

THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 7]

Amendment of Rule of Judicial Administration 701 Governing Assignment of Judges to Courts; No. 249 Judicial Administration; Doc. No. 1

Order

Per Curiam:

And Now, this 10th day of January, 2003, *It Is Ordered* that the previous Order entered in the captioned matter and number dated December 30th, 2002, is vacated.

Further, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule of Judicial Administration 701 is amended 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 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 7. ASSIGNMENT OF JUDGES

ASSIGNMENT AND TRANSFER OF JUDGES

Rule 701. Assignment of judges to courts.

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(C) *Request for the Assignment of Additional District Justices or Judges.*

(1) *Request for Assignment.* Whenever a president judge deems additional judicial assistance necessary for the prompt and proper disposition of court business, **he or his proxy shall transmit a formal request for [assignment of one or more district justices or judges shall be transmitted] judicial assistance** to the Administrative Office. **The request may be made in writing or it may be transmitted electronically. An electronic request for judicial assistance shall be accomplished through a secure program developed by the Administrative Office for this purpose.**

(2) *Recommendation by the Court Administrator of Pennsylvania and Action by Chief Justice.* Upon the recommendation of the Court Administrator, the Chief Justice may, by order, assign any retired, former, or active district justice, judge or justice to temporary judicial service on any court to fulfill a request by a president judge, or to reduce case inventories, or to serve the interest of justice. **The order entered by the Chief Justice may be electronically transmitted to the Administrative Office of Pennsylvania Courts for processing.**

Orders entered pursuant to this chapter may be transmitted by the Administrative Office to the Supreme Court prothonotary in hard copy or electronically. Electronically transmitted orders shall be docketed by the Supreme Court prothonotary in the same manner as hard copy orders. Electronically transmitted orders need not be printed by the Supreme Court prothonotary unless a request for public review is made.

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[Pa.B. Doc. No. 03-162. Filed for public inspection January 31, 2003, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 200]

Damages for Delay

Rule 238. Damages for Delay in an Action for Bodily Injury, Death or Property Damage.

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Addendum to Explanatory Comment

The prime rate as set forth in the first edition of the *Wall Street Journal* for a particular year is the basis for calculating damages for delay under Pa.R.C.P. 238 as revised November 7, 1988. The prime rate published in the first edition of the *Wall Street Journal* for each of the years specified is as follows:

<i>Date of Publication</i>	<i>Prime Rate Percentage</i>	<i>Date of Publication</i>	<i>Prime Rate Percentage</i>
January 2, 1980	15 to 15 1/2	January 2, 1992	6 1/2
January 2, 1981	20 1/2 to 21 1/2	January 4, 1993	6
January 4, 1982	15 3/4	January 3, 1994	6
January 3, 1983	11 to 11 1/2	January 3, 1995	8 1/2
January 3, 1984	11	January 2, 1996	8 1/2
January 2, 1985	10 3/4	January 2, 1997	8 1/4
January 2, 1986	9 1/2	January 2, 1998	8 1/2
January 2, 1987	7 1/2	January 4, 1999	7 3/4
January 4, 1988	8 3/4	January 3, 2000	8 1/2

<i>Date of Publication</i>	<i>Prime Rate Percentage</i>	<i>Date of Publication</i>	<i>Prime Rate Percentage</i>
January 3, 1989	10 1/2	January 2, 2001	9 1/2
January 2, 1990	10 1/2	January 2, 2002	4 3/4
January 2, 1991	9 1/2 to 10	January 2, 2003	4 1/4

By the Civil Procedural Rules Committee

R. STANTON WETTICK, Jr.,
Chairperson

[Pa.B. Doc. No. 03-163. Filed for public inspection January 31, 2003, 9:00 a.m.]

Title 255—LOCAL COURT RULES

SOMERSET COUNTY

Administrative Orders; No. 58 Special 2002

Order

Now, this 8th day of January, 2003, the following Administrative Order 1-2002 having been adopted on December 23, 2002, the Somerset County Court Administrator is directed to:

1. File seven (7) certified copies of this Order and the following Administrative Order with the Administrative Office of Pennsylvania Courts.

2. Distribute two (2) certified copies of this Order and the following Order, along with a diskette, to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy of this Order and following Administrative Order with the Pennsylvania Criminal Procedural Rules Committee.

4. File proof of compliance with this Order in the docket which shall include a copy of each transmittal letter.

By the Court

EUGENE E. FIKE, II,
President Judge

Administrative Order 1-2002

Designation of District Justice District in which Prosecution Shall be Filed and Processed for Cases Arising on the Pennsylvania Turnpike in Allegheny Township and New Baltimore Borough.

Now, this 23rd day of December, 2002, it is *Ordered* that, effective January 6, 2003, cases arising on the Pennsylvania Turnpike in Allegheny Township and New Baltimore Borough shall be filed and processed in District Justice District 16-3-01.

By the Court

EUGENE E. FIKE, II,
President Judge

[Pa.B. Doc. No. 03-164. Filed for public inspection January 31, 2003, 9:00 a.m.]

WESTMORELAND COUNTY

Adoption of New Civil Rule W1920.51(a) and (b); No. 3 of 2003

Order

And Now, this 13th day of January, 2003, *It Is Hereby Ordered* that subsections (a) and (b) of Westmoreland County Rule of Civil Procedure W1920.51 are rescinded, and that new subsections (a) and (b) are adopted.

By the Court

DANIEL J. ACKERMAN,
President Judge

Rule W1920.51 Hearing by the Court; Appointment of Master; Notice of Hearing

(a) Before any certificate of appointment shall be issued by the prothonotary to any master in those cases initiated by an uncontested complaint in annulment, or a section 3301(a) or (b) divorce, or where an agreement has been reached by the parties on any such other claims that have been raised by the parties, the plaintiff shall deposit the sum of \$138.00 with the prothonotary; \$113.00 of the deposit shall be a minimum fee for the master, and \$25.00 shall be a minimum fee for the stenographer. In addition, the plaintiff shall pay the prothonotary's fee. The court may order additional compensation for the master after the report is filed.

(b) In all other cases, before any certificate of appointment shall be issued by the prothonotary to any master, the party moving for the appointment shall deposit an initial sum of \$248.00 with the prothonotary; \$223.00 shall be a minimum fee for the master, and \$25.00 shall be a minimum fee for the stenographer. In addition, the moving party shall pay the prothonotary's fee. The initial deposit of \$248.00 shall be for one-half days' work. For each half day thereafter the master shall receive a minimum fee of \$150.00; and for each half day of transcribing, the stenographer shall receive a minimum fee of \$20.00. The master shall certify the time expended to the court. The master may petition the court for additional compensation after the report is filed.

[Pa.B. Doc. No. 03-165. Filed for public inspection January 31, 2003, 9:00 a.m.]