

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CH. 81]

Amendment of Rule 1.15(g) of the Rules of Professional Conduct; No. 474 Disciplinary Doc. No. 3

Order

Per Curiam:

And Now, this 15th day of October, 1998, Rule 1.15(g) of the Rules of Professional Conduct is amended to read as follows hereto.

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 amendment of Rule 1.15(g) is hereby found to be required in the interest of justice and efficient administration.

This Order shall be effective immediately and shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter A. RULES OF PROFESSIONAL CONDUCT

CLIENT-LAWYER RELATIONSHIP

§ 81.4. Rules of Professional Conduct.

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Rule 1.15. Safekeeping Property.

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(g) There is hereby created the Pennsylvania Interest On Lawyers Trust Account Board (herein called the IOLTA Board), which shall administer the IOLTA program. The IOLTA Board shall consist of nine members who shall be appointed by the Supreme Court. **Two of the appointments shall be made [exclusively]** from a list provided to [it] the Supreme Court by the Pennsylvania Bar Association in accordance with its own rules and regulations. **[The] With respect to these two appointments, the** Pennsylvania Bar Association shall submit three names to the Supreme Court [for every vacancy on the IOLTA Board], from which the Court shall make its final selections. The term of each member shall be three years and no member shall be appointed for more than two consecutive three year terms. The Supreme Court shall appoint a Chairperson. In order to administer the IOLTA program, the IOLTA Board shall promulgate rules and regulations consistent with this Rule for approval by the Supreme Court. Additionally, upon approval of the Supreme Court, the

IOLTA Board shall distribute and/or expend IOLTA funds for the purpose set forth in this Rule. The IOLTA Board shall comply with the following:

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[Pa.B. Doc. No. 98-1783. Filed for public inspection October 30, 1998, 9:00 a.m.]

Title 252—ALLEGHENY COUNTY RULES

ALLEGHENY COUNTY

Rules of Court of Common Pleas; No. 2 of 1998
Rules Docket

Order

And Now, to wit, this 13th day of October, 1998, pursuant to action of the Board of Judges and effective thirty days after publication in the *Pennsylvania Bulletin*, the following Allegheny County rules of civil procedure are hereby amended by this court:

General Docket:

1531. Special Relief. Injunctions.

Arbitration:

1303. Hearing. Notice.

Administrative Order of March 9, 1989 of this court, dealing with arbitration continuances, is hereby vacated, as its subject matter is now covered by Rule 249.

The following new Allegheny County rules of civil procedure are hereby adopted by this court:

General Docket:

212.1. Pre-trial Procedure for all actions in the Civil Division of the Court of Common Pleas of Allegheny County. Notice of Earliest trial date. Authorizations. Time for completing discovery and filing Pre-trial Statement.

212.2. Pre-trial Statement.

212.3. Conduct of Pre-trial Conference.

Current Rule 212 of this court is hereby rescinded, effective as of the date on which the three new pre-trial rules take effect.

Rule 209 of this court is hereby rescinded, as its subject matter is now covered by Rule 206.7.

Copies of the above new rules and amendments follow.

By the Court

ROBERT E. DAUER,
President Judge

Rule 212.1. Pre-Trial Procedure for All Actions in the Civil Division of the Court of Common Pleas of Allegheny County. Notice of Earliest Trial Date. Authorizations. Time for Completing Discovery and Filing Pre-Trial Statement.

(a) Pa. R.Civ.P. 212.1 through 212.3 and Local Rules 212.1 and 212.3 shall apply to all civil actions, both jury and non-jury to be tried in the civil division with the exception of appeals from arbitration.

(b) Definitions.

In these rules, the following words shall have the following meanings:

(1) "pre-trial conference"—a conference scheduled by the Court in accordance with Pa.R.Civ.P. 212.3, in which in addition to matters set forth in Pa.R.Civ.P. 212.3, the Court shall:

(i) determine whether the parties have complied with this Rule; and

(ii) attempt an amicable settlement of the case;

(2) "Conciliating Judge"—the judge assigned to conduct the pretrial conference.

(c) Notice of Earliest Trial Date. Time for Completing Discovery and Filing Pre-Trial Statement.

Notices required by Pa.R.Civ.P 212.1 shall be given by publication in the daily edition of the Pittsburgh Legal Journal and notice shall be provided to unrepresented parties and to those out-of-county counsel who submitted notice of their address to the Calendar Control section of the Civil Division at the time the action was placed at issue.

(d) Authorizations.

Plaintiff, on or before the date set forth for the completion of discovery in the notice accompanying the publication of the trial list, upon request of any defendant, shall furnish defendant (to the extent he/she has not done so already) with written authorization to copy the records of any health care provider by whom plaintiff was treated for injuries or disabilities complained of, or prior injuries or disabilities, where the same may be relevant.

Rule 212.2. Pre-Trial Statement.

Each party, on or before the date set forth in the notice accompanying the publication of the trial list, shall file and serve upon all other parties a written statement in conformity with the requirements of Pa.R.Civ.P. 212.2.

Rule 212.3. Conduct of Pre-Trial Conference.

(a) The conduct of the pre-trial conference shall be in conformity with Pa.R.Civ.P. 212.3.

(b) Notice of the time, date and conciliating judge for the pre-trial conference shall be provided by publication in the daily edition of the Pittsburgh Legal Journal and notice shall be provided to unrepresented parties and to those out-of-county counsel who submitted notice of their address to the Calendar Control section of the Civil Division at the time the case was placed at issue.

(c) Any application for rescheduling a pre-trial conference shall be addressed to the Conciliating Judge before whom the pre-trial conference is scheduled.

Note: See Local Rule 249 regarding applications to continue the trial of the case.

(d) Unless excused by the Conciliating Judge, each party must be present, except where the real party in interest is an insurance company, common carrier, corporation or other similar entity, in which event, a representative thereof must be present with full authority to settle the case.

(e) The Judge presiding at the pre-trial conference shall transfer to arbitration all cases in which the amount actually in controversy does not exceed the jurisdictional limits of arbitration, except actions which involve title to

realty and such other actions and proceedings as are set forth from time to time in Local Rule 1301.

(f) The Judge presiding at the pre-trial conference may impose such sanctions as he/she deems appropriate against counsel and/or the party(s) for failure to comply with this rule.

Note: Pre-trial conferences and other pre-trial procedures in class actions, equity cases, complex cases, or any other cases assigned for trial to a particular Judge may be conducted according to the procedures directed by that Judge.

Rule 1303. Hearing. Notice. Continuances.

(a) (1) Hearings shall be held in the Court House or other County facility. The Prothonotary shall affix the date, time and place of hearing before a Board of Arbitrators by placing said information on the Complaint which is filed and on the copies of the Complaint which are to be served upon all other parties.

(2) The Arbitration Clerk shall assign cases to each Board of Arbitrators and shall designate the room in which the cases are to be heard.

Note: As to Continuances, see Rule A249.

Rule 1531. Special Relief. Injunctions.

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Note: As to subsequent hearings and enforcement, see Rule A249.

[Pa.B. Doc. No. 98-1784. Filed for public inspection October 30, 1998, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Edward Keith Rodgers, having been disbarred from the practice of law in the State of New Jersey, the Supreme Court of Pennsylvania issued an Order dated October 15, 1998 disbaring Edward Keith Rodgers from the practice of law in this Commonwealth. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
Executive Director & Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 98-1785. Filed for public inspection October 30, 1998, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that on October 15, 1998, pursuant to Rule 214(d)(1) of the Pa.R.D.E., Leonard Charles Guzzino, III, who resides outside the Commonwealth of Pennsylvania, was placed on temporary suspension by the Supreme Court until further Order of the Court. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the

Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
*Executive Director & Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 98-1786. Filed for public inspection October 30, 1998, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Richard B. Slosberg, having been suspended from the practice of law in the State of Maine for a period of one (1) month, the Supreme Court

of Pennsylvania issued an Order dated October 15, 1998, suspending Richard B. Slosberg from the Bar of this Commonwealth for a period of one (1) month. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
*Executive Director & Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 98-1787. Filed for public inspection October 30, 1998, 9:00 a.m.]
