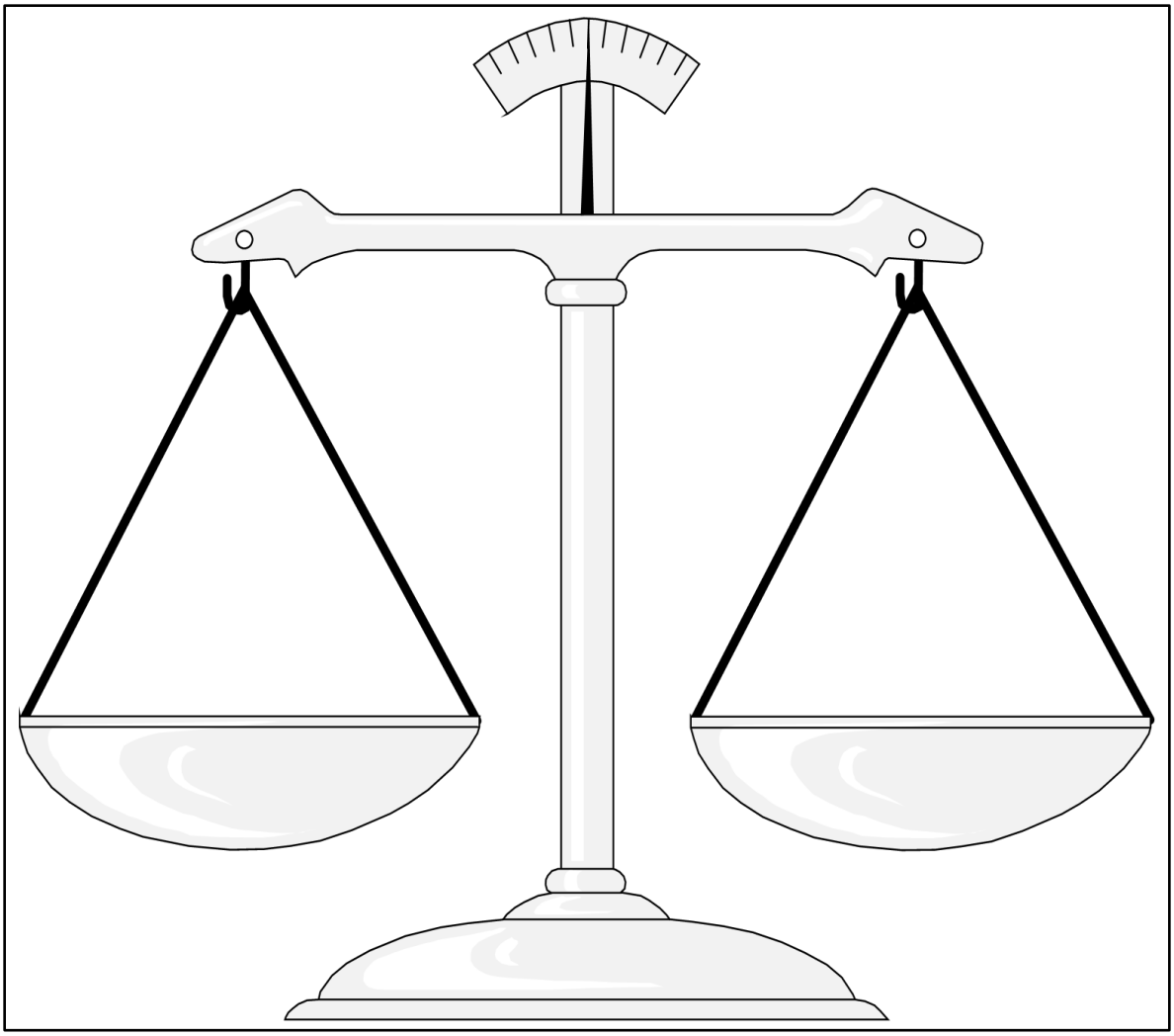

APPEALING MAGISTERIAL DISTRICT JUDGE MONEY JUDGMENTS

(NOT FOR EVICTIONS)

SELF-HELP KIT

REMEMBER

The Law often changes. Each case is different. This self-help kit is meant to give you general information, not specific legal advice.

Appealing Magisterial District Judge Money Judgments (Not for Evictions)

If you lose a hearing before a Magisterial District Judge and you disagree with the decision, you have the right to file an appeal. If you receive a judgment from a Magisterial District Judge, you also have the right to appeal even if you did not attend the hearing.

WARNING: IF YOUR CASE IS A LANDLORD/TENANT MATTER AND YOU ARE BEING EVICTED AND DO NOT WANT TO MOVE, YOU MUST FILE AN APPEAL WITHIN TEN (10) DAYS. YOU CAN APPEAL JUST THE MONEY JUDGMENT PART OF THE DECISION BY FILING AN APPEAL WITHIN THIRTY (30) DAYS, BUT YOU WILL STILL BE EVICTED. YOU MUST USE A DIFFERENT SELF-HELP KIT CALLED "APPEALING AN EVICTION."

STEPS TO FILING AN APPEAL

1. You must file a **Notice of Appeal** within **30 days** from the date the judgment was entered. (See Page 2 – "How to file your Notice of Appeal.") You must also include a Civil Cover Sheet. (See the instructions and form, included.) (NOTE: In Landlord/Tenant cases you only have 10 days to file an appeal where you are appealing a judgment for possession of property. (See eviction packet.) If you only want to appeal a money judgment, you have 30 days.)

2. You must pay the Prothonotary the filing fee ($146.25). If you cannot afford the filing fee, you must file a **Petition To Proceed Without Payment of Fees and Costs (IFP)**, which asks the Court to let you file your appeal without paying the filing fee. This Petition is a statement of your income and assets made under penalties of perjury. Use Attachment #1. COPY FEES WILL NOT BE WAIVED and the cost of copies in the Office of the Prothonotary/ Clerk of Courts is $0.25 per page.

3. You must serve the **Notice of Appeal** on the opposing party and the Magisterial District Judge within ten (10) days from the filing of your appeal. See page 4 – "How to Serve the Notice of Appeal."

4. You must file your **Proof of Service** within ten (10) days from the filing of your appeal. See Page 5 – "How to Complete Your Proof of Service" and page 6 – "How to File Your Proof of Service."

HOW TO FILE YOUR NOTICE OF APPEAL

- The first thing you need to file is called the Notice of Appeal. A blank form of this Notice of Appeal is included in this kit. There are two pages in this form – a Notice of Appeal and a Proof of Service. Save the second page (Proof of Service) for later. Also pull out **Sample "A"**, which is the same form but with numbers in the boxes.

- Next, make a copy of the Notice of Judgment entered by the Magisterial District Judge. This was mailed to you after the hearing. (See **SAMPLE "B"** in this kit to see what it looks like.) Be sure to keep the one that was mailed to you and use the copy for filing your appeal. Also pull out **SAMPLE "B"**, which is the same form but with numbers in the boxes.

- When you have all four forms in front of you, you are ready to complete the Notice of Appeal. You should look at the sample Notice of Judgement (**Sample "B"**) because it is marked so you can find all of the information you need to put in the Notice of Appeal and look at the sample Notice of Appeal (**Sample "A"**) because it is marked to show you where to place the information. See page 3 – "Filling out the Notice of Appeal."

- If you cannot pay the filing fee, complete the Petition To Proceed Without Payment Of Fees and Costs (IFP). Use **Attachment #1**.

- To file your appeal, you must bring the following completed documents with you to the Prothonotary's Office at your County Courthouse.

    - Your *completed* Notice of Appeal and three copies of it.

    - Your Completed Civil Cover Sheet and one copy of it.

    - Money for filing fee *or* the original and two copies of your completed Petition To Proceed Without Payment of Fees and Costs (IFP).

    - One copy of the Magisterial District Judge Notice of Judgment, which will be attached by the Prothonotary to your original Notice of Appeal.

- The Prothonotary will file stamp your documents and return the three copies to you.

FILLING OUT THE NOTICE OF APPEAL FROM MAGISTERIAL DISTRICT JUDGE JUDGMENT

(Refer to "**Sample A**" for Box numbers. Refer to "**Sample B**" for the information you must put in the boxes which comes from the Notice of Judgment.)

Part A – Notice of Appeal

Box 1. Print your name – you are the "Appellant."

Box 2. Print the Magisterial District Judge's number. It is marked #1 on Sample B.

Box 3. Print the Magisterial District Judge's name. It is marked #2 on Sample B.

Box 4. Print your address.

Box 5. Print the Date of Judgment. It is Marked #3 on Sample B.

Box 6. Print the name of the person who filed the case to begin with. It is marked #4 on Sample B.

Box 7. Print the name of the person who was sued. It is marked #5 on Sample B.

Box 8. Print the Docket Number. It is marked #6 on Sample B.

Box 9. Sign your name.

Part B – Praecipe to Enter Rule to File Complaint and Rule to File

(Fill out this part only if you did not file the case to begin with; that is, you are the person who was sued.)

Boxes 10 and 11. Print the name of the person who filed the case to begin with in both boxes. It is marked #4 on Sample B. (If you are the person who filed the case to begin with, you do not need to fill this part out.)

Box 12. Your signature goes on this line. (If you are the person who filed the case to begin with, you do not need to fill this part out.

HOW TO SERVE THE NOTICE OF APPEAL ON THE OPPOSING PARTY AND MAGISTERIAL DISTRICT JUDGE

Serving the Notice of Appeal means that you must give a file-stamped copy of the Notice of Appeal to the opposing party and the Magisterial District Judge in the particular way the law requires.

There are two ways to serve the Notice of Appeal.

(1) The first way is called personal service and that means to hand deliver the Notice of Appeal to the opposing party or an adult family member in his household or the person in charge at the person's residence or place of business. It may also be handed to his attorney if one is named in the complaint.

(2) The second way is to mail the Notice of Appeal by CERTIFIED MAIL.

You need to serve two different people.

(1) You must serve the opposing party or his attorney.

(2) You must serve the Magisterial District Judge who made the decision.

You do not have to serve them both the same way, but you must use one of the two methods listed above (personal or certified mail). You cannot serve the Notice by regular mail.

Keep track of how and when you serve people because you will need to mark it on the Proof of Service form.

If you serve by certified mail, you **MUST KEEP THE GREEN AND WHITE POSTAL RECEIPT FOR CERTIFIED MAIL.** You are going to have to attach it to your Proof of Service.

If you serve by personal service, write down the name of the person you gave it to and when you gave it to them, for your records.

HOW TO COMPLETE YOUR PROOF OF SERVICE

Once you have served the correct people, you must complete the form called Proof of Service. This is the second page of the Notice of Appeal form. (See **Sample "C"**).

FILLING OUT PROOF OF SERVICE

Refer to **"Sample C"** for Box numbers. Refer to **"Sample A"** for the information you must put in the boxes which comes from the Notice of Appeal.)

Box 1. Print the number that the Prothonotary gave to your case when you filed your Notice of Appeal. It is marked #13 on **Sample "A"**

Box 2. Print the date that you served the Notice of Appeal on the Magisterial District Judge by either hand delivery or certified mail.

Box 3. Check here if you hand delivered the Notice of Appeal to the Magisterial District Judge.

Box 4. Check here if you mailed the Notice of Appeal to the Magisterial District Judge by certified mail.

Box 5. Print the opposing party's name or the name of his attorney if one is named in the Complaint.

Box 6. Print the date you served the Notice of Appeal on the opposing party or his attorney by either hand delivery or certified mail.

Box 7. Check here if you hand delivered the Notice of Appeal to the opposing party or his attorney.

Box 8. Check here if you mailed the Notice of Appeal to the opposing party or his attorney by certified mail.

Important – If you served either or both of the Notices of Appeal by certified mail, you must attach the sender's receipts to your Proof of Service.

HOW TO FILE YOUR PROOF OF SERVICE

Within ten days of filing the Notice of Appeal, you must file the Proof of Service. Take the completed Proof of Service form and one copy of it to the Prothonotary's Office and have them file stamp them.

Make sure you have attached the sender's receipts for certified mail (if that is how you served the Notice of Appeal) to the original Proof of Service form. Be sure to write down your return receipt number on your copy or photocopy of your sender's receipt and keep it with your copy.

The Prothonotary's Office will keep the original and return the copy to you for your records.

You should keep your copy because this proves when you served everyone.
THE COURT COULD DISMISS YOUR APPEAL IF YOU DID NOT SERVE EVERYONE PROPERLY, AND YOU WOULD LOSE WITHOUT ANOTHER HEARING.

AFTER YOU HAVE FILED YOUR APPEAL AND PROOF OF SERVICE

After you have filed your Proof of Service, the Plaintiff (the person who filed the lawsuit to begin with) needs to file a complaint.

If the opposing party is the Plaintiff and does not file the complaint within twenty (20) days from the date you served him, you can ask to have a Non Pros Judgment entered against him. This will end the case, and the Plaintiff cannot ask to enforce the judgment he got in Magisterial District Court.

After the twenty (20) days expire, you should send the Plaintiff a Notice of Intention to File Praecipe of Non Pros. (See ATTACHMENT #2a if you are filing in Lycoming County and ATTACHMENT #2b if you are filing in Clinton County.) Keep a copy of this notice for use later. You must send this notice by certified mail.

If the Plaintiff does not file a complaint within ten (10) days from the date of that notice, you may then file a Praecipe to Enter a Judgment of Non Pros. (See ATTACHMENT #3 – it is two pages.) You should complete both pages of this form. Then attach the copy of the Notice of Intention to File Praecipe of Non Pros (that you kept) to the first page. Make a copy of this part and take the original and the copy and the original "Notice" (the second page) to the Prothonotary's Office. Also take an envelope addressed to the Plaintiff. The Prothonotary will file stamp the forms and will sign the "Order for Judgment" on the first page and the "Notice" of Judgment on the second page. The Prothonotary will keep the original Praecipe and Order and give you back the copy. The Prothonotary will also mail the "Notice" of Judgment to the Plaintiff in the envelope you provided.

If you receive further papers after the Judgment of Non Pros is entered OR if the Plaintiff *does* file a complaint after you send the Notice of Intention to File Praecipe of Non Pros, you should see an attorney. If you cannot afford an attorney, you can contact North Penn Legal Services at 570-323-8741 to see if they can help you further.

If you are the Plaintiff, you need to file a complaint within 20 days. For instructions and forms, refer to the Lycoming County "Filing a Civil Complaint in the Court of Common Pleas" self-help kit.

The complaint must be mailed (by ordinary mail) or given to Defendant at the address shown in the Magisterial District Court records (or may be mailed or given to the attorney of record for Defendant, if there is one).

If the Defendant does not file a response to the Complaint (either an Answer or Preliminary Objections) within twenty (20) days of being served with the Complaint, you may then seek to have a default judgment entered in your favor. This is a two-step process.

First you must mail or hand-deliver to Defendant (or to the attorney of record for Defendant, if there is one) a NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT (See ATTACHMENT #4 if you are filing Lycoming County, 5 if you are filing in Clinton County). Keep two copies of this NOTICE after you fill it out because you will need it later.

Second, after you wait ten days from the date the NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT is mailed or hand delivered to the Defendant, you should check with the Prothonotary's Office to see if any response to your Complaint has been filed. If not, you should file the Praecipe to Enter Judgment by Default (See ATTACHMENT #6, this is two pages). You will need to take one of the copies of the NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT that you kept, to attach to your Praecipe. The Prothonotary will then enter a Judgment in your favor and the case will be over.

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

Judicial District, County Of

SAMPLE "A"

NOTICE OF APPEAL

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 13

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the Magisterial District Judge on the date and in the case referenced below.

NAME OF APPELLANT	MAG. DIS . NO.	NAME OF MDJ
1	2	3

ADDRESS OF APPELLANT	CITY	STATE	ZIP CODE
4			

DATE OF JUDGMENT	IN THE CASE OF (*Plaintiff*)	(*Defendant*)
5	6 vs	7

DOCKET No.	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT
8	9

This block will be signed ONLY when this notation is required under Pa. R.C.P.M.D.J. No. 1008.

This Notice of Appeal, when received by the Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If *appellant was Claimant (see Pa. R.C.P.M.D.J. No. 1001(6) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.*

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa.R.C.P.M.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon 10 appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

12

Signature of appellant or attorney or agent

RULE: To 11 , appellee(s)

Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date: _____, 20 ____

Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.
The appellee and the magisterial district judge in whose office the judgment was rendered must be served with a copy of this Notice pursuant to Pa.R.C.P.M.D.J. 1005(A).

SAMPLE "B"

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

Mag. Dist. No: MDJ-29- - #1
MDJ Name: Honorable #2
Address:

Telephone:

#4

V.

#5

Docket No: MJ-29- CV- #6
Case Filed:

Disposition Summary (cc - Cross Complaint)

Docket No	Plaintiff	Defendant	Disposition	Disposition Date
MJ-29- CV				#3

Judgment Summary

Participant	Joint/Several Liability	Individual Liability	Amount

Judgment Finding (*Post Judgment)

In the matter of vs. on MJ-29- -CV- on the judgment was awarded as follows:

Judgment Component	Joint/Several Liability	Individual Liability	Deposit Applied	Amount
Civil Judgment				
Costs				
			Grand Total:	

Comments:

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

Date Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

MDJS 315

Date Magisterial District Judge

Sample C

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service must be filed within 10 days after
filing of the notice of appeal)

I hereby certify that I served the Notice of Appeal, Common Pleas No. _____1_____,
upon the Magisterial District Judge designated therein on _____2_____, _____ by

3 ☐ personal service, or

4 ☐ certified or registered mail, sender's receipt attached hereto,

and upon the appellee, _____5_____, on _____6_____, _____ by

7 ☐ personal service, or

8 ☐ certified or registered mail, sender's receipt attached hereto,

I verify that the statements herein are true and correct. I understand that false statements herein are made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities..

By: _____ _____
Name Signature

Date: _____

ATTACHMENT #1

_____,	**:**	**IN THE COURT OF COMMON PLEAS OF**
Plaintiff	**:**	**LYCOMING COUNTY, PENNSYLVANIA**
	:	
vs.	**:**	
	:	
_____,	**:**	**NO. _____**
Defendant	**:**	

ORDER

AND NOW, this _____ day of _____**,** 20**_____**, the Court having reviewed the Application to Waive Fees and Costs, it is hereby ORDERED and DIRECTED that:

- ❑ the request of _____, to proceed pursuant to Pa.R.J.A. No. 1990 and waive fees and costs is GRANTED.
- ❑ the request of _____, to proceed pursuant to Pa.R.J.A. No. 1990 and waive fees and costs is DENIED for the following reason(s):

  _____ Application is incomplete.

  _____ Petitioner's income exceeds income guidelines.

  _____ Petitioner's assets exceed asset guidelines.

  _____ Other: _____.

  and the applicant has thirty (30) days to pay the filing fee or the action will be terminated without further notice.

BY THE COURT:

_____

J.

Distribution:

_____

_____,	**:**	**IN THE COURT OF COMMON PLEAS OF**
Plaintiff	**:**	**LYCOMING COUNTY, PENNSYLVANIA**
	:	
vs.	**:**	
	:	
_____,	**:**	**NO. _____**
Defendant	**:**	

APPLICATION TO WAIVE FEES AND COSTS

EACH QUESTION MUST BE ANSWERED. AN INCOMPLETE APPLICATION MAY RESULT IN A DENIAL. IF A QUESTIONS REFERS TO INCOME OR PROPERTY THAT YOU DO NOT HAVE, YOU SHOULD ANSWER "NONE."

PARTY INFORMATION

Party Name: _____
First Middle Last

Residence: _____

City, State, Zip: _____

☐ Check this box if you are currently without a house or apartment.

PUBLIC BENEFITS

Do you currently receive one or more of the following public benefits?

- Supplemental Nutrition Assistance Program (SNAP) (food stamps)
- Medicaid
- Supplemental Security Income (SSI) (Not Social Security Disability Insurance (SSDI))
- Temporary Assistance to Needy Families (TANF)
- Public Housing or Section 8 Housing
- Needs-based VA Pension
- Low-Income Energy Assistance
- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
- Other need-based federal, state, or local program: _____
  Name of Program

☐ YES ☐ NO

If you answered YES, skip the remainder of the form and sign/date the VERIFICATION on the last page.

HOUSEHOLD MEMBERS

I am providing the following information about people who live with me.

I support ____ adult children who are incapable of self-support due to physical or mental disability.

I support ____ children under age 18.

GROSS MONTHLY INCOME
(income before paying taxes and other deductions)

Employment

Monthly gross wages: $_____

I work as a _____ for _____.
job title or description name of employer

Unemployment Compensation

Monthly unemployment benefit: $_____

I have been unemployed since _____.

My last employer was _____.

Other Sources of Income

Money received from other people: $_____

Retirement / Pension: $_____

Disability Benefits: $_____

Workers' Compensation: $_____

Child / Spousal Support: $_____

Social Security: $_____

Other Sources (_____): $_____
description

Total Monthly Gross Income (from all sources above): $_____

ASSETS (Current Value)

Cash: $_____

Bank Accounts or Other Financial Assets: $_____

Primary Vehicle: $_____

Other Vehicles: $_____

House: $_____

Other Real Estate: $_____

Other Property: $_____

Total Value of Property: $_____

MONTHLY EXPENSES

Rent/Mortgage Payment: $_____

Food and Household Supplies: $_____

Utilities (Including Cell Phone): $_____

Clothing and Personal Expense: $_____

Medical and Dental Expenses/Insurance: $_____

Child Care: $_____

Transportation (including car payments & repairs): $_____

Child and Spousal Support or Alimony: $_____

Other Expenses:

_____ $_____
Description

_____ $_____
Description

_____ $_____
Description

Total Monthly Expenses: $_____

ADDITIONAL INFORMATION

Are there other facts that you would like the Court to know about your circumstances that may help the Court decide whether to grant your application, such as homelessness, health issues, disability, or other financial hardships?

_____

_____

_____

_____

_____

VERIFICATION

I understand that I have a continuing obligation to inform the Court of an improvement in my financial circumstances that would permit me to pay the fees and costs in this case. If I fail to inform the Court of any changes in my circumstances, I understand that the Court may rescind the waiver of fees and costs and order me to pay those fees and costs.

I verify that the statements made in this application are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Signature: _____ Date: _____

Printed Name: _____ Phone Number: _____

ATTACHMENT #2a

_____	: IN THE COURT OF COMMON PLEAS OF
Plaintiff/s	: LYCOMING COUNTY, PENNSYLVANIA
	:
vs.	: NO _____
	:
_____	: CIVIL ACTION - LAW
Defendant/s	:

TO: _____
(Plaintiff)
Date of Notice:_____

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANT AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOUDO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Pennsylvania Bar Association
Lawyer Referral Service
100 South Street PO Box 186
Harrisburg, PA 17108-0186
Telephone (800) 692-7375

IF YOU CANNOT AFFORD A LAWYER, YOU MAY BE ELIGIBLE FOR LEGAL AID THROUGH:

North Penn Legal Services
25 West Third St, Suite 400
Williamsport, PA 17701
(570) 323-8741

ATTACHMENT #2b

_____	: IN THE COURT OF COMMON PLEAS OF
Plaintiff/s	: CLINTON COUNTY, PENNSYLVANIA
	:
vs.	: NO _____
	:
_____	: CIVIL ACTION - LAW
Defendant/s	:

TO: _____
(Landlord/Plaintiff)
Date of Notice:_____

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANT AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINISTRATOR
COURT OF COMMON PLEAS OF CLINTON COUNTY
COURT HOUSE
Lock Haven, PA 17745
Telephone: 570-893-4016

IF YOU CANNOT AFFORD A LAWYER, YOU MAY BE ELIGIBLE FOR LEGAL AID THROUGH:

North Penn Legal Services
25 West 3rd St, Ste 400
Williamsport, PA 17701
(570) 323-8741

ATTACHMENT #3

_____,	:	IN THE COURT OF COMMON PLEAS OF
Plaintiff	:	_____ COUNTY, PENNSYLVANIA
	:	
vs.	:	NO. _____
	:	
_____,	:	CIVIL ACTION - LAW
Defendant	:	

PRAECIPE TO ENTER A JUDGMENT OF NON PROS

TO THE PROTHONOTARY:

Pursuant to Rule 1037(a) of the Pennsylvania Rules of Civil Procedure, kindly enter a Judgment of Non Pros in the above-captioned matter.

A Rule was entered upon the Plaintiff to file a Complaint, and was served on Plaintiff by personal service or certified mail on_____ (date). Plaintiff has failed to file a Complaint within twenty (20) days of service.

A Notice of Intention to File Praecipe of Non Pros was served on Plaintiff on _____ (date). A copy of that Notice is attached to this Praecipe.

Respectfully submitted,

By: _____
***Sign* your name**

_____
***Print* your name**

ORDER FOR JUDGMENT

AND NOW, this _____ day of _____, 20___, upon Praecipe of the Defendant, a Judgment of Non Pros is hereby entered against Plaintiff pursuant to Pa. R.C.P. 1037(a).

_____
Prothonotary

_____,	:	IN THE COURT OF COMMON PLEAS OF
Plaintiff	:	_____ COUNTY, PENNSYLVANIA
	:	
vs.	:	NO. _____
	:	
_____,	:	CIVIL ACTION - LAW
Defendant	:	

NOTICE

To: _____
Plaintiff

Pursuant to Pa. R.C.P. 236, you are hereby notified that a Non Pros Judgment has been entered against you in the above proceeding.

_____
Prothonotary

ATTACHMENT #4

_____,	:	IN THE COURT OF COMMON PLEAS OF
Plaintiff/s	:	LYCOMING COUNTY, PENNSYLVANIA
	:	
vs.	:	NO. _____
	:	
_____,	:	CIVIL ACTION - LAW
Defendant/s	:	

DATE OF NOTICE: _____

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, CONTACT:

Pennsylvania Bar Association
Lawyer Referral Service
100 South Street
PO Box 186
Harrisburg, PA 17108-0186
(800)692-7375

IF YOU CANNOT AFFORD A LAWYER, YOU MAY BE ELIGIBLE FOR LEGAL AID THROUGH:

North Penn Legal Services
25 West Third Street, Suite 400
Williamsport, PA 17701
(570)323-8741

ATTACHMENT #5

_____,	:	IN THE COURT OF COMMON PLEAS OF
Plaintiff/s	:	CLINTON COUNTY, PENNSYLVANIA
	:	
vs.	:	NO. _____
	:	
_____,	:	CIVIL ACTION - LAW
Defendant/s	:	

DATE OF NOTICE: _____

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINISTRATOR
COURT OF COMMON PLEAS OF CLINTON COUNTY
COURT HOUSE
Lock Haven, PA 17745
Telephone: 570-893-4016

IF YOU CANNOT AFFORD A LAWYER, YOU MAY BE ELIGIBLE FOR LEGAL AID THROUGH:

North Penn Legal Services
25 West Third Street, Suite 400
Williamsport, PA 17701
(570)323-8741

ATTACHMENT #6

_____,	:	IN THE COURT OF COMMON PLEAS OF
Plaintiff	:	_____ COUNTY, PENNSYLVANIA
	:	
vs.	:	NO. _____
	:	
_____,	:	CIVIL ACTION - LAW
Defendant	:	

PRAECIPE TO ENTER A JUDGMENT OF DEFAULT

TO THE PROTHONOTARY:

Pursuant to Rule 1037(b) of the Pennsylvania Rules of Civil Procedure, kindly enter a Judgment of Default in the above captioned matter. A Complaint was served upon the Defendant by personal service or certified mail on _____ (date). Defendant has failed to enter a written appearance and file in writing with the Court his defenses or objections within twenty (20) days of service.

A Notice of Intention to File Praecipe to Enter Judgment by Default was served on Defendant on _____(date). A copy of that Notice is attached to this Praecipe.

Respectfully submitted,

_____
Sign your name

_____
Print your name

ORDER FOR JUDGMENT

AND NOW, this _____ day of _____, 20_____, upon Praecipe of the Plaintiff, a Judgment of Default is hereby entered against the Defendant pursuant to Pa. R.C.P. 1037 (b).

_____
Prothonotary

_____, Plaintiff	:	IN THE COURT OF COMMON PLEAS OF _____ COUNTY, PENNSYLVANIA : NO. _____
vs.	:	
	:	CIVIL ACTION - LAW
_____, Defendant	:	

NOTICE

TO: _____
Plaintiff

Pursuant to Pa. R.C.P. 236, you are hereby notified that a Default Judgment has been entered against you in the above proceeding.

_____
Prothonotary

BLANK FORM OF NOTICE OF APPEAL

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

Judicial District, County Of

NOTICE OF APPEAL

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No.

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the Magisterial District Judge on the date and in the case referenced below.

NAME OF APPELLANT	MAG. DIST. NO.	NAME OF MDJ

ADDRESS OF APPELLANT	CITY	STATE	ZIP CODE

DATE OF JUDGMENT	IN THE CASE OF (*Plaintiff*)	(*Defendant*)
		vs

DOCKET No.	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT

This block will be signed ONLY when this notation is required under Pa. R.C.P.M.D.J. No. 1008.
This Notice of Appeal, when received by the Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.

_____
Signature of Prothonotary or Deputy

If *appellant was Claimant (see Pa. R.C.P.M.D.J. No. 1001(6) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.*

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa.R.C.P.M.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon _____ appellee(s), to file a complaint in this appeal
Name of appellee(s)

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

_____
Signature of appellant or attorney or agent

RULE: To _____, appellee(s)
Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date: _____, 20 _____

_____
Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.
The appellee and the magisterial district judge in whose office the judgment was rendered must be served with a copy of this Notice pursuant to Pa.R.C.P.M.D.J. 1005(A).

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service must be filed within 10 days after
filing of the notice of appeal)

I hereby certify that I served the Notice of Appeal, Common Pleas No. _____,
upon the Magisterial District Judge designated therein on _____, _____ by

☐ personal service, or

☐ certified or registered mail, sender's receipt attached hereto,

and upon the appellee, _____, on _____, _____ by

☐ personal service, or

☐ certified or registered mail, sender's receipt attached hereto,

I verify that the statements herein are true and correct. I understand that false statements herein are made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities..

By: _____ _____
Name Signature

Date: _____

CIVIL COVER SHEET AND INSTRUCTIONS

How to fill out the Civil Cover Sheet

1. Write “Lycoming” before the word “County” in the top left corner.

2. Check the box for “Complaint” in the first part of Section A, under “Commencement of Action”.

3. Write the name of the Plaintiff where it says “Lead Plaintiff’s Name”. (The Plaintiff is the person who filed the complaint in Magisterial District Court, even if you are the Defendant and are filing the appeal.)

4. Write the name of the Defendant where it says “Lead Defendant’s name”. (The Defendant is the person against whom the complaint was filed in Magisterial District Court.)

5. Check “YES” or “NO” after “Are money damages requested?” depending on whether or not the Plaintiff is asking for money damages. Write the dollar amount or leave it blank if there is no request for money damages.

6. Check “YES” after “Is this an MDJ Appeal?”.

7. Check the box where it says “Check here if you have no attorney (are a self-represented [Pro Se] Litigant)”.

8. In Section B, check the box which describes the type of case which was filed in Magisterial District Court.

Note –it is NOT a “Civil Appeal”, so do not check a box in that section.

If it is a landlord/tenant matter, check the box in the “Real Property” section for “Landlord/Tenant Dispute”.

If the Plaintiff is seeking money he says is owed to him by the Defendant for reasons other than those arising from a residential lease, check the box in the “Contract” section for “Debt Collection: Other”.

If the Plaintiff is seeking the return of an item of personal property, check the box in the “Miscellaneous” section for “Replevin”.

Supreme Court of Pennsylvania

Court of Common Pleas
Civil Cover Sheet

_____ **County**

For Prothonotary Use Only:	TIME STAMP
Docket No:	

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:
☐ Complaint ☐ Writ of Summons ☐ Petition
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name:	Lead Defendant's Name:
Are money damages requested? ☐ **Yes** ☐ **No**	Dollar Amount Requested: (check one) ☐ within arbitration limits ☐ outside arbitration limits
Is this a *Class Action Suit*? ☐ **Yes** ☐ **No**	**Is this an *MDJ Appeal*?** ☐ **Yes** ☐ **No**

Name of Plaintiff/Appellant's Attorney: _____

☐ **Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)**

SECTION B

Nature of the Case: Place an "X" to the left of the **ONE** case category that most accurately describes your ***PRIMARY CASE.*** If you are making more than one type of claim, check the one that you consider most important.

TORT *(do not include Mass Tort)*
- ☐ Intentional
- ☐ Malicious Prosecution
- ☐ Motor Vehicle
- ☐ Nuisance
- ☐ Premises Liability
- ☐ Product Liability *(does not include mass tort)*
- ☐ Slander/Libel/ Defamation
- ☐ Other:

MASS TORT
- ☐ Asbestos
- ☐ Tobacco
- ☐ Toxic Tort - DES
- ☐ Toxic Tort - Implant
- ☐ Toxic Waste
- ☐ Other:

PROFESSIONAL LIABLITY
- ☐ Dental
- ☐ Legal
- ☐ Medical
- ☐ Other Professional:

CONTRACT *(do not include Judgments)*
- ☐ Buyer Plaintiff
- ☐ Debt Collection: Credit Card
- ☐ Debt Collection: Other
- ☐ Employment Dispute: Discrimination
- ☐ Employment Dispute: Other
- ☐ Other:

REAL PROPERTY
- ☐ Ejectment
- ☐ Eminent Domain/Condemnation
- ☐ Ground Rent
- ☐ Landlord/Tenant Dispute
- ☐ Mortgage Foreclosure: Residential
- ☐ Mortgage Foreclosure: Commercial
- ☐ Partition
- ☐ Quiet Title
- ☐ Other:

CIVIL APPEALS
Administrative Agencies
- ☐ Board of Assessment
- ☐ Board of Elections
- ☐ Dept. of Transportation
- ☐ Statutory Appeal: Other
- ☐ Zoning Board
- ☐ Other:

MISCELLANEOUS
- ☐ Common Law/Statutory Arbitration
- ☐ Declaratory Judgment
- ☐ Mandamus
- ☐ Non-Domestic Relations Restraining Order
- ☐ Quo Warranto
- ☐ Replevin
- ☐ Other: