

THE COURTS

Title 255—LOCAL COURT RULES

CUMBERLAND COUNTY

Local Rule 1920.42-1; Civil Action—Law; 1996-1335

Order of Court

And Now, this 14th day of May, 2020, it is hereby Ordered and Decreed, that effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Cumberland County Court of Common Pleas adopts local rule 1920.42-1:

All Praecipes to Transmit Record filed pursuant to Rule 1920.42(a)(2), (b)(2), or (c)(2) shall include a proposed order approving grounds for divorce.

The Cumberland 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 Cumberland County Court website at www.ccpa.net.

4. Incorporation of the local rule into the set of local rules on www.ccpa.net 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.

6. Forward one (1) copy to the *Cumberland Law Journal*.

By the Court

EDWARD E. GUIDO,
President Judge

[Pa.B. Doc. No. 20-701. Filed for public inspection May 29, 2020, 9:00 a.m.]

Title 255—LOCAL COURT RULES

VENANGO COUNTY

Adoption of Local Bail Rules

Order of Court

And Now, this 14th day of May, 2020 the following rules are hereby Adopted as Venango County Local Rules of Criminal Procedure, governing bail in criminal matters to be effective June 30, 2020. The Venango County District Court Administrator is Ordered and Directed to do the following:

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

(2) Forward two (2) paper copies and one (1) electronic copy in a Microsoft Word to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) Publish the local rules on the Venango County website at www.co.venango.pa.us.

(4) File one copy of the local rule in the appropriate filing offices for public inspection and copying.

By the Court

OLIVER J. LOBAUGH,
President Judge

V.C.R.Crim.P. 520. Bail Before Verdict.¹

(A) If the bail authority denies bail, the bail authority shall:

(1) State the reasons for denying bail in writing or on the record and inform the defendant of his or her right to seek immediate review of the bail determination.

(2) Because magisterial district courts are not courts of record, if the bail authority is a magisterial district judge, the reasons for denying bail shall be memorialized on the docket by inputting said reasons into the Magisterial District Judge System (“MDJS”).

V.C.R.Crim.P. 529.1. Representation on Modification or Review of Bail Order.

(A) Upon either imposing bail conditions on the defendant or denying bail, the bail authority shall inform the defendant of his or her right to seek review of the bail determination pursuant to Pa.R.Crim.P. 529 governing Modification of Bail Prior to Verdict.

(1) At the magisterial district court, the bail authority shall inform the defendant of his or her right to make an oral request for review of the bail determination.

(2) The bail authority shall also inform the defendant of his or her right to hire counsel or apply for the services of the Venango County Public Defender’s Office for purposes of making a request for review of a bail determination.

(B) Either the bail authority considering the request for review or the judge of the court of common pleas presiding over a motion to modify may appoint counsel to represent the defendant when, in the bail authority’s or judge’s opinion, the interests of justice require it.²

V.C.R.Crim.P 520.1. Bail Generally³ and Hearing on Request for Review.

(A) All defendants shall be presumed bailable.⁴ The bail authority may only deny bail if:⁵

(1) the offense is a capital offense or an offense for which the maximum sentence is life imprisonment; or

(2) no conditions or combination of conditions other than imprisonment will reasonably assure the safety of any person and the community when the proof is evident or presumption great.

¹ This rule is intended to supplement Pa.R.Crim.P. 520 to make the defendant aware of his or her right to review.

² V.C.R.Crim.P. 520.1(C) is consistent with the Comment to Pa.R.Crim.P. 122 concerning appointment of counsel, which reads, in pertinent part, as follows:

Paragraph (A)(3) retains in the issuing authority or judge the power to appoint counsel regardless of indigency or other factors when, in the issuing authority’s or the judge’s opinion, the interests of justice require it.

³ This rule restates existing United States and Pennsylvania Constitutional law and Pennsylvania Rules of Criminal Procedure relating to bail and again is intended to supplement Pa.R.C.P. 520.

⁴ Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.” U.S. Const. amend. VIII; Pa. Const. art. 1 § 13.

⁵ “All prisoners shall be bailable by sufficient sureties, unless for capital offenses or for offenses for which the maximum sentence is life imprisonment or unless no condition or combination of conditions other than imprisonment will reasonably assure the safety of any person and the community when the proof is evident or presumption great.” Pa. Const. art. 1 § 14.

(B) A defendant who has been denied bail shall have the right to seek immediate review before either the issuing bail authority or a judge of the court of common pleas. A hearing on such review at which the defendant is present and after which the defendant has been informed of his right to be represented by counsel at said hearing, shall be held within 72 hours of such request for review.

(a) If, after hearing, the request for review is denied and the hearing was presided over by a judge of the court of common pleas, then the judge of the court of common pleas shall state the reasons for denying such request in writing or on the record in open court.

(b) If, after hearing, the request for review is denied and the hearing is presided over by a magisterial district judge, then the magisterial district judge shall memorialize the reasons for denying such request on the docket of the magisterial district case pending against the defendant by inputting said reasons into the Magisterial District Judge System ("MDJS") for the reason stated in V.C.R.Crim.P. 520.

(C) No condition of release, whether nonmonetary or monetary, shall be imposed for the sole purpose of ensuring that a defendant remains incarcerated until trial.⁶

V.C.R.Crim.P. 528.3. Monetary Condition of Release on Bail.

(A) Before imposing monetary conditions of release on bail on a defendant, the bail authority shall consider imposing Release on Recognizance (ROR) pursuant to Pa.R.Crim.P. 524(C)(1).

(B) The bail authority shall not impose any monetary condition that results in the pretrial detention of the defendant solely because the defendant is financially unable to meet that condition.

(C) Prior to imposing any monetary condition of release under Pa.R.Crim.P. 528, the bail authority must review the defendant's financial ability, including, but not limited to:⁷

- (1) The defendant's:
 - (a) income and assets,
 - (b) living expenses including food, rent/mortgage, utilities, medical expenses, child support and familial obligations,
 - (c) debts, and
 - (d) any other hardships.
- (2) The bail authority shall only consider the financial resources of the defendant and the defendant's legal spouse, not the defendant's friends or other family members.

(D) The bail authority shall not impose a monetary condition of bail unless it finds that:

- (1) no other condition or combination of conditions of release can ensure the defendant's appearance at trial.
- (2) the defendant is able to afford to pay that amount.

(E) In making a determination as to whether the defendant is able to afford the amount of bail, the Court or issuing authority shall consider the following factors as relevant:

- (1) Whether the defendant has an income at or below 125% of the Federal Poverty Guidelines;

⁶ Comment to Pa.R.Crim.P. 524.

⁷ Pa.R.Crim.P. 528(A)(2) requires that the bail authority consider the "financial ability of the defendant" prior to setting any monetary release condition. This amendment is intended to provide additional guidance to the Magisterial District Judge considering the "financial ability of the defendant."

(2) Whether the defendant receives income-based public assistance, including, but not limited to, Supplemental Nutrition Assistance Program (SNAP or food stamps), Medicaid, Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI), veterans' disability benefits, or other state-based benefits;

(3) Whether the defendant is or has within the past six months been homeless or resided in a mental health facility;

(4) Whether the defendant is on his or her own unable to meet basic living expenses, including, but not limited to, food, rent/mortgage, utilities, medical expenses, transportation, and child support; and

(5) Whether the defendant owns other assets including real or personal property.

[Pa.B. Doc. No. 20-702. Filed for public inspection May 29, 2020, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

List of Financial Institutions

Notice is hereby given that pursuant to Rule 221(b), Pa.R.D.E., the following List of Financial Institutions have been approved by the Supreme Court of Pennsylvania for the maintenance of fiduciary accounts of attorneys. Each financial institution has agreed to comply with the requirements of Rule 221, Pa.R.D.E, which provides for trust account overdraft notification.

SUZANNE E. PRICE,
Attorney Registrar

FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES OF TRUST ACCOUNTS OF ATTORNEYS

Bank Code A.

595	Abacus Federal Savings Bank
2	ACNB Bank
613	Allegent Community Federal Credit Union
375	Altoona First Savings Bank
376	Ambler Savings Bank
532	AMERICAN BANK (PA)
615	Americhoice Federal Credit Union
116	AMERISERV FINANCIAL
648	Andover Bank (The)
377	Apollo Trust Company

Bank Code B.

558	Bancorp Bank (The)
485	Bank of America, NA
662	Bank of Bird in Hand
415	Bank of Landisburg (The)
664	BANK UNITED, NA
642	BB & T Company
501	BELCO Community Credit Union
652	Berkshire Bank
663	BHCU
5	BNY Mellon, NA
392	BRENTWOOD BANK
495	Brown Brothers Harriman Trust Co., NA
161	Bryn Mawr Trust Company (The)

Bank Code C.

654 CACL Federal Credit Union
 618 Capital Bank, NA
 16 CBT Bank, a division of Riverview Bank
 136 Centric Bank

394 CFS BANK

623 Chemung Canal Trust Company
 599 Citibank, NA
 238 Citizens & Northern Bank
 561 Citizens Bank, NA
 206 Citizens Savings Bank
 576 Clarion County Community Bank
 660 Clarion FCU
 591 Clearview Federal Credit Union
 23 CNB Bank
 354 Coatesville Savings Bank
 223 Commercial Bank & Trust of PA
 21 Community Bank (PA)
 371 Community Bank, NA (NY)
 132 Community State Bank of Orbisonia

647 CONGRESSIONAL BANK

380 County Savings Bank
 617 Covenant Bank
 536 Customers Bank

Bank Code D.

339 Dime Bank (The)
 27 Dollar Bank, FSB

Bank Code E.

500 Elderton State Bank
 567 Embassy Bank for the Lehigh Valley
541 ENTERPRISE BANK
 28 Ephrata National Bank
 601 Esquire Bank, NA
 340 ESSA Bank & Trust

Bank Code F.

629 1st Colonial Community Bank
 158 1st Summit Bank
 31 F & M Trust Company—Chambersburg
 658 Farmers National Bank of Canfield
 205 Farmers National Bank of Emlenton (The)
 34 Fidelity Deposit & Discount Bank (The)
343 FIDELITY SAVINGS & LOAN ASSOCIATION OF BUCKS COUNTY
 583 Fifth Third Bank
 661 First American Trust, FSB
 643 First Bank
 174 First Citizens Community Bank
 191 First Columbia Bank & Trust Company
 539 First Commonwealth Bank
 667 First Federal Bank of the Midwest
 504 First Federal S & L Association of Greene County
 525 First Heritage Federal Credit Union
 42 First Keystone Community Bank
 51 First National Bank & Trust Company of Newtown (The)
 48 First National Bank of Pennsylvania
 426 First Northern Bank & Trust Company
 604 First Priority Bank, a division of Mid Penn Bank
592 FIRST RESOURCE BANK
 657 First United Bank & Trust
 408 First United National Bank

151 Firstrust Savings Bank
 416 Fleetwood Bank
 175 FNCB Bank
 291 Fox Chase Bank
 241 Franklin Mint Federal Credit Union
 639 Freedom Credit Union
58 FULTON BANK, NA

Bank Code G.

499 Gratz Bank (The)
 498 Greenville Savings Bank

Bank Code H.

402 Halifax Branch, of Riverview Bank
 244 Hamlin Bank & Trust Company
 362 Harleysville Savings Bank
 363 Hatboro Federal Savings
 463 Haverford Trust Company (The)
 606 Hometown Bank of Pennsylvania
 68 Honesdale National Bank (The)
 350 HSBC Bank USA, NA
364 HUNTINGDON VALLEY BANK
 605 Huntington National Bank (The)
 608 Hyperion Bank

Bank Code I.

365 InFirst Bank
 557 Investment Savings Bank
 526 Iron Workers Savings Bank

Bank Code J.

70 Jersey Shore State Bank
 127 Jim Thorpe Neighborhood Bank
 488 Jonestown Bank & Trust Company
 659 JPMorgan Chase Bank, NA
72 JUNIATA VALLEY BANK (THE)

Bank Code K.

651 KeyBank NA
 414 Kish Bank

Bank Code L.

554 Landmark Community Bank
 542 Linkbank
 78 Luzerne Bank

Bank Code M.

361 M & T Bank
 386 Malvern Bank, NA
 510 Marion Center Bank
 387 Marquette Savings Bank
 81 Mars Bank
 43 Marysville Branch, of Riverview Bank
 367 Mauch Chunk Trust Company
 511 MCS (Mifflin County Savings) Bank
 641 Members 1st Federal Credit Union
 555 Mercer County State Bank
 192 Merchants Bank of Bangor
 610 Meridian Bank
 420 Meyersdale Branch, of Riverview Bank
294 MID PENN BANK
276 MIFFLINBURG BANK & TRUST COMPANY
 457 Milton Savings Bank
596 MOREBANK, A DIVISION OF BANK OF PRINCETON (THE)
484 MUNCY BANK & TRUST COMPANY (THE)

Bank Code N.

433	National Bank of Malvern
168	NBT Bank, NA
347	Neffs National Bank (The)
434	NEW TRIPOLI BANK
15	NexTier Bank, NA
636	Noah Bank
638	Norristown Bell Credit Union
666	Northern Trust Co.
439	Northumberland National Bank (The)
93	Northwest Bank

Bank Code O.

653	OceanFirst Bank
489	OMEGA Federal Credit Union
94	Orrstown Bank

Bank Code P.

598	PARKE BANK
584	Parkview Community Federal Credit Union
40	Penn Community Bank
540	PennCrest Bank
419	Pennian Bank
447	Peoples Security Bank & Trust Company
99	PeoplesBank, a Codorus Valley Company
556	Philadelphia Federal Credit Union
448	Phoenixville Federal Bank & Trust
665	Pinnacle Bank
79	PNC Bank, NA
449	Port Richmond Savings
451	Progressive-Home Federal Savings & Loan Association
637	Provident Bank
456	Prudential Savings Bank
491	PS Bank

Bank Code Q.

107	QNB Bank
560	Quaint Oak Bank

Bank Code R.

452	Reliance Savings Bank
220	Republic First Bank d/b/a Republic Bank
628	Riverview Bank

Bank Code S.

153	S & T Bank
316	Santander Bank, NA
460	Second Federal S & L Association of Philadelphia
646	Service 1st Federal Credit Union
458	Sharon Bank
462	Slovenian Savings & Loan Association of Franklin-Conemaugh
486	SOMERSET TRUST COMPANY
633	SSB Bank
518	STANDARD BANK, PASB
440	SunTrust Bank
122	SUSQUEHANNA COMMUNITY BANK

Bank Code T.

143	TD Bank, NA
656	TIOGA FRANKLIN SAVINGS BANK
182	TOMPKINS VIST BANK
609	Tristate Capital Bank
640	TruMark Financial Credit Union
467	Turbotville National Bank (The)

Bank Code U.

483	UNB Bank
481	Union Building and Loan Savings Bank
634	United Bank, Inc.
472	United Bank of Philadelphia
475	United Savings Bank
600	Unity Bank
232	Univest Bank & Trust Co.

Bank Code V.

611	Victory Bank (The)
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Bank Code W.

119	WASHINGTON FINANCIAL BANK
121	Wayne Bank
631	Wells Fargo Bank, NA
553	WesBanco Bank, Inc.
494	West View Savings Bank
473	Westmoreland Federal S & L Association
476	William Penn Bank
272	Woodlands Bank
573	WOORI AMERICA BANK
630	WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.**Bank Code Y.**

577	York Traditions Bank
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Bank Code Z.**PLATINUM LEADER BANKS**

The **HIGHLIGHTED ELIGIBLE INSTITUTIONS** are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program. These Institutions pay a net yield at the higher of 1% or 75 percent of the Federal Funds Target Rate on all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

IOLTA EXEMPTION

Exemptions are not automatic. If you believe you qualify, you must apply by sending a written request to the IOLTA Board's executive director: 601 Commonwealth Avenue, Suite 2400, P.O. Box 62445, Harrisburg, PA 17106-2445. If you have questions concerning IOLTA or exemptions from IOLTA, please visit their website at www.paiolta.org or call the IOLTA Board at (717) 238-2001 or (888) PAIOLTA.

FINANCIAL INSTITUTIONS WHO HAVE FILED AGREEMENTS TO BE APPROVED AS A DEPOSITORY OF TRUST ACCOUNTS AND TO PROVIDE DISHONORED CHECK REPORTS IN ACCORDANCE WITH RULE 221, Pa.R.D.E.

New

Name Change

Platinum Leader Change

Correction

Removal

No changes since last quarterly submission January, 2020.

[Pa.B. Doc. No. 20-703. Filed for public inspection May 29, 2020, 9:00 a.m.]

SUPREME COURT

Financial Institutions Approved as Depositories for Fiduciary Accounts; No. 195 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 14th day of May, 2020, it is hereby Ordered that the financial institutions named on the following list are approved as depositories for fiduciary accounts in accordance with Pa.R.D.E. 221.

FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES OF TRUST ACCOUNTS OF ATTORNEYS

Bank Code A.

595	Abacus Federal Savings Bank
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238	Citizens & Northern Bank
561	Citizens Bank, NA
206	Citizens Savings Bank
576	Clarion County Community Bank
660	Clarion FCU
591	Clearview Federal Credit Union
23	CNB Bank
354	Coatesville Savings Bank
223	Commercial Bank & Trust of PA
21	Community Bank (PA)
371	Community Bank, NA (NY)
132	Community State Bank of Orbisonia
647	CONGRESSIONAL BANK
380	County Savings Bank
617	Covenant Bank
536	Customers Bank

Bank Code D.

339	Dime Bank (The)
27	Dollar Bank, FSB

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567	Embassy Bank for the Lehigh Valley
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601	Esquire Bank, NA
340	ESSA Bank & Trust

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363	Hatboro Federal Savings
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606	Hometown Bank of Pennsylvania
68	Honesdale National Bank (The)
350	HSBC Bank USA, NA
364	HUNTINGDON VALLEY BANK
605	Huntington National Bank (The)
608	Hyperion Bank

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557	Investment Savings Bank
526	Iron Workers Savings Bank

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 414 Kish Bank

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 78 Luzerne Bank

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 666 Northern Trust Co.
 439 Northumberland National Bank (The)
 93 Northwest Bank

Bank Code O.

653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

Bank Code P.

598 **PARKE BANK**
 584 Parkview Community Federal Credit Union
 40 Penn Community Bank
 540 PennCrest Bank
 419 Pennian Bank
 447 Peoples Security Bank & Trust Company
 99 PeoplesBank, a Codorus Valley Company
 556 Philadelphia Federal Credit Union
 448 Phoenixville Federal Bank & Trust
 665 Pinnacle Bank
 79 PNC Bank, NA
 449 Port Richmond Savings
 451 Progressive-Home Federal Savings & Loan Association
 637 Provident Bank

456 Prudential Savings Bank
 491 PS Bank

Bank Code Q.

107 QNB Bank
 560 Quaint Oak Bank

Bank Code R.

452 Reliance Savings Bank
 220 Republic First Bank d/b/a Republic Bank
 628 Riverview Bank

Bank Code S.

153 S & T Bank
 316 Santander Bank, NA
 460 Second Federal S & L Association of Philadelphia
 646 Service 1st Federal Credit Union
 458 Sharon Bank
 462 Slovenian Savings & Loan Association of Franklin-Conemaugh
 486 **SOMERSET TRUST COMPANY**
 633 SSB Bank
 518 **STANDARD BANK, PASB**
 440 SunTrust Bank
 122 **SUSQUEHANNA COMMUNITY BANK**

Bank Code T.

143 TD Bank, NA
 656 **TIOGA FRANKLIN SAVINGS BANK**
 182 **TOMPKINS VIST BANK**
 609 Tristate Capital Bank
 640 TruMark Financial Credit Union
 467 Turbotville National Bank (The)

Bank Code U.

483 UNB Bank
 481 Union Building and Loan Savings Bank
 634 United Bank, Inc.
 472 United Bank of Philadelphia
 475 United Savings Bank
 600 Unity Bank
 232 Uninvest Bank & Trust Co.

Bank Code V.

611 Victory Bank (The)

Bank Code W.

119 **WASHINGTON FINANCIAL BANK**
 121 Wayne Bank
 631 Wells Fargo Bank, NA
 553 WesBanco Bank, Inc.
 494 West View Savings Bank
 473 Westmoreland Federal S & L Association
 476 William Penn Bank
 272 Woodlands Bank
 573 **WOORI AMERICA BANK**
 630 WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.**Bank Code Y.**

577 York Traditions Bank

Bank Code Z.**PLATINUM LEADER BANKS**

The **HIGHLIGHTED ELIGIBLE INSTITUTIONS** are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program. These Institutions pay a net yield at the higher of 1% or 75 percent of the Federal Funds Target Rate on

all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

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FINANCIAL INSTITUTIONS WHO HAVE FILED AGREEMENTS TO BE APPROVED AS A DEPOSITORY OF TRUST ACCOUNTS AND TO PROVIDE DISHONORED CHECK REPORTS IN ACCORDANCE WITH RULE 221, Pa.R.D.E.

New

Name Change

Platinum Leader Change

Correction

Removal

No changes since last quarterly submission January, 2020.

[Pa.B. Doc. No. 20-704. Filed for public inspection May 29, 2020, 9:00 a.m.]