

THE COURTS

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Adding a Provision for Relisting Arbitration Cases by Agreement of All Parties; Administrative Doc. No. 01 of 1996

Order

And Now, this 25th day of January, 1996, at the request of the Compulsory Arbitration Committee of the Philadelphia Bar Association, *It Is Hereby Ordered and Decreed* that until further Order of this Court, and on a trial basis, Philadelphia Civil Rule No. ★1303(c) is amended by adding the following language thereto:

(7) *Rescheduling By Agreement of All Parties*: If all parties agree to reschedule an Arbitration Hearing and they file with the Arbitration Center an Application in the form attached hereto, the Arbitration Hearing will be rescheduled provided that the Application is filed no later than noon, at least two (2) business days prior to the originally scheduled hearing, and further provided that

all parties agree on a specific rescheduled date which must be within two (2) weeks of the original scheduled hearing date. All counsel and unrepresented parties must sign the Application and the case shall be deemed rescheduled only upon the execution of the Order by the Manager of the Arbitration Center. Requests for rescheduling pursuant to this Order may only be made one time per case.

This Order is issued in accordance with the April 11, 1986, Order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1, Phila. Civ. R. No. ★51 and Pa.R.C.P. No. 239, and shall become effective immediately. As required by Pa.R.C.P. No. 239, the original Order shall be filed with the Prothonotary in a docket maintained for Administrative Orders issued by the Administrative Judge of the Trial Division, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Civil Procedural Rules Committee. Copies of this Order shall also be submitted to Legal Communications, Ltd., *The Legal Intelligencer*, Jenkins Memorial Law Library and the Law Library for the First Judicial District.

ALEX BONAVITACOLA,
Administrative Judge

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[Pa.B. Doc. No. 96-236. Filed for public inspection February 23, 1996, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DELAWARE COUNTY Adoption of Rule *206.6

Order

And Now, this 1st day of February, 1996, the Court herewith adopts Rule *206.6 which shall read as follows:

Rules to show cause (See explanatory comment.) shall issue as of course with the filing of any petition or motion requiring a response.

By the Court

A. LEO SERENI,
Judge

Explanatory comment:

In Non-Family Matters, governed by Rule *206B, the notice requirement serves the identical purpose of a rule to show cause, and no paper formally designated "rule to show cause" shall be necessary.

In Family Matters, governed by Rule *206A, present practice shall continue with rules issuing as of course pursuant to Rule *206.6.

[Pa.B. Doc. No. 96-237. Filed for public inspection February 23, 1996, 9:00 a.m.]

DELAWARE COUNTY Adoption of Rule *2039

Order

And Now, this 1st day of February, 1996, the Court herewith adopts Rule *2039 as follows:

Rule *2039—Compromise, Settlement, Discontinuance of a Minor's Action and Distribution.

(a) The petition to compromise, settle or discontinue a minor's action shall include the following items:

1. A report from a physician dated within thirty (30) days of the filing of the petition;
2. A verified statement by the minor's guardian with respect to (i) the minor's physical and/or mental condition and (ii) certifying the guardian's approval of the proposed settlement (or discontinuance) and distribution of the settlement proceeds;
3. A statement by the minor's attorney of his or her professional opinion concerning liability; and
4. The minor's written approval of the proposed settlement and distribution (or discontinuance) in the event the minor has attained the age of sixteen (16).

(b) 1. If the proposed distribution includes a claim for counsel fees in excess of twenty-five percent (25%) of the net (after expenses incurred by counsel) settlement, evidence shall be presented as to the nature and extent of the services rendered.

2. Within thirty (30) days of the order approving the proposed settlement and distribution counsel for the minor shall file with the Office of Judicial Support a

certification that the funds awarded to the minor were deposited in accordance with the provisions of Pa.R.C.P. 2039(b)(2).

By the Court

A. LEO SERENI,
Judge

[Pa.B. Doc. No. 96-238. Filed for public inspection February 23, 1996, 9:00 a.m.]

DELAWARE COUNTY Amendment of Rule *1305(b)

Order

And Now, this 1st day of February, 1996, Local Rule of Civil Procedure *1305(b) is hereby amended to read as follows:

(b) In addition to the items described in Pa.R.C.P. 1305(b) and subject to all the provisions thereof, a party may offer in evidence without further proof

- (5) photographs, models and other non-documentary exhibits,
- (6) expert witness reports and qualifications,
- (7) certifications by attorneys of time and hourly rates,
- (8) a letter from the custodian or other qualified witness satisfying the requirements of the Uniform Business Records as Evidence Act (42 Pa.C.S.A. § 6108).

Where the nature of the exhibits referred to in (5) above is such that it is not feasible to send a copy to the adverse party, an accurate description of the exhibit shall be provided, and the exhibit shall be made available for reasonable inspection by the adverse party. If the moving party receives no written objection thereto not less than ten (10) days prior to the trial date, this physical evidence shall be admitted. If objection is made, the moving party may submit a written request to the court administrator for reference to the appropriate judge.

By the Court

A. LEO SERENI,
Judge

[Pa.B. Doc. No. 96-239. Filed for public inspection February 23, 1996, 9:00 a.m.]

FRANKLIN AND FULTON COUNTIES Adoption of Local Rule of Judicial Administration 39-1905; Page BB48

Order of Court

February 7, 1996, the following Rule of Judicial Administration regarding the media and the public for the 39th Judicial District of Pennsylvania, both Franklin and Fulton County Branches is adopted and shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

JOHN R. WALKER,
President Judge

39-1905(a.) No person or group of persons shall block, impede, congest or interfere with the free flow of parties,

witnesses, court personnel, attorneys, or the general public in the hallways, entrances, and elevators to and from the courtrooms of this judicial district on days when court is in session, during the normal hours of operation, or while a trial or other court proceeding is occurring, and for one hour before the proceeding begins and one hour after the proceeding concludes:

(1) Through the operation of any equipment, or through the conduct of interviews, broadcasts or any other activity associated with the gathering, production, and dissemination of news;

(2) Through demonstrations, protests or other public displays except by express permission of the court upon cause shown.

(b.) The preceding provision shall not be construed to prohibit any member of the media or the public from having access to any office open to the public in any courthouse in this judicial district.

(c.) This rule shall be subject to suspension by the court for such public proceedings and ceremonies as the court shall deem appropriate.

(d.) Failure to abide by the contents of this rule shall be considered an act in contempt of court, and may result in such penalties, including removal from courthouse premises, as the court may decide.

[Pa.B. Doc. No. 96-240. Filed for public inspection February 23, 1996, 9:00 a.m.]

SUPREME COURT

Sessions of the Supreme Court of Pennsylvania
for the Year 1996; No. 94; Doc. No. 1

Amended Order

And Now, this 8th day of February, 1996, the order of April 5, 1995 establishing this Court's sessions for the year 1996 is hereby amended as follows:

Philadelphia	January 22 through January 26
Pittsburgh	March 4 through March 8
Harrisburg	April 29 through May 2
Philadelphia	June 3 through 6 (Administrative Session)
Pittsburgh	September 16 through September 20
Philadelphia	October 15 through October 18
Philadelphia	December 2 through December 6

By the Court

ROBERT N. C. NIX, Jr.,
Chief Justice

[Pa.B. Doc. No. 96-241. Filed for public inspection February 23, 1996, 9:00 a.m.]