

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CH. 81]

Amendment of Section 81.505 of the Interest on Lawyers Trust Account Regulations; No. 134 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 28th day of May, 2015, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Section 81.505 of the Pennsylvania Interest on Lawyers Trust Account Regulations is hereby amended as follows. The Form for Pro Hac Vice Admission shall be modified to reflect the increase in the admission fee.

To the extent that notice of the proposed amendment would be required by Pa.R.J.A. No. 103 or otherwise, the immediate amendment of Section 81.505 is required in the interest of justice and efficient administration.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on June 12, 2015.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter D. INTEREST ON LAWYER TRUST ACCOUNT REGULATIONS FOR PRO HAC VICE ADMISSION

§ 81.505. Fees.

(a) An attorney seeking admission pro hac vice with respect to a case shall pay a fee of [**Two Hundred Dollars (\$200)**] **three hundred seventy-five dollars (\$375)**. The fee shall be required for each case in which the attorney is seeking pro hac vice admission. Under no circumstances shall the fee required by this regulation be refunded.

* * * * *

[Pa.B. Doc. No. 15-1098. Filed for public inspection June 12, 2015, 9:00 a.m.]

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CH. 82]

Amendment of Rule 103 of the Pennsylvania Rules for Continuing Legal Education; No. 666 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 27th day of May 2015, upon the recommendation of the Pennsylvania Continuing Legal Education Board; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 103(b) of the Pennsylvania Rules for Continuing Legal Education 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 in 30 days.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 82. CONTINUING LEGAL EDUCATION

Subchapter A. PROFESSIONAL RESPONSIBILITY

Rule 103. Board.

* * * * *

(b) *Constituency*. The Board shall consist of ten (10) members appointed by the Supreme Court. Each member of the Board shall be an active [**lawyer who practices and has his principal office**] **member of the Bar of this Commonwealth with his or her primary residency** in the Commonwealth of Pennsylvania.

* * * * *

[Pa.B. Doc. No. 15-1099. Filed for public inspection June 12, 2015, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 3000]

Order Amending Rule 3136 of the Rules of Civil Procedure; No. 623 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 29th day of May, 2015, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been published for public comment at 44 Pa.B. 4996 (July 26, 2014):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 3136 of the Pennsylvania Rules of Civil 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 July 1, 2015.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 3000. JUDGMENTS

Subchapter D. ENFORCEMENT OF MONEY JUDGMENTS FOR THE PAYMENT OF MONEY

Rule 3136. Distribution of proceeds.

(a) Not later than thirty days after the sale of real property and not later than five days after the sale of personal property, the sheriff shall prepare a schedule of proposed distribution of the proceeds of sale which shall be [**kept on file and shall be available for inspection in the sheriff's office**] filed in the prothonotary's office. No schedule of distribution or list of liens need be filed when the property is sold to the plaintiff for costs only.

* * * * *

EXPLANATORY COMMENT

Current Rule 3136 provides for the sheriff to prepare a schedule of proposed distribution of proceeds (schedule) no later than thirty days after a sale of real property or five days after the sale of personal property. The sheriff is required to keep the schedule on file so that it is available for inspection in the sheriff's office. The parties in interest (parties) then have ten days to file exceptions to the schedule. The rule, however, does not require the sheriff to serve or notify the parties that a schedule has been prepared. As a result, the parties must monitor the sheriff's office on a daily basis to acquire the schedule in order to have the full ten days with which to prepare and file the exceptions. Instead of keeping the schedule on file in the sheriff's office, the proposed amendment would require the sheriff to file the schedule with the prothonotary and is intended to give the practitioner the ability to consult the docket, which in some counties can be done electronically.

By the Civil Procedural Rules Committee

PETER J. HOFFMAN,
Chair

[Pa.B. Doc. No. 15-1100. Filed for public inspection June 12, 2015, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

President Judge Administrative Order No. 04 of 2015

Order

And now, this 20th day of May, 2015, it appearing that the following listed Administrative Orders have been

supplanted, or are no longer effective or relevant, in order to avoid confusion and undue reliance on their provisions, *It Is Hereby Ordered and Decreed* that they are no longer in effect, and that as soon as practicable they be removed from the website of the First Judicial District of Pennsylvania and not be published in upcoming editions of the "Philadelphia County Court Rules" published by ALM Media Properties, LLC.:

- 2011-01 In Re: Objections to Nomination Petitions—Primary Election, May 17, 2011
- 002 of 1997 In re: Mental Health Procedures Act Appointment of Mental Health Review Officer
- 001 of 1998 Mental Health Procedures Act of 1976, as amended In re: Designation of Hearing Site
- 2001-01 Electronic Filing of Legal Papers Involving Proceedings Pursuant to the Mental Health Procedures Act; Modification of Effective Date of Administrative Order No. 2001-01 Issued January 2, 2001
- 2006-01 Order for Philadelphia Civil Rules 229.1 and *3129.2(b)(1)
- 2007-01 Service of Orders and Notices as Provided in Pa.R.Crim.P. No. 114

This Administrative Order shall be filed with the Office of Judicial Records in a docket maintained for Orders issued by the First Judicial District of Pennsylvania, and one certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two certified copies of this Order, and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, shall be published in *The Legal Intelligencer*, and will be posted on the First Judicial District's website at <http://courts.phila.gov>. Copies shall be submitted to American Lawyer Media, the Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania.

By the Court

HONORABLE SHEILA WOODS-SKIPPER,
President Judge
Court of Common Pleas

[Pa.B. Doc. No. 15-1101. Filed for public inspection June 12, 2015, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Regional Central Booking Program; Administrative Order No. 56; AD 2-2015

Order

And Now, to wit, this 11th day of May, 2015, Administrative Order No. 56, promulgated on October 26th, 2009, is hereby amended as follows:

It is hereby ordered and directed that all defendants convicted of any misdemeanor or felony criminal offense or anyone accepted into Accelerated Rehabilitation Dispo-

sition in such matters, shall be assessed an additional fee of \$200.00 to offset costs of Central and/or Regional Booking Centers located throughout Bucks County. Said fees shall be assessed as court costs. This fee is in addition to all other authorized fines, costs and supervisory fees legally assessed.

Fees so collected shall be paid into the General Fund of Bucks County. Each year, the Controller's Office shall proportionately disburse these funds to the participating jurisdictions in accordance with the Regional Booking Center Plan developed by those jurisdictions and approved by the Court.

This Order shall become effective January 1, 2016.

By the Court

JEFFREY L. FINLEY,
President Judge

[Pa.B. Doc. No. 15-1102. Filed for public inspection June 12, 2015, 9:00 a.m.]

FAYETTE COUNTY

Diversionsary Program for Transmission of Sexually Explicit Images by Minors: Local Rule 301; No. AD-1-2015

Order

And Now, this 15th day of May, pursuant to Rule 105 the Pennsylvania Rules of Criminal Procedure, it is ordered that Local Rule 301, the Diversionsary Program for Transmission of Sexually Explicit Images by Minors, is hereby adopted to read as follows.

The Clerk of Courts is directed as follows:

- (1) One certified copy of Local Rule 301 shall be filed with the Administrative Office of Pennsylvania Courts.
- (2) Two certified copies and diskette of Local Rule 301 shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- (3) One certified copy shall be sent to the Fayette County Law Library and to the Editor of the *Fayette Legal Journal*.

The District Court Administrator shall publish a copy of Local Rule 301 on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

Local Rule 301, the Diversionsary Program for Transmission of Sexually Explicit Images by Minors shall be effective 30 days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

JOHN F. WAGNER, Jr.,
President Judge

Rule 301. Diversionsary Program for Transmission of Sexually Explicit Images by Minors.

The Court hereby recognizes the Fayette County Diversionsary Program for Transmission of Sexually Explicit Images by Minors as a dispositional alternative for the summary offense enumerated at 18 Pa.C.S.A. § 6321(a) and as authorized by 18 Pa.C.S.A. § 6321(f) and Pennsylvania Rule of Criminal Procedure Rule 300.

The conditions and parameters of this program shall be governed by the Crime Victims' Center of Fayette County and must include an educational training session of not less than two hours regarding the legal and nonlegal consequences of sharing sexually explicit images. Diversion into the program may only be authorized by a magisterial district judge or other judicial authority with jurisdiction over the violation.

All costs and administrative expenses associated with the diversionsary program shall be the responsibility of the defendant. If the defendant successfully completes the diversionsary program, the defendant's records of the charge of violating 18 Pa.C.S.A. § 6321(a) shall be expunged.

[Pa.B. Doc. No. 15-1103. Filed for public inspection June 12, 2015, 9:00 a.m.]

FAYETTE COUNTY

Local Rule 106: Continuances; No. AD-2-2015

Order

And Now, this 15th day of May, pursuant to Rule 105 of the Pennsylvania Rules of Criminal Procedure, it is ordered that Local Rule 301 be renumbered to Local Rule 106 and amended to read as follows.

The Clerk of Courts is directed as follows:

- (1) One certified copy of Local Rule 106 shall be filed with the Administrative Office of Pennsylvania Courts.
- (2) Two certified copies and diskette of Local Rule 106 shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- (3) One certified copy shall be sent to the Fayette County Law Library and to the Editor of the *Fayette Legal Journal*.

The District Court Administrator shall publish a copy of Local Rule 106 on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

Local Rule 106 shall be effective 30 days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

JOHN F. WAGNER, Jr.,
President Judge

Rule 106. Continuances.

(a) The Court may, in the interest of justice, grant a continuance, on its own motion, or on the motion of either party. The Court shall on the record identify the moving party and state for the record the Court's reasons justifying the granting or denial of the continuance.

(b) A motion for continuance of trial made on behalf of the defendant shall be made to the assigned Plea Judge no later than forty-eight hours before the time set for trial. A later motion shall be entertained only when the opportunity therefore did not previously exist, or the defendant was not aware of the grounds for the motion, or the interests of justice require it.

(c) A request for continuance on the grounds that an attorney of record is unavailable may only be entertained when that attorney has an engagement in Federal Court, in Pennsylvania Appellate Court, a previously scheduled Common Pleas Court hearing, an illness, or by some special or unexpected circumstance rendering the attorney's absence practically involuntary. When two or more attorneys are of record for the same party, the absence of one of them shall not be deemed grounds for a continuance or for passing the case, except for reasons satisfactory to the court.

(d) Except for cause shown as stated in the motion, a motion for continuance shall comply with the following requirements:

(1) The motion shall be signed by the moving party and counsel for the moving party; and

(2) The motion shall be consented to and signed by all counsel, and unrepresented parties of record, or it must be presented as a Priority Motion (in accordance with Fayette County Rule 575); and

(3) If the motion is made necessary by a pre-existing hearing commitment, a copy of the order setting such hearing shall be attached to the motion, and the motion for continuance must be presented as soon as possible after the conflict is established, and in no event more than two weeks after the mailing of notice of the hearing that is proposed to be continued; and

(4) Counsel must obtain from the Court at least three dates available to all parties and all counsel for the continued hearing. Alternately, each counsel may provide a list of the dates counsel or counsel's client is unavailable during the three-month period following the date the motion for continuance is presented.

[Pa.B. Doc. No. 15-1104. Filed for public inspection June 12, 2015, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Jeffrey Keenan Martin (# 35907) having been suspended from the practice of law in the State of Delaware for a period of one year, the Supreme Court of Pennsylvania issued an Order dated May 29, 2015 suspending Jeffrey Keenan Martin from the practice of law in this Commonwealth for a period of one year effective June 28, 2015. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside 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. 15-1105. Filed for public inspection June 12, 2015, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Rosemaria Plesh a/k/a Rosemaria Merante having been suspended from the practice of law in the State of New York for a period of three months by Order of the Supreme Court of New York dated December 19, 2014, the Supreme Court of Pennsylvania issued an Order on May 27, 2015 suspending Rosemaria Plesh a/k/a Rosemaria Merante (# 61024) from the practice of law in this Commonwealth for a period of three months, to take effect on June 26, 2015. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside 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. 15-1106. Filed for public inspection June 12, 2015, 9:00 a.m.]

SUPREME COURT

Sessions of the Supreme Court of Pennsylvania for the Year 2016; No. 439 Judicial Administration Doc.

Amended Order

Per Curiam:

And Now, this 28th day of May 2015, it is hereby ordered that the order dated December 19, 2014, listing argument/administrative sessions of the Supreme Court of Pennsylvania is hereby amended. Sessions shall be held in the year 2016 as follows:

Philadelphia (Administrative Session)	February 4th
Philadelphia	March 7th through March 11th
Harrisburg (Administrative Session)	March 31st
Pittsburgh	April 4th through April 8th
Harrisburg	May 9th through May 13th
Pittsburgh (Administrative Session)	June 2nd
Philadelphia	September 12th through September 16th
Pittsburgh	October 31st through November 4th
Harrisburg	December 5th through December 9th

Additional argument/administrative sessions may be scheduled as the Court deems necessary.

[Pa.B. Doc. No. 15-1107. Filed for public inspection June 12, 2015, 9:00 a.m.]