

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT [ 204 PA. CODE CH. 85 ]

#### Amendments to Rules of Organization and Procedure of The Disciplinary Board of The Supreme Court of Pennsylvania

##### Order No. 70

In this Order, the Disciplinary Board (Board) of the Supreme Court of Pennsylvania is amending its Rules of Organization and Procedure to update the addresses of Chief Disciplinary Counsel, the Board's District III Office, and the Office of the Secretary. The Board is also taking this opportunity to update the other District Office addresses with the addition of the zip + 4 extensions for those locations.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(10), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Secretary of the Board shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect upon publication in the *Pennsylvania Bulletin*.

(4) This Order shall take effect immediately.

ELAINE M. BIXLER,  
*Secretary*

##### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

##### Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

##### CHAPTER 85. GENERAL PROVISIONS

#### § 85.5. Location of Office of Disciplinary Counsel.

(a) *Chief Disciplinary Counsel*. The location of the headquarters of the Office of Disciplinary Counsel and the office of the Chief Disciplinary Counsel is:

Office of Disciplinary Counsel  
The Disciplinary Board of the Supreme Court of  
Pennsylvania

[ Suite 1400

200 North Third Street ]

Pennsylvania Judicial Center

601 Commonwealth Avenue, Suite 2700

P. O. Box 62485

Harrisburg, PA [ 17101 ] 17106-2485

(717) 783-0990

(fax: (717[ - ]) 783-4963)

(b) *Disciplinary District Offices*. The present locations of the district offices of the Office of Disciplinary Counsel and the office of the Assistant Disciplinary Counsel for each such disciplinary district are:

(1) District I Office

Office of Disciplinary Counsel

The Disciplinary Board of the Supreme Court of  
Pennsylvania

16th Floor, Seven Penn Center

1635 Market Street

Philadelphia, [ Pennsylvania ] PA 19103-2202

(215) 560-6296

(fax: (215) 560-4528)

(2) District II Office

Office of Disciplinary Counsel

The Disciplinary Board of the Supreme Court of  
Pennsylvania

Suite 170

820 Adams Avenue

Trooper, PA 19403-2328

(610) 650-8210

(fax: (610[ - ]) 650-8213)

(3) District III Office

Office of Disciplinary Counsel

The Disciplinary Board of the Supreme Court of  
Pennsylvania

[ Second Floor

Two Lemoyne Drive

Lemoyne, Pennsylvania 17043

(717) 731-7083

(fax: (717) 731-7094) ]

100 Pine Street

Suite 400

Harrisburg, PA 17101-1228

(717) 772-8572

(fax: (717) 772-7463)

(4) District IV Office

Office of Disciplinary Counsel

The Disciplinary Board of the Supreme Court of  
Pennsylvania

Suite 1300, Frick Building

437 Grant Street

Pittsburgh, [ Pennsylvania ] PA 15219-6002

(412) 565-3173

(fax: (412) 565-7620)

#### § 85.6. Location of Office of the Secretary.

The location of the Office of the Secretary is:

Office of the Secretary

The Disciplinary Board of the Supreme Court of  
Pennsylvania

[ **First Floor**  
**Two Lemoyne Drive**  
**Lemoyne, Pennsylvania 17043**  
**(717) 731-7073**  
**(fax: (717) 731-7080) ]**

**Pennsylvania Judicial Center**  
**601 Commonwealth Avenue, Suite 5600**  
**P. O. Box 62625**  
**Harrisburg, PA 17106-2625**  
**(717) 231-3380**  
**(fax: (717) 231-3381)**

[Pa.B. Doc. No. 09-2142. Filed for public inspection November 20, 2009, 9:00 a.m.]

## **Title 25—LOCAL COURT RULES**

### **MONTGOMERY COUNTY**

#### **Offender Supervision Fee; No. AD 302-09**

##### **Administrative Order**

*And Now*, this 23rd day of October, 2009, pursuant to 18 P.S. § 11.1102, the Court hereby increases the Offender Supervision Fee from thirty-five (\$35) dollars per month to forty (\$40) dollars per month, assessed against all offenders placed on probation, parole, accelerated rehabilitative disposition, probation without verdict or intermediate punishment. Said increase is to be effective January 1, 2010, for those offenders sentenced on or after January 1, 2010. Offenders sentenced prior to the effective date of this increase and after January 1, 2009 will continue to be assessed a thirty-five (\$35) dollar per month Offender Supervision Fee. Offenders sentenced prior to January 1, 2009 will continue to be assessed a thirty (\$30) dollar per month Offender Supervision Fee.

The above fee is being charged in accordance with the Guidelines attached hereto.

*By the Court*

RICHARD J. HODGSON,  
*President Judge*

##### **Guidelines for the Collection of Offender Supervision Fees**

1. All offenders placed on probation, parole, intermediate punishment, ARD or Section 17 Probation without verdict shall be assessed \$40 for every month on probation, parole or intermediate punishment (I.P.) as a condition to be paid on a monthly basis, unless otherwise ordered. The \$35 fee will be assessed against the offenders sentenced on or after January 1, 2010. Offenders sentenced between January 1, 2009, and January 1, 2010, will continue to be assessed a \$35 per month offender supervision fee, pursuant to the Court's prior directive. Those offenders sentenced prior to January 1, 2009, will continue to be assessed at \$30 per month.

2. At time of sentencing, current legal residence shall be established and made part of the sentence sheet and/or record.

3. The Clerk of Courts shall establish a supervision fee collection account for all Montgomery County residents pursuant to 18 P.S. § 11.1102.

4. Out-of-county/state residents will be required to submit fines, costs and/or restitution payments to the Clerk of Courts on a monthly basis. Supervision fees shall be collected by the county/state of supervision.

5. When an offender is transferred into Montgomery County from another jurisdiction for supervision purposes, or has been an out-of-county case and moves into the county, supervision fees shall be established from the date the case is accepted for supervision.

6. Any cases placed under the supervision of the Pennsylvania Board of Probation and Parole shall pay the supervision fee to the Board in accordance with the Act. Any fines, costs or restitution ordered shall be paid through the Clerk of Courts.

7. Where an offender has multiple cases, supervision fees shall be assessed on each offender only once. The fee shall be assessed on the case with the longest period of supervision or the case which extends furthest into the future.

8. Any offender who enters inpatient drug, alcohol, medical or psychiatric treatment shall have their fees deferred until their release.

9. Any offenders committed to prison for probation, parole or I.P. violation shall have their supervision fees accrue until such time as the Court revokes said probation or parole. Upon reparole, supervision fees shall be re-computed and collected by the appropriate department.

10. Petitions of Hardship (inability to pay) shall be considered by the Chief Adult Probation Officer or his designee upon the offender's submission of supporting documentation and compliance with 18 P.S. § 11.1102(e)(2). Any recommendation of fee reduction or waiver shall be submitted to the Court for approval.

11. Failure to pay supervision fees as a condition of probation and/or parole, intermediate punishment, ARD or Section 17 probation without verdict shall be considered a technical violation of the conditions of sentence/order and may result in the revocation of said sentence/order.

[Pa.B. Doc. No. 09-2143. Filed for public inspection November 20, 2009, 9:00 a.m.]

## **DISCIPLINARY BOARD OF THE SUPREME COURT**

### **Notice of Suspension**

Notice is hereby given that Terri Y. Lea having been suspended from the practice of law in the District of Columbia for a period of 30 days by Opinion and Order of the District of Columbia Court of Appeals decided April 23, 2009, the Supreme Court of Pennsylvania issued an Order dated November 5, 2009, suspending Terri Y. Lea from the practice of law in this Commonwealth for a period of 30 days, effective December 5, 2009. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside 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. 09-2144. Filed for public inspection November 20, 2009, 9:00 a.m.]