

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
IN THE MUNICIPAL COURT OF PHILADELPHIA

General Court Regulation No. 2008-01

**In Re: Amendment of Municipal Court
Rule of Civil Procedure 102 - Definitions and Repeal and Replacement of
Municipal Court Rule of Civil Procedure 131 – Representation**

ORDER

AND NOW, this 4th day of February, 2008, the Board of Judges of Municipal Court having voted at the Board of Judges' meeting held on November 30, 2007 to amend and adopt Municipal Court Rule of Civil Procedure 102 and to repeal, replace and adopt Rule of Civil Procedure 131 IT IS HEREBY ORDERED that Municipal Court Rules of Civil Procedure 102 and 131 are adopted as attached hereto.

This General Court Regulation is issued in accordance with Pa.R.C.P. 239 and, shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. As required by Rule 239, the original General Court Regulation shall be filed with the Prothonotary in a Docket maintained for General Court Regulations issued by the President Judge of the Municipal Court of Philadelphia, and copies shall be submitted to the Administrative Office of Pennsylvania Courts for publication on its website, and the Civil Procedural Rules Committee. Copies of the Order shall also be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and posted on the website of the First Judicial District: <http://courts.phila.gov>.

BY THE COURT:

/s/ Louis J. Presentza

HON. LOUIS J. PRESENZA
PRESIDENT JUDGE
PHILADELPHIA MUNICIPAL COURT

Philadelphia Municipal Court
Rules of Civil Procedure

Rule 102 **Definitions.**

Authorized Representative – An authorized representative is an individual who is an agent of a party, has personal knowledge of the subject matter of litigation, and files a written authorization with the Court prior to the commencement of trial. A written authorization shall be signed by a party and the party's authorized representative. It shall specify the nature and extent of the authority that the party has given to the authorized representative. A valid written authorization must be filed with the Court before an authorized representative may take any actions on behalf of a party. An approved written authorization form is attached to these rules.

Amendment adopted by the Board of Judges November 30, 2007; effective 30 days after publication in the Pennsylvania Bulletin.

Philadelphia Municipal Court
Rules of Civil Procedure

Rule 131 Representation.

- a. An individual or sole proprietor may be represented by himself or herself, by an attorney at law, or by an authorized representative.
- b. A corporation as defined in Part II of Title 15 of Pennsylvania Consolidated Statutes may be represented by an officer, an attorney at law, or by an authorized representative.
- c. A general partnership as defined in Part III of Title 15 of Pennsylvania Consolidated Statutes may be represented by a partner, an attorney at law, or by an authorized representative. A limited partnership as defined in Part III of Title 15 of Pennsylvania Consolidated Statutes may be represented by a general partner, an attorney at law, or by an authorized representative. A limited liability company as defined in Part III of Title 15 of Pennsylvania Consolidated Statutes may be represented by a manager, an attorney at law, or by an authorized representative.
- d. A professional association as defined in Part IV of Title 15 of Pennsylvania Consolidated Statutes may be represented by an officer of its board of governors, an attorney at law, or by an authorized representative.
- e. A business trust as defined in Part V of Title 15 of Pennsylvania Consolidated Statutes may be represented by a trustee, an attorney at law, or by an authorized representative.
- f. If appointed by a party, an authorized representative may take any action up to and until the conclusion of a trial in the Philadelphia Municipal Court that a party may take, including, but not limited to, filing a statement of claim, filing a landlord tenant complaint, testifying, and submitting documents into evidence. A party shall always have the right to file a document limiting or rescinding a person's right to act as an authorized representative.
- g. Notwithstanding the above, a party may not use an authorized representative in any action in which the City of Philadelphia is seeking fines, penalties, unpaid taxes, or unpaid water/sewer charges.

Official Note: An authorized representative is defined in Rule 102. The addition of an authorized representative as a person who may be a representative of a party is intended to permit a party to select and appoint an individual who has knowledge of the facts and circumstances of the litigation to appear for that party up through the completion of trial in the Philadelphia Municipal Court. As noted in the definition of an

authorized representative, an individual must file an appropriate authorization form prior to the commencement of trial in order to act as an authorized representative. Additionally, the phrase “personal knowledge” is to be interpreted in conformity with the use of that term in Pa.R.E. 602.

This rule is not intended to allow a non-lawyer to establish a business for the purpose of representing others in Court proceedings. The designation of an authorized representative must be made in each case. The Philadelphia Municipal Court will not accept for filing a blanket authorization by which a party seeks to empower an authorized representative to act for the party in all cases that the party may have pending in the Philadelphia Municipal Court.

Original Rule 131 repealed and new rule adopted by the Board of Judges November 30, 2007; effective 30 days after publication in the Pennsylvania Bulletin.

