

# THE COURTS

## Title 225—RULES OF EVIDENCE

[225 PA. CODE ART. I]

### Rule 101 Revision of Comment

The Committee on Rules of Evidence is planning to recommend that the Supreme Court of Pennsylvania approve the Comment Revision to Pa.R.E. 101. These changes are being proposed to eliminate inconsistencies with other rules and conflicts with certain statutes.

This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's consideration in formulating this proposal. Please note that the Committee Report 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 explanatory Report.

The text of the proposed changes precede the Report.

We request that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel:

Richard L. Kearns Staff Counsel  
Supreme Court of Pennsylvania  
Committee on Rules of Evidence  
5035 Ritter Road, Suite 700  
Mechanicsburg, PA 17055

no later than September 12, 2005.

*By the Committee on Rules of Evidence*

HONORABLE RICHARD A. LEWIS,  
*Chair*

#### Annex A

#### TITLE 225. RULES OF EVIDENCE

#### ARTICLE I. GENERAL PROVISIONS

#### Rule 101. Scope and Citation of the Rules.

\* \* \* \* \*

Comment

\* \* \* \* \*

These rules are applicable [ **only to** ] in the courts of the Commonwealth of Pennsylvania's unified judicial system. [ They are applicable in all divisions of the Courts of Common Pleas including the Civil Division, Criminal Division, Trial Division, Orphans' Court Division and Family Division. They are not applicable to other tribunals, such as administrative agencies and arbitration panels, except as provided by law or unless the tribunal chooses to apply them. ] In some respects, these rules are applicable in administrative proceedings. See, e.g., *Gibson v. W.C.A.B.*, 861 A.2d 938 (Pa. 2004) (evidentiary rules 602, 701 and 702 applicable in agency proceedings in general, including workers' compensation proceedings). These rules are also applicable in compulsory arbitration hearings, with specific exceptions relating to the admissibility of certain written evidence and official documents. See, e.g., [Pa.C.R.P.] Pa.R.C.P. 1305 [ (rules of evi-

dence shall be followed in compulsory arbitration hearings, with specific provisions relating to the admissibility of certain written evidence and official documents) ].

#### REPORT

*Proposed Revision of Comment  
Pa.R.E. 101  
Scope and Citation of the Rules*

#### Changes

The Committee on Rules of Evidence proposes to revise the Comment to cite the opinion of *Gibson v. W.C.A.B.*, 861 A.2d 938 (Pa. 2004). In *Gibson*, the Pennsylvania Supreme Court holds that in some respects the rules of evidence apply to administrative proceedings. These rules are applicable also in compulsory arbitration proceedings.

[Pa.B. Doc. No. 05-1426. Filed for public inspection July 29, 2005, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

**Amendment, Adoption and Rescission of Philadelphia Rules of Criminal Procedures 406-1, 406-2, 406-4, 406-6, 406-12, 406-13, 406-14, and 406-15; President Judge General Court Regulation No. 2005-05**

#### Order

And Now, this 14th day of July, 2005, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on February 17, 2005 to amend, adopt or rescind Philadelphia Rules of Criminal Procedures 406-1, 406-2, 406-4, 406-6, 406-12, 406-13, 406-14, and 406-15, as applicable, *It Is Hereby Ordered* that Philadelphia Rules of Criminal Procedures 406-1, 406-2, 406-4, 406-6, 406-12, 406-13, 406-14, and 406-15 are amended, adopted or rescinded as follows.

This General Court Regulation is issued in accordance with Pa.R.Crim.P. 105 and, as required, the original General Court Regulation shall be filed with the Prothonotary in a Docket maintained for General Court Regulations issued by the President Judge of the Court of Common Pleas of Philadelphia County, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Clerk of Quarter Sessions, and the Criminal Procedural Rules Committee. Copies of the Order shall also be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and posted on the website of the First Judicial District: <http://courts.phila.gov>.

*By the Court*

FREDERICA A. MASSIAH-JACKSON,  
*President Judge*

**Philadelphia Criminal Rules**

**Rule 406-1 Standards for Appointment in Homicide Cases**

\* \* \* \* \*

(B)(7) [ **Has attended and successfully completed within the last two years at least one training or educational program on criminal advocacy which focused on the trial of cases in which the death penalty is sought. (This requirement may be waived if the attorney has demonstrated outstanding performance as lead counsel in two or more death penalty trials within the preceding two years.)** ] **Has complied with the educational requirements detailed in Pa.R.Crim.P. 801(2).**

**Rule 406-2 Appeals in Death Penalty Cases**

\* \* \* \* \*

(B) *Qualifications for Counsel Appointed on Appeal to Represent Appellants Under Sentence of Death*

\* \* \* \* \*

(2) [ **Has had primary responsibility for at least five briefs submitted to any Appellate Court** ] **Has had primary responsibility for at least five briefs in "significant cases," as defined in Pa.R.Crim.P. 801 (1)(c) and has represented clients in at least eight significant cases in appellate or post conviction matters;**

**Rule 406-4 Post Conviction Petitions by Prisoners Under Sentence of Death**

\* \* \* \* \*

(B) *Qualifications for Counsel Appointed to Represent Prisoners Under Sentence of Death in Post-Conviction Petitions.*

An attorney may be appointed to represent a post-conviction petitioner under sentence of death only if that attorney:

\* \* \* \* \*

(6) [ **Has taken at least one training or educational program, within the past two years, which focused on post-conviction litigation in death penalty cases. (This requirement may be waived if the attorney demonstrates to the Screening Committee knowledge of the principles of Pennsylvania and federal death penalty post-conviction litigation.)** ] **Has complied with the educational requirements detailed in Pa.R.Crim.P. 801(2).**

**Rule 406-6 Standards for Appointment in Felony Cases**

(A) *Qualifications for Counsel*

An attorney may be appointed as counsel only if that attorney:

\* \* \* \* \*

(7) **Has prior experience as counsel in no fewer than five criminal trials which were tried to completion in this or any other jurisdiction. "Tried to completion" shall include trials in which the jury is discharged at the conclusion of the case without reaching a verdict. No more than two of the required five trials shall consist of major felony juvenile cases;**

**Rule 406-12 Experience Exception To Standards**

A. If any applicant fails to meet any of the above specified standards, the Screening Committee, after conducting a personal interview with the applicant, may rate the applicant to be qualified if the applicant's experience, knowledge and training are clearly equivalent to the standards for the category in which applicant seeks qualification, **except as otherwise required by Pa.R.Crim.P. 801.**

B. Even if the applicant meets all of the specific standards in any category, but it appears to the Selection Committee that the applicant's experience, knowledge, training and/or past performance in specific cases, may show the need for more training or supervision, the Selection Committee may require the applicant to appear before the Committee for a personal interview, after which the Selection Committee may approve the applicant, or may require the applicant to undergo one of the remedial measures set forth in Rule 406-15 before being approved. If the applicant refused to undergo those measures, or if after completing the measures, the Selection Committee still rejects the application, then the applicant may appeal the disapproval as provided in Rule 406-14.

**Rule 406-13 Experience Exception To Standards.**

Rescinded in its entirety as not in compliance with Pa Rule 801.

**Rule 406-14 Performance Standards; Processing Complaints:**

A. General: The Screening Committee may refuse to approve applicants as provided in Rule 406-12.B, or may impose remedial measures, if the applicant fails to meet the performance standards set forth in this Rule.

**B. Processing Complaints:**

1. Any complaint about the performance of any court-appointed counsel shall first be transmitted to an official in the Court Administrator's office designated for the receipt of such complaints. The official shall forward the complaint to the Chair of the Screening Committee.

2. All such complaints, as well as the identity of the complainant, shall remain absolutely confidential, except as set forth herein.

3. When the Chair of the Screening Committee receives such a complaint, he or she should appoint three members of the Committee as a Panel, and submit the complaint to that Panel. The Panel should review the complaint to determine whether it requires action. If the Panel finds that the complaint requires further action it should notify the subject and afford the subject an opportunity to reply or produce evidence in response to the complaint. The identity of the complainant should not be disclosed, unless the complainant waives confidentiality, provided that the non disclosure of the identity of the complainant does not preclude the subject from being able to address the substance of the complaint. Anonymity of the complainant shall go to the weight, but is not a bar to processing of a complaint. If it so determines, the Panel should notify the complainant that his or her identity will be disclosed, unless the complainant decides to withdraw the complaint.

4. Once the subject has submitted a reply to the complaint and any evidence deemed appropriate, the Panel should promptly review the matter. The Panel may recommend that the subject voluntarily undergo remedial measures. The Panel may in its discretion refer the matter to a Hearing Committee, as set out hereinafter. If the Panel decides that the matter does not require an immediate disposition, then the subject shall be notified that no remedial action will be taken at this time, but the matter shall be deferred for up to two years. If the subject does not receive two more complaints within that two five year period, then the matter will be closed and the complaint dismissed. If complaints of 2 additional incidents arising from separate proceedings arise during a two year period following the first complaint, all open complaints may be referred to a Hearing Committee as set out herein.

5. A Hearing Committee shall consist of three members of the Criminal Justice Section appointed by the Executive Committee of the Criminal Justice Section. The Executive Committee shall name one of the three as Chair. None should be members of the Screening Committee. Those members should be respected an prominent members of the Section, with outstanding reputations for ethical conduct and knowledge of criminal law.

6. When a matter is referred to the Hearing Committee, the Committee will schedule hearing dates as soon as possible. One member of the Panel shall present the evidence of the deficient performance or skills. The Committee may invite the Complainant to appear. The subject must be invited to appear and may present evidence, and may be represented by counsel. The subject may have a court reporter present at the subject's own expense; however, a copy of the transcribed notes must be provided to the Committee without cost to the Committee.

7. If a majority of the Hearing Committee finds that the charges have not been sustained by clear and convincing evidence, then the complaint should be dismissed with notice to the subject. If the Hearing Committee can impose any of the remedies set out in Rule 406-15 infra.

#### C. Appeals:

If the subject objects to any action of the Hearing Committee, then he or she may within 30 days appeal to the Court of Common Pleas. During the pendency of that appeal to the Court of Common Pleas, any remedies ordered shall be stayed. The President Judge of the Court of Common Pleas shall appoint three judges to hear such appeals. The scope of the hearing shall be de novo. One member of the Panel shall present the evidence concerning violation of the performance standard. The subject may also present any relevant evidence. The Court shall make any finding and impose any remedial measure authorized under Rule 406-15 infra.

#### D. Rule 427 excluded:

None of the actions of the Panel, the Hearing Committee, nor of the Court of Common Pleas shall relieve any attorney or judge from the right or obligation to make a proper report to the Disciplinary Board in accordance with local Rule of Criminal Procedure 427.

#### Rule 406-15 Remedial Measures:

A. General: Once the Hearing Committee has determined that violation of these standards has been established, the Hearing Committee or reviewing court may impose any one or more of the following remedial measures. The purpose of these measures is not punitive, but remedial. Accordingly, the least onerous measure or measures should be imposed which is designed to remedy the type of violation adjudged.

#### B. Types of remedies:

##### 1. Warning:

The subject should be warned of the nature of the deficiency, and that future complaints could be grounds for more serious sanctions.

##### 2. Continuing legal education:

The subject could be urged, or required, to attend an appropriate legal education course.

##### 3. Mentoring:

The subject could be urged, or require, to utilize the services of a mentor provided by the Screening Committee, for one or more court-appointed cases.

##### 4. Second chair:

The subject could by urged, or required, to sit as second chair to an experienced attorney, selected by the Screening Committee, for a specified number of cases.

##### 5. Probation:

The Subject could be placed on probation for a specified period of time or number of cases, during which the subject's right to receive appointments could be conditioned upon such remedial measures as the Hearing Committee believes necessary. One member of the Prima Facie Panel should be named to monitor the subject during the probationary period.

##### 6. Suspension:

The subject can be suspended from receiving any appointments for a specified period of time or a number of cases, and can be required to undergo remedial measures during the period of suspension.

##### 7. Decertification:

If the deficiencies are considered very serious, and/or other remedial measures have not resulted in improvement, then the subject can be decertified from receiving appointments in a specific category or from all appointments. Any attorney decertified under this Rule may not reapply for appointments until at least one year has elapsed from the date of decertification and proof of satisfactory remediation is shown.

*Comment:* The above are subject to the requirements of Pa.R.Crim.P. 801.

[Pa.B. Doc. No. 05-1427. Filed for public inspection July 29, 2005, 9:00 a.m.]

### PHILADELPHIA COUNTY

#### Governing Location of Filing Civil Petitions, Motions and Courtroom Assignments; Revised Consolidation Motion Practices; Assignment of Petitions and Motions to Judges and Adoption of Revised Motion Court Cover Sheet; Administrative Doc. No. 5 of 2005

And Now, this 12th day of July, 2005, it is hereby Ordered and Decreed that Administrative Docket No. 03 of 1996 is Revised as follows:

##### A. Filing Location and Courtroom Assignments

1. All Petitions and Motions other than Discovery Motions shall be filed in the Office of Civil Administration, Room 296, City Hall, Philadelphia, PA 19107.

2. All Motion Court proceedings shall be conducted in Courtroom 426, City Hall, Philadelphia, PA 19107.

3. All Discovery Motions shall be filed in Room 287, City Hall, Philadelphia, PA 19107.

4. All Discovery Court proceedings shall be conducted in Courtroom 285, City Hall, Philadelphia, PA 19107, unless otherwise designated by a Judicial Team Leader.

##### B. Revised Consolidation Motion Practices

1. All Motions to Consolidate will be processed through normal Civil Motions Program procedures. These matters will no longer be subject to alternate motion procedures. Stipulations to Consolidate will no longer be accepted.

2. All Motions to Consolidate must contain the following information:

a.) The program designation of each of the cases (i.e., Arbitration, Arbitration Appeal, Non-Jury, Mass Tort, Day Forward 2001 and Back, Day Forward 2002, Day Forward 2003, Day Forward 2004, or Day Forward 2005)

b.) The next scheduled action and date of that action for each of the cases

c.) Whether the cases are subject to a Case Management Order (if so, a copy of the order(s) must be attached)

d.) The name of the Judicial Team Leader

e.) Whether there is any opposition (upon inquiry of all counsel)

3. Motions to Consolidate will be assigned as follows:

a.) Where the consolidation involves a Major Jury case, the Motion will be assigned to the Team Leader of the most recently filed Major Jury case.

The current Team Leaders of Major Jury cases are:

Cases filed in 2005—Judge Jacqueline F. Allen

Cases filed in 2004—Judge Arnold L. New

Cases filed in 2003—Judge Sandra Mazer Moss

Cases filed in 2002—Judge Allan L. Tereshko

Cases filed in 2001 and Back—Judge Sandra Mazer Moss

b.) Where the consolidation does not involve any Major Jury cases but does involve Non-Jury, Arbitration Appeal, or Mass Tort cases, the motion will be assigned to the Coordinating Judge of the Complex Litigation Center. The current Coordinating Judge of the Complex Litigation Center is Judge Norman Ackerman.

c.) Where the consolidation involves a Commerce case, the motion will be assigned to the respective Commerce Judge. The current Commerce Judges are:

Judge Albert W. Sheppard, Jr.

Judge C. Darnell Jones, II

Judge Howland W. Abramson

d.) Where the consolidation involves only Arbitration cases, the motion will be assigned to the presiding Civil Motions Judges. The current presiding Civil Motions Judges are Judge Gary S. Glazer and Judge Joseph A. Dych.

##### C. Assignment of Petitions and Motions to Judges

Motions and Petitions shall be assigned according to the Motion Assignment Matrix, a copy of which is attached as Appendix A. This Matrix, which may be amended from time to time without the need for issuance of an Amended Administrative Order or publication, will be available from the Civil Motions Program, or in the Forms section of the First Judicial District's Website (<http://courts.phila.gov>).

##### D. Revised Motion Court Cover Sheet

All Motions and Petitions shall be accompanied by a Motion Cover Sheet in the form in Appendix B. The Motion Cover Sheet, which may be amended from time to time without the need for issuance of an Amended Administrative Order or publication, will be available from the Civil Motions Program, or in the Forms section of the First Judicial District's Website (<http://courts.phila.gov>).

At his discretion the Administrative Judge or his designee, the Supervising Judge-Civil, may entertain, assign, or reassign any motion or petition.

*By the Court*

JAMES J. FITZGERALD, III,  
*Administrative Judge*

This Administrative Docket is promulgated in accordance with the April 11, 1987 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.

<b>TRIAL DIVISION—CIVIL MOTION ASSIGNMENT MATRIX 2005</b>	
<b>The Civil Motions Filing Clerk is located in Room 296, City Hall. All Motions/Petitions shall be assigned in accordance with the following Matrix:</b>	
<b>PROGRAM/FILING TYPE</b>	<b>JUDICIAL ASSIGNMENT</b>
<b>MAJOR JURY PROGRAMS</b>	
Day Forward 2001 and Back	Judge Moss
Day Forward 2002	Judge Tereshko
Day Forward 2003	Judge Moss
Day Forward 2004	Judge New
Day Forward 2005	Judge Allen
<b>PROGRAMS OTHER THAN MAJOR JURY</b>	
Commerce Program	Judge Sheppard/Judge Abramson/Judge Jones
Non Jury Program	Judge Glazer/Judge Dych/Judge Ackerman
Compulsory Arbitration	Judge Glazer/Judge Dych
Post Arbitration & Arbitration Appeal	Judge Glazer/Judge Dych/Judge Ackerman
Mass Tort Program	Judge Ackerman
Class Actions	Judge Bernstein
Municipal Court Appeals from <b>Denial to Open Default Judgment</b>	Judge Glazer/Judge Dych
Municipal Court Appeals ( <b>Money Judgment</b> )	Judge Glazer/Judge Dych
Municipal Court Appeals ( <b>Landlord Tenant</b> )	Municipal Court Judges
<b>SPECIFIC MOTIONS/PETITIONS</b>	
Wrongful Death & Minor's Compromise	Orphans' Court Judges
Motions to Consolidate	Assigned in Accordance with Administrative Docket No. 3 of 1996, as revised at Administrative Docket No. 05 of 2005.
Motions to Enforce Settlement	Assigned to the judge who approved or was involved in effecting the settlement.
Motions for Reconsideration	Assigned to the judge who entered the order to be reconsidered.
Preliminary Injunctions (Non-Commerce)	Judge Glazer/Judge Dych
Preliminary Injunctions (Commerce)	Judge Sheppard/Judge Abramson/Judge Jones
Preliminary Injunctions (Major Jury)	Major Jury Team Leader
Discovery Motions	Scheduled consistent with Judicial Team Leader assignments to Discovery Court.
<b>The following Motions/Petitions shall be assigned to the Administrative Judge/Supervising Judge <i>regardless</i> of any program designation:</b>	
<ul style="list-style-type: none"> <li>▪ Motions for Assignment to an Individual Judge</li> <li>▪ Motions for Advancement on the Trial List</li> <li>▪ Petitions to Appoint Neutral Arbitrator</li> <li>▪ Petitions to Compel Arbitration</li> <li>▪ Motions to Proceed <i>In Forma Pauperis</i></li> </ul>	

## Appendix "A"

01-118 (Rev. 07/2005)

PHILADELPHIA COURT OF COMMON PLEAS  
PETITION/MOTION COVER SHEET

FOR COURT USE ONLY	
ASSIGNED TO JUDGE:	ANSWER/RESPONSE DATE:
Do not send Judge courtesy copy of Petition/Motion/Answer/Response. Status may be obtained online at <a href="http://courts.phila.gov">http://courts.phila.gov</a>	

CONTROL NUMBER:  <b>(RESPONDING PARTIES MUST INCLUDE THIS NUMBER ON ALL FILINGS)</b>
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\_\_\_\_\_ Term, \_\_\_\_\_  
 \_\_\_\_\_ Month \_\_\_\_\_ Year  
 No. \_\_\_\_\_

Name of Filing Party: \_\_\_\_\_

\_\_\_\_\_ vs. \_\_\_\_\_  
 \_\_\_\_\_

(Check one)  Plaintiff  Defendant  
 (Check one)  Movant  Respondent

**INDICATE NATURE OF DOCUMENT FILED:**

Petition (Attach Rule to Show Cause)  Motion  
 Answer to Petition  Response to Motion

Has another petition/motion been decided in this case?  Yes  No

Is another petition/motion pending?  Yes  No

If the answer to either question is yes, you must identify the judge(s): \_\_\_\_\_

TYPE OF PETITION/MOTION (see list on reverse side)	PETITION/MOTION CODE (see list on reverse side)
ANSWER/RESPONSE FILED TO (Please insert the title of the corresponding petition/motion to which you are responding):	
<b>I. CASE PROGRAM</b> Is this case in the (answer all questions): <b>A. COMMERCE PROGRAM</b> Name of Judicial Team Leader: _____ Applicable Petition/Motion Deadline: _____ Has deadline been previously extended by the Court? <input type="checkbox"/> Yes <input type="checkbox"/> No <b>B. DAY FORWARD/MAJOR JURY PROGRAM — Year _____</b> Name of Judicial Team Leader: _____ Applicable Petition/Motion Deadline: _____ Has deadline been previously extended by the Court? <input type="checkbox"/> Yes <input type="checkbox"/> No <b>C. NON JURY PROGRAM</b> Date Listed: _____ <b>D. ARBITRATION PROGRAM</b> Arbitration Date: _____ <b>E. ARBITRATION APPEAL PROGRAM</b> Date Listed: _____ <b>F. OTHER PROGRAM:</b> _____ Date Listed: _____	<b>II. PARTIES (required for proof of service)</b> (Name, address and <b>telephone number</b> of all counsel of record and unrepresented parties. Attach a stamped addressed envelope for each attorney of record and unrepresented party.)
<b>III. OTHER</b>	

By filing this document and signing below, the moving party certifies that this motion, petition, answer or response along with all documents filed, will be served upon all counsel and unrepresented parties as required by rules of Court (see PA. R.C.P. 206.6, Note to 208.2(a), and 440). Furthermore, moving party verifies that the answers made herein are true and correct and understands that sanctions may be imposed for inaccurate or incomplete answers.

\_\_\_\_\_  
 (Attorney Signature/Unrepresented Party) (Date) (Print Name) (Attorney I.D. No.)

The Petition, Motion and Answer or Response, if any, will be forwarded to the Court after the Answer/Response Date. No extension of the Answer/Response Date will be granted even if the parties so stipulate.

30-1061B

Appendix "B"

**Instructions for Completing Petition/Motion Cover Sheet**

A Petition/Motion Cover Sheet must be attached to all Petitions, Motions, Answers or Responses filed, except for Discovery Motions and Motions for Extraordinary Relief. Sanctions will be imposed if the Cover Sheet is inaccurately completed.

Please Note the following:

1. ANSWER or RESPONSE DATE. The Motion Clerk shall enter the "Answer" or "Response" Date on the Cover Sheet. All Responses to Motions and Answers to Petitions must be filed with the Prothonotary and submitted to the Motion Clerk on or before the Response Date. **Note:** Summary Judgment Motions have a 30 day Response period. Except for those Motions identified in Phila.Civ.R. \*208.3(a) and (b), all other Motions have a 20 day Response period.
2. ARGUMENT DATE. The Motion Clerk shall enter the Argument Date and location on the Cover Sheet, as appropriate.
3. CONTROL NUMBER. The Motion Clerk shall assign a Control Number to all Petitions and Motions. The Responding parties must enter this Control Number on the Cover Sheet accompanying their Answer or Response.
4. NATURE OF DOCUMENT FILED. The filing party must check whether the document being filed is a Petition (in which case a Rule to Show Cause Order must be attached), a Motion, an Answer to a Petition, or a Response to a Motion. The parties must indicate whether another Petition or Motion is outstanding or has been decided and, if so, must identify the Judge(s) to whom such prior Petitions or Motions had been assigned.
5. PETITION OR MOTION TYPES. The parties must utilize the following Petition or Motion Codes and Types (and the Motion Clerk is authorized to change a filing party's designation to reflect the correct Petition or Motion Code and Type):

CODE	MOTIONS	CODE	MOTIONS	CODE	MOTIONS
MTSAL	Motion for Additional Distribution of Sale Proceeds	MTJNP	Motion for Entry of Judgment of Non Pros	MTRWT	Motion to Return Writ of Possession or Execution
MTPHV	Motion for Admission Pro Hac Vice	MTSUP	Motion for Entry of Supersedeas	MTSAN	Motion for Sanctions
MTSVR	Motion for Alternative Service	MTEXP	Motion for Expungement of Record	MT229	Motion for Sanctions for Failure to Deliver Settlement Funds
MTAMJ	Motion to Amend Judgment	MTEOT	Motion for Extension of Time to file Certificate of Merit	MTSAS	Motion to Set Aside Sheriff's Sale
MTAMD	Motion to Amend Pleading	MTEXT	Motion for Extension of Time to answer/respond)	MTSAA	Motion to Set Aside Award
MTGAL	Motion to Appoint Guardian Ad Litem			MTIPP	Motion to Settle Incompetent/Incapacitated Person's Estate
MTAPC	Motion for Appointment of a Conservator	PTEXR	Motion for Extraordinary Relief	MTSPR	Motion to Stay Proceedings
MTMCF	Motion for Approval and Distribution of Minor's Compromise	MTNPT	Motion to File Nunc Pro Tunc	MTWEO	Motion to Stay Writ of Execution
MTWRD	Motion for Approval & Distribution of Wrongful Death & Survival Action	MTFUS	Motion to File Under Seal	MTSTK	Motion to Strike Pleading
MTAPS	Motion to Approve Transfer of Structured Settlement	PTFMV	Motion to Fix Fair Market Value	MTSJD	Motion for Summary Judgment (30 day hold)
MTADH	Motion for Assessment of Damages Hearings	MTINT	Motion for Interpleader	MTRAE	Motion for Supplementary Relief in Aid of Execution
MTAMV	Motion to Auction Motor Vehicles	MTINV	Motion to Intervene	MTRDM	Motion to Reassess Damages
MTBIF	Motion to Bifurcate	MTIOP	Motion to Invalidate Opt-Outs (Class Action cases)	MTRDF	Motion for Reimbursement of Fees
MTCIA	Motion to Certify Order for Interlocutory Appeal	MTJAD	Motion to Join Additional Defendant	MTRDL	Motion to Release Bond
MTCNM	Motion to Change Name	MTJPL	Motion for Judgment on the Pleadings	MTRDS	Motion to Remove Case from Deferred Status
MTCLC	Motion for Class Action Certification	MTJUR	Motion for Jury Out of Time		
MTCMP	Motion to Compel Discovery	MTLIM	Motion in Limine	MTSRC	Motion to Seal Record
MTCPS	Motion to Compel Payment of Settlement	MTMJS	Motion to Mark Judgment Satisfied	MTSEV	Motion to Sever Cases
MTCOM	Motion to Complete Terms of Sheriff's Sale	MTMVR	Motion to Obtain Motor Vehicle Records	MTSPP	Motion for Specific Performance
MTCST	Motion to Confirm Settlement	MTOPN	Motion to Open/Strike Confessed Judgment	MTTFR	Motion to Transfer
MTCNS	Motion to Consolidate Actions	MTPAR	Motion for Partition	MTTRJ	Motion to Transfer Judgment
MTCON	Motion for Continuance	MTPIC	Motion for Payment into Court	MTFTV	Motion for Title to Vehicle
MTCOR	Motion for Coordination of Actions	MTPRE	Motion to Pay Rent into Escrow Account	MTWDA	Motion to Withdraw Appearance
MTCRT	Motion to Correct Record	MTSYS	Motion to Postpone Sheriff's Sale	MTWPS	Motion for Writ of Possession
MTCNF	Motion for Counsel Fees	PTTMF	Motion for Post Trial Relief	MTWRS	Motion for Writ of Seizure
PTDOM	Motion for Delay Damages	MTPCD	Motion for Pre-Complaint Discovery	MTMIS	Miscellaneous Motion
MTDJT	Motion to Demand Jury Trial	PRINJ	Motion for Preliminary Injunction		
DPROB	Motion to Determine Preliminary Objections	MTPSA	Motion for Preliminary Settlement Approval (Class Action Cases)		
MTDSC	Motion to Discontinue Case	MTPDE	Motion to Preserve Documents and Evidence		
MTDIS	Motion to Dismiss for Forum Non Conveniens	MTIFP	Motion to Proceed In Forma Pauperis		
MTDCN	Motion to Disqualify Counsel	MTPRO	Motion for Protective Order		
MTEMG	Emergency Motion	MTQSH	Motion to Quash		
MTEST	Motion to Enforce Settlement	MTRCS	Motion for Reconsideration		
MTJDG	Motion for Entry of Default Judgment	MTRPR	Motion to Redeem Premises		
		MTRRF	Motion to Release Escrow Funds		
		MTOPT	Motion to Remove Opt-Out of the Proposed Settlement Agreement (Class Action Cases)		
				<b>CODE</b>	<b>PETITIONS</b>
				PTAAR	Petition to Appoint Common Law Arbitrator
				PTARC	Petition to Appoint a Receiver
				PTCAR	Petition to Compel Arbitration
				PTCAW	Petition to Confirm Arbitration Award
				PTCST	Petition to Confirm Settlement
				PTFCT	Petition for Contempt
				PTOJD	Petition to Open Default Judgment
				PTSNP	Petition to Open Judgment of Non Pros
				PTEMG	Emergency Petition

6. CASE PROGRAM. The party shall check the program to which the case is assigned and provide the requested program data.
7. PARTIES. The filing parties shall set forth the name, address and telephone number of all counsel of record and unrepresented parties, and must attach a stamped addressed envelope for each attorney of record and unrepresented party.
8. OTHER. The parties shall enter other relevant important information in this box – such as request for stay, emergency designation etc. – placing the Motion Clerk on notice of special handling or request.
9. SIGNATURE LINE. The Cover Sheet must be signed, dated and, if applicable, the attorney ID number must be provided.
10. SERVICE. A copy of the file-stamped Petition, Motion, Answer, Response and attachments must be served on all parties of record immediately after filing as required by Pa.R.C.P. 206.6, and Pa.R.C.P. 440.

The Current Version of the Petition/Motion Cover Sheet May Be Downloaded From The First Judicial District's Website:  
<http://courts.phila.gov>

## PHILADELPHIA COUNTY

**Termination of Inactive Citations Issued Before  
January 1, 2000; Administrative Order No. 01 of  
2005**

**Order**

*And Now*, this 29th day of June, 2005, the Traffic Court having determined that approximately 116,036 citations issued between January 1, 1999 and December 31, 1999, have not resulted in a plea, payment, adjudication or judgment against the named Defendants; the Traffic Court having determined that there has been no activity on these citations for a period of two years or more, and that the citations are thus both legally and practically unenforceable; a Notice having been published in the *Legal Intelligencer* on May 10, 2005, informing interested parties that a full list of citations to be terminated was available for public inspection at the Philadelphia Traffic Court for thirty days, and further notifying interested parties that unless they petitioned the Court to show cause why any citation on the termination list should not be removed from that list, the citations would be terminated;

*Now, Therefore*, there having been no objection to the termination of the citations, upon compliance with the Procedure for Terminating Inactive Traffic Court Citations pursuant to Pa.R.J.A. No. 1901, and as provided in Administrative Docket No. 1 of 2001,

*It Is Hereby Ordered, Adjudged and Decreed* that all Traffic Court citations issued between January 1, 1999 and December 31, 1999, for which there has been no plea, adjudication or payment, and for which there has been a lack of activity for a period of two (2) years or more, shall be terminated effective immediately.

This Administrative Order shall be filed with the Prothonotary in a docket maintained for Administrative Orders issued by the Administrative Judge of the Philadelphia Traffic Court, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau, the Criminal Procedural Rules Committee, and the Minor Court Rules Committee. Copies of the Order shall also be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library and the Law Library for the First Judicial District of Pennsylvania.

*By the Court*

BERNICE DEANGELIS,  
*Administrative Judge  
Traffic Court*

[Pa.B. Doc. No. 05-1429. Filed for public inspection July 29, 2005, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

**Notice of Disbarment**

Notice is hereby given that Joe Carl Ashworth having been disbarred from the practice of law in the State of Maryland by Order dated January 5, 2005, the Supreme Court of Pennsylvania issued an Order on July 15, 2005, disbaring Joe Carl Ashworth from the Bar of this Commonwealth, effective August 14, 2005. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted

attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 05-1430. Filed for public inspection July 29, 2005, 9:00 a.m.]

**Notice of Disbarment**

Notice is hereby given that Ronald Allen Brown having been disbarred from the practice of law in the State of Maryland by Order dated April 9, 2004, the Supreme Court of Pennsylvania issued an Order on July 12, 2005, disbaring Ronald Allen Brown from the Bar of this Commonwealth, effective August 11, 2005. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 05-1431. Filed for public inspection July 29, 2005, 9:00 a.m.]

**Notice of Disbarment**

Notice is hereby given that James Grafton Gore, Jr. having been disbarred from the practice of law in the State of Maryland by Order dated April 5, 2004, the Supreme Court of Pennsylvania issued an Order on July 12, 2005, disbaring James Grafton Gore, Jr., from the Bar of this Commonwealth, effective August 11, 2005. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 05-1432. Filed for public inspection July 29, 2005, 9:00 a.m.]

**Notice of Disbarment**

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated July 12, 2005, Charles Kushner has been disbarred on consent from the Bar of this Commonwealth, to be effective August 11, 2005. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 05-1433. Filed for public inspection July 29, 2005, 9:00 a.m.]