



## **Citizens' Guide to Court Procedure** **Municipal Court Civil Division**

**Disclaimer: Court staff is not permitted to provide legal advice. To receive legal advice, you should contact a licensed attorney. The phone number for the Philadelphia Bar Association Legal Referral and Information Service is 215-238-6333. Nothing in this publication is meant to be construed as legal advice.**

1. The Municipal Court Civil Division is a court of limited jurisdiction and handles small claims under \$10,000 and tenant eviction proceedings.
2. All pleadings are filed at 34 S. 11th Street, Philadelphia, PA 19107. The original pleading is assigned a docket number. This docket number should be referenced in all subsequent filings. Office hours are Monday to Friday, 9:00 am to 5:00 pm, except Wednesdays, 9:00 am - 4:30 pm.
3. To file a small claim, come to 34 S. 11th Street and bring with you the full name and address of the party you are filing against, a copy of any bills, receipts or paperwork connected with your claim, and the filing fee (see below).
4. To file an eviction, come to 34 S. 11th Street and bring with you a copy of your house inspection license, a copy of your letter giving notification to your tenant to vacate, a copy of your lease, and the filing fee (see below).
5. Once your complaint is filed, your case will be scheduled for a hearing. Hearings will only be continued for a valid reason. To request a continuance, send a letter to Patricia R. McDermott, Deputy Court Administrator, 34 S. 11th Street, 5th Floor, Philadelphia, PA 19107, with a copy to the other parties at least ten days before the hearing date.
6. If the defendant was not served with the complaint, you must get verification from the post office that the defendant's address is correct. When you get the verification, we will relist your case, and you will get a new hearing date.
7. If you do not appear for your hearing and a continuance was not approved, then a default judgment will be entered against you. A creditor who has obtained a judgment against a debtor can obtain the sum due. This judgment goes against your credit and a lien may be placed against any property you own.

8. To re-open a case when a default judgment has been entered against you, you may file a Petition to Open in Room 500, 34 S. 11th Street. Bring with you documentation regarding your valid reason for missing the court date.
9. After you get a judgment of eviction against a tenant, you must file a Writ of Possession, if the defendant does not leave voluntarily.
10. After you receive a money judgment against someone, you must file a Writ of Execution to get the money, if the defendant does not pay voluntarily.

Fees and Costs:

A. Commencement of Action

1. Civil actions – (with at least one defendant who resides **outside** of Philadelphia)
  - a) Requested relief – From \$0 to \$2000..... \$ 37.50\*+
  - b) Requested relief – From \$2001 to \$10,000..... \$ 59.50\*+
2. Civil Actions – (with one defendant a resident of Philadelphia)
  - a) Requested relief – From \$0 to \$2000..... \$ 64.50\*+
  - b) Requested relief – From \$2001 to \$10,000..... \$ 86.50\*+
3. Landlord Tenant Complaints
  - a) Requested relief - From \$0 to \$2,000..... \$ 64.50\*+
  - b) Requested relief - From \$2,001 to \$10,000..... \$ 86.50\*+
  - c) Requested relief – Over \$10,000..... \$108.50\*+

Note: the following additional fees will be assessed as applicable:

\*\$5.00 to index each additional party (other than husband and wife).

+\$45.00 per defendant for Service within Pennsylvania, but outside Philadelphia

+\$27.00 per defendant for Service in Philadelphia

B. Other

1. Indexing – per additional party.....\$ 5.50
2. Writ of Possession.....\$ 4.40
3. Petitions..... \$14.30\*
4. Subpoena.....\$ 3.30
5. Writ of Revival..... \$ 6.60+
6. Certification Fee..... \$ 29.70
7. Additional Defendant filing, counterclaim, Cross-claim,  
and set offs (same as Initial Filing fee)

Note: the following additional fees will be assessed as applicable:

\*\$ 5.00 to index each additional party (other than husband and wife)

+\$45.00 per defendant for Service within Pennsylvania, but outside Philadelphia

\*\$27.00 per defendant for Service in Philadelphia

###