

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

[ 204 PA. CODE CH. 83 ]

### Amendment of Pennsylvania Rules of Disciplinary Enforcement 205; No. 74; Disciplinary Rules; Doc. No. 1

#### Order

*Per Curiam:*

*And Now*, this 3rd day of April, 2009, Rule 205 of the Pennsylvania Rules of Disciplinary Enforcement is amended as follows.

This Order shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration. The amendments adopted hereby shall take effect immediately.

PATRICIA NICOLA,  
*Chief Clerk*  
*Supreme Court of Pennsylvania*

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

##### Subpart B. DISCIPLINARY ENFORCEMENT

#### CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

##### Subchapter B. MISCONDUCT

#### Rule 205. The Disciplinary Board of the Supreme Court of Pennsylvania.

(a) The Supreme Court shall appoint a board to be known as "The Disciplinary Board of the Supreme Court of Pennsylvania" which shall be composed of [ **fourteen (14)** ] **twelve** members of the Bar of this Commonwealth and two non-lawyer electors. One of the members shall be designated by the Court as Chair and another as Vice-Chair.

(b) The regular terms of members of the Board shall be for three years, and no member shall serve for more than two consecutive three-year terms. [ **The terms of one-third of the members of the Board, as nearly as may be, shall expire on April 1 of each year.** ] Except when acting under paragraph (c)(5), (7), (8) and (9) of this rule, the Board shall act only with the concurrence of not less than the lesser of:

(i) seven members, or

(ii) a majority of the members in office who are not disqualified from participating in the matter or proceeding.

Seven members shall constitute a quorum. The presence of members who are disqualified from participating in one or more matters to be considered at a meeting shall nonetheless be counted for purposes of determining the existence of a quorum for the consideration of all matters on the agenda.

\* \* \* \* \*

[Pa.B. Doc. No. 09-692. Filed for public inspection April 17, 2009, 9:00 a.m.]

[ 204 PA. CODE CH. 81 ]

### Amendment of Rule 1.15 of the Pennsylvania Rules of Professional Conduct; No. 73; Disciplinary Rules; Doc. No. 1

#### Order

*Per Curiam*

*And Now*, this 2nd day of April, 2009, it is hereby ordered that Rule 1.15 of the Pennsylvania Rules of Professional Conduct is amended as follows. The amendment shall be effective for the 2009-2010 assessment year and shall continue until further Order of this Court.

Pursuant to Rule 103(a) of the Pennsylvania Rules of Judicial Administration, the immediate amendment of Rule 1.15 of the Pennsylvania Rules of Professional Conduct is required in the interest of efficient administration.

This order shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration and shall be effective immediately.

PATRICIA NICOLA,  
*Chief Clerk*  
*Supreme Court of Pennsylvania*

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

##### Subpart A. PROFESSIONAL RESPONSIBILITY

#### CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

##### Subchapter A. RULES OF PROFESSIONAL CONDUCT

##### CLIENT-LAWYER RELATIONSHIP

#### Rule 1.15. Safekeeping Property.

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(u) Every attorney who is required to pay an active annual assessment under Rule 219 of the Pennsylvania Rules of Disciplinary Enforcement (relating to periodic assessment of attorneys; voluntary inactive status) shall pay an additional annual fee of \$25.00 for use by the IOLTA Board. Such additional assessment shall be added to, and collected with and in the same manner as, the basic annual assessment, but the statement mailed by the Attorney Registration Office pursuant to Rule 219 shall separately identify the additional assessment imposed pursuant to this subdivision. All amounts received pursuant to this subdivision shall be credited to the IOLTA Board.

\* \* \* \* \*

[Pa.B. Doc. No. 09-693. Filed for public inspection April 17, 2009, 9:00 a.m.]

## Title 237—JUVENILE RULES

### PART I. RULES

#### [ 237 PA. CODE CH. 16 ]

[Correction]

#### Proposed Amendments to Rule 1604

The text of proposed Rule 1604 (relating to submission of reports) should have been printed in bold face at 39 Pa.B. 1854 (April 11, 2009). Rule 1604 is a proposed court rule.

CYNTHIA K. STOLTZ, Esq.,  
*Chair*

[Pa.B. Doc. No. 09-665. Filed for public inspection April 10, 2009, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### WESTMORELAND COUNTY

#### Adoption of Booking Center Fee; Criminal No. 256 MD 2009

#### Order

*And Now This* 30th day of March 2009, upon recommendation of the Westmoreland County Criminal Justice Advisory Board, it is hereby *Ordered*, pursuant to Act 81 of 2008 that a booking center fee of \$50.00 per case be placed on all defendants:

1. placed on probation without verdict,
2. who receive Accelerated Rehabilitative Disposition for, plead guilty to or nolo contendere to or are convicted of a crime under the following:
  - a. 18 Pa.C.S. § 106(a) (relating to classes of offenses),
  - b. 75 Pa.C.S. § 3735 (relating to homicide by vehicle while driving under the influence),
  - c. 75 Pa.C.S. § 3802 (relating to driving under the influence of alcohol or controlled substance),
  - d. A violation of The Controlled Substance, Drug, Device and Cosmetic Act.

The booking center fee shall be paid to Westmoreland County through the Westmoreland County Clerk of Courts and deposited into a special regional center booking center fund established by the Westmoreland County Commissioners. Moneys in the fund shall be disbursed, pursuant to procedures promulgated by the Westmoreland County Board of Commissioners, and used solely for the implementation of a countywide booking center plan and the start-up, operation or maintenance of the regional booking centers.

This Order is effective on the first Monday following thirty days after publication in *The Pennsylvania Bulletin*.

*By the Court*

JOHN E. BLAHOVEC,  
*President Judge*

[Pa.B. Doc. No. 09-694. Filed for public inspection April 17, 2009, 9:00 a.m.]