

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION [204 PA. CODE CH. 29]

Promulgation of Consumer Price Index Pursuant to 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4); No. 555 Judicial Administration Doc.

Order

Per Curiam

And Now, this 23rd day of September, 2021, *It Is Ordered* pursuant to Article V, Section 10(c) of the Constitution of Pennsylvania and Section 3502(a) of the Judicial Code, 42 Pa.C.S. § 3502(a), that the Court Administrator of Pennsylvania is authorized to obtain and publish in the *Pennsylvania Bulletin* the percentage increase in the Consumer Price Index for calendar year 2020 as required by Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended).

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter K. COSTS, FINES AND FEES

§ 29.401a. Consumer Price Index—costs and fines.

Pursuant to Article V, Section 10 of the Pennsylvania Constitution, and 42 Pa.C.S. § 1721, the Supreme Court has authorized the Court Administrator of Pennsylvania to obtain and publish in the *Pennsylvania Bulletin* on or before November 30 the percentage increase in the Consumer Price Index for calendar year 2020 as required by Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended). See, No. 555 Judicial Administration Docket.

The Court Administrator of Pennsylvania reports that the percentage increase in the Consumer Price Index, All Urban Consumers, U.S. City Average, for calendar year 2020 was 1.4% percent. (See, U.S. Department of Labor, Bureau of Labor Statistics, Series CUUROOOSAO, January 22, 2021.)

[Pa.B. Doc. No. 21-1683. Filed for public inspection October 8, 2021, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION [204 PA. CODE CH. 29]

Promulgation of Financial Regulations Pursuant to 42 Pa.C.S. § 3502(a); No. 554 Judicial Adminis- tration Doc.

Order

Per Curiam

And Now, this 23rd day of September, 2021, *It Is Ordered* pursuant to Article V, Section 10(c) of the

Constitution of Pennsylvania and Section 3502(a) of the Judicial Code, 42 Pa.C.S. § 3502(a), that the Court Administrator of Pennsylvania is authorized to promulgate the following Financial Regulations. The costs outlined in the Financial Regulations are effective as of January 1, 2022.

To the extent that notice of proposed rule-making may be required by Pa.R.J.A. No. 103, the immediate promulgation of the regulations is hereby found to be in the interests of efficient administration.

This Order is to be processed in accordance with Pa.R.J.A. No. 103(b) and is effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter K. COSTS, FINES AND FEES

§ 29.401. Scope.

The Pennsylvania Supreme Court, pursuant to Art. V, § 10 of the Pennsylvania Constitution, and 42 Pa.C.S. § 1721, has authorized by Administrative Order, the Court Administrator of Pennsylvania to promulgate regulations relating to the accounting methods to be utilized in connection with the collection of fees and costs charged and collected by prothonotaries, and clerks of courts of all courts of common pleas, or by any officials designated to perform the functions thereof, as well as by the minor judiciary, including magisterial district judges, and judges and staff of all divisions of the Philadelphia Municipal Court.

Under authority of said Administrative Order and pursuant to the authority vested in the governing authority under 42 Pa.C.S. § 3502(a) of the Judicial Code, the following regulations are adopted to implement Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended).

§ 29.402. 42 Pa.C.S. § 1725.1. Costs.

(a) *Civil cases*.—In calendar year 2022, the costs to be charged by magisterial district judges in every civil case, except as otherwise provided in this section, shall be as follows:

(1) Actions involving \$500 or less	\$57.00
(2) Actions involving more than \$500 but not more than \$2,000	\$76.00
(3) Actions involving more than \$2,000 but not more than \$4,000	\$94.50
(4) Actions involving between \$4,001 and \$12,000	\$142.00
(5) Landlord-tenant actions involving \$2,000 or less	\$85.00
(6) Landlord-tenant actions involving more than \$2,000 but not more than \$4,000	\$104.00
(7) Landlord-tenant actions involving more than \$4,000 but not more than \$12,000	\$142.00
(8) Order of execution	\$42.50
(9) Objection to levy	\$19.00
(10) Reinstatement of complaint	\$9.50

(11) Entering Transcript on Appeal or Certiorari. \$5.00
 Said costs shall not include, however, the cost of postage and registered mail which shall be borne by the plaintiff.

(a.1) *Custody cases.*—In calendar year 2022, the cost (in addition to the cost provided by general rule) to be charged by the court of common pleas shall be as follows:

(1) Custody cases, except as provided in section 1725(c)(2)(v) \$8.50

(b) *Criminal cases.*—In calendar year 2022, the costs to be charged by the minor judiciary or by the court of common pleas where appropriate in every criminal case, except as otherwise provided in this section, shall be as follows:

(1) Summary conviction, except motor vehicle cases \$54.00

(2) Summary conviction, motor vehicle cases, other than paragraph (3) \$42.50

(3) Summary conviction, motor vehicle cases, hearing demanded \$51.50

(4) Misdemeanor \$61.50

(5) Felony \$71.00

Such costs shall not include, however, the cost of postage and registered mail which shall be paid by the defendant upon conviction.

(c) *Unclassified costs or charges.*—In calendar year 2022, the costs to be charged by the minor judiciary in the following instances not readily classifiable shall be as follows:

(1) Entering transcript of judgment from another member of the minor judiciary \$9.50

(2) Marrying each couple, making record thereof, and certificate to the parties \$47.50

(3) Granting emergency relief pursuant to 23 Pa.C.S. Ch. 61 (relating to protection from abuse) \$19.00

(4) Issuing a search warrant (except as provided in subsection (d)) \$19.00

(5) Any other issuance not otherwise provided in this subsection \$19.00

§ 29.403. 42 Pa.C.S. § 3571.

In calendar year 2022, Commonwealth portion of fines, etc.

* * * * *

(c) *Costs in magisterial district judge proceedings.*

(2) Amounts payable to the Commonwealth:

(i) Summary conviction, except motor vehicle cases \$18.90

(ii) Summary conviction, motor vehicle cases other than subparagraph (iii) \$18.90

(iii) Summary conviction, motor vehicle cases, hearing demanded \$18.90

(iv) Misdemeanor \$24.60

(v) Felony \$37.85

(vi) Assumpsit or trespass involving:

(A) \$500 or less \$23.75

(B) More than \$500 but not more than \$2,000 . . \$38.00

(C) More than \$2,000 but not more than \$4,000 \$56.70

(D) Between \$4,001 and \$12,000 \$94.65

(vii) Landlord-tenant proceeding involving:

(A) \$2,000 or less \$37.80

(B) More than \$2,000 but not more than \$4,000 \$47.25

(C) More than \$4,000 but not more than \$12,000 \$66.25

(viii) Objection to levy \$9.50

(ix) Order of execution \$28.35

(x) Issuing a search warrant (except as provided in section 1725.1(d) (relating to costs)) \$13.30

(xi) Order of possession \$15.00

(xii) Custody cases (except as provided in section 1725(c)(2)(v)) \$6.80

(Editor’s Note: Ellipses refer to the text of 42 Pa.C.S. § 3571.)

[Pa.B. Doc. No. 21-1684. Filed for public inspection October 8, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CHESTER COUNTY

Amendment to Local Rule 117(2)(A)(III), Bail Before Verdict

Administrative Order No. 17-2021

And Now, this 24th day of September, 2021, the following amendment to Chester County Rule of Criminal Procedure 117(2)(a)(iii) (“Amended Rule”) is adopted in its entirety. In accordance with Pennsylvania Rules of Judicial Administration 103(d)(4), this proposed Amended Rule was submitted to and approved by the Criminal Procedural Rules Committee of the Supreme Court.

Effective Date

This Amended Rule shall become effective thirty (30) days from the date of its publication in the *Pennsylvania Bulletin*.

Procedural Compliance

In conformity with Pa.R.J.A. 103(d), the Chester County Court Administrator shall do the following:

1) Distribute two (2) paper copies of the Amended Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, along with a copy of the Amended Rule in an agreed upon format which complies with the requirements of 1 Pa. Code § 13.11.

2) File one copy of the Amended Rule with the Administrative Office of Pennsylvania Courts.

3) Publish a copy of the Amended Rule on the Chester County website.

4) Incorporate the Amended Rule in the complete set of the published Chester County Court Rules no later than thirty (30) days following publication in the *Pennsylvania Bulletin*.

By the Court

JOHN L. HALL,
President Judge

Rule 117(2). Bail Before Verdict.

(a) In compliance with Pa.R.Crim.P. 520(B), which permits a defendant to be admitted to bail on any day and at any time:

(i) During regular business hours, published pursuant to Paragraph 1(a) above, bail shall be posted at the issuing Magisterial District Judge's Office provided that the case has not been held for court and that bail has not been previously modified by the Court of Common Pleas. If the case has been held for court or bail has been previously modified by the Court of Common Pleas, then bail shall be posted at the Clerk of Courts.

(ii) During on-call hours, published pursuant to Paragraph 1(b) above, bail shall be posted at the on-call Magisterial District Judge's Office, if the case has not been held for court or modified by the Court of Common Pleas.

(iii) During times other than those published pursuant to Paragraphs 1(a) and (b) above, the Bail Administrator or his/her correctional officer designee, shall be authorized to accept monetary bail at the Chester County Prison in accordance with the provisions, and subject to the limitations of Pa.R.Crim.P. 117(C) and Pa.R.Crim.P. 520. The Bail Administrator or his/her correctional officer designee shall be permitted to perform the following: accept the bail deposit, have the defendant sign the bail bond, release the defendant and deliver the bail deposit and bail bond to the issuing authority or the Clerk of Courts on the next business day.

Any person intending to post bail at the Chester County Prison shall, prior to any payment, contact the Chester County Prison by telephone to allow prison personnel to initiate the required pre-release records/detainers check.

[Pa.B. Doc. No. 21-1685. Filed for public inspection October 8, 2021, 9:00 a.m.]

Title 25—LOCAL COURT RULES

MIFFLIN COUNTY

In the Matter of Local Rules 58th Judicial District; No. CP-44-CV-2-2020

Amended Administrative Order

And Now, this 20th September, 2021, with respect to the Mifflin County Local Rules of Court, the Court hereby *Orders* the following:

Mifflin County Local Rules of Court, MC1008, MC1301, MC1302, MC1303, MC1304, MC1305, MC1306, MC1307, MC1308, MC1309, MC1310, MC1311, are hereby *Repealed*.

The following new Mifflin County Local Rules of Court are hereby *Adopted* and shall become effective thirty (30) days after the publication of same in the *Pennsylvania Bulletin*.

Rule MC1301. Cases Subject to Arbitration.

(a) All civil actions, where the amount in controversy is \$50,000.00 or less, shall be submitted to arbitration pursuant to 42 Pa.C.S.A. § 7361.

(b) This rule shall not apply to cases involving title to real estate, cases which have been consolidated for trial with cases involving more than \$50,000.00, actions brought by the Commonwealth or cases requiring equitable or declaratory relief.

Rule MC1302. Selection of Arbitrators.

(a) The Prothonotary shall prepare and maintain a list of attorneys who are members of the Mifflin County Bar Association and who have affirmatively agreed to sit on arbitration boards. When a civil action arises which is subject to arbitration under MC1301, the Prothonotary shall assemble a Board of Arbitrators, to hear that action.

(b) In the event an Arbitrator selected by the Prothonotary is unable to serve, or disqualifies himself or herself from serving, he or she shall notify the Prothonotary in writing within fifteen (15) days of his or her appointment. Upon receipt of such notification, the Prothonotary shall immediately fill the vacancy with another attorney from the list of potential Arbitrators.

(c) The Prothonotary shall select Arbitrators to serve on Boards of Arbitration in a manner that gives each attorney who is a member of the Mifflin County Bar Association and who desires to serve of Boards of Arbitration an equal number of appointments. The Prothonotary shall do so in a random manner, such that attorneys do not always serve on Boards of Arbitration composed of the same attorneys.

Rule MC1303. Hearing. Notice. Listing.

(a) Either party may file a Praecipe to list a case for arbitration. The Prothonotary shall appoint the Board of Arbitrators within ten (10) days after the Praecipe is filed. Counsel shall serve the Praecipe pursuant to the Pennsylvania Rules of Civil Procedure. If either party objects on the grounds that the matter should not be subject to mandatory arbitration under these rules, the objecting party shall file a motion within five (5) days after the filing of the Praecipe requesting the Court to make a determination.

(b) The Chair of the Board of Arbitrators shall fix the date, time, and place of the hearing and shall serve upon the parties or their counsel written notice thereof. There shall be at least thirty (30) days between the date the parties or their counsel receive said notice and the date of the hearing. Service shall be by certified mail, return receipt requested.

(c) Where no appearance has been entered by the defendant in a trespass action, an Arbitration Board shall be appointed on Praecipe of plaintiff or plaintiff's counsel, and the Arbitration Board shall hear the case for the purpose of determining the amount of damages to which the plaintiff is entitled.

(d) Upon appointment of an Arbitration Board, the Prothonotary shall release the original pleadings and other related documents to the members of the Board. Said documents shall be immediately returned to the Prothonotary's Office at the conclusion of the arbitration proceedings.

Rule MC1304. Conduct of Hearing, Generally.

If after an arbitration hearing starts or is completed, but before the report of the Board is filed, a member of

the Board is unable to complete his or her duties, the case shall be decided and the report signed by the two remaining members of the Board. In the event there are only two members of the Board remaining and those two Board members cannot agree on a decision, the Board's decision shall be treated as if it were the decision of a hung jury.

Rule MC1308. Arbitrators Compensation.

(a) For all cases in which the amount in controversy is less than \$15,000.00, each Arbitrator shall receive fees in the amount of \$65.00 per hour. In cases where the amount in controversy is between \$15,000.00 and \$50,000.00, each Arbitrator shall receive fees in the amount of \$90.00 per hour. The Chairman shall receive an additional \$75.00 when the amount in controversy is less than \$15,000.00. The Chairman shall receive an additional \$100.00 when the amount in controversy is between \$15,000.00 and \$50,000.00.

(b) Where two or more cases have been consolidated for arbitration, the Arbitrators shall be paid a separate fee for each case decided.

(c) The members of an Arbitration Board shall be entitled to receive their fees upon the filing of their report with the Prothonotary. When the report is filed, the Prothonotary shall issue an order for the payment of such

fees and those fees shall be immediately paid from the County funds as in the case of all other County debts.

By the Court

DAVID W. BARRON,
President Judge

[Pa.B. Doc. No. 21-1686. Filed for public inspection October 8, 2021, 9:00 a.m.]

**DISCIPLINARY BOARD OF
THE SUPREME COURT**

Notice of Hearing

A Petition for Reinstatement to the active practice of law has been filed by Toussaint T. Tyson and will be the subject of a hearing on December 14, 2021, before a hearing committee designated by the Board. Anyone wishing to be heard in reference to this matter should contact the District III Office of the Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Avenue, Suite 5800, Harrisburg, PA 17106, phone number (717) 772-8572, on or before November 30, 2021.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 21-1687. Filed for public inspection October 8, 2021, 9:00 a.m.]
