

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

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

#### Proposed Amendments to the Pennsylvania Rules of Disciplinary Enforcement

Notice is hereby given that the Pennsylvania Lawyers Fund for Client Security (the “Fund”) is considering recommending to the Supreme Court of Pennsylvania (“Supreme Court”) to adopt amendments to Pennsylvania Rules of Disciplinary Enforcement (“Pa.R.D.E.”) 501, 503, 504, 512, 514, 521 and 531 as set forth in Annex A. The majority of the amendments under consideration are administrative in nature, or memorialize the existing practice.

The amendments to Rules 501 and 503(a) under consideration defines the Board as the “Board of Trustees.” Rule 502(c) currently provides that all monies and other assets of the Fund shall constitute a trust. The amendment under consideration would reflect the appropriate terminology for a trust to be managed by a Board of Trustees. This terminology is used in the American Bar Association’s Model Rules for Lawyers’ Fund for Client Protection, as well as many client protection funds across the country.

The amendment to Rule 503(d) under consideration would remove the fixed time frame of January in each year when the Board is to provide a report to the Supreme Court and would conform the rule to the existing practice of providing such report to the Supreme Court in conjunction with the annual meeting of the Lawyers Assessment Committee.

The amendment to Rule 504(b)(1) under consideration would conform the rule to the current practice of requiring a claimant to provide written permission to release the claimant’s name after an award has been approved by the Board.

The amendment to Rule 512 under consideration incorporates the new bar admission rule approved by the Supreme Court in January 2019, with an effective date of July 29, 2019. (See Pa.B.A.R. 304.) The new bar admission rule provides for a limited admission of an attorney spouse of an active-duty service member of the United States Uniformed Services. Including this limited admission in the definition of a Covered Attorney would be in concert with an active military attorney, an active foreign legal consultant, or a person holding an active Limited In-House Corporate Counsel License which are currently included in the definition of a Covered Attorney.

The amendment to Rule 514(a)(1) under consideration would include a claim in the nature of an unearned, unrefunded fee paid to a lawyer who later died, was transferred to inactive disability status, or could not be located. The proposed language would remove the “dishonest” label from an attorney who has died, become disabled or has abandoned the practice.

The amendment to Rule 521(b) under consideration would clarify that attempts to provide notice to a Covered Attorney at the address of record with Attorney Registration, which attempts may not be successful, will satisfy the notice requirement of Rule 521(b).

The amendments to Rule 521(c) under consideration support that claims filed with the Fund are confidential. Rule 504(a) provides that the confidentiality extends to all documents and things made and/or obtained, and all investigations and proceedings conducted and/or held by the Fund in connection with the filing of a claim. Rule 521(b) requires the Covered Attorney to be provided with notice of the filing of the claim and an opportunity to contest the claim. The Covered Attorney’s response to a claim is provided to the Claimant so that each party is aware of the representations being made by the other party and may submit a rebuttal to any of the information. While this information is shared with each of the parties, such submissions must be kept confidential by the Covered Attorney and Claimant. All other documents are confidential, consequently a subpoena issued by a Covered Attorney and/or Claimant would not provide either party with information that has not already been provided. The amendment under consideration maintains the right of the Covered Attorney and the Claimant to subpoena a witness should the Board determine to hold a hearing.

There are two administrative amendments to Rule 521(c). The first sets forth Rule 221 which relates to the mandatory overdraft notification requirements. The second incorporates terminology recently implemented by the Disciplinary Board of the Supreme Court of Pennsylvania (“Disciplinary Board”) to refer to the Supreme Court Prothonotary as “Court Prothonotary.”

The amendment to Rule 531 under consideration is administrative as it would incorporate the current terminology used by the Disciplinary Board in Rule 301 relating to inactive status resulting from a disability.

Interested persons are invited to submit written comments regarding the proposed amendments to the Pennsylvania Lawyers Fund for Client Security, P.O. Box 62585, Harrisburg, PA 17106, fax number (717) 231-9511 or email at admin@palawfund.com, on or before August 30, 2019.

*By the Pennsylvania Lawyers Fund for Client Security  
Supreme Court of Pennsylvania*

KATHRYN PEIFER MORGAN, Esquire,  
*Executive Director and Counsel*

#### 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 E. PENNSYLVANIA LAWYERS FUND FOR CLIENT SECURITY

#### GENERAL PROVISIONS

##### Rule 501. Definitions.

The following words and phrases, when used in this subchapter shall have, unless the context clearly indicates otherwise, the meaning given to them in this section:

“Board.” The Pennsylvania Lawyers Fund for Client Security Board of Trustees.

\* \* \* \* \*

**Rule 503. Pennsylvania Lawyers Fund for Client Security Board.**

(a) *General rule.* The Supreme Court shall appoint a board to be known as the “Pennsylvania Lawyers Fund for Client Security Board of Trustees” (the “Board”) which shall consist of five members of the bar of this Commonwealth and two non-lawyer public members. One of the members shall be designated by the Court as Chair and another as Vice-Chair. A majority of the members of the Board shall designate a member of the Board to act as Treasurer.

\* \* \* \* \*

(d) *Powers.* The Board shall have the power and duty:

\* \* \* \* \*

(4) To determine in [ **January of each year** ] conjunction with the meeting of the Lawyer Assessment Committee, and to report to the Supreme Court, whether the Fund is of sufficient amount to pay adjudicated claims and other anticipated claims.

\* \* \* \* \*

**Rule 504. Confidentiality.**

\* \* \* \* \*

(b) Notwithstanding subsection (a), the Fund, after an award is approved, may disclose the following information:

(1) the name of the Claimant (if Claimant has granted written permission to disclose or has independently publically disclosed the filing of a claim with the Fund);

- (2) the name of the Covered Attorney;
- (3) the amount claimed;
- (4) the amount awarded; and
- (5) a summary of the claim.

\* \* \* \* \*

**DISHONEST CONDUCT OF ATTORNEY**

**Rule 512. Covered attorney.**

This subchapter covers conduct of a member of the bar of the Supreme Court, including attorneys admitted pro hac vice and formerly admitted attorneys whose clients reasonably believed the former attorney to be licensed to practice when the Dishonest Conduct occurred, an active foreign legal consultant, an active military attorney, an attorney who is the spouse of an active-duty service member of the United States Uniformed Services, or a person holding an active Limited In-House Corporate Counsel License, which conduct forms the basis of the application to the Board. The conduct complained of need not have taken place in this Commonwealth for application to the Board to be considered by the Board and an award granted, except that an award shall not be granted with respect to conduct outside of this Commonwealth of a foreign legal consultant, military attorney, an attorney who is the spouse of an active-duty service member of the United States Uniformed Services, or person holding a Limited In-House Corporate Counsel License unless the conduct related to the provision of legal services to a resident of this Commonwealth.

**Rule 514. Reimbursable losses.**

(a) *General rule.* For the purposes of this subchapter, reimbursable losses consist of those losses of money, property or other things of value which meet all of the following requirements:

(1) The loss [ **was caused by the Dishonest Conduct of a Covered Attorney when acting** ]:

(i) was caused by the Dishonest Conduct of a Covered Attorney when acting:

[ i ] (A) as an attorney-at-law;

[ ii ] (B) in a fiduciary capacity customary to the practice of law, such as administrator, executor, trustee of an express trust, guardian or conservator; **or**

[ iii ] (C) as an escrow agent or other fiduciary, having been designated as such by a client in the matter in which the loss arose or having been so selected as a result of a client-attorney relationship[ . ]; **or**

(ii) is in the nature of unearned, unrefunded fees paid to a lawyer who, without completing the engagement, died, was transferred to inactive disability status, or cannot be located.

**PAYMENT OF CLAIMS**

**Rule 521. Investigation and payment of claims.**

\* \* \* \* \*

(b) *Hearing committees.* The Board may utilize a hearing committee to conduct any hearings under this subchapter for the purpose of resolving factual issues. Imposition of discipline under Rule 204 (relating to types of discipline) or otherwise shall not be a prerequisite for favorable action by the Board with respect to a claim against the Fund, but the Covered Attorney involved shall be given notice of and an opportunity to contest any claim made with respect to his or her alleged Dishonest Conduct. Notice mailed to the Covered Attorney at the address of record with Attorney Registration per Rule of Disciplinary Enforcement 219 (relating to annual registration of attorneys) shall satisfy this notice requirement.

(c) *Subpoenas.*

(1) At any stage of an inquiry being conducted in accordance with Rule 221 (relating to mandatory over-draft notification), the Board or a designated representative on behalf of the Board shall have the right to require production of records by issuance of a subpoena(s). The attorney whose account is the subject of the inquiry under Rule 221 shall have the right, upon written request and payment of appropriate duplicating costs, to receive copies of the records produced.

(2) At any stage of an investigation and/or proceeding under this subchapter, the Board [ , **a Claimant and a contesting Covered Attorney** ] shall have the right to summon witnesses and/or require production of records by issuance of subpoenas. Should the Board determine to conduct a hearing, the Claimant and/or the Covered Attorney may request the issuance of a subpoena to summon a witness to testify at such hearing. The costs associated with the issuance and service of the subpoena and the witness’ appearance shall be borne by the requesting party.

(3) Subpoenas authorized by this subparagraph (c) shall be obtained by filing with any Prothonotary of the Supreme Court of Pennsylvania (“**Court Prothonotary**”) a statement calling for the issuance of the subpoena. On the same day that the statement is filed with the **Court** Prothonotary, the party seeking the subpoena shall send by certified mail a copy of the statement to either the Executive Director **and the Claimant** or the Covered Attorney as the case may be. Upon the filing of the statement, the **Court** Prothonotary shall forthwith issue the subpoena and it shall be served by certified mail, return receipt or by personal service. A subpoena issued under this subparagraph (c) shall not be returnable until at least 10 days after the date of its issuance.

\* \* \* \* \*

(5) Any challenge to the validity of a subpoena issued under this rule shall be heard by a hearing committee or the full Board. A determination by such committee or the Board may be appealed to the Supreme Court under subparagraph (8)(iii) within ten days after service of the determination on the party bringing the appeal.

\* \* \* \* \*

(8) Enforcement of subpoenas; appeal of challenges to subpoenas:

(i) The Board, [ **through a designated representative, ] a Claimant, or a Covered Attorney** may petition the Supreme Court to enforce a subpoena [ **or to review a determination under subparagraph (5) on the validity of a subpoena. No challenge to the validity of a subpoena will be considered by the Court unless previously raised as provided in subparagraph (5) .**

\* \* \* \* \*

(iii) A petition for review of a determination made under subparagraph (5) must set forth in detail the grounds for challenging the determination. Upon timely receipt of a petition for review, the Court shall issue a rule to show cause upon the party to the proceeding who is not challenging the determination, returnable within ten days, why the determination should not be reversed. If the period for response has passed without a response having been filed, or after consideration of any response, the Court shall issue an appropriate order. **No challenge to the validity of a subpoena will be considered by the Court unless previously raised as provided in subparagraph (5).**

\* \* \* \* \*

**REINSTATEMENT**

**Rule 531. Restitution a condition for reinstatement.**

The Board shall file with the Supreme Court a list containing the names of all formerly admitted attorneys with respect to the Dishonest Conduct of which the Board has made unrecovered disbursements from the Fund. No person will be reinstated by the Supreme Court under Rule 218 (relating to reinstatement), Rule 219 (relating to annual registration of attorneys), Rule 301(h) (relating to proceedings where an attorney is declared to be [ **incom-**

**petent or is alleged to be ] incapacitated or severely mentally disabled),** Pennsylvania Rules for Continuing Legal Education, Rule 111(b) (relating to noncompliance with continuing legal education rules) or who has been suspended from the practice of law for any period of time, including, but not limited to suspensions under Rule 208(f) (relating to emergency temporary suspension) and 219(f) (relating to administrative suspension) until the Fund has been repaid in full, plus 10% per annum interest, for all disbursements made from the Fund with respect to the Dishonest Conduct of such person.

[Pa.B. Doc. No. 19-1229. Filed for public inspection August 16, 2019, 9:00 a.m.]

**Title 204—JUDICIAL SYSTEM  
GENERAL PROVISIONS**

**PART VII. ADMINISTRATIVE OFFICE OF  
PENNSYLVANIA COURTS**

**[ 204 PA. CODE CH. 213 ]**

**Case Records Public Access Policy of the Unified  
Judicial System of Pennsylvania**

Commentary to Section 9.0 of the *Case Records Public Access Policy of the Unified Judicial System* provides in part that, “The Administrative Office of Pennsylvania Courts [AOPC] shall from time to time publish a list of applicable authorities that restrict public access to court records or information. This list shall be published on the Unified Judicial System’s website and in the *Pennsylvania Bulletin*.” In accordance with this directive, the AOPC has updated the following *Limits on Public Access to Unified Judicial System Case Records*.

The entire policy, including this amendment and other related information, can be found on the Unified Judicial System’s public records webpage located at <http://www.pacourts.us>.

Filed in the Administrative Office of Pennsylvania Courts on August 7, 2019.

THOMAS B. DARR,  
*Court Administrator of Pennsylvania*

**Annex A**

**TITLE 204. JUDICIAL SYSTEM GENERAL  
PROVISIONS**

**PART VII. ADMINISTRATIVE OFFICE OF  
PENNSYLVANIA COURTS**

**CHAPTER 213. COURT RECORDS POLICIES**

**Subchapter D. CASE RECORDS PUBLIC ACCESS  
POLICY OF THE UNIFIED JUDICIAL SYSTEM OF  
PENNSYLVANIA**

*(Editor’s Note: The list which appears in 204 Pa. Code pages 213-56—213-65, serial pages (392548)—(392557), is replaced with the following list.)*

## LIMITS ON PUBLIC ACCESS TO UNIFIED JUDICIAL SYSTEM CASE RECORDS

<i>Subject Area</i>	<i>Record Description</i>	<i>Accessibility</i>	<i>Authority</i>
Civil	Jurors Notes.	No Public Access. Collected and destroyed post-trial.	Pa.R.C.P. No. 223.2.
Civil	Complaints filed in magisterial district courts.	No Public Access to the minor's name in a complaint. Minors shall be designated by the initials of their first and last name.	Pa.R.C.P.M.D.J. No. 803.
Commonwealth Court	Child Line Registry Cases.	No Public Access to documents in the case except Orders and Opinions wherein the court shall use initials of the minor child involved rather than full name.	Admin. Order No. 126 Misc. Docket No. 3 (February 8, 2013).
Criminal	Juror's Address.	No Public Access.	<i>Commonwealth v. Long</i> , 922 A.2d 892 (Pa. 2007).
Criminal	Sealed affidavit of probable cause for a search warrant.	No Public Access while sealed. The affidavit may not be sealed for more than 60 days unless an extension is received. Extensions may not be longer than 30 days, but an unlimited number of extensions are available. Public may access the affidavit after it has been unsealed.	Pa.R.Crim.P. 211.
Criminal	Unexecuted Search Warrant.	No Public Access until warrant is executed.	Pa.R.Crim.P. 212(A).
Criminal	Arrest Warrant Information.	A court may delay public access for good cause for up to 72 hours. In addition, a court may seal arrest warrant information for a longer period of time.	Pa.R.Crim.P. 513(C), Pa.R.Crim.P. 513.1.
Criminal	Information obtained from or concerning the defendant by a bail agency.	No public access. Information only accessible by the defendant, counsel for the defendant, the issuing authority or judge setting bail, the attorney for the Commonwealth, and the department of probation or parole preparing a presentence report regarding the defendant.	Pa.R.Crim.P. 530(C).
Criminal	Motion filed by attorney for the Commonwealth to present the matter to an indicting grand jury and subsequent order.	No Public Access—the motion and order are sealed.	Pa.R.Crim.P. 556.2.
Criminal	All indicting grand jury proceedings and related documents.	No Public Access. Disclosure may be granted to attorney for the Commonwealth, defendant in a criminal case, witnesses, law enforcement personnel, and upon motion when necessary.	Pa.R.Crim.P. 556.10.
Criminal	Sealed indictments.	No Public Access.	Pa.R.Crim.P. 556.11(E).
Criminal	Sealed records concerning mental health experts.	No Public Access.	Pa.R.Crim.P. 569.
Criminal	Sealed written statements pertaining to protective orders.	No Public Access. The entire text of the statement shall be sealed and preserved in the records of the court to be made available to the appellate court(s) in the event of an appeal.	Pa.R.Crim.P. 573(F).
Criminal	Sealed plea agreement.	No Public Access.	Pa.R.Crim.P. 590.
Criminal	Juror qualification forms.	No Public Access.	Pa.R.Crim.P. 625(A)(3).

<i>Subject Area</i>	<i>Record Description</i>	<i>Accessibility</i>	<i>Authority</i>
Criminal	Juror information questionnaires.	No Public Access. Questionnaires are retained in a sealed file and shall be destroyed upon completion of the jurors' service, unless otherwise ordered by the trial judge.	Pa.R.Crim.P. 632.
Criminal	Sealed verdict.	No Public Access.	Pa.R.Crim.P. 649.
Criminal	Notes taken by jurors.	No Public Access.	Pa.R.Crim.P. 644(B)(7).
Criminal	Pre-sentence reports and related psychiatric psychological reports.	No Public Access.	Pa.R.Crim.P. 703(A).
Criminal	Records revealing the names of human trafficking victims.	No Public Access, unless otherwise ordered by a court in a prosecution involving a victim of human trafficking.	18 Pa.C.S. § 3019(a).
Criminal	Wiretap applications, final reports and orders.	No Public Access except upon showing of good cause before a court of competent jurisdiction.	18 Pa.C.S. § 5715.
Criminal	Names of minor victims of sexual or physical abuse.	No Public Access. Records revealing a victim's name are sealed. A minor victim who is 18 years of age or older at the time of the commencement of the prosecution may waive this protection and allow the court to release the name of the minor victim.	42 Pa.C.S. § 5988.
Criminal*	Any criminal history record information related to the convictions of certain offenses graded as a misdemeanor of the first, second or third degree, or summary more than 10 years old with completed payment obligations, and dispositions that are non-convictions.	No public access. The court shall not release the information to an individual, noncriminal justice agency or an internet website.	18 Pa.C.S. §§ 9121, 9122.1, and *§ 9122.2
Domestic Relations	Information regarding the registration, filing of a petition for, or issuance of a protection from abuse in either the issuing or enforcing State.	No Public Access via internet publication, if such publication would be likely to publically reveal the identity or location of the protected party.	18 U.S.C. § 2265(d)(3).
Domestic Relations	Social security number of any individual subject to a divorce decree, support order, paternity determination, or acknowledgement of paternity, which is required in all records of those matters.	No Public Access.	23 Pa.C.S. § 4304.1(a)(3).
Domestic Relations	Child Support Records	No Public Access, except for PACSES dockets, court orders and opinions.	42 U.S.C. §§ 654(26)(A), 654a(d)(1)(A); 45 CFR §§ 303.21(c)-(d), 307.13(a)(1); 23 Pa.C.S. § 4304.1(d); Sections 2.4 and 3.4 of the Cooperative Agreement.

<i>Subject Area</i>	<i>Record Description</i>	<i>Accessibility</i>	<i>Authority</i>
Domestic Relations	(a) Subject to any inconsistent general rules and to the supervision and direction of the court, the domestic relations section shall have the power and duty to . . . (10) Implement safeguards applicable to all confidential information received by the domestic relations section in order to protect the privacy rights of the parties, including . . . (ii) prohibitions against the release of information on the whereabouts of one party or the child to another party against whom a protective order with respect to the former party or the child has been entered; and (iii) prohibitions against the release of information on the whereabouts of one party or the child to another person if the domestic relations section has reason to believe that the release of the information may result in physical or emotional harm to the party or the child.	No Public Access.	23 Pa.C.S. § 4305(a)(10)(ii)-(iii).
Domestic Relations	List of weapons ordered to be relinquished by the defendant in an action for protection from abuse.	No Public Access, except (A) upon an order of the court granted upon cause shown; (B) as necessary, by law enforcement and court personnel; or (C) after redaction of information listing any firearm, other weapons or ammunition.	23 Pa.C.S. § 6108(a)(7)(v); *18 Pa.C.S. § 6105.2(f); *see also 18 Pa.C.S. § 6128(e).
Domestic Relations	All records pertaining to a confidential address for individuals participating in the Office of Victim Advocate's Address Confidentiality Program.	No Public Access, except for the substitute address provided by the Office of Victim Advocates.	23 Pa.C.S. § 6703(d); see also 23 Pa.C.S. § 5336(b)(1).
Juvenile Court	Juvenile Dependency and Delinquency records.	No Public Access; except as set forth in 42 Pa.C.S. § 6307, Pa.Rs.J.C.P. 160 and/or 1160, including with leave of court.	42 Pa.C.S. § 6307; Pa.Rs.J.C.P. 160, 1160.
Orphans' Court	Proceedings related to appointment of guardianship for incapacitated persons.	Shall be closed to the public upon request of the alleged incapacitated person or his counsel. After the individual's death his/her estate may access the record of the guardianship proceedings.	20 Pa.C.S. § 5511(a); <i>In re Estate of duPont</i> , 2 A.3d 516 (Pa. 2010).
Orphans' Court	Records required for foreign adoption decrees.	No Public Access unless a court order is granted upon good cause.	23 Pa.C.S. § 2908(F); Pa.O.C.R. 15.7.
Orphans' Court	Adoption records.	No Public Access unless otherwise ordered.	23 Pa.C.S. § 2915; see also 23 Pa.C.S. § 2906; Pa.O.C.R. 15.7.
Orphans' Court (Family Court in Philadelphia County or Juvenile Court Section of Family Division in Allegheny County Pa.R.J.A. 2157)	Applications of a minor for judicial approval of decision to have an abortion, under the Abortion Control Act, as well as proceedings and the name of the minor.	No Public Access; sealed dockets, and documents shall be maintained in a closed file marked "confidential" and identified by case number only.	18 Pa.C.S. § 3206(f); Pa.O.C.R. 16.2 and 16.6. Note also Pa.R.J.A. No. 2157 and Pa.R.A.P. 3801.

<i>Subject Area</i>	<i>Record Description</i>	<i>Accessibility</i>	<i>Authority</i>
General	Records concerning persons in treatment under the Mental Health Procedures Act.	Limited Public Access in compliance with the Mental Health Procedures Act and controlling case law.	50 P.S. § 7111.
General	Court documents, rules, or orders in Gaming Law proceedings.	Any party may request proceeding and record to be sealed if in best interest of any person or Commonwealth.	4 Pa.C.S. § 1518.2(b).
General	Proceedings and records involving juveniles charged with a summary offense before the minor judiciary, the Philadelphia Municipal Court or a Court of Common Pleas.	No Public Access.	42 Pa.C.S. §§ 6303(c), 6307(c), and 6336(g).
General	Transcript of proceedings in the judicial districts within the Unified Judicial System.	A court may order the person preparing the transcript to redact confidential, personal and/or financial data and other identifiers and information listed in Section 7.0 of the Case Records Public Access Policy of the Unified Judicial System.	Pa.R.J.A. No 4014.

\* New material

Note: This may not be a complete listing; the public and court staff are directed to consult federal and state statutes, court rules or case law.

[Pa.B. Doc. No. 19-1230. Filed for public inspection August 16, 2019, 9:00 a.m.]

## Title 252—ALLEGHENY COUNTY RULES

### ALLEGHENY COUNTY

#### **Certification of District Attorney of Allegheny County Pursuant to Pa.R.Crim.P. 507; Criminal Division; AD-19-# 288-PJ**

#### **Order of Court**

*And Now, to wit, this 19th day of July, 2019, It Is Hereby Ordered, Adjudged and Deceed* that the following amended Allegheny County Rule of Criminal Procedure, adopted by the Board of Judges on July 18, 2019, shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

Rule 507.6. Approval of Certain Police Agency Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth for Designated Felony Crimes.

The District Attorney of Allegheny County, Stephen A. Zappala, Jr., having filed a certification pursuant to Pa.R.Crim.P. 507, criminal complaints and arrest warrant affidavits filed by police officers in the designated police agencies listed as follows, as defined in the Rules of Criminal Procedure, charging the following designated felony crimes shall not hereafter be accepted by any judicial officer unless the criminal complaint and arrest warrant affidavit have the approval of an attorney for the Commonwealth prior to filing.

#### DESIGNATED FELONY CRIMES

- a) Aggravated Assault of unborn child—18 Pa.C.S. § 2606(a)
- b) Aggravated Assault—18 Pa.C.S. § 2702(a)(1) through (9)

- c) Aggravated assault of law enforcement officer—18 Pa.C.S. § 2702.1(a)
- d) Stalking—18 Pa.C.S. § 2709.1(a)(1) and (c)(2)
- e) Stalking—18 Pa.C.S. § 2709.1(a)(2) and (c)(2)
- f) Threat to use weapons of mass destruction—18 Pa.C.S. § 2715(a)(3) and (b)(2) and (b)(4)
- g) Threat to use weapons of mass destruction—18 Pa.C.S. § 2715(a)(4) and (b)(2) and (b)(4)
- h) Weapons of mass destruction—18 Pa.C.S. § 2716(a)
- i) Weapons of mass destruction—18 Pa.C.S. § 2716(b)
- j) Terrorism—18 Pa.C.S. § 2717(a)
- k) Kidnapping—18 Pa.C.S. § 2901(a)
- l) Unlawful restraint of minor—18 Pa.C.S. § 2902(b) and (c)
- m) False imprisonment of a minor—18 Pa.C.S. § 2903(b) and (c)
- n) Trafficking in individuals—18 Pa.C.S. § 3011(a) and (b)
- o) Involuntary Servitude—18 Pa.C.S. § 3012(a)
- p) Patronizing a victim of sexual servitude—18 Pa.C.S. § 3013(a)
- q) Unlawful conduct regarding documents—18 Pa.C.S. § 3014
- r) Causing or risking catastrophe—18 Pa.C.S. § 3302(a) and (b)
- s) Burglary—18 Pa.C.S. § 3502(a)
- t) Criminal trespass—18 Pa.C.S. § 3503(a)
- u) Forgery—18 Pa.C.S. § 4101(a)

v) Intimidation of witness—18 Pa.C.S. § 4952(a) and (b)(1) through (4)

w) Retaliation against witness/victim—18 Pa.C.S. § 4953(a) and 4952(1) through (5)

x) Retaliation against prosecutor/judicial official—18 Pa.C.S. § 4953.1(a) and (b)(1) through (5)

y) Intimidation, retaliation or obstruction in child abuse cases—18 Pa.C.S. § 4958(a)(b), (b.1) and (c)(1)

z) Disarming law enforcement officer—18 Pa.C.S. § 5104.1(a)

aa) Recruiting criminal gang member—18 Pa.C.S. § 5131(a) and (b)(1)(iii) and (2)

bb) Riot—18 Pa.C.S. § 5501

cc) Animal Fighting—18 Pa.C.S. § 5511(h.1)(1) through (7)

dd) Facsimile weapons of mass destruction—18 Pa.C.S. § 5516(a)

ee) Operation of methamphetamine laboratory—18 Pa.C.S. § 7508.2

ff) Criminal use of communication facility—18 Pa.C.S. § 7512(a)

gg) Aggravated assault by watercraft while operating under influence—30 Pa.C.S. § 5502.3(a)

hh) Manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance—35 P.S. § 780-113(a)(30)

ii) Unlawful manufacture of methamphetamine—35 P.S. § 780-113(a)(38)

jj) Operating a methamphetamine laboratory—35 P.S. § 780-113.4(a)(1)(2)(3) and (b)(1)

kk) Aggravated assault by vehicle—75 Pa.C.S. § 3732.1(a)

ll) Aggravated assault by vehicle while driving under the influence—75 Pa.C.S. § 3735.1(a)

mm) Accidents involving death or personal injury—75 Pa.C.S. § 3742(a) and (b)(2) and (3)(i)

nn) Accidents involving death or personal injury while not properly licensed—75 Pa.C.S. § 3742.1(a) and (b)(2)

DESIGNATED POLICE AGENCIES TO WHICH THIS  
RULE APPLIES

Pittsburgh Bureau of Police  
Allegheny County Police Department  
Braddock Borough Police Department  
Braddock Hills Borough Police Department  
Chalfont Borough Police Department  
Clairton City Police Department  
Churchill Borough Police Department  
Duquesne City Police Department  
East McKeesport Police Department  
East Pittsburgh Police Department  
Edgewood Borough Police Department  
Elizabeth Borough Police Department  
Elizabeth Township Police Department  
Forest Hills Borough Police Department  
Forward Township Police Department  
Glassport Borough Police Department  
Homestead Borough Police Department  
Liberty Borough Police Department  
Lincoln Borough Police Department  
McKeesport City Police Department  
Monroeville Borough Police Department  
Munhall Borough Police Department  
North Braddock Borough Police Department  
North Versailles Township Police Department  
Oakmont Borough Police Department  
Penn Hills Township Police Department  
Penn State Greater Allegheny Police Department  
Pitcairn Borough Police Department  
Plum Borough Police Department  
Port Vue Borough Police Department  
Penn State Greater Allegheny Police Department  
Rankin Borough Police Department  
Swissvale Borough Police Department  
Trafford Borough Police Department  
Turtle Creek Borough Police Department  
Verona Borough Police Department  
Versailles Police Department  
Wall Borough Police Department  
West Homestead Borough Police Department  
West Mifflin Borough Police Department  
Whitaker Borough Police Department  
White Oak Borough Police Department  
Wilkins Township Police Department  
Wilkinsburg Borough Police Department  
Wilmerding Borough Police Department

*By the Court*

KIM CLARK,  
*President Judge*

[Pa.B. Doc. No. 19-1231. Filed for public inspection August 16, 2019, 9:00 a.m.]