

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 1]

Proposed Amendments to Pa.R.A.P. 126

The Appellate Court Procedural Rules Committee seeks comments on its proposal to amend generally applicable Rule of Appellate Procedure 126 to permit citation to unpublished memorandum decisions of Pennsylvania's appellate courts for persuasive value only, and to locate citation practices and conventions for citation of authorities in a single rule of general application rather than in court-specific rules or internal operating procedures, for the reasons contained in the accompanying Explanatory Comment. If adopted by the Supreme Court, the proposal would change the current practice in the Superior Court that prohibits citation to unpublished memorandum decisions and standardize practices for the citation of authorities in all three appellate courts.

The Committee invites all interested persons to submit comments, suggestions, or objections.

Comments should be provided to:

Appellate Court Procedural Rules Committee
 Pennsylvania Judicial Center
 601 Commonwealth Ave., Suite 6200
 P.O. Box 62635
 Harrisburg, Pennsylvania 17106-2635
 FAX: (717) 231-9551
 appellaterules@pacourts.us

All communications in reference to the proposal should be received by February 9, 2017. E-mail is the preferred method for submitting comments, suggestions, or objections; any emailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

An Explanatory Comment follows the proposed amendments and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

*By the Appellate Court
 Procedural Rules Committee*

KEVIN J. McKEON,
Chair

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

DOCUMENTS GENERALLY

Rule 126. Citations of Authorities.

(a) **General Rule.**—A party citing authority that is not readily available **and any unpublished non-precedential memorandum decision or unreported opinion** shall attach the authority as an appendix to its filing. When citing authority, a party should direct the

court's attention to the specific part of the authority on which the party relies **and, if the authority is an unpublished non-precedential memorandum decision or unreported opinion, the party must identify it as such when citing it.**

(b) **Memorandum Decisions and Unreported Opinions.**—Except as provided in paragraph (d), an unpublished non-precedential memorandum decision of the Superior Court filed after ### and an unreported opinion of the Commonwealth Court filed after January 15, 2008 may be cited to any court but only for its persuasive value.

(c) **Single judge opinions of the Commonwealth Court may be cited only for persuasive value, except that a reported opinion of a single judge filed after October 1, 2013, in an election law matter may be cited as the court's binding precedent in an election law matter only.**

(d) **Law of the Case and Related Doctrines.**—Any unpublished non-precedential memorandum decision or unreported opinion may be cited if relevant to the doctrine of law of the case, *res judicata*, or collateral estoppel, or when the authority is relevant to a criminal action or proceeding because it recites issues raised and reasons for a decision affecting the same defendant in a prior action or proceeding.

Official Note: Pa.R.A.P. 126 is intended to ensure that cited authority is readily available to the court and parties. [**This rule is not intended to supersede any internal operating procedure of an appellate court regarding the citation to memorandum decisions or unreported opinions. See, e.g., Superior Court Internal Operating Procedure § 37, 210 Pa. Code § 65.37; Pa.R.A.P. 3716 and Commonwealth Court Internal Operating Procedure § 414, 210 Pa. Code § 69.414.]**

The second sentence of the rule encourages parties to provide pinpoint citations for cases and section or subsection citations for statutes or rules.

Although the rule does not establish rules for citation, the following guidelines regarding the citation of Pennsylvania cases and statutes are offered for parties' benefit:

Regarding cases, the rule does not require parallel citation to the National Reporter System and the official reports of the Pennsylvania appellate courts. Parties may cite to the National Reporter System alone.

Regarding statutes, Pennsylvania has officially consolidated only some of its statutes. Parties citing a statute enacted in the Pennsylvania Consolidated Statutes may use the format "1 Pa.C.S. § 1928." Parties citing an unconsolidated statute may refer to the Pamphlet Laws or other official collection of the Legislative Reference Bureau, with a parallel citation to *Purdon's Pennsylvania Statutes Annotated*, if available, using the format, "Act of February 14, 2008, P.L. 6, 65 P.S. §§ 67.101—67.3104" or "Section 3(a) of the Act of May 16, 1923, P.L. 207, as amended, 53 P.S. § 7106(a)." Parties are advised that *Purdon's* does not represent an official version of Pennsylvania statutes. *In re Appeal of Tenet HealthSystems Bucks Cnty., LLC*, 880 A.2d 721, 725-26 (Pa. Cmwlth. 2005), appeal denied, 897 A.2d 1185 (Pa. 2006).

Prior to Pa.R.A.P. 126, the format for citation was discussed only in Pa.R.A.P. 2119(b), a rule applicable to briefs. The format guidelines above are not mandatory, and a party does not waive an argument merely by failing to follow the format. The guidelines above do, however, provide assistance to parties looking for generally acceptable citation format in Pennsylvania.

EXPLANATORY COMMENT

The Committee is proposing to amend Pa.R.A.P. 126 to permit citation of all panel or full-court decisions after the effective date of the rule. Any decision designated as “non-precedential memorandum” or “unpublished” would, however, be citable only for the persuasive value that the court chooses to attribute to it. Commonwealth Court would continue to allow citation from 2008 forward, and would continue to restrict citation to single-judge opinions, but the Committee is proposing to integrate the Commonwealth Court’s practice, currently found at Pa.R.A.P. 3716, into Pa.R.A.P. 126, in order to have a single rule that governs the citation of authority in the appellate courts.

Prior to 2015, the only rule of appellate procedure that addressed the citation of authorities was Pa.R.A.P. 2119(b), which by its terms addressed only the argument section of briefs. The only other discussions of authority were in the internal operating procedures of the Superior and Commonwealth Courts. That year, however, Rules 126 and 3716 were adopted. Pa.R.A.P. 126 made the principles that had applied to arguments in briefing applicable whenever authority is cited to an appellate court. Pa.R.A.P. 3716 took what had been an internal operating procedure and made it a rule.

When Pa.R.A.P. 126 was adopted, there was a conscious decision not to address the differences among the appellate courts. The Committee now proposes to amend Pa.R.A.P. 126 to establish a more uniform protocol for the citation of decisions in the appellate courts. This proposal reflects several value judgments as to which the Committee desires the input of the bench and bar:

First, there is a value in being able to cite unpublished memorandum decisions. At the least, it is important to be able to draw to the attention of the appellate courts matters that have been addressed in unpublished memorandum decisions but not in published opinions, or matters that appear to have been resolved inconsistently in unpublished memorandum decisions.

Second, the value of the opportunity to cite to unpublished memorandum decisions is somewhat offset by the determination of the panel that the decision did not warrant a published opinion; accordingly, the intermediate appellate courts should be able to decide for themselves whether to give an unpublished memorandum decision no weight, some weight, or persuasive weight.

Third, given the volume of decisions and the longstanding tradition of non-citation in the Superior Court, the method that the Commonwealth Court employed—*i.e.*, making citation available going forward from the date of adoption of the rule permitting citation—is sensible.

Fourth, the bar (and the bench of the Court of Common Pleas) should be able to look to a rule and not to an internal operating procedure to understand how and when they can cite decisions.

Fifth, there should be a single rule that governs the citation of authorities.

The current proposal attempts to balance several competing values. On the one hand, the current proposal

recognizes that it is important that lawyers and Courts of Common Pleas have the opportunity to raise to the appellate courts unpublished memorandum decisions that appear to answer the question presented, or that appear to have reached a conclusion contrary to another opinion of the same court. On the other, the current proposal seeks to accommodate the desire for courts to be able to write less and other panels of that court to pay correspondingly less attention to decisions that a panel thinks do not warrant published opinions.

[Pa.B. Doc. No. 17-1. Filed for public inspection January 6, 2017, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEAVER COUNTY

Local Rules of Administration Governing Court Reporting and Transcripts; No. 10013 of 2016

Administrative Order

It is hereby Ordered and Directed that, effective thirty (30) days following publication in the *Pennsylvania Bulletin*, the Court of Common Pleas of Beaver County adopts the following Local Rules Governing Court Reporting and Transcripts for the 36th Judicial District.

The Beaver County District Court Administrator is Ordered and Directed to:

1. file one (1) copy of the Local Rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. file two (2) paper copies and one (1) electronic copy of the Local Rules in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. publish the Local Rules on the Court of Common Pleas of Beaver County website at <http://www.beavercountypa.gov/courts>.
4. incorporate the Local Rules into the Local Rules of this Court within thirty (30) days after publication of the Local Rules in the *Pennsylvania Bulletin*.
5. file one (1) copy of the Local Rules in all appropriate filing offices and the Beaver County Law Library for public inspection and copying.

Local Rules of Judicial Administration

LR4007. Requests for Transcripts.

A. Rough draft transcripts shall not be available in this Court.

B. In accordance with Pa.R.J.A. 4007, the party requesting either a full or partial transcript of any proceeding shall file the original request, on the “Transcript Request Form” which has been adopted by the Court Administrator of Pennsylvania, with the District Court Administrator’s Office, and the requesting party is also required to serve copies of the completed “Transcript Request Form” on:

1. Chambers of the Judge who presided over the proceeding to be transcribed;
2. the office of the Court Reporters;

3. all counsel involved in the proceeding, and

4. all parties who were not represented by counsel in the proceeding, who appeared as self-represented litigant(s).

C. Any request for transcript shall only be processed and approved by Order of the presiding Judge.

D. Upon receipt of a Transcript Request Form approved by the presiding Judge, the District Court Administrator shall obtain an estimate of transcription costs from the Court Reporters and shall communicate the estimated costs of transcription to the requesting party. The requesting party shall be required to deposit a partial payment representing ninety (90%) percent of the estimated cost, which shall be totally nonrefundable. Payments shall be made payable to and shall be delivered to the appropriate filing office involved in the proceeding (i.e., Prothonotary, Clerk of Courts, Register of Wills, Clerk of the Orphans' Court) for deposit.

E. Upon receipt of the required deposit, the appropriate filing office will notify the office of the Court Reporters. The Court Reporters' Supervisor will then direct preparation of the transcript.

F. The office of the Court Reporters will notify the requesting party and the office Supervisor upon completion of the transcript, together with the balance due, if any.

G. Final balance due shall be made payable to and shall be delivered to the appropriate filing office. Upon payment of the balance owed, the Court Reporter will obtain the signature of the presiding Judge on the original transcript and file the original transcript in the appropriate filing office with the original Court records. The Court Reporter shall then deliver copies as required by Local Rule 4008.1.

H. Any requests for a transcript pursuant to Local Rule 4008.1(B) alleging an inability to pay, in full or in part, due to economic hardship, must be directed to the presiding Judge for determination, as set forth at Local Rule 4008.1(B).

LR4008. Transcript Costs Payable by the Commonwealth or a Subdivision Thereof.

A. Costs payable (paper format only)

1. For an ordinary transcript—\$1.75 per page;
2. For an expedited transcript—\$2.75 per page; and
3. For a daily transcript—\$3.75 per page.

LR4008.1. Transcript Costs Payable by Requesting Party, Other Than the Commonwealth or a Subdivision Thereof.

A. Costs payable (paper format only)

1. For an ordinary transcript—\$2.75 per page;
2. For an expedited transcript—\$3.75 per page; and
3. For a daily transcript—\$4.75 per page.

B. Economic hardship—minimum standards

1. Transcript costs for ordinary transcripts, in matters under appeal or where the transcript is necessary to advance the litigation, shall be waived for a litigant who has been permitted by the Court to proceed in forma pauperis or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

2. Transcript costs for ordinary transcripts, in matters under appeal or where the transcript is necessary to advance the litigation, shall be reduced by one-half (1/2) for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

3. Transcript costs for ordinary transcripts in matters that are not subject to an appeal, where the transcript is not necessary to advance the litigation, may be waived at the Court's discretion for parties who qualify for economic hardship under subdivision (B)(1) or (B)(2), but only upon good cause shown.

4. The application to waive all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure. Such application should be prepared in the form of a Petition to Waive All or a Portion of the Transcript Costs, submitted with the Request for Transcript and approved by the presiding Judge.

C. Assignment and allocation of transcripts costs

1. *Assignment of costs.* The requesting party, or party required by general rule to file a transcript, shall be responsible for the cost of the transcript. Costs shall not be assessed against any party for transcripts prepared at the initiation of the Court.

2. *Allocation of costs.* When more than one party requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

D. Copies of transcript

A request for a copy of any transcript previously ordered, transcribed and filed of record shall be provided at a cost of \$0.75 per page, paper format only.

Said Local Rules of Judicial Administration shall be effective in the 36th Judicial District of the Commonwealth of Pennsylvania thirty (30) days after publication in the *Pennsylvania Bulletin* and upon publication on the Beaver County website.

By the Court

JOHN D. McBRIDE,
President Judge

[Pa.B. Doc. No. 17-2. Filed for public inspection January 6, 2017, 9:00 a.m.]

BERKS COUNTY

Rule of Judicial Administration; No. 4000; No. 16-94 Prothonotary; No. CP-06-AD-41-2016 Clerk of Courts

Order

And Now, this 7th day of December, 2016, Berks County Rule of Judicial Administration No. 4000 is hereby ordered to read as set forth in the following form and made a part hereof. Said Rule as set forth is hereby approved and adopted for use in the Court of Common Pleas of Berks County, Pennsylvania, and shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. Berks County Rule of Judicial Administration Rule No. 5000.7 is rendered null, void, deleted, and replaced by the following Berks County Rule of Judicial Administration No. 4000.

The District Court Administrator is *Ordered* and *Directed* to:

1. File one (1) copy of this Order, including the newly adopted rules, with the Administrative Office of Pennsylvania Courts.

2. File two (2) paper copies of this Order, including the newly adopted rules, and one (1) electronic copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) copy of this Order, including the newly adopted rules, with the Rules Committee of the Supreme Court of Pennsylvania.

4. File one (1) copy of this Order, including the newly adopted rules, with the Berks County Law Library.

5. Keep continuously available for public inspection and copying one (1) copy of this Order, including the newly adopted rules, in the Office of the Prothonotary, Clerk of Courts, Office of the Register of Wills/Clerk of the Orphans' Court of Berks County.

The County of Berks is *Ordered* and *Directed* to keep a copy of the newly adopted rules posted on the County's official website.

By the Court

HONORABLE PAUL M. YATRON,
President Judge

Berks County Rule of Judicial Administration

No. 4007.1. Requests for Transcripts.

(A) Obtain a Transcript Request Form from any courtroom, from Court Administration, from the Official Court Reporters' Office, or online at www.co.berks.pa.us.

(B) For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original Transcript Request Form with the appropriate filing office of the court. The requesting party shall also serve copies of the request to the judge presiding over the matter, the court reporter, the district court administrator, and opposing counsel, but if not represented, the opposing party.

(C) Where daily, expedited, same day, or rough draft transcripts are requested, requests for these transcripts shall be filed in writing in the appropriate filing office at least 10 days prior to the proceeding. Copies of the written request shall be delivered as required by Subsection (B). In the event of an emergency, a party may request by oral motion a daily, expedited, or rough draft transcript.

(D)(1) When a litigant requests a transcript, the litigant ordering a transcript shall make payment in the amount of one-half payment to the appropriate filing office of the court;

(2) Upon authorization by the court, the court reporter shall prepare the transcript;

(3) Upon completion of the transcript, the court reporter shall notify the ordering party of the completion of the transcript with a notice of the balance due and lodge and file the original and one (1) copy of the transcript (if a copy was requested) to the appropriate filing office and a copy to the presiding judge.

(4) Upon payment of any balance due and owing by the ordering party, the appropriate filing office shall deliver the copy of the transcript to the ordering party. Checks for the final balance due shall be delivered to and made payable to the appropriate filing office.

(E) When a litigant requests a transcript but cannot pay for the transcript because of alleged economic hardship, the court shall determine economic hardship pursuant to the procedure set forth in Rule 4008.2.

(F) When a transcript is requested for which the court or county is responsible for the cost, the court reporter shall prepare the transcript without the necessity of a deposit.

No. 4008.1. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.

(A) Where a person or entity other than the Commonwealth or a subdivision thereof has requested an ordinary original transcript:

(1) Any person or entity who obtains a Transcript Request Form shall pay to the appropriate filing office one-half the estimated cost for the transcript calculated at the rate of \$2.75 for each page of bound ordinary transcript and shall pay the balance upon completion of the transcript. The court reporter shall not be required to start the transcription until such one-half advance payment has been made.

(2) Upon completion of the transcript, the court reporter shall lodge and file the ordinary original transcript with the filing office along with a notice of the balance due to the person or entity who obtained the Transcript Request Form. Checks for the final balance due shall be made payable to the filing office and shall be delivered to the filing office.

(3) Where any person or entity other than the Commonwealth or a political subdivision thereof requests a copy of the transcript previously ordered, transcribed, and filed of record, such person or entity must complete a Request for Copy of Transcript form and may purchase the same by paying the filing office \$0.75 for each page of bound paper format. Where any person or entity other than the Commonwealth or a political subdivision thereof requests a copy of the transcript in electronic format (if available), such person or entity must complete a Request for Copy of Transcript form and may purchase the same by paying the filing office \$0.50 for each page of transcript.

(4) Where the Commonwealth or any political subdivision requests a copy of the transcript, the court reporter shall provide the Commonwealth or any political subdivision thereof with a copy without charge.

(5) Where a litigant requests a copy of the transcript and has been approved for representation by a legal aid service, the court reporter shall provide the legal aid client with a copy without charge.

(B) The filing office shall pay the monies received for original transcript and for copies to the county promptly. The county shall thereupon pay therefrom:

(a) to the court reporter, the sum of \$2.75 for each page of bound ordinary original transcript;

(b) to the court reporter, the sum of \$.0.75 for each page of copy in bound paper format or \$0.50 for each page of copy in electronic format;

(c) to the court reporter, the sum of \$3.75 for each page of bound original expedited transcript;

(d) to the court reporter, the sum of \$4.75 for each page of bound original daily transcript;

(e) to the court reporter, the sum of \$6.75 for each page of bound original same-day delivery transcript.

Rule 4008.2. Economic hardship—minimum standards.

(A) Transcript costs for ordinary original transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be waived for a litigant who has been permitted by the court to proceed in forma pauperis or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

(B) Transcript costs for ordinary original transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

(C) Transcript costs for ordinary original transcripts in matters that are not subject to an appeal, where the transcript is not necessary to advance the litigation, may be waived at the court's discretion for parties who qualify for economic hardship under (A) or (B) and upon good cause shown.

(D) The application to waive all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure.

No. 4008.3. Transcript Costs Payable by the Commonwealth (including the County of Berks) or a Subdivision Thereof.

(A) Where the Commonwealth or a subdivision thereof is liable for the cost of an ordinary original transcript:

(1) Upon receipt of the Transcript Request Form, the court reporter shall immediately begin the transcription of his or her notes as directed by the Transcript Request Form without the necessity of a deposit.

(2) Upon completion of the transcript, the court reporter shall lodge and file the ordinary original transcript and shall deliver one (1) complete copy to each of the following:

(a) to the District Attorney of Berks County if said District Attorney of Berks County is a party to the action or is representing the Commonwealth in said action;

(b) to the County Solicitor of Berks County if the County Solicitor is a party to the action or is representing the County in said action;

(c) to any party proceeding in forma pauperis;

(d) to any person or entity, including but not limited to the Commonwealth or any of its political subdivisions.

(B) Upon completion of the transcript, the County of Berks shall pay to the court reporter the sum of \$2.25 for each page of ordinary original transcript.

(C) Any judge of the Court of Common Pleas, the District Attorney, and the County Solicitor shall each be entitled to request an ordinary original transcript in any proceeding upon request without charge. In such case, the County of Berks shall be liable for the cost of preparing the ordinary original transcript whenever no other person or entity is otherwise liable for the cost therefor and shall pay to the court reporter the sum of \$2.25 for each page of ordinary original transcript.

Nothing in this rule shall authorize delivery of an ordinary original transcript, or a copy thereof, in a proceeding where the record is sealed to any person or entity not otherwise entitled to the same.

No. 4008.4. Additional costs.

(A) In cases such as mass tort, medical malpractice, or other unusually complex litigation where there is a need for court reporters to significantly expand their dictionary, a trial judge may impose a surcharge of \$0.50 per page for ordinary original transcript.

(B) In cases of a non-technical nature where a secure electronic feed is requested to instantaneously deliver the translated notes from the court reporter to a laptop or other portable electronic device via cable, wifi, router, or Bluetooth to the parties, a fee of \$1.00 per page per hookup shall be charged. There shall be no charge to the court for such a connection.

(C) In cases such as mass tort, medical malpractice, or other unusually complex litigation where a secure electronic feed is requested to instantaneously deliver the translated notes from the court reporter to a laptop or other electronic device via cable, wifi, router, or Bluetooth to the parties, a fee of \$1.50 per page shall be charged. There shall be no charge to the court for such a connection.

(D) In cases where a rough draft transcript is requested by the court and/or the parties of all or part of a proceeding while utilizing a secure electronic feed, a fee of \$1.50 per page of rough draft shall be charged.

Rule 4009.1. Fees and Procedures.

(A) All transcripts of official court proceedings shall be prepared only upon written authorization or order of Court. No transcript of any official court proceeding may be prepared without the written consent of the Common Pleas Court judge assigned to the respective case. In the event that the assigned judge cannot be contacted by all exhaustive means, the authorization must be made by the respective Administrative Judge or the President Judge of the Court of Common Pleas.

(B) The following are step-by-step guidelines for ordering transcripts from the Official Court Reporters of the Court of Common Pleas of Berks County, Pennsylvania:

(a) Obtain a Transcript Request Form from any courtroom, from Court Administration, from the Official Court Reporters' Office, or online at www.co.berks.pa.us;

(b) Contact the official court reporter that was present at the proceeding that you desire to have transcribed and request the amount of the estimated cost of one-half payment of the transcript. If you don't know the name or contact number of the official court reporter, contact the chief court reporter at 610-478-6467;

(c) Fill out the Transcript Request Form Sections I, II, III, and IV. Sign and date the Transcript Request Form. **YOU MUST MAKE ADDITIONAL COPIES OF THE TRANSCRIPT REQUEST FORM FOR DISTRIBUTION;**

(d) Take the unauthorized Transcript Request Form and all copies along with a check payable to the appropriate office (not the official court reporter) in the amount of the estimated cost of one-half payment of transcript to one of the following offices: Criminal to the Clerk of Courts, Civil/Family/Equity to the Prothonotary, Orphans' Court to the Register of Wills. **NEITHER THE CLERK OF COURTS' OFFICE, THE PROTHONOTARY'S OFFICE, NOR THE REGISTER OF WILLS' OFFICE WILL ACCEPT THE TRANSCRIPT REQUEST FORM IF THE APPROPRIATE PAYMENT IS NOT INCLUDED AT THE TIME OF FILING;**

(e) The Clerk of Courts' Office, Prothonotary's Office, and the Register of Wills' Office will forward the unau-

thorized Transcript Request Form to the appropriate Court of Common Pleas judge for authorization and signature and will make the appropriate distribution of the copies of the Transcript Request Form.

Rule 4010.1. Format of Transcript.

(A) All paper transcripts except orders dictated from the bench are prepared as follows:

(1) No fewer than 25 typed lines on standard 8 1/2" × 11" paper;

(2) No fewer than nine or ten characters to the typed inch;

(3) Left-hand margin to be set at no more than 1 3/4";

(4) Right-hand margin to be set at no more than 3/8"

(5) Each question and answer to begin on a separate line;

(6) Each question and answer to begin no more than five spaces from the left-hand margin with no more than five spaces from the Q and A to the text;

(7) Carry-over Q and A lines to begin at the left-hand margin;

(8) Colloquy material to begin no more than 15 spaces from the left-hand margin, with carry-over colloquy to the left-hand margin;

(9) Quoted material to begin no more than 15 spaces from the left-hand margin, with carry-over lines to begin no more than 10 spaces from the left-hand margin;

(10) Parentheticals and exhibit markings to begin no more than 15 spaces from the left-hand margin, with carry-over lines to begin no more than 15 spaces from the left-hand margin.

(B) Electronic transcripts shall comply with the format standards set forth in Rule 4010(A)(3) through (10) for paper transcripts and, in addition, shall be in PDF format with the following settings:

(1) functions disabled: content changes; and

(2) functions enabled: search, select, copy, paste, and print.

Rule 4011.1. Deadline for Delivery of Transcript.

(A) Unless otherwise ordered by the court, the official court reporter shall deliver the transcript for those cases under appeal within 14 days of receiving notice from the District Court Administrator or the court's designee as required by Pa.R.A.P. 1922(a).

(B) Unless otherwise ordered by the court, the official court reporter shall deliver transcripts for all other requests within thirty (30) calendar days of receiving notice from the District Court Administrator or the court's designee.

(C) For requests made by a party required to post a deposit under Rule 4009.1(B)(d), the 14-day period for those cases under appeal or the 30-day period for delivery of the transcript shall not commence until the deposit is received by the court. In those cases involving economic hardship, the 14-day period for those cases under appeal or the 30-day period for delivery of the transcript shall not commence until disposition of the application for waiver or reduction of costs. In cases where a reduction of costs is granted, the time frame commences once the reduced deposit is received by the court.

(D) The court reporter, upon showing of good cause to the president judge, may request an extension of the

deadline for a period of time not to exceed an additional 30 days. In no case shall more than one extension be granted.

(E) Transcripts prepared pursuant to the Children's Fast Track Appeal program shall be given priority.

(F) Requests for transcripts unrelated to cases under appeal or in cases where no court order has been entered directing transcription shall not be given priority. However, such transcripts shall be filed and delivered within 45 days, absent an extension for good cause approved by the president judge.

[Pa.B. Doc. No. 17-3. Filed for public inspection January 6, 2017, 9:00 a.m.]

BLAIR COUNTY

Administrative Order; No. 2016 MD 146

Order

And Now, this 21st day of December, 2016 it is hereby Ordered, Directed and Decreed, the Blair County Court of Common Pleas adopts the following local rules governing court reporting and transcripts for the 24th Judicial District.

The Blair County District Court Administrator is Ordered and Directed to do the following:

1. File one (1) copy of the local rules with the Administrative Office of Pennsylvania Courts via e-mail to adminrules@pacourts.us;

2. File two (2) paper copies and one (1) computer diskette containing the text of the local rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. Publish these Rules on the Blair County website at www.blairco.org;

4. Incorporate these rules into the set of local rules on www.blairco.org within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*;

5. File a copy of the local rules, which shall be continuously available for inspection and copying, in the Office of the Prothonotary.

6. These local rules shall become effective not less than 30 days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

ELIZABETH A. DOYLE,
President Judge

Blair County Local Rules of Judicial Administration 4007.1 and 4008.1

Rule 101. Title and Citation.

These Rules shall be known as the Blair County Local Rules of Judicial Administration and may be cited as "Bl.C.L.R.J.A. . . ."

Rule 4007.1. Requests for Transcripts.

(A) All requests for transcripts shall be submitted on a form provided by the Court Administrator which will include rates charged for transcripts. The form can be downloaded from the Blair County website at www.blairco.org.

(B) For an ordinary transcript, defined as necessary for an appeal or to otherwise advance litigation, the party requesting the full or partial transcript of a trial or other proceeding shall file the original request with the District Court Administrator's Office at 423 Allegheny Street, STE 239, Hollidaysburg, PA 16648.

(C) Requests for daily, expedited or same day transcripts shall be filed in the District Court Administrator's Office at least 10 days prior to the proceeding. Copies of the written request shall be delivered as required by subsection (B). In the event of an emergency, a party may request by oral motion a daily or expedited transcript.

(D) When a litigant requests a transcript,

(1) The litigant ordering the transcript shall make payment in the amount of 90% of the estimated total cost of the transcript which will be communicated to them by the court reporting personnel or District Court Administrator's Office within 10 days of the request. Payment by self-represented litigants shall be made by money order only.

Checks or money orders are to be made payable to the County of Blair and shall be delivered to the District Court Administrator's Office. Cash shall not be accepted by the District Court Administrator's Office.

(2) The court reporting personnel assigned to the proceeding shall be directed by the District Court Administrator or designee to prepare the transcript.

(3) The court reporting personnel shall notify the ordering party and the District Court Administrator or designee upon completion of the transcript and shall indicate the balance due if any.

(4) Checks or money orders for the final balance are to be made payable to the County of Blair and shall be delivered to the District Court Administrator's Office.

Upon payment of the balance owed, the court reporting personnel shall file the original transcript in the appropriate filing office with copies made and delivered to the appropriate litigants.

(E) When a litigant requests an ordinary transcript, but cannot pay for the transcript because of alleged economic hardship, the President Judge shall determine economic hardship pursuant to Bl.C.L.R.J.A. 4008.1(B). In cases of economic hardship where there is no appeal pending or a transcript is not needed to advance litigation, the requesting party must demonstrate reasonable need before the court shall waive or adjust the cost of obtaining the transcript.

Rule 4008.1. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.

(A) *Costs Payable*

(1) *Electronic Format.* The costs payable by the initial ordering party for a transcript delivered via electronic format shall be:

(a) For an ordinary transcript, \$2.50 per page;

(b) For an expedited transcript, \$3.50 per page, if the court reporter is able to accommodate within seventy-two (72) hours of an official request, not including weekends or official court holidays;

(c) For a daily transcript, \$4.50 per page, if the court reporter is able to accommodate within eighteen (18) hours of an official request, not including weekends or official court holidays; and

(d) For same-day delivery, \$6.50 per page, if the court reporter is able to accommodate the request within 6 hours of the close of the court session.

(2) *Paper Format.* The costs payable by the initial ordering party for a transcript delivered via paper format shall be:

(a) For an ordinary transcript, \$2.75 per page;

(b) For an expedited transcript, \$3.75 per page, if the court reporter is able to accommodate within seventy-two (72) hours of an official request, not including weekends or official court holidays;

(c) For a daily transcript, \$4.75 per page, if the court reporter is able to accommodate within eighteen (18) hours of an official request, not including weekends or official court holidays;

(d) For same-day delivery, \$6.75 per page, if the court reporter is able to accommodate the request within 6 hours of the close of the court session.

Comment: When a condensed paper transcript, meaning that more than one page of transcript is included on a single sheet of paper, is ordered by a party, the cost will be per sheet of paper, regardless of the number of pages of transcript on the sheet.

(B) *Economic Hardship*

(1) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be waived for a litigant who has been permitted by the court to proceed in forma pauperis or whose income is less than 125 percent of the poverty guidelines as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

(2) Transcript cost for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

(4) Any request to waive all or a portion of costs for ordinary transcripts based on economic hardship must be attached to the request for transcript and in the form of a fully completed In Forma Pauperis Petition pursuant to Pennsylvania Rule of Civil Procedure 240.

Counsel for a represented party must provide the President Judge with a letter of certification verifying, as provided in Pa.R.J.A. 4008(B), that the client meets financial eligibility and that the matter is under appeal or that the transcript being requested is necessary to advance the current litigation.

(C) *Assignment and allocation of transcript costs*

(1) *Assignment of costs.* The requesting party, or party required by general rule to file a transcript, shall be responsible for the costs of the transcript. Costs shall not be assessed against any party for transcripts prepared at the initiation of the court.

(2) *Allocation of costs.* When more than one party requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

(D) *Copies of Transcripts*

A request for a copy of any transcript previously ordered, transcribed and filed of record shall be provided according to the following schedule:

(1) No more than \$0.75 per page bound, paper format; and

(2) No more than \$0.50 per page electronic copy.

Any requests for copies shall be addressed to and produced by the Blair County Prothonotary Office, Clerk of Courts or Blair County Orphans Court as applicable at 423 Allegheny Street, STE 144, Hollidaysburg, PA 16648.

(E) Additional Costs

The presiding judge may impose a reasonable surcharge for transcripts in cases of mass tort, medical malpractice, or any other complex litigation, where there is a need for a court reporter to expand their dictionary. Such determination is at the discretion of the presiding judge.

[Pa.B. Doc. No. 17-4. Filed for public inspection January 6, 2017, 9:00 a.m.]

FAYETTE COUNTY

Clerk of Courts Fee Bill; 42 PCS 1725.4 (Pursuant to Act 36-2000); MD-381-2016

Effective January 1, 2017, the fees to be charged and collected by the Clerk of Courts in counties of the second class A and the third through eighth, or equivalent officer in home rule counties of the same class, shall be as listed on the following Fee Bill.

The amount of any fee or charge increased pursuant to paragraph (1) of 42 PCS section 1725.4 may be increased every three years, provided that the amount of the increase may not be greater than the percentage of increase in the Consumer Price Index for Urban Workers for the immediate three years preceding the increase in the fee or charge.

In addition to any other fee authorized by law, an automation fee of not more than \$5.00 may be charged and collected by the Clerk of Courts of counties of the second class A and the third through eighth class, including home rule counties of the same class, for the initiation of any action or legal proceeding. The automation fee shall be deposited into a special Clerk of Courts automation fund established in each county. Monies in the special fund shall be used solely for the purpose of automation and continued automation updates of the Office of the Clerk of Courts.

JOHN F. WAGNER,
President Judge

**Fayette County Clerk of Courts Fee Bill
Effective January 1, 2017**

Criminal Case Filings

Felony, Misdemeanor	154.00
PFA Indirect Criminal Contempt	138.00
Non-Jury, Plea, ARD, PWOV	138.00
Summary	51.00
Out of County Courtesy Supervision	45.50
Summary Appeal	45.50

Bail Bonds

Percentage Cash Bail Administrative Fee 30% on amount paid	
Agent Qualifying Power of Attorney	52.00
Bail Piece (Application and Order)	16.50
Bail Forfeitures	28.50
Posting Property Bond	25.50

Filings

Appeals (Higher Court: state fee not included)	57.00
Issuance of Bench Warrants	19.00
Constable Bond/Oath/Card	22.00
Deputy Constable Appointment/Card	22.00
Expungement (Miscellaneous Cases)	52.00
ARD Motion and Expungement	67.00
Miscellaneous Matters	22.00
Municipal School Tax Report	18.00
Petitions/Motions generally (following dispositions)	22.00
Petitions for Parole/Release etc.	22.00
Private Detective (Individual) Bond/License— 2 years	227.00
Private Detective (Corporate) Bond/License— 2 years	327.00
Revocation of ARD, PWOV, Probation/Parole	22.00
Roads (Including Certification)	22.00
Summary Appeal (Non-refundable filing fee)	45.50
Tax Collector Bond/Oath	22.00
Tax Collector Report	18.00

Miscellaneous Fees

Certification	10.00
Copies (per page)	.25
Clerk of Courts Automation Fee	5.00
Computer Printouts	1.00
Exemplification	22.00
Fax Fees (per page)	1.75
License Suspension/Reinstatement	22.00
Postage (per case)	15.25
Record Search	11.00
Subpoena (sign/seal)	5.50

[Pa.B. Doc. No. 17-5. Filed for public inspection January 6, 2017, 9:00 a.m.]

LAWRENCE COUNTY

Adoption of Local Rules of Judicial Administration Governing Court Reporting and Transcripts; No. 90183 of 2016, A.D.

Administrative Order

And Now, this 8th day of December, 2016, it is hereby *Ordered* and *Decreed* that effective January 1, 2017, the Lawrence County Court of Common Pleas adopts the following local rules governing court reporting and transcripts for the Fifty-Third Judicial District.

The Lawrence County District Court Administrator is *Ordered* and *Directed* to do the following:

1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish these rules on the Lawrence County Court website at www.co.lawrence.pa.us.
4. Incorporation of the local rule into the set of local rules on www.co.lawrence.pa.us within thirty (30) days after publication of the local rule in the *Pennsylvania Bulletin*.

5. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

By the Court

DOMINICK MOTTO,
President Judge

Local Rules of Judicial Administration

Rule L101.

These rules shall be known as the Lawrence County Rules of Judicial Administration and may be cited as "L.C.R.J.A. . ." and shall be effective January 1, 2017.

Rule L4007. Request for Transcripts.

(B) For an ordinary transcript, the party requesting the full or partial transcript of a trial or other proceeding shall file the original request with the Clerk of Courts, Prothonotary, or Orphans Court.

The requesting party shall serve copies of the formal request to:

1. The Presiding Judge.
2. The Court Reporter assigned to the proceeding.
3. The District Court Administrator
4. Opposing counsel or party, if party is unrepresented.

(D) Private litigant requests & payment of costs.

1. The litigant ordering the transcript shall make payment in the amount of 95% of the estimated total cost of the transcript.

Deposit checks are to be made payable to the County of Lawrence and shall be delivered to the District Court Administrator.

2. Upon receipt of the 95% deposit, the Court Reporter(s) assigned to the proceeding shall be directed by the District Court Administrator to prepare the transcript.

3. The Court Reporter(s) shall notify the ordering party and the District Court Administrator upon completion of the transcript and shall indicate the balance due.

4. Checks for the final balance are to be made payable to the County of Lawrence and shall be delivered to the District Court Administrator.

Upon payment of the balance owed, the Court Reporter(s) shall obtain the signature of the Presiding Judge on the original transcript and shall deliver the original transcript to the appropriate filing office. After the original transcript has been delivered to the appropriate filing office, copies shall be delivered to all parties pursuant to Pa.R.J.A. 4007(D)(4).

(E) Any request by a litigant for a transcript pursuant to Pa.R.J.A. 4007(E) alleging inability to pay due to economic hardship must be directed to the President Judge for determination as provided in L.C.R.J.A. 4008(B).

Rule L4008.

Transcript Costs Payable by private-party litigants and by the Commonwealth or a subdivision thereof, shall be governed as follows:

(A) *Costs payable.*

1. For an ordinary transcript: \$2.75 per page (paper); \$2.50 per page (electronically filed).

2. For an expedited transcript \$3.75 per page (paper); \$3.50 (electronically filed).

3. For a daily transcript: \$4.75 per page (paper); \$4.50 per page (electronically filed).

4. For same-day delivery with court approval: \$6.75 per page (paper); \$6.50 (electronically filed).

Rule L4009. Fees and Procedures.

(A) The fees to be paid for all Court Reporters for all court reporting products shall be the fees above set forth in L.C.R.J.A.L. 4008.

(B) Transcripts requested in accordance with Pa.R.J.A. 4008(B)(1) shall have fees and costs and waived for the requesting party and imputed to the Court for payment.

(C) For transcripts requested in accordance with Pa.R.J.A. 4008(B)(2) the cost of the transcript to the requesting party shall be one-half of the costs above set forth in L.C.R.J.A. 4008 but with the Court Reporter to be paid the full fee as set forth in L.C.A.R.P. 4008, the balance of the fee being imputed to the Court for payment. Unless a party has been granted in forma pauperis status, requests for waiver or reduction of costs shall be made by motion to the Presiding Judge of record.

(D) The original of a transcript requested by the Commonwealth through the Office of the District Attorney or Attorney General in a criminal proceeding shall be paid by the county with the copy to be paid by the requesting party.

(E) Legal aid services must provide the Presiding Judge with a letter of certification verifying, as provided in Pa.R.J.A. 4008(B) that the client meets financial eligibility and that the matter is under appeal or that the transcript being requested is necessary to advance the current litigation.

(F) Any requests for copies of filed transcripts shall be directed to the Court Administrator and produced by the Court Reporter. The charge for copies of the transcript shall be as set forth in Pa.R.J.A. 4008(D), and payable to Lawrence County. The Court Reporter shall be paid for the production of the copies at the same rate as set forth in Pa.R.J.A. 4008(D).

[Pa.B. Doc. No. 17-6. Filed for public inspection January 6, 2017, 9:00 a.m.]

MIFFLIN COUNTY

Local Rule 4007 and Local Rule 4008 of Judicial Administration; CP-44-CV-2-2016

Order of Court

And now, December 19th, 2016, the Court hereby adopts the following new Local Rules of Judicial Administration:

Rule 4007. Requests for Transcripts.

(A) All requests for transcripts shall be submitted on a form provided by the District Court Administrator which will include the current rates charged for transcripts.

(B) The request for transcript form may be downloaded from the Mifflin County Court website at www.co.mifflin.pa.us/dept/courts. A copy may also be obtained from the Office of Court Administration. For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with Court Administration. The requesting party shall also serve copies of the formal request upon the:

- (1) Judge presiding over the matter;
- (2) District Court Administrator;
- (3) Court Reporter or transcriptionist;
- (4) Opposing counsel, but if not represented, the opposing party.

(C) Daily, expedited, same day or rough-draft transcripts are not available except in extreme circumstances approved by the presiding Judge.

(D) When a litigant requests a transcript:

(1) the litigant ordering a transcript shall make payment of the estimated transcript cost. Payments are to be made payable to County of Mifflin and shall be delivered to the Office of Court Administration. Court Administration staff will forward same to the Prothonotary/Clerk of Court. Payment by private parties shall be made by money order or cashier's check. Personal checks and cash shall NOT be accepted by the Office of Court Administration.

(2) the Court Reporter or transcriptionist shall prepare the transcript upon direction of the District Court Administrator after approval by the presiding Judge.

(3) the Court Reporter or transcriptionist shall notify the ordering party and the Office of Court Administration of the completion of the transcript and deliver the original to the presiding Judge for approval of the transcript.

(4) the Court Reporter or transcriptionist shall deliver the original transcript to the Prothonotary/Clerk of Court for filing with copies for distribution to the requesting party and any other parties who may have requested copies. Copies of the transcript and filing of the original will be made upon payment in full.

(E) When a litigant requests a transcript but cannot pay for the transcript because of alleged economic hardship, the Court shall determine economic hardship pursuant to the procedure set forth in Rule 4008(B). In cases of economic hardship, where the matter is under appeal or a transcript is necessary to advance the litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the Court. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the transcript to advance the litigation, the requesting party must demonstrate reasonable need before the Court shall waive or adjust the cost of obtaining the transcript.

(F) When a transcript is requested for which the Court or County is responsible for the cost, the Court Reporter or transcriptionist shall prepare the transcript at the direction of the District Court Administrator after approval by the presiding Judge who will determine the priority of the request.

Rule 4008. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.

(A) *Costs:*

(1) The costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, for a transcript in an electronic format shall be:

- (a) ordinary transcript, \$2.50 per page;
- (b) expedited transcript, \$3.50 per page, if the court reporter is able to accommodate;
- (c) daily transcript, \$4.50 per page, if the court reporter is able to accommodate;

(d) same day delivery, \$6.50 per page, if the court reporter is able to accommodate.

(2) When the transcript is prepared in bound paper format, the costs shall be in accordance with paragraph (1) relating to electronic format plus a surcharge of \$0.25 per page.

(B) *Economic hardship—minimum standards:*

(1) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be waived for a litigant who has been permitted by the Court to proceed in forma pauperis or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

(2) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

(3) Transcript costs for ordinary transcripts in matters that are not subject to an appeal, where the transcript is not necessary to advance the litigation, may be waived at the Court's discretion for parties who qualify for economic hardship under subdivision (B)(1) or (B)(2) and upon good cause shown.

(4) The application to waive all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure. Such application should be prepared in the form of a Petition to Waive All or a Portion of the Transcript Costs and submitted with the request for transcript.

(C) *Assignment and allocation of transcripts costs:*

(1) *Assignment of costs.* The requesting party, or party required by general rule to file a transcript, shall be responsible for the cost of the transcript. Costs shall not be assessed against any party for transcripts prepared at the initiation of the court.

(2) *Allocation of costs.* When more than one party requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

(D) *Copies of transcript:*

A request for a copy of any transcript previously ordered, transcribed and filed of record shall be provided according to the following schedule:

- (1) \$0.75 per page bound, paper format; and,
- (2) \$0.50 per page electronic copy.

(E) *Additional Costs:*

A trial judge may impose a reasonable surcharge in cases such as mass tort, medical malpractice or other unusually complex litigation, where there is a need for court reporters to significantly expand their dictionary. Such surcharges are at the discretion of the trial judge.

Said Local Rules of Judicial Administration shall be effective in the 58th Judicial District of the Commonwealth of Pennsylvania thirty (30) days after publication in the *Pennsylvania Bulletin* and upon publication on the Mifflin County website.

By the Court

DAVID W. BARRON,
President Judge

[Pa.B. Doc. No. 17-7. Filed for public inspection January 6, 2017, 9:00 a.m.]

PIKE COUNTY

Promulgation of Local Rules of Judicial Administration No. 4007 and No. 4008; No. 1595-2016-Civil

Order

And Now, this 16th day of December 2016, the Court Orders the following:

1. Local Rules of Judicial Administration 4007 and 4008, is hereby adopted effective January 1, 2017.

2. The Court Administrator of the 60th Judicial District is hereby *Ordered* to do the following:

a. File one (1) copy of this *Order* and the pertinent Rules with the Administrative Office of Pennsylvania Courts via email at adminrules@pacourts.us;

b. File two (2) paper copies and one (1) electronic copy to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. Publish on the Pike County Court website at court.pikepa.org

d. Incorporate into the set of local rules located at court.pikepa.org within thirty (30) days of the publication of the local rule at the *Pennsylvania Bulletin*.

e. Provide one (1) copy to each member of the Pike County Bar Association who maintain an active practice in Pike County; and

f. File and keep continuously available for public inspection, copies of this Order and the Local Rules.

By the Court

HONORABLE JOSEPH F. KAMEEN,
President Judge

Local Rules of Judicial Administration

Local Rule 4007. Request for Transcripts.

A. All requests for transcripts shall be set forth on a standardized form provided by the Pike County Court Administrator. The form shall be found at court.pikepa.org

B. For an ordinary transcript, the party requesting a full or partial transcript of a trial, Hearing or other proceeding shall file the original request with the Prothonotary, Clerk of Court or Clerk of the Orphans' Court. Copies of the formal request shall be delivered to:

- (1) the judge presiding over the matter;
- (2) the court reporters' Office;
- (3) the district court administrator; and
- (4) opposing counsel, but if not represented, the opposing party.

D. Private Litigants

(1) the litigant ordering a transcript shall make payment in the amount of 50% of the estimated cost of the transcript as deposit. Deposit checks are to be made payable to the County of Pike and delivered to the Pike County Court Administrator.

(2) Upon receipt of the 50% deposit, the assigned court reporter or court transcriptionist shall be directed by the Pike County Court Administrator to prepare the transcript.

(3) The court reporter or court transcriptionist shall notify the ordering party and the Pike County Court Administrator of the completion of the transcript and shall indicate the balance due. Checks for the final balance are to be made payable to the County of Pike.

(4) Upon payment of the final balance owed, the court reporter or court transcriptionist shall deliver the original transcript to the appropriate filing office and copies to the parties pursuant to L.R.J.A 4008.

E. When a transcript is requested by the Court, the Commonwealth or a County agency, the court reporter or court transcriptionist shall prepare the transcript upon receipt of the request form, at no cost.

Local Rule 4008. Transcript Costs Payable by the Requesting Party.

(A) Costs

(1) When a transcript is requested by the Court, the Commonwealth or a County agency, no cost shall be assessed.

(2) The costs payable by the initial requesting party for a paper copy transcript shall not exceed:

- (a) for an ordinary transcript, \$2.50 per page;
- (b) for an expedited transcript, \$3.50 per page; and
- (c) for a daily transcript, \$4.50 per page.

(B) Economic hardship

(1) Transcript costs for ordinary transcripts shall be waived for a litigant who has been permitted by the court to proceed in forma pauperis. Self-Represented litigants claiming economic hardship, who have not been previously granted in forma pauperis status, must attach to their transcript request form, a fully and In Forma pauperis Petition.

(C) Assignment and allocation of transcript costs

(1) *Assignment of costs.* The requesting party shall be responsible for the cost of the transcript.

(2) *Allocation of costs.* When more than one party requests the transcript, the cost shall be divided equally among the parties.

(D) Copies of transcript

(1) A paper copy of the transcript shall be provided to all parties other than the requesting party at a rate of \$0.25 per page

[Pa.B. Doc. No. 17-8. Filed for public inspection January 6, 2017, 9:00 a.m.]

YORK COUNTY

Amendment of Local Rules of Judicial Administration; CP-67-AD-33-2016; 2016-MI-000558

Administrative Order Amending York County Local Rules of Judicial Administration

And Now, this 12th day of December, 2016, it is Ordered that York County Local Rule of Judicial Administration 4007 is amended as indicated, effective January 1, 2017.

The District Court Administrator shall publish this order as may be required.

By the Court

JOSEPH C. ADAMS,
President Judge

York R.J.A. 4007. Requests for Transcripts.

(A) All requests for transcripts shall be submitted to the appropriate filing office utilizing a form prescribed by the district court administrator, which shall include all elements required in the form provided by the state court administrator. **The district court administrator may adopt an alternative procedure for use by the district attorney, public defender and court-appointed counsel since no costs will be charged to those parties.**

...

(C) Any required costs for transcripts, including deposits, shall be paid by or on behalf of the requestor to the appropriate filing office. All checks, money orders and other non-cash conveyances shall be made payable [**to the "County of York"**] as directed by the appropriate filing office in accordance with their standard business procedures for collecting other costs and fees. All collected costs shall become the property of the County of York for deposit to the county's general fund and shall be transferred from the filing offices to the county no less frequently than once each month.

...

(E) Upon completion of the transcript, the court reporter shall provide the transcript to the presiding judge. The court reporter shall calculate final total costs and notify the filing office of the amount.

(1) If no balance is due from the requestor, the court reporter shall provide the transcript to the filing office. The filing office shall provide copies of the transcript to the requestor [**and all other parties to the case,**] and shall return to the requestor any refund due from deposit.

(2) If a balance is due from the requestor, the filing office shall notify the requestor. Upon receipt of payment from the requestor, the filing office shall notify the court reporter, who shall provide the transcript to the filing office. The filing office shall provide copies of the transcript to the requestor [**and all other parties to the case**]. If the requestor fails to pay any remaining balance due, the court reporter shall not file the transcript and the filing office shall not refund any deposit.

[Pa.B. Doc. No. 17-9. Filed for public inspection January 6, 2017, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Marc D'Arienzo (# 68625), having been suspended from the practice of law for a period of three months by Order of Supreme Court of New Jersey dated July 20, 2016, the Supreme Court of Pennsylvania issued an Order dated December 21, 2016 suspending Marc D'Arienzo from the practice of law in this Commonwealth for a period of three months, effective January 20, 2017. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,
Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 17-10. Filed for public inspection January 6, 2017, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Adam David Gelof (# 77390), having been suspended from the practice of law for a period of thirty days by Order of Supreme Court of the State of Delaware decided June 10, 2016, the Supreme Court of Pennsylvania issued an Order dated December 21, 2016 suspending Adam David Gelof from the practice of law in this Commonwealth for a period of thirty days, effective January 20, 2017. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,
Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 17-11. Filed for public inspection January 6, 2017, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Eva L. Plum a/k/a Eva Lavonne Stephenson Plum (# 73629) having been suspended from the practice of law in the State of Virginia by Order of the Virginia State Bar Disciplinary Board dated September 26, 2008; the Supreme Court of Pennsylvania issued an Order dated December 21, 2016 suspending Eva L. Plum a/k/a Eva Lavonne Stephenson Plum from the practice of law in this Commonwealth for a period of one year and one day, effective January 20, 2017. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,
Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 17-12. Filed for public inspection January 6, 2017, 9:00 a.m.]