

# THE COURTS

## Title 255—LOCAL COURT RULES

### MONTGOMERY COUNTY

#### Amendment to Local Rule of Civil Procedure No. 1920.73(c); No. 2021-00001

##### Order

*And Now*, this 7th day of July, 2021, the Court hereby Amends Montgomery County Local Rule of Civil Procedure No. 1920.73(c)—Notice of Intention to Request Entry of Divorce Decree. Praecepte to Transmit Record. Motion for Entry of Grounds Order and Appointment of Equitable Distribution Hearing Officer. Forms. This Amended Rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

*By the Court*

THOMAS M. DeRICCI,  
*President Judge*

#### **Rule 1920.73(c). Notice of Intention to Request Entry of Divorce Decree. Praecepte to Transmit Record. Motion for Entry of Grounds Order and Appointment of Equitable Distribution Hearing Officer. Forms.**

(1) \* \* \*

(2) \* \* \*

(3) \* \* \*

(4) The Non-Moving party shall have forty-five (45) days from the date of service of the Moving party's Motion and Initial Hearing/Inventory Statement in which to complete all discovery, and file a written certification with the Prothonotary, with service on the Moving party, that the Non-Moving party's discovery is complete. This certification shall include a listing of all assets and liabilities, including values as of the date of filing of the certification by the Non-Moving party. If no such certification is filed with the Prothonotary by the Non-Moving party, discovery shall be deemed to have been completed by the Non-Moving party upon the expiration of 45 days from date of service of the Moving party's Motion and Initial Hearing/Inventory Statement.

(5) \* \* \*

[Pa.B. Doc. No. 21-1118. Filed for public inspection July 16, 2021, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### WASHINGTON COUNTY

#### Collection of Restitution, Reparation, Fees, Costs, Fines, and Penalties; No. 2021-1

##### Administrative Order

*And Now*, this 1st day of July, 2021, the Court having issued Administrative Orders at the previously-numbered docket on May 7, 2021, and June 10, 2021, and an Administrative Order regulating filing procedures for the Clerk of Courts dated January 15, 2021, it is hereby *Ordered, Adjudged, and Decreed* that the Clerk of Courts shall follow the procedures set forth as follows:

1. The Clerk of Courts shall complete and process Pennsylvania Department of Transportation DL-21CF Forms, including submission of the report to the appropriate agency of the Commonwealth, upon receipt of an order of court issued pursuant to 75 Pa.C.S.A. § 1541 (commonly referred to as "Act 122s").

2. The Clerk of Courts shall complete and process Pennsylvania Department of Transportation DL-21CF Forms, including submission of the report to the appropriate agency of the Commonwealth, upon receipt of verification from the Adult Probation Office of the completion of a term of house arrest with electronic surveillance, partial confinement program, or incarceration (commonly referred to as "Act 151s"). The verification shall be provided in a format as prescribed by the Adult Probation Office.

3. The Clerk of Courts shall complete and process Pennsylvania Department of Transportation DL-38 forms for notification to the Pennsylvania Department of Transportation, upon request of the Chief Adult Probation Officer, or his designee, until further order of court.

4. The Clerk of Courts shall enter sentences and assess restitution, reparation, fees, costs, fines, and/or penalties on adult criminal or juvenile delinquency cases, including assessments for summary appeals, miscellaneous dockets, and underlying filing types, such as inter-county transfer cases, whether offense or non-offense related, until such time that the Chief Adult Probation Officer informs the Clerk of Courts that the this function will be assumed by the Collections Unit of the Adult Probation Office. In completing these required entries, the Clerk of Courts must comply with this Court's Administrative Order of May 7, 2021, which established a status quo for the entry of assessments of fines, costs, fees, and restitution, in anticipation of the transfer of collection functions. Assessments for Alcohol Highway Safety School tuition, Court Reporting Network evaluations, and Community Service Administration fees are to be completed in the same manner as prior to May 7, 2021, Administrative Order until further order of court.

5. The Court reiterates from its Administrative Order of May 28, 2021, that the Chief Adult Probation Officer, or his designee, shall direct the master accounting process in CPCMS, to include the coordination of monthly master account disbursements, including running all necessary reports and notifying and working with the Clerk of Courts regarding the printing of each offices' respective

checks. The Clerk of Courts shall not perform monthly master account disbursements absent consultation with and consent of the Chief Adult Probation Officer. The completion of master account disbursements jointly by the Clerk of Courts and Adult Probation Office is essential to orderly and appropriate disbursements.

6. The Court is aware of payments made by credit card (e.g., twelve credit card payments from June 1—10 totaling approximately \$2,825.00), and acceptance of pre-paid restitution (see, e.g., *Commonwealth v. Thomas*, No. 2271-2020), that were accepted or deposited into the account(s) of the Clerk of Courts that have been affected by the transition of collection functions. The Clerk of Courts shall undertake all necessary actions immediately to facilitate the transfer and/or disbursement of funds as requested by the Chief Adult Probation Officer, or his designee.

7. The Clerk of Courts shall make personnel available to review bookkeeping and financial functions related to collections and disbursement functions that were previously handled by her office to ensure a productive transition of collections to the Adult Probation Office.

In the Administrative Order dated May 28, 2021, the Court stated that it expected the Clerk of Court to cooperate fully and in good faith to ensure a successful transition of collection functions. The Clerk of Courts shall cooperate fully and in good faith with the Court, and its designees, including the Chief Adult Probation Officer, to facilitate the administration of justice and the collection of fines, fees, costs, and restitution. The Clerk of Courts is not an independent agency, rather, it exists to

maintain files for the Court of Common Pleas, and to serve the judiciary and the public. The Court may initiate contempt proceedings upon a failure to adhere to the requirements set forth in this Administrative Order.

It is further *Ordered* that the provisions of this Order are incorporated into, and shall be read in conjunction with the Administrative Orders dated January 15, 2021, May 7, 2021, and May 28, 2021.

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

1. File one (1) certified copy of this Order with the Administrative Office of Pennsylvania Courts;
2. Distribute two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
3. Serve a copy of this Order on the judges of the Court of Common Pleas and the magisterial district courts, and the Clerk of Courts; and
4. 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*

JOHN F. DiSALLE,  
*President Judge*

[Pa.B. Doc. No. 21-1119. Filed for public inspection July 16, 2021, 9:00 a.m.]