

# THE COURTS

## Title 237—JUVENILE RULES

### PART I. RULES

[ 237 PA. CODE CH. 6 ]

#### Order Amending Rule 612 of the Rules of Juvenile Court Procedure; No. 591 Supreme Court Rules Doc.

##### Order

*Per Curiam*

*And Now*, this 5th day of March, 2013, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3); and an Explanatory Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the modifications to Rule 612 of the Rules of Juvenile Court Procedure are approved in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective immediately.

##### Annex A

#### TITLE 237. JUVENILE RULES

#### PART I. RULES

#### Subpart A. DELINQUENCY MATTERS

#### CHAPTER 6. POST-DISPOSITIONAL PROCEDURES

#### PART B. MODIFICATIONS AND REVIEWS

#### Rule 612. Modification or Revocation of Probation.

\* \* \* \* \*

C. *Modification*. If the court modifies the dispositional order, the court shall state the grounds for the modification and shall issue a new dispositional order in accordance with Rule 515.

**D. *Advanced Communication Technology***. A court may utilize advanced communication technology pursuant to Rule 129 for a juvenile or a witness unless good cause is shown otherwise.

##### Comment

\* \* \* \* \*

For dispositional orders, see Rule 515.

**For the use of advanced communication technology, see Rule 129.**

**Official Note:** Rule 612 adopted April 1, 2005, effective October 1, 2005. Amended March 5, 2013, effective immediately.

#### *Committee Explanatory Reports:*

**Final Report explaining the amendments to Rule 612 published with the Court's Order at 43 Pa.B. 1551 (March 23, 2013).**

#### Explanatory Report

March 2013

The Supreme Court of Pennsylvania has adopted the proposed changes to Rule 612. The changes are effective immediately.

A question arose in a judicial district on whether advanced communication technology could be used at a violation of probation hearing because Rule 612 does not address the issue.

A violation of probation hearing is a type of dispositional review hearing. Rule 610 provides for advanced communication technology at dispositional review hearings.

To clarify specific use of advanced communication technology at violation of probation hearings or dispositional modification hearings, a new paragraph is being added to alleviate any confusion. It has always been the intent of the Rules to allow advanced communication technology at these hearings.

[Pa.B. Doc. No. 13-495. Filed for public inspection March 22, 2013, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### WESTMORELAND COUNTY

#### Rescinding Rule WC529; Adopting New Rule WC529; No. 216MD 2013

##### Order

*And Now*, this 5th day of March, 2013 *It Is Hereby Ordered* that current Rule WC529 is rescinded and that new Rule WC529 is adopted.

*By the Court*

GARY P. CARUSO,  
*President Judge*

#### Rule WC529. Modification of Bail Order Prior to Trial.

(a) Prior to presenting a petition to the court seeking a bond reduction, the defendant shall present the petition to the district attorney who shall indicate whether the Commonwealth consents to or opposes the petition. If the Commonwealth consents to the petition, the petition shall be served directly upon the assigned judge. If the assigned judge is unavailable, the petition shall be served upon the court administrator who shall attempt to find an alternate judge to hear the petition.

(b) In the event that the Commonwealth opposes the petition, the petition shall be served upon the court administrator who shall schedule a hearing as soon as possible before the assigned trial judge.

(c) The defendant shall indicate on any petition to the court to modify bail prior to the preliminary hearing whether or not the defendant first applied for modification of bail from the presiding magisterial district.

(d) Any criminal defendant with charges alleging a child victim, having an active case before the Westmoreland County Children's Bureau with an Order of Supervised Visitation with that child victim, shall:

(1) notify the Westmoreland County Children's Bureau upon receiving a nonmonetary condition of bail of "No Contact With The Victim,"

(2) provide the Westmoreland County Children's Bureau a copy of any Petition to Modify Bail seeking to permit contact with child victim for the purpose of supervised visitation,

(3) provide the Westmoreland County Children's Bureau a copy of any Order granting bail modification to permit supervised visitation.

[Pa.B. Doc. No. 13-496. Filed for public inspection March 22, 2013, 9:00 a.m.]

## SUPREME COURT

### Reestablishment of the Magisterial Districts within the 14th Judicial District; No. 321 Magisterial Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 5th day of March 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 14th Judicial District (Fayette County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the elimination of Magisterial District 14-3-06, within Fayette County, to be effective January 1, 2014, is granted; and that the Petition, which provides for the realignment of Magisterial District 14-3-04, within Fayette County, to be effective January 1, 2014, is granted; and that the Petition, which provides for the reestablishment of Magisterial Districts 14-1-01, 14-1-02, 14-2-01, 14-2-02, 14-2-03, and 14-3-02, within Fayette County, to be effective immediately, is granted. The vacancy for district 14-3-06 shall not appear on the ballot in the 2013 municipal election.

Said Magisterial Districts shall be as follows:

- Magisterial District 14-1-01 City of Uniontown  
Magisterial District Judge  
Michael M. Metros
- Magisterial District 14-1-02 South Connellsville  
Magisterial District Judge  
Ronald J. Haggerty, Jr.  
Bullskin Township  
City of Connellsville  
Connellsville Township  
Saltlick Township  
Springfield Township
- Magisterial District 14-2-01 Menallen Township  
Magisterial District Judge  
Joseph M. George, Jr.  
South Union Township
- Magisterial District 14-2-02 Markleysburg Borough  
Magisterial District Judge  
Wendy D. Dennis  
Ohiopyle Borough  
Henry Clay Township  
North Union Township  
Stewart Township  
Wharton Township
- Magisterial District 14-2-03 Brownsville Borough  
Magisterial District Judge  
Michael J. Defino, Jr.  
Brownsville Township  
Luzerne Township  
Redstone Township

- Magisterial District 14-3-02 Fairchance Borough  
Magisterial District Judge  
Randy S. Abraham  
Masontown Borough  
Point Marion Borough  
Smithfield Borough  
Georges Township  
German Township  
Nicholson Township  
Springhill Township

- Magisterial District 14-3-04 Belle Vernon Borough  
Magisterial District Judge  
Jesse J. Cramer  
Dawson Borough  
Dunbar Borough  
Everson Borough  
Fayette City Borough  
Newell Borough  
Perryopolis Borough  
Vanderbilt Borough  
Dunbar Township  
Franklin Township  
Jefferson Township  
Lower Tyrone Township  
Perry Township  
Upper Tyrone Township  
Washington Township

[Pa.B. Doc. No. 13-497. Filed for public inspection March 22, 2013, 9:00 a.m.]

### Reestablishment of the Magisterial Districts within the 25th Judicial District; No. 322 Magisterial Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 7th day of March 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 25th Judicial District (Clinton County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the realignment of Magisterial Districts 25-3-01 and 25-3-03, within Clinton County, to be effective July 1, 2013, is granted; and that the Petition, which also provides for the reestablishment of Magisterial Districts 25-3-02, within Clinton County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

- Magisterial District 25-3-01 City of Lock Haven  
Magisterial District Judge  
Joseph L. Sanders, III  
Flemington Borough  
Allison Township  
Castanea Township  
Colebrook Township  
Crawford Township  
Woodward Township
- Magisterial District 25-3-02 Beech Creek Borough  
Magisterial District Judge  
John W. Maggs  
Loganton Borough  
Mill Hall Borough  
Bald Eagle Township  
Beech Creek Township  
Greene Township  
Lamar Township  
Logan Township  
Porter Township

Magisterial District 25-3-03 Avis Borough  
 Magisterial District Judge Renovo Borough  
 Frank P. Mills South Renovo Borough  
 Chapman Township  
 Dunnstable Township  
 East Keating Township  
 Gallagher Township  
 Grugan Township  
 Leidy Township  
 Noyes Township  
 Pine Creek Township  
 Wayne Township  
 West Keating Township

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Magisterial District 26-3-03 Catawissa Borough  
 Magisterial District Judge Centralia Borough  
 Craig W. Long Beaver Township  
 Catawissa Township  
 Cleveland Township  
 Conyngham Township  
 Franklin Township  
 Locust Township  
 Main Township  
 Mifflin Township  
 Roaring Creek Township

Magisterial District 26-3-04 Danville Borough  
 Magisterial District Judge Washingtonville Borough  
 Marvin K. Shrawder Anthony Township  
 Cooper Township  
 Derry Township  
 Liberty Township  
 Limestone Township  
 Mahoning Township  
 Mayberry Township  
 Valley Township  
 West Hemlock Township

[Pa.B. Doc. No. 13-499. Filed for public inspection March 22, 2013, 9:00 a.m.]

### Reestablishment of the Magisterial Districts within the 26th Judicial District; No. 323 Magisterial Rules Doc.

#### Order

*And Now*, this 7th day of March 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 26th Judicial District (Columbia and Montour Counties) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 26-2-01, 26-3-01, 26-3-02, 26-3-03, within Columbia County, to be effective immediately, is granted; and that the Petition, which provides for the reestablishment of Magisterial District 26-3-04, within Montour County, to be effective immediately, is granted.

Said Magisterial Districts shall be reestablished as follows:

Magisterial District 26-2-01	Town of Bloomsburg
Magisterial District Judge	Montour Township
Russell L. Lawton	Scott Township
Magisterial District 26-3-01	Benton Borough
Magisterial District Judge	Millville Borough
Douglas D. Brewer	Orangeville Borough
	Stillwater Borough
	Benton Township
	Fishing Creek Township
	Greenwood Township
	Hemlock Township
	Jackson Township
	Madison Township
	Mt. Pleasant Township
	Orange Township
	Pine Township
	Sugarloaf Township
Magisterial District 26-3-02	Berwick Borough
Magisterial District Judge	Briar Creek Borough
Richard W. Knecht	Briar Creek Township
	North Centre Township
	South Centre Township

### Reestablishment of the Magisterial Districts within the 34th Judicial District; No. 324 Magisterial Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 7th day of March 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 34th Judicial District (Susquehanna County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 34-3-01, 34-3-02 and 34-3-03, within Susquehanna County, to be effective immediately, is granted.

Said Magisterial Districts shall be reestablished as follows:

Magisterial District 34-3-01	Friendsville Borough
Magisterial District Judge	Little Meadows Borough
Jeffrey L. Hollister	Montrose Borough
	Apolacon Township
	Auburn Township
	Bridgewater Township
	Choconut Township
	Dimock Township
	Forest Lake Township
	Franklin Township
	Jessup Township
	Liberty Township
	Middletown Township
	Rush Township
	Silver Lake Township
	Springville Township

Magisterial District 34-3-02  
Magisterial District Judge  
Jodi L. Corder

Great Bend Borough  
Hallstead Borough  
Lanesboro Borough  
New Milford Borough  
Oakland Borough  
Susquehanna Depot  
Borough  
Thompson Borough  
Ararat Township  
Great Bend Township  
Harmony Township  
Jackson Township  
New Milford Township  
Oakland Township  
Thompson Township

Magisterial District 34-3-03  
Magisterial District Judge  
Suzanne M. Brainard

Forest City Borough  
Hop Bottom Borough  
Uniondale Borough  
Brooklyn Township  
Clifford Township  
Gibson Township  
Harford Township  
Herrick Township  
Lathrop Township  
Lenox Township

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**Reestablishment of the Magisterial Districts within  
the 56th Judicial District; No. 326 Magisterial  
Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 11th day of March 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 56th Judicial District (Carbon County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the realignment of Magisterial Districts 56-3-01, 56-3-02, and 56-3-03, within Carbon County, to be effective July 1, 2013, is granted; and that the Petition, which also provides for the reestablishment of Magisterial District 56-3-04, within Carbon County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 56-3-01  
Magisterial District Judge  
Edward M. Lewis

Jim Thorpe Borough  
Leighton Borough  
Weissport Borough  
Mahoning Township  
(Voting District  
Packerton/Jamestown)  
Penn Forest Township

Magisterial District 56-3-02  
Magisterial District Judge  
William J. Kissner

Bowmanstown Borough  
Palmerton Borough  
Parryville Borough  
Franklin Township  
Lower Towamensing  
Township  
Towamensing Township

Magisterial District 56-3-03  
Magisterial District Judge  
Casimir T. Kosciolk

Lansford Borough  
Nesquehoning Borough  
Summit Hill Borough  
East Penn Township  
Mahoning Township  
(Voting Districts  
Mahoning & New  
Mahoning)

Magisterial District 56-3-04  
Magisterial District Judge  
Joseph D. Homanko, Sr.

Beaver Meadows Borough  
East Side Borough  
Weatherly Borough  
Banks Township  
Kidder Township  
Lausanne Township  
Lehigh Township  
Packer Township

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**Reestablishment of the Magisterial Districts within  
the 59th Judicial District; No. 325 Magisterial  
Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 11th day of March 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 59th Judicial District (Cameron and Elk Counties) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial District 59-3-01, within Cameron County, to be effective immediately, is granted. It is further *Ordered and Decreed* that the Petition, which also provides for the reestablishment of Magisterial Districts 59-3-02 and 59-3-03, within Elk County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 59-3-01  
Magisterial District Judge  
Barry D. Brown, II

Driftwood Borough  
Emporium Borough  
Gibson Township  
Grove Township  
Lumber Township  
Portage Township  
Shippen Township

Magisterial District 59-3-02  
Magisterial District Judge  
George A. King

Johnsonburg Borough  
Ridgway Borough  
Highland Township  
Horton Township  
Jones Township  
Millstone Township  
Ridgway Township  
Spring Creek Township

Magisterial District 59-3-03  
Magisterial District Judge  
Mark S. Jacob

City of St. Marys  
Benezette Township  
Fox Township  
Jay Township

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