

# THE COURTS

## Title 255—LOCAL COURT RULES

### BUCKS COUNTY

#### Order Amending Administrative Order No. 6; Regarding Implementation of Divorce Code of 1980; Doc No. 2007-30,000

##### Order of Court

*And Now*, this 23rd day of November, 2007, Bucks County Civil Division Administrative Order No. 6, Paragraph 10, is hereby amended to read in its entirety as follows:

10. Except as required by Federal or State statute, regulation, rule or other applicable authority, the social security numbers of the parties to an action shall not be included in the caption or any other portion of the complaint or other papers filed. Inclusion of the social security number of an opposing party in contravention of this Order may subject the offending party to sanctions.

All remaining provisions of Administrative Order No. 6 remain in full force and effect.

*By the Court*

DAVID W. HECKLER,  
*President Judge*

[Pa.B. Doc. No. 07-2302. Filed for public inspection December 14, 2007, 9:00 a.m.]

### LEHIGH COUNTY

#### Assessment of Costs for Regional Central Booking Center, No. AD-23-2007

*And Now*, this 21st day of November, 2007, it is *Hereby Ordered*:

(1) Effective January 7, 2008, every person convicted of violating § 3802 of the Vehicle Code (relating to driving under the influence of alcohol or controlled substance) and every person accepting Accelerated Rehabilitative Disposition (ARD) for said offense shall pay a fee of \$285, which fee shall be assessed as court costs. This fee shall be in addition to all other authorized costs and supervision fees and shall be for the purposes of reimbursement for the costs of processing, booking, testing and laboratory fees. The funds so collected shall be paid into the general fund of the County of Lehigh, but separately identified in the County's records so that the amounts collected during any given period can be readily determined.

(2) Effective immediately, every person processed through the Regional Central Booking Center (except those defendants charged with the offense of driving under the influence of alcohol or controlled substance under 75 Pa.C.S.A. § 3802, who shall remain liable for the costs as established in (1) hereof) and charged with a Misdemeanor or Felony offense and subsequently convicted or, accepted in a diversionary program such as Accelerated Rehabilitative Disposition (ARD) shall pay a fee of Two Hundred (\$200.00) Dollars, which fee shall be

assessed as court costs. This fee shall be in addition to all other authorized costs and supervision fees and shall be for the purposes of reimbursement for the costs of processing and booking and Video Preliminary Arraignment at the Regional Central Booking Center. The funds so collected shall be paid into the general fund of the County of Lehigh, but separately identified in the County's records so that the amounts collected during any given period can be readily determined.

*By the Court*

ALAN M. BLACK,  
*President Judge*

#### Assessment of Costs for Regional Central Booking Center

TO THE HONORABLE, THE PRESIDENT JUDGE OF SAID COURT:

*And Now Comes*, Your Petitioner, James B. Martin, District Attorney of Lehigh County, and respectfully represents:

1. That, he is the elected District Attorney of Lehigh County, Pennsylvania; and.

2. That, since 1998 a Central "DUI" Processing Center for persons suspected of driving after imbibing or driving under the influence of alcohol and/or drugs has been in operation in Lehigh County; and,

3. That, when the aforesaid Center began operation in 1998, Your Honorable Court approved a fee of \$120.00 per person processed to cover the expenses of the Center. At that time, the costs for testing blood was \$49.20 per person; and,

4. That, in 2001, Your Petitioner requested and received from Your Honorable Court authority to increase the processing fee to \$130.00 per person which request was partly predicated upon the fact that the costs for testing blood had increased to \$63.60 per person, an increase of \$14.40; and,

5. That the fee has remained the same, i.e. \$130.00 since 2001; and,

6. That in 2004, 1,499 suspects were processed through the Center. Of those, 1425 had blood tests; 74 refused the blood tests; and,

7. That the cost of operating the DUI Center in 2004 was \$238,282.00. The fees collected that year, at \$130 per suspect, amounted to \$194,870.00. Thus, the County of Lehigh subsidized the DUI Center to the extent of \$43,412, approximately 19% of the cost of the program during 2004; that in 2005 the cost of operating the DUI Center was in excess of \$212,000 and the fees collected were approximately \$160,000, a deficit of at least \$52,000, or a county subsidy of about 25%; and,

8. That the fee charged by Health Network Laboratories, L.P., has steadily increased over the years; was raised to \$66.15 in 2004; and for the 2005/2006 contract, was increased to \$73.15 per test; and,

9. That the laboratory fee for 2007 remains the same at \$73.15; and,

10. That in 2006, 1522 defendants were processed through the DUI Center; the expenses of said center were \$264,479, including laboratory fees of \$132,153, offset by revenues of \$170,092. Thus, the center operated at a deficit of \$94,387.

11. That for 2007 it is projected that 1600 defendants will be processed through the center; that total expenses will be in excess of \$270,000 offset by revenues of about \$185,000 for a deficit of at least \$85,000; (through October 31, 2007, collections amounted to \$171,365 and laboratory fees paid were \$124,965.)

12. That the County continues to subsidize said Center.

13. That it was always intended that the DUI Center would be self-sufficient and its costs covered by fees levied against defendants.

14. That the DUI Center will be merged into the Regional Central Booking Center which has been established in Lehigh County and is operational as of November 14, 2007; and,

15. That said merger will occur on or about January 7, 2008.

16. That said Regional Central Booking Center will process not only suspected drunk drivers but will also process all persons charged in Lehigh County with misdemeanor and felony offenses; and,

17. That your Honorable Court recently enacted an Administrative Order (No. AD-16-2007) on September 20, 2007, adopting a countywide Central Booking Center (CBC) Procedures Plan for said Regional Central Booking Center.

18. That said Regional Central Booking Center will include modern technology such as AFIS (Automated Fingerprint Identification System), and CPIN (Commonwealth Photo Imaging Network); and,

19. That said Regional Central Booking Center will have a positive impact upon public safety in Lehigh County; and,

20. That said Regional Central Booking Center will provide savings in manpower for municipal police jurisdictions within Lehigh County; and,

21. That said Regional Central Booking Center will provide video conferencing capability for preliminary Arraignments and, thereby, save Magisterial District Judges throughout Lehigh County and the court system great expense and, at the same time, provide greater security and enhanced public safety; and,

22. That said Regional Central Booking Center will provide the Court of Common Pleas with greater uniformity in the criminal justice system and speed the prosecution of criminal cases; and,

23. That the cost of processing defendants through the Regional Central Booking Center should be borne, to the extent fair and reasonable, by the defendants and not by the taxpayers; and,

24. That a fair and reasonable assessment is \$285 per defendant in DUI prosecutions because of the high cost of blood analysis and \$200 for all other defendants; and,

25. That such assessments will help offset operating expenses budgeted to be \$560,000 in 2008; and,

26. That your Honorable Court has the authority to impose said assessment.

Wherefore, your Petitioner, James B. Martin, District Attorney, respectfully prays that Your Honorable Court enter an Order imposing an assessment of Two Hundred Eighty-five (\$285) Dollars against every person processed through the Lehigh County DUI Center and convicted of violating § 3802 of the Vehicle Code (relating to driving under the influence of alcohol or controlled substance)

and every person accepting Accelerated Rehabilitative Disposition (ARD) for said offense, effective January 7, 2008; and, imposing an assessment of Two Hundred (\$200.00) Dollars against every person processed through the Lehigh County Regional Central Booking Center where said person has been convicted of any other Misdemeanor or Felony offense (other than under 75 Pa.CSA § 3802), or placed in the ARD program for such offense.

Respectfully submitted:

James B. Martin, District Attorney  
County of Lehigh, Office of District Attorney  
455 West Hamilton Street  
Allentown, PA 18101-1614  
I.D. No. 16576

#### VERIFICATION

I, JAMES B. MARTIN, District Attorney, certify that the statements made herein are true and correct to the best of my knowledge, information and belief, and satisfy the requirement of 18 Pa.C.S.A. § 4904 (Unsworn Falsification to Authorities).

JAMES B. MARTIN,  
*District Attorney*  
*I.D. No. 16576*

[Pa.B. Doc. No. 07-2303. Filed for public inspection December 14, 2007, 9:00 a.m.]

#### **SOMERSET COUNTY**

#### **Adopting Consolidated Rules of Court No. 56; Miscellaneous 2007**

#### **Adopting Order**

Now, this 30th day of October, 2007, it is hereby ordered:

1. The following designated Somerset County Rule of Civil Procedure 1018.1 (Som.R.C.P. 1018.1) Notice to Defend or Plead, a copy of which follows, is hereby adopted as a Rule of this Court, effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

2. The Somerset County Court Administrator is directed to:

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

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

C. File one (1) certified copy of this Order and the following Rule with the Pennsylvania Civil Procedural Rules Committee.

D. File proof of compliance with this Order in the docket for this Rule, which shall include a copy of each transmittal letter.

*By the Court*

JOHN M. CASCIO,  
*President Judge*

## RULES OF COURT

## Civil Procedure Action at Law

**Som.R.C.P. 1018.1. Notice to Defend or Plead**

The name, address and telephone number of the agency from whom legal help can be obtained, required to be included in the Notice to Defend by Pa.R.C.P. 1018.1, or by any other rule of court now or hereafter promulgated, shall be as follows:

Southwestern Pennsylvania Legal Services, Inc.  
218 North Kimberly Avenue  
Suite 101  
Somerset, PA 15501  
(814) 443-4615  
Fax (814) 444-0331

[Pa.B. Doc. No. 07-2304. Filed for public inspection December 14, 2007, 9:00 a.m.]

---

**DISCIPLINARY BOARD OF  
THE SUPREME COURT****Notice of Suspension**

Notice is hereby given that on December 3, 2007, under Rule 214(d)(2), Pa.R.D.E., the Supreme Court of Pennsylvania ordered that I. Lewis Libby, Jr., be placed on temporary suspension from the practice of law, effective January 2, 2008. 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. 07-2305. Filed for public inspection December 14, 2007, 9:00 a.m.]

---