

THE COURTS

Title 207—JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

[207 PA. CODE CH. 33]

Amendment of Canon 7B(1)(c) of the Code of Judicial Conduct; No. 246 Judicial Administration; Doc. No. 1

Order

Per Curiam:

And Now, this 21st day of November, 2002, Canon 7B(1)(c) of the Code of Judicial Conduct is amended to read as set forth in Annex A.

To the extent that notice of the proposed rulemaking would be required by Rule 103 of the Pennsylvania Rules of Judicial Administration or otherwise, the immediate amendment of Canon 7B(1)(c) of the Code of Judicial Conduct is hereby found to be required in the interest of justice and the 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 207. JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

CHAPTER 33. CODE OF JUDICIAL CONDUCT

Subchapter A. CANONS

Canon 7. A judge should refrain from political activity inappropriate to his judicial office.

* * * * *

B. Campaign Conduct.

(1) A candidate, including an incumbent judge, for a judicial office, that is filled either by public election between competing candidates or on the basis of a merit system election:

* * * * *

(c) should not make pledges or promises of conduct in office other than the faithful and impartial performance of the duties of the office; **[announce his views on disputed legal or political issues] make statements that commit or appear to commit the candidate with respect to cases, controversies or issues that are likely to come before the court;** or misrepresent his identity, qualifications, present position, or other fact.

* * * * *

Commentary: The United States Supreme Court in *Republican Party of Minnesota v. White*, 122 S. Ct. 2528 (2002), concluded that a canon of judicial conduct prohibiting judicial candidates from “announcing their views on disputed legal or political

issues” is violative of the First Amendment of the United States Constitution.

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[Pa.B. Doc. No. 02-2165. Filed for public inspection December 6, 2002, 9:00 a.m.]

PART II. CONDUCT STANDARDS

[207 PA. CODE CH. 51]

Amendment of Rule 15D(3) of the Rules Governing Standards of Conduct of District Justices; No. 137 Magisterial Doc. No. 1, Book 2

Order

Per Curiam:

And Now, this 21st day of November, 2002, Rule 15D(3) of the Rules Governing Standards of Conduct of District Justices is amended to read as set forth in Annex A.

To the extent that notice of the proposed rulemaking would be required by Rule 103 of the Pennsylvania Rules of Judicial Administration or otherwise, the immediate amendment of Rule 15D(3) is hereby found to be required in the interest of justice and the 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 207. JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

CHAPTER 51. STANDARDS OF CONDUCT OF

DISTRICT JUSTICES

PENNSYLVANIA RULES FOR DISTRICT JUSTICES

Rule 15. Public Office and Political Activity.

* * * * *

D. With respect to his campaign conduct, a district justice or a candidate for such office shall:

* * * * *

(3) not make pledges or promises of conduct in office other than the faithful and impartial performance of the duties of the office; **[announce his views on disputed legal or political issues] make statements that commit or appear to commit the candidate with respect to cases, controversies or issues that are likely to come before the court;** or misrepresent his identity, qualifications, present position, or other fact.

Commentary: The United States Supreme Court in *Republican Party of Minnesota v. White*, 122 S. Ct. 2528 (2002) concluded that a canon of judicial conduct prohibiting judicial candidates from “announcing their views on disputed legal or political

issues" is violative of the First Amendment of the United States Constitution.

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[Pa.B. Doc. No. 02-2166. Filed for public inspection December 6, 2002, 9:00 a.m.]

Title 25—LOCAL COURT RULES

LEHIGH COUNTY

Administrative Order Governing Lehigh County
Clerk of Courts Civil Division 2003 Fee Sched-
ule; File No. 2002-J-96

Order of Court

Now, this 18th day of November, 2002, *It Is Ordered* that the following Administrative Order governing the Lehigh County Clerk of Courts 2003 Civil fee schedule is promulgated, to become effective January 1, 2003; that seven (7) certified copies shall be filed with the Administrative Office of Pennsylvania Courts; and two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Civil Procedural Rules Committee; and that one (1) copy shall be filed with the Clerk of Courts of the Court of Common Pleas of Lehigh County.

By the Court:

WILLIAM H. PLATT,
President Judge

**ANDREA E. NAUGLE, CLERK OF COURTS
LEHIGH COUNTY CLERK OF COURTS—
CIVIL DIVISION**

FEE SCHEDULE—EFFECTIVE JANUARY 1, 2003

(42 Pa.C.S. § 21071)

Act 98-164 Effective 1/21/99

Note: CTF=Children's Trust Fund Fee Mandated by State
Legislation

JCS=Judicial Computer System Fee Mandated by
State Legislation (Act 122-2002 Rev. 11/02)

PAF=Prothonotary Automation Fee Authorized by
Act 98-164

Document Type	Fee
Acknowledgment of Deeds	\$ 8.00
APPEALS	
Appeal of Appellate Court	\$ 51.50
Plus check made payable to "Prothonotary of Superior/Commonwealth Court" for \$60.00	
Appeal from District Justice	\$110.00
Appeal from Arbitration	\$600.00*
*plus any add'l compensation authorized, but not to exceed 50% of the amount in controversy. Shall not be taxable as costs or be recoverable in any proceeding.	
Apostille	\$ 16.00
Assignments	\$ 8.00

* The maximum fee to be charged a political subdivision for any one of the services provided for herein shall be \$10.00. Total fee may include satisfaction/discontinuance, automation fees, JCS fee and Tax

Document Type	Fee
Building Agreements/Stip	\$ 16.00
CERTIFICATION	
Certification—(Except UCC) Divorce Decree, Name Change	\$ 4.75
Certification of Entire Record	\$ 16.00
COMMENCEMENT OF ACTION	
Action at Law or Equity (plus .50 extra for indexing more than 5 pl'tfs. or defts.)	\$110.00
Miscellaneous Civil Filing	\$ 30.00
Custody Actions	\$135.50
Modification of Custody per petition	\$ 21.50
Divorce—(No Fault)	\$200.50
<i>Plus add'l counts</i>	
Alimony	\$ 35.00
Alimony pendente lite, counsel fees & costs	\$ 35.00
Custody & Visitation	\$ 40.00
Property Rights	\$ 35.00
Support	\$ 35.00
Other, each	\$ 35.00
Vital Statistics	\$.50
Praecepto to Transmit	\$ 25.00
<i>Master Fees</i>	
Before 97-FC-818	\$305.00
After 97-FC-818	\$250.00
Name change final order	\$ 4.75
Any action or proceeding to open/strike a judgment	\$ 96.50
Proceedings on any lien other than revival—(Mechanic's Lien Complaint)	\$ 96.50
*Actions started by a political subdivision (Includes tax and surcharges)	\$ 33.50
COPIES	
Docket printout	\$ 1.50
Docket printout by mail	\$ 3.00
Photo copying by clerk	
1st page by mail	\$ 1.00
Each add'l page	\$.50
Microfilm Copies	\$ 1.00
JUDGMENTS	
Confession (notes, bonds, etc.)	\$ 38.50
District Justice Transcript	\$ 38.50
Certification of Judgment	\$ 38.50
Domestic Relations	\$ 38.50
Exemplification/Foreign Judgment (Incoming Exemplified Records)	\$ 38.50
Exemplification of Judgment (Outgoing Exemplified Records)	\$ 16.00
Liens	\$ 38.50
Default, non-pros, demurrer	\$ 15.00
Verdict, Award, Court Order, Agreement & Final Decree	\$ 15.00
Release of Judgment	\$ 8.00
Reassess of Judgment	\$ 8.00
Subordination of Judgment	\$ 8.00
Withdraw of Judgment	\$ 8.00
LETTER OF ATTORNEY	
Recording—each name	\$ 8.00
Revoking—each name	\$ 8.00
NOTARY PUBLIC	
Notary Certificate	\$ 3.25
Notary Signature Registration	\$ 3.25
POLITICAL SUBDDIVISION *	
Action at Law or Equity	\$ 33.50
Appeal from District Justice	\$ 33.25
Correction Notices	\$ 10.00

Document Type	Fee
1. Federal Liens	
District Justice Transcript	\$ 33.25
Execution	\$ 10.00
Judgment	\$ 10.00
Liens with Satisfaction Fee	\$ 33.50
1. Municipal Liens	
2. Mechanic Liens	
Liens without Satisfaction Fee	\$ 25.50
1. State Liens	
2. Unemployment Liens	
3. Federal Liens	
Re-file Notice	\$ 10.00
Suggestion of Non-payment	\$ 10.00
1. Federal Liens	
POUNDAGE	
(The handling fee of monies paid into court)	
4.5% on the first \$1,000 and 1.5% on each add'l \$1,000 or fraction thereof	
PROTECTION FROM ABUSE	
PFA filing	\$100.50
PA State Police Registry	\$ 25.00
PFA Contempt or Bench Warrant	\$ 16.00
Removal or Transfer	\$ 16.00
REPORTS	
Case Type Reports	\$ 15.00
Detailed Mortgage Foreclosure	\$ 20.00
REVIVALS	
Amicable/Agreement	\$ 15.00
Adverse/Writ	\$ 25.00
Averments, suggestion of non-payment, (Continuing any lien not reduced to a judgment)	\$ 15.00
Satisfactions— not prepaid	\$ 8.00
School Audits	\$ 8.00
Subordination, withdrawal, postponement	\$ 8.00
SECURED TRANSACTIONS (UCC)	
UCC—SEARCH to 7/1/2001	
Advanced UCC Search (Deposit will be applied towards costs; if insufficient, you will be contacted; if excess, it will be returned.)	\$200.00
UCC—Five Year Search	
Each debtor name	\$ 59.00
Each reference found	\$ 5.00
Each page of photocopy furnished	\$ 2.00
UCC—Certification of Search	\$ 28.00
Plus any copy fee(s) applicable	
SUBPOENA	
Subpoena—To Attend and Testify)	\$ 3.25
Subpoena—To Produce Documents	\$ 3.25
Surety Financial Statement	\$ 16.00
WRITS	
Execution	\$ 25.00
Attachment Execution	\$ 25.50
Writs (Seizure, Possession, and Habeas)	\$ 25.00

No personal checks will be accepted

Business checks should be made payable to:

CLERK OF COURTS—CIVIL DIVISION

All checks returned for insufficient funds will be assessed a \$20.00 service charge.

The Clerk of Courts—Civil Division *shall not* be required to enter on the docket any suit, action or order of court or enter any judgment thereon or perform any service whatsoever for any person, political subdivision or the Commonwealth until the requisite fee is paid per 42 P. S. § 21073(b)

[Pa.B. Doc. No. 02-2167. Filed for public inspection December 6, 2002, 9:00 a.m.]

WESTMORELAND COUNTY

Adoption of Local Rule WDE301; No. 3 of 2002

Order

And Now this 21st day of November, 2002, *It Is Hereby Ordered* that Westmoreland County Rule of Disciplinary Enforcement WDE301 is adopted.

By the Court

DANIEL J. ACKERMAN,
President Judge

Rule WDE301. Proceedings Where an Attorney is Declared to be Incapacitated or Severely Mentally Disabled

(a) Whenever the respondent in a mental health matter is an attorney, the Westmoreland County Mental Health/Mental Retardation Department or the Westmoreland County Mental Health Hearing Officer shall immediately notify the Court.

(b) The Court shall, upon declaring an attorney incapacitated, or ordering involuntary treatment of an attorney on the grounds that the attorney is severely mentally disabled, or denying a petition for review of a certification by a mental health review officer subjecting an attorney to involuntary treatment, immediately deliver the Order to the Westmoreland County Prothonotary.

(c) The Order shall direct the Prothonotary to mail within 24 hours by certified mail, return receipt requested, a certified copy of the Order to Disciplinary Counsel.

(d) The person delivering such Order to the Prothonotary shall indicate the nature of the Order and the need for the Prothonotary to take immediate action.

(e) The Westmoreland County Prothonotary shall, pursuant to Pennsylvania Rule of Disciplinary Enforcement 301(a), mail by certified mail, a certified copy of the Order within 24 hours of any judicial determination to:

Counsel-in-Charge, District IV
Office of Disciplinary Counsel
Suite 400, Union Trust Building
501 Grant Street
Pittsburgh, Pa. 15219

(f) The Prothonotary shall file the return receipt upon receiving it from the Post Office as proof of transmission.

NOTE: This Rule is promulgated pursuant to Rule 301(a), Pennsylvania Rule of Disciplinary Enforcement.

[Pa.B. Doc. No. 02-2168. Filed for public inspection December 6, 2002, 9:00 a.m.]

YORK COUNTY

Increasing the Schedule of Fees for the Prothonotary of York County, a Third Class County; Misc. Civil

Administrative Order and Approval

And Now, To Wit, This 14th Day of November, 2002, *The Court* pursuant to Act #98-164 of the Pennsylvania Legislature, hereby approves the increase of fees effective January 2, 2003.

By the Court

JOHN H. CHRONISTER,
President Judge

Prothonotary Automation Fee As Indicated in Act #98-164 is Included in All New Filing Fees Pa CSA 42 Section et seg. as Amended

	<i>Fee</i>
<i>Acknowledgements</i>	
Sheriff or Treasurer Deeds	\$ 9.00
<i>Appeals</i>	
Appellate Court	55.00
Appellate Court Fee (Two separate checks for Appeal)	55.00
District Justice	113.75
<i>Arbitrations</i>	
Appointment of Arbitrator	27.25
Arbitration Appeal (County must be reimbursed for arbitrators fees)	29.00 240.00
<i>Assignments</i>	9.00
<i>Bench Warrants</i>	15.00
<i>Certificates</i>	
Notary Public or Magistrate	3.50
Duplicate Divorce Decree	8.00
Resumption of Prior Name Subsequent to Divorce	5.50
First Page	5.25
Additional Pages, Each	1.75
<i>Checks Returned as Non Negotiable</i>	20.00
<i>Commencement of Civil Action</i>	
Commencement of Action	113.75
Conciliator Appointment	125.00
Custody (except when filed with a divorce action)	109.25
Reactivation of case made inactive per Local Rule 6036	15.00
<i>Copies</i>	
Docket entries made at public printer	.25
Documents made by Prothonotary staff (per page)	1.00
<i>Divorce</i>	
commencement of Action (+ 10.00 each count other than divorce & \$15.00 when a custody count is included)	114.75
Administrative fee payable at commencement of suit	50.00
Discontinuance or withdrawal	9.00

Fee

<i>Appointment of Master:</i>	
Whether for Fault Divorce, Equitable Distribution or Alimony	300.00
Modification of Alimony	200.00
Testimony over 2 full days	150.00 per day
Alimony Pendente Lite, Counsel Fees, Costs & Expenses	50.00
<i>Executions</i>	
Praeipe for Writ	26.75
Attachment Proceeding Each	
Garnishee	.50
Reissuance	8.00
Interrogatories & Answers	5.75
Attachment Dissolution	9.00
Sheriffs Determination of Ownership	9.00
<i>Exemplified Records</i>	
Incoming Exemplified Records	31.00
Outgoing Exemplified Records (Specify In-State or Out of State)	18.25
<i>Faxing</i>	
Faxing of a record (long distance)	10.00
<i>Judgments</i>	
By Confession	31.00
By Praeipe, Stipulation, or Order	16.50
By Transcript	30.75
Incoming Exemplified Record	31.00
Outgoing Exemplified Record (Specify In-State or Out of State)	18.25
Broker's Lien	31.00
Judgment Non Pros	16.50
<i>Liens</i>	
Municipal or Federal Commonwealth	30.50 31.00
<i>Mechanics Liens</i>	
Claim (same as Commencement of new Action)	113.75
Stipulation or Waiver	24.00
<i>Miscellaneous</i>	
Petition for Change of Name	32.25
All other filings	14.00
<i>Notary Public</i>	
Registration of Signature	3.50
Acknowledgement of Signature	3.50
<i>Petitions to Open or Strike Judgments</i>	
Shall be considered as commencing a new action	
If filed to NO #	113.75
If filed to SU #	free
<i>Powers of Attorney</i>	
Registration—first name	4.00
Each additional name	1.00
Revocation—first name	2.75
Each additional name	1.00
<i>Protection From Abuse</i>	104.50
Copying charge (If copies are not provided)	20.00
State Surcharge	25.00
Issuance of a Bench Warrant	15.00
<i>Revivals</i>	
Adverse Proceedings	41.75
Amicable Proceedings	30.75

	<i>Fee</i>
<i>Responsive Pleadings</i>	
Answer/Petition/P. O./Etc. (Only if commencement of Action fee is less than \$50.00)	5.75
<i>Removal or Transfer of Record to Another Court</i>	23.25
<i>Satisfactions</i>	
Cases filed prior to 1/2/97	9.00
Release, Postponement, subordination by	9.00
Praecipe or power of attorney (Filed prior to '97)	9.00
(Additional fees may accumulate on civil litigation filed prior to '97)	
Commonwealth Satisfactions (Filed prior to '97)	9.50
<i>Subpoenas</i>	3.50
Must be completed before submitted for signature and seal	

****NOTE****

Counterclaims, Additional Defendants and Garnishment proceedings are not considered commencement of a new action.

Sci Fa proceedings of any lien, other than revival, shall be considered as commencing a new action.

Petition to Open and/or Strike Judgments shall be considered as a commencement of a new action.

The Prothonotary shall not be required to enter on the docket any suit or action nor order of court or enter any

judgment thereon or perform any services whatsoever for any person, political subdivision of the Commonwealth until the requisite fee is paid.

*******SPECIAL NOTE*******

ONLY CASH OR BUSINESS CHECKS, CERTIFIED CHECKS, MONEY ORDERS, OR TRAVELERS CHECKS PAYABLE TO THE "PROTHONOTARY OF YORK COUNTY" ARE ACCEPTABLE FOR PAYMENT OF FEES. A FEE OF \$20.00 WILL BE CHARGED FOR RETURNED CHECKS.

IT IS FURTHER ORDERED that in accordance with Pa.R.C.P. the district Court Administrator shall:

(a) File 7 certified copies hereof with the Administrative Office of Pennsylvania Courts.

(b) Distribute 2 certified copies hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(c) File 1 certified copy hereof with the Civil Procedural Rules Committee, and 1 certified copy hereof with the Criminal Procedural Rules Committee.

(d) Cause a copy hereof to be published in the *York Legal Record* once a week for 2 successive weeks at the expense of the County of York.

(e) Cause to be printed an adequate supply of the Rules hereby amended and promulgated for distribution to the Judges and the members of the Bar of this Court, and for sale at cost to any other interested parties, such printing to be done at the expense of the County of York in accordance with the provisions of the Act of July 9, 1976, P. L. 586, Sec. 2, 42 Pa.C.S.A. Section 3722.

(f) Supervise the distribution thereof to all Judges and all members of the Bar of this Court.

[Pa.B. Doc. No. 02-2169. Filed for public inspection December 6, 2002, 9:00 a.m.]