

CHAPTER 1350. FORMS

- Rule 1351. Form of Writ of Summons.
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- 1361. Form of Notice to Plead.

(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:

“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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