

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 19]

Order Amending Rule 1972 of the Rules of Appellate Procedure; No. 253 Appellate Procedural Rules Doc.

Order

Per Curiam

And Now, this 1st day of April, 2015, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published before adoption at 43 Pa.B. 5393 (September 7, 2013):

It Is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rule of Appellate Procedure 1972 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 May 1, 2015.

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

DISPOSITION WITHOUT REACHING THE MERITS

Rule 1972. Dispositions on Motion.

(a) Except as otherwise prescribed by this rule, subject to [**Rule 123 (applications for relief)**] Pa.R.A.P. 123, any party may move:

(1) To transfer the record of the matter to another court because the matter should have been commenced in, or the appeal should have been taken to, such other court. [**See Rule 741 (waiver of objections to jurisdiction).**] *See* Pa.R.A.P. 741.

(2) To transfer to another appellate court under [**Rule 752 (transfers between Superior and Commonwealth Courts)**] Pa.R.A.P. 752.

(3) To dismiss for want of jurisdiction in the unified judicial system of this Commonwealth.

(4) To dismiss for mootness.

(5) To dismiss for failure to preserve the question below, or because the right to an appeal has been otherwise waived. [**See Rule 302 (requisites for reviewable issue) and Rule 1551(a) (review of quasijudicial orders).**] *See* Pa.R.A.P. 302 and Pa.R.A.P. 1551(a).

(6) To continue generally or to quash because the appellant is a fugitive.

(7) To quash for any other reason appearing on the record.

Any two or more of the grounds specified in this rule may be joined in the same motion. Unless otherwise ordered by the appellate court, a motion under this rule shall not relieve any party of the duty of filing his or her briefs and reproduced records within the time otherwise prescribed [**therefore**] **therefor**. The court may grant or refuse the motion, in whole or in part; may postpone consideration thereof until argument of the case on the merits; or may make such other order as justice may require.

(b) In a children's fast track appeal, a dispositive motion filed under [**Paragraphs**] **subparagraphs** (a)(1), (a)(2), (a)(5), (a)(6) or (a)(7) of this rule shall be filed within 10 days of the filing of the statement of errors complained of on appeal required by [**Rule**] Pa.R.A.P. 905(a)(2), or within 10 days of the lower court's filing of a [**Rule**] Pa.R.A.P. 1925(a)(2) opinion, whichever period expires last, unless the basis for seeking to quash the appeal appears on the record subsequent to the time limit provided herein, or except upon application and for good cause shown.

[**Official Note: Based on former Supreme Court Rule 33 and former Superior Court Rule 25.**

As to Paragraph (6) see, e.g. *Commonwealth v. Galloway*, 460 Pa. 309, 333 A.2d 741 (1975) (continuing generally), *Commonwealth v. Barron*, 237 Pa. Super. 369, 352 A.2d 84 (1975) (quashing). Rule 1933 (record for preliminary hearing in appellate court) makes clear the right of a moving party to obtain immediate transmission of as much of the record as may be necessary for the purposes of a motion under this rule. See Rule 123(c) (speaking applications).]

Official Note: Pa.R.A.P. 1933 makes clear the right of a moving party to obtain immediate transmission of as much of the record as may be necessary for the purposes of a motion under this rule. *See* Pa.R.A.P. 123(c).

[Pa.B. Doc. No. 15-719. Filed for public inspection April 17, 2015, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ADAMS COUNTY

Amendment of Rules of Criminal Procedure 705.1(D); Administrative Order No. 17 of 2015

Order of Court

And Now, this 27th day of March, 2015, the Court hereby Orders that Rules 705.1(D) of the Adams County Rules of Criminal Procedure shall be amended as follows:

Rule 705.1. Conditions of Probation, Intermediate Punishment and Parole.

(D) *Conditions:*

Until changed by rule or administrative order, conditions of probation, parole and intermediate punishment are established in accordance with the following [**form**] forms:

[(Caption)

Instructions to defendant: You must comply with all conditions identified as standard by an asterisk (*) and all special conditions which have been checked. You [] have; [] have not been classified as a sexual offender and [] are; [] are not required to comply with SO conditions.

COUNSELING

and

ALCOHOL AND CONTROLLED SUBSTANCES

1. YOU MUST NOT:

- *a. Use non-prescribed controlled substances.
- *b. Become drunk or publicly intoxicated.
- ___ c. Consume alcoholic beverages.

*d. Enter or remain in any bar, tavern, or other drinking establishment, or any establishment selling alcoholic or malt beverages, including State Liquor Stores, without consent from the Probation Office

*e. Consume alcoholic beverages until this condition (e) has been waived in writing by the Probation Office.

2. YOU MUST:

*a. Agree to have your blood, breath, or urine tested as directed by the Probation Office or Prison Officials to determine if you are alcohol and/or drug free.

___ b. Attend counseling or therapy sessions related to drug and alcohol abuse as directed by the Probation Office.

___ c. Complete the alcohol safe driving school.

___ d. Attend mental health counseling and therapy programs as the Probation Office directs.

PERSONAL CONDUCT

3. YOU MUST:

- *a. Avoid any violation of the law.
- *b. Report any arrest to your Probation Officer.
- *c. Avoid association with persons having serious criminal records and reputations for criminal conduct.
- *d. Report to the Probation Office when directed.
- *e. Obey all directions given by any Probation/Parole Officer.
- *f. Avoid any contact which might cause fear, annoyance, or alarm to the victim of any case where charges have been filed against you.
- *g. Be in your home and obey any curfew established by the Probation Office.
- *h. Obey all Prison rules, including those imposed while participating in the work release program.

4. YOU MUST:

- *a. If directed by your Probation Officer as soon as possible you must obtain and maintain a steady job.
- *b. Avoid causing the loss of any job you get.
- *c. Notify the Probation Office of any change in your present employment status.

FINANCIAL OBLIGATIONS

5. YOU MUST:

- *a. Pay your debts, especially court ordered for the support of any other person.
- *b. Pay court costs, fines and restitution on such payment plan as may be established by the Probation Office.
- *c. Pay the costs of required counseling, therapy and treatment programs.

PUBLIC SERVICE

6. YOU MUST:

*a. Unless this condition is waived by a judge, perform public service. If no other period is designated, you must perform forty (40) hours. If another period is designated, you must perform that amount. Service shall be arranged by Public Service Director for Adams County

___ b. Perform ___ hours of public service.

RESIDENCE

7. YOU MUST:

*a. Notify the Probation Office of any change of mailing address or physical residence.

*b. Obtain prior written permission from the Probation Office to leave Adams County or county of legal residence for any period of time in excess of twenty-four (24) hours unless prior permission is obtained by the Probation Office.

*c. Consent, as a condition of Probation/Parole, to warrantless searches of your residence by any Probation/Parole Officer based upon any suspicion that the residence contains contraband or other evidence of probation or parole violations.

*d. Waive extradition procedures and rights, including the right to be taken before a judge in another state, with respect to violations of probation or parole conditions.

WEAPONS

8. YOU MUST NOT:

- *a. Possess a firearm or any other deadly weapon if:
 - i. You have been convicted of a felony and/or are prohibited by Federal and State Law.
 - ii. Your current offense is for a firearms or deadly weapon violation.
 - iii. Possession is prohibited by a court order.

SO Conditions:

- [] all conditions apply
- [] all conditions apply except

**9. YOU MUST NOT POSSESS ANY OF THE FOL-
LOWING ITEMS, WITHOUT THE APPROVAL OF
YOUR PROBATION OFFICER:**

- i. Badges, uniforms, weapons or other indicia of official authority,
- ii. Chains, handcuffs, ropes or lines intended or designed as restraints,
- iii. Children's clothing,
- iv. Masks and disguises,
- v. Photographs, video or films depicting or showing nudity,
- vi. Photographs of the victim,
- vii. Pornography.

10. YOU MUST NOT WITHOUT YOUR PROBATION OFFICER'S APPROVAL:

- i. use fictitious names, other than those registered for legitimate business purposes.
- ii. have any contact with children, other than those specifically authorized by your probation officer, and subject to conditions imposed by your probation officer,
- iii. enter or remain upon school property, playgrounds or places where children congregate,
- iv. linger, loiter or prowl in the vicinity of schools, playgrounds or places where children congregate.
- v. use a public street or sidewalk that passes such a location, except for legitimate purposes of travel, or movement. In such a case, your use shall be limited in time and purpose to expeditiously traveling from one legitimate location to another.
- vi. Rent or maintain a post office box, or receive mail at any location that does not identify your actual residence, without authorization from your probation officer

Witness

Defendant

Date]

**STANDARD RULES OF SUPERVISION FOR
PROBATION, INTERMEDIATE PUNISHMENT AND
PAROLE**

The Adams County Court of Common Pleas has conditionally released/placed you under the supervision of the Adams County Department of Probation Services. You must comply with all supervision rules and conditions set forth. If you violate any of these rules of supervision the Department of Probation Services has the authority to arrest or detain you and return your case to court for revocation proceedings.

- 1. You must not commit any violation of the law.
- 2. You must refrain from any assaultive behavior which threatens or presents a danger to yourself or others. You will not annoy or harass any victim or witness of your crime.

3. You must report as directed, by any Probation Officer, and comply with all written or verbal instructions including all Community Re-entry Rules and Guidelines if a re-entry, work release, or house arrest participant.

4. You must agree to permit any Probation/Parole Officer, to search your person, enter into and search your residence, vehicle or any other property under your control without warrant at any time upon reasonable suspicion of violation and to ensure compliance with all conditions of your sentence.

5. You may not have any prohibited offensive weapons or firearms on your person, in your residence or in your vehicle while on active Probation/Parole/IPP supervision, unless otherwise waived by the court.

6. You must obtain permission to change your residence and shall notify Probation within 24 hours of that change. You will not be permitted to reside with persons on active probation or parole supervision, unless approved by your Probation Officer.

7. You must report all police or law enforcement contact to your Probation Officer within the next business day.

8. Unless classified as physically or mentally disabled, you must find and maintain employment and report any changes to employment within 24 hours. If you are a juvenile, you must attend school every day that school is in session and obey all rules of the school authority.

9. You must complete _____ hours of community service.

10. You must not leave the Commonwealth of Pennsylvania for more than 24 hours or stay overnight at any place other than your approved residence without obtaining written or verbal permission.

11. You must comply with all Court-ordered financial obligations including the payment of child support.

12. You must abide by the following designated curfew until modified at the discretion of your Probation Officer:

Adults: 10:00 p.m. Juveniles: 9:00 p.m.

13. You must not possess or use any non-prescribed controlled substances and provide proof of any valid prescriptions as directed to do so.

14. You must submit to blood/urine testing as required by the Department of Probation Services. Specimen must be provided within 2 hours of request, and be of sufficient quality and quantity for chemical testing.

15. You must comply with all specific conditions dictated by the Court within your most recent sentencing, juvenile dispositional or supervised bail order(s) on the Case(s) noted above.

16. You must complete all Court-ordered evaluations or assessments. You must participate in and successfully complete any programs of treatment or counseling recommended by any Drug and Alcohol or Mental Health evaluation or assessment.

Alcohol related offenses and/or persons under 21 years of age

[] You may not consume or possess alcohol. If you are prohibited from consuming alcoholic beverages, any blood/breath or urine testing positive for alcohol will be considered a violation.

Juveniles

[] You are immediately subject to electronic monitoring and/or house arrest.

Sex Offenses

[] I acknowledge that I have received a copy of the sex offender rules.

SEX OFFENDER RULES OF SUPERVISION

1. You shall obtain a sex offender evaluation from a certified sex offender treatment provider and follow through with the recommendations resulting therefrom and shall assume all responsibility for the costs of any required program. You shall provide written authorization for release of confidential information between your sex offender treatment provider and the Adams County Department of Probation Services.

2. You shall submit to regular polygraph examinations as directed by the treatment provider. You are responsible for the cost of this service.

3. If your offense involved a minor, you shall not frequent places where children congregate including but not limited to, parks, playgrounds, swimming pools, schools, malls, arcades. You shall not engage in any activity that will bring you in close contact with children. (This rule may be waived by your probation officer for school attendance purposes if you are a juvenile.)

4. If your offense involved a minor, you are not permitted to reside with minor children without permission from the Court.

5. You will not possess pornographic materials of any kind, including photographs, movies, or computer generated images depicting or showing nudity. You may not possess images of your victim. You shall not enter adult book stores, adult entertainment clubs, massage parlors or any other establishment, that promote sexual material or objectifies males or females.

6. For monitoring purposes, you are subject to search of cell phone, camera, computer, gaming device and their accessories that may be viewed and or scanned at any time to detect pornographic or sexually explicit content. If approved to possess or use a computer you will agree to have a technology monitoring device installed on any computers you are authorized to possess or have access to and you will sign and agree to the conditions of Sex Offender Computer Use and Internet Access Agreement.

7. You will comply with all sex offender registration and statutory requirements if applicable.

8. You shall obtain permission from a Probation Officer before leaving the County of Adams and you must secure travel permission before leaving the Commonwealth of PA.

9. You shall not receive mail at any other location than your home residence address without your Probation Officers approval.

SEX OFFENDER SUPERVISION PROGRAM COMPUTER USE AND INTERNET ACCESS AGREEMENT

In being granted the privilege of using a computer while under Sex Offender Supervision and/or having access to the Internet, I hereby agree to the following:

1. I will provide a written justification for my possession and use of a computer, Internet access, and/or use of any e-mail systems.

2. I agree to the installation of Court-authorized technology on my devices with Internet access to monitor nature and content of materials accessed or viewed, and any examination/search of my computer or electronic devices.

3. I will only use the computer and/or Internet Service Provider approved by my Probation Officer.

4. I will not enter or participate in any social media or chat rooms of any type.

5. I will not access any site that contains sexually explicit or pornographic material depicting nudity.

6. I will not possess sexually graphic material on any electronic device or mechanism that can hold such material for visual use.

7. I will not use any encryption devices on my computer. I will supply my Probation Officer with any and all passwords and/or e-mail addresses used on my computer.

8. I recognize I am responsible for all material and information on my computer regardless if other individuals have access to or use my computer.

9. I agree to supply documentation of telephone records, credit card records, or invoices relating to the use of my computer and/or Internet access.

10. I understand that any non-compliance with this agreement, deception on my part, lack of cooperation or resistance to providing requested information will be grounds for this privilege being revoked and/or violation proceedings being initiated.

STANDARD RULES OF SUPERVISION FOR CONTEMPT FOR FAILURE TO PAY

1. You may purge yourself of Contempt by the payment of \$_____ which is payable to the Adams County Clerk of Courts.

2. You must notify your supervising Probation Officer and provide documentation when payment is made.

3. You must report as ordered to the Adams County Adult Correctional Complex on at if you have not paid the purge amount. Failure to report to ACACC after failing to purge will result in the filing of escape charges.

4. You must report as directed to the Adams County Department of Probation Services.

5. You must notify the Probation Department in advance of any changes to your mailing address or physical address.

6. You must comply with any and all other specific conditions dictated by the court within your sentence order dated, _____ .

These rule amendments shall become effective after all the provisions of the Pennsylvania Rules of Criminal Procedure are met, to include the following:

a. A certified copy of this order shall be submitted to the Criminal Procedural Rules Committee for review in accordance with Pa.R.Crim.P. No. 105(D);

b. Upon receipt of a statement from the Criminal Procedural Rules Committee that the local rule is not inconsistent with any general rule of the Supreme Court, 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, containing the test of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. 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.Crim.P. No. 105(F)(1);

d. A copy of the local rule shall be published on the Unified Judicial System's website.

e. 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 and the Adams County Law Library for inspection and copying;

f. The effective date of the local rule shall be 30 days after publication in the *Pennsylvania Bulletin*;

g. Upon the effective date of the local rule, these conditions shall be applicable to any person sentenced, adjudicated, resentenced, or paroled on or after that date.

h. Upon the effective date of the local rule, the Rules of Probation as described in Administrative Order 14 of 2003 shall be applicable only to those persons sentenced, resentenced, or paroled prior to the effective date of the local rule described herein.

i. In order to avoid a long-term, bifurcated approach to the Rules of Probation, the Department of Probation Services shall also execute the appropriate updated form(s) with all existing persons subject to conditions of probation or parole in any form established prior to the effective date of the local rule. Due to the number of persons involved, the Department of Probation Services will have six months from the effective date of the local rule to complete this provision. After six months from the effective date of the local rule, Administrative Order 14 of 2003 shall be vacated.

j. In the event a person subject to the Rules of Probation as described in Administrative Order 14 of 2003 has not signed the updated conditions described herein before the time that Administrative Order 14 of 2003 is to be vacated, regardless of the reason, the Department of Probation Services will initiate revocation proceedings prior to Administrative Order 14 of 2003 being vacated. If the person is subject to a bench warrant at the time this rule becomes effective, the Department of Probation Services shall, prior to Administrative Order 14 of 2003 being vacated, submit an Amended Violation

Report to indicate that the person has not followed the directive of the Department of Probation Services to sign the updated form(s). If, for some reason, the Department of Probation Services had not initiated revocation proceedings in conjunction with the issuing of the bench warrant, the Department of Probation Services shall initiate revocation proceedings due to the failure of the person to sign the updated conditions.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 15-720. Filed for public inspection April 17, 2015, 9:00 a.m.]

BUTLER COUNTY

Clerk of Courts' Schedule of Fees and Costs; Misc.; Administrative Doc. No. 4-2015

Order of Court

And Now, this 16th day of March, 2015, upon consideration of the Clerk of Courts' Petition to Increase Fees and Costs Pursuant to 42 Pa.C.S.A. § 1725.4 *It Is Hereby Ordered, Adjudged and Decreed*, that:

1. The revised fee schedule submitted by the Clerk of Courts of Butler County, Pennsylvania, a copy of which follows hereto and incorporated herein, is approved.

2. The revised fee schedule approved by this Order of Court shall be effective on May 1, 2015.

3. The Clerk of Courts is hereby directed to immediately cause the publication of the revised fee schedule in the *Butler County Legal Journal* once a week for two (2) successive weeks, and to file a copy of the Proof of Publication of the advertisement at the previously listed term and docket number.

4. The Clerk of Courts shall file one (1) certified copy hereof with AOPC and distribute two (2) certified copies plus a diskette to the Legislative Reference Bureau for publication in the *PA Bulletin*.

5. The Clerk of Courts is to distribute a copy of the fee schedule to each of the Judges of the Court of Common Pleas of Butler County and to the Butler County Bar Association.

6. Nothing contained herein shall prevent this Court to further revise the fee schedule approved by this Order of Court upon proper application made in accordance with law.

By the Court

THOMAS J. DOERR,
President Judge

Clerk of Courts' Petition to Increase Fees and Costs Pursuant to 42 Pa.C.S. § 1725.4

And Now, comes Lisa Weiland Lotz, Clerk of Courts of Butler County, by and through Leo M. Stepanian, II, Esquire, Solicitor, and respectfully petitions this Court as follows:

1. Petitioner is the duly elected Clerk of Courts of the Common Pleas Court of Butler County, Pennsylvania.

2. Butler County is a county of the fourth class.

3. Act 36 of 2000 provides in pertinent part:

The amount of any fee or charge increased pursuant to paragraph (1) may be increased every three years, provided that the amount of the increase may not be greater than the percentage of increase in the Consumer Price Index for Urban Workers for the immediate three years preceding the last increase in the fee or charge.

42 Pa.C.S. § 1725.4(a)(2).

4. The Clerk of Courts last sought approval for and this Court last granted approval for an increase in the fees and costs charged by the Clerk of Courts in April 2012.

5. Pursuant to 42 Pa.C.S. § 1725.4(a)(2), the Clerk of Courts may request, and the President Judge may approve, an increase in the fees and costs charged by the

Clerk of Courts based upon the increase in the Consumer Price Index for the period from June 2009 to June 2011.

6. Based upon the Consumer Price Index for Urban Workers (Urban Wage Earners and Clerical Workers), the Consumer Price Index has increased 4.64% (June 2009 to June 2011).

7. Following hereto as Exhibit "A" is a proposed fee bill for the Clerk of Courts of Butler County, Pennsylvania that takes into account the increase in the Consumer Price Index as previously set forth.

Wherefore, the Clerk of Courts of Butler County, Pennsylvania respectfully requests this honorable Court to authorize and adopt the schedule of fees and costs as proposed hereby.

LEO M. STEPANIAN, II,
Solicitor for the Clerk of Courts

Exhibit "A"

BUTLER COUNTY CLERK OF COURTS' FEE BILL (Effective 5/1/15)

Criminal Filings

Misdemeanor and Felony Case During or After Trial	\$212.50
Misdemeanor and Felony Case Before Trial (Plea or ARD).....	\$159.00
Summary Case	\$32.50
Juvenile Case	\$21.00

Appeal Fees

Summary Appeal Filing Fee (Non-Refundable)	\$59.00
Appellate Court Appeal (Payable to Clerk of Courts).....	\$64.00
Appellate Court Appeal (Check Payable to Superior/Supreme/Cw. Court).....	\$85.50
Liquor Control Board Appeals	\$21.00

Bench Warrant/Bail Related Fees

Processing all types	\$21.00
Fee per dollar, for the first \$1,000 .0525	\$52.50
Fee per dollar, for each additional \$1,000 .018.....	\$18.00
Bail Forfeiture	\$21.00
Bail Piece (Includes Certified Copy to Bondsman)	\$32.50
Bench Warrant (Includes Certified Copy to Sheriff)	\$32.50

Miscellaneous Filings/Fees

Automation Fee for Clerk of Courts' Office (All initiations - 42 Pa.C.S.A. 1725.4(b)).....	\$5.00
Certified Copy	\$10.50
Constable - Bond/Oath/I.D. Card	\$21.00
Copies (per page)	\$0.50
Criminal Search (per name)	\$21.00
Exemplifications	\$21.00
Expungement (per case)	\$71.00
Facsimile (fax) Fee	\$5.25
NSF Check	\$25.00
Private Detective (Individual) Bond/Oath per year	\$100.00
Private Detective (Corporate) Bond/Oath per year	\$150.00
Miscellaneous Case	\$21.00
Road Docket	\$21.00
Subpoenas	\$4.00
File Retrieval From Iron Mountain	Current Rate

[Pa.B. Doc. No. 15-721. Filed for public inspection April 17, 2015, 9:00 a.m.]

FRANKLIN AND FULTON COUNTIES

**Amended Rule of Judicial Administration 1901—
Prompt Disposition of Matters; Termination of
Inactive Cases; 2015-1281****Order of Court**

And Now this 1st day of April, 2015;

It Is Hereby Ordered That local Judicial Administration Rule 1901—Prompt Disposition of Matters; Termination of Inactive Cases shall be amended and adopted.

It Is Further Ordered that the District Court Administrator shall:

1. File one (1) certified copy of this amended Administrative Order with the Administrative Office of Pennsylvania Courts;

2. Submit two (2) certified copies of this amended Administrative Order and a copy on a computer diskette or CD-ROM to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. Keep a copy of this amended Administrative Order continuously available for inspection and copying in the Office of the Prothonotary in both Fulton and Franklin Counties and in the Franklin County Law Library.

39th Jud. Dist. R. Jud. Adm. 1901 as amended shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

CAROL L. VAN HORN,
President Judge

**Local Rule of Judicial Administration 1901. Prompt
Disposition of Matters; Termination of Inactive
Cases.**

(a) *List of cases for Termination.* No less than once per year, the Prothonotary shall prepare a list of civil cases for general call(s) in which there has been no docketed activity or proceedings for two years or more prior thereto. The list shall be generated sufficiently in advance of the general call date(s) to provide the parties with at least thirty (30) days' written notice of the opportunity for hearing on the proposed termination.

(b)(i) *Issuance of Notice of Termination.* For each case on the list, the Prothonotary at the Court Administrator's request shall issue a written notice of intent to terminate to counsel of record and to self-represented parties for whom no appearance of counsel has been entered, as provided by Pa.R.J.A. 1901(c). Notice of the proposed termination shall be provided in person or by mail to the parties' last address of record or their counsel of record.

(ii) *Content of Notice to Terminate.* The notice to terminate a case shall be on a form developed by the Court Administrator in conjunction with the Court. The notice shall provide counsel and self-represented parties with notice of the case type, the time in which a written notice of objection or intent to proceed must be filed with the Prothonotary to preserve the right to appear for the general call, and the date, time and location of the general call at which counsel or the self-represented parties shall appear if there is objection to termination.

(c)(i) *Notice of Intent to Terminate Cases by Publication.* If notice of intent to terminate a case is not accomplished by mail, or if the notice is returned undeliverable to the

Prothonotary, the Prothonotary shall provide the Court Administrator with a list of cases which must be given notice of intent to terminate by publication pursuant to Pa.R.J.A. 1901(c)(2). The Prothonotary shall cause notice of proposed termination to be given to all cases on the list by publication in the *Franklin County Legal Journal* no less than thirty (30) days in advance of the general call date(s) established by the Court and the Court Administrator.

(ii) *Content of Publication Notice to Terminate.* The published notice to terminate a case shall be on a form developed by the Court Administrator in conjunction with the Court. The published notice to terminate a case shall provide notice to the public of the case type, the time in which a written notice of objection or intent to proceed must be filed with the Prothonotary to preserve the right to appear for the general call, and the date, time and location of the general call at which counsel or the self-represented parties shall appear if there is objection to termination.

(d) *Orders for Termination and Removal From the Civil Docket.* If a written objection or written intention to proceed is not docketed before the deadline set forth within the written or published notice to terminate, the Court Administrator shall strike the matter from the list and cause an order to be entered dismissing the matter with prejudice for failure to prosecute under the provisions of this rule. However, consistent with Pa.R.J.A. 1901(c)(2), any matter terminated after notice by publication may be reinstated by the court after dismissal upon written application if good cause is shown.

(e) *General Call List.* If a written objection or written intention to proceed is docketed within the time limit established by the Court Administrator, each written objection and notice of intent to proceed that has been filed along with a list of the cases that are required to appear at the general call date(s) shall be forwarded to the Court Administrator by the Prothonotary. The Court Administrator shall finalize and deliver to each judge a list of the cases which will appear before the judge for the general call.

(f) *General Call, Hearings, Continuances and Joint Case Management Orders.* If, after a review of the written objection or notice to proceed, or based upon information provided by counsel or self-represented parties at the general call, the Court determines that further hearing is necessary to determine if good cause exists to allow the matter to remain on the docket, the Court on its own motion or upon motion of any party, may list the matter for a separate good cause hearing. No case in which a period of inactivity is greater than 2 years shall proceed in the absence of good cause. In any matter permitted to proceed, the Court shall issue an order directing the parties to enter a joint case management order to govern further proceedings in the case. If a case is continued by the Court beyond the general call date to permit the Court time to consider additional information, or schedule a good cause hearing, the Court Administrator shall be given notice of the continuance and the matter shall be placed on the next general call date, unless the matter is terminated by the court following a review of the information, filings or the holding of the good cause hearing.

[Pa.B. Doc. No. 15-722. Filed for public inspection April 17, 2015, 9:00 a.m.]