



PA CIVIL RULES FOUNDATIONS

★ CHAPTERS 200–300 ★

JURISDICTION • VENUE • SERVICE



BEFORE EVERY CIVIL CASE ASK:

1 Does the MDJ have Jurisdiction?



2 Is Venue Proper?



3 Was Service Properly Completed?



1 JURISDICTION

42 Pa.C.S. §1515



MOST TESTED CONCEPT

- ✓ Civil claims up to \$12,000 (excluding interest & costs)
- ✓ Landlord/Tenant Possession Actions
- ✓ Other actions specifically authorized by statute



REMEMBER!

JURISDICTION = AUTHORITY

Jurisdiction is created by STATUTE. Parties cannot give a court authority the law does not provide.

2 VENUE

Rule 302

INDIVIDUAL DEFENDANT

- Where cause of action arose
- Where transaction occurred
- Where defendant can be served



CORPORATION

- Principal place of business
- Registered office
- Regularly conducts business



LANDLORD/TENANT

- Where the property is located



REMEMBER!

VENUE = LOCATION

A court may have jurisdiction but STILL be the wrong venue.

3 SERVICE

Rules 307–310



PURPOSE: Give notice of the lawsuit and hearing.

ACCEPTABLE METHODS

- Personal Service
- Certified Mail
- Comparable delivery with receipt

SERVICE RULES

- ➔ Rule 308 – Individuals
- ➔ Rule 309 – Partnerships
- ➔ Rule 310 – Corporations



REMEMBER!

Improper service can delay or prevent the hearing.
No proper service = No proper notice.

★ HIGH-YIELD RULES ★

RULE	TOPIC
209	Continuances
215	ACT (Advanced Communication Technology)
302	Venue
305	Hearing Scheduling
307	Service
308	Individuals
309	Partnerships
310	Corporations



209 CONTINUANCES

MDJs may grant continuances for good cause.

215 ACT (ADVANCED COMMUNICATION TECHNOLOGY)

Permits participation by telephone or other technology as allowed by the rules.



BIG REMEMBER!

1



JURISDICTION = AUTHORITY

Does the MDJ have the power to hear the case?

2



VENUE = LOCATION

Is this the proper place for the case?

3



SERVICE = NOTICE

Was notice properly given to the defendant?

4



HEARING = ACTION

The case moves forward.



CIVIL ACTION ROADMAP

★ RULE 300 SERIES ★



From Complaint to Judgment – The Civil Case Flow



REMEMBER!

If service cannot be completed in time to hold the hearing within **60 days**:

➔ **COMPLAINT DISMISSED WITHOUT PREJUDICE**

Can usually be re-filed.



KEY TIME FRAME

Hearing must be held no sooner than **12 days** and no later than **60 days** after the complaint is filed.



TESTED FACT

Civil actions generally begin with the filing of a **COMPLAINT**.



THE PURPOSE OF THE PROCESS

- Provide notice
- Ensure fairness
- Resolve disputes efficiently

★ HIGH-YIELD RULES (300 SERIES) ★

RULE	TOPIC
303	COMPLAINT Filing of the complaint starts the action.
305	HEARING SCHEDULING Hearing must be scheduled 12–60 days after filing.
307	SERVICE Defendant must be served properly.
318	INTENT TO DEFEND Defendant may notify court and plaintiff.
322	JUDGMENT MDJ enters judgment and files it with the court.



BIG REMEMBER!



TIMING MATTERS:

Missing the **60-day** deadline can end your case.



SERVICE IS CRITICAL:

No proper service = **No hearing**.



INTENT TO DEFEND IS NOT AN ADMISSION:

It simply preserves the right to defend.



JUDGMENT RESOLVES THE CASE:

It states what each party must do (or pay).



FOLLOW THE ROADMAP • KNOW THE RULES • WIN IN THE COURTROOM





CIVIL RULES ROADMAP

ENFORCEMENT & APPEALS

RULES 400 & 1000 SERIES



Winning a case is important — Enforcing it is essential!

1

RULE 400 ENFORCEMENT OF MONEY JUDGMENTS



After the MDJ enters a money judgment, the plaintiff may take steps to collect.

ENFORCEMENT PROCESS

- 1 Obtain a Request for Execution (Rule 402).
- 2 The MDJ issues an Order of Execution.
- 3 The constable levies on eligible property.
- 4 Property is sold or funds are collected.
- 5 Proceeds are applied to the judgment.



ORDER OF EXECUTION



A written order from the court authorizing the constable to levy upon a defendant's property to satisfy the judgment.

PROPERTY SUBJECT TO LEVY (Rule 406)

- ✓ Wages (with limitations)
- ✓ Bank accounts
- ✓ Personal property
- ✓ Real estate (if applicable)
- ✓ Other non-exempt assets



Some property is protected by law and cannot be taken.

2

APPEALS RULE 1000 SERIES



RULE 1002

Appeals from MDJ decisions are taken to the:

COURT OF COMMON PLEAS OF THE COUNTY

- An appeal must be filed within 30 days of the order or judgment.
- The case is heard “de novo” (a new hearing).



REMEMBER!

**FILING AN APPEAL DOES NOT
MEAN THE MDJ WAS WRONG.**

It simply means the party is seeking a new review of the case in a higher court.

WHO CAN APPEAL?

- ★ Plaintiff
- ★ Defendant
- ★ Landlord
- ★ Tenant



Only an “aggrieved” party may file an appeal.

APPEAL TIMELINE (Rule 1002)



- 1 Judgment Entered
- 2 Notice of Appeal Filed Within 30 Days
- 3 Record Transmitted to Court of Common Pleas
- 4 New Hearing in CCP
- 5 New Decision Issued

★ HIGH-YIELD RULES ★

RULE	TOPIC	KEY POINT
402	Request for Execution	Plaintiff requests enforcement of a money judgment.
403	Order of Execution	MDJ issues order authorizing enforcement.
406	Property Subject to Levy	Identifies the types of property that may be taken.
408	Exempt Property	Certain property cannot be levied upon.
1002	Appeals	Appeals from MDJ go to the Court of Common Pleas.
1003	Record on Appeal	MDJ must transmit the record to the CCP.



BIG REMEMBER!



ENFORCEMENT (RULE 400)

- ✓ Judgment is only the beginning.
- ✓ Use enforcement tools to collect.
- ✓ Follow the rules for levy and collection.
- ✓ Not all property can be taken.



APPEALS (RULE 1000)

- ✓ Must be filed within 30 days.
- ✓ Goes to Court of Common Pleas.
- ✓ Heard “de novo” (new hearing).
- ✓ New judge, new decision.



DON'T STOP AT JUDGMENT — ENFORCE IT!
KNOW THE RULES • FOLLOW THE PROCESS • GET RESULTS



KNOW THE RULES ★ USE THE TOOLS ★ SERVE JUSTICE

SECTION 12
PAGE 3



LANDLORD/TENANT RULES

★ RULE 500 SERIES ★



For Possession Cases and Other Landlord/Tenant Actions



VENUE – RULE 502

A Landlord/Tenant action must be filed **where the property is located**.

EXAMPLES OF LT ACTIONS

- ✓ Nonpayment of rent
- ✓ Lease violations
- ✓ Damage to property
- ✓ Illegal activity
- ✓ Early termination
- ✓ All other actions specifically authorized by statute



REMEMBER!

Venue in LT cases is **ALWAYS** where the property is located.

There are no exceptions.



JUDGMENT OPTIONS

After a hearing, the MDJ may grant:



POSSESSION

Landlord regains the right to possession of the rental property.



MONEY JUDGMENT

For unpaid rent, damages, court costs, and other amounts owed.



BOTH

The landlord may recover possession and money.



REMEMBER!

MONEY JUDGMENT ≠ POSSESSION
A landlord can seek possession, money, or **BOTH** in the same case.



SPECIAL SERVICE – RULE 506

Landlord/Tenant cases have special service provisions.

SERVICE MAY INCLUDE:

- ✓ Personal service
- ✓ Posting and mailing (when permitted)
- ✓ First-class mail
- ✓ Any other method allowed by law
- ✓ Proof of service must be filed



REMEMBER!

If service is **NOT** proper, the hearing may be delayed or the case dismissed.



ORDER FOR POSSESSION



If possession is granted, the MDJ issues an **Order for Possession**.

- Authorizes the landlord to regain possession of the property.
- Executed by the constable on the date specified in the order.



COMMON DEFENSES

- ✓ Payment in full
- ✓ Improper notice
- ✓ Retaliation
- ✓ Habitability issues
- ✓ Discrimination
- ✓ Breach of quiet enjoyment
- ✓ Other valid legal defenses



HIGH-YIELD POINTS

- ★ Possession cases follow Rule 500 Series, not Rule 300 Series.
- ★ Landlord must prove the right to possession.
- ★ Tenants have rights and defenses.
- ★ MDJs apply landlord/tenant statutes in every case.



HIGH-YIELD RULES (500 SERIES)



RULE	TOPIC	KEY POINT
502	Venue	Must be filed where the property is located.
504	Hearing	Hearing scheduled after filing of complaint.
506	Service	Special LT service rules apply.
514	Judgment	MDJ enters judgment after hearing.
532-535	Order for Possession	Procedures for regaining possession.



BIG REMEMBER!



VENUE – Where the property is located.



SERVICE – Must follow Rule 506.



JUDGMENT – Possession, Money, or BOTH.



ORDER FOR POSSESSION – Returns the property to the landlord.



KNOW THE RULES ★ APPLY THE LAW ★ PROTECT THE RIGHTS OF ALL PARTIES

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