

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 82]

Amendment of Section 18 of the Pennsylvania Continuing Legal Education Board Regulations; 275 Supreme Court Rules; Doc. No. 1

Order

Per Curiam:

And Now, this 5th day of June, 2001, Section 18 of the Pennsylvania Continuing Legal Education Board Regulation is amended as follows.

To the extent that notice of proposed rulemaking would be required by Pa.R.J.A. No. 103, the amendment of the rule is hereby found to be required in the interest of efficient administration.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b) and shall be effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 82. CONTINUING LEGAL EDUCATION

Subchapter B. CONTINUING LEGAL EDUCATION BOARD REGULATIONS

Section 18. Board Fee Schedule.

Following is a schedule of fees established by the Board to be paid by providers and lawyers. This schedule will be reviewed annually by the Board and may be modified at any time upon approval by the Pennsylvania Supreme Court.

Fee to accompany application for designation as an Accredited Continuing Legal Education Provider [\$25.00]* \$250.00*

Fee to accompany application for continuation as an Accredited Provider reporting Electronically \$100.00*

Fee to accompany application for continuation as an Accredited Provider reporting on paper [\$25.00]* \$250.00*

* * * * *

[Pa.B. Doc. No. 01-1118. Filed for public inspection June 22, 2001, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL [231 PA. CODE CH. 200]

Amendment of Temporary Rule 205.4 Governing Electronic Filing and Service of Legal Papers; No. 355 Civil Procedural Rules Doc. No. 5

Order

Per Curiam:

And Now, this 8th day of June, 2001, Pennsylvania Rule of Civil Procedure 205.4 governing Temporary Provisions for Electronic Filing and Service of Legal Papers is amended as follows:

I. Subdivision (h) is rescinded, and

II. The title to the rule is amended to read as follows in Annex A.

Whereas prior distribution and publication of the amendment would otherwise be required, it has been determined that immediate promulgation of the amendments is required in the interest of justice and efficient administration.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective July 1, 2001.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

Rule 205.4. [Temporary Provisions for] Electronic Filing and Service of Legal Papers.

* * * * *

[(h) This rule shall be rescinded on December 31, 2001.]

[Pa.B. Doc. No. 01-1119. Filed for public inspection June 22, 2001, 9:00 a.m.]

PART I. GENERAL [231 PA. CODE CH. 200]

Amendment of Rule 240 Governing Proceedings In Forma Pauperis; No. 354; Civil Procedural Rules Doc. No. 5

Order

Per Curiam:

And Now, this 8th day of June, 2001, Pennsylvania Rule of Civil Procedure 240 is amended to read as follows.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective July 1, 2001.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

Rule 240. In Forma Pauperis.

* * * * *

(d)(1) If the party is represented by an attorney, the prothonotary shall allow the party to proceed in forma pauperis upon the filing of a praecipe which

[(i)] contains a certification by the attorney that he or she is providing free legal service to the party and believes the party is unable to pay the costs[, and

(ii) is accompanied by the affidavit required by subdivision (c)].

(2) The praecipe shall be substantially in the form prescribed by subdivision (i).

* * * * *

(i) The praecipe required by subdivision (d) shall be substantially in the following form:

(Caption)

PRAECIPE TO PROCEED IN FORMA PAUPERIS

To the Prothonotary:

Kindly allow _____, (Plaintiff) (Defendant), to proceed in forma pauperis.

I, _____, attorney for the party proceeding in forma pauperis, certify that I believe the party is unable to pay the costs and that I am providing free legal service to the party. [The party's affidavit showing inability to pay the costs of litigation is attached hereto.]

Attorney for

* * * * *

Explanatory Comment

Prior to the present amendment, Rule 240(d) provided for a party represented by an attorney to proceed in forma pauperis upon the filing of a praecipe. The rule prescribed two requirements for the praecipe. First, the praecipe must have contained "a certification by the attorney that he or she is providing free legal service to the party and believes the party is unable to pay the costs". Second, the praecipe must have been "accompanied by the affidavit required by subdivision (c)" which is filed in support of a petition for leave to proceed in forma pauperis and which demonstrates the party's inability to pay the costs of litigation.

Subdivision (d) has been amended by deleting the requirement that the affidavit accompany the praecipe. As amended, the rule provides for the prothonotary to allow a party to proceed in forma pauperis solely upon a praecipe containing the certification of the party's attorney. A conforming amendment to the form of the praecipe in subdivision (i) deletes the reference to the accompanying affidavit. These amendments bring the rule into conformity with Rule 552(d) of the Pennsylvania Rules of Appellate Procedure and Rule 206 E.(iii) of the Pennsyl-

vania Rules of Civil Procedure Governing Actions and Proceedings before District Justices.

By the Civil Procedural Rules Committee

REA BOYLAN THOMAS,
Chair

[Pa.B. Doc. No. 01-1120. Filed for public inspection June 22, 2001, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CHS. 1910 AND 1930]

Amendments to the Rules Relating to Domestic Relations Matters; No. 353 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 5th day of June, 2001, Rules 1910.16-4, 1910.16-6, 1910.19, 1910.27 and 1930.5 of the Pennsylvania Rules of Civil Procedure are amended as follows. New Rule 1930.6 of the Pennsylvania Rules of Civil Procedure is promulgated as follows.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective immediately.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.16-4. Support Guidelines. Calculation of Support Obligation. Formula.

* * * * *

(c) Substantial or Shared Physical Custody.

* * * * *

(2) Without regard to which parent initiated the support action, [When] when the children spend equal time with both parents, the Part II formula cannot be applied unless the obligor is the parent with the higher income. In no event shall an order be entered requiring the parent with the lower income to pay basic child support to the parent with the higher income. However, nothing in this subdivision shall prevent the entry of an order requiring the parent with less income to contribute to additional expenses pursuant to Rule 1910.16-6. Pursuant to either party's initiating a support action, the trier of fact may enter an order against either party based upon the evidence presented without regard to which party initiated the action. [and] If application of the formula in Part II results in obligee receiving a larger share of the parties' combined income[,] in cases in which the parties share custody equally, then the court shall adjust the support obligation so that the combined income is allocated equally between the two households.

[Example. Where the obligor and obligee have monthly net incomes of \$3,000 and \$2,500 respectively, their combined child support obligation for two children is \$1,433. Obligor's share of this obligation is 55%, or \$788. If the children spend equal

time with both parents, the formula in Part II results in a support obligation of \$501 payable to obligee. Since this amount gives obligee \$3,001 of the combined income, and leaves obligor with only \$2,499 of the combined income, the obligor's support obligation must be adjusted to \$250 to equalize the combined income between the parties' households. This is the presumptively correct amount of basic support payable to obligee under these circumstances]

Example. Mother and Father have monthly net incomes of \$3,000 and \$2,000 respectively. Mother has filed for support for the parties' two children with whom they share time equally. Pursuant to the Basic Child Support Schedule at Rule 1910.16-3, the support amount for two children at their parents' combined net income level is \$1,335 per month. Mother's share is 60% of that amount, or \$801. Father's share is 40%, or \$534. Application of subdivisions a. and b. of the Part II formula results in a 20% reduction in support when each parent spends 50% of the time with the children. Because the parties share custody equally, Mother cannot be the obligee for purposes of the Part II calculation because she has the higher income of the two parents. In these circumstances, although Mother initiated the support action, she would become the obligor even if Father has not filed for support. Father cannot be an obligor in the Part II calculations nor can the amount of support Mother is obligated to pay to Father be offset by calculating Father's adjusted amount of support under Part II because a support order cannot be entered against the parent with the lesser income. Using Mother as the obligor, her adjusted percentage share of the basic support amount is 40% (60% - 20% = 40%). Her adjusted share of the basic support amount is \$534 (40% of \$1,335). However, instead of \$534 per month, Mother's support obligation would be adjusted to \$500 per month to allocate the parties' combined income equally between the two households. This is the presumptively correct amount of basic support payable to Father under these circumstances.

* * * * *

(d) *Divided or Split Physical Custody.*

* * * * *

(2) When calculating a combined child support and spousal or APL obligation, and one or more children reside with each party, the court shall, **except as set forth in subdivision (3) below**, offset the obligor's spousal and child support obligation with the obligee's child support obligation and award the net difference to the obligee as spousal and child support. [In the example above, Husband's spousal and child support obligation to Wife and two children is \$564. Wife's child support obligation for one child is \$188. Subtracting \$188 from \$564 produces a net support amount of \$376 payable to Wife as spousal and child support.]

(3) When one or more of the children resides with each party and the obligee's net income is 10% or less of the parties' combined net monthly income, then, in calculating the spousal support or APL obligation, the court shall deduct from the obligor's income both the support owed for the child or children residing with the obligee, as well as the direct support the obligor provides to the child or

children living with the obligor, calculated in accordance with the guidelines as if the child or children were not living with the obligor.

* * * * *

(f) *Allocation. Consequences.*

* * * * *

(3) Unallocated charging orders for child and spousal support, or child support and alimony pendente lite, shall terminate upon the death of the payee spouse or payee ex-spouse.

[(3)] (4) * * *

Explanatory Comment—2000

Subdivision (3) is new and the former subdivision (3) has been renumbered as subdivision (4). The new language is intended to insure alimony tax treatment of unallocated orders pursuant to § 71 of the Internal Revenue Code. A similar change has been made to the form order at Rule 1910.27(e). New Rule 1910.19(d) provides that all spousal support and alimony pendente lite orders terminate upon the death of the payee. Termination of a charging order does not affect arrears existing at that time.

Rule 1910.16-6. Support Guidelines. Adjustments to the Basic Support Obligation.

(a) *Child care expenses.* Reasonable child care expenses paid by the custodial parent, if necessary to maintain employment or appropriate education in pursuit of income, are the responsibility of both parents. These expenses shall be allocated between the parties in proportion to their net incomes and obligor's share added to his or her basic support obligation. **When the custodial parent is receiving a child care subsidy through the Department of Public Welfare, the expenses to be allocated between the parties shall be the full unsubsidized cost of the child care, not just the amount actually paid by the custodial parent.** However, if allocation of the unsubsidized amount would result in a support order that is overly burdensome to the obligor, deviation pursuant to Rule 1910.16-5 may be warranted.

* * * * *

Official Note: A child care subsidy provided by the Department of Public Welfare should not be used to reduce the child care expenses subject to allocation between the parties to the extent that obligor has the financial resources to contribute to the actual costs of child care. Nor is it appropriate to order the obligee to seek a child care subsidy in order to reduce the obligor's share of child care expenses if obligor has the financial ability to contribute to those expenses. **While public policy requires that parents, rather than taxpayers, pay for their children's child care when they are able to do so, allocation of the full unsubsidized cost of child care may result in a support order that is overly burdensome to the obligor.** In those circumstances, in addition to considering deviation to relieve the burden on the obligor, the trier of fact also has the discretion to determine whether or not to include in the order other adjustments under Rule 1910.16-6, such as a mortgage contribution, which are not mandatory. No adjustment to the basic support amount shall be permitted if such would cause the obligor's remaining net monthly income to fall below the Computed Allowance Mini-

mum (CAM) of \$550. Implicit in the rule requiring apportionment of the unsubsidized cost of child care is recognition of the duty of the subsidy recipient to report any additional income pursuant to Department of Public Welfare regulations so that adjustments can be made to entitlements accordingly.

* * * * *

Rule 1910.19. Support. Modification. Termination. Guidelines as Substantial Change in Circumstances.

* * * * *

(d) All charging orders for spousal support and alimony pendente lite shall terminate upon the death of the payee spouse.

* * * * *

Rule 1910.27. Form of Complaint. Order. Income and Expense Statement. Health Insurance Coverage Information Form. Form of Support Order. Form Petition for Modification.

* * * * *

(b) The order to be attached at the front of the complaint set forth in subdivision (a) shall be in substantially the following form:

* * * * *

If you fail to appear for the conference or to bring the required documents, the court may issue a warrant for your arrest and/or enter an interim support order. If paternity is an issue, the court shall enter an order establishing paternity.

THE HEARING OFFICER MAY ENTER AN APPROPRIATE ORDER AGAINST EITHER PARTY BASED UPON THE EVIDENCE PRESENTED WITHOUT REGARD TO WHICH PARTY INITIATED THE SUPPORT ACTION.

* * * * *

(e) The form of a support order shall be substantially as follows:

* * * * *

IMPORTANT LEGAL NOTICE

* * * * *

PENNSYLVANIA LAW PROVIDES THAT ALL SUPPORT ORDERS SHALL BE REVIEWED AT LEAST ONCE EVERY THREE (3) YEARS IF SUCH A REVIEW IS REQUESTED BY ONE OF THE PARTIES. IF YOU WISH TO REQUEST A REVIEW AND ADJUSTMENT OF YOUR ORDER, YOU MUST DO THE FOLLOWING: AN UNREPRESENTED PERSON WHO WANTS TO MODIFY (ADJUST) A SUPPORT ORDER SHOULD (insert instructions for local domestic relations section).

ALL CHARGING ORDERS FOR SPOUSAL SUPPORT AND ALIMONY PENDENTE LITE, INCLUD-

ING UNALLOCATED ORDERS FOR CHILD AND SPOUSAL SUPPORT OR CHILD SUPPORT AND ALIMONY PENDENTE LITE, SHALL TERMINATE UPON THE DEATH OF THE PAYEE.

* * * * *

CHAPTER 1930. RULES RELATING TO DOMESTIC RELATIONS MATTERS GENERALLY

Rule 1930.5. Discovery in Domestic Relations Matters.

* * * * *

(b) Discovery shall be available without leave of court in accordance with R.C.P. 4001 et seq. in [**complex support,**] alimony, equitable distribution, counsel fee and expense [**applications**] and **complex support proceedings.**

* * * * *

Explanatory Comment—2000

Subdivision (b) has been amended to clarify that the adjective “complex” applies only to a support proceeding.

(Editor’s Note: The following section is new and is printed in regular type to enhance readability.)

Rule 1930.6. Paternity Actions.

(a) *Scope.* This rule shall govern the procedure by which a putative father may initiate a civil action to establish paternity and seek genetic testing. Such an action shall not be permitted if an order already has been entered as to the paternity, custody or support of the child, or if a support or custody action to which the putative father is a party is pending.

Explanatory Comment

Where the paternity of a child born out-of-wedlock is disputed, 23 Pa.C.S. § 4343 provides that the court shall make the determination of paternity in a civil action without a jury. That statutory provision also states, “A putative father may not be prohibited from initiating a civil action to establish paternity.” Rule 1930.6 governs the procedures by which a putative father may initiate a civil action to establish paternity outside the context of a support or custody proceeding.

(b) *Venue.* An action may be brought only in the county in which the plaintiff or the child(ren) reside.

(c) *Commencement of Action.* An action shall be initiated by filing a verified complaint to establish paternity and for genetic testing substantially in the form set forth in subdivision (1) below. The complaint shall have as its first page the Notice of Hearing and Order set forth in subdivision (2) below.

(1) The complaint filed in a civil action to establish paternity shall be substantially in the following form:

(Caption)

COMPLAINT TO ESTABLISH PATERNITY AND FOR GENETIC TESTING

Plaintiff, _____, requests genetic testing to establish paternity pursuant to 23 Pa.C.S. § 4343 and in support of that request states that:

1. Plaintiff is an adult individual who resides at _____

2. Defendant is an adult individual who resides at _____

3. Defendant is the natural mother and Plaintiff believes that he may be the natural father of the following child(ren):
 Child's Name _____ Date of Birth _____

4. The above-named children reside at the following address with the following individuals:
 Address _____ Person(s) Living with Child _____ Relationship to Child _____

5. Defendant was/was not married at the time the child(ren) was/were conceived or born.
 6. Defendant is/is not now married. If married, spouse's name: _____
 7. There is/is not a custody, support or other action involving the paternity of the above-named child(ren) now pending in any jurisdiction. Identify any such actions by caption and docket number _____
 8. There has/has not been a determination by any court as to the paternity of the child(ren) in any prior support, custody, divorce or any other action. If so, identify the action by caption and docket number _____
 9. Plaintiff agrees to pay all costs associated with genetic testing directly to the testing facility in accordance with the procedures established by that facility.

Wherefore, Plaintiff requests that the court order Defendant to submit to genetic testing and to make the child(ren) available for genetic testing.

I verify that the statements made in this complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

 Petitioner

(2) The Notice of Hearing and Order required by this rule shall be substantially in the following form:

(Caption)

NOTICE OF HEARING AND ORDER

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following papers, you must appear at the hearing scheduled below. If you fail to do so, the case may proceed against you and a final order may be entered against you granting the relief requested by the plaintiff.

Plaintiff and Defendant are directed to appear on the _____ day of _____, 20__ at _____ .m. in courtroom _____ for a hearing on Plaintiff's request for genetic testing. If you fail to appear as ordered, the court may enter an order in your absence requiring you and your child(ren) to submit to genetic tests.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

(name) _____

(address) _____

(telephone number) _____

Americans with Disabilities Act of 1990

The Court of Common Pleas of _____ County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

(d) *Service.* Service of original process and proof of service in a civil action to establish paternity shall be in accordance with Rule 1930.4.

(e) *Hearing and Order.* At the hearing, the judge will determine whether or not the plaintiff is legally entitled to genetic testing and, if so, will issue an order directing the defendant and the child(ren) to submit to genetic testing, the cost of which shall be borne by the plaintiff.

[Pa.B. Doc. No. 01-1121. Filed for public inspection June 22, 2001, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 1]

Order Approving the Revision of the Comment to Rule 105; No. 272; Criminal Procedural Rules Doc. No. 2

The Criminal Procedural Rules Committee has prepared a *Final Report* explaining the June 8, 2001 revision of the *Comment* to Pa.R.Crim.P. 6 (Local Rules). This *Comment* revision, which adds a citation to the AOPC's webpage for texts of local rules, is effective immediately. The *Final Report* follows the Court's Order.

Order

Per Curiam:

Now, this 8th day of June, 2001, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. 103(a)(3) because it is perfunctory in nature, and a Final Report to be published with this *Order*:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the revision of the Comment to Rule of Criminal Procedure 105 is approved in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective immediately.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

PART A. BUSINESS OF COURTS

Rule 6. Local Rules.

* * * * *

(C) A local rule shall not become effective and enforceable until the adopting court has fully complied with all the following requirements:

* * * * *

(5) The local rules shall be kept continuously available for public inspection and copying in the office of the prothonotary or clerk of [court] courts. Upon request and payment of reasonable costs of reproduction and mailing, the prothonotary or clerk shall furnish to any person a copy of any local rule.

(6) A local rule promulgated before the effective date of this rule shall be filed on or before that effective date with the prothonotary or clerk of [court] courts and shall be kept by the prothonotary or clerk for inspection, copying, and furnishing as provided in paragraph (C)(5).

* * * * *

Comment

* * * * *

Paragraph (C)(5) requires that a separate consolidated set of local rules be maintained in the prothonotary's or clerk's office.

The Administrative Office of the Pennsylvania Courts maintains a webpage containing the texts of local rules. That webpage is located at:

<http://www.courts.state.pa.us/judicial-council/local-rules/index.htm>

* * * * *

Official Note: Rule 6 adopted January 28, 1983, effective July 1, 1983; amended May 19, 1987, effective July 1, 1987; renumbered Rule 105 and amended March 1, 2000, effective April 1, 2001; amended October 24, 2000, effective January 1, 2001; **Comment revised June 8, 2001, effective immediately.**

Committee Explanatory Reports:

* * * * *

Final Report explaining the June 8, 2001 Comment revision citing to the AOPC's webpage published with the Court's Order at 31 Pa.B. 3310 (June 23, 2001).

FINAL REPORT¹

Revision of the Comment to Pa.R.Crim.P. 105

LOCAL RULE PROCEDURES

On June 8, 2001, effective immediately, upon the recommendation of the Criminal Procedural Rules Committee, the Court approved the revision of the *Comment* to Rule of Criminal Procedure 105 (Local Rules) that adds a cross-reference to the Administrative Office of Pennsylvania Courts' (AOPC) webpage.

The Committee continues to consider the issues related to local rules. One area that remains a concern is access to local rules by members of the bar, particularly those with multi-judicial district practices, and others involved in the criminal justice system. Aware, as part of the Supreme Court's Judicial Council's study of statewide local rule practices, that the Judicial Council and Madam Justice Newman were instrumental in having those local rules lodged with the AOPC published² on the AOPC's webpage, and that, in November 2000, the Court approved the revision of the note to Civil Rule 239 to include a reference to the AOPC's webpage site where the local rules are published, the Committee agreed that a similar reference in the Criminal Rules would be an asset to the members of the bar and others involved in the criminal justice system. Accordingly, the Committee recommended, and the Court approved, the following revision of the Rule 105 *Comment*:

The Administrative Office of the Pennsylvania Courts maintains a webpage containing the texts of local rules. That webpage is located at:

<http://www.courts.state.pa.us/judicial-council/local-rules/index.htm>

[Pa.B. Doc. No. 01-1122. Filed for public inspection June 22, 2001, 9:00 a.m.]

¹The Committee's *Final Reports* should not be confused with the official Committee *comments* to the rules. Also note that the Supreme Court does not adopt the Committee's *Comments* or the contents of the Committee's explanatory *Final Reports*.

²Rule 105(C)(2) requires that all local rules be lodged with the AOPC.

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Deferment of Reliance Insurance Company Cases by Reason of Petition for Rehabilitation; Admin- istrative Doc. 06 of 2001

Order

And Now, this 5th day of June, 2001, upon consideration of the Petition for Rehabilitation filed by the Insurance Commissioner of the Commonwealth of Pennsylvania, it is hereby *Ordered* and *Decreed* that all cases in which Reliance Insurance Company is a named party shall be placed in deferred status by reason of the May 29, 2001 Order of the Commonwealth Court of Pennsylvania placing Reliance into Rehabilitation in accordance with provisions of Article V of the Insurance Department Act of 1921, Act of May 17, 1921, P. L. 789, as amended, 40 P. S. §§ 221.1—221.63.

All actions currently pending against Reliance are hereby stayed. All actions currently pending against an insured of Reliance are stayed for sixty (60) days or such additional time as the Rehabilitator may request. This Order shall not preclude any action from proceeding prior to the expiration of sixty (60) days provided that the Rehabilitator and the parties to any such pending actions have so agreed to proceed.

By the Court

JOHN W. HERRON,
Administrative Judge, Trial Division

This Administrative Docket is promulgated 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. ★51 and Pa. R.C.P. 239, and shall become effective immediately. As required by Pa. R.C.P. 239, the original Administrative Docket shall be filed with the Prothonotary in a docket maintained for Administrative Dockets 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 the Administrative Docket shall also be submitted to American Lawyer

Media, *The Legal Intelligencer*, Jenkins Memorial Law Library and the Law Library for the First Judicial District. The Administrative Docket is also available on the Court's website at <http://courts.phila.gov>.

[Pa.B. Doc. No. 01-1123. Filed for public inspection June 22, 2001, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WESTMORELAND COUNTY

Rule of Civil Procedure W227.2 Argument Court; No. 3 of 2001

Order

And Now This 7th day of June, 2001, it is *Ordered* that Subsection (d) of Westmoreland Rule of Civil Procedure W227.2 is rescinded, and that new Subsection (d) is hereby adopted.

By the Court

CHARLES H. LOUGHRAN,
President Judge

Rule W227.2. Argument Court.

(d) Respondent's Brief

(1) Except for summary judgment motions, the responding party shall file an original and 1 copy of the brief with the prothonotary within 20 days after receipt of service of the moving party's brief.

(2) In summary judgment matters, pursuant to Pa.R.C.P. 1035.3(a), the responding party shall file an original and 1 copy of the responding brief within 30 days of the service of the original motion.

(3) The responding party shall serve copies of the briefs on all counsel and on the Westmoreland County court administrator within 5 days after filing, and file a certification of service with the prothonotary within 3 days of actual service of the brief.

[Pa.B. Doc. No. 01-1124. Filed for public inspection June 22, 2001, 9:00 a.m.]