

THE COURTS

Title 207—JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

[207 PA. CODE CH. 51]

Amendment of Rule 4.4 of the Rules Governing Standards of Conduct of Magisterial District Judges; No. 379 Magisterial Rules Doc.; Correction

An error occurred in the document published at 45 Pa.B. 8 (January 3, 2015). The heading for Annex A incorrectly stated 207 Pa. Code Chapter 33 (relating to Code of Judicial Conduct). Rule 4.4 as amended by this order is codified in 207 Pa. Code Chapter 51 (relating to standards of conduct of magisterial district judges). The heading for Annex A is corrected as follows. The remainder of the order was accurate as published.

Order

Per Curiam

And Now, this 18th day of December, 2014, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 4.4 of the Rules Governing Standards of Conduct of Magisterial District Judges is amended in the following form.

To the extent that notice of proposed rulemaking would otherwise be required by Pa.R.J.A. No. 103, the immediate promulgation of the amendments is found to be in the interests of justice and efficient administration.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and the amendments herein shall be effective immediately.

Annex A

TITLE 207. JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

CHAPTER 51. STANDARDS OF CONDUCT OF MAGISTERIAL DISTRICT JUDGES

PENNSYLVANIA RULES FOR MAGISTERIAL DISTRICT JUDGES

Canon 4. A magisterial district judge or candidate for judicial office shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the judiciary.

Rule 4.4. Campaign Committees.

* * * * *

(B) A judicial candidate subject to public election shall take reasonable steps to cause the magisterial district judge's campaign committee:

* * * * *

(3) to comply with all applicable statutory requirements for disclosure and divestiture of campaign contributions, and to file with the [**Secretary of the Commonwealth**] **appropriate county board of elections** a report stating the name, address, occupation, and

employer of each person who has made campaign contributions to the committee in an aggregate value exceeding \$250 and the name and address of each person who has made campaign contributions to the committee in an aggregate value exceeding \$50. The report must be filed not later than thirty days following an election, or within such other period as is provided by law.

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[Pa.B. Doc. No. 15-303. Filed for public inspection February 20, 2015, 9:00 a.m.]

Title 255—LOCAL COURT RULES

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

Amended Administrative Order No. 7-2015

And Now, this 5th day of February, 2015, in order to correct the address of North Penn Legal Services, 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. This amendment does not alter the January 30, 2015 adoption of 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
101 West Broad Street, Suite 513
Hazleton, PA 18201
Phone 1-877-953-4250
Fax (570) 455-3625

or

Carbon County Lawyer Referral
777 Blakeslee Blvd. Dr., Suite 2
Lehighton, 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 dafiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, 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
101 West Broad Street, Suite 513
Hazleton, PA 18201
Phone 1-877-953-4250
Fax (570) 455-3625

or

Carbon County Lawyer Referral
777 Blakeslee Blvd. Dr., Suite 2
Lehighton, 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 un fallo en su contra.

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

[Pa.B. Doc. No. 15-304. Filed for public inspection February 20, 2015, 9:00 a.m.]

SOMERSET COUNTY**Consolidated Rules of Court Som.R.J.A. 1200;
Administrative Order No. 2; No. 12 Misc. 2015****Adopting Order**

Now, this 28th day of January, 2015, it is hereby Ordered:

1. Som.R.J.A. 1200, a copy of which follows, is hereby amended and adopted as Som.R.J.A. 1200 and is effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

2. The Somerset County Court Administrator is directed to:

A. File one (1) certified copy of this Order and the following local Rule with the Administrative Office of Pennsylvania Courts.

B. Distribute two (2) certified copies of this Order along with electronic copy to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

C. File one (1) certified copy of this Order with Rules of Judicial Administration c/o Andrea Tuominen, Esquire, Assistant Court Administrator of PA., AOPC.

D. File proof of compliance with this Order in the docket for this Order, which shall include a copy of each transmittal letter.

JOHN M. CASCIO,
President Judge

Som.R.J.A. 1200. Duties of Domestic Relations Section.

The Section shall perform the duties imposed by applicable statute, Pennsylvania Rule of Civil Procedure and other Local Rule, and shall have the duty:

A. To make prompt disposition of all complaints filed in the Section, in accordance with the procedures and provisions contained in applicable statutes, Pennsylvania Rules of Civil Procedure, Local Rules and directives from the court; and

B. To inform persons having business with the Section of the proper procedures of the Section; and

C. To make prompt collections of all amounts due from a support obligor; and

D. To receive and promptly deposit all moneys paid to the Section in a bank or trust company pursuant to a depository agreement in compliance with law and approved by the President Judge; and

E. To remit promptly to the parties entitled all support moneys received, and to remit to the County Treasurer all moneys received as costs in support cases on or before the 10th day of each calendar month for all moneys received during the preceding calendar month; and

[F. To make and file in the Miscellaneous Docket of the Prothonotary's Office an annual report to the court of the full activity of the Section, in the form approved by the court, with a copy to each Judge of the Court; and

G. To make a monthly report of the Section's activities to each Judge of the court on or before the 10th day of each calendar month, in form prescribed by the court.]

(Formerly R19-1001).

[Pa.B. Doc. No. 15-305. Filed for public inspection February 20, 2015, 9:00 a.m.]

WASHINGTON COUNTY

Local Civil Rule L-1930.4—Service of Original Process in Domestic Relations Matters; No. 2015-1

Order

And Now, this 2nd day of February, 2015; *It Is Hereby Ordered* that the previously-stated Washington County Local Civil Rule is adopted as follows.

This rule will become effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

KATHERINE B. EMERY,
President Judge

L-1930.4. Service of Original Process in Domestic Relations Matters.

(a) In all domestic relations actions, including Protection from Abuse matters, the plaintiff shall serve the following notice to the defendant simultaneously with original process:

(Caption)

NOTICE

You are being served with original process in a domestic relations matter, and a proceeding has been, or may be scheduled, which could affect your rights. In the event a proceeding has been scheduled, you will be served with notice of the proceeding. If you are incarcerated and want to testify or present evidence, you must apply to the Court for a writ of habeas corpus ad testificandum to enable you to participate in the proceeding. The writ is available where an incarcerated individual wishes to testify as provided by statute or rule, as well as where the testimony is sought by another.

IF YOU FAIL TO APPLY TO THE COURT FOR A WRIT, YOU MAY BE UNABLE TO PARTICIPATE IN ANY PROCEEDINGS WHILE INCARCERATED.

(b) Proof of service shall be made that the notice in subsection (a) has been served in the manner set forth in Pa.R.Civ.P. 1930.4(h).

(c) Nothing contained in this rule shall alter, or otherwise modify, the rules governing the form of a complaint in an action for custody, partial custody, or visitation, complaint in divorce, or petition for protection from abuse.

[Pa.B. Doc. No. 15-306. Filed for public inspection February 20, 2015, 9:00 a.m.]

SUPREME COURT

Financial Disclosure and Reporting Requirements for Judicial Officers; No. 442 Judicial Administration Doc.

Order

Per Curiam:

And Now, this 6th day of February, 2015, pursuant to this Court's Order of April 13, 1984, No. 47 Judicial Administration Docket No. 1, provisions related to the filing of statements of financial interest by judicial officers were established and by subsequent Orders of March 22, 2005, No. 271 Judicial Administration Docket No. 1, and of January 23, 2006, No. 282 Judicial Administration Docket No. 1, provisions relating to the electronic filing of these statements were established;

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that all prior orders are rescinded and all judicial officers, as defined herein, shall file a statement of financial interest in accordance with the following provisions on a form prescribed by the Administrative Office of Pennsylvania Courts ("AOPC") and approved by this Court or such amended form as may be issued in the future.

1. Persons Required to File:

For purposes of this Order, a judicial officer is defined as a justice of the Supreme Court, a judge of the Superior or Commonwealth Court, a judge of the Court of Common Pleas, a judge of the Municipal Court of Philadelphia, a magisterial district judge, and all senior jurists who are active or eligible for recall to judicial service.

2. Filing:

All judicial officers shall file a statement of financial interest with the AOPC for the prior calendar year no later than May 1 of each year.

All judicial officers who are appointed to office shall file a statement of financial interest within 60 days of assuming office.

All judicial officers who leave their position shall file a statement of financial interest within 60 days of their departure for any period of service not covered by a previously filed statement. This requirement does not apply to judicial officers who are certified as senior jurists within that period of time.

Such filing may be accomplished electronically through the use of a secure log-in supplied by the AOPC. The submission of a statement through electronic means signifies the user's intent to sign the document. By submitting the statement electronically, the individual certifies the electronic filing is true and correct. All statements of financial interest submitted electronically through the secure log-in procedure shall be accepted for filing by the AOPC.

3. *Failure to File; Falsification of Information:*

Upon failure of any judicial officer to file the required statement within the time allowed, the AOPC shall give notice to such judicial officer that failure to comply with this Order within 10 days may result in the suspension of the judicial officer from his or her duties.

Following receipt of this notice, if the judicial officer fails to file the statement within the 10-day period, the AOPC shall immediately notify the Chief Justice of Pennsylvania and the Judicial Conduct Board of Pennsylvania of the delinquency in filing.

The knowing and willful falsification of any information required to be reported pursuant to this Order, or the knowing and willful failure to report information as required by this Order, may result in the suspension of the judicial officer from his or her duties, and shall constitute a charge of misconduct and result in referral of

the case to the Judicial Conduct Board for disposition. *See In re Bruno*, _____ Pa. _____, 101 A.3d 635 (2014) (explaining the separate constitutional functions of the Judicial Conduct Board, Court of Judicial Discipline and Pennsylvania Supreme Court).

4. *Public Access:*

All statements of financial interest filed pursuant to this Order shall be made available for public inspection and copying during regular office hours.

5. *Retention:*

The AOPC shall preserve statements of financial interest for a period of 10 years from the date of receipt.

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

[Pa.B. Doc. No. 15-307. Filed for public inspection February 20, 2015, 9:00 a.m.]