

THE COURTS

Title 225—RULES OF EVIDENCE

[225 PA. CODE ART. IV]

Order Approving the Revision to the Comment to Rule of Evidence 409; No. 671 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 30th day of July, 2015, upon the recommendation of the Committee on Rules of Evidence; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of efficient administration, and a Final Report to be published with this *Order*:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Comment to Pennsylvania Rule of Evidence 409 is revised in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective October 1, 2015.

Annex A

TITLE 225. RULES OF EVIDENCE

ARTICLE IV. RELEVANCE AND ITS LIMITS

Rule 409. Offers to Pay Medical and Similar Expenses.

Evidence of furnishing, promising to pay, or offering to pay medical, hospital, or similar expenses resulting from an injury is not admissible to prove liability for the injury.

Comment

This rule is identical to F.R.E. 409.

As to the admissibility of a benevolent gesture made by a health care provider, *et al.*, see the Benevolent Gesture Medical Professional Liability Act, Act of October 25, 2013, P. L. 665, 35 P. S. §§ 10228.1—3.

Official Note: Adopted May 8, 1998, effective October 1, 1998; Comment revised December 30, 2005, effective February 1, 2006; rescinded and replaced January 17, 2013, effective March 18, 2013; **Comment revised July 30, 2015, effective October 1, 2015.**

Committee Explanatory Reports:

Final Report explaining the December 30, 2005 revision of the Comment published with the Court's Order at 36 Pa.B. 384 (January 28, 2006).

Final Report explaining the January 17, 2013 rescission and replacement published with the Court's Order at 43 Pa.B. 651 (February 2, 2013).

Final Report explaining the July 30, 2015 revision of the Comment published with the Court's Order at 45 Pa.B. 4759 (August 15, 2015).

FINAL REPORT¹

Revision to the Comment to Rule of Evidence 409

On July 30, 2015, effective October 1, 2015, upon recommendation of the Committee on Rules of Evidence, the Court ordered revision of the Comment to Pennsylvania Rule of Evidence 409 to insert a reference to the Benevolent Gesture Medical Professional Liability Act, Act of October 25, 2013, P. L. 665, 35 P. S. §§ 10228.1—3. The Committee believes that a signal to the existence of this legislation within the Pennsylvania Rules of Evidence would be beneficial to the bench and bar.

[Pa.B. Doc. No. 15-1490. Filed for public inspection August 14, 2015, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CRAWFORD COUNTY

Offender Supervision Fee; Misc. MD 301-2015

Administrative Order

And Now, July 17, 2015, pursuant to the provisions of 18 P. S. § 11.1102, the Offender Supervision Fee is increased from forty (\$40.00) dollars per month to forty-five (\$45) dollars per month, assessed against all offenders placed on probation, parole, accelerated rehabilitative disposition, probation without verdict or intermediate punishment. Said increase shall be effective October 1, 2015. Offenders sentenced prior to the effective date of this increase shall continue to be assessed the prior monthly Offender Supervision Fee.

It is further Ordered that in accordance with Pa.R.Crim.P. 105, the District Court Administrator shall:

(a) File one (1) certified copy hereof with the Administrative Office of the Pennsylvania Courts; and

(b) Distribute two (2) certified copies hereof and one (1) copy on computer diskette or on a CD-ROM to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and

(c) File one (1) certified copy with the Criminal Procedural Rules Committee; and

(d) File one (1) copy with the Clerk of Courts of the 30th Judicial District. Said Administrative Order shall be posted on the Crawford County website and shall be available for public inspection and copying in the office of the Clerk of Courts upon request and payment of reasonable costs of reproduction and mailings.

By the Court

ANTHONY J. VARDARO,
President Judge

[Pa.B. Doc. No. 15-1491. Filed for public inspection August 14, 2015, 9:00 a.m.]

¹ The Committee's Final Report should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

DAUPHIN COUNTY

Promulgation of Local Rules; No. 1793 S 1989

Order

And Now, this 21st day of July 2015, Dauphin County Local Rules of Civil Procedure 1915.4-4 is amended as follows:

Rule 1915.4-4. Pre-Trial Conferences and Trial.

(a) No later than five (5) days prior to the Pre-Trial Conference with a Judge, all parties must file a Pre-Trial Statement and serve copies on all other parties or their legal counsel. The Pre-Trial Statement must include the following:

- (1) Brief summary of the case including the names and dates of birth of the child(ren) at issue and the current custody arrangement;
- (2) Statement of issues expected to be raised at Trial;
- (3) Admissions from pleadings to be made part of the record;
- (4) Stipulations of parties;
- (5) Statements of objections or unusual evidentiary problems expected to arise at trial;
- (6) Statement of settlement prospects;
- (7) Estimated time needed for Trial;

(8) Name and address of each expert intended to be called at trial as a witness or a request that an expert custody evaluator or other expert witness be appointed by the Court;

(9) Name and address of each witness intended to be present at Trial and the relationship of the witness to the parties and child(ren);

(10) List of proposed exhibits intended to be offered at Trial;

(11) Proposed Parenting Plan **[if this differs from the Proposed Parenting Plan already filed] in accordance with the form found at www.dauphincounty.org/government/Court-Departments/Self-Help;**

(12) Updated Criminal or Abuse History Verification of other parties or persons living in the residence;

(13) Information about Criminal and Abuse History of other parties or persons living in the residence;

(14) Certificate of Completion of the Seminar if not previously filed;

(15) Any other relevant matter.

These amendments shall be effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

RICHARD A. LEWIS,
President Judge

[Pa.B. Doc. No. 15-1492. Filed for public inspection August 14, 2015, 9:00 a.m.]