

Pennsylvania Forms for the Rules of Civil Procedure

SECOND EDITION

with Author's Summaries
and Comments

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PREFACE

The forms contained in this book are designed for use in conjunction with the Pennsylvania Rules of Civil Procedure. The forms are arranged and numbered to correspond to the applicable rules of civil procedure.

A one-volume form book cannot include forms for every rule of civil procedure. I have attempted to include forms covering the types of cases and pleadings that a lawyer with a general civil practice will most frequently encounter. Thus, for example, the book contains several different forms for petitions to amend a pleading and for petitions to withdraw appearance because of the frequency with which such pleadings are used. On the other hand, the book contains no forms for a mandamus action because of the infrequency with which such actions arise.

As the Calendar Control Judge for contested civil motions in the Common Pleas Court of Allegheny County for approximately twenty-five years, I have had the opportunity to review thousands of pleadings, and this form book borrows from the work product of many attorneys who practice before the court. Obviously, these forms are not guaranteed to withstand objection — even in the courtroom of the book’s author. Some of the forms have not been subjected to objections raised by a skilled adversary. Some of the forms must be varied to respond to local practice, because procedural issues are frequently unsettled and practices vary from court to court and even from judge to judge. Also, a properly drafted pleading may include allegations that are outside the confines of clearly settled case law — for example, Rule 1019 Form 31 contains somewhat general allegations of negligence that would be challenged under *Connor v. Allegheny General Hospital*, 501 Pa. 306, 461 A.2d 600 (1983).

While forms have these inherent limitations, most of the forms in this book are based upon pleadings that have accomplished their intended purposes and, consequently, should provide a suitable framework in which to present the underlying factual and substantive issues. However, forms must frequently be adapted to meet the circumstances of the particular case and local practice. Therefore, these forms should not be used until counsel has a sound understanding of the substantive and procedural law applicable to the given situation.

The rules contained in this volume are current as of December 31, 2014.