

THE COURTS

Title 255—LOCAL COURT RULES

DELAWARE COUNTY

Amendment of Rule *76; Misc. No. 90-18200

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that Civil Rule *76 be amended to read as follows:

Rule *76. Definitions.

Attorney of Record. See the definition in Pa.RCP 76.

Party shall mean a litigant's attorney of record or unrepresented litigant.

Plaintiff or Defendant shall mean a party's attorney of record or the party where the litigant is unrepresented.

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2019. Filed for public inspection December 19, 1997, 9:00 a.m.]

DELAWARE COUNTY

Amendment of Rule *425(a); Misc. No. 90-18200

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that Civil Rule *425(a) be amended to read as follows:

Rule *425. Service of Process and Pleadings, Additional Defendants.

(a) No copies of pleadings previously filed with the Office of Judicial Support shall be filed with a complaint against an additional defendant. However, pursuant to Pa.RCP 425(a), copies of previously filed pleadings shall be served with the complaint against the additional defendant.

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2020. Filed for public inspection December 19, 1997, 9:00 a.m.]

Amendment of Rule *1006(d)(3); Misc. No. 90-18200

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that Civil Rule *1006(d)(3) be amended to read as follows:

Rule *1006(d)(3). Change of Venue.

Upon transfer, unless otherwise ordered by the court, the successful petitioner for the change of venue shall pay

such fees and costs to the Office of Judicial Support as though the transferred case had initially been filed in this court. These costs shall be part of the transfer costs. Payment of these fees and costs shall be made upon receipt by the Office of Judicial Support of the record papers, to include a certified copy of the docket entries from the transferring court.

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2021. Filed for public inspection December 19, 1997, 9:00 a.m.]

DELAWARE COUNTY

Amendment of Rule *1028(c)(d); Misc. No. 90-18200

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that Civil Rule *1028(c) and (d) be amended to read as follows:

(c) All such motions shall be accompanied by a notice, plainly appearing on the face thereof, of the date the motion was filed with the Office of Judicial Support and advising that a reply memorandum of law must be filed within twenty (20) days from that date, except that in the case of summary judgment motions the notice shall advise that a reply memorandum must be filed within thirty (30) days from that date. The moving party shall also file with his motion a certification of service in conformity with Pa.RCP 405(b). This certification shall state that the notice required by this Rule has been given.

(d) If any motion subject to this Rule is filed without an accompanying memorandum, the Office of Judicial Support shall send the record papers to the Court Administrator. Otherwise, the Office of Judicial Support shall not send the record papers to the Court Administrator until the opposing party has filed his reply memorandum or until twenty (20) days after the motion was filed (or in the case of summary judgment motions thirty (30) days), whichever occurs first. Upon receiving the record papers from the Office of Judicial Support the Court Administrator shall then refer the matter to the appropriate judge. All requests for an extension of the prescribed time in which to answer such motions must be approved by the court. Such approval shall be sought by a letter addressed to the Court Administrator. No agreement entered into solely by the parties will be honored by the court.

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2022. Filed for public inspection December 19, 1997, 9:00 a.m.]

DELAWARE COUNTY

Amendment of Rule *1035; Misc. No. 90-18200

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that Civil Rule *1035 be renumbered as *1035.2 and be amended to read as follows:

Rule *1035.2. Motion for Summary Judgment.

The procedure for summary judgment motions shall be as set forth in Rule *1028 except that respondent shall have thirty (30) days from the filing date of the motion in which to file a reply memorandum.

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2023. Filed for public inspection December 19, 1997, 9:00 a.m.]

DELAWARE COUNTY

Amendment of Rule *1303(b); Misc. No. 90-18200

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that Civil Rule *1303(b) be amended to read as follows:

(b) Applications for continuance shall be filed with the Court Administrator on continuance forms available in the Court Administrator's office and accompanied by a self-addressed stamped envelope. All information required on the continuance form must be supplied. It is the responsibility of the moving party to notify promptly all other parties of the result of the application. Any application for continuance not complying with the requirements of this section will not be processed.

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2024. Filed for public inspection December 19, 1997, 9:00 a.m.]

DELAWARE COUNTY

Amendment of Rule *1303(c); Misc. No. 90-18200

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that Civil Rule *1303(c) be amended to read as follows:

(c) When the amount in controversy, exclusive of interest, costs and delay damages, is reduced to a sum not in excess of Fifty Thousand (\$50,000.00) Dollars in accordance with the provisions of Rule *1301(b), the case shall forthwith be assigned a hearing date and time by the Court Administrator. Such hearing date will be the first available date no less than sixty (60) days from the date the stipulation is filed or the date of the court's order.

Plaintiff shall promptly notify all other parties of the new hearing date and time assigned by the Court Administrator.

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2025. Filed for public inspection December 19, 1997, 9:00 a.m.]

DELAWARE COUNTY

Amendment of Rule *1303(e); Misc. No. 90-18200

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that Civil Rule *1303(e) be amended to read as follows:

(e) In the event a case is settled or otherwise concluded it shall be the plaintiff's responsibility to give prompt written notification thereof to the Court Administrator in the form of an order to settle, discontinue and end or an application for continuance pending consummation of the settlement.

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2026. Filed for public inspection December 19, 1997, 9:00 a.m.]

DELAWARE COUNTY

Amendment of Rule *1305(b); Misc. No. 90-18200

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that Civil Rule *1305(b) be amended to read as follows:

Rule *1305. Conduct of Hearing, Evidence.

(b) In addition to the items described in Pa.RCP 1305(b) and subject to all the provisions thereof, a party may offer into evidence without further proof the following items:

(5) Photographs, models and other non-documentary exhibits. Where the nature of these exhibits 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 exhibits 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.

(6) Expert witness reports and qualifications;

(7) Certification by attorneys of time and hourly rate;

(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).

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2027. Filed for public inspection December 19, 1997, 9:00 a.m.]

DELAWARE COUNTY

Amendment of Rule *1308(a)(2); Misc. No. 90-18200

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that Civil Rule *1308(a)(2) be amended to read as follows:

Rule *1308(a)(2). Appeal, Arbitrators' Compensation.

Appellant shall pay Three Hundred (\$300.00) Dollars to the Office of Judicial Support subject to the provisions of Pa.RCP 1308(a)(2). Checks shall be made payable to the Treasurer of Delaware County.

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2028. Filed for public inspection December 19, 1997, 9:00 a.m.]

DELAWARE COUNTY

Rescission of Rule DJ *1008B; Misc. No. 90-18200

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that District Justice Rule *1008B be rescinded as duplicative of Pa.RCPDJ 1008B.

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2029. Filed for public inspection December 19, 1997, 9:00 a.m.]

DELAWARE COUNTY

Rescission of Rules *1530 and 1533; Misc. No. 90-1820C

Order

And Now, this 4th day of December, 1997, it is hereby *Ordered* that Civil Rules *1530 and 1533 be rescinded as no longer serving any useful purpose.

By the Court

A. LEO SERENI,
President Judge

[Pa.B. Doc. No. 97-2030. Filed for public inspection December 19, 1997, 9:00 a.m.]

COURT OF JUDICIAL DISCIPLINE

Court Sessions; Doc. No. 1 JD 94

Per Curiam

Order

And Now, this 5th day of December, 1997, it is hereby *Ordered* that the sessions of the Court of Judicial Discipline shall be held in the year 1998 as follows:

January 26
March 17—20
May 19—22
September 15—18
November 17—20

[Pa.B. Doc. No. 97-2031. Filed for public inspection December 19, 1997, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Debra Lee King, who resides outside the Commonwealth of Pennsylvania has been disbarred on consent from the Bar of this Commonwealth by Order of the Supreme Court of Pennsylvania dated December 5, 1997, retroactive to May 12, 1997. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney has never practiced in Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER

Secretary

The Disciplinary Board of the Supreme Court of Pennsylvania

[Pa.B. Doc. No. 97-2032. Filed for public inspection December 19, 1997, 9:00 a.m.]