

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 83]

Amendment of Rule 219 of the Pennsylvania Rules of Disciplinary Enforcement; No. 163 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 29th day of June, 2018, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; the proposal having been published for comment in the *Pennsylvania Bulletin*, 48 Pa.B. 1270 (March 3, 2018):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 219 of the Pennsylvania Rules of Disciplinary Enforcement is amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 219. Annual registration of attorneys.

* * * * *

(k) *Administrative Change in Status From Administrative Suspension to Inactive Status:* An inactive attorney who has been administratively suspended for failure to file the annual form and pay the annual fee required by subdivision (j)(1) of this rule, may request an administrative change in status form from the Attorney Registration Office. The form must be filed by mail or delivered in person to the Attorney Registration Office and said Office shall change the status of an attorney eligible for inactive status under this subdivision upon receipt of:

- (1) the annual form required by subdivision (d);
- (2) payment of the annual fee required by subdivision (j)(1);

(3) payment of the annual fee that was due in the year in which the attorney was administratively suspended;

[(3)] (4) payment of all collection fees and late payment penalties assessed under subdivisions (d)(2) and (f); and

[(4)] (5) payment of an administrative processing fee of \$100.00.

* * * * *

[Pa.B. Doc. No. 18-1065. Filed for public inspection July 13, 2018, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 5]

Proposed Amendment of Pa.R.Crim.P. 587

The Criminal Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the amendment of Rule 587 (Motions for Dismissal) for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published 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 and underlined; deletions to the text are bolded and bracketed.

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

Jeffrey M. Wasileski, Counsel
Supreme Court of Pennsylvania
Criminal Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
Harrisburg, PA 17106-2635
fax: (717) 231-9521
e-mail: criminalrules@pacourts.us

All communications in reference to the proposal should be received by no later than Friday, August 31, 2018. 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 Criminal Procedural Rules Committee

BRIAN W. PERRY,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART G(1). Motion Procedures

Rule 587. Motion for Dismissal.

* * * * *

(B) *Double Jeopardy and Sections 109 through 111 of the Crimes Code*

(1) A motion to dismiss on double jeopardy grounds **or pursuant to Sections 109—111 of the Crimes Code, 18 Pa.C.S. §§ 109—111**, shall state specifically and with particularity the basis for the claim of double jeopardy **or of violation of Sections 109—111 of the Crimes Code, 18 Pa.C.S. §§ 109—111**, and the facts that support the claim.

* * * * *

Comment

Cf. Pa.R.J.A. 1901 concerning termination of inactive cases.

A motion filed pursuant to this rule must comply with the provisions of Rule 575 (Motions and Answers) and Rule 576 (Filing and Service by Parties).

In any case in which a summary offense is joined with a misdemeanor, felony, or murder charge, and therefore is part of the court case, a dismissal of the prosecution pursuant to paragraph (A)(1) would include the dismissal of the summary offense. *See* the Comment to Rule 502 (Instituting Proceedings in Court Cases).

Paragraph (B) was amended in 2018 to provide that this rule applies to motions to dismiss alleging a bar to prosecution under Sections 109–111 of the Crimes Code, 18 Pa.C.S. §§ 109–111. See Commonwealth v. Diggs, 172 A.3d 661 (Pa. Super. 2017).

“Hearing,” as used in paragraph (B)(2) includes the taking of testimony, or the hearing of argument, or both. *See* Rule 115 for the procedures for the recording and transcribing of the hearing.

* * * * *

Official Note: Rule 316 adopted June 30, 1964, effective January 1, 1965; amended June 8, 1973, effective July 1, 1973; amended February 15, 1974, effective immediately; renumbered Rule 315 and amended June 29, 1977 and November 22, 1977, effective as to cases in which the indictment or information is filed on or after January 1, 1978; Comment revised January 28, 1983, effective July 1, 1983; amended August 12, 1993, effective September 1, 1993; renumbered Rule 587 and amended March 1, 2000, effective April 1, 2001; amended March 3, 2004, effective July 1, 2004; Comment revised March 9, 2006, effective September 1, 2006; amended June 4, 2013, effective July 4, 2013; **amended , 2018, effective , 2018.**

Committee Explanatory Reports:

* * * * *

Final Report explaining the June 4, 2013 provisions of the new paragraph (B) concerning motions to dismiss on double jeopardy grounds published with the Court’s Order at 43 Pa.B. 3331 (June 22, 2013).

Report explaining the proposed amendment concerning the applicability of paragraph (B) to motions to dismiss based on 18 Pa.C.S. §§ 109–111 published for comment at 48 Pa.B. 4095 (July 14, 2018).

REPORT

Proposed Amendment of Pa.R.Crim.P. 587

Motions for Dismissal Pursuant to 18 Pa.C.S. §§ 109–111

The Committee received a suggestion to add a reference to Section 110 of the Crimes Code, 18 Pa.C.S. § 110, to Rule 587 (Motion for Dismissal) in light of the holding in *Commonwealth v. Diggs*, 172 A.3d 661 (Pa. Super. 2017). *Diggs* held that motions to dismiss pursuant to Section 110, which provides for compulsory joinder, should follow the procedure in Rule 587. In *Diggs*, the defendant was charged with a misdemeanor and several summary offenses. After he was tried on the summary offenses in the Philadelphia Traffic Court, the misdemeanor was listed for trial in the Philadelphia Municipal Court. The defen-

dant sought to have the misdemeanor dismissed pursuant to Section 110. On appeal from the denial of the motion, the Superior Court remanded the case to the lower courts for a determination of the factors required in Rule 587(B), holding that the procedures in Rule 587 applied to motions to dismiss alleging a violation of Section 110, and that Section 110 “embodies the same basic purposes as those underlying the double jeopardy clauses. . . .”

The Committee noted that there are several other related sections of the Crime Code to which the same rationale in *Diggs* could be applied. These are Sections 109, 111, and, possibly, 112. Collectively, these statutes bar prosecutions because of prior related prosecutions. Section 109 (When Prosecution Barred by Former Prosecution for the Same Offense), as the title states, bars instances of a second prosecution for the same occurrence under the same statute. According to the Official Comment to Section 109, the purpose of the section is to codify the rule that “a former conviction of the accused bars a later prosecution of him for the same offense.” Section 110 (When Prosecution Barred by Former Prosecution for Different Offense) prohibits a second prosecution for the same occurrence or conduct or criminal episode but under different statutes. In addition to codifying the constitutional doctrine of collateral estoppel, Section 110 also codifies the holding in *Commonwealth v. Campana*, 314 A.2d 854 (Pa. 1974) which created the compulsory joinder rule determined under the Court’s supervisory powers. Section 111 (When Prosecution Barred by Former Prosecution in Another Jurisdiction) bars a second prosecution for the same occurrence or conduct in a different jurisdiction. Section 111 provides that, when a defendant raises a non-frivolous *prima facie* claim that such a prosecution is barred, the Commonwealth must prove by a preponderance of the evidence that the “same conduct” is not involved, or that a statutory exception to the statutory bar on re-prosecution applies. *See Commonwealth v. Wetton*, 591 A.2d 1067 (Pa. Super. 1991), *aff’d* 641 A.2d 574 (Pa. 1994).

The Committee concluded that all three of these statutes should be incorporated into the procedures provided in Rule 587. Motions for dismissal based on these statutes therefore would require a hearing with the judge required to make findings of fact, including a specific finding as to frivolousness, and conclusions of law. If the judge finds that the motion is frivolous, the defendant has a right to file a petition for review of that determination within 30 days. If the judge denies the motion but does not find it frivolous, the denial is immediately appealable as a collateral order. The proposed changes would modify the title to paragraph (B) of Rule 587 and add the above statutory sections to be adjudicated pursuant to the procedures in paragraph (B)(1). The Comment would contain a cross-reference to *Diggs*.

The Committee was uncertain whether Section 112 should be included as well. Section 112 (Former Prosecution before Court Lacking Jurisdiction or When Fraudulently Procured by the Defendant) provides exceptions to Sections 109 to 111. In other words, even if Sections 109 through 111 barred a second prosecution, Section 112 would allow a second prosecution if the former prosecution was before a court lacking jurisdiction, was procured fraudulently to avoid a sentence, or if the former prosecution ending in a conviction which was held invalid in a subsequent proceeding.

The inclination of the Committee was not to include this Section in the rule since it seemed that it would not be the basis of a motion for dismissal but rather would be

raised as a defense to a motion for dismissal pursuant to Sections 109—111. However, the Committee wondered if there might be circumstances in which it would be helpful to apply the Rule 587(B) procedures to situations involving Section 112. The Committee therefore is seeking comment specifically on whether this Section should be included in the proposed amendments.

[Pa.B. Doc. No. 18-1066. Filed for public inspection July 13, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BLAIR COUNTY

Imposition of Supervision Fee Probation/Parole Supervision Fee Guidelines Establishment; 2018 MD 58

Adoption of Local Rule Imposing Supervision Fee and Probation/Parole Supervision Fee Guidelines Establishment

Order

And Now, this 27th day of June, 2018, it is Hereby Ordered and Decreed that the Blair County Court of Common Pleas adopts the following local rule governing the imposition of a Supervision Fee and Probation/Parole Supervision Fee Guidelines Establishment for the 24th Judicial District of the Commonwealth of Pennsylvania:

Rule of Judicial Administration

And Now, this 27th day of June, 2018, it is hereby ordered that the imposition of a monthly supervision fee of forty (\$40.00) dollars is hereby imposed on any offender in Blair County placed on probation, parole, A.R.D., P.W.O.V., or intermediate punishment, through standard or specialty Court, unless such fee is reduced, waived, or deferred by the Court at the time of sentencing. If such Judicial action is not taken, Fees will be assessed on the full term of supervision and, if paid in advance, shall not be refunded or applied to any other Court fee or charge if the term of supervision is terminated early for any reason.

The Blair County Treasurer shall administer a Blair County Adult Probation Supervision Fund, consisting of one-half of the total supervision fee funds collected by the Blair County Clerk of Courts. The balance of the fees collected shall be remitted by the Clerk of Courts to the Commonwealth pursuant to regulations promulgated by the Commonwealth of Pennsylvania.

The supervision fee will be administered in accordance with the Blair County Supervision Fund Guidelines:

Blair County Supervision Fee Guidelines

The Supervision Fee shall be set at \$40.00 per month and be assessed by the Clerk of Courts, unless specifically reduced, waived, or deferred by the sentencing Court at the time of sentencing or placement into a program or specialty court.

Recommendations for waivers of supervision fee shall be presented to the Court for approval at time of sentencing.

Fees will be assessed on the full term of supervision and, if paid in advance, will not be remitted should the term of supervision be terminated early for any reason.

Supervision Fee payments shall not be transferred or credited to other monies owed by the Defendant.

The Supervision Fee will not be assessed on that portion of an offender's supervision which has been transferred to another state.

There will be a single Supervision Fee imposed on the individual offender with multiple cases, based on the total number of months of supervision under all sentences.

If an offender absconds, the fees will continue in effect until the maximum expiration date of the sentence.

The Court may make a finding that the offender is unable to pay and waive part or all of the supervision fee, based on any of the following factors:

i. The offender has diligently attempted but has been unable to obtain employment that provides the offender sufficient income to make such payments.

ii. The offender is a student in a school, a college, a university or a course of vocational or technical training designed to fit the student for gainful employment.

iii. The offender has an employment handicap, as determined by an examination acceptable to or ordered by the court or board.

iv. The offender's age prevents employment.

v. The offender is responsible for the support of dependents, and the payment of the assessment constitutes an undue hardship on the offender.

vi. The plea agreement between the parties contemplates early termination of supervision.

vii. Other extenuating circumstances as determined by the Court.

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

1. File one (1) copy of these 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 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 Court 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 rules in the *Pennsylvania Bulletin*;

5. File one (1) copy which shall be kept continuously available for public inspection and copying in the Office of Prothonotary of Blair County.

Said Local Rule of Judicial Administration shall be effective in the 24th Judicial District of the Commonwealth of Pennsylvania thirty (30) days after publication in the *Pennsylvania Bulletin* and upon publication on the Blair County website.

By the Court

ELIZABETH A. DOYLE,
President Judge

[Pa.B. Doc. No. 18-1067. Filed for public inspection July 13, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Amendment to Local Rules of Civil Procedure L5004(a) and (b); MsD 18-40152

Administrative Order of Court

And Now, this 28th day of June, 2018, it is hereby ordered and decreed that Local Court Rules listed as follows pertaining to Butler County Court of Common Pleas Civil Court Division, are hereby amended:

- L5004(a) Settlement
• L5004(b) Order

It is further ordered that this Administrative Order shall be effective upon publication in the Pennsylvania Bulletin.

It is finally ordered that the District Court Administrator shall:

- (a) Deliver one copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
(b) Distribute two paper copies and one electronic copy hereof to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin,
(c) Deliver a copy of this Order to the Butler County Legal Journal for publication as that organization deems appropriate.
(d) Distribute a copy of the Administrative Order to the Judges of the Court of Common Pleas in Butler County.
(e) Publish this Administrative Order on the Butler County Court website.
(f) File a copy of the Administrative Order in the office of the Butler County Prothonotary for inspection and copying.

By the Court

MARILYN J. HORAN,
Administrative Judge

Rule L5004. Settlement. (amended 10/17) (amended 6/2018)

(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))
) Case No.: _____
From the Butler County Board of)
Assessment Appeal)
)
Tax ID 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. This Stipulation can be executed in counterparts.

_____)
Signature

(b) Upon the filing of the Stipulation to Settle, the Court shall enter the following order:

IN THE COURT OF COMMON PLEAS,
BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:
_____)
(NAME OF APPELLANT)) Case No.: _____
From the Butler County Board of)
Assessment Appeal)
)
Tax ID No. _____)
_____)
School District: _____
Municipality: _____
Property of: _____
Property Address: _____
Intervenor _____

ORDER

AND NOW, this _____ day of _____, upon review of the Stipulation of Settlement among the parties, attached hereto, it is hereby ORDERED, ADJUDGED and DECREED that the stipulation to settle the appeal is approved; and

It is further ORDERED that the Butler County Board of Assessment Appeals shall establish the fair market

value for assessment purposes on the Butler County Tax Parcel Number _____ to be \$ _____ and the assessed value from \$ _____ to \$ _____ as of _____, for County and Municipal taxes, and _____, for School District taxes; and

It is further ORDERED that, upon receipt of the appropriate filing fee from the Appellant, the Prothonotary of Butler County is to mark the above case, settled, discontinued, and ended.

BY THE COURT:

_____ J

[Pa.B. Doc. No. 18-1068. Filed for public inspection July 13, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONTGOMERY COUNTY

Rescission of Local Rule of Civil Procedure 14—Zoning Appeals; Adoption of Local Rule of Civil Procedure 14—Land Use Appeals: Zoning, Subdivision and Land Development; No. 2018-00001

Order

And Now, this 26th day of June, 2018, the Court hereby Rescinds Montgomery County Local Rule of Civil Procedure 14—Zoning Appeals, and Adopts Montgomery County Local Rule of Civil Procedure 14—Land Use Appeals: Zoning, Subdivision and Land Development. These Rule changes shall become effective 30 days after publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

By the Court

THOMAS M. DeIRICCI,
President Judge

Rule 14. Zoning Appeals.

Rescinded.

Rule 14. Land Use Appeals: Zoning, Subdivision and Land Development.

a. *Caption.* Appeals from the decision of a governing body, planning commission (where empowered to render a decision), or a zoning hearing board shall be captioned as follows:

(i) Appeal of _____ from the decision dated _____ of the [governing body, planning commission, or zoning hearing board].

(ii) Where appeals are filed from both a notice of decision and a decision containing findings of fact, conclusions of law, and reasons, the appeals shall be filed under the same case number assigned to the appeal filed first.

The second filed notice of appeal, if any, shall be titled "Supplemental Notice of Appeal".

b. *Service of Appeal.*

(i) Upon the filing of the notice of appeal of a decision of a zoning hearing board or of a decision of the governing body in a zoning matter, the appellant shall serve a copy of the notice of appeal upon the following, based upon the entity making the decision: zoning hearing board, the zoning hearing board solicitor, the municipality, the municipal solicitor, and all persons granted party status before the zoning hearing board or governing body.

(ii) Upon the filing of an appeal from the decision of a municipality or municipal planning commission in a subdivision or land development matter or in a matter involving a planned residential development, the appellant shall serve a copy of the notice of appeal on the municipality and the municipal solicitor. In appeals of a decision of the municipality involving a planned residential development or a subdivision or land development matter where the municipality conducted a public hearing, the appellant shall also serve a copy of the notice of appeal on all persons granted party status at the public hearing.

c. *Record on Appeal.*

(i) Within 30 days of the service of the notice of appeal, unless extended by agreement of the parties, the municipality or municipal agency shall file the return of record with the Prothonotary.

(ii) The record in an appeal from a decision of the zoning hearing board or the decision of the governing body in a conditional use application or other zoning proceeding heard by the governing body pursuant to the Pennsylvania Municipalities Planning Code, other than as set forth in (iii) below, shall include, but not be limited to, a copy of the complete municipal zoning ordinance and zoning map, the application, transcripts, hearing or meeting exhibits, plans, drawings, municipal staff and consultant review letters, county review letters, notice of decision, decision containing findings of fact, conclusions of law, and reasons. The return of record shall include a certification from the zoning officer or other designated municipal officer that the return is the complete and accurate record and that the ordinance and map are those in effect and applicable to the subject matter of the appeal.

(iii) The record in an appeal of a decision of the governing body or planning commission involving a subdivision, land development, or planned residential development shall include, but not be limited to a copy of the complete municipal zoning ordinance, zoning map, subdivision and land development ordinance, the application, transcripts, meeting minutes, plans, drawings, other materials submitted by the applicant, municipal staff and consultant review letters, county review letters, and the written decision or approval. The return of record shall include a certification from the zoning officer or other designated municipal officer that the return is the complete and accurate record and that the ordinances are those in effect and applicable to the subject matter of the appeal.

(iv) Any plans submitted with the return of record shall be no larger than 8 1/2" × 11". If any plans that are part of the record are larger than 8 1/2" × 11", the appellant shall within 10 days of filing the notice of appeal provide the municipality or municipal agency with electronic versions of the plans to be included in the

return of record. Upon request of the Court, paper copies of plans greater than 8 1/2" × 11" shall be submitted to the Court.

(v) Upon the filing of the return of record, the municipality or municipal agency shall serve counsel for the appellant, the appellant (where the appeal is filed pro se), and all persons granted party status at a public hearing held by the zoning hearing board or municipality with a copy of the list of documents and materials filed as part of the return of record.

(vi) An application for relief may be filed in the event of non-compliance with this rule for consideration by the Court, which may impose sanctions.

d. *Intervention.* Other than the notice of intervention permitted by section 1004-A of the Pennsylvania Municipalities Planning Code, 53 P.S. § 11004-A, intervention shall be governed by the Pennsylvania Rules of Civil Procedure.

e. *Supplementation of the Record.* A petition for supplementation of the record shall be filed no later than 30 days from the date of the filing of the return of record or for a party permitted to intervene, 30 days from the date of the order allowing intervention. The responding party shall file and serve its answer within 20 days of the date

of mailing of the petition for supplementation of the record. Following the filing of the answer, the petition shall be addressed by the Court.

f. *Additional Evidence.* A petition for additional evidence shall be filed no later than 60 days from the date of the filing of the notice of appeal or for a party permitted to intervene 30 days from the date of the order allowing intervention. The responding party shall file and serve its answer within 20 days of the date of mailing of the petition. Following the filing of the answer, the petition shall be addressed by the Court.

g. *Petition for Bond.* A petition for bond shall be filed no later than 60 days from the filing of the notice of appeal. The responding party shall file its answer within 20 days of the date of mailing of the petition. Following the filing of the answer, the petition shall be addressed by the Court.

h. *Briefing and Argument.* Subject to pending motions or petitions, on or after 90 days from the date of the filing of the notice of appeal, the Court shall issue a scheduling order for briefing and argument.

[Pa.B. Doc. No. 18-1069. Filed for public inspection July 13, 2018, 9:00 a.m.]