

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART IV. ADMISSION TO PRACTICE LAW

[ 204 PA CODE CH. 71 ]

#### Proposed Amendment to Pennsylvania Bar Admission Rule 205

Notice is hereby given that the Pennsylvania Board of Law Examiners is considering recommending to the Pennsylvania Supreme Court that it amend Rule 205 of the Pennsylvania Bar Admission Rules concerning Admission of Foreign Attorneys and Graduates of Foreign Institutions as set forth in Annex A. Additions to the text of the rule are shown in bold, and deletions are in bold and brackets.

The proposed amendments address the requirements that are necessary for a graduate of a foreign law school to be eligible to sit for the Pennsylvania bar examination. The practice of law is becoming increasingly international in nature, and there is a need for increased geographic mobility of lawyers. The purpose of the amendments is to make the requirements for permission to take the Pennsylvania bar examination more flexible for qualified foreign attorneys while still maintaining the requirements that are necessary to establish the qualifications of a foreign attorney to sit for the bar examination.

The learning process associated with receiving a competent legal education from an accredited law school has been found to be a complimentary but necessary foundation for the added requirement of passing the bar examination. The Board of Law Examiners does not have a mechanism for monitoring the quality of legal education in foreign countries, and the Supreme Court has decided upon a combination of legal practice and taking a specific number of credits at an ABA accredited law school as a gauge of adequate legal preparation to permit a foreign attorney to take the bar examination.

The proposed amendments continue to maintain a practice and credit requirement for eligibility for a foreign attorney to sit for the bar examination while providing flexibility by allowing a foreign attorney to meet the practice requirement by the practice of law either in the foreign country or in another state, by reducing the total number of credits required from 30 to 24 and by reducing the number of mandatory courses while still ensuring that the required credits be earned from those core subjects that are tested on the bar examination. Additionally, the proposed amendment adds Legal Research and Writing as a required course along with Constitutional Law, Civil Procedure and Professional Responsibility and precludes the required credits from being earned at a foreign law school as part of a program of instruction offered by an accredited law school, or by correspondence, on-line courses or other distance learning courses.

Interested persons are invited to submit written comments regarding the proposed amendments to the Executive Director, Pennsylvania Board of Law Examiners, Pennsylvania Judicial Center, 601 Commonwealth Av-

enue, Suite 3600, P. O. Box 62535, Harrisburg, PA 17106-2535, no later than April 30, 2013.

By *The Pennsylvania Board of Law Examiners*  
*Supreme Court of Pennsylvania*

GICINE P. BRIGNOLA,  
*Executive Director*

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART IV. ADMISSION TO PRACTICE LAW

#### CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

#### Subchapter B. ADMISSION TO THE BAR GENERALLY

#### IN GENERAL

#### Rule 205. Admission of foreign attorneys and graduates of foreign institutions.

(a) *General rule.* The Board, under such standards, rules and procedures as it may prescribe, may extend the provisions of Rule 203 (relating to the admission of graduates of accredited and unaccredited institutions) to any applicant who has completed the study of law in a law school which at the time of such completion was not located within the geographical area encompassed by the accreditation activities of the American Bar Association and [ ; ]:

(1) who has been admitted to practice law in and is in good standing at the bar of a foreign country **or another state**, as evidenced by a certificate from the highest court or agency of such foreign country **or state** having jurisdiction over admission to the bar and the practice of law and

(2) who has for a period of five years of the last eight years immediately preceding the date of filing of the application for admission to the bar of this Commonwealth engaged in the practice of law in such foreign country **or another state**. For purposes of this paragraph, the phrase "engaged in the practice of law" is defined as "devoting a major portion of one's time and energy to the rendering of legal services." **The term "practice of law" shall not include providing legal services when such services as undertaken constituted the unauthorized practice of law in the foreign country or state in which the legal services were performed or in the foreign country or state in which the clients receiving the unauthorized services were located.**

(b) *Law study required.* Unless otherwise provided by the Board, applicants who meet the provisions of subparagraph (a) of this [ **Rule** ] **rule** may apply to sit for the Pennsylvania Bar Examination provided they have successfully completed [ **30** ] **24** credit hours in an accredited American [ **Law** ] **law** school in the following subjects: Conflict of Laws; Constitutional Law; Contracts; Corporations; Criminal Law; Decedents' Estates; Evidence; Family Law; Federal and/or Pennsylvania Civil

Procedure; Federal Income Taxes (personal only); Professional Responsibility; Real Property; Torts; Uniform Commercial Code, Art. II—Sales; [ **Uniform Commercial Code, Art. III—Commercial Paper; Uniform Commercial Code, Art. IX—Secured Transactions** ] **Legal Research and Writing; and Employment Discrimination.** No more than 4 credit hours in any one subject shall be counted toward this requirement. In fulfilling this requirement, applicants must successfully complete up to 4 credits in each of the following subjects: Constitutional Law; [ **Contracts; Criminal Law; Decedents' Estates; Evidence;** ] Federal and/or Pennsylvania Civil Procedure; Professional Responsibility; [ **Real Property; and Torts** ] **and Legal Research and Writing.** All coursework for the required credit hours shall be completed at the campus of an accredited law school in the United States. No credit shall be allowed for correspondence courses, on-line courses, courses offered on any other media, or other distance learning courses.

[Pa.B. Doc. No. 13-552. Filed for public inspection March 29, 2013, 9:00 a.m.]

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

#### [ 210 PA. CODE CHS. 19 AND 40 ]

#### Proposed Amendment of Pa.R.A.P. 1925 and Proposed Adoption of Pa.R.A.P. 4001—4007

The Appellate Court Procedural Rules Committee proposes to recommend amendment of Pa.R.A.P. 1925 and adoption of Pa.R.A.P. 4001—4007. This proposal is being submitted for public comment, suggestions, and concerns prior to submission to the Supreme Court.

Proposed new material is in bold face type and deleted material is bracketed and in bold face type.

All communications in reference to the proposed amendment should be sent no later than May 15, 2013 to:

Appellate Court Procedural Rules Committee  
 Pennsylvania Judicial Center  
 601 Commonwealth Ave., Suite 6200  
 P. O. Box 62635  
 Harrisburg, Pennsylvania 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 II. APPELLATE PROCEDURE

#### CHAPTER 19. PREPARATION AND TRANSMISSION OF RECORD AND RELATED MATTERS

#### RECORD ON APPEAL FROM LOWER COURT

#### Rule 1925. Opinion in Support of Order.

(a) *Opinion in support of order.*

\* \* \* \* \*

(2) *Children's fast track appeals.*—In a children's fast track appeal:

(i) The concise statement of errors complained of on appeal shall be filed and served with the notice of appeal required by Rule 905. See Pa.R.A.P. 905(a)(2).

(ii) Upon receipt of the notice of appeal and the concise statement of errors complained of on appeal required by Rule 905(a)(2), the judge who entered the order giving rise to the notice of appeal, if the reasons for the order do not already appear of record, shall within 30 days file of record at least a brief opinion of the reasons for the order, or for the rulings or other errors complained of, which may, but need not, refer to the transcript of the proceedings.

(3) *Appeals from courts-martial.*—In an appeal from a court-martial, the concise statement of errors complained of on appeal shall be filed and served with the notice of appeal. See Pa.R.A.P. 4004(b).

(b) *Direction to file statement of errors complained of on appeal; instructions to the appellant and the trial court.*—If the judge entering the order giving rise to the notice of appeal ("judge") desires clarification of the errors complained of on appeal, the judge may enter an order directing the appellant to file of record in the trial court and serve on the judge a concise statement of the errors complained of on appeal ("Statement").

\* \* \* \* \*

(*Editor's Note:* The following chapter is new and printed in regular type to enhance readability.)

#### ARTICLE III. MISCELLANEOUS PROVISIONS

#### CHAPTER 40. APPEALS FROM COURTS-MARTIAL

Rule	
4001.	Scope of Chapter.
4002.	Manner of Taking Appeal.
4003.	Time for Appeal.
4004.	Content and Service of Notice of Appeal.
4005.	Filing of Notice of Appeal.
4006.	Opinion in Support of Ruling.
4007.	Record on Appeal.

#### Rule 4001. Scope of Chapter.

This Chapter shall apply to all appeals from a court-martial, as permitted by the Pennsylvania Code of Military Justice, 51 Pa.C.S. § 5100 *et seq.* Those Pennsylvania Rules of Appellate Procedure ancillary to the rules contained in this Chapter shall also be applicable, provided such application does not yield an inconsistent or absurd result with the Pennsylvania Rules of Appellate Procedure or the Pennsylvania Code of Military Justice.

**Official Note:** The Pennsylvania Code of Military Justice ("Code"), 51 Pa.C.S. § 5100 *et seq.*, provides for a right of appeal to the Superior Court from certain final

judgments of courts-martial and specific interlocutory orders. This right of appeal under the Code is applicable only to proceedings involving “state military forces” or members of the Pennsylvania National Guard not in a status subjecting them to the exclusive jurisdiction of the United States.

**Rule 4002. Manner of Taking Appeal.**

An appeal from a court-martial shall be taken by filing a notice of appeal with the State Judge Advocate for the respective branch of service in which the court-martial has been convened.

**Rule 4003. Time for Appeal.**

The notice of appeal required by Pa.R.A.P. 4002 shall be filed within the following time periods:

(a) A notice of appeal of a judgment of court-martial shall be filed within 30 days upon finality of judgment and issuance to the accused of a written advisement of right to appeal the judgment to the Superior Court.

(b) A notice of interlocutory appeal shall be filed within three days of the date of the order or ruling being appealed.

**Rule 4004. Content and Service of Notice of Appeal.**

(a) *Form.* The notice of appeal shall be substantially in the following form:

PENNSYLVANIA NATIONAL GUARD  
COURT-MARTIAL

Commonwealth

v. Docket No. \_\_\_\_\_

Jonathon Doe, [rank], Defendant

NOTICE OF APPEAL

Notice is hereby given that [party name] appeals to the Superior Court of Pennsylvania from the final judgment/interlocutory order in this matter, dated \_\_\_\_\_, \_\_ 20\_\_ and rendered by \_\_\_\_\_.

The State Judge Advocate in this matter is \_\_\_\_\_, having an address of \_\_\_\_\_.

/s/ \_\_\_\_\_

\_\_\_\_\_

(b) *Statement of errors complained of on appeal.* A concise statement of errors complained of on appeal in conformance with the following requirements shall be appended to the notice of appeal:

(1) The statement shall set forth only those errors intended to be challenged.

(2) The statement shall concisely identify each error intended to be challenged with sufficient detail to identify all pertinent issues for the authority that rendered those rulings or errors.

(3) Issues not included in the statement are waived.

(c) *Additional content for notice of interlocutory appeal.* When the Commonwealth appeals from an interlocutory order, the notice of appeal shall include a statement that the appeal is not taken for the purpose of delay and, if the order or ruling appealed is one which excludes evidence, that the evidence excluded is substantial proof of a fact material in the proceeding. The notice of interlocutory appeal shall be accompanied by a request for transcript when the relevant proceedings have not

otherwise transcribed. The State Judge Advocate shall arrange for the necessary transcription and inclusion into the record.

(d) *Service.* A copy of the notice of appeal shall be served on all parties, the convening authority, and the presiding military judge if the appeal is from an interlocutory order.

**Official Note:** Pursuant to 51 Pa.C.S. § 5719(c), a copy of the record of proceedings, including a verbatim transcript of proceedings and testimony, of any general or special court-martial resulting in conviction shall be given to the accused as soon as it is authenticated. This requirement obviates the need to include a request for transcript with a notice of appeal of a final judgment of conviction. However, this statutory provision does not extend to interlocutory matters. Therefore, a notice of appeal of an interlocutory order must include a request for transcript, as required by Pa.R.A.P. 4004(c).

**Rule 4005. Filing of Notice of Appeal.**

(a) *Filing.* Three copies of the notice of appeal shall be filed with the State Judge Advocate, who immediately shall stamp it with the date of receipt, thereby constituting the date when the appeal was taken.

(b) *Transmission to Superior Court.* The State Judge Advocate immediately shall transmit a copy of the notice of appeal, together with the prescribed filing fee, to the Prothonotary of the Superior Court.

(c) *Transmission to decision-making authority.* The State Judge Advocate shall immediately transmit a copy of the notice of appeal to the authority responsible for rendering the complained of error.

**Rule 4006. Opinion in Support of Ruling.**

The authority that made the ruling giving rise to the complained of error shall file of record with the State Judge Advocate either:

(a) a brief opinion of the reasons for the ruling or other errors complained of; or

(b) specify in writing the place in the record where such reasons may be found.

If the case appealed involves a ruling issued by an authority who was not the authority entering the order giving rise to the notice of appeal, the authority entering the order giving rise to the notice of appeal may request that the authority who made the earlier ruling provide an opinion to be filed to explain the reasons for that ruling.

**Rule 4007. Record on Appeal.**

(a) *Responsible office.* The State Judge Advocate shall be responsible for the assembly and transmission of the record on appeal.

(b) *Composition of the record.* The record shall consist of:

(1) The duly authenticated record of the court-martial, including a verbatim transcript of the proceeding and testimony, the pleadings, and evidence.

(2) The order or ruling to be appealed, including any findings, report, or opinion upon which the determination is based.

(3) Submissions, recommendations, reviews, and orders arising from post-trial administrative review and action.

(4) A copy of the written advisement of right to appeal.

(5) Any opinion in support of the complained of erroneous ruling.

(c) *Certification and organization of record.* The State Judge Advocate or designee shall certify the contents of the record, which shall be organized with the documents arranged in chronological order, numbered, and affixed to the right or bottom edge of the first page of each document a tab showing the number of that document. Thereafter, the entirety shall be bound and shall contain a table of contents identifying each document in the record.

(d) *Time and notice.* The State Judge Advocate shall file the record with the Prothonotary of the Superior Court within 60 days after the filing date of the notice of appeal. The Superior Court may shorten or extend the time prescribed in this subdivision. Upon filing, the State Judge Advocate shall mail a copy of the list of record documents to all counsel or to the respective parties, if unrepresented.

(e) *Omissions from or misstatements of the record below.* If anything material to any party is omitted from the record or is misstated therein, the parties may at any time supply the omission or correct the misstatement by stipulation, or the Superior Court may at any time direct that the omission or misstatement be corrected and, if necessary, that a supplemental record be prepared and filed.

**Explanatory Comment**

Effective October 24, 2013, the current version of the Pennsylvania Code of Military Justice (“Code”), 51 Pa.C.S. § 5100 *et seq.*, will be repealed and replaced with a more modern, model Code. Pennsylvania is the fifteenth state to adopt the model Code in full or in part. Relevant to appellate procedure, the new Code provides for interlocutory appellate review by the Superior Court of certain rulings, as well as review of certain final judgments of courts-martial. *Id.* §§ 5910, 5919.

To provide a procedural mechanism to perfect an appeal from a military court-martial, and to ensure the preparation and transmission of the record, the Appellate Court Procedural Rules Committee (“Committee”) is proposing the adoption of a new Chapter 40 to the Pennsylvania Rules of Appellate Procedure with a correlative amendment to Pa.R.A.P. 1925(a). The Committee wishes to acknowledge the insight and assistance of the Pennsylvania National Guard and Pennsylvania Department of Military and Veterans Affairs in preparing this proposal.

[Pa.B. Doc. No. 13-553. Filed for public inspection March 29, 2013, 9:00 a.m.]

**Title 234—RULES OF CRIMINAL PROCEDURE**

[ 234 PA. CODE CH. 7 ]

**Order Amending Rule 708 and Revising the Comments to Rules 701, 704 and 707 of the Rules of Criminal Procedure; No. 427 Criminal Procedural Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 15th day of March, 2013, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been published before adop-

tion at 41 Pa.B. 1011 (February 26, 2011), and in the *Atlantic Reporter* (Second Series Advance Sheets, Vol. 967), and a Final Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the amendment to Pennsylvania Rule of Criminal Procedure 708 is adopted and the revisions to the Comments to Pennsylvania Rules of Criminal Procedure 701, 704, and 707 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 May 1, 2013.

**Annex A**

**TITLE 234. RULES OF CRIMINAL PROCEDURE  
CHAPTER 7. POST-TRIAL PROCEDURES IN COURT CASES**

**PART A. Sentencing Procedures**

**Rule 701. Pleas of Guilty to Multiple Offenses.**

(A) Before the imposition of sentence, the defendant may plead guilty to other offenses that the defendant committed within the jurisdiction of the sentencing court.

(B) When such pleas are accepted, the court shall sentence the defendant for all the offenses.

**Comment**

The objective of this rule is to enable [ **consolidation of** ] the court to sentence the defendant on all outstanding charges within the jurisdiction of the sentencing court [ **for sentencing** ] at one time.

**This rule applies when a defendant is to be sentenced following a finding that the defendant violated probation or intermediate punishment, or when a defendant is to be recommitted following a finding that the defendant violated parole. See Rule 708(D) for the sentencing procedures in probation, intermediate punishment, or parole violation cases.**

**When a defendant is permitted to plead guilty to multiple offenses as provided in paragraph (A), if any of the other offenses involves a victim, the sentencing proceeding must be delayed to afford the Commonwealth adequate time to contact the victim(s), and to give the victim(s) an opportunity to offer prior comment on the sentencing or to submit a written and oral victim impact statement. See the Crime Victims Act, 18 P. S. § 11.201(5).**

**Official Note:** Rule 1402 adopted July 23, 1973, effective 90 days hence; renumbered Rule 701 and amended March 1, 2000, effective April 1, 2001; **Comment revised March 15, 2013, effective May 1, 2013.**

*Committee Explanatory Reports:*

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court’s Order at 30 Pa.B. [ 1477 ] 1478 (March 18, 2000).

Final Report explaining the March 15, 2013 revision of the Comment concerning probation violation cases and the Crime Victims Act published with the Court’s Order at 43 Pa.B. 1705 (March 30, 2013).

**Rule 704. Procedure at Time of Sentencing.**

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**Comment**

\* \* \* \* \*

Failure to sentence within the time specified in paragraph (A) may result in the discharge of the defendant. *See Commonwealth v. Anders*, **555 Pa. 467**, 725 A.2d 170 ([ Pa. ] 1999) (discharge is appropriate remedy for violation of Rule 1405 time limits, but only if the defendant can demonstrate that the delay in sentencing was prejudicial to the defendant).

#### ORAL MOTION FOR EXTRAORDINARY RELIEF

\* \* \* \* \*

#### SENTENCING PROCEDURES

Paragraph (C)(1) retains the former requirement that the judge afford the defendant an opportunity to make a statement and counsel the opportunity to present information and argument relative to sentencing. The defendant's right to allocution at sentencing is well established, and the trial judge must inform the defendant of that right. *See Commonwealth v. Thomas*, **520 Pa. 206**, 553 A.2d 918 ([ Pa. ] 1989).

The duty of the judge to explain to the defendant the rights set forth in paragraph (C)(3) is discussed in *Commonwealth v. Wilson*, **430 Pa. 1, 5**, 241 A.2d 760, 763 ([ Pa. ] 1968), and *Commonwealth v. Stewart*, **430 Pa. 7, 8**, 241 A.2d 764, 765 ([ Pa. ] 1968).

The judge should explain to the defendant, as clearly as possible, the timing requirements for making and deciding a post-sentence motion under Rule 720. The judge should also explain that the defendant may choose whether to file a post-sentence motion and appeal after the decision on the motion, or to pursue an appeal without first filing a post-sentence motion.

Paragraph (C)(3) requires the judge to ensure the defendant is advised of his or her rights concerning post-sentence motions and appeal, and the right to proceed with counsel. *See, e.g., Commonwealth v. Librizzi*, 810 A.2d 692 (Pa. Super. 2002).

The rule permits the use of a written colloquy that is read, completed, signed by the defendant, and made part of the record of the sentencing proceeding. This written colloquy must be supplemented by an on-the-record oral examination to determine that the defendant has been advised of the applicable rights enumerated in paragraph (C)(3) and that the defendant has signed the form.

Other, additional procedures are required by statute. *See, e.g., 42 Pa.C.S. [ § 9795 (b), which ] § 9756(b)(3) that imposes requirements on the judge when a defendant may be eligible to participate in a re-entry plan and 42 Pa.C.S. § 9756(b.1) that imposes requirements on the judge when a defendant may be eligible for a recidivism risk reduction incentive (RRRI) minimum sentence; 42 Pa.C.S. § 9795.3 that requires the judge to inform certain offenders of the duty to register; and 42 Pa.C.S. § 9813 that imposes requirements on the judge when a defendant may be eligible for work release.*

After sentencing, following a conviction in a trial *de novo* in a summary case, the judge should advise the defendant of the right to appeal and the time limits within which to exercise that right, the right to proceed *in forma pauperis* and with appointed counsel to the extent provided in Rule 122(A), and of the qualified right to bail under Rule 521(B). *See* paragraphs (C)(3)(a), (b), and (e). *See also* Rule 720(D) (no post-sentence motion after a trial *de novo*).

After sentencing, the judge should inquire whether the defendant intends to file a post-sentence motion or to

appeal, and if so, should determine the defendant's bail status pursuant to paragraph (C)(3)(e) and Rule 521. It is recommended, when a state sentence has been imposed, that the judge permit a defendant who cannot make bail to remain incarcerated locally, at least for the 10-day period during which counsel may file the post-sentence motion. When new counsel has been appointed or entered an appearance for the purpose of pursuing a post-sentence motion or appeal, the judge should consider permitting the defendant to remain incarcerated locally for a longer period to allow new counsel time to confer with the defendant and become familiar with the case. *See also* Rule 120 (Attorneys—Appearances and Withdrawals).

It is difficult to set forth all the standards that a judge must utilize and consider in imposing sentence. It is recommended that, at a minimum, the judge look to the standards and guidelines as specified by statutory law. *See* the Judicial Code, 42 Pa.C.S. § 9701 *et seq.* *See also Commonwealth v. Riggins*, **474 Pa. 115**, 377 A.2d 140 ([ Pa. ] 1977) and *Commonwealth v. Devers*, **519 Pa. 88**, 546 A.2d 12 ([ Pa. ] 1988). The judge also should consider other preexisting orders imposed on the defendant. *See* 18 Pa.C.S. § 1106(c)(2)(iv). *And see* 42 Pa.C.S. § 9728.

In all cases in which restitution is imposed, the sentencing judge must state on the record the amount of restitution, if determined at the time of sentencing, or the basis for determining an amount of restitution. *See* 18 Pa.C.S. § 1106 and 42 Pa.C.S. §§ 9721, 9728.

For the right of a victim to have information included in the pre-sentence investigation report concerning the impact of the crime upon him or her, *see* 71 P.S. § 180-9.3(1) and Rule 702(A)(4).

For the duty of the sentencing judge to state on the record the reasons for the sentence imposed, *see Commonwealth v. Riggins*, **474 Pa. 115**, 377 A.2d 140 ([ Pa. ] 1977) and *Commonwealth v. Devers*, **519 Pa. 88**, 546 A.2d 12 ([ Pa. ] 1988). If the sentence initially imposed is modified pursuant to Rule 720(B)(1)(a)(v), the sentencing judge should ensure that the reasons for the ultimate sentence appear on the record. *See also* Sentencing Guidelines, 204 PA. CODE §§ 303.1(b), 303.1(h), and 303.3(2).

In cases in which a mandatory sentence is provided by law, when the judge decides not to impose a sentence greater than the mandatory sentence, regardless of the number of charges on which the defendant could be sentenced consecutively, and when no psychiatric or psychological examination is required under Rule 702(B), the judge may immediately impose that sentence. *But see* Rule 702(A)(2), which requires that the court state on the record the reasons for dispensing with a pre-sentence report under the circumstances enumerated therein. *See also* 42 Pa.C.S. § 9721 *et seq.*

No later than 30 days after the date of sentencing, a Pennsylvania Commission on Sentencing Guideline Sentence Form must be completed at the judge's direction and made a part of the record. In addition, a copy of the form must be forwarded to the Commission on Sentencing. 204 PA. CODE § 303.1(e) [ , effective July 13, 1997. *See 27 Pa.B. 1254 (March 15, 1997)* ].

With respect to the recording and transcribing of court proceedings, including sentencing, *see* Rule 115.

**Official Note:** Previous Rule 1405 approved July 23, 1973, effective 90 days hence; Comment amended June

30, 1975, effective immediately; Comment amended and paragraphs (c) and (d) added June 29, 1977, effective September 1, 1977; amended May 22, 1978, effective as to cases in which sentence is imposed on or after July 1, 1978; Comment amended April 24, 1981, effective July 1, 1981; Comment amended November 1, 1991, effective January 1, 1992; rescinded March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994, and replaced by present Rule 1405. Present Rule 1405 adopted March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994; amended January 3, 1995, effective immediately; amended September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996. Comment revised December 22, 1995, effective February 1, 1996. The April 1, 1996 effective date extended to July 1, 1996. Comment revised September 26, 1996, effective January 1, 1997; Comment revised April 18, 1997, effective immediately; Comment revised January 9, 1998, effective immediately; amended July 15, 1999, effective January 1, 2000; renumbered Rule 704 and amended March 1, 2000, effective April 1, 2001; Comment revised March 27, 2003, effective July 1, 2003; amended April 28, 2005, effective August 1, 2005; **Comment revised March 15, 2013 effective May 1, 2103.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the March 15, 2013 revision of the Comment adding citations to the Sentencing Code published with the Court's Order at 43 Pa.B. 1705 (March 30, 2013).**

**Rule 707. Documents Transmitted to Prison.**

\* \* \* \* \*

**Comment**

It is intended that the confidentiality of such reports remain as secure after they have been delivered pursuant to this rule as at any previous stage. *Cf.* Rule 703.

**See also 42 Pa.C.S. § 9764(b) that requires the court within 10 days of sentencing to provide specific information to the county correctional facility.**

**Official Note:** Rule 1408 adopted July 23, 1973, effective 90 days hence; renumbered Rule 707 and amended March 1, 2000, effective April 1, 2001; **Comment revised March 15, 2013, effective May 1, 2013.**

*Committee Explanatory Reports:*

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [ 1477 ] 1478 (March 18, 2000).

**Final Report explaining the March 15, 2013 revision of the Comment adding citations to the Sentencing Code published with the Court's Order at 43 Pa.B. 1705 (March 30, 2013).**

**Rule 708. Violation of Probation, Intermediate Punishment, or Parole: Hearing and Disposition.**

(A) A written request for revocation shall be filed with the clerk of courts.

(B) Whenever a defendant has been sentenced to probation or intermediate punishment, or placed on parole, the judge shall not revoke such probation, intermediate punishment, or parole as allowed by law unless there has been:

(1) a hearing held as speedily as possible at which the defendant is present and represented by counsel; and

(2) a finding of record that the defendant violated a condition of probation, intermediate punishment, or parole.

**(C) Before the imposition of sentence,**

**(1) the defendant may plead guilty to other offenses that the defendant committed within the jurisdiction of the sentencing court.**

**(2) When such pleas are accepted, the court shall sentence the defendant for all the offenses.**

**(D) Sentencing Procedures**

\* \* \* \* \*

**[ (D) ] (E) Motion to Modify Sentence**

A motion to modify a sentence imposed after a revocation shall be filed within 10 days of the date of imposition. The filing of a motion to modify sentence will not toll the 30-day appeal period.

**Comment**

This rule addresses *Gagnon II* revocation hearings only, and not the procedures for determining probable cause (*Gagnon I*). *See Gagnon v. Scarpelli*, 411 U.S. 778 (1973).

Paragraph (A) requires that the *Gagnon II* proceeding be initiated by a written request for revocation filed with the clerk of courts.

The judge may not revoke probation or parole on arrest alone, but only upon a finding of a violation thereof after a hearing, as provided in this rule. However, the judge need not wait for disposition of new criminal charges to hold such hearing. *See Commonwealth v. Kates*, 452 Pa. 102, 305 A.2d 701 [ Pa. ] 1973).

This rule does not govern parole cases under the jurisdiction of the Pennsylvania Board of Probation and Parole, but applies only to the defendants who can be paroled by a judge. *See* 61 P.S. § 314. *See also Georgevich v. Court of Common Pleas of Allegheny County*, 510 Pa. 285, 507 A.2d 812 [ Pa. ] 1986).

This rule was amended in 1996 to include sentences of intermediate punishment. *See* 42 Pa.C.S. §§ [ 763 ] 9763 and 9773. Rules 704, 720, and 721 do not apply to revocation cases.

**The objective of the procedures enumerated in paragraph (C) is to enable the court to sentence the defendant on all outstanding charges within the jurisdiction of the sentencing court at one time. See Rule 701.**

**When a defendant is permitted to plead guilty to multiple offenses as provided in paragraph (C), if any of the other offenses involves a victim, the sentencing proceeding must be delayed to afford the Commonwealth adequate time to contact the victim(s), and to give the victim(s) an opportunity to offer prior comment on the sentencing or to submit a written and oral victim impact statement. See the Crime Victims Act, 18 P.S. § 11.201(5).**

Issues properly preserved at the sentencing proceeding need not, but may, be raised again in a motion to modify sentence in order to preserve them for appeal. In deciding whether to move to modify sentence, counsel must carefully consider whether the record created at the sentencing proceeding is adequate for appellate review of the issues, or the issues may be waived. *See Commonwealth*

*v. Jarvis*, 444 Pa. Super. 295, 663 A.2d 790, 791-2, n.1 ([ Pa. Super. ] 1995). As a general rule, the motion to modify sentence under paragraph [ (D) ] (E) gives the sentencing judge the earliest opportunity to modify the sentence. This procedure does not affect the court's inherent powers to correct an illegal sentence or obvious and patent mistakes in its orders at any time before appeal or upon remand by the appellate court. *See, e.g., Commonwealth v. Jones*, 520 Pa. 385, 554 A.2d 50 ([ Pa. ] 1989) (sentencing court can, *sua sponte*, correct an illegal sentence even after the defendant has begun serving the original sentence) and *Commonwealth v. Cole*, 437 Pa. 288, 263 A.2d 339 ([ Pa. ] 1970) (inherent power of the court to correct obvious and patent mistakes).

Under this rule, the mere filing of a motion to modify sentence does not affect the running of the 30-day period for filing a timely notice of appeal. Any appeal must be filed within the 30-day appeal period unless the sentencing judge within 30 days of the imposition of sentence expressly grants reconsideration or vacates the sentence. *See Commonwealth v. Coleman*, 721 A.2d 798, 799, fn.2 (Pa. Super. 1998). *See also* Pa.R.A.P. 1701(b)(3).

Once a sentence has been modified or [ **reimposed** ] **re-imposed** pursuant to a motion to modify sentence under paragraph [ (D) ] (E), a party wishing to challenge the decision on the motion does not have to file an additional motion to modify sentence in order to preserve an issue for appeal, as long as the issue was properly preserved at the time sentence was modified or [ **reimposed** ] **re-imposed**.

**Official Note:** Former Rule 1409 adopted July 23, 1973, effective 90 days hence; amended May 22, 1978, effective as to cases in which sentence is imposed on or after July 1, 1978; Comment revised November 1, 1991, effective January 1, 1992; amended September 26, 1996, effective January 1, 1997; Comment revised August 22, 1997, effective January 1, 1998; renumbered Rule 708 and amended March 1, 2000, effective April 1, 2001; amended February 26, 2002, effective July 1, 2002; **amended March 15, 2013, effective May 1, 2013.**

*Committee Explanatory Reports:*

\* \* \* \* \*

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [ 1477 ] 1478 (March 18, 2000).

Final Report explaining the February 26, 2002 amendments concerning the 30-day appeal period published with the Court's Order at 32 Pa.B. 1394 (March 16, 2002).

**Final Report explaining the March 15, 2013 amendments to paragraph (C) concerning multiple guilty pleas and the Comment concerning the Crime Victims Act published at 43 Pa.B. 1705 (March 30, 2013).**

## FINAL REPORT<sup>1</sup>

### ***Amendments to Pa.R.Crim.P. 708 and Revision of the Comments to Pa.Rs.Crim.P. 701, 704, and 707***

#### **Pleas of Guilty to Multiple Offenses; Crime Victims Act; Citations to Sentencing Code**

On March 15, 2013, effective May 1, 2013, upon the recommendation of the Criminal Procedural Rules Com-

mittee, the Court approved several changes to the rules in Chapter 7 of the Rules of Criminal Procedure. The first part of these changes is the amendment of Rule of Criminal Procedure 708 and the revision of the Comment to Rule of Criminal Procedure 701 to make it clear that a defendant at the time of sentencing in probation, intermediate punishment, or parole violation cases also may plead guilty to other offenses the defendant has committed that are within the jurisdiction of the sentencing court. The second part is the revision of the Comments to Rules 701 and 708 to alert the bench and bar to the requirements of the Crime Victims Act in the context of guilty pleas to multiple offenses. The third part is the revision of the Comments to Rules 704 and 707 to alert the bench and bar to changes to the Sentencing Code.

#### *Part I*

The Committee undertook a review of Rules 701 (Pleas of Guilty to Multiple Offenses) and 708 (Violation of Probation, Intermediate Punishment, or Parole: Hearing and Disposition) after receiving inquiries asking whether a defendant who is being sentenced for a probation, intermediate punishment, or parole violation would be permitted to plead guilty to other offenses pursuant to Rule 701.

Rule 701 permits a defendant, before the imposition of sentence, to plead guilty to other offenses the defendant has committed that are within the jurisdiction of the sentencing court. The Rule 701 Comment explains the objective of this rule is "to enable consolidation of all outstanding charges within the jurisdiction of the sentencing court for sentencing at one time."

When Rule 701 was adopted in 1973,<sup>2</sup> the Committee observed that the rule reflected sound sentencing policy, noting that this is consistent with the positions of the American Bar Association, the Pennsylvania Bar Association, and the Task Force on Corrections of the National Advisory Commission on Criminal Justice Standards and Goals. The benefits of this policy are stated in the *ABA Standards for Criminal Justice*, Chapter 14—Pleas of Guilty, Standard 14.1.2 (1999) Commentary:

Allowing for consolidated guilty pleas enables a defendant to be sentenced simultaneously on all charges that he or she is facing in that government's courts. This reduces the governmental resources that must be devoted to the cases, while also allowing the defendant to take full advantage of any concurrent sentencing options that may be available. By pleading to all offenses simultaneously, the defendant can complete his or her sentence without facing these additional charges, and can avoid the risk of having a detainer filed against the defendant on these other charges while serving his or her sentence.

Rule 708(C) (Violation of Probation, Intermediate Punishment, or Parole: Hearing and Disposition) provides sentencing procedures comparable to paragraph (C) of Rule 704 (Procedure at Time of Sentencing). The Committee reasoned that the provisions of Rule 701 should apply to sentencing proceedings following trials and probation, intermediate punishment, or parole violations since the sentencing proceeding in a probation violation case is comparable to a sentencing proceeding following a trial. They also believe the same reasons articulated in support of permitting pleas to multiple offenses after trial apply equally well to sentencing in probation, intermediate punishment, and parole violation cases. Furthermore, the

<sup>1</sup> The Committee's Final Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

<sup>2</sup> Rule 701, originally numbered Rule 1402, was renumbered Rule 701 in 2000 as part of comprehensive renumbering and reorganization of the Rules.

members noted that this practice already is occurring in a number of judicial districts. However, because there appears to be confusion among some members of the bench and bar, the Committee members agreed that clarifying language should be added to the Rule 701 Comment and to Rule 708. Accordingly, the Rule 701 Comment has been revised by the addition of a new paragraph that states that Rule 701 applies in sentencing proceedings under Rule 708. Rule 708 is amended by adding a new paragraph (C) that incorporates the procedures in Rule 701 for a defendant to plead guilty to other offenses the defendant has committed within the jurisdiction of the sentencing court.

### Part II

During the Committee's consideration of Rules 701 and 708, some members observed that neither rule specifically recognizes the provisions of the Crime Victims Act, 18 P. S. § 11.201(5), that requires, *inter alia*, that victims be given an opportunity to offer comment about the defendant's sentence prior to the sentencing. Without some accommodation for delay in sentencing in Rules 701 and 708, the case could run afoul of the Crime Victims Act. The addition of a reference to the Crime Victims Act in the Comments to both Rules 701 and 708 would ensure that the bench and bar are aware of their responsibilities under the Crime Victims Act. The new Comment provisions make it clear that the sentencing proceeding must be delayed when there is a victim for any of the other offenses to which the defendant is pleading guilty. The Comment explains the delay is necessary to afford the Commonwealth adequate time to contact the victim and give the victim an opportunity to offer input as required by the Crime Victims Act, and includes a citation to the Act.

As a result of the publication of Parts I and II of these amendments, the Committee was made aware that the terminology used in Rule 708 could be interpreted incorrectly as providing for sentencing following a parole violation and therefore modified the amendment to state that, rather than being "sentenced," the defendant would be recommitted to serve the balance of the sentence.

### Part III

As part of the Committee's ongoing monitoring of legislation, the members reviewed the "prison reform package" (Acts 81, 82, 83, and 84 of 2008) that amended, *inter alia*, Title 42 by making changes that relate to place of confinement, aggregation of consecutive sentences, work release, early parole, State Intermediate punishment, prisoner information, recidivism risk reduction incentives (RRRI), and parole guidelines. Other changes were made to Title 44 that relate to the new "Recidivism Risk Reduction Incentive" program, and to Title 61 that relate to, *inter alia*, medical release, temporary transfer of prisoners, administrative parole. The Committee noted that some of the changes impose requirements on judges at the time of sentencing or subsequent to the sentencing proceeding.

Generally, in the past, the Committee has not recommended changes to the rules every time there is a statute enacted imposing requirements for sentencing. Occasionally, however, the Committee has proposed revisions to a Comment to alert the bench and bar to a statute, such as was done in 1997, when the Court approved revisions to the Comments to then-Rules 1403 and 1405 (now Rules

702 and 704) that recognized that there are statutes that require additional sentencing procedures.<sup>3</sup>

After thoroughly reviewing the "prison reform package," the Committee agreed the rules should reference some of the sentencing provisions as an aide to the bench and bar. The Comment to Rule 704 has been revised to include a cross-reference to 42 Pa.C.S. § 9756(b)(3) concerning the new requirements being imposed on the judge when a defendant may be eligible to participate in a re-entry plan and to 42 Pa.C.S. § 9756 (b.1) concerning the new requirements being imposed on the judge when a defendant may be eligible for a recidivism risk reduction incentive (RRRI) minimum sentence. Additionally, the Rule 704 Comment has been revised to cross-reference 42 Pa.C.S. § 9813 concerning the new requirements being imposed on the judge when a defendant may be eligible for work release.

In addition to the new requirements related to sentencing procedures, the "prison reform package" also added the requirement that a judge must provide certain information to the county correctional facility after sentencing. Rule 707 requires that certain documents must be sent to the correctional facility when the sentence imposed includes a sentence of imprisonment of two years or more. Because the statutory provision is more narrowly drawn and imposes a time within which the information is to be provided, the Rule 707 Comment has been revised to add a cross-reference to 42 Pa.C.S. § 9764(b) that requires the court within 10 days of sentencing to provide specified information to the county correctional facility.

[Pa.B. Doc. No. 13-554. Filed for public inspection March 29, 2013, 9:00 a.m.]

## SUPREME COURT

### Order Specifying the Form and Content of Petitions for Approval of Indicting Grand Jury Pursuant to Rules 556—556.12 and Order No. 414 of the Criminal Procedural Rules Docket; No. 426 Criminal Procedural Rules Doc.

#### Order

#### *Per Curiam*

*And Now*, this 12th day of March, 2013, in order to implement Rule 556 through 556.12 of the Rules of Criminal Procedure and the order dated June 21, 2012 entered at No. 414 of the Criminal Procedural Rules Docket:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the form and content of petitions requesting permission to summon an indicting grand jury shall be as follows:

(1) The petition shall identify the petitioner, who shall be either the President Judge or a designee, and the judicial district. If the petition is seeking permission to summon an indicting grand jury in a two-county judicial district, and the indicting grand jury is sought for only

<sup>3</sup> In the Committee's Report, 27 Pa.B. 2122 (May 3, 1997), the Committee explained "the Comment revisions alert the bench and bar to statutory enactments containing additional pre-sentencing and sentencing procedures for special classes of offenders. Act 1995-21 (Special Session No. 1) amended 42 Pa.C.S. § 9714(c) to require that a hearing be held for an offender presumed to be a 'high risk dangerous offender.' Act 1995-24 (Special Session No. 1), 42 Pa.C.S. §§ 9791—9799.5, provides for a presentence assessment and hearing to determine whether an offender is a 'sexually violent predator.'"



one county, that county shall be identified in the petition. The President Judge's designee shall be a member of the Court of Common Pleas of the judicial district.

(2) The petition shall aver that the petitioner has reviewed the District Attorney's certificate (see paragraphs 4 and 5) and the petitioner agrees with the averments contained therein.

(3) An original and 2 copies of the petition shall be filed, and shall bear an original signature of the petitioner.

(4) There shall be appended to the petition a certificate from the district attorney for the judicial district or, in the case of a two-county judicial district, a certificate from the District Attorney or District Attorneys for the county or counties within the judicial district.

(5) The District Attorney's certificate shall contain:

(a) The name and county of the District Attorney;

(b) An averment that witness intimidation has occurred, is occurring, or is likely to occur in the judicial district or, in the case of a two-county district where an indicting grand jury is only sought for one county, the county;

(c) An averment that the District Attorney believes that an indicting grand jury will remedy the problem of witness intimidation.

(d) The original signature of the District Attorney.

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

[Pa.B. Doc. No. 13-555. Filed for public inspection March 29, 2013, 9:00 a.m.]

**Reestablishment of the Magisterial Districts within the 16th Judicial District; No. 331 Magisterial Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 12th day of March 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 16th Judicial District (Somerset County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the realignment of Magisterial Districts 16-3-01, 16-3-02, 16-3-03, 16-3-05, and 16-3-06, within Somerset County, to be effective July 1, 2013, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 16-3-01	Boswell Borough
Magisterial District Judge	Indian Lake Borough
Susan Mankamyser	Jennerstown Borough
	Stoystown Borough
	Conemaugh Township
	Jenner Township
	Quemahoning Township
	Stonycreek Township

Magisterial District 16-3-02	Benson Borough
Magisterial District Judge	Central City Borough
(Vacant) Cannoni	Hooversville Borough
	Paint Borough
	Windber Borough
	Ogle Township
	Paint Township
	Shade Township
Magisterial District 16-3-03	Somerset Borough
Magisterial District Judge	Lincoln Township
Kenneth W. Johnson	Somerset Township
Magisterial District 16-3-05	Addison Borough
Magisterial District Judge	Casselman Borough
Sandra L. Stevanus	Confluence Borough
	New Centerville Borough
	Rockwood Borough
	Seven Springs Borough
	Ursina Borough
	Addison Township
	Black Township
	Jefferson Township
	Lower Turkeyfoot Township
	Middlecreek Township
	Milford Township
	Upper Turkeyfoot Township
Magisterial District 16-3-06	Berlin Borough
Magisterial District Judge	Callimont Borough
Douglas McCall Bell	Garrett Borough
	Meyersdale Borough
	New Baltimore Borough
	Salisbury Borough
	Wellersburg Borough
	Allegheny Township
	Brothersvalley Township
	Elk Lick Township
	Fairhope Township
	Greenville Township
	Larimer Township
	Northampton Township
	Southampton Township
	Summit Township

[Pa.B. Doc. No. 13-556. Filed for public inspection March 29, 2013, 9:00 a.m.]

**Reestablishment of the Magisterial Districts within the 21st Judicial District; No. 330 Magisterial Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 12th day of March 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 21st Judicial District (Schuylkill County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 21-2-01, 21-3-01, 21-3-03, 21-3-04, 21-3-05, 21-3-06 and 21-3-07, within Schuylkill County, to be effective immediately, is granted.

Said Magisterial Districts shall be reestablished as follows:



**Reestablishment of the Magisterial Districts within the 53rd Judicial District; No. 327 Magisterial Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 12th day of March 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 53rd Judicial District (Lawrence County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the elimination of Magisterial District 53-3-03, within Lawrence County, to be effective January 1, 2018, is granted; and that the Petition, which provides for the realignment of Magisterial Districts 53-3-01 and 53-3-04, within Lawrence County, to be effective January 1, 2018, is granted; and that the Petition, which also provides for the reestablishment of Magisterial Districts 53-1-01 and 53-3-02, within Lawrence County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

- Magisterial District 53-1-01 City of New Castle (Wards 1—5, 7, and 8)
- Magisterial District Judge Melissa A. Amodie
- Magisterial District 53-3-01 Ellport Borough
- Magisterial District Judge Ellwood City Borough  
Enon Valley Borough  
New Beaver Borough  
Wampum Borough  
Little Beaver Township  
Perry Township  
Slippery Rock Township  
Wayne Township
- Magisterial District 53-3-02 City of New Castle (Ward 6)
- Magisterial District Judge Bessemer Borough  
SNPJ Borough  
Mahoning Township  
North Beaver Township  
Taylor Township  
Union Township
- Magisterial District 53-3-04 New Wilmington Borough
- Magisterial District Judge Volant Borough  
Hickory Township  
Neshannock Township  
Plain Grove Township  
Pulaski Township  
Scott Township  
Shenango Township  
Washington Township  
Wilmington Township

[Pa.B. Doc. No. 13-559. Filed for public inspection March 29, 2013, 9:00 a.m.]

**Reestablishment of the Magisterial Districts within the 55th Judicial District; No. 329 Magisterial Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 12th day of March 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 55th Judicial District (Potter County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 55-3-01, 55-4-01 and 55-4-03, within Potter County, to be effective immediately, is granted.

Said Magisterial Districts shall be reestablished as follows:

- Magisterial District 55-3-01 Austin Borough
- Magisterial District Judge Coudersport Borough  
Annette L. Easton Eulalia Township  
Homer Township  
Keating Township  
Portage Township  
Summit Township  
Sweden Township  
Sylvania Township  
Wharton Township
- Magisterial District 55-4-01 Oswayo Borough
- Magisterial District Judge Shinglehouse Borough  
Kari A. Stubbs Allegany Township  
Clara Township  
Genesee Township  
Hebron Township  
Pleasant Valley Township  
Roulette Township  
Sharon Township
- Magisterial District 55-4-03 Galeton Borough
- Magisterial District Judge Ulysses Borough  
Delores G. Bristol Abbott Township  
Bingham Township  
Harrison Township  
Hector Township  
Pike Township  
Stewardson Township  
Ulysses Township  
West Branch Township

[Pa.B. Doc. No. 13-560. Filed for public inspection March 29, 2013, 9:00 a.m.]