

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[204 PA. CODE CH. 215]

Special Independent Prosecutor's Panel

Under 18 Pa.C.S. § 9311(a) (relating to the selection of the special independent prosecutor's panel), the Court Administrator of Pennsylvania was required to determine and supervise the procedure for selecting members of the panel. Act 131 of 2016 repealed Chapter 93 of Title 18, and thus, 204 Pa. Code Ch. 215 is reserved.

THOMAS B. DARR,
Court Administrator of Pennsylvania

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 215. [SPECIAL INDEPENDENT PROSECUTORS PANEL] (Reserved)

§ 215.1. [Special Independent Prosecutor's Panel] (Reserved).

[(a) Under 18 Pa.C.S. § 9311(a) (relating to selection of special independent prosecutor's panel), the Court Administrator of Pennsylvania is required to determine and supervise the procedure for selecting members of the panel.

(b) In accordance with 18 Pa.C.S. § 9311(a), a panel composed of one judge of the Commonwealth Court and two judges of the Courts of Common Pleas were chosen at random. The judges selected were: the Honorable Rochelle S. Friedman of Commonwealth Court, the Honorable Paul W. Tressler of Montgomery County Court of Common Pleas, and the Honorable Donald E. Machen of Allegheny County Court of Common Pleas.

(c) In accordance with § 9319(a), the Special Independent Prosecutor's Panel appointed Anthony M. Mariani, Esquire as independent counsel on February 4, 1999.

(d) In accordance with § 9319(a), the Special Independent Prosecutor's Panel appointed Anthony M. Mariani, Esquire as independent counsel on June 25, 1999 in an additional matter docketed at 1 I.C. 1998.

(e) In accordance with § 9319(a), the Special Independent Prosecutor's Panel appointed William F. Manifesto, Esquire as independent counsel on July 21, 1999 in a matter docketed at 1 I.C. 1999.

(f) Upon consideration of the Application for Appointment of Independent Counsel filed by Robert J. DeSousa, Esquire, Special Investigative Counsel for Preliminary Investigation No. 1 of 2000, the Application is granted and Carol A. Sweeney, Es-

quire is appointed as Independent Counsel pursuant to Section 9315(a)(2) of the Independent Counsel Authorization Act, Act of February 18, 1998, P.L. 24, No. 19.]

[Pa.B. Doc. No. 17-1606. Filed for public inspection September 29, 2017, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Service of Petitions Filed Pursuant to the Municipal Claims and Tax Liens Act; Administrative Doc. No. 03 of 2017

Order

And Now, this 11th day of September, 2017, in order to ensure that appropriate notice of Sheriff Sale of real estate pursuant to the Municipal Claims and Tax Lien Act is given, it is hereby *Ordered* that effective with Petitions filed on and after January 2, 2018, the City of Philadelphia shall:

1) include as part of the Petition an Order substantially as follows as Exhibit 1.

2) as required by 53 P.S. § 7193.2(a)(2), serve a copy of the Petition and the Order issued by the Court by first class mail on the Respondent(s) to the address(es) registered as required by 53 P.S. § 7193.1(a)(1).

3) as provided in 53 P.S. § 7193.2(a)(1), post a true and correct copy of the Petition and Order issued by the Court on the most public part of the property as required by 53 P.S. § 7193.2(a)(1).

4) file an "Affidavit of Posting," substantially as follows as Exhibit 2, identifying the location on the premises where the Petition and this Order were posted and attaching date-and-time-stamped color photographs which display the posting as well as the location of the posting and establish that the said posted location is on the most public part of the premises accessible to the public.

This Administrative Order is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1. As required by Pa.R.J.A. 103(d), this Administrative Order and the following forms were submitted to the Supreme Court of Pennsylvania Civil Procedural Rules Committee for review, and written notification has been received from the Rules Committee certifying that the provisions of this order and following forms are not inconsistent with any general rule of the Supreme Court. This Administrative Order and the following forms shall be filed with the Office of Judicial Records (formerly the Prothonotary, Clerk of Courts and Clerk of Quarter Sessions) in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified copies of this Administrative Order and the following forms, as well as one copy of the Administrative Order and following forms shall be distributed to the Legislative Reference Bureau on a com-

puter diskette for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order and following forms shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://courts.phila.gov>, and shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order and following forms shall also be published in *The Legal Intel-*

ligencer and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

By the Court

HON. JACQUELINE F. ALLEN,
*Administrative Judge, Trial Division
Court of Common Pleas
Philadelphia County*

Exhibit 1

**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION—CIVIL**

City of Philadelphia : _____ TERM, 201 ____
 :
 vs. : No. _____
 :
 Respondent : OPA:

ORDER

AND NOW, this _____, upon consideration of the Petition filed in connection with this matter, a rule is issued upon the Respondent to show cause why the following property:

[ADDRESS OF PROPERTY]

should not be sold free and clear of all liens and encumbrances, and it is hereby ORDERED as follows:

1. As provided in 53 P.S. § 7193.2(a)(1), Petitioner shall post a true and correct copy of this Order and the Petition on the most public part of the above property. The Petitioner shall file an Affidavit of Posting, in the attached format, identifying the location on the premises where the Petition and this Order were posted and attaching date-and-time-stamped color photographs which display the posting as well as the location of the posting and establish that the said posted location is on the most public part of the premises accessible to the general public;
2. As provided in 53 P.S. § 7193.2(a)(2), Petitioner shall serve a copy of this Order and the Petition, by first class mail on the Respondent(s) to the address(es) registered as required by 53 P.S. § 7193.1(a)(1);
3. Petitioner shall file the required Affidavit(s) of service and Proof(s) of Service with the Office of Judicial Records before the hearing date;
4. Respondent(s) shall have fifteen (15) days from the date of service to file a Response to the Petition; and
5. A hearing to determine whether service has been effectuated as ordered, and whether the relief requested ought to be granted is scheduled for _____ at 9:00 am in Courtroom 676 City Hall, Philadelphia. PA. In the event the Respondent(s) do(es) not appear, the Court shall proceed with the hearing or may appoint a Master who shall review the proof(s) of service and affidavit(s) of service and shall report to the Court whether service was effectuated as ordered and whether a Response to the petition was filed by the Respondent as ordered. The Court shall then issue an appropriate order.

BY THE COURT:

SUPERVISING JUDGE
TRIAL DIVISION-CIVIL

Exhibit 2

**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION—CIVIL**

City of Philadelphia : _____ TERM, 201 ____
 :
 vs. : No. _____
 :
 Respondent : OPA:

AFFIDAVIT OF POSTING
(Attach additional Pages as Necessary)

ADDRESS OF PROPERTY POSTED: _____
DOCUMENTS POSTED: Petition Filed: _____ Order Dated: _____

DESCRIBE SPECIFIC LOCATION & MANNER OF POSTING WITHIN THE PROPERTY:
(The Petition and Order must be posted on most public part of property accessible to the general public)

DATE AND TIME POSTED: _____

NUMBER & DESCRIPTION OF DATE-TIME-STAMPED COLOR PHOTOGRAPHS: _____

Name of Process Server: _____

Business Address: _____

Phone Number: _____ Email: _____

I, the undersigned, being duly sworn according to law, depose and say that I posted the documents as described above and that the photographs accurately depict the posting. I verify that the facts herein set forth are true and correct to the best of my knowledge, information, and belief. This statement is being made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Signature of Process Server DATE _____

[Pa.B. Doc. No. 17-1607. Filed for public inspection September 29, 2017, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Local Rules of Civil Court; MsD No. 17-40210

Administrative Order of Court

And Now, this 12th day of September, 2017, it is hereby ordered and decreed that Local Rules of Court listed as follows pertaining to Butler County Court of Common Pleas Civil Court Division, are hereby amended:

- L205.2(b) Cover Sheet
- L1141(b) Consumer Credit or Residential Mortgage Foreclosure Program
- L1143 Commencement of Consumer Credit or Mortgage Foreclosure Action
- L1302 Appointment of Arbitrators
- L5001(e) Post Status Conference Order
- L5004(a) Settlement

These amendments are effective thirty days after publication of this notice and the within Amendments to Local Rules in the *Pennsylvania Bulletin*.

The Court directs the Court Administrator to:

1. File one paper copy of this Administrative Order and the within Local Rules of Civil Procedure with the Administrative Office of the Pennsylvania Courts.
2. File two paper copies of this Administrative Order and the within Local Rules of Civil Procedure and one (1) diskette/CD with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*
3. Forward one (1) copy of this Administrative Order and the within Local Rules of Civil Procedure to the administrative office of the *Butler County Legal Journal* for publication.
4. Publish this Local Rule on the Butler County Courts website.
5. File one copy of this Local Rule with the Butler County Prothonotary's office for public inspection and copying.

By the Court

THOMAS J. DOERR,
President Judge

LOCAL RULES OF CIVIL PROCEDURE

Rule L205.2(b). Cover Sheet.

All complaints in civil action filed at the office of the Butler County Prothonotary shall be accompanied with a cover sheet which in substance is similar to the following:

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA CIVIL ACTION

Plaintiff, Case No.

v.
Defendant.

Type of Document: Complaint in Civil Action

If this is a Complaint, designate whether the case is subject to Compulsory Arbitration (jurisdictional amount \$35,000) or not.

- amount in controversy does not exceed \$35,000
- amount in controversy exceeds \$35,000
- issues in case are not subject to Compulsory Arbitration

Does this complaint involve consumer credit card collection Y N
 Does this complaint involve residential mortgage foreclosure proceedings Y N

Filed on behalf of _____ (Plaintiff / Defendant)
 Counsel of record for this party _____ (Name of attorney primarily responsible)
 Supreme Court I.D. No. _____

 _____ (Firm Name, if any)
 _____ (Address)
 _____ (Phone)
 _____ (Fax Number)
 _____ (E-Mail Address)

Rule L1141(b). Consumer Credit or Residential Mortgage Foreclosure Program.

In consumer credit or residential mortgage foreclosure proceedings, local procedural requirements shall apply to accomplish the implementation of the Consumer Credit or Residential Mortgage Foreclosure Diversion Program. Local rules affected in relation to residential mortgage foreclosure proceedings are as follows:

- | | |
|----------------------|---------------------------|
| L402 | L1143.1(a)(b)(c)(d)(e)(f) |
| L1034(a) | L3129.1 |
| L1025(a) | L3256 |
| L1143(a)(b)(c)(d)(e) | |

Rule L1143. Commencement of Consumer Credit or Mortgage Foreclosure Action.

(a) In all consumer credit and residential mortgage foreclosure actions, the complaint shall include a "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program" in the format set forth in below.

Date of Service: _____
 Manner of Service: _____
 By: _____

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA

Plaintiff(s)
 vs. AD No. Defendant(s)

NOTICE OF CONSUMER CREDIT/RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM PURSUANT TO BUTLER COUNTY LOCAL RULE OF CIVIL PROCEDURE L-1143 AND L3129.1

A Complaint in Consumer Credit or Residential Mortgage Foreclosure has been filed with the Court that could cause you to lose your assets or home.

You may be able to participate in a court-supervised conciliation conference in an effort to resolve this matter with your lender.

If you do not have an attorney, you must take the following steps to be eligible for and to remain in the program. First, within ten (10) days of the date noted above, you must contact the Butler County Consumer Credit/Residential Mortgage Foreclosure Diversion Program information line at 724-431-0081. You must schedule and attend either group mortgage assistance program or credit assistance program, as instructed. These classes are available to you at NO CHARGE. Attendance at one of these classes is mandatory for your continued participation in the Court Conciliation program.

After attending the class, a housing or credit counselor may be available to work with you to review your finances and attempt to work with your lender to try to resolve the claims in this lawsuit. Eligibility for counseling is based upon financial guidelines, which will be discussed at the group class. If you are scheduled to meet with a counselor, you must

appear and you must provide the counselor with all requested financial information so that a loan resolution proposal can be prepared on your behalf. If you are not eligible for counseling, you will receive further instructions during the class concerning your obligation to communicate with the lender.

If you are represented by a lawyer, it is not necessary for you to call the information line. However, you and your attorney are responsible to communicate with the lender in advance of the conciliation conference.

To obtain admission to the Consumer Credit/Residential Mortgage Foreclosure Diversion Program, you or your attorney must complete a Request For Conciliation Conference form as provided at Butler County Local Rule L-1143(b), file the same with the Prothonotary, and serve a copy of said Request, by mail to the Plaintiff's address set forth below.

For further information you may also go to www.co.butler.pa.us or www.butlercountypabar.org/credit-crunch-program or call the Butler County Bar Association at 724-841-0130

IF YOU WISH TO PARTICIPATE IN THIS DIVERSION PROGRAM, YOU MUST ACT QUICKLY AND TAKE THE STEPS REQUIRED BY THIS NOTICE. THIS PROGRAM IS FREE.

Plaintiff must complete:

DISCLOSURE OF PLAINTIFF CONTACT INFORMATION

(person authorized to discuss case status and resolution options with the Defendant and/or the Defendant's representative)

Name: _____

Address: _____

Phone number: _____

Fax number: _____

Email: _____

(b) To participate in the Consumer Credit or Residential Mortgage Foreclosure Diversion Program the defendant/borrower or his/her legal counsel shall follow Butler County Local Rule of Civil Procedure 1143.1 program requirements and file a Request for Conciliation Conference in the format set forth below. The Request for Conciliation Conference shall be filed with the Prothonotary within thirty 30 days of service of the Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program and shall be served upon the plaintiff/lender.

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA

Plaintiff(s)

vs.

AD No.

Defendant(s)

REQUEST FOR CONCILIATION CONFERENCE (Butler County Local Rule of Civil Procedure L-1143(b))

Pursuant to the local rules governing the Butler County Consumer Credit or Residential Mortgage Foreclosure Diversion Program, the undersigned hereby certifies as follows:

- 1. This action involves consumer credit, or the Defendant is the owner of the residential property if this is a mortgage foreclosure action; and
2. If a residential mortgage foreclosure action, Defendant physically lives in the subject property, which is defendant's primary residence; and
3. Defendant has been served with a "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program" and
a. If Defendant is self-represented:
(1) Defendant is scheduled to attend the _____(date) mortgage or credit assistance class as instructed by the Butler County Consumer Credit/Residential Mortgage Foreclosure Diversion Program information line; and
(2) Defendant will attend any follow up conference scheduled with the credit or housing counselor after the mortgage or credit assistance class; and
(3) Defendant will personally attend the court conciliation conference as scheduled by the Court.

Or-

b. If Defendant is represented by counsel:

- (1) I _____ am legal counsel of record for the Defendant.

The undersigned verifies that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unworn falsification to authorities.

Signature of Defendant/Defendant's Counsel

Person who Plaintiff should contact to discuss status of case and options to resolve:

Name _____ Office _____
 Relationship to Defendant _____ Address _____
 Phone _____ E-Mail _____
 Fax # _____

(c) Upon receipt of the Request for Conciliation Conference, the Court Administrator shall issue a case management order. Conciliation conferences shall be scheduled and conducted in conformity with Butler County Local Rule of Civil Procedure L-11431.1, et seq.

(d) Service of process. For complaints filed and served before November 2, 2009, the "Notice Of Consumer Credit or Residential Mortgage Foreclosure Diversion Program" may be served by certified mail to the record address of the Defendant or to Defendant's legal counsel of record, if any. The date of service shall be the date when the certified mail is delivered to Defendant or Defendant's counsel. However, if original service of the complaint has not been completed, service of the Notice shall be as per Butler County Local Rule of Civil Procedure L-402.

(e) Before any matter will be scheduled for consideration before the assigned judge or for arbitration, the plaintiff/lender must file an Affidavit, which discloses: the date and manner of service of the "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program"; whether or not the defendant/borrower has requested to participate in the Consumer Credit Residential Mortgage Foreclosure Diversion Program; and, whether or not there is a present, court-ordered stay in effect. The format for said Affidavit is set forth below.

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA

Plaintiff(s)

vs.

AD No.

Defendant(s)

AFFIDAVIT OF SERVICE AND STATUS OF CONSUMER CREDIT OR RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM

(Butler County Rule of Civil Procedure L-1143(e) and L-1034(a) 1 and L-1035.2(a)(1) and L-3129.1(b) and L-3256)

I, _____, counsel for Plaintiff, in the above action, do hereby certify that on _____ the Defendant(s) was served with the "Notice of Consumer Credit or Residential Mortgage Foreclosure Diversion Program by _____, and that:

(method of service and by whom)

- (1) 30 days have passed since service of the Notice;
- (2) The Defendant(s) has not filed a Request for Conciliation Conference (Butler County Local Rule of Civil Procedure L-1143b); or
- (3) If a Request for Conciliation Conference has been filed, there is no present Court ordered Stay in effect.

Respectfully submitted,

Date

Plaintiff Counsel

Rule L1302. List of Arbitrators. Appointment to Board.

(a) The Prothonotary of Butler County shall compile and maintain a list of persons eligible and willing to serve as arbitrators. This list shall be comprised of members of the bar actively engaged in the practice of law primarily in Butler County. "Actively engaged in the practice of law primarily in Butler County" is defined as attorneys who regularly maintain an office in Butler County for the practice of law. Persons who have been determined to be eligible shall file a written consent to serve as an arbitrator with the Prothonotary. Arbitrators shall be selected by the Prothonotary from those persons who have filed their consents to serve.

(b) If an arbitrator is not able to serve on his or her appointed date, said arbitrator shall secure a replacement arbitrator from the list of attorneys who have consented to serve. Said arbitrator shall notify Court Administration and the Prothonotary of the replacement. The Prothonotary shall appoint said substitute attorney to replace arbitrator. Should a vacancy on the board of arbitrators occur prior to the hearing for any reason, or should a member of the board fail to attend the hearing, a member of the board shall notify the Prothonotary who shall immediately vacate that appointment and make an appointment to fill that vacancy. Should a vacancy on the board of arbitrators occur after the hearing takes place, but before an award is signed by all arbitrators, or should a member of the board fail to or refuse to perform his or her duties, the award shall be signed and filed by the remaining members of the board. If the remaining members of the board are unable to agree, they shall notify the Prothonotary who shall appoint a third member. Thereafter the Court Administrator shall schedule a re-hearing for the new board, which shall thereafter file an award.

(c) The board shall be chaired by a member of the bar admitted to the practice of law for at least ten (10) years. Other members of the panel must have been admitted to the bar.

(d) Each member of the board of arbitrators who has been duly sworn to hear a case shall receive as compensation a fee in the amount set by the court from time to time by administrative order. In cases requiring hearings that exceed one

half (1/2) day, the arbitrators may petition the court for additional compensation, which the court may grant for cause shown. The arbitrators shall be entitled to receive their compensation fees as follows:

- (1) Following hearing, after filing the award with the Prothonotary as per Butler County L.R.C.P. L1306; or
- (2) If a continuance is requested after the date of posting of a hearing time for the case as per Butler County L.R.C.P. L1303(d), the arbitrators shall be paid from the funds paid by the continuing party as per Butler County L.R.C.P. L1304; or
- (3) If a case settles after the posting of a hearing time for the case as per Butler County L.R.C.P. L1303(d), but before the scheduled arbitration hearing, the arbitrators shall be paid by the county as per administrative order under Local Rule L1302(d) upon Order of Court that directs payment in the case.
- (a) When counsel agree upon terms for settlement, they shall notify the Court, in writing, as soon as possible such that the case can be removed from the Arbitration hearing list. Any case that is removed from the list after posting of the time for arbitration under Local Rule L1303(d) which does not settle of record, shall not be re-listed for Arbitration unless the arbitrators fees paid to the original Arbitration panel as per Local Rule L1303(e) are reimbursed to the County by counsel for the parties.

Compensation fees paid to arbitrators shall not be taxed as costs or follow the award as other costs.

(e) Upon the filing of the arbitrators' award, discontinuance by the parties after the swearing of the arbitrators, Order of Court continuing the case after posting of a hearing time as per Butler County L.R.C.P. 1303(d)(2), Order of Court removing the case from Arbitration based upon settlement of the case of record as per Butler County L.R.C.P. L1302(d)(3), or an award by the Court in accordance with Pa.R.C.P. No. 1303(b), the Prothonotary shall certify such filing to the Court and submit a statement for payment to the Office of the Court Administrator. The County shall thereupon pay the applicable fee to each member of the board of arbitrators.

(f) If an arbitrator fails in his or her duties, or the board of arbitrators fails to file an award promptly, as required by Pa.R.C.P. No. 1306, the result will be the forfeiture of the arbitrator's fee.

Rule L5001(e). Post Status Conference Order.

In the event the parties reach a tentative agreement at the time of the Conciliation Conference and formal approval of the taxing bodies is required prior to settlement, the Court will enter an order in the following format:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

_____)	
(NAME OF APPELLANT))	
From the Butler County Board of)	Case No.: _____
Assessment Appeal)	
Tax ID No. _____)	

School District: _____

Municipality: _____

Property of: _____

Property Address: _____

Intervenor: _____

ORDER

AND NOW, this _____ day of _____, at the time scheduled for a Status Conference in the above matter, Counsel have arrived at terms for tentative comprehensive settlement of this tax assessment appeal. However, approval of various governing boards is necessary. Counsel shall provide this Court with a status report on or before _____. Thereafter, a further Order will issue.

BY THE COURT:
_____ J

Rule L5004. Settlement.

(a) *Settlement.* When counsel agree upon terms for settlement, they shall notify the Court, in writing, in the following format, as soon as possible such that the case can be removed from the hearing list:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

(NAME OF APPELLANT)
From the Butler County Board of Assessment Appeal
Tax ID No.

Case No.:

School District:
Municipality:
Property of:
Property Address:
Intervenor:

STIPULATION TO SETTLE

WHEREAS, the Appellant(s) filed an appeal to this Honorable Court of the assessment set for the above referenced property by the Board of Assessment Appeals of Butler County.

WHEREAS, based upon the risk and hazards of litigation, the parties have decided that it is in their best interest to settle the above-captioned matter based upon the terms and conditions outlined in this Stipulation to Settle.

NOW, THEREFORE, the undersigned, intending to be legally bound and to bind their respective clients, agree to the following settlement.

After further review by all parties, it was agreed the assessment shall be as follows:

- 1. Commencing on ... for the County and Township taxes, and ... for the School taxes, the assessment shall be set based on a fair market value of \$... and an assessed value of \$... for tax year ...
2. In determining the assessed value of the property, the County Assessment Office shall use a Common Level Ratio of ... %
3. The parties agree that the Court should enter an Order in the form attached setting the assessed value as herein above set forth and ordering that the case be marked settled, discontinued, and ended.
4. The Appellant shall pay the appropriate fee, payable to the Prothonotary of Butler, for the discontinuance of this action. Payment shall accompany the filing of this stipulation.
5. If the docket is not settled within ten (10) days of the settlement date set forth in this Stipulation, Appellant shall appear as scheduled by the Court. Settlement of the docket shall cancel this hearing.
6. This Stipulation can be executed in counterparts.

Signature

[Pa.B. Doc. No. 17-1608. Filed for public inspection September 29, 2017, 9:00 a.m.]

LANCASTER COUNTY

Adoption of New Local Rule of Judicial Administration 520 Governing the Case Documents Public Access Policy; CPJ. No. 7, Page 1357; No. 12 AD 2017

Administrative Order

And Now, this 15th day of September 2017, it is hereby

Ordered, that the Lancaster County Court of Common Pleas adopts Local Rule of Judicial Administration 520 governing the Case Documents Public Access Policy for the 2nd Judicial District to become effective January 6, 2018.

The Lancaster 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 Lancaster County Court website at www.court.co.lancaster.pa.us.
4. Incorporation of the local rule into the set of local rules on www.court.co.lancaster.pa.us within thirty (30) days after the 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

DENNIS E. REINAKER, President Judge

LOCAL RULES OF JUDICIAL ADMINISTRATION**Rule 101. Title and Citation.**

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

Adopted 10-18-16 Effective 1-1-17

Rule 520. Case Documents Public Access Policy.**A. Establishment**

Pursuant to the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Court at Title 204. Chapter 213, this rule is adopted to define the policy to be followed by this Court.

B. Election of Policy

In compliance with Section 7, this Court elects subsection C. Parties will be required to file in all filing offices under its jurisdiction two versions of any document, a "Redacted Version" and an "Unredacted Version."

Adopted 7-1-17 Effective 1-6-18

[Pa.B. Doc. No. 17-1609. Filed for public inspection September 29, 2017, 9:00 a.m.]

LANCASTER COUNTY**Amendment of Local Rules of Civil Procedure;
CI-17-00765****Administrative Order**

And Now, this 13th day of September 2017, it is hereby Ordered that the following Local Rules of Civil Procedure of the Court of Common Pleas of the 2nd Judicial District of Pennsylvania, Lancaster County, are amended as indicated, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Lancaster County District Court Administrator is Ordered 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 Lancaster County Court website at www.court.co.lancaster.pa.us.

4. Incorporation of the local rule into the set of local rules on www.court.co.lancaster.pa.us within thirty (30) days after the 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

DENNIS E. REINAKER,
President Judge

Rule 205.4. Electronic Filing and Service of Legal Papers.

A. "Electronic Service" (e-service) means the electronic transmission of documents to a party, attorney or repre-

sentative under these rules. Electronic service does not include service of process or summons to gain jurisdiction over persons or property.

1. Civil Actions filed in the Court of Common Pleas of Lancaster County may be filed by electronic filing or eFiling. Also, parties may electronically serve other Advanced File & Serve registered users of the system.

2. *Registration.* Any person intending to use eFile must register with File and Serve Express (FileandServeExpress.com).

B. Form of Documents Electronically Filed.

1. *Format.* To the extent practicable it shall be formatted in accordance with the applicable rules governing formatting of paper documents, and in such other and further format as the Court may require from time to time. A document may exceed page limitation rules to a maximum of two (2) additional pages when the additional pages are attributed to the electronic conversion of filing process. The eFile system will automatically convert any filing to PDF format, but the original format will be available for downloading. The official record of the court is the PDF version.

2. *Title of Documents.* The title of each electronically filed document shall include: (1) Party or parties filing the document; (2) Descriptive title of the document; (3) Party or parties against whom relief, if any, is sought, and (4) Nature of the relief sought (e.g. Defendant ABC Corporation's Motion for Summary Judgment Against Plaintiff Jones).

3. Signature.

a. Each electronically filed document shall be deemed to have been signed by the attorney or party represented by an attorney authorizing such filing and shall bear a facsimile or typographical signature of such person, e.g. "/s/Adam Attorney". Each document eFiled by an attorney shall also include the typed name, address, and telephone number of the attorney or unrepresented party filing such document. Attorneys shall include their Pennsylvania bar number. Each electronically filed declaration and affidavit shall be deemed to have been signed by the declarant or affiant if an attorney or party not represented by an attorney has authorized such filing. Documents containing signatures of third-parties (i.e., unopposed motions, affidavits, stipulations, etc.) may also be filed electronically by indicating in the original signatures are maintained by the filing party in paper-format.

b. The electronic filing of a legal paper constitutes a certification by the filing party that the original hard copy was properly signed and, where applicable, verified; and a certification as provided by the signature to a legal paper under Pa.R.C.P. 1023(b), the violation of which shall be subject to the sanction provided in Pa.R.C.P. 1023(c). The filing party shall maintain the original hard copy of the document filed. Any other party at any time may require the filing party to file the original hard copy by filing with the Prothonotary and serving upon the filing party a notice to file the original hard copy with the Prothonotary within fourteen days of the filing of the notice.

4. Filing Related Documents.

a. Pleadings seeking judicial action such as Proposed Orders shall be filed separately.

b. Documents may be filed in electronic form, except that paper copies of any legal paper required by court rule or statute to be in paper form shall also be filed in

the form required. In the case of original process filed to commence an action, the filing party shall provide a sufficient number of paper copies of an electronically filed document in order to permit service by the Sheriff.

C. Public Access to the Docket.

1. The Prothonotary shall make a Public Access Terminal available to the general public to allow access to the Court's electronic case record in all eFiled cases. Copies made from the Court's electronic case records system shall be printed by the Prothonotary and copying fees will be charged in accordance with the Prothonotary's usual fee schedule.

D. Filing Fees.

1. Filing fees will be billed by File and Serve Express using the billing arrangements established through the File and Serve Express registration process.

2. Filing fees billed by File and Serve Express shall include Prothonotary's statutory filing fees.

E. Sealed Documents.

1. Documents intended to be filed under seal shall be designated by the filing party as "sealed" in the eFile system.

2. The filing details and document title will appear in the eFile system. The document can be viewed only by the Court, the Prothonotary staff, the filer, and those case participants who received service of that particular document. A party that was not served with the document can see only the document title in the case details, however, that party is not able to open or view the document.

F. Time of eFiling and eService

1. Any document filed electronically by 11:59 p.m. ET shall be considered eFiled with the court once the transmission is successfully completed ("authorized date and time") as recorded on the File and Serve Express System.

2. Delivery of e-service documents through File and Serve to other registered users shall be considered as valid and effective service and shall have the same legal effect as an original paper document. Recipients of e-service documents shall access their documents through the File and Serve system.

3. For the purpose of computing time to respond to documents received via e-service, any document served on a day or at a time when the court is not open for business shall be deemed served at the time of next opening of the court for business.

4. Parties who register to use File and Serve Express consent to receive e-service documents, other than service of subpoenas or summons.

G. Obligation of Registered eFile Users to Maintain Proper Delivery Information

Parties or attorneys who register to use the File & Serve system shall notify File and Serve Express within ten (10) days of any change in firm name, delivery address, fax number or e-mail address.

Revised 7-12-17 Effective 10-30-17

Rule 208.3(a). Procedure for Disposition of Motion.

A. Praeceptum for Disposition. Motions will be sent to the assigned judge for disposition upon completion of the briefing schedule pursuant to L.C.R.C.P. No. 208.3(b) below or by praecipe of any party, unless the parties agree to extend the briefing schedule. If the parties agreed to extend the briefing schedule, the parties shall

file a Notice of Extension of Briefing Schedule setting forth the agreed upon extension. The motion(s) at issue will be sent to the assigned judge for disposition upon completion of the agreed upon briefing schedule or by praecipe of any party.

B. Oral Argument. Any party may request oral argument by filing a praecipe at the time a brief is filed pursuant to Local Rule 208.3(b)A., B., or C.

C. Emergency Motions. Emergency motions must be presented to the assigned judge, or in the assigned judge's absence the business judge who will advise the parties how to proceed.

Revised 7-12-17 Effective 10-30-17

Rule 1028(c). Preliminary Objections.

A. Preliminary Objections Pursuant to Pa.R.C.P. No. 1028(a)(2), (3) or (4).

1. *Proposed Order.* All preliminary objections shall be accompanied by a proposed order.

2. *Stipulated Matters.* If the parties agree to the relief sought, the preliminary objections shall be accompanied by a stipulation signed by all affected counsel or unrepresented parties, a proposed order and a praecipe to assign the stipulated matter for disposition.

3. *Brief.* The party filing preliminary objections shall file a supporting brief within ten days of the date of filing of the preliminary objections. If a supporting brief is not filed within ten days of the filing of the preliminary objections, the preliminary objections shall be deemed withdrawn upon praecipe of the respondent. In that event, the objecting party shall file an answer to the complaint within twenty days of the date the praecipe is filed.

4. *Responsive Brief.* If a supporting brief is filed, the respondent shall file a responsive brief within twenty days after service of the supporting brief.

5. *Reply Brief.* The moving party may file a reply brief within five days after service of the responsive brief.

6. *Assignment.* After all briefs are filed the Prothonotary shall deliver the file to the assigned judge for disposition.

7. *Oral Argument.* Any party may request oral argument by filing a praecipe at the time of the filing of their brief. Oral argument shall be at the discretion of the judge.

B. Preliminary Objections Pursuant to Pa.R.C.P. No. 1028(a)(1), (5) or (6).

C. If the parties agree to extend the briefing schedule, the parties shall file a Notice of Extension of Briefing Schedule setting forth the agreed upon extension. The Objection(s) at issue will be sent to the assigned judge for disposition upon completion of the agreed upon briefing schedule or by praecipe of any party.

Any party filing preliminary objections pursuant to Pa.R.C.P. No. 1028(a)(1), (5) or (6) shall attach a notice to plead. Such objections are governed by Local Rules 206.1(a), 206.4(c) and 206.7.

Revised 7-12-17 Effective 10-30-17

Rule 1301. Compulsory Arbitration. Scope.

A. All civil suits or actions and landlord tenant disputes, where the amount in controversy is \$50,000.00 or less, when at issue, shall first be submitted to arbitration. In all landlord tenant disputes where the amount of

alleged damages in controversy is \$50,000 or less, the arbitrators may award possession of the property in addition to any damages proven.

B. This Rule shall not apply to cases involving title to real estate, cases which have been consolidated for trial with cases involving more than \$50,000.00 or cases requiring equitable or declaratory relief.

C. A case is at issue 120 days after the filing of the answer.

D. When the case is at issue, the Prothonotary shall notify the District Court Administrator.

Revised 7-12-17 Effective 10-30-17

[Pa.B. Doc. No. 17-1610. Filed for public inspection September 29, 2017, 9:00 a.m.]

LANCASTER COUNTY

Amendment of Rule 507 of Local Rules of Criminal Procedure; C.P.J. No. 7, Page 1357; No. 11 AD 2017

Administrative Order

And Now, this 12th day of September 2017, it is hereby Ordered, to be effective 30 days after publication in the *PA Bulletin*, the Lancaster County Court of Common Pleas adopts the following local rules governing amendment of Rule 507 for the 2nd Judicial District.

The Lancaster County District Court Administrator is Ordered 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 Lancaster County Court website at www.court.co.lancaster.pa.us.

4. Incorporation of the local rule into the set of local rules on www.court.co.lancaster.pa.us within thirty (30) days after the 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

DENNIS E. REINAKER,
President Judge

L.C.R.Crim.P. No. 507. Approval of Police Complaints and Arrest Warrant Affidavits by the Attorney for the Commonwealth—Local Option.

The District Attorney, having filed a certification pursuant to Pa.R.Crim.P. 507, criminal complaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedure, charging the crimes listed below, shall not hereafter be accepted by any judicial officer, unless the complaints and affidavits have the approval of an attorney for the Commonwealth before filing:

A. Criminal Homicide in violation of 18 Pa.C.S.A. Section 2501;

B. Murder in any degree in violation of 18 Pa.C.S.A. Section 2502;

C. Voluntary Manslaughter in violation of 18 Pa.C.S.A. Section 2503;

D. Involuntary Manslaughter in violation of 18 Pa.C.S.A. Section 2504;

E. Homicide by Vehicle in violation of 75 Pa.C.S.A. Section 3732;

F. Homicide by Vehicle While Driving Under Influence in violation of 75 Pa.C.S.A. Section 3735;

G. Rape in violation of 18 Pa.C.S.A. Section 3121;

H. Statutory Sexual Assault in violation of 18 Pa.C.S.A. Section 3122;

I. Involuntary Deviate Sexual Intercourse in violation of 18 Pa.C.S.A. Section 3123;

J. Aggravated Indecent Assault in violation of 18 Pa.C.S.A. Section 3125;

K. Sexual Assault in violation of 18 Pa.C.S.A. Section 3124.1;

L. Crimes Against Unborn Child in violation of 18 Pa.C.S.A. Chapter 26;

M. Arson in violation of 18 Pa.C.S.A. Section 3301;

N. Obscene and Other Sexual Materials in violation of 18 Pa.C.S.A. Section 5903;

O. Violation of the Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. Section 780-113(30) (Delivery or Possession with Intent to Deliver a Controlled Substance); and

P. Cruelty to Animals in violation of any offense listed in any section or subsection of 18 Pa.C.S.A. Sections 5533, 5534, 5535, 5536, 5539, 5542, 5543, 5544, 5548 and 5549.

[Pa.B. Doc. No. 17-1611. Filed for public inspection September 29, 2017, 9:00 a.m.]

ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

Selection of Special Independent Prosecutor's Panel

Under 18 Pa.C.S. § 9511(a) (relating to organization of panel), the Court Administrator of Pennsylvania is required to determine and supervise the procedure for selecting members of a Special Independent Prosecutor's Panel (Panel).

Through a random process conducted in accordance with the statute, the Court Administrator has chosen a Panel composed of one judge of the Superior Court of Pennsylvania and two judges of the Courts of Common Pleas. The judges selected include: the Honorable Judith Ference Olson, Judge of the Superior Court; the Honorable Robert J. Mellon, Judge of the Court of Common Pleas of Bucks County; and the Honorable Dominic F. Pileggi, Judge of the Court of Common Pleas of Delaware County.

As provided by 18 Pa.C.S. § 9511(b), the members of the Panel serve terms of three years. The terms of each member of the Panel commenced with the final selection of the Panel on September 11, 2017.

The Prothonotary of the Superior Court of Pennsylvania serves as the clerk of the Panel. *See* 18 Pa.C.S. § 9511(e).

THOMAS B. DARR,
Court Administrator of Pennsylvania

[Pa.B. Doc. No. 17-1612. Filed for public inspection September 29, 2017, 9:00 a.m.]
