

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CHS. 81 AND 83]

Amendments to the Pennsylvania Rules of Professional Conduct and the Pennsylvania Rules of Disciplinary Enforcement Relating to Safekeeping Property and Funds of Clients and Third Persons—Mandatory Overdraft Notification; Notice of Change in Comment Due Date

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania previously published a notice of proposed rulemaking in the *Pennsylvania Bulletin* on June 10, 2006, Vol. 36, No. 23, concerning amending the Pennsylvania Rules of Professional Conduct and the Pennsylvania Rules of Disciplinary Enforcement to include definitions which are intended to make them consistent with the Regulations of the IOLTA Board. Rule 1.15 also provides that all Fiduciary Funds shall be invested in a Trust account or in another investment which satisfies the requirements of the Prudent Investor Rule as set forth in the Pennsylvania Probate, Estates and Fiduciaries Code and this Rule.

Interested persons were invited to submit written comments regarding the proposed amendments to the Office of the Secretary, The Disciplinary Board of the Supreme Court of Pennsylvania, First Floor, Two Lemoyne Drive, Lemoyne, PA 17043, on or before July 3, 2006.

In order to provide interested parties with additional time to submit written comments regarding these proposed amendments, The Disciplinary Board has determined that the period to respond shall be extended to August 10, 2006.

*By The Disciplinary Board of the
Supreme Court of Pennsylvania*

ELAINE M. BIXLER,
Secretary

[Pa.B. Doc. No. 06-1263. Filed for public inspection July 21, 2006, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

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

New Rule 204.1 Governing Format of Legal Papers; No. 459 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 7th day of July, 2006, new Pennsylvania Rule of Civil Procedure 204.1 is promulgated to read as follows.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective February 1, 2007.

Annex A

Title 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

Rule 204.1. Pleadings and Other Legal Papers. Format.

All pleadings, motions and other legal papers must conform to the following requirements:

- (1) The document shall be on 8 1/2 inch by 11 inch paper.
- (2) The document shall be prepared on white paper (except for dividers and similar sheets) of good quality.
- (3) The first sheet shall contain a 3-inch space from the top of the paper for all court stampings, filing notices, etc.
- (4) The text must be double spaced, but quotations more than two lines long may be indented and single spaced. Margins must be at least one inch on all four sides.
- (5) The lettering shall be clear and legible and no smaller than point 12. The lettering shall be on only one side of a page, except that exhibits and similar supporting documents may be lettered on both sides of a page.
- (6) Documents and papers shall be firmly bound.

Explanatory Comment

New Rule 204.1 governs the format of pleadings and other legal papers filed with the court in civil actions and proceedings. The new rule is substantially identical to current Pennsylvania Rule of Appellate Procedure 124(a) and to new Rule of Criminal Procedure 575(C).

The criminal rule governs the format of motions, answers and briefs in criminal proceedings. The civil rule is being promulgated contemporaneously with the criminal rule to foster uniformity of format of legal papers in both civil and criminal matters. These rules will promote the objectives of the unified judicial system under the Constitution of 1968 and facilitate the statewide practice of law.

By the Civil Procedural Rules Committee

R. STANTON WETTICK, Jr.,
Chair

[Pa.B. Doc. No. 06-1264. Filed for public inspection July 21, 2006, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 5]

Order Amending Rule 575; No. 347 Criminal Procedural Rules; Doc. No. 2

Order

Per Curiam:

Now, this 7th day of July, 2006, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been published before adoption at 36 Pa.B. 814 (February 18, 2006) and in the *Atlantic Reporter* (Second Series Advance Sheets, Vol. 889), 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 Rule of Criminal Procedure 575 is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective February 1, 2007.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART F(1). Motion Procedures

Rule 575. Motions and Answers.

(A) MOTIONS

* * * * *

(5) Rules to Show Cause and Rules Returnable are abolished. Notices of hearings are to be provided pursuant to Rules 114 [(C)] (B) and 577(A)(2).

* * * * *

(C) Format of Motions, Answers, and Briefs

All motions, answers, and briefs must conform to the following requirements:

(1) The document shall be on 8 1/2 inch by 11 inch paper.

(2) The document shall be prepared on white paper (except for dividers and similar sheets) of good quality.

(3) The first sheet shall contain a 3-inch space from the top of the paper for all court stampings, filing notices, etc.

(4) The text must be double spaced, but quotations more than two lines long may be indented and single spaced. Margins must be at least one inch on all four sides.

(5) The lettering shall be clear and legible and no smaller than point 12. The lettering shall be on only one side of a page, except that exhibits and similar supporting documents may be lettered on both sides of a page.

(6) Documents and papers shall be firmly bound.

[(C)] (D) Unified Practice

* * * * *
Comment
* * * * *

Paragraph (C), added in 2006, sets forth the format requirements for all motions, answers, and briefs filed in criminal cases. These new format requirements are substantially the same as the format requirements in Pennsylvania Rule of Appellate Procedure 124(a) and Pennsylvania Rule of Civil Procedure 204.1.

The format requirements in paragraph (C) are not intended to apply to pre-printed and computer-generated forms prepared by the Administrative Office of Pennsylvania Courts; to charging documents; to documents routinely used by court-related agencies; or to documents routinely prepared or utilized by the courts.

Pro se defendants may submit handwritten documents that comply with the other requirements in paragraph (C) and are clearly readable.

Paragraph [(C)] (D), titled "Unified Practice," was added in 2004 to emphasize that local rules must not be inconsistent with the statewide rules. Although this prohibition on local rules that are inconsistent with the statewide rules applies to all criminal rules through Rule 105 (Local Rules), the reference to the specific prohibitions is included because these types of local rules have been identified by practitioners as creating significant impediments to the statewide practice of law within the unified judicial system. See the first paragraph of the Rule 105 Comment. The term "local rule" includes every rule, regulation, directive, policy, custom, usage, form or order of general application. See Rule 105(A).

* * * * *

Although paragraph [(C)] (D) precludes local rules that require a proposed order be included with a motion, a party should consider whether to include a proposed order. Proposed orders may aid the court by defining the relief requested in the motion or answer.

Official Note: Former Rule 9020 adopted October 21, 1983, effective January 1, 1984; renumbered Rule 574 and amended March 1, 2000, effective April 1, 2001; rescinded March 3, 2004, effective July 1, 2004. Former Rule 9021 adopted October 21, 1983, effective January 1, 1984; renumbered Rule 575 and amended March 1, 2000, effective April 1, 2001; Rules 574 and 575 combined as Rule 575 and amended March 3, 2004, effective July 1, 2004; amended July 7, 2006, effective February 1, 2007.

Committee Explanatory Reports:

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [1477] 1478 (March 18, 2000).

* * * * *

Final Report explaining the July 7, 2006 addition of the format requirements in paragraph (C) published with the Court's Order at 36 Pa.B. 3809 (July 22, 2006).

FINAL REPORT¹***Proposed Amendments of Pa.R.Crim.P. 575*****Requirements for the Format of Pleadings Filed in Criminal Cases**

On July 7, 2006, effective February 1, 2007, upon the recommendation of the Criminal Procedural Rules Committee, the Court amended Pa.R.Crim.P. 575(C). These amendments establish uniform format requirements for all pleadings filed in criminal cases. These format requirements are comparable to the requirements in Pennsylvania Rule of Appellate Procedure 124 and new Pennsylvania Rule of Civil Procedure 204.1.

I. INTRODUCTION

During the course of the Committee's review of local rules pursuant to Rule 105, the Committee noted that there are various local rules establishing requirements for the format of pleadings and other documents filed in the judicial district. We also noted that there is little uniformity in these format requirements. In view of the divergent requirements, the Committee agreed a Rule of Criminal Procedure governing the format of pleadings filed in criminal cases would promote statewide uniformity of practice and procedure and facilitate the statewide practice of law.

In preparation for drafting such a rule, the Committee looked at the statewide and local Pennsylvania rules of procedure² and other jurisdictions to get some idea of what is ordinarily included in format rules. We found that the format rules run the gamut from extremely detailed to minimal detail. These rules include requirements concerning such things as types and size of paper, types, size, and color of print, spacing and margins, binding, headers and footers, page numbering, and captions and titles. From this review, the Committee agreed that the format requirements set forth in Pa.R.A.P. 124(a) provide adequate detail for a criminal format rule. In addition, the members concluded the bench and bar would be best served if, as much as possible, there are uniform format requirements for the documents filed in the different state courts. Accordingly, the new format requirements are substantially the same as Appellate Rule 124.³

DISCUSSION

The first issue the Committee addressed is the placement of new format requirements. Agreeing that the format requirements should apply only to motions, answers, and briefs, the new format requirements are in Rule 575 as new paragraph (C).

New paragraph (C) incorporates without modification the provisions of Appellate Rule 124(a)(1), (2), and (3).⁴

¹ The 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.

² Pennsylvania Rule of Appellate Procedure 124 (Form of Papers; Number of Copies) is the only statewide procedural rule with format requirements.

³ In view of the benefits to the unified judicial system of having uniform format requirements in the state courts, the Committee communicated to the Civil Procedural Rules Committee our plan to propose format requirements substantially the same as Appellate Rule 124. The Civil Rules Committee agreed, and the Court contemporaneously has adopted new Rule of Civil Procedure 204.1 (Pleadings and Other Legal Papers. Format).

⁴ Pennsylvania Rule of Appellate Procedure 124(a) provides:

(a) *Size and other physical characteristics.* All documents filed in an appellate court shall be on 8 1/2 inch by 11 inch paper and shall comply with the following requirements:

(1) The document shall be prepared on white paper (except for covers, dividers and similar sheets) of good quality.

Although Appellate Rule 124(a)(4) provides that the font size of the type be no less than 11 point, recognizing that a font size of 12 point is more frequently utilized for type print, the Committee agreed the requirement for font size in Rule 575(C) should be no smaller than 12 point. In all other respects, Appellate Rule 124(a)(4) is incorporated into Rule 575(C). The only other variance from Appellate Rule 124 is with regard to subdivision (a)(5). The Committee did not think it is necessary to require that any metal fasteners or staples be covered. We did agree that paragraph (C) should include the requirement that the documents must be firmly bound.

The Rule 575 Comment has been revised to provide additional guidance concerning the format requirements. First, recognizing that there are criminal cases in which the defendant is proceeding pro se and might not have access to a word processor or typewriter, the Comment explains that pro se defendants may submit handwritten documents that comply with the other requirements of paragraph (C) if the documents are clearly readable.

During the Committee's discussions, some members questioned whether the new format requirements would apply to documents such as the criminal information or the criminal complaint or preprinted or computer generated documents prepared by the Administrative Office of Pennsylvania Courts, etc. Agreeing that this expansive reading of new paragraph (C) was not the Committee intention, the Comment specifically excludes "pre-printed and computer-generated forms prepared by the Administrative Office of Pennsylvania Courts; charging documents; documents routinely used by court-related agencies; and documents routinely prepared or utilized by the courts."

In addition, as an aide to bench, bar, and others filing documents in Pennsylvania courts, the Comment includes a cross-reference to the comparable format rules in the Rules of Appellate Procedure, Rule 124, and the Rules of Civil Procedure, new Rule 204.1.

A final consideration concerned documents presented for filing that do not comply with the new requirements in Rule 575(C). Although the Committee did not think the amendments to Rule 575 should address nonconforming documents, we noted that Rule 576(A)(3) requires the clerk of courts to accept all documents that are presented for filing. The Rule 576 Comment provides further elaboration by suggesting the judicial district implement procedures to inform the filing party when a document is not in compliance with the rules so the party may correct the problem.

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(2) The first sheet (except the cover of a paperback) shall contain a 3-inch space from the top of the paper for all court stampings, filing notices, etc.

(3) The text must be double spaced, but quotations more than two lines long may be indented and single spaced. Except as provided in subdivision (2). Margins must be at least one inch on all four sides.

(4) The lettering shall be clear and legible and no smaller than point 11. The lettering shall be on only one side of a page, except that exhibits and similar supporting documents and paperbooks may be lettered on both sides of a page.

(5) Any metal fasteners or staples must be covered. Documents and papers must be firmly bound.

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 1200]

Order Approving the Revision to the Official Note to Rule 1201 and Amending Rule 1202 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges; No. 232 Magisterial Doc. No. 1

The Minor Court Rules Committee has prepared a Final Report explaining the Supreme Court of Pennsylvania's Order approving the revision to the Official Note to Rule 1201 and amending Rule 1202 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges, effective July 7, 2006. These rule changes provide a cross reference to the Older Adult Protective Services Act in Rule 1201 and implement legislative changes relating to the definition of "hearing officer" in Rule 1202. The Final Report follows the Court's Order.

Order

Per Curiam:

And Now, this 7th day of July, 2006, upon the recommendation of the Minor Court Rules Committee, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3), 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 to the Official Note to Pa. R.C.P.M.D.J. No. 1201 be, and hereby is, approved in the attached form, and Pa. R.C.P.M.D.J. No. 1202 be, and hereby is, amended in the following form.

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

Annex A

TITLE 246. MINOR COURT RULES

PART I. GENERAL

CHAPTER 1200. EMERGENCY RELIEF UNDER THE PROTECTION FROM ABUSE ACT

Rule 1201. Applicability.

* * * * *

Official Note: See the Protection From Abuse Act set forth in the Domestic Relations Code, 23 Pa.C.S. §§ 6101 [et seq.]—6118.

The court of common pleas of each judicial district is responsible to ensure that a judge or magisterial district judge "is available on a 24-hour-a-day, 365-day-a-year basis to accept and decide on petitions for an emergency court order under" the Older Adult Protective Services Act. 35 P.S. § 10225.307. Actions commenced under the Older Adult Protective Services Act are governed by statute and local procedures, not by these rules.

Rule 1202. Definitions.

As used in [these rules] this chapter:

[(1) *Abuse, adults and family or household members*] "abuse" "adult" and "family or household members" shall have the meanings given to those words in Section 6102 of the Protection From Abuse Act, 23 Pa.C.S. § 6102[.];

[(2) *Court*] "court" means the court of common pleas of the judicial district in which the office of the hearing officer taking action under these rules is located[.];

[(3) *Hearing officer*] "hearing officer" means a magisterial district judge, judge of the Philadelphia Municipal Court, bail commissioner appointed under 42 Pa.C.S. [Section] § 1123 (relating to jurisdiction and venue) [and], master appointed under 42 Pa.C.S. § 1126 (relating to masters), and master for emergency relief appointed under 23 Pa.C.S. § 6110(e) (relating to master for emergency relief).

FINAL REPORT¹

Revision to the Official Note to Rule 1201 and Amendment of Rule 1202 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges

Cross Reference to the Older Adult Protective Services Act and Amended Definition of "Hearing Officer"

On July 7th, 2006, effective immediately, upon recommendation of the Minor Court Rules Committee,² the Supreme Court of Pennsylvania approved a revision to the Official Note to Rule 1201 and amended Rule 1202 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges.³

I. Background

A. Cross-Reference to the Older Adult Protective Services Act

The Minor Court Rules Committee (the Committee), on its own initiative, undertook a review of the Older Adult Protective Services Act⁴ (the Act) to consider what, if any, procedures may be needed to guide magisterial district judges in carrying out their duties under the Act. Specifically, the Committee noted that the Act provides that

[t]he courts of common pleas of each judicial district shall ensure that a judge or district justice⁵ is available on a 24-hour-a-day, 365-day-a-year basis to accept and decide on petitions for an emergency court order under this section whenever the agency⁶ determines that a delay until normal court hours would significantly increase the danger the older adult faces.⁷

¹ The Committee's Final Report should not be confused with the Official Notes to the Rules. Also, the Supreme Court of Pennsylvania does not adopt the Committee's Official Notes or the contents of the explanatory Final Report.

² Recommendation No. 1 Minor Court Rules 2006.

³ Supreme Court of Pennsylvania Order No. _____, Magisterial Docket No. 1 (July 7th, 2006).

⁴ Act of Nov. 6, 1987, P.L. 381, No. 79 as amended (35 P.S. §§ 10225.101—10225.5102).

⁵ The title "district justice" was changed to "magisterial district judge" effective January 29, 2005, in accordance with the Act of Nov. 30, 2004, P.L. 1618, No. 207 and Supreme Court of Pennsylvania Order No. 269, Judicial Administration Docket No. 1 (January 6, 2005). The Committee notes that SB 273 PN 280, introduced in the Pennsylvania State Senate February 15, 2005 and pending as of this writing, would amend the Older Adult Protective Services Act to, among other things, change "district justice" to "magisterial district judge" in this section.

⁶ The Act defines "Agency" as "[t]he local provider of protective services, which is the area agency on aging or the agency designated by the area agency on aging to provide protective services in the area agency's planning and service area." Act of Nov. 6, 1987, P.L. 381, No. 79, § 3 as amended (35 P.S. § 10225.103). The Committee learned that it is usually the area agency on aging, through its caseworker staff, solicitor, or other designee, that presents emergency petitions to the courts.

⁷ Act of Nov. 6, 1987, P.L. 381, No. 79, § 10 as amended (35 P.S. § 10225.307).

In addition, the Committee noted that the Act defines "Court" as "[a] court of common pleas or a district magistrate court, where applicable."⁸

Because the Act expressly gives authority to magisterial district judges to enter emergency orders and the definition of "court" in the Act includes "district magistrate court[s]," the Committee discussed the possible need for procedural rules to guide magisterial district judges in these cases. Based upon the experiences of the Committee members, as well as informal discussions with magisterial district judges, court administrators, and area agency on aging officials from throughout the Commonwealth, the Committee made the following findings:

- After-hours, emergency petitions under the Act are filed relatively rarely, but in some judicial districts on-call magisterial district judges are occasionally asked to review emergency petitions and enter orders.

- Most judicial districts have no formal procedures or local rules in place governing the filing and consideration of emergency petitions under the Act, and many judicial districts have no formal administrative order or local rule designating a common pleas judge or magisterial district judge to hear after-hours emergency petitions.

- Although there is an "Abuse of the Elderly Emergency Relief Order" form produced by the Magisterial District Judge System (MDJS)⁹, emergency orders under the Act are often entered using the petition and order forms prepared and presented by the area agency on aging or its designee.

- Despite the lack of formal procedures or local rules governing the filing and consideration of emergency petitions under the Act, and the relative rarity of these matters coming before the magisterial district judges, when a magisterial district judge is asked to consider an emergency petition the agency representative is usually able to provide sufficient legal and factual background information to enable the judge to consider the petition and order relief if appropriate.

Given these findings, the Committee determined that statewide rules of procedure governing these actions before magisterial district judges are unnecessary. Rather, the Committee believed that these matters are better governed by the Act itself and by local procedures.

The Committee did, however, believe that president judges of the courts of common pleas and magisterial district judges need to be put on notice of their responsibilities and authority with regard to the handling of after-hours emergency petitions under the Act. To this end, the Committee has done or recommended the following:

- The Committee requested that the Court Administrator of Pennsylvania write to all president judges of the courts of common pleas to advise them of their responsibilities under the Act, particularly relating to after-hours coverage by a judge or magisterial district judge. In response to this request, Court Administrator Pines wrote to all common pleas court president judges on May 24, 2005. In his letter, Court Administrator Pines advised the president judges that "[b]ecause this law is infrequently used and after-hours court operations sometimes are not uniform from county to county, we have determined that

it would be helpful to suggest that you reevaluate your county's resources in this area."¹⁰

- In addition to the reminder letter from the Court Administrator, the Committee recommended that a cross-reference to the Act be inserted in the Official Note to Rule 1201 (Applicability). The Committee recommended that the cross-reference to the Act be included in the Chapter 1200 rules, relating to emergency relief under the Protection From Abuse (PFA) Act, because emergency petitions under the Act are somewhat analogous to PFA actions. The Committee wished to make clear to a user of the rules who may be searching for procedures relating to the Act that emergency petitions under the Act are not governed by the emergency PFA rules, but rather by statute and local procedures.¹¹

B. Amended Definition of "Hearing Officer" in Rule 1202

In addition to the cross-reference to the Older Adult Protective Services Act discussed above, the Committee recommended that the definition of "hearing officer" in Rule 1202 (Definitions) be amended in response to recent legislative amendments to the Protection from Abuse Act (the PFA Act).¹² Act 66 of 2005¹³ amended section 6110 of the PFA Act to provide for emergency relief under the PFA Act by a "master for emergency relief."¹⁴ The definition of "hearing officer" in section 6102 of the PFA Act was amended to include master for emergency relief, and a definition of master for emergency relief ("[a] member of the bar of the Commonwealth appointed under section 6110(e) (relating to emergency relief by minor judiciary)" was added.¹⁵ Accordingly, the Committee recommended that the corresponding definition of "hearing officer" in Rule 1202 be amended to include a master for emergency relief.

II. Approved Rule Changes

A. Rule 1201

To address the issues discussed above relating to the Older Adult Protective Services Act, the Committee recommended that the Official Note to Rule 1201 be revised to include the following cross-reference to the Act:

The court of common pleas of each judicial district is responsible to ensure that a judge or magisterial district judge "is available on a 24-hour-a-day, 365-day-a-year basis to accept and decide on petitions for an emergency court order under" the Older Adult Protective Services Act. 35 P. S. § 10225.307. Actions commenced under the Older Adult Protective Services Act are governed by statute and local procedures, not by these rules.

B. Rule 1202

To implement the amendments to the PFA Act discussed above, the Committee recommended that the definition of "hearing officer" in Rule 1202 be amended to include a "master for emergency relief appointed under 23 Pa.C.S. § 6110(e) (relating to master for emergency relief)."

¹⁰ Letter from Zygmunt A. Pines, Esq., Court Administrator of Pennsylvania, to all president judges of the Pennsylvania courts of common pleas (May 24, 2005) (on file with the Minor Court Rules Committee).

¹¹ In addition to the cross-reference in the Official Note to Rule 1201, the Committee will recommend a similar cross-reference in the Official Note to Rule 112 (Temporary Assignments of Magisterial District Judges). This proposed cross-reference, however, will be included in a separate proposal to amend Rule 112 that is beyond the scope of this recommendation.

¹² 23 Pa.C.S. §§ 6101–6118.

¹³ Act of Nov. 10, 2005, P. L. 335, No. 66.

¹⁴ Id. § 10.

¹⁵ Id. § 5.

⁸ Id. § 3 as amended (35 P. S. § 10225.103).

⁹ The MDJS is the statewide judicial computer system that automates all case processing and accounting functions of the magisterial district courts. The MDJS-generated "Abuse of the Elderly Emergency Relief Order" is designated as form AOPC 635-05.

Finally, in addition to the substantive changes discussed above, the Committee recommended other minor editorial revisions to both rules to conform to modern drafting style and to enhance readability.

[Pa.B. Doc. No. 06-1266. Filed for public inspection July 21, 2006, 9:00 a.m.]

Title 252—ALLEGHENY COUNTY RULES

ALLEGHENY COUNTY

Local Rule of Criminal Procedure 117; Administrative Docket No. 247-2006, Criminal Division No. 3-2006

Order of Court

And Now, to-wit this 10th day of July, 2006, it is hereby *Ordered*: Allegheny County local Rule of Criminal Procedure (All.R.Crim.P. 117) Coverage, copy of which follows, is hereby promulgated as a Rule of this Court, effective thirty (30) days after publication in the *Pennsylvania Bulletin*. This rule shall be kept continuously available for public inspection and copying in the Office of the Prothonotary and the Office of the Clerk of Courts. Upon request and payment of reasonable costs of reproduction and mailing, the prothonotary or clerk shall furnish to any person a copy of this rule.

By this Order, the District Court Administrator for the Fifth Judicial District is hereby directed to:

1. File seven (7) certified copies of this Order and the following Rule with the Administrative Office of Pennsylvania Courts.
2. Distribute two (2) certified copies of the following Rule and a computer diskette that complies with the requirements of 1 Pa. Code § 13.11(b) to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy of the following Rule with the Criminal Procedural Rules Committee.
4. File the original of this Order of Court and the following Rule in the Office of the Prothonotary and a certified copy of this Order of Court and the following Rule in the Office of the Clerk of Courts.

By the Court

JOSEPH M. JAMES,
President Judge

Allegheny County Local Rule of Criminal Procedure 117—Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail

(1) All Magisterial District Judges offices shall be open for regular business on Mondays through Fridays from 8:30 A.M. until 4:30 P.M. prevailing time except court holidays or as otherwise published on the website of the Fifth Judicial District of Pennsylvania at www.alleghencourts.us.

(2) Continuous coverage for issuance of search and arrest warrants, acceptance of criminal complaints, conduct of preliminary arraignments, setting and acceptance of bail, holding of summary trials or setting of collateral therefore shall be provided at Pittsburgh Municipal Court Arraignment Court, Municipal Courts Building, 660 First Avenue, Pittsburgh, PA 15219, staffed by an on-duty issuing authority and staff during regular business hours, if circumstances prevent utilization of the established magisterial district judge office, and during all off-hours. *Note*: Arraignment Court provides off-hours coverage for Protection from Abuse Act cases (see 23 Pa.C.S. § 6110 and Pa.R.C.P.M.D.J. 1203) and issuance of arrest warrants pursuant to Rule 210 and 211 of Pa.R.J.C.P., as well.

(3) Magisterial District Judges and the Clerk of Courts shall be authorized to accept bail in accordance with the provisions of the Pennsylvania Rules of Criminal Procedure and as between both entities shall provide continuous coverage to do so.

[Pa.B. Doc. No. 06-1267. Filed for public inspection July 21, 2006, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BLAIR COUNTY

Administrative Order; No. 2006 GN 3575

Administrative Order

Now, this 3rd of July, 2006, it is hereby *Ordered*, that the Local Court Rule Number 1301 of CIVIL PROCEDURE for Blair County, is amended to increase the Compulsory Arbitration Limits, from \$35,000 to \$50,000, exclusive of interest and costs, in conformity with the provisions of Section 7361(b) of Title 42 of the ***Pennsylvania Consolidated Statutes***, Compulsory Arbitration.

This amendment shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

JOLENE GRUBB KOPRIVA,
President Judge

[Pa.B. Doc. No. 06-1268. Filed for public inspection July 21, 2006, 9:00 a.m.]