

PENNSYLVANIA RULES OF JUDICIAL ADMINISTRATION

CONSTABLES

RULE 1907.1 DEFINITIONS

"Constable." Includes any elected or appointed constable or deputy constable engaged to perform services for any court of the unified judicial system.

Note: For the statutorily prescribed services constables perform for the unified judicial system, see, e.g., 44 Pa.C.S. §§ 7161 and 7161.1.

RULE 1907.2 POLICIES, PROCEDURES AND STANDARDS OF CONDUCT

- (a) The Court Administrator shall establish uniform policies, procedures and standards of conduct for constables who perform services for the courts. These policies, procedures and standards of conduct shall be mandatory for all judicial districts and constables engaged to perform services for any court of the unified judicial system.
- (b) The president judge of a judicial district is authorized to enact policies and procedures consistent with those established by the Court Administrator in section (a) as local rules pursuant to Pa.R.J.A. No. 103(c). Any policies and procedures enacted by the president judge of a judicial district that may deviate from the uniform policies, procedures and standards of conduct for constables established by the Court Administrator must be approved by the Court Administrator before promulgation. See Pa.R.J.A. No. 505(1).
- (c) President Judges are responsible for implementing the provisions set forth in this rule within their respective judicial districts.

Comment: Constables are independent contractors, belonging analytically to the executive branch of government. *In re Act 147 of 1990*, 528 Pa. 460, 598 A.2d 985 (1991). Constables are defined as "related staff" under the Judicial Code. *Rosenwald v. Barbieri*, 501 Pa. 563, 462 A.2d 644 (1983). While these Rules are established pursuant to Pa. Const. Art. V, §10(c), nothing herein, or in any document created under these Rules, shall be construed to alter the status of constables as independent contractors and related staff.