

THE COURTS

Title 207—JUDICIAL CONDUCT

PART III. JUDICIAL CONDUCT BOARD
[207 PA. CODE CH. 115]
Proposed Amendment to Rule 25(A)(2)

At its February 7, 2011 meeting, the Judicial Conduct Board proposed to amend Rule 25(A)(2) of Chapter 115 of their Rules of Procedure. Interested persons are invited to submit written comments regarding this proposed amendment to:

Joseph A. Massa, Jr.
Chief Counsel
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue
P. O. Box 62525
Harrisburg, PA 17106

All commentary must be received within 30 days following publication of this proposed amendment in the *Pennsylvania Bulletin*.

Annex A

TITLE 207. JUDICIAL CONDUCT

PART III. JUDICIAL CONDUCT BOARD

CHAPTER 115. COMPLAINTS; SCREENING; PRELIMINARY BOARD ACTION

Rule 25. Complaint Preparation.

(A) When the Board receives information that a Judicial Officer may be subject to sanction pursuant to PA. CONST. Art. V, § 18, the Board shall refer the matter to Chief Counsel.

* * * * *

(2) [When the Board receives information from any other source, if Chief Counsel concludes that the matter should be investigated, Chief Counsel shall prepare a written complaint and notify the Board at its next periodic meeting.] Anonymous complaints in whatever form shall be entered into the Intake and Status Log. All such anonymous complaints must be presented to the Board for review and approval in advance of either opening a file or initiating a preliminary inquiry or investigation. If the source of the anonymous complaint is known, such information shall be recorded by Chief Counsel for purposes of any ensuing preliminary inquiry or investigation as well as for advising the complainant of the ultimate disposition of the Board.

[Pa.B. Doc. No. 11-412. Filed for public inspection March 11, 2011, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DAUPHIN COUNTY

Promulgation of Local Rules for Magisterial District Judges; No. 1998 CV 1793

Order

And Now, this 28th day of February, 2011, Dauphin County Magisterial District Judge Local Rule 104 is promulgated as follows:

Rule 104. Fees Incurred in Providing Public Access to Official Case Records of the Magisterial District Courts.

(a) Magisterial District Judges may charge a copy fee of \$0.25 per page.

(b) Magisterial District Judges may charge an additional hourly rate of \$5.00 per hour for staff time.

(c) Magisterial District Judges may charge for postage costs incurred in mailing out copies.

(d) Pre-payment of estimated costs for services may be required at the discretion of the Magisterial District Judge.

(e) Costs and fees paid are non-refundable.

(f) Costs and fees under this rule may be waived at the discretion of the Magisterial District Judge.

(g) Costs and fees collected shall be remitted to the County of Dauphin.

These amendments shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

TODD A. HOOVER,
President Judge

[Pa.B. Doc. No. 11-413. Filed for public inspection March 11, 2011, 9:00 a.m.]

FAYETTE COUNTY

Local Rule 117; Criminal Division; No. 1 AD 2011

Administrative Order

And Now, this 23rd day of February 2011, pursuant to Rule 105 of the Pennsylvania Rules of Criminal Procedure, it is hereby ordered that F.C. Crim. Rule 117 is hereby amended and adopted to read as follows,

The Clerk of Courts is directed as follows:

(1) One certified copy of the order and program shall be filed with the Administrative Office of Pennsylvania Courts.

(2) Two certified copies and diskette of the order and program and one copy of the written notification received from the Criminal Rules Committee shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One certified copy shall be sent to the Fayette County Law Library and the Editor of the *Fayette Legal Journal*.

The adoption of the Administrative Order shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin* and on the UJS Portal.

By the Court

GERALD R. SOLOMON,
President Judge

F.C. Crim. Rule 117

Coverage: Issuing Warrants: Preliminary Arraignments and Summary Trials: and Setting and Accepting Bail.

(A) All Magisterial District Judge Offices shall be open for regular business on Mondays through Fridays from 8:00 AM to 4:30 PM except on those dates established as court holidays. If a magisterial district judge is absent from his/her office during normal business hours, he/she shall arrange for coverage by another district judge of the fourteenth judicial district.

(B) After hours coverage shall be provided by a magisterial district judge, assigned on a rotational schedule, who shall have county-wide jurisdiction and who shall comply with the on-call schedule of the Fayette County Booking Center in providing services as set forth in Pa.R.Crim.P. No. 117(A)(2)(a), (b), (c), and (d).

(C) The On-call Magisterial District Judge shall be available for continuous coverage for the issuance of search warrants pursuant to Pa.R.Crim.P. No. 203, arrest warrants pursuant to Pa.R.Crim.P. No. 513, and emergency orders under the Protection from Abuse Act.

(D) At the discretion of the on-call magisterial district judge, court may be held after hours by advanced communication technology from the office of the magisterial district judge, or the residence of the Magisterial District Judge, or the Magisterial District Judge may report to the Fayette County Booking Center to hold court.

(E) In the event a magisterial district judge is needed after normal business hours for the issuance of a search or arrest warrant, protection from abuse petition, or other emergency matter, the "on call" magisterial district judge shall be notified by the Fayette County Booking Center.

(F) Magisterial District Judges, the Clerk of Courts and the Warden of the Fayette County Prison or his designee, are authorized to accept bail in accordance with the provisions, and subject to the limitations, of the Pennsylvania Rules of Criminal Procedure.

(G) Magisterial District Judges shall be available during normal business hours for all other business.

Adopted June 22, 2006, effective August 1, 2006, Amended February 23, 2011, effective 30 days after publication in the *Pennsylvania Bulletin*.

[Pa.B. Doc. No. 11-414. Filed for public inspection March 11, 2011, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Alan Benes Vlcek having been disbarred from the practice of law in the State of Florida by Order of the Supreme Court of Florida dated August 30, 2007, the Supreme Court of Pennsylvania issued an Order on February 24, 2011, disbaring Alan Benes Vlcek from the Bar of this Commonwealth, effective March 26, 2011. 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. 11-415. Filed for public inspection March 11, 2011, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Michael Joseph Kincade having been suspended from the practice of law in the State of Louisiana for a period of two years by Order of the Supreme Court of Louisiana dated June 16, 2010, the Supreme Court of Pennsylvania issued an Order dated February 24, 2011 suspending Michael Joseph Kincade from the practice of law in this Commonwealth for a period of two years. 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. 11-416. Filed for public inspection March 11, 2011, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Don Paul Koeneman, Jr., having been suspended on consent from the practice of law in the State of Illinois for a period of two years, with the suspension stayed after sixty days followed by a three-year period of probation subject to conditions, the Supreme Court of Pennsylvania issued an Order dated February 24, 2011 suspending Don Paul Koeneman, Jr., from the practice of law in this Commonwealth consistent with that imposed by the Supreme Court of Illinois by Order dated May 18, 2010. 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. 11-417. Filed for public inspection March 11, 2011, 9:00 a.m.]

THE COURTS

Notice of Suspension

Notice is hereby given that Harris Aaron Lowenthal having been suspended from the practice of law in the State of Florida for a total of 166 days by Orders of the Supreme Court of Florida dated November 9, 2000, and October 11, 2001, the Supreme Court of Pennsylvania issued an Order dated February 24, 2011 suspending Harris Aaron Lowenthal from the practice of law in this Commonwealth for a total of 166 days, effective March 26, 2011. 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. 11-418. Filed for public inspection March 11, 2011, 9:00 a.m.]
