

### **Explanatory Comment**

Current Rule 2951 provides for two methods of confessing judgment. Subdivision (a) allows the prothonotary, upon the filing of certain documents in support of the entry of judgment, to enter judgment by confession without the filing of a complaint or a confession of judgment signed by an attorney. Subdivision (b), on the other hand, requires both the filing of a complaint and a confession of judgment signed by an attorney. It has been reported that the method prescribed in subdivision (a) has been abused by lay persons. Furthermore, it is the practice of counsel representing creditors to enter judgments by confession pursuant to subdivision (b). They seldom confess judgment pursuant to subdivision (a) and subdivision (b) fully protects the creditor who seeks to obtain a judgment by confession. Rule 2951 has been amended by rescinding subdivision (a) so that all actions for confessing judgment must be commenced by filing a complaint. Rules 205.3, 236, 2955, 2956, 2957, 2962 and 2963 have also been amended to conform to the rescission of Rule 2951(a).

By the Civil Procedural  
Rules Committee

Stewart L. Kurtz  
Chair