

# Keeping LANCASTER Current

AN HOURGLASS PUBLICATION

Lancaster County Growth Management Issues Sept. 27, 2007

FYI

**HOME RULE AND THE SIZE OF COUNTY GOVERNMENT IN PENNSYLVANIA** –Counties in Pennsylvania operating under a **home rule charter, which frees the county government from the tax limitations** imposed by the state legislature, **have higher county government expenditures per capita** (about \$55 of which is attributable to their home rule status on average for 2004), especially **in the areas of criminal justice and healthcare**. However, rather than resulting in higher taxes, **the expansion of county government is financed primarily by grants** from the state and federal governments. In this [paper](#), written by [David A. Latzko](#), Professor in the Business and Economics Division of the [Pennsylvania State University, York Campus](#), finds that **the removal of such limitations has not been associated with a significant rise in per capita tax levels**. In fact, when the five home rule counties in Pennsylvania are considered in isolation, taxes per capita are negatively related to their home rule status. **Adoption of a home rule charter is not followed by an explosion in the tax burden facing county residents.**

**Row Offices** – the term is applied to those county officials other than the Board of Commissioners who are elected to their positions. The term probably derives from the fact that these officials appear “in a row” on the ballot.

Source: [Governor’s Center for Local Government Services](#)

**County Controller - chief financial officer** of the county. Responsible for gathering budget information, prescribing systems of accounting, approving all bills, claims and demands and preparing and authorizing their approval. Subject to the power and duty of the county commissioners to manage and administer the fiscal affairs of the county, the controller audits books, records and accounts of all county officers and makes financial reports at the close of the year. The controller also shall have custody of all title deeds to real estate owned by the county, all contracts entered into by or on behalf of the county, and all books, documents and papers relating to its financial affairs.

## DUTIES OF ROW OFFICERS

**Recorder of Deeds** - mainly responsible for the **preservation of records relating to real property** in the county. The recorder of deeds is required to record and affix a seal on all deeds executed, mortgages, condominium declarations, subdivision plans and other records of property ownership; record oaths and commissions of all county officers, notaries public and district justices.

**County Treasurer** - duties include the **receipt, custody, and disbursement of all county monies** and, as an agent of the state, issuing dog, hunting and fishing licenses. The office pays all bills on order from the commissioners and must produce vouchers or other documentation more adaptable to electronic accounting systems, and records of transactions for the auditors at the end of each fiscal year.

**District Attorney** - **signs all bills of indictment and conducts all in-court criminal prosecution** in the name of the Commonwealth. Assistants, county detectives, stenographers and clerks are appointed to assist in criminal investigation and prosecution of the cases before the court.

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## UPCOMING EVENTS

**Lancaster County Housing Summit – Housing Choices 101: What Everyone Needs to Do!** - Wednesday, November 14, 2007 – 8 am to 3 pm – **Eden Resort Inn**  
Action-oriented workshops will be designed to allow ample interaction and contribution from attendees, who will work together to create effective solutions for Lancaster County’s housing issues. Summit hosted by the Lancaster County Housing Coalition. For more information contact David Loughery (717) 509-8038.

**7<sup>th</sup> Annual New Partners for Smart Growth – Building Safe, Healthy and Livable Communities – February 7-9, 2008 – [Marriott Wardman Park Hotel](#), Washington, D.C.** – Sponsored by the [Local Government Commission](#) – This dynamic program features cutting-edge smart growth issues, the latest research, implementation tools and strategies. [For more information about the event.](#)

## INTERESTING ARTICLES

**City KIDS** – New [report](#) from [CEOs for Cities](#). For the first time in 50 years, central cities across America are attracting talented young people.

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## DUTIES OF ROW OFFICERS – Continued

**Sheriff** - serves principally as an **officer of the court**. The main duties involve delivering and carrying out orders of county courts. Sheriffs serve various writs, processes and other judicial documents, and assist in impaneling juries and executing sheriff's sales.

**Prothonotary** - is the **clerk of the court of common pleas**, and keeps records of all civil procedures before the courts, signs all writs and processes (such as suits) and maintains copies of all records and processes. Takes bail in civil actions, enters judgments at the instance of plaintiffs and, upon the confession of defendants, signs all judgments and takes the acknowledgments of satisfaction of judgments or decrees entered on the records of the court. Administers oaths and affirmations, and is required by state law to maintain the judgment docket. Is the Commonwealth's agent for the collection of the tax on original writs and other records received and is responsible for records including the minute book for the court of common pleas, trial and argument lists and similar records. An important duty of the office is receiving petitions in connection with roads and right of way, recording the action of members of boards of view and eminent domain proceedings. A service which requires considerable time is processing naturalization papers. The office obtains information and makes records and arrangements for naturalization court. Passports can also be obtained at the office of the Prothonotary. Recording divorce proceedings is also a duty of the office of the Prothonotary

**Clerk of Courts** – is the **chief clerk and record keeper for the criminal courts**. The clerk keeps all papers filed under criminal and civil procedures of the courts and is responsible for maintaining the minute book and the records of all similar procedures of the courts.

**Register of Wills** - has **jurisdiction over the probate of wills** and the granting of letters, both considered to be quasi-judicial powers. Decides the probate of the will of any resident of the county or of any decedent, the bulk of whose estate lies within the county. Is the Commonwealth's agent for the collection of the state inheritance tax, has jurisdiction over the probate of wills and fiduciary accounts and maintains records on wills, inventory of estates, fiduciary accounts, inheritance tax records, registration of licenses (including marriage licenses) and other miscellaneous records.

**Clerk of Orphans' Court** - All **proceedings relative to estates of incompetents and to adoptions** are filed with the clerk of orphans' court. Adoption records are the only records in the office which are sealed and which may not be seen by the public. In most counties, the register of wills also serves as the clerk of orphan's court

**Coroner** - The coroner **investigates deaths of a suspicious or violent nature** and is assisted by a coroner jury of inquest when called to determine the cause of death. When inquests are warranted, the coroner is empowered to perform autopsies, subpoena witnesses, administer oaths and compel attendance at an inquest upon threat of imprisonment. Is required to issue a certificate of cause of death when it occurs without medical attention or attendance.

**Jury Commissioners** - The County Code provides for the election of two jury commissioners. Their **duties are limited to providing a jury panel** for the ensuing court year. They are authorized to appoint a clerk to assist them in performing this function. In certain counties of the third class, the office of jury commissioner may be abolished by referendum at the option of the county or by action of the Commissioners.

Source: [Governor's Center for Local Government Services](#)

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