

# 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. 175 Disciplinary Rules Doc.

##### Order

*Per Curiam*

*And Now*, this 25th day of February, 2019, 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. 6784 (October 27, 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.

(a) Every attorney admitted to practice law in this Commonwealth shall pay an annual fee of \$140.00 and electronically file the annual fee form provided for in this rule by July 1. The fee shall be collected under the supervision of the Attorney Registration Office, which shall make the annual fee form available for filing through a link on the Board's website (<http://www.padisiplinaryboard.org>) or directly at <https://ujportal.pacourts.us>. The said fee shall be used to defray the costs of disciplinary administration and enforcement under these rules, and for such other purposes as the Board shall, with the approval of the Supreme Court, from time to time determine. Upon an attorney's written request submitted to the Attorney Registration Office and for good cause shown, the Attorney Registration Office shall grant an exemption from the electronic filing requirement and permit the attorney to file the annual fee form in paper form.

**Official Note:** Pa.R.P.C. 1.15(u) imposes an additional annual fee for use by the IOLTA Board, and Pa.R.D.E. 502(b) imposes an additional annual fee for use by the Pennsylvania Lawyers Fund for Client Security.

\* \* \* \* \*

(c) On or before May 15 of each year, the Attorney Registration Office shall transmit to all attorneys required by this rule to pay an annual fee a notice by e-mail to register electronically by July 1. Failure to

receive notice shall not excuse the filing of the annual fee form or payment of the annual fee.

\* \* \* \* \*

(f) Any attorney who fails to complete registration by July [ 31 ] 16 shall be automatically assessed a non-waivable late payment penalty established by the Board. A second, non-waivable late payment penalty established by the Board shall be automatically added to the delinquent account of any attorney who has failed to complete registration by August [ 31 ] 1, at which time the continued failure to comply with this rule shall be deemed a request to be administratively suspended. Thereafter, the Attorney Registration Office shall certify to the Supreme Court the name of every attorney who has failed to comply with the registration and payment requirements of this rule, and the Supreme Court shall enter an order administratively suspending the attorney. The Chief Justice may delegate the processing and entry of orders under this subdivision to the Prothonotary. Upon entry of an order of administrative suspension, the Attorney Registration Office shall transmit by certified mail, addressed to the last known mailing address of the attorney, or by electronic means, the order of administrative suspension and a notice that the attorney shall comply with Enforcement Rule 217 (relating to formerly admitted attorneys), a copy of which shall be included with the notice.

For purposes of assessing the late payment penalties prescribed by this subdivision (f), registration shall not be deemed to be complete until the Attorney Registration Office receives a completed annual fee form and satisfactory payment of the annual fee and of all outstanding collection fees and late payment penalties. If a check in payment of the delinquency has been returned to the Board unpaid, a collection fee, as established by the Board under subdivision (d)(2) of this rule, shall be added to the attorney's delinquent account and registration shall not be deemed to be complete until the delinquent account has been paid in full.

The amount of the late payment penalties shall be established by the Board annually pursuant to the provisions of subdivision (h)(3) of this rule.

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[Pa.B. Doc. No. 19-315. Filed for public inspection March 8, 2019, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### FAYETTE COUNTY

#### Local Rule of Civil Procedure 1920.55-2; No. 374 of 2019 GD

##### Order

*And Now*, this 19th day of February, 2019, pursuant to Pennsylvania Rule of Judicial Administration 103(d), it is hereby ordered that Fayette County Local Rule of Civil Procedure 1920.55-2 is hereby adopted as follows, effective 30 days after publication in the *Pennsylvania Bulletin*.

The Prothonotary is directed as follows:

(1) One copy of this order shall be filed with the Administrative Office of Pennsylvania Courts.

(2) Two copies and CD-ROM of this order shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One copy shall be sent to the Fayette County Law Library and the Editor of the *Fayette Legal Journal*.

The Administrative Office of Fayette County Courts is directed as follows:

(1) Publish a copy of this order on the website of Administrative Office of Fayette County Courts.

(2) Amend the complete set of Fayette County Local Rules no later than 30 days following the publication in the *Pennsylvania Bulletin*.

By the Court

JOHN F. WAGNER, Jr.,  
President Judge

**Rule 1920.55-2. Master's Report. Notice. Exceptions. Final Decree.**

The master's report, notice, exceptions, and final decree shall be governed by Pennsylvania Rules of Civil Procedure Rule 1920.55-2.

(a) After conclusion of the hearing, the master shall file the record and the report within (i) twenty days in uncontested actions or (ii) thirty days from the last to occur of the receipt of the transcript by the master or close of the record in contested actions; and immediately serve upon counsel for each party, or, if unrepresented, upon the party, a copy of the report and recommendation and written notice of the right to file exceptions.

(b) The timeframe for filing a master's report may be extended only by Court Order.

(c) If the master requires a transcript to aid in the preparation of the report, the master shall file of record in the Prothonotary a notice within five (5) business days from the date of hearing which identifies the assigned court reporter or transcriptionist and the dates of testimony requested.

(d) The court reporter or transcriptionist shall deliver transcripts to the master within thirty (30) days of the hearing.

(e) If a transcript is not delivered within thirty (30) days, the master shall notify the District Court Administrator.

(f) The District Court Administrator or designee shall monitor compliance with the timeframe for transcript preparation and for the filing of the master's report. The District Court Administrator shall notify the appointing Judge of delinquent transcripts or master's reports.

(g) Failure of the master to timely file the report may result in a forfeiture of the master's fee or contempt proceedings.

[Pa.B. Doc. No. 19-316. Filed for public inspection March 8, 2019, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### FAYETTE COUNTY

#### Local Rules of Civil Procedure 1920.3, 1920.31, 1920.52, 1920.53(a)(1), 1920.53(a)(2) and 1920.76; No. 374 of 2019 GD

#### Order

And Now, this 19th day of February, 2019, pursuant to Pennsylvania Rule of Judicial Administration 103(d), it is hereby ordered that Fayette County Local Rules of Civil Procedure 1920.3, 1920.31, 1920.52, 1920.53(a)(1), 1920.53(a)(2) and 1920.76 are rescinded, effective 30 days after publication in the *Pennsylvania Bulletin*.

The Prothonotary is directed as follows:

(1) One copy of this order shall be filed with the Administrative Office of Pennsylvania Courts.

(2) Two copies and CD-ROM of this order shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One copy shall be sent to the Fayette County Law Library and the Editor of the *Fayette Legal Journal*.

The Administrative Office of Fayette County Courts is directed as follows:

(1) Publish a copy of this order on the website of Administrative Office of Fayette County Courts.

(2) Amend the complete set of Fayette County Local Rules no later than 30 days following the publication in the *Pennsylvania Bulletin*.

By the Court

JOHN F. WAGNER, Jr.,  
President Judge

[Pa.B. Doc. No. 19-317. Filed for public inspection March 8, 2019, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### FAYETTE COUNTY

#### Local Rules of Civil Procedure 1920.51(a) and 1920.51(b); No. 374 of 2019 GD

#### Order

And Now, this 19th day of February, 2019, pursuant to Pennsylvania Rule of Judicial Administration 103(d), it is hereby ordered that Fayette County Local Rules of Civil Procedure 1920.51(a) and 1920.51(b) are hereby amended as follows, effective 30 days after publication in the *Pennsylvania Bulletin*.

The Prothonotary is directed as follows:

(1) One copy of this order shall be filed with the Administrative Office of Pennsylvania Courts.

(2) Two copies and CD-ROM of this order shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One copy shall be sent to the Fayette County Law Library and the Editor of the *Fayette Legal Journal*.

The Administrative Office of Fayette County Courts is directed as follows:

(1) Publish a copy of this order on the website of Administrative Office of Fayette County Courts.

(2) Amend the complete set of Fayette County Local Rules no later than 30 days following the publication in the *Pennsylvania Bulletin*.

*By the Court*

JOHN F. WAGNER, Jr.,  
President Judge

**Rule 1920.51(a). Appointment of Master, Master's Fee, Transcript Costs.**

(a) The moving party shall file a Motion for Appointment of Master and deposit the sum of \$750.00 for the master's services with the Prothonotary prior to the time that a master is appointed.

(b) Subject to the direction of the court, the master shall have procedural and administrative control of the proceedings in regard to the detention of witnesses for examination and the general course of the proceedings. The master shall rule on objections to competency, relevancy of testimony, and admissibility of evidence. If the master sustains an objection, the testimony shall not be heard or reported. Parties may file exceptions to the master's rulings.

(c) The master shall satisfy himself or herself of the jurisdiction of the Court and of the formal sufficiency and regularity of the record. If not so satisfied, the master shall afford the parties an opportunity to make the necessary corrections, and if they are not made within a reasonable time, shall report to the Court for its instruction.

(d) The master shall receive one hundred fifty dollars (\$150.00) per hour for all services including conducting hearings, researching, and writing reports.

(e) To receive compensation, the master shall file:

(1) the report and recommendation or a marital settlement agreement with a statement that the matter has settled;

(2) a proposed order for equitable distribution, if warranted;

(3) a decree for divorce, if divorce is recommended; and

(4) an invoice for services detailing the date and time expended in quarter-hour increments.

(f) Should the master's services exceed the deposit, the master shall petition the Court by routine motion for additional compensation for actual time worked detailing the date and time expended in quarter-hour increments. A petition for additional compensation shall not toll the deadline for the master to file the report.

(g) Unless otherwise ordered by Court, the Prothonotary shall pay no master's fee until the master files the report.

(h) The court reporter or transcriptionist shall abide by the format of transcripts and be paid transcript costs in accordance with Pennsylvania Rules of Judicial Administration Rules 4001 et seq.

(i) In the event that a hearing is canceled by the master with less than twenty-four hours' notice, an appearance fee of seventy-five dollars (\$75.00) shall be paid to the court reporter.

(j) Should the master's services and transcription costs not exceed the deposit, the Prothonotary shall return the balance to the paying party.

**Rule 1920.51(b). Notice of and Time for Master's Hearing.**

(a) The master shall establish a hearing date and give at least ten (10) days written notice of the time and place of all hearings to attorneys of record and unrepresented parties in accordance with Pennsylvania Rule of Civil Procedure 1920.51(b).

(b) Additional hearings before a master shall be concluded within thirty (30) days of the initial date of hearing unless the time is extended by written consent of the parties filed of record in the Prothonotary or by Court Order.

(c) The master shall promptly file notice of all hearing dates and continuances with the Prothonotary.

[Pa.B. Doc. No. 19-318. Filed for public inspection March 8, 2019, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**

**NORTHUMBERLAND COUNTY**

**Local Rule—N.C.R. 576.1; No. AD-2019-2**

**Order**

*And Now*, this 15th day of February, 2019, the Court hereby adopts Northumberland County Local Rule of Criminal Procedure 576.1: Electronic Filing and Service of Legal Papers. This Rule shall be effective April 1, 2019.

The Northumberland County District Court Administrator is directed as follows:

(1) File one (1) copy of this rule and the Administrative Order with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

(2) File two (2) paper copies and one electronic copy of the Administrative Order with the Local Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) File one (1) copy with the Northumberland County Law Library and the Editor of the *Northumberland County Legal Journal*.

(4) Publish a copy of the Administrative Order with Local Rule on the web site of Northumberland County.

(5) Thereafter, compile the Local Rule within the complete set of local rules no later than 30 days following the publication in the *Pennsylvania Bulletin*.

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

*By the Court*

CHARLES H. SAYLOR,  
President Judge

**Rule N.C.R. 576.1. Electronic Filing and Service of Legal Papers.**

A. Pursuant to Pennsylvania Rule of Criminal Procedure 576.1, Electronic Filing and Service of Legal Papers, electronic filing of legal papers through the PACFile electronic filing system is permissive in Northumberland County, the 8th Judicial District, as of March 13, 2017. The Administrative Office of Pennsylvania Courts and the

judicial district of Northumberland County have agreed upon an implementation plan for PACFile in Northumberland County.

B. The electronic filing of motions and other legal papers in the Northumberland County Court of Commons Pleas-Clerk of Courts is authorized as specifically provided in this rule. Parties shall electronically file documents using the PACFile electronic filing system developed by the Administrative Office of the Pennsylvania Courts. The application of general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing.

C. *Legal Papers Defined.* The “legal papers” which shall be filed electronically shall encompass all written motions, written answers and any notices or documents for which filing is required or permitted, including orders, exhibits and attachments, except for the following:

1. Applications for a search warrant;
2. Applications for an arrest warrant;
3. Grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment;
4. Submissions filed ex parte as authorized by law and
5. Submissions filed or authorized to be filed under seal.

D. Attorneys or self-represented parties who file legal papers electronically must establish a PACFile account using the Unified Judicial System of Pennsylvania Web Portal. Pursuant to Pennsylvania Rule of Criminal Procedure 576.1(D)(2), the establishment of PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed using PACFile.

E. Applicable filing fees shall be paid electronically through procedures established by the Clerk of Courts and at the same time and in the same amount as required by statute, court rule or order, or established by a published fee schedule.

F. A party who was granted In Forma Pauperis status shall not pay filing fees to the Clerk of Courts.

G. All filings shall comply with the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.

#### H. *Service of Legal Papers.*

a. Attorney or self-represented parties who are unable or unwilling to participate in electronic filing of documents are permitted to file and serve the legal papers in a physical paper format.

b. Service of legal papers on any attorney or party who has not established an account as provided in subsection (C) of this rule shall be made in accordance with Pa.R.Crim.P. 576. Specifically, the following offices must be served in accordance with Rule 576: Sheriff, Probation Services, Court Reporter, and Court Administration. This applies to the service of court orders and notices. Distribution to those parties not automatically served via PACFile with a court order or notice must be filed with the Clerk of Courts office with a complete distribution legend listing the names and addresses of all parties required to be served with a paper copy.

This rule shall be effective thirty (30) days from the date of publication.

[Pa.B. Doc. No. 19-319. Filed for public inspection March 8, 2019, 9:00 a.m.]

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## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated February 21, 2019, Sheila K. Younger-Halliman (# 52234) is Suspended on Consent from the Bar of this Commonwealth for a period of one year. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,  
*Board Prothonotary*

[Pa.B. Doc. No. 19-320. Filed for public inspection March 8, 2019, 9:00 a.m.]

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