

THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 7]

Rescission of Former Rule 703 and Adoption of New Rule 703; No. 180; Doc. No. 1

Order

Per Curiam:

And Now, this 28th day of January, 1997, in collaboration with the Pennsylvania Conference of State Trial Judges, former Pennsylvania Rule of Judicial Administration No. 703 is rescinded and new Pennsylvania Rule of Judicial Administration No. 703 is adopted as follows.

To the extent that notice of proposed rulemaking would be required by Rule 103 of the Pennsylvania Rules of Judicial Administration or otherwise, the immediate adoption of such new rule is hereby found to be required in the interest of justice and efficient administration.

This Order shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration and the new rule shall be effective immediately, with the first report due on or before July 21, 1997.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 7. ASSIGNMENT OF JUDGES

SUPERVISION AND ASSIGNMENT OF JUDGES

Rule 703. Reports of Judges.

(A) Policy Statement.

It is the policy of the unified judicial system that any matter at any stage of a proceeding be brought to a fair conclusion as promptly as possible, consistent with the character of the matter and the resources of the system. The requirements of this rule further specify and implement this policy in keeping with the Court's constitutionally mandated responsibility to oversee the prompt and proper disposition of the business of the Pennsylvania courts.

(B) General Rule.

(1) Every judge shall keep a record of each matter that has been submitted to the judge for decision and which remains undecided.

(2) Every judge shall compile a semi-annual report stating whether the judge has any matter that has been submitted to the judge for decision and remains undecided for ninety days or more as of the last day of the reporting period. Each report shall include matters listed on prior reports which remain undecided.

(a) *Decision* includes the grant or denial of a pretrial, post-trial, or post-sentence motion or petition, non-jury verdict or decision, entry of an order or judgment, imposition of a sentence, or the filing of an opinion. A matter is submitted for decision even though briefs, transcripts, or reports have been ordered but have not yet been filed.

(b) *Judge* means a judge of a court of common pleas or a judge of the Philadelphia Municipal Court, active or senior, commissioned six months or longer.

(3) If there are no matters submitted to the judge which remain undecided for ninety days or more, the report shall so state.

Official Note: Under this rule, judges must take inventory of matters in chambers, evaluate their status, and determine the steps needed for timely disposition. Judges must also take an active role in ensuring the timely preparation of documents, such as notes of testimony or psychiatric reports.

(C) Form and Content of Report.

(1) The report shall be prepared on a form supplied by the Administrative Office of Pennsylvania Courts or generated by the computer system of the judge's court in the same format as the form supplied by the Administrative Office.

(2) The report shall be signed by the judge.

(3) For each matter which remains undecided ninety days or more, the report shall state:

- the type, caption, and number of the case;
- the nature of the matter;
- the date of submission to the judge;
- the specific reason(s) for the delay; and
- the specific steps taken to remedy the delay.

Official Note: Specific reasons for a delay might be the filing of additional briefs, a change in the representation of the parties, ongoing settlement negotiations at the request of the parties.

(D) Filing.

(1) The report covering the preceding period of July 1 through December 31 shall be filed on or before January 20, and the report covering the preceding period of January 1 through June 30 shall be filed on or before July 20.

(2) Whenever January 20 or July 20 falls on Saturday or Sunday, or on any day made a legal holiday by the laws of this Commonwealth or of the United States, the date for filing shall be the next business day.

(3) The judge shall file the original report with the Court Administrator of Pennsylvania, and shall file copies of the report with the president judge and the district court administrator of the court on which the judge serves.

Official Note: The requirement that judges file copies of their reports with the president judge and district court administrator will better enable those officials to monitor their dockets in order to address problem areas promptly. If decisional delay persists, the president judge should take strong corrective action. Such action may include providing the judge with additional support or educational resources as may be reasonably available; restructuring judicial case assignments, non-decisional assignments, or work schedules; or any other supervisory action designed to assist the reporting judge in becoming current.

(4) Senior judges or active judges serving in more than one judicial district shall file one consolidated report with

the Administrative Office, and shall file copies of the consolidated report with the president judge and the district court administrator for each judicial district in which the judge has matters that have been submitted for decision.

(E) *Supplemental Statement by President Judge.*

(1) A president judge, at the request of the Court Administrator of Pennsylvania, shall supplement a judge's report with a separate statement of any circumstances affecting the matters reported.

(2) Within thirty days of the president judge's receipt of the request from the Court Administrator of Pennsylvania, any supplemental statement shall be filed with the Court Administrator of Pennsylvania, the judge who filed the report, and the district court administrator.

(F) *Public Inspection.*

Copies of all reports and supplemental statements filed pursuant to paragraphs (B) and (E) shall be made available by the Court Administrator of Pennsylvania and the district court administrator for public inspection and copying.

(G) *Report to Judicial Conduct Board.*

(1) The Court Administrator of Pennsylvania shall immediately notify the Judicial Conduct Board if a judge fails to file a timely report as required by this rule.

(2) The Court Administrator of Pennsylvania shall, where appropriate, forward to the Judicial Conduct Board any report which includes one or more matters which have remained undecided for one year or more.

[Pa.B. Doc. No. 97-206. Filed for public inspection February 14, 1997, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE OF LAW [204 PA. CODE CH. 71]

Amendment of Rule 205 of the Pennsylvania Bar Admission Rules; No. 170; Doc. No. 1

Order

Per Curiam:

And Now, this 31st day of January, 1997, Rule 205 of the Pennsylvania Bar Admission Rules is amended to read as follows.

To the extent that notice of proposed rulemaking would be required by Pennsylvania Rule of Judicial Administration No. 103 or otherwise, the immediate amendment of Rule 205 is hereby found to be required in the interest of justice and efficient administration.

This Order shall be processed in accordance with Pennsylvania Rule of Judicial Administration No. 103(b) and shall be effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE OF LAW CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

Subchapter B. ADMISSION TO THE BAR GENERALLY IN GENERAL

Rule 205. Admission of foreign attorneys and graduates of foreign institutions.

(a) *General rule.* The Board, under such standards, rules and procedures as it may prescribe, may extend the provisions of Rule 203 (relating to the admission of graduates of accredited and unaccredited institutions) to any applicant who has completed the study of law in a law school which at the time of such completion was not located within the geographical area encompassed by the accreditation activities of the American Bar Association and:

(1) who has been admitted to practice law in and is in good standing at the bar of a foreign country, as evidenced by a certificate from the highest court or agency of such foreign country having jurisdiction over admission to the bar and the practice of law and

(2) who has for a period of five years of the last **[seven] eight** years immediately preceding the date of filing of the application for admission to the bar of this Commonwealth engaged in the practice of law in such foreign country. For purposes of this paragraph, the phrase "engaged in the practice of law" is defined as "devoting a major portion of one's time and energy to the rendering of legal services."

(b) *Law study required.* Unless otherwise provided by the Board, applicants who meet the provisions of subparagraph (a) of this Rule may apply to sit for the Pennsylvania Bar Examination provided they have successfully completed 30 credit hours in an accredited American law school in the following subjects: Conflict of Laws; Constitutional Law; Contracts; Corporations; Criminal Law; Decedents' Estates; Evidence; Family Law; Federal and/or Pennsylvania Civil Procedure; Federal Income Taxes (personal only); Professional Responsibility; Real Property; Torts; Uniform Commercial Code, Art. II—Sales; Uniform Commercial Code, Art. III—Commercial Paper; Uniform Commercial Code, Art. IX—Secured Transactions. No more than 4 credit hours in any one subject shall be counted toward this requirement. In fulfilling this requirement, applicants must successfully complete up to 4 credits in each of the following subjects: Constitutional Law; Contracts; Criminal Law; Decedents' Estates; Evidence; Federal and/or Pennsylvania Civil Procedure; Professional Responsibility; Real Property; and Torts.

[Pa.B. Doc. No. 97-207. Filed for public inspection February 14, 1997, 9:00 a.m.]

PART IV. ADMISSION TO PRACTICE OF LAW
[204 PA. CODE CH. 71]

Amendment of Rule 372 and the Note to Rule 213
of the Pennsylvania Bar Admission Rules; No.
167; Doc. No. 1

Order

Per Curiam:

And Now, this 31st day of January, 1997, the Pennsylvania Bar Admission Rules are amended as follows:

- (1) Rule 372 is amended to read as follows.
- (2) The Note to Rule 213 is amended to read as follows.

To the extent that notice of proposed rule-making would be required by Pennsylvania Rule of Judicial Administration No. 103 or otherwise, the immediate amendment of Rule 372 and the Note to Rule 213 is hereby found to be required in the interest of justice and efficient administration.

This Order shall be processed in accordance with Pennsylvania Rule of Judicial Administration No. 103(b) and shall be effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL
PROVISIONS

PART IV. ADMISSION TO PRACTICE OF LAW
CHAPTER 71. PENNSYLVANIA BAR ADMISSION
RULES

Subchapter B. ADMISSION TO THE BAR
GENERALLY

PROCEEDINGS BEFORE BOARD

Rule 213. Hearings before the Board.

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Official Note: Based on former Supreme Court Rule 14A. "Other than scholastic" means that the failure to comply with Rule 203(a)(1), (a)(2), or (b)(1) is not reviewable pursuant to Rule 213.

Subchapter C. RESTRICTED PRACTICE OF LAW
MISCELLANEOUS

Rule 372. Formerly admitted attorneys.

Upon the request of the Disciplinary Board of the Supreme Court of Pennsylvania, a formerly admitted attorney seeking reinstatement pursuant to the rules of the Disciplinary Board may sit for the bar examination without having to comply first with Section 203 [(a)(3)] (b)(2) of these rules.

[Pa.B. Doc. No. 97-208. Filed for public inspection February 14, 1997, 9:00 a.m.]

PART IV. ADMISSION TO PRACTICE OF LAW
[204 PA. CODE CH. 71]

Amendment of Rules 203 and 204 of the Pennsyl-
vania Bar Admission Rules; No. 168; Doc. No. 1

Order

Per Curiam:

And Now, this 31st day of January, 1997, Rules 203 and 204 of the Pennsylvania Bar Admission Rules are amended to read as follows.

To the extent that notice of proposed rulemaking would be required by Pennsylvania Rule of Judicial Administration No. 103 or otherwise, the immediate amendment of Rules 203 and 204 is hereby found to be required in the interest of justice and efficient administration.

This Order shall be processed in accordance with Pennsylvania Rule of Judicial Administration No. 103(b) and shall be effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL
PROVISIONS

PART IV. ADMISSION TO PRACTICE OF LAW
CHAPTER 71. PENNSYLVANIA BAR ADMISSION
RULES

Subchapter B. ADMISSION TO THE BAR
GENERALLY
IN GENERAL

Rule 203. Admission of graduates of accredited and unaccredited institutions.

(a) *Bar examination.* The general requirements for permission to sit for the bar examination are:

(1) Receipt of an undergraduate degree from an accredited college or university or the receipt of an education which, in the opinion of the Board, is the equivalent of an undergraduate college or university education.

(2)(i) Except as provided in subparagraph 2(ii) of this Rule, completion of the study of law at and receipt without exception of an earned Bachelor of Laws or Juris Doctor degree from an accredited law school. See Rule 205 (relating to admission of graduates of foreign institutions) for standards applicable to graduates of foreign law schools; or

(ii) completion of the study of law at and receipt without exception of an earned Bachelor of Laws or Juris Doctor degree from an unaccredited law school located within the boundaries of the United States of America, provided that the applicant is a member of the bar of a reciprocal state and meets the following qualifications:

(A) Presentation of a certificate from the highest court or agency of such state having jurisdiction over admission to the bar and the practice of law stating that the applicant is in good standing at the bar of such court or such state.

(B) Presentation of proof satisfactory to the Board that the applicant has for a period of five years of the last seven years immediately preceding the date of filing of the application for admission to the bar of this Commonwealth:

(i) engaged in the practice of law in a reciprocal state or states outside this Commonwealth. For purposes of this paragraph, the phrase "engaged in the practice of law" is defined as "devoting a major portion of one's time and energy to the rendering of legal services"; or

(ii) engaged full-time in the teaching of law at one or more accredited law schools in the United States; or

(iii) served on active duty in the United States military service, as a judge advocate or law specialist, as those terms are defined in the Uniform Code of Military Justice, 10 U.S.C. Sec. 801, as amended, regardless of the location of the service.

Service under subparagraphs (i), (ii), and (iii) may be combined to satisfy the five year service requirement of this subparagraph.

[(3) Absence of prior conduct by the applicant which in the opinion of the Board indicates character and general qualifications (other than scholastic) incompatible with the standards expected to be observed by members of the bar of this Commonwealth.]

(b) *Admission to the bar.* The general [requirement] requirements for admission to the bar of this Commonwealth [is] are:

(1) satisfactory completion of the bar examination administered by or under the authority of the Board; and

(2) absence of prior conduct by the applicant which in the opinion of the Board indicates character and general qualification (other than scholastic) incompatible with the standards expected to be observed by members of the bar of this Commonwealth.

Rule 204. Admission of domestic attorneys.

As an alternative to satisfying the requirements of Rule 203 (relating to admission of graduates of accredited and unaccredited institutions), an attorney of another state may be admitted to the bar of this Commonwealth if the applicant has completed the study of law at and received without exception an earned Bachelor of Laws or Juris Doctor degree from an accredited law school, is a member of the bar of a reciprocal state at the time of filing of the application for admission to the bar of this Commonwealth and meets the following qualifications:

(1) Presentation of a certificate from the highest court or agency of such state having jurisdiction over admission to the bar and the practice of law stating that the applicant is in good standing at the bar of such court or such state.

(2) Presentation of proof satisfactory to the Board that the applicant has for a period of five years of the last seven years immediately preceding the date of filing of the application for admission to the bar of this Commonwealth:

(i) engaged in the practice of law in a reciprocal state or states outside this Commonwealth. For purposes of this paragraph, the phrase "engaged in the practice of law" is defined as "devoting a major portion of one's time and energy to the rendering of legal services"; or

(ii) engaged full-time in the teaching of law at one or more accredited law schools in the United States; or

(iii) served on active duty in the United States military service, as a judge advocate or law specialist, as those terms are defined in the Uniform Code of Military Justice, 10 U.S.C. Sec. 801, as amended, regardless of the location of the service.

Service under subparagraphs (i), (ii) and (iii) may be combined to satisfy the five year service requirement of this Subparagraph.

(3) No applicant will be admitted under this Rule who at any time has taken and failed the Pennsylvania bar examination.

(4) Satisfaction of the requirements of Paragraphs (a)(1) and [(a)(3)] (b)(2) of Rule 203.

[Pa.B. Doc. No. 97-209. Filed for public inspection February 14, 1997, 9:00 a.m.]

**PART IV. ADMISSION TO PRACTICE OF LAW
[204 PA. CODE CH. 73]**

New Rule 101: Standards for Passing the Bar Examination; No. 172; Doc. No. 1

Order

Per Curiam:

And Now, this 4th day of February, 1997, it is hereby Ordered that:

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

**PART IV. ADMISSION TO PRACTICE OF LAW
CHAPTER 73. STANDARDS FOR PASSING BAR EXAMINATION**

Rule 101. Standards for passing the bar examination.

Commencing with the Pennsylvania Bar Examination to be administered in February of 1997, and until further Order of this Court, a successful candidate for admission to the Bar of the Commonwealth of Pennsylvania, in addition to the other examination requirements approved by prior Orders of the Court which are not superseded hereby, must:

1. attain a scaled score of 130 or higher on the Multistate Bar Examination;
2. attain a scaled score of 135 or higher on the essay portion of the bar examination; and
3. attain a scaled score of 270 on the combined scores of the Multistate Bar Examination and the essay portion of the bar examination.

[Pa.B. Doc. No. 97-210. Filed for public inspection February 14, 1997, 9:00 a.m.]

**PART IV. ADMISSION TO PRACTICE OF LAW
[204 PA. CODE CH. 73]**

New Rule 102 Relating to Standards for Passing the Pennsylvania Bar Examination; No. 169; Doc. No. 1

Order

Per Curiam:

And Now, this 31st day of January, 1997, it is hereby ordered that:

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

**PART IV. ADMISSION TO PRACTICE OF LAW
CHAPTER 73. STANDARDS FOR PASSING BAR EXAMINATION**

Rule 102. Additional requirements.

Commencing with the Pennsylvania Bar Examination to be administered in February of 1998, and until further

Order of this Court, a successful candidate for admission to the Bar of the Commonwealth of Pennsylvania must, in addition to the other examination requirements approved by Order of this Court, attain a scaled score of 75 or higher on the Multistate Professional Responsibility Examination.

[Pa.B. Doc. No. 97-211. Filed for public inspection February 14, 1997, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LAWRENCE COUNTY

**Amendment of Local Civil Rule of Court No.
L1308; No. 70026 of 1997, M.D.**

Order of Court

Now, this 28th day of January, 1997, it is hereby *Ordered* that Local Civil Rule No. L1308 is amended to read:

(1) Upon the filing of the Board of Arbitrators' report and any award, the chairperson of the Board of Arbitrators shall be paid the sum of One Hundred Twenty-Five Dollars (\$125.00), and the other members of the Board shall each be paid the sum of One Hundred Dollars (\$100.00), for each case heard or otherwise disposed of as provided under subdivision (4).

The effective date of this amended Rule is thirty (30) days after date of publication in the *Pennsylvania Bulletin*.

The Prothonotary is Ordered and directed to make copies of this Order available to all members of the Bar, and pursuant to Pa.R.J.A. No. 103(c)(1), immediately forward ten (10) certified copies of the Order to the Administrative Office of Pennsylvania Courts.

It is further Ordered and directed that this Order be printed in the *Lawrence Law Journal*.

GLENN MCCRACKEN, Jr.,
President Judge

[Pa.B. Doc. No. 97-212. Filed for public inspection February 14, 1997, 9:00 a.m.]
