

THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 2]

Promulgation of Rules of Judicial Administration 250—252; Reasonable Accommodations under Title II of the Americans with Disabilities Act; No. 422 Judicial Administration Doc.

Order

Per Curiam:

And Now, this 3rd day of March, 2014, the proposal having been submitted without publication in the interests of justice and efficient administration, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rules of Judicial Administration 250, 251, and 252 are promulgated as follows.

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

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 2. POLICY ON NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

REASONABLE ACCOMMODATIONS UNDER TITLE II OF THE AMERICANS WITH DISABILITIES ACT

Rule 250. Policy.

It is the policy of the Unified Judicial System to prohibit discrimination against any individual with a disability, as defined by the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12131 *et seq.*, in accessing or participating in judicial proceedings or other services, programs, or activities of the Unified Judicial System.

Rule 251. Scope.

These rules shall apply to each UJS entity which includes, but is not limited to, all appellate courts, judicial districts, boards, committees and agencies under the administrative authority of the Supreme Court. These rules relating to reasonable accommodations under Title II of the ADA do not supersede either the requirements of 42 Pa.C.S.A. § 4401 *et seq.*, relating to Court Interpreters for Persons who are Deaf or Hard of Hearing, or the Administrative Regulations Governing Court Interpreters for Persons who are Deaf or Hard of Hearing.

Official Note: The Administrative Regulations Governing Court Interpreters for Persons who are Deaf or Hard of Hearing (204 Pa. Code § 101 *et seq.*) and 42 Pa.C.S.A. § 4401 *et seq.* provide standards for court interpreters in judicial proceedings. “Judicial proceeding” is defined as “an action, appeal or proceeding in any court of this Commonwealth.” 2 Pa.C.S. § 101. Title II of the ADA requires an interpreter for the deaf or hard of hearing for all programs, services or activities of the UJS. 42 U.S.C.A. § 12132; 28 C.F.R. § 35.160.

Rule 252. Reasonable accommodations.

A. Each UJS entity shall develop a written policy to receive and process requests for reasonable accommodations from individuals with disabilities. The policy shall be posted on each UJS entity’s respective website and in each facility.

B. All policies developed must be substantially similar to the policy appended to this Rule (Appendix A) and shall contain, at a minimum, the following elements:

1. Appointment of an ADA coordinator—the coordinator must be identified on all court or program materials and the following information shall be provided: the coordinator’s name, work address, work fax number or e-mail address and work telephone number.
2. Notice of the right to request free accommodation(s).
3. Explanation of the process for requesting accommodation(s).
4. Time line for request and response.

C. Each UJS entity shall develop a form substantially similar to the one appended to this rule (Appendix A) for processing requests for reasonable accommodations.

D. Each UJS entity shall adopt and publish a grievance procedure, substantially similar to the procedure appended to this rule (Appendix B), for requests that have been denied in whole or in part. Any denial of an accommodation request based upon undue burden or fundamental alteration to services and programs shall be put in writing by the head of the entity or his or her designee and shall provide specific reasons for the denial.

E. Within six (6) months of the adoption of this rule, each UJS entity shall provide the Administrative Office with a copy of their ADA policy and form and their grievance procedure and form as outlined in sections A—D above.

Appendix A

AMERICANS WITH DISABILITIES ACT (TITLE II) POLICY

The Unified Judicial System of Pennsylvania (UJS) complies with Title II of the Americans with Disabilities Act (ADA) which provides that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity”. 42 U.S.C.A. § 12132. Pursuant to that requirement, if you are an individual with a disability who needs an accommodation in order to participate in any judicial proceeding or any other service, program, or activity of the UJS, you are entitled, at no cost to you, to the provision of certain assistance. The ADA does not require the (UJS entity name here) to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

If you require an accommodation under the ADA, it is recommended that you make your request as soon as possible or at least three (3) business days before your scheduled participation in any court proceeding or UJS program or activity. All requests for accommodation, regardless of timeliness, will be given due consideration

and if necessary, may require an interactive process between the requestor and the (name of UJS entity) to determine the best course of action.

To request a reasonable accommodation, please complete the *Request for Reasonable Accommodation Form* (Appendix B) and return it to:

Name(s), Business Address(es), Fax Number(s) and / or e-mail address(es), Telephone Number(s) of the ADA Coordinator

If you need assistance completing this form, contact the ADA Coordinator. Complaints alleging violations of Title II under the ADA may be filed pursuant to the UJS Grievance Procedure with (name and contact information of individual who handles grievance procedures). A response will be sent to you after careful review of the facts.



APPENDIX A
FOR USE BY JUDICIAL DISTRICTS ONLY

UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA

AMERICANS WITH DISABILITIES ACT ACCOMMODATION (ADA) TITLE II REQUEST FOR REASONABLE ACCOMMODATION FORM
(INCLUDES REQUEST FOR INTERPRETER FOR HEARING /SPEECH IMPAIRED)

Client Information – Section A

Name: _____ Phone: _____
Address: _____ Email: _____
Mobile: _____

Please check the box that most closely describes your status in this matter:

- Litigant Plaintiff Defendant Parent Child Witness Attorney Victim Juror
 Other (please explain) _____

Requestor Information (if different from above)

Name: _____ Bus. Phone/ Mobile: _____
Address: _____ Fax: _____
Relationship to Client: _____ Email: _____
TTY: _____

Accommodation

Nature of the disability for which an accommodation is requested: _____

Accommodation requested: _____

Location of Proceeding

- Magisterial District Court No. _____
District Judge Name: _____
 Criminal Division Civil Division Orphans' Court Division
 Family Division Adult Juvenile
Specify Address: _____

Proceeding Information (if known)

Case #: _____
Case Name: _____
Judge: _____
Proceeding Date: _____ Proceeding Time: _____
Proceeding Type: _____

AFTER COMPLETING THE FORM, PLEASE SEND TO: COUNTY ADA COORDINATOR

I hereby certify that an Americans with Disabilities Act accommodation is required in the above-captioned action on the date stated.

Signature: _____

Date: _____

FOR OFFICIAL USE ONLY

A SERVICE REQUEST HAS BEEN MADE FOR THE CLIENT NAMED ABOVE.

Service Provider Company: _____ Fax: _____
Individual Interpreter Name: _____ Email: _____
Bus. Phone/ Mobile: _____ Date to Provider: _____

| | |
|---|---------------------------|
| Court Official Verification – Section C | |
| VERIFYING OFFICIAL SHALL MAINTAIN A COPY IN THE COURT’S CASE FILE AND PROVIDE THE ORIGINAL TO THE SERVICE PROVIDER FOR SUBMISSION WITH BILLING. | |
| I hereby verify that the services were performed by the provider in the above-captioned action on the date and time stated. | |
| Start Date & Time: _____ | End Date & Time: _____ |
| Court Official: _____ <i>(Please print name)</i> | Signature: _____ |
| Title: _____ | Date: _____ |



APPENDIX A

UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA

AMERICANS WITH DISABILITIES ACT ACCOMMODATION (ADA) TITLE II REQUEST FOR REASONABLE ACCOMMODATION FORM
(INCLUDES REQUEST FOR INTERPRETER FOR HEARING/SPEECH IMPAIRED)

Client Information – Section A

Name: _____ Phone: _____
 Address: _____ Email: _____
 _____ Mobile: _____

Please check the box that most closely describes your status in this matter:
 Litigant Plaintiff Defendant Parent Child Witness Attorney Victim Juror
 Other (please explain) _____

Requestor Information (if different from above)

Name: _____ Bus. Phone/ Mobile: _____
 Address: _____ Fax: _____
 Relationship to Client: _____ Email: _____
 _____ TTY: _____

Accommodation

Nature of the disability for which an accommodation is requested: _____

Accommodation requested: _____

Location of Proceeding

Name of Office: _____
 Address: _____

Proceeding Information (if known)

Case #: _____
 Case Name: _____
 Judge: _____
 Proceeding Date: _____ Proceeding Time: _____
 Proceeding Type: _____

AFTER COMPLETING THE FORM, PLEASE SEND TO: ADA COORDINATOR

I hereby certify that an Americans with Disabilities Act accommodation is required in the above-captioned action on the date stated.

Signature: _____ Date: _____

FOR OFFICIAL USE ONLY

A SERVICE REQUEST HAS BEEN MADE FOR THE CLIENT NAMED ABOVE.

Service Provider
 Company: _____ Fax: _____
 Individual Interpreter Name: _____ Email: _____
 Bus. Phone/ Date to _____
 Mobile: _____ Provider: _____

| | |
|---|---------------------------|
| Court Official Verification – Section C | |
| VERIFYING OFFICIAL SHALL MAINTAIN A COPY IN THE COURT’S CASE FILE AND PROVIDE THE ORIGINAL TO THE SERVICE PROVIDER FOR SUBMISSION WITH BILLING. | |
| I hereby verify that the services were performed by the provider in the above-captioned action on the date and time stated. | |
| Start Date & Time: _____ | End Date & Time: _____ |
| Court Official: _____ <i>(Please print name)</i> | Signature: _____ |
| Title: _____ | Date: _____ |

Appendix B
Americans with Disabilities Act (Title II)
Grievance Procedure

This grievance procedure is established for the prompt resolution of complaints alleging any violation of Title II of the Americans with Disabilities Act (ADA) in the provision of services, programs, or activities by the Unified Judicial System (UJS). If you require a reasonable accommodation to complete this form, or need this form in an alternate format, please contact [ADA coordinator information].

To file a complaint under the Grievance Procedure please take the following steps:

1. Complete the complaint form and return to [ADA Coordinator or designated individual]. Alternative means of filing complaints will be made available for persons with disabilities upon request. The complaint should be submitted as soon as possible but no later than sixty (60) calendar days after the alleged violation.

2. Within fifteen (15) calendar days of receipt of the complaint, the [ADA Coordinator or designated individual] will investigate the complaint, including, meeting with the individual seeking an accommodation, either in person or via telephone, to discuss the complaint and the possible resolutions. Within fifteen (15) calendar days of the meeting, the [ADA Coordinator or designated indi-

vidual] will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio. The response will explain the position of the [name of UJS entity] and offer options for substantive resolution of the complaint.

3. If the response to the complaint does not satisfactorily resolve the issue, the complainant may appeal the decision within fifteen (15) calendar days after receipt of the response to [designated individual]. Within fifteen (15) calendar days after receipt of the appeal, the [designated individual] will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the [designated individual] will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

This grievance procedure is informal. An individual's participation in this informal process is completely voluntary. Use of this grievance procedure is not a prerequisite to and does not preclude a complainant from pursuing other remedies available under law.

The UJS Policy on Non-Discrimination and Equal Employment Opportunity also encompasses disability-related issues and provides complaint procedures for UJS court users. Any employment-related disability discrimination complaints will be governed by the UJS Policy on Nondiscrimination and Equal Employment Opportunity.



APPENDIX B

UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA

AMERICANS WITH DISABILITIES ACT (ADA) TITLE II
GRIEVANCE FORM

Grievant Information

| | |
|----------------------|--|
| Grievant Name: _____ | Home Phone (include area code): _____ |
| Address: _____ | Business Phone (include area code): _____ |
| | Mobile Phone (include area code): _____ |

Alternative Contact Person (other than Grievant)

| | |
|----------------|--|
| Name: _____ | Home Phone (include area code): _____ |
| Address: _____ | Business Phone (include area code): _____ |
| | Relationship To Client: _____ |

Court Service, Program or Facility Allegedly in Violation

Date and Location of Alleged Violation (dd/mm/yyyy)

Description of Alleged Violation and Requested Remedy

Has this case been filed with the Department of Justice or other government agency or court?

Yes No

If You Answered "Yes" to the Previous Question, Complete the Following

| | |
|---------------------------|-------------------------------------|
| Agency or Court: _____ | Contact Person: _____ |
| Address: _____ | Phone (include area code): _____ |
| | Date Filed: _____ |

| |
|------------------------------|
| Other Comments |
| Signature: _____ Date: _____ |

[Pa.B. Doc. No. 14-507. Filed for public inspection March 14, 2014, 9:00 a.m.]

[201 PA. CODE CH. 19]

**Rescission of Rule of Judicial Administration
1903; No. 423 Judicial Administration Doc.****Order***Per Curiam:*

And Now, this 3rd day of March, 2014, the proposal having been submitted without publication in the interests of justice and efficient administration, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rule of Judicial Administration 1903 is rescinded. Rule 1903 has been superseded by 42 Pa.C.S.A. § 4401 *et seq.*, 204 Pa. Code § 101 *et seq.* and Pa.R.J.A. Nos. 250—252.

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

Annex A**TITLE 201. RULES OF JUDICIAL
ADMINISTRATION****CHAPTER 19. MISCELLANEOUS
ADMINISTRATIVE PROVISIONS****MISCELLANEOUS ADMINISTRATIVE PROVISIONS****Rule 1903. (Rescinded).**

[Pa.B. Doc. No. 14-508. Filed for public inspection March 14, 2014, 9:00 a.m.]

**Title 255—LOCAL
COURT RULES****SUSQUEHANNA COUNTY****New Rules of the Civil Division of the Court of
Common Pleas; 2014-247 C.P.****Order**

Now to Wit, this 26th day of February, 2014, it be and is hereby Ordered that the following rules of the Civil Division of the Court of Common Pleas of Susquehanna County, Susquehanna County Rules of Civil Procedure Civil Rule 100. Admission to the Bar of this Court., be and the same are hereby promulgated herewith to become effective thirty (30) days after the publication of the rule in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Administrative Office of Pennsylvania Courts; that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and that one (1) copy shall be filed with the Prothonotary of the Court of Common Pleas of Susquehanna County.

By the Court

KENNETH W. SEAMANS,
President Judge

Order

Now to wit, this 26th day of February, 2014, it is ordered that, effective sec. leg., Susquehanna County Rules of Civil Procedure Civil Rule 100. Admission to the Bar of this Court., be and the same are hereby Adopted as follows:

(a) The Prothonotary and Clerk of Courts shall keep and maintain a roll which consists of attorneys who have

been admitted to the Bar of the Court of Common Pleas of Susquehanna County in accordance with the requirements hereinafter set forth.

(b) Admission to the Bar of this Court shall be by petition of the applicant, presented by a member of this Bar, which petition shall show that the applicant (1) has been admitted to the Bar of the Commonwealth of Pennsylvania; and (2) is a person of good moral character; and (3) is a resident of Susquehanna County or has an office in Susquehanna County.

(c) Nothing contained in this rule shall prevent any attorney who is in good standing as a member of the Bar of the Commonwealth of Pennsylvania from practicing in this Court.

By the Court

KENNETH W. SEAMANS,
President Judge

Civil Rule 100. Admission to the bar of this Court.

(a) The Prothonotary and Clerk of Courts shall keep and maintain a roll which consists of attorneys who have been admitted to the Bar of the Court of Common Pleas of Susquehanna County in accordance with the requirements hereinafter set forth.

(b) Admission to the Bar of this Court shall be by petition of the applicant, presented by a member of this Bar, which petition shall show that the applicant (1) has been admitted to the Bar of the Commonwealth of Pennsylvania; and (2) is a person of good moral character; and (3) is a resident of Susquehanna County or has an office in Susquehanna County.

(c) Nothing contained in this rule shall prevent any attorney who is in good standing as a member of the Bar of the Commonwealth of Pennsylvania from practicing in this Court.

[Pa.B. Doc. No. 14-509. Filed for public inspection March 14, 2014, 9:00 a.m.]

COMMONWEALTH COURT**Regular Sessions of Commonwealth Court for the
Year 2015; No. 126 M.D. No. 3****Order**

And Now, this 25th day of February, 2014, *It Is Hereby Ordered* that the argument sessions of the Commonwealth Court of Pennsylvania shall be held in the year 2015 as follows:

| <i>Dates</i> | <i>Situs</i> |
|-----------------|--------------|
| February 9-13 | Philadelphia |
| March 9-13 | Harrisburg |
| April 13-17 | Pittsburgh |
| May 4-8 | Philadelphia |
| June 15-19 | Harrisburg |
| September 14-18 | Harrisburg |
| October 5-9 | Philadelphia |
| November 16-20 | Pittsburgh |
| December 7-11 | Harrisburg |

DAN PELLEGRINI,
President Judge

[Pa.B. Doc. No. 14-510. Filed for public inspection March 14, 2014, 9:00 a.m.]