

THE COURTS

Title 255—LOCAL COURT RULES

DAUPHIN COUNTY

Petition of Dale E. Klein Clerk of Courts Fee Schedule Approval Pursuant to Act 36 of 2000; No. 1361 MD 2015 Criminal Division

Administrative Order

And Now, To Wit, This 13th day of October 2015, pursuant to the provisions of 42 Pa.C.S. Section 1725.4, the fee bill of the Clerk of Court of Dauphin County, Pennsylvania, is amended to reflect the following Fee Schedule. The fee bill shall be effective the first day of January 2016, upon due advertisement as required by the Administrative Rules of Court.

It Is Further Ordered that in accordance with Pa.R.Civ.P. 239, the District Court shall:

- (a) File seven (7) copies hereof with the Administrative Office of Pennsylvania Courts;
- (b) Distribute two (2) certified copies hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
- (c) Cause a copy hereof to be published in the *Dauphin County Reporter* once a week for two (2) successive weeks at the expense of the County of Dauphin;
- (d) Supervise the distribution thereof to all Judges and member of the Bar of this Court.

By the Court

RICHARD LEWIS,
President Judge

Clerk of Court Fee Increase; No. 1361 MD 2015

Administrative Order

And Now, this 13th day of October, 2015, pursuant to ACT 36 of 2000, 42 Pa.C.S. 1725.4 (allowing Clerk of Courts fees to be adjusted based on changes in the Consumer Price Index), *It Is Hereby Ordered* that the following fees are effective January 1, 2016:

| <i>Service</i> | <i>Fee</i> |
|--|--|
| Court Costs (Misdemeanor/Felony) Disposed of Before Trial | \$180.00 |
| Court Costs (Misdemeanor/Felony) Disposed of During or After Trial | \$240.00 |
| Summary Case Costs | \$35.00 |
| Certifications | \$12.00 |
| All Other Matters and Reports ⁱ | \$22.00 (+ 5.00, Postage 11.00 auto fee, where applicable) |
| Filing Summary Conviction Appeal | \$59.00 + 5.00 auto fee + Postage 11.00 |
| Filing Appeal to Appellate Court | \$78.00 + 5.00 auto fee + 11.00 Postage |
| Summary Appeal | \$59.00 + 5.00 auto fee + Postage 11.00 |
| Redaction (when ordering copies of criminal case file where sensitive case information must be removed) | \$2.00 per page + .50 for Copies per page |
| Postage | \$11.00 |
| Record Check | \$12.00 + \$5.00 auto fee |
| Revocation Fee—Standard Probation | \$39.00 |
| Revocation Fee—ARD | \$39.00 |
| ARD Administrative Management Fee | \$20.00 |
| Expungement Petition/Order Service | \$22.00 + 5.00 auto fee + 11.00 postage + \$22.00 if MD needs to be created + \$12.00 certification fee for each order to be distributed |

ⁱ Except that no fee shall be charged for filing township and borough audit reports or transcripts received which indicate a final disposition by the magisterial district judge.

| | |
|------------------------|------------|
| <i>Service</i> | <i>Fee</i> |
| Prison Commitments | \$15.00 |
| Bail Posting | \$27.00 |
| Bail Piece | \$27.00 |
| Certifications | \$26.00 |
| Record Maintenance Fee | \$5.00 |

*****Fees associated with Bail See Attachment "A"

By the Court

RICHARD LEWIS,
President Judge

Cash Bail Poundage Fee
Act 36 of 2000—Effective January 1, 2012

| <i>Bail Amount</i> | <i>Fee</i> | <i>Bail Amount</i> | <i>Fee</i> |
|--------------------|------------|--------------------|------------|
| \$50 | \$3.50 | \$1500 | \$71.50 |
| 100 | 7.00 | 1600 | 73.00 |
| 200 | 12.50 | 1700 | 75.00 |
| 250 | 14.50 | 1800 | 76.00 |
| 300 | 18.00 | 1900 | 79.50 |
| 400 | 24.50 | 2000 | 81.50 |
| 500 | 31.00 | 2500 | 91.50 |
| 600 | 36.50 | 3000 | 107.00 |
| 700 | 41.00 | 4000 | 121.00 |
| 800 | 47.50 | 5000 | 141.00 |
| 900 | 53.00 | 6000 | 159.50 |
| 1000 | 60.50 | 7000 | 179.50 |
| 1100 | 63.00 | 8000 | 200.50 |
| 1200 | 64.00 | 9000 | 219.00 |
| 1300 | 67.50 | 10000 | 240.00 |
| 1400 | 69.50 | | |

[Pa.B. Doc. No. 15-2041. Filed for public inspection November 20, 2015, 9:00 a.m.]

WESTMORELAND COUNTY
Rescinding W1920.42(a); Adopting New Rule
W1920.42; No. 3 of 2015

Administrative Order of Court

And Now, this 28th day of October, 2015, *It Is Hereby Ordered* that Westmoreland County Rule of Civil Procedure W1920.42(a), Affidavit and Decree under Section 3301(c) or Section 3301(d) of the Divorce Code is rescinded and new rule W1920.42 is adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

RICHARD E. McCORMICK, Jr.,
President Judge

Rule W1920.42. Affidavit and Decree under Section 3301(c) or Section 3301(d) of the Divorce Code.

(a) The court may require a hearing before the entry of a decree in divorce under sections 3301(c) or 3301(d) of the Divorce Code.

(b) Where both parties have filed affidavits under section 3301(c) of the Divorce Code evidencing consent to

the entry of final decree, the plaintiff shall file at the Prothonotary a Pennsylvania vital statistics form, an affidavit of non-military service of defendant, and a proposed decree in divorce. Upon receipt of a praecipe to transmit the record, the Prothonotary shall deliver all the papers filed at that number and term to the court for entry of the decree in divorce. The proposed decree in divorce shall include a clause retaining jurisdiction in the court of all other related claims that have been jointed, and which have not been decided by the court as of the date of the presentation of the proposed decree in divorce.

(c) If a complaint has been filed requesting a divorce on the grounds of irretrievable breakdown and the plaintiff has filed an affidavit under section 3301(d) of the Divorce Code, the averments of which the defendant has either admitted or not denied; the plaintiff shall send written notice to the court and to the defendant at his/her last known address. The notice shall be sent at least 10 days in advance of the time and date the plaintiff intends to file the praecipe to transmit the record required by Pa.R.C.P. 1920.42.

(1) The plaintiff shall also file the Pennsylvania vital statistics form, an affidavit of non-military service of defendant, a proposed decree in divorce, and an affidavit that notice was sent to the defendant as required above.

The proposed decree in divorce shall include a clause retaining jurisdiction in the court of all other related claims which have been joined and which have not been decided by the court as of the date of the presentation of the proposed decree in divorce.

(2) If the defendant does not object within the time allotted, the court may either enter a decree in divorce, or schedule a hearing.

(d) If the defendant objects and raises new legal or factual issues, a hearing shall be held before the court or a master, as the court may direct.

Adopted December 16, 1993, effective April 1, 1994.
Rule W1920.42(a) rescinded , 2015; new rule
W1920.42 adopted , 2015, effective , 2015.

[Pa.B. Doc. No. 15-2042. Filed for public inspection November 20, 2015, 9:00 a.m.]
