

THE COURTS

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Order Rescinding Administrative Order No. 75— Venue Transfer of Pennsylvania State Police Filings—Interstate 95 between the Boundaries of Philadelphia and New Jersey and within Bucks County

Order

And Now, this 4th day of February 2016, Bucks County Civil Division Administrative Order No. 75 is hereby rescinded.

This Order will be effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

JEFFREY L. FINLEY,
President Judge

[Pa.B. Doc. No. 16-268. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Assessment of Damages for Cost of Repairs to Property, Opening Judgments by Default; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 1037(b) shall be renumbered as 1037(b)(3); 1037(1) be renumbered as 1037(i); 1037(2) be renumbered as 1037(ii); 1037(3) be renumbered as 1037(iii); 1037(4) be renumbered as 1037(iv) and 1037(d) be renumbered as 1037(d)(1) effective thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-269. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Change of Venue; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 1006(d)(3) shall be renumbered as Delaware County Local Civil Rule 1006(d)(1)(3)(a) effective upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-270. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Cover Sheets; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 205(b) shall be renumbered as Delaware County Local Civil Rule 205.2(b) and read as follows:

A cover sheet is to be completed and attached to the following:

The moving party is to check the appropriate box on the form.

1. Petitions filed pursuant to Rule 206.1(a)
2. Motions filed pursuant to Rule 208.1
3. Responses to Motions or Petitions
4. Motions for Judgment on the Pleadings pursuant to Rule 1034(a)
5. Summary Judgment Motions pursuant to Rule 1035.2(a)
6. Family Law Petitions and Motions pursuant to Rule 206.8

See Cover Sheet for Motions/Petitions Notice at end of document, or at <http://www.co.delaware.pa.us/courts/courtadminforms.html>

7. Preliminary Objections pursuant to Rule 1028(c)

See Notice Pursuant to Rule 1028(c) Form at end of document, or at <http://www.co.delaware.pa.us/courts/courtadminforms.html>

Explanatory Comment—2010

On February 5, 2010, the Pennsylvania Supreme Court adopted Pa.R.C.P. 205.5, which requires submission state-wide of a uniform cover sheet on each new civil filing. In the interest of efficiency, it was decided that the state-mandated form replace, rather than be filed in addition to, the “Civil Cover Sheet and Entry of Appearance Form” formerly required by Delaware County Local Rule 241(a).

Said Rule shall go into effect upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-271. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Filing an Account and Exception to Accounts; No. 12-5040

And Now, to wit, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that Delaware County Local Civil Rule 1534 shall be amended and read as follows:

(a) All trustees, committees, guardians, receivers, assignees for the benefit of creditors and all persons and fiduciaries who shall be under obligation to file an account shall give notice of the filing and the time at which the account will be called for confirmation to all persons in interest of whom the accountant shall have knowledge. Unless otherwise provided by law, the Office of Judicial Support shall give notice once a week for three

successive weeks in the *Delaware County Legal Journal* and one approved newspaper that the account will be presented to the court for confirmation and for an order of distribution at the time stated in the notice, unless exceptions are filed with the Office of Judicial Support before that date. Upon due proof being made of said publication, the accountant or his attorney of record shall present the account in open court on the day fixed in said notice at which time, unless the account is marked "for information only", the court may refer the account to an auditor, who shall proceed in manner similar to that prescribed by Rule 1530(3) et seq. or the court may confirm the account nisi, subject to exceptions which may be filed at or before the time of presentation of the account for confirmation. If no exceptions have been filed, the account shall be confirmed as of course without further actions by the court.

If an account is marked "for information only," and no exceptions are filed, it shall not be confirmed but shall remain on file.

Where the court shall sit to make distribution without appointing an auditor, a petition for distribution shall be filed similar in form to petitions for distribution required by the Orphans's Court Division.

Whenever the court shall sit to pass on exceptions to an account or make distribution of any fund, where there has been no auditor appointed, the accountant shall give notice at least 10 days prior to the time fixed for the hearing to all parties in interest, including creditor, by registered mail to their last known address, stating that all persons must prove their claims at such hearing or be barred from participating in the distribution of the fund, and he shall certify to the court that such notice has been given.

Said amended rule shall become effective upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-272. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Filing Legal Papers with Office of Judicial Support; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 205(a) shall be renumbered as Delaware County Local Civil Rule 205.2(a) and shall read as follows:

All papers filed with the Office of Judicial Support shall include the following:

1. The facing page of all pleadings, petitions, and motions, and all other matters filed in the Office of Judicial Support shall provide a space three (3") inches in height, on the top right under the docket number for use of the Office of Judicial Support in affixing the date and time of filing.

2. Attorneys of record shall indicate their identification number and their business telephone number on all papers filed with the Office of Judicial Support.

Said Rule shall go into effect upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-273. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Lis Pendens; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 1521 shall be renumbered as Delaware County Local Civil Rule 3021(b)(1) effective upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-274. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Pleadings, Foreign Statutes; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 1019(i) shall be renumbered as Delaware County Local Civil Rule 1019(i)(a) effective upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-275. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rules Appeals from Denial of Driver's License or Suspension of Operating Privilege (75 Pa.C.S. § 1550); No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that Delaware County Local Civil Rule 29(d) shall be amended and read as follows:

(d) Requests for continuance shall be governed by the provisions of Rule 208.3(a)

Said Rule shall go into effect upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-276. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rules Appeals from Real Estate Assessments; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that Delaware County Local Civil Rules 30(a), 30(e), and 30(f) shall be amended and read as follows:

(a) Except as may otherwise be herein provided, the procedure on appeals from real estate assessment shall be governed by the provisions of Rule *206.1(a).

(e) The 206.1(a)(c)(i) notice shall in a separate paragraph state the amount petitioner contends to be the fair market value of the property.

(f) Where the amount in controversy is not in excess of \$50,000, the appeal shall be arbitrated in accordance with

the provisions of Rule *1301(f) and an arbitration date will be assigned at the call of the tax assessment appeal list. Amount in controversy shall be deemed to be the difference between the assessment amount claimed by the opposing parties multiplied by the applicable common level ratio. All other appeals will receive judicial assignment at the call of the tax assessment appeal list and shall thereafter be processed pursuant to Rule *206.1(a)(2).

Said Rule shall go into effect upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-277. Filed for public inspection February 19, 2016, 9:00 a.m.]
