

# THE COURTS

## Title 255—LOCAL COURT RULES

### ADAMS COUNTY

#### Rule of Criminal Procedure 576.1; Administrative Order Number 8 of 2020

##### Order of Court

*And Now*, this 7th day of July, 2020, the Court hereby creates Rule 576.1 of the Adams County Rules of Criminal Procedure and amends as follows:

[ Rules 572—589. Reserved ]

#### Rule 576.1. Electronic Filing and Service of Legal Papers.

A. Pursuant to Pa.R.Crim.P. 576.1, the Administrative Office of Pennsylvania Courts and the 51st Judicial District have agreed upon an implementation plan for electronic filing of criminal legal papers through the statewide system known as PACFile, effective March 9, 2020.

B. All parties are authorized to electronically file legal papers through PACFile with the clerk of courts in cases in the Adams County Court of Common Pleas, 51st Judicial District.

C. Any party may, but is not required to, utilize PACFile for any document except the following:

1. applications for search warrants,
2. applications for arrest warrants,
3. any grand jury materials,
4. submissions filed *ex parte* as authorized by law, and
5. submissions filed or authorized to be filed under seal.

D. Any party who is unable or declines to participate in PACFile may file legal papers in a physical paper format with the clerk of courts, and shall be served legal papers in a physical paper format by the clerk of courts and other parties to the case. However, pursuant to Pa.R.Crim.P. 576.1(D)(2), establishment of a PACFile account shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed in PACFile.

E. Parties utilizing PACFile shall serve physical paper format copies on all parties to the case who do not utilize PACFile, pursuant to Pa.R.Crim.P. 576. When utilizing PACFile, parties shall not be required to serve the court administrator.

F. On March 9, 2022, all attorneys shall be required to file criminal legal papers electronically through PACFile in the 51st Judicial District, subject to the provisions in this Rule.

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

a. A certified copy of this Order shall be submitted to the Criminal Procedural Rules Committee for review.

b. Upon receipt of a statement from the Criminal Procedural Rules Committee that the local rule is not inconsistent with any general rule of the Supreme Court, 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 test of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for 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. 20-986. Filed for public inspection July 24, 2020, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### ADAMS COUNTY

#### Rule of Criminal Procedure 576.1; Administrative Order Number 8A of 2020

##### Order of Court

*And Now*, this 14th day of July, 2020, the Court hereby makes a correction to Administrative Order 8 of 2020, proposed Rule 576.1(C)(3), issued on July 7, 2020, as follows:

3. any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment,

All other aspects of Administrative Order 8 of 2020 remain in full effect.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 20-987. Filed for public inspection July 24, 2020, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BUCKS COUNTY

#### Order Rescinding Rule of Civil Procedure 208.2(e) and Promulgating Rule of Civil Procedure Rule 208.2(e) Affidavit of Good Faith Efforts to Resolve Discovery Disputes Prior to Court Action; Administrative Order No. 99

##### Order

*And Now*, this 15th day of July 2020, Bucks County Civil Rule 208.2(e) is vacated and Bucks County Civil Rule 208.2(e) is promulgated as follows:



THE COURTS

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA CIVIL ACTION—CUSTODY

Plaintiff vs. Defendant No. \_\_\_\_\_ of 20\_\_\_\_-D

PRE-TRIAL STATEMENT

This pre-trial statement is filed pursuant to Westmoreland County Rule of Civil Procedure W1915.4-4 on behalf of \_\_\_\_\_, Plaintiff/Defendant in the above captioned case.

WITNESS LIST (MUST BE COMPLETE). PROVIDE NAME, ADDRESS, TELEPHONE NUMBER OF EACH WITNESS:

Name \_\_\_\_\_ Address \_\_\_\_\_ Tel. No. \_\_\_\_\_ Name \_\_\_\_\_ Address \_\_\_\_\_ Tel. No. \_\_\_\_\_

EXPERT WITNESSES: PROVIDE NAME, ADDRESS TELEPHONE NUMBER OF EACH EXPERT. ATTACH WRITTEN REPORT.

Name \_\_\_\_\_ Address \_\_\_\_\_ Tel. No. \_\_\_\_\_ Name \_\_\_\_\_ Address \_\_\_\_\_ Tel. No. \_\_\_\_\_

IDENTIFY EXHIBITS REQUESTED BY STIPULATION (SCHOOL OR MEDICAL RECORDS, HOME EVALUATION, OTHER). ATTACH A COPY OF EACH EXHIBIT.

\_\_\_\_\_

PROPOSAL FOR SETTLEMENT: \_\_\_\_\_

PLEASE ATTACH REQUESTED STIPULATION OF FACTS.

Printed Name \_\_\_\_\_ Identify (Plaintiff, Defendant, Counsel, etc.) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

CUSTODY FACTORS

Table with 4 columns: Factor, Mother, Party This Factor Favors?, Father. Row 1: (1) Which party is more likely to encourage and permit frequent and continuing contact between the child and another party.

<i>Factor</i>	<i>Mother</i>	<i>Party This Factor Favors?</i>	<i>Father</i>
(2) The present and past abuse committed by a party or member of the party's household, whether there is a continued risk of harm to the child or an abused party and which party can better provide adequate physical safeguards and supervision of the child.			
(2.1) The information set forth in section 5329.1(a) (relating to consideration of child abuse and involvement with protective services).			
(3) The parental duties performed by each party on behalf of the child.			
(4) The need for stability and continuity in the child's education, family life and community life.			
(5) The availability of extended family.			
(6) The child's sibling relationships.			
(7) The well-reasoned preference of the child, based on the child's maturity and judgment.			
(8) The attempts of a parent to turn the child against the other parent, except in cases of domestic violence where reasonable safety measures are necessary to protect the child from harm.			
(9) Which party is more likely to maintain a loving, stable, consistent and nurturing relationship with the child adequate for the child's emotional needs.			
(10) Which party is more likely to attend to the daily physical, emotional, developmental, educational and special needs of the child.			
(11) The proximity of the residences of the parties.			
(12) Each party's availability to care for the child or ability to make appropriate child-care arrangements.			
(13) The level of conflict between the parties and the willingness and ability of the parties to cooperate with one another. A party's effort to protect a child from abuse by another party is not evidence of unwillingness or inability to cooperate with that party.			
(14) The history of drug or alcohol abuse of a party or member of a party's household.			
(15) The mental and physical condition of a party or member of a party's household.			
(16) Any other relevant factor.			

Rescinded March 25, 2013; New Rule W1915.17 adopted March 25, 2013, effective May 27, 2013. Amended and renumbered September 20, 2016, effective 11/20/16.

*Note:* Rule W1915.7 was rescinded effective April 3, 2000.

[Pa.B. Doc. No. 20-989. Filed for public inspection July 24, 2020, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated July 15, 2020, Ross Peter Wagner (# 326047) is Suspended on Consent from the Bar of this Commonwealth for a period of two years, with twelve months to be served. The remaining suspension of

twelve months is stayed, and he is placed on probation for 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. 20-990. Filed for public inspection July 24, 2020, 9:00 a.m.]