

SUPREME COURT OF PENNSYLVANIA

In Re: Order Amending Rule 1513 of the Pennsylvania Rules of Appellate Procedure

In re: Order Amending Rule 1513 · Decided December 2, 2014

SUMMARY

This document sets out amendments to Pennsylvania Rule of Appellate Procedure 1513 concerning petitions for review. It addresses captions and parties, petition form and required contents, attached orders, notices to participate and plead, verification, alternative objections, and related official notes.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
JURISDICTION	Pennsylvania
DECIDED	December 2, 2014
DISPOSITION	other
PROCEDURAL POSTURE	The Supreme Court of Pennsylvania promulgated amendments to Pennsylvania Rule of Appellate Procedure 1513 governing petitions for review.
PRECEDENTIAL VALUE	Rulemaking order; not an adversarial precedential opinion resolving a litigated dispute.

TOPICS

[appellate procedure](#)[administrative procedure act](#)[pleadings](#)[administrative law](#)[civil procedure](#)

PRACTICE AREAS

[appellate procedure](#)[administrative law](#)[civil procedure](#)

QUESTIONS PRESENTED

1. What information and attachments must be included in a petition for review invoking an appellate court's appellate jurisdiction?
2. What information, notice, and verification must be included in a petition for review invoking an appellate court's original jurisdiction?
3. When may omission of an issue from the general statement of objections in an appellate jurisdiction petition for review constitute waiver?

HOLDINGS

1. Rule 1513(d) requires an appellate-jurisdiction petition for review to identify the jurisdictional basis, reviewing party, government unit, challenged determination and its entry date, general objections, requested relief, and a copy of the challenged order or determination; omission of an issue from the general statement of objections is not a basis for waiver when the court can address the issue from the certified record.
2. Rule 1513(e) requires an original-jurisdiction petition for review to state the jurisdictional basis, identify the person or party seeking relief, identify the government unit and any indispensable party, state the material facts and relief sought, and include a notice to plead and verification by oath, affirmation, or verified statement.

KEY QUOTATIONS

“The 2014 amendments to Pa.R.A.P. 1513(d) relating to the general statement of objections in an appellate jurisdiction petition for review are intended to preclude a finding of waiver if the court is able, based on the certified record, to address an issue not within the issues stated in the petition for review but included in the statement of questions involved and argued in a brief.” (Official Note - 2014)

FACTUAL BACKGROUND

The amendments address the required captions, parties, form, contents, and notices associated with petitions for review. They distinguish petitions invoking an appellate court's appellate jurisdiction from petitions invoking its original jurisdiction and clarify the consequences of omitting an issue from the general statement of objections when the certified record permits review.

PROCEDURAL HISTORY

The document is a per curiam rulemaking order amending Rule 1513. It does not resolve an adversarial appeal or identify proceedings in a lower court.

DISPOSITION

other

CASES CITED

- *Maher v. Unemployment Comp. Bd. of Review*, 983 A.2d 1264, 1266 (Pa. Cmwlth. 2009)