

# THE COURTS

## Title 255—LOCAL COURT RULES

### BUCKS COUNTY

#### Judicial and Related Account

##### Order

*And Now*, this 5th day of March, 2002, the original Order of November 9, 1978 establishing the Judicial and Related Account, and subsequently amended August 6, 1993 and September 8, 1999 is hereby amended as follows:

The Judicial and Related Account shall be composed of the following budget accounts:

1. 0135—Domestic Relations
2. 0139—Law Library
3. 0140—Main Courts
4. 0141—Grand Jury
5. 0142—Jury Commissioners
6. 0147—Court Stenographers
7. 0151—Adult Probation & Parole
8. 0152—0153—Juvenile Probation
9. 0321-0371—Group Home #1 (County)
10. 0323-0373—Group Home #3 (County)
11. 0325-0375—Youth Detention Center (County)
12. 0330-0380—Juvenile Reimbursable Administration
13. 0334-0384—Juvenile Counseling
14. 0335-0385—Juvenile Day Treatment
15. 0336-0386—Juvenile Life Skills
16. 0337-0387—Juvenile Protective Services General
17. 0338-0388—Juvenile Protective Services Planning
18. 0339-0389—Juvenile Alternative Treatment
19. 0340-0390—Juvenile Community Residential (Group Home)
20. 0341-0391—Juvenile Foster Family
21. 0342-0391—Juvenile Detention (Out of County)
22. 0343-0393—Juvenile Residential (Non Group Home)
23. 0341-0391—Juvenile Revenue (Act 148 Related)
24. 0201—Magisterial District 07-1-01
25. 0202—Magisterial District 07-1-02
26. 0203—Magisterial District 07-1-03
27. 0204—Magisterial District 07-1-04
28. 0206—Magisterial District 07-1-06
29. 0207—Magisterial District 07-1-07
30. 0208—Magisterial District 07-1-08
31. 0209—Magisterial District 07-1-09
32. 0210—Magisterial District 07-1-10
33. 0211—Magisterial District 07-1-11
34. 0212—Magisterial District 07-2-01
35. 0213—Magisterial District 07-2-02
36. 0214—Magisterial District 07-2-03
37. 0215—Magisterial District 07-3-01
38. 0216—Magisterial District 07-2-05
39. 0217—Magisterial District 07-3-03
40. 0218—Magisterial District 07-2-07
41. 0219—Magisterial District 07-2-08
42. 0220—Supplemental Judicial Clerks
43. 1740—Capital Courts
44. 0130—Register of Wills/Orphans' Court
45. 0131—Sheriff

46. 0133—Prothonotary
47. 0134—Clerk of Courts

and such other accounts as the Court may from time to time direct.

In all other respects, Administrative Order No. 1 dated November 9, 1978, remains in full force and effect.

This Order to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

*By the Court*

R. BARRY MCANDREWS,  
*President Judge*

[Pa.B. Doc. No. 02-614. Filed for public inspection April 19, 2002, 9:00 a.m.]

### BUTLER COUNTY

#### Local Rules of Court; MsD No. 02-40083

##### Administrative Order of Court

*And Now*, this 28th day of March, 2002, it is hereby ordered and decreed that Local Rule L1915.1—12, adopted December 16, 1986 and Local Rule L1910.12, adopted September 23, 1992 and Local Rule 1920.3—63 are *Rescinded* effective thirty days after publication of this notice in the *Pennsylvania Bulletin*.

It is further ordered and directed new Local Rules L1905, L1910.12, L1915.1—13 and L1920.33—55 are *Adopted* effective thirty days after publication of the within Local Rules of Civil Procedure in the *Pennsylvania Bulletin*.

The Court directs the Court Administrator to:

1. File seven (7) certified copies of this Administrative Order and the within Local Rules of Civil Procedure with the Administrative Office of the Pennsylvania Courts.

2. File two (2) certified copies of this Administrative Order and the within Local Rules of Civil Procedure and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy of this Administrative Order and the within Local Rules of Civil Procedure with the Domestic Relations Procedural Rules Committee.

4. Forward one (1) copy of this Administrative Order and the within Local Rules of Civil Procedure to the administrative office of the *Butler County Legal Journal* for publication.

5. Forward one (1) copy of this Administrative Order and the within Local Rules of Civil Procedure to the Butler County Law Library.

6. Keep continuously available for public inspection copies of this Administrative Order of Court and the within Local Rules of Court in the Office of the Butler County Prothonotary, the Domestic Relations Section and the Office of the Court Administrator.

*By the Court*

THOMAS J. DOERR,  
*President Judge*

**PROTECTION FROM ABUSE****L1905.**

At any time that the Court of Common Pleas in Butler County is participating in any program to develop a data base for Protection from Abuse Orders, only orders produced by that system shall be presented to the Court for review and signature.

**SUPPORT MATTERS****L1910.4. Domestic Relations Fee Schedule.**

(a) A fee for Domestic Relations administrative costs, for the filing of support complaints, petitions to modify support orders, issuance of bench warrants, petitions for contempt, and other related fees shall be as established by Order of Court from time to time.

(b) Except for the filing of an initial support complaint, the fees shall be required to be paid in advance. All fees shall be collected and administered by Domestic Relations personnel.

**L1910.11. Motions To Continue Support Conferences and Hearings.**

Support matters scheduled before the Court or in the Domestic Relations Section shall be continued only by leave of Court, with good cause shown. For such a request to be considered, the motion shall be filed with the Court in accordance with local civil motions practice procedure. All motions for continuance shall be filed no later than fifteen days (15) before the scheduled support conference or hearing.

**CUSTODY AND VISITATION****L1915.1. Scope. Definitions.**

(a) These Rules govern all actions for custody, partial custody and visitation, including original actions, petitions to modify decrees and contempts.

(b) These Rules supplement the Pennsylvania Rules of Civil Procedure governing custody actions, Pa.R.C.P. 1915.1 et. seq.

(c) These Rules modify Rule L1915.1—L1915.15 of the Butler County Local Rules of Court of December 16, 1986.

**L1915.3. Commencement of Action. Complaint. Order. Service.**

(a) All custody complaints shall be filed with the Prothonotary.

(b) In addition to the filing fees assessed for the filing of complaints, an additional administrative fee shall be assessed by order of court, and shall be submitted to the Prothonotary at the time of the filing of the custody complaint unless otherwise directed by the court.

(c) After filing, all complaints or motions for conferences shall be immediately forwarded to the Custody Conciliator's Office which shall set the time, date, and place for a custody conference. Said conference shall be held no less than twenty, nor more than forty days from the filing of the complaint/order or motion/order.

(d) Within twenty days of service of any claim for custody, partial custody, or visitation, any party to an action who has not previously attended the education seminar for divided families shall register to attend said seminar. Information concerning this seminar shall be provided by the Prothonotary of the Court of Common Pleas of Butler County, Pennsylvania, to the filing party.

Said party shall be responsible for service of such information on the opposing party.

If a party or a child of either party is or has been the subject of domestic violence or child abuse either during the pendency of the action or within 24 months preceding the filing of the action, upon request of either party to the seminar provider, the parties will be scheduled for separate education seminar sessions.

(e) Fees and policies pertaining to custody conciliation shall be adopted from time to time by administrative Order of Court. A copy of said policies and fee schedule will be available at the Domestic Relations Office/Custody Conciliator's Office.

**L1915.4.**

(a) The complaint/order or motion/order shall be served by the moving party in accordance with Pennsylvania Rules of Civil Procedure.

(b) Proof of service of the complaint and order or motion and order shall be filed with the court prior to the custody conference.

(c) Within 180 days of the filing of the complaint for custody, partial custody and/or visitation of minor children, unless extended for custody evaluations or other good cause, upon request of either party, the conciliator may file a motion or a request for a trial before a judge. If neither party makes such a request, and a motion or request for a trial is not made or pursuant to 1915.7(e), the matter shall be dismissed or deemed concluded unless an extension for good cause has been granted.

**L1915.4-1. Motions To Continue Conciliator Conferences and Court Hearings.**

Custody matters scheduled before the Court or in the Custody Conciliator's Office shall be continued only by leave of Court, with good cause shown. For such a request to be considered, the motion shall be filed with the Court in accordance with local civil motions practice procedure. All motions for continuance shall be filed no later than fifteen days (15) before the scheduled custody conference or hearing.

**L1915.5. Jurisdiction/Venue, Standing, and Relocation Issues.**

(a) The court may direct that issues pertaining to jurisdiction/venue, standing, and relocation be referred to custody conciliation.

(b) Alternatively the court may schedule a hearing before the court for disposition of the jurisdiction/venue, standing, and relocation issue. In such a case the court may continue the custody conference until a decision is rendered by the court on the issue.

**L1915.7. Custody Conciliation Conference Consents and Recommendations.**

(a) All parties, and any child of appropriate age (nine or above) for whom custody or visitation is sought shall be present at the custody conciliation conference unless excused by the custody conciliator. Failure of a party to appear at the conference may result in the entry of a custody or visitation order by the court on the recommendation of the conciliator in the absence of that party.

(b) The court-appointed custody conciliator shall encourage consent agreements on the custody issues pending among the parties. If agreements are reached, they shall be reduced to writing and submitted to the court for

an order. The parties will also be encouraged to equitably divide the custody administrative fee.

(c) If no consent agreement is reached, the conciliator shall file a report with the court within five days of the conference which may contain the following:

(1) recommendations that custody investigations, such as physical or mental evaluations, home studies, drug and alcohol evaluations, counseling, education seminars, be undertaken, as well as an equitable division of fees for same;

(2) conciliator's review of jurisdiction/venue, standing, and relocation issues;

(3) progress, if any, on the issues before the conciliator, as well as any recommendations for temporary custody/visitation orders, including the need for an expedited hearing in emergency cases. At the request of either party, the report under this subsection shall be filed with the Court before the judge assigned that case and presented at his/her next motion court. The parties and/or the attorneys shall be informed at the conclusion of the conference the date of said motion court session;

(4) recommendations concerning an equitable division of the custody administrative fee among the parties.

(d) To facilitate the conciliation process and to encourage frank, open, and meaningful exchanges between the parties and their respective counsel, statements made by the parties at the conference shall not be admissible as evidence at a later custody hearing. The custody conciliator shall not be a witness for or against any party.

(e) After evaluation reports have been filed, if the parties desire further court proceedings, a request for a second custody conciliation conference shall be filed by either party.

(f) Following the entry of a recommendation and order, where no further evaluations are contemplated, either party may move for a trial before the court. If no such request is made within 90 days, the matter shall be deemed to be concluded.

#### **L1915.12. Enforcement. Contempt.**

(a) The custody conciliator may attempt to enforce existing custody/visitation orders, upon receiving informal written objection from a party or attorney of record that said order is being wilfully disobeyed. Such objection shall be served upon opposing party or attorney of record by the complaining party.

(b) Any party may file an action for civil contempt with the court pursuant to Pa.R.C.P. governing custody actions. All such actions shall be subject to the administrative fees and conciliation procedures in accordance with these Rules.

(c) If no agreement is reached at the scheduled enforcement conciliation conference, a conciliator's report shall be filed and the contempt matter may be scheduled before the court to the judge assigned that case at his/her next motion court for argument or scheduled for hearing as circumstances warrant.

#### **L1915.13. Special Relief.**

(a) All petitions and motions for special relief may be referred to the custody conciliator pursuant to these Rules.

(b) Alternatively, the Court may schedule a hearing to determine the appropriateness of such request for special relief. If a hearing is granted, the Court may continue a

scheduled custody conference until the court has rendered a decision on the request for special relief.

### **DIVORCE**

#### **L1920.33(b).**

(a) Unless otherwise directed by the master or by Order of Court, no later than 45 days from the date a master has been appointed:

(1) All discovery shall be completed and a certificate of readiness shall be filed which states that discovery is completed.

(2) If discovery is not completed, such certificate shall state the current status and time when such discovery shall be completed.

(b) After a certificate of readiness regarding discovery is filed, the master shall schedule the pre-trial conference. Five business days before the pre-trial conference, each party shall file:

(1) a certificate of readiness which states that the parties have had substantive settlement negotiations.

(2) a pre-trial statement which complies with the requirements of Pa.R.C.P. 1920.33(b).

(c) If a party fails to comply with a requirement of this rule, the Court, upon motion of the master or either party, may make an appropriate order under Rule 4019 governing sanctions.

#### **L1920.51(a).**

(1) Once a master is appointed, any documents subsequently filed with the Court shall be served upon the master by the filing party. In addition, said party shall also serve the master with copies of any Orders issued. This shall include any documents/orders regarding divorce, support, custody, or protection from abuse.

(2) If, pursuant to Pa.R.C.P. 1920.51(a)(3), a party moves for appointment of a master, the moving party shall deposit a sum with the prothonotary to cover the master's initial fee. The amount of deposit and master's fees and costs shall be set from time to time by general order. Pursuant to Pa.R.C.P. 1920.51(a)(2)(I), the master may direct the parties to deposit further amounts with the prothonotary.

(3) A party seeking a contested continuance of the master's pre-trial conference or the master's hearing must file a motion and obtain an order of court.

#### **L1920.55-1.**

Unless the Court orders otherwise, all divorce proceedings shall be referred to a master in accordance with Pa.R.C.P. 1920.55-2. In appropriate circumstances, either party or the master may request that the Court order the case to proceed under Pa.R.C.P. 1920.55-3.

#### *Comment*

The intent of this rule is to permit, by court approval, a 1920.55-3 proceeding in cases with limited assets, in forma pauperis litigants, or other circumstances which merit consideration for streamlined proceedings without a record.

[Pa.B. Doc. No. 02-615. Filed for public inspection April 19, 2002, 9:00 a.m.]

# DISCIPLINARY BOARD OF THE SUPREME COURT

## Notice of Disbarment

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated April 5, 2002, Anthony Charles Bruneio has been Disbarred on Consent from the Bar of this Commonwealth, to be effective May 5, 2002. 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 and Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 02-616. Filed for public inspection April 19, 2002, 9:00 a.m.]

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