

THE COURTS

Title 255—LOCAL COURT RULES

CUMBERLAND COUNTY

Local Rule 208.3(a)(2); Civil 96-1335

Order

And Now, this 27th day of February, 2007, Local Rule 208.3(a)(2) which currently reads:

2. The motion shall name each Judge who has ruled upon any other issue on the same or related matter, and shall specify the issue.

is hereby amended to clarify the information being sought. The rule, as amended, shall read:

2. The motion shall state whether or not a judge has ruled upon any other issue in the same or related matter, and, if so, shall specify the judge and the issue.

The Court Administrator is directed to forward and file certified copies of this order in accordance with Pa.R.C.P. 239(c) and to forward a copy to the *Cumberland Law Journal*.

By the Court

EDGAR B. BAYLEY,
President Judge

[Pa.B. Doc. No. 07-429. Filed for public inspection March 16, 2007, 9:00 a.m.]

LEHIGH COUNTY

Administrative Order for Amendment of Local Rule of Civil Procedure 205.2(a) Pertaining to Filing of Legal Papers with the Clerk of Courts; No. 2007-J-30

Amended Order

And Now, this 26th day of February, 2007, *It Is Ordered* that the following Lehigh County Rule of Civil Procedure 205.2(a) for Filing of Legal Papers with the Clerk of Courts be amended as hereinafter set forth, said amendment to become effective upon posting of the rule on the UJS Web Portal.

The Court Administrator of Lehigh County is directed to:

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

2. File two (2) certified copies and one disk copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Pennsylvania Civil Procedural Rules Committee.

4. File one (1) copy with the Clerk of Courts of the Lehigh County Court of Common Pleas.

5. Forward one (1) copy for publication in the *Lehigh County Law Journal*.

By the Court

ALAN M. BLACK,
President Judge

Rule 205.2(a). Filing of Legal Papers with the Clerk of Courts.

All pleadings and other documents submitted for filing with the Clerk of Courts shall conform with the following requirements:

1. The use of backers and/or toppers is prohibited.

2. All documents shall be fastened together by staples.

3. The text of original documents shall not be highlighted by the use of colored markers. Highlighting of text can be done by **bolding** or by using a different *style* and **SIZE** of font.

4. All documents shall be single-sided and double-spaced, except that quotations, footnotes and exhibits may be single-spaced.

5. The font size of all documents shall be not less 12 points.

6. Paper shall be of good quality and shall not exceed 8-1/2" × 11" in size.

7. Attachments smaller than 8-1/2" × 11" shall be attached to regular size paper by using scotch tape.

8. All exhibits shall be identified as such on the bottom center of each document as well as by exhibit tabs.

9. All pages shall be numbered consecutively. The number shall appear at the bottom center position of each page.

10. All copies attached to documents shall be clear and legible.

11. All documents shall contain the following: (i) the correct caption of the case, including the names of the parties, the docket number, the division of the court, and the name of the assigned judge, if any; (ii) a title indicating the nature of the document; (iii) the name, address, telephone number, fax number and Supreme Court identification number of the attorney filing the document; and (iv) if the party filing the document is not an attorney, the name, address, telephone number of such party.

12. No document submitted for filing to the clerk of courts—civil shall disclose the social security number of any person, except as specifically authorized by court order.

[Pa.B. Doc. No. 07-430. Filed for public inspection March 16, 2007, 9:00 a.m.]

LUZERNE COUNTY

Order Amended Rule of Civil Procedure 206.4(C); No. 1707/07

Order

Now, this 23rd day of February, 2007, Luzerne County Rules of Civil Procedure are hereby revised as follows:

1. Luzerne County Rule of Civil Procedure 206.4(c) is hereby amended as provided in the following copy of the same.

2. It is further ordered that the Court Administrator shall file seven (7) certified copies of this Rule with the Administrative Office of Pennsylvania Courts, two (2) copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, one (1) certified copy to the Civil Procedural Rules Committee, one (1) certified copy to the Criminal Procedural Rules Committee, once (1) certified copy to the Judicial Council of Pennsylvania Statewide Rules Committee, and one (1) copy to the *Luzerne Legal Register* for publication in the next issue.

3. It is further ordered that the effective date of this order shall be effective immediately after the date of publication in the *Pennsylvania Bulletin*.

4. It is further ordered that these local rules shall be kept continuously available for public inspection and copying in the Prothonotary's Office and the Clerk of Court's Office.

By the Court

MARK A. CIAVARELLA, Jr.,
President Judge

L.R.CIV.P.206.4(c) Procedure for Issuance of Rule to Show Cause. Issuance as of Course. Discretionary Issuance.

(A) Procedure for Issuance of Rule to Show Cause. Issuance As of Course.

(1) With the exception of those matters governed by sub-section (B) of this Local Rule, a party seeking a Rule to Show Cause shall present the same along with the underlying Motion/Petition, a comprehensive Brief in Support and Proposed Order, to the Office of Court Administration.

(2) There is no requirement to present a Rule to Show Cause under this subsection to Motions Court, except matters governed by subsection (B).

(3) The Court Administrator will assign a return date for the Rule to Show Cause, no less than 20 days, in accordance with internal operating procedures of the Court of Common Pleas and issue the Rule to Show Cause.

(4) Upon issuance of the Rule to Show Cause, the moving party shall follow the procedures outlined in subsection (C) of this Local Rule.

(5) The Office of Court Administration is **HEREBY AUTHORIZED** to sign and schedule Rules to Show Cause subject to this subsection as part of their administrative duties and this action shall carry the same force and effect as if it was Ordered directly by this Court.

(B) Procedure for Issuance of Rule to Show Cause. Discretionary Issuance. (Immediate Relief/Stay)

(1) Where the moving party is seeking immediate relief *in addition to* the issuance of the Rule to Show Cause and/or where the relief requested has the effect of a Stay of Proceedings pending the resolution of the matter subject to the Rule to Show Cause, a party seeking the same shall present the Rule to Show Cause along with the underlying Motion/Petition, a comprehensive Brief in support and Proposed Order, to Motions Court for consideration.

(i) Motions Court is held Monday through Friday 8:30 am to 9:15 am, with the exception of legal holidays.

(ii) The assignment of a Judge of the Court of Common Pleas to Motions Court is made on a rotating basis and available at the Office of Court Administration.

(2) If the Motions Court Judge issues the Rule to Show Cause, the moving party shall:

(i) Serve a time-stamped copy of the executed Rule to Show Cause, the underlying Motion/Petition, the comprehensive Brief in Support and Proposed Order upon the Court Administrator, who will assign a return date for the Rule to Show Cause no less than 20 days in accordance with internal operating procedures of the Court of Common Pleas.

(3) Upon issuance of the Rule to Show Cause, the moving party shall follow the procedures outlined in subsection (C) of this Local Rule.

(C) Procedure Upon the Issuance of A Rule To Show Cause.

(1) Once a Rule to Show Cause has been issued and a return date has been assigned, the moving party shall file the executed Rule to Show Cause indicating the assigned return date, the underlying Motion/Petition, the comprehensive Brief in Support and Proposed Order with the Prothonotary and shall *immediately* serve a time-stamped copy of the aforementioned upon all opposing parties and the Office of Court Administration.

(2) Within (15) days of service of the Rule to Show Cause, Motion/Petition, Brief in Support and Proposed Order, the opposing party must file an Answer and a comprehensive Brief in Opposition with the Prothonotary and immediately serve the same upon all parties and the Office of Court Administration.

(3) If the moving party fails to file a comprehensive Brief in Support as required by this Rule, the opposing attorney must present a Motion to Dismiss to Motions Court for dismissal of the matter.

(4) Service shall be made *immediately* after filing by delivering a copy or by mailing a copy of the party's counsel of record or where the party is unrepresented, to that party either personally or at the party's last known address.

(5) Proof of Service shall be filed and shall be by written acknowledgment of service, by affidavit of the person making service or by certification of counsel.

[Pa.B. Doc. No. 07-431. Filed for public inspection March 16, 2007, 9:00 a.m.]

**WASHINGTON COUNTY
Local Rules; No. 2007-1**

Order

And Now, this 26th day of February, 2007; *It Is Hereby Ordered* that the Local Custody Rules L-1915.29 Pre-Custody Conciliation Meeting Procedure; L-1915.30 Pre-Custody Conciliation Meeting; and L-1920.55-2 Master's Report, Notice, Exceptions, Final Decree be amended as follows.

These rules will be effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

DEBBIE O'DELL SENECA,
President Judge

L-1915.29 Pre-Custody Conciliation Meeting Procedure.

(a) The parties shall make a good faith effort to resolve the custody and/or visitation issues prior to the meeting. If resolution occurs prior to or at the time of the meeting, a proposed order may be drafted in accordance with Pa.R.C.P. No. 1915.7 and submitted to the Court for approval through the Child Custody Conference Officer, or the parties may follow L-1915.30(b).

(b) The Civil Division of the Court Administrator's Office will give counsel of record at least ten (10) days notice before any proceeding is conducted.

(c) The Civil Division of the Court Administrator's Office will give a party who is not represented by counsel at least ten (10) days notice before any proceeding is conducted.

L-1915.30 Pre-Custody Conciliation Meeting.

(a) Each parent shall file a Washington County Parent Plan form with the Civil Division of the Court Administrator's Office no later than thirty (30) days from the filing of the Custody Complaint or Modification Petition. The Parent Plan form may be found at Appendix F. The finder of fact may draw a negative inference against the party who fails to comply with this requirement.

(b) The parties may also at any time present a Consent Custody Order to the Family Court Judge to whom the case is assigned. If a Pre-Custody Conciliation Meeting or Custody Conciliation Conference has been previously scheduled at the time a party presents the Consent Custody Order to the Family Court Judge, the party shall provide a copy of the signed Consent Custody Order to the Civil Division of the Court Administrator's Office to ensure the Pre-Custody Conciliation Meeting or Custody Conciliation Conference is cancelled.

(c) If no Consent Custody Order pursuant to subsection (b) is presented to the Family Court Judge to whom the case is assigned, the Pre-Custody Conciliation Meeting shall proceed as originally scheduled.

(1) All parties shall be present at the Pre-Custody Conciliation Meeting unless otherwise ordered by the Court.

(2) The Child Custody Conference Officer will attempt to mediate the differences between the parties using mediation skills to come to an amicable settlement of those differences.

(3) The Child Custody Conference Officer will insure that the parties have submitted the completed Parent Plan form. The finder of fact may draw a negative inference against the party who fails to comply with this requirement. The Child Custody Conference Officer shall also insure that the mandated parenting program has been completed by the parties and certification presented.

L-1920.55-2 Master's Report. Notice. Exceptions. Final Decree.

(a) Reserved.

(b) Reserved.

(c)(1) Exceptions to the Master's Report and Recommendations shall be filed with the Prothonotary and a copy shall be delivered to the Civil Division of the Court Administrator's Office. The Family Court Judge to whom the case is assigned will then schedule argument on the exceptions or order that the matter will be decided on the briefs. The Civil Division of the Court Administrator's Office will mail notices of the date and time of the

argument on the exceptions, if one is scheduled, by first class mail to the counsel for the parties or to the parties if unrepresented.

(c)(2) Exceptions may be filed to a Preliminary Master's Report and Recommendations only if the Preliminary Report and Recommendations addresses the underlying basis for the divorce and must be limited to that issue only. In such a case, exceptions must be filed within twenty (20) days after the Preliminary Report and Recommendations are mailed or received by the parties, whichever occurs first. The parties must then comply with paragraphs (c)(3) and (c)(4) below. No exceptions may be taken to any other issues included in the Preliminary Master's Report and Recommendations. Such issues will be included in the Final Master's Report and Recommendations, and parties may take exceptions thereto at that time.

(c)(3) The excepting party must file its brief with the Family Court Judge to whom the case is assigned no later than 20 days before the scheduled argument, and the non-excepting party must file its brief with the Family Court Judge to whom the case is assigned no later than 10 days before the scheduled argument. If both parties file exceptions, the first party to file the exceptions must file its brief no later than 20 days before the scheduled argument, and the opposing party must file its brief no later than 10 days before the scheduled argument. The Court may order submission on the briefs or the parties may agree to submit to the Court on the briefs without argument.

(c)(4) Oral arguments shall be restricted to issues addressed in the written briefs.

(c)(5) The Family Court Judge to whom the case is assigned may remand the case to the Master for further review, may hear argument, or may conduct an evidentiary hearing.

[Pa.B. Doc. No. 07-432. Filed for public inspection March 16, 2007, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Irwin Jay Fredman having been disbarred by consent from the practice of law in the District of Columbia by Order of the District of Columbia Court of Appeals filed August 24, 2006, the Supreme Court of Pennsylvania issued an Order on March 2, 2007, disbaring Irwin Jay Fredman from the Bar of this Commonwealth, effective April 1, 2007. 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. 07-433. Filed for public inspection March 16, 2007, 9:00 a.m.]