

# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA. CODE CH. 40 ]

**Revision of Effective Date of Rules 4001—4016 of the Rules of Judicial Administration on Court Reporting and Transcripts; No. 446 Judicial Administration Doc.**

### Order

*Per Curiam*

*And Now*, this 12th day of May, 2015, it is *Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the June 1, 2015 effective date of Rules 4001—4016 of the Pennsylvania Rules of Judicial Administration, governing court reporting and transcripts, is revised to January 1, 2017. *See* Order No. 436 Judicial Administration Docket (December 4, 2014).

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

(*Editor's Note*: Order No. 436 Judicial Administration Doc. was published at 44 Pa.B. 7823 (December 20, 2014) and is codified in 201 Pa. Code Chapter 40 (relating to uniform rules governing court reporting and transcripts).)

[Pa.B. Doc. No. 15-994. Filed for public inspection May 29, 2015, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

**Adoption of Local Rules of Civil Procedure 1915.16(a) Form of Order and Notice. Joinder. Intervention and 1915.16(b) Order for Notice. Right to Intervene and 1920.71 Form of Notice; No. 15-0979**

### Administrative Order No. 8-2015

*And Now*, this 12th day of May, 2015, it is hereby

*Ordered* and *Decreed* that, effective July 1, 2015, Carbon County Rules of Civil Procedure CARB.R.C.P. 1915.16(a) governing Form of Order and Notice, Joinder and Intervention in custody matters, CARB.R.C.P. 1915.16(b) governing Order for Notice, Right to Intervene in custody matters, and CARB.R.C.P. 1920.71 governing Form of Notice in divorce matters be and are hereby *Adopted* as follows hereto.

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 Civil 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.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

### Rule 1915.16(a). Form of Order and Notice. Joinder. Intervention.

The order and notice joining a party in an action under Pa.R.C.P. 1915.6(a) shall be completed in English and Spanish.

The English and Spanish versions are attached.

### ORDER AND NOTICE

A complaint has been filed in the Court of Common Pleas of Carbon County concerning custody of the following child(ren): \_\_\_\_\_.

The Court has learned you may have a legal interest in custody of the child(ren) named.

A hearing will be held in Courtroom \_\_\_\_\_ of the Court of Common Pleas, 4 Broadway, Jim Thorpe, Pennsylvania, on \_\_\_\_\_ (Day and Date), at \_\_\_\_\_ (Time), \_\_\_\_M. If you wish to protect any legal interest you may have or wish to present evidence to the Court on those matters, you should appear at the place and time and on the date above.

If you have the child(ren) in your possession or control, you must appear and bring them to the Courthouse with you.

If you wish to claim a right of custody, you may file a counterclaim.

If you fail to appear as provided by this order or to bring the child(ren), an order for custody may be entered against you or the Court may issue a warrant for your arrest.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

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AMERICANS WITH DISABILITIES ACT OF 1990

ACTA DE 1990 PARA ESTADOUNIDENSES CON INCAPACIDADES

The Court of Common Pleas of Carbon County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact the Office of the District Court Administrator at (570) 325-8556. All arrangements must be made at least seventy-two (72) hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

La Ley requiere que el Tribunal de Causas Comunes del Condado de Carbon cumpla con el Acta de 1990 para Estadounidenses con Incapacidades. Para información sobre locales accesibles y alojamiento disponibles a individuos incapacitados que tengan diligencias ante el tribunal, por favor comuníquese con nuestra oficina. Todos los arreglos deberán hacerse al menos 72 horas antes de cualquier audiencia o diligencia ante el tribunal.

BY THE COURT:

POR EL TRIBUNAL:

Date: \_\_\_\_\_  
J.

Fecha: \_\_\_\_\_

ORDEN Y NOTIFICACION

Rule 1915.16(b). Order for Notice. Right to Intervene.

Una demanda ha sido asentada en el Tribunal de Causas Comunes del Condado de Carbon conerciente a la custodia del (los) siguiente(s) menor(es):

The order for notice of the pendency of the action and the right to intervene required by Pa.R.C.P. 1915.6(b) shall be completed in English and Spanish.

El tribunal se ha enterado de que usted pudiera tener un interés legal en la custodia del (los) menor(es) nombrados. Una audiencia tendrá lugar en la sala de tribunal \_\_\_\_\_ del Tribunal del Condado de Causas Comunes, 4 Broadway, Jim Thorpe, PA 18229 el \_\_\_\_\_ (Dia y Fecha), a las \_\_\_\_\_ (AM/PM) (hora).

The English and Spanish versions are attached.

ORDER AND NOTICE

Si desea proteger cualquier derecho legal que pudiera tener o desea presentar pruebas al Tribunal sobre estos asuntos, deberá comparecer en el lugar, a la hora y en la fecha antes indicada.

A complaint has been filed in the Court of Common Pleas of Carbon County concerning custody of the following child(ren): \_\_\_\_\_ .

Si tiene al (los) menor(es) en su poder y control, deberá comparecer y traerlo(s) al Tribunal con usted.

The Court has learned you claim custodial rights with respect to the child(ren) named.

Si desea reclamar un derecho a custodia, usted puede asentar una contrademanda.

A hearing will be held in Courtroom \_\_\_\_\_ of the Court of Common Pleas, 4 Broadway, Jim Thorpe, Pennsylvania, on \_\_\_\_\_ (Day and Date), at \_\_\_\_\_ (Time), \_\_\_\_M. If you wish to assert your claim to custodial rights with respect to the child(ren) or wish to present evidence to the Court on those matters, you should petition the Court, on or before the date above, for leave to intervene in the proceedings.

Si no comparece de acuerdo a esta notificación o no trae al (los) menor(es), una orden para custodia pudiera ser asentada en su contra o el Tribunal pudiera emitir una orden de arresto en contra suya.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

USTED DEBERA LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE UN ABOGADO, VAYA O LLAME A LA OFICINA ALISTADA ABAJO. ESTA OFICINA PUEDE PROVEERLE LA INFORMACION NECESARIA PARA CONTRATAR UN ABOGADO. SI USTED NO PUEDE CONTRATAR LOS SERVICIOS DE UN ABOGADO, ESTA OFICINA PUEDE DARLE INFORMACION SOBRE AGENCIAS QUE OFRECEN SERVICIOS LEGALES A PERSONAS ELEGIBLES PARA UNA CUOTA REDUCIDA O GRATIS.

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POR EL TRIBUNAL:

\_\_\_\_\_

Fecha: \_\_\_\_\_

Rule 1920.71. Form of Notice.

The notice required by Pa.R.C.P. 1920.12(c) shall be completed in English and Spanish.

The English and Spanish versions are attached.

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the court. A judgment may also be entered against you for any other claim or relief requested in these papers by the plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for the divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in the Office of the Prothonotary at Carbon County Courthouse, 4 Broadway, Jim Thorpe, Pennsylvania 18229.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

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BY THE COURT:

Date: \_\_\_\_\_ J.

ORDEN Y NOTIFICACION

Una demanda ha sido asentada en el Tribunal de Causas Comunes del Condado de Carbon concerniente a la custodia del (los) siguiente(s) menor(es):

El tribunal se ha enterado de que usted pudiera tener un interés legal en la custodia del (los) menor(es) nombrados. Una audiencia tendrá lugar en la sala del tribunal \_\_\_\_\_ del Tribunal del Condado de Causas Comunes, 4 Broadway, Jim Thorpe, PA 18229 el \_\_\_\_\_ (Dia y Fecha), a las \_\_\_\_\_ (AM/PM) (hora).

Si desea hacer valer su demanda de derechos de custodia con respecto al (los) menor(es) o desea presentar pruebas al Tribunal sobre estos asuntos, deberá hacer un pedimento al Tribunal a más tardar para la fecha antes indicada, para pedir permiso para intervenir en las diligencias judiciales.

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NOTIFICACION AL ACUSADO Y DERECHOS DE  
DEMANDA

Se le ha demandado en el tribunal. Si desea defenderse de las demandas delineadas en las siguientes páginas, debe tomar acción prontamente. Se le notifica que si no lo hace, el caso procederá sin usted y el tribunal pudiera asentar una orden de divorcio o anulamiento en su contra. Una sentencia pudiera también ser asentada en su contra por cualquier otra queja o demanda o desagravio requerido por el demandante en estos documentos. Usted pudiera perder dinero o propiedades u otros derechos importantes para usted, incluyendo la custodia o derecho de visita de sus hijos.

Cuando la causal de divorcio es un rompimiento absoluto del matrimonio, usted puede solicitar consejería matrimonial. Una lista de consejeros matrimoniales está disponible en la Oficina del Protonotario en el Tribunal del Condado de Carbon, 4 Broadway, Jim Thorpe, Pennsylvania 18229.

SI USTED NO ASIENTA UNA DEMANDA POR MANUTENCION, DIVISION DE PROPIEDADES, HONORARIOS PROFESIONALES DEL ABOGADO O GASTOS ANTES QUE SE OTORQUE UN DIVORCIO O ANULACION, USTED PUEDE PERDER EL DERECHO A RECLAMAR CUALQUIERA DE ESTOS GASTOS.

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[Pa.B. Doc. No. 15-995. Filed for public inspection May 29, 2015, 9:00 a.m.]

YORK COUNTY

Amending Local Rule of Civil Procedure 1971 and  
Renumbering It as 1940.4; 2015-MI-000070-55

Administrative Order Amending York County  
Local Rule of Civil Procedure 1971 and  
Renumbering It as 1940.4

And Now, this 7th day of May, 2015, it is Ordered that York County Local Rule of Civil Procedure 1971 is hereby amended as follows, and renumbered as 1940.4 to be keyed to the number of the Pennsylvania Rule of Civil Procedure to which it corresponds, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

STEPHEN P. LINEBAUGH,  
*President Judge*

YCCiv. [ 1971 ] 1940.4. **Minimum Qualifications of the Mediator:** Selection of Mediators; Training.

(A) Prior to the last day of each calendar year, the York County Bar Association Family Law Section shall present to the President Judge a list of attorneys authorized to practice before the York County Court of Common Pleas, **or other qualified professionals**, who have agreed to serve as mediators for cases eligible for mediation under YCCiv. 1970. The President Judge, in consultation with the Supervising Judge of the Family Court may strike names from the list and shall promptly appoint the mediators and set their fees by administrative order. A copy of the administrative order shall promptly be forwarded to the York County Bar Association.

(B) Mediation Training Requirements: Persons selected as mediators for cases submitted under YCCiv. 1970 must have fulfilled the requirements of a recognized organization of family mediators, (which shall include at least forty (40) hours of approved training in family law mediation), or have received thirty (30) hours of Custody Mediation Training approved by the York County Family Court Division [ , **plus be a practicing family law attorney or custody conciliator** ].

(C) No person shall serve as a mediator in case where the mediator or any member of his or her firm:

- (1) Previously or currently represents one or more parties; or
- (2) Is personally acquainted with or related to one or more of the parties; or
- (3) Has personal knowledge or familiarity with the case; or
- (4) Has been or may be called as a witness in the case; or
- (5) Has participated as a conciliator or master in the case.

[Pa.B. Doc. No. 15-996. Filed for public inspection May 29, 2015, 9:00 a.m.]

# SUPREME COURT

## Establishment of Committee on Court Reporting and Transcripts and Appointment of Initial Members; No. 444 Judicial Administration Doc.

### Order

#### *Per Curiam*

*And Now*, this 12th day of May, 2015, it is *Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania, that the Court establishes the Committee on Court Reporting and Transcripts.

The Committee shall consist of the following members appointed by the Supreme Court of Pennsylvania, one of whom shall be designated as Chair and one of whom shall be designated as Vice-Chair:

- (1) One representative of the Superior Court of Pennsylvania;
- (2) One representative of the Commonwealth Court of Pennsylvania;
- (3) Two president judges of the courts of common pleas chosen from among the judicial districts of the Commonwealth;
- (4) The district court administrator of the Philadelphia County Court of Common Pleas;
- (5) The district court administrator of the Allegheny County Court of Common Pleas;
- (6) Two district court administrators chosen from among the judicial districts of the Commonwealth other than Philadelphia and Allegheny;
- (7) Two providers of court reporting services representing the various methods currently in usage within Pennsylvania; and
- (8) Two members of the Pennsylvania Bar.

Initial appointments shall be for one-, two- or three-year terms, and these members may serve one additional three-year term. Thereafter appointments shall be for three years and members shall serve no more than two consecutive three-year terms. A replacement appointee shall serve for the balance of the unexpired term.

The Committee shall review current rules and practices, and, upon concurrence of the Court Administrator,

recommend revisions to the Uniform Rules Governing Court Reporting and Transcripts. The Administrative Office shall provide staff support to the Committee.

The initial Committee members and their terms are as follows:

#### *Term expiring June 1, 2016:*

The Honorable Stephen G. Baratta  
President Judge, Court of Common Pleas of Northampton County

Joseph H. Evers  
District Court Administrator, Philadelphia County

Joseph D. Seletyn, Esq.  
Prothonotary, Superior Court of Pennsylvania

Kristin W. Brown, Esq.  
Prothonotary, Commonwealth Court of Pennsylvania

#### *Term expiring June 1, 2017:*

The Honorable Maureen A. Skerda  
President Judge, Court of Common Pleas of Warren & Forest Counties

Gerald C. Montella, Esq.  
District Court Administrator, Delaware County

Cheryl Hansberry  
Official Court Reporter, Dauphin County

Samuel Milkes, Esq.

#### *Term expiring June 1, 2018:*

Claire C. Capristo, Esq.  
District Court Administrator, Allegheny County

Tami B. Kline  
District Court Administrator, Columbia & Montour Counties

Melissa Keating  
Court Reporter, Mercer County

Chena L. Glenn-Hart, Esq.

The Honorable Stephen Baratta is hereby designated as Chair, and Chena Glenn-Hart is designated as Vice-Chair, of the Committee.

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

[Pa.B. Doc. No. 15-997. Filed for public inspection May 29, 2015, 9:00 a.m.]