

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[ 204 PA. CODE CH. 211 ]

#### Judicial Salaries

##### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

##### CHAPTER 211. CONSUMER PRICE INDEX AND JUDICIAL SALARIES

###### § 211.1a. Consumer Price Index—judicial salaries.

The Court Administrator of Pennsylvania reports that the percentage change in the Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the 12-month period ending October 2015, was negative 0.5 percent (-0.5%). (See U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, Tuesday, November 17, 2015).

###### § 211.2. Judicial salaries effective January 1, 2016.

The annual judicial salaries for calendar year beginning January 1, 2016 will not be adjusted by a cost-of-living factor. The following salaries that became effective January 1, 2015 will remain in effect:

###### (a) *Supreme Court.*

(1) The annual salary of a justice of the Supreme Court shall be \$203,409.

(2) The annual salary of the Chief Justice of the Supreme Court shall be \$209,329.

###### (b) *Superior Court.*

(1) The annual salary of a judge of the Superior Court shall be \$191,926.

(2) The annual salary of the President Judge of the Superior Court shall be \$197,844.

###### (c) *Commonwealth Court.*

(1) The annual salary of a judge of the Commonwealth Court shall be \$191,926.

(2) The annual salary of the President Judge of the Commonwealth Court shall be \$197,844.

###### (d) *Courts of common pleas.*

(1) The annual salary of a judge of the court of common pleas shall be \$176,572.

(2) The annual salary of the President Judges of the Court of Common Pleas shall be in accordance with the following schedule:

(i) Allegheny County, \$179,532.

(ii) Philadelphia County, \$180,124.

(iii) Judicial districts having six or more judges, \$178,111.

(iv) Judicial districts having one to five judges, \$177,342.

(v) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of six or more judges, \$178,111.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of five or less judges, \$177,342.

(vii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of six or more judges, \$178,111.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of five or less judges, \$177,342.

###### (e) *Philadelphia Municipal Court.*

(1) The annual salary of a judge of the Philadelphia Municipal Court shall be \$172,486.

(2) The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$175,151.

###### (f) *Philadelphia Municipal Court—Traffic Division.*

(1) The annual salary of a judge of the Philadelphia Traffic Court shall be \$92,788.

(g) *Magisterial district judge.* The annual salary of a magisterial district judge shall be \$88,290.

(h) *Senior judges.* The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$545 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.

[Pa.B. Doc. No. 15-2126. Filed for public inspection December 4, 2015, 9:00 a.m.]

## Title 210—APPELLATE PROCEDURE

### PART II. INTERNAL OPERATING PROCEDURES

[ 210 PA. CODE CH. 63 ]

#### Amendment of Section 9 of the Internal Operating Procedures of the Supreme Court; No. 451 Judicial Administration Doc.

##### Order

*Per Curiam*

And Now, this 17th day of November, 2015, *It Is Ordered* that Section 9 of the Internal Operating Procedures of the Supreme Court is amended as set forth in the following form. The amendments shall be effective immediately.

## Annex A

## TITLE 210. APPELLATE PROCEDURE

## PART II. INTERNAL OPERATING PROCEDURES

## CHAPTER 63. INTERNAL OPERATING PROCEDURES OF THE SUPREME COURT

## § 63.9. Photographing, Recording and Broadcasting [ of Supreme Court Proceedings by the Pennsylvania Cable Network (PCN) ].

A. *General Provisions.*

1. The Supreme Court reserves the right to restrict usage of all sound recordings and visual images taken in Supreme Court Courtrooms. Photographing, recording and broadcasting in those areas are permissible only in accordance with the following provisions.

2. The Executive Administrator of the Supreme Court or his or her designee ("Executive Administrator") may permit photographing, recording and broadcasting in any Supreme Court Courtroom in his or her discretion. Requests to photograph, record or broadcast sound or images for public or private use in any media, including, but not limited to, printed, online and video form, must be submitted to the Executive Administrator at least three business days before the proposed date of photographing, recording or broadcasting, or within a shorter period as the Executive Administrator may determine. Requests to photograph, record or broadcast during scheduled Supreme Court proceedings will not be entertained.

3. Members of the general public visiting any Supreme Court Courtroom as a permitted guest or a participant in a supervised tour may take photographs or record sound or images for their private, non-profit use, unless otherwise directed by the Executive Administrator. This provision does not authorize photographing, recording or broadcasting during scheduled Supreme Court proceedings.

4. When a Supreme Court Courtroom is being used by an executive or legislative agency, board, commission or similar entity, sections A. 2.-3. shall not affect that entity's policies relating to photographing, broadcasting and recording.

**B. *Photographing, Recording and Broadcasting of Supreme Court Proceedings by the Pennsylvania Cable Network ("PCN").***

1. *General Provisions.*

[ (1) ] a. The recording by [ the Pennsylvania Cable Network ("PCN") ] PCN of a proceeding before the Supreme Court for future broadcast on PCN is permissible only in accordance with this section.

[ (2) ] b. A request to be present to record a scheduled proceeding electronically for future broadcast on PCN must be made at least three business days before the proceeding. Such requests must be submitted to the Executive Administrator [ of the Supreme Court of Pennsylvania or his or her designee ("Executive Administrator") ] for approval by the Chief Justice. The Supreme Court shall maintain discretion to prohibit camera coverage of any proceeding, or any part thereof, due to the nature of the issues or the sensitivity of the subject matter of a proceeding.

[ (3) ] c. There shall be no coverage of a proceeding involving any case that has been designated as "sealed."

[ (4) ] d. There shall be no audio pickup or broadcast of conferences between co-counsel or among the Justices.

[ (5) ] e. The Supreme Court may limit or terminate coverage, or direct the removal of camera coverage personnel, when necessary to protect the rights of the parties or to assure the orderly conduct of the proceedings.

[ (6) ] f. The Supreme Court shall not incur any expense for equipment, wiring or personnel necessary to provide coverage by PCN.

[ (7) ] g. Introductory commentary, if any, shall be supplied by members in good standing of the Pennsylvania Bar approved by the Supreme Court.

[ (8) ] h. All coverage must be "gavel-to-gavel," including rebroadcasts, with the exceptions in [ A.(3)—(5) ] 1.c.—e.

[ (9) ] i. All copyrights to the broadcasts are the possession of the Supreme Court and may not be used without its approval. PCN shall provide the Supreme Court with DVD or videotape recordings of all sessions covered by PCN, whether or not broadcast or aired.

[ (10) ] j. Broadcasts are not permitted until a minimum of 48 hours after recording.

[ B. ] 2. *Equipment and Personnel.*

[ (1) ] a. Only robotic cameras will be permitted in the courtroom. PCN personnel shall consult with the Executive Administrator to determine the location in the courtroom for the camera equipment and operators.

[ (2) ] b. Equipment shall not produce distracting sound or light. Signal lights or devices to show when the equipment is operating shall not be visible.

[ (3) ] c. Except as otherwise approved by the Executive Administrator, existing courtroom sound and light systems shall be used without modification. Audio pickup for all media purposes shall be accomplished from existing audio systems present in the court facility, or from a camera's built-in microphone. If no technically suitable audio system exists in the court facility, microphones and related wiring essential for media purposes shall be unobtrusive and shall be located in places designated in advance by the Executive Administrator.

[ (4) ] d. All equipment must be in place prior to the opening of the court session and shall not be removed until after the conclusion of the day's proceedings. Video recording equipment which is not a component part of a camera shall be located in an area remote from the courtroom. PCN personnel shall not enter or exit the courtroom once the proceedings are in session except during a recess or adjournment. PCN personnel shall wear appropriate attire in the courtroom.

[ (5) ] e. PCN personnel shall adhere to the direction of the Executive Administrator in matters such as security, parking, noise avoidance and other related issues.

[ C. ] 3. *Impermissible Use of Material.*

None of the film, videotape, video discs, still photographs or audio reproductions developed during or by virtue of coverage of a proceeding shall be admissible as

evidence in the proceeding from which it arose, in any proceeding subsequent or collateral thereto, or upon any appeal of such proceedings.

[Pa.B. Doc. No. 15-2127. Filed for public inspection December 4, 2015, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### LACKAWANNA COUNTY

#### Repeal and Adoption of Rules of Civil Procedure; No. 2015 CV 1

##### Order

*And Now*, this 6th day of November, 2015, it is hereby *Ordered* and *Decreed* that the following Lackawanna County Rules of Civil Procedure are adopted and amended as follows:

1. New Lacka.Co.R.C.P. 214.2 is adopted as reflected in the following Rule. The new language of Local Rule 214.2 appears in bold type for ease of reference;

2. Lacka.Co.R.C.P. 4000.1, 4000.2, 4012, 4013 and 4019 are amended as reflected in the following Rules. The amended language of Local Rules 4000.1, 4000.2, 4012, 4013 and 4019 appears in bold type for ease of reference, whereas the former language being replaced by the amendments appears in brackets.

3. Pursuant to Pa.R.C.P. 239(c)(2)—(6), the following Local Rule shall be disseminated and published in the following manner:

(a) One (1) certified copy of the following Local Rules shall be filed with the Administrative Office of the Pennsylvania Courts;

(b) Two (2) certified copies of the following Local Rule and a computer diskette containing the text of the following Local Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) One (1) certified copy of the following Local Rule shall be filed with the Civil Procedural Rules Committee;

(d) The following Local Rule shall be kept continuously available for public inspection and copying in the Office of the Clerk of Judicial Records, Civil Division, and upon request and payment of reasonable costs of reproduction and mailing, the Clerk of Judicial Records shall furnish to any requesting person a copy of the requested Local Rule(s); and

(e) A computer diskette containing the text of the following Local Rule shall be distributed to the Lackawanna Bar Association for publication on the website of the Lackawanna Bar Association.

4. The foregoing adoption of and amendments to the following Local Rules shall become effective thirty (30) days after the date of their publication in the *Pennsylvania Bulletin* pursuant to Pa.R.C.P. 239(d).

*By the Court*

THOMAS J. MUNLEY,  
*President Judge*

#### **Rule 214.2. Assignment of Medical Professional Liability Actions and Protracted Cases.**

(a) **Following the filing of a Complaint by the plaintiff pursuant to Pa.R.C.P. 1042.2 and the entry**

**of appearance by the defendant(s) or defense counsel pursuant to Pa.R.C.P. 1012(a) or Lacka.Co.R.C.P. 200.1(a) in all medical professional liability actions subject to the reporting requirements set forth in Pa.R.C.P. 1042.51(c), the Court Administrator shall assign the case to the judges of the court on a rotating basis and shall promptly schedule a status conference before that judge and forward notice of the conference to all counsel and unrepresented parties. During the status conference, the assigned judge will establish deadlines for the completion of discovery, the exchange of expert witness reports and the filing of case dispositive motions, and schedule dates certain for trial and the final pre-trial conference. All preliminary objections, motions for judgment on the pleadings, motions for summary judgment, and other case dispositive motions, discovery motions, and other pre-trial motions will be addressed to, served upon and decided by the assigned judge.**

(b) **Any other case that will require at least eight (8) days of total trial time, including jury selection, may be designated as a protracted case and assigned to a judge of the court on a rotating basis for pre-trial and trial purposes. A case may be designated as a protracted case upon the filing of a Certification for Protracted Case Designation, subject to the provisions of Pa.R.C.P. 1023.1 to 1023.4, with the concurrence of all counsel of record and unrepresented parties in the form attached to the Appendix of these Local Rules as Form 7A. In the event that all counsel and unrepresented parties do not concur with the designation of a case as a protracted case, the party seeking such designation may present a motion to the Motions Court judge pursuant to Lacka.Co.R.C.P. 208.3(a) requesting the designation of the case as a protracted case. The motion requesting designation as a protracted case must set forth with specificity, and subject to Pa.R.C.P. 1023.1 to 1023.4, the reason(s) why the case warrants designation as a protracted case.**

(c) **A Certification for Protracted Case Designation (Form 7A) or a motion requesting the designation of a case as a protracted case may be filed following the filing of a complaint by the plaintiff and the entry of appearance by all defense counsel and unrepresented parties pursuant to Pa.R.C.P. 1012(a) and Lacka.Co.R.C.P. 200.1(a). Once a Certification for Protracted Case Designation or an Order of Court designating a case as a protracted case has been filed, the Court Administrator shall assign the case to a judge of the court on a rotating basis and shall promptly schedule a status conference before the assigned judge and forward notice of that conference to all counsel of record and unrepresented parties. During the status conference, the assigned judge will establish deadlines for the completion of discovery, the exchange of expert witness reports and the filing of case dispositive motions, and schedule dates certain for trial and the final pre-trial conference. After a case has been designated as a protracted case and assigned to a judge, all case dispositive motions, discovery motions, and other pre-trial motions in a protracted case will be addressed to, served upon and decided by the assigned judge.**

**Rule 4000.1. [ Motion for Presentation before a Special Trial Master ] Discovery Motions Court.**

(a) [ Presentation to the court of a motion pursuant to Lacka.Co.R.C.P. 4000 shall in all circumstances be initially presented to and decided by a Special Trial Master appointed by the Court who shall follow the same procedures set forth in Lacka.Co.R.C.P. 4000. ] Except for medical professional liability actions and protracted cases governed by Lacka.R.C.P. 214.2, all discovery motions shall be presented to the Discovery Motions Court Judge who shall hear motions in the Lackawanna County Courthouse on Monday and Thursday at 9:30 AM in a courtroom designated by the Court Administrator, unless otherwise agreed by counsel or the Discovery Motions Court Judge or by order of the Discovery Motions Court Judge.

(b) [ An order of the Special Trial Master may be appealed de novo by presentation of an appeal motion to the designated Motions Court Judge in accordance with Lacka.Co.R.C.P. 206.4(c), together with proof of payment to the Clerk of Judicial Records of an appeal cost in an amount to be set by the court from time to time. The appeal motion shall be filed within ten days of the order of the Special Trial Master and shall be considered by the court pursuant to Lacka.Co.R.C.P. 4000. ] In the event that the Discovery Motions Court Judge is unavailable on Monday or Thursday at 9:30 AM, and unless otherwise agreed by counsel or the Discovery Motions Court Judge, discovery motions shall be presented to the Motions Court Judge in compliance with Lacka.Co.R.C.P. 208.3(a).

(c) Motions practice before the Special Trial Master shall be conducted in compliance with the Lacka.Co.R.C.P. 206.1 and the Master shall hear motions in the Lackawanna County Courthouse on Monday and Thursday at 9:30 AM, unless otherwise agreed by counsel and the Master or by order of the Master.

(d) Presentation of a motion in any case in which the Special Trial Master is involved shall be presented to the court rather than through the procedure set forth in this Rule. ]

**Rule 4000.2. Case Management Proposal.**

With the exception of [ medical malpractice cases ] medical professional liability actions and protracted cases governed by Lacka.Co.R.C.P. 214.2, and upon closure of the pleadings, the plaintiff(s) shall complete and forward to all parties a Case Management Proposal in substantial compliance with Form 15 in the attached Appendix. The Case Management Proposal shall set forth proposed deadlines for the completion of discovery, exchange of expert reports, and the filing of dispositive motions.

If the plaintiff(s) has not received any objections to the Case Management Proposal within fifteen (15) days of mail, the plaintiff(s) shall submit the Proposal to the [ Lackawanna County Discovery Master ] Discovery Motions Court Judge for approval. If a party objects to the Proposal, and the parties are otherwise unable to agree, and upon appropriate notice as outlined in Lacka.Co.R.C.P. 208.2(f), the Proposal shall be submitted to the [ Discovery Master ] Discovery Motions Court Judge for resolution.

If the plaintiff(s) shall fail to complete and forward a Case Management Proposal within thirty (30) days of the closure of the pleadings, nothing in this Rule shall preclude an opposing party from submitting a Case Management Proposal in compliance with this Rule.

**Rule 4012. Protective Orders.**

(a) If a deposition is being taken within the Lackawanna County Courthouse and demand is made for its suspension, a motion for a protective order under Pa.R.Civ.P. 4012(b) shall be made immediately to the [ Special Trial Master for Discovery ] Discovery Motions Court Judge, if available, in which event the motion may be oral and heard. If the [ Special Trial Master for Discovery ] Discovery Motions Court Judge is not available, the motion for a protective order may be oral and shall be presented to the [ Special Trial Master for Discovery ] Discovery Motions Court Judge within forty-eight hours of the suspension of the taking of deposition. Otherwise, the objecting party or deponent will be deemed to have waived the objection and the taking of the deposition shall be immediately resumed on notice to all interested parties and the deponent.

(b) In all other cases, the motion must be in writing and presented to the [ Special Trial Master for Discovery ] Discovery Motions Court Judge as provided in Lacka.Co.R.C.P. 4000 herein except that, upon failure to present such motion within fifteen (15) days of the suspension of the taking of the deposition, the objecting party or deponent will be deemed to have waived the objection whereupon the taking of the deposition shall be resumed on reasonable notice to all interested parties and deponent.

**Rule 4013. Stay of Proceedings by Discovery.**

(a) If a party seeks a stay of discovery pending disposition of a motion for a protective order, the basis for such a request shall be stated with particularity in the motion and shall be called to the attention of the [ Special Trial Master for Discovery ] Discovery Motions Court Judge at the time of presentation of the motion.

(b) If during the pendency of an action a party desires a general stay of the proceedings for purposes of deposition and discovery, the court upon motion and for cause shown may enter an appropriate order staying the proceedings.

**Rule 4019. Petitions for Sanctions [ before a Special Trial Master ].**

[ (a) ] Any party seeking sanctions pursuant to Pa.R.Civ.P. 4019 for violation of an order of the [ Special Trial Master ] Discovery Motions Court Judge pursuant to Lacka.Co.R.C.P. 4000.1, or an order of the court pursuant to Lacka.Co.R.C.P. 4000, or otherwise pursuant to Pa.R.Civ.P. 4019, shall in all circumstances [ initially ] do so by motion to the [ Special Trial Master ] Discovery Motions Court Judge pursuant to Lacka.Co.R.C.P. 4000.1.

[ (b) Any order of the Special Trial Master granting or denying a sanction may be appealed de novo by presentation of an appeal motion to the court, together with proof of payment to the Clerk of Judicial Records of an appeal cost of an amount to be set by the court from time to time, and said appeal motion shall be considered by the court pursuant to Lacka.Co.R.C.P. 4000. ]

THE COURTS

FORM 7A

Court of Common Pleas County of Lackawanna	CERTIFICATION FOR PROTRACTED CASE DESIGNATION	NUMBER  ACTION
ALL PROTRACTED CASES SHALL BE ASSIGNED TO A JUDGE BY THE COURT ADMINISTRATOR UPON THE FILING OF A CERTIFICATION FOR PROTRACTED CASE DESIGNATION IN THE FOLLOWING FORM:		
TYPE OF TRIAL REQUESTED  <input type="checkbox"/> Jury <input type="checkbox"/> Non-Jury	ESTIMATED TIME  DAYS	DATE PREPARED
PLAINTIFF(S)		
DEFENDANT(S)		
ADDITIONAL DEFENDANTS(S)		
I CERTIFY, SUBJECT TO PA.R.C.P. 1023.1 TO 1023.4, THAT THE TRIAL OF THIS CASE WILL REQUIRE AT LEAST EIGHT (8) DAYS OF TOTAL TRIAL TIME, INCLUDING JURY SELECTION, AND THAT ALL COUNSEL AND UNREPRESENTED PARTIES LISTED BELOW CONCUR WITH THE DESIGNATION OF THIS MATTER AS A PROTRACTED CASE PURSUANT TO LACKA.CO.R.C.P. 214.2		
DATE SERVED _____		SIGNATURE OF TRIAL COUNSEL _____
COUNSEL WHO WILL ACTUALLY TRY THE CASE		
FOR THE PLAINTIFF(S) ADDRESS	TEL. NUMBER	
FOR THE DEFENDANT(S) ADDRESS	TEL. NUMBER	
FOR THE ADDITIONAL DEFENDANT(S)	TEL. NUMBER	
CASE ASSIGNED TO JUDGE _____		
STATUS CONFERENCE SCHEDULED FOR _____ AT _____ .M.		
IMPORTANT NOTICE: FILE CERTIFICATE WITH THE CLERK OF JUDICIAL RECORDS, LACKAWANNA COUNTY COURTHOUSE, SCRANTON, PA		
CJR-CV-2		

**MERCER COUNTY**  
**Local Rules of Court; No. 4 AD 2015**

*And Now*, this 13th day of November, 2015, The Court Hereby Approves, Adopts and Promulgates this amendment to Mercer County Local Rule of Civil Procedure L-317. Said amendment shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*, pursuant to Rule 103(c) of the Pennsylvania Rules of Judicial Procedure, and Rule 239 of the Pennsylvania Rules of Civil Procedure.

It is further *Ordered and Directed* that the Court Administrator of Mercer County shall file one (1) certified copy of this amendment with the Administrative Office of Pennsylvania Courts, furnish two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and file one certified copy with the Civil Procedural Rules Committee.

It is further *Ordered and Directed* that Local Rules shall be kept continuously available for public inspection and copying in the Offices of the Prothonotary of Mercer County. Upon request and payment of reasonable costs of reproduction and mailing, these offices shall furnish to any person a copy of these Local Rules. These amendments shall be published in the *Mercer County Law Journal*.

*By the Court*

THOMAS R. DOBSON,  
*President Judge*

**Amendment to Local Rule of Civil Procedure L-317**

(F) *Procedure for handling cases initiated by Writ of Summons:*

(1) A status conference shall be held no sooner than 60 days nor more than 90 days after the filing of the writ.

(a) At the initial status conference, the Court shall make inquiry of plaintiff's counsel when counsel anticipates filing a complaint.

(i) If the complaint is anticipated to be filed within 90 days of the conference, the Court shall enter an order designating the nature of the case, setting a discovery, motion and trial schedule consistent with the designation;

(ii) If the complaint is not anticipated to be filed within 90 days of the conference, the Court shall schedule a review conference no sooner than 180 days nor more than 200 days after said conference. At the review conference, the Court shall make inquiry as to when a complaint is anticipated to be filed and enter an order consistent with subparagraph (i), or if a complaint is anticipated to be filed within 90 days or another status conference if it is not; or enter any other order deemed appropriate by the nature and circumstances of the case.

[Pa.B. Doc. No. 15-2129. Filed for public inspection December 4, 2015, 9:00 a.m.]