

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 81]

Extension of Public Comment Period; Proposed Amendments to Pennsylvania Rule of Professional Conduct 1.15 Regarding the Disposition of Unclaimed or Unidentified Funds in Pennsylvania IOLTA Trust Accounts

The Pennsylvania Interest on Lawyers Trust Account Board (IOLTA Board) of the Supreme Court of Pennsylvania is publishing notice of the extension of the comment period that began on Saturday, February 25, 2017 for the proposed amendments to Pennsylvania Rule of Professional Conduct 1.15 addressing the disposition of unclaimed or unidentified funds in Pennsylvania IOLTA trust accounts. The initial notice was published at 47 Pa.B. 1122.

Interested persons are invited to submit written comments by mail, e-mail, or fax regarding the proposed amendments to: Pennsylvania Interest on Lawyers Trust Account Board, PO Box 62445, Harrisburg, PA 17106-2445; fax number (717-238-2003); e-mail address paiolta@pacourts.us, on or before Friday, May 12, 2017.

By the Pennsylvania Interest on Lawyers Trust Account Board of the Supreme Court of Pennsylvania
STEPHANIE S. LIBHART,
Executive Director

[Pa.B. Doc. No. 17-613. Filed for public inspection April 14, 2017, 9:00 a.m.]

Title 207—JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS [207 PA. CODE CH. 33]

Amendment of Rule 2.3 of the Code of Judicial Conduct; No. 483 Judicial Administration Doc.

Order

Per Curiam

And Now, this 28th day of March, 2017, it is *Ordered*, pursuant to Article V, Section 10 of the Constitution of Pennsylvania, that Rule 2.3 of the Code of Judicial Conduct 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 33. CODE OF JUDICIAL CONDUCT

Subchapter A. CANONS

Canon 2. A judge shall perform the duties of judicial office impartially, competently, and diligently.

Rule 2.3. Bias, Prejudice, and Harassment.

* * * * *

(B) A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender **identity or expression**, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do so.

(C) A judge shall require lawyers in proceedings before the court to refrain from manifesting bias or prejudice, or engaging in harassment, based upon attributes including but not limited to race, sex, gender **identity or expression**, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, against parties, witnesses, lawyers, or others.

* * * * *

[Pa.B. Doc. No. 17-614. Filed for public inspection April 14, 2017, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1915]

Proposed Amendment of Pa.R.C.P. No. 1915.11-1 and New Rules Pa.R.C.P. Nos. 1915.22 and 1915.23

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P. No. 1915.11-1 governing Parenting Coordination, and two additional forms in Pa.R.C.P. Nos. 1915.22 and 1915.23, for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. No 103(a)(1), the proposal is being republished in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Bruce J. Ferguson, Counsel
 Domestic Relations Procedural Rules Committee
 Supreme Court of Pennsylvania
 Pennsylvania Judicial Center
 PO Box 62635
 Harrisburg, PA 17106-2635
 Fax: 717-231-9531
 domesticrules@pacourts.us

All communications in reference to the proposal should be received by June 2, 2017. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations
 Procedural Rules Committee*

DAVID J. SLESNICK, Esq.,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

Rule 1915.11-1. [Elimination of] Parenting Coordination.

[Only judges may make decisions in child custody cases. Masters and hearing officers may make recommendations to the court. Courts shall not appoint any other individual to make decisions or recommendations or alter a custody order in child custody cases. Any order appointing a parenting coordinator shall be deemed vacated on the date this rule becomes effective. Local rules and administrative orders authorizing the appointment of parenting coordinators also shall be deemed vacated on the date this rule becomes effective.]

If a judicial district implements a parenting coordination program, the court shall maintain a roster of qualified individuals to serve as parenting coordinators. The parenting coordinator shall attempt to resolve issues arising out of the custody order by facilitating an agreement between the parties and, if unable to reach an agreement, recommend a resolution to the court.

(a) *Appointment of a Parenting Coordinator.*

(1) After a final custody order has been entered, a judge may appoint a parenting coordinator to resolve parenting issues in cases involving repeated or intractable conflict between the parties affecting implementation of the final custody order. A parenting coordinator should not be appointed in every case. The appointment may be made on the motion of a party or on the court's own motion.

(2) Unless the parties consent and appropriate safety measures are in place to protect the participants, including the parenting coordinator and other third parties, a parenting coordinator shall not be appointed if:

(i) the parties to the custody action have a protection from abuse order in effect;

(ii) the court makes a finding that a party has been the victim of domestic violence perpetrated by a party to the custody action, either during the pendency of the custody action or within 36 months preceding the filing of the custody action; or

(iii) the court makes a finding that a party to the custody action has been the victim of a personal injury crime, as defined in 23 Pa.C.S. § 3103, which was perpetrated by a party to the custody action.

(iv) If a party objects to the appointment of a parenting coordinator based on an allegation that the party has been the victim of domestic violence perpetrated by a party to the custody action, the court shall have a hearing on the issue and may consider abuse occurring beyond the 36 months provided in subdivision (a)(2)(ii).

(3) The appointment of a parenting coordinator shall be for a specified period of time, which shall not exceed 12 months. A party may petition the court for an extension of the appointment or the court in its discretion may extend the appointment for an additional period.

(4) If the parenting coordinator seeks to withdraw from service in a case, the parenting coordinator shall petition the court and provide a copy to the parties or the parties' attorney.

(5) The parenting coordinator shall set forth in a separate written agreement with the parties:

(i) the amount of any retainer;

(ii) the hourly rate to be charged;

(iii) the process for invoices and payment for services;

(iv) information on the parenting coordination process; and

(v) provide a signed copy of the agreement to the parties prior to initiating any services.

(b) *Qualifications of the Parenting Coordinator.* To be appointed by the court, a parenting coordinator:

(1) shall be an attorney licensed to practice law in the Commonwealth of Pennsylvania;

(2) shall have practiced family law for at least five years;

(3) shall have a minimum of five hours training in the parenting coordination process from an appropriate provider;

(4) shall have a minimum of ten hours of family mediation training from an appropriate provider;

(5) shall have a minimum of five hours of training in domestic violence from an appropriate provider; and

(6) shall complete a minimum of ten continuing education credits on any topic related to parenting coordination in each two-year period after the initial appointment with a minimum of two hours in each two-year period on the issue of domestic violence; and

(7) shall sign an affidavit attesting that he or she has met the qualifications of this rule.

(i) Prior to being appointed as a parenting coordinator, the attorney shall send the affidavit to the president judge or administrative judge of the judi-

cial district where the attorney is seeking appointment as a parenting coordinator.

(ii) After submission of the initial affidavit pursuant to subdivision (b)(6)(i), a parenting coordinator shall submit a new affidavit every two years attesting that the continuing education requirements of subdivision (b)(5) have been met.

(8) An attorney appointed to serve as a parenting coordinator shall not practice family law before a conference officer, hearing officer, permanent or standing master, or judge in the judicial district in which the attorney has been appointed.

(c) *Appointment Order.* The parenting coordinator's authority as delineated in subdivision (d) shall be included in the order appointing the parenting coordinator, which shall be substantially in the form set forth in Pa.R.C.P. No. 1915.22.

(d) *Scope of Authority of the Parenting Coordinator.* The parenting coordinator shall have the authority to recommend resolutions to the court on issues ancillary to the custody order if the parties are unable to reach an agreement.

(1) In order to implement the custody order and resolve related parenting issues about which the parties cannot agree, the parenting coordinator is authorized to recommend resolutions to the court about issues that include, but are not limited to:

(i) Places and conditions for custodial transitions between households;

(ii) Temporary variation from the custodial schedule for a special event or particular circumstance;

(iii) School issues, apart from school selection;

(iv) The child(ren)'s participation in recreation, enrichment, and extracurricular activities, including travel;

(v) Child-care arrangements;

(vi) Clothing, equipment, toys, and personal possessions of the child(ren);

(vii) Information exchanges (e.g. school, health, social) between the parties and communication with or about the child(ren);

(viii) Coordination of existing or court-ordered services for the child(ren), e.g. psychological testing, alcohol or drug monitoring/testing, psychotherapy, anger management;

(ix) Behavioral management of the child(ren); and

(x) Other related custody issues that the parties mutually have agreed in writing to submit to the parenting coordinator, which are not issues excluded in subdivision (d)(2).

(2) The following issues are excluded from the parenting coordinator's scope of authority:

(i) A change in legal custody as set forth in the custody order;

(ii) A change in primary physical custody as set forth in the custody order;

(iii) Except as set forth in subdivision (d)(1)(ii), a change in the court-ordered custody schedule that reduces or expands the child(ren)'s time with a party;

(iv) A change in the residence (relocation) of the child(ren);

(v) Determination of financial issues, other than allocation of the parenting coordinator's fees as set forth in subdivision (g)(1);

(vi) Decisions regarding the health, education, religion, or welfare of the child(ren).

(3) Unless the parties consent, the parenting coordinator shall not contact collateral sources or speak with the child(ren). Any communications with the child(ren) or collateral sources shall be limited to the issue(s) currently before the parenting coordinator. To effectuate this provision, the parties shall execute releases, as necessary, authorizing the parenting coordinator to communicate with the appropriate individuals.

(e) *Communications. No Testimony.*

(1) Communication between the parties or their attorneys and the parenting coordinator is not confidential.

(2) A party or a party's attorney may communicate in writing with the parenting coordinator, but shall contemporaneously send a copy of the written communication to the other party or the other party's attorney. Documents, recordings, or other material that one party gives to the parenting coordinator shall be promptly made available to the other party or the other party's attorney for inspection and copying.

(3) The parties and their attorneys may receive, but not initiate, oral *ex parte* communication with the parenting coordinator. A parenting coordinator may initiate oral communication with a party or party's attorney, but shall promptly advise the other party or the other party's attorney of the communication.

(4) Absent an emergency affecting the child(ren)'s health or welfare, communication between the parenting coordinator and the court shall be in writing and a copy of the written communication shall be contemporaneously sent to the parties or the parties' attorneys. If the parenting coordinator has communicated orally with the court on an emergency basis, the parenting coordinator shall promptly communicate in writing the substance of the oral communication to the parties or, if represented, the party's attorney.

(5) A party cannot compel the testimony of a parenting coordinator without an order of court.

(f) *Recommendations. Objecting to the Recommendation. Judicial Review. Record Hearing.*

(1) The parenting coordinator shall provide to the parties notice and an opportunity to be heard on the issues.

(2) The parenting coordinator's recommendation shall be in writing on the Summary and Recommendation of the Parenting Coordinator form set forth in Pa.R.C.P. No. 1915.23 and sent to the court for review within two days after hearing from the parties on the issues. The parenting coordinator shall serve a copy of the Summary and Recommendation on the parties or, if represented, to their counsel.

(3) A party objecting to the recommendation shall file a petition for a record hearing before the court

within five days of service of the Summary and Recommendation of the Parenting Coordinator form. The petition must specifically state the issues to be reviewed and include a demand for a record hearing. A copy of the recommendation shall be attached to the petition. In accordance with Pa.R.C.P. No. 440, the petition shall be served upon the other party or, if represented, the party's attorney, and the parenting coordinator.

(4) If the parties do not file an objection within five days of service of the parenting coordinator's recommendation, the court shall:

- (i) approve the recommendation;
- (ii) approve the recommendation in part and conduct a record hearing on issues not approved;
- (iii) remand the recommendation to the parenting coordinator for more specific information; or
- (iv) not approve the recommendation and conduct a record hearing on the issues.

(5) As soon as practical, the court shall conduct a record hearing on the issues specifically set forth in the petition. The court shall render a decision within the time set forth in Pa.R.C.P. No. 1915.4(d).

(6) The recommendation shall become a final order of court unless:

- (i) a party timely files with the court a petition objecting to the parenting coordinator's recommendation; or
- (ii) the court does not approve the recommendation, in whole or in part, and schedules a record hearing.
- (iii) If a timely objection is made by a party, the recommendation shall become an interim order of court pending further disposition by the court.

(g) *Fees.*

(1) The fees of the parenting coordinator shall be allocated between the parties by the appointing judge. The parenting coordinator may reallocate the fees, subject to review by the court, if one party has caused a disproportionate need for the services of the parenting coordinator.

(2) In order to limit the financial burden on the parties, a parenting coordinator should meet with the parties only upon a request of a party to resolve an issue about which the parties disagree.

(3) *Waiver of fees or reduced fees.* Judicial districts implementing a parenting coordination program shall effectuate a policy or program by local rule so that indigent or low-income parties may participate in the parenting coordination program at a reduced fee or no fee.

(*Editor's Note:* Rules 1915.22 and 1915.23 are new and printed in regular type to enhance readability.)

Rule 1915.22. Form of Order Appointing Parenting Coordinator.

The order appointing a parenting coordinator pursuant to Pa.R.C.P. No. 1915.11-1 shall be in substantially the following form:

(Caption)

ORDER OF COURT

AND NOW, this _____ day of _____, 20____, it is hereby ordered as follows:

1. APPOINTMENT AND TERM:

Pursuant to Pa.R.C.P. No. 1915.11-1, _____ is appointed as the parties' parenting coordinator for a term of [_____] months (not exceeding 12 months), or until further order of court.

Legal counsel for _____, or either party, if unrepresented, shall provide copies of all orders, pleadings and custody evaluations in this case to the parenting coordinator within ten (10) days of the date of this order.

2. ROLE OF THE PARENTING COORDINATOR:

(a) The parenting coordinator shall attempt to resolve issues arising out of the custody order by facilitating an agreement between the parties and, if unable to reach an agreement, recommend a resolution to the court.

(b) The parenting coordinator shall not function as the attorney, advocate, counselor, or psychotherapist for the parties, the parties' child(ren), or family. However, the parenting coordinator is permitted and encouraged to facilitate communication and agreement between the parties when conflicts arise and shall always act in a manner conducive to the best interests of the child(ren).

3. PARENTING COORDINATOR'S SCOPE OF AUTHORITY:

In order to implement the custodial arrangement set forth in the custody order and resolve related parenting issues about which the parties cannot agree, the parenting coordinator is authorized to recommend resolutions to the court about issues that include, but are not limited to:

- (a) Places and conditions for transitions between households;
- (b) Temporary variation from the schedule for a special event or particular circumstance;
- (c) School issues, apart from school selection;
- (d) The child(ren)'s participation in recreation, enrichment, and extracurricular activities, including travel;
- (e) Child-care arrangements;
- (f) Clothing, equipment, toys, and personal possessions of the child(ren);
- (g) Information exchanges (e.g. school, health, social, etc.) and communication with or about the child(ren);
- (h) Coordination of existing or court-ordered services for the child(ren), e.g. psychological testing, alcohol or drug monitoring/testing, psychotherapy, anger management;
- (i) Behavioral management of the child(ren);
- (j) Other related custody issues that the parties mutually have agreed in writing to submit to the parenting coordinator, which are not issues excluded in Paragraph 4.

4. EXCLUSIONS FROM PARENTING COORDINATOR'S AUTHORITY:

(a) The following specific issues are excluded from the parenting coordinator's scope of authority:

- (1) A change in legal custody as set forth in the custody order;

(2) A change in primary physical custody set forth in the custody order;

(3) Other than as set forth in Paragraph 3(b), a change in the court-ordered custody schedule that reduces or expands the child(ren)'s time with a party;

(4) A change in the residence (relocation) of the child(ren);

(5) Determination of financial issues, other than allocation of the parenting coordinator's fees as set forth in Pa.R.C.P. 1915.11-1(g)(1);

(6) Decisions regarding the health, education, religion, or welfare of the child(ren).

(7) Other: _____

(b) Unless the parties consent, the parenting coordinator shall not contact collateral sources or speak with the child(ren). Any communications with the child(ren) or collateral sources shall be limited to the issue(s) currently before the parenting coordinator. To effectuate this provision, the parties shall execute releases, as necessary, authorizing the parenting coordinator to communicate with the appropriate individuals.

5. COMMUNICATIONS:

(a) The parenting coordinator shall determine the protocol of all communications, interviews, and sessions, including who shall attend the sessions (including the children), and whether the sessions will be conducted in person or by other means. The protocols should include measures addressing the safety of all participants.

(b) Communications between the parties or their attorneys and the parenting coordinator are not confidential.

(c) The parties and their attorneys shall have the right to receive, but not initiate, oral *ex parte* communication with the parenting coordinator. The parenting coordinator shall promptly advise the other party or the other party's attorney of the communication. A party or a party's attorney may communicate in writing with the parenting coordinator, but shall contemporaneously send a copy of the written communication to the other party or the other party's attorney. Documents, recordings, or other material that one party gives to the parenting coordinator must promptly be made available to the other party or the other party's attorney for inspection and copying.

(d) Absent an emergency affecting the child(ren)'s health or welfare, communication from the parenting coordinator to the court shall be in writing and the parenting coordinator shall contemporaneously send copies to the parties or, if represented, the party's attorney. If the parenting coordinator has communicated orally with the court on an emergency basis, the parenting coordinator shall promptly communicate in writing the substance of the oral communication to the parties or, if represented, the party's attorney.

(e) A party cannot compel the testimony of a parenting coordinator without an order of court.

6. PARENTING COORDINATION PROCESS:

(a) The parenting coordinator shall provide to the parties notice and an opportunity to be heard on the issues.

(b) The parenting coordinator's recommendation shall be in writing on the Summary and Recommendation of the Parenting Coordinator form set forth in Pa.R.C.P. No. 1915.23 and sent to the court for review within two days after hearing from the parties on the issues. The parent-

ing coordinator shall serve a copy of the Summary and Recommendation on the parties or, if represented, the party's attorney.

(c) A party objecting to the recommendation shall file a petition for a record hearing before the court within five days of service of the Summary and Recommendation of the Parenting Coordinator form. The petition must specifically state the issues to be reviewed and include a demand for a record hearing. A copy of the recommendation shall be attached to the petition. In accordance with Pa.R.C.P. No. 440, the petition shall be served upon the other party or, if represented, the party's attorney, and the parenting coordinator.

7. RECORD HEARING:

(a) If the parties do not file an objection within five days of service of the parenting coordinator's recommendation, the court shall:

(1) approve the recommendation;

(2) approve the recommendation in part and conduct a record hearing on issues not approved;

(3) remand the recommendation to the parenting coordinator for more specific information; or

(4) not approve the recommendation and conduct a record hearing on the issues.

(b) As soon as practical, the court shall conduct a record hearing on the issues specifically set forth in the petition. The court shall render a decision within the time set forth in Pa.R.C.P. No. 1915.4(d).

(c) The recommendation shall become a final order of court unless:

(1) a party timely files with the court a petition objecting to the parenting coordinator's recommendation; or

(2) the court does not approve the recommendation, in whole or in part, and schedules a record hearing.

(3) If a timely objection is made by a party, the recommendation shall become an interim order of court pending further disposition by the court.

8. ALLOCATION OF FEES:

(a) The parties will share the obligation to pay the fees of the parenting coordinator as follows: ____% Mother, ____% Father, ____% Third party. Fees may be reallocated by the court or the parenting coordinator if a party has disproportionately caused the need for the services of the parenting coordinator.

(b) The hourly rate of the parenting coordinator shall be set forth in a separate agreement entered into between the parties and the parenting coordinator.

(c) The parties will pay a joint retainer to the parenting coordinator in the percentages set forth above in an amount to be set forth in a separate agreement between the parties and the parenting coordinator. After each session, or at least once monthly, the parenting coordinator shall provide the parties with an invoice of charges incurred. The retainer may be replenished as services are rendered. Funds remaining at the conclusion of the parenting coordinator's appointment shall be returned to the parties.

9. TERMINATION/WITHDRAWAL OF PARENTING COORDINATOR:

(a) The parties may not terminate the parenting coordinator's services without court approval.

(b) A party seeking the termination of the parenting coordinator's services shall serve the other party or, if represented, the party's attorney and parenting coordinator with a copy of the petition for termination.

(c) If the parenting coordinator seeks to withdraw from service in a case, the parenting coordinator shall petition the court and provide a copy to the parties or the parties' attorney.

10. APPEAL:

If there is an appeal of the underlying custody order or this order, then this order shall be stayed during the pendency of the appeal.

BY THE COURT:

J.

Rule 1915.23. Form of the Summary and Recommendation of the Parenting Coordinator.

The recommendation of the parenting coordinator shall be in writing and shall be in substantially the following form:

(Caption)

SUMMARY AND RECOMMENDATION OF THE PARENTING COORDINATOR

The undersigned, the duly appointed parenting coordinator in the above-captioned matter, pursuant to the Order of Court dated _____, 20____, after submission of an issue described below and after providing the parties with an opportunity to heard on the issue, the parenting coordinator sets forth the following:

SUMMARY OF THE ISSUE(S)

- 1. Description of the issue(s):

- 2. The respective parties' position on the issue(s):

RECOMMENDATION

Within five days of the date set forth below, a party may object to the recommendation of the parenting coordinator by filing a petition with the court and requesting a record hearing before the judge as set forth in Pa.R.C.P. No. 1915.11-1(f)(3).

The undersigned parenting coordinator certifies that this Summary and Recommendation of the Parenting Coordinator has been served upon the court and the parties or, if represented, their counsel on the date set forth below

Date Parenting Coordinator

ORDER OF COURT

JUDICIAL REVIEW OF PARENTING COORDINATOR'S RECOMMENDATION

- The Recommendation is approved.
- The Recommendation is approved in part. The issue(s) not approved by the court is/are:

and a record hearing is scheduled for _____, 20__ at _____ a.m./p.m. before the undersigned.

- The Recommendation is remanded to the parenting coordinator for additional information on the following issue(s): _____

- The Recommendation is not approved and a record hearing on the issue(s) is scheduled for _____, 20__ at _____ a.m./p.m. before the undersigned.

By the Court:

Date J.

REPUBLICATION REPORT Recommendation 155

The Domestic Relations Procedural Rules Committee (Committee) is proposing a revision to Pa.R.C.P. No. Rule 1915.11-1. Parenting Coordination and the addition of two new rules/forms: Pa.R.C.P. No. 1915.22. Form of Order Appointing Parenting Coordinator and Pa.R.C.P. No. 1915.23. Form of the Summary and Recommendation of the Parenting Coordinator.

The Committee previously published Recommendation 155 in the *Pennsylvania Bulletin*, 46 Pa.B. 6107 (October 1, 2016), with a comment period ending February 24, 2017. After considering the comments, the Committee has made the following revisions to the proposal.

- Proposed Pa.R.C.P. No. 1915.11-1(a)(2)—The Recommendation has been revised by expanding the domestic violence exceptions to the appointment of a parenting coordinator. The expansion of the revised recommendation includes an exception for victims of a personal injury crime, as defined in 23 Pa.C.S. § 3103, and requiring that the court conducts a hearing if a party objects to the appointment of a parenting coordinator alleging a history of domestic violence. In making its determination on the alleged domestic violence, the court may consider allegations of abuse occurring beyond the 36 months (24 months in the original recommendation).

- Proposed Pa.R.C.P. No. 1915.11-1(b)—The Recommendation has been revised in two ways as it relates to parenting coordinator qualifications. First, an attorney seeking appointment as a parenting coordinator shall attest by affidavit to meeting the qualifications of a parenting coordinator and providing the affidavit to the judicial district prior to appointment as a parenting coordinator. This provision is similar to the certification of a juvenile master in Pa.R.J.C.P. No. 1182. Second, consistent with the support, custody, and divorce rules regarding attorneys appointed or serving as conference or

hearing officers and divorce masters, the revised recommendation proposes that parenting coordinators shall not practice family law in the judicial districts in which the parenting coordinator is appointed.

• Proposed Pa.R.C.P. Nos. 1915.11-1(f), 1915.22, and 1915.23 have been revised by shortening the time for a party to object to the parenting coordinator's recommendation from ten days to five days. Also, the revised recommendation provides the court with the additional option of approving a recommendation in part and conducting a hearing on any issues not approved.

The Committee invites comment on these revisions.

[Pa.B. Doc. No. 17-615. Filed for public inspection April 14, 2017, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CARBON COUNTY

Veterans Treatment Court Dispositions Program (VTC)—Administrative Fee; CP-13-AD-000003- 2017

Administrative Order No. 8-2017

And Now, this 10th day of March, 2017, in order to administer the Veterans Treatment Court Program, it is hereby

Ordered and *Decreed* that all parties placed into the Carbon County Veterans Treatment Court shall be assessed an Administrative Fee of \$500.00 upon placement in the program.

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

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. Publish a copy of this Administrative Order on the Unified Judicial System's website at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.
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 Order in the Clerk of Courts' Office.

By the Court

ROGER N. NANOVIC,
President Judge

[Pa.B. Doc. No. 17-616. Filed for public inspection April 14, 2017, 9:00 a.m.]

CENTRE COUNTY

Local Rule—4009 Court Reporting and Transcripts—Fees and Procedures; Doc. No. 2017-0002 Civil Misc.

Order

And Now, this 23rd day of March, 2017, Local Rule 4009: Court Reporting and Transcripts—Fees and Procedures, implemented by Order dated March 22, 2017, is hereby *Amended* as follows:

(B) Upon receipt of a transcript request, the Court Reporter shall provide a written estimate of the cost of preparing the transcript in accordance with the fee schedule set forth in paragraph (G) of this Rule. The party ordering the transcript shall make full advanced payment of the estimated cost. All checks shall be made payable to "County of Centre", and shall be delivered to the Court Administrator's Office.

All other provisions of Local Rule 4009 shall remain unchanged. The *Amended* version of Local Rule 4009 follows this Order. The Centre County District Court Administrator shall use the *Amended* version of Local Rule 4009 when following the directives of the March 22, 2017, Order.

By the Court

THOMAS KING KISTLER,
President Judge

Rule 4009. Court Reporting and Transcripts—Fees and Procedures.

(A) The party requesting a full or partial transcript of a trial or other proceeding shall file the written request with the Office of the District Court Administrator. A transcript request form is available in the District Court Administrator's Office or on the website: centrecountypa.gov

(B) Upon receipt of a transcript request, the Court Reporter shall provide a written estimate of the cost of preparing the transcript in accordance with the fee schedule set forth in paragraph (G) of this Rule. The party ordering the transcript shall make full advanced payment of the estimated cost. All checks shall be made payable to "County of Centre", and shall be delivered to the Court Administrator's Office.

(C) The requesting party shall serve copies of the request upon opposing counsel or the opposing party if the party is unrepresented.

(D) Upon completion of the transcript, the District Court Administrator shall notify the requesting party of any balance owed above the estimated cost.

(E) The completed transcript shall be released to the party ordering the transcript upon payment of any balance owed above the estimated cost.

(F) Transcript fees will be distributed by the District Court Administrator to the Court Reporter who transcribed the notes of testimony.

(G) The costs payable by a requesting party, other than the Commonwealth, or a subdivision thereof (see paragraph (H) below), for a transcript in electronic format shall be:

- a. Ordinary transcript—\$2.50/page
- b. Expedited transcript—\$3.50/page
- c. Daily transcript—\$4.50/page
- d. Same day delivery transcript—\$6.50/page

When the transcript is prepared in bound paper format, the costs shall be as shown above, related to electronic format, plus a surcharge of \$0.25/page.

(H) If the Commonwealth, or a subdivision thereof, requests a transcript, there shall be no fee charged.

(I) The trial judge may impose a reasonable surcharge in unusually complex cases.

(J) The fees set forth herein are the maximum costs that may be charged to litigants or the public.

[Pa.B. Doc. No. 17-617. Filed for public inspection April 14, 2017, 9:00 a.m.]

CENTRE COUNTY

Local Rule—4009 Court Reporting and Transcripts—Fees and Procedures; No. 2017-0002 Civil Misc.

Order

And Now, this 22nd day of March, 2017, it is hereby *Ordered* that, effective January 1, 2017, Centre County Local Rule 4009 is hereby established to implement the local rule requirements set forth in Pa.R.J.A. No. 4009.

The Centre County District Court Administrator is *Directed* as follows:

- (1) File one (1) copy of the Administrative Order with the Administrative Office of Pennsylvania Courts.
- (2) Distribute two (2) copies and CD-ROM of the Administrative Order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- (3) Send one (1) certified copy to the Centre County Law Library and the editor the *Centre County Legal Journal*.
- (4) Publish a copy of the Administrative Order on the website of Centre County.
- (5) Thereafter, compile the Administrative Order within the complete set of local rules no later than thirty (30) days following the publication in the *Pennsylvania Bulletin*.

It is further *Ordered* that a copy shall be kept continuously available for public inspection and copying in the Office of the Prothonotary of Centre County.

By the Court

THOMAS KING KISTLER,
President Judge

[Pa.B. Doc. No. 17-618. Filed for public inspection April 14, 2017, 9:00 a.m.]

DAUPHIN COUNTY

Accelerated Rehabilitation Disposition (ARD) Reapplication Fee; AO-05-2017; 0010-05-MD-2017

Administrative Order

And Now This 27th day of March, 2017, if a case is continued from the scheduled ARD court session at the request of the applicant which is not fourteen (14) or more days prior to the scheduled court date, the applicant will be assessed a reapplication fee in the amount of \$75.00 unless waived by the Court.

By the Court

RICHARD A. LEWIS,
President Judge

[Pa.B. Doc. No. 17-619. Filed for public inspection April 14, 2017, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Mikel Peter Eggert (# 90772), having been disbarred in the State of Texas, the Supreme Court of Pennsylvania issued an Order on March 30, 2017, disbaring Mikel Peter Eggert from the Bar of this Commonwealth, effective April 29, 2017. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 17-620. Filed for public inspection April 14, 2017, 9:00 a.m.]