

THE COURTS

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Local Rules of Court; MsD No. 2022-40148

Administrative Order of Court

And Now, this 16th day May 2022, it is hereby Ordered and Directed that Local Rule L1920.33(b), adopted by Administrative Order of Court on February 1, 2007, and amended July 25, 2012, is amended as follows.

Amendment to Local Rule L1920.33(b) is adopted and effective immediately upon publication in the *Pennsylvania Bulletin*.

It is Ordered, in accordance with Pa.R.J.A 103, that the District Court Administrator shall:

1. File one (1) certified copy of this Administrative Order and the within Local Rule of Civil Procedure with the Administrative Office of the Pennsylvania Courts.

2. File two (2) certified copies of this Administrative Order and the within Local Rule of Civil Procedure and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy of this Administrative Order and the within Local Rule of Civil Procedure with the Domestic Relations Procedural Rule Committee.

4. Forward one (1) copy of this Administrative Order and the within Local Rule of Civil Procedure to the administrative office of the *Butler County Legal Journal* for publication.

5. Forward one (1) copy of this Administrative Order and the within Local Rule of Civil Procedure to the Butler County Law Library.

6. Keep continuously available for public inspection copies of this Administrative Order of Court and the within Local Rule of Court in the Office of the Prothonotary of Butler County, Pennsylvania.

By the Court

S. MICHAEL YEAGER,
President Judge

L1920.33(b). Pre-trial Procedures.

(1) Either party may file an affidavit with the court alleging that the parties have lived separate and apart within the meaning of the Domestic Relations Code for a continuous period of nine (9) months prior to the filing of the affidavit. Upon either the filing of said affidavit, or the expiration of nine (9) months since the filing of a divorce complaint being acted upon in this County, or upon the filing by both parties of affidavits conceding that the marriage is irretrievably broken, either party may present a motion to establish a deadline for the initiation and/or completion of pre-trial discovery. Upon consideration of the motion, and the arguments of counsel, if granted, the court shall establish a pre-trial discovery order, with appropriate deadlines.*

(2) After discovery is closed, the court shall conduct a pre-trial conciliation conference, which may be scheduled as part of the discovery order described in subparagraph (a). Ten (10) business days before the pre-trial conference, each party shall file with the Prothonotary, and serve upon opposing counsel, a pre-trial statement which complies in all material respects with the requirements of

Pa.R.C.P. No. 1920.33(b).** At the pre-trial conference, each party shall notify the other party and the court of any exhibits attached to the opposing party's pre-trial statement to which there is an objection as to admissibility. The court may rule on the objections presented, or may allow the issue to be addressed by the master. The court shall enter an order following the pre-trial conference setting forth any rulings by the court, stipulations or agreements of the parties, or other directions or information which will be helpful to the master, if the case is not settled.

(3) If a party fails to comply with any requirement of this rule, the court, upon motion of a party or on its own motion, may make an appropriate order under any available rule or statute governing sanctions.

(4) If a party fails to literally comply with Pa.R.C.P. 1920.33(b)(4) by failing to attach to his Pretrial Statement filed with the Prothonotary*** or adequately describe therein exhibits to be offered at trial, he shall be subject to sanctions unless:

(i) he has provided a complete copy of all the exhibits identified in his Pretrial Statement with the copy of the Pretrial Statement served on opposing counsel; and

(ii) he has provided a complete copy of all of the exhibits identified in his Pretrial Statement to the Special Master, if any, within 10 days after docketing of the Order appointing the Special Master; and

(iii) the original omission of the Exhibits is excusable in the opinion of the court.

**Comment:* In general, the court's objective in setting the discovery schedule will be to have the case ready for trial (including the completion of the pre-trial conference) at the end of a one-year separation.

***Comment:* Practitioners must read the Introductory Comment, above, for the court's views on the purpose and acceptable content of pre-trial statements.

****Comment:* The Rule recognizes the vital importance early access to a complete copy of the Pretrial Statement exhibits by trial counsel and the Master, both for settlement analysis and trial. The rule also attempts to discourage the filing of lengthy exhibits with the Prothonotary whose physical storage space is limited, and because of the increased likelihood that personal information such as account numbers or social security numbers may be inadvertently disclosed into the public domain.

[Pa.B. Doc. No. 22-843. Filed for public inspection June 10, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CAMBRIA COUNTY

Local Rule of Criminal Procedure 576.1; Crim. No. CP-11-MD-300-2022

Administrative Order

And Now, this 1st day of June 2022, *It Is Hereby Ordered, Directed and Decreed* that pursuant to Pennsylvania Rule of Criminal Procedure 576.1 the Cambria County Court of Common Pleas adopts the following Local Rule of Criminal Procedure 576.1—Electronic Filing

and Service of Legal Papers. This Rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Cambria County District Court Administrator *Is Hereby Ordered and Directed* to:

1) File one (1) copy of this Rule with the Administrative Office of Pennsylvania Courts via e-mail to adminrules@pacourts.us.

2) File two (2) paper copies of this Rule and one (1) computer disk containing the text of this Rule, in both Microsoft Word and PDF formats, with the Legislative Bureau for publication in the *Pennsylvania Bulletin*. In addition, a Microsoft Word and PDF copy of the Rule shall be e-mailed to the Bureau at bulletin@palrb.us.

3) Publish this Rule on the Cambria County website www.cambriacountypa.gov on the Court Administration page under the Local Rules of Procedure and within thirty (30) days of publication in the *Pennsylvania Bulletin* compile this Rule within the complete set of local rules.

4) File a copy of this Rule in the Cambria County Clerk of Courts' Office, where it shall be continuously available for inspection.

5) Send a copy to the Cambria County Bar Association for publication in the bar journal and with a request that it be transmitted via e-mail to all members.

By the Court

NORMAN A. KRUMENACKER, III,
President Judge

Cambria County Local Rule of Criminal Procedure 576.1. Electronic Filing and Service of Legal Papers.

(A) General Scope and Purpose of the Rule.

(1) Pursuant to Pennsylvania Rule of Criminal Procedure 576.1 electronic filing of legal papers through the PACFile electronic filing system is authorized in the Cambria County Court of Common Pleas, Forty-Seventh Judicial District.

(2) The Administrative Office of Pennsylvania Courts and the Cambria County Court of Common Pleas have agreed upon an implementation plan for PACFile in Cambria County.

(3) Electronic filing is permissive and not mandatory.

(4) All electronic filings shall be made in accordance with Pennsylvania Rule of Criminal Procedure 576.1 and this Rule.

(5) The applicable general rules of Court and Court policies that implement the rules shall continue to apply to all filings regardless of the method of filing.

(B) *Definitions.* As used in this rule, these words and phrases shall have the following meanings:

Electronic filing—the electronic submission of legal papers by means other than facsimile transmission and the acceptance of the document by the Clerk of Courts;

Filing party—an attorney, defendant, or other person who files a legal paper by means of electronic filing;

Legal paper—a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, copies of exhibits, and attachments. The following are excluded from the definition of "legal papers" and are prohibited from being filed electronically:

1. Any filing prohibited by Pennsylvania Rule of Criminal Procedure 576.1;
2. Applications for search warrants;
3. Applications for arrest warrants;
4. Any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment;
5. Submissions filed ex parte;
6. Submissions filed or authorized to be filed under seal;
7. Exhibits offered into evidence, whether or not admitted, in a court proceeding; and
8. Continuance requests.

Original document—a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes; and

The system—the PACFile electronic filing system, developed and administered by the Administrative Office of Pennsylvania Courts, is the exclusive system for electronic filing.

(C) PACFile.

(1) The exclusive system for electronic filing in the Criminal Division of the Cambria County Court of Common Pleas is the PACFile System, developed and administered by the Administrative Office of the Pennsylvania Courts and located on Pennsylvania's Unified Judicial System Web Portal at: <https://ujportal.pacourts.us>.

(2) Attorneys and self-represented parties who want to make use of electronic filing must establish a PACFile account via the Unified Judicial System Web Portal at: <https://ujportal.pacourts.us/PACFile.aspx>.

(3) Pursuant to Pennsylvania Rule of Criminal Procedure 576.1(D)(2), establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed on the PACFile system in any judicial district that permits electronic filing.

(4) Any filing party who declines to participate in the electronic filing system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the PACFile system, shall be permitted to file legal papers in a physical paper format and shall be served legal papers in a physical paper format, whether electronically filed or otherwise, as required by Pennsylvania Rule of Criminal Procedure 576.

(D) *Legal papers in physical paper format.* Any legal paper submitted for filing to the Clerk of Courts in a physical paper format shall be accepted by the Clerk of Courts in that format and shall be retained by the Clerk of Courts as may be required by applicable rules of Court and record retention policies. The Clerk of Courts shall convert such physical paper, except those excluded from electronic filing pursuant to Pennsylvania Rule of Criminal Procedure 576.1(C) or this Rule, to a portable document format (.pdf) file, or other appropriate file format, and add it to the system. Legal papers excluded from electronic filing shall not be added to the system.

(E) *Filing fees.* Applicable filing fees shall be paid through procedures established by the Clerk of Courts at the same time and in the same amount as required by statute, Court rule, Court order, or published fee schedule. A party who has been granted in forma pauperis status shall not pay filing fees to the Clerk of Courts.

(F) *Record on appeal.* Electronically filed legal papers, and copies of legal papers filed in a physical paper format as provided in subsection C, shall become the record on appeal.

(G) *Confidential information.* Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and Cambria County Local Rule of Judicial Administration 213 and refrain from including confidential information in legal papers filed with the Clerk of Courts whether filed electronically or in a paper format.

[Pa.B. Doc. No. 22-844. Filed for public inspection June 10, 2022, 9:00 a.m.]

**DISCIPLINARY BOARD OF
THE SUPREME COURT**

Notice of Public Reprimands

Notice is hereby given that a three-member panel of the Disciplinary Board of the Supreme Court of Pennsylvania will administer Public Reprimands to the attorneys listed below on June 17, 2022 at 1:45 p.m. The Public Reprimands will be administered via WebEx and will be live-streamed on YouTube. A link to the live-stream will be posted on the Pennsylvania Disciplinary Board's website: www.padisciplinaryboard.org.

Thomas Joseph Dancison, Jr.—Out of State
Jennifer Johnson—Out of State
Milton E. Raiford—Allegheny County
Robert M. Tobia—Philadelphia
Jay L. Yackow—Out of State

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-845. Filed for public inspection June 10, 2022, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 28th Judicial District of the Commonwealth of Pennsylvania; No. 484 Magisterial Rules Docket

Order

Per Curiam

And Now, this 31st day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 28th Judicial District (Venango County) of the Commonwealth of Pennsylvania, it is hereby *Ordered*

and *Decreed* that the Petition, which provides for the realignment of the Magisterial Districts within Venango County, to be effective November 1, 2022, is granted.

Said Magisterial Districts will be reestablished as follows:

Magisterial District 28-3-01 Magisterial District Judge Andrew F. Fish	Allegheny Township Canal Township Cherrytree Township Cooperstown Borough Cornplanter Township Jackson Township Oakland Township Oil City Oilcreek Township Pleasantville Borough Plum Township Rouseville Borough Sugarcreek Borough (voting district 2) Sugarcreek Borough (voting district 5) Utica Borough
Magisterial District 28-3-03 Magisterial District Judge Matthew T. Kirtland	City of Franklin Frenchcreek Township Mineral Township Polk Borough Sandycreek Township Sugarcreek Borough (voting district 1) Sugarcreek Borough (voting district 3) Victory Township
Magisterial District 28-3-04 Magisterial District Judge Patrick E. Lowrey	Barkeyville Borough Clinton Township Clintonville Borough Cranberry Township Emlenton Borough Irwin Township Pinegrove Township President Township Richland Township Rockland Township Scrubgrass Township

[Pa.B. Doc. No. 22-846. Filed for public inspection June 10, 2022, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 37th Judicial District of the Commonwealth of Pennsylvania; No. 486 Magisterial Rules Docket

Order

Per Curiam

And Now, this 31st day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 37th Judicial District (Forest and Warren Counties) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial District

37-4-03 within Forest County, to be effective immediately, is granted; and that the Petition, which provides for the reestablishment of Magisterial Districts 37-2-01, 37-3-01, and 37-4-01, within Warren County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 37-2-01 Magisterial District Judge Raymond F. Zydonik	City of Warren Cherry Grove Township Sheffield Township
Magisterial District 37-3-01 Magisterial District Judge Laura S. Bauer	Clarendon Borough Sugar Grove Borough Conewango Township Elk Township Farmington Township Glade Township Mead Township Pine Grove Township Sugar Grove Township
Magisterial District 37-4-01 Magisterial District Judge Todd A. Woodin	Bear Lake Borough Tidioute Borough Youngsville Borough Brokenstraw Township Columbus Township Deerfield Township Eldred Township Freehold Township Limestone Township Pittsfield Township Pleasant Township Southwest Township Spring Creek Township Triumph Township Watson Township
Magisterial District 37-4-03 Magisterial District Judge Daniel L. Miller	Tionesta Borough Barnett Township Green Township Harmony Township Hickory Township Howe Township Jenks Township Kingsley Township Tionesta Township

[Pa.B. Doc. No. 22-847. Filed for public inspection June 10, 2022, 9:00 a.m.]

Said Magisterial Districts will be reestablished as follows:

Magisterial District 57-3-01 Magisterial District Judge Tonya M. Osman	Harrison Township Hyndman Borough Juniata Township Kimmel Township King Township Lincoln Township Londonderry Township Manns Choice Borough Napier Township New Paris Borough Pavia Township Pleasantville Borough Schellsburg Borough West St. Clair Township
Magisterial District 57-3-02 Magisterial District Judge Kevin R. Diehl	Bedford Borough Bedford Township Colerain Township Cumberland Valley Township East St. Clair Township Rainsburg Borough St. Clairsville Borough
Magisterial District 57-3-03 Magisterial District Judge Brian K. Baker	Bloomfield Township Broad Top Township Coaldale Borough Hopewell Borough Hopewell Township Liberty Township Saxton Borough South Woodbury Township Woodbury Borough Woodbury Township
Magisterial District 57-3-04 Magisterial District Judge Kathy S. Calhoun	East Providence Township Everett Borough Mann Township Monroe Township Snake Spring Township Southampton Township West Providence Township

[Pa.B. Doc. No. 22-848. Filed for public inspection June 10, 2022, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 57th Judicial District of the Commonwealth of Pennsylvania; No. 487 Magisterial Rules Docket

Order

Per Curiam

And Now, this 31st day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 57th Judicial District (Bedford County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of the Magisterial Districts within Bedford County as they currently exist, to be effective immediately, is granted.

SUPREME COURT

Reestablishment of the Magisterial Districts within the 60th Judicial District of the Commonwealth of Pennsylvania; No. 485 Magisterial Rules Docket

Order

Per Curiam

And Now, this 31st day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 60th Judicial District (Pike County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 60-3-01, 60-3-02, 60-3-03, and 60-3-04, within Pike County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 60-3-01 Magisterial District Judge Deborah Fischer	Matamoras Borough Milford Borough Milford Township Westfall Township
Magisterial District 60-3-02 Magisterial District Judge Randy S. Schmalzle	Blooming Grove Township Greene Township Palmyra Township
Magisterial District 60-3-03 Magisterial District Judge Alan B. Cooper	Dingman Township Lackawaxen Township Shohola Township
Magisterial District 60-3-04 Magisterial District Judge Paul D. Menditto	Delaware Township Lehman Township Porter Township

[Pa.B. Doc. No. 22-849. Filed for public inspection June 10, 2022, 9:00 a.m.]