

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CHS. 3, 9, 17 AND 19]

Proposed Amendments to Rules of Appellate Procedure 341, 903, 904, 1701 and 1931

The Appellate Court Procedural Rules Committee proposes to amend Pennsylvania Rules of Appellate Procedure 341, 903, 904, 1701 and 1931. These amendments are being submitted for public comments and suggestions prior to their submission to the Supreme Court.

Proposed new material is bold while deleted material is bracketed and bold.

All communications in reference to the proposed amendment should be sent no later than Oct 4, 2011 to:

Dean R. Phillips, Counsel
D. Alicia Hickok, Deputy Counsel
Scot R. Withers, Deputy Counsel
Appellate Court Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Ave., Suite 6200
PO Box 62635
Harrisburg, PA 17106-2635
or Fax to 717-231-9551
or E-Mail to appellaterules@pacourts.us

An Explanatory Comment precedes the proposed amendment and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

*By the Appellate Court
Procedural Rules Committee*

HONORABLE RENÉE COHN JUBELIRER,
Chair

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 3. ORDERS FROM WHICH APPEALS MAY BE TAKEN

FINAL ORDERS

Rule 341. Final Orders; Generally.

* * * * *

Explanatory Comment—2011

Under the Pennsylvania Rules of Civil Procedure, once post-trial motions are determined or deemed denied, there is a final and appealable order. Despite the language in Pa.R.C.P. No. 227.4(1)(b) (“A judgment entered pursuant to this subparagraph shall be final as to all parties and all issues and shall not be subject to reconsideration”), trial courts do in fact leave issues unresolved at the time they determine post-trial motions, and the Supreme Court has recognized that when the trial court finally does resolve those issues, the trial court has

effectively issued a second (or subsequent) final order. *See Miller Electric Co. v. DeWeese*, 589 Pa. 167, 907 A.2d 1051 (2006). Moreover, there are times when parties file requests for relief in the trial court after an appeal has been taken. By entering a final order that disposes of all claims and all parties—whether upon post-trial motions, preliminary objections, judgment on the pleadings or summary judgment—a trial court has been divested of jurisdiction to resolve any matters on that docket except (a) ministerial corrections or (b) matters necessary to give effect to the already-entered orders, e.g., contempt. *See Pa.R.A.P. 1701*. As a result, pending or subsequent motions for attorneys’ fees would need to languish in the trial court until the case is remanded to it. Under the procedure set forth in Rule 1701(b)(5), if an appellate court determines that it will promote fairness or judicial economy to consider the matters on appeal together with any matters that are pending in the trial court, the appellate court may remand for resolution of those matters while retaining jurisdiction over the initial appeal.

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 9. APPEALS FROM LOWER COURTS

Rule 903. Time for Appeal.

* * * * *

Explanatory Comment—2011

If an appellate court has remanded to a trial court with directions for a trial court to resolve an issue that remained unresolved at the time an appeal was taken or that was raised to the trial court after the appeal was taken, a new notice of appeal needs to be filed within 30 days of the entry of the trial court’s order resolving the outstanding issue. As an example, a trial court may have ruled on post-trial motions without determining attorneys’ fees. While the judgment became final (and thus an appeal had to be taken in order to be timely) at the time the post-trial motions were ruled on (or deemed denied), the appellate court may conclude that it serves the interests of fairness or judicial economy to resolve any questions resulting from an award or denial of an award of attorneys’ fees at the same time. If so, the appellate court will remand so that the trial court can determine the attorneys’ fees, but it will not relinquish jurisdiction over the original appeal. Any (or all) parties may be aggrieved by the order on attorneys’ fees. In order for the appellate court to hear an appeal of the order on attorneys’ fees, the party(ies) aggrieved must file new notice(s) of appeal.

Rule 904. Content of the Notice of Appeal.

* * * * *

(d) *Docket [entry] entries.*—The notice of appeal shall include a statement that the order appealed from has been entered in the docket and it shall identify any motions or other requests for relief that are still pending in the trial court. A copy of the docket [entry] entries showing the entry of the order appealed from and the pending requests for relief shall be attached to the notice of appeal.

* * * * *

CHAPTER 17. EFFECT OF APPEALS;
SUPERSEDEAS AND STAYS

IN GENERAL

Rule 1701. Effect of Appeal Generally.

(a) *General rule.*—Except as otherwise prescribed by these rules, after an appeal is taken or review of a quasijudicial order is sought, the trial court or other government unit may no longer proceed further in the matter. As a result, if a party has an unresolved request for relief pending in the trial court, or if a party files for relief once a notice of appeal has been filed from an order that disposes of all claims and all parties, the trial court has no authority to resolve those requests unless they come within the exceptions provided for in this rule or as permitted by 42 Pa.C.S. § 5505 (related to modification of orders), and any order issued by a trial court that is not within those exceptions is null and void.

(b) *Authority of a trial court or agency after appeal.*—After an appeal is taken or review of a quasijudicial order is sought, the trial court or other government unit may:

* * * * *

(2) Enforce any order entered in the matter, unless the effect of the order has been superseded as prescribed in this chapter. **The authority to enforce an order permits a trial court to enter sanctions for conduct arising after entry of judgment.**

* * * * *

(5) Take any action directed or authorized [on application] by the appellate court. **If an appellate court remands so that the trial court can consider an unresolved request for relief in the trial court, the trial court's order resolving that request for relief must also inform the parties that, if any party(ies) are aggrieved by that order, a notice of appeal from that order must be filed within 30 days after the entry of the order on the docket.**

* * * * *

Official Note: The following statutory provisions relate to supersedeas generally:

* * * * *

Under the 1996 amendments to the Rules of Criminal Procedure governing post-sentence practice, see Pa.R.Crim.P. 720 and 721, reconsideration of a decision on a defendant's post-sentence motion or on a Commonwealth motion to modify sentence must take place within the time limits set by those rules, and the judge may not vacate sentence or "grant reconsideration" pursuant to subdivision (b)(3) in order to extend the time limits for disposition of those motions. The amendments to Pa.R.Crim.P. 720 and new Pa.R.Crim.P. 721 resolve questions raised about the interplay between this subdivision and post-trial criminal practice. *See, e.g., Commonwealth v. Corson*, 444 A.2d 170 (Pa. Super, 1982).

Subdivision (a) provides that, when an appeal is taken from a final order that disposes of all claims and of all parties the trial court is divested of jurisdiction to act on a variety of motions that may remain pending, including those seeking relief such as non-contractual prejudgment interest, costs, delay damages or attorneys' fees and costs. When any such motions would remain pending after an appeal from a final judgment, Rule 904(d) requires that those motions be identified in the notice of

appeal so that the appellate court has notice that they are still pending. The appellate court can then decide whether to proceed with the appeal or to remand to the trial court for resolution of any pending motions while retaining jurisdiction. Contractual prejudgment interest is excepted from the general rule that a notice of appeal from a final judgment divests the trial court of jurisdiction because such interest is a legal right and the correction of the judgment is correction of a formal error in the papers and is thus within the scope of subdivision (b)(1). *Fernandez v. Levin*, 519 Pa. 375, 379-80, 548 A.2d 1191, 1193 (1988); *Metro. Edison Co. v. Old Home Manor, Inc.*, 334 Pa. Super. 25, 30-32, 482 A.2d 1062, 1064-1065 (1988). The trial court is not divested of jurisdiction when appealed orders are interlocutory or collateral and thus do not dispose of all claims and of all parties. Nonetheless, in such cases, Rule 1701(c) may still restrict the issues as to which the trial court may act. The 2011 amendment to Rule 1701 could lead to a different result in *Miller Electric Co. v. DeWeese*, 589 Pa. 167, 907 A.2d 1051 (2006) and cases that followed that decision, such as *Old Forge School District v. Highmark, Inc.*, 592 Pa. 307, 317, 924 A.2d 1205, 1211 (2007), because under the Rule as amended, a trial court could not decide attorneys' fees while the underlying case was on appeal unless the appellate court had issued a limited remand for that purpose.

CHAPTER 19. PREPARATION AND
TRANSMISSION OF RECORD AND RELATED
MATTERS

RECORD ON APPEAL FROM LOWER COURT

Rule 1931. Transmission of the Record.

* * * * *

(d) *Service of the list of record documents.*—[**The**] **When the record is sent to the appellate court, the clerk of the lower court shall [, at the time of the transmittal of the record to the appellate court, mail] send a copy of the list of record documents to all counsel of record, or if unrepresented by counsel, to the parties at the address they have provided to the clerk. The clerk shall note on the docket the giving of such notice.**

(e) *Multiple or already pending appeals.*—[**Where more than one appeal is taken from the same order, it shall be sufficient to transmit a single record, without duplication.] If the trial court sends the record to an appellate court and further notices of appeal have been or are filed while the appeal is pending, the trial court does not need to replicate the record transmitted pursuant to the first notice of appeal. Only the record postdating the first transmission needs to be sent.**

EXPLANATORY COMMENT

The Appellate Court Procedural Rules Committee proposes to amend Pennsylvania Rules of Appellate Procedure 341, 903, 904, 1701 and 1931. Under the Pennsylvania Rules of Civil Procedure, once post-trial motions are determined or deemed denied, there is a final and appealable order. Despite the language in Pa.R.C.P. No. 227.4(1)(b) ("A judgment entered pursuant to this subparagraph shall be final as to all parties and all issues and shall not be subject to reconsideration"), trial courts do in fact leave issues unresolved at the time they determine post-trial motions, and the Supreme Court has

recognized that when the trial court finally does resolve those issues, the trial court has effectively issued a second (or subsequent) final order. *See Miller Electric Co. v. DeWeese*, 589 Pa. 167, 907 A.2d 1051 (2006). The same possibility of multiple final orders exists if a trial court grants preliminary objections, judgment on the pleadings, or summary judgment.

In addition to motions pending when a notice of appeal is filed, parties at times file requests for relief in the trial court after an appeal has been taken. Unless the request is for a ministerial correction to the judgment or is asking the trial court to enforce or otherwise ensure that effect is given to already-entered orders (such as by entering an order of contempt), the trial court is without jurisdiction to act on pending or newly-filed requests for relief, unless the appellate court expressly remands for the court to consider such motions. *See Pa.R.A.P. 1701*. As a result, pending or subsequent motions for—for example—attorneys' fees would need to languish in the trial court until the case is remanded to it. Under the procedure set forth in Rule 1701(b)(5), however, if an appellate court determines that it will promote fairness or judicial economy to consider the matters on appeal together with any matters that are pending in the trial court, the appellate court may remand for resolution of those matters while retaining jurisdiction over the initial appeal. These amendments are designed to clarify this procedure and to ensure that the appellate court has notice of outstanding requests for relief, because, obviously, an appellate court cannot remand for determination of a request for relief it does not know exists.

Suggested new language is bold; suggested deletions are bold and in brackets.

[Pa.B. Doc. No. 11-1417. Filed for public inspection August 19, 2011, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1910]

Amendment of Rule 1910.16-4 of the Rules of Civil Procedure; No. 547 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 3rd day of August, 2011, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 41 Pa.Bull. 1618 (March 26, 2011) and *West's Pennsylvania Reporter*, 13 A.3d No. 2 (April 1, 2011):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1910.16-4 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.16-4. Support Guidelines. Calculation of Support Obligation. Formula.

* * * * *

(d) *Divided or Split Physical Custody When Each Party Has Primary Custody of One or More of the Children. Varied Custodial Schedules.*

(1) *Divided or Split Physical Custody When Each Party Has Primary Custody of One or More of the Children.* When calculating a child support obligation, and one or more of the children reside **primarily** with each party, the court shall offset the parties' respective child support obligations and award the net difference to the obligee as child support. For example, if the parties have three children, one of whom resides with Father and two of whom reside with Mother, and their net monthly incomes are \$2,500 and \$1,250 respectively, Father's child support obligation is calculated as follows. Using the schedule in Rule 1910.16-3 for two children at the parties' combined net monthly income of \$3,750, the amount of basic child support to be apportioned between the parties is \$1,190. As Father's income is 67% of the parties' combined net monthly income, Father's support obligation for the two children living with Mother is \$797. Using the schedule in Rule 1910.16-3 for one child, Mother's support obligation for the child living with Father is \$273. Subtracting \$273 from \$797 produces a net basic support amount of \$524 payable to Mother as child support.

[(2)] (A) When calculating a combined child support and spousal or alimony pendente lite obligation, and one or more children reside with each party, the court shall, except as set forth in subdivision (3) below, offset the obligor's spousal and child support obligation with the obligee's child support obligation and award the net difference to the obligee as spousal and child support.

[(3)] (B) When one or more of the children resides with each party and the obligee's net income is 10% or less of the parties' combined net monthly income, then, in calculating the spousal support or alimony pendente lite obligation, the court shall deduct from the obligor's income both the support owed for the child or children residing with the obligee, as well as the direct support the obligor provides to the child or children living with the obligor, calculated in accordance with the guidelines as if the child or children were not living with the obligor.

(2) *Varied Custodial Schedules.* When the parties have more than one child and each child spends different amounts of partial or shared custodial time with the obligor, the trier of fact shall add the percentage of time each child spends with the obligor and divide by the number of children to determine the obligor's percentage of custodial time. If the average percentage of time the children spend with the obligor is 40% or more, the provisions of subdivision (c) above apply.

Example 1. The parties have two children and one child spends 50% of the time with the obligor and another spends 20% of the time with the obligor. Add those percentages together and divide by the number of children (50% plus 20% = 70% divided by 2 children = 35% average of the time with the obligor). Pursuant to subdivision (c), the obligor

does not receive a reduction in the support order for substantial parenting time.

Example 2. The parties have three children. Two children spend 50% of the time with the obligor and the third child spends 30% of the time with the obligor. Add the percentages of custodial time for all three children together and divide by the number of children (50% plus 50% plus 30% = 130% divided by three children = 43.33% average percentage of time with the obligor). Pursuant to subdivision (c), the obligor receives a reduction in the support order for substantial parenting time.

Official Note: In cases with more than one child and varied partial or shared custodial schedules, it is not appropriate to perform a separate calculation for each child and offset support amounts as that method does not consider the incremental increases in support for more than one child built into the schedule of basic child support.

* * * * *

[Pa.B. Doc. No. 11-1418. Filed for public inspection August 19, 2011, 9:00 a.m.]

Title 255—LOCAL COURT RULES

FRANKLIN AND FULTON COUNTIES

Adoption of Local Rules of Juvenile Procedure; No. CP-28-AD-64-2011

Order of Court

And Now this 27th day of August, 2011, *It Is Hereby Ordered* that the following Rules of the Court of Common Pleas of the 39th Judicial District of Pennsylvania, Franklin and Fulton County Branches, Juvenile Division, are adopted as indicated on this date, to be effective upon publication on the Pennsylvania Judiciary's Web Application Portal:

Local Rules of Juvenile Procedure 120, 120, 210 shall read as follows.

It Is Further Ordered that the District Court Administrator shall:

1. Transmit a copy of this order and the foregoing rules to the Juvenile Court Procedural Rules Committee for transmittal to the Administrative Office of Pennsylvania Courts (AOPC) for publication on the Pennsylvania Judiciary's Web Application Portal.

2. Distribute two (2) certified paper copies and one (1) computer diskette or CD-ROM copy to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Provide one (1) certified copy of the Local Rules to the Franklin County Law Library and one (1) certified copy to the Fulton County Law Library.

4. Keep such local rules, as well as all local juvenile rules, continuously available for public inspection and copying in the Office of the Clerk of Courts of Franklin County and the Office of the Clerk of Courts of Fulton County. Upon request and payment of reasonable costs of reproduction and mailing, the Clerk shall furnish to any person a copy of any local rule.

5. Arrange to have the local rules published on the Franklin County Bar Association web site at www.franklinbar.org.

By the Court

DOUGLAS W. HERMAN,
President Judge

Rule 39-100. Scope of Rules.

Except where specifically limited to the Franklin County Branch or the Fulton County Branch, these rules shall govern juvenile court procedures in the Court of Common Pleas of both branches of the 39th Judicial District of Pennsylvania, and shall be cited as 39th Jud. Dist. R.J.C.P. ____.

Rule 39-120. Definitions.

The following words and phrases, when used in any Rule of Juvenile Procedure, shall have the following meanings:

Issuing authority is any public official having the power and authority of a Magisterial District Judge or a Judge of the Court of Common Pleas of the 39th Judicial District.

Rule 39-210. Arrest Warrants.

A. *Application.* The Court hereby designates the Magisterial District Judges of the 39th Jud. Dist. As issuing authorities pursuant to Pa.R.J.C.P. 210(A) with authority to issue arrest warrants pursuant to the procedures set in Pa.R.J.C.P. rules 210 through 213. An application for an arrest warrant shall be made by submitting a written allegation supported by a probable cause affidavit with an issuing authority.

B. *Continuous coverage.* To ensure sufficient availability of issuing authorities to provide the services required by this rule:

1. In both branches of the 39th Judicial District of Pennsylvania, all Magisterial District Judge offices shall be open for regular business on Mondays through Fridays, excluding holidays, from 8:30 a.m. to 4:30 p.m., prevailing time.

2. Magisterial District Judges shall be available twenty-four hours per day, every day of the calendar year, to provide continuous coverage for the issuance of arrest warrants pursuant to this rule. The Magisterial Judges shall satisfy this rule by remaining "on-call" during non-regular business hours on a rotating basis pursuant to a schedule prepared by the District Court Administrator and approved by the President Judge. The "on-call" schedule for each year shall be filed with the Clerk of Courts and be available for public inspection, as well as distributed and publicized pursuant to the order of the President Judge.

3. This designation of Magisterial District Judges as issuing authorities pursuant to Rule 210(A) of the Pa.R.J.C.P. does not supplant but is in addition to the authority of the President Judge and the other Judges of the Court of Common Pleas to issue warrants pursuant to Pa.R.J.C.P. 210(A) as may be necessary.

Comments: The purpose of this rule is carry out the requirements of Pa.R.J.C.P. 210(A) which requires, the "president judge shall ensure twenty-four hour availability of a designated issuing authority."

This rule is intended to supplement the duties of the "on-call" magistrate as delineated by 39th Jud. Dist. R.

Crim. P. 117. The "on-call" magistrate shall be charged with carrying out the requirements of this rule and 39th Jud. Dist. R. Crim. P. 117.

[Pa.B. Doc. No. 11-1419. Filed for public inspection August 19, 2011, 9:00 a.m.]

MERCER COUNTY

Administrative Orders No. 2 A.D. 2011 and No. 3 A.D. 2011; No. 181 M.D. 2011

Order

And Now, this 3rd day of August, 2011, the Court Hereby Approves, Adopts and Promulgates Mercer County Administrative Order #2 A.D. 2011 and Administrative Order #3 A.D. 2011, effective thirty (30) days after the date of publication of these Orders in the *Pennsylvania Bulletin* pursuant to Rule 103(c) of the Pennsylvania Rules of Judicial Procedure.

It is also *Ordered and Directed* that the Court Administrator of Mercer County shall file one (1) certified copy of these Orders with the Administrative Office of Pennsylvania Courts, furnish two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and file one certified copy with the Juvenile Court Procedural Rules Committee.

It is further *Ordered and Directed* that Local Rules shall be kept continuously available for public inspection and copying in the Office of the Prothonotary of Mercer County. Upon request and payment of reasonable costs of reproduction and mailing, the Prothonotary shall furnish to any person a copy of the Local Rules.

A copy of this Administrative Order shall be published in the *Mercer County Law Journal*.

By the Court

FRANCIS J. FORNELLI,
President Judge

[Pa.B. Doc. No. 11-1420. Filed for public inspection August 19, 2011, 9:00 a.m.]

MERCER COUNTY

Appointment of Court Administrator as Designee to Receive Reports in Juvenile Matters; No. 3 A.D. 2011

Administrative Order

And Now, July 18, 2011, pursuant to R.Juv.P. 1604, *It Is Ordered and Decreed* that the Court Administrator of the Courts of Common Pleas of the 35th Judicial District (Mercer County), is the designee to receive reports from foster parents, preadoptive parents or a relative providing care for a child. The Court Administrator shall then disseminate copies of those reports to the respective juvenile agency, to all attorneys of record and unrepresented parties to the proceeding.

By the Court

FRANCIS J. FORNELLI,
President Judge

[Pa.B. Doc. No. 11-1421. Filed for public inspection August 19, 2011, 9:00 a.m.]

MERCER COUNTY

Appointment of Educational Decision Maker; No. 2 A.D. 2011

Administrative Order

And Now, July 18, 2011, pursuant to Rules of Juvenile Procedure 120, 147, 1120 and 1147, K. Jennifer Muir, Esquire, is appointed as the Educational Decision Maker when a juvenile has no guardian or the Court has limited the guardian's right to make such decisions for the juvenile. The Educational Decision Maker shall act as the juvenile's representative concerning all matters regarding education in dependency and delinquency proceedings when the juvenile has no guardian or the Court has limited the guardian's right to make such decisions for the juvenile.

The Educational Decision Maker shall act as the juvenile's representative concerning all matters regarding education, provided, however, where the educational decision maker and Children & Youth Services or Juvenile Probation disagree as to the appropriate educational decision, the Judge handling that juvenile's case shall make the final education decision thereon.

By the Court

FRANCIS J. FORNELLI,
President Judge

[Pa.B. Doc. No. 11-1422. Filed for public inspection August 19, 2011, 9:00 a.m.]

SNYDER COUNTY

Administrative Fee; No. CP-55-AD-0000006-2011

Order

And Now, this 12th day of July, 2011, it is hereby *Ordered and Directed* that the Court of Common Pleas of Snyder County, Pennsylvania, adopts an Administrative fee of thirty dollars (\$30.00) for all Criminal Cases. This Administrative fee will apply to all Juvenile and Adult defendants. This fee is authorized by 42 Pa.C.S.A. 9728(g).

1. This fee is effective thirty (30) days after the date of publication of this Rule in the *Pennsylvania Bulletin*, pursuant to Rule 105 of the Pennsylvania Rules of Criminal Procedure.

2. The Administration fee of thirty dollars (\$30.00) shall be collected by the Snyder County Clerk of Courts after a defendant is sentenced. This fee is in addition to all other authorized fines, costs and supervision fees legally assessed.

By the Court

MICHAEL H. SHOLLEY,
President Judge

[Pa.B. Doc. No. 11-1423. Filed for public inspection August 19, 2011, 9:00 a.m.]

SNYDER COUNTY

Administrative Fee; No. CP-55-AD-0000007-2011

Order

And Now, this 12th day of July, 2011, the court hereby Approves, Adopts and Promulgates Snyder County Admin-

istrative Order CP-55-AD-0000006-2011, effective thirty (30) days after the date of publication of this Rule in the *Pennsylvania Bulletin*, pursuant to Rule 105 of the Pennsylvania Rules of Criminal Procedure.

The Court Administrator of the 17th Judicial District is ordered and directed to do the following:

1. File seven (7) certified copies of this Order and Administrative Order CP-55-AD-0000006-2011 with the Administrative Office of Pennsylvania Courts.

2. Furnish two (2) certified copies of this Order and Administrative Order CP-55-AD-0000006-2011 and a computer diskette to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* for publication.

3. File one (1) certified copy of this Order and Administrative Order CP-55-AD-0000006-2011 with the Criminal Rules Committee.

By the Court

MICHAEL H. SHOLLEY,
President Judge

[Pa.B. Doc. No. 11-1424. Filed for public inspection August 19, 2011, 9:00 a.m.]

SNYDER COUNTY

Reinstatement of the Case Management Fee for Adults on Probation; No. CP-55-AD-0000008-2011

Order

And Now, this 2nd day of August, 2011, it is hereby *Ordered and Directed* that the Court of Common Pleas of Snyder County, Pennsylvania, adopts the reinstatement of the Case Management fee for Adults, eighteen (18) and older, placed upon Probation. This fee will consist of a ten dollars (\$10) a month fee for all active defendants on Probation whose case is being managed by the Snyder County Probation Department. This fee is authorized by 18 P. S. § 11.1102(c).

1. This fee is effective thirty (30) days after the date of publication of this Rule in the *Pennsylvania Bulletin*, pursuant to Rule 105 of the Pennsylvania Rules of Criminal Procedure.

2. The Case Management fee of ten dollars (\$10.00) a month shall be collected by the Snyder County Clerk of Courts after a defendant is sentenced to Probation. This fee is in addition to all other authorized fines, costs and supervision fees legally assessed.

By the Court

MICHAEL H. SHOLLEY,
President Judge

[Pa.B. Doc. No. 11-1425. Filed for public inspection August 19, 2011, 9:00 a.m.]

SNYDER COUNTY

Reinstatement of the Case Management Fee for Adults on Probation; No. CP-55-AD-0000009-2011

Order

And Now, this 2nd day of August, 2011, the court hereby *Approves, Adopts and Promulgates* Snyder County Administrative Order CP-55-AD-0000008-2011, effective thirty (30) days after the date of publication of this Rule in the *Pennsylvania Bulletin*, pursuant to Rule 105 of the Pennsylvania Rules of Criminal Procedure.

The Court Administrator of the 17th Judicial District is ordered and directed to do the following:

1. File seven (7) certified copies of this Order and Administrative Order CP-55-AD-0000008-2011 with the Administrative Office of Pennsylvania Courts.

2. Furnish two (2) certified copies of this Order and Administrative Order CP-55-AD-0000008-2011 and a computer diskette to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* for publication.

3. File one (1) certified copy of this Order and Administrative Order CP-55-AD-0000008-2011 with the Criminal Rules Committee.

By the Court

MICHAEL H. SHOLLEY,
President Judge

[Pa.B. Doc. No. 11-1426. Filed for public inspection August 19, 2011, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Parrish Blake Stanton having been suspended from the practice of law in the State of Tennessee for a period of 18 months by Order of Enforcement of the Supreme Court of Tennessee dated October 14, 2010, the Supreme Court of Pennsylvania issued an Order dated August 2, 2011 suspending Parrish Blake Stanton from the practice of law in this Commonwealth for a period of 18 months, effective September 1, 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. 11-1427. Filed for public inspection August 19, 2011, 9:00 a.m.]