

THE COURTS

Title 255—LOCAL COURT RULES

CARBON COUNTY

Adoption of Orphans' Court Local Rule O.C.R.15.5(c) Adoption; No. 12-9020

Administrative Order 8-2012

And Now, this 27th day of January, 2012, in order to implement a procedure for investigations in adoption petitions, it is hereby

Ordered and Decried that, effective March 1, 2012, Carbon County Orphans Court Rule CARB.Co.O.C.R. 15.5(c) governing investigations in Petitions for Adoption be and is hereby Adopted as follows.

1. File seven (7) certified copies of this Administrative Order and Local Rule with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies and one (1) computer diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Orphans Court Procedural Rules Committee.

4. Forward one (1) copy for publication in the *Carbon County Law Journal*.

5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of the Administrative Order and Local Rule in the Register of Wills/Orphans Court Office.

By the Court

ROGER N. NANOVIC,
President Judge

Rule 15.5(c). Adoption.

(c) Investigation

Intra-Family Adoptions. If no Report of Intention to Adopt is required by 23 Pa.C.S.A. § 2531, prior to hearing on the Petition for Adoption, Petitioner shall obtain and file with the Court with respect to each prospective adoptive parent and any individual over 18 years of age residing in the home (excluding a biological parent whose parental rights have not been previously terminated), the information described and identified in 23 Pa.C.S.A § 6344(b).

[Pa.B. Doc. No. 12-222. Filed for public inspection February 10, 2012, 9:00 a.m.]

FAYETTE COUNTY

Administrative Order: Fayette County Youth Commission Program; No. CP-26-AD-0000001-2012

Administrative Order

And Now, this 25th day of January, 2012, it is hereby Ordered and Directed that the Fayette County Youth Commission Program is adopted 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 Juvenile Court Procedural 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 Juvenile Court Restitution Fund 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

Fayette County Youth Commission Program

Program History and Description

The Fayette County Youth Commission (Youth Commission) is a diversionary program established by the Fayette County Juvenile Court (Court) in January 1996. The Youth Commission is a Court approved program and is authorized to provide guidance and supervision to children under the supervision of the Juvenile Court whose dispositions are consistent with 18 Pa.C.S. Section 6323, Informal Adjustment and 42 Pa.C.S. Section 6340 Consent Decree.

The Youth Commission is comprised of residents of Fayette County who have agreed to volunteer their time in order to provide guidance and supervision to alleged delinquent children and who are eligible for supervision through the Youth Commission Program.

In addition to an unspecified and changing number of volunteers the Youth Commission is staffed by a Juvenile Probation Officer who has been designated at the "Youth Commission Coordinator" (YC Coordinator). The YC Coordinator acts as the liaison between the Court, Juvenile Probation Office and the Youth Commission. The YC Coordinator is authorized to allocate up to one third (1/3) of their time, or not more than 12.5 hours per week, to the overall operation of the Youth Commission.

The Youth Commission falls under the direct supervision of the Chief Juvenile Probation Officer or his designate.

Definitions

For the purpose of this document the following words and phrases will be defined as follows:

Child: The individual who is alleged to have committed a delinquent act and who is the object of the proceedings before the Court.

CJPO: Chief Juvenile Probation Officer

County: Fayette County Board of Commissioners and all entities of the County of Fayette

Court: Court of Common Pleas of Fayette County, Pennsylvania including the Juvenile Division of said Court.

CPO: Community Probation Officer

Juvenile Probation: Fayette County Juvenile Probation Office

Parent: To include the mother, father, grandparents, guardians, foster parents of the child who is the object of the proceedings before the Court.

YC Coordinator: Juvenile Probation Officer on staff who is assigned to supervise the Youth Commission Program and act as the liaison between the Court, Juvenile Probation Office, and Youth Commission

YLS: Youth Level of Service Assessment Instrument

Youth Commission: Fayette County Youth Commission Program

Program Principals

The Youth Commission will operate with the following principals as its guide:

1. To provide the Court with a viable dispositional alternative for minor delinquent offenders who, based upon the YLS, should be supervised by a community based group as opposed to traditional Juvenile Probation supervision while at the same time holding the child accountable for their delinquent behavior;

2. To provide community members with the opportunity to engage in a constructive activity with the hopes of positively impacting the lives of young persons who reside in the same community with the ultimate goal of reducing delinquent behavior and therefore improving the overall safety and quality of life in that community;

3. To link children with in a community with natural supports that will last well into adulthood and therefore serve as a long term positive influence.

Legislative Authority

Through this document and the accompanying administrative order, the Court will recognize the Youth Commission as a Court operated program which is authorized to provide guidance and supervision to individuals who fall within the jurisdiction of the Juvenile Court who are alleged delinquent children as defined in 42 Pa.C.S. Section 6302 of the Juvenile Act entitled Definitions, wherein the Juvenile Act defines "child" and "delinquent act." Furthermore, the Court will also authorize the Youth Commission to provide supervision over children who are subject to the jurisdiction of the Court as a result of their delinquency case has received a disposition pursuant to 42 Pa.C.S. Section 6323 entitled Informal Adjustment and Section 42 Pa.C.S. Section 6340 Consent Decree.

Youth Commission Members

The Youth Commission will be comprised of volunteers from the communities in which they reside. Persons wishing to be Youth Commission members should have genuine interest in working with children between the age of 10 and 18 years who have engaged in a wide variety of delinquent behavior.

Potential Youth Commission members must be at least eighteen (18) years of age at the time of application and be individuals of good character and moral standing.

All potential Youth Commission members will be subject to a screening process that will include the following:

1. Completed Youth Commission Application (copy attached)

2. Criminal History Clearance from the Pennsylvania State Police

3. Child Abuse Clearance from the Pennsylvania Department of Public Welfare

4. Federal Bureau of Investigation Criminal History Check

Applicants who have been convicted or adjudicated delinquent of the following offense(s) will be disqualified from serving on the Youth Commission:

Violation of the Controlled Substance, Drug, Device or Cosmetic Act or similar State or Federal laws that are graded as a felony;

Any offense enumerated in 18 Pa.C.S. Section 3101 et. seq., Sexual Offenses or equivalent law from another State or Federal statute;

Any offense which would bring the applicant's credibility into question.

Persons seeking to become Youth Commission members may, upon request, be reimbursed for the costs associated with obtaining the above-listed clearances.

A person seeking to become a member of the Youth Commission will have their application and corresponding information reviewed by the YC Coordinator and the CJPO. Applicants will be notified in writing as to whether their request to become a member of the Youth Commission is approved or rejected.

Persons who are accepted as member of the Youth Commission may be barred from participation in the program for just cause. Examples of just cause to exclude an individual from participation in the Youth Commission may include, but is not limited to one or more of the following:

Failure to participate in the program on a regular or consistent basis;

Engaging in a course of conduct that is contrary to the best interest of the Youth Commission;

Arrest and conviction of one or more of the above-mentioned criminal acts;

Violating rules pertaining to confidentiality;

Any other behavior that in the opinion of the YC Coordinator and the CJPO is detrimental to the overall demeanor and workings of the Youth Commission.

Notice that a Youth Commission member has been expelled will be provided to the member in writing.

Youth Commission Structure and Responsibilities

It is recommended that the Youth Commission be a county wide program which is made up of individual commissions that serve specific geographic areas. In order to be consistent with the supervision model utilized by the Juvenile Probation Office, individual youth commissions should be developed to serve children based upon the school district that its clients attend. The individual youth commission may assume the name of the school district in which they are located (i.e. Uniontown Youth Commission, Connellsville Youth Commission, etc.). Regardless of the number of individual commissions, they will all be part of the Fayette County Youth Commission.

Individual youth commissions shall be structured in such a manner that enables them to conduct their responsibilities of providing guidance and supervision to children assigned to them for such a purpose. At a minimum the individual youth commissions will require a person designated as the Chairperson and a person designated as the Secretary.

The Chairperson will be responsible for coordinating with the YC Coordinator at the Juvenile Probation Office with regard to cases being referred to the Youth Commission for supervision and cases being returned to the Juvenile Probation Office upon conclusion of supervision. The Secretary will be responsible for organizing and retaining all records as they relate to children referred for supervision.

An individual youth commission may also designate an individual as a Co-Chairperson who may act in the Chairperson's absence.

Each youth commission will also be required to have individuals designated as Community Probation Officers (CPO). A CPO is an individual who will be responsible for providing direct services (guidance and supervision) to a child that is subject to supervision by the Youth Commission. CPO's will be responsible for maintaining, at a minimum once per month, face to face contact with a child under their supervision. CPO will also be responsible for assuring that the child subject to the supervision of the Youth Commission successfully completes all of the specific terms and conditions of their probationary period including the payment of fines, costs, and restitution, completion of specific competency development and victimization programs, community service obligations, and other specific requirements as reflected in the child's disposition.

To further define the role of the CPO, individuals assigned to this position within the Youth Commission will be responsible to monitor the overall behavior of a child under the Youth Commission's supervision in the following areas:

- Adherence to parental guidance, supervision and authority;
- Adherence to the curfew set by the parents or the Juvenile Probation Office;
- Level of school attendance;
- Behavior issues experienced at home, school, or in the community;
- The extent, if any, of the child's use of alcohol or illegal drugs;
- The nature of the child's peer group and the influence exercised by this group;
- The child's level of participation in Court directed programs or activities.

The recommended minimum number of volunteers required to be considered a Youth Commission be six (6) while there is no recommended maximum number.

Training

Youth Commission members will receive training in a wide variety of areas including the following:

- Operation of the Juvenile Court in Pennsylvania
- The Pennsylvania Juvenile Act
- Laws governing confidentiality
- Effective communication skills

The YC Coordinator will be responsible for assuring that Youth Commission member received training on an ongoing and timely basis.

Youth Commission members are encouraged to seek out and attend training not provided directly the Youth Commission program that is pertinent their role and which would be beneficial to the Youth Commission program as a whole.

All costs associated with training Youth Commission members will be paid for by the Youth Commission.

Case Processing

All cases alleging delinquent behavior by a child shall be processed by the Intake Department at the Juvenile Probation Office. The Intake Department will file the Allegation / Complaint Forms, schedule and conduct the Intake Interviews and along with the appropriate level of supervision make a determination as to whether a child and his/her related case(s) are eligible for a disposition that does not include an adjudication of delinquency.

Those children and their related cases(s) deemed inappropriate for an adjudication of delinquency will therefore be eligible for a non-adjudication disposition of a Consent Decree or Informal Adjustment Consent. A child must also be deemed appropriate for supervision by the Youth Commission as a result of their YLS assessment results.

After the Intake Department has determined that the child and his/her case is eligible for either a Consent Decree or Informal Adjustment Consent the child will be scheduled for a YLS assessment. The YLS assessment is a tool used to aid probation staff in determining the level of supervision required to best meet the child's and the community's best interests.

After the YLS assessment has been completed and it is determined that the child's and community's best interest will be served by a level of supervision that can be best served by the Youth Commission the referral will be effectuated. The Intake Department will prepare and execute the Informal Adjustment Consent or Consent Decree and review the terms and conditions of the same with the child and his parents.

The Informal Adjustment Consent or Consent Decree will include traditional rules of probation as well as any specific conditions that are deemed necessary, appropriate and in the child's and community's best interest.

The Intake Department internally process this case as it pertains to entry of dispositional data on all appropriate data bases including the JCMS. At the same time the Intake Department will notify the YC Coordinator that a case is being referred to the Youth Commission for supervision and provide the YC Coordinator with sufficient case related information to effectuate that function. At a minimum the Intake Department will provide the YC Coordinator with copies of the following information:

- Allegation / Complaint Form;
- JPO Fact Sheet;
- Informal Adjustment Consent;
- YLS Assessment Report;
- Other information deemed necessary and appropriate to effectuate supervision.

The YC Coordinator will assign the case to the Youth Commission for supervision that is located in this child's school district.

The YC Coordinator will deliver the above-mentioned information to the Chairperson of the Youth Commission that will provide supervision in the instant case. The YC Coordinator and the Chairperson of the Youth Commission providing supervision will work jointly to notify the child and his/her parents of all subsequent meetings and appointments which will enable the Youth Commission to provide supervision.

The YC Coordinator will be responsible for making all referrals for purchased services for the child subject to supervision by the Youth Commission and monitoring the same.

At the initial meeting with the Youth Commission the case will be reviewed by the YC Coordinator, Youth

Commission personnel, child and parents and the case will be assigned to a CPO for ongoing supervision.

Case Termination

The supervision of a case assigned to the Youth Commission may be terminated in one of the following manner:

Successful Case Closure: A successful case closure will occur when a child has met the expectations of the conditions of his/her probationary period and the Youth Commission recommends the child's release from supervision.

Unsuccessful Case Closure: An unsuccessful case closure will occur when a child has failed to meet the expectations of the conditions of his probationary period and Youth Commission recommends that the child and his/her corresponding case be returned to the Juvenile Probation Office for continued supervision or further disposition.

Files and Reports

Information generated as a result of cases referred to the Youth Commission for supervision will be recorded and retained for future use. Upon receiving a referral the YC Coordinator or the Chairperson of the Youth Commission providing supervision will be responsible for creating a file which contains the original referral information.

The CPO assigned to supervise a case will be required to submit written reports on an approved document each time that the child is seen as part of his/her supervision. These reports are to accurately reflect the progress of the child subject to supervision in the areas indicated in section entitled

The files and reports pertaining to a case subject to supervision by the Youth Commission shall be maintained in a secure location on the premises where the supervision is provided.

Upon discharge of a child from the Youth Commission's supervision *ALL* case related information shall be returned to the Juvenile Probation Office and placed into the child's permanent file at the Juvenile Probation Office.

Confidentiality

All written and verbal information received or obtained by the Youth Commission pertaining to a case subject to their supervision is considered to be confidential and access to this information is governed by 42 Pa.C.S. Section 6307 Inspection of court files and records. All members of the Youth Commission are bound by the provisions of this law. Members of the Youth Commission should address questions concerning the release of information and their ability to share information with individuals or agencies beyond the scope of the Youth Commission should be directed to the YC Coordinator or the Chief Juvenile Probation Officer.

Costs of operation

All expenses associated with the day to day operation of the Fayette County Youth Commission shall be paid for through the Youth Commission Account that is maintained at and by the Juvenile Probation Office. The provisions associated with the Youth Commission Account are described in the section of this program description entitled "Fayette County Youth Commission Income/Revenue Sources and Allowable Expense".

Expungement of records

Cases receiving supervision by the Youth Commission are eligible for expungement as per the provisions of 18 Pa.C.S. Section 9123.

Children who have successfully completed their supervision through the Youth Commission may request that their record be expunged by contact the YC Coordinator. The YC Coordinator will determine the child's eligibility as per the above statute as well as reviewing whether all fines, costs, and restitution have been paid in full.

All financial obligations must be paid in full before a case handled by the Youth Commission may be expunged.

In the event that at the time a request is made by the juvenile to expunge his/her Juvenile Court Record the only record maintained by the Juvenile Probation Office is the one that was subject to the supervision by the Youth Commission, there will be no cost associated with the expungement.

Revenue and Expenses

The Youth Commission encounters ongoing expenses in order to meet its goals of providing guidance and supervision to alleged delinquent children who are subject to its supervision. At the time the Youth Commission was created it was the goal of the Court to allow for revenue options that would make the operation of the program cost neutral for the County of Fayette.

Revenue

At the time that the Youth Commission was created the Court authorized the Juvenile Probation Office to assess all children who come under the Court's jurisdiction as a result of a final disposition of a Consent Decree or an adjudication of delinquency be required to pay a fine through the Juvenile Probation Office in the amount of one hundred dollars (\$100.00) with the money generated from this fine to be used to offset the overall costs associated with the operation of the Youth Commission.

Furthermore, on April 1, 2006 the Chief Juvenile Probation Officer gave authorization that allowed fifty percent (50%) of all of the funds received from processing cases certified to the Juvenile Court by the Minor Judiciary where the defendants are juveniles who have failed to pay fines and costs pursuant to a summary offense conviction shall likewise be as a source of revenue to support the operation of the Youth Commission.

All funds collected as a result of this these revenue sources are deposited in an account which is used for the operation of the Fayette County Youth Commission.

Revenue Deposits

All funds received and intended for use by the Youth Commission shall be deposited into the YC Account described herein. Deposits shall be prepared and deposited in to the YC Account on a timely basis and the deposit ticket received at the time of the deposit shall be attached to the NCR or other copy of the deposit ticket.

Copies of checks or other sources of revenue which make up the deposit shall be copied and recorded for audit purposes.

Expenses

The expenses generally associated with the operation of the Youth Commission fall into one of three different categories:

1. Expenses relating to the Youth Commission Members and the business of operating the Youth Commission. The expenses that generally fall into this category are as follows:

materials and supplies including printed materials; advertising as associated with soliciting new members; advertising as associated with the program itself; liability and related insurance; training and related expenses.

2. Expenses relating directly Youth Commission clients. The expenses that generally fall into this category are as follows:

materials and supplies for educational and community service programs where Youth Commission clients are participants,

the cost of personal items which the client is in need of and if not provided may prove to be detrimental to the overall health, safety and wellbeing of the client;

any other reasonable expenses relating to the supervision of the client deemed appropriate and agreed upon by the YC Coordinator and the Chief or Deputy Chief Juvenile Probation Officer.

3. Expenses relating to the YC Coordinator. The expenses that generally fall into this category are items such as:

materials and supplies;
training fees and related expenses;
travel and transportation expenses;
proportionate share of the salary, benefits and allocated costs associated with the YC Coordinator;*

* It should be noted that the proportionate share of the YC Coordinator's salary, benefits and allocated costs that may be considered as Youth Commission related expense is not to exceed one third (1/3rd) of the amounts for these items as established on January 1. As a general rule the cost of benefits may be established as that amount equal to but not to exceed twenty-eight percent (28%) of the YC Coordinator's salary for the calendar year. The value associated with the cost of employment of the YC Coordinator, including allocated costs, as determined above *shall not* be forwarded to the County as a form of reimbursement, however this amount shall be made available to the Chief or Deputy Chief Juvenile Probation Officer as a discretionary amount to be used to offset the costs associated with the overall operation of the Juvenile Probation Office.

Accounting

On November 30, 2006 the Juvenile Probation Office established a checking account at First National Bank of Pennsylvania, Uniontown, Pennsylvania. The account created in this matter is entitled "Fayette County Juvenile Probation Office—Youth Commission Program Account".

The above-mentioned account is an interest generating account which requires two (2) signatures for check processing. The two signatures required at the time of the creation of this account were the Chief and Deputy Chief Juvenile Probation Officers. Signatures on this account will be changed on an as needed basis.

This account is subject to reconciliation on a monthly basis. The reconciliation is to be performed by an individual who is not the person who administers the account or who is signature authority on the account.

This account shall be subject to audit on an annual basis by the Controller of Fayette County with the results of the audit to be forwarded to the Chief Juvenile Probation Officer and the Court. The day to day activi-

ties, deposits and withdraws, of this account will be maintained in the customary checkbook ledger method as well as electronically.

Reimbursement for expenses

Eligible expenses associated with the operation of the Youth Commission shall be paid out of the YC Account.

Persons seeking reimbursement for expenses or seeking funds for purchases, etc. will be required to prepare and submit for approval a "Youth Commission Account Requisition for Funds" form.

This form will contain the following information:

Date that the requisition is made;
Name of the person making the request;
Description of the service or product for which payment or reimbursement is requested;
Estimated amount that the service or product will cost;
Name and title of the person approving the request;
Amount paid for the service or product;
Check number of the check used for payment;
An indication as to whether there is a receipt for the service or product.

All requisition shall be submitted to the Chief or Deputy Chief Juvenile Probation Officer for approval.

The Chief or Deputy Chief Juvenile Probation Officer shall prepare, record, and distribute the check for payment to the appropriate party.

A copy of the receipt for the service or product shall be attached to the requisition form and properly recorded.

The Chief for Deputy Chief Juvenile Probation Officer is empowered to authorize and make payments for services or products associated with the operation of the Youth Commission in an amount up to three thousand dollars (\$3,000.00). Services and products in excess of three thousand dollars (\$3,000.00) will require the approval of the President Judge.

Reporting

A report which reflects the financial activity of the YC Account will be generated on a monthly basis. This report will be forwarded to the Court with a copy to be retained along with other financial and program reports generated for that month.

[Pa.B. Doc. No. 12-223. Filed for public inspection February 10, 2012, 9:00 a.m.]

SOMERSET COUNTY

Consolidated Rules of Court; No. 11 Misc. 2012

Adopting Order

Now, this 20th day of *January*, 2012, it is hereby Ordered:

1. The following designated Somerset County Rule of Criminal Procedure 117 (Som. R. Crim. P. 117) Continuous Coverage for Issuance of Warrants, Preliminary Arraignments; and Setting and Accepting Bail., a copy of which follows, is hereby adopted as a Rule of this Court, effective thirty (30) days after publication in the *Pennsylvania Bulletin* and after publishing a copy of the local rule on the Unified Judicial System's website.

2. The Somerset County Court Administrator is directed to:

A. File seven (7) certified copies of this Order and the Local Rule with the Administrative Office of Pennsylvania Courts.

B. File two (2) certified copies of this Order and Local Rule, along with a diskette or CD, to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

C. File one (1) certified copy of this Order and Local Rule with the Pennsylvania Criminal Procedural Rules Committee.

D. File proof of compliance with this Order in the docket for this Rule, which shall include a copy of each transmittal letter, keep continuously available for public inspection, copies of this Order and Rule in the Office of the Prothonotary of Somerset County, PA.

By the Court

JOHN M. CASCIO,
President Judge

Rules of Court

Citation of Rules and District Justice Procedure

Rule 117. Coverage: Issuing Warrants; Preliminary Arraignments; and Setting and Accepting Bail.

A. Each Magisterial District Court shall be open for regular business Monday through Friday, excluding holidays, during such hours as established by the President Judge, and as may be modified with the approval of the President Judge to meet the needs of the public and the Court.

B. Magisterial District Judges shall be available twenty-four hours a day, every day of the calendar year to provide continuous coverage for issuance of arrest warrants and search warrants, setting and acceptance of bail and the issuance of emergency orders under the Protection from Abuse Act.

This rule shall be satisfied by a Magisterial District Judge remaining on-call during non-business hours on a rotating basis, pursuant to an annual schedule prepared by the District Court Administrator.

C. Each Magisterial District Court during regular business hours, an on-call Magisterial District Judge while on-call, the Somerset County Jail and the Clerk of Courts during business hours, are all authorized to accept bail in accordance with the provisions and subject to the limitations of the Pennsylvania Rules of Criminal Procedure.

D. A Magisterial District Judge assigned to on-call duty shall be available for preliminary arraignments in accordance with the following schedule:

(1) For arrests occurring after the close of regular business hours but before 10:00 p.m., and for arrests occurring on weekends or holidays between 8:00 a.m. and 10:00 p.m. the Magisterial District Judge shall respond to the call and conduct a preliminary arraignment prior to detention at the Somerset County Jail.

(2) Arrests occurring after 10:00 p.m. but before 8:00 a.m. shall be subject to the following rules:

a. For arrests requiring preliminary arraignment pursuant to Pennsylvania Rule of Criminal Procedure 519, the arresting agency, including the state police, municipal police, sheriff or constable is authorized to detain the prisoner at the Somerset County Jail until 8:30 a.m. the following morning. For Defendants so detained, the on duty Magisterial District Judge shall appear in person or

by advanced communication technology at the Somerset County Jail at 8:30 a.m. to preside at the Preliminary Arraignment;

b. Prior to detaining a prisoner at the Somerset County Jail under this Rule, the arresting agency shall contact the facility to ascertain that adequate detention facilities are available for temporary detention in accordance with this Rule. If no detention facilities are available at the facility, then the arresting agency shall notify the Magisterial District Judge of that fact and a preliminary arraignment shall be required prior to detention or commitment to the Jail.

c. The arresting agency detaining the Defendant shall provide to the Magisterial District Judge the original and copies of the Criminal Complaint with Probable Cause Affidavit attached, a copy of the Defendant's criminal record, and any recommendation regarding bail for the Defendant, by depositing the same at the Somerset County Jail and faxing copies to the Magisterial District Court Office.

d. The arresting officer or officers need not appear at the Preliminary Arraignment provided the documents identified in paragraph 4(d) are provided. In the alternative, the arresting officer may appear at the Preliminary Arraignment in lieu of prior submission of the criminal record or bail recommendation forms. However, no person shall be detained under this rule without the completion and submission of a completed criminal Complaint and Affidavit of Probable Cause which shall be delivered to the Somerset County Jail for use by the Magisterial District Judge.

e. The provisions of this Rule allowing for temporary detention of prisoners shall not apply to the performance of any other duties on the on-duty Magisterial District Judge during the hours of 10:00 p.m. to 8:00 a.m.

(3) The Somerset County Jail is directed to identify a detention area for prisoners so detained in accordance with the Standard Operating Procedures of the Somerset County Jail for temporary detention of individuals at the Jail.

(4) The Somerset County Jail is directed to make available to the on-duty Magisterial District Judge appropriate space or advanced communication technology availability between the hours of 8:30 a.m. and 9:00 a.m. to perform the Preliminary Arraignment at the Facility.

(5) Upon completion of the Preliminary Arraignment, the detention authorized by this Rule shall terminate and the person detained shall be processed in accordance with the Orders of the Magisterial District Judge at the Preliminary Arraignment or, if no Preliminary Arraignment has been done, the person shall be released from detention and the arresting agency shall arrange for the Preliminary Arraignment of the person otherwise in accordance with the Rules of Criminal Procedure.

(6) If the Preliminary Arraignment is done by advanced communication technology, upon completion of the Preliminary Arraignment, copies of all commitment orders, bail orders, etc. shall be faxed from the Magisterial District Judge to the Jail, and the originals mailed to the facility on the next regular business day. If the Preliminary Arraignment is done at the Jail, original documents shall be provided to the Jail at the time of the Preliminary Arraignment.

[Pa.B. Doc. No. 12-224. Filed for public inspection February 10, 2012, 9:00 a.m.]

YORK COUNTY

Administrative Order Appointing and Approving Custody Mediators; No. AD-01-2012**Administrative Order**

And Now, To Wit, this 4th day of January, 2012, it is *Ordered* that the following individuals have been appointed and approved as custody mediators, under Pa.R.Civ.P. § 1940.4, effective immediately and until further Order:

Leslie S. Arzt, Esquire
 Timothy J. Colgan, Esquire
 Claudia DeArment, Esquire
 Angela N. Dobrinoff-Blake, Esquire
 Nicole M. Ehrhart, Esquire
 Edna M. Moore, Esquire
 Kathleen J. Prendergast, Esquire
 Scott A. Ruth, Esquire
 Barbara Orsburn Stump, Esquire
 Rebecca Tortorici, Esquire
 Audrey E. Woloshin, Esquire

Any individual approved as a mediator shall remain in compliance with any and all rules and regulations of the Commonwealth of Pennsylvania, and shall only mediate custody cases in conformity with procedures and duties set forth under Pa.R.Civ.P. § 1940.1—1940.9.

It Is Further Ordered that, in accordance with Pa.R.Civ.P. § 239, the District Court Administrator shall:

(a) File seven copies hereof with the Administrative Office of Pennsylvania Courts;

(b) Distribute two certified copies hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) File one certified copy hereof with the Domestic Relations Procedural Rules Committee; and

(d) Supervise the distribution hereof to all Judges, the mediator appointed, and to the custody conciliators.

STEPHEN P. LINEBAUGH,
President Judge

[Pa.B. Doc. No. 12-225. Filed for public inspection February 10, 2012, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that John A. Misco, Jr., having been suspended from the practice of law in the State of New Jersey for a period of 3 months by Order of the Supreme Court of New Jersey dated March 8, 2011, the Supreme Court of Pennsylvania issued an Order dated January 25, 2012, suspending John A. Misco, Jr. from the practice of law in this Commonwealth for a period of 3 months, effective February 24, 2012. 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. 12-226. Filed for public inspection February 10, 2012, 9:00 a.m.]
