

THE COURTS

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 4]

Order Approving the Revisions to the Comments to Rules 409, 414, 424, 454 and 455 of the Rules of Criminal Procedure; No. 436 Criminal Procedural Rules Doc.

Order

Per Curiam

And Now, this 17th day of July, 2013, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been published before adoption at 42 Pa.B. 6529 (October 13, 2012), 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 revisions to the Comments to Pennsylvania Rules of Criminal Procedure 409, 414, 424, 454, and 455 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 August 17, 2013.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 4. PROCEDURES IN SUMMARY CASES PART B(1). Procedures When Citation Is Issued to Defendant

Rule 409. Guilty Pleas.

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Comment

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[When the defendant is under 18 years of age at the time of the offense and appears as provided in paragraph (C), if a mandatory sentence of imprisonment is prescribed by statute, the issuing authority must forward the case to the court of common pleas for disposition. *See the Juvenile Act, 42 Pa.C.S. §§ 6302 and 6303. For the procedure upon default in payment of fine or costs, see Rule 456.]*

When the defendant was under 18 years of age at the time of the offense and is charged with a summary offense that would otherwise carry a mandatory sentence of imprisonment as prescribed by statute, the issuing authority is required to conduct the summary trial but may not sentence the defendant to a term of imprisonment. *See 42 Pa.C.S. §§ 6302 and 6303 and 75 Pa.C.S. § 6303(b).*

For the procedure upon default in payment of the fine or costs, see Rule 456.

For appeal procedures in summary cases, see Rules 460, 461, and 462.

For procedures regarding arrest warrants, see Rules 430 and 431.

With regard to the defendant's right to counsel and waiver of counsel, see Rules 121 and 122.

Official Note: Previous Rule 59 adopted September 18, 1973, effective January 1, 1974; rescinded July 12, 1985, effective January 1, 1986, and replaced by present Rule 430. Present Rule 59 adopted July 12, 1985, effective January 1, 1986; amended September 23, 1985, effective January 1, 1986. The January 1, 1986 effective dates are all extended to July 1, 1986; amended May 28, 1987, effective July 1, 1987; amended January 31, 1991, effective July 1, 1991; renumbered Rule 409 and amended March 1, 2000, effective April 1, 2001; Comment revised August 7, 2003, effective July 1, 2004; amended January 26, 2007, effective February 1, 2008; **Comment revised July 17, 2013, effective August 17, 2013.**

Committee Explanatory Reports:

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Final Report explaining the July 17, 2013 Comment revision concerning mandatory incarceration offenses and juveniles published with the Court's Order at 43 Pa.B. 4325 (August 3, 2013).

PART B(2). Procedures When Citation Filed

Rule 414. Guilty Pleas.

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Comment

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[When the defendant is under 18 years of age at the time of the offense and appears as provided in paragraph (C), if a mandatory sentence of imprisonment is prescribed by the statute, the issuing authority must forward the case to the court of common pleas for disposition. *See the Juvenile Act, 42 Pa.C.S. §§ 6302 and 6303.]*

When the defendant was under 18 years of age at the time of the offense and is charged with a summary offense that would otherwise carry a mandatory sentence of imprisonment as prescribed by statute, the issuing authority is required to conduct the summary trial but may not sentence the defendant to a term of imprisonment. *See 42 Pa.C.S. §§ 6302 and 6303 and 75 Pa.C.S. § 6303(b).*

For the procedure upon default in payment of the fine or costs, see Rule 456.

For appeal procedures in summary cases, see Rules 460, 461, and 462.

For arrest warrant procedures, see Rules 430 and 431.

With regard to the defendant's right to counsel and waiver of counsel, see Rules [122 and 121] 121 and 122.

Official Note: Previous rule, originally numbered Rule 136, adopted January 31, 1970, effective May 1, 1970; renumbered Rule 64 September 18, 1973, effective January 1, 1974; rescinded July 12, 1985, effective January 1, 1986, and replaced by present Rule [455] 84. Present Rule 64 adopted July 12, 1985, effective January 1, 1986; amended September 23, 1985, effective January 1, 1986. The January 1, 1986 effective dates all are extended to July 1, 1986; amended May 28, 1987, effective July 1, 1987; amended January 31, 1991, effective July 1, 1991;

renumbered Rule 414 and amended March 1, 2000, effective April 1, 2001; Comment revised August 7, 2003, effective July 1, 2004; amended January 26, 2007, effective February 1, 2008; **Comment revised July 17, 2013, effective August 17, 2013.**

Committee Explanatory Reports:

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Final Report explaining the July 17, 2013 Comment revision concerning mandatory incarceration offenses and juveniles published with the Court's Order at 43 Pa.B. 4325 (August 3, 2013).

PART C. Procedures in Summary Cases When Complaint Filed

Rule 424. Guilty Pleas.

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Comment

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[When the defendant is under 18 years of age at the time of the offense and appears as provided in paragraph (C), if a mandatory sentence of imprisonment is prescribed by statute, the issuing authority must forward the case to the court of common pleas for disposition. See the Juvenile Act, 42 Pa.C.S. §§ 6302 and 6303.]

When the defendant was under 18 years of age at the time of the offense and is charged with a summary offense that would otherwise carry a mandatory sentence of imprisonment as prescribed by statute, the issuing authority is required to conduct the summary trial but may not sentence the defendant to a term of imprisonment. See 42 Pa.C.S. §§ 6302 and 6303 and 75 Pa.C.S. § 6303(b).

For the procedure upon default in payment of the fine or costs, see Rule 456.

For appeal procedures in summary cases, see Rules 460, 461, and 462.

For procedures regarding arrest warrants, see Rules 430 and 431.

With regard to the defendant's right to counsel and waiver of counsel, see Rules [122 and 121] 121 and 122.

Official Note: Previous rule, originally numbered Rule 140, adopted January 31, 1970, effective May 1, 1970; renumbered Rule 69 September 18, 1973, effective January 1, 1974; Comment revised January 28, 1983, effective July 1, 1983; rescinded July 12, 1985, effective January 1, 1986, and not replaced in these rules. Present Rule 69 adopted July 12, 1985, effective January 1, 1986; amended September 23, 1985, effective January 1, 1986. The January 1, 1986 effective dates are all extended to July 1, 1986; amended May 28, 1987, effective July 1, 1987; amended January 31, 1991, effective July 1, 1991; renumbered Rule 424 and amended March 1, 2000, effective April 1, 2001; Comment revised August 7, 2003, effective July 1, 2004; amended January 26, 2007, effective February 1, 2008; **Comment revised July 17, 2013, effective August 17, 2013.**

Committee Explanatory Reports:

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Final Report explaining the July 17, 2013 Comment revision concerning mandatory incarceration offenses and juveniles published with the Court's Order at 43 Pa.B. 4325 (August 3, 2013).

PART E. General Procedures in Summary Cases

Rule 454. Trial in Summary Cases.

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Comment

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[When the defendant was under 18 years of age at the time of the offense, if a mandatory sentence of imprisonment is prescribed by statute, the issuing authority may not conduct the trial, but must forward the case to the court of common pleas for disposition. See the Juvenile Act, 42 Pa.C.S. §§ 6302 and 6303.]

When the defendant was under 18 years of age at the time of the offense and is charged with a summary offense that would otherwise carry a mandatory sentence of imprisonment as prescribed by statute, the issuing authority is required to conduct the summary trial but may not sentence the defendant to a term of imprisonment. See 42 Pa.C.S. §§ 6302 and 6303 and 75 Pa.C.S. § 6303(b).

Under paragraph (F)(2)(a), the issuing authority should explain to the defendant that if an appeal is filed, any sentence, including imprisonment, fines, or restitution, will be stayed.

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For the statutory authority to sentence a defendant to pay restitution, see 42 Pa.C.S. § 9721(c) and 18 Pa.C.S. § 1106(c). See also [18 Pa.C.S. § 1106(c)(2)(iv)] 18 Pa.C.S. § 1106(c)(2)(iii), which prohibits the court from ordering the incarceration of a defendant for failure to pay restitution if the failure results from the defendant's inability to pay.

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Official Note: Rule 83 adopted July 12, 1985, effective January 1, 1986; amended September 23, 1985, effective January 1, 1986; January 1, 1986 effective dates extended to July 1, 1986; amended February 2, 1989, effective March 1, 1989; amended October 28, 1994, effective as to cases instituted on or after January 1, 1995; Comment revised April 18, 1997, effective July 1, 1997; amended October 1, 1997, effective October 1, 1998; Comment revised February 13, 1998, effective July 1, 1998; renumbered Rule 454 and Comment revised March 1, 2000, effective April 1, 2001; amended February 28, 2003, effective July 1, 2003; Comment revised August 7, 2003, effective July 1, 2004; amended March 26, 2004, effective July 1, 2004; amended January 26, 2007, effective February 1, 2008; **Comment revised July 17, 2013, effective August 17, 2013.**

Committee Explanatory Reports:

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Final Report explaining the July 17, 2013 Comment revision concerning mandatory incarceration offenses and juveniles published with the Court's Order at 43 Pa.B. 4325 (August 3, 2013).

Rule 455. Trial in Defendant's Absence.

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Comment

In those cases in which the issuing authority determines that there is a likelihood that the sentence will be imprisonment or that there is other good cause not to conduct the trial in the defendant's absence, the issuing authority may issue a warrant for the arrest of the defendant in order to have the defendant brought before the issuing authority for the summary trial. *See* Rule 430(B). The trial would then be conducted with the defendant present as provided in these rules. *See* Rule 454.

[When the defendant was under 18 years of age at the time of the offense, if a mandatory sentence of imprisonment is prescribed by statute, the issuing authority may not conduct the trial, but must forward the case to the court of common pleas for disposition. *See* the Juvenile Act, 42 Pa.C.S. §§ 6302 and 6303.]

When the defendant was under 18 years of age at the time of the offense and is charged with a summary offense that would otherwise carry a mandatory sentence of imprisonment as prescribed by statute, the issuing authority is required to conduct the summary trial but may not sentence the defendant to a term of imprisonment. *See* 42 Pa.C.S. §§ 6302 and 6303 and 75 Pa.C.S. § 6303(b).

Paragraph (D) provides notice to the defendant of conviction and sentence after trial *in absentia* to alert the defendant that the time for filing an appeal has begun to run. *See* Rule 413(B)(3).

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Official Note: Rule 84 adopted July 12, 1985, effective January 1, 1986; January 1, 1986 effective date extended to July 1, 1986; amended February 1, 1989, effective July 1, 1989; amended April 18, 1997, effective July 1, 1997; amended October 1, 1997, effective October 1, 1998; renumbered Rule 455 and Comment revised March 1, 2000, effective April 1, 2001; Comment revised August 7, 2003, effective July 1, 2004; Comment revised April 1, 2005, effective October 1, 2005; amended August 15, 2005, effective February 1, 2006; Comment revised January 17, 2013, effective May 1, 2013; **Comment revised July 17, 2013, effective August 17, 2013.**

Committee Explanatory Reports:

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Final Report explaining the July 17, 2013 Comment vision concerning mandatory incarceration offenses and juveniles published with the Court's Order at 43 Pa.B. 4325 (August 3, 2013).

FINAL REPORT¹

Revisions to the Comments to Pa.Rs.Crim.P. 409, 414, 424, 454, and 455

Juveniles and Mandatory Incarceration in Summary Cases

On July 17, 2013, effective August 17, 2013, upon the recommendation of the Criminal Procedural Rules Committee, the Court approved the revisions to the Comments to Rules of Criminal Procedure 409, 414, 424, 454,

¹ 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.

and 455. The revisions clarify that a magisterial district judge (MDJ) may conduct the trial of a defendant who is under the age of 18 and is charged with a violation of 75 Pa.C.S. § 1543(b) (driving under a DUI-related suspended license) but the sentence may not include incarceration.

The Committee examined a conflict between the Rule 454 Comment and provisions within the Juvenile Act regarding the handling of summary offenses for which there is a mandatory sentence of incarceration when the defendant is a juvenile. The particular Comment language in question states:

When the defendant was under 18 years of age at the time of the offense, if a mandatory sentence of imprisonment is prescribed by statute, the issuing authority may not conduct the trial, but must forward the case to the court of common pleas for disposition. *See* the Juvenile Act, 42 Pa.C.S. §§ 6302 and 6303.

This language was added as part of a package developed by the Committee that was adopted by the Court in 2004. The Comment language above addressed the provision in the Juvenile Act, 42 Pa.C.S. § 6303(b) that states:

(b) *Minor judiciary.*—No child shall be detained, committed or sentenced to imprisonment by a magisterial district judge or a judge of the minor judiciary unless the child is charged with an act set forth in paragraph (2)(i), (ii), (iii) or (v) of the definition of "delinquent act" in section 6302 (relating to definitions).

42 Pa.C.S. § 6302 excludes summary offenses from the definition of "delinquent act."

The language was added to the Rule 454 Comment to provide guidance to magisterial district judges (MDJs) on how to dispose of summary cases involving juveniles facing possible mandatory incarceration.² The Committee believed that sending these cases to the common pleas court created the least confusion while ensuring no juvenile would be sentenced to imprisonment by a member of the minor judiciary.

Shortly after these changes were adopted, the Legislature passed amendments to 75 Pa.C.S. § 6303 (Rights and Liabilities of Minors), so that it now reads:

(a) Except as provided in subsection (b), any person over the age of 16 years charged with the violation of any provisions of this title constituting a summary offense shall have all the rights of an adult and may be prosecuted under the provisions of this title in the same manner as an adult.

(b) No person shall be sentenced to a term of imprisonment for a violation of any provisions of this title constituting a summary offense committed while the person was under the age of 18 years.

It came to the attention of the Committee that the practice in some counties in cases in which the defendant is a juvenile charged with violations of 75 Pa.C.S. § 1543(b) is for magisterial district judges (MDJs) to hold the summary trial with the sentence for § 1543(b) offenses being limited to fines only, and no sentence to incarceration being imposed.

The problem was brought to light because the recently redesigned Magisterial District Court System, relying on

² The only summary offense for which there was then, and is now, a sentence of mandatory incarceration is driving under a DUI-related suspended license as provided in 75 Pa.C.S. § 1543(b).

the language in the Rule 454 Comment, will not permit an MDJ to schedule the summary trial. However, when the MDJs have tried to transfer these cases to the common pleas juvenile court, the juvenile court has rejected these cases because, as noted above, the Juvenile Act excludes summary offenses from the definition of "delinquent acts" and summary cases are not within the jurisdiction of the juvenile court.

The Committee concluded that these cases should be heard before the MDJs. Since the mandatory sentence required by Section 1543(b) now cannot be imposed on a juvenile, there is no need for the case to be referred to the court of common pleas and it can be treated in the same manner as other summary charges against juveniles.

Therefore, the Rule 454 Comment has been revised to state that the magisterial district judge shall try the summary offense but that no incarceration could be awarded to a defendant under the age of 18. Although this question initially arose concerning Rule 454, identical language is contained in Rules 409, 414, 424, and 455. Similar changes have been made to the Comments to each of those rules.

[Pa.B. Doc. No. 13-1435. Filed for public inspection August 2, 2013, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ADAMS COUNTY

Rule of Civil Procedure 230; Administrative Order No. 59 of 2013

Order of Court

And Now, this 18th day of July, 2013, *It Is Hereby Ordered* that the Adams County Rules of Civil Procedure are amended to include the following rules:

Rule 230.2. Termination of Inactive Cases.

A. The Adams County Prothonotary shall annually review cases pending in the Prothonotary's Office and shall compile a list of cases in which there has been no docket activity for a period of two (2) years or more. The list shall be prepared on or before the first day of September and shall include all cases in which there has been no activity of record for the prior 22 months.

B. On or before the 15th day of September, the Prothonotary shall serve notice on counsel of record, or on the party if not represented, of the proposed termination of the case on the 30th day of November. The notice shall be served in compliance with Pennsylvania Rule of Civil Procedure 440. If the mailed notice is returned, notice shall be served by advertising the same in the legal publication designated by the Court for the publication of legal notices or in one newspaper of general circulation within the county as directed by the Court.

C. If no statement of intention to proceed is filed, the Prothonotary shall enter an Order as of course terminating the matter with prejudice for failure to prosecute. If a statement of intention to proceed is filed, the same shall be promptly forwarded to the Court for purposes of the setting of a scheduling conference or other action deemed appropriate by the Court.

Rule 230.3. Aged Litigation/Scheduling of Conferences.

A. On or before the first day of each month, the Adams County Prothonotary shall forward to the Judge designated to conduct scheduling conferences a list of all cases pending in the Prothonotary's Office for a period of 30 months regardless of whether docket activity has occurred.

B. Upon receipt of the list identified in paragraph A above, the Court shall review the case and conduct a scheduling conference or take other action as appropriate for the prompt resolution of the litigation.

This rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. *It Is Further Directed* that:

A. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts Office and the Adams County Law Library for inspection and copying;

B. One (1) certified copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts for distribution in accordance with the provisions of Pa.R.C.P. No. 239(c)(2);

C. Two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format per 1 Pa. Code § 13.11(d), containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and

D. One (1) certified copy of this Order shall be forwarded to the Civil Procedural Rules Committee in accordance with the provisions of Pa.R.C.P. No. 239(c)(4).

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 13-1436. Filed for public inspection August 2, 2013, 9:00 a.m.]

ADAMS COUNTY

Rule of Judicial Administration 160; Administrative Order No. 61 of 2013

Order of Court

And Now, this 18th day of July, 2013, *It Is Hereby Ordered* that Adams County Rule of Judicial Administration 160, Termination of Inactive Cases, is rescinded in its entirety.

[160. Termination of Inactive Cases.

A. The Clerk of Courts, the Prothonotary, and each Magisterial District Judge shall annually review cases pending in his/her respective office on or before the first day in July. The Officer shall compile a list of cases in which there has been no docket activity for a period of two (2) years or more. The Officer shall, at least sixty (60) days prior to September 15, give notice to the parties and counsel either (a) in person, (b) by regular mail addressed to the last address of record, or (c) by publication when notice by mail cannot be given or

has been returned undelivered, that after that date the case will be considered by the Court for dismissal. The notice shall comply with the provisions of Pa. Rules of Judicial Administration 1901 and Pa. Rule of Civil Procedure 230.2.

B. If no statement of intention to proceed is made, the Court will summarily dismiss the case any time after September 15 or sixty (60) days after service of the notice, whichever is later. If a statement of intention to proceed is made, the Court may either schedule a hearing or continue the case on active status for a period of one (1) year.

C. Magisterial District Judges shall have the same powers and duties as the Court. Either party shall have the right to appeal to the Court from any decision, as in other cases in which judgment is entered by a Magisterial District Judge.

D. Officers shall certify to the Court that the proper notice has been given pursuant to this rule.

E. Notice by publication shall be published once in a newspaper of general circulation in the Adams County area or once in the *Adams County Legal Journal*.]

This rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. *It Is Further Directed* that:

A. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts Office and the Adams County Law Library for inspection and copying;

B. Seven (7) certified copies of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts for distribution in accordance with the provisions of Pa.R.J.A. No. 103(c)(2); and

C. Two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format per 1 Pa. Code § 13.11(d), containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 13-1437. Filed for public inspection August 2, 2013, 9:00 a.m.]

ADAMS COUNTY

Rules of Civil Procedure 206 and 212; Administrative Order No. 60 of 2013

Order of Court

And Now, this 18th day of July, 2013, *It Is Hereby Ordered* that Adams County Rules of Civil Procedure 206 and 212 are amended as follows:

Rule 206.1(a). Petitions. Definition.

A. *Additional Petitions*

In addition to the definition set forth in Pa.R.C.P. No. 206.1(a)(1), the following documents are defined as petitions:

1. An application to withdraw an appearance as attorney of record pursuant to Pa.R.C.P. No. 1012(c) [**and Adams C.Civ.R. No. 1012**].

Rule 212. Pre-Trial Procedure.

(A) [**Procedure.**] When an action is at issue and discovery has been substantially completed, any party may, by praecipe filed with the Prothonotary, request a pre-trial conference. The praecipe shall state whether the case is to be tried before a jury or by bench trial.

(B) [**Bench Trial.** The Prothonotary shall refer bench trial listings to the Civil Business Judge designated by the President Judge. The judge to whom the case is referred shall then schedule a pre-trial conference at a time convenient to the Court, counsel and/or the parties. A pretrial memorandum shall be filed within the time period and in substantially the form set forth in Adams C. Civ. R. No. 212.2.] The Prothonotary shall forward the praecipe for pre-trial conference to the Judge designated to conduct pre-trial conferences by the President Judge. The Judge to whom the case is referred shall enter court order scheduling a pre-trial conference at a time designated by the Court. The order scheduling pre-trial conference shall be served by the Prothonotary on counsel of record or on the parties in the event the parties are not represented by counsel. Service of the order shall be noted in the docket.

(C) [**Jury Trial.** The Prothonotary shall maintain a schedule for pre-trial conferences for cases to be tried by a jury. Conferences will be scheduled to begin on the hour during Pre-Trial Conference Days listed on the annual Court Calendar. The party requesting the conference shall state the time and date preferred for the conference; however, the Prothonotary shall retain scheduling authority. Conferences shall not be scheduled prior to 9:00 a.m., at noon, or after 3:00 p.m. except by special order of court. The Prothonotary shall notify all counsel and pro se parties of the time and date of the conference. The notice shall advise the parties of the requirement to comply with Adams C. Civ. R. No. 202.2. All pre-trial conferences shall be held by the Judge designated by the President Judge.] All parties to a pre-trial conference shall prepare and file a pre-trial memorandum within the time period and in substantially the form set forth in Adams C. Civ. R. No. 212.2.

(D) Unless excused by the Court in advance, the attorney or party who intends to try the case shall attend the pre-trial conference. In the absence of excuse, the Court may require the attending attorney or party to try the case. If an attorney or party fails to appear for the pre-trial conference, the Court may proceed in his/her absence and enter binding rulings regarding any matter, including the admissibility of evidence or dismissal of the case for failure to prosecute.

(E) The conference Judge may sua sponte, or on the motion of any party, dispense with the need for a pre-trial conference, or in the alternative, authorize that a pre-trial conference be conducted telephonically. In the event that a party or counsel is granted permission to participate telephonically, the parties shall be responsible for making all the arrangements for telephonic participation and shall pay all costs related thereto. A party participating in a telephonic conference is not relieved from compliance with Adams C. Civ. R. No. 212.2.

(F) Although it is not necessary for the parties represented by counsel to appear, counsel must appear with authority to bind the client. Parties, or their authorized representatives, must be available by telephone during the pre-trial conference.

(G) At the conclusion of the pre-trial conference, the assigned Judge shall issue an Order setting forth the date of bench trials, or in the event of a jury trial, setting the case for a specific term. The Court Order shall designate a date certain upon which the case will be called to determine trial readiness. The parties may answer the call formally by appearance, or informally by telephone or correspondence to the Court Administrator's Office prior to the call date. Failure to answer the call may result in the case being stricken from the trial list. The Order shall also set forth when appropriate any other action taken at the pre-trial conference including the scheduling of all matters to be completed before trial.

This rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. *It Is Further Directed* that:

A. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall

be filed with the Adams County Clerk of Courts Office and the Adams County Law Library for inspection and copying;

B. One (1) certified copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts for distribution in accordance with the provisions of Pa.R.C.P. No. 239(c)(2);

C. Two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format per 1 Pa. Code § 13.11(d), containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and

D. One (1) certified copy of this Order shall be forwarded to the Civil Procedural Rules Committee in accordance with the provisions of Pa.R.C.P. No. 239(c)(4).
By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 13-1438. Filed for public inspection August 2, 2013, 9:00 a.m.]