

CHAPTER 1350. FORMS

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(Editor's Note: Chapter 1350 reorganized at 36 Pa.B. 693 (February 11, 2006).)

Official Note: The Order of the Supreme Court, June 25, 1946, adopting the Rules of Civil Procedure governing Actions of Law, fixed Jan, 1 1947, as the effective date and made said Rules applicable to actions pending at that time.

Rule 1351. Form of Writ of Summons.

The writ of summons shall be directed to the defendant and shall be substantially in the following form:

Commonwealth of Pennsylvania

County of _____

[Caption]

To _____

You are hereby notified that _____ (Name(s) of Plaintiff(s)), has (have) commenced an action against you.

Date _____

 (Name of Prothonotary or (Clerk)

By _____

(Deputy)

Seal of the Court

Source

The provisions of this Rule 1351 adopted June 25, 1946, effective January 1, 1947; amended through April 23, 1985, effective July 1, 1985, 15 Pa.B. 1728. Immediately preceding text appears at serial page (87297).

Rule 1352. Form of Writ of Summons in Action of Ejectment.

The writ of summons in an action of ejectment shall be directed to the sheriff and shall be substantially the following form:

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“Commonwealth of Pennsylvania
“County of _____
[Caption]

“To the Sheriff of the County of _____ :

“You are directed to notify _____ , (Name(s) of Defendant(s)), the defendant(s), that _____ , (Name(s) or Plaintiff(s)), the plaintiff(s), has (have) commenced an action of ejectment which said defendant(s) is (are) required to defend.

“This action concerns the land here described _____

(Describe land)

“If this land is in possession of anyone not a party, you are directed to notify him that he has been added as a defendant and is required to defend this action.

(Name of Prothonotary (Clerk))

“Date: _____

“Seal of the Court

By _____”

(Deputy)

Adopted June 25, 1946, Eff. Jan. 1, 1947.

Source

The provisions of this Rule 1352 adopted June 25, 1946, effective January 1, 1947; amended June 14, 1999, effective September 1, 1999, 29 Pa.B. 3191. Immediately preceding text appears at serial page (256972). (*Editor’s Note:* The Supreme Court of Pennsylvania has suspended its order of June 14, 1999, published at 29 Pa.B. 3191 (June 26, 1999). See 29 Pa.B. 4859 (September 18, 1999).)

Rule 1353. Notice of Hearing for Seizure of Property.

The notice of hearing shall be directed to the defendant and any other party in possession of the property and shall be in substantially the following form:

(CAPTION)
NOTICE OF HEARING FOR
SEIZURE OF PROPERTY

To: _____
(Name of Defendant and

(Name of Party in Possession)

You are hereby notified that

(1) Plaintiff has commenced an action of replevin and has filed a motion for seizure of the property described in the complaint. A copy of the complaint and motion is attached to this notice;

(2) There will be a hearing on this motion on _____ at _____ (set forth date, time and place);

(3) You may appear in person or by a lawyer at the time and place set forth or file written objections setting forth your reasons why the property should not be seized;

(4) Your failure to appear at the hearing may result in the seizure of the property claimed by plaintiff before a final decision in this case.

(Name of Plaintiff)

(Attorney for Plaintiff)

Official Note: Former Rule 1353. Form of Writ of Replevin Without Bond was rescinded.

Source

The provisions of this Rule 1353 adopted June 23, 1975, effective October 1, 1975, 5 Pa.B. 1824.

Rule 1354. Form of Writ of Seizure.

The writ of seizure shall be directed to the sheriff and shall be in substantially the following form:

Commonwealth of Pennsylvania
County of _____

[Caption]
WRIT OF SEIZURE

To the Sheriff of said County:

You are directed to seize the following property:
(specifically described property)

If the property is found in the possession of a person not already a defendant, you are directed to add the person as a defendant, and notify the person that he or she has been added as a defendant and is required to defend the action.

Date of Writ _____

(Name of Prothonotary)

By: _____
Deputy

(seal)

Source

The provisions of this Rule 1354 adopted June 23, 1975, effective October 1, 1975, 5 Pa.B. 1824; amended April 12, 1999, effective July 1, 1999, 29 Pa.B. 2266. Immediately preceding text appears at serial pages (227315) to (227316).

Rule 1355. Abrogated, Effective October 5, 1971.

Official Note: By definition Rule 76, Registered Mail includes Certified Mail.

Rule 1356. [Rescinded].

Source

The provisions of this Rule 1356 adopted April 12, 1954, effective October 1, 1954; rescinded September 29, 1989, effective October 1, 1989, 19 Pa.B. 4452. Immediately preceding text appears at serial pages (22291) and (40063) to (40064).

Rule 1357. [Rescinded].

Source

The provisions of this Rule 1357 amended November 20, 1978, effective April 16, 1979, 8 Pa.B. 3551; rescinded December 14, 1989, effective January 1, 1990, 20 Pa.B. 7. Immediately preceding text appears at serial pages (142392) to (142393).

Rule 1361. Form of Notice to Plead.

The notice to plead shall be directed to the adverse party and shall be in substantially the following form:

To _____ :
(Name of Adverse Party)

You are hereby notified to file a written response to the enclosed (name of pleading) within twenty (20) days from service hereof or a judgment may be entered against you.

(Party Filing Pleading or the Party's Attorney)

Official Note: A responsive pleading is not required to be filed unless a notice to plead has been endorsed on the prior pleading other than a complaint. The notice to defend prescribed by Rule 1018.1 shall appear on all complaints.

Source

The provisions of this Rule 1361 amended through April 23, 1985, effective July 1, 1985, 15 Pa.B. 1728; amended April 12, 1999, effective July 1, 1999, 29 Pa.B. 2266. Immediately preceding text appears at serial page (227317).

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