

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 83]

Amendment of Rule 218 of the Pennsylvania Rules of Disciplinary Enforcement; No. 11; Disciplinary Rules Doc. No. 1

Order

Per Curiam:

And Now, this 5th day of April, 2001, it is ordered, pursuant to Article V, Section 10, of the Constitution of Pennsylvania, that:

1. Rule 218(f) of the Pennsylvania Rules of Disciplinary Enforcement is amended as set forth in Annex A.

2. This Order shall be processed in accordance with Pa.R.J.A. 103(b). The amendments to Pa.R.D.E. 218(f) shall take effect upon publication of this Order in the *Pennsylvania Bulletin* and shall apply to all formerly admitted attorneys seeking reinstatement after the date of such publication.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 218. Reinstatement

* * * * *

(f)(1) Upon the expiration of any term of suspension not exceeding one year and upon the filing thereafter by the [**suspended**] formerly admitted attorney with the Board of a verified statement showing compliance with all the terms and conditions of the order of suspension and of Enforcement Rule 217 (relating to formerly admitted attorneys), the Board shall certify such fact to the Supreme Court, which shall immediately enter an order reinstating the formerly admitted attorney to active status, unless such person is subject to another outstanding order of suspension or disbarment.

(2) [**If**] Paragraph (1) of this subdivision shall not be applicable and a formerly admitted attorney shall be subject instead to the other provisions of this rule requiring the filing of a petition for reinstatement, if:

(i) other formal disciplinary proceedings are then pending or have been authorized against the formerly admitted attorney;

(ii) the formerly admitted attorney has been on inactive status for more than three years; or

(iii) the order of suspension has been in effect for more than three years [paragraph (1) shall not be applicable and such person shall file a petition for reinstatement].

* * * * *

[Pa.B. Doc. No. 01-675. Filed for public inspection April 20, 2001, 9:00 a.m.]

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

PART II. INTERNAL OPERATION PROCEDURES

[210 PA. CODE CHS. 35 AND 65]

Amendments to Business of the Superior Court and Superior Court Internal Operating Proce- dures

*Rules of Appellate Procedure, Business of the Superior
Court*

The Superior Court of Pennsylvania has amended procedures by which requests that a decision of the Court be published are made. This policy is reflected in the Pennsylvania Rules of Appellate Procedure—Business of the Superior Court, with the amendment to Rule 3519, appearing in 210 Pa. Code Chapter 35.

Superior Court Internal Operating Procedures

The Superior Court of Pennsylvania has amended procedures by which requests that a decision of the Court be published are made. This policy is reflected in the Superior Court Internal Operating Procedures with the amendment to 210 Pa. Code Chapter 65, Sec. 65.37.

These changes become effective July 2, 2001.

ERNEST GENNACCARO,
Chief Staff Attorney

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

CHAPTER 35. BUSINESS OF THE SUPERIOR COURT

APPEALS AND ARGUMENTS LISTS

Rule 3519. Requests for Publication.

(b) After an unpublished memorandum decision has been filed, the panel may sua sponte, or on the motion of any party to the appeal, or on request by the trial judge, convert the memorandum to a published opinion. In the case of a motion or a request from the trial judge, such motion or request must be filed with the Prothonotary within 14 days after the entry of the judgment or other order involved. [**As before, the**] The decision to publish is solely within the discretion of the panel.

PART II. INTERNAL OPERATING PROCEDURES**CHAPTER 65. INTERNAL OPERATING
PROCEDURES OF THE SUPERIOR COURT****DECISIONAL PROCEDURES****§ 65.37. Unpublished Memoranda Decisions.**

B. After an unpublished memorandum decision has been filed, the panel may sua sponte, or on the motion of any party to the appeal, or on request by the trial judge, convert the memorandum to a published opinion. In the case of a motion **or a request from the trial judge**, such **motion or** request must be filed **with the Prothonotary** within 14 days after the entry of the judgment or other order involved. **[As before, the]** The decision to publish is solely within the discretion of the panel.

[Pa.B. Doc. No. 01-676. Filed for public inspection April 20, 2001, 9:00 a.m.]
