aughinbaugh, of Harrisburg, was State Printer with this volume.) Vol. 16 (1911) covers 1798 to 1801.

Mitchell, James T., J. Willis Martin, and Hampton L. Carson, comps. *The Statutes at Large of Pennsylvania from 1802 to 1805 Compiled under the Authority of the Act of July 25, 1913, by James T. Mitchell, J. Willis Martin and Hampton L. Carson, Commissioners*. Vol. 17 (1915) covers 1802 to 1805. Wm. Stanley Ray was again State Printer when this volume was published.

George, Staughton, Benjamin M. Nead, and Thomas McCamant, eds. *Charter to William Penn, and Laws of the Province of Pennsylvania Passed Between the Years 1682 and 1700, Preceded by Duke of York's Laws in Force from the Year 1676 to the Year 1682, with an Appendix Containing Laws Relating to the Organization of the Provincial Courts and Historical Matter. Published under the Direction of John Blair Linn, Secretary of the Commonwealth*. Harrisburg: Lane S. Hart [State Printer], 1879.

The two appendices have separate title pages. Appendix A is "Compilation of the Laws and Ordinances Establishing the Several Courts of Judicature of the Province of Pennsylvania, with an Introduction, by Staughton George." Appendix B is "Historical Notes on the Early Government and Legislative Councils and Assemblies of Pennsylvania, by Benjamin M. Nead. Part I. From the First European Settlement on the Dela-

ware to the Acquisition of the Country by Penn, 1623-1681. Part II. From the Acquisition of the Country by Penn to the Close of the Century, 1681-1700. 'Nescire quid antea quam naturis sis Acciderit, id est semper esse puerum.' Cicero."

Following the statutory law, the appendixes contain the eighteenth-century controversy between royal government and colony over the acceptance of local legislation that had to be approved by the royal government.

Beckman, Gail McKnight. *The Statutes at Large of Pennsylvania in the Time of William Penn: Compiled under the Authority of This Act of May 19, 1887, as Supplemented*. New York: Vantage Press, 1976.

Read, Collinson. *An Abridgment of the Laws of Pennsylvania, Being a Complete Digest of All Such Acts of Assembly, as Concern the Commonwealth at Large, to Which Is Added, an Appendix, Containing a Variety of Precedents (Adapted to the Several Acts) for the Use of the Justice of the Peace, Sheriffs, Attornies and Conveyancers*. Philadelphia: Printed for the Author, 1801.

Geseze der Republik Pennsylvanien, in ubersezten Auszugen. Enthaltend die brauchbaren offentlichen Geseze bis zu dem Jahr 1805, einschliesslich; so wie auch die Regierungs-Verfassungen der Vereinigten Staaten und von Pennsylvanien. Herausgegeben unter Autoritat eines Gesezes der General-Assembly-passirt im April, 1805. Reading: Gedruckt und Herausgegeben von Johann Ritter und Carl Kessler, 1807.

V. Purdon's Digest

Purdon, John Jr. *An Abridgment of the Laws of Pennsylvania, from the Year One Thousand Seven Hundred, to the Second Day of April, One Thousand Eight Hundred and Eleven. With References to Reports of Judicial Decisions in the Supreme Court of Pennsylvania*. Philadelphia: Farrand, Hopkins, Zantzinger & Co., 1811.

- *A Digest of the Laws of Pennsylvania, from the Year One Thousand Seven Hundred, to the Twenty-Fourth Day of March One Thousand Eight Hundred and Eighteen. With References to Reports of Judicial Decisions in the Supreme Court of Pennsylvania*. 2d ed. Philadelphia: Philip H. Nicklin, W. Fry, 1818.

- *A Digest of the Laws of Pennsylvania, from the Year One Thousand Seven Hundred, to the Twentieth Day of March, One Thousand Eight Hundred and Twenty-Four. With Some References to Reports of Judicial Decisions.* [3d ed.] Philadelphia: M'Carthy & Davis, 1824.
- *A Digest of the Laws of Pennsylvania. From the Year One Thousand Seven Hundred to the Seventh Day of April, One Thousand Eight Hundred and Thirty.* [4th ed.] Philadelphia: M'Carthy & Davis, 1831.

Parke, Benjamin, and Ovid F. Johnson. *A Digest of the Laws of Pennsylvania, from the Seventh Day of April, One Thousand Eight Hundred and Thirty, to the Fifteenth Day of April, One Thousand Eight Hundred and Thirty-Five. With Explanatory Notes, Showing the Nature and Extent of the Operation of the Law Contained in This Volume, as Far as They Alter, Amend, Repeal and Supply the Pre-existing Laws of This Commonwealth. Together with References to Numerous Judicial Decisions; Intended with Purdon's Digest, to Form a Complete Digest of the Laws of Pennsylvania, to the Present Time.* Harrisburg: Patterson & Small, 1836. Intended as a supplement to Purdon's fourth edition.

- *A Digest of the Revised Code and Acts Passed by the Legislature Between the 7th Day of April 1830, and the 16th Day of June 1836, Forming with Purdon's Digest of 1830, a Complete Digest of the Laws of Pennsylvania, to the Present Time.* Philadelphia: Kay & Brother; Harrisburg: Packer, Barrett & Parke; Pittsburgh: John I. Kay & Co., 1837. 2 vols. in 1. Volume 1 is the 1836 edition reprinted, with volume 2 having a separate title page: *Parke and Johnson's Digest. Vol. II. Being a Digest of the Laws of Pennsylvania Enacted between the 15th April 1835, and the 16th June 1836.* The second volume covers from pp. 473 to 876, followed by a general index (pp. 877 to 984) that covers both Purdon's 1830 edition and the 1837 Parke & Johnson work.

Stroud, George. *A Digest of the Laws of Pennsylvania. From the Year One Thousand Seven Hundred, to the Sixteenth Day of June, One Thousand Eight Hundred and Thirty-Six.* 5th ed. Philadelphia: M'Carthy & Davis, 1837.

- *A Digest of the Laws of Pennsylvania. From the Year One Thousand Seven Hundred, to the Thirteenth Day of October, One*

- Thousand Eight Hundred and Forty*. Philadelphia: M'Carthy & Davis, 1841.
- *A Digest of the Laws of Pennsylvania: From the Year One Thousand Seven Hundred, to the Twenty-Second Day of April, One Thousand Eight Hundred and Forty-Six*. 7th ed. Philadelphia: Thomas Davis, 1847.
 - Brightly, Frederick C. *A Digest of the Laws of Pennsylvania, from the Year One Thousand Seven Hundred, to the Twenty-Eighth Day of May, One Thousand Eight Hundred and Fifty-Three; Together with the Annual Digests for 1854, 1855, 1856 and 1857. The First Four Editions by the Late John Purdon, Esq., the Fifth, Sixth and Seventh by the Hon. George M. Stroud. Eighth Edition. Revised, with Marginal References; Foot Notes to the Judicial Decisions; Analytical Contents; a Digested Syllabus of Each Title; and a New, Full and Exhaustive Index*. 8th ed. Philadelphia: Kay & Brother, 1857.
 - *Supplement to Purdon's Digest*. Philadelphia: Kay & Brother, 1854.
 - *Annual Digest of the Laws of Pennsylvania for Each of the Years 1854 and 1855*. Philadelphia: Kay & Brother, 1855. At head of title is "Brightly's Purdon's Annual Digest for 1854, 1855."
 - *Annual Digest of the Laws of Pennsylvania, for Each of the Years 1854, 1855, and 1856, Namely, from the 28th May, 1853, to 13th May, 1856*. Philadelphia: Kay & Brother, 1856.
 - *Annual Digest of the Laws of Pennsylvania, for Each of the Years 1854, 1855, 1856, and 1857, Namely, from 28th May, 1853, to 22d May, 1857; Together with Some Laws of Older Date, Inadvertently Omitted in Purdon's Digest*. Philadelphia: Kay & Brother, 1857.
 - *Annual Digest of the Laws of Pennsylvania, for Each of the Years from 1853 to 1859, Namely, from 28th May, 1853, to 4th May, 1859; Together with Some Laws of Older Date, Inadvertently Omitted in Purdon's Digest*. Philadelphia: Kay & Brother, 1859.
 - *Annual Digest of the Laws of Pennsylvania for Each of the Years from 1853 to 1860: Namely from 28 May 1853 to 3 May 1860. Together with Some Laws of Older Date Inadvertently Omitted in Purdon's Digest—1700 to 1853; Marginal References [;] A*

Digested Syllabus of Each Title; Foot Notes to the Judicial Decisions; and a Full and Exhaustive Index, in which the Contents of All Those Annual Digests Are Incorporated into One Alphabet. The Whole Completing Stroud and Brightly's Purdon's Digest to the Present Date. Philadelphia: Kay & Brother, 1860.

- *A Digest of the Laws of Pennsylvania, from the Year One Thousand Seven Hundred to the Twenty-First Day of May, One Thousand Eight Hundred and Sixty-One. Originally Compiled by John Purdon, Esq. Ninth Edition. Revised, with Marginal References; Foot Notes to the Judicial Decisions; Analytical Contents; a Digested Syllabus of Each Title; and a New, Full and Exhaustive Index.* 9th ed. Philadelphia: Kay & Brother, 1862.
- *Annual Digest of the Laws of Pennsylvania for the Years 1862 to 1868: Namely from 21 May 1861 to 1 August 1868, Together with Some Laws of Older Date Inadvertently Omitted in Purdon's Digest, Completing Brightly's Purdon's Digest to the Present Time.* Philadelphia: Kay & Brother, 1868.
- *Annual Digest of the Laws of Pennsylvania for the Years 1862 to 1871: Together with Some Laws of Older Date Inadvertently Omitted in Purdon's Digest, Completing Brightly's Purdon's Digest to the Present Date.* Philadelphia: Kay & Brother, 1872. At the head of the title is "Brightly's Annual Digest for 1862 to 1871."
- *A Digest of the Laws of Pennsylvania, from the Year One Thousand Seven Hundred to the Tenth Day of July, One Thousand Eight Hundred and Seventy-Two. Originally Compiled by John Purdon, Esq. Tenth Edition, Revised, with Notes to the Judicial Decisions.* 10th ed. Philadelphia: Kay & Brother, 1873. 2 vols.
- *A Digest of the Laws of Pennsylvania: From the Year 1700 to 1872. Originally Compiled by John Purdon, Esq.—10th ed., Revised, with Marginal References; Foot Notes to the Judicial Decisions; Analytical Contents; a Digested Syllabus of Each Title; and a New Full and Exhaustive Index.* Philadelphia: Kay & Brother, 1873.
- *Annual Digest of the Laws of Pennsylvania for the Years 1873 to 1876. Together with Some Laws of Older Date Inadvertently Omitted in Purdon's Digest. Completing Brightly's Purdon's Digest to the Present Date.* Philadelphia: Kay & Brother,

1876. At the top of the page is "Brightly's Annual Digest for 1873 to 1876." Pagination continues from the 10th ed., covering pp. 1773-2124 (1773-2084 for text and 2085-2124 for index). In this volume, the digest is cumulative for the four years.

- *Annual Digest for the Years 1873 to 1878: Together with Some Laws of Older Date Inadvertently Omitted in Purdon's Digest; Completing Brightly's Digest to the Present Date.* Philadelphia: Kay & Brother, 1878. At head of title is "Brightly's Annual Digest for 1873 to 1878." Pagination is continued from the 10th edition, covering pp. 1173-2226. In this volume, the digest is divided into a topical listing each year.
- *A Digest of the Laws of Pennsylvania, from the Year One Thousand Seven Hundred to the Sixth Day of July, One Thousand Eight Hundred and Eighty-Three, with a Chronological Table of Statutes. Originally Compiled by John Purdon, Esq.—Eleventh Edition, Revised, with Notes to the Judicial Decisions.* 11th ed. Philadelphia: Kay & Brother, 1885. 2 vols.

Brightly, Frank F. *A Digest of the Laws of Pennsylvania, from One Thousand Eight Hundred and Eighty-Three to One Thousand Eight Hundred and Eighty-Seven, Supplementary to the Eleventh Edition of Brightly's Purdon's Digest, and Completing It to the Present Time.* Philadelphia: Kay & Brother, 1887.

- *A Digest of the Laws of Pennsylvania, from One Thousand Eight Hundred and Eighty-Nine to One Thousand Eight Hundred and Ninety-One, Supplementary to the Eleventh Edition of Brightly's Purdon's Digest, and Completing It to the Present Time.* Part II. Philadelphia: Kay & Brother, 1891. The pagination is continued from part I.
- *A Digest of the Statute Law of the State of Pennsylvania from the Year 1700 to 1894.* 12th ed. Philadelphia: Kay & Brother, 1894. 2 vols. "Brightly's Purdon's Digest" appears at the top of the title page.
- *A Digest of the Laws of Pennsylvania for the Session of 1895. Supplementary to the Twelfth Edition of Brightly's Purdon's Digest, and Completing It to the Present Time.* Philadelphia: Kay & Brother, 1895. At the top of the page is "Brightly's Purdon's Digest." The pagination was continuous with the main volumes, with pages from 2507 to 2705.

- *A Digest of the Laws of Pennsylvania for the Session of 1897. A Second Supplementary to the Twelfth Edition of Brightly's Purdon's Digest, and Completing It to the Present Time.* Philadelphia: Kay & Brother, 1897. The pagination was continued from the 1895 edition, from pages 2707 to 2924.
- *Brightly's Digest of Laws: A Digest of the Laws of Pennsylvania from 1893 to 1903 Inclusive.* Philadelphia: R. Welsh & Co., 1903. "This volume, in connection with the 12th edition of *Brightly's Purdon's digest of laws*, makes a complete digest of the statute law of the state of Pennsylvania from 1700 to 1903, inclusive."

Stewart, Ardemus. *A Digest of the Statute Law of the State of Pennsylvania from the Year 1700 to 1903 (with the Laws of 1905 in the Appendix).* Philadelphia: George T. Bisel Co., 1905-1910. 4 vols. The four volumes total 5,194 pages. At the top of the page is "Stewart's Purdon's Digest."

Watts, Ernest. *Supplement to Stewart's Purdon's Digest: A Digest of the Statute Law of the State of Pennsylvania for the Years 1905 to 1909.* Philadelphia: George T. Bisel Co., 1910. Supplement to the 13th ed. The pagination continues from the original four volumes, covering from pages 5,195 to 6,934.

A Digest of the Statute Law of the State of Pennsylvania for the Year 1911, with Cumulative Notes and Annotations to the Earlier Laws and Decisions Thereunder in Volumes 1-5 Compiled and Annotated by the Publisher's Editorial Staff. Philadelphia: George T. Bisel Co., 1912. At head of title is "Cumulative Supplement to Purdon's digest." Supplements 13th ed.

A Digest of the Statute Law of the State of Pennsylvania for the Years 1905 to 1915. Thirteenth Edition with Cumulative Notes and Annotations to the Earlier Laws and Decisions Thereunder in Volumes 1-4 Compiled and Annotated by the Publisher's Editorial Staff. Philadelphia: George T. Bisel Co., 1916. Volume 1 of the supplement has volume 5 on its spine; volume 2 of the supplement is the equivalent of volume 6; and volume 3 of the supplement is volume 7 of the set. The complete set contains 8,503 pages. At head of title is "Cumulative Supplement to Purdon's Digest."

A Digest of the Statute Law of the State of Pennsylvania for the Years 1917 to 1921. Thirteenth Edition with Cumulative Notes and

Annotations to the Earlier Laws and Decisions Thereunder in Volumes 1-7 Compiled and Annotated by the Publisher's Editorial Staff. Volume 4 of Supplement—Volume 8 of the Set. Philadelphia: George T. Bisel Co., 1923. At the top of the page is "Supplement to Purdon's Digest." In this volume, the editors comment in the preface that many laws have been abrogated or materially amended or laws covering new topics had been enacted, including the common school code, the decedents' estates code, the insurance code, the township code, and the laws relating to elections, fraudulent conveyances, limited partnerships, municipal corporations, tax liens, and workmen's compensation. Laws amended, repealed, or supplemented are found in the footnotes, while the table of statutes is cumulative from 1698 to 1921 rather than just covering the 1917 to 1921 legislatures.

Pennsylvania Statute Law—1920 (Complete). St. Paul: West Publishing Co., *Purdon's Pennsylvania Statutes Annotated [Permanent Ed.]*. 14th ed. Philadelphia: George T. Bisel Co.; St. Paul: West Publishing Co., 1930-. First published as *An Abridgement of the Laws of Pennsylvania*.

Purdon's Pennsylvania Statutes 1936 Compact Edition Containing All the Laws of the General Assembly of the Commonwealth of Pennsylvania of a General and Permanent Nature in Force January 1, 1936, with Complete Index. Philadelphia: George T. Bisel Co.; Newark: Soney & Sage Co.; St. Paul: West Publishing Co., 1936.

VI. Other Digests

Roberts, Samuel. *A Digest of Select British Statutes, Comprising Those Which According to the Report of the Judges of the Supreme Court Made to the Legislature, Appear to Be in Force in Pennsylvania, with Some Others, with Notes and Illustrations*, Pittsburgh: Robert Ferguson & Co., 1817. The volume begins with the Magna Carta and then is arranged by topic: account, alien, amendment, appeal, arbitration, bail, bastard, bill of exceptions, conspiracy, coroner, damages and costs, disseisin and writs of entry and assize, distress, dower, essoin, estate tail, estates for life and years, execution, executors and administrators, fines, forcible entry and detainer, fraud, gaol delivery, hue and cry, infancy and age, indictment, jury, justices of the

peace, land, larceny, mortgage, mortmain, nisi prius, perjury, pleas and pleadings, popular actions, promissory notes, quo warranto, records, sheriff, trial uses, trusts, voucher to warranty, waste, and writ of deceit. The appendix contained the statute of frauds and perjuries (29 ch. II, c. 3).

- *A Digest of Select British Statutes, Comprising Those Which, According to the Report of the Judges of the Supreme Court Made to the Legislature, Appear to Be in Force in Pennsylvania, with Some Others, with Notes and Illustrations.* 2d ed. Also on title page: "With additional notes and references to English and American decisions, giving construction to these statutes, down to the present time; and also the Report made by the judges of the Supreme Court to the Legislature, by Robert E. Wright, Esq., Counsellor at Law, of Allentown, Pa." Philadelphia: Kay & Brother; Pittsburgh: C. H. Kay, 1847.

Pepper, George W., and William D. Lewis. *A Digest of the Laws of Pennsylvania from 1700 to 1894 Together with the Constitution of the United States and of the State of Pennsylvania: Thoroughly Annotated by Notes and References to All the Decisions Bearing Thereon.* Philadelphia: T. & J. W. Johnson & Co., 1896. 2 vols. At the head of the title is "Pepper and Lewis' New Digest." The two volumes consisted of 4,856 pages of text, followed by a table of cases (pp. 4857 to 5040) and an index (pp. 5041-5844) (double-columned pages each separately numbered).

- *A Digest of Decisions and Encyclopaedia of Pennsylvania Law, 1754-1898.* Philadelphia: R. Welsh & Co., 1898-1906. 23 vols.
- *A Digest of the Laws of Pennsylvania from 1895 to 1897, Annotated by Notes and References to the Decisions Bearing Thereon: Together with Tables of the More Important Acts Cited and Construed in Cases Reported Since 1893, and of the Acts Amended or Repealed During 1895 and 1897, Being a Supplement to "Pepper and Lewis' Digest."* Philadelphia: T. & J. W. Johnson, 1898. The pages are double-columned, and each column has its own page number. The digest section finishes on page 640 and is followed by the table of cases, from pp. 641 to 814.

- *A Digest of the Laws of Pennsylvania from 1897 to 1901, Annotated by Notes and References to the Decisions Bearing Thereon, Together with Tables of the Sections of the Constitution and of Acts Cited and Construed in Cases Reported Since 1897, and the Acts Amended, Repealed, & c., During 1899 and 1901, Being a Supplement to "Pepper and Lewis' Digest."* Philadelphia: T. & J. W. Johnson & Co., 1903. This supplementary volume was compiled in the Biddle Memorial Library of the University of Pennsylvania. The pages are double-columned, and each column has its own page number. In this volume, the digest text continues the pagination from the previous volume. No introduction is given in the text of either volume.
- *A Digest of the Laws of Pennsylvania from 1700 to 1907: The Constitution of the United States and the Constitution of Pennsylvania, with Notes and References to the Decisions Bearing Thereon and a Chronological Table of Acts 1683 to 1907.* 2d ed. Philadelphia: T. & J. W. Johnson Co., 1910. 4 vols. At head of title page is "Pepper and Lewis's Digest." The following information is derived from the preface to the second edition (pp. iii-iv). Volume 1 covered topics A-C; volume 2 covered D-L; volume 3 covered M-Y; volume 4 covered tables of acts, 1683-1907, table of cases, and index. The three volumes of text have 7,603 double-columned pages.

APPENDIX 2

PENNSYLVANIA ARCHIVES SERIES

The Commonwealth has published a variety of primary records and secondary materials dealing with the history of the Commonwealth. The following information is reprinted from *Index to Pennsylvania Archives* (19):

1. *Colonial Records*. 16 vols. Harrisburg: 1838-1853. Sixteen volumes containing the minutes of the Provincial Council, 1683-1775, in volumes I-X; those of the Council of Safety (and of the Committee on Safety), 1775-1777, in X and XI; and those of the Supreme Executive Council, 1777-1790, in XI-XVI. These were printed directly from the manuscript books with no editing apparent.

2. *Pennsylvania Archives [1st Series]*. Ed. by Samuel Hazard. 12 vols. Harrisburg: 1852-1856. These twelve volumes reproduce papers selected chiefly from the files of the office of the Secretary of the Commonwealth, printed in chronological order to parallel and supplement Colonial Records. The earliest manuscripts are dated 1664 and the latest 1790.

3. *Pennsylvania Archives, Second Series*. Eds. John B. Linn and William Henry Egle. 19 vols. Harrisburg: 1874-1890. In its nineteen volumes, this series contains varied and diverse materials; militia rolls and church records are prominent, but there are also the minutes of the Board of War and those of the Navy Board, both of 1777, and much on the Wyoming Controversy with Connecticut and the Whiskey Insurrection.

4. *Pennsylvania Archives, Third Series*. Ed. Dr. Egle; George Edward Reed, vols. 27-30. 30 vols. Harrisburg: 1895-1899. The first twenty-six volumes of this series resemble closely those of the Second Series, while the last four volumes consist of an index to the sixteen volumes immediately preceding. Filled for the most part with militia rolls and lists of land warrantees and taxables, this series does contain some materials of a more general nature, such as a discussion of Virginia's claims to western Pennsylvania, and an account of the donation Lands.

5. *Pennsylvania Archives, Fourth Series*. Ed. George Edward Reed. 12 vols. Harrisburg: 1900-1902. This series collects the addresses, messages, proclamations, and a very few other Papers of Pennsylvania's Governors, 1681-1902, with brief biographies and portraits but with a minimum of documentation.

6. *Pennsylvania Archives, Fifth Series*. Ed. Thomas Lynch Montgomery. 8 vols. Harrisburg: 1906. This series contains muster rolls and other military lists, chiefly of the provincial and revolutionary period, some reprinted with greater accuracy and neatness from the Second and Third Series, and certain of the others taken from sources outside official custody.

7. *Pennsylvania Archives, Sixth Series*. Ed. Thomas Lynch Montgomery. 15 vols. Harrisburg: 1906-1907. For fourteen volumes this series continues the printing of military rolls, covering chiefly the period from the Revolution to the War of 1812, including militia rolls for the years of peace, with some mate-

rial as late as the Mexican War. There are also a few orderly books, military accounts for the 1812 period, and some papers non-military in nature, notably church records of marriages and baptisms, inventories of estates confiscated during the Revolution, and scattered eighteenth-century election returns.

8. *Pennsylvania Archives, Seventh Series*. The five volumes of this series consist exclusively of an index to the more than one million names found in the first fourteen volumes of the Sixth Series. The Seventh Series was intended to include in additional volumes the Executive Minutes, which were later printed in the Ninth Series.

9. *Pennsylvania Archives, Eighth Series*. In eight volumes, this series reprints the eighteenth-century edition of Votes and Proceedings of the House of Representatives of the Province of Pennsylvania, 1682-1776. The first five volumes bear the name of Gertrude MacKinney as editor, and the last three volumes the name of Dr. Charles F. Hoban. Issued 1931-1935.

10. *Pennsylvania Archives, Ninth Series*. In ten volumes, this series prints the contents of fifteen manuscript volumes of Executive Minutes, a journal of official actions of Pennsylvania's governors for the period 1790-1838. This series continues *Colonial Records* and supplements the Fourth Series for the effective period of the Constitution of 1790. Bears the name of Gertrude MacKinney as Editor. Issued 1931-1935.

APPENDIX 3 ¹⁷

SESSION LAWS OF PENNSYLVANIA GENERAL ASSEMBLY

1682	Dec	Sess—1710 Feb Sess
1711	Oct	Sess (Not found)
1711	Dec	Sess (Not found)
1712	Apr	Sess (Not found)
1712	Oct	Sess—1712/13 Feb. Sess (No acts passed)
1712/13	Mar	Sess (Not found)
1712/13	Mar	Sess (Dallas Reprint)
1712/13	Mar	Sess (Hall & Sellers)
1713	Sept	Sess—1715 May 16 Sess (No acts passed)

17. This information derives from *Pimsleur's Checklists of Basic American Legal Publications* (AALL Pub. Ser. No. 4).

1715	May	23 Sess	(Not found)
1715	May	23 Sess	(Dallas Reprint)
1715	May	23 Sess	(Miller)
1715	May	23 Sess	
1715	June	Sess—1715 Oct 14 Sess	(No acts passed)
1715	Oct	Sess	(MSS)
1716	May	Sess—1717 May Sess	(No acts passed)
1717	Aug	Sess	(MSS)
1717	Oct	Sess	(MSS)
1717	Oct	Sess—1717/18 Jan Sess	(No acts passed)
1715	Oct 24	Sess	
1717	Aug	Sess	
1717/18	Feb	Sess	
1718	May 5,19,28	Sess	
1718	Sept.	Sess—1718/19 Jan Sess	(No acts passed)
1719	April	Sess 1 act	(Not found)
1719	May	Sess—1719/20 Jan Sess	(No acts passed)
1720	Feb	Sess	(Not found)
1720	May	Sess—1720/21 Jan Sess	
1720/21	Feb	Sess	(Not found)
1720/21	Feb	Sess	(Dallas Reprint)
1720/21	Feb	Sess	(Miller)
1721	Aug	Sess	(Not found)
1721	Aug	Sess	(Dallas Reprint)
1721	Oct	Sess	(MSS)
1721	Oct	Sess—1721/22 Feb 26 Sess	(No acts passed)
1722	Apr	Sess	
1722	July	Sess—1722/23 Jan Sess	(No acts passed)
1722	Mar	Sess	
1722/23	Feb	Sess	
1722/23	Mar	Sess	
1723	May	Sess	
1723	Oct	Sess—1723 Nov 4 Sess	(No acts passed)
1723	Nov 18	Sess	
1724	April	Sess	(Not found)
1724	Aug	Sess—1724/25 Mar 1 Sess	(No acts passed)
1724/25	Mar 14	Sess	
1725	Aug	Sess	(Not found)
1725	Oct	Sess—1725/26 Jan Sess	(No acts passed)

1725/26	Feb	Sess	(Not found)
1726	May	Sess—1727 Mar Sess	(No acts passed)
1727	Apr	Sess	(In 1728 Revision)
1727	Aug 7	Sess—1728/29 Mar Sess	(No acts passed)
1729	Apr	Sess	(Not found)
1729	Apr	Sess	(Dallas Reprint)
1729	Apr	Sess	(Carey & Bioren)
1729	Aug 11	Sess—1729 Oct Sess	(No acts passed)
1729/30	Jan	Sess	(Not found)
1729/30	Jan	Sess (Reprint B Franklin 1734)	(Not found)
1730	Aug	Sess	(Not found)
1730	Aug	Sess	(Franklin & Meredith)
1730	Oct	Sess	(No acts passed)
1730/31	Jan	Sess	
1731	Aug	Sess	(No acts passed)
1731	Oct	Sess	
1731/32	Jan	Sess	(Not found)
1732	July	Sess	
1732	Oct	Sess—1733 Oct Sess	(No acts passed)
1733	Dec	Sess	
1734	Aug	Sess	(Not found)
1734	Oct	Sess-1734/35 Jan Sess	(No acts passed)
1734/35	Mar	Sess	
1735	June	Sess (1 Private Act)	(Not found)
1735	Sept	Sess— 1735 Oct Sess	(No acts passed)
1735/36	Jan	Sess	(Not found)
1736	Aug	Sess—1737 Oct Sess	(No acts passed)
1738	Aug	Sess	(Not found)
1738	Oct	Sess—1738/39 Jan sess	(No acts passed)
1739	May	Sess	
1739	Aug	Sess—1742 Oct Sess	(No acts passed)
1742/43	Jan	Sess	(In 1742 Revision)
1743	May	Sess—1743 Nov Sess	(No acts passed)
1744	May	Sess	
1744	July	Sess	(No acts passed)
1744	Oct	Sess	
1744/45	Jan	Sess—1745/46 Jan Sess	(No acts passed)
1745/46	Feb	Sess	
1746	May	Sess	(No acts passed)

1746	June	Sess
1746	Aug	Sess—1746/47 Jan Sess (No acts passed)
1747	May	Sess
1747	May	Sess (Reprint Statute Law Book Co.)
1747	Aug	Sess—1748 Now Sess (No acts passed)
1748/49	Jan	Sess
1749	Aug	Sess
1749	Aug	Sess (Not found)
1749	Oct	Sess—1749 Now Sess (No acts passed)
1749/50	Jan	Sess
1750	Aug	Sess
1750	Oct	Sess (No acts passed)
1750/51	Jan	Sess
1751	Aug	Sess
1751	Oct	Sess (No acts passed)
1752	Feb	Sess
1752	Aug	Sess
1752	Oct	Sess-1754 Dec Sess (No acts passed)
1755	Mar	Sess
1755	May	Sess (No acts passed)
1755	June	Sess
1755	July	Sess
1755	Sept	Sess
1755	Oct	Sess (No acts passed)
1755	Nov	Sess
1756	Feb	Sess
1756	Apr	Sess
1756	May 10	Sess
1756	May 24	Sess—1756 July Sess (No acts passed)
1756	Aug	Sess
1756	Oct	Sess
1756	Nov	Sess
1757	Jan	Sess
1757	May	Sess
1757	Aug	Sess
1757	Sept	Sess (Not found)
1757	Oct	Sess (Not found)
1758	Jan	Sess
1758	Apr	Sess
1758	Sept	Sess

1758	Oct	Sess—1758 Dec Sess (No acts passed)
1759	Feb 5	Sess
1759	May	Sess (sic Feb 26?)
1759	July	Sess (Not found)
1759	Aug	Sess (No acts passed)
1759	Sept	Sess
1759	Oct	Sess
1759	Nov	Sess—1759 Dec Sess (No acts passed)
1760	Feb	Sess
1760	Sept	Sess—1760 Jan 5 Sess (No acts passed)
1761	Jan 26	Sess
1761	Apr	Sess
1761	Sept	Sess
1761	Oct	Sess (No acts passed)
1762	Jan	Sess
1762	Mar	Sess
1762	May	Sess
1762	Sept 6	Sess—1762 Oct Sess (No acts passed)
1763	Jan	Sess
1763	Mar	Sess
1763	July	Sess
1763	Sept	Sess
1763	Oct	Sess (Not found)
1763	Dec	Sess (No acts passed)
1764	Jan	Sess
1764	May	Sess
1764	Sept	Sess
1764	Oct	Sess (No acts passed)
1765	Jan	Sess
1765	May	Sess
1765	Sept	Sess
1765	Oct	Sess (No acts passed)
1766	Jan	Sess
1766	May	Sess—1766 June Sess (No acts passed)
1766	Sept	Sess
1766	Oct	Sess (No acts passed)
1767	Jan	Sess
1767	May	Sess (Goddard)

1765	May	Sess	(Not found)
1767	Sept	Sess	(Goddard)(Not found)
1767	Sept	Sess	(Hall & Sellers)
1767	Oct	Sess	(No acts passed)
1768	Jan	Sess	(Goddard)(Not found)
1768	Feb	Sess	(Hall & Sellers)
1768	May	Sess	(No acts passed)
1768	Oct	Sess	folio (Henry Miller)
1769	Jan	Sess	(Hall & Sellers)
1769	Jan	Sess	(Miller)(Not found)
1769	May	Sess	(Hall & Sellers)
1769	May	Sess	(Miller)(Not found)
1769	Sept	Sess	(Goddard)(Not found)
1769	Sept	Sess	(Hall & Sellers)(Not found)
1769	Oct	Sess	(No acts passed)
1770	Jan	Sess	
1770	May	Sess	(Not found)
1770	Sept	Sess	(Not found)
1770	Oct	Sess	(No acts passed)
1771	Jan	Sess	
1771	Sept	Sess	(Not found)
1771	Oct	Sess	(No acts passed)
1772	Jan	Sess	(Not found)
1772	May	Sess	(No acts passed)
1772	Sept	Sess	(Not found)
1772	Oct	Sess	(No acts passed)
1773	Jan	Sess	
1773	Sept	Sess	(Not found)
1773	Oct	Sess	(No acts passed)
1773/74	Nov	Sess	(Not found)
1774	July	Sess	(Not found)
1774	Sept	Sess	(Not found)
1774	Oct	Sess-1774	Dec. Sess (No acts passed)
1775	May	Sess	(No acts passed)
1775	June	Sess	(Not found)
1775	Sept	Sess	(Not found)
1775	Oct	Sess	(Not found)
1776	Feb	Sess	(Not found)

1776	May	Sess—1776 Sept Sess (No acts passed)
1776	Nov	1st Ass'y 1st Sit
1776	Nov	1st Ass'y 1st Sit
1776/77	Nov	1st Ass'y 1st Sit (Reprint Dunlap 1789)
1777	May	1st Ass'y 2d Sit (Reprint Dunlap 1789)
1777	May	1st Ass'y 2d Sit
1777	May	1st Ass'y 2d Sit (Not found)
1777	Sept	1st Ass'y 2d Sit (Not found)
1777	Sept	1st Ass'y 3d Sit
1777/8	Oct	2d Ass'y 1st Sit
1778	Feb	2d Ass'y 2d Sit
1778	May	2d Ass'y 3d Sit
1778	Aug	2d Ass'y 4th Sit
1778	Oct	3d Ass'y 1st Sit
1779	Feb	3d Ass'y 2d Sit
1779	Aug	3d Ass'y 3d Sit
1779/80	Oct	4th Ass'y 2d Sit
1780	Jan	4th Ass'y 2d Sit
1780	May	4th Ass'y 3d Sit
1780	Sept	4th Ass'y 4th Sit
1780	Oct	5th Ass'y 1st Sit
1781	Feb	5th Ass'y 2d Sit (Not found)
1781	May	5th Ass'y 3d Sit
1781	Sept	5th Ass'y 4th Sit
1781	Oct	6th Ass'y 1st Sit
1782	Feb	6th Ass'y 1st Sit
1782	Aug	6th Ass'y 3d Sit
1782	Oct	7th Ass'y 1st Sit
1783	Jan	7th Ass'y 2d Sit (sic 183)
1783	Aug	7th Ass'y 3d Sit
1783	Oct	8th Ass'y 1st Sit
1784	Jan	8th Ass'y 2d Sit
1784	July	8th Ass'y 3d Sit
1784	Oct	9th Ass'y 1st Sit
1785	Feb	9th Ass'y 2d Sit
1785	Aug	9th Ass'y 3d Sit
1785	Oct	10th Ass'y 1st Sit
1786	Feb	10th Ass'y 2d Sit

1786	Aug	10th Ass'y 3d Sit
1786	Oct	11th Ass'y 1st Sit
1787	Feb	11th Ass'y 2d Sit
1787	Sept	11th Ass'y 3d Sit
1787	Oct	12th Ass'y 1st Sit
1788	Feb	12th Ass'y 2d Sit
1788	Sept	12th Ass'y 3d Sit
1788	Oct	13th Ass'y 1st Sit
1789	Feb	13th Ass'y 2d Sit
1789	Aug	13th Ass'y 3d Sit
1789	Oct	14th Ass'y 1st Sit
1790	Feb	14th Ass'y 2d Sit
1790	Aug	14th Ass'y 3d Sit (No acts passed)
1790	Dec	15th Ass'y Reg Sess
1791	Aug	16th (sic 15th) Ass'y Ext Sess
1791	Dec	16th Ass'y Reg Sess
1792	Dec	17th Ass'y Reg sess
1793	Aug	18th (sic 17th) Ass'y Ext Sess
1793	Dec	18th Ass'y Reg Sess
1794	Sept	19th (sic 18th) Ass'y Ext Sess
1794	Dec	19th Ass'y
1795	Dec	20th Ass'y
1796	Dec	21st Ass'y
1797	Aug	27th (sic 21st) Ass'y Ext Sess
1797	Dec	22d Ass'y
1798	dec	23d Ass'y
1799	Dec	24th Ass'y
1800	Nov	24th Ass'y Ext Sess
1800	Dec	25th Ass'y Reg Sess
1801	Dec	26th Ass'y
1802	Dec	27th Ass'y (Vol 5 Thompson)
1803	Dec	28th Ass'y (Vol 6 Thompson)
1804/05	Dec	29th Ass'y (Vol 7 Thompson)
1805/06	Dec	30th Ass'y (Vol 7 Thompson)
1806/07	Dec	31st Ass'y (Vol 8 Thompson)
1807/08	Dec	32d Ass'y (Vol 8 Thompson)
1808	Dec	33d Ass'y
1809	Dec	34th Ass'y

1810	Dec	35th Ass'y
1811	Dec	36th Ass'y
1812	Dec	37th Ass'y
1812 (sic 1813)	Dec	38th Ass'y
1814	Dec	39th Ass'y
1815	Dec	40th Ass'y
1816	Dec	41st Ass'y
1817	Dec	42d Ass'y
1818	Dec	43d Ass'y
1819	Dec	44th Ass'y
1820	Dec	45th Ass'y
1821	Dec	46th Ass'y
1822	Dec	47th Ass'y
1823	Dec	48th Ass'y
1824	Dec	49th Ass'y
1825	Dec	50th Ass'y
1826	Dec	51st Ass'y
1827	Dec	52d Ass'y
1828	Dec	53d Ass'y
1829	Nov	53d Ass'y Ext Sess
1829	Dec	54th Ass'y
1830	Dec	55th Ass'y
1831	Dec	56th Ass'y
1832	Dec	57th Ass'y
1833	Dec	58th Ass'y
1834	Dec	59th Ass'y
1835	Dec	60th Ass'y
1836	Dec	61st Ass'y
1836	Dec	61st Ass'y (Ger)
1837	Dec	62d Ass'y
1838	Dec	
1838	Dec	(Ger)
1838/39	Dec	Omitted Laws
1840	Jan	
18838/39	Dec	Omitted Laws
1840	Jan	(Ger)
1841	Jan	
1842	Jan	

1843	Jan	
1843	Jan	(Ger)
1844		
1845		
1846		
1847		
1848		
1848	Jan	(Ger) (Not found)
1849		
1850		
1851		
1852		
1853		
1854		
1855		
1856		
1857		
1859		
1860		
1861		
1862		
1863		
1864		
1865		
1866		
1867		
1868		
1869		
1870		
1871		
1872		
1873		
1874		
1875		
1876	Jan	General Laws
1877	Jan	
1876	June 7 — 1877	May 1
1878	Jan	

1879	Jan	
1878	July 1 — 1879	July 1
1879		
1881	Jan	
1883	Jan	
1883	June	Ext Sess
1885	Jan	
1887	Jan	
1889	Jan	
1891	Jan	
1891	Jan	
1893	Jan	
1895	Jan	
1897	Jan	
1899	Jan	
1901	Jan	
1903	Jan	
1905	Jan	
1906	Jan	Ext Sess
1907	Jan	
1909	Jan	
1911	Jan	
1911	Jan	Approp Acts
1913	Jan	
1915	Jan	
1915	Jan	Approp Acts
1917	Jan	
1917	Jan	Approp Acts
1919	Jan	
1919	Jan	Approp Acts
1921	Jan	
1921	Jan	Approp Acts
1923	Jan	
1923	Jan	Approp Acts
1925	Jan	
1925	Jan	Approp Acts
1926	Jan	Ext Sess
1927	Jan	

1927	Jan	Approp Acts
1929	Jan	
1929	Jan	Approp Acts
1931	Jan	
1931	Nov	Ext
1931	Jan	Approp Acts
1932	June	Ext Sess
1933	Jan	
1933	Jan	Approp Acts
1933	Nov	Ext Sess
1933		Vetoed by the Governor
1934	Sept	Ext Sess
1935		vetoed by the Governor
1935	Jan	Approp Acts
1936	May	Ext Sess
1936	Dec	2d Ext Sess
1937	Jan	
1937	Jan	Approp Acts
1938	July	Ext Sess
1939	Jan	
1939	Jan	Approp Acts
1940	May	Ext Sess
1941	Jan	
1941	Jan	Approp Acts
1942	Feb	Ext Sess
1943	Jan	Approp Acts
1944	May	Ext Sess
1945	Jan	
1945	Jan	Approp Acts
1947	Jan	
1947	Jan	Approp Acts
1949	Jan	
1949	Jan	Approp Acts
1951	Jan	
1951	Jan	Approp Acts
1953	Jan	
1953	Jan	Approp Acts
1955	Jan	

1955	Jan	Approp Acts
1957	Jan	
1957	Jan	Approp Acts
1959	Jan	
1959	Jan	Approp Acts
1961	Jan	
1962	Jan	2d Reg Sess
1962	Jan	2d Ext Sess
1963	Jan	Reg Sess
1963	Nov	Ext Sess
1964	Feb	Ext Sess
1965	Jan	Reg Sess
1966	Jan	Reg Sess
1966	Feb	1st Ext Sess
1966	Mar	2d Ext Sess
1966	Apr	3rd Ext Sess
1966	Jan	Approp Acts
1967	Jan	Reg Sess
1968	Jan	Reg Sess
1969	Jan	Reg Sess
1969	Jan	Approp Acts
1970	Jan	Reg Sess
1971	Jan	Reg Sess
1972	Jan	Reg Sess
1972	Aug	Spec & Ext Sess
1972	Oct	2d Spec Sess
1973	Jan	Reg Sess
1974	Jan	Reg Sess
1975	Jan	Reg Sess
1976	Jan	Reg Sess
1977	Jan	Reg Sess

1978	Jan	Reg Sess
1979	Jan	Reg Sess
1980	Jan	Reg Sess
1981	Jan	Reg Sess
1982	Jan	Reg Sess
1983	Jan	Reg Sess
1984	Jan	Reg Sess
1985	Jan	Reg Sess
1986	Jan	Reg Sess
1987	Jan	Reg Sess
1988	Jan	Reg Sess
1989	Jan	Reg Sess
1990	Jan	Reg Sess
1991	Jan	Reg Sess
1992	Jan	Reg Sess
1993	Jan	Reg Sess
1993	Aug	Spec Sess
1994	Jan	Reg Sess
1995	Jan	Special Sess
1995	Jan	Reg Sess
1995	Jan	Spec Sess
1996	Jan	Reg Sess
1996	March	Spec Sess
1997	Jan	Reg Sess
1998	Jan	Reg Sess
1999	Jan	Reg Session
2000	Jan	Reg Session
2001	Jan.	Reg Sess
2002	Jan.	Reg Sess
2002	Jan.	Spec Sess
2003	Jan.	Reg Sess
2004	Jan	Reg Sess
2005	Jan	Reg Sess
2005	Jan	Spec Sess
2006	Jan	Reg Sess
2006	Jan.	Spec Sess
2007	Jan	Reg Sess

APPENDIX 4

ARTICLES IN PURDON'S STATUTES

A. Title Arrangement

Overall Consolidation Project

Clark, William H., Jr. "Introduction to the Pennsylvania Consolidated Statutes." Title 1-3 (Purdon's, 1995), pp. 4-29.

TITLE 12

Anderson, Ronald A. "Notice in Civil Actions in Pennsylvania." Title 12, §§1-410 (Purdon's, 1953), pp. xv-xxvi.

Anderson, Ronald A. "Repositories of Pennsylvania Civil Practice." Title 12A, §§2711-end (Purdon's, 1951), pp. xvxxxvi; 12 P.S. App. (Purdon's 1967), pp. xv-xxxv.

Levin, A. Leo. "Declaratory Judgments in Pennsylvania." Title 12, §§731-1220 (Purdon's, 1953), pp. xv-xxxvii.

Reader, F. Eugene. "Suits Against Corporations." Title 12, §§1221-1820 (Purdon's, 1953), pp. 1-14.

TITLE 12A

Dechart, Robert and Brennan, John J. "The Pennsylvania Uniform Commercial Code." Title 12A, §§1-101-3-806 (Purdon's, 1954), pp. xxxiii-lxxi; 12A P.S. (Purdon's, 1970), pp. xxxiii-lxiii.

TITLE 15

Zeiter, William E. "Foreword to Title 15, Corporations and Unincorporated Associations." Title 13-15, §§1-3000 (Purdon's, 1967), pp. 53-137; *id.*, (Purdon's, 1994 Supp. Pamphlet), pp. [59]-[177].

Pennsylvania Bar Association. Section on Corporation, Banking and Business Law. Title 15 Subcommittee of the Committee on Business Associations, "Highlights of the General Association Act of 1988 S.B. 1200 (P.N. 2515)," Title 15 Corporations and Unincorporated Associations (Purdon's, 1994 Supp. Pamphlet), pp. [15]-[50].

TITLE 16

Glidden, Burt R. "Counties." Title 16, §§1-3100 (Purdon's, 1956), pp. 1-16.

TITLE 21

Wood, P. Nicholson. "Deeds of Conveyance in Pennsylvania." Title 21-23 (Purdon's, 1955), pp. 1-39.

TITLE 23

Teitelbaum, Hubert I. "The Pennsylvania Divorce Law." Title 21-23 (Purdon's, 1955), pp. 343-360.

TITLE 26

Lewis, Phil H. "Eminent Domain in Pennsylvania." Title 26-29 (Purdon's, 1958), pp. 1-34.

TITLE 40

Reuschlein, Gill and Deasy, John A. "Statutory Regulation of Insurers in Pennsylvania." Title 40-41 (Purdon's, 1954), pp.1-20; 40 P.S. (Purdon's, 1971), pp. xxi-xlii.

TITLE 42

Clark, William Jr. "Introduction to the Pennsylvania Consolidated Statutes." Title 1-6 (Purdon's, 1994 Suppl. Pamphlet), pp. 4-27.

Pennsylvania Bar Association. "Pennsylvania Bar Association Judicial Code Explanation." Title 42 Pa.C.S.A. (Purdon's, 1981), pp. xi-xxxii.

TITLE 46

Schulz, William Frederick, Jr. and Stahl, David. "The Enactment and Construction of Statutes in Pennsylvania." Title 46-47 (Purdon's, 1952), pp. 1-42.

TITLE 52

Bane, John C., Jr, Helwig, Gilbert J., McConomy, James H., Banks, Robert F. "Safety and Management Problems in Mine Operations in Pennsylvania." Title 52 (Purdon's, 1966), pp. xv-xxxiii.

Foster, William. "Safety and Labor Problems in Mining Operations in Pennsylvania." Title 52 (Purdon's, 1954), pp. 1-16.

TITLE 53

Hancock, William R. "Pennsylvania Local Government." Title 53, §§1-3500 (Purdon's, 1957), pp. 43-66.

TITLE 73

Hawkland, William D. "The Pennsylvania Unfair Sales and Unfair Cigarette Sales Act." Title 73-75 (Purdon's, 1960), p. 1-29; 73 P.S. (Purdon's, 1971), pp. 1-24.

TITLE 75

Walnut, T. Henry and Temin, Henry. "Foreword to the Pennsylvania Vehicle Code." Title 73-75, §§1-800 (Purdon's, 1960), pp. 279-315.

TITLE 77

Knoll, Leo G. "Forward [Workmen's Compensation]." Title 77, §§1-1700 (Purdon's, 1952), pp. ix-xxiv.

B. Author Arrangement

Anderson, Ronald A. "Notice in Civil Actions in Pennsylvania." Title 12, §§1-410 (Purdon's, 1953), pp. xv-xxvi.

Anderson, Ronald A. "Repositories of Pennsylvania Civil Practice." Title 12A, §§2711-end (Purdon's, 1951), pp. xvxxxvi; 12 P.S. App. (Purdon's 1967), pp. xv-xxxv.

Bane, John C., Jr, Helwig, Gilbert J., McConomy, James H., Banks, Robert F. "Safety and Management Problems in Mine Operations in Pennsylvania." Title 52 (Purdon's, 1966), pp. xv-xxxiii.

Clark, William H., Jr. "Introduction to the Pennsylvania Consolidated Statutes." Title 1-3 (Purdon's, 1995), pp. 4-29.

Dechart, Robert and Brennan, John J. "The Pennsylvania Uniform Commercial Code." Title 12A, §§1-101-3-806 (Purdon's, 1954), pp. xxxiii-lxxi; 12A P.S. (Purdon's, 1970), pp. xxxiii-lxiii.

Foster, William. "Safety and Labor Problems in Mining Operations in Pennsylvania." Title 52 (Purdon's, 1954), pp. 1-16.

Glidden, Burt R. "Counties." Title 16, §§1-3100 (Purdon's, 1956), pp. 1-16.

Hancock, William R. "Pennsylvania Local Government." Title 53, §§1-3500 (Purdon's, 1957), pp. 43-66.

Hawkland, William D. "The Pennsylvania Unfair Sales and Unfair Cigarette Sales Act." Title 73-75 (Purdon's, 1960), p. 1-29; 73 P.S. (Purdon's, 1971), pp. 1-24.

Knoll, Leo G. "Forward [Workmen's Compensation]." Title 77, §§1-1700 (Purdon's, 1952), pp. ix-xxiv.

Levin, A. Leo. "Declaratory Judgments in Pennsylvania." Title 12, §§731-1220 (Purdon's, 1953), pp. xv-xxxvii.

Lewis, Phil H. "Eminent Domain in Pennsylvania." Title 26-29 (Purdon's, 1958), pp. 1-34.

Pennsylvania Bar Association. "Pennsylvania Bar Association Judicial Code Explanation." Title 42 Pa.C.S.A. (Purdon's, 1981), pp. xi-xxxii.

Reader, F. Eugene. "Suits Against Corporations." Title 12, §§1221-1820 (Purdon's, 1953), pp. 1-14.

Reuschlein, Gill and Deasy, John A. "Statutory Regulation of Insurers in Pennsylvania." Title 40-41 (Purdon's, 1954), pp. 1-20; 40 P.S. (Purdon's, 1971), pp. xxi-xlii.

Schulz, William Frederick, Jr. and Stahl, David. "The Enactment and Construction of Statutes in Pennsylvania." Title 46-47 (Purdon's, 1952), pp. 1-42.

Teitelbaum, Hubert I. "The Pennsylvania Divorce Law." Title 21-23 (Purdon's, 1955), pp. 343-360.

Walnut, T. Henry and Temin, Henry. "Foreword to the Pennsylvania Vehicle Code." Title 73-75, section 1-800 (Purdon's, 1960), pp. 279-315.

Wood, P. Nicholson. "Deeds of Conveyance in Pennsylvania." Title 21-23 (Purdon's, 1955), pp. 1-39.

Zeiter, William. "Foreword to Title 15, Corporations and Unincorporated Associations." Title 13-15, section 1-3000 (Purdon's, 1967), pp. 53-137; *id.*, (Purdon's 1994 Supp. Pamphlet), pp. [59]-[177].

APPENDIX 5
Titles of Purdon's Pennsylvania Statutes and
Pennsylvania Consolidated Statutes

Title	<i>Purdon's Statutes</i>	<i>Consolidated Statutes</i>
1	Adoption [Repealed]	General Provisions
2	Aeronautics	Administrative Law and Procedure
3	Agriculture	Agriculture
4	Amusements	Amusements
5	Arbitration [Repealed]	Athletics and Sports
6	Bailees and Factors	Bailees and Factors
7	Banks and Banking	Banks and Banking
8	Bonds and Recognizances	Boroughs and Incorporated Towns
9	Burial Grounds	Burial Grounds
10	Charities and Welfare	Charities
11	Children	Cities
12	Civil and Equitable Remedies and Procedure [Repealed]	Commerce and Trade
12A	Uniform Commercial Code [Repealed]	Commercial Code
13	Constables	Commercial Code
14	Cooperative Associations	Community Affairs
15	Corporations and Unincorporated Associations	Corporations and Unincorporated Associations
16	Counties	Counties
17	Courts [Repealed]	Credit Unions
18	Crimes and Offenses [Repealed]	Crimes and Offenses
19	Criminal Procedure [Repealed]	(Reserved)
20	Decedents' and Trusts Estates [Repealed]	Decedents, Estates, and Fiduciaries
21	Deeds and Mortgages	(Reserved)
22	Detectives	Detectives and Private Police
23	Divorce	Domestic Relations
24	Education	Education
25	Elections and Electoral Districts	Elections

26	Eminent Domain	Eminent Domain
27	Escheats	Environmental Resources
28	Evidence and Witnesses [Repealed]	Escheats
29	Fences	Federal Relations
30	Fish [Repealed]	Fish
31	Food	Food
32	Forests, Waters and State Parks	Forests, Waters and State Parks
33	Frauds, Statute of	Frauds, Statute of
34	Game [Repealed]	Game
35	Health and Safety	Health and Safety
36	Highways and Bridges	Highways and Bridges
37	Hotels and Lodging Houses	Historical and Museums
38	Industrial Police	Holidays and Observances
39	Insolvency and Assignments	Insolvency and Assignments
40	Insurance	Insurance
41	Interest	(Reserved)
42	Justices of the Peace, Aldermen and Magistrates [Repealed]	Judiciary and Judicial Procedure
43	Labor	Labor
44	Legal Holidays and Observances	Law and Justice
45	Legal Notices and Advertisements	Legal Notices
46	Legislature and Statutes	Legislature
47	Liquor	Liquor
48	Marriage	Lodging and Housing
49	Mechanics' Liens	Mechanics' Liens
50	Mental Health	Mental Health
51	Military Affairs [Repealed]	Military Affairs
52	Mines and Mining	Mines and Mining
53	Municipal and Quasi-Municipal	Municipalities Generally
54	Names [Repealed]	Names
55	Navigation	(Reserved)
56	Negotiable Instruments	(Reserved)
57	Notaries Public	Notaries Republic

58	Oil and Gas	Oil and Gass
59	Partnerships	Reserved
60	Peddlers	Peddlers
61	Penal and Correctional Institutions	Penal and Correctional Institutions
62	Poor Persons and Public Welfare	Procurement
63	Professions and Occupations	Professions and Occupations
	<i>(State Licensed)</i>	<i>(State Licensed)</i>
64	Public Lands	Public Authorities and Quasi- Public Corporations
65	Public Officers	Public Officers
66	Public Service Companies [Repealed]	Public Utilities
67	Railroads, Railways and Canals	Public Welfare
68	Real and Personal Property	Real and Personal Property
69	Sales	Savings Associations
70	Securities	Securities
71	State Government	State Government
72	Taxation and Fiscal Affairs	Taxation and Fiscal Affairs
73	Trade and Commerce	Townships
74	United States	Transportation
75	Vehicles [Repealed]	Vehicles
76		
77	Workmen's Compensation	Workers' Compensation
78		
79	Supplemental Provisions	

APPENDIX 6

Codification Status of the Titles

Reprinted with permission, Lawrence G. Feinberg, *Codification Status of the Titles, The Legislative Process: Statutory Drafting, Regulatory Process & Update 223-25* (2007).

Title	Initial Enacting Legislation
1 General Provisions	November 25, 1970 (P.L.707, No.230)
2 Administrative Law and Procedure	April 28, 1978 (P.L.202, No. 53)
3 Agriculture ¹⁸	December 12, 1994 (P.L.903, No.131)
4 Amusements ¹⁹	July 5, 2004 (P.L.572, No. 71)
5 Athletics and Sports ²⁰	May 13, 1992 (P.L.180, No. 32)
6 Bailees and Factors	—
7 Banks and Banking	—
8 Boroughs and Incorporated Towns	—
9 Burial Grounds ²¹	November 15, 1972 (P.L.1063, No. 271)
10 Charities	—
11 Cities	—
12 Commerce and Trade ²²	December 3, 1993 (P.L.479, No.70)
13 Commercial Code	November 1, 1979
14 Community Affairs	

18. Agriculture consists of eight parts, of which five are codified.

19. Amusements consists of two parts, of which one is codified and one is unnamed.

20. Athletics and Sports is considered codified in part by the Legislative Reference Bureau.

21. Burial Grounds is considered codified in part by the Legislative Reference Bureau.

22. Commerce and Trade consists of three parts, of which two are codified in part and one is reserved.

15 Corporations and Unincorporated Associations	December 21, 1988 (P.L.1444, No.177)
16 Counties	—
17 Credit Unions	December 19, 1990 (P.L.834, No.198)
18 Crimes and Offenses	December 6, 1972 (P.L.1482, No.334)
19 [Reserved]	
20 Decedents, Estates and Fiduciaries	June 30, 1972 (P.L.508, No.164)
21 [Reserved]	
22 Detectives and Private Police ²³	November 15, 1972 (P.L.1063, No.271)
23 Domestic Relations	October 15, 1980 (P.L.934, No.163)
24 Education ²⁴	October 2, 1975 (P.L.298, No. 96)
25 Elections ²⁵	January 31, 2002 (P.L.18, No.3)
26 Eminent Domain	May 4, 2006 (P.L.____, No.34)
27 Environmental Resources ²⁶	December 15, 1999 (P.L.949, No. 220)
28 Escheats	—
29 Federal Relations	
30 Fish	October 16, 1980 (P.L.996, No.175)
31 Food	—
32 Forest, Waters and State Parks ²⁷	June 22, 1982 (P.L.577, No.167)
33 Statue of Frauds	—
34 Game	July 8, 1986 (P.L.442, No.93)
35 Health and Safety ²⁸	November 26, 1978 (P.L.1332, No.323)

-
23. Detectives and Private Police consists of four named chapters, of which two are codified and two are reserved.
24. Education consists of five named parts, one of which is completely codified, two are uncoded, and two are reserved.
25. Elections consists of nine parts, of which one is completely codified, two are partly codified.
26. Environmental Resources consists of seven named parts, of which five are codified in part and two are reserved.
27. Forest, Waters and State Parks consists of four parts, of which three are unnamed and one is codified in part.
28. Health and Safety consists of five parts, of which four are unnamed and one is codified.

36 Highways and Bridges	—
37 Historical and Museums	May 25, 1988 (P.L.414, No.72)
38 Holidays and Observances	—
39 Insolvency and Assignments	—
40 Insurance ²⁹	November 15, 1972 (P.L.1063, No.271)
41 [Reserved]	
42 Judiciary and Judicial Procedure	July 9, 1976 (P.L.586, No.142) April 28, 1978 (P.L.202, No.53)
43 Labor	—
44 Law and Justice ³⁰	November 30, 2004 (P.L.1428, No.185)
45 Legal Notices	July 9, 1976 (P.L.877, No.160)
46 Legislature	—
47 Liquor	—
48 Lodging and Housing	—
49 Mechanics' Liens	—
50 Mental Health	—
51 Military Affairs	August 1, 1975 (P.L.233, No.92)
52 Mines and Mining	—
53 Municipalities Generally ³¹	October 13, 1994 (P.L.596, No.90)
54 Names	December 16, 1982 (P.L.1309, No.295)
55 [Reserved]	
56 [Reserved]	
57 Notaries Public	—
58 Oil and Gas	—
59 Partnerships	Transferred to Title 15— December 21, 1988 (P.L.1444, No.177)
60 Peddlers	—
61 Penal and Correctional Institutions—	
62 Procurement	May 15, 1998 (P.L.358, No.57)
63 Professions and Occupations (State Liscensed)	
64 Public Authorities and Quasi-Public Corporations ³²	February 5, 2004 (P.L.7, No.3)

29. Insurance consists of three named parts, of which two are codified in part and one is reserved.

30. Law and Justice consists of two named parts, one of which is codified in part.

31. Municipalities Generally consists of seven parts, of which five are codified in part and two are unnamed.

32. Public Authorities and Quasi-Public corporations consists of three named parts, of which two are codified in part and one is reserved.

65 Public Officers ³³	October 15, 1998 (P.L.729, No.93)
66 Public Utilities	July 1, 1978 (P.L.598, No.116)
67 Public Welfare ³⁴	November 15, 1972 (P.L.1063, No.271)
68 Real and Personal Property ³⁵	July 2, 1980 (P.L.286, No.82)
69 Savings Associations	—
70 Securities	—
71 State Government ³⁶	March 1, 1974 (P.L.125, No.31)
72 Taxation and Fiscal Affairs ³⁷	—
73 Townships	—
74 Transportation ³⁸	October 10, 1984 (P.L.837, No.164)
75 Vehicles	June 17, 1976 (P.L.162, No.81)
76 Weights, Measures and Standards—	
77 Workmen’s Compensation	—
78 Zoning and Planning	—
79 Supplementary Provisions	—

-
33. Public Officers consists of two parts, of which one is codified and one is unnamed.
34. Public Welfare consists of four parts, of which two are codified in part and two are reserved.
35. Real and Personal Property consists of three parts, of which two are codified in part.
36. State Government consists of 25 parts, of which one is codified and 24 are unnamed.
37. The Inheritance and Estate Tax Act was codified by the act of December 13, 1982 (P.L.1886, No.255) and reenacted in *uncodified* form by the act of August 14, 1991 (P.L.97, No.22).
38. Transportation consists of four parts, of which two are codified, one is codified in part, and one is unnamed.

CHAPTER 4

LEGISLATIVE PROCESS AND LEGISLATIVE HISTORY

Statutory law research incorporates the need to perform legislative history for legislative enactments. This is important if the text of the law is unclear or ambiguous, case law has not been decided upon the law, or you are following new legislation as it progresses through the legislative process.

Legislative history for federal laws is complicated and detailed in obtaining the documents necessary, such as versions of the bills, hearings, reports, prints, documents, debates, and presidential signing messages. There are a number of good sources for compiling federal legislative histories.

Legislative history for Pennsylvania law research, however, provides fewer sources. In Pennsylvania, legislative histories usually deal with the different versions of the bills, the debates in the legislature, when available, and sometimes committee reports or additional materials like Joint State Government Commission publications.

§4.1 Legislative Process¹

A legislator develops an idea for a bill and presents it to the Legislative Reference Bureau whose professional staff draws up the bill. The proposal is called a “blueback” so-called because of the cover on the legislator’s proposal. The bills can be deposited with the secretary/parliamentarian in the Senate or the Chief Clerk of the House. These officials assign the bill a bill number; they also assign the bill to a committee for review. The bill goes back to the Legislative Reference Bureau to be officially printed as a bill. It receives a printer’s number from the Legislative History Room and is filed in the Legislative History Room and duplicated. The bill is then submitted to the

1. The rules concerning passage of a bill into law can be found under the House and Senate Rules in the 117 Pennsylvania Manual (2005 ed.) and a shorter version on the General Assembly web site at http://www.legis.state.pa.us/WU01/VC/visitor_info/making_law.

houses in quintuplicate. On the face of any bill there must be a senate or house number, the title of the bill, the name of the member introducing the bill, and the date. The person introducing the bill has to sign his or her name and date of introduction. In the Senate, the secretary/parliamentarian presents those bills not formerly introduced by a member to the lieutenant governor for reference to the appropriate committees. The next legislative day the lieutenant governor announces the bills to the Senate with committee assignments. In the House, the legislator presents the chief clerk with five copies of the bill. At the end of each day the clerk presents all bills to the speaker for reference to the appropriate committees. The next succeeding legislative day the bills are announced to the House by the speaker and assigned to committee.

All bills and resolutions are required to have quintuplicate copies deposited in both houses so that there will be one copy for the committee, one for the printer, one for the computer, one for the press and one for indexing.

First, the bill is read in each house. There is no debate or amending of the bill and no vote. After its assignment to a standing committee, the committee has several options. It can reject the bill (which it does for almost 75 percent of the bills) because it is identified as irrelevant, too narrow in focus, or poor policy. The committee can call committee meetings, hold public hearings to obtain comment from the general public, or refer the bill to a subcommittee for further study.

There are two types of committees that can research a bill. Thirteen of the standing committees in the House have permanent subcommittees to review specialized topics. These committees review the proposed legislation, prepare a report, and make recommendation to the full committee. A select committee is a special-purpose committee that investigates a specific problem or issue related to a bill.

The Standing Committee can table or set aside a bill to make it inactive, change or amend the bill, defeat the bill, or accept the bill.

Once the committee completes its consideration, it makes a report to the house, citing whether the committee is reporting it "as committed" or, if amendments have been made, sub-

mitting it "as amended." All amendments are submitted, typewritten on separate paper, and attached to the bill. The reports submitted by the committee are generally short. They are not published in the *Legislative Journals* and have to be obtained from the committee itself. If hearings are held, these are usually not available for legislative history determination.

The bill is given three readings on three different days under Article III, §4 of the Constitution of 1968. This provides time for everyone to review the bills under consideration and to stop any attempt to pass a bill without proper review.

When bills are reported from committee they usually receive their first reading in the house or senate on that day. Once the bill is reported, it is general practice for each political party to hold a caucus meeting of its members to determine support or opposition to the proposed bill. Legislators may support the caucus or vote an individual's conscience if he or she feels that his or her constituency may have a position opposite of the party caucus. On the first day, however, after the reading, no debate or amendments to the bill take place.

Bills on second consideration in both houses are considered as a whole and subject to amendment and debate.

Bills on third consideration receive full debate, can be amended, and are voted upon by the legislators present. The Assembly has an electronic voting system for each member of the house or senate to record their votes electronically and instantly—yea or nay—that allows the leadership to know the final vote and report it as soon as the voting is completed. Bills must pass by a constitutional majority—102 in the House and 26 in the Senate—regardless of how many people are present at the time of the vote. Appropriations bills require a two-thirds majority vote.

Once a bill passes one house it is then sent to the other body for consideration. In the other body, the bill is introduced and proceeds through three readings as if the bill originated in that house. If the bill is approved without changes, the bill can be sent to the governor for his signature. If the second house amends the bill, the bill then has to be sent back to the first house for its approval or rejection.

If no agreement is forthcoming, a conference committee consisting of members from both houses meets to resolve the differences between the two houses. The members then take the bill back to each house for its approval. Failure of the committee to resolve the controversy can lead to the death of the bill in committee. If approval is made, then the amendments still have to be approved by each house in the report made by the committee. The conference committee version is printed as part of the ongoing publication of all bills for that house to consider. The bill cannot be revised on the floor. Once the bill is approved by both houses, the Speaker of the House and President pro tempore of the Senate sign the bill in the presence of their respective houses before the bill is sent to the governor for his approval.

Once the bill is signed by the leadership in both houses, it is then sent to the governor, who, under Article IV §15 of the Constitution, has the constitutional responsibility to sign bills into law. The governor can also permit a bill to become a law if he does not sign it within ten days of receiving it. The governor can also veto the bill, which the General Assembly can overthrow by a two-thirds vote of each house of the Assembly. Unlike his federal counterpart, the Governor also has the capability of a line-item veto of appropriation bills under Article 4 §16 of the Constitution.

§4.2 Legislative Histories

In recent years there has been a growing emphasis upon the origin of statutory law. The purpose of a legislative history is to collect all documents relating to the history of a statute in order to better understand the reasons for the passage of a bill into law. Legislative intent is sought as an aid in interpreting language in the law. Courts may or may not accept legislative history as important in determining legislative intent. The elements that make up a legislative history include the various versions of the bill, the committee reports, public hearings held on the bill, the legislative debates, and the governor's message in signing the bill into law.

In Pennsylvania government, like the federal government and other state governments, the steps taken for passage are the same. Each of these steps provides information concerning the passage of the bill that may be important for the researcher.

The Legislative Reference Bureau, a state agency, is also a source for the history of legislation. The agency maintains current listings of all bills for which one can obtain daily information concerning the status of a bill and obtain laws and/or bills as needed.

§4.2.1 Bills and Resolutions²

Bills are numbered as they are introduced into each house. The numbering begins with HB 1 for the House and SB 1 for the Senate. The numbering continues throughout the two-year session of the legislature. Any bills introduced during the first session continue in the second session; however, when one legislature ends all bills still pending die. In the new legislature, they have to be reintroduced and begin the parliamentary procedure all over again.

2. William H. Manz, *Guide to State Legislative and Administrative Materials* 409-418 (2000 ed., 2000) provides a useful summary of some of the following information.

SENATE AMENDED
PRIOR PRINTER'S NO. 1382

PRINTER'S NO. 3178

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 1131** Session of
2007

INTRODUCED BY MELIO, CAUSER, CONKLIN, DeNEESE, FAIRCHILD,
GALLOWAY, GEORGE, GIBBONS, GINGRICH, GOODMAN, GRUCELA,
HENNESSEY, HESS, JAMES, JOSEPHS, KILLION, KORTZ, MAHONEY,
McCALL, MICOZZIE, R. MILLER, MOYER, MURI, FALLONE, PAYNE,
SANTONI, SCAVELLO, SAPIROTH, S. H. SMITH, SOLOBAY, STABACK,
J. WHITE, YOUNGBLOOD, FREEMAN AND CALTAGIRONE, APRIL 23, 2007

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, FEBRUARY 5, 2008

AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled, as
2 reenacted and amended, "An act concerning townships of the
3 second class; and amending, revising, consolidating and
4 changing the law relating thereto," providing for the
5 establishment of fire and emergency medical services.

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

8 Section 1. The act of May 1, 1933 (P.L.103, No.69), known as
9 The Second Class Township Code, reenacted and amended November
10 9, 1995 (P.L.350, No.60), is amended by adding a section to
11 read:

12 ~~Section 1563. Emergency Services. The township shall be~~ ←
13 ~~responsible for ensuring that fire and emergency medical~~
14 ~~services are provided within the township, and shall determine~~
15 ~~and provide the appropriate financial and administrative~~
16 ~~assistance necessary for these services in order to protect the~~
17 ~~health, safety and welfare of its citizenry. The township shall~~

ILLUSTRATION 4-1

Besides bills there are also joint resolutions (JHR and JSR), concurrent resolutions (HCR and SCR) and simple resolutions (HR and SR). Joint resolutions are passed by both houses of the legislature and are signed by the governor. They have the force of law containing a resolving clause rather than an enacting clause as found in regular acts. Concurrent resolutions are passed by both houses but do not require the approval of the governor. They are not as important as joint resolutions or laws since they tend to reflect the feelings of the joint houses on a particular subject, to create joint committees and other legislative business. A simple resolution is passed by one house and relates to the business or the opinion of that house.

In addition to the introductory number to a house or senate bill, there is also a printer's number on the right-hand corner. As the bill goes through its various readings and amendments, the revised version(s) of the bill still maintain the same house or senate bill number but receive a new printer's number. The older printer's number(s) are then given on the top of the page above the house or senate bill number. It is the final printer's number that is eventually printed in a typeset format similar to what will appear in the final bound volume of the official *Laws of Pennsylvania*.

Historically, resolutions can be found throughout the colonial documents of the legislature found in the eighth series of the *Pennsylvania Archives* and in the session laws of the legislature. They are normally found at the end of the volume after the passage of the laws for that session. The number of resolutions varies from legislature to legislature.

The numbering of bills and resolutions is important to accomplish a legislative history, since it is by this designation that one is able to pursue a legislative history. In finding the history of a title and section of either *Purdon's Pennsylvania Statutes Annotated* (P.S.) or *Pennsylvania Consolidated Statutes* (Pa.C.S.), one goes to the end of the section to find the historical source in the *Laws of Pennsylvania* commonly referred to as session laws. In giving the date and page number of the session law, e.g., June 28, 1978 P.L. 202, one can then find the enactment in the *Laws of Pennsylvania* or in the *Purdon's Pennsylvania Legislative Service* with the appropriate house or senate bill number. At the end of each issue of the service, a cumulative appendix lists the house and senate bill numbers with corresponding act numbers.

A third source is the table found in the *Combined History of Senate and House Bills*, which is the cumulative index to the leg-

islative sessions of each legislature. The *Combined History* is published periodically and grows in size as the legislature introduces an increasing number of bills. By the end of the two-year session, the *Combined History* is published as two separate books, one for the House and one for the Senate. Each work is divided into numerous sections, which are listed in the table of contents, and contains committee assignments, lists of bills introduced by each legislator, the legislative history of each bill, a subject index, etc.

INDEX TO GENERAL BILLS AND JOINT RESOLUTIONS

	BILL ACT VETO NO. NO. NO.	BILL ACT VETO NO. NO. NO.
AMENDS BILLS:		
Applications, primary of election, further providing for (Amend 1937 P.L.132, No.326) (State Government) Witt and others	H2377	
Applications, providing for female (Amend 1937 P.L.132, No.323) (State Government) Koshell and others	H2116	
Elections, municipality defined (Amend 1937 P.L.132, No.320) (State Government) Herman	H2256	
AMENDS:		
Alimony and alimony pendente lite, further defining, relating to (Amend 21 Pa.C.S.) (Judiciary) Piccola and others	H1887 16 '98	
Child, confidential informant reports, release, further providing for (Amend 21 Pa.C.S.) (Judiciary) Miller and others	H1992	
Child, criminal history record information, central register, volunteers exempt from paying fees (Amend 18 and 23 Pa.C.S.) (Judiciary) Dully and others	H2350	
Child death, review and report when cause suspected (Amend 23 Pa.C.S.) (Judiciary) Tree and others	H2897	
Child dependency cases, informal hearing and disposition to protect physical, mental, moral welfare of child (Amend 42 Pa.C.S.) (Judiciary) Truss and others	H2668	
Child, release of information in confidential reports (Amend 23 Pa.C.S.) (Aging and Youth) Piccola and others	H950	
Child, statewide toll-free Childline, publishing equipment of persons with history of certain criminal offenses (Amend 23 Pa.C.S.) (Aging and Youth) Wilson and others	H1043	
Child, weekly non-to-face contact with protective agency, high risk children (Amend 23 Pa.C.S.) (Judiciary) Tree and others	H2386	
Domestic abuse prevention and sentence review created, powers and duties, Labor and Industry Department (Labor Relations) Gale and others	H2493	
Domestic Abuse Awareness Program created, Education Department, powers and duties (Education) Orie and others	H2686	
Domestic relations, mental or psychological infidelity involuntarily, knowingly, recklessly attempted (Amend 23 Pa.C.S.) (Judiciary) Orie and others	H2310	
Domestic relations, protection order, includes caretaker provisions (Amend 23 Pa.C.S.) (Aging and Youth) Piccola and others	H990	
AMENDS: (Continued)		
Domestic relations, protection order or agreement including in "delinquent act" of Juvenile Act (Amend 42 Pa.C.S.) (Judiciary) Greenleaf and others	H640	
(Judiciary) Piccola and others	H1887	
Domestic relations, protection order or consent agreement, requiring court-ordered counseling (Amend 23 Pa.C.S.) (Judiciary) Cosman	H1299	
Domestic relations, protection order, relief, court shall direct defendant to pay reasonable attorney fees (Amend 23 Pa.C.S.) (Judiciary) Greenleaf and others	H1386	
Elderly, physicians or medical personnel, offense of failing to report defined (Amend 18 Pa.C.S.) (Judiciary) Orie and others	H2311	
Marriage license, statement added to application, further providing for (Amend 23 Pa.C.S.) (Judiciary) Dent and others	H2940	
Protection order or agreement, outbarg for violation, civil outbarg (Amend 23 Pa.C.S.) (Judiciary) McLaughlin and others	H2126	
ACCUSES:		
Children, standards established regulating residential swimming pool, hot tub and spa design and construction, protection against potential litigation; penalty imposed (Consumer Affairs) Belmont and others	H492	
Infants, cribs, certain, regulating use; cause of action, penalty imposed (Consumer Affairs) Hubley and others	H2667	
Overhead high voltage line regulation; violation and enforcement (Consumer Affairs) Kenney and others	H2664	
ACCUSES:		
Deputy Sheriff: Education and Training Account, surcharges (Amend 198 P.L., No.2) (Judiciary) Nealand and others	H1645 16 '98	
Forest Land Reclamation restricted, establishing (Environmental Resources and Energy) Hudign and others	H970	
Industrialized housing, establishing (Amend 1982 P.L.678, No.192) (Urban Affairs and Housing) Demko and others	H942	
Philadelphia Municipal Court Security Account, further providing for (Amend 18 Pa.C.S.) (Judiciary) Wages and others	H2940	
AMENDS:		
Amusementists license provisions; appropriation; suggests (Consumer Protection and Professional Licenses) Rhoades and others	H2396	
AMENDS AMENDS ACT:		
Amusement (Consumer Protection and Professional Licenses) Rhoades and others	H2395	

ILLUSTRATION 4-2

§4.2.2 Committee Reports

Once a bill is referred to a committee it is up to the staff of that committee to consider the bill and prepare a report. Only a small number of bills obtain reports. The report can be a summary of the bill or may be a longer report reflecting various viewpoints of the members of the committee. In recent years these reports have tended to be capsule summaries of the bills. Special standing committees have reports that are recorded and transcribed. They are then deposited with the special committee, the Senate Library or Office of the Chief Clerk. Some of these reports were printed as appendices in the *Legislative Journals*.

For a bibliography of the appendices and other legislative documents up to 1903, see Adelaide Hesse, *Index to the Economic Documents of the United States: Pennsylvania* (3 vols., 1903) and from 1967 to 1980, see Thomas Duszak, "The Appendices of the Pennsylvania Legislative Journals," 12 *Government Publications Rev.* 239 (1985).

§4.2.3 Joint State Government Commission Reports

The Joint State Government Commission sometimes prepares a longer legislative report. The Commission is a bipartisan legislative commission made up of representatives from both houses of the General Assembly. The Commission began in the 1930s. Since that time it has issued a number of reports on suggested or newly-introduced legislation (see Appendix 2). Usually the Commission prepares one report with proposed legislation, but can issue more than one report, e.g., the *Elected Attorneys-General Law of 1980*. These reports are published as individual publications of the Commission or sometimes can be found in the Appendices to the *House and Senate Journals*, which are published after each session.

§4.2.4 Public Hearings

Public hearings are important sources of individual support or opposition to a particular bill under consideration by the legislature. Hearings are sometimes heard by a committee or subcommittee, and may be audiotaped and transcribed into hard copy. These hearings may be available from the commit-

tee, Senate Library or Office of Chief Clerk, but the collections are not complete. Only a portion of the collection is available at the State library, and they are not distributed to libraries. Older hearings before 1960 may be at the State Archives. Thus, the committee reports or bill analysis and Joint State Government Commission reports tend to be even more important considering their availability for researchers.

Legislative sessions are videotaped by the legislature. The Pennsylvania Cable Network also provides television coverage of some legislative hearings that may be purchased individually from PCN, at www.pcntv.com. The tapes are kept only for a limited period of time (less than a year). One can receive email notice of daily tapings.

§4.2.5 Legislative Journals

Full text of the General Assembly debates can be found in the *Legislative Journals*, which are printed as pamphlets during the year, and are eventually published in bound volumes. There are separate volumes for the House and Senate. In recent years, an appendix is published with the Senate volumes. If there are multiple volumes in each house, the page numbering is consecutive.

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, MARCH 17, 2008

SESSION OF 2008 192ND OF THE GENERAL ASSEMBLY

No. 18

SENATE

MONDAY, March 17, 2008

The Senate met at 1 p.m., Eastern Daylight Saving Time.

The PRESIDENT (Lieutenant Governor Catherine Baker Knoll) in the Chair.

PRAYER

The Chaplain, RABBI SOLOMON ISAACSON, of Congregation Beth Solomon Synagogue, Philadelphia, offered the following prayer:

Ladies and gentlemen, in honor of St. Paddy's Day, the Rabbi put on a green bow tie. All in favor, pass the amendment unanimously. *Aye. Aye. Aye-aye-aye.* Oy, the day a Rabbi becomes an Irishman, hoy are the Irish in trouble. We will start a new revolution. Can you imagine an Irishman with a Jewish accent? Oy veh. Brogue, right?

(Translation from Hebrew.)

May He who blessed our forefathers, Abraham, Isaac, and Jacob, may He bless the Armed Forces of the United States of America - the Army, the Air Force, the Navy, the Marines, all who stand guard over our land, wherever they may be. May Hashem, the Almighty, cause the enemies who rise up against us to be struck down before them. May The Holy One, blessed is He, preserve and rescue our fighting men from every trouble and distress and from every plague and illness. May He send blessing and success in their every endeavor. May He lead our enemies under their sway and may He adorn them with the crown of salvation and with the diadem of triumph. And may there be fulfilled for them the verse: For it is Hashem, your God, who goes with you to battle your enemies for you to save you.

(Translation from Hebrew.)

May He who grants salvation to kings and dominion to rulers, whose kingdom is a kingdom spanning all eternities, who releases David, His servant, from the evil sword, who places a road in the sea and a path in the mighty waters, may He bless, safeguard, preserve, help, exalt, make great, extol, and raise high our beloved President, Vice President, Governor, and Lieutenant Governor, and all Members of the Senate of the State of Pennsylvania, and all those who serve them. The King who reigns over kings, in His mercy, may He sustain them and protect them from every trouble, woe, and injury. May He rescue them. May He gather peoples under their sway and cause their enemies to fall before them. Wherever they turn, may they succeed. The King who reigns over kings, in His mercy, may He put into their heart

and into the heart of all their counselors and officials compassion to do good for us and all the people of our great Commonwealth. In their days and in ours, so may it be His will.

I would like to wish everybody a happy Purim. The Jewish holiday of Purim occurs Thursday night and Friday. It is a holiday, I think, that many people such as yourselves who were elected to this tremendous, important position that you hold can learn from, insofar as the heroine of the holiday of Purim is Queen Esther. She was one of the only Jewish girls who were involved in a beauty pageant, and she did everything she could not to be chosen, and yet she was. She questioned her uncle Mordecai, who was the chief Rabbi of Persia then, why me? Later on, when Haman put out an edict to have all the Jews killed on the thirteenth day of the Jewish month of Adar, which comes out this Thursday, that is when Mordecai answered her that question. It is because of a moment like this that you were put in such a position. Had you remained that little village girl, and this would have happened because it was supposed to happen, to the Jews you could have done nothing. But as the queen, somebody who could speak to the King and reach him, it is now your ability to be able to save the Jewish people.

I say the same to you. It is your destiny and your time to serve the people of the great Commonwealth of Pennsylvania. I hope and pray that God gives you all the wisdom, and take advantage of the moment, and that you will all do good for our people who have trusted in you and have put you in this unenviable position.

Thank you, God bless, and happy Purim. There are hamantaschen on all of your desks, except for the last two rows because I ran out, but I am going down to bring up more. And in honor of Saint Paddy's Day, Happy St. Patrick's Day.

The PRESIDENT. The Chair thanks Rabbi Isaacson, who is the guest today of Senator Stack.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled.)

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

March 13, 2008

HB 1188 and HB 1199 -- Committee on Consumer Protection and Professional Licensure.

ILLUSTRATION 4-3

There is a *Combined History of the Senate and House Bills* published periodically during the legislative sessions. After the legislature is completed, individual final histories are published for the House and Senate for the two-year session.

The *Legislative Journals* are available at the State Library, the law school libraries, the larger county law libraries, and possibly some of the state depository libraries. The older *Votes and Proceedings of the General Assembly* for 1682 to 1776 have

been reprinted in the Eighth Series of the Pennsylvania Archives. The *Journals*, from 1911 to the present, are also available on microfilm at the State Archives.

§4.2.6 Governor's Messages and Vetoes

As the chief executive officer of the state, the governor has the authority, through his party, to introduce new legislation into the General Assembly. He can provide special messages, as in the case of his state of the state address, or upon the introduction of new legislation, or in the final step of signing a bill into law.³ Usually the governor issues some type of statement in support of the law that accompanies his signatory and may appear in the *Legislative Journals* or as a press release in the daily newspapers.

If the governor vetoes a bill, then the reason for that veto is usually provided in a message to the legislature. This, too, is reported in the *Legislative Journals* or in the back of the *Laws of Pennsylvania*. For many years the Commonwealth published compilations of the veto messages of the governor. The Senate has published an *Index to the Veto Messages of the Governors of Pennsylvania, 1947-1983* (1984). A succeeding volume, by Joel Fishman and Lauren L. Vucic, is the *Index to the Veto Messages of the Governors of Pennsylvania 1984-2003* (2007).

§4.3 Research Methods

§4.3.1 Bill Tracking—Current Status of Legislative Bills

The *Commonwealth Register* is a daily publication providing the daily actions in the General Assembly.

The *Pennsylvania Bulletin* publishes a listing of enacted legislation throughout the year. It provides the act number, final printer's number, and short title of act. On the front page of the *Bulletin*, a listing for the General Assembly comes before any other listings.

Online services, Lexis® and Westlaw®, both provide bill-tracking databases.

3. *Id.* 4-9.

§4.3.2 History of [House or Senate] Bills

Throughout the legislative sessions, the General Assembly issues a *Combined History of Senate and House Bills*.

At the end of the two-year period, a final issue is distributed for each house. An example of the full title is: *History of House Bills, Resolutions and Executive Communication in the House With Indexes to Bills, Resolutions, Joint Resolutions, Vetoes and Acts Sessions of 2003 and 2004 Final Issue*. The *History* is the main source to determine legislative history, the status of a bill, and a subject index to bills and laws.

§4.3.2.1 Outline of the History

The *History of [Senate or House] Bills* is arranged by sections identified by alphabetical letters found at the bottom of the pages. The outline of the *History* is as follows:

Introductory pages contain the seating chart of the Senate/House, followed by an alphabetical listing of the senators/representatives with their district, seat number, mailing address, county of residence, occupation, and date of service in the General Assembly, and Standing Committee assignments.

- A. History of the Senate or House Bills
- B. Sponsors and Numbers of Senate or House Bills
- C. Recapitulation of Senate or House Bills, Their Sponsors and Committees to Which Referred or Re-Referred
- D. Senate or House Committees and Bills Referred to Them
- E. Bills Remaining in Senate or House Committees
- F. Number of Senate Bills, Resolutions and Concurrent Resolutions Introduced Daily Session of [date]
- G. [Senate/House] Bills Passed in the [Senate/House] and Sent to the [Senate/House]
- H. History of Resolutions in the [Senate/House]
- I. Sponsors and Numbers of [Senate/House] Resolutions

- J. Executive Communication Presented to the [Senate/
House]
- K. Boards of Assistance by County
- L. District Justices' Nominations
- M. Reports Presented to the Senate and the House
- N. Surplus Property Disposition Plans
- O. Joint Resolutions Amending the Constitution
- P. Appropriation Bills Approved by the Governor Session
of [date]
- Q. Bills of General Legislation Approved by the Governor
Session of [date]
- R. Bills Vetoed by the Governor Session of [date]
- S. Veto Messages
- T. Conference Committees
- U. Index to Appropriation Bills
- V. Index to General Bills and Joint Resolutions
- W. Index to Resolutions

Once the bill number is identified by House or Senate, one goes to the *Combined House and Senate History* to locate the bill in the corresponding section of the House or Senate. The bills are arranged in sequential order. Once found, the legislative history is provided from the first introduction of the bill until it is finally signed into law by the governor. Under each history the name of the person(s) is/are given as sponsors of the bill and a printer's number is assigned to the bill. This is followed by the various readings in each house provided by date. The vote in each house on the third reading is given in parentheses. Normally, one is looking for reference to legislative debates and this is usually identified in the parentheses with the corresponding comment, (For remarks, see House [or Senate] Journal, pages). Sometimes the date is given rather than the page numbers. The printed pages of the journals may not have been published yet and are unknown to the compilers of the *Combined History*.

Note: One should also be aware that the page numbering references are not always accurate. The legislative debate sometimes goes beyond the pages listed, e.g., the vote for the debate carries over to the next page, or a parliamentary question on another topic interferes with the discussion, and then the house returns to the debate but those pages are not listed.

§4.3.2.2 Subject Index to the *Combined History of House and Senate Bills*

The subject index to the *Combined History of House and Senate Bills* is found in the back of the paper volume when first published. When looking up a subject there may be more than one bill introduced upon a particular subject. One may have to check several references before finding the bill one is interested in. Once a bill is passed into law or vetoed, the identifying bill number or veto number is given in the column located to the right of the subject reference in the index.

There is an index available online to access the bill histories.

§4.3.3 Other Sources for Legislative Histories

1. Bound legislative histories may be published for various enactments (See Appendix 1). The State Library contains bound legislative histories providing a “short title” of each bill and text of the bills.

2. Joel Fishman et al. *Legislative History Index to the Laws of Pennsylvania* (Pittsburgh, PA, Allegheny; County Law Library, 1982-95), 4 volumes to date. This collection reprints the legislative history information of only the enacted legislation found in the Final Histories arranged by year and act number rather than by House or Senate bill number.

§4.4 Secondary Sources

Newspapers sometimes can provide a summary account of legislative debates. *The Legal Intelligencer*, the daily Philadelphia legal newspaper, until recently, published the daily account of legislative action, including what laws had been passed by the governor and what bills had been introduced. Newspapers such as the *Philadelphia Inquirer* and *Pittsburgh Post-Gazette* provide summaries of legislation.

Both legal periodicals and many of the continuing legal education seminar publications contain summaries of major legislation on a specific topic. *The Widener Law Journal*, for instance, will sometimes have a summary of major administrative law legislation.

§4.5 Researching Legislative History for Pennsylvania: A Step-By-Step Guide

In order to do a search for a legislative history you have to know either the Senate or House bill number. The following step-by-step procedure can be followed to search for laws found from 1965 to the present. For previous years, one must go to the *History of the [Senate/House] Bills* and locate the act number section, sometimes found after the resolution section, but before the general index section.

If you know the bill number proceed from step number 5. If you do not have the bill number follow the steps given below:

- Step 1. Use the popular name table from the last volume of the General Index to *Purdon's Statutes* or use the subject/title index to *Purdon's Statutes* to find the appropriate *Purdon's* title and section number.
- Step 2. Locate the session law cite at the end of the section in *Purdon's*, e.g., 1989, Dec. 21, P.L. 672, No. 87 §1 effective in 180 days. (The number following the P.L. is the page number of the bound volume.)
- Step 3. Look in the 1989 *Laws of Pennsylvania* on page 672 for the full text of the act.
- Step 4. Look for the Senate or House Bill number at the top left side of the first page of the act under the act number, e.g., HB 1539 or SB 134.
- Step 5. Look in the *History of Senate or House Bills* for that year (remember the legislative session covers two years) under the Senate or House bill number for the history of the dates. Make a note of all the dates listed for that bill. You are especially looking for a date with "Remarks see page" to find debates.
- Step 6. Look in the *Legislative Journal for the Senate or House* for that year and browse for floor debates and other related information.
- Step 7. For materials published before the 1980s, see also the Index to the *Legislative Journals* for the specific year. Bills are listed by topic with the exact page number for each reading, sometimes not provided in the *Final Histories*. It is also possible to find occasional references to debates not listed in the *Final Histories*.

LEGISLATIVE JOURNAL—1967-1968

11

The page numbers for 1968 also started with No. 1, therefore, check both years for correct references

BILLS INTRODUCED—Continued.

- Senate Bill No. 30
Introduced, referred to Committee on Forests and Waters,
Game and Fish, 29
- Senate Bill No. 31
Introduced, referred to Committee on Highways, 29
- Senate Bill No. 32
Introduced, referred to Committee on Education, 29
- *Senate Bill No. 33
Introduced, referred to Committee on Education, 29
Reported as committed, 58
First reading, 61
Second reading, 97
Third reading, 134
Referred to Committee on Appropriations, 144
Remarks on, by
Snyder, 134
Stroup, 134
- *Senate Bill No. 34
Introduced to Committee on Judiciary General, 29
Reported as committed, 500
First reading, 505
Second reading with amendments, 562
Motion to revert Prior Printer's number adopted, 572
Third reading and final passage, 608
Returned from House with amendments, 667
Senate concurs in House amendments, 976
Signed by President pro tempore, 988
- Senate Bill No. 35
Introduced, referred to Committee on Education, 29
- Senate Bill No. 36
Introduced, referred to Committee on Judiciary General, 29
- Senate Bill No. 37
Introduced, referred to Committee on Elections and Respon-
sionment, 30
- Senate Bill No. 38
Introduced, referred to Committee on Judiciary General, 30
- Senate Bill No. 39
Introduced, referred to Committee on Appropriations, 30
- *Senate Bill No. 40
Introduced, referred to Committee on Judiciary General, 30
Reported as amended, 181
First reading, 184
Second reading with amendments, 196
Third reading and final passage, 209
- Senate Bill No. 41
Introduced, referred to Committee on Education, 33

BILLS INTRODUCED—Continued.

- *Senate Bill No. 42
Introduced, referred to Committee on State Government, 34
Reported as committed, 157
First reading, 161
Amended, 174
Second reading, 180
Third reading and final passage, 186
Returned from House, 549
Signed by President, 549
Approved by Governor, 571
- Senate Bill No. 43
Introduced, referred to Committee on Labor and Industry,
34
- Senate Bill No. 44
Introduced, referred to Committee on Local Government, 34
- Senate Bill No. 45
Introduced, referred to Committee on Education, 34
- Senate Bill No. 46
Introduced, referred to Committee on Highways, 38
- Senate Bill No. 47
Introduced, referred to Committee on Highways, 38
- Senate Bill No. 48
Introduced, referred to Committee on Finance, 38
- *Senate Bill No. 49
Introduced, referred to Committee on Highways, 38
Reported as amended, 379
First reading, 390
Second reading, 426
Third reading and final passage, 432
Returned from House, 261
Signed by President pro tempore, 261
Approved by Governor, 291
- Senate Bill No. 50
Introduced, referred to Committee on Education, 38
- Senate Bill No. 51
Introduced, referred to Committee on Education, 38
- Senate Bill No. 52
Introduced, referred to Committee on Judiciary General, 50
- Senate Bill No. 53
Introduced, referred to Committee on Constitutional
Changes and Federal Relations, 50
- Senate Bill No. 54
Introduced, referred to Committee on Constitutional
Changes and Federal Relations, 50
- Senate Bill No. 55
Introduced, referred to Committee on Highways, 50

**Refer to HOUSE LEGISLATIVE JOURNAL INDEX for House action*

ILLUSTRATION 4-4

§4.6 Online Sources for House and Senate Bills

§4.6.1

“Making Law in Pennsylvania” is a description of how a bill is enacted into law, and may be found under the heading of Pennsylvania State Government at www.legis.state.pa.us.

Legislative procedures can be found under Title 101 of the *Pennsylvania Code* at www.pacode.com.

§4.6.2 Official/Unofficial Sites

House and Senate bills can be obtained via the General Assembly web site at www.legis.state.pa.us. The web site provides access to the legislative histories in multiple entry points. First on the web page is Laws Enacted Since 1975. This link provides a list of enacted laws by year. Under each year and act number is a listing of the original bill number (senate or house), printer’s number, and a version of the bill either in text or pdf format. If there are multiple versions of the bill, then all bills are included. On the top left hand side of the page is a link to the bill history page as it would appear in the *Final Histories*.

General Assembly | **Senate** | **House** | **Session Info** | **April 9, 2008**

Pennsylvania General Assembly

Find Legislation By
 Bill # Keyword Enter keyword(s) GO

Find Members By
 Zip Codes: (Help) GO
 Country: (Help) Select County: GO

Current Happenings

The Senate will reconvene at 11:00AM on April 09, 2008
 The House will reconvene at 11:00AM on April 09, 2008

Find...

- Who's My Legislator ?**
 Now you can search for your legislator by zip code or county. Just use box labeled "Find Members By" in the upper-right hand corner....
- Visitor Information**
 - Virtual Tour of the Capitol
 - Driving Directions and Parking Opportunities
 - Capitol Tour Information
 - The Pennsylvania Capitol Shop
- Legislation**
 Visit our Session Information page for all your legislative information needs. Be sure to check out our new Daily Session Activity by Email application!
- Law Information**
 - Legislation Enacted Since 1975
 - Rules and Regulations (PA Code)
 - PA Bulletin
 - Legislative Reference Bureau
 - Unofficial Purdon's Pennsylvania Statutes from West

Learn About...

- Pennsylvania History**
 - Hello Pennsylvania
 - Pennsylvania History
 - Speaker's Portraits
 - The Capitol
 - Speaker Ryan Memorial Service (For high bandwidth connections)
- Pennsylvania State Government**
 - A Guide to your State Government
 - Making Law in Pennsylvania
 - Pennsylvania Capitol and the General Assembly
 - A Visitor's Guide to the House of Representatives

ILLUSTRATION 4-5

Second, if you click on the Sessions tab at the top of the web page, a new page will give the researcher the capability to search the bills by bill number, key word, bill topic, etc. One first has to select the correct legislative session to perform the search using the drop down boxes that go back to 1969-1970 session.

The legislature has also introduced a new feature providing an email alert to obtain information concerning new bills, Daily Session Activity Emails, or Subscribe to Individual Bills Update, at <http://www.legis.state.pa.us/cfdocs/legis/home/DSU/subscribe.cfm>.

Joint State Government Commission at

<http://jsg.legis.state.pa.us/>

The Commission provides information on its work and its publications. The site includes information on its legislative studies, staff studies, and publications (consisting of reports listed in the appendix since the mid-1990s with some earlier ones).

Duquesne University Center for Legal Information

The staff of the Center has created an extensive pathfinder for conducting a Pennsylvania legislative history at http://www.lawlib.duq.edu/research_guides/PENNSYLVANIALEGISLATIVEHISTORYrev.pdf

§4.6.3 Fee-based Sites

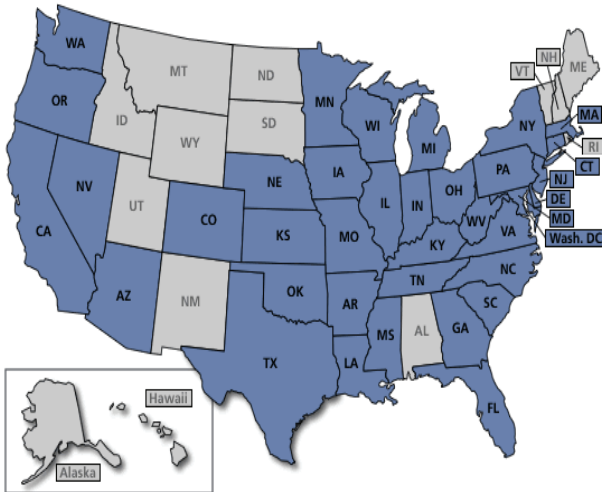
Jenkins Law Library

Jenkins Law Library provides a Pennsylvania legislative history collection from the nineteenth century to the present. It contains more than 400 statutes with their full-text debates from the *Legislative Journal*.

If you are a library member, access is free; otherwise, there is a non-member fee to access and obtain copies of the documents. The web site is www.jenkinslaw.org.

Westlaw®

Westlaw® provides two methods to obtain state legislative histories. First, under the Add/Remove Tab link, there is a listing for Legislative History-State under Jurisdictional-State. Click on the tab and it will take you to a state map and then select Pennsylvania.



This will provide the list of the following databases under “Pennsylvania Legislative”:

Pennsylvania Legislative History (PA-LH)

Pennsylvania Legislative History Reports (PA-LH-REP)

Pennsylvania Legislative History Journals (PA-LH-JRNLS)

Pennsylvania Legislative History Messages (PA-LH-MSG)

Pennsylvania Legislative Service (PA-LEGIS)

Pennsylvania Historical Legislative Service (PA-LEGIS-OLD)

Pennsylvania Bills (PA-BILLS)

Pennsylvania Bill Tracking (PA-BILLTRK)

Pennsylvania Bill Text (PA-BILLTXT)

Pennsylvania Bills-Historical (PA-BILLS-OLD)

Pennsylvania Bill Tracking-Historical (PA-BILLTRK-OLD)

Pennsylvania Bill Text-Historical (PA-BILLTXT-OLD)

Second, the databases for legislative histories are also available under the Statutes and Legislative Materials category under the heading of Pennsylvania. These include Pennsylvania Legislative History, Pennsylvania Bill Tracking—Summaries & Full Text Combined.

The Westlaw description of the legislative history databases states: “House and Senate Bill Histories from the 183rd General Assembly (1999) through the 2007 Regular Session of the 191st General Assembly (2007). House journals from October 20, 2003 of the 187th General Assembly (2003) through July 8, 2007 of the 191st General Assembly (2007). Senate journals from the 183rd General Assembly (1999) through January 16, 2008, 1st Special Session of the 192nd General Assembly (2007-2008). Governor’s messages from 2003 through December 12, 2007.”

Lexis®

Lexis-Nexis® provides the following files:

Pennsylvania Bill Tracking and Full-Text Bills

PA Full-Text Bills

PA Bill Tracking Reports

Pennsylvania Legislative Bill History

Please note that bill history information only dates back to 2005.

APPENDIX 1
LIST OF PUBLISHED LEGISLATIVE HISTORIES

Fishman, Joel. *Legislative History of the 1980 Pennsylvania Divorce Law*. Pittsburgh: QSP, Inc., 1981; reprint Allegheny County Law Library, 1983.

Fishman, Joel, Holly Renwick, and Bethanne Buchanich. *The Legislative History of the Pennsylvania Hazardous Site Cleanup Act of 1988*. (Allegheny County Law Library 1991).

Fishman, Joel and Cynthia Stewart. *The Legislative History of the Pennsylvania Public Official & Employee Ethics Law Of 1989*. (Allegheny County Law Library, 1995).

Fishman, Joel and Ann Orsag. *The Legislative History of the Pennsylvania Solid Waste Management Act of 1980*. (Allegheny County Law Library 1982).

Fishman, Joel and Cynthia Stewart. *The Legislative History of the Pennsylvania Takeover Act of 1990*. (Allegheny County Law Library 1996).

APPENDIX 2
JOINT STATE GOVERNMENT COMMISSION REPORTS:
1940-2007

Guardianship Law in Pennsylvania. Report of the Working Group on Guardianships. (May 2007).

The Proposed Pennsylvania Assisted Reproductive Technologies Act. Report of the Subcommittee on Assisted Reproductive Technologies. (May 2007).

The Proposed Pennsylvania Consumer Credit Code:

The Goods and Services Installment Sales Act. Report of the Advisory Committee on the Consumer Credit Code. (Nov. 2006)

The Proposed Pennsylvania Consumer Credit Code:

The Motor Vehicle Sales Finance Act. Report of the Advisory Committee on the Consumer Credit Code. (Nov. 2006)

Unsolicited Proposals Under the Commonwealth Procurement Code. (March 2006).

Information Disclosure of the State-Related Universities, (February 2006).

Instructional Output and Faculty Salary Costs of the State-Related and State-Owned Universities (January 2006).

Ballot Questions and Proposed Amendments to the Pennsylvania Constitution, a Compilation with Statistics from 1958 to 2005. (November 2005).

Report of the Advisory Committee on Geriatric and Seriously Ill Inmates, June 2005.

The Proposed Pennsylvania Uniform Trust Act and Amendments to the Probate, Estates and Fiduciaries Code April 2005. Report of the Advisory Committee on Decedents' Estates Laws (April 2005).

Pennsylvania Motor Vehicle Code: An Analysis of the Effectiveness and Public Awareness of the Penalties for Violations. (2005).

Medical Professional Liability Reform For The 21st Century:

A Review Of Policy Options. Report of the Advisory Committee on Medical Professional Liability. (2005).

The Funding and Benefit Structure of the Pennsylvania

Statewide Retirement Systems: A Report with Recommendations. Staff Report. (2004).

Minority Representation in the Jury Selection Process in Pennsylvania : Staff Report (2003).

Administrative Shortages in Pennsylvania's Public School Districts. Report of the Task Force on Administrative Shortages. (2003).

Part-time Faculty at Institutions of Higher Education in the Commonwealth of Pennsylvania. Report of the Advisory Committee on Part-time Faculty. (2003).

The Proposed Pennsylvania Uniform Trust Act and Amendments to the Probate, Estates And Fiduciaries Code. Report of the Advisory Committee on Decedents' Estates Laws. (Nov. 2003)

Minority Representation in the Jury Selection Process in Pennsylvania. (2003)

The Children and Youth Services Delivery System in Pennsylvania. (2002)

A Stroke Prevention and Treatment Strategy for Pennsylvania. (2002)

Report of the Advisory Committee on Adoption Law. Adoption Act: Proposed Revision. (2001)

Driver Distractions and Traffic Safety. Staff Report Pursuant to 2000 Senate Resolution No. 127, Printer's No. 1935 (2001)

Energy Policy for Pennsylvania : Displacing Foreign Petroleum. Report of the Task Force on 21st Century Energy Policy for Pennsylvania. (2001)

Proposed Health Care Decision-making Provisions under Chapter 54 of Title 20 of the Pennsylvania Consolidated Statutes: 2002 Senate Bill 1265 (Printer's No. 1682). (2001)

Proposed Pennsylvania Uniform Principal and Income Act: and Other Proposed Amendments. Report of the Advisory Committee on Decedents' Estates Laws. (2001).

Primary Election Dates in Pennsylvania: An Analysis of Proposals for Change. Report of the Task Force and Advisory Committee on Primary Election Dates. (2000).

Opportunity in the Age of Biology Biomedical Research in Pennsylvania. Report of the Working Group on Biomedical Research. (2000)

Gubernatorial Appointment Requiring Senatorial Advice and Consent. (1999).

Report of the Advisory Committee on Domestic Relations Law. *Divorce Code Recommended Amendments: Report.* (1999).

Report of the Advisory Committee on Domestic Relations Law. *Custody: Recommendations.* (1999).

Clean and Green: Staff Analysis of the Pennsylvania Farmland and Forest Land Assessment Act of 1974. (1997).

Intermediate United in Pennsylvania: The Role of Educational Service Agencies in Promoting Equity in Basic Education. (1997).

The Cost of Juvenile Violence in Pennsylvania: Staff Report to the Task Force to Study the Issues Surrounding Violence as a Public Health Concern. (1995).

Report of the Task Force on Defense Related Industries. (1993).

Governing for Results: A Vision for the Future. Report of the Task Force on Government Service Efficiency. (1993).

A Persian Gulf Veterans' Bonus for Pennsylvanians. (1991).

The Feasibility and Impact of an Insure-the-Driver Program for Philadelphia: Staff Analysis by the Joint State Government Commission Pursuant to Act 6 of 1990, Section 29. (1991).

Report of the Joint State Government Task Force and Advisory Committee on Decedents' Estates Laws: *Containing Recommendations Amending the Probate, Estates and Fiduciaries Code and Inheritance and Estate Tax Act With Comments.* (1991).

Report of the Task Force on Boxing: *Including Recommendations and Proposed Legislation Incorporating Combative Sports Statutes Into Title 5 (Athletes and Sports) of the Pennsylvania Consolidated Statutes, With Source Notes and Comments.* (1990).

- Proposed Insurance Code: 1987 House Bill 1628, Printer's No. 2005: Consolidating the Laws of Pennsylvania Relating to Insurance as Title 40 of the Pennsylvania Consolidated Statutes: Comments and Cross-reference Tables.* (1987).
- Laws Relating to Blindness: A Compilation of Pennsylvania Statutes.* (1987).
- Instructional Output and Faculty Salary Costs of the State Related and State-Owned Universities.* (1986).
- Proposed Insurance Code—1985 House Bill 1962—Printer's No. 2642.* (1986).
- Instructional Output and Faculty Salary Costs of the State-Related and State-Owned Universities.* (1985).
- Probate, Estates and Fiduciaries Code: Proposed Amendments and Comments—1985.* (1985)
- Proposed Eminent Domain Code—With Comments.* (1985).
- Report of the Task Force on Third-Party Real Estate Brokerage Operations.* (1985).
- Instructional Output and Faculty Salary Costs of the State-Related and State-Owned Universities.* (1984).
- Proposed Election Code.* (1984).
- Report of the Subcommittee on Guardianships.* (1984).
- Faculty Output and Salary Costs of the State-Related and State-Owned Universities.* (1983).
- Probate, Estates and Fiduciaries Code: Proposed Amendments and Comments—1983.* (1983).
- Proposed Commonwealth Procurement Code.* (1983).
- Separating Transportation from Fixed Utility Regulation under the Public Utility Commission.* (1983).
- Bankruptcy Exemptions: A Proposed Revision.* (1982).
- Faculty Output and Salary Costs of the State-Related and State-Owned Universities.* (1982).
- Proposed Codification of Laws Relating to Aviation into the Pennsylvania Consolidated Statutes, Title 74, Part IV.* (1982).
- 1981-82 Report: Special Joint Committee of the General Assembly to Review Retirement Cost-of-Living Supplements and Funding Sources.* (1982).

- Faculty Output and Salary Costs of the State-Related and State-Owned Colleges and Universities.* (1981).
- Probate, Estates and Fiduciaries Code: Proposed Amendments and Comments of 1981 and Proposed Revision of Inheritance Tax Laws and Codification of Chapter 17, Title 72, of the Pennsylvania Consolidated Statutes.* (1981).
- Faculty Output and Salary Costs of the State-Related and State-Owned Colleges and Universities.* (1980).
- Local School Tax Reform: A Proposal to Reduce Property and Nuisance Taxes.* (1980).
- Private Detectives and Security Business.* (1980).
- Proposed Revision of Adoption Law and Codification into Pennsylvania Consolidated Statutes, Title 23, Part III.* (1980).
- The Impact of PIDA Loans on Employment.* (1980).
- Administration of Pennsylvania's Child Abuse Law.* (1979).
- Faculty Output and Salary Costs of the State-Related and State-Owned Colleges and Universities.* (1979).
- Interim Report of the Select Task Force to Study Cost-of-Living Adjustments and Benefit Funding for the State and School Retirement Systems Probate, Estates and Fiduciaries Code: Proposed Amendments and Comments, 1979: Including a Study of the Impact of Inheritance Taxes on Decedents' Domicile.* (1979).
- Condominiums: A New Generation.* (1978).
- Faculty Output and Salary Costs of the State-Related and State-Owned Colleges and Universities.* (1978).
- Office of the Elected Attorney General: Final Report.* (1978).
- Office of the Elected Attorney General: Preliminary Report.* (1978).
- Rent Withholding.* (1978).
- Sovereign Immunity.* (1978).
- Energy Facility Sitting: A Comprehensive Program for Pennsylvania.* (1977).
- Faculty Output and Salary Costs of the State-Related Universities.* (1977).
- Fire Service Needs in the Commonwealth.* (1977).
- Probate, Estates and Fiduciaries Code: Proposed Amendments and Comments, 1977.* (1977).

- Faculty Output and Salary Costs of the State-Related Universities.* (1976).
- Funding the Game and Fish Commissions.* (1976).
- Proposed Public Utility Code, with Source Notes and Comments.* (1976).
- Initial Report of the Commonwealth Compensation Commission on Compensation Adjustments for Members of the General Assembly, Governor, Lieutenant Governor and Cabinet Officers.* (1976).
- Faculty Output and Salary Costs of the State-Related Universities.* (1975).
- Probate, Estates and Fiduciaries Code: Proposed Amendments and Comments, 1975.* (1975).
- Proposed Military Code, with Source Notes and Comments.* (1975).
- Services to Troubled Youth: A Review and Recommendations.* (1975).
- Implementing Constitutional Amendment: District Attorneys' Information.* (1974).
- Proposed Public School Employees' Retirement Code.* (1974).
- Guardianship of the Mentally Retarded: A Subcommittee Report on House Bill 1516 to the Judiciary Committee of the House of Representatives.* (1974).
- Proposed Amendments: Probate, Estates and Fiduciaries Code: Phase II.* (1973).
- Eminent Domain Code, As Amended with Comments and Notes.* (1972).
- Proposed Probate, Estates and Fiduciaries Code.* (1972).
- Proposed State Employees' Retirement Code of 1972.* (1972).
- The Paramedical Profession.* (1970).
- Proposed Adoption Act.* (1970).
- Proposed Budgeting Legislation Implementing the Pennsylvania Constitutional Revision of 1968.* (1970).
- Proposed Juvenile Act.* (1970).
- Public School Building Costs.* (1970).
- Taxation of Public Utility Realty.* (1970).
- Proposed Disposition of Abandoned and Unclaimed Property Act.* (1969).

- Tax Exemption and Auditing Legislation Implementing the Pennsylvania Constitution, Article VIII, Sections 2 and 10.* (1969).
- Uniform Criminal Statistics.* (1969).
- Automotive Air Pollution: Special Report.* (1967).
- Medical Training Facilities and Medical Practice in Pennsylvania.* (1967).
- Proposed Crimes Code for Pennsylvania.* (1967).
- A Vietnam Veterans' Bonus for Pennsylvanians.* (1967).
- A Report by the Chairman: Joint State Government Commission Activities, 1963-1965.* (1966).
- Pennsylvania National Guard Insurance.* (1965).
- Eminent Domain Code, With Comments.* (1964).
- Four Years After High School: A Follow-Up Survey of the Pennsylvania High School Seniors of 1958—Their Post-High School Education; Their Employment; Their Future Plans.* (1964).
- Automotive Air Pollution.* (1963).
- Biennial Report 1961-1963.* (1963).
- Coal in Pennsylvania: Recent Developments and Prospects.* (1963).
- The Dangerous Sex Offender.* (1963).
- Inheritance and Estate Tax Act of 1961, As Amended.* (1963).
- Mechanics' Lien Law of 1963.* (1963).
- Milk Price Control.* (1963).
- Penal Institutions, Probation and Parole.* (1963).
- Periodic Physical Re-Examination of Motor Vehicle Operators: An Evaluation of the Pennsylvania Experience.* (1963).
- Record: Interstate Advisory Committee on the Susquehanna River Basin.* (1963).
- University Museum of the University of Pennsylvania.* (1963).
- Observations and Recommendations of the Wildlife Management Institute, Washington, D.C., Re: Pennsylvania Fish Commission.* (1962).
- Proposed Eminent Domain Law of 1963.* (1962).
- Biennial Report, 1959-1961.* (1961).
- Civil Service: History and Contemporary Practices.* (1961).
- Proposed Marriage and Divorce Codes for Pennsylvania.* (1961).

- Anthracosilicosis and Commonwealth Expenditures under the Occupational Diseases Law.* (1959).
- Biennial Report 1957-1959.* (1959).
- Duties and Compensation of the Capitol Police.* (1959).
- Duties, Qualifications and Compensation of Liquor Store Sales Personnel Employed by the Liquor Control Board.* (1959).
- Higher Education in Pennsylvania: Analysis of Problems with Proposals.* (1959).
- Pennsylvania High School Seniors, 1958: Their Mental Ability; Their Aspirations; Their Post-High School Activities; A Technical Supplement.* (1959).
- Proposed Inheritance and Estate Tax Act of 1959.* (1959).
- Structure and Growth of Pennsylvania's Economy; An Outline of Trends, 1946-1956.* (1959).
- Fiscal Trends, 1937-1957.* (1958).
- Proposed Public School Employees' Retirement Code of 1959.* (1958).
- Proposed State Employees' Retirement Code of 1959.* (1958).
- Biennial report, 1955-1957.* (1957).
- Branch Banking.* (1957).
- Sale of Life Insurance by Mutual Savings Banks.* (1957).
- Subsidence (Mining).* (1957).
- General Report, 1953-1955.* (1955).
- Highway Safety.* (1955).
- Medical Training Facilities.* (1955).
- Pennsylvania Minerals.* (1955).
- Proposed Amendments to the Decedents' Estates Law.* (1955).
- Public School Building Subsidies.* (1955).
- School Health Services.* (1955).
- Selected Employee Benefit Plans: A Source Book.* (1955).
- Highway Use and Highway Costs.* (1953).
- Highway Use and Highway Costs: A Technical Supplement.* (1953).
- Public School Transportation.* (1953).
- Sixty-Five: A Report Concerning Pennsylvania's Aged.* (1953).
- State License Fees, Except Those Provided for by the Vehicle Codes.* (1953).

- State and Local Support of Public Education.* (1953).
- Veterinary Medicine in Pennsylvania; Training Facilities and Practice.* (1953).
- Report of Findings of the Joint State Legislative Committee on Turnpike Safety.* (1953).
- Pennsylvania Annotations to the Proposed Uniform Commercial Code.* (1952).
- Blind Pensions in Pennsylvania.* (1951).
- Child Placement and Adoption.* (1951).
- Commonwealth Accounting.* (1951).
- Commonwealth Retirement Systems: Structure and Costs.* (1951).
- Commonwealth Space Requirements in Pittsburgh and Philadelphia.* (1951).
- Commonwealth-Owned Forests and Reforestation.* (1951).
- General Report, 1949-1951.* (1951).
- The Independence Mall.* (1951).
- Occupational Hazards to State Employees.* (1951).
- Partial Unemployment Compensation Benefits.* (1951).
- Public Assistance in Pennsylvania.* (1951).
- Public School Attendance Areas.* (1951).
- Report: Decedents' Estates Laws of 1951.* (1951).
- Sex Offenders.* (1951).
- Smoke Control.* (1951).
- Tax-Exempt Liquid Fuels.* (1951).
- Proposed Landlord and Tenant Act of 1951.* (1950).
- Proposed Mental Health Act of 1951.* (1950).
- Catalog of Historical Buildings, Sites and Remains in Pennsylvania.* (1949).
- Codification of School Laws.* (1949).
- Commonwealth-Owned, Tax-Exempt Real Property.* (1949).
- Findings and Recommendations on the Pennsylvania Tax System, Parts I & II.* (1949).
- General Report, 1947-1949.* (1949).
- Highways: A Proposed Administrative and Financial Program.* (1949).

- Juvenile Delinquency and Child Welfare.* (1949).
- Penal Laws.* (1949).
- Pennsylvania's Industrial Economy: An Outline of Trends and Strategic Factors, 1929-1947.* (1949).
- Per Pupil Cost of Vocational and General Education Programs in the Public Schools.* (1949).
- Public Libraries.* (1949).
- Report: Decedents' Estates Law of 1949.* (1949).
- School and State Employees' Retirement Systems.* (1949).
- Susquehanna River Fishways.* (1949).
- Uniform Practice and Procedures Before Administrative Agencies of the Commonwealth.* (1949).
- Alcoholism.* (1948).
- The Hatfield Case.* (1948).
- Post-High School Education.* (1948).
- Child Welfare Laws, Juvenile Delinquency and Institutions.* (1947).
- Report on Cooperatives.* (1947).
- Report: Decedents' Estates Laws of 1947.* (1947).
- Report on Fish and Game Commission.* (1947).
- State-Local Highway Financing.* (1947).
- Summary Report, 1945-1947.* (1947).
- Proposed Intestate Act of 1947.* (1946).
- Proposed Wills Act of 1947.* (1946).
- Distribution of State Funds to Political Subdivisions.* (1945).
- Economic Resources and Related Tax Problems of the Commonwealth of Pennsylvania.* (1945).
- Partial Unemployment Compensation: Proposal for Increased Benefits and Benefits for Partial Unemployment.* (1945).
- Report on Municipal Authorities.* (1945).
- Report on Penal Code and Juvenile Delinquency.* (1945).
- Proposals for Revision of the Tax Structure of the Commonwealth of Pennsylvania.* (1945).
- Strip Mining.* (1945).
- Summary Report, 1943-1945.* (1945).

- Fiscal Analysis of the Operating Funds of the Commonwealth of Pennsylvania, 1923-1943.* (1944).
- Fiscal Operations and Debt of the School District of Philadelphia, 1920-1943.* (1944).
- Fiscal Operations and Debt of the School District of Pittsburgh, 1919-1943.* (1944).
- Fiscal Operations and Debt of the School District of Scranton, 1919-1943.* (1944).
- Fiscal Operations and Debts of Eleven Selected School Districts, 1920-1943.* (1944).
- Fiscal Operations of the School Districts of the Commonwealth of Pennsylvania, 1920-1942.* (1944).
- Fiscal Expenditures for Education in the Commonwealth of Pennsylvania, 1920-1942.* (1944).
- Tax Structure and Revenue of the General Fund of the Commonwealth of Pennsylvania, 1913-1943.* (1944).
- Debt of the Commonwealth of Pennsylvania and Its Local Subdivision.* (1943).
- Legislative Printing.* (1943).
- Report on Bureau of Vital Statistics, Relative to Issuance of Certified Copies of Birth Certificates.* (1943).
- Employer Experience Rating.* (1941).
- The Organization and Administration of Pennsylvania's State Government.* (1941).
- The Organization and Administration of Pennsylvania's State Government: Supplement.* (1941).
- Recommendations for Amending the Pennsylvania Unemployment Compensation Law, Part 1.* (1941).
- Recommendations for Amending the Pennsylvania Unemployment Compensation Law, Part 2.* (1941).
- Report on Relief.* (1941).
- Tax and Financial Problems of the Commonwealth of Pennsylvania.* (1941).
- Facts About Your Keystone State.* (1940).
- History, Purposes and Activities of the Joint State Government Commission.* (1940).

CHAPTER 5

MUNICIPAL LAW

Municipal law is a subcategory of statutory law from the point of view of primary authority. Municipal law deals with local government law within a state. On the municipal level, constitutions are called home rule charters; statutory legislation are called ordinances. Ordinances, like federal or state statutory law, may be collected into annual volumes and then published typically as codes. Generally, the solicitor for the municipality oversees the codification of the ordinances, but a commercial vendor like General Code Publishers, publishes the code.

The relationship between state and municipal law is based on the state constitution and legislative enactment of the state legislature. The constitution provides for establishing local government and its relationship to state government (Article IX of the Pennsylvania Constitution of 1968), while state legislation defines municipal law at city, township, borough and municipality level (Titles 16 and 53 of *Purdon's Pennsylvania Statutes Annotated*).

Local government in Pennsylvania presently consists of 5,211 individual units established by state or provincial governments. There are four general types of municipalities in Pennsylvania: counties, cities, boroughs and townships. There are nine different classes of counties, four classes of cities, two classes of townships and five classes of school districts. Boroughs are not classified.

As of 2007, there were 67 counties, 56 cities, 959 boroughs, 1 incorporated town, 1,547 townships (91 first class, 1,456 second class), 501 school districts and 2,080 authorities (active and inactive).¹ The General Assembly enacts legislation for each class though there may be only one unit per class; e.g., Philadelphia is the only first class city and Allegheny County is the only second class county. The source of legislative powers granted to the local municipalities derives from the general

1. 118 PA. MANUAL 6-3 (December 2007 ed.).

codes passed by the General Assembly. These codes include the County Code, Third Class City Code, Borough Code, First Class Township Code, Second Class Township Code and Public School Code.

§5.1 Constitutional Basis of Local Government

Under the Constitution of 1968, Article IX concerns local governments. By Article IX §1 of the Constitution, legislature can enact uniform laws regulating the local units of government. By section 2, the individual municipalities can adopt home rule charters. Legislation has been passed concerning home rule. Of the 64 municipalities (as of January 1993) that have adopted home rule charters, there have been 6 counties, 16 cities, 16 boroughs and 27 townships.² The counties are Allegheny, Delaware, Erie, Lackawanna, Lehigh and Northampton. Titles 301 to 367 of the Pennsylvania Code contain the full text of the home rule charters for the counties and municipalities.

Section 3 provides for optional forms of government, which can be determined by the General Assembly. An optional form of government may be presented to the people of the municipality by several methods, but they may adopt or repeal an optional form of government by referendum. See Appendix 1 for a list of municipalities that have adopted home rule charters, optional plans and optional charters.

Local government in Pennsylvania dates back to the colonial period wherein the administrative positions retained by local governments have changed little. There are currently 67 counties in Pennsylvania, Philadelphia being the largest, and Forest being the smallest in terms of population size.

A county government is composed of the three-member board of commissioners as well as other elected officials independent of the commissioners. These officers include the sheriff, district attorney, prothonotary, clerk of courts, register of wills, recorder of deeds and two jury commissioners. All of these offices except for the jury commissioners are listed as county officers under the Constitution (Article IX §4).

2. *Id.*, 6-4. For the full-text of the home rule charters, see the Title 300 series of the *Pennsylvania Code*.

In addition, section 4 also lists a public defender, who is generally an appointed, not elected, county official. In the smaller counties, consolidation of some of these offices—prothonotary, clerk of court, register of wills, and recorder of deeds—may occur. The powers and responsibilities of these positions are generally stated in various laws passed by the legislature.

Generally, the major responsibilities are detailed in Title 16 of *Purdon's Pennsylvania Statutes Annotated*, Title 42 of the Pennsylvania Consolidated Statutes, and other statutes as cited in the indexes to the statutory law. The county commissioners, the elected officials, and the county court, individually or jointly, appoint a number of other county officials and employees needed to carry out county functions by law.

§5.1.1. Home Rule Charters

Home rule charters and optional plans provide local governments with the ability to carry on various functions independently of state legislative control.

For a listing of municipalities that have adopted home rule charters and optional plans, see Title 301 to 367 of the *Pennsylvania Code*.

§5.2 Local Government

Besides county government, every citizen also lives under the authority of a municipality—either a city, town or borough. Cities are divided into three classes: first, second and third class. Philadelphia is the only first class city, Pittsburgh is the only second class city, and Scranton is the only second class-A city. All three of these cities have mayors as the dominant force in city government.

Of the third class cities, 20 of 53 cities operate under a commission form of government, composed of a mayor and four members.³ Under the Third Class City Charter Law, the mayor-council form of government has a five, seven or nine member council in which the mayor acts as chief executive of

3. *Id.*, 6-5. The 20 cities are Aliquippa, Arnold, Beaver Falls, Bradford, Butler, Connellsville, Corry, Duquesne, Jeanette, Lower Burrell, Monessen, Monongahela, Nanticoke, New Kensington, Pittston, Pottsville, Shamokin, Sunbury, Uniontown, and Washington.

the city with the power to enforce the ordinances of council. Nine cities operate under this system.⁴ Another system of municipal government may be the council-manager form with all authority residing in a five, seven or nine member council, which appoints a city manager who serves as the chief administrative officer of the city.⁵ Since 1972, 16 cities have adopted home rule charters.⁶

The government of boroughs consists of the weak mayor form, dating back to the nineteenth century, in which a strong council dominates local government with a weak executive official and other executive officials with powers independent of council. A borough not divided into wards possesses seven councilmen; one with wards must have at least one, but not more than two, representatives from each ward. The powers of council are broad and extensive. In more than 200 boroughs the chief administrative officer is a manager appointed by the council. Since 1972, 19 boroughs have adopted home rule charters⁷, while two have optioned for council-manager plans.⁸

Of the two classes of townships, 91 are chiefly urban centered while the remaining 1,459 are rural. In first class townships, the governing body is composed of elected commissioners with five elected at-large or up to 15 elected by wards. The commissioners have four-year overlapping terms. In second class townships, three supervisors are elected at-large. Two additional supervisors may be elected if approved by a referendum. All are elected at-large for six-year terms.

In order to move up from a second to a first class township, there must be a population density of 300 persons per

-
4. *Id.* The nine cities are Bethlehem, Easton, Erie, Harrisburg, Lancaster, New Castle, Sharon, Williamsport, and York.
 5. *Id.* These cities include Lock Haven, Meadville, Oil City, and Titusville.
 6. *Id.* Allentown, Carbondale, Chester, Clairton, Coatesville, Farrell, Franklin, Greenburg, Hermitage, Johnstown, Lebanon, McKeesport, Reading, St. Marys, Warren, and Wilkes-Barre.
 7. *Id.* 6-5-6-6. The 19 are Bellevue, Bethel Park, Bradford Woods, Bryn Athyn, Cambridge Springs, Chalfont, Edinboro, Green Tree, Kingston, Latrobe, Monroeville, Murrysville, Norristown, Portage, State College, Tyrone, West Chester, Whitehall, and Youngsville.
 8. *Id.* Weatherly and Quakertown.

square mile and the voters must pass a referendum on the conversion. Since 1972, 12 first class townships⁹ and 15 second class townships¹⁰ have adopted home rule charters; four second class townships¹¹ have selected a council-manager form of government and Bensalem Township and Bristol Township have selected the executive-council form under optional plans of government.

Finally, an authority is a special kind of local government, separate from the local bodies discussed above, but a body corporate and politic authorized to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds to finance them. The governing body authorizes an ordinance setting up the authority which may have a board of five members. If more than one governmental unit participates in setting up the authority, there is at least one member from each unit but no less than five. By January 1999 there were 2,198 authorities which is almost a 100 percent increase in just 36 years.¹²

§5.3 Sources

There are limited sources of materials available for research in municipal law.

§5.3.1 Pennsylvania Code

Titles 301 to 367 contain the home rule charters of each county (if one exists) and all municipalities within the county.

§5.3.2 Municipal Codes

Several hundred municipalities throughout the Commonwealth have codified their local ordinances. General Code Publishers of Rochester, New York (now including Penns Valley publications) is the major supplier of local codes.

-
9. *Id.* Cheltenham, Haverford, McCandless, Mt. Lebanon, O'Hara, Penn Hills, Plymouth, Radnor, Upper Darby, Upper St. Clair, and Whitehall.
 10. *Id.* Chester, Elk, Ferguson, Hampton, Hanover, Horsham, Kingston, Middletown, Peters, Pine, Richland, Tredyffrin, Upper Providence, West Deer, and Whitemarsh.
 11. *Id.* College, Indiana, Lower Saucon, and Washington.
 12. *Id.*

See Appendix 5 in this chapter for a complete listing of local codes available.

§5.3.3 *Pennsylvania Manual*

The *Pennsylvania Manual* contains a section for Local Government that contains lists of the classifications by counties and by cities as well as detailed information concerning each county and its municipalities.

§5.4 Research Methods

§5.4.1 *West's® Pennsylvania Digest 2d*

One can research topics under municipal law.

§5.4.2 *Ordinance Law Annotations*

Available from Shepard's, this set is different from the regular citators in that the volumes are arranged by topic with discussion and citation to cases under each topic. A subject index provides access.

§5.4.3 *Shepard's® Pennsylvania Citations, Statute Ed., 5th ed. (1987)*

The current edition of *Shepard's® Pennsylvania Citations* (2004) no longer contains citations to home rule charters or municipal legislation. It is therefore necessary to perform searches in Lexis or Westlaw full-text databases.

Historically, the 1987 edition of *Shepard's® Pennsylvania Citations, Statute Edition, part 2*, and the two supplementary volumes (1987-1990, 1990-1993) contained sections at the end of part 2 for both home rule charters and local legislation. The municipalities were arranged alphabetically and then subdivided by topic. An index at the end of the section provided the topic first with a cross-reference to the municipality. Some larger law libraries might still have these volumes available.

§5.4.4 Secondary Sources

There are a number of secondary sources available that will help the researcher in locating these materials.

- *Pennsylvania Law Encyclopedia 2d* (Lexis®) contains the topic of Municipal Corporations (vols. 34 and 35).

- *Summary of Pennsylvania Practice 2d* (West Group®) contains volumes 22 and 23 on municipal and local law.
- *Am. Jur. 2d*® and C.J.S. have sections on municipal corporations.
- *McQuillan on Municipal Corporations* (West®) multi-volume treatise on subject.
- *Model Ordinances for Municipalities* (Fry). This volume contains forms for local legislation.
- Levin, Michael I., Mark W. Voigt and David W. B. *Municipal Liability in Pennsylvania: An Analysis of the Political Subdivision Tort and Compensation Act and the Recreation Act*. 1 v. PBI, 1998-, suppl. (Looseleaf).
- Ostrow, Alan C. *The Tort Claims Act Manual: Statutory Governmental Immunity in Pennsylvania*. 1 v. City of Philadelphia Law Department, 1994-, suppl. (Looseleaf).
- Penns Valley Publishers. *Model Ordinances For Pennsylvania Municipalities*. 2d ed. 1 v. Penns Valley Publishers, 1989-, suppl. (Looseleaf).
- Zaslow, Darell M. Bisel's *Pennsylvania Municipal Lawsource: The Collected Municipal Statutes, Rules, First Class Township, Second Class Township, and Borough Codes*. 5th ed.1 v. Bisel, 2006.

§5.4.5 Continuing Legal Education

The Pennsylvania Bar Association and county bar association have a section or committee comprised of municipal and/or school district attorneys.

The Pennsylvania Bar Institute has a a bi-annual volume entitled *Municipal Law Colloquium*.

§5.5 Online Sources

Counties in Pennsylvania have developed their own web sites providing various types of information about the county such as organization, departments, administrative regulations, business information, real estate, etc. The official state web site contains a link to Pennsylvania Local Government web sites, at <http://sites.state.pa.us/govlocal.html>. Besides the county governments, links to Cities, Townships, Boroughs and Villages are also available alphabetically by municipality.

County and municipal home rule charters published in the Pennsylvania Code are available online at www.pacode.com.

The Pennsylvania Manual is available under the heading Publications at the Department of General Services web site, at www.dgs.state.pa.us.

There are several statewide associations that deal with municipal law:

County Commissioners Association of Pennsylvania, at <http://www.pacounties.org>.

Pennsylvania League of Cities and Municipalities, at

<http://www.plcm.org>.

Pennsylvania School Boards Association, at

<http://www.psba.org>.

Pennsylvania State Association of Boroughs, at

<http://www.boroughs.org>.

Pennsylvania State Association of Township Supervisors, at <http://www.psats.org>.

General Code provides an electronic library of local codes arranged by state, at www.generalcode.com

APPENDIX 1¹³
MUNICIPALITIES WHICH HAVE ADOPTED HOME RULE
CHARTERS, OPTION PLANS AND OPTIONAL CHARTERS
AS OF JANUARY, 2007

<u>MUNICIPALITY</u>	<u>FORM</u>	<u>DATE ADOPTED</u>
ALLEGHENY COUNTY		
Allegheny County	Home Rule	May, 1998
Bellevue Borough	Home Rule	November, 1974
Bethel Park Borough	Home Rule	November, 1976
Bradford Woods Borough	Home Rule	May, 1974
Clairton City	Home Rule	April, 1988
Greentree Borough	Home Rule	November, 1974
Hampton Township	Home Rule	November, 1973
Indiana Township	Optional Plan	November, 1974
McCandless Township	Home Rule	November, 1973
McKeesport City	Home Rule	November, 1973
Monroeville Municipality	Home Rule	May, 1974
Mount Lebanon Township	Home Rule	May, 1974
O'Hara Township	Home Rule	November, 1973
Penn Hills Municipality	Home Rule	May, 1973
Pine Township	Home Rule	November, 1991
Pittsburgh City	Home Rule	November, 1974
Richland Township	Home Rule	May, 1974
Upper St. Clair Township	Home Rule	November, 1973
West Deer Township	Home Rule	May, 1974
Whitehall Borough	Home Rule	May, 1994
BERKS COUNTY		
Reading City	Home Rule	November, 1993
BLAIR COUNTY		
Altoona City	Optional Plan	November, 1987
Tyrone Borough	Home Rule	May, 1982
BUCKS COUNTY		
Bensalem Township	Optional Plan	November, 1987

13. 118 Pa. Manual 6-7-6-8 (2007 ed.).

Bristol Township	Optional Plan	November, 1984
Chalfont Borough	Home Rule	November, 1974
Quakertown Borough	Optional Plan	May, 1974

CAMBRIA COUNTY

Johnstown City	Home Rule	May, 1993
----------------	-----------	-----------

CARBON COUNTY

Weatherly Borough	Optional Plan	May, 1974
-------------------	---------------	-----------

CENTRE COUNTY

College Township	Optional Plan	May, 1974
Ferguson Township	Home Rule	May, 1974
State College Borough	Home Rule	November, 1973

CHESTER COUNTY

Coatesville City	Home Rule	May, 1979
Elk Township	Home Rule	November, 1974
Tredyffrin Township	Home Rule	November, 1993
West Chester Borough	Home Rule	November, 1993

CLEARFIELD COUNTY

DuBois City	Optional Plan	May, 1978
-------------	---------------	-----------

CLINTON COUNTY

Lock Haven City	Optional Charter	November, 1969
-----------------	------------------	----------------

CRAWFORD COUNTY

Cambridge Springs Borough	Home Rule	May, 1974
Meadville City	Optional Charter	November, 1965
Titusville City	Optional Charter	November, 1962

DAUPHIN COUNTY

Harrisburg City	Optional Charter	May, 1969
-----------------	------------------	-----------

DELAWARE COUNTY

Delaware County	Home Rule	May, 1975
Chester City	Home Rule	April, 1980
Chester Township	Home Rule	May, 1990
Haverford Township	Home Rule	April, 1976
Middletown Township	Home Rule	May, 1975
Radnor Township	Home Rule	November, 1976
Upper Darby Township	Home Rule	May, 1974

Upper Providence Township	Home Rule	November, 1975
ELK COUNTY		
St. Mary's City	Home Rule	November, 1992
ERIE COUNTY		
Erie County	Home Rule	November, 1976
Edinboro Borough	Home Rule	May, 1974
Erie City	Optional Charter	November, 1959
Washington Township	Optional Plan	November, 1973
LACKAWANNA COUNTY		
Lackawanna County	Home Rule	April, 1976
Carbondale City	Home Rule	November, 1975
Scranton City	Home Rule	May, 1974
LANCASTER COUNTY		
Lancaster City	Optional Charter	November, 1963
LAWRENCE COUNTY		
New Castle City	Optional Charter	November, 1965
LEBANON COUNTY		
Lebanon City	Home Rule	April, 1992
LEHIGH COUNTY		
Lehigh County	Home Rule	November, 1975
Allentown City	Home Rule	April, 1996
Hanover Township	Home Rule	November, 1976
Whitehall Township	Home Rule	November, 1974
LUZERNE COUNTY		
Hazleton City	Optional Charter	November, 1985
Kingston Borough	Home Rule	November, 1974
Kingston Township	Home Rule	May, 1974
Wilkes-Barre City	Home Rule	November, 1974
Wilkes-Barre Township	Home Rule	May, 1974
LYCOMING COUNTY		
Williamsport City	Optional Charter	May, 1970

MERCER COUNTY

Farrell City	Home Rule	November, 1974
Hermitage City	Home Rule	May, 1974
Sharon City	Optional Charter	November, 1959

MONTGOMERY COUNTY

Bryn Athyn Borough	Home Rule	November, 1977
Cheltenham Township	Home Rule	November, 1976
Horsham Township	Home Rule	November, 1975
Norristown Borough	Home Rule	November, 1984
Plymouth Township	Home Rule	May, 1974
Whitemarsh Township	Home Rule	May, 1982

NORTHAMPTON COUNTY

Northampton County	Home Rule	April, 1976
Bethlehem City	Optional Charter	November, 1959
Easton City	Optional Charter	November, 1970
Lower Saucon Township	Optional Plan	November, 1973

PHILADELPHIA COUNTY

Philadelphia City	Home Rule	April, 1951
-------------------	-----------	-------------

VENANGO COUNTY

Franklin City	Home Rule	November, 1974
Oil City	Optional Charter	November, 1969

WARREN COUNTY

Warren City	Home Rule	May, 1975
Youngsville Borough	Home Rule	November, 1974

WASHINGTON COUNTY

Peters Township	Home Rule	November, 1973
-----------------	-----------	----------------

WESTMORELAND COUNTY

Greensburg City	Optional Charter	November, 1988
Latrobe Borough	Home Rule	May, 1995
Murrysville Borough	Home Rule	April, 1976

York City **YORK COUNTY**
Optional Charter November, 1959

APPENDIX 2
CLASSIFICATION OF COUNTIES, 2000 CENSUS¹⁴

First Class (1): Philadelphia.

Second Class (1): Allegheny.

Second Class A (3): Bucks, Delaware, and Montgomery.

Third Class (11): Berks, Chester, Dauphin, Erie, Lackawanna, Lancaster, Lehigh, Luzerne, Northampton, Westmoreland, and York.

Fourth Class (7): Beaver, Butler, Cambria, Cumberland, Fayette, Schuylkill, and Washington.

Fifth Class (9): Blair, Centre, Franklin, Lawrence, Lebanon, Lycoming, Mercer, Monroe, and Northumberland.

Sixth Class (24): Adams, Armstrong, Bedford, Bradford, Carbon, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Greene, Huntingdon, Indiana, Jefferson, McKean, Mifflin, Pike, Somerset, Susquehanna, Tioga, Venango, Warren and Wayne.

Seventh Class (5): Juniata, Perry, Snyder, Union, and Wyoming.

Eighth Class (6): Cameron, Forest, Fulton, Montour, Potter, and Sullivan.

14. *Id.* 6-11.

APPENDIX 3
CLASSIFICATION OF CITIES¹⁵

First Class: 1,000,000 persons and over.

Second Class: 250,000 to 999,999 persons.

Second Class A: 80,000 to 250,000 persons and which by ordinance elect to be a city of the second class A status.

Third Class: Under 500,000 and which have elected not to be a second class A city.

First Class (1): Philadelphia.

Second Class (1): Pittsburgh.

Second Class A (1): Scranton.

Third Class (53): Aliquippa, Allentown, Altoona, Arnold, Beaver Falls, Bethlehem, Bradford, Butler, Carbondale, Chester, Clairton, Coatesville, Connellsville, Corry, DuBois, Duquesne, Easton, Erie, Farrell, Franklin, Greensburg, Harrisburg, Hazleton, Hermitage, Jeannette, Johnstown, Lancaster, Lebanon, Lock Haven, Lower Burrell, McKeesport, Meadville, Monessen, Monongahela, Nanticoke, New Castle, New Kensington, Oil City, Parker City, Pittston, Pottsville, Reading, Shamokin, Sharon, St. Marys, Sunbury, Titusville, Uniontown, Warren, Washington, Wilkes-Barre, Williamsport, and York.

15. *Id.* 6-47.

APPENDIX 4
MUNICIPALITIES WITH PUBLISHED CODES

Allegheny County
Bear Creek Township
Beaver County
Borough of Abbottstown
Borough of Adamstown
Borough of Albion
Borough of Aldan
Borough of Ambler
Borough of Ambridge
Borough of Arendtsville
Borough of Ashland
Borough of Ashley
Borough of Aspinwall
Borough of Athens
Borough of Auburn
Borough of Avis
Borough of Baden
Borough of Baldwin
Borough of Beaver
Borough of Bechtelsville
Borough of Bedford
Borough of Bell Acres
Borough of Bellevue
Borough of Bendersville
Borough of Big Beaver
Borough of Biglerville
Borough of Birdsboro
Borough of Blairsville
Borough of Bloomfield
Borough of Blossburg
Borough of Bonneauville
Borough of Boyertown
Borough of Brackenridge
Borough of Braddock

Borough of Bradford Woods
Borough of Brentwood
Borough of Bridgeport
Borough of Bridgeville
Borough of Bristol
Borough of Brockway
Borough of Brookville
Borough of Burgettstown
Borough of Burnham
Borough of California
Borough of Callery
Borough of Camp Hill
Borough of Canonsburg
Borough of Carlisle
Borough of Carnegie
Borough of Castle Shannon
Borough of Catasauqua
Borough of Catawissa
Borough of Centre Hall
Borough of Chalfant
Borough of Chalfont
Borough of Chambersburg
Borough of Chester Heights
Borough of Cheswick
Borough of Churchill
Borough of Clarion
Borough of Clarks Summit
Borough of Clarksville
Borough of Claysville
Borough of Clearfield
Borough of Cleona
Borough of Coaldale
Borough of Collingdale
Borough of Columbia
Borough of Colwyn
Borough of Conshohocken

Borough of Conway
Borough of Coopersburg
Borough of Coplay
Borough of Coudersport
Borough of Crafton
Borough of Curwensville
Borough of Dallastown
Borough of Darby
Borough of Delmont
Borough of Denver
Borough of Derry
Borough of Dickson City
Borough of Dillsburg
Borough of Dormont
Borough of Dover
Borough of Downingtown
Borough of Doylestown
Borough of Dravosburg
Borough of DuBoistown
Borough of Dushore
Borough of Eagles Mere
Borough of East Bangor
Borough of East Conemaugh
Borough of East Greenville
Borough of East Lansdowne
Borough of East McKeesport
Borough of East Petersburg
Borough of East Pittsburgh
Borough of East Rochester
Borough of East Stroudsburg
Borough of East Washington
Borough of Eastvale
Borough of Ebensburg
Borough of Economy
Borough of Eddystone
Borough of Edgewood

Borough of Edgeworth
Borough of Edinboro
Borough of Edwardsville
Borough of Elizabethtown
Borough of Ellport
Borough of Emsworth
Borough of Ephrata
Borough of Evans City
Borough of Falls Creek
Borough of Forest City
Borough of Fountain Hill
Borough of Fox Chapel
Borough of Franklin Park
Borough of Freedom
Borough of Galeton
Borough of Gallitzin
Borough of Gettysburg
Borough of Glen Rock
Borough of Glenolden
Borough of Goldsboro
Borough of Green Lane
Borough of Greencastle
Borough of Greenville
Borough of Grove City
Borough of Hallam
Borough of Hamburg
Borough of Hanover
Borough of Harveys Lake
Borough of Hatboro
Borough of Heidelberg
Borough of Hellertown
Borough of Hollidaysburg
Borough of Homer City
Borough of Homestead
Borough of Honesdale
Borough of Hughesville

Borough of Hulmeville
Borough of Huntingdon
Borough of Indiana
Borough of Ingram
Borough of Irwin
Borough of Jacobus
Borough of Jefferson
Borough of Jefferson Hills
Borough of Jenkintown
Borough of Jersey Shore
Borough of Jim Thorpe
Borough of Johnsonburg
Borough of Jonestown
Borough of Kane
Borough of Kenhorst
Borough of Kennett Square
Borough of Kittanning
Borough of Knox
Borough of Kutztown
Borough of Lake City
Borough of Lansdale
Borough of Lansdowne
Borough of Larksville
Borough of Laureldale
Borough of Lawrenceville
Borough of Leechburg
Borough of Leetsdale
Borough of Lehighton
Borough of Lewis Run
Borough of Lewisburg
Borough of Lewistown
Borough of Liberty
Borough of Ligonier
Borough of Lincoln
Borough of Lititz
Borough of Littlestown

Borough of Loganton
Borough of Macungie
Borough of Mahanoy City
Borough of Malvern
Borough of Manchester
Borough of Manheim
Borough of Marcus Hook
Borough of Marietta
Borough of Marion Heights
Borough of Mars
Borough of Marysville
Borough of Masontown
Borough of Matamoras
Borough of McDonald
Borough of McSherrystown
Borough of Mechanicsburg
Borough of Media
Borough of Middleburg
Borough of Middletown
Borough of Midland
Borough of Mifflinburg
Borough of Mifflintown
Borough of Milford
Borough of Mill Hall
Borough of Millersburg
Borough of Millersville
Borough of Millheim
Borough of Milton
Borough of Mohnton
Borough of Monaca
Borough of Montoursville
Borough of Montrose
Borough of Moosic
Borough of Morrisville
Borough of Mount Joy
Borough of Mount Oliver

Borough of Mount Penn
Borough of Mount Pleasant
Borough of Mount Pocono
Borough of Mount Union
Borough of Mountville
Borough of Muncy
Borough of Munhall
Borough of Myerstown
Borough of Nanty Glo
Borough of Narberth
Borough of Nesquehoning
Borough of New Brighton
Borough of New Britain
Borough of New Freedom
Borough of New Hope
Borough of New Oxford
Borough of New Salem
Borough of New Wilmington
Borough of Newport
Borough of Newtown
Borough of Norristown
Borough of North Apollo
Borough of North East
Borough of North Wales
Borough of North York
Borough of Northampton
Borough of Northern Cambria
Borough of Northumberland
Borough of Norwood
Borough of Oakdale
Borough of Oakmont
Borough of Old Forge
Borough of Osborne
Borough of Oxford
Borough of Palmerton
Borough of Palmyra

Borough of Parkside
Borough of Parryville
Borough of Pen Argyl
Borough of Penbrook
Borough of Penndel
Borough of Pennsburg
Borough of Pennsbury Village
Borough of Perkasie
Borough of Philipsburg
Borough of Phoenixville
Borough of Pitcairn
Borough of Pleasant Hills
Borough of Pleasantville
Borough of Plymouth
Borough of Port Allegany
Borough of Port Carbon
Borough of Port Royal
Borough of Port Vue
Borough of Portage
Borough of Pottstown
Borough of Pringle
Borough of Prospect
Borough of Prospect Park
Borough of Punxsutawney
Borough of Quakertown
Borough of Red Hill
Borough of Red Lion
Borough of Reynoldsville
Borough of Richlandtown
Borough of Ridgeway
Borough of Ridley Park
Borough of Riegelsville
Borough of Riverside
Borough of Robesonia
Borough of Rockledge
Borough of Rosslyn Farms

Borough of Rouseville
Borough of Royersford
Borough of Rutledge
Borough of Saxonburg
Borough of Sayre
Borough of Schwenksville
Borough of Scottdale
Borough of Selinsgrove
Borough of Sellersville
Borough of Seven Valleys
Borough of Sewickley
Borough of Shamokin Dam
Borough of Sharon Hill
Borough of Sharpsburg
Borough of Sharpsville
Borough of Shenandoah
Borough of Shinglehouse
Borough of Shippensburg
Borough of Silverdale
Borough of Slatington
Borough of Slippery Rock
Borough of Smethport
Borough of Snow Shoe
Borough of Somerset
Borough of Souderton
Borough of South Coatesville
Borough of South Fork
Borough of South Waverly
Borough of South Williamsport
Borough of Southmont
Borough of Speers
Borough of Spring Grove
Borough of Springdale
Borough of State College
Borough of Steelton
Borough of Stoneboro

Borough of Strasburg
Borough of Stroudsburg
Borough of Sugarcreek
Borough of Swoyersville
Borough of Tarentum
Borough of Taylor
Borough of Telford
Borough of Thompsontown
Borough of Thornburg
Borough of Tioga
Borough of Tionesta
Borough of Towanda
Borough of Trafford
Borough of Trainer
Borough of Trappe
Borough of Troy
Borough of Tullytown
Borough of Tunkhannock
Borough of Tyrone
Borough of Upland
Borough of Verona
Borough of Versailles
Borough of Walnutport
Borough of Watsonstown
Borough of Waynesboro
Borough of Wellsboro
Borough of Wernersville
Borough of Wesleyville
Borough of West Chester
Borough of West Conshohocken
Borough of West Easton
Borough of West Grove
Borough of West Hazleton
Borough of West Kittanning
Borough of West Mifflin
Borough of West View

Borough of Westfield
Borough of Westmont
Borough of Wilkesburg
Borough of Williamstown
Borough of Wilmerding
Borough of Wilson
Borough of Wind Gap
Borough of Winterstown
Borough of Womelsdorf
Borough of Wormleysburg
Borough of Wrightsville
Borough of Wyalusing
Borough of Wyomissing
Borough of Yeadon
Borough of Yoe
Borough of Youngsville
Borough of Youngwood
Borough of Zelienople
City of Aliquippa
City of Altoona
City of Arnold
City of Beaver Falls
City of Bradford
City of Butler
City of Carbondale
City of Clairton
City of Coatesville
City of Connellsville
City of Dubois
City of Duquesne
City of Easton
City of Farrell
City of Greensburg
City of Harrisburg
City of Hazleton
City of Hermitage

City of Lancaster
City of Latrobe
City of Lock Haven
City of Lower Burrell
City of Monessen
City of Monongahela
City of Nanticoke
City of New Kensington
City of Oil City
City of Pottsville
City of Saint Marys
City of Scranton
City of Sunbury
City of Warren
City of Washington
City of Wilkes-Barre
City of Williamsport
Collier Township Municipal Authority
Conewago Township
Delaware County
East Cocalico Township Authority
ELA Group, Inc.
Franklin County
Lancaster Area Sewer Authority
Lycoming County
Municipality of Bethel Park
Municipality of Kingston
Municipality of Monroeville
Municipality of Murrysville
North Middleton Police Department
Town of Bloomsburg
Township of Abington
Township of Adams
Township of Aleppo
Township of Allegheny
Township of Allen

Township of Alsace
Township of Amity
Township of Annville
Township of Antis
Township of Antrim
Township of Athens
Township of Beale
Township of Bern
Township of Bethel
Township of Bethlehem
Township of Birmingham
Township of Bradford
Township of Brecknock
Township of Brighton
Township of Bristol
Township of Buckingham
Township of Butler
Township of Caernarvon
Township of Caln
Township of Canton
Township of Carroll
Township of Cecil
Township of Chadds Ford
Township of Chartiers
Township of Cheltenham
Township of Chestnut Hill
Township of Coal
Township of College
Township of Collier
Township of Concord
Township of Conewago
Township of Coolbaugh
Township of Cumru
Township of Dallas
Township of Darby
Township of Darlington

Township of Daugherty
Township of Decatur
Township of Derry
Township of Dickinson
Township of Donegal
Township of Douglass
Township of Doylestown
Township of Dublin
Township of Earl
Township of East Allen
Township of East Bradford
Township of East Brandywine
Township of East Caln
Township of East Cocalico
Township of East Coventry
Township of East Donegal
Township of East Drumore
Township of East Earl
Township of East Franklin
Township of East Goshen
Township of East Hanover
Township of East Hempfield
Township of East Lampeter
Township of East Manchester
Township of East Norriton
Township of East Rockhill
Township of East Taylor
Township of East Whiteland
Township of Elizabeth
Township of Exeter
Township of Fairview
Township of Fairview
Township of Falls
Township of Forks
Township of Foster
Township of Fox

Township of Franconia
Township of Franklin
Township of German
Township of Girard
Township of Granville
Township of Greene
Township of Greenwood
Township of Halfmoon
Township of Halifax
Township of Hamilton
Township of Hamlin
Township of Hampton
Township of Hanover
Township of Harmar
Township of Harmony
Township of Harrison
Township of Hatfield
Township of Haverford
Township of Hegins
Township of Hellam
Township of Hempfield
Township of Highland
Township of Hilltown
Township of Hopewell
Township of Horsham
Township of Hunlock
Township of Huntington
Township of Independence
Township of Jackson
Township of Jefferson
Township of Jones
Township of Keating
Township of Kennett
Township of Kidder
Township of Kilbuck
Township of Kingston

Township of Kiskiminetas
Township of Lafayette
Township of Lamar
Township of Lancaster
Township of Lawrence
Township of Lawrence Park
Township of Leet
Township of Lehigh
Township of Liberty Sewer Authority
Township of Ligonier
Township of Limerick
Township of Litchfield
Township of Londonderry
Township of Longswamp
Township of Lower Allen
Township of Lower Frederick
Township of Lower Gwynedd
Township of Lower Macungie
Township of Lower Makefield
Township of Lower Merion
Township of Lower Moreland
Township of Lower Mount Bethel
Township of Lower Mt. Bethel
Township of Lower Paxton
Township of Lower Pottsgrove
Township of Lower Providence
Township of Lower Salford
Township of Lower Saucon
Township of Lower Yoder
Township of Loyalhanna
Township of Loyalsock
Township of Mahoning
Township of Mahoning
Township of Maiden creek
Township of Manchester
Township of Manheim

Township of Manor
Township of Marple
Township of McKean
Township of Menallen
Township of Middle Smithfield
Township of Middlesex
Township of Middletown
Township of Monroe
Township of Montgomery
Township of Montour
Township of Moore
Township of Mount Joy
Township of Mount Pleasant
Township of Muhlenberg
Township of Muncy Creek
Township of Neshannock
Township of Nether Providence
Township of New Britain
Township of New Garden
Township of New Hanover
Township of Newberry
Township of Newtown
Township of Nockamixon
Township of North Beaver
Township of North Centre
Township of North Codorus
Township of North Cornwall
Township of North Coventry
Township of North Franklin
Township of North Lebanon
Township of North Middleton
Township of North Strabane
Township of North Towanda
Township of North Versailles
Township of Northampton
Township of Norwegian

Township of O'Hara
Township of Ohio
Township of Oley
Township of Oliver
Township of Otto
Township of Oxford
Township of Palmer
Township of Patterson
Township of Patton
Township of Penn
Township of Pennsbury
Township of Pine
Township of Pine Creek
Township of Plains
Township of Plumstead
Township of Plymouth
Township of Pocopson
Township of Porter
Township of Potter
Township of Pulaski
Township of Raccoon
Township of Radnor
Township of Ralpho
Township of Ransom
Township of Richland
Township of Richmond
Township of Ridgebury
Township of Ridley
Township of Rochester
Township of Rockefeller
Township of Ross
Township of Rostraver
Township of Rush
Township of Saint Thomas
Township of Salem
Township of Salisbury

Township of Sandy
Township of Scott
Township of Shaler
Township of Shenango
Township of Shirley
Township of Silver Spring
Township of Skippack
Township of Slippery Rock
Township of Smith
Township of Smithfield
Township of Solebury
Township of Somerset
Township of South Fayette
Township of South Franklin
Township of South Hanover
Township of South Lebanon
Township of South Park
Township of South Strabane
Township of South Whitehall
Township of Spring
Township of Spring Garden
Township of Springettsbury
Township of Springfield
Township of Stonycreek
Township of Stowe
Township of Straban
Township of Sugarloaf
Township of Susquehanna
Township of Swatara
Township of Thornbury
Township of Tinicum
Township of Tobyhanna
Township of Towamencin
Township of Towanda
Township of Tredyffrin

Township of Union
Township of Unity
Township of Upper Allen
Township of Upper Dublin
Township of Upper Frederick
Township of Upper Gwynedd
Township of Upper Hanover
Township of Upper Macungie
Township of Upper Merion
Township of Upper Moreland
Township of West Hempfield
Township of West Lampeter
Township of West Manchester
Township of West Nantmeal
Township of West Norriton
Township of West Nottingham
Township of West Pikeland
Township of West Whiteland
Township of Westtown
Township of White
Township of Whitehall
Township of Whitemarsh
Township of Whitpain
Township of Wilkins
Township of Willistown
Township of Worcester
Township of Wright
Township of York
Twp of North Huntingdon
Twp. of North Londonderry
Valley Forge Sewer Authority
Washington County Law Library
Wrightsville Borough Municipal Authority
Yardley Borough
York County

APPENDIX 5
Online Municipal Codes From
General Code Publishers

Abington, Township	(Montgomery County)
Allegheny County	
Allegheny, Township	(Westmoreland County)
Antrim, Township	(Franklin County)
Baldwin, Borough	(Allegheny County)
Bern, Township	(Berks County)
Birmingham, Township	(Chester County)
Bloomsburg, Town	(Columbia County)
Bradford, City	(McKean County)
Brecknock, Township	(Lancaster County)
Bridgeville, Borough	(Allegheny County)
Brighton Subdivision & Zoning, Township	(Beaver County)
Bristol, Township	(Bucks County)
Brookville, Borough	(Jefferson County)
Butler, Township	(Butler County)
California, Borough	(Washington County)
Caln, Township	(Chester County)
Carlisle, Borough	(Cumberland County)
Catasauqua, Borough	(Lehigh County)
Chambersburg, Borough	(Franklin County)
Cheltenham, Township	(Montgomery County)
Chestnuthill, Township	(Monroe County)
Clarion, Borough	(Clarion County)
Coatesville, City	(Chester County)
College, Township	(Centre County)
Columbia Borough	(Lancaster County)
Concord, Township	(Delaware County)
Conewago, Township	(Adams County)
Conewago, Township	(Dauphin County)
Coudersport, Borough	(Potter County)
Crafton, Borough	(Allegheny County)

Denver, Borough	(Lancaster County)
Derry, Township	(Dauphin County)
Dickinson, Township	(Cumberland County)
Downingtown, Borough	(Chester County)
Doylestown, Borough	(Bucks County)
Doylestown, Township	(Bucks County)
Eagles Mere, Borough	(Sullivan County)
East Bradford, Township	(Chester County)
East Brandywine, Township	(Chester County)
East Caln, Township	(Chester County)
East Cocalico, Township	(Lancaster County)
East Goshen, Township	(Chester County)
East Greenville, Borough	(Montgomery County)
East Norriton, Township	(Montgomery County)
East Whiteland, Township	(Chester County)
Ebensburg, Borough	(Cambria County)
Economy, Borough	(Beaver County)
Edgewood, Borough	(Allegheny County)
Emsworth, Borough	(Allegheny County)
Ephrata, Borough	(Lancaster County)
Evans City, Borough	(Butler County)
Exeter, Township	(Berks County)
Falls, Township	(Bucks County)
Forks, Township	(Northampton County)
Fox Chapel, Borough	(Allegheny County)
Franconia, Township	(Montgomery County)
Franklin, Township	(Adams County)
Franklin Park, Borough	(Allegheny County)
Glenolden, Borough	(Delaware County)
Greencastle, Borough	(Franklin County)
Greene, Township	(Franklin County)
Greensburg, City	(Westmoreland County)
Hanover, Township	(Northampton County)
Hatfield, Township	(Montgomery County)
Haverford, Township	(Delaware County)
Heidelberg, Borough	(Allegheny County)

Hempfield, Township	(Westmoreland County)
Hilltown, Township	(Bucks County)
Horsham, Township	(Montgomery County)
Jenkintown, Borough	(Montgomery County)
Kane, Borough	(McKean County)
Kenhorst, Borough	(Berks County)
Kennett, Township	(Chester County)
Kidder, Township	(Carbon County)
Kilbuck, Township	(Allegheny County)
Kingston, Township	(Luzerne County)
Kutztown, Borough	(Berks County)
Lancaster, City	(Lancaster County)
Lansdale, Borough	(Montgomery County)
Lansdowne, Borough	(Delaware County)
Leetsdale, Borough	(Allegheny County)
Lewisburg, Borough	(Union County)
Ligonier, Township	(Westmoreland County)
Limerick, Township	(Montgomery County)
Londonderry, Township	(Dauphin County)
Lower Allen, Township	(Cumberland County)
Lower Frederick, Township	(Montgomery County)
Lower Gwynedd, Township	(Montgomery County)
Lower Makefield, Township	(Bucks County)
Lower Merion, Township	(Montgomery County)
Lower Moreland, Township	(Montgomery County)
Lower Providence, Township	(Montgomery County)
Lower Salford, Township	(Montgomery County)
Lower Saucon, Township	(Northampton County)
Malvern, Borough	(Chester County)
Manheim, Township	(York County)
Marple, Township	(Delaware County)
Media, Borough	(Delaware County)
Middlesex, Township	(Butler County)
Middle Smithfield, Township	(Monroe County)
Middletown, Township	(Bucks County)
Middletown, Township	(Delaware County)

Middletown, Borough	(Dauphin County)
Monaca, Borough	(Beaver County)
Montgomery, Township	(Montgomery County)
Monroeville, Municipality	(Allegheny County)
Moosic, Borough	(Lackawanna County)
Morrisville, Borough	(Bucks County)
Mount Joy, Township	(Adams County)
Mount Joy, Township	(Lancaster County)
Mount Pleasant, Township	(Washington County)
Murrysville, Municipality	(Westmoreland County)
Nether Providence, Township	(Delaware County)
New Garden, Township	(Chester County)
New Hope, Borough	(Bucks County)
Newtown, Township	(Delaware County)
New Wilmington, Borough	(Lawrence County)
Norristown, Municipality	(Montgomery County)
Northampton, Township	(Bucks County)
North Codorus, Township	(York County)
North Cornwall, Township	(Lebanon County)
North Coventry, Township	(Chester County)
North Middleton, Township	(Cumberland County)
North Strabane, Township	(Washington County)
O'Hara, Township	(Allegheny County)
Oakmont, Borough	(Allegheny County)
Palmer, Township	(Northampton County)
Palmerton, Borough	(Carbon County)
Patterson, Township	(Beaver County)
Patton, Township	(Centre County)
Pen Argyl, Borough	(Northampton County)
Penn, Township	(Westmoreland County)
Pleasant Hills, Borough	(Allegheny County)
Plumstead, Township	(Bucks County)
Plymouth, Township	(Montgomery County)
Pocopson, Township	(Chester County)
Pottsville, City	(Schuylkill County)
Punxsutawney, Borough	(Jefferson County)

Radnor, Township	(Delaware County)
Ralpho, Township	(Northumberland County)
Ridley, Township	(Delaware County)
Ridley Park, Borough	(Delaware County)
Rostraver, Township	(Westmoreland County)
Royersford, Borough	(Montgomery County)
Sayre, Borough	(Bradford County)
Schwenksville, Borough	(Montgomery County)
Scranton, City	(Lackawanna County)
Sewickley, Borough	(Allegheny County)
Shaler, Township	(Allegheny County)
Shippensburg, Borough	(Cumberland/Franklin County)
Skippack, Township	(Montgomery County)
South Fayette, Township	(Allegheny County)
Springettsbury, Township	(York County)
Springfield, Township	(Delaware County)
Springfield, Township	(Montgomery County)
Spring Garden, Township	(York County)
Spring Grove, Borough	(York County)
Steelton, Borough	(Dauphin County)
Straban, Township	(Adams County)
Sunbury, City	(Northumberland County)
Swatara, Township	(Dauphin County)
Thornbury, Township	(Chester County)
Tobyhanna, Township	(Monroe County)
Towamencin, Township	(Montgomery County)
Trafford, Borough	(Westmoreland County)
Tredyffrin, Township	(Chester County)
Union, Township	(Berks County)
Upper Allen, Township	(Cumberland County)
Upper Dublin, Township	(Montgomery County)
Upper Frederick, Township	(Montgomery County)
Upper Gwynedd, Township	(Montgomery County)
Upper Merion, Township	(Montgomery County)
Upper Moreland, Township	(Montgomery County)

Upper Pottsgrove, Township	(Montgomery County)
Upper Providence, Township	(Montgomery County)
Upper Uwchlan, Township	(Chester County)
Warrington, Township	(Bucks County)
Warwick, Township	(Bucks County)
Warwick, Township	(Lancaster County)
Washington, Township	(Berks County)
Washington, Township	(Erie County)
Waynesboro, Borough	(Franklin County)
West Brandywine, Township	(Chester County)
West Chester, Borough	(Chester County)
West Conshohocken, Borough	(Montgomery County)
West Goshen, Township	(Chester County)
West Hanover Township	(Dauphin County)
West Lampeter, Township	(Lancaster County)
Westtown, Township	(Chester County)
West Whiteland, Township	(Chester County)
Whitemarsh, Township	(Montgomery County)
Whitpain, Township	(Montgomery County)
Wilkinsburg, Borough	(Allegheny County)
Willistown, Township	(Chester County)
Wilson, Borough	(Northampton County)
Worcester, Township	(Montgomery County)
Wright, Township	(Luzerne County)
York, Township	(York County)

CHAPTER 6

ADMINISTRATIVE LAW

Administrative law is the third source of primary authority. It covers the executive branch of government and its departments and independent agencies. Legislatures do not have the expertise to enact legislation for regulating specific types of commercial activities, so departments or agencies must use their expertise to regulate activities through the passage of rules or regulations. Statutory law provides the department or agency with the purpose and reasons to issue regulations that are considered subordinate or delegated legislation. The rules or regulations may be divided into legislative or substantive regulations based on statutory law.

Non-legislative regulations include interpretive and procedural regulations on how an agency operates. Governmental departments and agencies issue administrative rules or regulations under rule making – in both a chronological and topical order – similar to statutory law. The agency possesses a quasi-judicial function when its administrative law judges hear cases dealing with the interpretation of the agency’s rules and regulations.¹

§6.1 Governor

The governor of the Commonwealth is the chief executive officer of the executive branch of government. To become governor one must be at least 30 years old, a citizen of the United States, and a resident of the state for a minimum of seven years preceding the election. The Constitution provides for only two four-year terms in office (Const. Art. IV, §3).

§6.1.1 Duties of the Governor

As chief executive officer, the governor oversees appointments, the state budget, executive department management, state legislation and state military, among other things. First,

1. Morris L. Cohen, Robert C. Berring and Kent C. Olson, *How to Find The Law* 261-263 (6TH ed. 1990); Christina L. Kunz et al., *The Process of Legal Research* 259-260 (5th ed. 2000).

the governor appoints heads of departments within the governmental organization, as well as members for another 500 boards, commissions, agencies and councils. In addition, he or she appoints justices of the peace, which requires a majority vote of the Senate, and other judicial officers that require a two-thirds vote by the Senate. He or she also fills vacancies in the offices of attorney general, auditor general, and state treasurer, magisterial district judges, and other offices.

Second, the governor annually presents to the General Assembly a balanced operating budget and a capital budget for the ensuing fiscal year, and a financial plan for not less than the next five succeeding fiscal years. The General Assembly passes a budget for which the governor has line item veto power. The Assembly can override a governor's veto and override the vetoed items by a two-thirds vote.

Third, the governor approves the appointment and salary of all deputies and employees in administrative departments, boards, and commissions, and selects his or her staff. As chair of the executive board, and through his or her executive orders or by management and other directives, the governor establishes direction for all employees and agencies under his or her jurisdiction. He or she also issues emergency and other proclamations.

He or she also may require information in writing from executive department officers and request the head of any department to submit a budget for carrying out activities that he or she has to approve before expenditures can be made.

Fourth, the governor delivers messages to the General Assembly and suggests measures that the legislature may want to introduce in bill form. On extraordinary occasions, the governor may convene the General Assembly when it is not in session. He or she also has to approve all bills and concurrent resolutions as discussed above.

Fifth, the governor is the commander-in-chief of the Commonwealth's military forces, unless called into the service of the United States. He or she may order as many militia as needed in time of war or invasion, or to prevent invasion, suppress riots, or aid civil officials in the execution of the laws of the Commonwealth.

Finally, the governor can remit fines and forfeitures and grant reprieves. Following recommendation by the board of pardons, he or she also can commute sentences and grant pardons to prisoners. In addition, he or she can accede to warrants of arrest made by other governors as well as demand fugitives from other states. Also, the governor serves on many state boards and commissions, state colleges and universities, and several private institutions.

Article IV §5 of the Constitution of 1968 provides for the governor's veto power and the method by which the two houses of the legislature can override the veto by a two-thirds vote of each house. If the governor does not return a bill within 10 days, it also shall become law, unless the legislature adjourns and the governor files objections in the office of the Secretary of the Commonwealth and gives notice through public proclamation within 30 days of the legislative adjournment.

The governor also has the authority to make line-item vetoes of appropriation bills under Article IV §16 of the Constitution.

§6.1.2 Executive Orders and Vetoes

As chief executive officer, the governor can make policy through the use of executive orders similar to the President of the United States. Executive orders are published first in the *Pennsylvania Bulletin*. During the last decade, the governor has issued no more than eight executive orders in a year. They are indexed in the annual index under the topic of Administration.

The text of vetoes of the governor can be found in the *Laws of Pennsylvania*. A cumulative volume containing the vetoes is *Vetoes By the Governor, 1947 to 1963; Appropriation Acts and Vetoes, 1967. An Index to the Veto Messages of the Governor of Pennsylvania 1947-1983* (1984) provides a comprehensive index to the 675 governors' vetoes of legislation by the General Assembly from the 137th to 167th sessions. It does not include line-item vetoes of appropriations. A more recent index is *An Index to the Veto Messages of the Governors of Pennsylvania 1984-2003* (2007) by Joel Fishman and Lauren L. Vucic.

§6.2 Attorney General

The position of attorney general dates from the colonial period. It was not until the mid-1970s that reform began to make the position a constitutional office. A 1978 constitutional amendment, Article IV §4.1, established an elected Attorney General effective in the general election of 1980.

§6.2.1 Duties of the Attorney General

The Commonwealth Attorneys General Act of 1980 defined the nature of the position.

First, the qualifications and disqualifications for attorney general are the same as governor and lieutenant governor under sections 5, 6, 8, and 17 of Article IV. To hold the position of attorney general one must be at least 30 years old and be a state resident for seven years. The holding of other public office is prohibited.

Second, the Office of Attorney General has three divisions: the Criminal Law Division, the Commonwealth Agencies Legal Services Division, and the Public Protection Division.

The basic duties of the attorney general are as follows:

1. To furnish upon request legal advice concerning any matter or issue arising in connection with the exercise of the official powers or performance of the official duties of the Governor or agency.
2. To represent the Commonwealth and all Commonwealth agencies and upon request the auditor general, state treasurer, and Public Utility Commission in any action brought by or against the Commonwealth or its agencies.
3. To represent the Commonwealth and its citizens in any action brought for violation of the antitrust laws of the United States and the Commonwealth.
4. To collect, by suit or otherwise, all debts, taxes, and accounts due the Commonwealth which shall be referred to and placed in the attorney general.
5. To administer the provisions relating to consumer protection and appoint the advisory committee.

6. To review for form and legality all proposed rules and regulations of Commonwealth agencies.

7. To review for form and legality all Commonwealth deeds, leases, and contracts to be executed by Commonwealth agencies.

8. To be the Commonwealth's chief law enforcement officer charged with the responsibility for the prosecution of organized crime and public corruption. This law enforcement program includes a criminal investigations unit as well as direction of statewide and multi-county investigating grand juries and a Medicaid fraud control unit.

The attorney general also sits on a number of Commonwealth agencies such as the Board of Pardons, Joint Committee on Documentation, Commission on Crime and Delinquency, etc. He or she also appoints a consumer advocate to represent the people of the Commonwealth before the Public Utility Commission (Act 161 of 1976).

§6.2.2 Attorney General Opinions

The attorney general opinions are the responses to members of the government who have asked the attorney general to interpret and give his or her advice concerning statutory or case law. In most situations, government officials seek the opinion of the attorney general when a case or statute has recently come forward and there exists little comment on its interpretation and possible consequences. (See illustration in which Attorney General Mike Fisher wrote his opinion of an amendment to the Pennsylvania constitution at the request of Lt. Gov. Mark Schweiker.)

Attorney general opinions are advisory in nature. They are not binding authority on a court of law. However, the opinions of the attorney general are accorded considerable weight by the court, especially if a court has little other precedent on which to decide the issue. Therefore the opinions of the attorney general can be an important and useful persuasive tool.

In addition, many times the opinions cite seminal cases on the topic of law one is researching, and can prove helpful in finding tools.

Pennsylvania Attorney General opinions are published in slip opinion form after they are written and then compiled in bound volumes. There is a considerable lag time between the date of the opinion as issued and the publication of the opinion in print material. Attorney General opinions are also published on microfiche by the William Hein Co.

§6.2.2.1 Finding Attorney General Opinions

Bound volumes of the opinions date back to the late 1880s. The latest bound volume covers from 1988 to 1992. The last bound volume index was published in 1954. Individual volumes have their own indexes in the back of each volume. See additional information under Online Sources.

The opinions are automatically sent to law school libraries, as well as to each county law library within the state. Since 1982, the opinions have also been located in the *Pennsylvania Bulletin*.

There are indexes to the Attorney General opinions:

Analytical Index of the Official Opinions of the Attorney General's Department with Chronological Table of Acts of Assembly Construed. Prepared under the Direction of Francis Shunk Brown. Harrisburg: W. S. Ray, State Printer, 1917.

Ray, Frederick E. *Digest of Official Opinions With Statutes and Cases Cited November 1, 1933 to December 31, 1942.* Harrisburg: Dept. of Justice, [1943?].

Ray, Frederick E. *Digest of Official Opinions With Statutes and Cases Cited January 1, 1943 to January 1, 1953.* Harrisburg: Dept. of Justice, [1953?].

Note: An index-digest of the Attorney General opinions from 1953 to 2006 is being prepared by Joel Fishman.

If you find that a specific opinion is not contained in your library, you may contact the Office of the Attorney General Law Library at 1525 Strawberry Square, Harrisburg, Pa. 17120, or by phone at (717) 787-3176. The law library will send copies of the opinions free of charge.

§6.3 Online Sources

§6.3.1 Official Site

As of 1997, Attorney General opinions can be found through the Internet by logging on to the Pennsylvania Attorney General Web Site at www.attorneygeneral.gov.



ILLUSTRATION 6-1

§6.3.1.1. Unofficial Site

The Duquesne University Center for Legal Information (www.lawlib.duq.edu) has the following indexes to Attorney General opinions available online under the title search of Opinions of the Attorney General of Pennsylvania:

Joel Fishman and Marguerite Atria. *Index to the Opinions of the Pennsylvania Attorneys-General 1961-1962*. Pittsburgh: Duquesne University Center for Legal Information/Allegheny County Law Library, 2005.

Joel Fishman and Marguerite Atria. *Index to the Opinions of the Pennsylvania Attorneys-General 1963-1966*. Pittsburgh: Duquesne University Center for Legal Information/Allegheny County Law Library, 2005.

Joel Fishman and Marguerite Atria. *Index to the Opinions of the Pennsylvania Attorneys-General 1967-1969*. Pittsburgh: Duquesne University Center for Legal Information/Allegheny County Law Library, 2005.

Joel Fishman and Marguerite Atria. *Index to the Opinions of the Pennsylvania Attorneys-General 1974*. Pittsburgh: Duquesne University Center for Legal Information/Allegheny County Law Library, 2005.

The Pennsylvania Constitution Web Site (www.paconstitution.duq.edu) contains full text Attorney General opinions that cite to the Pennsylvania Constitution. This is a comprehensive collection dating back to the late nineteenth century.

PENNSYLVANIA CONSTITUTION

- Human Resources
- OS Policy & Events
- Alumni
- Newsroom

About DU Academics Admissions Student Life Alumni and Friends Search DU Home

PAC Home
 Caselaw
 Constitution in the News
 Constitutional Commentary
 Constitutional Law Summary
 Constitutions
 Constitutional Conventions
 Periodicals
 Treaties
 Digests and Citators
 Legislative Histories
 Table of Cases
 Attorney General's Opinions
 Bibliography
 Links to Related Sites

This site is maintained by Professor Bruce Ledewitz and Dr. Joel Fishman, Co-Directors.

Most documents are provided in PDF format. In order to view these documents, you will need a copy of Adobe Reader, available for free download at adobe.com.

Attorney General Citations

YEAR	OFFICIAL OPINION NUMBER			
	Pa. B. Proc. No.			
2006	06-175			
1998	98-1			
1996	96-1			
1994	94-1			
1991	91-1			
1990	90-1			
1989	89-3	89-6		
1987	87-2			
1984	84-1	84-3		
1983	83-5	83-8	83-10	
1981	81-4			
1978	78-12	78-16	78-18	78-24
	78-22	78-30	78-34	
1977	77-3	77-5	77-14	77-19A
1976	76-9	76-21	76-37	
1975	75-9	75-13	75-23	75-27
	75-33	75-38	75-43	75-44
1974	2	15	20	43
	49	88		
1973	3			
1972	121	128	140	147
	150	151	154	162
1971	1	6	7	9
	62			
1965	259	270		
1963	227	228		
1962	249			
1961	245			
1960	210			
1959	14	208		
1958	90	101	132	142

ILLUSTRATION 6-2

§6.3.2 Fee-based Sites

§6.3.2.1 Lexis®

Pennsylvania Attorney General opinions are available from February 1977 to the present. The library is PA and the file is PAAG. Also you may select library STATES and file PAAG.

The screenshot displays the LexisNexis Total Research System interface. At the top, there is a navigation bar with options: Search, Research Tasks, Get a Document, Shepard's®, Alerts, Total Litigator, Transactional Advisor, and Counsel Selector. Below this is a search bar with the text 'PA Public Records, Combined' and buttons for 'Go' and 'Edit Sources'. The main area is titled 'Look for a Source' and features a 'Add/Edit Tabs' section with tabs for Legal, News & Business, Public Records, Constitutional Law, Ethics, Penn, and Find A Source. The 'Penn' tab is selected, showing a list of search sources for Pennsylvania. The list includes: PA - Pennsylvania Code, Constitution, Court Rules & ALS, Combined; PA - Pennsylvania Statutes, Annotated by LexisNexis; PA - Pennsylvania Constitution; PA - Pennsylvania State & Federal Court Rules; PA - Pennsylvania Local Rules of Court; PA - Pennsylvania Advance Legislative Service; PA Bill Tracking and Full-Text Bills; PA Full-Text Bills; PA Bill Tracking Reports; Pennsylvania Legislative Bill History; PA - Pennsylvania Regulations and Bulletin; PA - Pennsylvania Administrative Code; PA - Pennsylvania Bulletin; PA State Net Regulatory Text; PA State Regulation Tracking; PA Agencies & Attorney General Opinions, Combined; and PA Attorney General Opinions. On the right side, there are links for 'By Statutes & Regulations', 'By Administrative Materials', and 'By Court Rules'.

ILLUSTRATION 6-3

Copyright 2008 Lexis Nexis, a division of Reed Elsevier Inc. All rights reserved. Lexis Nexis and the Knowledge Burst logo are registered trademarks of Reed Elsevier Properties Inc. and are used with the permission of Lexis Nexis.

§6.3.2.2 Westlaw®

Pennsylvania Attorney General opinions are available from 1977. The name of the database is PA-AG. You may also access through all states database AG.

The screenshot shows the Westlaw website interface. At the top, there are navigation links: FIND & PRINT, KEYCITE, DIRECTORY, KEY NUMBERS, and COURT DOCS. Below this is a menu with tabs for Pennsylvania, Federal, Westlaw, Librarians, Ohio, and 3rd Circuit. The main content area is divided into several sections:

- Shortcuts:** Includes a section for ALM VerdictSearch with a link to "Only on Westlaw: Jury Verdicts & Settlements from ALM VerdictSearch Pennsylvania." and a "Find by citation:" search box with a "Go" button.
- Finding Tools:** Lists links for "Find a Case by Party Name", "Find a Person", "Find a Brief by Party Name", "Find a Company", and "Find a Database".
- KeyCite this citation:** A search box with a "Go" button.
- Search these databases:** A search box with a "Go" button.
- Trial Court Documents:** A list of checkboxes for various court filings:
 - Pennsylvania Civil Trial Court Filings
 - Pennsylvania State and Federal Civil Trial Court Filings
 - Pennsylvania Criminal Trial Court Filings
 - Pennsylvania State and Federal Criminal Trial Court Filings
 - All State and Federal Civil Trial Court Filings
- Court Rules & Orders:** A list of checkboxes for various rules and orders:
 - Pennsylvania Court Rules | Table Of Contents
 - Pennsylvania State Trial Court Rules
 - Pennsylvania Rules Update Orders
 - KeyRules Pennsylvania All | Table Of Contents
 - KeyRules Pennsylvania | Table Of Contents
 - KeyRules Pennsylvania District Court | Table Of Contents
- Administrative & Executive Materials:** A list of checkboxes for various materials:
 - Pennsylvania Administrative Code | Table Of Contents
 - Pennsylvania Attorney General Opinions
 - Pennsylvania Environmental Cases and Decisions
 - Pennsylvanian Public Utility Reports
 - Pennsylvania Regulation Tracking
 - Pennsylvania Workers' Compensation Law Reporter

ILLUSTRATION 6-4
©Westlaw®

§6.4 Access to Attorney General Opinions

The simplest way to find the opinions is from a cite in a case, statute, law review article, or any other legal material. There exists no master index for all of the Pennsylvania Attorney General opinions. The last cumulative volume was published in 1954. Each bound volume has its own index.

§6.5 Other Executive Departments and Agencies

The cabinet level agencies are the departments of Aging, Agriculture, Banking, Economic Development Partnership/ Department of Commerce, Community Affairs, Corrections, Education, Environmental Resources, General Services, Health, Insurance, Labor and Industry, Military Affairs, Public Welfare, Revenue, State, State Police, and Transportation.

The list of other independent agencies are described in section 4 of the *Pennsylvania Manual*.

§6.6 State Administrative Regulations

§6.6.1 Background–Rulemaking Process

The history of administrative law in Pennsylvania is made difficult because of the failure by the Commonwealth to pro-vide compilations of rules and regulations from the various administrative agencies. The first unsuccessful attempt to begin such a project originated in 1945 when the General Assembly passed a law (Pennsylvania Register Act) providing for the publication of the rules and regulations of the agencies in a publication called the *Pennsylvania Register* (1947). This work was published in one year only, because the legislature repealed the act in the following year.

The Common Documents Law, 45 P.S. §§1101-1611, allows authorization for the publication of the administrative regulations in the *Pennsylvania Code* and *Pennsylvania Bulletin*. The law provides for the creation of regulations and their review by the Joint Committee on Documents and Attorney General.

§6.6.2 *Pennsylvania Bulletin*

The *Pennsylvania Bulletin* is analogous to the *Federal Register* for the Federal government. The *Bulletin* contains the proposed and final rules and regulations of the state departments and agencies, lists of General Assembly legislation, notices of meetings and hearings, state and local court rules, and state contract information.

§6.6.2.1 Organization of the *Pennsylvania Bulletin*

The *Pennsylvania Bulletin*, published by the Legislative Reference Bureau, updates the *Pennsylvania Code* weekly. Begun in 1970, all rules and regulations of the state administrative agencies have to appear in the *Bulletin* to be enforced.

By the general rule, all documents required to be codified and listed in 1 Pa. Code §725 are to be published first in the *Bulletin*:

1. All proclamations and executive orders of the governor, except such as have no general applicability and legal effect or are effective only against Commonwealth agencies or persons in their capacity as officers, agents or employees thereof.

2. All agency notices directed to the public with respect to proceedings conducted under any statute, the expense of the administration of which is by law, assessed directly against the class of persons regulated or supervised thereunder.

3. All agency documents that are required by law to be published, or the expense of publication of which is specially assumed by the agency filing such document.

4. Any legislative document filed with the Legislative Reference Bureau pursuant to a resolution adopted by either House of the General Assembly.

5. Any judicial document filed with the Legislative Reference Bureau by the Administrative Office of Pennsylvania Courts.

6. Any other document or class of documents which the governor, the joint committee or the Director of the Legislative Reference Bureau may require or authorize to be published in the bulletin.²

In effect, it is analogous to the *Federal Register* that updates daily the *Code of Federal Regulations*. The *Bulletin* has a list of agencies covered in each issue published on the title page, with a complete breakdown on the inside pages. There is a list of *Pennsylvania Code* sections affected that allow the user to update the *Code*.

One can access the *Bulletin* through a quarterly and annual subject index.³ One cites the *Bulletin* by volume and page number (for example, 10 Pa.B. 751 refers to volume 10 page 751), then by title and section number used for the *Pennsylvania Code*.⁴

2. On the other hand, 1 Pa. Code §727 lists the following publications as not required to be published if cited in a regulation: *Statutes at Large, United States Code, Laws of Pennsylvania, Pennsylvania Consolidated Statutes, Code of Federal Regulations, Federal Register*, and any uniform system of account published by the National Association of Regulatory Utility Commissioners, and standards published in Dept. of Commerce Miscellaneous Publication No. 288 (8/1/67).

3. 1 Pa. Code §726.

4. 1 Pa. Code §507.

§6.6.2.2 Research Methods

When accessing the *Pennsylvania Bulletin*, keep in mind there is no index to the individual weekly issue of the *Bulletin*. You have to depend on the table of contents.

1577

CONTENTS

THE GENERAL ASSEMBLY	
COMMISSION ON SENTENCING	
Meetings scheduled	1582
THE COURTS	
LOCAL COURT RULES	
Franklin and Fulton Counties	
Chapter 1, scope of rules, construction and definitions, local rules; part A, business of the courts; miscellaneous doc. CP-28-AD-1-2008	1583
EXECUTIVE AGENCIES	
CAPITOL PRESERVATION COMMITTEE	
Notices	
Request for proposal postponed	1599
DEPARTMENT OF BANKING	
Notices	
Actions on applications	1599
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES	
Notices	
Snowmobile and ATV Advisory Committee meeting ..	1600
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Notices	
Applications, actions and special notices	1601
Availability of technical guidance	1639
Neshaminy Creek Watershed Nutrient Total Maximum Daily Loads (TMDL); rationale for withdrawal	1640
DEPARTMENT OF HEALTH	
Notices	
Application for exception:	
Heart of Lancaster Regional Medical Center	1643
Wyomissing Surgical Services	1643
DEPARTMENT OF LABOR AND INDUSTRY	
Notices	
Range of fees charged by utilization review organizations and peer review organizations for services performed under the Workers' Compensation Act	1643
DEPARTMENT OF PUBLIC WELFARE	
Notices	
Federal poverty income guidelines for 2008	1644
ENVIRONMENTAL HEARING BOARD	
Notices	
Borough of Chambersburg v. DEP; EHB doc. no. 2008-079-L	1645
The Chesapeake Bay Foundation, Inc. v. DEP and Lower Allen Township Authority; EHB doc. no. 2008-080-L	1645
Middletown Borough Authority v. DEP; EHB doc. no. 2008-086-L	1646
FISH AND BOAT COMMISSION	
Rules and Regulations	
Fishing	1584
Proposed Rulemakings	
Fishing (2 documents)	1588, 1589
GAME COMMISSION	
Proposed Rulemakings	
Hunting and trapping	1590
Seasons and bag limits (2 documents)	1591, 1597
INDEPENDENT REGULATORY REVIEW COMMISSION	
Notices	
Action taken by the Commission (2 documents)	1646
Notice of comments issued	1647
INSURANCE DEPARTMENT	
Notices	
Aetna Health, Inc.; individual advantage plans (superior and standard); rate filing	1655
Agency contract termination of Hurst-Weiss Insurance Agency, Inc.; doc. no. AT08-03-027	1655
Application for approval to acquire control	1656
Getty Petroleum Marketing; hearing	1656
HealthAmerica; pharmacy rider rates for HMO and HSA HMO for eastern, south-eastern and western Pennsylvania; rate filing	1656
Review procedure hearings; cancellation or refusal of insurance	1656
Review procedure hearings under the Unfair Insurance Practices act	1657
Saul D. Wolfson, M. D.; prehearing	1657
LIGUOR CONTROL BOARD	
Notices	
Expiration of leases	1658
PENNSYLVANIA GAMING CONTROL BOARD	
Rules and Regulations	
General provisions; and applications	1585
PENNSYLVANIA PUBLIC UTILITY COMMISSION	
Notices	
Electric tariff	1659
Local exchange carrier services	1660
Service of notice of motor carrier applications	1660
Telecommunications	1661
Wastewater service	1661
Water and wastewater service	1661
STATE POLICE	
Rules and Regulations	
Corrective amendment to 37 Pa. Code Chapter 23 ..	1587
SUSQUEHANNA RIVER BASIN COMMISSION	
Notices	
Public hearing and meeting	1661
SUSTAINABLE WATER INFRASTRUCTURE TASK FORCE	
Notices	
Meeting scheduled	1662

Now Available Online at <http://www.pabulletin.com>

PENNSYLVANIA BULLETIN, VOL. 38, NO. 14, APRIL 5, 2008

ILLUSTRATION 6-5

A quarterly subject index provides topics and corresponding page number references to the *Pennsylvania Bulletin*. These quarterly indexes are cumulative and published in the first week of April, for the period January-March; July, for the period January-June; October, for the period January-September, and in January, for the period January-December (for whole year).

SUBJECT INDEX, JANUARY—MARCH 2008		1665
	<i>Page</i>	<i>Page</i>
ATV		
CONSERVATION AND NATURAL RESOURCES, this index.		
ACCOUNTANTS		
STATE BOARD OF ACCOUNTANCY, this index.		
ACTS		
GENERAL ASSEMBLY, this index.		
ACUPUNCTURISTS		
STATE BOARD OF MEDICINE, this index.		
ADAMS COUNTY		
Municipal waste:		
Recycling grant awards—Notice	545	
State Implementation Plan; proposed revision for York-Adams County 8-hour ozone nonattainment area; public hearing—Notice	1404	
ADMINISTRATION*		
Executive orders:		
Contractor social responsibility and offshore services; executive order no. 2006-08—Governor . .	474	
Office of Health Equity; executive order no. 2007-04—Governor	741	
GENERAL SERVICES, this index.		
GOVERNOR'S OFFICE, this index.		
PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY, this index.		
Regulatory agenda—Notice	691	
STATE EMPLOYEES RETIREMENT BOARD, this index.		
ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS		
Access to policy concerning official case records of the magisterial district courts:		
Confidential information in pleadings or other papers filed with magisterial district courts; proposed—Court	1438	
Definitions; proposed—Court	1438	
Fees; proposed—Court	1438	
Official case records of the magisterial district courts not accessible by the public; proposed—Court	1438	
Requesting access to official case records of the magisterial district courts; proposed—Court . .	1438	
Responding to requests for access to official case records of the magisterial district courts; proposed—Court	1438	
Statement of general policy; proposed—Court . .	1438	
AGING*		
PENNSYLVANIA COUNCIL ON AGING, this index.		
Regulatory agenda—Notice	691	
AGRICULTURE*		
Agriculture research project contractors—Notice . .	1490	
Avian influenza—Notice	1043	
Farmers' Market Development Matching Grant Program—Notice	81	
HARNESS RACING COMMISSION, this index.		
HORSE RACING COMMISSION, this index.		
MILK MARKETING BOARD, this index.		
Pennsylvania Vegetable Marketing and Research Program; referendum on continuation—Notice . .	260	
Plum Pox Virus Nursery quarantine; partial revocation—Notice	81	
Regulatory agenda—Notice	692	
STATE CONSERVATION COMMISSION, this index.		
AIRPORTS		
ENVIRONMENTAL QUALITY BOARD, this index.		
AIR QUALITY		
Emissions:		
Certified emission reduction credits in this Commonwealth's ERC registry—Notice	1300	
ENVIRONMENTAL PROTECTION, this index.		
ENVIRONMENTAL QUALITY BOARD, this index.		
NOx budget trading program; new source set-aside 2008 proposed NOx allocations—Notice	666	
Radon-related activities; certification to perform in this Commonwealth—Notice	401, 938, 1310	
State implementation plan:		
Proposed revisions to Pennsylvania's plan—Notice	1216	
Proposed revision for ozone:		
Greene County 8-hour ozone plan maintenance areas; public hearing—Notice	1216	
Scranton/Wilkes-Barre 8-hour ozone maintenance area; public hearing—Notice	1101	
Transportation conformity and air quality; proposed revisions to State Implementation Plan—Plan	1100	
ALCOHOL		
Blood testing; see LABORATORIES, this index.		
LIQUOR CONTROL BOARD, this index.		

*Denotes title designation of the Pennsylvania Code.

*Denotes title designation of the Pennsylvania Code.

There is a “List of Pennsylvania Code Sections Affected” after the Table of Contents that provides a cross-reference table between the *Pennsylvania Code* and the corresponding *Code* Titles and Sections in the weekly *Bulletin*. This is a cumulative table each week for the current year’s changes.

1580

List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2008.

4 Pa. Code (Administration)		51 Pa. Code (Public Officers)	
Adopted Rules		Proposed Rules	
6	741	31	435, 1253
7	474	33	435, 1253
Proposed Rules		35	435, 1253
241	613, 614	37	435, 1253
247	612, 615	39	435, 1253
247		41	435, 1253
22 Pa. Code (Education)		43	435, 1253
Adopted Rules		45	435, 1253
4	872, 1148	51	435, 1253
36	339	53	435, 1253
338	76	55	435, 1253
57		57	435, 1253
59		59	435, 1253
25 Pa. Code (Environmental Protection)		61	435
Adopted Rules		63	435
93	1357	65	435, 1253
271	1357	52 Pa. Code (Public Utilities)	
279	1357	Adopted Rules	
287	1357	63	488
293	1357	Proposed Rules	
806	610	54	776
808	610	62	776
Proposed Rules		63	758
86	80	76	776
93 (correction)	238, 612, 976	58 Pa. Code (Recreation)	
121	229	Adopted Rules	
126	229	53	1584
130 (correction)	1150	63	1584
218	1246	65	1468
240	1246	111	1468
Statements of Policy		141	1471, 1472
16	258	143	1469, 1470
83	889	147	1472, 1473
28 Pa. Code (Health and Safety)		405a	1474
Adopted Rules		421a	1585
101	573	423a	1585
117	573	461a	1474
Proposed Rules		Proposed Rules	
23	750, 1150	65	1588
27	750, 1150	69	1589
37 Pa. Code (Law)		137	1484
Adopted Rules		139	1591, 1597
23	1587	141	1482, 1590
Proposed Rules		143	1477, 1482
221	1486	147	1477, 1483
40 Pa. Code (Liquor)		401a	1151
Proposed Rules		435a	1151
5	499	439a	1151
49 Pa. Code (Professional and Vocational Standards)		441a	1039, 1041, 1151
Adopted Rules		461a	343, 1151
47	484	461b	1151
49	484	463a	1151
465a		465a	1151
Proposed Rules		Statements of Policy	
21	344	421b	977
27	390, 351	461b	354
39	1168		

PENNSYLVANIA BULLETIN, VOL. 38, NO. 14, APRIL 5, 2008

ILLUSTRATION 6-7
©2008 Commonwealth of Pennsylvania

§6.6.3 *Pennsylvania Code*

The *Pennsylvania Code* is analogous to the *Code of Federal Regulations* for the federal government. Not only does it contain the final rules and regulations of the different state departments and agencies, but also rules of the General Assembly, court-related offices and rules, and home rule charters of counties and municipalities.

§6.6.3.1 **Organization of the *Pennsylvania Code***

The contents of the *Code*, as set out at 1 *Pa. Code* §702 include:

1. All proclamations and executive orders of the governor which are general and permanent in nature.
2. All administrative and other regulations.
3. All statements of policy which are general and permanent in nature.
4. All documents or classes of documents required to be codified in the code by statute.
5. All general rules and rules of court.
6. Any other judicial document or class of documents which the governing authority of the unified judicial system finds to be general and permanent in nature.
7. Any other document or class of documents which the governor, the joint committee or the Director of the Legislative Reference Bureau finds to be general and permanent in nature.

The various political subdivisions are required to file two duplicate copies to the bureau, which will keep them for one year after publication and then forward it to the Pennsylvania Historical and Museum Commission to be kept in the Commonwealth archives. The other copy goes to the Department of General Services to be printed.⁵

The Commonwealth contracts every seven years with a commercial publisher to publish the *Code*.⁶ The *Code* is available free to all county law libraries, law school libraries, judges and other public officials to encourage the widest dissemination possible. The publication is also available for purchase,

5. 1 Pa. Code §722.

6. Fry Communications is the current publisher.

either in part by title or the whole set. The pricing list is provided in the introductory section of volume 1 of the *Code*.

The titles that comprise the *Pennsylvania Code* are as follows:

<u>No.</u>	<u>Subject</u>
1	General Provisions
4	Administration
6	Aging
7	Agriculture
10	Banks & Banking
13	Commerce & Trade
16	Community Affairs
19	Corporations & Business Associations
22	Education
25	Environmental Resources
28	Health & Safety
31	Insurance
34	Labor & Industry
37	Law
40	Liquor
43	Military Affairs
46	Museums & Archives
49	Professional & Vocational Standards
51	Public Officials
52	Public Utilities
55	Public Welfare (Parts II and III)
58	Recreation
61	Revenue
64	Securities
67	Transportation
70	Weights, Measures & Standards

The 100 series deals with the General Assembly. The 200 series deals with judiciary information, including the Judicial System General Provisions (204) and the state court rules (appellate, civil, criminal, evidence, and magisterial district judge). The 300 series contains the full text of home rule charters for each county (titles 301-367 for Adams to York counties).

The set also includes a one volume Master Index and a separate volume of Finding Aids. The Finding Aids volume

contains a cross reference table from *Purdon's Statutes* to the *Pa. Code*, an alphabetical listing of all titles and sections of the *Code*, a list of all court cases cited in the *Code*, an illustrations table, and cross references from the *C.F.R.* to the *Pa. Code*.

§6.6.3.2. Updating the *Pennsylvania Code*

In Title 1 of the *Code* there is a four-page introduction providing instructions on how to file and use the *Pennsylvania Code*. As a looseleaf service, updates are sent monthly. A master transmittal sheet sent with the updates informs the filer what materials are enclosed in the release. A transmittal sheet for each title is sent that includes an updated listing of current pages. Individual pages contain serial numbers (beginning with page 1 and which is now over 260,000) in parenthesis at the lower left hand corner of each leaf, e.g., (0648). By checking an individual page's serial number against the transmittal sheet listing of all serial numbers contained in that Title, one can establish if any pages have been omitted, misfiled, or are obsolete.

NOTE: Only six libraries in the state maintain bound volumes of the superseded pages issued by the Legislative Reference Bureau. These may be useful for those persons performing historical research who are interested in seeing how the *Code* title and sections appeared at a certain date.

Volume 1 of the *Pennsylvania Code* deals with the history of the *Code*, information on how to purchase it, instructions for use, a detailed table of titles and chapter headings, an alphabetical listing of agencies and courts whose regulations and documents appear in the *Code*, a table of statutory references to go from act number to *Code* title, chapter, and section, a table of cases, and the text of the Commonwealth Documents Law with a general description of the act.

The *Pennsylvania Code* is arranged by subjects (called Titles) and subdivided into parts, chapters, subchapters, and sections.

In citing the materials from the *Code*, one first cites to the title, followed by the chapter and section number (e.g., 25 PA. CODE 17.51 refers to Title 25 chapter 17, section 51). In searching the *Code* one can consult the Master Index Volume or the index for each individual title. The index references are to section numbers not page numbers, since the latter can change

with each new release. A table of contents is available at the front of each title if one knows which title one is looking for.

Another useful part of the *Code* is the addition of source notes, usually but not always, after each section. The source note shows changes that have occurred since the title was originally published. In using the source note, one has to be aware of the effective date of a document.

If the document was adopted on or after August 18, 1970, it is effective from the issue date of the *Pennsylvania Bulletin* in which it, or its official synopsis, was published, or the effective date stated in the document, whichever is later.

If no source note can be found (check other sections, or check the beginning of the chapter or part), then the document has already been filed with the Legislative Reference Bureau and is enforced on the date of publication. Also, cross references may be found that inform the user that the section is cited in other sections of the *Code*.

§6.6.3.3 Research Methods

When you are looking for information in the *Pennsylvania Code*, there are six methods for finding your subject.

1. The Table of Titles and Chapter Headings found in the Finding Aids Volume lists all titles and sections in sequential order from Title 1 to Title 365. Each title is divided into parts, chapters, sub-chapters, and then sections. Using this method assumes some knowledge on the researcher's part – it's like using a table of contents to find the appropriate title and section. For example, if you want to know the "service of documents" under "administrative practice," look under sub-chapter B under Chapter 31 of Part II of Title I, "General Provisions."

2. The Alphabetical Index of Agencies found in the Finding Aids Volume lists each department and agency alphabetically.

3. The Master Index is a single volume index to the entire *Code*. It is usually the first place a person goes to find the location of materials if one does not know the titles. Use key words from your research issue and then start looking for those words in the master index which is arranged alphabetically. This index will provide you with the appropriate title and section number. Then proceed to the actual binder of that title and section number to obtain the textual information.

MASTER INDEX TO
PENNSYLVANIA CODE

AIDS

See ACQUIRED IMMUNE DEFICIENCY (AIDS), this index.

ALS SERVICE

See AMBULANCE SERVICES, this index.

ATV

See ALL-TERRAIN VEHICLES (ATV), this index.

ABANDONED AND UNCLAIMED PROPERTY

Address, 61 § 951.4.

Appeals, 61 § 951.7.

Burden of proof, 61 § 951.5.

Committee,

 Composition, 61 § 951.3.

 Jurisdiction, 61 § 951.2.

 Powers and duties, 61 § 951.3.

 Practice and procedure, 61 § 951.5.

Decision and order, 61 § 951.6.

Definitions, 61 § 951.1.

Estimation calculations, 61 § 951.8.

Evidence and subpoenas, 61 § 951.5.

Notices of hearings, 61 § 951.5.

Petitions, 61 § 951.4.

Presiding officer, 61 § 951.5.

Representation, 61 § 951.5.

Transcripts, 61 § 951.5.

Treasury Department, generally, this heading.

ABORTION AND STERILIZATION

Ambulatory surgical centers, payment under
 Medical Assistance, 55 §§ 1126.41,
 1126.51, 1126.54.

Bona fide occupational qualifications,
 supplementary interpretations,
 16 §§ 51.51, 51.52.

Clinic and emergency room services, payment
 under Medical Assistance,
 55 § 1221.57.

Definitions, 16 § 51.2.

Discrimination, generally, this heading.

Ethical policy with regard to performance of
 procedures, 16 § 51.31.

Exemptions from regulations,

ABORTION AND STERILIZATION

—Continued

Bona fide occupational qualifications,
 supplementary interpretations,
 16 §§ 51.51, 51.52.

Exclusive operation for performance of
 abortion or sterilization,
 16 § 51.61.

Hospitals, statement of ethical policy,
 28 § 101.164.

Inpatient hospital services, payment under
 Medical Assistance, 55 § 1163.62.

Medical Assistance payments, 55 §§ 1126.51,
 1126.54, 1141.57, 1163.62, 1221.57.

Minors petitioning court to authorize an
 abortion, 231 Rules 16.1—16.8.

Objection in writing by individuals,
 16 § 51.41.

Payments under Medical Assistance,
 55 §§ 1126.51, 1126.54, 1141.57,
 1163.62, 1221.57.

Performance in hospitals and clinics,
 28 §§ 29.31—29.43.

Physician certification for payment under
 Medical Assistance, 55 Ch. 1141
 Appx. A.

Physicians' services, payment under Medical
 Assistance, 55 § 1141.57.

Private hospitals and health care facilities,
 Ethical policy, 16 § 51.31.

Objection on moral, religious or professional
 grounds, 16 § 51.32.

Purpose and policy of regulations, 16 § 51.1.

Reasonable accommodations, 16 § 51.44.
Statement or other manifestation of attitude,
 16 § 51.33.

Students' rights, 16 § 51.43.

Undue hardship, 16 § 51.44.

ABOVEGROUND TANKS

See STORAGE TANKS, this index.

ABRASIVE WHEELS

Specifications, adoption by reference,
 34 § 29.231.

MI-1

(329453) No. 397 Dec. 07

ILLUSTRATION 6-8
©2008 Commonwealth of Pennsylvania

4. Title Index or Subject Index at the end of each title. Each title has its own index within each volume. This title index is more in depth than the Master Index. Thus, if you fail to find your topic in the Master Index, but you at least know what title it might be in, you should search the title index to find the subject under review.

5. Table of Authorities. This table, found in the Finding Aids Volume, compiles the statutory authority citations throughout the *Pennsylvania Code* (generally found after each title and section) and arranges them in numerical order following the titles and sections of *Purdon's Pennsylvania Statutes Annotated/Purdon's Pennsylvania Consolidated Statutes Annotated*.

TABLES OF AUTHORITIES

When an agency adopts a regulation, the agency sets forth the statutory authority under which the action has been taken.

The following table compiles the statutory authority citations throughout the *Pennsylvania Code* and arranges them in numerical order according to *Purdon's Statutes or Pennsylvania Consolidated Statutes* title number.

A. Purdon's (Pennsylvania Consolidated) Statutes References

Title	P. S. (or Pa.C.S.) Sec.	Title	Pa. Code	
			Chap.	Sec.
1	306	101	Pt. 1	—
2	101—106	58	145	—
2	101	19	—	—
2	102	31	242	242.10
2	102	31	242	242.20
2	501—508	67	445	445.9
2	501—508	67	491	491.1—491.13
2	501—508	67	445	445.9
2	701—704	67	491	491.1—491.13
2	751—754	25	973	973.10
2	751—754	55	3710	3710.2
3	21—33	7	85	—
3	21—33	7	87	—
3	21—33	7	93	—
3	21—33	7	95	—
3	21—33	7	97	—
3	21—33	7	101	—
3	58.1 et seq.	7	72	—
3	58.10	7	71	—
3	68.1—68.23	7	73	—
3	68.2	7	130a	130a.1
3	68.13	7	130a	—
3	111.21—111.61	7	128	—
3	111.21—111.61	7	128b	—
3	111.27	7	128	128.3
3	132.1—132.14	7	108	—
3 (Repealed)	214.1—214.25	7	119	—
3 (Repealed)	214.3	7	122	—
3 (Repealed)	214.6	7	118	—
3 (Repealed)	214.9	7	118	—
3 (Repealed)	214.17	7	122	—
3 (Repealed)	214.19	7	125	—
3 (Repealed)	214.20	7	125	—
3	251	7	123	—

E-1

(317999) No. 378 May 06

ILLUSTRATION 6-9

©2008 Commonwealth of Pennsylvania

6. Table of Cases Cited. This table, also found in the Finding Aids Volume, compiles the case citations that are cited under the various titles and sections of the *Code*. Generally, only one case citation can be found in the *Code* sections. There is no citator for the *Code* and so the cases provide a useful way of searching for other cases on similar topics.

§6.6.3.4 Updating the *Pennsylvania Code*: Step-by-step guide

1. Find the appropriate *Code* title and section by using the “Master Index.”

2. Once you find the material in the *Code*, check the bottom of the page for the date and serial number. That material is good until that date. You may also wish to check the serial number against the Master Transmittal Page Listing in the front of each title if you are concerned about the date of the page listed. If the serial number does not match the number in the front, then you may not have the current page. By knowing the date of the page, you can see if there are any changes to that material.

Ch. 3	FAIR HEARINGS AND APPEALS	6 § 3.1
CHAPTER 3. FAIR HEARINGS AND APPEALS		
Sec.		
2.1.	Purpose, scope and authority.	
2.2.	Definitions.	
2.3.	Opportunities for appeals and fair hearings.	
2.4.	Notice of adverse action.	
2.5.	Initial considerations.	
2.6.	Request for a formal hearing.	
2.7.	Appointment of a hearing examiner.	
2.8.	Scheduling formal hearings.	
2.9.	Purpose of formal hearings.	
2.10.	Hearing authority.	
2.11.	Decisions of the Secretary.	
2.12.	Appellate rights.	
Authority		
The provisions of this Chapter 3 issued under sections 2005-6(13) of The Administrative Code of 1924 (71 P. S. § 351-6(13)), unless otherwise noted.		
Source		
The provisions of this Chapter 3 adopted February 4, 1924, effective February 4, 1924, 14 P. S. 17, unless otherwise noted.		
Cross References		
This chapter cited in 6 P. S. Code § 23.52 (relating to rights of protective services clients); 6 P. S. Code § 23.52 (relating to rights of alcohol abusers); 6 P. S. Code § 23.24 (relating to applicant or employee rights of review); 6 P. S. Code § 20.24 (relating to appeals); 6 P. S. Code § 20.45 (relating to Program violations and penalties); 6 P. S. Code § 21.23 (relating to provider applications and license certificate process); 6 P. S. Code § 21.10 (relating to determination of competency via review and reversal of provider application); 6 P. S. Code § 21.41 (relating to departmental responsibilities); 6 P. S. Code § 21.43 (relating to provider rights); and 6 P. S. Code § 21.101 (relating to fair hearings and appeals).		
§ 3.1. Purpose, scope and authority.		
(a) This chapter sets forth a system of appeals and fair hearings which apply to grievances or complaints about services and activities funded by the Department.		
(b) Provisions in this chapter include the following subjects:		
(1) Parties who may request a fair hearing.		
(2) Types of decisions or actions which are appealable.		
(3) Procedures for filing complaints, appeals or requests for hearings.		
(4) Procedures that area agencies or units and the Department will follow for appeals and fair hearings.		
(c) This chapter is adopted under the act of June 20, 1973 (P. L. 477, No. 70) (71 P. S. §§ 2811-1--2811-12) and in conformity with the Older Americans Act of 1966 (42 U.S.C.A. §§ 3001--3057) and 41 CFR Part 1321 (relating to grants).		
3-1		
(20037) Dec. 22, 2002		

ILLUSTRATION 6-10

COMPLETE TITLE CONTENTS—TITLE 6

Page Number	Serial Number	Page Number	Serial Number	Page Number	Serial Number
A-1	(330483)	11-23	(275559)	15-3	(311135)
A-2	(330484)	11-24	(275560)	15-4	(311136)
A-3	(330485)	11-25	(275561)	15-5	(288583)
A-4	(330486)	11-26	(275562)	15-6	(288584)
A-5	(321509)	11-27	(275563)	15-7	(288585)
A-6	(321510)	11-28	(275564)	15-8	(288586)
A-7	(308687)	11-29	(275565)	15-9	(288587)
A-8	(308688)	11-30	(275566)	15-10	(288588)
1-1	(249589)	11-31	(275567)	15-11	(288589)
1-2	(249590)	11-32	(275568)	15-12	(288590)
3-1	(288577)	11-33	(275569)	15-13	(288591)
3-2	(288578)	11-34	(275570)	15-14	(288592)
3-3	(249593)	11-35	(275571)	15-15	(311137)
3-4	(249594)	11-36	(275572)	15-16	(311138)
3-5	(249595)	11-37	(275573)	15-17	(311139)
3-6	(249596)	11-38	(275574)	15-18	(311140)
3-7	(249597)	11-39	(275575)	15-19	(311141)
3-8	(249598)	11-40	(275576)	15-20	(311142)
3-9	(249599)	11-41	(275577)	15-21	(311143)
3-10	(249600)	11-42	(275578)	15-22	(311144)
5-1	(249601)	11-43	(275579)	15-22.1	(311145)
5-2	(249602)	11-44	(275580)	15-22.2	(311146)
5-3	(249603)	11-45	(275581)	15-23	(288601)
5-4	(249604)	11-46	(275582)	15-24	(288602)
5-5	(249605)	11-47	(275583)	15-25	(288603)
5-6	(249606)	11-48	(275584)	15-26	(288604)
11-1	(275537)	11-49	(275585)	15-27	(288605)
11-2	(275538)	11-50	(275586)	15-28	(288606)
11-3	(275539)	11-51	(275587)	15-29	(288607)
11-4	(275540)	11-52	(275588)	15-30	(288608)
11-5	(275541)	11-53	(275589)	15-31	(288609)
11-6	(275542)	11-54	(275590)	15-32	(288610)
11-7	(275543)	11-55	(275591)	15-33	(288611)
11-8	(275544)	11-56	(275592)	15-34	(288612)
11-9	(317763)	11-57	(275593)	15-35	(288613)
11-10	(317764)	11-58	(275594)	15-36	(288614)
11-10.1	(317765)	11-59	(275595)	15-37	(288615)
11-10.2	(317766)	11-60	(275596)	15-38	(288616)
11-11	(275547)	11-61	(275597)	15-39	(288617)
11-12	(275548)	11-62	(275598)	15-40	(288618)
11-13	(275549)	11-63	(275599)	15-41	(288619)
11-14	(275550)	11-64	(275600)	15-42	(288620)
11-15	(275551)	11-65	(275601)	15-43	(288621)
11-16	(275552)	11-66	(275602)	15-44	(288622)
11-17	(275553)	11-67	(275603)	15-45	(288623)
11-18	(275554)	11-68	(275604)	15-46	(288624)
11-19	(275555)	11-69	(275605)	15-47	(288625)
11-20	(275556)	11-70	(275606)	15-48	(288626)
11-21	(275557)	15-1	(288579)	15-49	(288627)
11-22	(275558)	15-2	(288580)	15-50	(288628)

A-4

(330486) No. 398 Jan. 08

Copyright © 2008 Commonwealth of Pennsylvania

ILLUSTRATION 6-11

©2008 Commonwealth of Pennsylvania

3. Having checked the page references in the transmittal sheets, one needs to look at the most recent issues of the *Pennsylvania Bulletin*, since the date of the transmittal sheets provides the researcher with the date of coverage.

4. Check the front pages of the most recent issue of the *Pennsylvania Bulletin* for “List of Pennsylvania Code Chapters Affected” for the changes made to your research topic.

1699

List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2008.

4 Pa. Code (Administration)		49 Pa. Code (Professional and Vocational Standards)	
Adopted Rules		Adopted Rules	
6	741	47	484
7	474	49	484
Proposed Rules		Proposed Rules	
241	613, 614	21	344
247	612, 615	27	350, 351
		39	1168
22 Pa. Code (Education)		51 Pa. Code (Public Officers)	
Adopted Rules		Proposed Rules	
4	872, 1148	31	435, 1253
36	339	33	435, 1253
338	76	35	435, 1253
Statements of Policy		37	435, 1253
52	1727	39	435, 1253
25 Pa. Code (Environmental Protection)		41	435, 1253
Adopted Rules		43	435, 1253
93	1357	45	435, 1253
121	1705	51	435, 1253
129	1705	53	435, 1253
145	1705	55	435, 1253
271	1357	57	435, 1253
279	1357	59	435, 1253
287	1357	61	435
293	1357	63	435
806	610	65	435, 1253
808	610		
Proposed Rules		52 Pa. Code (Public Utilities)	
86	80	Adopted Rules	
93 (correction)	236, 612, 976	63	488
121	229	Proposed Rules	
126	229	54	776
130 (correction)	1150	62	776
218	1246	63	758
240	1246	76	776
Statements of Policy		58 Pa. Code (Recreation)	
16	258	Adopted Rules	
83	889	53	1584
28 Pa. Code (Health and Safety)		63	1584
Adopted Rules		65	1468
101	573	91	1725
117	573	111	1468
Proposed Rules		141	1471, 1472
23	750, 1150	143	1469, 1470
27	750, 1150	147	1472, 1473
37 Pa. Code (Law)		405a	1474
Adopted Rules		421a	1585
23	1587	423a	1585
Proposed Rules		461a	1474
221	1486	Proposed Rules	
40 Pa. Code (Liquor)		65	1588
Proposed Rules		69	1589
5	499	137	1484
		139	1591, 1597
		141	1482, 1590
		143	1477, 1482
		147	1477, 1483
		401a	1151

PENNSYLVANIA BULLETIN, VOL. 38, NO. 15, APRIL 12, 2008

ILLUSTRATION 6-12

§6.7 Other Publications of Departments and Agencies

The administrative agencies in the Commonwealth also publish other materials besides their rules and regulations in the *Pennsylvania Code* and *Pennsylvania Bulletin* such as notices of meetings, reports, etc. Other publications include pamphlets and booklets on specific topics within the scope of the agency. Administrative agency decisions are important references to an agency's interpretation of its rules and regulations.

§6.8 State Administrative Decisions and Rulings

State agencies, like their federal counterparts, have a quasi-judicial function that consist of administrative law judges (ALJ) who hear cases and issue decisions concerning the regulations of the agency. Various agencies have published their decisions over the years either in official publications or they may appear in looseleaf services. A list of those decisions can be found in Appendix 1.

§6.9 Online Sources

§6.9.1 Official Web Sites

The *Pennsylvania Code* site (www.pacode.com) provides a replica of what is available in the hard copy of the *Pennsylvania Code*. Users will find three options on the left side of the home page: "about", "search", and "browse." The "about" option provides some basic explanatory material on the function of the code and how to use it, while the "search" option allows users to enter a query in words or phrases and also provides a list of all titles of the code. Finally, the "browse" function provides a content page listing all of the titles of the *Code*, which users can highlight and then "select" to link to clickable chapters and sections of the *Code*.



Commonwealth of Pennsylvania



No statutes or acts will be found at this website.

The Pennsylvania Code website reflects the Pennsylvania Code changes effective through 38 Pa.B. 968 (February 16, 2008).

Information included at this site has been derived directly from the *Pennsylvania Code*, the Commonwealth's official publication of rules and regulations. Cite all material in the *Pennsylvania Code* by title number and section number.
Example: 1 Pa. Code § 17.51.

Published and distributed by
Fry Communications, Inc.
In cooperation with the
Legislative Reference Bureau
under the policy supervision and direction of the
Joint Committee on Documents

Questions? Please see our [FAQ](#) list.

Please visit our other related site, the [Pennsylvania Bulletin Online](#).

[Privacy Policy](#) [Disclaimer and Terms of Use](#)

No part of the information on this site may be reproduced for profit or sold for profit. Please direct questions or comments to info@pacode.com.

ILLUSTRATION 6-13

The *Pennsylvania Bulletin* site (www.pabulletin.com) provides access to the current issue of the *Bulletin* in addition to a chronological listing since 1996. The *Bulletin* is also available in a searchable database for looking up specific information by typing words or phrases in the query dialogue box.



Commonwealth of Pennsylvania



Please visit our other related site. The [Pennsylvania Code Online](#).

The information included at this site has been derived directly from the *Pennsylvania Bulletin*, the Commonwealth's official gazette for information and rulemaking. We have developed this site so that the latest published information may be accessed every Friday at 9 a.m. EDT, the first moment that the information may be furnished to the public.

The Pennsylvania Bulletin Online includes the following: Statewide and local court rules; the Governor's Proclamations and Executive Orders; Actions by the General Assembly; Rulemakings by State agencies; Proposed Rulemakings by State agencies; and State agency notices.

[Privacy Policy](#) [Disclaimer and Terms of Use](#)

No part of the information on this site may be reproduced for profit or sold for profit. Please direct questions or comments to info@paobulletin.com

ILLUSTRATION 6-14

Administrative Agencies

Nearly every Pennsylvania administrative agency has its own official Web site. Each agency uses its site to pass on relevant information about itself. Generally, the information available on these sites includes contact addresses and phone numbers, press releases, and consumer advisories on various legal issues. Links to these Pennsylvania administrative agencies can be found on the state web site, at www.state.pa.us. The list of all departments and agencies can also be found at www.pennsylvanialegalresearch.com.

§6.9.2 Fee-Based Sites

Lexis®

The Pennsylvania Bulletin

As noted earlier, Lexis® is the only commercial site that provides access to the *Pennsylvania Bulletin*. To access the *Penn-*

sylvania Bulletin on Lexis[®], type in PA;PARGST. A search query box will appear at the file site. Lexis[®] contains the *Pennsylvania Bulletin* from October 1994 to present and is updated weekly.

The Pennsylvania Code

The *Pennsylvania Code* can be found on Lexis[®] by typing in PA; PAADMN at the query or by scrolling through the PA library of specific files. The administrative file contains both rules and regulations as promulgated by Pennsylvania's various agencies in the implementation or interpretation of laws applicable to such agencies.

The screenshot displays the LexisNexis Total Research System interface. At the top, there are navigation tabs for Search, Research Tasks, Get a Document, Shepard's®, Alerts, Total Litigator, Transactional Advisor, and Counsel Selector. Below these are search filters: by Source, by Topic or Headnote, by Guided Search Form, and by Dot Command. A 'Recently Used Sources' section shows 'PA - Pennsylvania Administrative Code' selected. The 'Look for a Source' section has tabs for Legal, News & Business, Public Records, Constitutional Law, Ethics, Penn, and Find A Source. The 'Penn' tab is active, showing a list of search categories with checkboxes, such as 'Find Cases', 'Access Directories', 'Search Analysis & CLE Materials', 'Search Law Reviews & Journals', and 'Court Records from Courtlink(R)'. Each category includes sub-options and a 'View more sources' link.

ILLUSTRATION 6-15

Copyright 2008 Lexis Nexis, a division of Reed Elsevier Inc. All rights reserved. Lexis Nexis and the Knowledge Burst logo are registered trademarks of Reed Elsevier Properties Inc. and are used with the permission of Lexis Nexis.

Pennsylvania Regulation Tracking

To access the regulation tracking database on Lexis-Nexis[®], type in PA;PARGTR. The database provides coverage over the past two years and is updated within 2-6 weeks of publication. Information can be retrieved using different search descriptors, such as date and agency.

Tax Decisions

Pennsylvania Commonwealth Court decisions can be found on Lexis[®] at the file name PATAX. The cases appealed from the Board of Finance and Revenue decided by the Commonwealth Court of Pennsylvania are included in this file, beginning in January 1971. Documents are added within two weeks of publication.

Environmental Decisions

Pennsylvania Environmental Hearing Board decisions are located at the file name PAENV on Lexis[®]. Coverage begins from March 1972 and the file is updated regularly.

PUC Decisions

Pennsylvania Public Utility decisions are located on Lexis[®] at file name PAPUC. Decisions and orders from the Pennsylvania Public Utility Commission are included in this file, beginning from November 1970. Lexis[®] also provides Pennsylvania public utility reports at file name PAPUR. This file contains selected decisions from the Pennsylvania federal and state courts and state utility commissions. Documents date as far back as January 1987.

Securities Decisions

Pennsylvania Securities Commission decisions and orders can be found on Lexis[®] at file name PPASEC. Coverage dates back to June 1974. The documents are included within a week of publication.

Workers' Compensation

Pennsylvania workers' compensation decisions are found on Lexis[®] at file name PAWORK. Workers' Compensation Appeal Board summaries and decisions from the Commonwealth Court are included in this file. Cases date back to

March 1990. Documents are added within two months of publication.

Board of Claims

The Board of Claims site on Lexis® is located at file name PABDCL and contains a listing of contract claims against the Commonwealth of \$300 or more. Claims from February 1994 are included.

Labor Relations Board

The *Pennsylvania Public Employee Reporter* published by LRP can be found at file name PAPER. This file includes the court decisions on appeal from the board from 1982.

Legal Ethics Opinions

The *National Reporter on Legal Ethics and Professional Responsibility – Pennsylvania Opinions* is located on Lexis® at file name PAETOP. This file includes selected Pennsylvania ethics opinions published by the University Publications of America from 1991 and is updated within one month of publication.

Westlaw®

With the exception of the *Pennsylvania Bulletin*, Westlaw® contains databases that are similar to those of Lexis-Nexis®.

The *Pennsylvania Code*

The *Pennsylvania Code* can be accessed on Westlaw® at PA-ADC. The database contains regulations (Title 1-70), legislative documents (Titles 101-107), and home rule charters (Titles 301-367).

The screenshot shows the Westlaw website interface. At the top, there are navigation tabs for "Pennsylvania", "Federal", "Westlaw", "Librarians", "Ohio", "3rd Circuit", and "Add/Remove Tabs". Below the tabs, there is a "Shortcuts" section with a link to "ALM VerdictSearch". The main content area is divided into several sections, each with a list of database options and links to "Table Of Contents" or "KeyRules".

Trial Court Documents

- Pennsylvania Civil Trial Court Filings (i)
- Pennsylvania State and Federal Civil Trial Court Filings (i)
- Pennsylvania Criminal Trial Court Filings (i) (NEW)
- Pennsylvania State and Federal Criminal Trial Court Filings (i) (NEW)
- All State and Federal Civil Trial Court Filings (i) (NEW)

Court Rules & Orders

- Pennsylvania Court Rules | [Table Of Contents](#) (i)
- Pennsylvania State Trial Court Rules (i)
- Pennsylvania Rules Update Orders (i)
- KeyRules Pennsylvania All | [Table Of Contents](#) (i) (NEW)
- KeyRules Pennsylvania | [Table Of Contents](#) (i) (NEW)
- KeyRules Pennsylvania District Court | [Table Of Contents](#) (i) (NEW)

Administrative & Executive Materials

- Pennsylvania Administrative Code | [Table Of Contents](#) (i)
- Pennsylvania Attorney General Opinions (i)
- Pennsylvania Environmental Cases and Decisions (i)
- Pennsylvanian Public Utility Reports (i)
- Pennsylvania Regulation Tracking (i)
- Pennsylvania Workers' Compensation Law Reporter (i)
- Pennsylvania Rules Update Orders (i)
- KeyRules Pennsylvania All | [Table Of Contents](#) (i) (NEW)
- KeyRules Pennsylvania | [Table Of Contents](#) (i) (NEW)
- KeyRules Pennsylvania District Court | [Table Of Contents](#) (i) (NEW)

The interface also includes search tools like "Find by citation:", "Finding Tools:", and "KeyCite this citation:" with input fields and "Go" buttons. There are also "Search these databases:" sections with input fields and "Go" buttons.

ILLUSTRATION 6-16

Pennsylvania Regulation Tracking

The name of the database on Westlaw[®] is PA-REGTRK. This database contains summaries and status information concerning pending and recently adopted regulations. The database is updated daily.

Environmental Decisions

PAENV-ADMIN is the name of the database on Westlaw[®] that contains documents from the Pennsylvania Environmental Hearing Board, dating back to 1972. Westlaw[®] also carries Pennsylvania environmental records at EDR-PA. This database contains environmental records on solid waste facilities, hazardous waste sites and underground storage tanks published by Environmental Data Resource Inc.

PUC Decisions

PA-PUR is the name of the database for commission decisions and state court decisions on Westlaw[®]. Decisions date back to 1970.

Securities Decisions

On Westlaw[®], the database name is PASEC-ADMIN. Interpretive opinions, orders, and no-action letters from the Pennsylvania Securities Commission are included in this database, dating back to 1984.

Workers' Compensation

The PAWC-ADMIN database on Westlaw[®] contains opinions prepared by the Workers Compensation Appeal Board. Coverage dates back to December 1987. Also, *Pennsylvania Workers' Compensation Law Reporter*[®], published by LRP, can be found on Westlaw[®] at PA-WCLR dating back to 1990. Documents include selected decisions of the board and state appeals court decisions.

Board of Claims

On Westlaw[®] the database name is PA-BDCL. Coverage goes back to 1973.

Labor Relations Board Decisions

The name of the database is PA-PER. Coverage of the reporter goes back to 1982. This database is updated monthly.

Legal Ethics Opinions

The name of the database on Westlaw[®] is PAETH-EO. Pennsylvania Bar Association documents relating to the regulation of the practice of law are included in this database. Coverage of formal opinions by the Pennsylvania Bar Association Committee on Legal Ethics and Professional Responsibility includes those issued from 1974 to the present. Informal opinions are covered from 1990 to the present. Documents published by the Philadelphia Bar Association Professional Guidance Committee since 1987 are also included.

§6.10 Secondary Sources

There are no treatises on administrative law in Pennsylvania. *Standard Pennsylvania Practice 2d* series (West®) provides the most comprehensive coverage in its three volumes 36-38. Volume 36 covers the general principles of administrative law and procedure. Beginning in volume 36 and continuing into the next two volumes, there is extensive coverage on particular subjects or agencies. Zoning Hearing Board cases (vol. 36) are followed by the state agencies of the Civil Service Commission, Labor Relations Board, Human Relations Commission, Unemployment Compensation Board of Review, Liquor Control Board (vol. 37), Public Utilities Commission, Board of Probation and Parole, and Environmental Hearing Board (vol. 38). Workers' Compensation is covered in volumes 39 and 40.

Pennsylvania Law Encyclopedia 2d series has a short chapter on administrative law in volume 1 of the second series.

The Pennsylvania Bar Institute offers an annual *Administrative Law Symposium* (1996-) and *The Judgebook—A Procedural Guide for Workers' Compensation Practitioners* (1999-), 5 volumes, produced in cooperation with the Commonwealth Bureau of Workers' Compensation. For other treatises, see the section on Treatises in Chapter 10.

Periodical coverage can be found through the *Index to Legal Periodicals and Books* or *Current Law Index* or their electronic counterparts. *Widener Law Journal* currently publishes an "Annual Survey of Pennsylvania Administrative Law" in the third issue of each volume.

WIDENER LAW JOURNAL

Copyright © 2007 by the Widener University School of Law

VOLUME 16

2007

NUMBER 2

ARTICLE

COMPROMISE SETTLEMENTS UNDER STATE
WORKERS' COMPENSATION ACTS: LAW,
POLICY, PRACTICE, AND TEN YEARS OF THE
PENNSYLVANIA EXPERIENCE.....*David B. Torrey* 199

ANNUAL SURVEY OF PENNSYLVANIA ADMINISTRATIVE LAW

ADMINISTRATIVE AGENCY STATUTORY INTERPRETATION

*NELSON V. STATE BOARD OF VETERINARY
MEDICINE: THE COMMONWEALTH COURT
CARVES A SHARPER DEFINITION OF
VETERINARY MALPRACTICE.....**Kim Eileen Bell* 473

*ROWLAND V. COMMONWEALTH: KEEPING
THE FOX OUT OF THE HENHOUSE, THE
COMMONWEALTH COURT PROTECTS
PRIVATE INFORMATION FROM DISCLOSURE
THROUGH PENNSYLVANIA'S RIGHT-TO-
KNOW LAW**R. Aaron Edens* 491

*DAVY V. PENNSYLVANIA STATE POLICE:
THE NEED FOR FAIRNESS TO TROOPERS
ON OVERNIGHT ASSIGNMENT IN THE
COMMONWEALTH OF PENNSYLVANIA**John J. Herman* 505

ILLUSTRATION 6-17

Reprinted with permission from the *Widener Journal of Public Law*, © by the Widener University School of Law.

APPENDIX 1
ADMINISTRATIVE AGENCY COURT DECISIONS

Pennsylvania Arbitration Panels for Health Care. *Arbitration Panels for Health Care Decisions, 1977-1981*. There were four volumes published by the agency; major decisions were published in the *Pennsylvania District and County Reports 3d* series.

Pennsylvania Department of Education. *Pennsylvania Teacher Tenure Cases*. Commonwealth Book Store, 1939-, suppls.

Pennsylvania Department of Education. *Special Education Appeal Opinions*. Department of Education, 1973-, suppls.

Pennsylvania Environmental Hearing Board. *Environmental Hearing Board Adjudications*. Commonwealth Book Store, 1972-.

Pennsylvania Labor Relations Board. *Pennsylvania Public Employee Reporter*. LRP, 1975-. The bound volumes from 1971 to 1975 were published by *The Legal Intelligencer*, now part of ALM, Inc. From 1976 onwards, there are transfer volumes for each year.

Pennsylvania Liquor Control Board. Office of Administrative Judge. *Selected Opinions*. Volume 1- (1987-), suppls.

Pennsylvania Office of the Attorney General. *Opinions of the Attorney General, 1885-*.

Pennsylvania Public Utilities Commission. *Decisions of the Pennsylvania Public Utilities Commission*. Some of the decisions are also found in the *Public Utilities Reports*.

Pennsylvania State Ethics Commission. *State Ethics Commission, slip opinions*. The Commission provides a digest of opinions since 1979, but full text of the opinions is available from the agency only. Some law libraries may have the advisory opinions in full text.

Pennsylvania State Health Facility Hearing Board. *Decisions of the Board [1981-], 1984-*, suppls.

Pennsylvania Workers' Compensation Law Reporter®. LRP, 1987-, suppls. The two volumes cover statutes and administrative regulations and court cases. The publication resembles LRP's other product, *Pennsylvania Public Employee Reporter*®.

To telephone an agency for decisions, see the listing of Pennsylvania State Government Offices in the *Pennsylvania Bar Association Lawyers' Directory and Product Guide*.

CHAPTER 7

CASE LAW OF PENNSYLVANIA

Case law is the fourth area of primary authority. Litigants bring cases into the court system to satisfy disputes. The court system exists both on a federal and state level. Either a judge or jury will hear the issue and determine a ruling. Cases that involve some irregularity of procedure or an issue of “law”—determining an issue of evidence, for instance—may mean that the case can be appealed to a higher appellate court. The appellate court reviews a case based on the particular questions raised at the trial court level only (using the trial record and written and oral arguments). Once a decision is issued, it too can be appealed to the supreme court of that jurisdiction. The decision of this court is final, and it is binding on all trial and intermediate appellate courts in its jurisdiction.

The importance of a decision is that it settles a dispute between litigants and creates a decision in the case that can be used by later judges in determining subsequent cases. This doctrine of *stare decisis* is followed throughout federal and state court systems. By this doctrine of precedent, “it is necessary for a court to follow earlier judicial decisions when the same points arise again in litigation.”¹

On the federal level, the United States District Courts are the trial courts, The United States Courts of Appeal are the appellate courts, and the U.S. Supreme Court is the final court of adjudication. On the state level, the courts of common pleas are the trial courts, the Superior Court of Pennsylvania and Commonwealth Court of Pennsylvania are the intermediate appellate courts, and the Supreme Court of Pennsylvania is the highest, and final, court in Pennsylvania. Decisions handed down in one jurisdiction need not be followed by another. One circuit court’s opinion does not have to be followed by another circuit, nor does one state’s ruling affect another state court’s decision making.

1. Black’s Law Dictionary 1443 (8th ed. 2004)

§7.1 Introduction to the Court System of Pennsylvania

The Pennsylvania Court system is one of the nation's oldest; it began as a disparate collection of courts, some of which were inherited from the Duke of York while others were established by William Penn. The court system originated under William Penn in the 1680s, but a permanent court structure began with the Judiciary Act of 1722. It established the Pennsylvania Supreme Court, providing for a chief justice and two associate justices who were to sit twice a year in Philadelphia and ride the circuit at other times.

No additional changes were made to the judicial system until the adoption of the Pennsylvania Constitution in 1776. Under the new constitution, a local judiciary was established by the creation of the Courts of Session, Courts of Common Pleas, and Orphans' Court. With the arrival of these courts, designed to operate on a county level, Pennsylvania began to realize a true statewide framework for its judicial system.

The Constitution of 1790 encouraged further development of the court system by grouping counties into judicial districts and placing president judges at the head of the districts' common pleas courts. These changes were made to decrease the workload of the Supreme Court.

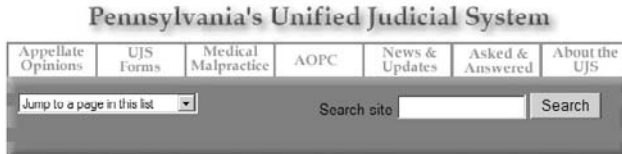
For the better part of a century, the structure of the judiciary remained relatively untouched. However, as the state grew, so did the number of cases heard in its courts. Eventually, this number grew too unwieldy for the Supreme Court to handle alone. Therefore, in 1895, the General Assembly created the Superior Court to exercise intermediate appellate jurisdiction.²

The Constitution of 1968 initiated the most sweeping changes in Pennsylvania's judiciary in nearly a century, reorganizing the judiciary into the Unified Judicial System, consisting of the Supreme, Superior and Commonwealth Courts; common pleas courts; community courts; Philadelphia Municipal Court; Pittsburgh Magistrates Court; Philadelphia Traffic Court, and district justices (now called magisterial district judges), with provisions for any future courts the law might establish.³ In addition, the Constitution created the Commonwealth Court to reduce the workload of the Superior and Supreme Courts by hearing cases brought against and by the

2. 118 Pennsylvania Manual 5-3 (2007 ed.).

3. Pa. Const. Art. V, §1. The act of 2004-207 changed the name from district justices to magisterial district judges.

Commonwealth. It also revised the trial courts into courts of common pleas within single jurisdictions.



Pennsylvania's Unified Judicial System forms a hierarchical structure that can best be illustrated in the form of a pyramid, as presented below:



[2007 State of the Commonwealth's Courts](#)

[Looking to the Future: The State of the Commonwealth's Courts](#)

[Pennsylvania's Judicial System: A Citizen's Guide](#) (A brochure about Pennsylvania's court system)

ILLUSTRATION 7-1

©State Court Organization 1998, Washington, D.C.,
 U.S. Government Printing Office, D. Rottman, M. Cantrell,
 C. Flango, R. Hansen, C. Moninger and N. LaFountain, 2000

The unified court system provides for the Supreme Court to have certain controls over the other courts in the state system (Pa. Const. Art. V, §10). For instance, the Supreme Court has ordered that president judges of the courts of common pleas can only serve a single five-year term of office, the administrative judges of the divisions of the courts of common pleas are appointed by the Supreme Court, senior judges can serve terms of office up to 78 years, and the super-

vision of the minor judiciary is managed by the Supreme Court. Furthermore, through its committees the court regulates admissions to the bar, continuing legal education, and disciplinary enforcement of lawyers. As a unified court system, the Supreme Court has also ruled that all courts of common pleas should be part of the state judicial system rather than a division of county government.⁴

§7.2 Pennsylvania Supreme Court

§7.2.1 Composition

The Pennsylvania Supreme Court consists of seven justices, elected from the state at large for a term of 10 years. Justices may stand for retention election for similar terms, subject to mandatory retirement at the end of the year in which a justice has turned 70 years old. The justice who has the longest continuous service is chief justice. A majority of the justices have the power to hold court.⁵

For a list of inductions, memorials, etc., see Appendix 1. For an historical list of the justices, see the listings at the end of Section 5 on the Judiciary in the *Pennsylvania Manual*.

§7.2.2 Jurisdiction

The jurisdiction of the Supreme Court is prescribed by statute. The Court has original and nonexclusive jurisdiction over three types of cases:

- (1) habeas corpus,
- (2) mandamus or prohibition to courts of inferior jurisdiction, and
- (3) quo warranto as to any officer of statewide jurisdiction.⁶

The Court's appellate jurisdiction includes cases it hears at its own discretion and cases that it must hear as a matter of right. These latter cases include appeals of cases originating in the Commonwealth Court and appeals of certain final orders issued by lower courts. It can also hear appeals from the courts of common pleas.⁷ The Court also has jurisdiction of appeals

4. *County of Allegheny v. Com.*, 517 Pa. 65, 534 A.2d 760 (1987).

5. 118 PA. MANUAL 5-4 (2007 ed).

6. 42 Pa.C.S. §721.

7. 42 Pa.C.S. §§722-724

from various boards and commissions, e.g., Court of Judicial Discipline; Pennsylvania Board of Law Examiners.⁸

Finally, the Court has the ability to exercise extraordinary jurisdiction over any case pending in a lower court involving an issue of immediate public concern.⁹

For purposes of filing papers, the Supreme and Superior Courts are divided into three districts: eastern, middle, and western. See Appendix 2 for the judicial districts.

§7.3 Pennsylvania Superior Court

§7.3.1 Composition

The Superior Court is an intermediate appellate court created in 1895 to relieve the caseload of the Supreme Court and is now considered a constitutional court (Pa. Const. Art. V, §3).

The court consists of fifteen judges and five senior judges (a constitutional amendment in 1978 raised the number of judges from 7 to 15¹⁰), elected from the state at large for a term of 10 years. Judges may stand for retention election for similar terms, subject to mandatory retirement at the end of the year in which a judge turns 70 years old. The president judge is selected for a five-year term by the members of the Superior Court.¹¹

§7.3.2 Jurisdiction

The jurisdiction of the Superior Court is narrowly circumscribed by statute.

The Superior Court possesses no original jurisdiction, except in cases of mandamus and prohibition to courts of inferior jurisdiction, and then, only where the relief sought is ancillary to matters within its appellate jurisdiction.

The Superior Court has exclusive appellate jurisdiction of all appeals from final orders of the courts of common pleas, regardless of the nature of the controversy or the amount involved, except such classes of appeals as are by any provi-

8. 42 Pa.C.S. §725.

9. 42 Pa.C.S. §725. This is commonly known as “king’s bench powers.”

10. 42 Pa.C.S. §§541 and 544.

11. 118 PENNSYLVANIA MANUAL 5-5 (2007 ed.)

sion of this chapter within the exclusive jurisdiction of the Supreme Court or the Commonwealth Court.¹²

§7.4 Pennsylvania Commonwealth Court

§7.4.1 Composition

The Constitution of 1968 (Art. V §4) established a Commonwealth Court that came into existence on January 1, 1970. It consists of nine judges and six senior judges. The Court sits in Philadelphia, Pittsburgh and Harrisburg. Judges may stand for retention election for similar terms, subject to mandatory retirement at the end of the year in which a judge has turned 70 years old. A president judge is selected for a five-year term by the members of the Commonwealth Court.¹³

§7.4.2 Jurisdiction

The Commonwealth Court was set up to alleviate overcrowding on the judicial docket, by exercising jurisdiction over all cases where the Commonwealth was named as a party. The specific purpose of the Court is reflected in its carefully delineated jurisdiction.

The Commonwealth Court has original jurisdiction over all civil actions or proceedings:

1) Against the Commonwealth government, including any officer thereof, acting in his official capacity, except:

i) actions or proceedings in the nature of applications for a writ of habeas corpus or post-conviction relief not ancillary to proceedings within the appellate jurisdiction of the court;

ii) eminent domain proceedings;

iii) actions on claims in which immunity has been waived pursuant to Chapter 85 (relating to matters affecting government units) or the act of May 20, 1937 (P.L. 728, No. 193), referred to as the Board of Claims Act;

iv) actions or proceedings in trespass as to which the Commonwealth government formerly enjoyed sovereign or other immunity; and

12. 42 Pa.C.S. §§741-742.

13. Constitution of 1968, Art. V, §4; 118 Pa. Manual 5-5 (2007 ed.).

v) actions or proceedings in the nature of trespass as to which the Commonwealth government formerly enjoyed sovereign or other immunity and actions or proceedings in the nature of assumpsit relating to such actions or proceedings in the nature of trespass.

2) By the Commonwealth government, including any officer thereof, acting in his official capacity, except eminent domain proceedings.¹⁴

3) final orders from government agencies.

4) arbitration awards between government and government employee.

5) contested elections and nominations on a statewide level.

§7.5. Courts of Common Pleas

§7.5.1 Composition

Each of the 60 judicial districts in the Commonwealth has one court of common pleas, having one or more judges.¹⁵ For administrative purposes, the Supreme Court divides the judicial districts into three geographical districts. (See Appendix 2 on page 303 for the districts.) Judges are elected from their respective judicial districts for a term of 10 years; they may stand for retention election for similar terms, subject to mandatory retirement at the end of the year in which a judge has turned 70 years old. The president judge is selected for one five-year term by the members of their respective courts, except that the judge longest in continuous service is President Judge in courts with seven or less judges.¹⁶

For a list of the judicial districts and number of judges in each district, see Appendix 3 in this chapter.

§7.5.2 Jurisdiction

Except where exclusive original jurisdiction of an action or proceeding is by statute or by general rule adopted pursuant to section 503 (relating to reassignment of matters) vested in another court of this Commonwealth, the courts of common

14. 42 Pa.C.S. §§761-764.

15. 42 Pa.C.S. §911 provides the number of judges per judicial district.

16. 42 Pa.C.S. §325.

pleas shall have unlimited original jurisdiction of all actions and proceedings, including all actions and proceedings heretofore recognizable by law or usage in the courts of common pleas.¹⁷

§7.6 Minor Courts

§7.6.1 Community Courts¹⁸

Community courts can be set up under each judicial district but they are not courts of record and they consist of one judge for every 70,000 residents. Courts can be established or discontinued by placing the question on a ballot in the primary election. The petition to place the question on the ballot requires five percent of the total number of voters in the previous municipal election.

Once the court is established, the judges replace all district justices, or the municipal court and the traffic court, except for the Pittsburgh Magistrates Court. All ongoing actions are continued by the new community court. If the court is disestablished, then a district magistrate of the municipal or traffic court is established to replace the court as provided by §1503(b). There are no community courts in Pennsylvania.

§7.6.2 Philadelphia Municipal Court¹⁹

The Philadelphia Municipal Court consists of 25 judges. It has jurisdiction over summary offenses (except those within the Traffic Court of Philadelphia), juvenile cases filed under chapter 63, criminal offenses punishable under five years in prison, landlord-tenant disputes dealing with judgments over \$5,000, and civil actions under \$10,000. The municipal court also serves as commissioners over arraignments, fixes and accepts bail, issues warrants and appoints six bail commissioners. It has jurisdiction over civil actions wherein the sum of money is under \$15,000 in matters involving real estate taxes and school taxes, actions to enjoin any nuisance under the Liquor Code, and to enjoin a public nuisance. Appeals can be taken to the court of common pleas, but a contempt citation or nuisance order appealed to either the court of common pleas

17. 42 Pa.C.S. §§931-934.

18. 42 Pa.C.S. §§1101-1106.

19. 42 Pa.C.S. §§1121-1124.

or superior court can only be on a review of the record. The president judge has the authority to appoint bail commissioners, attorneys to serve as judges pro tempore to the municipal court, and attorneys to serve as masters in proceedings dealing with protection from abuse proceedings.

§7.6.3 Pittsburgh Magistrates Court²⁰

The magistrates court is a court not of record having not less than five and not more than eight judges. These judges are the equivalent of district magistrates. The court has jurisdiction over criminal complaints accusing individuals of felony or misdemeanor committed within the city limits, administering oaths, holding preliminary hearings, and committing to jail or binding over for trial or discharging an accused person based on the evidence presented. It also arrests upon view or upon complaint made and warrant issued by the police of the city of Pittsburgh, persons engaged in or charged with drunkenness, disorderly conduct, selling liquor, maintaining a bawdy house and other lower level crimes.

The third major category is civil claims for the recovery of fines and penalties imposed by any ordinance of the city of Pittsburgh and county ordinances relating to housing and health administration. Finally, the magistrates court presides over matters within the jurisdiction of the court when sitting as the Traffic Court of Pittsburgh.

§7.6.4. Philadelphia Traffic Courts²¹

Traffic Court of Philadelphia is a court not of record consisting of seven judges.

§7.6.5. Third Class City Traffic Courts²²

Third class cities can create a traffic court not of record through the passage of an ordinance and the president judge of the jurisdiction can appoint magisterial district judges.

20. 42 Pa.C.S. §§1141-1143.

21. 42 Pa.C.S. §1321.

22. 42 Pa.C.S. §1341.

§7.7. Magisterial District Judges

§7.7.1 Composition

Under the Constitution of 1968, the old term “justice of the peace” became the office of district justice, and in 2004, renamed again magisterial district judge.²³ Based on population reported in the decennial census, the court has the authority to reestablish the number, boundaries and classes of magisterial districts within each judicial district except for the first judicial district and where a community court has been established.²⁴ There are currently 548 district justices throughout the Commonwealth in the year 2008.

§7.7.2 Jurisdiction

District judges have jurisdiction over summary offenses, except those within the jurisdiction of a traffic court; matters which arise under the Landlord-Tenant Act of 1951 (Title 68 P.S.); civil claims that do not involve more than \$8,000 exclusion of interests and costs in cases concerning assumpsit, except cases of real contract where the title of real property is concerned; trespass; and fines and penalties by any government agency; commissioners to preside at arraignments, fix and accept bail (except for murder and voluntary manslaughter cases), and issue warrants and perform other duties of a similar nature, including jurisdiction of a committing magistrate in all criminal offenses; and offenses under title 75 Pa.C.S. §3731 relating to driving under the influence of alcohol or controlled substances. The district judge has ten days to issue a certification of the offense to the clerk of the court of common pleas in writing.

For a statewide list of the district judges, see the Judicial section in the *Pennsylvania Manual* or the *Pennsylvania Bar Association Lawyers Directory & Product Guide*; and www.courts.state.pa.us or www.aopc.org.

23. Pa. Constitution Art. 5, §1; 42 Pa.C.S. §301.

24. 42 Pa.C.S. §1503.

§7.8 Court of Judicial Discipline

§7.8.1 Composition

The court was created under Article V §18 of the Pennsylvania Constitution and by an act of July 2, 1993, P. L. 395 (42 Pa.C.S. §602). The court consists of eight persons. The Supreme Court appoints two judges chosen from the Superior Court, the Commonwealth Court or the courts of common pleas, a nonlawyer elector, and a magisterial district judge. The governor also appoints one judge from the Superior, Commonwealth, or court of common pleas, two lawyers, and one nonlawyer.

No more than two of the four members appointed either by the Supreme Court or governor can be from the same political party. The term of office is for four years. If someone is involved in a hearing, he or she can continue in the hearing. Vacancies are filled by the respective appointing authority. Members of the court are ineligible to hold office in a political party or political organization.

§7.9 Court Reports

The appellate and county courts publish their court opinions like most courts in three formats: slip opinions, advance sheets, and bound volumes. The publication of official and unofficial reports has undergone changes over the years, especially in the last decade with the increasing accessibility of the Internet.

§7.9.1 Supreme Court Reports

At this time, two reporters cover Supreme Court cases: *Pennsylvania State Reports* (Pa.) and *Atlantic Reporter* 1st and 2nd series. Both reporters are published by Thomson/West®.²⁵

Pennsylvania State Reports are the official case reporters for Pennsylvania Supreme Court decisions. This set of books began in 1845 and is the current set today. There are two other sets of reports for the Pennsylvania Supreme Court. The first 60 volumes of Supreme Court cases are called nominative

25. There is another current reporter on Pennsylvania case law entitled *Pennsylvania Reporter*. This is not an independent reporter and is published by Thomson/West®. The contents of the reporter are limited to Pennsylvania cases as published in the *Atlantic Reporter*.

reports, meaning that they are cited by the name of the person who compiled the reports. These reports cover from 1754 to 1845 (Dallas to Watts & Sergeant). A second set of five titles, known as the Miscellaneous State Reports (Grant to Monaghan), cover chiefly the late nineteenth century. A complete list of the nominative reporters is included in the table below.

Beginning with Volume 108 of the *Pennsylvania State Reports*, the opinions of the Supreme Court are reported in West's® *Atlantic Reporter*.

Pennsylvania Supreme Court opinions appear in the following reporters:

<u>Name</u>	<u>Years</u>	<u>Abbreviation</u>	<u>Volumes</u>
Pennsylvania State Reports	1845- date	Pa.	
Atlantic Reporter	1885- 1938	A.	
Atlantic Reporter Second	1938 - date	A.2d	
<i>Nominative Reporters</i>			
Dallas	1754 - 1806	Dall.	4 vols.
Addison	1791 - 1799	Add.	1 vol.
Yeates	1791 - 1808	Yeates	4 vols.
Binney	1799 - 1814	Binn.	6 vols.
Sergeant and Rawle	1814 - 1828	Serg. & Rawle	17 vols.
Penrose and Watts	1829 - 1832	Pen. & W.	3 vols.
Rawle	1828 - 1835	Rawle	5 vols.
Watts	1832 - 1840	Watts	10 vols.
Wharton	1835 - 1841	Whart	6 vols.
Watts and Sergeant	1841 - 1845	Watts & Serg.	9 vols.
Grant	1814 - 1863	Grant	3 vols.
Pennypacker	1881 - 1884	Pennyp.	4 vols.
Walker	1855 - 1885	Walk.	4 vols.
Sadler	1885 - 1888	Sadler	10 vols.
Monaghan	1888 - 1890	Monag.	2 vols.

§7.9.1.1 Slip Opinions

Court cases are generally published in three formats: slip opinions, advance sheets, and bound volumes.

Prior to inclusion in a reporter, a Supreme Court decision is first issued as a slip opinion. It does not contain a citation to a reporter.

Slip opinions are the fastest way to find out the court's disposition of a case; the opinions are issued on the same day as the decision or the day immediately following. They are currently available on the court's website at www.aopc.org.

§7.9.1.2 Advance Sheets

The official reporter, the *Pennsylvania State Reports*, does not publish advance sheets.

Thomson/West[®] compiles slip opinions and publishes them in advance sheets. Not every slip opinion will make it into the advance sheets. West's[®] editorial staff decides which cases will be incorporated into the published reports. The advance sheets pertaining to Pennsylvania are West's[®] *Atlantic Reporter* and West's[®] *Pennsylvania Reporter*. A new edition of advance sheets is published each week. Opinions usually appear in the advance sheets four weeks to three months after decision.

The first few pages of the advance sheets contain the following useful information:

- 1) a table of cases;
- 2) Judicial Highlights: a summary of recent decisions from across the nation that merit special attention;
- 3) a table which converts state reporter citations into Atlantic Reporter citations;
- 4) a table of rules and statutes cited;
- 5) a table of words and phrases

§7.9.1.3 Bound Volumes

Every twelve weeks, a bound volume of the *Pennsylvania State Reports* is published.²⁶

Every two weeks a bound volume of the *Atlantic Reporter 2d* is published. As a consequence, the latest bound volume of A.2d is more current than the latest bound volume of the *Pennsylvania State Reports*.

26. As was mentioned previously, *Pennsylvania State Reports* is the official reporter of Pennsylvania. As such, whenever you cite a Pennsylvania Supreme Court Case to a Pa. Court, you must include the applicable citation to *Pennsylvania State Reports*.

Each bound volume of the *Pennsylvania State Reports* contains useful information pertinent to Pennsylvania research. In the first few pages of the reporter you will find:

- 1) a list of judges and officers for the Supreme, Superior, and Commonwealth courts, as well as a list of judges for each County Court;
- 2) a table of cases;
- 3) recent amendments to the Pennsylvania Rules of Court with explanatory text;
- 4) orders and appointments by the Pennsylvania Supreme Court.

The following information appears in the last pages:

- 1) a listing of unpublished decisions decided without opinion;
- 2) a subject index linked to West's® Key Number Digest.

Like *Pennsylvania State Reports*, the *Atlantic Reporter 2d* includes information located in the front and back pages of each volume. In the first few pages you will find:

- 1) a list of the judges from each of the states whose case are included in the Atlantic Reporter;
- 2) a table of cases;
- 3) a table of the cases organized by state;
- 4) a table of rules and statutes;
- 5) a list of words and phrases.

A subject index linked to West's® Key Number Digest is included at the end of each volume.

§7.9.2 Superior Court Reports

Superior Court cases are published in the following two reporters:

<i>Pennsylvania Superior Court Reports</i>	1895-1997 (Pa. Super.)
<i>Atlantic Reporter</i>	1931-date (A, A.2d)

Current Cases

§7.9.2.1 Slip Opinions

The Superior Court is divided into three districts: eastern, middle and western. Slip opinions are available online at www.aopc.org.

§7.9.2.2 Advance Sheets

There are no advance sheets for *Pennsylvania Superior Court Reports*.

Slip opinions are sent to Thomson/West® to be published in advance sheets. West® publishes advance sheets for its *Atlantic Reporter 2d* and its *Pennsylvania Reporter*. New advance sheets are published every week. Opinions usually appear in the advance sheets about a month after decision.

§7.9.2.3 Bound Volumes

Previously the official set of court reports was the *Pennsylvania Superior Court Reports* (Pa. Super.), which ended with volume 456 in 1997. Currently, every two weeks a bound volume of *Atlantic Reporter 2d* is published.

Pennsylvania Superior Court Reports and the previously mentioned *Pennsylvania State Reports* contain essentially identical information in the front and back of each volume, e.g., table of cases, listings of judges, etc. In the final pages of each volume of the *Pennsylvania Superior Court Reports*, there is a list of cases which were disposed of without opinion. (It is also reproduced in the *Atlantic Reporter 2d*.) The name of the case is given, followed by the order, decree, or decision. The practice of deciding cases without a published opinion was adopted by the Superior Court in 1978. According to court rule, cases that are not published do not have any precedential authority, except in matters of *res judicata* and collateral estoppel or where similar issues are involved in a criminal case.

Even though an opinion is left unpublished, a memorandum opinion stating the rationale for the court's decision can be acquired by contacting either the prothonotary or the attorneys of record.

§7.9.3 Commonwealth Court Reports

Currently, there is no official reporter for the Commonwealth Court. The official reporter, *Pennsylvania Commonwealth Court Reports*, was discontinued after publication of volume 168 in 1995.

Court opinions can be found in the following reporters:

<i>Pennsylvania Commonwealth Court Reports</i>	1970-1995	Pa. Commw.
<i>Atlantic Reporter 2d</i>	1970-date	A.2d

Current Cases

§7.9.3.1 Slip Opinions

Slip opinions are available on the Internet at www.aopc.org.

§7.9.3.2 Advance Sheets

Slip opinions are sent to West® Publishing Company to be published in advance sheets. Thomson/West® publishes advance sheets for the *Atlantic Reporter 2d* and the *Pennsylvania Reporter*. Advance sheets are published weekly. Opinions appear in advance sheets about a month after decision.

§7.9.3.3 Bound Volumes

The official *Pennsylvania Commonwealth Court Reports* (v.1-168) ended in 1995. Since there is no special reporter for Commonwealth Court cases, the only reporter where you will find current Commonwealth Court cases is the *Atlantic Reporter 2d* series. A bound volume of the *Atlantic Reporter* is usually published every two weeks.

§7.9.4 County Court Reports

County court reports are either published by the county court, the county bar association, the county law library or by commercial vendors. The court reports can be published either by county or jurisdiction or in a combination of court jurisdictions. Individual counties publish their own reporters. These self-published reporters have two principal characteristics. First, they are very selective in the decisions they publish. Second, they are not very timely. Some counties only publish one volume during a three- or four-year period or more.

The larger counties, such as Allegheny and Philadelphia, have a more systematic reporter system that is regularly updated, but even so, Philadelphia courts discontinued their own reporter in favor of the commercial publisher's publication. However, they too are extremely selective in the scope of the cases that are published. Therefore, when you research a common pleas court case do not be alarmed if you cannot find it in a reporter. Alternative means, such as calling the clerk of the court or one of the attorneys, may have to be employed to locate the case.

For a listing of all past and current county reports, see Appendix 5.

Cases from the various courts of common pleas can be found in the following reporters:

<i>Pennsylvania District and County Reports</i>	1921-date
<i>Pennsylvania District Reports</i>	1892-1921
<i>Pennsylvania County Court Reports</i>	1870-1921

The *Pennsylvania District & County Reports* (D.&C.), published by ALM, Inc., contains cases decided in all of the judicial districts of Pennsylvania. While broad in scope, the D.&C. is limited in the depth of its coverage. As you can imagine, it is quite a task to reduce all of the common pleas cases in Pennsylvania into a few volumes. By necessity, the D.&C. only includes those cases that are deemed by its editorial staff to be of legal significance.

Pennsylvania D.&C. Reports are published in five series. The first covers 1921 to 1954 and has 89 volumes. The second covers 1955 to 1977 and has 75 volumes. The third series covers 1977 to 1989 and has 50 volumes. The fourth series covers 1990 to 2007. The fifth series began in 2008 and is the current series.

Current Cases

§7.9.4.1 Slip Opinions

Generally, slip opinions are not made commercially available in printed form.

The best way to get a slip opinion is to go directly to the county courthouse. Most courthouses have computers available for public use. These computers contain summaries of the

dispositions of recent cases. To retrieve this information, it is necessary to know the docket number and the parties' names. A copy of the summaries may be printed for a fee.

Common pleas court opinions are given a brief citation in the *Pennsylvania Law Weekly*, while more important slip opinions may be summarized in articles. A PICS (Pennsylvania Instant Case Service) number is assigned for every case. Call 1-800-276-PICS to obtain the full text of the opinion. There is a cost for this service.

§7.9.4.2 Advance Sheets

Most of the county reporters do publish weekly advance sheets that are a combination of bar news, dockets, legal notices, and court decisions. Advance sheets for the *Pennsylvania District & County Reports* are published twice a month. In Allegheny County, the *Pittsburgh Legal Journal* monthly advance sheets are now published as an insert to the bi-weekly Allegheny County Bar Association newspaper, *Lawyers' Journal*. However, the volume number still follows the older P.L.J. citation.

§7.9.4.3 Bound Volumes

County reporters are generally published once a year. Many counties are several years behind in publishing bound volumes and a few (like Butler) appear to have no intention to provide a bound volume of their reports. At one time, ALM, Inc. published the *Philadelphia County Reporter*; however, local cases are now included in the *Pennsylvania District & County Reports*. A new volume of the *Pennsylvania District and County Reports* is published every sixty days and amounts to a total of five volumes a year.

§7.10 Other Sources for Current Cases

Besides the reports published by the court and commercial vendors, there are other sources that can assist the researcher in keeping up to date with new case law, chiefly through legal newspapers published daily and weekly, and newsletters.

§7.10.1 Legal Newspapers

Pennsylvania Law Weekly

Previously known as the *Pennsylvania Law Journal Reporter*, the *Pennsylvania Law Weekly* is published by ALM, Inc. Its electronic counterpart can be accessed at www.palawweekly.com.

Summaries to the cases decided in all of Pennsylvania's state and federal courts are published under the heading Digests of Recent Opinions. A PICS (Pennsylvania Instant Case Service) number is assigned for every case. Call 1-800-276-PICS to obtain the full text of the opinion for a fee. The case summaries are generally published two to three weeks after decision.

Lawyers Journal

This is the bi-weekly newspaper of the Allegheny County Bar Association. Begun in April 1999, it replaced the monthly *Pittsburgh Legal Journal* in order to provide a more up-to-date newspaper than the monthly version. It publishes articles on current court cases from the appellate courts and the local Allegheny County Court of Common Pleas. It also publishes articles of general interest.

At the same time, the daily *Pittsburgh Legal Journal* stopped publishing daily articles and went back to its older format of just publishing the trial lists.

The Legal Intelligencer

Also published by ALM, Inc., the *Legal Intelligencer* (the daily legal newspaper for Philadelphia and the oldest continuing legal newspaper in the United States) is a daily publication that provides summaries of appellate and trial court cases. Cases can be found under the heading of Legal Briefs. The summaries appear within two weeks of decision. The web site can be accessed at www.thelegalintelligencer.com.

ALM, Inc. can be reached at this address: 1617 JFK Blvd., Suite 1750, Philadelphia, PA 19103.

§7.11 How to Find a Pending Case

Legal newspapers such as the *Pittsburgh Legal Journal* and the *Legal Intelligencer* provide lists of cases docketed with the

courts. In the smaller counties, the weekly advance sheets provide docket information.

To obtain updates on the status of an appellate court case contact the prothonotary. Researchers must be sure to specify the case name, docket number, county court of origination and the file date. The more information you can give will allow your case to be updated quickly.

Always remember that when contacting any court the most important piece of information you can have is the docket number of the case that was assigned at the county court level. Think of this number as a key that can unlock all the pathways of information; in most circumstances, even if you know nothing else but the docket number, you will be able to receive an update on the case.

§7.12 Federal Courts

Under the federal government, the federal courts are organized under Article III of the Constitution of the United States. Article III sets up the United States Supreme Court providing for both original and appellate jurisdiction. The organization of the inferior federal courts is left to Congress to legislate. Congress has enacted many laws concerning the judicial system that now consists of a trial court and an appellate court. The United States District Courts are the trial courts in the federal system, consisting of up to four districts in each state based on population. Pennsylvania has three district courts. The United States Courts of Appeals are the appellate courts in the federal system, from which appeals from the United States District Courts come. There are eleven numbered circuits, a circuit for the District of Columbia, and a Federal Circuit. The numbered circuits contain more than one state in each circuit.

§7.12.1 United States Court of Appeals for the Third Circuit

The United States Court of Appeals for the Third Circuit dates back to the judicial system as organized by Congress back in 1789. At that time, a middle circuit was established for New Jersey and Pennsylvania. After 1802, the circuit consisted of Pennsylvania, New Jersey, and Delaware. Currently, the jurisdiction consists of the same three states and the territory of the Virgin Islands.

The President of the United States appoints judges with the advice and consent of the Senate. The judge with the longest term of office serves as chief judge for a term of seven years or until age 70 (whichever comes first). There are currently twelve judges and six senior judges.

The jurisdiction of the court is strictly as an appellate court, hearing cases from the U.S. District Courts and U.S. Bankruptcy Courts within the circuit.

§7.12.2 United States District Courts

Under the Judiciary Act of 1789, United States District courts are trial courts of general federal jurisdiction. They were established to handle cases within each state. Pennsylvania first had a court in the Eastern District and Western District. There are three federal district courts in Pennsylvania: Eastern (Philadelphia), Middle (Harrisburg and Scranton), and Western (Pittsburgh).

The President appoints the judges with the consent of the senate. The judge with the longest term is the chief judge. There are different numbers of judges sitting for each district.

§7.12.3 United States Bankruptcy Courts

The United States Bankruptcy Court for Pennsylvania has three district courts: Eastern, Middle, and Western Districts located in Philadelphia, Harrisburg, and Pittsburgh, respectively. Under the Bankruptcy Act of 1984, the judges of the Court of Appeals for the Third Circuit select the bankruptcy court judges to serve a fourteen-year term of office.

§7.13 Court Reports

§7.13.1 United States Circuit Courts of Appeals for the Third Circuit

§7.13.1.1 Slip Opinions

Slip opinions are available from the court's web site, at <http://www.ca3.uscourts.gov/>

§7.13.1.2 Advance Sheets

Thomson/West[®] publishes *West's Federal Reporter Advance Sheets* on a weekly basis. Today, in many cases, one advance sheet equals one bound volume. Like the *Atlantic*

Reporter 2d or *Pennsylvania Reporter* advance sheets, the weekly edition contains:

- a list of judges by jurisdiction;
- a table of cases listed under each circuit or in a cumulative listing;
- lists of statutes construed, court rules, words and phrases;
- text of new court rules;
- cases reported;
- West's® Key Number System listed in the back of each issue.

§7.13.1.3 Early Nominative Reports

Official Reports: The late eighteenth and nineteenth century cases were published in several sets of nominative reports:

Wallace, J. B.	1801	1 vol.
Peters	1803-1818	2 vols.
Washington	1803-1827	4 vols.
Baldwin	1828-1833	1 vol.
Wallace, J. W.	1842-1862	3 vols.

§7.13.1.4 Federal Cases

Federal Cases (31 vols., West) is a cumulative edition of all of the nominative reports published for Circuit and District Court cases from 1789 to 1879. The cases are arranged alphabetically from A to Z. Cases are sometimes cited either by case number (given right under the name of the case) or by volume and page number.

§7.13.1.5 West's® Federal Reporter

Thomson/West® Publishing Company began the publication of this set in 1880. The first series covers cases from 1880 to 1928 in 300 volumes. The second series covers cases from 1929 to 1993 in 999 volumes. The third series, which is the current series, covers cases from 1993 to the present.

§7.13.1.6 *West's® Federal Appendix*

Beginning in 2001, Thomson/West began to publish unreported opinions from the thirteen circuits that had not been published in *West's Federal Reporter*. A 2007 Federal Rule of Appellate Procedure 32.1 now permits citation to these unreported cases.

§7.13.2 United States District Court Reports

§7.13.2.1 Slip Opinions

The District Courts publish slip opinions that can be obtained from each district and from the court's web sites:

Eastern District, www.paed.uscourts.gov

Middle District, www.pamd.uscourts.gov

Western District, www.pawd.uscourts.gov

§7.13.2.2 Advance Sheets

West's Federal Supplement. The West® Publishing Company publishes weekly advance sheets for the U.S. District Courts. Today, one advance sheet is currently compiled into a bound volume.

§7.13.2.3 Early Nominative Reports

There are nominative reports for the late eighteenth and nineteenth century U.S. District court cases:

Hopkinson's Judgments in Admiralty	1779-1788	1 vol.
Hopkinson's Judgments in Admiralty	1785-1786	1 vol.
Peters' Admiralty Decisions	1780-1807	2 vols.
Fisher's Prize Cases	1813	1 vol.
Gilpin	1828-1836	1 vol.
Crabbe	1836-1846	1 vol.
Cadawalder	1858-1879	2 vols.

§7.13.2.4 *Federal Cases*

Federal Cases (31 vols., West®) is a cumulative edition of all of the nominative reports published for Circuit and District Court cases from 1789 to 1879. The cases are arranged alphabetically from A to Z. Cases are sometimes cited either by case

number (given right under the name of the case) or by volume and page number. There are 30 volumes of cases and a single volume table of cases and index.

§7.13.2.5 West's® *Federal Reporter 1st and 2d Series.*

From 1880 to 1932, U.S. District Court cases were published in the *Federal Reporter 1st and 2d Series*.

§7.13.2.6 West's® *Federal Supplement 1st and 2d*

Beginning in 1932, West® Publishing Company published *West's Federal Supplement* as the sole source of the U.S. District Court cases. There are currently two series of reports: *Federal Supplement* (1932-1999), 999 volumes and *West's Federal Supplement 2d Series* (1999 to present).

§7.13.3 United States Bankruptcy Courts

§7.13.3.1 Slip Opinions

Slip opinions can be obtained from the Clerk's Office or from the court's web sites:

Eastern District, www.paeb.uscourts.gov

Middle District, www.pamb.uscourts.gov

Western District, www.pawb.uscourts.gov

§7.13.3.2 Advance Sheets

West's® *Bankruptcy Reporter* serves as the advance sheets for U.S. Bankruptcy Courts. It is published weekly and has the same format as the other West® advance sheets.

§7.13.3.3 National Bankruptcy Register

The *National Bankruptcy Register* (19 vols.) reported United States District Court bankruptcy cases from 1868 to 1882.

§7.13.3.4 Federal Cases

Federal Cases (31 vols., West®) is a cumulative edition of all of the nominative reports published for Circuit and District Court cases from 1789 to 1879. The cases are arranged alphabetically from A to Z. Cases are sometimes cited either by case number (given right under the name of the case) or by volume and page number.

§7.13.3.5 West's® *Federal Reporter & Federal Supplement*

From the late nineteenth century to 1978, bankruptcy cases were principally published in the *Federal Reporter* 1st and 2d series and in *Federal Supplement*. Several commercial publishers, like Matthew Bender, published unofficial sets of bankruptcy reports.

§7.13.3.6 West's® *Bankruptcy Reporter*

West's® *Bankruptcy Reporter* is the bound volume collection of bankruptcy cases drawn from the National Reporter System. West® publishes bound volumes approximately once a month. Cases may also be found in *Bankruptcy Court Decisions*® (LRP) and *Collier's Bankruptcy Cases* (Bender).

§7.14 Other Sources for Current Cases

Legal newspapers also report federal circuit and district court cases; see §7.10.

§7.15 Research Methods

§7.15.1 Finding Cases Through Digests

Court cases from all levels of the judicial system are generally published chronologically. A digest brings these cases together by topic for research purposes under a classification scheme. The best known and most widely used system is the West® Key-Number System, because of its comprehensiveness, and because it covers all federal, appellate, and local cases published since the colonial period.

Four hundred different topics are arranged alphabetically from Abandoned Property to Zoning; each topic is then broken down into specific points of law, called head notes. Each topic ranges from just a handful of specific head notes (e.g., Fair Credit and Reporting) to more than 2,000 head notes for a large topic like Criminal Law. Each case published in the various West® reporters have head notes at the beginning of each case. It is these head notes that are culled together into the various West® digest publications. Pennsylvania case law can be accessed through the following digests from the earliest printed cases from 1682 to the present.

§7.15.1.1 *Vale Pennsylvania Digest*

Pennsylvania cases published between 1682 and 1937 are available by topic. The set consists of the topics, tables of cases (plaintiff-defendant), defendant-plaintiff tables, and words and phrases volume.

Organization of *Vale Pennsylvania Digest*

Citations to the cases along with a head note(s) under a topic and key number are given in the following order:

- a) Federal court citations covering all decisions originating from Pennsylvania and decided by the U.S. Supreme Court, U.S. Court of Appeals, and U.S. District Court;
- b) Pennsylvania Supreme Court;
- c) Pennsylvania Superior Court;
- d) Pennsylvania Courts of Common Pleas; Orphans' Court, Oyer and Terminer, Quarter Sessions, etc.

Within each jurisdiction, cases are reported in reverse chronological order.

For cases decided in the Courts of Common Pleas the citations are given to the *Pennsylvania District and County Reports* as well as to the local County Reporter if one is available.

VOLUME 2
ANDONMENT — ADMINISTRATIVE
LAW AND PROCEDURE

COVERING CASES FROM
STATE AND FEDERAL COURTS



ILLUSTRATION 7-2

©2008 West Group

§7.15.1.2 *West's® Pennsylvania Digest 2d*

Pennsylvania cases published since 1938 are available by topic. This digest coincides chronologically to *West's® Atlantic Reporter 2d* series.

Organization

The organization of cases reported in *West's® Pennsylvania Digest 2d* is similar to the organization of *Vale Pennsylvania Digest*, except that Commonwealth Court cases beginning in 1970 come after Superior Court cases and before Common Pleas cases. Also, only Common Pleas cases published in the *Pennsylvania District & County Reports* are cited after the 1968 Constitution.

West® Publishing Company has not included the individual county reporters in its Digests since the mid-1970s. However, the *Pennsylvania District and County Reports* are included, as are citations to the *Fiduciary Reporter*.²⁷

27. The *Fiduciary Reporter* contains selected decisions of the Orphans' and Appellate Courts of Pennsylvania involving Trusts and Decedents' Estates. (*Pennsylvania Fiduciary Reporter*).

WEST'S
PENNSYLVANIA
DIGEST 2d

Volume 1

ABANDONED AND LOST PROPERTY —
ADMINISTRATIVE LAW AND PROCEDURE ☞ 496



Mat # 40461187

ILLUSTRATION 7-3

©2008 West Group

§7.15.1.3 *Atlantic Reporter Digest*

The *Atlantic Reporter Digest* provides Pennsylvania Supreme and Superior Court cases from 1754 to 1944. The digest also covers the other state cases reported in the *Atlantic Reporter*: Connecticut, Delaware, Maine, Maryland, New Hampshire, New Jersey, Pennsylvania, Rhode Island, and Vermont.

Within the digest, the cases from the same court are reported in reverse chronological order beginning with the most recent decision.

A major difference of the *Atlantic Reporter Digest* 1st and 2d series from the *Vale* and *West's® Pennsylvania Digest 2d*, is that the *Atlantic Reporter Digests* do not include Federal cases originating in Pennsylvania or cases from the Pennsylvania trial courts, e.g., courts of common pleas, orphans' courts, etc.

§7.15.1.4 *West's® Atlantic Reporter Digest 2d*

Cases from the Supreme, Superior, and Commonwealth courts from 1930 are available by topic.

Organization of the cases reported in the *West's® Atlantic Reporter Digest 2d* has identical listings of states and then within each state by court. Within Pennsylvania, the cases are arranged in descending order: Supreme, Superior, and Commonwealth Court.

§7.15.1.5 *West's® Federal Digests*

There are five sets of federal digests chronologically arranged covering cases from the U.S. Supreme Court, Circuit Courts, and District Courts:

Federal Digest 1789-1939

Modern Federal Practice Digest 1939-1961

West's® Federal Practice Digest 2d 1961-1975

West's® Federal Practice Digest 3d 1975-1985

West's® Federal Practice Digest 4th 1985-present

The researcher has to determine the chronological limits of his or her case in order to determine how many of the chronological digests will be needed.

Cases originating from Pennsylvania that invoke federal jurisdiction because they involve either a federal question or

diversity of citizenship are available by topic. Thus, the digest covers cases decided in the Third Circuit Court of Appeals and in the Eastern, Middle, and Western United States District Courts for Pennsylvania.

Organization of all *West's*[®] *Federal Practice Digests*:

Cases decided from all of the federal courts are reported in the following order:

- 1) United States Supreme Court;
- 2) United States Court of Appeals;
- 3) United States District Courts;
- 4) Specialized Courts, e.g., Bankruptcy Courts.

Within each hierarchical level, digest entries are alphabetized by the state from which the case originated.

§7.15.1.6 Decennial Digests

All cases from Pennsylvania appellate courts, i.e., Supreme, Superior, and Commonwealth, along with other state appellate courts, and the federal courts are available in the American Digest System. The *Century Digest* covers from 1658 to 1896. Thereafter, there are decennial digests (ten-year supplements) to 1996. The ninth to eleventh decennials are divided into two five-year supplements. The latest decennial is divided into Eleventh Decennial Part I (1996-2001), Part II (2001-2004), and Part III (2004-2007).

Organization

Cases are listed in the following order:

- 1) Federal decisions are in hierarchical order. Within each hierarchical level digest entries are alphabetized by the state from which the case originated;
- 2) State courts are in alphabetical order;
- 3) Pennsylvania Supreme Court;
- 4) Pennsylvania Superior Court;
- 5) Pennsylvania Commonwealth Court.

Within the digest, cases decided by the same court are reported in reverse chronological order beginning with the most recent decision.

§7.15.1.7 *General Digests*

The third part of the American Digest System is known as the *General Digest* series, which is published monthly in bound volume format. The *General Digest* volumes are non-cumulative and are currently in the 12th series.

All cases from Pennsylvania courts, state and federal, decided from 1997, are available by topic. When using the *General Digest* it is important to remember that, unlike the completed *Decennial Digests*, which are organized by topic, it must be searched by volume for the topic in which you are interested. Every tenth volume (10, 20, 30, etc.) has a table of West® key numbers identifying which volumes have the topic and key numbers, and a table of cases that covers the previous ten volumes.

Organization

The organization of cases reported in the *General Digest* is identical to the organization of the cases in the *Decennial Digests* (see above).

§7.15.1.8 *Summary of Digest Contents*

Below is a summary list of the digests and the courts that each report upon in regard to Pennsylvania cases.

Vale Pennsylvania Digest and West's® *Pennsylvania Digest 2d*

- a) U.S. Supreme Court (cases originating from Pennsylvania)
- b) U.S. Court of Appeals (3d Circuit)
- c) Federal District Courts of Pennsylvania
- d) U.S. Bankruptcy Courts in Pennsylvania
- e) Pa. Supreme Court
- f) Pa. Superior Court
- g) Pa. Commonwealth Court
- h) Pa. Courts of Common Pleas

Atlantic Reporter Digest 1st and 2d Series

- a) Pa. Supreme Court
- b) Pa. Superior Court
- c) Pa. Commonwealth Court

Federal Practice Digest

- a) U.S. Supreme Court (Pa.Cases)

- b) U.S. Court of Appeals (3d Circuit)
- c) Federal District Courts of Pennsylvania

Decennial and General Digests

- a) U.S. Supreme Court (Pa. Cases)
- b) U.S. Court of Appeals (3d Circuit)
- c) Federal District Courts of Pennsylvania
- d) U.S. Bankruptcy Courts in Pennsylvania
- e) Pa. Supreme Court
- f) Pa. Superior Court
- g) Pa. Commonwealth Court

§7.15.2 Accessing the Digests

The topics in all of the digests are arranged alphabetically. When you are looking for cases on a specific issue, that issue may be a major topic by itself or part of a related issue. The digests may be accessed through the following index volumes that are included within each digest series:

- a) Descriptive-Word Index
- b) Words and Phrases Index
- c) Table of Cases
- d) Topic Outline

Note that the Words and Phrases Index is not part of the Century and Decennial Indexes.

§7.15.2.1 Descriptive-Word Index

Descriptive-Word Index is the primary source to access the digest by subject or topic. There are four index volumes for both the *Vale* and *West's*[®] *Pennsylvania Digest 2d* (Volumes 66-69). Search for a word or phrase in the index volumes and the index provides the name of the main topic and a corresponding key number related to the topic. Essentially, you need the topic as well as the number attached (key number) to it to find the case law. The index uses abbreviated topic name and number (e.g., Libel for Libel and Slander). Every digest volume has a table of abbreviations in the front pages.

West's[®] key number consists of both a topic name and a number assigned to a point of law, e.g. Libel and slander 40. Here the topic is “libel and slander” and the number 40 represents the subtopic “Qualified Privilege” under the broader category of “Privileged Communications and Malice Therein” k34-51. Different topics have different ranges of key numbers.

The West's[®] key number system is uniform throughout the West's[®] digests. Once a West[®] topic and key number is identifiable, it can be used to retrieve similar cases throughout the United States. Sometimes, West[®] revises the topics and then one must consult a disposition table that provides the cross-references between the old key numbers and the new ones.

DESCRIPTIVE-WORD INDEX

References are to Digest Topics and Key Numbers

- HABEAS CORPUS**
- ALIENS,
Detention requirement, *Hab Corp* ⇨ 257
- BILL of attainder, *Const Law* ⇨ 1100(1)
- CONSTITUTIONAL law,
Bill of attainder, *Const Law* ⇨ 1100(1)
Due process, *Const Law* ⇨ 4489
Equal protection, *Const Law* ⇨ 3774
Ex post facto. See heading EX POST FACTO, CRIMINAL proceedings.
Separation of powers,
Judiciary encroachment on legislature, *Const Law* ⇨ 2515
Legislative encroachment on judiciary, *Const Law* ⇨ 2373
- COUNSEL,
Generally, *Hab Corp* ⇨ 482.1-488
Access, ground for relief, *Hab Corp* ⇨ 488
Advice, ground for relief, *Hab Corp* ⇨ 484
Appeal, *Hab Corp* ⇨ 820
Choice of counsel, ground for relief, *Hab Corp* ⇨ 485
Consultation, ground for relief, *Hab Corp* ⇨ 488
Delay, ground for relief, *Hab Corp* ⇨ 488
Evidence, weight and sufficiency, *Hab Corp* ⇨ 721(1-3)
Ineffectiveness of counsel,
Generally, *Hab Corp* ⇨ 486(1)
Appeal, *Hab Corp* ⇨ 486(5)
Arraignment, *Hab Corp* ⇨ 486(3)
Evidence, procurement, presentation, or objections, *Hab Corp* ⇨ 486(4)
Particular issues and problems, *Hab Corp* ⇨ 486(2)
Plea, *Hab Corp* ⇨ 486(3)
Post-trial proceedings, *Hab Corp* ⇨ 486(5)
Sentencing, *Hab Corp* ⇨ 486(5)
Inquiry, ground for relief, *Hab Corp* ⇨ 484
Joint representation, ground for relief, *Hab Corp* ⇨ 487
Preparation, ground for relief, *Hab Corp* ⇨ 488
Stage or nature of proceedings, ground for relief, *Hab Corp* ⇨ 483
Standby counsel, ground for relief, *Hab Corp* ⇨ 485
Waiver, ground for relief, *Hab Corp* ⇨ 484
Warnings, ground for relief, *Hab Corp* ⇨ 484
- DECLARATIONS, evidence, ground for relief, *Hab Corp* ⇨ 490(3)
- HABEAS CORPUS—Cont'd**
- DEFAULT judgment,
Precluding state court consideration, *Hab Corp* ⇨ 314
- DEFENSES,
Estoppel, petitioner's misconduct, *Hab Corp* ⇨ 602
- DETENTION,
State or territorial detention, jurisdiction, *Hab Corp* ⇨ 620(1, 2), 633.
- DUE process, *Const Law* ⇨ 4459
- EQUAL protection, *Const Law* ⇨ 3774
- ESCAPE,
State prisoners seeking federal relief, *Hab Corp* ⇨ 317
- EVIDENCE,
Grounds for relief,
Giglio errors, *Hab Corp* ⇨ 491
- EX post facto. See heading EX POST FACTO, CRIMINAL proceedings.
- EXISTENCE and exhaustion of remedies,
Denial of early release after drug treatment, *Hab Corp* ⇨ 277
Partial exhaustion of remedies, *Hab Corp* ⇨ 351, 352, 898(4)
- FEDERAL review of state proceedings,
Bypass, deliberate, *Hab Corp* ⇨ 316
- FINDINGS,
State determinations, conclusiveness in federal court, *Hab Corp* ⇨ 765.1-776
- GIGLIO errors,
Grounds for relief, *Hab Corp* ⇨ 491
- GROUND for relief,
Giglio errors, *Hab Corp* ⇨ 491
- INDIANS,
Existence and exhaustion of other remedies, *Hab Corp* ⇨ 284
Ground for relief, *Hab Corp* ⇨ 539
- INVALIDITY,
Ordinances, ground for relief, *Hab Corp* ⇨ 464
Statutes, ground for relief, *Hab Corp* ⇨ 464
- JURISDICTION,
Detention by state or territorial authorities, *Hab Corp* ⇨ 620(1, 2)
Federal courts, *Hab Corp* ⇨ 617.1-620, 632

69 Pa D 2d-1

ILLUSTRATION 7-4

§7.15.2.2 Table of Cases Index

A ten-volume Table of Cases Index (Volumes 70-78) is available for the *West's® Pennsylvania Digest 2d*. These volumes provide a complete listing of the cases that appear in the digest by the names of the plaintiff and defendant. These volumes list each party's name alphabetically. The tables are also an excellent source for locating parallel citations (location of cases in more than one reporter).

Besides parallel citations, the tables provide the history of a case and the digest topics and key numbers for that case.

74 Pa. D.2d—25

See Guidelines for Arrangement at the beginning of this Volume

Henderson v. Henderson, Pa. 327 A2d 90, 456 Pa. 97—App. 4 E 78(1); Conn. 556 226(1), 226(2); Diverse 4.
Henderson v. Henderson, PaSuper, 303 A2d 545, 524 PaSuper 182—Diverse 4.
Henderson v. Henderson, PaSuper, 309 A2d 549, 529 PaSuper 182—Diverse 4.
Henderson; Hermann v., Pa. 44 Ad 254, 353 Pa 39—Trusts 19(1), 80.
Henderson v. Jones & Laughlin Steel Corp., WDPA, 46 FSupp 545—Fed Cir 232; War 119, 120.
Henderson; Kest v. PaComPl, 22 LawLJ 137—Naglig 169; New Tr 7, 71, 72(1); Trial 140(1).
Henderson; Kest v. EDPA, 77 FSupp2d 628—Civil R 197, 271, 451.
Henderson v. Maryland Cas. Co., PaSuper, 29 PaSuper 338—Insurance 3206.
Henderson v. Merch & Co. Inc., EDPA, 596 FSupp 582—Contracts 15, 16; Damag 50(1); Estop 85; Fed Cir Proc 253(1), 254(4); Labor 180, 241, 416A, 738, 1, 738(1), 777, 1; Mast & S 54(1); Rem of C 25(3); States 18, 11, 14, 6.
Henderson; Meritor Mgmt. Corp.-East v. PaSuper, 617 A2d 1323, 421 PaSuper 389—Judgm 496(2); Mig 449.
Henderson v. National Dray Co., Pa. 23 Ad 743, 343 Pa 691—Drugs & N 17, 30, 21, 22; Evid 99, 585, 596(3), 597; Food 25; Naglig 150, 155, 169; Parties 33; Pers 153A, 1530(5); Trial 399(1), Prod Lib 21, Trial 255(9).
Henderson v. New York Pressing Machinery Corp., WDPA, 241 FSupp 425—Corp 658(4).
Henderson v. Oshtrak, PaComPl, 56 D & C 25—Judgm 142(4).
Henderson v. Port Authority of Allegheny County, PaComPl, 10 D & C 569—Adm 57(1).
Henderson v. Prudential Property & Cas. Ins. Co., PaComPl, 18 D & C 24—Insurance 2758, 2747, 2759.
Henderson v. Pullen, PaComPl, 72 Mont 522—Naglig 1940; New Tr 29(3).
Henderson v. Reading Co., EDPA, 156 FSupp 477—Damag 180, 1; Emp Lib 33, 211; Ship 843 1(4), 85, 85(2, 3).
Henderson; Scheinert v. EDPA, 800 FSupp 283—Cost Law 82.5, 270(4); Crim Law 273(1-4), 632.5, 1301.5; Hab Corp 679, 680.
Henderson v. State Farm Mut. Ins. Co., PaSuper, 437 A2d 411, 292 PaSuper 333—Insurance 2758, 2277.
Henderson; Steth v. PaSuper, 189 A2d 823, 290 PaSuper 396—App 8 & 7(2).
Henderson v. U. S. CCA8 (Pa), 105 Fed 461—Int Rev 3256, 3718, 3956.
Henderson v. U. S. EDPA, 22 FSupp 396, aff 105 Fed 461—Int Rev 3256.
Henderson; U.S. v. WDPA, 584 FSupp 1077, appeal dismissed 751 F2d 877—Crim Law 37, 10(1), 37, 10(2), 37, 10(3); Dist & Proc Attys 8; Double 7 183, 1, 196.
Henderson v. Washburn, EDPA, 116 FRD 147—Fed Cir Proc 2750, 2752(2), 2753(9).
Henderson v. W.C.A.B. (Allegheny County), PaComPl, 407 A2d 410, 76 PaComPl 343—Work Comp 1416.
Henderson v. W.C.A.B. (Rockwell Intems., Inc.), PaComPl, 432 A2d 277, 69 PaComPl 618—Cost Law 254(4); Work Comp 1981, 1983, 2026, 2043.
Henderson v. Zabih, Pa. 139 A2d 124, 360 Pa 821—Evid 351, 354(12); Judgm 1963(2), 1963(14); Trial 321.
Henderson Coal Co.; Barbaryka v. PaSuper, 36 Ad 243, 154 PaSuper 462—Work Comp 26, 1246, 1248, 1490, 1545, 1546, 1592, 1545, 1973, 1973.
Henderson Coal Co.; Barbaryka v. PaComPl, 24 Wash-C 20, aff 36 Ad 243, 154 PaSuper 462—Work Comp 1219, 1242, 1529, 1120.
Henderson; Com. ex rel. v. Maroney, Pa. 293 Ad 61, 458 Pa 411. See Com. ex rel. Henderson v. Maroney.
Henderson; Com. ex rel. v. Maroney, PaD & C, 116 P12 425. See Com. v. Henderson.

HENDRICK;

Henderson-Dewey & Associates, Inc.; Goman v. PaSuper, 458 A2d 665, 212 PaSuper 242—Fraud 17.
Henderson's Estate, In re. Pa. 176 Ad 428, 405 Pa 481.—Will 435, 529, 67(2).
Henderson's Estate, In re. Pa. 149 Ad 992, 305 Pa 215.—Courts 168, 200 1(2); Insurance 3470, 3479; Will 91, 779, 801(6).
Henderson's Estate, In re. PaOrph, 29 D & C 472—Will 82(6).
Henderson's Estate, In re. PaOrph, 23 D & C 261, rev 179 Ad 428, 405 Pa 481—Will 432, 474.
Henderson's Estate, In re. PaOrph, 19 D & C 411, 9 Fiduciary 617, 76 Mont 323—Trusts 217, 4.
Henderson's Estate, In re. PaOrph, 14 D & C 261, 639, 9 Fiduciary 498, aff 149 Ad 428, 305 Pa 215.—Costs 309 1(2); Quiet T 29; Will 781, 801(6).
Henderson's Estate, In re. PaOrph, 1 D & C 446, 4 Fiduciary 397—Ex & Ad 189; Hus & W 193(9), 939A 801(4), 801(7).
Henderson v. Hayman, PaComPl, 12 Bucks 447—Acct 174(1); Fraud 187, 262.
Hendleman v. Hayman, PaComPl, 11 Bucks 228—Acct 5, 6; Partners 314, 315, 327(1); Flead 45, 62, 301(3), 302(2).
Hendon Const. Inc.; Kushner v. MDPA, 81 FRD 36, aff Hendon Construction Inc v. Nalazak, 909 F2d 501, af 409 F2d 502—Fed Cir Proc 1569, 1961, 1973, 2222, 2211, 2291, 2296; Naglig 1088, 1088, 1079.
Hendrick Corp.; Westinghouse Electric Supply Co. v. PaComPl, 30 D & C 251—Garn 96.
Hendrick; Com. v. PaComPl, 48 D & C 551—Crim Law 627, 731.
Hendrick; Com. ex rel. Arnold v. PaD & T, 46 D & C 703—Estad 26; Hab Corp 21.
Hendrick; Com. ex rel. Austin v. Pa. 269 Ad 750, 440 Pa 229—Crim Law 627, 733; Hab Corp 119(3).
Hendrick; Com. ex rel. Banks v. Pa. 265 Ad 638, 430 Pa 673—Courts 97(2); Estad 21, 28, 30, 35; Hab Corp 101.
Hendrick; Com. ex rel. Bastwright v. Pa. 269 Ad 752, 436 Pa 335—Hab Corp 113(3); Stip 14(1).
Hendrick; Com. ex rel. Brown v. PaSuper, 283 Ad 722, 229 PaSuper 225—Cost Law 275; Hab Corp 69; Hus & W 316.
Hendrick; Com. ex rel. Bryant v. Pa. 259 Ad 110, 444 Pa 84, 33 ALR2d 38—App 4 E 97(2); Crim Law 1213, 1213, 1913; Hab Corp 1, 8, 25, 25(2), 85, 67(6), 108, 109, 113(3); Prisons 401, 13(1).
Hendrick; Com. ex rel. Harage v. Pa. 269 Ad 451, 419 Pa 693—Hab Corp 44.
Hendrick; Com. ex rel. Hendrickson v. PaSuper, 149 Ad 261, 192 PaSuper 509—Hab Corp 41(1), 26, 160, 25, 261, 85, 51(3).
Hendrick; Com. ex rel. Hendrickson v. PaSuper, 132 Ad 58, 183 PaSuper 45—Hab Corp 120.
Hendrick; Com. ex rel. Jones v. PaSuper, 253 Ad 732, 214 PaSuper 102—Crim Law 561(1), 1202, 2.
Hendrick; Com. ex rel. Nichols v. PaSuper, 180 Ad 58, 197 PaSuper 666—Crim Law 225; Hab Corp 118, 110.
Hendrick; Com. ex rel. Panetta v. PaSuper, 294 Ad 790, 222 PaSuper 413—Hab Corp 51.
Hendrick; Com. ex rel. Saraga v. PaSuper, 119 Ad 223, 179 PaSuper 601—Cost Law 203, 206, 12(2); Crim Law 641, 1, 1268, 9(3); Hab Corp 50, 55, 102, 85, 102, 85, 50(3), 31; Parties 49, 31.
Hendrick; Com. ex rel. Smith v. PaSuper, 218 Ad 917, 307 PaSuper 500—Crim Law 577, 15(1).
Hendrick; Com. ex rel. Smith v. PaSuper, 175 Ad 98, 195 PaSuper 286—Hab Corp 5; Parties 74.
Hendrick; Com. ex rel. Sprowal v. Pa. 295 Ad 345, 438 Pa 425—Infants 192.
Hendrick; Com. ex rel. Thompson v. PaSuper, 193 Ad 811, 302 PaSuper 26—Hab Corp 87.

For Later Case History Information, see KeyCite on WESTLAW

ILLUSTRATION 7-5

§7.15.2.3 Words and Phrases Index

This three-volume index (Volumes 79-81) provides an alphabetical listing of words or phrases that have been judicially defined in specific cases indexed by the digest. The new volumes incorporate the digest paragraphs under each citation rather than just provide a case citation as found in the earlier volume.

79 Pa.2d—383

CORPUS

CORPORATE SECURITIES

C.C.A.3 (Pa.) 1944. Trust certificates issued pursuant to "Philadelphia Car Trust" plan whereby designated trustee purchased desired railroad equipment out of proceeds received from the trust certificates and leased equipment to railroad, were "corporate securities," within statute subjecting corporate securities to stamp tax, Revenue Act 1926, Sec. 800, Schedule A(1), as amended by Revenue Act 1932, Sec. 721(a), 26 U.S.C.A.(Int.Rev. Acts, pages 284, 288.—Pennsylvania Co. for Insurances on Lives and Granting Annuities v. Rothenes, 146 F.2d 146.—Int Rev 4399.

CORPORATE USE

Pa.Super. 1967. Where primary purpose of proposed electric transmission line was to take care of substantial deficiencies in electric company's generating capacity and a certain amount of the energy might be used by other companies pursuant to pooling arrangements, the appropriation of property needed for construction of proposed transmission lines was for the company's "corporate use" within statute authorizing appropriation for corporate use. 15 P.S. § 1182.—Dunk v. Pennsylvania Public Utility Commission, 232 A.2d 231, 210 Pa.Super. 183, affirmed 252 A.2d 589, 434 Pa. 41, certiorari denied Smith v. Pennsylvania Public Utility Commission, 90 S.Ct. 99, 396 U.S. 839, 24 L.Ed.2d 89.—Em Dom 35.

CORPORATION

E.D.Pa. 1993. Defense Logistics Agency (DLA) is not public "corporation" within meaning of venue statute that corporation is deemed to reside in any judicial district in which it is subject to personal jurisdiction. 28 U.S.C.A. § 1391(c).—Davies Precision Machining, Inc. v. Defense Logistics Agency, 825 F.Supp. 105.—U.S. 64(6)(1).

Bkrcty.W.D.Pa. 1988. For subordination purposes, "corporation" which was "affiliate" of debtor, was an "insider" of debtor, where person who essentially controlled debtor owned at least 25% of corporation and had control over corporation's business affairs. Bankr.Code, 11 U.S.C.A. § 101(2)(B), (30)(B), E.—In re Dan-Ver Enterprises, Inc., 86 B.R. 443.—Bankr 2968.

Pa. 1966. A municipal corporation is "corporation" within constitutional provision giving Supreme Court original jurisdiction in cases of injunction where corporation is party defendant. P.S.Const. art. 5, § 3.—Conrad v. City of Pittsburgh, 218 A.2d 906, 421 Pa. 492.—Courts 2073.

Pa. 1960. Jurisdiction of Supreme Court under section of constitution vesting in Supreme Court original jurisdiction in cases of injunction where a "corporation" is a party defendant, extends to corporations municipal in nature. P.S.Const. art. 5, § 3.—Hyam v. Upper Merioness Joint Authority, 160 A.2d 539, 395 Pa. 446, appeal dismissed, certiorari denied 81 S.Ct. 50, 364 U.S. 288, 5 L.Ed.2d 38.—Courts 206(16).

Pa. 1953. A "corporation" is not legally a "quasi public corporation," and therefore entitled to

have its essential realty exempted from local taxation, unless its services to public are so essential to public well-being that any interference with its function by local administrative agencies, as by local taxation, would be insupportable to the sovereign.—Atlantic Freight Lines, Inc. v. Rankin, 96 A.2d 870, 373 Pa. 517.—Tax 217.

Pa. 1941. A "partnership" unlike a "corporation" is not a legal entity having as such a domicile or resident separate and distinct from that of the individuals who compose it, but is rather a relation or status between two or more persons who unite their labor or property to carry on a business for profit, except that it is treated by a legal fiction as a quasi person or entity for such purposes as keeping of partnership accounts and marshaling assets.—In re Morrison's Estate, 22 A.2d 729, 343 Pa. 157.—Corp 1; Partners 63.

CORPORATIONS

Pa. 1968. "Industrial development authorities" are not "individuals," "companies," "corporations" or "associations" within meaning of constitutional prohibition against pledging of commonwealth's credit for benefit of private parties. P.S.Const. art. 9, §§ 6, 7, 73 P.S. § 376(e).—Baselore v. Hampden Indus. Development Authority, 248 A.2d 212, 433 Pa. 40.—States 119.

CORPUS DELICTI

Pa. 1998. "Corpus delicti" is literally the body of the crime; it consists of proof that a loss or injury has occurred as a result of the criminal conduct of someone.—Com. v. Venticelli, 706 A.2d 820, 550 Pa. 435.—Crim Law 26.

Pa. 1974. "Corpus delicti" meaning the body of the crime, consists of an occurrence of a specified type of loss or injury and someone's criminal activity as a source thereof.—Com. v. Ware, 329 A.2d 258, 459 Pa. 334.—Crim Law 26.

Pa. 1963. "Corpus delicti" consists of proof that a human being is dead and that death took place under circumstances which indicate criminal means or commission of a felonious act.—Com. v. Frazier, 191 A.2d 369, 411 Pa. 195.—Homic 228(1).

Pa. 1948. "Corpus delicti" consists of a criminal act, resulting in death, and agency of accused in its commission, but it must appear that deceased died from effect of wound unlawfully inflicted by person charged.—Com. v. Haley, 59 A.2d 62, 359 Pa. 477, certiorari denied 69 S.Ct. 400, 335 U.S. 904, 93 L.Ed. 436, rehearing denied 69 S.Ct. 740, 336 U.S. 941, 93 L.Ed. 1098.—Homic 228(1).

Pa. 1944. The "corpus delicti" is proved where circumstances attending the death are consistent with crime, though they may also be consistent with accident or suicide; and it is not necessary to show by affirmative proof that the latter two possibilities do not exist before evidence as to who did the act is admitted.—Com. v. Kostan, 37 A.2d 606, 349 Pa. 560.—Crim Law 563.

Pa. 1943. To prove "corpus delicti," with respect to homicide, Commonwealth need not pro-

ILLUSTRATION 7-6

§7.15.2.4 Topic Outline Approach

Along with the “Descriptive Word Index”, researchers may use the Topic Outline to find case law. In some situations this approach will yield better results than “Descriptive Word Index”. By this approach, one goes to the table of contents at the front of a specific topic and reads through all of the contents to locate the proper key number.

For example, when looking for case law on “penalties for violations of regulations for cruelty to animals”, instead of looking for different words in the “Descriptive Word Index” volumes, go to the topic “animals” in the digest and look for the subtopics listed under “animals.” You will find key number 38 for cruelty and key number 41 for penalties for violations of regulations.

Sometimes, West® will completely revise one of its topics to expand its coverage, e.g., Insurance Law. When the company does this, it will provide two tables to assist the researcher, following the Table of Contents. The first table generally provides cross references from the old digest topics to the new topics (disposition table); a second table provides the cross references from the new table back to the old (derivation table). In this manner, researchers with citations to topics from older volumes can easily identify where the replaced topic numbers have been reassigned, omitted, etc.

INSURANCE

34A Pa D 2d—78

TABLE 1
KEY NUMBER TRANSLATION TABLE
FORMER KEY NUMBER TO PRESENT KEY NUMBER

The topic INSURANCE in the American Digest System has been extensively revised to reflect current developments in the law. The revised topic in this volume is complete from earliest times to date.

This table indicates the location, in the revised topic, of cases formerly classified to the earlier Key Numbers.

In many instances there is no one-to-one relation between the Key Numbers, new and old. This table recognizes only significant correspondence. When there is more than one new Key Number to which headnotes formerly under a particular number have been reclassified, the new Key Numbers are listed in numerical order, with the most significant correspondence indicated in bold type. For the present classification of a particular case, see the Table of Cases.

The absence of a Key Number indicates that there is no useful parallel.

Former Key Number	Present Key Number	Former Key Number	Present Key Number
1	1903, 1129	31	3640, 3649, 3654
2	1901, 1003	31.1	1120
3	1022	31.2	1372
3.1	1100, 1101; States	31.3	1222(1)
4.2	1034	31.4	1123
4.3	1070	32	1123, 1124
4.5	1126, 1254(1)	32.1	1151, 1160
5	1127	33	1138, 1151, 1153
6	1126, 1129, 1571	34	1151
7	1127	35	1132, 1133
8	1494	36	1129, 1130, 1142
9	1048, 1157	37	1136-1139
10	1025(1), 1042(1), 1049, 1357, 1518	38	1138, 1153
11	3417	40	1139
11.3	1541, 1542(1, 2)	43	1370-1372, 1377, 1412
11.4	1542(1, 2)	44	1352, 1356, 1378, 1380, 1399
11.5	1547(1, 3)	45	1162, 1367, 1378
11.6	1545(1, 3, 4, 6), 1546	48	1352, 1357, 1378
11.7	1545(7)	49	1350, 1353, 1359, 1384, 1401
11.8	1567	50	1373, 1399, 1405, 1414
12.1	1611	51	1373, 1412, 1414
12.2	1613, 1615	52.1	1120-1124
12.3	1618, 1620	53	1159
12.4	1622	54	1124, 1144
12.5	1652(1, 2), 1681	55	1144
13.1	2210	56	1132, 1133
15.1	1163, 1165	57(1)	1129, 1130, 1133
16	1164, 3558	57(2)	1129
17	1163, 1165	57(3)	1129, 1144
18	1165	58	1136-1139, 1153
19	1171	59	1153
20	1165	60	1137, 1138, 1372
21	1166; Princ & S 58	62	1357, 1367
22	1165, 1624, 1654	63	1366, 1367, 1372, 1373
23	1165-1167, 1169	64	1372, 1403, 1412
24	1172	65	1136, 1159, 1372, 2086
26	3558, 3570(1, 2)	66	1160
27	1578, 1618	67	1159
29	1156, 3642, 3646-3648	68	1162
30	3642, 3646, 3648		

ILLUSTRATION 7-7a

INSURANCE

34A Pa D 2d—92

TABLE 2
KEY NUMBER TRANSLATION TABLE
PRESENT KEY NUMBER TO FORMER KEY NUMBER

The topic INSURANCE in the American Digest System has been extensively revised to reflect current developments in the law. The revised topic in this volume is complete from earliest times to date.

This table indicates the relationship between the new Insurance Key Numbers and the Key Numbers formerly used to classify Insurance headnotes.

In many instances there is no one-to-one relation between the Key Numbers, new and old. This table recognizes only significant correspondence. When there is more than one former Key Number from which headnotes now classified to a particular new Key Number were transferred, the former Key Numbers are listed in numerical order, with the most significant correspondence indicated in bold type.

The absence of a Key Number indicates that there is no useful parallel.

Present Key Number	Former Key Number	Present Key Number	Former Key Number
1001	2, 124(1)	1068	4.2-4.4, 11.1, 11.6
1003	1, 2	1070	4.3
1004	2	1072	4.2, 11.1
1005	2, 5, 124(1), 138(1, 2)	1073	4.2
1006	2	1074	4.2, 8, 11.1
1008-1015	2, 124(2)	1075	4.2
1020	4.2, 4.4	1080	125(1), 147(1), 814
1021	4.4, 4.5, 13.1	1082	125(1, 2), 147(1, 2)
1022	3	1083	125(1), 147(1), 251, 622(2)
1024	3, 4.2	1084	125(1, 4), 147(2)
1025(1)	4.2, 11.1	1085	125(1, 4), 147(1, 2), 251
1026	4.2	1087	125(1), 147(1-3)
1027(1)	4.2-4.4, 26	1088	125(2), 147(2)
1027(2)	4.2, 11.1, 18, 26, 691	1089	125(1, 2, 4), 147(1-3)
1029	4.2	1090	125(1, 2), 147(1, 2), 622(1)
1030	3, 4.2, 13.1	1091(1)	125(1, 2), 147(1-3), 712
1031	4.2	1091(2)	125(1, 2), 147(1, 2)
1032	4.4	1091(4-6)	147(1-3)
1033(1)	4.2	1091(7, 8)	125(1, 2), 147(1-3)
1034	4.2, 11.1	1091(10-12)	147(1, 2)
1035	4.2, 7	1091(13)	72.6, 72.7, 72.13, 147(1, 2)
1036	4.2, 9, 11.6	1091(14)	675.5, 679
1037	4.2, 4.3, 20, 26	1091(15)	147(1), 602.1
1039, 1040	4.2	1093	147(1, 4)
1041	3.1, 4.2	1094	147(1)
1042(1)	4.2, 11.6, 11.7, 20	1095	125(1), 139, 147(1, 4)
1044, 1045	4.2	1096	125(3), 147(1, 4)
1047	9, 27	1097	146.7(5.1), 147(1, 4), 712
1048	4.2, 9, 691	1100	3.1
1049	4.2	1101	3.1, 4(2), 11
1050	667	1103	3.1, 4(2), 4.3
1052	4.2, 9	1104	3.1, 4(2), 4.3, 11
1054	9	1105	3.1
1055	4.2, 11.1	1106(1)	3.1, 4(2), 4.3
1056	4.2	1106(2)	3.1
1058	4.2, 4.4, 11.1	1107	3.1, 4(2), 72.9, 675.5
1059, 1060	4.2, 11.1	1108	4(2)
1061	4.2	1109	3.1, 4(2)
1062	4.2, 4.4, 11.1	1110	13.1
1063, 1064, 1066	4.2	1111	3.1, 4(2), 72.5, 72.9
1067	11.5	1112	3.1, 4(2)

ILLUSTRATION 7-7b

§7.15.3 Finding Pennsylvania Case Law Through Statutory Sources

At the end of each statutory section published in *Purdon's Pennsylvania Statutes Annotated/Purdons Pennsylvania Consolidated Statutes Annotated*TM there are references to the West[®] Key Number Digest System under Library References. You will first find cross references to the West's[®] Key Number Digest System in its related case law under the heading "NOTES OF DECISIONS." These cases are annotated summaries and citations to court decisions. If there are many cases there will be an index to the cases reported for that section. The index has a legal topic in the form of a word or a sentence along with an assigned number to lead the researcher directly to those cases of interest.

LIEN OF ACCOUNTS

72 P.S. § 1401

Note 3

Library References

P.L.E. Taxation §§ 261 to 267, 396.

Notes of Decisions

In general 2
Attachment of lien 5
Corporate taxes
 Generally 19
 Priority 12
Federal tax liens, priority 11
Filing of lien 7
Fraud 17
Interest 6
Laches 18
Limitation of actions 18
Liquid fuel taxes 20
Predecessors in title 14
Presumption of payment 15
Priority 8-13
 In general 8
 Corporate taxes 12
 Federal tax liens 11
 Sales tax liens 10
 Subrogation 9
 Unemployment compensation contributions 13
Proceeds of sale 16
Recording of lien 7
Repeals 3
Sale of property 16
Sales tax liens, priority 10
Settlement, assessment or determination 4
Subrogation, priority 9
Transfer inheritance taxes 21
Unemployment compensation contributions, priority 13
Validity 1

1. Validity

This section, if construed to impair lien of mortgage existing when it was passed, would be unconstitutional. *Scranton Lackawanna Trust Co. v. Scranton Lackawanna Trust Co.*, 165 A. 42, 310 Pa. 125, 1933.

2. In general

Section 1 of the Act of June 15, 1911, P.L. 955, cited to the text of § 3342 of this title, substantially reenacted the provisions of the Act of March 30, 1811, 5 Sm.Laws, p. 228, § 12, the Act of June 7, 1879, P.L. 112, § 14, and the Act of 1889, and has been continued in force by the almost identical provision of this section.

Commonwealth v. Central Realty Co., 12 A.2d 312, 338 Pa. 172, 1940.

The Act of March 30, 1811, 5 Sm.Laws, p. 228, § 12, and the Act of June 7, 1879, P.L. 112, § 14, having provisions similar to this section and § 3342 of this title, were held, in *Wm. Wilson & Son Silver-smith Co.'s Assigned Est.*, 150 Pa. 285, 24 A. 636, to apply to all public funds or moneys, as well as taxes, of whatever character, due the Commonwealth and settled by the Auditor General. *Commonwealth v. Central Realty Co.*, 12 A.2d 312, 338 Pa. 172, 1940.

Provision of this section that all state taxes shall constitute a first lien upon real property of the taxable, is inapplicable to taxes imposed under Pennsylvania realty transfer tax act. *Electra Realty Co. v. Calvary Evangelical Lutheran Church*, 48 D. & C.2d 225, 91 Dauph. 345, 1969.

3. Repeals

Fiscal Code (this section and §§ 1402, 1403) making taxes a first lien on taxpayer's property held not to repeal by implication provision of Fiduciaries Act (Title 20, § 502) that commonwealth should be last paid upon distribution of assets of insolvent decedent, where Fiscal Code almost identically re-enacted act in force prior to enactment of such provision of Fiduciaries Act (Title 20, § 502), and title of Fiscal Code did not express intention to repeal such provision as required by Const. Art. 3, § 3. In re *Ferguson's Estate*, 189 A. 289, 325 Pa. 34, 1937.

This section, making taxes imposed under any State law first lien upon property of taxpayer and giving them priority in event of judicial sale thereof, was intended merely to provide for distribution of proceeds of judicial sales and does not repeal or affect § 501 of Title 20, which provides that in distribution of decedent's estate, debts due the Commonwealth shall be paid last. *Ferguson's Estate*, 26 D. & C. 421, 1936, affirmed 189 A. 289, 325 Pa. 34.

For Title 72, Consolidated Statutes, see Appendix following this Title

227

ILLUSTRATION 7-8

©2008 West Group

§7.15.4 Finding Pennsylvania Case Law Through Secondary Sources

§7.15.4.1 A.L.R. Annotations

American Law Reports, now published by Thomson/West[®], is a good secondary source in which to find Pennsylvania case law. There are six sets of A.L.R. annotations dating back to 1918. *A.L.R. Federal 1st & 2nd*, begun in 1969, covers annotations derived from federal court cases.

The predecessor set is *Lawyers Reports Annotated* dating back to the late nineteenth century.

Once you find annotation(s) on your issue by using an index or digest, check in the 'Table of Jurisdictions Represented' (from the 5th series it is called 'Jurisdictional Table of Cited Statutes and Cases') before the beginning of the annotations section to find Pennsylvania cases listed in that annotation.

When using the *A.L.R.*, be sure to check the "Annotation History Table" which is located in the last volume of the multi-volume set of indexes to the annotations, in order to determine whether parts or an entire annotation has been superseded or supplemented. This is similar to *Shepardizing*[®] to a case on hand.

CHILD CUSTODY CASES—RELIGION
124 ALR5th 203

124 ALR5th

State ex rel. Juvenile Dept. of Polk County v. Tucker, 83 Or. App. 330,
731 P.2d 1051 (1987)—§ 6

PENNSYLVANIA

- Adams v Bender (1964) 37 Northum Leg J 29—§ 4
 Arnold, In re, 286 Pa. Super. 171, 428 A.2d 627 (1981)—§ 4
 Auman v. Eash, 228 Pa. Super. 242, 323 A.2d 94 (1974)—§§ 4, 6
 Besjeski, Re (1946, Pa) 39 Luzerne Leg Reg 111—§ 12[a]
 Boylan v. Boylan, 395 Pa. Super. 280, 577 A.2d 218 (1990)—§§ 4, 7
 Burrous, Re (1961) 46 Erie Co LJ 1—§§ 4, 5^c
 Com. ex rel. Ackerman v. Ackerman, 204 Pa. Super. 403, 205 A.2d 49
(1964)—§ 8[a]
 Com. ex rel. Bachman v. Bradley, 171 Pa. Super. 587, 91 A.2d 379
(1952)—§ 4
 Com. ex rel. Bailey v. Sumner, 193 Pa. Super. 79, 163 A.2d 677 (1960)—
§ 4
 Com. ex rel. Bankert v. Children's Services, 224 Pa. Super. 556, 307 A.2d
411 (1973)—§ 12[a]
 Com. ex rel. Batturs v. Batturs, 162 Pa. Super. 573, 60 A.2d 610 (1948)—
§ 5
 Com. ex rel. Bell v. Bell, 200 Pa. Super. 646, 189 A.2d 908 (1963)—§ 4
 Com. ex rel. Bordlemay v. Bordlemay, 201 Pa. Super. 435, 193 A.2d 845
(1963)—§ 5
 Com. ex rel. Bradley v. Bradley, 188 Pa. Super. 108, 146 A.2d 147
(1958)—§ 4
 Com. ex rel. Burke v. Birch, 169 Pa. Super. 537, 83 A.2d 426 (1951)—
§§ 4, 11[b]
 Com. ex rel. Carpenter v. Carpenter, 189 Pa. Super. 297, 150 A.2d 724
(1959)—§ 4
 Com. ex rel. Conrod v. Conrod, 165 Pa. Super. 628, 70 A.2d 433 (1950)—
§ 15
 Com. ex rel. Derr v. Derr, 148 Pa. Super. 511, 25 A.2d 769 (1942)—§§ 3,
9[b]
 Com. ex rel. Donie v. Ferree, 175 Pa. Super. 586, 106 A.2d 681 (1954)—
§ 12[b]
 Com. ex rel. English v. English, 194 Pa. Super. 25, 166 A.2d 92 (1960)—
§§ 7, 13
 Com. ex rel. George v. George, 167 Pa. Super. 563, 76 A.2d 459 (1950)—
§ 4
 Com. ex rel. Graham v. Graham, 367 Pa. 553, 80 A.2d 829 (1951)—§ 5
 Com. ex rel. Grue v. Sanford, 183 Pa. Super. 32, 127 A.2d 800 (1956)—
§ 4
 Com. ex rel. Haller v. Hanna, 168 Pa. Super. 217, 77 A.2d 750 (1951)—
§ 5

222

ILLUSTRATION 7-9

©2008 West Group

§7.15.4.2 Law Reviews

Articles from law reviews and other legal journals almost always provide a wealth of information concerning specific topics and are invariably useful in finding additional cases on the issue at hand.

Use periodical indexes such as *Index to Legal Periodicals and Books* (ILPB), *Current Law Index* (CLI), LegalTrac (Internet/Lexis®/Westlaw®), or any other index to find article(s) on your topic. Lead articles in the law reviews are well researched. You will find several references to cases on the same issue you are researching in the footnotes. Hein Online also provides searching capability in its Law Journal Library collection of full text articles of more than 1,100 periodical titles.

When researching case law information through law review articles, researchers should pay particular attention to law reviews published by Pennsylvania law schools since these articles are likely to be devoted specifically to Pennsylvania issues.

§7.15.4.3 Treatises

Pennsylvania case law can also be researched in the treatises available for various fields of law, e.g. Antkowiak's *Pennsylvania Criminal Procedure*, Gray's *Mortgages in Pennsylvania* (West), and Zanan's *Pennsylvania Vehicle Code Annotated* (Bisel).

Pennsylvania law treatises are kept in the law libraries under the classification 'KFP,' the Library of Congress Classification for Pennsylvania law. (KF is the classification for American Law). For a bibliography of treatises, see §9.2.

§7.15.4.4 Encyclopedias

Encyclopedias that can be used to research Pennsylvania case law include three encyclopedias:

Pennsylvania Law Encyclopedia[™] (P.L.E.)

The *Pennsylvania Law Encyclopedia*[™] 1st and 2d series published by the West® Publishing Company and Lexis Publishing Company, respectively, are good sources to find Pennsylvania cases on a specific issue.

Use the index volumes for the encyclopedia to locate the topic you are researching. For example, 'dissolution of marriage' refers the researcher to section 2 under 'divorce.' At the bottom of the page, followed by the text, you will find Pennsylvania cases.

Summary of Pennsylvania Jurisprudence 2d

The *Summary of Pennsylvania Jurisprudence 2d* is an excellent source for researching an area of the law in which you are unfamiliar. It provides a concise exposition of the rule of law with annotations to cases that have decided, explained, or commented on the rule.

Summary of Pennsylvania Jurisprudence 2d is a multi-volume set (currently 28 volumes) containing succinct explanations of substantive Pennsylvania law. Volumes are organized by topic, e.g., Torts, Criminal Law, Commercial Law, Real Property, Probate, Estates & Trusts, Employment Law, Municipal Law, Taxation, etc. Within each volume the topic is divided into chapters and sub-chapters which concern specific and particular issues within the legal topic, e.g., "joint tortfeasors."

The "black-letter" Pennsylvania law for each issue is given and is followed by an explanation and an illustration that applies the law to a given set of facts. Within the text there are annotations to the cases that have decided, commented on, or explained that area of Pennsylvania law.

Besides being a source of case law, the annotations also serve as links to a variety of other legal sources such as statutes, law reviews, Restatements, and legal encyclopedias. There is a two-volume set containing citations to cases cited in the treatise and a one-volume general index.

Standard Pennsylvania Practice 2d

The *Standard Pennsylvania Practice 2d* is a procedural encyclopedia containing 42 volumes broken down into topics from pretrial to post-trial procedure, administrative law, Orphans' Court procedure, Federal tax procedure, and workers' compensation. There is a three-volume subject index and single volume table of cases.

§7.15.4.5 Continuing Legal Education (CLE) Materials

Another important resource for researching Pennsylvania case law exists in the Pennsylvania Bar Institute (PBI) publications on specific topics. Other important publishers are the Pennsylvania Association of Justice (formerly the Pennsylvania Trial Lawyers Association), Professional Education Systems, Inc., the National Business Institute, and Lorman Publications. For more information on these publishers, see Chapter 9, Secondary Sources.

PBI is the CLE institution of the Pennsylvania Bar Association. The PBI publications, published since 1968, present more current information on Pennsylvania law, broken down into specific areas. About 40 to 50 seminars are presented each year on general and specific topics, e.g. Municipal Law Colloquium, Representing Landlord-Tenant Relationships, Criminal Law Symposium, etc.

For individual titles consult catalogs in the law libraries or call PBI at (800) 932-4637 or (717) 233-5774 or visit its web site at www.pbi.org

§7.15.4.6 Looseleaf Services

There are several looseleaf services that provide monthly updates to case law.

Pennsylvania Tax Reporter (CCH, 1946 -) is a standard work on Pennsylvania taxation.

The following publications are available from LRP Publications in Horsham, PA, (800) 341-7874.

Pennsylvania Discovery and Evidence Reporter® (1994-).

Pennsylvania Divorce and Domestic Relations Reporter® (1988-).

Pennsylvania Public Employee Reporter® (1975-).

Pennsylvania Workers' Compensation Law Reporter® (1987-).

§7.15.4.7 Legal Newspapers

The best sources to search for the most current case law are legal newspapers. The statewide newspaper is the *Pennsylvania Law Weekly* (previously known as *Pennsylvania Law*

Journal Reporter), local legal newspapers, like the *Lawyers Journal* (Pittsburgh) and the *Legal Intelligencer* (Philadelphia).

Abstracts of important decisions concerning Pennsylvania case law may be found in all of these newspapers on a regular basis.

§7.15.4.8 Legal Newsletters

Newsletters also provide summaries and digests of recent cases and other legal information articles on specific topics. These may be published by bar associations, commercial publishers, and law firms. The following are available:

Bisel's Pennsylvania Family Law Update (1995-).

Bisel's Pennsylvania Criminal Law Update (May 1997-).

Bisel's Pennsylvania Workers' Compensation Update (1997-).

Pennsylvania Employment Law Letter (1990-).

§7.16 Online Sources

§7.16.1 Official Web Sites

Appellate Courts

The Administrative Office of Pennsylvania Court has developed a free Web site (www.aopc.org) for the three appellate courts: Supreme Court, Superior Court and Commonwealth Court. At the courts' site, the official opinions are posted for public access, usually the day the decisions are filed.

Users can view the current month's postings by simply scrolling down the screen until the user comes across the appropriate case name. Users can access opinions from the AOPC site through the portable documents format (.pdf) or Word 97 format (.doc). Portable document format is only available for cases filed after September 1, 1998. A typical posting of an opinion consists of: Names of the parties; Docket number; Judge's name; Date filed; PDF and Word 97 format options.

The AOPC site also provides access to cases filed in prior months, as far back as January 1997. Either click on the link to "Prior Month's Postings" or do a date search by limiting the search to the particular date(s) when you believe the case was filed in the "To.....From" input areas. The latter search is useful if you don't know the case name or the exact date of the case but at least have a general time frame of the case you are looking for. Key word and full text searchability features are also available.

Users can also find information about appointments by the Supreme Court, the argument list, rules amended or adopted, and the courts' calendar.

Pennsylvania's Unified Judicial System

Appellate Opinions	UJS Forms	Medical Malpractice	AOPC	News & Updates	Asked & Answered	About the UJS
-----------------------	--------------	------------------------	------	-------------------	---------------------	------------------

Jump to a page in this list Search site

Opinion Postings

- **Postings from the Pennsylvania Supreme Court**
 - Opinions, Dispositions, Memorandum Reported
 - Search for Supreme Court opinions by caption, author or date on the Supreme Court [search page](#)
- **Postings from the Pennsylvania Superior Court**
 - Opinions, Memorandum Reported
 - Search for Superior Court opinions by caption, author or date on the Superior Court [search page](#)
- **Postings from the Pennsylvania Commonwealth Court**
 - [Reported Opinions](#)
 - [Unreported Opinions](#)
 - Search for Commonwealth Court opinions by caption, author or date on the Commonwealth Court [search page](#)
- **Postings from the Disciplinary Board of the Supreme Court**

Home	Supreme Court	Superior Court	Commonwealth Court
	Common Pleas Courts	Special Courts	Supreme Court Committees

ILLUSTRATION 7-10

The Court of Judicial Discipline has its official website at www.cjdpa.org. Cases are given in chronological order by year and docket number, collecting all of the documents together in one place, e.g., digest of the case, opinions, orders, etc. In the *West's Atlantic Reporter 2d*, the opinions and rules are not always together.

Court of Common Pleas

Official Web Sites

Very few individual counties have web sites providing cases decided in their county courts. Some of the counties have their prothonotary or clerk's office available online to obtain court documents, e.g., Allegheny County at <http://prothonotary.county.allegheny.pa.us>. Commercial sites such as Westlaw[®], and Lexis[®], provide cases published in the *Pennsylvania District & County Reports*.

§7.16.2 Fee-based Sites

Appellate Courts

Lexis®

Lexis® provides a means to search a case by citation using the ‘Get a Document’ tab on the main menu.

From the directory page, select Pennsylvania under States, Legal-U.S. The link will take you to the Pennsylvania sources. Under Find Cases, click on “view more sources”, which will then give you a complete listing of the Pennsylvania files for case law. The files contain combined courts as well as individual courts.

Lexis® contains a database (Library and File) of Pennsylvania Supreme Court opinions dating from 1754 (1 Dallas).

Lexis®, like Westlaw®, provides terms and connectors and also natural language search capabilities.

The screenshot displays the LexisNexis Total Research System interface. At the top, there are navigation tabs: Search, Research Tasks, Get a Document, Shepard's®, Alerts, Total Litigator, Transactional Advisor, and Counsel Selector. Below these are search methods: by Source, by Topic or Headnote, by Guided Search Form, and by Dot Command.

The 'Recently Used Sources' section shows 'PA - Pennsylvania Administrative Code' selected. Below that is the 'Look for a Source' section with tabs for Legal, News & Business, Public Records, Constitutional Law, Ethics, Penn, and Find A Source. The 'Penn' tab is active, showing 'Pennsylvania > Find Cases (Remove "Penn" tab)'. A note says 'Use checkboxes to select sources for searching across categories, pages, and tabs. Show list... Combine Sources'. A list of sources follows, each with a checkbox and a link icon:

- PA Cases, Administrative Decisions & Attorney General Opinions, Combined [\[i\]](#)
- PA State Cases, Combined [\[i\]](#)
- PA Supreme Court Cases from 1791 [\[i\]](#)
- PA Superior Court from 1895 [\[i\]](#)
- PA Commonwealth Court Cases from 1971 [\[i\]](#)
- PA Court of Judicial Discipline Cases from 1994 [\[i\]](#)
- PA County Decisions from 1910 [\[i\]](#)
- Philadelphia County Decisions from 1918 [\[i\]](#)
- Federal & State Cases, Combined [\[i\]](#)
- PA Federal & State Cases, Combined [\[i\]](#)
- U.S. Supreme Court Cases, Lawyers' Edition [\[i\]](#)

ILLUSTRATION 7-11

Copyright 2008 Lexis Nexis, a division of Reed Elsevier Inc. All rights reserved. Lexis Nexis and the Knowledge Burst logo are registered trademarks of Reed Elsevier Properties Inc. and are used with the permission of Lexis Nexis.

Westlaw[®]

Westlaw provides a means to search a case by citation using the ‘Find’ tab on the main menu.

From the directory page, select Pennsylvania under U.S. State Materials. The link will take you to the Pennsylvania sources. Click on the Cases folder to find a directory of the different databases covering Pennsylvania state and local cases. The database PA-CS includes both appellate and trial court cases.

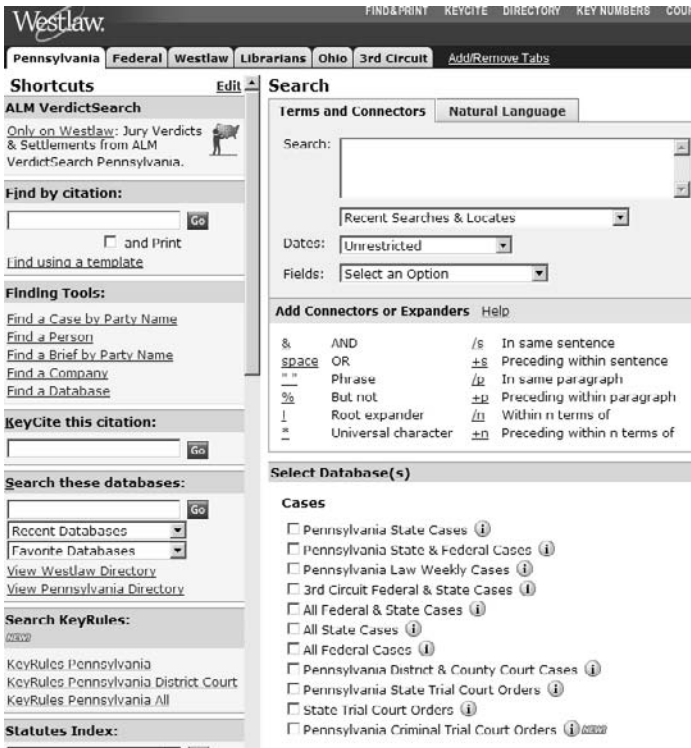


ILLUSTRATION 7-12

Courts of Common Pleas

Lexis®

Lexis® has a separate file for the cases that appeared in the *Pennsylvania District & County Reports, PA;PAD&C* or *STATES;PAD&C*. The D.&C. cases are reprinted with new headnotes created by Lexis editors. Opinions are available starting from Volume 42, 4th series. Lexis® also has a separate file *PA;PHILA* exclusively for opinions published in the *Philadelphia County Reports*. Coverage starts from January 1977. Display and search methodology is the same as in Pennsylvania case law files.

Westlaw®

Westlaw® has a separate database (PADC-CS) that includes cases decided in the Courts of Common Pleas of various counties and published in *Pennsylvania District and County Reports*. Display and search methodology is the same as in other Pennsylvania case law databases.

PALawLibrary.com™

This site provides opinions and orders decided in several selected county courts from Adams to York. ALM, Inc. and Jenkins Law Library have worked together to offer access to this legal information. It is accessible through Jenkins Law Library.

palawlibrary.com
Your Home-Court Advantage™

home product information free 14-Day Trial about Us Login

Looking for something?
Search:
Multiple **NEAR** trials

NEAR Searching is Here

Unique Coverage:
• Trial Court Cases
• D&C Advance Sheets
• Phila. City Solicitor
• PAUV Cases Digests
• Attorney Directory
• plus more...

Court Rules Updated Daily
Recent Amendments

More PA County Cases
than any other online legal research tool!

Search Pennsylvania cases, legal newspapers (The Legal Intelligence and Pennsylvania Law Weekly), jury verdicts & settlements, trial listings, and state filed information. The site also features daily court notices, Pa. D&C Reports, an Attorney Directory and the most up to date PA state and local court rules.

Cases of Interest

See the most recent *Pa. D&C Reports* for more cases of interest.

PREMISES LIABILITY - UNREASONABLY DANGEROUS CONDITION - OPEN AND OBVIOUS DANGER
• *Walker v. Drexel University* [C.P. Philadelphia, January 25, 2008]
Defendant, Drexel University, appeals from the final judgment entered against it on November 19, 2007, and from the Order of May 11, 2007 denying defendant's motion for summary judgment. [read more >>](#)

UNEMPLOYMENT COMPENSATION - ELIGIBILITY - NECESSITOUS AND COMPELLING REASONS FOR LEAVING WORK
• *Allstar Therapies, Inc. v. Unemployment Compensation Board of Review* [Pa. Commonwealth, February 28, 2008]
Allstar Therapies, Inc. petitions for review of an order of the Unemployment Compensation Board of Review affirming the Referee's decision granting unemployment. [read more >>](#)

16th Anniversary
6 months for only \$150

For Attorneys:
Share with your legal community the verdicts/settlements you've earned.

PA Online Attorney Directory
Now on Palawlibrary

Copyright © 2008, JENKINS LAW LIBRARY/American Lawyer Media. All rights reserved.
Terms & Conditions | Privacy Policy | Disclaimer | Contact Us

ILLUSTRATION 7-13

§7.17 Citators

§7.17.1 *Shepard's*[®] Citations

An essential step in case law research is to validate the cases you have on hand to determine if they are still good law. The most common process of updating cases is known as *Shepardizing*[®].

This process is performed for two basic reasons. First, by *Shepardizing*[®] cases, it may be determined whether the case law has been reversed on appeal or overruled by the court in a subsequent opinion (history of the case) and how a case was treated in other jurisdictions (treatment).

Secondly, through *Shepardization*[®], additional information on the case law may be obtained. This information includes:

- parallel citations
- Law Review articles
- American Law Report annotations

Two separate *Shepard's*[®] titles are available to update Pennsylvania case law research, namely, *Shepard's*[®] *Pennsylvania Citations* and *Shepard's*[®] *Atlantic Reporter Citations*. Pennsylvania case law is also reported when applicable in *Shepard's*[®] *Federal Citations* and *Shepard's*[®] *United States Citations*, but, for the most part, *Shepard's*[®] *Atlantic* and *Pennsylvania Citations* will be the primary resource for *Shepardizing*[®] Pennsylvania case law.

§7.17.1.1 Organization of *Shepard's*[®] Citations

Shepard's[®] *Pennsylvania Citations* (2004 ed.) consists of 7 bound volumes from parts 1-7 for the year 2004, and monthly and bi-weekly paperback advance sheets.

Shepard's[®] *Atlantic Reporter Citations* (1994 ed.) consists of 8 bound volumes from parts 1-8 for the year 1994, two bound volume supplements (1994-1996, 1996-1999), and annual, quarterly, monthly and bi-weekly paperback advance sheets.

Note: Generally, the sequence and number of *Shepard's*[®] volumes for each *Shepard's*[®] title consists of Bound Volumes and Supplemental Bound Volumes (Maroon), annual or semi-annual cumulative supplement (Gold or Yellow color soft cover paperback), cumulative supplement (Red color soft cover paperback), Advance sheet (White color soft cover paperback) and Express Citations (Blue color soft cover paperback).

A rule of thumb of *Shepardizing*[®] a Pennsylvania case is to use both *Shepard's*[®] *Pennsylvania Citations* and *Shepard's*[®] *Atlantic Reporter Citations*. E.g. *Vogel v. Berkley*, 354 Pa. Super. 291, 511 A.2d. 878. The following sections describe the differences between these two *Shepard's*[®] Citations.

Shepard's Atlantic Reporter Citations (1994-). There are eight bound volumes and two supplementary volumes (1996-1999 and 1999-2003).

§7.17.1.2 Outline of Contents

Shepard's[®] Pennsylvania Citations

Federal citations:

- 1) U.S. Supreme Court Cases
- 2) U.S. Court of Appeals (3d Circuit)
- 3) U.S. Federal District Courts of the Eastern, Middle, and Western Districts of Pennsylvania.

Pennsylvania Courts:

- 1) Pennsylvania Supreme Court
- 2) Pennsylvania Superior Courts
- 3) Pennsylvania Commonwealth Courts
- 4) Pennsylvania District and County Reports
- 5) Pennsylvania County Reports
- 6) Pennsylvania District Reports
- 7) ALR Annotations
- 8) Law Review Articles from twenty major law schools (Harvard, Columbia, etc.) and the general law reviews of the Pennsylvania law schools (Dickinson, Duquesne, Temple, University of Pennsylvania, University of Pittsburgh, and Villanova.)

Note: *Shepard's*[®] stopped including the individual county reporters early in the 1970s. This collection was not reprinted in the recent edition (1994) and most subscribers threw out the earlier 1987 edition when the new replacement edition was received. Volume 4 of the 1987 edition can still be used for *Shepardizing*[®] the county court cases up to the 1970s. For the county court cases one must know the *District & County Report* citation.

Shepard's® Atlantic Reporter Citations

Federal Citations:

- 1) U.S. Supreme Court Cases
- 2) U.S. Court of Appeals (3d Circuit)
- 3) Federal District Courts of the Eastern, Middle, and Western Districts of Pennsylvania

Pennsylvania Courts:

- 1) Pennsylvania Supreme Court
- 2) Pennsylvania Superior Courts
- 3) Pennsylvania Commonwealth Courts
- 4) ALR Annotations
- 5) American Bar Association Journal

Note: You may notice the missing materials from the *Shepard's® Atlantic Reporter Citations* are the *District and County Reports* and all of the law reviews.

In using any *Shepard's® Citations*, be aware that LEXIS® has added hundreds, if not thousands, of citations from the LEXIS® database of cases not yet published in a reporter. When you find a citation, check the index in the back of the advance sheet to find the case name citation and date of the case. It is possible to locate the case by going to the West's® *Pennsylvania Digest 2d* series Table of Cases advance sheet to find the reporter citation; or, if it is a Pennsylvania appellate court case, it can be obtained from the Internet web site, www.aopc.org.

§7.17.1.3 Which Citator Should I Use?

While seemingly identical, *Shepard's® Pennsylvania Citations* and *Shepard's® Atlantic Reporter Citations* contain different information. By knowing what type of information is in each volume, you can choose a citator tailored to your research needs.

Assume you have read the case *Azzarello v. Black Brothers Company, Inc.*, 480 Pa. 547 (1978). To update it, you would go to the volume of *Shepard's® Pennsylvania Citations* entitled *Pennsylvania State Reports*. After the case name, a parallel cite to the *Atlantic Reporter* is given in parentheses, followed by a list of authorities which cite to your case. Note that the citations cover cases reported in the *District & County Reports*. Citations of federal court cases originating out of Pennsylvania are also included.

Further note that Pennsylvania Citations includes citations to 20 major law school law reviews, plus all Pennsylvania law school law reviews, e.g., *Villanova Law Review*. Any A.L.R. annotation that refers to the case is likewise listed.

The image shows a highly detailed and dense table of legal citations. The table is organized into several vertical columns. Some sections are marked with bolded numbers, such as 532, 533, 534, and 540, which likely correspond to different categories or volumes of the digest. The text within the table is small and difficult to read, but it appears to be a comprehensive list of legal references, including case names, dates, and possibly volume and page numbers. The table is presented in a grid-like format with multiple columns of text.

ILLUSTRATION 7-14

Atlantic Reporter (Pennsylvania Cases) in *Shepard's® Pennsylvania Citations*

In the above example there were no cites to the *Atlantic Reporter*. To find *Atlantic Reporter* cites of Pennsylvania cases you must look to the volumes entitled *Atlantic Reporter* located within the *Shepard's® Pennsylvania Citations* series. Since cases are organized by their *Atlantic Reporter* citation you must use the parallel cite. It is extremely important to remember that the citations provided are limited to Pennsylvania Court cases which appear in the *Atlantic Reporter*, e.g., Supreme, Superior, Commonwealth, and Federal Court cases originating out of Pennsylvania, i.e., 3rd Circuit cases. No citations to the *District & County Reports* are provided, nor are citations for law reviews and A.L.R. annotations.

The illustration shows a grid of citation tables. Each table has a column on the left with a case name and a column on the right with a parallel citation number. The tables are arranged in a grid with 5 columns and 15 rows. The first column of each table contains case names such as 'Lingo v. Lingo', 'Lingo v. Lingo', 'Lingo v. Lingo', etc. The second column contains parallel citation numbers like '710', '711', '712', etc. The third column contains the case name again, and the fourth column contains the parallel citation number again. The fifth column contains the case name and the parallel citation number. The tables are arranged in a grid with 5 columns and 15 rows. The first column of each table contains case names such as 'Lingo v. Lingo', 'Lingo v. Lingo', 'Lingo v. Lingo', etc. The second column contains parallel citation numbers like '710', '711', '712', etc. The third column contains the case name again, and the fourth column contains the parallel citation number again. The fifth column contains the case name and the parallel citation number.

ILLUSTRATION 7-15a

<p>f 620A2d11081 624A2d190 698A2d17 742A2d1010 734A2d344 808A2d120 852A2d1110 Cir. 3 641P5775 Cir. 4 718P5478 Cir. 5 118P34385 Conn. 579A2d538 596A2d423 De. 789A2d593 Haw. 938P2d1206 Idaho 796P2d1044 Iowa 336N W441 Mass. 481N W1367 Mont. 673P2d1280 N.V. 564N B639 563N S2d29 605N S2d772 N.D. e 583N W383 On. 700P2d244 Wis. 390N W79 35.5d1071n</p> <p>-928- Cartel Capital Corp. v Fireco of New Jersey 1978 (161NJS301) s 396A2d593 s 410A2d674 414A2d2656 j 414A2d268 438A2d555 j 438A2d561 j 438A2d562 46.43d240s 9.25d645n</p> <p>-935- Southern Burlington County NAACP v Mt. Laurel 1978 (161NJS317) s 504A2d66 cc 290A2d465 cc 336A2d713 cc 456A2d390 416A2d1*888</p>	<p>96.4d232s; -957- Dubiel v Laneco, Inc. 1978 (161NJS360) 471A2d1*74</p> <p>-960- George Harms Constr. Co. v Lincoln Park 1978 (161NJS367) 428A2d1557 d 452A2d1548 482A2d37 d 482A2d138 599A2d593 603A2d186 603A2d190 603A2d190 609A2d119 653A2d1158 669A2d287 685A2d986 690A2d1098 e 763A2d11276 f 763A2d1278 798A2d692 52.4s198n 52.4s235n</p> <p>-968- Weehawken Environment Committee, Inc. v Weehawken 1978 (161NJS381) 526A2d*718 587A2d1*647 635A2d1*071 f 635A2d1*556</p> <p>-978- Alston v Thomas 1978 (161NJS403) 398A2d1342 422A2d1051 Md. d 505A2d117 632d97n</p> <p>-981- Andrito v Allstate Ins. Co. 1978 (161NJS409) 413A2d1595 416A2d923 cc 459A2d1196 744A2d179 36.4s381n</p>	<p>-984- Porozoff v Alberti 1978 (161NJS414) a 401A2d1124 392A2d1263 415A2d167 d 592A2d6466 618A2d*876 Mich. 581N W798 f 581N W802</p> <p>-986- Commonwealth v Manning 1978 (480Pa484) US cert den 439S1077</p> <p>-989- Commonwealth v Andrews 1978 (480Pa484) s 373A2d459 437A2d1011</p> <p>-989- Steding v Commonwealth 1978 (480Pa485) s 385A2d547 406A2d1071 411A2d9741 418A2d1556 422A2d1339 426A2d1163 430A2d978 437A2d884 479A2d*562 634A2d1230 j 672A2d779</p> <p>-991- Estate of Taylor 1978 (480Pa488) 431A2d1010 431A2d1010 446A2d1266 466A2d1184 j 466A2d1387 473A2d1080 j 477A2d479 487A2d1910 489A2d1865 490A2d1430 508A2d1238 544A2d*70 679A2d*772</p>	<p>-999- Commonwealth v Chacko 1978 (480Pa504) 393A2d440 401A2d331 417A2d1135 f 417A2d1272 f 417A2d1272 417A2d1276 458A2d1077 462A2d1337 587A2d1374 706A2d1334 Del. 452A2d139 Me. 434A2d*512 All. 891P2d850 439S1077</p> <p>259S328 270S2672 73L769s</p> <p>-1002- Commonwealth v Blair 1978 (480Pa511)</p> <p>-1005- Commonwealth v Kampo 1978 (480Pa516) 383A2d490 j 393A2d1175 396A2d1179 d 396A2d1181 d 400A2d*584 - 400A2d*585 - 400A2d*587 446A2d1271 j 470A2d497 j 472A2d1127 455A2d1197 - 455A2d1199 458A2d180 469A2d1070 j 469A2d1072 470A2d*537 473A2d163 j 473A2d165 j 482A2d*529 482A2d1318 582A2d1325 592A2d337 cc 431A2d265 j 2004P9 L X 13239 d 412A2d*583 f 412A2d1595 412A2d*108 416A2d1096 464A2d*379 467A2d368</p>	<p>472A2d*1110 487A2d1383 570A2d*534 d 370A2d*536 587A2d1384 599A2d*639 614A2d243 664A2d*529 681A2d190 700A2d1252 732A2d1181 Cir. 3 290P3d510 33.4s17s 66.4S996s 7.4S966n 9.2S998n 15.4s612n</p> <p>-1014- Azzarelio v Black Bros. Co. 1978 (480Pa547) d 410A2d1262 j 410A2d1262 f 419A2d1277 j 420A2d1090 421A2d1029 j 422A2d498 f 423A2d*394 423A2d*395 423A2d397 d 427A2d661 - 427A2d*665 431A2d907 e 434A2d1256 e 434A2d1256 1978 437A2d425 - 437A2d426 j 410A2d1138 j 439A2d637 447A2d991 450A2d617 j 450A2d638 451A2d244 e 452A2d1378 454A2d994 467A2d1918 467A2d*621 j 467A2d626 470A2d*577 - 470A2d*581 482A2d*262 482A2d*262 f 482A2d*265 483A2d1344 f 485A2d*411 f 485A2d*420 j 485A2d432 486A2d*602 489A2d*226 499A2d*329 499A2d*329 591A2d1134 502A2d663 503A2d*649</p>
--	--	---	--	--

Continued

ILLUSTRATION 7-15b

Because of their limited scope the *Atlantic Reporter* volumes of *Shepard's® Pennsylvania Citations* should only be used in order to obtain parallel citations of Pennsylvania cases that cite your case. Always be aware of the differences between the volumes so that you do not use the incorrect one. Such an error is likely to occur when you have read a Pennsylvania case in the *Atlantic Reporter* and attempt to *Shepardize®* the case by its *Atlantic Reporter* cite in Pennsylvania Citations. Keep in mind that to get a full treatment of your case in Pennsylvania Citations you need to get the parallel cite and *Shepardize®* accordingly.

Shepard's® Atlantic Reporter Citations

Assume you have read the same case, *Azzarello v. Black Brothers Company Inc.*, 391 A.2d 1020 (1978), in the *Atlantic Reporter*. To update it, you would go to *Shepard's® Atlantic Reporter Citations* and locate the appropriate volume. After the case name, a parallel cite to the Pennsylvania state reporter is given in parentheses. After the parallel cite there is a list of authorities that cite to your case. Note that the list of citing authorities includes all Pennsylvania cases reported in the *Atlantic Reporter*, as well as cases from other jurisdictions reported in the regional reporters. The list also includes ALR annotations and *American Bar Association Journal citations*.

ATLANTIC REPORTER, 2d SERIES

Vol. 391

<p>f 620A2d*1081 624A2d*90 698A2d17 742A2d1010 743A2d344 808A2d*120 852A2d1110 Cir. 3 6418*75 718F5*478 Cir. 5 118F3*385 Conn 579A2d*538 596A2d423 Del 789A2d*593 Haw 938P2d1206 Idaho 796P2d1044 Iowa 336N*441 4 Mass 481N*1367 Mont 673P2d1280 N Y 564N*639 563N Y52d29 605N Y52d772 N D e 583N W 383 One 700P2d244 Wis 390N W 79 35A*1071n —928— Carpel Capital Corp. v. Fireco of New Jersey 1978 (161NJS301) s 396A2d593 s 410A2d674 414A2d*266 j 414A2d268 438A2d555 j 438A2d561 j 438A2d562 46E3*40s 9E5*645n —935— Southern Burlington County NAACP v. Mt. Laurel 1978 (161NJS117) cc 290A2d66 cc 504A2d465 cc 336A2d713 cc 456A2d390 416A2d*988</p>	<p>96A232s —957— Dubiel v Laneco, Inc. 1978 (161NJS360) 471A2d*174 —960— George Harms Constr. Co. v Lincoln Park 1978 (161NJS367) 428A2d*557 d 455A2d*548 482A2d37 d 482A2d*38 599A2d593 603A2d186 603A2d*190 603A2d*910 609A2d119 653A2d1158 669A2d257 685A2d*986 690A2d1098 e 763A2d*1276 f 763A2d1278 798A2d692 52A198n 52A235n —968— Wechawken Environment Committee, Inc. v. Wechawken 1978 (161NJS381) 526A2d*718 587A2d*9647 589A2d*1071 f 635A2d*556 —978— Alston v Thomas 1978 (161NJS403) 398A2d*942 422A2d*1051 Md d 505A2d117 63A*972n —981— Andrito v All- state Ins. Co. 1978 (161NJS409) 413A2d*365 416A2d*923 e 459A2d*1196 744A2d*179 36A5*381n</p>	<p>—984— Poroznoff v Alberti 1978 (161NJS414) a 401A2d1124 392A2d*1263 415A2d*1167 d 592A2d*646 618A2d*876 Mich 581N W 798 f 581N W 802 —989— Commonwealth v. Manning 1978 (480Pa484) US cert den 439US1077 —989— Commonwealth v. Andrews 1978 (480Pa484) s 373A2d459 437A2d1011 —989— Steding v Common- wealth 1978 (480Pa485) s 385A2d547 406A2d*1071 411A2d*741 418A2d*556 422A2d*91339 426A2d*1163 450A2d*978 457A2d884 479A2d*562 634A2d*230 j 672A2d*719 —991— Estate of Taylor 1978 (480Pa488) 431A2d*1010 431A2d*1010 446A2d*1266 466A2d*1384 j 466A2d1387 473A2d*1080 j 477A2d479 487A2d*1919 489A2d*865 490A2d*430 508A2d*1238 544A2d*70 679A2d*772</p>	<p>—999— Commonwealth v. Chacko 1978 (480Pa504) 393A2d440 401A2d*331 417A2d*135 f 417A2d*1272 j 417A2d*1276 j 454A2d197 462A2d*1337 587A2d*1374 706A2d*334 Del 452A2d139 Mc 434A2d*512 Alk 891P2d550 W V 259S28 270S262 73A*769s —1002— Commonwealth v. Blair 1978 (480Pa511) —1005— Commonwealth v. Kambo 1978 (480Pa516) 393A2d*30 j 393A2d*1175 396A2d*1179 d 396A2d1181 d 400A2d*584 ~ 400A2d*585 ~ 400A2d*587 446A2d*1271 j 470A2d497 j 472A2d1127 666A2d538 674A2d*680 679A2d243 681A2d*143 795A2d*964 19A*131s —1009— Commonwealth v. Smith 1978 (480Pa524) cc 431A2d265 j 2004Pa LX 13239 d 412A2d*583 f 412A2d*595 412A2d*1108 416A2d*1096 446A2d*379 467A2d588</p>	<p>472A2d*1110 487A2d*1383 570A2d*534 d 570A2d*536 587A2d1384 599A2d*639 614A2d243 664A2d*529 681A2d190 700A2d*1252 732A2d1181 81A2d*1035 Cir. 3 290F3d510 33A*17s 66A2d*966 7A*968n 9A*998n 15A*612n —1014— Commonwealth v. Geddes 1978 (480Pa533) 7A*962n 10A*99n —1015— Commonwealth v. Giknis 1978 (480Pa535) cc 420A2d419 —1015— Commonwealth v. Holmes 1978 (480Pa536) 399A2d*749 421A2d*1127 f 425A2d*347 f 425A2d*352 436A2d*231 444A2d*1248 449A2d572 455A2d*1197 ~ 455A2d1199 458A2d*180 469A2d*1070 j 469A2d1072 470A2d*537 473A2d163 j 473A2d165 482A2d*239 482A2d1318 582A2d*1325 592A2d337 594A2d*697 653A2d42 658A2d1354 f 717A2d1919 734A2d403 770A2d314 835A2d374 Mich 281N W 139</p>	<p>—1018— Commonwealth v. Bundy 1978 (480Pa543) s 421A2d1050 cc 328A2d517 396A2d9 406A2d*1035 414A2d*6633 422A2d*188 424A2d*978 434A2d*173 439A2d*778 f 442A2d*260 15A*690n 18A*407n —1020— Azzarello v Black Bros. Co. 1978 (480Pa547) d 410A2d*1262 j 410A2d1263 e 419A2d*1277 j 420A2d1090 421A2d*1099 422A2d498 f 423A2d*394 423A2d*395 423A2d*397 d 427A2d*661 ~ 427A2d*665 431A2d907 e 434A2d*1256 e 434A2d*1256 437A2d425 ~ 437A2d426 437A2d1138 j 439A2d637 447A2d091 450A2d617 j 450A2d628 451A2d244 e 452A2d*1378 454A2d099 e 467A2d*618 467A2d*621 467A2d626 j 467A2d*577 ~ 470A2d581 482A2d*262 f 482A2d*265 483A2d1344 f 485A2d*411 f 485A2d*420 485A2d432 486A2d*902 489A2d126 499A2d*329 499A2d*329 501A2d1134 502A2d663 503A2d*949 Continued</p>
--	--	---	--	--	--

ILLUSTRATION 7-16a

Vol. 391

ATLANTIC REPORTER, 2d SERIES

<p>507A2d*407 513A2d409 520A2d880 522A2d*957 f 523A2d*382 e 523A2d*383 f 527A2d*137 527A2d143 f 527A2d*144 e 527A2d1018 e 527A2d*1019 528A2d591 f 528A2d*593 j 528A2d595 f 530A2d465 d 530A2d467 537A2d*337 537A2d344 542A2d593 545A2d*909 e 545A2d*912 e 545A2d*912 555A2d*1355 f 557A2d*380 564A2d*1038 564A2d*1039 571A2d452 575A2d*102 f 578A2d*421 578A2d*498 592A2d353 596A2d848 610A2d*458 f 610A2d*1330 f 623A2d*324 f 623A2d*324 j 623A2d327 623A2d848 626A2d*624 626A2d*624 f 626A2d*624 f 626A2d*625 627A2d*752 627A2d*752 e 628A2d*869 628A2d*869 628A2d*871 630A2d*880 f 637A2d*606 637A2d*606 f 640A2d*1295 640A2d*1295 j 640A2d1303 644A2d1218 d 661A2d382 665A2d1171 676A2d263 f 688A2d*924 688A2d*928 690A2d*190 718A2d*308 f 718A2d309 721A2d3814 729A2d*619 729A2d*620</p>	<p>773A2d*6810 774A2d*771 774A2d*772 774A2d*772 778A2d705 781A2d*1268 799A2d87 799A2d105 f 809A2d*922 f 809A2d*1027 f 840A2d*416 f 840A2d*437 841A2d*1003 f 841A2d*1007 f 841A2d1007 ~ 841A2d1013 852A2d*368 f 854A2d590 Cir. 2 j 119F3d171 Cir. 3 f 595F2d*177 f 595F2d*181 f 595F2d*181 f 602F2d*587 f 602F2d*588 e 609F2d*1071 d 609F2d1073 610F2d*154 621F2d*619 630F2d*171 636F2d443 d 636F2d*444 646F2d*497 j 646F2d499 648F2d*7836 667F2d4140 675F2d*76 685F2d*999 f 691F2d*650 f 691F2d*650 f 691F2d*650 696F2d251 j 716F2d167 718F2d*95 718F2d*95 718F2d*570 718F2d*570 741F2d660 f 751F2d142 751F2d*143 j 751F2d144 757F2d70 760F2d495 f 835F2d*512 835F2d*514 842F2d*696 842F2d*697 855F2d153 883F2d*1227 f 942F2d*213 947F2d*1084 959F2d*436 f 959F2d*436 j 959F2d450 968F2d*386</p>	<p>981F2d*1432 981F2d*1432 981F2d*1433 981F2d*1435 26F3d421 30F3d463 32F3d*757 32F3d*757 32F3d*757 36F3d*282 60F3d*161 j 70F3d303 111F3d1042 e 111F3d*1044 113F3d*1331 135F3d886 186F3d*414 360F3d*431 1998USDist [LX4363 1998USDist [LX17370 1999USDist [LX2608 1999USDist [LX10940 2000USDist [LX5184 2000USDist [LX11960 2000USDist [LX14342 2001USDist [LX1890 2002USDist [LX15089 f 2002USDist [LX25713 f 2004USDist [LX6700 f 2004USDist [LX17152 2004USDist [LX20330 f 477F8*183 f 477F8*318 f 477F8*320 480F8*246 f 483F8*1205 f 483F8*1205 f 483F8*1206 488F8314 489F8*919 493F8*557 499F8*343 f 502F8*176 e 505F8*7898 506F8*1214 e 510F8*121 512F8*1005 e 521F8*765 522F8*1073 527F8*954 527F8*954 529F8*53 529F8*53 544F8163</p>	<p>546F81039 548F8*670 548F8*670 f 568F8*1061 568F8*1061 e 575F8*525 578F81434 586F8719 599F8*215 610F8*4713 610F8*5713 658F8*635 660F8*689 669F8*5713 674F8*1158 674F8*1159 679F8*487 683F8*491 f 719F8*386 786F81204 f 786F8*1205 797F8*390 801F8*1440 801F81443 805F81217 810F8135 f 831F8*455 831F8*457 838F8*1026 841F8*663 841F8*664 841F8*665 851F8153 851F8155 856F8*598 913F8*364 913F8*381 917F8*365 30F8*2d825 49F8*2d*425 49F8*2d*425 100F8*2d285 106F8*2d*771 f 106F8*2d*771 111F8*2d*617 f 111F8*2d618 166F8*2d157 166F8*2d162 166F8*2d*163 166F8*2d249 170F8*2d537 172F8*2d636 245F8*2d692 277F8*2d492 e 81FRD*624 e 81FRD*624 f 82FRD*69 82FRD*70 101FRD*80 107FRD*641 Cir. 4 697F2d*1197 243F8*2d515 243F8*2d*516 243F8*2d*517</p>	<p>Cir. 11 1998USDist [LX23187 Del 450A2d*1177 D C 563A2d*356 563A2d*356 563A2d*356 563A2d*356 563A2d*356 c 563A2d*357 Ark 653SW132 Calif 200CAR891 677P2d1168 Colo 741P2d1245 Fla 396Sod2d1144 414Sod2d1113 Ill 402NE*202 Ind 554NE1166 Iowa 276NW*444 Mo 707S W*377 j 740SW645 N M 902P2d57 N Y 417NE*556 Wyo 778P2d78 13.3B1057s 54.3B352s 96.3B53n 47.4B636n</p>	<p>—1037— In re Estate of Young 1978 (480Pa580) f 394A2d*517 f 394A2d*517 394A2d*518 396A2d*633 j 409A2d91 420A2d*371 447A2d*256 j 474A2d312 555A2d196 555A2d*197 d 592A2d681 642A2d*527 43.4B971s —1040— Commonwealth v Fant 1978 (480Pa586) US cert den 441[US951 US cert den 99S02180 s 465A2d1241 400A2d1292 d 419A2d*1273 f 419A2d*1273 425A2d818 d 431A2d*267 431A2d*987 443A2d*1173 443A2d*1174 511A2d*772 513A2d*3415 526A2d1215 32.4B358s 74.4B710n 74.4B713n —1046— Tokar v Commonwealth, Dep't of Transp. ("PDOT") 1978 (480Pa598) s 371A2d*537 415A2d*85 454A2d*994 482A2d*1165 574A2d*1043 606A2d*666 —1048— Commonwealth v Spruill 1978 (480Pa601) 398A2d*634 j 399A2d360 399A2d*1071</p>
---	--	--	---	--	---

The above example contains a sketch of the information which can be found in *Shepard's*[®] *Atlantic Reporter Citations*. However, for purposes of Pennsylvania legal research, it is just as important to know what information is not included. Conspicuously absent are citations from the *Pennsylvania District & County Reports*, law reviews (including Pennsylvania law schools), and Attorney General opinions.

As you can see, each citator has its strengths and weaknesses. *Shepard's*[®] *Atlantic Reporter Citations* provides a broader scope of cases from jurisdictions outside of Pennsylvania which cite to your case. On the other hand, *Shepard's*[®] *Pennsylvania Citations* includes *District & County Reports*, as well as law review citations. Therefore, to maximize your research effectiveness, use both citators in concert to supplement each other.

§7.17.1.4 “What Your Library Should Contain”

In order to completely *Shepardize*[®] a case one must usually gather one or more bound volumes and one or more supplemental volumes or advance sheets.

To correctly determine what volumes of *Shepard's*[®] are available, consult the ‘What Your Library Should Contain’ to verify that your *Shepardizing*[®] will be up to date. This information is found on the front cover of all supplemental volumes and advance sheets. Start with the most recent one (white advance sheet). If there is no advance sheet, look at the red Cumulative Supplement. If there is no cumulative supplement look at the gold or yellow Annual/Semi-annual Supplement.

§7.17.1.5 *Shepard's*[®] *Pennsylvania Case Name Citator 2d*

When you have the names of the parties, but do not know the reporter cite, you may use *Shepard's*[®] *Pennsylvania Case Name Citator*.

Cases are listed in alphabetical order. Reporter cite, parallel cite and decision date are given for all reported cases decided in Pennsylvania from 1910 to the present.

§7.17.1.6 Parallel Citation Tables

The *National Reporter Blue Book*, published by West® consists of lists of case citations for every volume of official reports from the Supreme, Superior, and Commonwealth Court, e.g., *Pennsylvania State Reports*, with cross references to National Reporter System citations, e.g., *Atlantic Reporter*. As shown in the illustration, the first page of volume 537 of *Pennsylvania State Reports* is also published at 640 A.2d 1251.

Note: *Pennsylvania Commonwealth Court Reports* stopped publishing in 1995 and *Pennsylvania Superior Court Reports* stopped publishing in 1997.

For Pennsylvania, and approximately half of the other states, West® publishes a Blue and White Book, which contains citation tables from regional reporters to official reporters. The blue pages in these volumes are duplicates of the ones found in the National Reporter Blue Book. The white pages provide the opposite information, with cross references from the regional reporter to the official reporter.

For county reports, see Joel Fishman et al. *Pennsylvania County Court Reports and District & County Reports: Parallel Citation Tables* (1985). This volume updates the county court cases from 1970 to 1985.

§7.17.1.7 Online *Shepard's*® Citations

Shepard's® Citations is now part of the LEXIS® database that provides several advantages over the book/paper equivalent. First, the citations are kept up-to-date daily. Second, there are no multiple volumes and advance sheets to look through; everything is listed in chronological order. Third, the name of each case is given with a complete citation and the pinpoint citation to the case reference. Fourth, there are many more listings for history and treatment of a case, as well as identifiers (red, yellow, green lights), to signify to the researcher that there may or may not be some problem with the case one is researching. Fifth, law reviews from all jurisdictions are cited in the online *Shepard's*, thereby providing an extensive list of periodicals. Sixth, treatises are being added to the citations that do not appear in the paper version.

View: [KWIC](#) | [Full Display](#) | [Options](#)

1 - 50 of 489 Total Cites

[Print](#) | [Download](#)

[Save As Shepard's Alerts](#) | [Unrestricted](#) | [All Neg](#) | [All Pos](#) | [FOCUS™](#) | [Resid Bv](#) | [Shepard's](#) | [Azzarello v. Black Bros. Co.](#) | [391 A.2d 1020](#) | [TOA](#)

Signal: Caution: Possible negative treatment
Trail: **Unrestricted**

Azzarello v. Black Bros. Co., 480 Pa. 547, 391 A.2d 1020, 1978 Pa. LEXIS 1044 (1978)

SHEPARD'S SUMMARY [Hide Summary](#)

Unrestricted Shepard's Summary

No subsequent appellate history.

Citing References:

- [Cautionary Analyses:](#) [Criticized \(1\)](#), [Distinguished \(7\)](#)
- [Positive Analyses:](#) [Followed \(48\)](#)
- [Neutral Analyses:](#) [Concurring Opinion \(4\)](#), [Dissenting Op. \(19\)](#), [Explained \(18\)](#)
- [Other Sources:](#) [Law Reviews \(94\)](#), [Restatements \(1\)](#), [Treatises \(10\)](#), [Court Documents \(56\)](#)

LexisNexis Headnotes: [HN1 \(62\)](#), [HN2 \(77\)](#), [HN3 \(68\)](#), [HN4 \(112\)](#), [HNS \(2\)](#), [HN6 \(37\)](#), [HN7 \(83\)](#), [HN8 \(82\)](#)

[Show full text of headnotes](#)

PRIOR HISTORY (0 citing references) [Hide Prior History](#)

(CITATION YOU ENTERED:
Azzarello v. Black Bros. Co., 480 Pa. 547, 391 A.2d 1020, 1978 Pa. LEXIS 1044 (1978)

CITING DECISIONS (328 citing decisions)

PENNSYLVANIA SUPREME COURT

[Select for Delivery](#)

1. **cited in Dissenting Opinion at, Cited by:**

Pa. Dept. of Gen. Servs. v. U.S. Mineral Prods. Co., 587 Pa. 236, 898 A.2d 590, 2006 Pa. LEXIS 848 (2006) [LexisNexis Headnote](#) [HN1](#), [HN3](#), [HN4](#), [HN7](#), [HN8](#)

Cited in Dissenting Opinion at:

587 Pa. 236 p.278
898 A.2d 590 p.616

ILLUSTRATION 7-17

Copyright 2008 Lexis Nexis, a division of Reed Elsevier Inc. All rights reserved. Lexis Nexis and the Knowledge Burst logo are registered trademarks of Reed Elsevier Properties Inc. and are used with the permission of Lexis Nexis.

§7.17.3 KeyCite®

KeyCite® is the new citation research service developed by West® Group and made available through the Westlaw® computer-assisted legal research service. KeyCite® integrates all the case law on Westlaw®, giving the power to trace the history of a case; retrieve a list of all cases on Westlaw® that cite a case; and track legal issues in a case.

References cited from the extensive library of secondary sources on Westlaw®, such as ALR annotations and law review articles, are covered by KeyCite® as well. You can use these citing references to find case discussions by legal experts. Now, in this one service, you receive the case-verification functions of Insta-Cite; the case-citing functions of *Shepard's*® and *Shepard's*® PreView and the immediacy of QuickCite.

The coverage of KeyCite® includes direct history, which traces the same case through the appellate process and is added to KeyCite® within one to four hours of receipt of an opinion at West® (the immediacy of Insta-Cite); citing cases added to KeyCite® as soon as they are added to Westlaw® (the currency of QuickCite); history for federal cases beginning with 1754 and for state cases beginning with 1879; and the inclusion of all citing cases on Westlaw®, including unpublished opinions.¹

You can only KeyCite® to the cases which are available in the Westlaw® database.

1. KeyCite®: Using KeyCite® for Classic Westlaw®, 1997.

KeyCite



QUICK PRINT
 PRINT
 EMAIL
 DOWNLOAD
 CASE
 MARKUP

Azzarello v. Black Bros. Co., Inc.
 480 Pa. 547, 391 A.2d 1020
 Pa., 1978.
 October 03, 1978
FOR EDUCATIONAL USE ONLY**Citing References**

(Showing 1185 documents)

Negative Cases (U.S.A.)

SELECT TO PRINT, EMAIL, ETC.

Disagreement Recognized by

- H** 1 Moyer v. United Dominion Industries, Inc., 473 F.3d 532, 538+, Prod.Liab.Rep. (CCH) P 17,682, 17682+ (3rd Cir.(Pa.) Jan 09, 2007) (NO. 04-2104) ******* **HN: 6,7 (A.2d)**
- H** 2 In re Orthopedic Bone Screw Products Liability Litigation, 1997 WL 109595, *1 (E.D.Pa. Mar 07, 1997) (NO. MDL 1014) ****** **HN: 5 (A.2d)**
- P** 3 Dillinger v. Caterpillar, Inc., 959 F.2d 430, 436+, Prod.Liab.Rep. (CCH) P 13,068, 13068+ (3rd Cir.(Pa.) Feb 25, 1992) (NO. 91-3308) ******* **HN: 2,6,7 (A.2d)**

Called into Doubt by

- P** 4 Phillips ex rel. Estate of Williams v. Cricket Lighters, 773 A.2d 802, 810+, Prod.Liab.Rep. (CCH) P 16,063, 16063+, 2001 PA Super 109, 109+ (Pa.Super. Apr 10, 2001) (NO. 1924 WDA 1999) ******* **HN: 4,6 (A.2d)**

Declined to Extend by

- H** 5 Dougherty v. Edward J. Moloney, Inc., 661 A.2d 375, 382+, 443 Pa.Super. 201, 215+ (Pa.Super. May 31, 1995) (NO. 03193PIIIA.1993, 03194PIIIA.1993) ******

Distinguished by

- H** 6 Arnoldy v. Forklift, L.P., 2006 WL 3008122, *5 (Pa.Com.Pl. Sep 11, 2006) (NO. 04883 SEPT.TERM 2003) ***** **HN: 5 (A.2d)**

Positive Cases (U.S.A.)***** Examined**

- P** 7 Phillips v. Cricket Lighters, 841 A.2d 1000, 1003+, 576 Pa. 644, 650+, Prod.Liab.Rep. (CCH) P 16,838, 16838+ (Pa. Dec. 03, 2003) (NO. 90 WAP 2001) ****** **HN: 2,6,7 (A.2d)**

ILLUSTRATION 7-18

©Westlaw®

§7.18 Records and Briefs

After a case has been decided at the trial level or at the intermediate appellate level, the decision of the court may be appealed to the next highest court. When this occurs, attorneys present their arguments in written briefs. Attorneys for each side submit a brief to the court that either outlines the errors made in the court below and argues for a reversal, or contends that the decision made in the court below was a proper one. In each brief, the attorney will cite to primary sources and secondary authorities. In Pennsylvania, briefs are sometimes referred to as “paperbooks.”

§7.18.1 Finding Court Briefs

Supreme Court

Attorney Briefs for cases in the Pennsylvania Supreme Court are sent to each Law School Library in the state. Supreme Court Briefs are also available at the Prothonotary’s office for each judicial district.

If you are searching for a brief outside of your judicial district the Prothonotary can request that the brief be sent from the district in which it was filed. Briefs can also be accessed at the State Library of Pennsylvania where briefs from all districts are deposited. The State Library can be reached as follows:

State Law Library: Law and Government Publication, P.O. Box 1601, Harrisburg, Pa. 17105; Phone: 717-783-2075

Both the Jenkins Law Library in Philadelphia and the Allegheny County Law Library in Pittsburgh have large historical collections as well.

Superior Court

Briefs for cases in the Pennsylvania Superior Court can be accessed through the Prothonotary’s office for each judicial district:

Eastern District: Suite 315, 530 Walnut St., Philadelphia, Pa. 19106; Phone: 215-560-5795.

Middle District: 200 North 3rd St., Harrisburg, Pa. 17101; Phone: 717-772-1294.

Western District: 1015 Grant Building, 330 Grant St., Pittsburgh, Pa. 15219; Phone: 412-565-7592.

Both the Jenkins Law Library in Philadelphia and the Allegheny County Law Library in Pittsburgh have large historical collections as well.

Commonwealth Court

Attorney Briefs for cases in the Commonwealth Court can be found by contacting the Deputy Prothonotary & Chief Clerk at South Office Building, Harrisburg, Pa. 17120-0001. Briefs for the Commonwealth Court can be found at the State Law Library in Harrisburg.

Both the Jenkins Law Library in Philadelphia and the Allegheny County Law Library in Pittsburgh have historical collections as well.

§7.18.2 Access to the Briefs

Arrangement of the briefs vary from library to library. Generally the briefs are organized either by official citation or according to their docket number, year, and judicial district in which they were filed. No general index exists to locate court briefs, therefore it is necessary that the researcher have at least the year of the case to aid him or her in locating the brief.

Selected briefs from the three appellate courts are now available in both Lexis and Westlaw.

APPENDIX 1
LIST OF INDUCTIONS, MEMORIALS,
PICTURE PRESENTATIONS, ETC.

Like many other states, the appellate courts publish memorials (and, more recently, inductions) of justices who served on the court. The following lists have been compiled from the three appellate court reports. I=Induction/Investiture; M=Memorial; PP=Presentation of Portrait; R=Resolution

Pennsylvania Supreme Court Justices

- Arnold, John C., 394 Pa. xxiii (M)
- Baer, Max, 579 Pa. LXXXVII (I)
- Baldwin, Cynthia A. , 589 Pa. CXLIII (I)
- Barnes, H. Edgar, 339 Pa. xxxv (M)
- Bell, John C., 405 Pa. xxiii (I)
- Bok, Curtis, 408 Pa. xxiii (M)
- Bradford, William, 1 Yeates 496 (M)
- Cappy, Ralph J., 525 Pa. ccxiii (I)
- Cappy, Ralph J., CJ, 572 Pa. CLXIII (I)
- Chidsey, Thomas McKeen, 392 Pa. xxiii (M)
- Clarke, Silas M., 144 Pa. xxi (M)
- Cohen, Herbert B., 388 Pa. xxi (I)
- Dean, John, 211 Pa. xxx (M)
- Drew, James B. 374 Pa. xxi (M)
- Eagen, Michael J., 397 Pa. xxiii (I)
- Eagen, Michael J., 520 Pa. cxli (M)
- Eakin, J. Michael, 571 Pa. LXV (I)
- Fox, Edward J., 325 Pa. xxxi (M)
- Frazer, Robert S., 322 Pa. xxxiii (M)
- Green, Henry, 197 Pa. xix (M)
- Hughes, Howard W., 352 Pa. xxiii (M)
- Hutchinson, William D., 500 Pa. xxxix (I)
- Jones, Benjamin R., 388 Pa. xxi (I)
- Jones, Benjamin R., CJ, 446 Pa. xcvi (I)
- Jones, Charles A., 387 Pa. xxi (I)
- Jones, Charles A., 423 Pa. xxix (M)
- Kauffman, Bruce W., 487 Pa. ii (I)
- Kennedy, John, 4 Barr. 5 (M)
- Kephart, John W., 350 Pa. xxiii (M)

- Ladner, Grover C., 380 Pa. xxi (M)
- Lamb, William H., 573 Pa. CLXIII (I)
- Linn, William B., 366 Pa. xxiii (M)
- McCollum, J. Brewster, 207 Pa. xx (M)
- McDermott, James T., 497 Pa. xlvi (I)
- McDermott, James T., 532 Pa. cxlvii (M)
- Manderino, Louis L., 447 Pa. 1 (I)
- Maxey, George W., 365 Pa. xxiii (M)
- Mercur, Ulysses, 116 Pa. xix (M)
- Moschzisker, Robert von, 336 Pa. xxxi (M)
- Musmanno, Michael A., 433 Pa. xxxv (M)
- Nestrezat, S. L., 261 Pa. xxxv (M)
- Nix, Robert N. C. Jr., 447 Pa. 1 (I)
- O'Brien, Henry X., 406 Pa. xxiii (I)
- O'Brien, Henry X., CJ, 494 Pa. cxxi (I)
- Parker, William M., 348 Pa. xxiii (M)
- Penrose, S. B., 271 Pa. xxxii (M)
- Potter, W. P., 261 Pa. xxxv (M)
- Roberts, Samuel J., 409 Pa. xxxvii (I)
- Roberts, Samuel J., 499 Pa. cxlvii (I)
- Roberts, Samuel J., 516 Pa. lv (M)
- Roberts, Samuel J., 518 Pa. lxxiii (M)
- Sharswood, George, 88 Pa. xv (I)
- Sharswood, George, 102 Pa. 601 (M)
- Simpson, Alex, Jr., 319 Pa. xxix (M)
- Stearne, Allen M., 384 Pa. xxxix (M)
- Stern, Horace, 434 Pa. xcv (M)
- Stewart, John, 267 Pa. xxv (M)
- Stout, Juanita Kidd, 519 Pa. cxcv (I)
- Stout, Juanita Kidd, 555 Pa. CCXIII (M)
- Thompson, James, 72 Pa. xiii-xxvi (M)
- Tilghman, William, 16 S.&R. 437-54 (M)
- Wilkinson, Roy, Jr., 493 Pa. xxxv (I)
- Williams, Henry W., 82 Pa. xx (M)
- Zappala, Stephen, 501 Pa. clxvii (I)

Pennsylvania Superior Court Judges

- Beaver, James A., 55 Pa. Super. ix (M)
- Beck, Phyllis W., 283 Pa. Super. xxix (I)
- Brosky, John G., 361 Pa. Super. xliii (PP)
- Cercone, William F., 213 Pa Super. liii (I)
- Cercone, William F., 254 Pa. Super. xxxiii (I)
- Cercone, William F., 360 Pa. Super. xlix (PP)
- Cirillo, Vincent A., 355 Pa. Super. xli (I)
- Cunningham, Jesse E. B., 151 Pa. Super. xxv (M)
- Del Sole, Joseph A., 309 Pa. Super. xxxix (I)
- DiSalle, Richard, 272 Pa. Super. xxxi (I)
- Elliott, Kate Ford, 391 Pa. Super. lxi (I)
- Flood, Gerald F., 207 Pa. Super. lxxiii (M)
- Hoffman, J. Sydney, 306 Pa. Super. xxxvii (PP)
- Hudock, Joseph A., 388 Pa. Super. xlv (I)
- Jacobs, Robert Lee, 249 Pa. Super. liii (I)
- Johnson, Justin M., 272 Pa. Super. xxxi (I)
- Keller, William H., 156 Pa. Super. xxxi (M)
- Kelly, John T. J., Jr., 348 Pa. Super. xli (I)
- Melinson, James R., 379 Pa. Super. xlv (I)
- Montemuro, Frank J., Jr., 272 Pa. Super. xxxi (I)
- Montgomery, Harry M., 332 Pa. Super. xli (PP)
- Montgomery, Harry M., 404 Pa. Super. xlv (R)
- Olszewski, Peter Paul, 331 Pa. Super. lxi (I)
- Popovich, Zoran, 272 Pa. Super. xxxi (I)
- Price, Gwilym, 305 Pa. Super. xxxv (M)
- Reader, Howard J. 8 Pa Super. xxvii (M)
- Rice, Charles E., 73 Pa. Super. xxv (M)
- Roberts, Samuel J., 370 Pa. Super. xli (M)
- Rowley, James E., 293 Pa. Super. xxxv (I)
- Rowley, James E., 400 Pa. Super. li (I)
- Shertz, Perry J., 272 Pa. Super. xxxi (I)
- Spaeth, Edmund B., Jr., 308 Pa. Super. xxxix (I)
- Watkins, G. Harold, 227 Pa. Super. xli (I)
- Wickam, John J., 7 Pa. Super. xxix (M)
- Wieand, Donald E., 272 Pa. Super. xxxi (I)
- Wieand, Donald E., 288 Pa. Super. xxxv (I)

Pennsylvania Commonwealth Court Judges

- Barbieri, Alexander F., 1 Pa. Cmwlt. xxvi (I)
- Blatt, Genevieve, 3 Pa. Cmwlt. ix (I)
- Bowman, James S., 1 Pa. Cmwlt. xvii (I)
- Bowman, James S., 48 Pa. Cmwlt. v (M); 55 Pa. Cmwlt. vi (M)
- Craig, David W., 37 Pa. Cmwlt. v (I)
- Crumlish, James C., Jr., 1 Pa. Cmwlt. xviii (I)
- DiSalle, Richard, 33 Pa. Cmwlt. v (I)
- Doyle, Joseph T., 64 Pa. Cmwlt. v (I)
- Kramer, Harry A., 1 Pa. Cmwlt. xx (I)
- Kramer, Harry A., 31 Pa. Cmwlt. v (M)
- MacPhail, John A., 37 Pa. Cmwlt. vii (I)
- Manderino, Louis L., 1 Pa. Cmwlt. xxiii (I)
- Mencer, Glenn E., 1 Pa. Cmwlt. xxv (I)
- Palladino, Madeline, 53 Pa. Cmwlt. v (I)
- Rogers, Theodore O., 3 Pa. Cmwlt. vii (I)
- Wilkinson, Roy, Jr., 1 Pa. Cmwlt. xxi (I)
- Williams, Robert W., Jr., 49 Pa. Cmwlt.

APPENDIX 2**SUPREME & SUPERIOR COURT JUDICIAL DISTRICTS**

The 60 judicial districts are divided into three districts for purposes of filing cases with the Pennsylvania Supreme Court and Superior Court as follows²:

EASTERN DISTRICT

- Berks
- Bucks
- Carbon
- Chester
- Columbia
- Delaware
- Lackawanna
- Lancaster
- Lehigh
- Luzerne
- Monroe
- Montgomery
- Montour
- Northampton
- Northumberland
- Philadelphia
- Schuylkill
- Sullivan
- Susquehanna
- Wayne
- Wyoming

MIDDLE DISTRICT

- Adams
- Bradford
- Centre
- Clinton
- Cumberland
- Dauphin
- Franklin

2. 110 *Pennsylvania Manual* 453 (1991).

- Fulton
- Huntingdon
- Juniata
- Lebanon
- Lycoming
- Mifflin
- Perry
- Snyder
- Tioga
- Union
- York

WESTERN DISTRICT

- Allegheny
- Armstrong
- Beaver
- Bedford
- Blair
- Butler
- Cambria
- Clearfield
- Crawford
- Elk
- Erie
- Fayette
- Forest
- Greene
- Indiana
- Jefferson
- Lawrence
- McKean
- Mercer
- Potter
- Somerset
- Venango
- Warren
- Washington
- Westmoreland

APPENDIX 3**Pennsylvania's Counties and Judicial Districts**

The following list is arranged in two columns: the first alphabetically by county with its assigned district. The second column is by district number and the name of the county. The number to the right of the county in the second list is the number of judges assigned to the court.

<u>Alphabetical Order</u>			<u>District Order</u>		
<u>No.</u>	<u>County</u>	<u>District</u>	<u>District</u>	<u>County</u>	<u>No.</u>
1	Adams	51	01	Philadelphia	51
2	Allegheny	05	02	Lancaster	36
3	Armstrong	33	03	Northampton	48
4	Beaver	36	04	Tioga	59
5	Bedford	57	05	Allegheny	2
6	Berks	23	06	Erie	25
7	Blair	24	07	Bucks	9
8	Bradford	42	08	Northumberland	49
9	Bucks	07	09	Cumberland	21
10	Butler	50	10	Westmoreland	65
11	Cambria	47	11	Luzerne	40
12	Cameron-Elk	59	12	Dauphin	22
13	Carbon	56	13	Greene	30
14	Centre	49	14	Fayette	26
15	Chester	15	15	Chester	15
16	Clarion	18	16	Somerset	56
17	Clearfield	46	17	Snyder-Union	55
18	Clinton	25	17	Union-Snyder	60
19	Columbia-Montour	26	18	Clarion	16
20	Crawford	30	19	York	67
21	Cumberland	09	20	Huntingdon	31
22	Dauphin	12	21	Schuylkill	54
23	Delaware	32	22	Wayne	64
24	Elk	59	23	Berks	6
25	Erie	06	24	Blair	7

<u>Alphabetical Order</u>			<u>District Order</u>		
<u>No.</u>	<u>County</u>	<u>District</u>	<u>District</u>	<u>County</u>	<u>No.</u>
26	Fayette	14	25	Clinton	18
27	Forest-Warren	37	26	Columbia- Montour	19
28	Franklin	39	26	Montour- Columbia	47
29	Fulton-Franklin	39	27	Washington	63
30	Greene	13	28	Venango	61
31	Huntingdon	20	29	Lycoming	41
32	Indiana	40	30	Crawford	20
33	Jefferson	54	31	Lehigh	39
34	Juniata	41	32	Delaware	23
35	Lackawanna	45	33	Armstrong	3
36	Lancaster	02	34	Susquehanna	34
37	Lawrence	53	35	Mercer	35
38	Lebanon	52	36	Beaver	4
39	Lehigh	31	37	Forest-Warren	27
40	Luzerne	11	37	Forest-Warren	62
41	Lycoming	29	38	Montgomery	46
42	McKean	48	39	Franklin-Fulton	28
43	Mercer	35	39	Franklin-Fulton	29
44	Mifflin	58	40	Indiana	32
45	Monroe	43	41	Juniata-Perry	34
46	Montgomery	38	41	Perry-Juniata	50
47	Montour-Columbia	26	42	Bradford	8
48	Northampton	03	43	Monroe	45
49	Northumberland	08	44	Sullivan-Wyoming	57
50	Perry	41	44	Wyoming-Sullivan	66
51	Philadelphia	01	45	Lackawanna	35
52	Pike	60	46	Clearfield	17
53	Potter	55	47	Cambria	11
54	Schuylkill	21	48	McKean	42
55	Snyder-Union	17	49	Centre	14

<u>Alphabetical Order</u>			<u>District Order</u>		
<u>No.</u>	<u>County</u>	<u>District</u>	<u>District</u>	<u>County</u>	<u>No.</u>
56	Somerset	16	50	Butler	10
57	Sullivan- Wyoming	44	51	Adams	1
58	Susquehanna	34	52	Lebanon	38
59	Tioga	04	53	Lawrence	37
60	Union	17	54	Jefferson	33
61	Venango	28	55	Potter	53
62	Warren-Forest	37	56	Carbon	13
63	Washington	27	57	Bedford	5
64	Wayne	22	58	Mifflin	44
65	Westmoreland	10	59	Cameron-Elk	12
66	Wyoming	44	59	Elk-Cameron	24
67	York	19	60	Pike	52

APPENDIX 4
COUNTY COURT REPORTS

- Adams County Law Journal (1959-). Adams County cases only.
- Addison (1791-1799) (Allegheny, Fayette, Washington, Westmoreland). Reports of decisions from the courts of the Fifth Circuit of Pennsylvania with several decisions of the High Court of Errors and Appeals. The first edition of this report, published in 1800, contains "Charges to the Grand Juries of the Counties of the Fifth Circuit in the State of Pennsylvania."
- Alden's Condensed Reports.
- Allegheny County Discovery Opinions, 6 vols. (1978-2004). Contains Judge R. Stanton Wettick Jr.'s discovery opinions for Civil Division of the Court of Common Pleas.
- Allegheny County Family Law Reporter, 12 vols. (1980-1990). Formerly Allegheny County Divorce Decisions, these volumes contain cases on all family law topics.
- Allegheny County Orphans' Court Reporter, 1 vol. (1990).
- Allegheny County Zoning Cases of the Hon. James H. McLean, 1 v. (1993-1998).
- Ashmead's Reports 2 vols., (1808-1841). Decisions from the courts of Philadelphia County.
- Beaver County Legal Journal, Beaver Co. L.J. (1908-present). Beaver County cases only.
- Berks County Law Journal, Berks Co. L.J. (1908-present). Berks County cases only. Vols. 1-20 digested in Bertolet's Digest of the Decisions of the Courts of Berk's County.
- Blair County Law Journal, Blair Co. 2 vols. 1898-1903. Decisions from Blair County courts and select decisions from the courts of other counties.
- Blair Law Reports, 2d series. (1940 to present). Blair County decisions reprinted from "Blair County Legal Bulletin." No decisions printed since November 1951.
- Bradford County Law Journal (1992-).
- Brewster's Reports 4 vols. (1856-1873). Contains decisions from various courts — Pennsylvania county reports, Pennsylvania Supreme Court, U. S. Supreme Court involving Pennsylvania cases, the English Court of Exchequer as well as

- election cases in the U. S. House of Representatives and U. S. Senate.
- Brightly's Nisi Prius Reports, 1 vol. (1809-1851). Decisions of the Pennsylvania Supreme Court and Philadelphia courts at nisi prius.
- Browne's Reports, 2 vols. (1801-1841). Philadelphia County Court of Common Pleas only.
- Bucks County Law Reporter (1951 to present). Bucks County cases only.
- Bucks County, 1 vol. (1684-1700). Records of the Court of Quarter Sessions and Common Pleas.
- Butler County Law Reporter (1959 to present). Butler County cases only.
- Cambria County Law Journal Reports (1917-1928). Cases originally published in the Cambria County Law Journal.
- Cambria County Reports (1929 to present). Cambria County only.
- Campbell's Legal Gazette Reports 1 vol. (1869-1871). Decisions from the U.S. District Court of Pennsylvania, county decisions at Philadelphia and other counties, and the decisions of the Pennsylvania Supreme Court at nisi prius.
- Carbon County Law Journal (1965 to present). Carbon County cases only.
- Chester County, 1 vol. (1681-1697). Records of the Court of Chester County.
- Chester County Reports (1878-). First two volumes were published in 1883 and 1886, containing for the most part decisions of Chester County courts as well as decisions of the Pennsylvania Supreme Court in cases appealed from Chester County. Regular reporting since 1949 of just county cases.
- Clarke (Pennsylvania Law Journal Reports) 5 vols. (1842-1852). Selection of cases reported in the Pennsylvania Law Journal and American Law Journal by John A. Clark. The decisions are from the Pennsylvania Supreme Court which are not reported elsewhere, the county courts of Pennsylvania, and the U.S. District Court in Pennsylvania. The pages are starred to correspond with the Pennsylvania Law Journal.

Common Pleas Reporter (1879-1887) (various county reports).

Reports decisions of the Pennsylvania Supreme Court and various county reports.

Crawford County Legal Journal (1959 to present). Crawford County cases only.

Cumberland Law Journal (1950 to present). Cumberland County cases only.

Dauphin County Reports (1897 to present). Dauphin County courts and the Departments of the State Government up to 1970 when Commonwealth Court began reporting these decisions.

Delaware County Reports (1880 to present). Delaware County cases only.

Department Reports (1916-1954). Decisions of the administrative agencies and opinions of the Attorney General, and appeals from administrative decisions, for the most part workers' compensation cases. Recent volumes only workers' compensation cases.

Docket, The (1897-1898). Published by the Magistrates Association of Pennsylvania and contained articles and comments of interest to the Association. The decisions which are reported are generally appeals from the Magistrates' courts to the Courts of Common Pleas.

Erie County Law Journal (1919-1945).

Erie County Legal Journal (1945 to present). Erie County cases and some adjacent county only.

Fayette Legal Journal (1938 to present). Fayette County cases only.

Fiduciary Reporter (30 vols., 1951-1981; 2d ser., 1982 to present). Selections from Orphans' Courts dealing with matters of estates. Monthly advance sheets cumulated into annual bound volumes.

Fisher's Prize Cases (1812-1813). Cases decided in the District and Circuit Court of U. S. for the Pennsylvania District.

Foster, See Legal Chronicle Reports.

Franklin County Law Reporter . Franklin County cases only.

Greene County Reports (1982-). Green County cases only.

Hazard's Register of Pennsylvania (1828-1836). Contains general Pennsylvania historical materials; and some decisions.

Hopkinson's Judgments in Admiralty (1779-1788). Pennsylvania Admiralty judgments.

Hopkinson's Judgments in Admiralty (1785-1789). Admiralty cases decided by the courts of Pennsylvania in admiralty cases before the jurisdiction was given away to the Federal courts. These decisions are reprinted in Thomas Bee, Reports of Cases Adjudged in the District Court of South Carolina (Philadelphia 1810).

Jefferson County Legal Journal (1986-).

Journal of Law (1830-1831).

Justice of the Peace (1899-1907).

Kulp Lackawanna Bar (1878).

Lackawanna Bar Reports (1906).

Lackawanna Jurist (1888-).

Lackawanna Law Times (Luzerne Law Times).

Lackawanna Legal News (1895-1903).

Lackawanna Legal Record (1878-1879).

Lancaster Bar (1869-1883).

Lancaster Law Review (1883-).

Lawrence Law Journal (1941-).

Law Times (Luzerne Law Times).

Lebanon County Legal Journal (1946-).

Legal and Insurance Reporter (1859-1867).

Legal Chronicle Reports (1873-1875) (various local courts).

Legal Gazette (1869-1876).

Legal Gazette Reports.

Legal Intelligencer (1843-).

Legal Opinion (1870-1873) (Supreme Court & Dauphin County).

Legal Record Reports (1879-1882) (Schuylkill County).

Lehigh County Law Journal (1903-).

Lehigh Valley Law Reporter (1885-1887).

Luzerne Law Journal (1871-).

Luzerne Law Times (1873-1878).

Luzerne Law Times.

Luzerne Legal Observer (1860-1864).

Luzerne Legal Register (1872-1886).

- Luzerne Legal Register Reports (1882-) (v.1-11 known as Kulp's Reports).
- Lycoming Reporter (1947).
- Magistrate & Constable (1895).
- Mercer County Law Journal (1956).
- Mifflin County Legal Journal (1961).
- Miles Reports (1825-1841) (Philadelphia County).
- Monroe Legal Reporter (1938-).
- Montgomery County Law Reporter (1885-).
- Municipal Law Reporter (1909-).
- Northampton County Reporter (1887-).
- Northerntier Legal Journal (1981-).
- Northumberland County Legal News (1888-1889).
- Northumberland Legal Journal (1913-).
- Olwine's Law Journal (1849-1850) (Philadelphia District Court).
- Parson's Select Equity Cases (1842-1851) (Philadelphia Com. Pleas).
- Pearson (1850-1880) (Dauphin and Lebanon Counties).
- Pennsylvania Colonial Cases (Pennypacker).
- Pennsylvania Corporation Reporter.
- Pennsylvania County Court Reports (1885-1921).
- Pennsylvania District Cases (1892-1921).
- Select cases of the lower courts of Pennsylvania and of the Attorney General, with emphasis on decisions from the Orphans' Courts. There is approximately 40 percent duplication between this series and the Pennsylvania County Court Reports.
- Pennsylvania District & County Reports (50 vols., 1921-1954; 75 vols., 2d ser. 1955-1977; 50 vols., 3d ser. 1977-89; 4th series, 1990 to 2007; 5th series, 2008-). Select decisions from all Pennsylvania judicial districts, and of the Attorney General. A continuation of the Pennsylvania County Court Reports and District Reports. Contains cases from Arbitration Health Panels (1977-1981), and anonymous decisions of the Pennsylvania Supreme Court Disciplinary Board. Biweekly advance sheets with six advance sheets cumulating into one bound volume.

Cases are selected by individuals from each county listed in the front of each advance sheet. Decisions may or may not duplicate individual county reports.

Pennsylvania Justices' Law Reporter (1902-1918).

Pennsylvania Law Journal (1842-1847) (articles and reports of cases).

Pennsylvania Law Journal Reports (see Clarke).

Pennsylvania Law Record (1879-1880).

Pennsylvania Law Series (1894-1896).

Pennypacker's Colonial Cases (1683-1700) (colonial courts).

Philadelphia Reports (1850-1891).

Pittsburgh Legal Journal (1853-).

Pittsburgh Reports (1853-1883).

Schuylkill Legal Record (1879-).

Schuylkill Register (1933-1945).

Scranton Law Times (1872-1878).

Singer's Probate Cases (1901-1904) (Philadelphia Reg. of Wills).

Somerset Legal Journal (1920-).

Susquehanna Legal Chronicle (1878-1879).

Vaux's Recorder's Decisions (1841-1845) (Philadelphia Recorder criminal cases).

Washington County Reports (1920-).

Weekly Notes of Cases (1874-1899). Cases first published in the *Legal Intelligencer* including Supreme, Superior Courts and some lower courts.

Westmoreland County Law Journal (1911-).

Wilcox, Lackawanna County Reports (1887-1888).

Woodward's Decisions (1861-1874) (Berks County).

York Legal Record (1880-).

CHAPTER 8

COURT RULES

Besides the substantive rights of clients, one also has to deal with the processes by which cases are settled in court. Court rules control the operation of the court and the conduct of the litigants. Court rules are issued by all courts of record from the United States Supreme Court to the local county courts. This chapter deals with the state and federal court rules published by each court, the procedural rules lawyers have to follow to bring a case to conclusion, and related rules dealing with legal ethics of the bench and bar in the Commonwealth.

§8.1 Background

The history of court rules in Pennsylvania can be divided into operating procedures of the court and rules governing procedure.¹ In the first instance, as early as 1786, a statute was passed stating that “the justices of the Supreme Court have full power and authority, and they are hereby directed to make and establish such rules for regulating the practice of the said court, and expediting the determination of suits, as they in their discretion shall judge necessary. . . .” (2 Sm. L. 392). Later, Justice Jasper Yeates gave an opinion that “it is self evident, that justice could not be administered in an orderly manner, under a complex system of laws, without rules regulating the practice of the courts of justice. These courts must, necessarily, have the power of framing such rules, as they may think best calculated to carry the laws into execution with convenience and dispatch” (*Barry v. Randolph*, 3 Binn. 279).

The Supreme Court published its first court rules in 1788, followed by rules in 1800, 1801, 1810, and published later by Ambrose Walker, Percival Digby and others.² It was not until 1937 that the General Assembly passed the act of June 21, 1937 P.L. 1982, which gave the Supreme Court the power to pre-

1. A good article on the early rules is Albert Faught, *Early Rules of Court in Pennsylvania*, 44 DICKINSON L. REV. 273 (1944).

2. For the bibliographical information concerning the first Supreme Court rules, see 1 Morris L. Cohen, *Bibliography of Early American Law* 109-111 (1998).

scribe general rules for the court in matters of civil practice in law and equity. The Court appointed a Procedural Rules Committee to draw up rules that were first published in a volume of the Pennsylvania State Reports. The history of the bill setting up the committee is located in 355 Pa. xxxii and a cumulative index to the rules in 441 Pa. xxxix-xlvi. Since that time court rules have been a function of judicial control. Under the Constitution of 1968, Article V, §10(c), the Supreme Court has rulemaking authority.

Also under the Constitution of 1968, Article I, sections 6, 8, 9, and 10 deal chiefly with constitutional criminal procedure—trial by jury, the rights of the accused in criminal prosecutions, and the initiation of criminal proceedings, respectively.

§8.2 State Rules

There are two types of court rules: the operating rules of the court and the procedural rules, which consist of the Rules of Civil Procedure, Rules of Criminal Procedure, Rules of Appellate Procedure, Rules of Evidence, Supreme Court Orphans' Court Rules, and Magisterial District Rules. Generally, the Supreme Court appoints a committee of judges and lawyers to review, revise, and to amend as needed each set of rules. Proposed rules are published in the *Pennsylvania Bulletin* and daily editions of local legal newspapers like *The Legal Intelligencer* or *Pittsburgh Legal Journal* for comments by the general bar. Once final approval is given, the rules are published in the *Pennsylvania Bulletin* with an effective date of implementation (usually thirty days after publication in the *Bulletin*.).

§8.2.1 Internal Operating Procedures

Operating rules of the court deal with how the court works. Under the current published rules, the Commonwealth Court first implemented its rules in 1985, followed by the Superior Court in 1990, and then the Supreme Court in 1994.³ The Supreme, Superior and Commonwealth Courts have published their Internal Operating Procedures first in the official reports of each court and as separate pamphlets. These rules can be found in the *Pennsylvania Rules of Court: State* (West®) and *Commonwealth of Pennsylvania Court Rules* (ALM, Inc.).

§8.2.2 Rules of Civil Procedure

The old rules of civil procedure were based on the Practice Act of 1897 and its amendments. By the act of June 21, 1937 P.L. 1982 as amended, 17 P.S. §61 et seq., the Supreme Court had the right to promulgate rules.⁴ Under the Constitution of 1968 Article V, §10(c) the Supreme Court retained the right to issue new rules. Constitutional approval is implemented in 42 Pa.C.S. §1722. The current version of the rules was amended on March 11, 1991 and effective July 1, 1991, with numerous amendments since then.⁵ The Rules of Civil Procedure can be found in Title 42 of *Purdon's Statutes Rules Books* and Title 231 of the *Pennsylvania Code*.

§8.2.3 Rules of Criminal Procedure

The Supreme Court adopted criminal rules under the act of July 11, 1957 P.L. 819, 17 P.S. §2084 repealed by JARA, 42 P.S. §20002(a)(1327). The rules were revised in 1970, and amended over the years. The complete set of rules was revised in 2000 and went into effect on April 1, 2001. The Rules of Criminal Procedure can be found in Title 42 of *Purdon's Statutes Rules Books* and Title 234 of the *Pennsylvania Code*.

-
3. Internal Operating Procedures of the Supreme Court, PENNSYLVANIA RULES OF COURT:STATE 1011-1016 (2008 rev. ed., 2008); Internal Operating Procedures of the Superior Court, *Id.* at 1017-1024; Internal Operating Procedures of the Commonwealth Court, *Id.* at 1025-1035.
 4. For the rules promulgated in 1939, see 332 Pa. xl-cxxxiv, 335 Pa. xxxiii-lv, and 337 Pa. 1a-33a.
 5. Pennsylvania Rules of Civil Procedure, PENNSYLVANIA RULES OF COURT: STATE 1-485 (2008 rev. ed., 2008).

§8.2.4 Rules of Appellate Procedure

The Rules of Appellate Procedure date back to the nineteenth century and were culled from various publications: the former rules of the three appellate courts; the Appellate Court Jurisdiction Act of 1970 and its related provisions printed in *Purdon's Statutes*TM Title 17; statutory procedural provisions enacted in the late 1800s and collected in *Purdon's Statutes*TM Title 12 at sections 1091 to 1220; rules of appellate procedure which had been promulgated as a part of the general rules applicable to the lower common pleas courts; acts of parliament which were in force in the Commonwealth; and certain court-made rules of decision.

The Advisory Committee on Appellate Court Rules had to decide whether to work within the framework of the current rules or prepare a new, comprehensive set of appellate rules. It also had to determine whether there should be one set of rules for the three appellate courts or three separate sets for each court. Finally, they had to decide if the rules should be limited to subject matter covered by previous rules or draft new rules for easier use. The committee decided to draft one comprehensive set of rules for all three courts, determined that comprehensive rules would eliminate all of the various sources previously needed, and that the rules should be in a single authoritative text. 46 Pa. XXIX (1976).

On November 5, 1975, the Pennsylvania Rules of Appellate Procedure were adopted and promulgated to take effect on July 1, 1976. The current version was amended in December 1978 with additional amendments as needed.

These rules govern practice and procedure in the three appellate courts—Supreme, Superior, and Commonwealth Courts—including “procedure in appeals to such courts from lower courts and the procedure for direct review in such courts of determination of government suits.”⁶

The Rules of Appellate Procedure can be found in Title 42 of *Purdon's Statutes* Rules Books and Title 210 of the *Pennsylvania Code*.

6. Rule 103; *Id.*, at 826.

§8.2.5 Rules of Evidence

Since 1974 there have been Federal Rules of Evidence, with states over the years adopting their format either in whole or in part. It was not until May 8, 1998 that the Pennsylvania Supreme Court adopted a new set of evidence rules as prepared by its Ad Hoc Committee on Evidence. The new rules went into effect on October 1, 1998. The published rules follow the general outline of the federal rules, but are not “all-inclusive.”⁷ Comments after each rule by the committee provide additional information concerning the similarities and differences between the two sets of rules.

The Rules of Civil Procedure can be found in Title 42 of *Purdon’s Statutes Rules Books* and Title 225 of the *Pennsylvania Code*.

§8.2.6 Supreme Court Orphans’ Court Rules

The Supreme Court Orphans’ Court Rules Committee began issuing Orphans’ Court rules in December 1942, effective in July 1943.⁸ The committee amended and revised the Orphans’ Court rules by the order of November 24, 1975, in which the Supreme Court made the Orphans’ Court Rules effective January 1, 1976.

§8.2.7 Magisterial District Judges

The District Magistrates Rules Committee prepared rules that were adopted by court order on October 15, 1969 and which went into effect on January 1, 1970. A second order of June 1, 1971 added Rules 801 to 820, 881, 1001-1020, 1081, and 1082, to be in effect October 1, 1971. A third order of February 1, 1973 revoked Rules 1 through 7 of the rules Governing Standards of Conduct of Justices of the Peace, substituting instead a new set of eighteen rules. Amendments to Rules 307, 324 and 482 were added at the same time.⁹ By the order of June 30, 1982, the Supreme Court changed the name of the position from justice(s) of the peace to district magistrate(s), and then to magisterial district judges in 2004.¹⁰

7. *Commonwealth of Pennsylvania Court Rules* at 750; Rule 101, Comment.

8. 345 Pa. lv-lxxvii.

9. 450 Pa. xxix-xlv.

10. 497 Pa. xxviii-xlii; 580 Pa. cxv.

The Rules of Civil Procedure can be found in Title 42 of *Purdon's Statutes* Rules Books and Title 246 of the *Pennsylvania Code*.

§8.2.8 Code of Civility

The Supreme Court first issued the Code in 2000 “to assist judges and lawyers in how to conduct themselves in a manner that preserves the dignity and honor of the judiciary and the legal profession.”¹¹ The Code is divided into two parts: A Judge’s Duties to Lawyers and Other Judges and The Lawyer’s Duties to the Court and to Other Lawyers. The Rules of Civil Procedure can be found in Title 42 of *Purdon's Statutes* Rules Books.

§8.3 Local Court Rules

Historically, the rulemaking authority of the local courts has been part of practice and procedure in the local courts. By section 21 of the act of June 16, 1836 P.L. 784, 12 P.S. §2076, legislative regulation of civil practice recognized the local rulemaking power of the courts of common pleas, provided that the rules were not contradictory with the Constitution or the state laws. Major revisions of civil practice and procedure in 1887 and legislation in 1915 continued to recognize the role of local courts in implementing local rules. Article V of the Constitution of 1968 made no specific reference to the local rulemaking, but the Supreme Court has made it clear that it will not accept local rules that contradict its own rules or acts of the Assembly.

The Judicial Code of 1976, 42 Pa.C.S. §323, expressly preserves local rulemaking power as in the interest of justice and the business of the court. With sixty judicial districts the proliferation of local rules has led to fragmentation and lack of uniformity. Currently, the Supreme Court's issuance of new rules leads to revision of local rules. Although local rules have to be deposited with the Administrative Office of the Pennsylvania Courts and published in the *Pennsylvania Bulletin* in order to be considered official, there is no systematic review of rules by the Supreme Court. According to Pa. R. Crim. P. 1(c), the Criminal Procedural Rules Committee can review local criminal

11. Pennsylvania Rules of Court: State 1195 (2008 ed., 2008). The Code is only two pages.

rules. If a local rule is found to be inconsistent, the committee generally first tries to modify it before recommending the Supreme Court abrogate a local rule.

Local county court rules are promulgated by the court of common pleas of each county. They may be published in the local bar journals, reports, and newspapers. By Rule 103 of the Supreme Court Rules of Judicial Administration, all local courts have to file their rules with the Administrative Office of the Pennsylvania Courts (AOPC), but there is no systematic review of those rules, either by the AOPC or by various advisor committees of the Supreme Court, except from the Criminal Procedural Rules Committee.

ALM, Inc. annually publishes county court rules books for Allegheny, Berks, Bucks, Chester, Cumberland, Dauphin, Delaware, Lackawanna, Lancaster, Luzerne, Montgomery, Philadelphia, and Westmoreland counties. In addition, it publishes a single volume for all counties possessing Orphans' court rules (*Pennsylvania Orphans' Court Rules*, 2006-). Thomson/West publishes annually *Pennsylvania Rules of Court: Local* for the Eastern, Middle, and Western Regions of the state. The Allegheny County Law Library also publishes an *Allegheny County Local Rules of Court*. Many counties may keep up their own rules, but may not be available for purchase. The rules are also available online (see §8.8.1).

§8.4 Court of Judicial Discipline Rules of Procedure

A judicial officer who has been convicted of a felony under Article V, §17 of the Pennsylvania Constitution may be tried by the Court of Judicial Discipline under Article V, §18(b)(5) of the Pennsylvania Constitution.¹² The Judicial Board of Discipline can introduce the complaint before the court. The court has specific rules for trial procedure of a judicial officer including the initiation of formal charges, pre-trial proceedings, and trial proceedings. The court also handles mental or physical disability cases of a judicial officer (Article III, ch. 6) and other relief as sought by the judicial officer. Interestingly, rules governing the conduct of the members of the court are also published.¹³

12. Court of Judicial Discipline Rules of Procedure.

13. Rules Governing the Conduct of the Court of Judicial Discipline.

§8.5 Other Supreme Court Rules

Under Article V, §10(a) of the Constitution of 1968, the Supreme Court has administrative control over a unified court system. In order to carry out administrative policies, the court has created rules to assist the various courts in carrying out the business of the court. Rules have been adopted to regulate the practice of both the bench and bar of the state, and to implement judicial actions if a judge or lawyer is found to be ineffectual, lack integrity, or perform actual wrongdoing in his or her position.

§8.5.1 Rules of Judicial Administration

The Supreme Court adopted Rules of Judicial Administration on March 15, 1972, and these have been updated over the years. The rules deal with the adoption and publication of court rules, the role of the Judicial Council, the Administrative Office of the Pennsylvania Courts and its court administrator, the assignment and transfer of judges and their supervision, and the role of judges as witnesses. It also includes the handling of business in common pleas' courts, and rules governing the taking and publication of court transcripts.

The rules can be found in Title 204 of the *Pennsylvania Code*.

§8.5.2 Code of Judicial Conduct

The Supreme Court adopted a code of judicial conduct, effective January 1, 1974. There are seven canons that make up the code. It is available in both copies of the state court rules, and title 207 chapter 33 of the *Pennsylvania Code*.

§8.5.3 Judicial Conduct Board

The Judicial Conduct Board, established in 1993, receives and investigates complaints concerning judicial conduct "filed by individuals or initiated by the Board, including allegations that a Judicial Officer has violated the Rules of Professional Conduct."¹⁴ The Board itself has its own rules governing its actions and personnel.¹⁵ If a complaint is filed, the chief counsel conducts a preliminary investigation to determine if the

14. Judicial Conduct Board Rules of Procedure, Rule 3,. The rules can be found in title 207 *Pa. Code* chs. 101-121.

15. Judicial Conduct Board Member's Conduct Rules (1995) in *Id.*

suit should be dismissed, “proceed with a full investigation, or defer action during the pendency of a criminal matter.”¹⁶ The Board can dismiss the complaint, request the counsel to conduct additional inquiries or proceed to a full investigation, defer action during the pendency of a criminal matter, or refer the matter to another agency.¹⁷

§8.5.4 Rules of Professional Conduct

Unlike judicial canons of conduct, the development of professional responsibility for attorneys has a long and distinguished history in Pennsylvania. As early as the 1820s, leading members of the Philadelphia bar published their addresses on the practice of law and the responsibility of attorneys to their clients.¹⁸ George Sharswood, Chief Justice of the Supreme Court of Pennsylvania, published the first American textbook entitled *Legal Ethics* in 1854.¹⁹ The work was reprinted on several occasions and served as the primary source for the creation of the American Bar Association's Canons of Ethics in 1908.²⁰

After the American Bar Association prepared the Code of Professional Responsibility in 1967, the Supreme Court approved it in 1970.²¹ The ABA Model Rules of Conduct passed in 1983 and were updated in the late 1980s. In Pennsylvania, the Supreme Court adopted the Model Rules on October 16, 1987, effective April 1, 1988.²²

16. *Id.*, Rule 5.

17. *Id.*, Rule 28.

18. Michael Hoeflich, *Legal Ethics in the Nineteenth Century: “The Other Tradition,”* 47 U. Kansas Law Rev. 793 (1999).

19. Sharswood also served as provost of the Law Academy of Philadelphia; as Dean of the University of Pennsylvania Law School; and also as first justice and later chief justice of the Supreme Court of Pennsylvania. Michael H. Hoeflich. “Sharswood, George”; American National Biography Online, Feb. 2000. <http://www.anb.org/articles/11/11-00774.html>.

20. See Russell G. Pearce, “Rediscovering the Republican Origins of the Legal Ethics Codes,” 6 *Georgetown J. of Legal Ethics* 241-(1992); the volume was reprinted as a supplementary volume 32 of the *ABA Reports* in 1907 in preparation for the 1908 annual meeting.

21. 438 Pa. xxv (1970) Supreme Court Rules Docket No. 1.

22. 515 Pa. lxix-clv.

The rules are available in Title 42 of *Purdon's Statutes* Rules Books and 204 *Pa. Code* ch. 81.

§8.5.5 Pennsylvania Rules of Disciplinary Enforcement

The Supreme Court adopted the Pennsylvania Rules of Disciplinary Enforcement to enforce legal ethics for the attorneys of the Commonwealth. The Pennsylvania Supreme Court currently assigns disciplinary action of the state bar through its Judicial and Disciplinary Board that was first created in 1972. The address of the Board is 100 Pine Street, P. O. Box 806, Harrisburg, PA 17108. Four district offices are located in Philadelphia, Norristown, Lemoyne, and Pittsburgh.

The Board is divided into four districts covering the following areas:

District 1: Philadelphia.

District 2: Berks, Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Northampton, and Schuylkill.

District 3: Adams, Bradford, Cameron, Carbon, Centre, Clinton, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lackawanna, Lebanon, Luzerne, Lycoming, Mifflin, Monroe, Montour, Northumberland, Perry, Pike, Potter, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York.

District 4: Allegheny, Armstrong, Beaver, Bedford, Butler, Blair, Cambria, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, McKean, Mercer, Somerset, Venango, Warren, Washington, and Westmoreland.

The chief office of disciplinary counsel is in Pittsburgh, Pennsylvania.²³ Complaints about lawyers can be initiated with the Board and investigated. Several actions can be filed against individuals ranging from oral warnings, written warnings, suspension of license to practice for certain periods, up to and including full disbarment.

The rules are available in 204 *Pa. Code* ch. 83.

23. The phone number for the Board is (412) 563-3173; fax number (412) 565-7620.

§8.6 Federal Rules

On the federal level, the United States Supreme Court, the Circuit Courts, District Courts, and bankruptcy courts all publish court rules. Like the state rules, rules concerning business of the courts or internal operating procedures are published for the circuit and district courts.

Federal procedural rules include rules for civil procedure, criminal procedure, appellate procedure, evidence, and bankruptcy rules.

§8.6.1 Internal Operating Rules

Pennsylvania Rules of Court: Federal (West®) contains the Internal Operating Rules for the Third Circuit Court of Appeals, the District Courts, and Bankruptcy Courts.

§8.6.2 Unannotated Sources

The *Pennsylvania Rules of Court: Federal* (West®) contains the rules of the United States Court of Appeals for the Third Circuit, the District Courts in Philadelphia, Harrisburg, and Pittsburgh, and Bankruptcy Courts' rules for the Eastern, Middle and Western Districts. It is published along with the state edition on a semi-annual basis.

The Circuit Court rules are also published in the *Digest of United Supreme Court Decisions, Lawyers' Edition*, v.19, and *Federal Procedure, Lawyers' Edition*, as an annual pamphlet.

District court rules are also published in *Federal Local Court Rules* (West®), which contains local rules for each state. Although comprehensive, they are updated irregularly and not always as current as they could be.

§8.6.3 Annotated Sources

The United States Supreme Court rules can be found in various publications. *United States Law Week* (BNA) publishes the rules. Title 28 of the *United States Code Annotated* has a single volume work containing rules for the Supreme Court as well as the United States Court for International Trade. Two pamphlets contain the rules for the United States Circuit Courts of Appeals, while the Federal Rules of Evidence are in two bound volumes. Bankruptcy rules are contained in two volumes following title 11. The *United States Code Service* contains the rules of the Supreme Court, Circuit Courts, and Bank-

ruptcy Courts in the unnumbered Court Rules volumes at the end of the set. In addition the *United States Code Service* has multi-volumes for the rules of civil procedure, criminal procedure, evidence, and bankruptcy. District Court rules are not published in either of the two annotated sets. Finally, the *United States Supreme Court Digest, Lawyers Edition* contains the court rules in volumes 17 to 22.

§8.6.4 Research Methods for State and Federal Rules

There are both unannotated and annotated sources for the state court rules, but local rules are published in an unannotated version with some commentary by the rules committee that drew up the rules.

§8.6.4.1 Unannotated Sources

There are currently two competing titles for the state rules: *Commonwealth of Pennsylvania Court Rules* (ALM, Inc.) and *Pennsylvania Rules of Court: State* (West®). The former is updated annually, and the latter is updated semi-annually in January and July. Notes may follow each rule providing information on past amendments and revisions. All rules discussed above can be found in both of these books and may also contain comments by the committee that drew up the rules. The comments have no force of law, however, and are intended simply as an aid to the practitioner in understanding the rules.

The *Pennsylvania Code* publishes the rules under Title 201 (rules of Judicial Administration), Title 210 (Rules of Appellate Procedure), Title 231 (Rules of Civil Procedure), Title 234 (Rules of Criminal Procedure), Title 239 (Rules of Evidence), and Title 246 (Minor Courts Civil Rules). As the new rules are updated in the *Pennsylvania Bulletin* they are eventually accumulated in the *Pennsylvania Code*.

Included in the federal volume are the rules for the United States Circuit Court of Appeals, United States District Court Rules for Pennsylvania (Eastern, Middle and Western Districts), and Bankruptcy Courts. The state volume contains Pennsylvania Supreme Court Rules, Superior Court Rules, Commonwealth Court Rules, Rules of Civil Procedure, Rules of Criminal Procedure, Rules of Judicial Administration, Rules

of Appellate Procedure, District Magistrate Rules, and the Code of Professional Responsibility.

Two other publishers, Rules Service Company of Bethesda, Maryland and Gould Publishing Company of Bingham, New York, publish unannotated loose leaf versions of the Rules of Civil Procedure. Rules Service Company publishes all four sets of rules either as individual publications or in one cumulative publication.

§8.6.4.2 Annotated Sources

Title 42 of *Purdon's Pennsylvania Statutes Annotated/Purdon's Pennsylvania Consolidated Statutes Annotated*TM (42 Pa.C.S.A.) contain the various state court rules. The rules volumes contain the Rules of Civil Procedure, Criminal Procedure, Appellate Procedure, Evidence, Magisterial District Judges, Juvenile Court Procedures, Internal Operation Procedures of the three appellate courts, Judicial Administration, Code of Professional Conduct, Disciplinary Enforcement, Code of Judicial Conduct, Code of Judicial Discipline, Judicial Conduct Board, Bar Admission, and Continuing Legal Education. All rules have cross-references to the West[®] digest system, *Corpus Juris Secundum*[®], and periodical articles followed by digests of court cases. The volumes are updated with annual pocket parts like the rest of the *Purdon's Statutes*TM.

§8.6.4.3 Updating the Court Rules

During the year, court rules can be updated by each of the courts. The publication of court rules, both state and local, have to be first published in the *Pennsylvania Bulletin* in order to become official rules. The table of contents has a listing under "Courts" where the state and local rules are indexed. The state rules are also published in *Purdon's*TM *Pennsylvania Legislative Service* pamphlets as new rules are promulgated.

§8.7 Sources

Like the previous areas of primary sources, there are multiple sources for research of federal and state court rules.

§8.7.1 Cases

There is no single set of cases on the state level dealing with specific rules of procedure. A single title collecting cases

on discovery and evidence is published by LRP: *Pennsylvania Discovery & Evidence Reporter* (1994-). On the county level, the Allegheny County Law Library publishes *Allegheny County Discovery Opinions* by Judge R. Stanton Wettick, Jr.,²⁴ while Philadelphia at one time published the *Philadelphia Interlocutory Court Opinions*.

Federal cases dealing with the rules of civil and criminal procedure are first found in *West's Federal Rules Decisions*[®], while *West's Bankruptcy Reporter*[®] covers bankruptcy substantive and procedural law. As a part of the West[®] reporter system, the cases are published first in advance sheets and then bound volumes. Bankruptcy slip opinions are also published in *Bankruptcy Court Decisions* (BCD) and in *Collier's Bankruptcy Cases* 1st and 2nd series (Lexis[®]). *Federal Rules Service* (West[®]) publishes cases according to the civil procedure rule.

Cases dealing with the Federal Rules of Evidence are published in *Federal Rules of Evidence Cases* (West[®]). This set, along with *Federal Rules Service*, were originally published by Callaghan Clark Boardman, and they do not contain West[®] key numbers but have their own digest volumes.

§8.7.2 Digests

The West[®] Digest System may provide cases involving the rules in the substantive and procedural sections. *West's Pennsylvania Digest 2d* covers both state and federal rules, while *West's Federal Practice Digest 4th series* covers just the federal rules.

For bankruptcy law, West[®] publishes *Bankruptcy Digest*. For evidence, the *Federal Rules of Evidence Digest* arranges the cases published in *Federal Rules of Evidence Cases* by rule number. *Federal Rules Service* publishes a similar digest organized by the rules of civil procedure for its collection of federal civil procedure cases.

§8.7.3 Citators

State court rules can be cited in *Shepard's*[®] *Pennsylvania Citations, Statute Edition*, volume 2 (2004 and supplements). The rules include Rules of Civil Procedure, Rules of Criminal

24. Judge Wettick has been the sole judge handling discovery cases since 1978. The Law Library has published six volumes of this title covering cases from 1978 to 2004.

Procedure, Rules of Evidence, Rules of Appellate Procedure, Supreme Court Orphans' Court Rules, Rules of Conduct, Office Standards and Civil Procedure for District Judges, Rules of Judicial Administration, Code of Judicial Conduct, Judicial Conduct Board Rules of Procedure, Court of Judicial Discipline Rules of Procedure, Rules Governing Appeals from the Court of Judicial Discipline, Bar Admission Rules, Rules for Continuing Legal Education, Rules of Professional Conduct, Rules of Disciplinary Enforcement, Code of Professional Responsibility, and Philadelphia County Court Rules. Under each rule, amendments are provided similar to statutory changes, followed by a court case citing the state appellate and local courts as well as federal court citations, selected periodical articles and *ALR* annotations.

Shepard's® Federal Rules Citations covers Federal Rules of Civil Procedure, Appellate Procedure, Criminal Procedure and Evidence plus rules of the federal courts such as the United States Supreme Court, Circuit Courts, Court of International Trade, etc.

Shepard's® Bankruptcy Citations covers general orders in bankruptcy, the 1898 rules as amended, the 1973 and 1983 rules of bankruptcy procedure, and rules of the United States District Courts which include local bankruptcy rules.

Shepard's® Professional and Judicial Conduct Citations covers Rules of Professional Responsibility, Model Rules of Conduct and Canons of Judicial Conduct for the ABA and each individual state's rules for professional and judicial conduct.

§8.7.4 Encyclopedias

Standard Pennsylvania Practice 2d contains topics on civil procedure in various volumes, and specific volumes on criminal procedure. *Pennsylvania Law Encyclopedia* 1st and 2nd series contain procedural law along with substantive law topics.

Both *Am Jur 2d®* and *Corpus Juris Secundum®* have coverage of the various court rules as well.

§8.7.5 Treatises

Commercial publishers publish treatises that cover the various sets of rules. *Goodrich-Amram 2d Procedural Rules Service With Forms* (West®) is the standard source for civil procedure. An older set, last updated in 1991, Ronald Anderson's

Anderson Pennsylvania Civil Practice (West®) may still be useful for more historical research. Both sets are arranged by rule number. Under each rule are extensive commentaries that include references to judicial decisions. Forms are included in both sets. *Goodrich-Amram* is updated by annual pocket parts and revised volumes.

Pennsylvania appellate procedure is well covered in G. Ronald Darlington, et al., *Pennsylvania Appellate Practice* (West® 2008-) (West's® Practice Series Vols. 20-20B).

Pennsylvania criminal procedure is well covered in Carol Temin et al., *Pennsylvania Benchbook for Criminal Proceedings* (Bender 1999-) and Richard Wasserbly and Betsy Moore, *Pennsylvania Criminal Law and Procedure* (West 2005-).

In Pennsylvania, the recent revision of the Rules of Evidence to correspond to the Federal rules in 1998 has led to several new publications: Packer's and Poulin's *Pennsylvania Evidence* (3d ed., 2007), *Ohlbaum on Pennsylvania Evidence*, and *Wasserman's Rules of Evidence Manual*, all can be found in the treatise section. The Pennsylvania Bar Institute also holds annual seminars on federal and state procedure that are published.

For the United Supreme Court, Robert Stern & Eugene Gressman's, *Supreme Court Practice* (9th ed., BNA 2007) provides the most comprehensive analysis of the Supreme Court rules. For the Third Circuit, Ralph Cindrich's *Appeals to the Third Circuit* (West®) is the most recent volume.

For procedural rules coverage, there is a large number of sources. Three large multi-volume sets cover the procedural rules. *Wright and Miller on Federal Practice* (West®), *Moore's Federal Practice* (Lexis®), and *Federal Procedure, Lawyer's Edition* (West®) deal with all types of procedure. The first two sets are arranged by type of rule and rule number, while *Federal Procedure* is arranged by topic.

For criminal procedure, there is *Orfield's Federal Rules of Criminal Procedure* (West®).

There are additional works just on the Federal Rules of Evidence. The two major multivolume evidence sets are *Wigmore on Evidence* (now being published in a new edition called the *New Wigmore on Evidence*) and *Weinstein's Evidence: Commentary on Rules of Evidence for the United States Courts and Mag-*

istrates, 8 volumes, (Lexis®). Smaller sets include: Stephen A. Saltzburg, Michael M. Martin, and Daniel J. Capra's, *Federal Rules of Evidence Manual* (9th ed., Lexis®), Clifford S. Fishman's, *Jones on Evidence, Civil and Criminal* (7th ed., West®), Michael H. Graham's, *Handbook of Federal Evidence* (6th ed. West®), and Christopher B. Mueller and Laird C. Kirkpatrick's, *Federal Evidence* (3d ed. West®).

West® also publishes titles in its Nutshell series on civil procedure, criminal procedure, and evidence.

§8.7.6 Forms

Forms for state rules can be found in *Commonwealth of Pennsylvania Court Rules* (ALM, Inc.) and *Pennsylvania Rules of Court: State* (West®). *Dunlap-Hanna Pennsylvania Forms* (M.Bender) provides forms for all of the state rules. *Goodrich-Amram Procedural Rules With Forms* incorporates forms along with discussion of each rule. Judge R. Stanton Wettick's *Pennsylvania Forms for the Rules of Civil Procedure* (3d ed. Harrison) provides forms by rule number. *Pennsylvania Criminal Procedure* by David Rudovsky and Leonard Sosnov (West® 2001-) covers forms for criminal procedure.

Pennsylvania Appellate Practice by G. Ronald Darlington, et al. (West® 2008-, contains appellate practice forms.

Forms for federal rules can be found in various publications. West® is currently publishing *West's Federal Forms* for each of the following courts: the Supreme Court, Courts of Appeals, District Courts, and Bankruptcy Courts. *Bender's Federal Forms* (Lexis®) is arranged by type of rule and rule number, but is a distinct set from *Moore's Federal Practice* although many practitioners believe they are related. *Federal Procedural Forms, Lawyers Edition* (West®) is arranged by subject rather than by court or rule number. The two West® publications are updated by annual pocket parts, while the Lexis® publication is a loose leaf service.

§8.8 Online Sources

§8.8.1 Official Web Sites

The Pennsylvania Rules of Court and related procedures and judicial administration can be found in Titles 201 to 246 of the *Pennsylvania Code*:

Title 201 Rules of Judicial Administration

Title 204 Judicial System Generally

Title 207 Judicial Conduct

Title 210 Appellate Procedure

Title 225 Rules of Evidence

Title 231 Rules of Civil Procedure

Title 234 Rules of Criminal Procedure

Title 237 Juvenile Rules

Title 246 Minor Court Civil Rules

However, there are various rules committees that do have official web sites that allow readers to find important proposed amendments. Also, many of the local federal courts provide official sites that include rules for the federal district courts and bankruptcy courts. These sites are discussed below.

Rules Committees:

The various Supreme Court procedural rules committees are listed under the Supreme Court section of the Administrative Office of the Pennsylvania Courts web site, at www.aop.org. Each committee has its own web site, listed below:

Appellate Court Procedural Rules Committee

<http://www.aopc.org/Index/SupCtCmtes/acprc.asp>

Civil Procedural Rules Committee

<http://www.aopc.org/Index/SupCtCmtes/cvprc.asp>

Committee on Evidence

<http://www.aopc.org/Index/SupCtCmtes/evidence.asp>

Criminal Procedural Rules Committee

<http://www.aopc.org/Index/SupCtCmtes/crprc.asp>

Domestic Relations Procedural Rules Committee

<http://www.aopc.org/Index/SupCtCmtes/drc.asp>

Juvenile Court Procedural Rules

<http://www.aopc.org/Index/SupCtCmtes/juvct.asp>

Minor Court Rules Committee

<http://www.aopc.org/Index/SupCtCmtes/mcrc.asp>

Orphans' Court Procedural Rules Committee

<http://www.aopc.org/Index/SupCtCmtes/ocrc.asp>

Local Rules:

Local rules are first published in the *Pennsylvania Bulletin*. The Administrative Office of the Pennsylvania Courts (www.aopc.org) contains the county court rules under the Court of Common Pleas link on the web site, at <http://www.aopc.org/judicial-council/local-rules/index.asp>. Court rules are listed along with links to new local rules published in the *Pennsylvania Bulletin*.

Federal Rules:

The federal rules are available at the official court web site, at <http://www.uscourts.gov/rules/newrules4.html>.

The federal web site for the rules and procedures of United States Courts of Appeal for the Third Circuit is <http://www.ca3.uscourts.gov/Rules%20and%20Procedures.htm>, and contains the rules of Appellate Procedure and their amendments.

Internal operating procedures are likewise available at <http://www.ca3.uscourts.gov/Rules/IOP-Final.pdf>

Local Rules for the Eastern District provide local, civil, criminal, bankruptcy, and admiralty rules at <http://www.paed.uscourts.gov/us18000.asp>.

Local Rules for the Middle District provide local rules, at <http://www.pamd.uscourts.gov/l-rules.htm>.

Local Rules for the Western District include civil, criminal, bankruptcy, admiralty, and patent rules, at <http://www.pawd.uscourts.gov/Documents/Forms/lrmanual.pdf>

§8.8.2 Unofficial Sites

The rules are available from most of the comprehensive legal web sites, such as llrx.com, law.cornell.edu, and find-law.com, etc.

§8.8.3 Fee-Based Sites

Westlaw[®]

Westlaw[®] provides all Pennsylvania court and procedural rules under one database, "PA-RULES." All of the rules published in the bound volume *Pennsylvania Rules of Court: State* are listed.

Lexis-Nexis[®]

Similar to Westlaw[®], Lexis[®] provides access to all Pennsylvania rules in one file, "PARULE," within the library, STATES or PA.

Palawlibrary.com[™]

Palawlibrary.com, hosted at Jenkins Law Library, contains state and local rules from ALM, Inc. The site contains all county rules and all orphans' court rules.

CHAPTER 9

SECONDARY SOURCES FOR PENNSYLVANIA RESEARCH

Secondary sources have been cited throughout the previous chapters as works that help interpret and find primary source materials. This chapter brings together many of these titles and provides further elaboration of these resources. This chapter covers encyclopedias, treatises, legal periodicals and newspapers and directories.

§9.1 Encyclopedias

When starting to research a particular problem, a researcher may not know whether it will involve primarily cases, statutes, regulations or some combination of these. In this situation, a work that integrates all of these sources would be an excellent starting point. A legal encyclopedia is such a source.

§9.1.1 *Pennsylvania Law Encyclopedia 2d*

West® Publishing Company published this work from the 1960s to the late 1990s before it became a Lexis® Law Publishing Company publication. It is now being published in a second edition.

P.L.E.2d series continues the topical approach but it has eliminated many of the topics found in the first series. At the beginning of each title articles from Pennsylvania law reviews on the topic are listed. The articles, though, are not specifically on Pennsylvania law, e.g., *University of Pennsylvania Law Review* covers national topics. There is a general index and table of cases volumes at the end of the set.

§9.1.2 *Summary of Pennsylvania Jurisprudence 2d*

Summary of Pennsylvania Jurisprudence 2d (West® Pub. Co., 1991-) deals with the substantive law of Pennsylvania, broken down into the following 11 categories: torts; criminal law; property; probate, estates and trusts; business relationships; insurance; family; commercial law; municipal law; environmental law; and taxation.

Summary contains an introductory section of legal principles similar to *P.L.E.* A summary of what is included and what is excluded in each topic is followed by a detailed breakdown by topic. Typically, the researcher cites to the main topic and section number rather than the title of the section. Each chapter has the familiar Total-Client Library Service box that ties the researcher into the major publications like *Standard Pennsylvania Practice 2d*, *A.L.R. 2d-6th Series* and *Federal 1st and 2nd*, and *Goodrich-Amram Procedural Rules With Forms*. A subject index is at the end of each topic volume. Cases and acts can also be “*Shepardized*®” in order to bring them up to date.

§9.1.3 *Standard Pennsylvania Practice 2d*

Standard Pennsylvania Practice 2d (West® Pub. Co., 1981-) is an encyclopedia on procedural law in Pennsylvania. There are 156 chapters covered in 42 volumes of text. The 156 chapters are arranged by topic rather than alphabetically. Pretrial, trial and post-trial procedures are covered substantially throughout the text. Besides procedural law there are specific volumes on Orphans' Court procedure (vols. 29-35), state administrative law (vols. 36-38), and workers' compensation (vols. 39-40). The administrative agencies include: Board of Probation and Parole, Civil Service Commission, Environmental Hearing Board, Human Relations Commission, Labor Relations Board, Liquor Control Board, Public Utilities Commission, Unemployment Compensation Board of Review, and Zoning Hearing Boards. There are three paperbound volumes of subject indexes and one volume for tables. Like *Summary*, its value is also that it cross-references other Total-Client Library publications like *American Jurisprudence 2d*®, *Am Jur Legal Forms 2d*, *A.L.R.*, and *Goodrich-Amram Pennsylvania Procedural Rules With Forms*.

§9.1.4 *Laub's Pennsylvania Keystone*

Burton Laub's *Pennsylvania Keystone* is a Bisel publication of eight binders that provides the attorney with a capsulated summary of the law in over 100 different topics dealing with substantive and procedural law. The work continues to provide the researcher with “quick” reference tools. Many different topics are included, some of which are useful to attorneys including those they might not expect to find in such a work, *e.g.*, a 100-page pamphlet on Accounts and Accounting.

Besides the state encyclopedias, there are two general law encyclopedias, *Corpus Juris Secundum*[®] (West[®] Publishing Company) and *American Jurisprudence 2d*[®] (Lawyers Cooperative Publishing Company). Both are over 100 volumes and kept up to date with annual pocket parts, supplementary pamphlets and revised volumes. Both have multi-volume indexes and cover most legal topics alphabetically.

§9.2 Pennsylvania Practice Books, Treatises & Other Publications

The following list is a current bibliography of single and multi-volume treatises available for Pennsylvania legal research. For pre-1990 publications, see Joel Fishman, *Bibliography of Pennsylvania Law: Secondary Sources* (1992).

APPELLATE PROCEDURE

Darlington, G. Ronald et al. *Pennsylvania Appellate Practice*. 2007 ed. 3 v. West, 2007-. Paperback volumes. Annual. West's Pennsylvania Practice Series, Vols. 20, 20A, 20B

ARBITRATION

Creo, Robert A. *Alternative Dispute Resolution: Law Procedure and Commentary for the Pennsylvania Practitioner*. 2 v. Bisel, 2006-, suppl. (Looseleaf).

Rubens, Raymond D. *Pennsylvania Arbitration Guide: Common Pleas, Labor, Commercial, Public Employees, etc.* 1 v. Bisel, 1974-, suppl. pamphlet.

Zanan, Arthur S. *Bisel's Pennsylvania Compulsory Arbitration Lawsource: The Collected Federal, State, and County Compulsory Arbitration Statutes and Court Rules*. Eastern District Ed. 2d ed. 1 v. Bisel, 1997.

AUTOMOBILES

Gould Publications. *Vehicle Laws of Pennsylvania: Title 75 of the Pennsylvania Consolidated Statutes*. 1 v. Gould, 1983-, suppl.

Larrimore, Dale G. *Pennsylvania Rules of the Road*. 2006-2007 ed. Thomson/West 2006. West's Pennsylvania Practice Series, Vol. 13.

Motor License Procedure Co. *Manual On Automobile Titles And Licenses*. 14th ed. 1 v. Motor License Procedure Co., 1988.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Operation Lawsource: The Collected Motor Vehicle Statutes, Regulations, and Cases Regarding the Operation of Motor Vehicles on Pennsylvania Highways*. Fifth ed., 2007. 1 v. Bisel, 2007. Annual.

Zanan, Arthur S. *Pennsylvania Vehicle Code Annotated: Law and Commentary*. 5th ed. 1 v. Bisel, 2003- , suppl.

BANKRUPTCY LAW

Zanan, Arthur. *Bisel's Pennsylvania Bankruptcy Lawsource: The Collected Bankruptcy Statutes, Federal Rules, Official Forms and PA Local Bankruptcy Rules and Forms*. Fourth edition, 2006 ed. 1 v. Bisel, 2006. Annual.

CEMETERY LAW

Parker, James L., Comp. *Pennsylvania Cemetery Law With Selected Federal Statutes*. 1 v. Cemetery Assn. of Pennsylvania, 1976-, suppl.

CIVIL PROCEDURE

Catina, Janet K., ed. *A Practical Guide to Depositions in Pennsylvania*. PBI Pr., 2001.

Cooper, Thomas L. *Pennsylvania Civil Trials: Law, Tactics and Forms*. 2d ed. 1 v. PATLA, 2003.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. 2007 revision; Issue 30. Bisel, 2007.

Feldman, Stephen. *Pennsylvania Trial Guide: Civil*. 3 v. Bisel, 1987- , suppl. (Looseleaf).

Gibbons, Charles B. *Pennsylvania Discovery Practice*. 1 v. West, 1996- , suppl. (pkt. pts.). West's Pennsylvania Practice Series, Vol. 5.

Goodrich, Herbert Funk. *Goodrich-Amram 2d Procedural Rules Service: With Forms; Standard Pennsylvania Practice*. 12 v. West, 1976-, suppl. (pkt. pts.).

Hess, Kevin A., Seth A. Mendelsohn and Dale F. Shughart, Jr. *Pennsylvania Civil Practice*. 4th ed. 1 v. Lexis, 2003- , suppl. (pkt. pts.).

Iannelli, Emil L. and Lynne P. Iannelli. *Trial Handbook for Pennsylvania Lawyers*. 3d ed. 1 v. West, 2003-, suppl. (pkt. pts.). West's Pennsylvania Practice Series, Vol. 11.

Kempner, Lawrence P. and Arthur S. Zanan. *Bisel's Pennsylvania Discovery Lawsource*. Bisel, 2008-.

Meyer, Milford Joseph. *Pennsylvania Trial Advocacy Handbook, For Use in the State and Federal Civil Courts*. 1 v. Bisel, 1976-, suppl. (pkt. pts.)

Nordenberg, Mark A., W. Edward Sell and Robert L. Byer. *Modern Pennsylvania Civil Practice*. 2 v. Bisel, 1985. suppl. (Looseleaf).

Pennsylvania Discovery and Evidence Reporter. LRP, 1994- . 12 vols. (Looseleaf).

Stefanoni, Lisa. *Pennsylvania Civil Practice Handbook: State and Federal Courts*. 2007 ed. Bisel, 2007.

CONSTITUTIONAL LAW

Branning, Rosalind L. *Pennsylvania Constitutional Development*. U. Of Pittsburgh Pr., 1960.

Gormley, Ken, Principal Ed.; Jeffrey Bauman, Joel Fishman, and Leslie Kolzer, Associate Editors. *The Pennsylvania Constitution: A Treatise on Rights and Liberties*. Bisel, 2004- . suppl. (pocket parts).

Woodside, Robert. *Pennsylvania Constitutional Law*. Dickinson Law School, 1985.

CONSUMER LAW

Carter, Carolyn L., Ed. *Pennsylvania Consumer Law*. 1 v. Bisel, 1997-, suppl. (Looseleaf).

CORPORATION LAW

Buying & Selling a Business. 5th ed. PBI Pr., 2001.

Clark, William H., Jr. and W. Edward Sell. *Bisel's Pennsylvania Business Associations Lawsource: Relevant Sections of Titles 15 and 54, Current Committee Comments, and Draftsmen's Comments for the 1990 Anti-Takeover Provisions*. 1 v. Bisel, 2001.

Clark, William H., Jr. and W. Edward Sell. *Bisel's Pennsylvania Nonprofit Corporations and Charities Lawsource: Relevant*

Sections of Titles 15, 20, and 54 on Nonprofit Corporations, and Full Text of Laws Regarding Charities. 1 v. Bisel, 2001.

Grobman, Gary A. *The Pennsylvania Non-Profit Handbook.* 7th ed. White Hat Communications, 2005.

Nemeth, Charles P. *Pennsylvania Corporate Practice for the Paralegal.* 1 v. Bisel, 1994. (Looseleaf).

Pennsylvania Business Corporation Practice: A Lawyer's Manual, With Forms. 4th ed. 1 v. PBI, 2007-. (Looseleaf).

Sell, William Edward and William H. Clark, Jr. *Pennsylvania Business Corporations: Law, Practice, Forms.* 2d ed. rev. 3 v. Bisel, 1991-, suppl. (Looseleaf).

CRIMINAL LAW & PROCEDURE

Antkowiak, Bruce A., ed. *Pennsylvania Criminal Procedure: Elements, Analysis, and Application.* 1 v. PBI Pr., 2006-. Suppls. (Looseleaf).

Burkoff, John M. *Criminal Offenses And Defenses In Pennsylvania.* 5th ed. 1 v. Thomson/West Co., 2005-, suppl. (pkt. pts.). West's Pennsylvania Practice Series, Vol. 14.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences.* 2007 revision; Issue 30. Bisel, 2007.

Evangelista, Robert. *Pennsylvania Trial Manual: Criminal.* 3d ed. 2 v. Bisel, 1995-, suppl. (Looseleaf).

Gould Publications. *Crimes Code of Pennsylvania: With Criminal Procedural Rules and Controlled Substances Act.* 1 v. Gould, 1981-, suppl. (Looseleaf).

Gould Publications. *Criminal Law Digest of Pennsylvania.* 1 v. Gould, 1980-, suppl. (Looseleaf).

Holtz, Larry E. *Pennsylvania Law Enforcement Handbook: Contemporary Criminal Procedure.* 2007 ed. LexisNexis/Gould Publications, 2007.

Lowe, Richard S. *A Summary of Pennsylvania Law on Search and Seizure.* 1 v. Montgomery Forum, 1984-, suppl. (Looseleaf).

Macintyre, Marion E. *Bisel's Pennsylvania Criminal Law-source: The Collected Pennsylvania Criminal Statutes and Rules.* 1 v. Bisel, 1999.

Macintyre, Marion E. and Robert L. Evangelista. *Pennsylvania Crimes Code and Criminal Law: Law and Commentary*. 2d ed. 1 v. Bisel, 2004-, suppl. (Looseleaf).

Paton, William D. *Criminal Trial Manual—Pennsylvania*. 2 v. Rules Service Co., 1974-, suppl. (Looseleaf).

Place, Thomas M. *The Post Conviction Relief Act Practice and Procedure*. 2006 ed. PBI Pr., 2006. 1 v. (Looseleaf).

Rudovsky, David. *The Law of Arrest, Search and Seizure in Pennsylvania*. 4th ed. PBI Pr., 2006.

Rudovsky, David. *Pennsylvania Criminal Procedure: Law Commentary and Forms*. West, 2001-, suppl. (pkt. pts.). West's Pennsylvania Practice Series, Vol. 2.

Savitt, David N. and Brian P. Gottlieb. *Pennsylvania Grand Jury Practice*. 1 v. Banks-Baldwin, 1983.

Temin, Carolyn Engel, Edward B. Ohlbaum and Mitchell Scott Strutin. *Pennsylvania Benchbook for Criminal Proceedings*. 3d ed. 3 v. M. Bender, 1999-, suppl. (Looseleaf).

Toll, Sheldon S. *Toll's Pennsylvania Crimes Code Annotated 2d*. 1 v. West, 2007. annual.

Wasserbly, Richard S. and Betsy Moore. *Pennsylvania Criminal Practice*. 4 v. West, 2005-, suppl. (pocket parts). West's Pennsylvania Practice Series, Vols. 16, 16A, 16B, 16C.

West's Pennsylvania Criminal Justice. 1 v. 2007 ed. West, 2007. Annual.

Wile, Timothy P. *Law of Probation and Parole*. 2d ed. 1 v. West, 2003-, suppl. (pkt. pts.). West's Pennsylvania Practice Series, Vol. 12.

DAMAGES

Feldman, Stephen D. *Pennsylvania Trial Guide: Damages, Death Actions, Consortium*. 3rd rev. ed. 1 v. Bisel, 1998-, suppl. (looseleaf).

Rich, Tracy R., Arthur S. Zanan, and Lisa A. Ruff. *Pennsylvania Damages: Personal Injuries Verdicts and Settlements*. 2007 ed. 1 v. Bisel, 2007.

DRUNK DRIVING

Paton, William D. *Pennsylvania DUI Manual: An In Depth Guide to the Complexities of DUI Law*. 1 v. Hanford, 1998- . Annual.

Vogrin, Joseph E., III. *Pennsylvania Driving Under the Influence: Law and Practice With Forms*. 2 v. Bisel, 1998- . suppl. (Looseleaf).

Wile, Timothy P. and Marc A. Werllinsky. *Pennsylvania Driving Under the Influence*. 1 v. West, 2007-2008 ed. West's Pennsylvania Practice Series, Vol. 10.

EDUCATIONAL LAW

Levin, Michael I. *2006-2007 Pennsylvania School Laws and Rules Annotated*. 2 v. West, 2006.

Levin, Michael I. *2005-2006 Pennsylvania School Personnel Actions*. 1 v. West, 2006.

Pennsylvania School Boards Assn. Act 195: A Complete Guide to Pennsylvania Public Employee Relations Act of 1970. [1986 ed.] 1 v. PSBA, 1986.

ELDER LAW

Marshall, Jeffrey A. *Elder Law in Pennsylvania*. 2 v. PBI Pr., 2005- , suppl. (Looseleaf).

ELECTION LAW

Fowkes, George E., ed. *Johnston Election Guide*. Pittsburgh: William Penn Printing Co., 1989-, suppl.

EMINENT DOMAIN—See REAL PROPERTY.

ENVIRONMENTAL LAW

Bossert, Terry R. and Joel R. Burcat, Eds. *Pennsylvania Environmental Law and Practice*. 4th ed. 2 v. PBI Pr., 2006-. suppl. (Looseleaf).

Mattioni, John, ed. *Pennsylvania Environmental Law Handbook*. 6th ed. Government Institutes, 2004.

EQUITY

Troutman, Glenn A. *Pennsylvania Equity Index-Digest*. 3 v. Bisel, 1956- , suppl. (Looseleaf).

Zanan, Arthur S. *Pennsylvania Equity* 2003. 1 v. Bisel, 2003-, annual.

ESTATE PLANNING

Drafting Fundamental Estate Planning Documents. 9th ed. 1 v. PBI, 2005. (Looseleaf).

Kline, Terrance A. and Daniel R. Ross, eds. *Estate Planning in Pennsylvania*. Rev. Ed. 2 v. PBI Pr., 2007- .

EVIDENCE

Binder, David F. *Binder on Pennsylvania Evidence*. 4th ed. 1 v. PBI, 2006- , suppl. (Looseleaf).

Fisanick, Christian A. *Admissibility of Evidence: A Manual for Pennsylvania Trial Lawyers*. 3d ed. 1 v. Thomson/West, 2007-, suppl. (pkt. pts.). West's Pennsylvania Practice Series, Vol. 1A.

Fisanick, Christian A. *Pennsylvania Evidence*. 2d ed. 1 v. Harrison, 2007, suppl. (pkt. pts.).

Gibbons, Charles B. *Pennsylvania Rules of Evidence With Trial Objections*. 4th ed. West, 2006.

Jenkins, Arthur Lester, Jr. *Pennsylvania Trial Evidence Handbook: Comments on the Proposed Rules of Evidence*. 1 v. Bisel, 1974-, suppl. (Looseleaf).

Ohlbaum, David. *Ohlbaum on the Pennsylvania Rules of Evidence*. 2007-2008 ed. 1 v. Bender, 2007, annual.

Packel, Leonard and Anne Bowen Poulin. *Pennsylvania Evidence*. 3d ed. 1 v. West, 2007-, suppl. (pkt. pts.). West's Pennsylvania Practice Series, Vol. 1.

Pennsylvania Discovery and Evidence Reporter. LRP, 1994- . 12 vols. (Looseleaf)

Pennsylvania Rules of Evidence, Fourth Edition, With Commentary. PBI Pr., 2006.

Stephani, A. J. and Glen Weissenberger. *Weissenberger's Pennsylvania Evidence 2006 Courtroom Manual*. Lexis, 2006.

FAMILY LAW

Bertin, Emanuel A. *Pennsylvania Child Custody: Law, Practice, and Procedure; Including Using Expert Witnesses in Custody Cases*. 1 v. Bisel, 1983-, suppl. (pamphlet).

DeSimone, Rebecca A. *Child Custody, Visitation, and Support in Pennsylvania*. Sphynx, 2002.

DeSimone, Rebecca A. and Edward A. Haman. *How to File for Divorce in Pennsylvania*. 3d ed. Sphynx, 2002.

Frank, Frederick N. and Christine Gale. *Pennsylvania Family Law*. Lexis, 1989- . suppl. (pkt. pts.)

Kelly, Joseph B. *Pennsylvania Marriage, Divorce, Custody, Property And Support*. 3d ed. 1 v. Harrison Co., 2000- , suppl.

Momjian, Albert and Mark Momjian. *Momjian and Momjian Pennsylvania Family Law Annotated: With Related State and Federal Law*. 2006 ed. Thomson/West, 2005. Annual.

Paton, William D. and William C. Staley. *Family Law Manual--Pennsylvania*. 1 v. Hanford, 1984- , suppl. (Looseleaf).

Pennsylvania Matrimonial Practice. Rev. Ed. 6 v. West, 2006- . Suppl. (Pkt. Pts.) [replaces Rounick's set]

Pennsylvania. Supreme Court. Domestic Relations Committee. *Domestic Relations Manual*. 1 v. [Philadelphia ?] : Pennsylvania Supreme Court Domestic Relations Committee, 1982.

Perlberger, Norman. *Pennsylvania Divorce Code: With Forms*. 1992 rev. ed. 1 v. Bisel, 1992- , suppl. (Looseleaf).

Raphael, Robert and Carol A. Behers. *Pennsylvania Family Law Citorator*. 7th ed. 2 vol. PBI, 2007- , suppl. (Looseleaf).

Raphael, Robert and Carol A. Behers. *Prenuptial Agreements in Pennsylvania*. 5th ed. 1 v. PBI, 2006- , suppl. (Looseleaf).

West's Pennsylvania Family Law. Thomson/West, 2007.

Wilder, Joanne Ross. *Pennsylvania Family Law Practice and Procedure Handbook*. 6th ed. 2 v. West, 2005- , suppl. (pkt. pts.). West's Pennsylvania Practice Series, Vols. 17-17A.

Zanan, Arthur S. *Bisel's Pennsylvania Domestic Relations Lawsource: The Collected Consolidated Domestic Relations and Pennsylvania Rules*. 2006 ed. 1 v. Bisel, 2006.

Zanan, Arthur S. *Bisel's Pennsylvania Local Domestic Relations Rules of Court. Eastern Region of Pennsylvania*. 2004-2005 ed. 1 v. Bisel, 2005.

Zanan, Arthur S. *Bisel's Pennsylvania Local Domestic Relations Rules of Court. Western Region of Pennsylvania*. 2006 ed. 1 v. Bisel, 2006.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Divorce Code Annotated*. 2007 ed. Bisel, 2007.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Support Practice*. 2007 ed. Bisel, 2007.

INSTRUCTIONS TO JURIES

Pennsylvania Bar Institute. *Pennsylvania Suggested Standard Criminal Jury Instructions*. 2d ed 2 v. P.B.I., 2005- , suppl. (Looseleaf).

Pennsylvania Bar Institute. *Pennsylvania Suggested Standard Jury Instructions: Civil*. 2d ed. 2 v. P.B.I., 2003- , suppl. (Looseleaf).

Villanova, James. *Pennsylvania Proposed Points for Jury Instructions, Civil: A Compilation of Instructions Covering Civil Cases in Pennsylvania*. 1 v. Good Counsel Pr., 1997. (looseleaf).

INSURANCE LAW

Best, Franklin. *Pennsylvania Insurance Law: Life Health Property/Casualty*. 3d ed. 1 v. Bisel, 2005- , suppl. (Looseleaf).

Bock, Harris T., David M. McCormick, and Scott J. redwell. *Uninsured & Underinsured Motorist Law: A Digest of Reported Pennsylvania Cases*. 2006 ed. PBI Pr., 2006.

Huntington, Stephen N. *Pennsylvania Law of Uninsured and Underinsured Motorist Coverage and Arbitration Practice*. 1 v. West, 2003- . suppl. (Looseleaf).

McMonigle, Richard L., Jr. *Insurance Bad Faith in Pennsylvania*. 8th ed. Am. Lawyer Media, 2008.

Pennsylvania Insurance Laws and Related Statutes of the Commonwealth of Pennsylvania. 4 v. BHM Insurance Services, 1998- , suppl. (Looseleaf).

Lutz, David L., Mark Milsop and Nancy J. Winkler. *Pennsylvania Automobile Litigation: Guidelines and Forms for the Trial Lawyer*. 3d ed. (2007 rev.) 1 vol. Pa.TLA, 2005- , suppl. (Looseleaf).

Picadio, Anthony P. and Bridget M. Gillespie. *Norton on Insurance Coverage in Pennsylvania*. 2d ed. PBI, 2006.

Ronca, James R. et al. *Pennsylvania Motor Vehicle Insurance: An Analysis of the Financial Responsibility Law*. 2d ed. 1 v. :Pa.TLA, [1998-], suppl.

Shollenberger, Timothy A. and Wilhelm H. Mabijs. *Pennsylvania Personal Injury Subrogation Handbook*. 2005 ed. PaTLA, 2005.

Zanan, Arthur S. *Bisel's Pa. Motor Vehicle Insurance Law-source*. 13th ed. (2007-2008). Bisel, 2007.

JUDGMENTS

Brossman, Eric et al. *Collecting and Enforcing Judgments in Pennsylvania*. 3d ed. 1 v. PBI Pr., 2005, suppl. (Looseleaf).

Sprenkle, Robert C., Jr. *Confessions of Judgment in Pennsylvania: With Forms*. 2 v. Bisel, 1982- , suppl. (looseleaf).

JUVENILE LAW

Di Pietro, Patrice Wade. *Pennsylvania Juvenile Delinquency Law*. Bisel, 2006.

McCarthy, Francis Barry. *Pennsylvania Juvenile Delinquency Practice And Procedure*. 1 v. 5th ed. West, 2004-. suppl. (pkt. parts). West's Pennsylvania Practice Series, Vol. 18.

LABOR LAW

Cihon, Patrick J. and Kenneth A. Sprang. *Bisel's Pennsylvania Labor and Employment Lawsource: The Collected Labor and Employment Federal and State Statutes, State Regulations, Cases, and Commentary*. 2d ed. 1 v. Bisel, 2005.

Marino, Michael F. and John C. Unkovic. *Labor and Employment in Pennsylvania: A Guide to Employment Law, Regulations, and Practices*. 1 v. Lexis, 2000- . suppl. (Looseleaf)

Pennsylvania Employment Laws. 2 v. LRP Publications, 1988- , (Looseleaf).

Pennsylvania Public Employee Reporter. LRP Publications, 1970-, suppl. (Looseleaf).

What to Do About Personnel Problems in Pennsylvania. Business and Legal Reports, 1989- , suppl.

LANDLORD AND TENANT—See REAL PROPERTY.**LEGAL COMPOSITION**

Pastyle: A Pennsylvania Stylebook and Citation Guide for Legal Writing. PBI Pr., 2006.

MECHANICS' LIENS

Lowrey, Olan B. *Pennsylvania Mechanics' And Materialmen's Liens.* 1 v. Harrison Co., 1988-, suppl. (pkt. pts.).

Walsh, Michael. *Pennsylvania Mechanics' Lien Law.* 2d ed. 1 v. Revere Legal Pub. 1992- , suppl. (Looseleaf)

MEDICAL JURISPRUDENCE

Burde, Howard A., Ed. *The Health Laws of Pennsylvania.* 1 v. PBI, 2000, suppl. (Looseleaf)

Gerhard, Richard C., III. *Pennsylvania Medicaid: Long-Term Care.* Bisel, 2007.

Gerhard, Richard C., III. *Pennsylvania Medicaid: Nursing Home Care.* 2d ed. Bisel, 2006.

Peters, Brian M. Wendy C. Maneval, Jonathan B. Sprague. *Health Law Practice In Pennsylvania And New Jersey.* 2 v. West, 2001-, suppl. (pkt. pts.)

Rieders, Clifford A. *Pennsylvania Medical Malpractice: Law and Forms.* 1 v. 4th ed. PaTLA, 2003-, suppl. (Looseleaf)

MUNICIPAL LAW

Levin, Michael I., Mark W. Voigt and David W. B. *Municipal Liability in Pennsylvania: An Analysis of the Political Subdivision Tort and Compensation Act and the Recreation Act.* 1 v. PBI, 1998- , suppl. (Looseleaf)

Ostrow, Alan C. *The Tort Claims Act Manual: Statutory Governmental Immunity in Pennsylvania.* 1 v. City of Philadelphia Law Department, 1994- , suppl. (Looseleaf).

Penns Valley Publishers. *Model Ordinances For Pennsylvania Municipalities.* 2d ed. 1 v. Penns Valley Publishers, 1989-, suppl. (Looseleaf).

Zaslow, Darell M. Bisel's *Pennsylvania Municipal Lawsource: The Collected Municipal Statutes, Rules, First Class Township, Second Class Township, and Borough Codes.* 5th ed.1 v. Bisel, 2006.

NOTARIES

Pennsylvania Association of Notaries. *Practical Guide For Notaries Public In Pennsylvania*. 27th ed. 1 v. Pennsylvania Assn. of Notaries, 2006.

PRACTICE OF LAW

Allen, Kevin P. *The Attorney-Client Privilege in Pennsylvania: A Desk Reference*. PBI Pr., 2007.

Fee Agreements in Pennsylvania. 2d ed. PBI Pr., 2006.

PROBATE, TRUSTS AND WILLS

Aker, J. Brooke and Thomas A. Bouldon. *The Law of Wills in Pennsylvania: Drafting, Interpreting, Contesting With Forms*. 3rd ed. 1 v. Bisel, 2007-, suppl. (Looseleaf)

Aker, J. Brooke and Thomas A. Boulden. *Pennsylvania Probate, Estates and Fiduciaries Code Annotated Third Edition With Forms*. 3d ed. 1 v. Bisel, 2006- , suppl. (Looseleaf)

Cleaver, David C. *Pennsylvania Probate And Estate Administration*. 4th ed. 2 v. West., 2006- , suppl. (pkt. pts.). West's Pennsylvania Practice Series, Vols. 19-19A.

Frampton, Charles. *Partridge-Remick Practice And Procedure In The Orphan's Court Of Pennsylvania*. 6 v. Bender/Bisel Col., 1961-1964- , suppl. (pkt. pts.)

Grossman, Richard L. *Bisel's Pennsylvania Orphans' Court Lawsource: The Collected Probate, Estates and Fiduciaries Code; Inheritance and Estate Tax Statute, and Pa. Supreme Court Orphans' Court Rules*. 8th ed. 1 v. Bisel, 2006.

Hunter, David Gilbert; Smith, M. Paul; Aker, J. Brooke. *Pennsylvania Orphans' Court Commonplace Book*. 2d ed. 7 v. Bisel, 1959- , suppl. (pkt. pts.)

Kline, Terrance A. and Daniel R. Ross. *Estate Planning in Pennsylvania*. 2 v. PBI Pr., 2004- . (Looseleaf)

National City Bank of Pennsylvania. *National City Will And Trust Form Book*. 1 v. National City Bank, 1999- , suppl. (Looseleaf)

Pennsylvania Orphans' Court Rules. ALM, 2008.

Rothkopf, Nancy and Gilbert M. Cantor. *Pennsylvania Estates Practice*. 2 v. West, 1980- ,suppl. (Looseleaf)

Smith, M. Paul, Richard L. Grossman and James L. Hollinger. *Pennsylvania Fiduciary Guide: A Handbook For Executives And Administrators*. 6th ed. Bisel, 2007- , suppl. (Pkt. pts.)

Weinberg, Robert J. *Pennsylvania Estate Planning And Drafting*. 2d ed. 3 v. Bisel, 2003- , suppl. (Looseleaf)

PUBLIC UTILITY LAW

Cawley, James H.; Kennard, Norman James. *Rate Case Handbook: A Guide To Utility Ratemaking Before The Pennsylvania Public Utility Commission*. [Harrisburg]: Pennsylvania Public Utility Commission, 1983.

REAL PROPERTY

Anderson, Robert M. *Law of Zoning in Pennsylvania*. 2 v. West, 1982- , suppl. (Looseleaf)

Hermansen, Knud Everett. *Boundary Retracement Principles and Procedures for Pennsylvania*. PA Society of Land Surveyors, 1986.

Emmons, Greg B. *Pennsylvania Real Estate Brokerage Law and Practice*. 2 v. Bisel, 1999- , suppl. (Looseleaf)

Friedman, Ronald M. *Pennsylvania Landlord-Tenant Law and Practice: Law, Practice, Checklists, Forms*. 3rd ed. 1 v. Bisel Co., 2001- , suppl. (Looseleaf)

Friedman, Ronald M. *Ladner Pennsylvania Real Estate Law*. 5th ed. 2 v. Bisel, 2006- . Suppls. (Looseleaf)

Glazer, Ronald B. *Pennsylvania Community Law Association: Law and Practice*. 1 v. Bisel, 2006- , suppl. (Looseleaf)

Glazer, Ronald B. *Pennsylvania Condominium Law and Practice: Law, Practice, Checklists, Forms*. 3rd ed. 1 v. Bisel, 1995- , suppl. (Looseleaf)

Gray, Kenneth E. *Mortgages in Pennsylvania with Forms*. 3d ed. 1 v. West, 2006- , suppl. (pkt. pts.). West's Pennsylvania Practice Series, Vol. 15.

Hoffmeyer, William F. *The Abstractor's Bible*. 2d ed. 1 v. Cherry Lane Pub. Co., 1985- , suppl. (Looseleaf)

Hoffmeyer, William F. *The Pennsylvania Real Estate Settlement Procedures Manual*. 1 v. Cherry Lane Pub. Co., 1984- , suppl. (Looseleaf)

Nemeth, Charles P. *Bisel's Pennsylvania Real Estate Agreements of Sale: A Practical Guide With Forms*. 1 v. Bisel, 1996- , suppl. (Looseleaf)

Nemeth, Charles P. *Bisel's Pennsylvania Real Estate Practice*. 1 v. Bisel, 1995- , suppl. (Looseleaf)

Ominsky, Harris. *Real Estate Practice: Breaking New Ground*. PBI Pr., 2000.

Ryan, Robert S. *Pennsylvania Zoning Law and Practice: Law, Practice, Forms*. 2 v. Bisel, 1970- , suppl. (Looseleaf)

Snitzer, Edward L. *Pennsylvania Eminent Domain: Law, Practice, Forms*. 1 v. Bisel, 1965- , suppl. (pamphlet)

Zaslow, Darrell M. *Bisel's Pennsylvania Real Estate Law-source*. 1 v. Bisel, 2006.

Zimmerman, D. Patrick. *The Pennsylvania Landlord and Tenant Handbook*. Lancaster: Tabor Community Services, 1982.

SCHOOL LAW – See EDUCATIONAL LAW

SECURITIES LAW

Rutledge, G. Philip. *Compendium*. 2d ed. 1 v. Pennsylvania Securities Commission, 1999. (Looseleaf)

Rutledge, G. Philip and Christopher R. Prior. *Pennsylvania Securities Law: Civil and Administrative Liability*. PBI Pr., 2005.

TAXATION

Austin, Scott L. et al. *Pennsylvania Tax Handbook*. American Lawyer Media, 2008. Annual.

Commerce Clearing House. *Guidebook to Pennsylvania Taxes*. CCH, Annual.

Goodman, Bert M. *Assessment Law & Procedure in Pennsylvania*. 2005 ed. PBI Pr., 2005.

Grossman, Richard L. and M. Paul Smith. *Pennsylvania Inheritance and Estate Tax*. 1993 rev. 1 v. Bisel, 1993- , suppl. (Looseleaf)

Fox, Cyril A. and W. Edward Sell. *Pennsylvania Real Estate Tax Sales and Municipal Liens*. 1 v. Bisel, 2000- , suppl. (Looseleaf)

Pennsylvania State Tax Reporter. 3 v. CCH, 1946- , suppl. (Looseleaf)

TORTS

Dempsey, Thomas J., Jr. *Pennsylvania Negligence*. 2007 ed. 1 v. Bisel, 2007- . Annual.

Jury Verdict Research. *Personal Injury Verdict Survey: Pennsylvania Edition, 1988- , suppl.*

Litvin, Gerald S. and Gerald Austin McHugh, Jr. *Pennsylvania Torts*. 2 v. West, 1996- , suppl. (pkt. pts.). West's Pennsylvania Practice Series, Vols. 3-4.

Pennsylvania Jury Verdict Review and Analysis. Jury Verdict Review, 1982- , biweekly.

Feldman, Stephen M. *Pennsylvania Trial Guide: Product Liability*. 1 v. Bisel, 2000- . suppl. (Looseleaf)

Greecher, Stephen M., Jr. et al. *Pennsylvania Premises Liability: Law and Forms*. 1 v. Pa.TLA, 2005.

Zanan, Arthur S. and Lawrence P. Kempner. *Law of Vehicle Negligence in Pennsylvania*. 1 v. Bisel, 2001- , suppl.

UNEMPLOYMENT COMPENSATION

Pennsylvania Chamber of Commerce. *Unemployment Compensation Guide*. 1 v. Chamber of Commerce, 1990.

Sprang, Kenneth A. and Mary Lou Zuschnitt. *Bisel's Pennsylvania Unemployment Compensation Lawsource: The Collected Unemployment Compensation Statute, Cases and Commentary*. 2d ed. 1 v. Bisel, 2002.

WILLS—See PROBATE, TRUSTS AND WILLS**WORKERS' COMPENSATION**

Barbieri, Alexander F. and Thomas Lord. *Pennsylvania Workmen's Compensation and Occupational Disease*. 3 v. Bisel, 1996- , suppl. (Looseleaf)

Goodfellow, Barbara. *Workers' Compensation Defense Handbook*. 1 v. PBI, 1999.

Pennsylvania Workers' Compensation Law Reporter. 3 v. LRP Publications, 1987- , suppl. (Looseleaf)

Pennsylvania Workers' Compensation Selected Statutes. 2004-2005 ed. Thomson/West, 2004. [Shelved with Torrey, in West's Pennsylvania Practice Series].

Rieders, Clifford A. *Workers' Rights in Pennsylvania: A Guide for Lawyers Who Represent Workers and Businesses Who Employ Them*. 4th ed. 1 v. PBI Pr., 2007- , suppl. (Looseleaf)

Torrey, David B. and Andrew E. Greenberg. *Workers' Compensation: Law and Practice*. 4 v. West, 2002- , suppl. West's Pennsylvania Practice Series, Vols. 6-9.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes Rules Regulations Notices and Forms*. 12th ed., 2007 ed. 1 v. Bisel, 2007.

ZONING LAW—See REAL PROPERTY

§9.3 Continuing Legal Education Publications

Continuing Legal Education publications are important because they keep practitioners up-to-date on recent trends in the law. Bar associations, law schools, law libraries and other institutions offer continuing legal education courses. The Pennsylvania Supreme Court Board of Continuing Legal Education approves providers for credit courses offered to the bench and bar. In Pennsylvania, the Supreme Court requirement for 12 credits a year ensures that CLE courses will continue to be offered throughout the Commonwealth by a number of different providers. For CLE regulations, see 204 *Pennsylvania Code*, ch. 82. The board has a web site at www.pacle.org.

The Pennsylvania Bar Institute is the teaching arm of the Pennsylvania Bar Association. The PBI presents 40 to 50 seminars each year on general and specific topics. Since 1968, they have published over 2,500 individual titles. Almost all are monographic publications (either in paperback format or looseleaf). Recently, PBI has begun publishing looseleaf titles that will be kept up to date by their authors similar to regular commercial publishers. For more than a decade now, it has also published annual institutes or symposia updates in numbered series, e.g., *Tenth Annual Real Estate Institute*, *23rd Annual Criminal Law Symposium*, etc. It also publishes some standard titles every other year like the *Municipal Law Symposium*, *Representing Landlords and Tenants*, or *Introduction to Workers' Compensation Law & Procedure*.

For individual titles, consult catalogs in the law libraries or call PBI at (800) 932-4637 or (717) 233-5774, or visit their web site at www.pbi.org.

A second major Pennsylvania provider is the Pennsylvania Association of Justice (formerly Pennsylvania Trial Lawyers Association (PaTLA)) which publishes 10 to 15 seminars a year and is currently updating a few treatises. For individual titles, consult catalogs in the law libraries or call PaTLA at (215) 546-6451, or visit their web site at www.pajustice.org.

There are three other nationally known contributors to state CLE materials whose one-day seminars are similar to PBI: Lorman Educational Services, National Business Institute, Inc., and Professional Education Systems, Inc.

Two other major companies that offer CLE programs are Practicing Law Institute in New York City and American Bar Association-American Law Institute (ALI-ABA) in Philadelphia, PA. The former offers 150 courses and the latter offers about 80 courses a year with publications.

§9.4 Form Books

Form books provide the researcher with procedural forms (such as complaints and motions) and transactions forms (such as contracts and wills). Many of the treatises listed above contain forms as a supplement to the text. The books listed below deal only with forms, and although there may be some commentary to assist the researcher in preparing the forms, it does not contain substantive or procedural law.

§9.4.1 Major Forms Sets

There are three major sets of form books for Pennsylvania: *Dunlap-Hanna Pennsylvania Forms*, *Pennsylvania Transaction Guide*, and *West's® Pennsylvania Legal Forms*.

§9.4.1.1 *Pennsylvania Transaction Guide*

Bongiovanni, Joseph, III. *Pennsylvania Transaction Guide*. (Bender, 1974-), suppl. (Looseleaf) The topics covered are: business entities (vols. 1-4), wills and trusts (vols. 5-7), commercial transactions (vols. 8-10), real estate transactions (vols. 11-13), personal actions (vols.14-15) and general index (vol. 16).

§9.4.1.2 *Dunlap-Hanna Pennsylvania Forms*

Dunlap-Hanna Pennsylvania Forms (Bender, 1992-) suppls., (Looseleaf). This set contains over 230 chapters in 14 volumes. The topics covered are profit and nonprofit corporations (vol. 1); business transactions (vol. 2); commercial law (vol. 3); commercial law-employment law (vol. 4); real property (vols. 5 and 6); forms, wills and trusts agreements (vols. 7); Register of Wills and Orphans' Court procedures (vol. 8); family law (vol. 9); civil litigation—actions at law (vols. 10-11); civil litigation—actions at law and equity (vol. 12); civil litigation—special and statutory actions (vol. 13); district justice courts, criminal proceedings, appeals, and general index (vol. 14). The last volume also contains a general index to the set, but there are also indexes at the end of each volume.

§9.4.1.3 *West's® Pennsylvania Legal Forms*

West's® Pennsylvania Legal Forms (West 1992-), Douglas Frenkel, General Editor. Unlike the previous two sets, each topic is separately authored in a bound volume set. There is not a cumulative index, rather, there is an index at the end of each title. There are currently 15 volumes that are kept up-to-date by annual pocket parts.

The authors for the individual volumes are:

Vols. 1-3: Gibbons, Charles G., David Kraut and John P. Edgar. *Civil Procedure*. 1992-.

Vol. 4: Hofstein, David and Judith Widman. *Domestic Relations*. 1993-.

Vol. 5: Kozloff, James P. *Estate Administration*. 1994-.

Vol. 6: O'Brien, Kathleen and David Shechtman. *Business Organizations*. 1994-.

Vols. 7-9: Gadsden, Christopher. *Estate Planning*. 1995-.

Vol. 10: Simons, Robert, William A. Schorling with the assistance of contributing author, Jeffrey A. Deller. *Debtor-Creditor*. 1997-.

Vol. 11: Berkowitz, Alan D. *Employment Law*. 1998-.

Vols. 12-15: Hoffman, William. *Commercial Transactions*. 2000-.

§9.4.2 *Single Subject Forms Books*

Other topic specific titles are listed below by subject.

CIVIL PROCEDURE

Wettick, R. Stanton, Jr. *Pennsylvania Forms for the Rules of Civil Procedure*. 3d ed. 1 v. Harrison Co., 2001.

CORPORATION LAW

Davis, C. VanLeer, III and Jay Zagoren. *Pennsylvania Limited Liability Company: Forms and Practice Manual*. 1 v. Data Trace, 1996-, suppl. (Looseleaf).

Schneider, Carl W., ed. *Pennsylvania Corporate Practice and Forms: the Wolf Block Schorr and Solis-Cohen Manual*. 2 v. Data Trace, 1997-, suppl. (Looseleaf).

FAMILY LAW

Behers, Carol A. and Robert Raphael. *Pennsylvania Family Law Discovery Forms*. 7th ed. 1 v. PBI, 2007-, suppl. (Looseleaf). Biennial.

Levit, Saul. *Pennsylvania Domestic Relations: Practice*. 1 v. Lexis, 2004-, suppl. (Looseleaf).

§9.5 Periodicals and Newsletters

§9.5.1 Law Reviews

This listing provides current titles for law reviews, magazines, bar association and commercial legal periodicals.

American Journal of Legal History, v.1-, 1957- (Temple University Law School).

Duquesne Business Law Journal, v.1-, 1999- (Duquesne University Law School).

Duquesne Law Review, v.1-, 1963- (Duquesne University Law School).

Journal of Animal Law & Ethics, v.1-, 2006- (University of Pennsylvania Law School).

Journal of Catholic Social Thought, v.1-, 2003- (Villanova University Law School).

Journal of Law and Commerce, v.1-, 1983- (University of Pittsburgh Law School).

Journal of Technology Law & Policy, v.1-, 20 (University of Pittsburgh Law School).

Juris, v.1-, 1967- (Duquesne University Law School).

Penn State Journal of Environmental Law & Policy, v.1-, 1992- (Penn State University-Dickinson Law School).

Penn State Journal of International Law, v.1-, 1982- (Penn State University-Dickinson Law School).

Penn State Law Review, v.1-, 1895- (Dickinson Law School).

PENNumbra, 2006- (University of Pennsylvania Law School). Online supplement to the *University of Pennsylvania Law Review*.

Pennsylvania Bar Association Quarterly, v.1-, 1929- (Pennsylvania Bar Assn.).

Pennsylvania Journal of Environmental Litigation, v.1-, 1989 - (McGuire Pub.).

The Pennsylvania Lawyer, v.1-, 1979- (Pennsylvania Bar Assn.).

Pittsburgh Journal of Environmental and Public Health Law, v.1-, 2006- (University of Pittsburgh Law School and Graduate School of Public Health).

Pittsburgh Tax Review, v.1-, 2003- (University of Pittsburgh Law School).

The Shingle, v.1-, January 1938- (Philadelphia Bar Assn.).

Temple Journal of Science, Technology, & Environmental Law, v.1-, 1982- (Temple University Law School).

Temple International and Comparative Law Journal, v.1-, Fall 1985- (Temple University Law School).

Temple Law Review, v.1-, March 1927- (Temple University Law School).

Temple Political and Civil Rights Law Review, v.1-, 1992- (Temple University Law School).

University of Pennsylvania Journal of Constitutional Law, v.1-, 1999- (University of Pennsylvania Law School).

University of Pennsylvania Journal of International Economic Law. v.1-, January 1978 (University of Pennsylvania Law School).

University of Pennsylvania Journal of Labor and Employment Law, v.1-, 1998- (University of Pennsylvania Law School).

University of Pennsylvania Journal of Law & Social Change, v.1-, 1993- (University of Pennsylvania Law School).

University of Pennsylvania Law Review, v.1-, November 1852- (University of Pennsylvania Law School).

University of Pittsburgh Journal of Technology Law and Policy, v.1-, 2000- (University of Pittsburgh School of Law).

University of Pittsburgh Law Review, v.1-, March 1935- (University of Pittsburgh Law School).

Villanova Environmental Law Journal, v.1-, 1990- (Villanova University Law School).

Villanova Law Review, v.1-, 1956- (Villanova University Law School).

Villanova Journal of Law and Investment Management, v.1-, 1999- (Villanova University Law School).

Villanova Sports & Entertainment Law Journal, v.1-, 1994- (Villanova University Law School).

Villanova Women's Law Forum. v.1-, 2000- (Villanova University Law School). Electronic publication.

Widener Journal of Law, Economics and Race, v. 1-, 2008- (Widener University Law School, both campuses). Electronic publication.

Widener Law Journal, v.1-, 1992- (Widener University Law School, Harrisburg).

§9.5.2 Legal Newsletters

Pennsylvania Education Law Report. Whitaker Newsletters, 1987-, monthly.

Bisel's *Pennsylvania Criminal Law Update*, v.1-, 1997-.

Bisel's *Pennsylvania Family Law Update*, v.1-, 1995-.

Bisel's *Pennsylvania Workers' Compensation Update*, v.1-, 1996-.

Philadelphia Bar Reporter (Philadelphia Bar Association).

The Pennsylvania Bar Association and its sections/committees also have their own newsletters.

Administrative Law Section Newsletter (Administrative Law Section).

Aeronautical & Space Law Section Newsletter (Aeronautical & Space Law Section).

Business Law Section Newsletter (Business Law Section).
(Electronic only as of 2008)

Civil Litigation Section Update (Civil Litigation Section).

Criminal Law Section Newsletter (Criminal Law Section).

Environmental, Mineral & Natural Resources Law Section Newsletter (Environmental, Mineral & Natural Resources Law Section). Electronic only.

Intellectual Property Law Section Newsletter (Intellectual Property Law Section).

International & Comparative Law Section Newsletter (International & Comparative Law Section).

Labor & Employment Law Section Newsletter (Labor & Employment Law Section).

Municipal Law Section Newsletter (Municipal Law Section).

Pennsylvania Family Lawyer (Family Law Section).

This is a substantial periodical with case notes and articles.

Public Utility Law Section Newsletter (Public Utility Law Section).

Real Property, Probate & Trust Law Section Newsletter (Real Property, Probate & Trust Law Section).

Solo & Small Firm Practice Section Newsletter (Solo & Small Firm Practice Section).

Tax Law Section Newsletter (Tax Law Section).

Workers' Compensation Law Section Newsletter (Workers' Compensation Law Section). Electronic, unless paying for a paper copy.

§9.5.3 Legal Newspapers

Delaware Law Weekly, v.1-, 1998- (ALM).

Lawyers Journal, v.1-, 1999- (Allegheny County Bar Association).

Legal Intelligencer, v.1-, 1842- (ALM).

Pennsylvania Bar News, v.1-, 1991 (Pennsylvania Bar Institute).

Pennsylvania Law Weekly, v.1-, 1977- (ALM).

Philadelphia Bar Reporter, v. 1-, 1972- (Philadelphia Bar Association).

Pittsburgh Legal Journal, v.1-, 1953- (Allegheny County Bar Association).

§9.5.4 Research Methods for Periodicals and Newspapers

There are several indexes that can be used to research legal serials.

1. *Jones-Chipman Index to Legal Periodical Literature*, 6 vols., covers periodical literature from the nineteenth century to 1937: vol. 1 (1888); vol. 2 (1899); vol. 3 (1919); vol. 4 (1924); vol. 5 (1933); and vol. 6 (1939).

2. *The Index to Legal Periodicals and Books* (H. Wilson Co., 1908-). Index currently covers more than 600 periodicals. The work was first published as annual volumes until 1925, followed by triannual editions starting with 1926-1928. The volumes start in September of the first year and end in August of the last year. To date there are 18 triannual volumes until 1979. Volumes 19 to 46 (1979-2007) are annual volumes. The *Index* is published monthly with quarterly cumulative issues and an annual bound volume. It was originally sponsored by the American Association of Law Libraries, although the association withdrew its official sponsorship in 1980. However, a distinguished panel of law librarians continues to serve as an editorial board.

There are four methods of searching the *Index to Legal Periodicals and Books*:

- author/subject listing
- case name (plaintiff-defendant, defendant-plaintiff)
- book review index
- table of statutes cited

These changes were implemented in 1981 partly as a result of competition from the *Current Law Index/Legal Resource Index/LegalTrac* (see below). In older volumes, one had to look up an author and obtain a corresponding reference to a subject with the first letter of the title listed in parentheses. You then went to the subject section and looked at all of the articles beginning with the letter in parentheses to find the title by the

author you were looking for. The table of statutes cited was added, but is still not as complete as that found in the *Legal Resource Index/LegalTrac*.

The *Index to Legal Periodicals and Books* is now available online through Wilsonline, a computerized database of the most important Wilson bibliographic publications and through OCLC's FirstSearch, Lexis® and Westlaw®. Wilsonline has two individual databases: *Index to Legal Periodicals Retrospective* (1908-1981) and the *Index to Legal Periodicals and Books* (1980 to present).

3. *Current Law Index*. In 1980, the American Association of Law Libraries changed its endorsement of a legal periodical searching tool to Information Access Corporation's *Current Law Index/Legal Resource Index/LegalTrac*.

The *Current Law Index* is a paper copy similar to the *Index to Legal Periodicals and Books*, while *Legal Resource Index* is a microfilm index and LegalTrac is the CD-ROM product. The *LegalTrac* database is also available online through Lexis® or Westlaw®.

Current Law Index contains over 900 periodicals, published monthly with quarterly cumulative issues and an annual bound volume (December's issue). The *Legal Resource Index/LegalTrac* contains not only the 900+ periodicals, but additional materials including legal newspapers of both national and state or local interest, some federal government publications, monographs, and some general newspaper publications. All three indexes are available from 1980 onwards only. For research before 1980, one must consult the *Index to Legal Periodicals*.

4. *Current Index to Legal Periodicals*, published by the Marian Gallagher Law Library of the University of Washington Law School, is a weekly publication of legal periodicals listing articles first by subject and then by full tables of contents of journals. It indexes more than 570 periodicals and is published weeks in advance of the above-listed periodical indexes in paper or electronically. It is currently available either in paper or online format or available in Westlaw® (CILP database).

5. Dennis Dooley, *Index to State Bar Association Reports and Proceedings* (1942), is an author/subject index to 3,128 state bar association reports and proceedings.

6. Other sources to identify periodical literature include *Purdon's Pennsylvania Statutes Annotated*TM, the three encyclopedias (*Pennsylvania Law Encyclopedia 2d*, *Summary of Pennsylvania 2d*, and *Standard Pennsylvania Practice 2d series*).

7. *American Law Reports* (ALR). *American Law Reports* annotations contain references to periodical literature on the particular annotation usually in section 1b.

8. *Shepard's*[®] *Pennsylvania Citations* includes citations to periodical literature drawing on the 20 major law school law reviews, e.g., *Harvard Law Review*, *Yale Law Journal*, etc., and the general law school reviews of Duquesne, Penn State-Dickinson, Temple, Villanova, University of Pennsylvania, University of Pittsburgh and Widener-Harrisburg. (Each state citator contains the law reviews published by schools residing in that state.)

§9.6 Legal Directories

§9.6.1 Judicial Directories

There is no single source to obtain comprehensive information about all judges past and present in the Commonwealth.

Pennsylvania Manual (Dept. of General Services, biennial) has published basic biographical information on all state appellate and trial court judges in Pennsylvania. It is currently published biennially, with the current volume 118 published in December 2007.

The American Bench (Reginald Bishop Forster & Associates, 1977-, biennial) provides biographical information on all federal and state court judges arranged by state.

Almanac of the Federal Judiciary (Aspen Law & Business, 1984-) contains useful biographical information on each federal circuit and district court judge in each state along with information concerning court room procedures and commentary by lawyers who have practiced before a particular judge. This is a looseleaf service and updated at least once a year.

Judges of the United States (2d. Ed. GPO, 1983.) is a biographical directory of all federal judges since 1789. A more current version can be found at the Federal Judiciary Center's web site, www.fjc.gov.

The following publications provide lists of judges but no biographical information.

BNA's *Directory of State and Federal Courts, Judges and Clerks* (biennial) provides addresses and telephone numbers.

United States Lawyers Reference Directory (Legal Directories Pub. Co., biennial) provides listings for the executive, legislative, and judicial branches. The material here is duplicated from the *Pennsylvania Legal Directory*, but covers all federal and all states (see below).

§9.6.2 Attorneys' Directories

The *Pennsylvania Bar Association Lawyers' Directory and Product Guide* (PBA, 1987- annual) contains a listing of all P.B.A. members alphabetically and by county. In addition, each county listing provides phone numbers for the local court of common pleas, and other court-related row offices, commissioners, bar association, and legal aid offices. There is a section for the state judiciary including biographical information on all appellate judges and a similar section for the federal courts with biographies of the judges of the United States Court of Appeals for the Third Circuit in Pennsylvania. There are phone numbers for court-related organizations like the Pennsylvania Continuing Legal Education Board or Disciplinary Board, state departments and agencies, county law libraries, institutional facilities, district justices, law schools, paralegal schools, and legal secretary schools.

The *Pennsylvania Legal Directory* (Dallas: Legal Directories Pub. Co., annual). This two-volume work publishes a government section of federal and state government offices, professional associations, and a list of cities, town and townships with their area codes, zip codes, and county. There is an alphabetical listing of attorneys followed by a listing by county. County officials are listed in the front of each county's listing similar to the *PBA Legal Directory*. There is a short biographical section for law firm listings by city, but only a fraction of the listings compared to Martindale-Hubbell. A classified section completes the work.

Martindale-Hubbell Law Directory is the most comprehensive listing of attorneys throughout the country. Revised annually, one volume usually contains Oregon and Pennsylvania listings. Lawyers are listed in the front of the work alpha-

betically by city. Under each municipality, the firms are arranged alphabetically. Each entry lists the firm's address, phone number, type of work it specializes in, and biographies of its members. There are also sections for government and corporation lawyers.

The Best Lawyers in America (Woodward/White, 1983-, biennial) contains a listing of 27 specialties with 15,000 lawyers by category under each state. Typically, there are a dozen to two dozen lawyers listed under each category from each state.

BNA's *Directory of State and Federal Courts, Judges, and Clerks: A StateByState and Federal Listing* (2001 ed.).

WANT'S *Federal-State Court Directory* (WANT 1984-annual).

WANT'S *Directory of State Court Clerks & County Court-houses*.

§9.6.3 Other Biographical Sources

For historical information, Frank Eastman's *Courts and Lawyers in Pennsylvania, A History 1623-1923* provides a useful history of each judicial district and short biographical sketches of the judges. The *Twentieth Century Bench and Bar* (2 v. 1903) provides biographical sketches of all lawyers in each county (except Philadelphia) arranged chronologically based on their date of admission to the local bar. *Lawmakers and Legislation in Colonial Pennsylvania* (3 vols.; U. of Pennsylvania Press, 1991-2006) contains excellent biographical sketches of colonial judiciary and attorneys who sat as legislators. *Judges of Allegheny County, Fifth Judicial District, Pennsylvania, 1788-2007* (2008) by Joel Fishman is the only comprehensive biographical directory of one county's judiciary.

National sources for biographical information include *Who's Who in American Law*, *American National Biography* (1999), *Dictionary of American Biography* (1937-), *National Cyclopedia of American Biography* (1898), *Who's Who in America*, and *Who Was Who in America* (1943-). The *National Union Catalog of Pre-1956 Imprints* and its successor volumes provides an important source to find publications of individual judges and lawyers or electronic searching of the Library of Congress's card catalog (www.loc.gov) or through OCLC online database of bibliographical records can access publications information. The

Federal Judicial Center provides an online biographical directory of all federal judges at air.fjc.gov/history/judges_frm.html.

Biographies of judges and lawyers can also be found in obituary notices published in general and legal newspapers like the *Legal Intelligencer* (1843-) and *Pittsburgh Legal Journal* (1853-) and *Lawyers Journal* (1999-). The reference staff at Jenkins Law Library has prepared its own computerized index to the *Legal Intelligencer*, while reference staff at Allegheny County Law Library have only an ongoing index from 1963 to the present. Obituary notices also appear in the *Reports of the Pennsylvania Bar Association* (1895-1968) which have been indexed, *i.e.*, Joel Fishman, Marguerite Atria, and Richard Hovis, *Index to the Lawyers' Obituaries in the Reports of the Pennsylvania Bar Association (1895-1968)* (2008). Dennis A. Dooley, *An Index to Bar Association Proceedings* (1944) indexes all state bar association proceedings by topic and person.

County histories generally contain a chapter on the history of the bench and bar of that county including biographical information on important individuals. Biographical encyclopedias like *Encyclopedia of Pennsylvania Biography* (1914-), or regional encyclopedias like Lewis Clark Walkinshaw's *Annals of Southwestern Pennsylvania* (1939) contain biographical information on local judges and lawyers.

§9.7 Online Sources

A growing volume of secondary materials such as legal directories, legal encyclopedias, law reviews and other legal journals, legal forms and practice books are available from a variety of fee-based and free web sites. In the following, we will introduce these sites to you based on different types of materials.

§9.7.1 Legal Directories

The Internet provides a fast and efficient means by which to locate lawyers and law firms. Legal Directories are offered on several commercial and free sites via the Internet. Below is a list of these various directories.

Lexis[®] (www.lexis.com)

Lexis[®] carries the *Martindale-Hubbell Law Directory of Pennsylvania Lawyers and law firms*, available at PADIR. The directory is current through the 2007 edition.

PA Law Directory (www.palawdirectory.com)

PA Law Directory provides a searchable directory for both lawyers and judges. Profiles for the registered lawyers in Pennsylvania are available. Also available are profiles for the judges of the courts of common pleas, the Supreme, Superior and Commonwealth Courts and the federal, district and circuit courts located in Pennsylvania.

Westlaw[®] (www.westlaw.com)

West[®] carries the *Pennsylvania West Legal Directory*. This directory provides profiles of Pennsylvania lawyers and law firms. The directory can be accessed at WLD-PA.

§9.7.2 Legal Encyclopedias

Legal encyclopedias provide a good starting point for research into a particular subject matter and for expanding your research, legal encyclopedias are available at several sites on the Internet.

Lexis[®]

Lexis[®] carries the current edition of the *Pennsylvania Law Encyclopedia*. This publication covers specific topic areas in Pennsylvania law and outlines the law in those particular areas. The filename is PLE. **NOTE:** It is not cited as PLE2d in the online version, though in the bound volumes it is a second edition. In addition, *Lexis*[®] carries the *Pennsylvania Law Encyclopedia-Contract Law Material*, which provides information on the basics of contract law, as well as specific analysis of case law, statutes and rules.

Westlaw[®]

Westlaw[®] carries both the *Summary of Pennsylvania Jurisprudence 2d*, (PAJUR) and *Standard Pennsylvania Practice 2d* (SPP).

§9.7.3 Practitioners Aids

Secondary sources also contain a plethora of publications devoted to making the attorney's job a little easier. These pub-

lications include summaries of caselaw and developments in Pennsylvania jurisprudence, surveys of law in a particular area and newsletters for practice and procedure in particular areas of the law before certain courts.

Lexis[®]

Lexis[®] provides an array of sources that include: *LRP Pennsylvania Discovery and Evidence Reporter*[®], *Martindale-Hubbel Law Digest*, *Pennsylvania Bar Association Quarterly*, *Pennsylvania Environmental Compliance Update* and *Remick's Pennsylvania Orphans' Court Practice*.

Westlaw[®]

Westlaw[®] also provides various practitioners' aids such as the *Pennsylvania Bar Association Quarterly*, *Pennsylvania Employment Law Letter*, *State Tax Today*, and the *Westlaw*[®] *State Bulletins*.

§9.7.4 Law Reviews and Other Legal Journals

Law reviews and legal journals provide a critical research tool for current topics in the law. Articles within these sources often produce valuable annotations that may not be available elsewhere.

Online Periodicals

Many legal periodicals today provides web sites for their publications. Besides providing information about the legal periodical and contact information, legal periodicals may be published in full-text. Coverage will vary from journal to journal. The University Law Review Project, www.lawreview.org, provides a list of periodicals as well as searching capability.

Lexis[®]

Lexis[®] provides a database for both specific Pennsylvania journal publications and for various law reviews published in Pennsylvania. Both journals and law reviews can be found under the PALRV filename. Some of the Pennsylvania journal publications that can be found on *Lexis*[®] include: the *Dickinson Journal of Environmental Law and Policy*, the *Temple International and Comparative Law Journal*, the *University of Pennsylvania Journal of Constitutional Law*, the *Villanova Sports and Entertainment Law Forum* and the *Widener Law Journal*. *Lexis*[®] also provides listings for the various law reviews published at the Pennsylvania law schools, which include Penn State-Dickinson,

Duquesne, Temple, University of Pennsylvania, Villanova and Widener. These law reviews can also be accessed individually (i.e., the *Duquesne Law Review* can be found at filename DUQLR).

Westlaw[®]

Coverage of law reviews and bar journals depends on individual law review titles. In general, full coverage is available for law reviews and journals after 1993 or 1994. Like Lexis[®], Westlaw[®] provides access to law review publications from all of the Pennsylvania law schools. Various law journals are also available. The database identifier for the database containing the various law reviews and journals is PA-JLR; individual identifiers for each of the law reviews and journals are also available.

HeinOnline[®]

Coverage of more than 1,100 legal periodicals in full-text pdf format from the initial volume of each title. The collection includes law school periodicals, ABA journals, and other specialty journals. The database provides searching capability for the entire database or single titles. It also provides for printing or downloading of articles.

§9.7.5 Legal Newspapers and Current Awareness

Legal newspapers are a convenient source for maintaining one's knowledge of developments in the law or the emergence of new and novel issues in the law.

Law.com[™]/PA

The Law.com[™]/PA web site, which provides news databases for the Philadelphia-based newspapers *The Legal Intelligencer* and the *Pennsylvania Law Weekly*, is one of the sources for legal news and developments in Pennsylvania. Law.com[™]/PA offers recent news and developments, as well as detailed analysis and articles on recent decisions of the Pennsylvania courts and emerging issues in Pennsylvania law. More specifically, Law.com[™]/PA provides a "Headline Archives" for these publications.

Westlaw[®]

Westlaw[®] provides an extensive database for news, newspapers and newsletters. The general site is PANEWS, which contains newspapers from all over Pennsylvania. Users can also explore the PAPERSPA and PAPERSPA-C databases. The former covers the full text of all articles, stories, etc. contained within the various statewide and local newspapers of Pennsylvania. The latter database covers the most recent newspaper articles and stories for the current year. Westlaw[®] also provides a separate database for information appearing in the *Pennsylvania Lawyer* at PALAW.

Lexis[®]

Lexis[®] provides a database for news sources in Pennsylvania at PANEWS. This site contains news from various legal newspapers and regional sources. Alternatively, users can access the PANEWS database, which contains articles from news sources in Pennsylvania.

§9.7.5.1 Online indexes

The paper indexes listed above in section can also be found in Lexis[®] and Westlaw[®]. First, *Legal Resources Index* (LRI) is available on Lexis and Westlaw. This database is similar to *LegalTrac* containing both legal periodicals and newspapers. The *Index to Legal Periodicals and Books* and *Current Index to Legal Periodicals* are available in Westlaw[®].

§9.7.6 Forms

Forms are required in every aspect of the legal profession. The Internet has served and is likely to continue serving as the primary means of form retrieval for the practicing attorney. There is an abundance of sites available that cover just about every type of form available on the Internet. The following are some of the many sites available. In both Lexis[®] and Westlaw[®], Pennsylvania forms can be searched as individual databases or combined with general form sets, e.g., *Am Jur Legal Forms*, *Nichols Cyclopedia of Legal Forms*, *Rabkin-Johnson Current Legal Forms*, etc.

The AOPC site for forms concentrates on forms for civil complaints, landlord and tenant complaints and private criminal complaints. This site can be found at www.aopc.org/

Index/Forms/indexForms.htm. Administrative Office of Pennsylvania Courts

Dunlap-Hanna Pennsylvania Forms

This site is also maintained by Lexis® and is the online version of *Dunlap-Hanna Pennsylvania Forms*, a service for forms concerning various aspects of litigation, as well as forms for estates, wills and trusts, commercial transactions and general business formations. The filename is PAFORM.

Pennsylvania Tax Forms

Users can find Pennsylvania tax forms at www.revenue.state.pa.us/forms. These forms can be downloaded in .pdf format. In addition, users will find other information such as press releases, publications and monthly revenue reports.

Pennsylvania Transaction Guide

This site is maintained by Lexis® and is the online version of *Pennsylvania Transaction Guide-Legal Forms*. Bongiovanni not only provides a wide array of forms for all areas of litigation, but also provides legal background, research aids, practice guides and step-by-step guides to transacting in Pennsylvania. The filename is PATRAN.

West's Pennsylvania Forms

This set is maintained in Westlaw® and is the online version of *West's Pennsylvania Forms*. The database is PAFORMS.

APPENDIX

Publishers of Pennsylvania

Legal Materials

Adams County Legal Journal
Adams County Bar Association
Attn: Prothonotary
Courthouse
111 Baltimore St.
Gettysburg, PA 17325
Phone: (717) 334-6781

Allegheny County Bar Association
400 Koppers Building
436 Seventh Avenue.
Pittsburgh, PA 15219
Phone: (412) 261-6161
Fax: (412) 261-3622

Allegheny County Law Library
921 City-County Bldg.
414 Grant St.
Pittsburgh, PA 15219
Phone: (412) 350-5353
Fax: (412) 350-5889
Email: fishman@duq.edu

American Bar Association-American Law Institute (ALI-ABA)
4025 Chestnut Street
Philadelphia, PA 19104
(800) CLE-NEWS
www.ali-aba.org

American Journal of Legal History
Temple University
1719 N. Broad St.
Philadelphia, PA 19122
(215) 204-8867
FAX: (215) 204-1785

ALM, Inc.
1617 JFK Blvd., Suite 1750
Philadelphia, PA 19103
Phone: (215) 557-2300
Fax: (215) 557-2301
www.alm.com

Beaver County Legal Journal
Beaver County Bar Association
788 Turnpike St.
Beaver, PA 15009
Phone: (724) 728-7622

Berks County Law Journal
Berks County Bar Association
544 Court St.
P. O. Box 1058
Reading, PA 19603
Phone: (610) 375-4591

Bradford County Journal
Bradford County Bar Association
206 S. Keystone Avenue
Sayre, PA 18840
Phone: (570) 888-2244
Fax: (570) 888-2295

Bucks County Law Reporter
Bucks County Bar Association
135 E. State St.
P. O. Box 300
Doylestown, PA 18901
Phone: (215) 348-9413

Cambria County Reports
Cambria County Bar Association
P. O. Box 157
Johnstown, PA 15905
Phone: (814) 255-3221

Centre County Legal Journal
Centre County Bar Association
1003 Grennbriar Drive
State College, PA 16801
Phone: (814) 231-0996

Chester County Reports
Chester County Bar Association
15 W. Gay St.
P.O. Box 3191
West Chester, PA 19381-3191
Phone: (610) 692-1889

Crawford County Legal Journal
Crawford County Bar Association
P. O. Box 384
Meadville, PA 16335
Phone: (814) 333-2398

Cumberland Law Journal
Cumberland County Bar Association
32 S. Bedford Street
Carlisle, PA 17013-3308
Phone: (717) 249-3166

Data Trace Publishing Co.
P. O. Box 1239
Brooklandville, MD 21022
Phone: (800) 342-0454
Fax: (410) 494-0515
Email: customerservice@datatrace.com
www.datatrace.com

Dauphin County Reports
Dauphin County Bar Association
213 N. Front St.
Harrisburg, PA
Phone: (717) 232-7536

Delaware County Legal Journal
Delaware County Bar Association Bldg.
P.O. Box 466
Media, PA 19063
Phone: (610) 566-6625 ext 23

Duquesne Business Law Journal
Duquesne University School of Law
600 Forbes Avenue
Pittsburgh, PA 15282
Email: duquesneBLJ@hotmail.com

Duquesne Law Review
Duquesne University School of Law
600 Forbes Avenue
Pittsburgh, PA 15282
(412) 396-5020

Erie County Legal Journal
Erie County Bar Association
302 W. 9th St.
Erie, PA 16502
Phone: (814) 459-3111

Fayette Legal Journal
Fayette County Bar Association
92 East Main St.
Uniontown, PA 15401
Phone: (724) 437-7994

Franklin County Law Reporter
Franklin County Bar Association
100 Lincoln Way East, Ste. E
Chambersburg, PA 17201
Phone: (717) 267-2032

Fry Communications, Inc.
800 W. Church Road
Mechanicsburg, PA 17055-3198
Phone: (800)334-1439
Fax: (717) 691-0341
Email: info@frycomm.com
www.frycomm.com

George T. Bisel Co.
710 S. Washington Square
Philadelphia, PA 19106
Phone: (800) 247-3526; (215) 922-5760
Fax: (215) 922-2235
www.bisel.com

Good Counsel Press
c/o Allegheny County Bar Association
400 Koppers Bldg.
436 Grant St.
Pittsburgh, PA 15219
Phone: (412) 261-6161

Greene County Reports
Greene County Bar Association
Attn: Law Library
Courthouse
Waynesburg, PA 15370
Phone: (724) 852-5225

Jefferson County Legal Journal
Jefferson County Bar Association
Courthouse, Room 204
Brookville, PA 15825
Phone: (814) 849-1653

Journal of Law and Commerce
University of Pittsburgh School of Law
3900 Forbes Avenue
Pittsburgh, PA 15260
(412) 648-1361
Email: jlc@law.pitt.edu

Journal of Law and Social Change
University of Pennsylvania Law School
3400 Chestnut Street
Philadelphia, PA 19104
Email: jlasc@law.upenn.edu

Juris

Duquesne University School of Law
600 Forbes Avenue
Pittsburgh, PA 15282
Phone: (412) 396-6305
Email: juris@duq.edu

Jurist

c/o Professor Bernard Hibbitts
University of Pittsburgh
School of Law
3900 Forbes Avenue
Pittsburgh, PA 15260
Email: jurist@law.pitt.edu

Lackwanna Jurist

Lackawanna Bar Association
338 N. Washington Ave., 3rd Floor
Scranton, PA 18503
Phone: (570) 969-9161

Lancaster Law Review

Lancaster County Bar Association
28 E. Orange Street
Lancaster, PA 17602
Phone: (717) 393-0737

Lawrence Law Journal

c/o Lawrence County Gov't. Center
New Castle, PA 16101
Phone: (724) 656-9774

Lebanon County Legal Journal

Lebanon County Bar Association
Law Librarian, Municipal Bldg.
400 S. 8th St.
Lebanon, PA 17042
Phone: (717) 274-2801, ext. 2280

Lehigh County Law Journal
Lehigh County Bar Association
1114 Walnut St.
Allentown, PA 18102
Phone: (610) 433-6204

LEXIS Publishing
1275 Broadway
Albany, NY 12204-2694
Phone: (800) 542-0957
Fax: (800) 643-1280
Email: llp.customer.support@lexis-nexis.com
www.lexislawpublishing.com

Lorman Educational Services
P.O. Box 509
Eau Claire, WI 54702
(866) 352-9539
www.lorman.com

LRP Publications Inc
747 Dresher Rd # 500
Horsham, PA 19044-2247
Phone: (215)784-0860

Luzerne Law Journal
Luzerne County Bar Association
Wilkes-Barre Law & Library Assn.
200 North River St., Room 23
Courthouse
Wilkes-Barre, PA 18711
Phone: (570) 822-6712

Lycoming Reporter
Lycoming Law Association
321 Pine St., Ste. 201
Williamsport, PA 17701
Phone: (570) 323-8287

Mercer County Law Journal
Mercer County Bar Association
P. O. Box 1302
1826 E. State St.
Hermitage, PA 16148
Phone: (724) 342-3111

Mifflin County Legal Journal
Mifflin County Bar Association
23 North Wayne Street
P. O. Box 430
Lewistown, PA 17044

Monroe Legal Reporter
Monroe County Bar Association
913 Main St.
P. O. Box 786
Stroudsburg, PA 18360
Phone: (570) 424-7288

Montgomery County Law Reporter
Montgomery Bar Association
P. O. Box 268
100 W. Airy St.
Norristown, PA 19404-0268
Phone: (610) 279-9660

National Business Institute, Inc.
1218 McCann Drive
Altoona, WI, 54702
(800) 930-6182

Northampton County Reporter
Northampton County Bar Association
155 S. Ninth St.
Easton, PA 18042
Phone: (610) 258-6333

Northumberland County Legal Journal
P. O. Box 126
Sunbury, PA 17801
Phone: (570) 286-7777

PALawLibrary.com
Jenkins Law Library
833 Chestnut Street East, Suite 1220
Philadelphia, PA 19107
(888) 871-0745
Email: info@palawlibrary.com
www.palawlibrary.com

Penn State Environmental Law Review
1170 Harrisburg Pike
Carlisle, PA 17013
Phone: (717) 240-5006
Fax: (717) 241-3511
Email: pselr@psu.edu

Penn State International Law Review
Dickinson School of Law
150 South College St.
Carlisle, PA 17013
Phone: (717) 240-5233
Email: psilr@psu.edu

Penn State Law Review
Dickinson Law School
150 South College St.
Carlisle, PA 17013
(717) 240-5230
(717) 241-3511
Email: lawreview@psu.edu

Penns Valley Publishers--See Fry Communications

Pennsylvania Bar Institute
5080 Ritter Road
Mechanicsburg, PA 17055-6903
(800) 932-4637
Email: info@pbi.org
www.pbi.org

Pennsylvania Employment Law Newsletter
M. Lee Smith, Publisher
P.O. Box 5094
Brentwood, TN 37024
(800) 274-6774

Pennsylvania Legal Resources Institute
P. O. Box 2644
Pittsburgh, PA 15230-2644
(412) 628-9295

Pennsylvania State Book Store
Pennsylvania Historical & Museum Commission
Commonwealth Keystone Building,
Plaza Level
400 North Street
Harrisburg, PA 17120
Phone: (717) 787-5109

Pittsburgh Journal of Environmental and Public Health Law
University of Pittsburgh School of Law
3900 Forbes Avenue
Pittsburgh, PA 15260

Pittsburgh Tax Review
University of Pittsburgh
School of Law
3900 Forbes Avenue
Pittsburgh, PA 15260
(412) 488-7243
FAX: (412) 648-1202
Email: taxreview@law.pitt.edu

Practising Law Institute
810 Seventh Avenue
NY, NY 10019
www.pli.edu

Professional Education Systems, Inc.,
P.O. Box 1000
Eau Claire, WI 54702
(800) 843-7763
www.pesi.com

Schuylkill Legal Record
Schuylkill County Bar Association
Law Library, Courthouse
401 N. Second St.
Pottsville, PA 17901-2522
Phone: (570) 628-1235

Somerset Legal Journal
P. O. Box 501
Somerset, PA 15501
Phone: (814) 445-4021

Temple Journal of Science, Technology and
Environmental Law
Temple University Beasley School of Law
(215) 204-7861

Temple International and Comparative Law Journal
Temple University Beasley School of Law
1719 Broad St.
Philadelphia, PA 19122
Phone: (215) 204-8945
Email: ticlj@temple.edu

Temple Law Review
Temple University Beasley School of Law
1719 Broad St.
Philadelphia, PA 19122
Phone: (215) 204-7868
Email: tlawrev@temple.edu

Temple Political and Civil Rights Law Review
Temple University Beasley School of Law
1719 Broad St.
Philadelphia, PA 19122
Phone: (215) 204-5268
Email: tpclr@temple.edu

University of Pennsylvania Journal of Business and
Employment Law
University of Pennsylvania Law School
3400 Chestnut St.
Philadelphia, PA 19104
(215) 898-9289
FAX: (215) 573-2025
Email: JBEL@law.upenn.edu

University of Pennsylvania Journal of Constitutional Law
University of Pennsylvania School of Law
3400 Chestnut St.
Philadelphia, PA 19104
Phone: (215) 898-1300
215-573-7709 (fax)
Email: conlaw@law.upenn.edu

University of Pennsylvania Journal of International
Economic Law
University of Pennsylvania Law School
3400 Chestnut St.
Philadelphia, PA 19104
Phone: (215) 898-6869
Fax: (215) 573-2025
Email: jiel@law.upenn.edu

University of Pennsylvania Law Review
University of Pennsylvania School of Law
3400 Chestnut St.
Philadelphia, PA 19104
Phone: (215) 898-7060
Fax: (215) 573-2005
Email: lawrev@law.upenn.edu

University of Pittsburgh Law Review
University of Pittsburgh School of Law
3900 Forbes Avenue
Pittsburgh, PA 15260
(412) 648-1354
FAX: (412) 648-2649
Email: lawreview@law.pitt.edu

Villanova Environmental Law Journal
Villanova University School of Law
299 North Spring Mill Road
Villanova, PA 19085
Phone: (610) 519-7046
Email: elj@law.villanova.edu

Villanova Journal of Law and Investment
Management
Villanova University School of Law
299 North Spring Mill Road
Villanova, PA 19085
Phone: (610) 519-7007
Email: sargent@law.villanova.edu

Villanova Law Review
Villanova University School of Law
299 North Spring Mill Road
Villanova, PA 19085
Phone: (610) 519-7053
Fax: (610) 519-6906
Email: review@law.villanova.edu

Villanova Sports and Entertainment Law Review
Villanova University School of Law
299 North Spring Mill Road
Villanova, PA 19085
Phone: (610) 519-7694
Email: sports@law.villanova.edu

Washington County Reports
Washington County Bar Association
119 S. College Street
Washington, PA 15301
Phone: (724) 225-6710

West Group
610 Opperman Drive
Eagan, Minn. 55123-1396
Phone: (800) 328-4880
Fax: 612 687-6674
west.thomson.com

Westmoreland County Law Journal
Westmoreland County Bar Association
129 N. Pennsylvania Avenue
Greensburg, PA 15601
Phone: (724) 834-6730

York Legal Record
York County Bar Association
137 E. Market St.
York, PA 17401
Phone: (717) 854-8755
Fax: (717) 843-8766

CHAPTER 10

INSTITUTIONS & ORGANIZATIONS

Law libraries generally exist within an organizational or institutional setting. Libraries are designated law libraries if the majority of their collections consist of legal materials. There are typically three types of law libraries: law school libraries, government/bar association law libraries, and private law libraries.

§10.1 Law School Libraries

There are currently eight American Bar Association accredited law schools in the Commonwealth of Pennsylvania. The library collections vary in size from over 100,000 to over 840,000 volumes. The libraries serve primarily the law faculty and students and similar groups from the remaining population at the college or university and the general public. Part of the accreditation process requires that the libraries meet ABA standards for academic law libraries.

For information about the country's law schools, see *The Official Guide to U.S. Law Schools From the Producers of the LSAT* or *The ABA Approved Law Schools*.

The Pennsylvania law schools libraries are:

Drexel University College of Law Library
Market Street
Philadelphia, PA 19104
(215) 571-4771

Duquesne University Center for Legal Information
600 Forbes Avenue
Pittsburgh, PA 15282
(412) 396-5017

Penn State-Dickinson School of Law Library
150 South College Street
Carlisle, PA 17013
(717) 240-5267

Temple University School of Law Library
1719 North Broad Street
Philadelphia, PA 19122
(215) 204-7891

University of Pennsylvania Law School
Biddle Law Library
3400 Chestnut Street
Philadelphia, PA 19104
(215) 898-7483

University of Pittsburgh School of Law
Barco Law Library
3900 Forbes Avenue
Pittsburgh, PA 15260
(412) 648-1330

Villanova University School of Law Library
299 North Spring Mill Road
Gary Hall
Villanova, PA 19085-1682
(610) 519-7022

Widener University School of Law Library—
Harrisburg Campus
3800 Vartan Way
Harrisburg, PA 17110-9450
(717) 541-3933

§10.2 County Law Libraries

During the early nineteenth century, only a select number of law libraries were established. The earliest was the Law Library Company of Philadelphia, begun in 1804 (now the Theodore F. Jenkins Memorial Law Library). Some local law libraries had existed for short periods of time before the Civil War, e.g., the Pittsburgh Law Library Association.¹ County law

1. See Joel Fishman, "The Pittsburgh Law Library Association: An Unpublished Minute Book," 63 *Western PA Historical Magazine* 189-201 (1981).

libraries date back to the post-Civil War period when, between 1865 and 1872, 23 county law libraries were established by state legislation. Today, the libraries' governing bodies and their being "open to the public" are part of the Judicial Code, 42 Pa.C.S. §§3722 and 3724, respectively.

Today, the county law library system in Pennsylvania consists of 57 independent libraries. About half of these libraries have full-time professional staff. The Theodore F. Jenkins Memorial Library is the largest of the county libraries (with over 400,000 equivalent volumes), followed by the Allegheny County Law Library (with over 200,000 equivalent volumes). Most of the smaller libraries have less than 40,000 volumes. Jenkins and Allegheny have multiple professional librarians serving both in technical and professional services, while many smaller libraries have a single librarian.² See Appendix 1 for a listing of county law libraries.

§10.3 Government Law Libraries

Government law libraries serve various federal, state and local governments as well as courts. Their collections vary in size from several thousand volumes to over 200,000. These libraries are usually open to the public.

The State Library of Pennsylvania is divided into four major sections: Library Bureau for Development, Reference, Newspapers, and Local History and Genealogy. Before the early 1980s, there was a state law librarian who ran the law section of the State Library, independent of the State Librarian. In the mid-1980s, the State Law Librarian's position was eliminated within a larger reorganization of the State Library.

Today, the head of the law library is also in charge of the federal and state government documents collection. The law section is part of the reference division. The law section contains both federal and state material as well as a treatise and large Pennsylvania brief collection. The section provides reference assistance to state government agencies as well as to local governments and libraries. For a listing of libraries with a State Documents Collection, see the annual *Directory of Pennsylvania*

2. See Judith Foust, "Pennsylvania County Law Libraries: A Profile," 73 Law Library J. 143-67 (1980).

Libraries published by the Bureau of Library Development, Office of Commonwealth Libraries.

For mailing purposes the address of the Law Section of the State Library is:

State Library of Pennsylvania Law Section
P.O. Box 1601
Harrisburg, PA 17105
(717) 787-3273

§10.4 State Appellate Court Libraries

The three appellate courts in Pennsylvania each have small libraries within a judge's chambers, as well as a Supreme Court library in Philadelphia and a Commonwealth Court library in Harrisburg. In Pittsburgh, the judges usually access the Allegheny County Law Library for many of its materials.

§10.5 Federal Court Libraries

The United States Court of Appeals for the Third Circuit has its library headquarters in Philadelphia with branch libraries in Newark, Pittsburgh, Harrisburg, and the Virgin Islands. These libraries also serve district and bankruptcy courts. Federal judges also have access to the local county law libraries in the cities where they meet. All are staffed by professional librarians.

§10.6 Private Law Libraries

Each lawyer or law firm has a working library that can consist simply of a set of statutes or court reports or can be as elaborate as some law school or government law libraries. The larger the law firm, the more specialized the collection in areas such as tax, labor, law or litigation. Law firm libraries are open to members of the firm. Their materials generally are not accessible to those outside of the firm. The libraries of larger law firms usually have a professional staff whose members sometimes belong to the American Association of Law Libraries.

§10.7 Non-law Libraries

Many law-related materials can be found in both public and college/university libraries. These libraries have government document collections, historical collections, legal, social science, and business-related materials and legal/non-legal computer-assisted research services. College/university libraries usually make these legal materials available to the public as well as to their students, while many public libraries may have a separate room or section for Pennsylvania-related materials.

Public libraries in Pennsylvania vary in size from large public library systems with branch libraries such as those in Philadelphia and Pittsburgh to small borough libraries. There are 29 district library centers within the state, which serve as regional libraries for its branches (if part of the system), as well as for smaller library systems. For a listing of district library centers and all public libraries in Pennsylvania, see the annual *Directory of Pennsylvania Libraries* published by the Bureau of Library Development, Office of Commonwealth Libraries.

§10.8 Federal Government Depositories

Access to federal government publications is available in various types of libraries throughout the Commonwealth. The federal depository library system began in 1895 “to provide the general public with the means of examining annual reports, statistics, research studies and other materials produced by federal agencies.” Currently, all of the law school libraries and the Allegheny County Law Library are designated as partial depositories. The State Library of Pennsylvania is a full depository, meaning that it collects 100 percent of all government publications; all other depositories within the state are partial depositories collecting anywhere from seven to eight percent or more. All district library centers and many college/university libraries are also depositories. For a listing of the depositories, see the annual *Directory of Pennsylvania Libraries* published by the Bureau of Library Development, Office of Commonwealth Libraries.

§10.9 Bar Associations

The Pennsylvania State Bar Association, organized in 1895, is made up of over 34,000 members. A directory of the members is published annually in the *Pennsylvania Bar Association Lawyers' Directory & Product Guide*. The headquarters can be reached at:

Pennsylvania Bar Association
100 South Street
P. O. Box 186
Harrisburg, PA 17108
(800) 932-0311
Website: www.pabar.org

The bar association governing body is the board of governors, which consists of a president, vice-president, chairman of the house of delegates, secretary, treasurer, immediate past president, chairperson and chairperson elect, and immediate past chairperson of the young lawyers division, and 12 members representing geographic areas, called zones.

The state is divided as follows:

- Zone 1: Philadelphia.
- Zone 2: Berks, Carbon, Lehigh, Northampton, Schuylkill.
- Zone 3: Adams, Cumberland, Dauphin, Franklin, Juniata, Lancaster, Lebanon, Perry, York.
- Zone 4: Columbia, Lycoming, Montour, Northumberland, Snyder, Tioga, Union.
- Zone 5: Bradford, Lackawanna, Luzerne, Monroe, Pike, Sullivan, Susquehanna, Wayne, Wyoming.
- Zone 6: Fayette, Green, Washington, Westmoreland.
- Zone 7: Clarion, Crawford, Erie, Forest, Jefferson, McKean, Venango, Warren.
- Zone 8: Bedford, Blair, Cambria, Fulton, Huntingdon, Indiana, Mifflin, Somerset.
- Zone 9: Bucks, Chester, Delaware, Montgomery.
- Zone 10: Armstrong, Beaver, Butler, Lawrence, Mercer.
- Zone 11: Cameron, Centre, Clearfield, Clinton, Elk, Potter.
- Zone 12: Allegheny.

Like all organizations, the bar association is subdivided into numerous offices based on various factors. Besides administrative offices³, there are 51 committees, one division (young lawyers), and 17 sections dealing with various fields of law, e.g., administrative law, tax law, etc.⁴

Three related organizations—formed from the main organization—are the Pennsylvania Bar Institute, the Pennsylvania Bar Trust Fund, and the Pennsylvania Bar Foundation.

Pennsylvania Bar Institute
5080 Ritter Road
Mechanicsburg, PA 17055
(717) 796-0804
(800) 932-4637

Pennsylvania Bar Trust Fund
Pennsylvania Bar Insurance Fund
c/o Sandra Graver

Pennsylvania Bar Association
P. O. Box 186
Harrisburg, PA 17108
(717) 238-6715
(800) 932-0311

Pennsylvania Bar Foundation
c/o E. Marie Queen
Pennsylvania Bar Association
P. O. Box 186
Harrisburg, PA 17108
(717) 238-6715
(800) 932-0311

The Pennsylvania Bar Institute runs approximately 40 to 50 seminars a year with many seminars offered in separate eastern, middle and western locations throughout the state. From 1968 to 2007, the institute has published over 2,000 num-

3. *Pennsylvania Bar Association Lawyers Directory* 859-861 (2008 ed.)

4. *Id.*, 862.

bered publications in its continuing series. It has also recently started providing audiotapes of its seminars as well.

The Pennsylvania Bar Trust Fund's purpose is "to promote educational and charitable purposes associated with the legal profession and the administration of justice, with particular reference to the promotion of such purposes in the Commonwealth of Pennsylvania."⁵ The fund's trustees oversee an insurance fund to provide insurance plans for the members of the association and their employees.

The bar foundation is a nonprofit corporation created "to underwrite programs and projects which meet the varied educational and office management needs of Pennsylvania lawyers and to finance research benefiting the legal profession, the courts and the citizenry."⁶

Another major statewide organization is the Pennsylvania Association of Justice (formerly the Pennsylvania Trial Lawyers Association), an organization made up of 2,500 lawyers who are trial practitioners. It produces between 10 and 15 CLE seminars a year.

Pennsylvania Association of Justice
121 South Broad Street
Suite 600
Philadelphia, PA 19107-4594
(215) 546-6451
Fax: (215) 546-5430

§10.10 County Bar Associations

The county bar associations are active affiliates of the state bar offering a number of similar services to its members, e.g., placement, local bar journal, specialty sections, continuing education, etc. Lawyers may be members of the local bar and not of the state bar and vice-versa. There are 33 county bar associations with permanent offices (see Appendix 2). One can also check by calling the PBA at (800) 932-0311 (toll free in PA) or (717) 238-6715.

5. *Id.*, 863.

6. *Id.*

§10.11 Paralegal Associations/Schools

For the past quarter century, paralegal or legal assistant programs have provided a wide range of positions for people without law degrees who wish to work in a legal environment. There are several national associations as well as state and local chapters of paralegal associations, e.g., American Association for Paralegal Education (AAfPE), National Association of Legal Assistants (NALA), and National Federation of Paralegal Associations (NFPA). There are nine local chapters of paralegal associations in the state; for a listing of these organizations and schools, see the annual *Pennsylvania Bar Association Lawyers Directory*.

§10.12 Legal Secretaries Associations/Schools

Legal secretaries also provide important support staff in any law organization. There are several national associations as well as state and local chapters of legal secretary associations, e.g., NALS, the association for legal professionals, NALS of Pennsylvania, and three regional chapters. For a listing of these organizations and schools, see the annual *Pennsylvania Bar Association Lawyers Directory*.

§10.13 Legal Assistance

In Pennsylvania there are several organizations that provide legal assistance to indigent persons. Each county has a public defender's office to meet the needs of the indigent. The district attorney's office in each county can offer assistance in either civil or criminal matters. Neighborhood legal services are located throughout the Commonwealth, providing legal assistance to indigents and those with low incomes. Many county bar associations also provide lawyer referral services that offer an initial low-cost consultation with a staff attorney who will provide legal assistance or direct the person to lawyers registered to assist persons on more difficult problems. The bar associations may also sponsor Tel-Law tapes, a library of tape recordings three to six minutes in length, that contain information about a variety of topics. The local bar association or local telephone book can provide information on these services.

In addition to agencies that provide legal support for those who cannot afford it, there are various other agencies such as the Client Security Fund, established to assist persons who can prove that their attorneys have cheated them and The Lawyers Trust Account Board, established to operate the Interest on Lawyers Trust Accounts (IOLTA) program.

§10.14 Law Library Associations

There are two law library associations in Pennsylvania: the Greater Law Library Association of Philadelphia (GPLLA), which covers the eastern part of the state, and the Western Pennsylvania Law Library Association (WPLLA), which covers the western part of the state. Both chapters are also affiliated with the national law library association, the American Association of Law Libraries. Both chapters offer its members the capability of sharing information, a newsletter, travel grants to the national convention, and an email listserv (gplla-l@lishost.net; wplla@aallnet.org).

§10.15 Online Resources

Many of the organizations listed above have their own web sites.

For the academic law schools, each has its own web site:

Drexel University College of Law
at www.drexel.edu/law

Duquesne University School of Law
at www.law.duq.edu

Penn State University-Dickinson School of Law
at www.dsl.psu.edu

Temple University Beasley School of Law
at www.law.temple.edu

University of Pennsylvania Law School
at www.law.upenn.edu

University of Pittsburgh School of Law
at www.law.pitt.edu

Villanova University School of Law
at www.law.vill.edu

Widener University School of Law
at www.law.widener.edu

For access to the libraries listed in the appendixes, the Commonwealth Libraries has an online directory of Pennsylvania libraries, at

<http://www.libdir.ed.state.pa.us/>

For links to Pennsylvania libraries on the internet, see PA Libraries on the Web: Select a library category to locate the website for a Pennsylvania library or a library organization, at

<http://www.statelibrary.state.pa.us/>

Academic Libraries

Commonwealth Government Libraries

Federal Depository Libraries in Pennsylvania

Library Organizations

Public Libraries

Special Libraries

The Pennsylvania Bar Association web site, at www.pabar.org, has links to each local bar association, at <http://www.pabar.org/public/legalproflinks/llcbassociations.asp>

The website for the Greater Philadelphia Law Library Association is www.gplla.org and the website for the Western Pennsylvania Law Library Association is <http://www.aallnet.org/chapter/wplla>.

APPENDIX 1
SELECTED PENNSYLVANIA LAW LIBRARIES

ALLENTOWN

Lehigh County Law Library
Courthouse
455 West Hamilton Street
Allentown, PA 18101-1614
Phone: (610) 782-3385
Fax: (610) 820-3311

BEAVER

Beaver County Law Library
Courthouse
810 3rd Street
Beaver, PA 15009-2145
Phone: (724) 728-5700
Fax: (412) 728-4133

BEDFORD

Bedford County Law Library
Courthouse
Bedford, PA 15522
Phone: (814) 623-5631

BELLEFONTE

Centre County Law Library
Courthouse, 3rd Floor
Bellefonte, PA 16823
Phone: (814) 355-2861
Fax: (814) 355-6707

BLOOMSBURG

Columbia County Law Library
Courthouse
P.O. Box 380
Bloomsburg, PA 17815
Phone: (570) 389-5665

BROOKVILLE

Jefferson County Law Library
Courthouse
200 Main Street
Brookville, PA 15825
Phone: (814) 849-1618
Fax: (814) 849-1649

BRYN MAWR

American College
270 South Bryn Mawr Avenue
Bryn Mawr, PA 19101-2196
Phone: (215) 526-1307
Fax: (215) 526-1310

BUTLER

Butler County Law Library
Butler County Courthouse
Butler, PA 16001
Phone: (412) 284-5206
Fax: (412) 284-5210

CARLISLE

Cumberland County Law Library
Courthouse
One Court Square
Carlisle, PA 17013
Phone: (717) 240-6200
Fax: (717) 240-6462

Dickinson School of Law Library
Sheely-Lee Law Library
150 South College Street
Carlisle, PA 17013
Phone: (717) 240-5267
Fax: (717) 240-5127

CHAMBERSBURG

Franklin County Law Library
Courthouse
100 Lincoln Way East, Suite E
Chambersburg, PA 17201
Phone: (717) 263-4809
Fax: (717) 264-1992

CLARION

W. W. Barr Law Library
Courthouse
Main Street
Clarion, PA 16214
Phone: (814) 226-9351
Fax: (814) 226-1097

CLEARFIELD

Clearfield County Law Library
1 North 2nd Street
Clearfield, PA 16830
Phone: (814) 765-2641
Fax: (814) 765-6089

COUDERSPORT

Potter County Law Library
Courthouse
Coudersport, PA 16915
Phone: (814) 274-9720

DANVILLE

Montour County Law Library
Courthouse
29 Mill Street
Danville, PA 17821
Phone: (717) 271-3010/3018

DOYLESTOWN

Bucks County Law Library
Courthouse, 1st Floor
55 East Court Street
Doylestown, PA 18901
Phone: (215) 348-6023
Fax: (215) 348-6827

EASTON

Northampton County Law Library
Government Center
669 Washington Street
Easton, PA 18042
Phone: (610) 559-6751
Fax: (610) 559-6750

EBENSBURG

Cambria County Law Library
Courthouse
South Center Street
Ebensburg, PA 15931
Phone: (814) 472-1501
Fax: (814) 472-4799

EMPORIUM

Cameron County Law Library
Courthouse
20 East 5th Street
Emporium, PA 15834
Phone: (814) 486-3349
Fax: (814) 486-0464

ERIE

Erie County Law Library
Courthouse, Room 01
140 West 6th Street
Erie, PA 16501
Phone: (814) 451-6319
Fax: (814) 451-6320

FRANKLIN

Venango County Law Library
Courthouse
1168 Liberty Street
Franklin, PA 16323
Phone: (814) 432-9612
Fax: (814) 432-3149

GETTYSBURG

Adams County Law Library
Courthouse
111-117 Baltimore Street
Gettysburg, PA 17325
Phone: (717) 334-6781
Fax: (717) 334-2091

GREENSBURG

Westmoreland County Law Library
Courthouse
Two North Main Street
Greensburg, PA 15601
Phone: (724) 830-3267
Fax: (724) 830-3042

HARRISBURG

Commonwealth Court Law Library
603 South Office Building
Commonwealth & Walnut Streets
Harrisburg, PA 17127
Phone: (717) 255-1615
Fax: (717) 255-1784

Dauphin County Law Library
Courthouse
101 Market Street
Harrisburg, PA 17101
Phone: (717) 780-6605
Fax: (717) 780-6481

Department of Auditor General
Law Library
Finance Building Room 223
Harrisburg, PA 17120—0018
Phone: (717) 787-4546
Fax: (717) 772-3691

Department of Environmental Protection
Law Library
400 Market Street, 9th Floor
Harrisburg, PA 17101-2301
Phone: (717) 783-8440
Fax: (717) 787-9378

Department of Revenue Law Library
Tenth Floor, Strawberry Square
Harrisburg, PA 17127
Phone: (717) 787-1382

Department of Transportation Law Library
Commonwealth Keystone Building
400 N Street, 9th Floor
Harrisburg, PA 17120-0096
Phone: (717) 705-1358
Fax: (717) 772-2741

Joint State Government Commission Library
Room G-16, Finance Building
Harrisburg, PA 17120
Phone: (717) 787-1906
Fax: (717) 787-7020

Office of Attorney General Law Library
1525 Strawberry Square
Harrisburg, PA 17120
Phone: (717) 787-3176
Fax: (717) 772-4526

Pennsylvania Legislative Reference

Bureau Library

Main Capitol Building, Room 641

Harrisburg, PA 17120-0033

Phone: (717) 787-4816

Fax: (717) 783-2396

Senate Library of Pennsylvania

Room 157, Main Capitol Building

Harrisburg, PA 17120

Phone: (717) 787-6120

Fax: (717) 783-5021

State Library of Pennsylvania

Law & Government Library Section

P. O. Box 1601

333 Market Street

Harrisburg, PA 17126

Phone: (717) 783-7014

Fax: (717) 783-2070

Supreme and Superior Court Library

Room 434 Capitol Box 624

Harrisburg, PA 17108

Phone: (717) 787-6199

Widener University School of Law Library

Harrisburg Campus

3800 Vartan Way

Harrisburg, PA 17110-9450

Phone: (717) 541-3933

Fax: (717) 541-3998

HOLLIDAYSBURG

Blair County Law Library

Courthouse

423 Allegheny Street, Suite 227

Hollidaysburg, PA 16648

Phone: (814) 693-3090

Fax: (814) 693-3289

HUNTINGDON

Huntingdon County Bar Law Library
Courthouse, 2nd Floor
Huntingdon, PA 16652
(814) 643-4510

INDIANA

Indiana County Law Library
825 Philadelphia Street, 4th Floor
Indiana, PA 15701
Phone: (724) 465-3956
Fax: (724) 465-3152

JIM THORPE

Carbon County Law Library
Courthouse
P. O. Box 207
Jim Thorpe, PA 18229-0207
Phone: (570) 325-3111

LANCASTER

Lancaster County Law Library
Courthouse
50 North Duke Street
P. O. Box 3480
Lancaster, PA 17608-3480
Fax: (717) 295-2509
Phone: (717) 299-8090

LAPORTE

Sullivan County Law Library
Main & Muncy Streets
Laporte, PA 18626
Phone: (570) 946-5201
Fax: (570) 946-4421

LEBANON

Lebanon County Law Library
400 South 8th Street
Lebanon, PA 17042
Phone: (717) 274-2801, ext. 2280
Fax: (717) 273-7490

LEWISTOWN

Mifflin County Law Library
Courthouse
20 North Wayne Street
Lewistown, PA 17044
Phone: (717) 248-4613

LOCK HAVEN

Clinton County Law Library
Courthouse
230 East Water Street
Lock Haven, PA 17745
Phone: (570) 893-4127
Fax: (570) 893-4145

McCONNELLSBURG

Fulton County Law Library
Courthouse
201 North 2nd Street
McConnellsburg, PA 17233
Phone: (717) 485-3691

MEADVILLE

Crawford County Law Library
Courthouse
903 Diamond Square
Meadville, PA 16335
Phone: (814) 333-8157
Fax: (814) 333-7489

MEDIA

Judge Francis J. Catania Law Library
Courthouse
201 West Front Street
Media, PA 19063
Phone: (610) 891-4462
Fax: (610) 891-4480

MERCER

Mercer County Law Library
305 Courthouse
Mercer, PA 16137
Phone: (724) 662-3800, ext. 2302
Fax: (724) 662-0620

MIDDLEBURG

Snyder County Law Library
Courthouse, P. O. Box 217
Middleburg, PA 17842
Phone: (570) 837-0691
Fax: (570) 837-5481

MIFFLINTOWN

Juniata County Law Library
Courthouse
Mifflintown, PA 17059
Phone: (717) 436-8991

MILFORD

Pike County Law Library
412 Broad Street
Milford, PA 18337
Phone: (570) 296-7231
Fax: (570) 296-0654

MONTROSE

Susquehanna County Law Library
Courthouse
P. O. Box 218
Montrose, PA 18801
Phone: (570) 278-4600, ext. 195

NEW BLOOMFIELD

Perry County Law Library
Courthouse
P. O. Box 668
New Bloomfield, PA 17068
Phone: (717) 582-2131, ext. 2234
Fax: (717) 582-5166

NEW CASTLE

Lawrence County Law Library
Lawrence County Government Center
430 Court Street
New Castle, PA 16101-3593
Phone: (724) 656-2136
Fax: (724) 658-4489

NORRISTOWN

Law Library of Montgomery County
Courthouse
Swede & Airy Streets
Norristown, PA 19404-0311
Phone: (610) 278-3806
Fax: (610) 278-5998

PHILADELPHIA

American Law Institute Library
4025 Chestnut Street
Philadelphia, PA 19104
Phone: (215) 243-1654
Fax: (215) 243-1636

City of Philadelphia Law Department
1515 Arch Street, 17th Floor
Philadelphia, PA 19102

Philadelphia Common Pleas &
Municipal Court Law Library
600 City Hall
Philadelphia, PA 19107
Phone: (215) 686-3799
Fax: (215) 686-3737

Philadelphia District Attorney's Office
1421 Arch Street
Philadelphia, PA 19102
(215) 875-6297

Supreme & Superior Courts of Pennsylvania Library
456 City Hall
Philadelphia, PA 19107
Phone: (215) 496-4600

Temple University School of Law Library
1719 North Broad Street
Philadelphia, PA 19122
Phone: (215) 204-7891
Fax: (215) 204-1785

Theodore F. Jenkins Memorial Law Library
833 Chestnut East, Suite 1220
Philadelphia, PA 19107
Phone: (215) 574-7905
Fax: (215) 574-7920

U. S. Attorney's Office
3310 U. S. Courthouse
601 Market Street
Philadelphia, PA 19106
(215) 597-2161

U. S. Court of Appeals 3rd Circuit Library
1609 U. S. Courthouse
601 Market Street
Philadelphia, PA 19106
Phone: (267) 299-4319
Fax: (267) 299-4326

University of Pennsylvania Law School
Biddle Law Library
3460 Chestnut Street
Philadelphia, PA 19104-3406
Phone: (215) 898-7478
Fax: (215) 898-6619

PITTSBURGH

Allegheny County Law Library
921 City-County Bldg.
414 Grant Street
Pittsburgh, PA 15219-2465
Phone: (412) 350-5353
Fax: (412) 350-5889

Duquesne University Law Library
600 Forbes Avenue
Pittsburgh, PA 15282
Phone: (412) 396-5017
Fax: (412) 396-6294

U.S. Court of Appeals 3rd Circuit Library

512 U. S. Court House

700 Grant Street

Pittsburgh, PA 15219

Phone: (412) 208-7340

Fax: (412) 208-7344

University of Pittsburgh School of Law

Barco Law Library

3900 Forbes Avenue

Pittsburgh, PA 15260

Phone: (412) 648-1330

Fax: (412) 648-1352

POTTSVILLE**Schuylkill County Law Library**

Courthouse, 401 North 2nd Street

Pottsville, PA 17901

Phone: (570) 628-1235

Fax: (570) 728-1017

READING**Berks County Law Library**

Court of Common Pleas

635 Court Street, Court House

Reading, PA 19601-3566

Phone: (610) 478-6370

Fax: (610) 478-6375

RIDGWAY**Elk County Law Library**

Courthouse

P. O. Box 448

Ridgway, PA 15853

Phone: (814) 776-1161

SCRANTON**Lackawanna Bar Association Law Library**

Courthouse

200 North Washington Avenue

Scranton, PA 18503

Phone: (570) 963-6712

Fax: (570) 344-2944

SMETHPORT

McKean County Law Library
Courthouse
500 West Main Street
Smethport, PA 16749
Phone: (814) 887-5571, ext. 325
Fax: (814) 887-2712

SOMERSET

Somerset County Law Library
Courthouse
111 East Union Street, Suite 60
Somerset, PA 15501
Phone: (814) 445-1508
Fax: (814) 445-1455

STROUDSBURG

Monroe County Law Library
Courthouse
Stroudsburg, PA 18360
Phone: (570) 420-3642

SUNBURY

Northumberland County Law Library
Courthouse
201 Market Street
Sunbury, PA 17801
Phone: (570) 988-4162
Fax: (570) 988-4497

TIONESTA

Forest County Law Library
Courthouse
P. O. Box 126
Tionesta, PA 16353
Phone: (814) 728-3449

TUNKHANNOCK

Wyoming County Law Library
One Courthouse Square
Tunkhannock, PA 18657
Phone: (570) 836-3151

UNIONTOWN

Fayette County Law Library
Courthouse
61 East Main Street
Uniontown, PA 15401
Phone: (724) 430-1228
Fax: (724) 430-4886

UNIVERSITY PARK

Penn State University Libraries
Pattee Library — C207
University Park, PA 16802
Phone: (814) 865-4861

VILLANOVA

Villanova University School of Law Library
299 North Spring Mill Road
Garey Hall
Villanova, PA 19085-1682
Phone: (610) 645-7022
Fax: (610) 519-7033

WARREN

Warren County Law Library
Courthouse
204 4th Avenue
Warren, PA 16365
Phone: (814) 728-3449

WASHINGTON

Washington County Law Library
Courthouse
1 South Main Street, Suite G004
Washington, PA 15301-6813
Phone: (724) 228-6747
Fax: (724) 228-6890

WAYNESBURG

Greene County Law Library
Courthouse
Waynesburg, PA 15370
Phone: (724) 852-5290
Fax: (724) 627-4716

WELLSBORO

Tioga County Law Library
Courthouse
118 Main Street
Wellsboro, PA 16901
Phone: (570) 724-9380
Fax: (570) 724-1363

WEST CHESTER

Chester County Law Library
15 West Gay Street
West Chester, PA 19380
Phone: (610) 344-6166
Fax: (610) 344-6994

WILKES-BARRE

Wilkes-Barre Law & Library Association
Courthouse, Room 23
Wilkes-Barre, PA 18711-1001
Phone: (570) 822-6712
Fax: (570) 822-8210

WILLIAMSPORT

Lycoming County Law Library
Court House
48 West 3rd Street, Basement
Williamsport, PA 17701
Phone: (570) 327-2475
Fax: (570) 327-2288

YORK

York County Law Library
Courthouse
York, PA 17401
Phone: (717) 854-0754
Fax: (717) 843-7394

**APPENDIX 2
COUNTY BAR ASSOCIATIONS**

The following listing is for county bar associations with permanent offices, sometimes located within a county official's office, e.g., prothonotary, law library. It is also possible to access a web site for each bar association and/or email address through the County Bar Directory on the Pennsylvania Bar Association Web Site, at <http://www.pabar.org/CountyDir/Map.asp>.

Adams County Bar Association

Attn: Prothonotary
Courthouse
117 Baltimore Street
Gettysburg, PA 17325
(717) 334-6781

Allegheny County Bar Association

400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 261-6161

Armstrong County Bar Association

Attn: Prothonotary
Courthouse
Kittaning, PA 16201
(724) 543-2500

Beaver County Bar Association

788 Turnpike Street
Beaver, PA 15009
(724) 728-4888

Bedford County Bar Association

Attn: Prothonotary
Courthouse
Bedford, PA 15522
(814) 623-4833

Berks County Bar Association
544 Court Street
P. O. Box 1058
Reading, PA 19603
(610) 375-4591

Blair County Bar Association
Law Library
Courthouse
423 Allegheny Street, Suite 227
Holidaysburg, PA 16648
(814) 693-3090

Bucks County Bar Association
135 East State Street
P. O. Box 300
Doylestown, PA 18901
(215) 348-9413

Cameron County Bar Association
P. O. Box 111
25 East 4th Street
Emporium, PA 15834
(814) 486-1181

Chester County Bar Association
15 West Gay Street
West Chester, PA 19380
(610) 692-1889

Clarion County Bar Association
1390 East Main Street, Suite 2
Clarion, PA 16214
(814) 226-9100

Crawford County Bar Association
Attn: Prothonotary
Courthouse
Meadville, PA 16335
(814) 724-4636

Cumberland County Bar Association

Attn: Prothonotary

Courthouse

32 South Bedford Street

Carlisle, PA 17013

(717) 249-3166

Dauphin County Bar Association

213 North Front Street

Harrisburg, PA 17101

(717) 232-7536

Delaware County Bar Association

Front & Lemon Streets

P.O. Box 466

Media, PA 19063

(610) 566-6625

Erie County Bar Association

302 West 9th Street

Erie, PA 16502

(814) 459-3111

Fayette County Bar Association

92 East Main Street

Uniontown, PA 15401

(724) 437-7994

Fulton County Bar Association

119 North Second Street

McConnellsburg, PA 17233

(717) 485-4515

Greene County Bar Association

Attn: Law Library

Courthouse

Waynesburg, PA 15370

(724) 852-5237

Indiana County Bar Association

Courthouse, Law Library

825 Philadelphia Street

Indiana, PA 15701

(724) 465-3956

Jefferson County Bar Association
Courthouse, Room 204
Brookville, PA 15825
(814) 849-8316

Lackawanna County Bar Association
338 North Washington Avenue, 3rd Floor
Scranton, PA 18503
(570) 969-9161

Lancaster Bar Association
28 East Orange Street
Lancaster, PA 17602
(717) 393-0737

Lebanon County Bar Association
Municipal Building, Attn: law librarian
242 South Eighth Street
Lebanon, PA 17042
(717) 273-3113

Lehigh County Bar Association
1114 Walnut Street
Allentown, PA 18102
(610) 433-6204

Luzerne County Bar Association
Courthouse Wilkes-Barre Law & Library Assn.
200 North River Street, Room 23
Wilkes-Barre, PA 18711-1001
(570) 822-6712

Lycoming Law Association
321 Pine Street, Room 217
Williamsport, PA 17701
(570) 323-8287

Mercer County Bar Association
P.O. Box 1302
Hermitage, PA 16148
(724) 342-3111

Monroe County Bar Association
913 Main Street
P. O. Box 786
Stroudsburg, PA 18360
(570) 424-7288

Montgomery Bar Association
P. O. Box 268
100 West Airy Street
Norristown, PA 19404
(610) 279-9660

Northampton County Bar Association
155 South Ninth Street
Easton, PA 18042
(610) 258-6333

Philadelphia County Bar Association
1101 Market Street
10th Floor
Philadelphia, PA 19107-2911
(215) 238-6300

Schuylkill County Bar Association
Law Library, Courthouse
401 North 2nd Street
Pottsville, PA 17901-2522
(570) 628-1235

Susquehanna County Bar Association
25 Public Avenue
Montrose, PA 18801
(570) 278-3861

Union County Bar Association
P. O. Box 590
Lewisburg, PA 17837
(570) 523-3239

Venango County Bar Association
c/o Michael Snyder, President
314 West Park Street
Franklin, PA 16323
(814) 437-3754

Washington County Bar Association
119 South College Street
Washington, PA 15301
(724) 225-6710

Westmoreland County Bar Association
129 North Pennsylvania Avenue
Greensburg, PA 15601
(724) 834-6730

York County Bar Association
137 East Market Street
York, PA 17401
(717) 854-8755

**APPENDIX 3
PARALEGAL/LEGAL ASSISTANT SCHOOLS**

Academy of Court Reporting
235 Fourth Avenue
Pittsburgh, PA 15222
(412) 535-0560

American Center For Technical Arts & Sciences, Inc.
2375 Welsh Road
Philadelphia, PA 19114
(215) 969-9000

Bucks County Community College
275 Swamp Road
Newtown, PA 18940
(215) 968-8227

Central Pennsylvania College
Campus on College Hill
Summerdale, PA 17093-0309
(717) 728-2230

Community College of Allegheny County
Boyce Campus
595 Beatty Road
Monroeville, PA 15146
(412) 325-6614

Duquesne University
Paralegal Institute
216 Rockwell Hall
600 Forbes Avenue
Pittsburgh, PA 15282
(412) 396-1643

Erie Business Center
Erie Campus
246 West Ninth Street
Erie, PA 16501
(814) 456-7504

Everest Institute
110 Forbes Avenue, Suite 1200
Pittsburgh, PA 15222
(412) 261-4530

Gannon University
Lawyer's Assistant Program
Box #3221
University Square
Erie, PA 16541
(814) 871-5897

Harrisburg Area Community College
One HACCC Drive
Whitaker 211D
Harrisburg, PA 17110
(717) 780-2629

Harrisburg Area Community College
Lancaster Campus
1641 Old Philadelphia Pike
Lancaster, PA 17602
(717) 358-2864

Keystone Technical Institute
2301 Academy Drive
Harrisburg, PA 17112
(717) 545-4747

Lehigh Carbon Community College
4525 Education Park Drive
Schnecksville, PA 18078-2598
(610) 799-1594

Luzerne County Community College
1333 South Prospect Street
Nanticoke, PA 18634
(800) 377-5222

Manor College
700 Fox Chase Road
Jenkintown, PA 19046
(215) 885-2360

Marywood University
Legal Assistant Program
2300 Adams Avenue
Scranton, PA 18509
(570) 348-6288

Mount Aloysius College
7373 Admiral Perry Drive
Cresson, PA 16630-1999
(814) 886-6304

Northampton Community College
3835 Green Pond Road
Bethlehem, PA 18020
(610) 861-4546

Pennsylvania College of Technology
One College Avenue
Williamsport, PA 17701-5799
(570) 327-4761

Pennsylvania State University
Continuing and Distance Education
915 Oswald Tower
University Park, PA 16802
(814) 863-0260

Pennsylvania State University
Abington College
Continuing Education
1600 Woodland Road
Abington, PA 19001
(215) 881-7388

Pennsylvania State University
Berks Campus
Continuing Education
Tulpehocken Road
P.O. Box 7009
Reading, PA 19610-6009
(610) 396-6225

Pennsylvania State University
Fayette, The Eberly Campus
Continuing Education
P. O Box 519
Route 119N
Uniontown, PA 15401
(724) 430-4211

Pennsylvania State University
Shenango Campus
Continuing Education
147 Shenango Avenue
Sharon, PA 16146
(724) 983-2857

Pennsylvania State University
Workforce and Technology Center
Continuing Education
2463 Loop Road
Chambersburg, PA 17201
(717) 709-0778

Pennsylvania State University
Worthington Scranton Campus
Continuing Education
120 Ridge View Drive
Dunmore, PA 18512
(570) 963-2600

Pennsylvania State University
York Campus
Continuing Education
1031 Edgecomb Avenue
York, PA 17403
(717) 771-4197

PJA School
7900 West Chester Pike
Upper Darby, PA 19082
(610) 789-6700

Tri-State Business Institute
5757 West 26th Street
Erie, PA 16506
(814) 838-7673

Villanova University
Office of Continuing Studies
800 Lancaster Avenue
Stanford Hall
Villanova, PA 19085
(610) 519-4304

Western School of Health and Business Careers
Branch Campus
One Monroeville Center
Monroeville, PA 15146
(800) 622-1394

Western School of Health and Business Careers
421 Seventh Avenue
Pittsburgh, PA 15219-1907
(800) 333-6607

Westmoreland County Community College
145 Pavilion Lane
Youngwood, PA 15697
(800) 262-2103

CHAPTER 11

CONCLUSION

In order to perform effective legal research in Pennsylvania law, a modern legal researcher must have skills for all types of media.

Since the publication of the first edition in 2001, the expansion of primary and secondary materials available online and in such fee-based databases as Lexis and Westlaw have resulted in a paradigm shift in how legal research is currently being performed.

The Internet opens up a vast and unlimited world of information. For this reason, it is important to have access to and knowledge of the Internet. Increasing amounts of federal and state official documents, including legislative enactments, administrative regulations and decisions, court rules and decisions are now posted on the Internet as a public service. An increasing amount of commercial legal publications of primary and secondary sources is also available on the Internet. In addition, there are listservs, blogs and wikis, RSS feeds, and podcasts which allow legal researchers to expand their scope of research.

In this handbook, we have extensively described the information resources and the research methods for each type of media for Pennsylvania legal research. We plan to keep the handbook up-to-date on a regular basis. We welcome legal researchers' comments and suggestions for improvement.

GENERAL INDEX

A

- Administrative Law 5, 191-226, 270, 330, 385
Administrative law judges (ALJ) 191, 215
Administrative Office of the Pennsylvania Courts (AOPC) 314-16, 326-27
Advance sheets 237-39, 241-42, 244, 246-47, 249-50,
278, 280, 286-87, 306-7, 322
Agencies 14, 119, 191-92, 194, 201-2, 206, 208-9,
215, 217-19, 223, 225, 317, 356, 388
Allegheny County 14, 149, 157, 164, 184-89, 230, 244, 274, 357
Allegheny County Bar Association 244-45, 352-53, 364, 368, 406
Amendments 8, 9, 12, 13, 18, 22, 24, 25, 39, 70, 86, 116-18,
121, 138-43, 145, 195, 240, 311-13, 320, 323, 326-27
AOPC, *see* Administrative Office of the Pennsylvania Courts
Appellate court rules 37, 312
Appellate courts 227, 245-47, 257, 273, 292-93, 312, 321, 382
 intermediate 227, 231
Appellate Procedure 39, 249, 310, 312, 319-21, 323-24, 326-27, 331
Atlantic Reporter 2, 237-42, 254, 256, 280, 282-84, 287
Atlantic Reporter Citations 278-80, 284, 286
Attorney General 194, 225, 304, 306
 opinions 196-98, 286

B

- Bankruptcy 320, 322-23, 327
Bankruptcy Court Decisions (BCD) 251, 322
Bankruptcy Courts 247, 250, 257, 319-20, 325-26, 382
 in Pennsylvania 258-59
Beaver County 164, 184-85, 187
Berks County 157, 184-86, 188-89, 307
Bills 30, 36, 41, 70, 86, 115-19, 121-23, 126-30, 132, 134, 192-93
Bisel's Pennsylvania Criminal Law Update 272, 351
Bisel's Pennsylvania Family Law Update 272, 351
Bisel's Pennsylvania Local Domestic 338-39
Bisel's Pennsylvania Municipal Lawsource 155, 341
Bisel's Pennsylvania Real Estate 344
Bisel's Pennsylvania Workers' Compensation Update 272, 351
Bound volumes 36, 39, 47, 58, 59, 124, 130, 196, 200, 208, 225, 237-42,
244, 247, 249, 251, 278-79, 286, 306, 319, 322, 359
Boundary Compact 65, 66
Bradford 151, 162-63, 174, 176, 184, 293, 297, 299, 300, 318, 384
Briefs 291-92
Brightly's Purdon's Digest 83
Bucks County 157, 184-87, 189, 303

C

Chester County 158, 184-89, 303

Circuit Courts 256, 304, 319, 323, 359

Citators 19, 22, 59, 212, 278, 280, 286, 322

CLI, *see* Current Law Index

Codes 29, 42, 149-50, 156, 206, 208, 215, 316

Combined History of Senate and House Bills 121, 127

Commission on Constitutional Amendment and Revision 26

Committee reports 115, 118, 123-24

Commonwealth Court 4, 219, 228, 230, 232, 237, 240, 242, 256, 258-59, 287, 292, 304, 311-12, 382

Commonwealth Libraries 382-83, 389

Commonwealth of Pennsylvania 4, 5, 10, 24-26, 28, 30, 33, 76, 77, 86, 139, 147-48, 205, 210-11, 213, 242, 339, 379, 386

Constitution 1, 4, 5, 7-28, 30, 31, 33, 39, 49, 59, 70, 76, 77, 87, 88, 90, 117-18, 128, 150, 191, 193, 228, 232, 310-11, 314

Constitutional amendments 12, 26, 36, 194, 231

Constitutional convention 7, 8, 10, 12, 13, 18, 19, 24, 25, 27, 28

Constitutional law 10, 11, 23, 24, 333, 350, 360

Constitutions 7-9, 12, 13, 18, 22, 24-26, 149, 228

Convention 7-9, 12, 13, 24-26, 28

Court

- of Appeals 247, 252, 258-59, 279-80, 401-2
- of Judicial Discipline 231, 237, 274, 315, 323
- Discipline Rules of Procedure 315, 323

Court rules 5, 39, 68, 206, 241, 248, 309-28, 331, 417

Courts

- lower 230-31, 306-7, 312
- traffic 234-36

Criminal Procedural Rules Committee 314-15, 326

Criminal procedure 39, 44, 108, 310-11, 319-26

Cumberland County 184-88

Current Law Index (CLI) 23, 223, 269, 353-54

D

Databases 3, 72-74, 135-36, 200, 219-22, 275-77, 280, 287, 289, 328, 354, 360-63

Dauphin County 158, 184-89, 304

Decedents 43, 44, 51, 108, 112

Decedents' Estates Laws 138-40, 145-47

Declaratory Judgments in Pennsylvania 104, 107

Deeds of Conveyance in Pennsylvania 105, 107

Delaware County 158, 175, 184-88

GENERAL INDEX

Digest	
of Official Opinions	196
of Select British Statutes	86, 87
District & County Reports	280, 282, 286-87
District Court	246-47, 249, 252, 256, 305, 319, 325
Dunlap-Hanna Pennsylvania Forms	325, 347-48, 363
Duquesne University Center for Legal Information	134, 198, 379

E

Email	364, 366-70, 372-76
Erie	150, 152, 162-63, 298-99, 318, 367, 384, 393, 412-13
Estate Planning in Pennsylvania	337, 342
Estates	43, 44, 108, 112, 139
and Fiduciaries Code	138, 141-43, 342

F

Federal courts	245-46, 257, 305, 323, 333, 356-57
Federal District Courts of Pennsylvania	258-59
Federal Practice Digest	256-58, 322
Federal Reporter	248-51
Fishman, Joel	18, 23, 33, 74, 126, 129, 193, 196, 198, 287, 331, 357-58, 380
Franklin County	175, 184-85, 189

G

General Assembly	5, 12, 13, 24, 26, 27, 29, 31, 33, 36, 42, 48, 70, 74, 76, 86, 115, 125-27, 136, 149-50, 192-93, 201-2, 206-7
Government	7, 8, 10, 13, 30, 35, 150-53, 195, 233, 312, 357, 379
Governor	5, 8, 14, 33, 74, 101, 117-18, 121, 126, 128-29, 143, 191-94, 202, 206, 237, 384
Governors of Pennsylvania	126, 193

H

Home rule charters	149-51, 153-54, 206-7, 220
adopted	150-53, 157
House Bills	127, 130

GENERAL INDEX

I

- ILPB, *see* Index to Legal Periodicals and Books
Index to Legal Periodicals and Books (ILPB) 23, 223, 269, 353-54, 362
Institutions & Organizations 379-416
Insurance 32, 113, 201, 207
Internal Operating Procedures 311, 319, 327
Internet 1, 3, 4, 17, 197, 237, 242, 269, 358-59, 362, 417
Interstate Compact 57, 65, 67

J

- Jenkins Law Library in Philadelphia 291-92
Joint State Government Commission 123, 134, 144
Judges, president 14, 41, 228-29, 231-33, 235
Judicial Administration 315-16, 320-21, 323, 325-26
Judicial conduct 316, 321, 323, 326
Judicial Decisions 82-84, 227, 324
Judicial Discipline Rules 315, 323
Judicial districts 228, 231, 233-34, 236, 243, 291-92, 297, 299, 306, 314, 357
Judiciary 9, 13, 14, 28, 32, 41, 43, 228, 230, 314
Jurisdiction 7, 62, 67, 68, 192, 227, 230-36, 242,
246-48, 252, 278, 284, 286-87, 305
Justices 32, 44, 80, 86, 109, 113, 192, 196, 228, 230,
271, 293, 305, 309, 313-14, 317, 347, 386

K

- Key numbers 2, 252, 258-61, 263, 322
KeyCite 3, 289

L

- Law
 libraries 154, 225, 269, 271, 346-47, 353-54, 379-80, 382, 388
 reviews 269-70, 279-80, 282, 286-87, 349, 355, 358, 360-61
Laws
 of Pennsylvania 1, 3-5, 34-38, 58, 59, 62, 69, 75, 77, 78, 80-88, 121,
 126, 129-30, 193, 202, 269-71, 329, 359, 361, 417
 procedural 322-23, 330, 347
 uniform 57, 62, 63, 67, 150
Laws, family 337, 348-49
Legal Forms 347-48
Legal newspapers 23, 129, 244-45, 251, 271, 352, 354, 358, 361-62
Legal periodicals 23, 129, 269, 329, 353-54, 360-62
Legal Resources Index (LRI) 23, 362

GENERAL INDEX

LegalTrac	269, 353-54, 362
Legislation	14, 29, 33, 49, 116, 119, 123, 129, 149, 191, 193, 314
Legislative histories	18, 19, 115, 118, 129, 132, 135-36
Legislative Journals	117, 123-26, 130, 134
Legislative Process	111, 115-48
Legislative Reference Bureau	14, 26, 36, 37, 55, 111, 115, 119, 201-2, 206, 208-9
Legislative sessions	30, 37, 124-25, 127, 130
Legislature	8, 9, 13, 14, 30, 33, 34, 36, 41, 47, 70, 76, 77, 81, 86, 87, 113, 115, 119, 121-26, 134, 150-51, 191-93, 201
Lexis	1-3, 5, 20-23, 62, 68, 73, 126, 136, 154, 199, 217-20, 269, 274-75, 277, 280, 287, 324-25, 328-29, 337-38, 354, 359-63
Local governments	9, 28, 32, 150-54, 381
Local rules	314-15, 319-21, 327-28
Luzerne Law Times	305

M

Magisterial district judges	39, 192, 207, 228, 235-37, 313, 321
Municipal Liability in Pennsylvania	155, 341
Municipalities	149-51, 153-57, 164, 187, 206, 357

O

Organization and Administration of Pennsylvania's State Government	148
Orphans' Court rules	313
Orphans' Courts	228, 252, 304, 306

P

Parallel	
citations	55, 58, 261, 278, 283
cite	280, 282-84, 286
PaTLA (Pennsylvania Trial Lawyers Association)	271, 340-41, 347, 386
PBI (Pennsylvania Bar Institute)	23, 42, 155, 223, 271, 324, 334, 337-39, 341, 345-47, 349, 352, 372, 385
Penn State University-Dickinson Law School	350
Penn, William	7, 29, 35, 74, 77, 79, 80, 228
Pennsylvania Appellate Practice	324-25, 331
Pennsylvania Association of Justice	271, 347, 386
Pennsylvania Attorney General opinions	196, 199, 200
Pennsylvania Attorneys-General	198
Pennsylvania Bar Association	9, 27, 28, 104-5, 107, 271, 346, 351, 358, 384-85
Pennsylvania Bar Association Quarterly	27, 350, 360
Pennsylvania Bar Institute, <i>see</i> PBI	
Pennsylvania Bulletin	36, 126, 193, 196, 201, 203-4, 209, 213-14, 217-18, 220, 310, 314, 320-21, 327

GENERAL INDEX

- Pennsylvania Citations 22, 59, 154, 278-81, 283, 286, 322, 355
and Shepard. 278-80
- Pennsylvania Code 132, 150-51, 153, 156, 201-2, 205-9, 211-12,
214-15, 218, 220, 311-14, 316, 320, 325, 346
- Pennsylvania Consolidated Statutes. 4, 14, 15, 28, 37, 39, 41-43, 45, 47, 55,
59, 70, 73, 104-6, 121, 139-42, 151, 202, 331
- Pennsylvania Constitution (*see also* constitutions) 8, 13, 18, 22, 23, 25, 26, 28,
68, 88, 138, 144, 149, 198, 228, 237, 315, 333
- Pennsylvania Consumer Credit Code 138
- Pennsylvania County Court Reports. 243, 306
- Pennsylvania Criminal Procedure 325, 334-35
- Pennsylvania Department of Education 225
- Pennsylvania Digest 61, 67, 154, 254, 256, 258-59, 261, 280
- Pennsylvania Discovery and Evidence Reporter. 271, 333, 337
- Pennsylvania District & County Reports 2, 243-44, 254, 274, 277, 286, 306
- Pennsylvania Environmental Hearing Board 221, 225
- Pennsylvania Instant Case Service 244-45
- Pennsylvania Jurisprudence 270, 329, 359
- Pennsylvania Law Encyclopedia. 40, 61, 67, 154, 223, 269, 323, 329, 355, 359
- Pennsylvania Law Journal 303, 307
- Pennsylvania law schools 269, 279, 286, 360-61
- Pennsylvania Law Weekly 244-45, 352, 361
- Pennsylvania Legislative Reference Bureau 35-37
- Pennsylvania Public Utilities Commission. 225
- Pennsylvania Research 329-62, 364-77
- Pennsylvania Rules of Court 240, 311, 314-15, 319-20, 325
- Pennsylvania State Reports 237-41, 287, 310
- Pennsylvania State University 414-15
- Pennsylvania Superior Court Reports 240-41, 287
- Pennsylvania Supreme Court. 35, 78, 80, 227-28, 230, 237, 240, 252,
257, 279-80, 291, 302-4, 313, 317-18
- Pennsylvania Transaction Guide 347, 363
- Pennsylvania Trial Lawyers Association, *see* PaTLA
- Pennsylvania Unfair Sales and Unfair Cigarette Sales Act 106-7
- Pennsylvania Uniform Commercial Code 104, 106
- Pennsylvania Uniform Trust Act and Amendments 138-39
- Pennsylvania Vehicle Code 106-7
- Pennsylvania Workers' Compensation Law Reporter 222, 225, 271, 345
- Philadelphia Bar Reporter 351, 353
- Philadelphia County 160, 302-3, 306
- Philadelphia Municipal Court 228, 234
- Philadelphia Traffic Courts. 228, 234-35
- Pittsburgh Magistrates Court. 228, 234-35
- Probate. 138-43, 270
- Purdon, John 38, 83, 84
- Purdon's Pennsylvania Statutes Annotated 37, 39, 41, 47, 50, 55, 59, 68, 86,
108, 121, 149, 151, 211, 266, 321, 355

GENERAL INDEX

Purdon's Statutes	34, 37, 42, 47, 48, 50, 51, 55, 58, 61, 62, 67, 70, 130, 208, 321
Purdon's Statutes Rules Books	311-14, 318

R

References to Reports of Judicial Decisions	80, 81
Reporters	2, 222, 237-38, 240, 242-43, 248, 251, 261, 280
official	239, 242, 287
Rules	
of Appellate Procedure	39, 310, 312, 320, 323
of Civil Procedure	39, 310-11, 313-14, 320-22, 325-26, 349
of Criminal Procedure	39, 310-11, 320, 326
of Evidence	310, 313, 320, 323-24, 326, 337
of Judicial Administration	316, 320, 323, 326
of Professional Conduct	316-17, 323
Rules, federal	313, 319, 322, 324-25, 327, 332

S

Second Class Township	152-53, 155, 341
Secondary Sources	2, 5, 22, 129, 154, 223, 267, 271, 289, 329-62, 364-77, 417
Senate	12-14, 24, 30, 32, 115-17, 119, 122, 124-28, 130, 192, 247, 303
Senate bill number	121, 129
Senate Bills	37, 127, 129, 132
Smith's Laws	34, 69, 77
Standard Pennsylvania Practice	223, 270, 323, 330, 332, 355, 359
State Library	124-25, 129, 291, 381-82
Statutory Governmental Immunity in Pennsylvania	155, 341
Statutory Regulation of Insurers in Pennsylvania	105, 107
Summary of Pennsylvania Jurisprudence	270, 329, 359
Superior Court	4, 228, 231, 235, 237, 241, 258-59, 291, 307, 311
Supplements	29, 49, 58, 59, 70, 81, 82, 85-88, 90, 148, 251, 286, 322, 347
Supreme Court Orphans' Court Rules	310, 313, 323, 342

T

Temple University Beasley School of Law	349-50, 374, 388
Third Circuit	246-47, 319, 324, 327, 382
Townships, first class	152-53, 155, 341

U

Uniform Laws Annotated	62, 67
United States Bankruptcy Courts	247, 250
United States Circuit Courts of Appeals	247, 319

GENERAL INDEX

United States Code Service	319-20
United States Congress	29, 30, 65
United States Constitution	10, 65
United States Courts of Appeal	227, 327
United States District Courts	227, 246-47, 257, 323
University	
of Pennsylvania	
Journal of Constitutional Law	23, 350, 360
Law Review	329, 350-51, 375
Law School	317, 349-51, 368, 380, 388, 401
of Pittsburgh Law School	349-51, 368-69, 373, 375, 380, 388, 402

V

Vale Pennsylvania Digest	18, 252, 254
Veto Messages	126, 128, 193
Vetoes	36, 101, 126, 193
Villanova University Law School	349, 351, 376, 388

W

Web sites	3-5, 18, 69, 70, 132, 135, 155, 245, 271, 274, 326-27, 346-47, 360, 388, 406
West®	2, 15, 39, 40, 48, 50, 51, 61, 62, 67, 68, 70, 154-55, 237-42, 247-51, 254, 256-61, 266-67, 269, 287, 289, 319-25, 329-33, 335-43, 345-48
West Chester	152, 173, 189, 366, 405, 407
Western Pennsylvania Law Library Association (WPLLA)	388-89
Westlaw	1-3, 5, 21-23, 62, 72, 73, 126, 135, 154, 200, 220-22, 269, 275-77, 289-90, 292, 328, 354, 359-63, 417
Westmoreland County	160, 184-88
West's Pennsylvania Forms	363
West's Pennsylvania Practice Series	331-38, 340, 342-43, 345-46
WPLLA (<i>see</i> Western Pennsylvania Law Library Association)	

Y

York County	161, 186-89
-----------------------	-------------

BIOGRAPHIES

Tsegaye Beru, *Assistant Director for Public Services at the Duquesne Law School Center for Legal Information/Allegheny County Law Library*. Mr. Beru holds a B.A. degree in English and Communications from Addis Ababa University; an M.L.S. from the School of Information Sciences from the University of Pittsburgh; and a J.D. from Duquesne University School of Law. Mr. Beru is an instructor of legal research for first year law students and also co-teaches the advanced legal research at Duquesne Law School. He has edited and published over fifty agricultural research manuals. Moreover, he has published in-house, *Allegheny County Cases with Their Parallel Citations to District and County Reports*, how to research Pennsylvania legislative history on the Center's web site, Summary of the Pennsylvania Constitution, and many other in-house publications. In addition, he was Articles and Managing Editor of *Juris*, a five-time ABA first place award of the American Bar Association. He has also published articles in the same. Mr. Beru has been a student member of the American Association of Immigration Lawyers, American Association of Trial Lawyers, Eastern and Southern Africa Editor's Association and various American and International Organizations.

Joel Fishman, Ph.D., *Assistant Director for Lawyer Services, Duquesne University Center for Legal Information/Allegheny County Law Library*. Dr. Fishman was the Law Librarian, Allegheny County Law Library, from 1977-1999. He holds an M.L.S. from Queens College, and an M.A. and Ph.D. from the University of Wisconsin-Madison. He has taught legal research courses for more than 25 years as an Adjunct Lecturer, GSPIA at the University of Pittsburgh, Robert Morris College, and the Paralegal Institute of Duquesne University. Dr. Fishman is the author/compiler/editor of more than 70 books and 75 articles on bibliography, legal history, and law librarianship including *Bibliography of Pennsylvania Law: Secondary Sources* (1993); *Searching the Law* (2d ed.,

1999; 3d ed., 2005); *The Pennsylvania Constitution* (2004); *Allegheny County Discovery Opinions*, 6 vols (1982-2005); *Allegheny County Family Law Reporter*, 12v. (1980-1991); *Judges of Allegheny County, Fifth Judicial District, Pennsylvania (1788-1988)* and a second ed. updated to 2007; *Index to the Pa. Bar Association Quarterly Volumes 1-77 (1929-2006)* (2007); *Index-Digest of the Pittsburgh Legal Journal Volumes 117-155 (1968-2007)*(2008); *Legal Research & Technology: Questions & Answers* (2007). He has contributed to the *Encyclopedia of American Civil Liberties*, *Encyclopedia of the U. S. Constitution*, and *One Day in History—July 4, 1776*. He is an active member of AALL and has served as chair of four Special Interest Sections, as well as President of WPLLA. Dr. Fishman was awarded the 2005 Connie E. Bolden Publications Award from SCCLL SIS for his 25 years of contribution to books and articles on Pennsylvania law. He is currently the co-director of the Pennsylvania Constitution Web Site at Duquesne University Law School.

Frank Y. Liu, *Professor of Law and Director of Duquesne University School of Law, Center for Legal Information (DCLI) and Allegheny County Law Library (ACLL) in Pittsburgh, Pennsylvania*. Professor Liu earned his Bachelor of Law (LL.B.) from the National Taiwan University, studied at Yale Law School through a graduate study fellowship and received a Master of Comparative Jurisprudence (M.C.J.) and a Master of Library Science (M.L.S.) from the University of Texas at Austin. He was the President of WPLLA, and served as a Chair and/or member on numerous committees of the AALL. In 1996, he received the national “Spirit of Law Librarianship” award. He served as a member of the AALL Executive Board, 1998-2001. He has written extensively in the area of Pennsylvania legal research and was co-columnist with Dittakavi Rao for the bi-monthly column, “In the Stacks,” for the *Pennsylvania Law Weekly*. Professor Liu has also been active in providing services to Duquesne University and the community, serving as the President of the Faculty Senate of Duquesne University from 1994-98 and a member of the pres-

tigious Pennsylvania Humanities Council. In addition, he has served in the leadership capacity of numerous other community organizations. In 1990, he received the Duquesne University President's Faculty Award for Excellence in Community Service. He teaches Legal Research and Chinese for Lawyers to law students.

Dittakavi Rao, *Associate Director, Duquesne University Center for Legal Information / Allegheny County Law Library*. Mr. Rao earned his B.S. and M.A. degrees at Andhra University, India. He earned his M.L.S. in 1978 at the University of Pittsburgh. Mr. Rao is the author of the *Pennsylvania Paralegal Computer Research Handbook*; *101 Legal Research Websites Every Attorney Should Know About*; *Internet Companion for Attorneys: A List of Legal Websites*; *Internet Legal Research: An Introductory Guide for Attorneys, Paralegals and Legal Researchers*; *Pennsylvania Legal Research Handbook* (co-author); *Pennsylvania Legal Research Web Sites* (an Internet web site); several legal bibliographies and pathfinders; and several legal research and library science articles. Mr. Rao has also taught Manual Legal Research, Computer Assisted Legal Research and Advanced Legal Research for several years. He was voted the Outstanding Law Librarian of 1998 and was awarded Duquesne University's President's Award for Staff Excellence in 1994. Mr. Rao also served as President of WPLLA from 1993 to 1994. He was the co-columnist of the bi-monthly column, "In the Stacks," for the *Pennsylvania Law Weekly*.