

THE COURTS

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Victim Services Fee; No. CP-10-AD-1-2015

Motion to Raise Victim Services Fee

And Now, comes Richard A. Goldinger, District Attorney of Butler County, and presents the following:

1. The District Attorney's Office has certain responsibilities to victims of criminal offenses as set forth in 18 P. S. Section 11.213.

2. In order to comply with said responsibilities, the District Attorney's Office employs two individuals on a full-time basis who deal strictly with victims and witnesses of criminal offenses.

3. The Pennsylvania Commission on Crime and Delinquency, hereinafter referred to as "PCCD," has provided grant funding to counties to assist in employing individuals who are responsible for District Attorney compliance with 18 P. S. Section 11.213.

4. Said grant funding from PCCD consists of the Rights and Services Act grant (RASA) and the Victim of Juvenile Offenders grant (VOJO).

5. Butler County has applied for and been the recipient of each of these grants for at least the previous ten years.

6. While PCCD continues to offer these grants to Butler County, and all other counties across the Commonwealth, the amount of funding available has continually decreased.

7. Butler County has been fortunate to receive sufficient funding from these grants to maintain two full-time employees in the last few years.

8. Although Butler County has been fortunate, the number of employees funded by these grants has gone from three full-time employees and one-part-time employee to the current situation.

9. In 2015, the funding provided by the RASA and VOJO grants will be insufficient to pay the salaries and benefits of the two full-time employees aforementioned.

10. The deficiency is the result of continued cuts to funding by PCCD along with increases in salaries and increased costs of benefits for the employees.

11. Currently in Butler County, court costs of \$60.00 are imposed in all criminal cases, and \$25.00 in all juvenile cases to be applied for victim services.

12. Of those costs, the county keeps \$25.00 of the costs imposed in criminal cases.

13. 18 P. S. Section 11.1101 provides that the counties may keep the \$25.00 they now receive plus 70% of the costs imposed under this section that exceed \$60.00.

14. If the victim services fee were increased to \$100.00 in criminal cases, the county would receive more than double what it receives now in court costs for victim services.

15. These sums should be sufficient to compensate for the shortfall the county is currently facing in victim services funding.

16. This increase in court costs would allow the District Attorney's Office to maintain two full-time employees devoted to victim services.

17. This increase will also continue to allow the county to not utilize taxpayer dollars to fund these two positions.

Wherefore, it is requested the President Judge enter an Administrative Order which increases the Victim Witness Service court cost to \$100.00 in all criminal cases, including cases sentenced at the Magisterial District Courts, with said funds retained by the County of Butler to be placed into a fund to be used for compensation for victim services employees in the District Attorney's Office of Butler County.

RICHARD A. GOLDINGER,
District Attorney

Administrative Order of Court

And Now, this 20th day of January, 2015, upon consideration of the within filed Motion, this Court Orders, pursuant to 18 P. S. Section 11.1101(a), the assessment of the Crime Victim's Compensation Fund and Victim Witness Services Fund shall be increased to a total of \$100.00, unless otherwise ordered by court. This cost shall be imposed at both the Magisterial District Courts for ungraded misdemeanors and misdemeanor 3 and the Common Pleas Court of the 50th Judicial District notwithstanding any statutory provision to the contrary.

Pursuant to 18 P. S. Section 11.1101(b) all fees collected shall be disbursed pursuant to law.

The costs assessed and collected under Section (b)(2) that exceed \$60.00 shall be returned by the Pennsylvania Commission on Crime and Delinquency to the County of Butler for victim witness services.

It is Ordered that this Administrative Order shall be effective thirty (30) days after the publication thereof in the *Pennsylvania Bulletin*, and shall govern all matters then pending.

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

(a) File one (1) certified copy 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) File one (1) certified copy hereof with the Criminal Procedural Rules Committee,

(d) Cause a copy hereby to be published in the *Butler County Legal Journal* once a week for two successive weeks at the expense of the County of Butler, and

(e) Cause a copy hereby to be delivered to the Clerk of Courts and the seven Magisterial District Judge in Butler County to ensure implementation of this order.

(f) Supervise the distribution hereof to all Judges and all members of the Criminal Bar of this Court.

By the Court

THOMAS J. DOERR,
President Judge

[Pa.B. Doc. No. 15-261. Filed for public inspection February 13, 2015, 9:00 a.m.]

CARBON COUNTY**Amendment of Local Rule of Civil Procedure CARB.R.C.P. 1018.1—Notice to Defend. Form; and Adoption of Local Rule of Civil Procedure CARB.R.C.P. 1361—Form of Notice to Plead; No. 15-0198****Administrative Order No. 7-2015**

And Now, this 30th day of January, 2015, it is hereby

Ordered and Decreed that, effective March 1, 2015, the Carbon County Court of Common Pleas *Amends* Carbon County Rule of Civil Procedure CARB.R.C.P. 1018.1 governing the Notice to Defend and Form and *Adopts* Carbon County Rule of Civil Procedure CARB.R.C.P. 1361 governing the Form of Notice to Plead.

The Carbon County District Court Administrator is *Ordered and Directed to*

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies and one (1) computer diskette 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 Rules in the Prothonotary's Office.

By the Court

ROGER N. NANOVIC,
President Judge

Rule 1018.1. Notice to Defend. Form.

As required by Pa.R.C.P. 1018.1(c), the following shall be designated in the notice to defend as the person from whom legal referral can be obtained:

North Penn Legal Services
2 East Broad Street, Suite 205
Hazleton, PA 18201
Phone 1-877-953-4250
Fax (570) 455-3625

or

Carbon County Lawyer Referral
777 Blakeslee Blvd. Dr., Suite 2
Lehigh, PA 18235
Phone 1-610-379-4950
Fax (610) 379-4952

Every Notice to Defend shall be prepared in English and Spanish. Below is the Spanish version of the Notice to Defend.

Aviso

Le ban demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta ascantar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su

persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

North Penn Legal Services
2 East Broad Street, Suite 205
Hazleton, PA 18201
Phone 1-877-953-4250
Fax (570) 455-3625

or

Carbon County Lawyer Referral
777 Blakeslee Blvd. Dr., Suite 2
Lehigh, PA 18235
Phone 1-610-379-4950
Fax (610) 379-4952

Rule 1361. Form of Notice to Plead.

As required by Pa.R.C.P. 1361, each Notice to Plead shall be prepared in English and Spanish. Below is the Spanish version of the Notice to Plead.

NOTIFICACION PARA HACER UN ALEGATO DE DEFENSA

A: _____
(Nombre de la parte contraria)

Por este medio se le notifica que tiene que presentar una respuesta por escrito al documento adjunto dentro de veinte dias (20) a partir de la fecha en que fue notificado del mismo o de lo contrario se dispondrá fallo en su contra.

(Parte que asienta el documento o el abogado que la representa)

[Pa.B. Doc. No. 15-262. Filed for public inspection February 13, 2015, 9:00 a.m.]

LUZERNE COUNTY**Fees Assessed Pursuant to 18 P. S. § 11.1102(c); No. CP-40-AD-765-2015****Administrative Order**

And Now, this 22nd day of January, 2015, it is hereby *Ordered* that, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, in accordance with 18 P. S. 11.1102(c), every person placed on Probation/Parole, Accelerated Rehabilitative Disposition, Probation Without Verdict or Intermediate Punishment shall pay, in addition to the costs of prosecution, fines and restitution, and other costs, a monthly Supervision Fee of Sixty (\$60.00) Dollars.

The Court Administrator is hereby *Directed to*:

1. file one (1) certified copy of the rule with the Administrative Office of Pennsylvania Courts;

2. distribute two (2) certified copies of the rule and a diskette or CD-ROM or on an agreed upon alternative format containing the text of the rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. file one (1) certified copy of the rule with the Criminal Procedural Rules Committee;

4. forward one (1) copy to the *Luzerne Legal Register* for publication;

5. and keep the rule continuously available in the Office of Judicial Records and Services (Clerk of Courts) for public inspection and copying.

By the Court

RICHARD M. HUGHES, III,
President Judge

[Pa.B. Doc. No. 15-263. Filed for public inspection February 13, 2015, 9:00 a.m.]

NORTHAMPTON COUNTY

Administrative Order 2014-6; C-48CV2014-10957

Order of Court

And Now, this 17th day of November, 2014, Northampton County Administrative Order 2014-6, Northampton County Local Rule N3129.2, Notice of Sale—Real Property—is hereby adopted as follows, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

Seven (7) certified copies of the within Administrative Order shall be filed with the Administrative Office of Pennsylvania Court; two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and one (1) certified copy shall be filed with the Pennsylvania Civil Procedural Rules Committee. One (1) copy of the Administrative Order shall be kept available in the Office of the Prothonotary. A copy is directed to be published in the *Northampton County Reporter*.

Order of Court

And Now, this 17th day of November, 2014, pursuant to Pa.R.C.P. 3129.2, the Court hereby adopts the following local rule for Notice of Sale for Real Property Sheriff Sales in Northampton County.

Rule N3129.2. Real Property; Notice of sale: handbills, written notice, publication.

(a) Notice of the sale of real property shall be given by handbills as provided by subdivision (b), by written notice as provided by subdivision (c) to all persons whose names and addresses are set forth in the affidavit required by 3129.1, and by publication as provided by subdivision (d).

Note: Where real estate subject to federal liens is sold in execution under a judgment by confession, see the provisions of the Federal Tax Lien Act of 1966 adding sec. 742(c) to the Internal Revenue Code, 26 U.S.C.A. § 7425(c), providing for notice to the United States.

(b) The handbills shall be posted by the sheriff in the sheriff's office and upon the property at least thirty days before the sale, and shall include:

(1) a brief description of the property to be sold, its location, any improvements, the judgment of the court on which the sale is being held, the name of the owner or reputed owner, and the time and place of sale. The brief description of the property required to be set forth

pursuant to Pa.R.C.P. 3129.2(b)(1) need not include the metes and bounds description set forth in the last recorded deed as long as the description sets forth the location of the property by street address and by reference to the parcel identifier number (PIN); and

(2) a notice directed to all parties in interest and claimants that a schedule of distribution will be filed by the sheriff on a date specified by the sheriff not later than thirty days after the sale and that distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten days after the filing of the schedule.

(c) The written notice shall be prepared by the plaintiff, shall contain the same information as the handbills or may consist of the handbill, and shall be served at least thirty days before the sale on all persons whose names and addresses are set forth in the affidavit required by Rule 3129.1.

(1) Service of the notice shall be made

(i) upon a defendant in the judgment who has not entered an appearance and upon the owner of the property

(A) by the sheriff or by a competent adult in the manner prescribed by Rule 402(a) for the service of original process upon a defendant; or

Note: See Rule 76 for the definition of "competent adult."

(B) by the Plaintiff mailing a copy in the manner prescribed by Rule 403 to the addresses set forth in the affidavit; or

(C) if service cannot be made as provided in subparagraph (A) or (B), the notice shall be served pursuant to special order of court as prescribed by Rule 430, except that if original process was served pursuant to a special order of court under Rule 430 upon the defendant in the judgment, the notice may be served upon that defendant in the manner provided by the order for service of original process without further application to the court; and

(ii) upon the defendant in the judgment who has entered an appearance, by the plaintiff in the manner provided by Rule 440; and

(iii) upon each other person named in the affidavit by the plaintiff by ordinary mail at the address set forth in the affidavit with the return address of the plaintiff appearing thereon. The plaintiff shall obtain from the U.S. Postal Service a Form 3817 Certificate of Mailing. Service shall be complete upon mailing. If the mail is returned, the validity of the service shall not be impaired and the sale shall proceed at the time fixed in the notice.

(2) The person serving the notice shall file a return of service as provided by Rule 405. If service is made by mail pursuant to subdivision (c)(1)(iii), the return shall include the certificate of mailing and the letter, if returned.

(3) If service on any person is not made at least thirty days prior to the date of the sale stated in the notice, such notice shall be deemed timely if the sale is stayed, continued, postponed or adjourned in accordance with Rule 3129.3 to a date certain which is at least thirty days after the date of the last required service.

By the Court

STEPHEN G. BARATTA,
President Judge

[Pa.B. Doc. No. 15-264. Filed for public inspection February 13, 2015, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Adrian Cronauer, (# 58491) having been disbarred on consent from the practice of law by Order of the District of Columbia Court of Appeals dated October 9, 2014; the Supreme Court of Pennsylvania issued an Order on January 30, 2015, disbaring Adrian Cronauer from the Bar of this Commonwealth, effective March 1, 2015. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of 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. 15-265. Filed for public inspection February 13, 2015, 9:00 a.m.]
