

# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[ 210 PA. CODE CH. 21 ]

Order Amending Rule 2119 of the Rules of Appellate Procedure; No. 242 Appellate Procedural Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 14th day of April, 2014, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of efficient administration:

*It Is Ordered*, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 2119 of the Pennsylvania Rules of Appellate Procedure is amended in the following form.

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

#### Annex A

### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

#### ARTICLE II. APPELLATE PROCEDURE

#### CHAPTER 21. BRIEFS AND REPRODUCED RECORD

#### CONTENT OF BRIEFS

#### Rule 2119. Argument.

\* \* \* \* \*

(b) *Citations of authorities*.—Citations of authorities must set forth the principle for which they are cited. Citations of uncodified statutes shall make reference to the book and page of the Laws of Pennsylvania (Pamphlet Laws) or other official edition, and also to a standard digest, where the statutes may be found. Citations of provisions of the Pennsylvania Consolidated Statutes may be in the form: “1 Pa.C.S. § 1928 (rule of strict and liberal construction)” and the official codifications of other jurisdictions may be cited similarly. Quotations from authorities or statutes shall also set forth the pages from which they are taken. Opinions of an appellate court of this or another jurisdiction shall be cited from the National Reporter System, if published therein [ , and to the official reports of Pennsylvania appellate courts, if published therein ].

\* \* \* \* \*

**Official Note:** [ Based on former Supreme Court Rule 55, former Superior Court Rule 45 and former Commonwealth Court Rule 95. The requirement for parallel citation to the Atlantic Reporter is extended to the Supreme Court and the Common-

wealth Court and the related certificate of nonpublication in the official reports has been omitted. The requirement of former Superior Court Rule 45 that a party print in bold face up to three citations under each head chiefly relied upon, has been omitted. Counsel having available the Atlantic Reporter can readily obtain the official citation from cross-reference sheets ordinarily pasted on the flyleaf of each Atlantic Reporter volume; counsel having the official reports available can obtain the Atlantic Reporter citation from cross-references available in *Shepard’s Pennsylvania Citations—Case Edition* or the *National Reporter Blue Book*. ] The 2014 amendment to paragraph (b) eliminated the requirement for parallel citation to the Pennsylvania State Reports, which is the official court reports of the Pennsylvania Supreme Court, the Pennsylvania Superior Court Reports, which had been the official court reports of the Pennsylvania Superior Court, and the Pennsylvania Commonwealth Court Reports, which had been the official court reports of the Commonwealth Court.

In some circumstances an appellant may have a right to appellate review of the discretionary aspects of a sentence. See [ note to Rule 341 (final orders generally) ] Official Note to Pa.R.A.P. 341. In such cases a citation to the controlling authority will suffice for purposes of [ Subdivision ] paragraph (f).

[Pa.B. Doc. No. 14-871. Filed for public inspection April 25, 2014, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BUCKS COUNTY

Norfolk Southern Police Department Filing Venue Change; Administrative Order No. 72

#### Order

*And Now*, to wit, this 15th day of April, 2014, pursuant to Pa.R.Crim.P. No. 132(A)(4), and at the request of the Norfolk Southern Police Department, effective June 1, 2014 and continuing until further notice, all Norfolk Southern Police filings in Bucks County may be filed, processed and heard in Magisterial District Court 07-1-07/Pennndel.

This order is to promote the efficient administration of justice in Bucks County.

*By the Court*

JEFFREY L. FINLEY,  
*President Judge*

[Pa.B. Doc. No. 14-872. Filed for public inspection April 25, 2014, 9:00 a.m.]

## BUCKS COUNTY

**Order Amending Administrative Order No. 59 Electronic Processing Prior to Preliminary Arraignment; Administrative Order No. 59****Order**

*And Now*, to wit, this 10th day of April, 2014, Administrative Order No. 59, promulgated on July 15, 2010, is hereby amended as follows:

It is directed that all defendants to be preliminarily arraigned in any Bucks County Magisterial District Court be first processed using Livescan and CPIN technology. Only electronic fingerprints will be accepted. Prior to or at the time of the preliminary arraignment, the arresting officer shall provide the judge conducting the arraignment a verbal recitation of the defendant's criminal history.

The foregoing requirement may be waived only in the event of an unusual circumstance, such as a serious medical condition, which would prevent prompt processing.

This Order shall become effective June 1, 2014.

*By the Court*

JEFFREY L. FINLEY,  
*President Judge*

[Pa.B. Doc. No. 14-873. Filed for public inspection April 25, 2014, 9:00 a.m.]

## CARBON COUNTY

**Amendment of Local Rule of Orphans Court Procedure 3.1 Conformity to Equity Practice in General; No. 14-9102****Administrative Order No. 8-2014**

*And Now*, this 4th day of April, 2014, it is hereby

*Ordered* and *Decreed* that, effective May 1, 2014, Carbon County Rule of Orphans Court Procedure CARB.Co.O.C.R. 3.1 governing Conformity to Equity Practice in General be and is hereby *Amended* as follows.

1. The Carbon County District Court Administrator is *Ordered* and *Directed* to File one (1) certified copy of this Administrative Order and Local Rules with the Administrative Office of Pennsylvania Courts.

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

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

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

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

6. Keep continuously available for public inspection copies of the Administrative Order and Local Rules in the Orphan's Court Office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

**3.1. Conformity to Equity Practice in General.**

1 Any documents presented for filing referring to social security numbers, driver's license/vehicle identification numbers, and any financial account numbers shall list only the last four digits. Birth dates shall be limited to the year of birth only. When reference is made to a minor child (i.e., individuals less than 18 years of age), the names shall not be given, only their initials. The complete social security numbers, account numbers, dates of birth and full names of minors shall be submitted on the Court's "CONFIDENTIAL INFORMATION FORM" attached hereto. The Register of Wills/Orphans Court Office shall record the Confidential Information in the Court Computer Database and, upon verification of proper entry, shall shred the form containing the Confidential Information. This information shall remain confidential in that it will only be visible to internal personnel and cannot be accessed through the public access programs.

2 The parties and their attorneys are solely responsible for complying with the provisions of number 1 above. The court staff is not responsible for reviewing any document filed as a public record for compliance with number 1 above. A party's or attorney's failure to comply with the provisions shall not affect access to case records that are otherwise accessible.

3 Motions and petitions shall be governed by the provisions of Carbon County Civil L206.1. A completed Petition/Motion cover sheet shall be attached in the form as Exhibit "A."

4 A copy of every pleading, including exceptions, shall be promptly served upon counsel of record for all parties in interest, and upon any party who is not represented.

5 A party representing himself or herself shall enter a written appearance which shall state an address, which need not be his or her home address, where the party agrees that pleadings and other legal papers may be served, and a telephone number through which the party may be contacted, as attached hereto and marked Exhibit "B." The entry of appearance may include a facsimile number as provided by Pa.R.C.P. No. 440(d).

6 A self-represented party is under a continuing obligation to provide current contact information to the Court, to other self-represented parties, and to attorneys of record.

7 The self-represented party shall provide a copy of the entry of appearance to all self-represented parties and attorneys of record.

8 The assertion of self-representation shall not delay any stage of the proceeding.

Exhibit "A"

**CARBON COURT OF COMMON PLEAS  
ORPHANS' COURT DIVISION  
PETITION/MOTION COURT COVER SHEET**

NO. \_\_\_\_\_

\_\_\_\_\_  
vs.  
\_\_\_\_\_

|   |
|---|
| _____ Assigned Judge                        |
| _____ Court Action Taken                    |
| _____ Returned to Attorney for Deficiencies |
| _____ Action Deferred by Court              |
| For Court Use Only                          |

FILING OF: Petitioner ( ) Respondent ( )

TYPE OF FILING (check one):

- ( ) 1. Application for Continuance (128)
- ( ) 2. Petition for Adoption (134)
- ( ) 3. Petition for Voluntary Termination (132)
- ( ) 4. Petition for Involuntary Termination (155)
- ( ) 5. Petition to Remove Fiduciary (053)
- ( ) 6. Petition for Guardian of Minor (050)
- ( ) 7. Petition to Sell Real Estate (052)
- ( ) 8. Petition to Distribute Minor's Estate (057)
- ( ) 9. Incapacity Petition (058)
- ( ) 10. Petition to Withdraw as Counsel (127)
- ( ) 11. Petition to Revoke Letters (064)
- ( ) 12. Petition to Challenge Election (229)
- ( ) 13. Petition to Excuse Additional Bond (055)
- ( ) 14. Petition for Compensation (151)
- ( ) 15. Other Motion or Petition (specify):

( ) 16. Response to: \_\_\_\_\_

OTHER ATTORNEY:

\_\_\_\_\_  
Attorney's Name (Typed)

Attorney for: \_\_\_\_\_  
( ) Petitioner ( ) Respondent

N.B. The numbers after the Motion or Petition above are docket codes used in the Court Computer System. Please be precise when marking your Motion or Petition. When filing Motion or Petition, provide Clerk with sufficient copies for opposing Counsel and filing Counsel.

THIS FORM IS AVAILABLE IN THE ORPHANS' COURT OFFICE  
Exhibit "B"

**IN THE COURT OF COMMON PLEAS OF CARBON COUNTY, PENNSYLVANIA  
ORPHANS COURT DIVISION**

**ENTRY OF APPEARANCE**

In accordance with Carbon County Rule of Orphans Court Procedure CARB.Co.O.C.R. No. 3.1 governing a Self-Represented Party:

I \_\_\_\_\_, Plaintiff or Defendant (circle one)

choose to represent myself and provide the following address where pleadings and other legal papers can be served and a telephone number through which I can be contacted. This Entry of Appearance shall remain in full force and effect unless superseded with an Entry of Appearance by an attorney.

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Facsimile Number (Governed by PA Rule of Civil Procedure 440(d))

In accordance with Carbon County Rule of Orphans Court Procedure 3.1, a self-represented party is under a continuing obligation to provide current contact information to the court, to other self-represented parties, and to attorneys of record.

Signature  
**COMMONWEALTH OF PENNSYLVANIA**  
**COUNTY OF CARBON**

Date  
**Confidential Information Form**

Carbon County Court of Common Pleas  
 Carbon County Courthouse  
 P.O. Box 131  
 Jim Thorpe, PA 18229-0131  
 Telephone: (570) 325-8556

VS.

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

| CONFIDENTIAL INFORMATION  |   |
|---|---|
| Name: _____<br><input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant<br><input type="checkbox"/> Other: _____ | Social Security Number<br>Financial Information/Driver's License Number/VIN |
| Name: _____<br><input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant<br><input type="checkbox"/> Other: _____ | Social Security Number<br>Financial Information/Driver's License Number/VIN |
| Name: _____<br><input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant<br><input type="checkbox"/> Other: _____ | Social Security Number<br>Financial Information/Driver's License Number/VIN |
| Name: _____<br><input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant<br><input type="checkbox"/> Other: _____ | Minor Child(ren) Names/Dates of Birth                                       |

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Attorney #: \_\_\_\_\_ Telephone: \_\_ (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_

[Pa.B. Doc. No. 14-874. Filed for public inspection April 25, 2014, 9:00 a.m.]

**CARBON COUNTY**

**Amendment of Local Rules of Civil Procedure  
 205.3.1 Filing of Legal Papers with the Prothonotary and 1035.2(a) Motion for Summary Judgment; No. 13-0523; 13-1830**

**Administrative Order No. 7-2014**

And Now, this 4th day of April, 2014, it is hereby

Ordered and Decreed that, effective May 1, 2014, Carbon County Rules of Civil Procedure CARB.R.C.P. 205.3.1 governing Filing of Legal Papers with the Prothonotary, and CARB.R.C.P. 1035.2(a) governing a Motion for

Summary Judgment be and are hereby *Amended* as follows.

1. The Carbon County District Court Administrator is *Ordered* and *Directed* to File one (1) certified copy of this Administrative Order and Local Rules with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies and one (1) CD with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish the Rules on the UJS Portal at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.
4. File one (1) certified copy with the Civil Procedural Rules Committee.

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

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

7. Keep continuously available for public inspection copies of the Administrative Order and Local Rules in the Prothonotary's Office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

**Rule 205.3.1. Filing of Legal Papers with the Prothonotary.**

All papers filed in the Prothonotary's Office shall conform to the following requirements:

1. The use of backers and/or toppers is prohibited.
2. Original pleadings shall be held together by paper clip or expandable spring-loaded clip.
3. Original pleadings shall not be highlighted by the use of colored markers. Highlighting of text can be done on the computer by bolding or using a different shape and size of font.
4. All documents shall be single-sided, double spaced and the font size shall be no less than 12 points.
5. Paper size shall not exceed 8 1/2" x 11" and shall be on good quality paper.
6. Attachments smaller than 8 1/2" x 11" paper shall be attached to regular size paper by using scotch tape.

7. All exhibits shall be identified and marked on the bottom center of each exhibit. No exhibit tabs shall be allowed.

8. Pages must be consecutively numbered beginning with page 2 and said number shall appear in the upper right hand corner of the pleading.

9. All copies attached to the pleadings must be clear and legible.

10. Any documents presented for filing referring to social security numbers, driver's license/vehicle identification numbers, and any financial account numbers shall list only the last four digits. Birth dates shall be limited to the year of birth only. When reference is made to a minor child (i.e., individuals less than 18 years of age), the names shall not be given, only their initials. The complete social security numbers, account numbers, dates of birth and full names of minors shall be submitted on the Court's "CONFIDENTIAL INFORMATION FORM" attached hereto. The Prothonotary's Office shall record the Confidential Information in the Court Computer Database and, upon verification of proper entry, shall shred the form containing the Confidential Information. This information shall remain confidential in that it will only be visible to internal personnel and cannot be accessed through the public access programs.

11. The parties and their attorneys are solely responsible for complying with the provisions of number 10 above. The court staff is not responsible for reviewing any document filed as a public record for compliance with number 10 above. A party's or attorney's failure to comply with the provisions shall not affect access to case records that are otherwise accessible.

**COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CARBON**

Carbon County Court of Common Pleas  
Carbon County Courthouse  
P.O. Box 131  
Jim Thorpe, PA 18229-0131  
Telephone: (570) 325-8556

**Confidential Information Form**

\_\_\_\_\_  
VS.  
\_\_\_\_\_  
Docket No. \_\_\_\_\_

| CONFIDENTIAL INFORMATION  |   |
|---|---|
| Name: _____<br><input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant<br><input type="checkbox"/> Other: _____ | Social Security Number<br>Financial Information/Driver's License Number/VIN |
| Name: _____<br><input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant<br><input type="checkbox"/> Other: _____ | Social Security Number<br>Financial Information/Driver's License Number/VIN |
| Name: _____<br><input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant<br><input type="checkbox"/> Other: _____ | Social Security Number<br>Financial Information/Driver's License Number/VIN |

|  |                                       |
|--|---------------------------------------|
| Name: _____  | Minor Child(ren) Names/Dates of Birth |
| <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant<br><input type="checkbox"/> Other: _____ |                                       |

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Attorney #: \_\_\_\_\_ Telephone: \_\_ (\_\_\_\_) \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Rule 1035.2(a). Motion for Summary Judgment.**

1 A party moving for summary judgment shall simultaneously file with the motion a proposed order and supporting brief. If a brief is not filed with the motion, the motion shall be deemed withdrawn, without prejudice, upon motion of the opposing party. A certificate of service in conformance with Pa.R.C.P. 208.2(a)(5) shall be attached to the motion. Pa.R.C.P. 440 governs service. Service shall be required on the District Court Administrator. For form of briefs, see CARB.R.C.P.210.

2 Any party opposing the motion shall file a response within thirty (30) days of service of the motion, together with a certificate of service evidencing service in accordance with number one above. Service shall be required on the District Court Administrator. A party who fails to respond to the motion shall be deemed to be unopposed to the granting of the motion without contest.

3 Upon service of the motion and response on the District Court Administrator, the matter shall be decided on briefs unless the assigned Judge requests that argument be scheduled. If a party desires argument, a Praeceptum for Argument shall accompany the motion or response.

4 A respondent briefing schedule will be issued by the Court contemporaneous with the scheduling of any argument ordered by the Judge or requested by the filing of the Praeceptum for Argument. If the matter is to be decided on briefs, a respondent briefing schedule will be issued.

5 A party who fails to file a brief shall not be permitted to argue.

[Pa.B. Doc. No. 14-875. Filed for public inspection April 25, 2014, 9:00 a.m.]

**CARBON COUNTY**

**Establishment of Remote Access Fee to Records Filed in the Prothonotary’s Office and the Register of Wills/Orphans Court Office; No. 14-0619; 14-9101**

**Administrative Order No. 10-2014**

And Now, this 4th day of April, 2014, in order to provide remote access to records that are generally

available to the public filed in the Prothonotary’s Office and Register of Will/Orphans Court Office, it is hereby

*Ordered and Decreed* that, effective May 1, 2014, the Carbon County Court of Common Pleas hereby *Adopts* a fee of Three Hundred Dollars (\$300.00) per year per user for remote access to the docketing and images of documents filed in the Prothonotary’s Office and Register of Wills/Orphans Court Office.

*It Is Furthered Ordered and Decreed* that the County of Carbon shall direct the County Treasurer to *Establish* a separate interest bearing account for monies received pursuant to this Administrative Order. Said monies are to be used for, but not limited to, the development, training, implementation and maintenance of the redaction software.

The Carbon County District Court Administrator is *Ordered and Directed* to:

1. File one (1) certified copy of this Administrative Order and Local Rules with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies and one (1) CD with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy with the Civil Procedural Rules Committee and file one (1) certified copy with the Orphans Court Procedural Rules Committee.
4. Forward one (1) copy for publication in the *Carbon County Law Journal*.
5. Forward one (1) copy to the Carbon County Law Library.
6. Keep continuously available for public inspection copies of the Administrative Order and Local Rules in the Prothonotary’s Office and the Register of Wills/Orphans Court Office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

[Pa.B. Doc. No. 14-876. Filed for public inspection April 25, 2014, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated April 10, 2014, Walter C. Pruchnik, Jr., is disbarred on consent from the practice of law in this Commonwealth, to be effective May 10, 2014. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*  
*The Disciplinary Board of the*  
*Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 14-877. Filed for public inspection April 25, 2014, 9:00 a.m.]

## SUPREME COURT

**Accreditation of the National Board of Legal Specialty Certification as a Certifying Organization in the Areas of Civil Trial Advocacy and Criminal Trial Advocacy; No. 125 Disciplinary Rules Doc.**

### Order

*And Now*, this 11th day of April, 2014, upon consideration of the recommendation of the Pennsylvania Bar Association Review and Certifying Board, the National Board of Legal Specialty Certification (formerly the National Board of Trial Advocacy) is hereby reaccredited as a certifying organization in the areas of civil trial advocacy and criminal trial advocacy for a period of five years commencing on June 1, 2014.

RONALD D. CASTILLE,  
*Chief Justice*

[Pa.B. Doc. No. 14-878. Filed for public inspection April 25, 2014, 9:00 a.m.]