

THE COURTS

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Philadelphia Municipal Court; Civil Division; Municipal Court Administrative Regulation 09-2; Notice to the Bar

Re: CLAIMS Electronic Filing System

The electronic filing of all civil trial activity from case initiation through post judgment proceedings by attorneys in the Philadelphia Municipal Court shall be mandatory effective Monday, March 2, 2009.

Attorneys are reminded that the manual for the use of the CLAIMS Electronic Filing System is available on the First Judicial District's web site (courts.phila.gov).

MARSHA H. NEIFIELD,
President Judge

BRADLEY K. MOSS,
*Supervising Judge
Civil Division*

[Pa.B. Doc. No. 09-403. Filed for public inspection March 6, 2009, 9:00 a.m.]

Title 255—LOCAL COURT RULES

FAYETTE COUNTY

Booking Center Processing Fee; Criminal Division; No. 1 AD 2009

Administrative Order

And Now, this 12th day of February 2009, it is Hereby Ordered, that the Court of Fayette County adopts a countywide Regional Booking Center (RBC) procedures plan as follows.

1. The Regional Booking Center (RBC) is to be located at the Uniontown Police Department.

2. The purpose of the RBC is to efficiently process defendants charged with criminal actions. The process shall include, but not limited to, fingerprinting, photographing and determining prior records of defendants being processed.

3. In all cases in which the defendant has been charged with an offense graded as a misdemeanor or greater, the defendant shall be required to appear either at the Pennsylvania State Police Barracks, if arrested by the member of the Pennsylvania State Police, or, if arrested by an arresting authority other than the Pennsylvania State Police at the Fayette County Regional Booking Center, (RBC), located in the Uniontown Police Department or at such other locations designated, in writing, by the President Judge of Fayette County Court of Common Pleas, for fingerprinting and processing.

4. Pursuant to 18 Pa.C.S.A. § 9112, an arresting authority shall be responsible for taking the fingerprints of

persons arrested for misdemeanors, felonies or summary offenses which become misdemeanors on a second arrest after conviction of that summary offense. The Regional Booking Center shall serve as the designated fingerprinting and processing site for all arresting authorities in Fayette County other than the Pennsylvania State Police. The State Police Barracks shall serve as the designated fingerprinting site for the Pennsylvania State Police.

5. In cases of private prosecutions, the defendant may only be fingerprinted and photographed after conviction of a misdemeanor, felony or summary offense which becomes a misdemeanor on a second arrest after conviction of that summary offense. An order shall be issued from the Court of Common Pleas after such conviction directing the defendant to report to the RBC to be fingerprinted and photographed.

6. In cases which proceed by issuance of a summons, the Magisterial District Judge presiding at the scheduled Preliminary Hearing shall order the defendant to submit to the RBC within five (5) days following the date of issuance of such order.

7. A booking fee of \$150.00 shall be assessed and collected by the Fayette County Clerk of Courts after sentencing upon conviction of or plea to a misdemeanor or felony offense or acceptance into the Accelerated Rehabilitative Disposition Program.

8. This fee will not apply to those defendants whose cases are dismissed by the Magisterial District Judge, withdrawn or nolle prossed by the Commonwealth or who enter a guilty plea to a summary offense at the time of the preliminary hearing.

9. The RBC shall also serve as a processing center for all parties required to be registered and processed under the provisions of 42 Pa.C.S.A. § 9791, et. seq., commonly known as "Megan's Law," pursuant to 42 Pa.C.S.A. § 95.2(d), if determined by the Pennsylvania State Police to be an "approved registration site" pursuant to 42 Pa.C.S.A. § 9799.1.

CONRAD B. CAPUZZI,
President Judge

[Pa.B. Doc. No. 09-404. Filed for public inspection March 6, 2009, 9:00 a.m.]

LEHIGH COUNTY

Assessment of Costs for Regional Central Booking Center; No. AD-2-2009

Administrative Order

And Now, this 17 day of February, 2009, it is hereby Ordered That:

1. Effective thirty (30) days after publication in the *Pennsylvania Bulletin*, every person convicted of violating Section 3802 of the Vehicle Code, 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) and every person admitted to Accelerated Rehabilitative Disposition (ARD) for said offense shall pay a fee of \$385, 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 purpose of reimbursement for the costs of operating the

Lehigh County Central Booking Center (other than costs for using two-way simultaneous audiovisual communication which are nonreimbursable under Pa.R.Crim.P. 118), but including 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 ascertained.

2. Effective thirty (30) days after publication in the *Pennsylvania Bulletin*, 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. § 3802, who are liable for the costs established in paragraph 1 of this Administrative Order, and charged with a misdemeanor or felony offense, and are subsequently convicted or admitted into a diversionary program such as Accelerated Rehabilitative Disposition (ARD) shall pay a fee of \$300.00, which fee shall be as court costs. This fee shall be in addition to all other authorized costs and supervision fees and shall be for the purpose of reimbursement for the costs of operating the Lehigh County Central Booking Center (other than costs for using two-way simultaneous audio-visual communication which are nonreimbursable under Pa.R.Crim.P. 118), but including the costs of processing and booking the defendant. 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 ascertained.

This Order Supersedes and Replaces the Administrative Order of November 21, 2008, filed to No. AD-23-207, and published in the *Pennsylvania Bulletin*, 37 Pa.B. 6513 (December 15, 2007), and shall apply to all defendants and cases in which disposition occurs on or after this Administrative Order becomes effective.

It Is Further Ordered That one (1) certified copy of this Order shall be filed by the Court Administrator of Lehigh County with the Administrative Office of Pennsylvania Courts; that two (2) certified copies and a computer diskette or CD-ROM copy that complies with the requirement of 1 Pa. Code § 13.11(b) shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Criminal Procedural Rules Committee, which Committee has certified to this court that this Administrative Order is not inconsistent with any general rule of the Supreme Court. Finally, it is ordered that Court Administrator of Lehigh County publish a copy of this Order on the Unified Judicial System's web site at ujsportal.pacourts.us/localrules/ruleselection.aspx.

By the Court

WILLIAM H. PLATT,
President Judge

[Pa.B. Doc. No. 09-405. Filed for public inspection March 6, 2009, 9:00 a.m.]

PIKE COUNTY
Legal Journal; No. 258-2009

Administrative Order

And Now, this 10th day of February, 2009, the Court hereby designates the *Pike County Legal Journal* as the legal publication for Pike County and all notices and special service required by Rule or Statute to appear in the legal journal of the County shall be published in the *Pike County Legal Journal*.

HONORABLE JOSEPH F. KAMEEN,
President Judge

[Pa.B. Doc. No. 09-406. Filed for public inspection March 6, 2009, 9:00 a.m.]
