

**IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT**

RICK SIGER, IN HIS CAPACITY AS : No. 12 MAP 2023  
ACTING SECRETARY OF THE :  
DEPARTMENT OF COMMUNITY AND :  
ECONOMIC DEVELOPMENT :

v. :

CITY OF CHESTER :

APPEAL OF: CITY OF CHESTER, MAYOR :  
THADDEUS KIRKLAND AND CITY :  
COUNCIL OF THE CITY OF CHESTER :

RICK SIGER, IN HIS CAPACITY AS : No. 15 MAP 2023  
ACTING SECRETARY OF THE :  
DEPARTMENT OF COMMUNITY AND :  
ECONOMIC DEVELOPMENT :

v. :

CITY OF CHESTER :

APPEAL OF: CITY OF CHESTER, MAYOR :  
THADDEUS KIRKLAND AND CITY :  
COUNCIL OF THE CITY OF CHESTER :

## ORDER

### **PER CURIAM**

**AND NOW**, this 29<sup>th</sup> day of March, 2023, upon consideration of the Notices of Appeals, Jurisdictional Statements and answers thereto, and Supplemental Briefs submitted by the parties, King's Bench jurisdiction is EXERCISED over these matters. The parties are directed to brief the following questions as set forth in the Jurisdictional Statements:

1. Whether the City's home rule charter may be amended without a voter referendum required by Article IX, Section 2 of the Pennsylvania Constitution[?]
2. Whether the modification to the Act 47 recovery plan may change the form of local government[?]
3. Whether the administrative duties of the appointed officials may be suspended by a modification to an Act 47 recovery plan[?]
4. Whether an Act 47 receiver may be given the right to remove items from the legislative agenda of city council[?]
5. Whether a city solicitor may be required to disclose privileged information to an Act 47 receiver[?]
6. Whether the confirmed modifications to the Act 47 recovery plan are necessary to achieve financial stability of the distressed municipality[?]
7. Whether the separation of powers doctrine permits the Commonwealth Court to empower a receiver to exercise control over a local government[?].
8. Whether the facts of the case warrant the suspension of the administrative duties of the officials[?]
9. Whether the Commonwealth Court should have employed a more narrow remedy than suspension of the duties of the officials[?]

The Prothonotary is directed to establish a briefing schedule so that this matter can be listed for our May 2023 argument in Harrisburg.

The Application to Stay filed at 12 MAP 2023 is DISMISSED as moot, given the existence of the automatic supersedeas. See Pa.R.A.P. 3309(d) (indicating that, where this Court exercises its extraordinary or King's Bench jurisdiction, Chapter 17 of the Rules of Appellate Procedure applies); see *also* Pa.R.A.P. 1736(b) (delineating the automatic supersedeas).