

THE COURTS

Title 255—LOCAL COURT RULES

ADAMS COUNTY

New Rule of Judicial Administration 1950; Administrative Order Number 13 of 2019

Order of Court

And Now, this 21st day of August, 2019, the Court hereby creates Rule 1950 of the Adams County Rules of Judicial Administration as follows:

Rule 1950. Sound System in Courtroom.

Unless directed otherwise by the presiding judge or presiding magisterial district judge during a proceeding, the management of a sound system in a courtroom, including the ability to control power to microphones, shall only be performed by the presiding judge or magisterial district judge, a tipstaff, personal staff of the presiding judge or magisterial district judge, or authorized court administration staff. Under no circumstances shall attorneys, agencies representatives, parties to a proceeding, or any other person touch the sound system, turn off or otherwise adjust a live microphone on the bench, an attorney table, a podium used to address the Court or a witness box. The only exception to this Rule shall be when an attorney, agency representative or party to a proceeding needs to temporarily mute a microphone to speak off the record, which said microphone shall be immediately unmuted once back on the record.

This rule shall become effective after all the provisions of the Pennsylvania Rules of Judicial Administration 103 are met, to include the following:

- a. Two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for
- b. publication in the *Pennsylvania Bulletin*;
- c. One copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts via e-mail to adminrules@pacourts.us;
- d. A copy of the proposed local rule(s) shall be published on the 51st Judicial District website;
- e. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;
- f. The effective date of the local rule(s) shall be 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 19-1359. Filed for public inspection September 6, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEAVER COUNTY

Local Rule of Criminal Procedure L.R. 117; No. CP-04-AD-91-2019

Administrative Order

It is hereby Ordered and Directed that Local Rule of Criminal Procedure L.R. 117 be amended as follows:

LOCAL RULES OF CRIMINAL PROCEDURE

Deleted text is bold and bracketed. New text is bold and underlined.

Rule 117. Coverage Magisterial District Judges.

(1) All Magisterial District Judge Offices shall be open for regular business on Mondays through Fridays from 8:30 A.M. to 4:30 P.M. prevailing time.

(2) Magisterial District Judges shall be available 24 hours per day, every day of the calendar year to provide continuous coverage for the issuance of warrants, pursuant to Pa.R.Crim.P. 203; arrest warrants pursuant to Pa.R.Crim.P. 513; requests to accept bail and to issue emergency orders under the Protection from Abuse Act. The Magisterial District Judges shall satisfy this rule by remaining on-call during non-regular business hours on a rotating basis pursuant to a schedule prepared by the Court Administrator. The schedule shall be distributed and publicized pursuant to past practice.

(3) Magisterial District Judges shall be available during non-regular business hours each day at [**7:30 A.M., 2:00 P.M. and 10:00 P.M.**] **8:30 A.M. and 8:30 P.M.** for the purpose of providing the services set forth in Pa.R.Crim.P. 117(A)(2)(a), (b), (c) and (d). The availability of each Magisterial District Judge shall be on a rotating basis pursuant to the same schedule proposed pursuant to subdivision (2) and shall be publicized pursuant to past practice.

(4) Magisterial District Judges shall be available during regular business hours for all other business.

(5) Each Magisterial District Judges shall be available to preside over preliminary hearings at the Beaver County Courthouse, or such other location that may be established for "Central Court", on a rotating basis pursuant to a schedule prepared by the Court Administrator.

The Beaver County District Court Administrator is Directed to:

1. file one (1) copy of the Local 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 of the Local Rules in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. publish the Local Rules on the Court of Common Pleas of Beaver County website at <http://www.beavercountypa.gov/Depts/Courts>.
4. incorporate the Local Rules into the Local Rules of this Court within thirty (30) days after publication of the Local Rules in the *Pennsylvania Bulletin*.

5. file one (1) copy of the Local Rules in all appropriate filing offices and the Beaver County Law Library for public inspection and copying.

Said Amendments to the Local Rules of Judicial Administration shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin* and upon publication on the Beaver County website.

By the Court

RICHARD MANCINI,
President Judge

[Pa.B. Doc. No. 19-1360. Filed for public inspection September 6, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WASHINGTON COUNTY

Adoption of Local Civil Rule 1915.11.1—Parenting Coordination; No. 2019-1

Order

And Now, this 14th day of August, 2019, it is hereby *Ordered, Adjudged, and Decreed* that the following Washington County Local Rule of Civil Procedure is hereby adopted, effective thirty (30) days after publication of this *Order* in the *Pennsylvania Bulletin*.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(d). The District Court Administrator is directed to do the following:

1. Publish the local rules on the Court's website to be incorporated into the set of local rules on the website within thirty (30) days after the publication of the local rules in the *Pennsylvania Bulletin*.

2. File one (1) copy of the local rules in the appropriate filing office(s) for public inspection and copying.

3. Cause a copy hereof to be published in the *Washington County Bar Journal* once a week for two successive weeks at the expense of the County of Washington.

By the Court

KATHERINE B. EMERY,
President Judge

Rule 1915.11.1. Parenting Coordination.

(a) *Appointment of a Parenting Coordinator.*

(1) If the parties agree on a Parenting Coordinator or if the Court deems one necessary, an order will be entered in accordance with Pa.R.Civ.P. 1915.22.

(2) If the parties cannot agree on the selection of a Parenting Coordinator, the Court shall require each party to identify his/her choice(s) along with the hourly rate of each to all parties. If the parties cannot agree, the Court will select a Parenting Coordinator. The roster of the Court's approved Parenting Coordinators and their stated hourly rates shall be posted in the office of the Court Administrator-Civil Division and on the website of the Twenty-Seventh Judicial District at www.washingtoncourts.us.

(3) Any party seeking a reduced fee under section (d) below must seek leave to proceed in forma pauperis in accordance with local Rule 240.

(b) *Roster of Approved Parenting Coordinators.*

An attorney or mental health professional seeking to be included on the roster of the Washington County Court's roster of qualified individuals to serve as a Parenting Coordinator shall submit a letter to the Court Administrator-Civil Division together with the following:

(1) An affidavit attesting the applicant has the qualifications found in Pa.R.Civ.P. 1915.11;

(2) Pennsylvania Act 33 child abuse and Act 34 criminal history clearances, within the past two (2) years;

(3) An acknowledgement that the applicant has read and will follow the Association of Family and Conciliation Courts (AFCC) Parenting Coordinator guidelines and the American Psychological Association (APA) Parenting Coordinator Guidelines. The former are posted at <https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf>. The latter are found at <https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>; and

(4) An acknowledgment of responsibility to accept reduced fee assignments for every three (3) full fee appointments taken. Appointments for reduced fee assignments will be made on a rotating basis for all Parenting Coordinators on the Court's roster.

(c) *Parenting Coordinator Recommendations.*

(1) In addition to providing the same to the parties and the assigned Judge, a Parenting Coordinator shall file his or her Summary and Recommendations with the Prothonotary within two (2) days after the last communication with the parties on the issues in accordance with Pa.R.Civ.P. 1915.11-1(f)(2). A Proof of Service shall also be filed. Copies of both documents shall also be provided to the Court Administrator-Civil Division.

(2) *Objections to Parenting Coordinator's Recommendation(s) and Petition for a Record Hearing.*

a. A party objecting to the Recommendations must file with the Prothonotary an original and a copy of his or her Objections and a Petition for a Record Hearing before the Court within five (5) days of service of the Summary and Recommendations together with a Proof of Service upon all parties and the Parenting Coordinator. Copies shall also be provided to the assigned Judge and the Court Administrator-Civil Division.

b. The assigned Judge shall schedule a record hearing as soon as practical on the objections.

c. If timely objections are filed, the Parenting Coordinator's Recommendation may be entered as an interim order by the assigned Judge pending final disposition.

(3) *Court Review of Parenting Coordinator's Recommendations.*

If no objections to the Parenting Coordinator's Recommendation are filed with the Prothonotary within five (5) days of service of the Summary and Recommendation, the assigned Judge will review the Recommendation in accordance with Pa.R.Civ.P. 1915.11-1(f)(4).

(d) *Fees.*

Parties who request the appointment of a Parenting Coordinator or who are identified by the Court as benefiting from the appointment of a Parenting Coordinator shall pay the Parenting Coordinator as follows:

(1) Up to \$150.00 an hour;

(2) The assigned Judge shall initially allocate the fees between the parties, but they may be reallocated as deemed appropriate by the Parenting Coordinator or the Court at a later date. See Pa.R.Civ.P. 1915.22(8).

(3) If, after a review of the In Forma Pauperis (IFP) petition, the parties' combined gross income and family size is at or below the Federal Poverty Guidelines, the Parenting Coordinator's fee shall be pro bono. If, after a

review of the In Forma Pauperis (IFP) petition, the parties' combined gross income and family size is between the Federal Poverty Guidelines and 150% of the Federal Poverty Guidelines, the Parenting Coordinator's fee shall be 50% of his or her hourly rate. All other litigants shall pay the full fee.

[Pa.B. Doc. No. 19-1361. Filed for public inspection September 6, 2019, 9:00 a.m.]