

THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1000]

Proposed Amendment of Pa.R.Civ.P. 1033

The Civil Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.Civ.P. 1033 for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any report accompanying this proposal was prepared by the Committee to indicate the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Karla M. Shultz, Counsel
Civil Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9526
civilrules@pacourts.us

All communications in reference to the proposal should be received by September 26, 2022. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Civil Procedural
Rules Committee*

KATHLEEN D. BRUDER,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1000. ACTIONS

Subchapter A. CIVIL ACTION

PLEADINGS

Rule 1033. Amendment.

(a) **General Rule.** A party, either by filed consent of the adverse party or by leave of court, may at any time change the form of action, add a person as a party, correct the name of a party, or otherwise amend the pleading. The amended pleading may aver transactions or occurrences which have happened before or after the filing of the original pleading, even though they give rise to a new cause of action or defense. An amendment may be made to conform the pleading to the evidence offered or admitted.

(b) **Relation Back.** An amendment correcting the name of a party against whom a claim has been asserted in the original pleading relates back to the date of the commencement of the action if, within 90 days after the period provided by law for commencing the action, the party received notice of the institution of the action such that it will not be prejudiced in maintaining a defense on the merits and the party knew or should have known that the action would have been brought against the party but for a mistake concerning the identity of the proper party.

(c) **John Doe Defendants.** An amendment substituting the actual name of a defendant for a Doe designation as provided in Rule 2005 relates back to the date of the commencement of the action if, within the time provided by Rule 401 for service, the defendant named by the amendment has received actual or constructive notice of the commencement of the action such that it will not be prejudiced in maintaining a defense on the merits and the defendant knew or should have known that the action would have been brought against it but for lack of knowledge of the defendant's actual name.

(d) Highlighting of Amendments. A party filing a motion to amend a pleading shall attach a copy of the proposed amended pleading, which shows by striking through or enclosing in brackets the material to be deleted and by underlining or setting forth in bold-face type the material to be added.

SUPREME COURT OF PENNSYLVANIA CIVIL PROCEDURAL RULES COMMITTEE

PUBLICATION REPORT

Proposed Amendment of Pa.R.Civ.P. 1033

The Civil Procedural Rules Committee is considering proposing to the Supreme Court the amendment of Pennsylvania Rule of Civil Procedure 1033 governing the amendment of pleadings to require the attachment of the proposed amended pleading to the motion to amend and for the attachment to indicate the amendments through textual indicators.

The Committee received a request to consider amending Pa.R.Civ.P. 1033 to require the attachment of a proposed amended pleading to a motion to amend. The requester suggested such a requirement would curb a problem encountered with opposing counsel, who had asked for the requester's consent to an amendment of a complaint, but refused to provide any substantive information about the amendment. In turn, the attorney seeking amendment filed a motion to amend that likewise did not provide any information on the specific amendment nor was the proposed amended pleading attached to the motion on the basis that Pa.R.Civ.P. 1033 does not expressly so require.

The Committee initially observed that Pa.R.Civ.P. 1033 does not expressly provide for the content for a motion to amend a pleading. Pa.R.Civ.P. 208.2 generally governs the content of motions, but does not specifically require the attachment of documents that may support the motion.

Noting the silence of requirements in the Rules of Civil Procedure, the Committee then examined local rules addressing the amendment of pleadings. Research revealed a handful of local rules governing amendments. These rules focused on the filing of amended pleadings, rather than the content of the motion to amend. McKean County Local Rule 1033 and Potter County Local Rule

1033 both require “[t]he amendment pleading [to] clearly indicate that it is an amended pleading, the paragraphs [to] be renumbered, and the new portion [to] be underlined.” Clarion County Local Rule 1033, Franklin/Fulton Counties Local Rule 39-1033.1, Jefferson County Local Rule 1033, Mercer County Local Rule 1033, and Schuylkill County Local Rule 1033 are similar to the McKean and Potter County Local Rules except they do not require the underlining of the new portion of the pleading.

The Committee also examined procedural rules from other jurisdictions. Research revealed a relative dearth of procedural rules governing the requirements for the content of a motion to amend. New Jersey, Utah, and Puerto Rico all require the proposed amended pleading to be attached to the motion to amend. *See* N.J.R. 4:9-1 (“A motion for leave to amend shall have annexed thereto a copy of the proposed amended pleading.”); U.R.C.P. Rule 15(a)(2) (“The party must attach its proposed amended pleading to the motion to permit an amended pleading.”); P.R.R.C.P. 13.1 (“The entire amended pleading shall be attached to the motion for leave to amend the pleadings.”). New York is the most comprehensive in that it requires the proposed amended pleading to accompany the motion to amend and to show the changes to be made to the pleading. *See* N.Y.C.P.L.R. 3025(b) (“Any motion to amend. . . pleadings shall be accompanied by the proposed amended. . . pleading clearly showing the changes or additions to be made to the pleading.”)

The Committee also examined rules from Delaware and Maryland. Del. Sup. Ct. R. 15(aa) is similar to the McKean and Potter County Local Rules described above in that it applies to the filing of amended pleadings and requires the amended pleading to indicate how it differs from the original pleading. Md.R.C.P. 2-341(e) also applies to the filing of amended pleadings and requires the filing of the amended pleading together with a comparison copy showing through specified textual indicators the text to be deleted and the text to be added.

In developing the proposed amendment to Rule 1033, the Committee favored the approach taken by New York to require the attachment of the proposed amended pleading to the motion to amend and for the proposed amended pleading to explicitly show the changes to be made. This will ensure that both parties and the court will be certain of the exact text being amended in a pleading. In addition, the Committee modified this language slightly to include explicit provisions, as found in the Maryland Rule, to specify that the proposed amended pleading show through textual indicators, either by striking through or bracketing deletions, or by underlining or bolding additions, the text to be amended.

Relatedly, the Committee also considered whether pleadings amended by consent should be required to show the changes in the amended pleading, and concluded it was not necessary to expand the rule in this circumstance. It is highly unlikely an attorney would agree to an amendment without first reviewing the proposed amendment. In addition, the party seeking the amendment would then have to file a motion. The rule, as amended, would require the attachment of the proposed amended pleading and thus automatically disclose the nature of the amendment. The Committee concluded that it did not seem necessary to include a provision in the rule to police this conduct, and that the operation of the rule itself would resolve any gamesmanship.

The Committee invites all comments, concerns, and suggestions.

[Pa.B. Doc. No. 22-1242. Filed for public inspection August 19, 2022, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART II. ORPHANS’ COURT RULES

[231 PA. CODE PART II]

Proposed Amendment of Pa.R.O.C.P. 14.8

The Orphans’ Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.O.C.P. 14.8 governing guardianship reporting. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any report accompanying this proposal was prepared by the Committee to include the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Pamela S. Walker, Counsel
Orphans’ Court Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9546
orphanscourtproceduralrules@pacourts.us

All communications in reference to the proposal should be received by October 11, 2022. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Orphans’ Court
Procedural Rules Committee*

HONORABLE EMIL A. GIORDANO (RET.),
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART II. ORPHANS’ COURT RULES

CHAPTER XIV. GUARDIANSHIPS OF INCAPACITATED PERSONS

Rule 14.8. Guardianship Reporting, Monitoring, Review, and Compliance.

(a) *Reporting.* A guardian shall file the following reports with the clerk:

(1) An inventory by the guardian of the estate within 90 days of such guardian’s appointment;

(2) An annual report by the guardian of the estate of an incapacitated person one year after appointment and annually thereafter;

(3) An annual report by the guardian of the person one year after appointment and annually thereafter;

(4) A final report by the guardian of the person and the guardian of the estate within 60 days of the death of the incapacitated person, an adjudication of capacity, a change of guardian, or the expiration of an order of limited duration; and

(5) A final report from the guardian of the person and the guardian of the estate upon receipt of the provisional order from another state's court accepting transfer of a guardianship.

[Note: See Pa.R.J.A. No. 510 governing the filing of inventories and annual reports online using the Guardianship Tracking System.]

(b) *Notice of Filing.* If, pursuant to Rule 14.7(a)(1)(iv), the order appointing the guardian identifies the person or persons entitled to receive notice of the filing of any report set forth in **[paragraph (a)] subdivision (a)**, the guardian shall serve a notice of filing within ten days after filing a report using the form provided in the Appendix to these **[Rules] rules**. Service shall be in accordance with Rule 4.3.

(c) *Design of Forms.* The Court Administrator of Pennsylvania, in consultation with the Orphans' Court Procedural Rules Committee and the Advisory Council on Elder Justice in the Courts, shall design and publish forms necessary for the reporting requirements set forth in **[paragraph (a)] subdivision (a)**.

(d) *Monitoring.* The clerk or the court's designee shall monitor the guardianship docket to confirm the guardian's compliance with the reporting requirements set forth in **[paragraph (a)] subdivision (a)**.

(e) *Review.* The court or its designee shall review the filed reports.

(f) *Compliance.* To ensure compliance with these reporting requirements:

(1) If any report is deemed incomplete or is more than 20 days delinquent, then the clerk or the court's designee shall serve notice on the guardian directing compliance within 20 days, with a copy of the notice sent to the court and the guardian's counsel, if represented.

(2) If the guardian fails to comply with the reporting requirements within 20 days of service of the notice, then the clerk or the court's designee shall file and transmit a notice of deficiency to the adjudicating judge and serve a notice of deficiency on those persons named in the court's order pursuant to Rule 14.7(a)(1)(iv) as being entitled to receive a notice of filing.

(3) The court may thereafter take such enforcement procedures as are necessary to ensure compliance.

(4) After reasonable enforcement procedures have been completed by the court, the court shall enter an order that:

(i) includes clearly enumerated reasons that the guardian or former guardian cannot be compelled to comply with any filing requirements;

(ii) includes an explanation of the actions taken by the court to attempt enforcement of the filing requirements; and

(iii) directs that a successor guardian or designee of the court may file the delinquent filing with the clerk and it shall be recorded as such by the clerk; or

(iv) directs the order issued by the court will be filed by the clerk in lieu of the delinquent filing and recorded as such by the clerk.

[Explanatory] Comment: See Pa.R.J.A. 510 governing the filing of inventories and annual reports online using the Guardianship Tracking System. The reporting forms are available at <http://www.pacourts.us/forms/for-the-public/orphans-court-forms>.

[This Rule is silent] Subdivision (f)(3) provides the court with broad discretion as to the manner of proceeding when reports are deficient or warrant further investigation, or when the guardian is recalcitrant after being given notice by the clerk or the court's designee. **[In its discretion, the] The court may order further documentation, conduct a review hearing, or take further action as may be deemed necessary, including, but not limited to, removal of the guardian, or contempt proceedings. If enforcement measures taken pursuant to subdivision (f)(3) are unsuccessful, the court shall enter the order prescribed by subdivision (f)(4). Reasons for finding the guardian or former guardian cannot be compelled to comply with any filing requirements include, but are not limited to, the guardian or former guardian cannot be located, is located outside the Commonwealth, is deceased, or remains unresponsive to enforcement measures.**

**SUPREME COURT OF PENNSYLVANIA
ORPHANS' COURT PROCEDURAL RULES
COMMITTEE**

PUBLICATION REPORT

Proposed Amendment of Pa.R.O.C.P. 14.8

The Orphans' Court Procedural Rules Committee ("Committee") is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.O.C.P. 14.8 governing guardianship reporting. This proposal would create a mechanism for a court to enter an order relating to a delinquent annual or final report when the court has determined through enforcement procedures that the responsible guardian cannot be compelled to comply with any filing requirements.

Background

Pa.R.O.C.P. 14.8, relating to guardianship reporting, monitoring, review, and compliance, reflects the statutory requirements of 20 Pa.C.S. §§ 5142, 5521, and 5921. These requirements include: (1) the filing of an annual report by the guardian of the estate and the guardian of the person one year after appointment and annually thereafter; and (2) a final report by the guardian of the estate and the guardian of the person following certain events. See 20 Pa.C.S. § 5521(c); Pa.R.O.C.P. 14.8(a).

The clerk of the orphans' court, or the court's designee, is required to monitor the guardianship docket to ensure compliance with reporting requirements for annual and final reports. See 20 Pa.C.S. § 5521(c)(1)-(2); Pa.R.O.C.P. 14.8(d). If a report is deficient or not timely filed, the guardian receives notice to comply with the reporting requirements. See Pa.R.O.C.P. 14.8(f)(1). If the guardian continues to fail to comply, a notice of deficiency is transmitted to the judge. See 20 Pa.C.S. § 5521(c)(3); Pa.R.O.C.P. 14.8(f)(2). "The court may thereafter take such enforcement procedures as are necessary to ensure compliance." Pa.R.O.C.P. 14.8(f)(3) (emphasis added), compare 20 Pa.C.S. § 5521(c)(3) ("The court shall take appro-

appropriate enforcement action against such guardians.”) (emphasis added). Such actions could include, in the court’s discretion, ordering further documentation, conducting a review hearing, removing the guardian, or initiating contempt proceedings. Pa.R.O.C.P. 14.8, Comment.

Proposal

The Committee received a request from the Advisory Council on Elder Justice in the Courts (“Council”) relating to delinquent annual or final reports and available compliance measures under Pa.R.O.C.P. 14.8(f). Specifically, the Council observed there are situations when enforcement actions are unable to compel a guardian responsible for filing a report to comply with that requirement or enforcement actions are unsuccessful. For example, the guardian may be deceased, incapacitated, beyond the court’s jurisdiction, or otherwise unavailable. There also may be circumstances when the guardian is unwilling to comply despite the imposition of the court’s contempt power. With this latter illustration, the guardian may be family member of the incapacitated person and escalating or extending sanctions against the guardian may not be in the best interest of the incapacitated person. Please note that, notwithstanding the absence of a report, a recalcitrant guardian may still be subject to criminal prosecution or surcharge through other proceedings.

When the court appoints a successor guardian, the successor may be unable to complete and verify the required report because of incomplete record keeping by the prior guardian. However, the successor guardian of an estate would be required to file an inventory within 90 days of appointment so there is assurance that the status of current estate will be known and subject to comparison with prior reports.

Current subdivision (f) is silent on what is to occur if a required report cannot be filed for the covered period. The Council offered revised rule text to add subdivision (f)(4) to authorize the court to enter an order citing the reasons a guardian or former guardian cannot be compelled to comply with any filing requirements and either directing a successor guardian or designee of the court to file the report or entering the order in lieu of the delinquent report.

The Committee observes the statutory reporting requirements, as reflected in Pa.R.O.C.P. 14.8(a), are mandatory. Yet, 20 Pa.C.S. § 5521, which requires the court “to take appropriate enforcement action” obviously contemplates non-compliance with those requirements. What neither the statute nor the rules contemplate is when enforcement action does not yield compliance due to inability or unwillingness of the recalcitrant guardian. The Council’s proposed subdivision (f)(4) attempts to address this void.

The Committee anticipates that the subdivision (f)(4)’s “order in lieu of report” will be used sparingly given efforts to appoint qualified guardians and to educate guardians as to their responsibilities. The Committee is receptive to other procedural proposals to attempt to detect recalcitrant guardians and facilitate substitution earlier in the guardianship.

The Committee invites all comments, concerns, and suggestions regarding this proposal.

[Pa.B. Doc. No. 22-1243. Filed for public inspection August 19, 2022, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

The Abandoned and Blighted Property Conservatorship Act; General Court Regulation No. 2022-01

And Now this 9th day of August, 2022 this Court adopts this General Court Regulation to provide updated procedural guidance in the filing and processing of all petitions filed pursuant to The Abandoned and Blighted Property Conservatorship Act, 2008, November 26, P.L. 1672, No. 135 effective Feb. 24, 2009; amended 2014, October 22, P.L. 2557, No. 157, effective Dec. 22, 2014; 68 P.S. § 1101 et seq. (hereinafter, “Act 135” or “the Act”).

1) *Initiation of Action.*

(a) Actions filed pursuant to the Act shall be commenced by the electronic filing of a Petition for the Appointment of a Conservator as a “Petition Action” with the Office of Judicial Records—Civil as provided in Philadelphia Civil Rule *205.4. A separate action must be filed for each property (“Property”), as defined in Section 1103 of the Act, that has a specific Philadelphia Office of Property Assessment (“OPA”) account number; however, adjacent properties meeting the criteria in Section 1104(e) of the Act may be included as part of a single Petition.

(b) Petitioner shall identify in the Parties screen of the Civil Electronic Filing System: Respondents as defined below in Subsection 3(a), Lienholders as defined below in Subsection (3)(b), and Other Parties in Interest, including municipal authorities, as defined below in Subsection (3)(c).

Note. For more information regarding the entry of party types, see the Civil Electronic Filing User Manual available on the website of the First Judicial District at: http://www.courts.phila.gov/pdf/manuals/civil-trial/FJD_Civil_E-Filing_User_Manual.pdf.

2) *Identification of the Abandoned and Blighted Property.*

The caption of the Petition shall identify the street address of the Property, with the zip code and extended zip code (if available) and the OPA account number.

3) *Parties.*

(a) *Respondent.*

(i) The Petition shall name the “owner” of the Property, as defined by Section 1103 of the Act, as the Respondent.

(ii) The Petitioner must conduct a good faith investigation to identify and name all Respondent(s).

(A) *Decedent Owners or Partial Owners.* In the event the owner or partial owner of the Property is deceased, the Petitioner shall ascertain and name the following as Respondent(s) both in the body of the Petition and in relevant screens of the Civil Electronic Filing System to facilitate service of all orders, required notices, and status of proceedings as may be applicable:

(1) Personal Representative (Executor) appointed by the Register of Wills for the decedent’s estate;

(2) Personal Representative (Administrator) appointed by the Register of Wills for the decedent’s estate;

(3) *Heirs.* If no estate has been created and no personal representative (executor or administrator) appointed by the Register of Wills, all heirs shall be listed as Respondent(s).

(a) *Known Heirs.* If the whereabouts of a known heir cannot be ascertained, the Petitioner shall attach, as an exhibit to the Petition, a written report, verified or by affidavit, setting forth in complete detail the investigation made to locate the heir.

(b) *Unknown Heirs.* The Petitioner shall attach a written report, verified or by affidavit, setting forth a family tree, as complete as possible under the circumstances, together with such documentary evidence as Petitioner has been able to obtain. The Petitioner is under a continuing obligation to name as additional Respondents any heirs unknown at the time of filing the petition and subsequently discovered.

(B) *Trust.* In the event the owner or partial owner is a Testamentary Trust, Inter Vivos Trust, or deed having a trust, the Petitioner shall ascertain and name the Trustee(s) of the Trust as Respondent(s) both in the body of the Petition and in relevant screens of the Civil Electronic Filing System to facilitate service of all orders, required notices, and status of proceedings as may be applicable.

(C) *Charitable Non-Profit Corporation.* In the event the owner or partial owner is a Charitable Non-Profit Corporation, the Petitioner shall name the Pennsylvania Attorney General's Office as an Interested Party both in the body of the Petition and in relevant screens of the Civil Electronic Filing System to facilitate service of all orders, required notices, and status of proceedings as may be applicable.

(b) *Lienholders.* The Petitioner must identify all holders of mortgages, liens, and other encumbrances on the Property (including judgment creditors as may be disclosed in a judgment search or title report), as well as their addresses, both in the body of the petition and in relevant screens of the Civil Electronic Filing System to facilitate a determination of whether they were served with all orders, required notices and the status of proceedings as may be applicable.

(c) *Other Parties in Interest.* In addition to lienholders, Petitioner must identify other interested parties and entities including the Pennsylvania Office of Attorney General in cases where the Respondent is a non-profit entity, including an unincorporated association, and the Pennsylvania Department of Revenue Inheritance Tax Division in cases involving potential unpaid inheritance tax.

4) *Service.* The Petitioner shall serve all Respondents as required by Section 1104(d) of the Act.

5) *Content of the Petition.* A petition to appoint a Conservator, in addition to the requirements set forth in Section 1104 of the Act, shall contain the following:

(a) Documentation, dated no more than 60 days prior to the date on which the Petition was filed, which identifies the owner of record and all judgments and liens against the Property;

(b) A copy of the most recently recorded deed and/or other equivalent documentation showing the Property is not owned by or held in trust for the Federal Government and regulated under the United States Housing Act of 1937 (50 Stat. 888, 42 U.S.C. § 1437 et seq.) and regulations promulgated under that act;

(c) An averment the Property has not been legally occupied for the previous 12 months.

(d) An averment as to whether the Property had been "actively marketed," as defined in Section 1103, in the last 60 days.

(e) An averment the owner did not vacate the Property to perform military service in time of war or armed conflict or in order to assist with relief efforts during a declared federal or state emergency as a member of the United States Armed Forces or reserve.

(f) An averment the Property is not subject to a pending foreclosure action by an individual or nongovernmental agency.

(g) A Notice of the Filing of a Petition for the Appointment of a Conservator, substantially in the form as attached hereto as Attachment "A."

6) *Rule to Show Cause and Case Management Order. Service of Petition. Scheduling Hearing.* Upon filing of the Petition, the court will issue a Rule to Show Cause and Case Management Order which will:

(a) Direct the Petitioner to promptly:

(i) Post a copy of the Notice of Filing a Petition for the Appointment of a Conservator (as attached hereto as Attachment "A") at the Property.

(ii) Serve a copy of the Notice, the Petition and all exhibits, and the Rule to Show Cause and Case Management Order on the Respondent(s) in accordance with Section 1104(d) of the Act and file a Return of Service as soon as possible upon service. The Petitioner must be prepared to demonstrate a good faith effort has been made to identify and serve all Respondents prior to the hearing.

(iii) Serve, in accordance with Section 1104(d) of the Act, a copy of the Notice, the Petition and all exhibits, and the Rule to Show Cause and Case Management Order on the following municipal authorities: (1) the Philadelphia Law Department and (2) the Philadelphia Gas Works. The Petitioner shall file Returns of Service as soon as possible upon service.

(iv) Serve, in accordance with Section 1104(d) of the Act, a copy of the Notice, the Petition and all exhibits, and the Rule to Show Cause and Case Management Order on all Lienholders and Other Parties in Interest as identified in the Petition and shall file a Return of Service as soon as possible upon service.

(v) File a Lis Pendens with the City of Philadelphia Department of Records and a copy thereof with the Office of Judicial Records.

(b) Pursuant to Section 1105, schedule a hearing on the Petition for a date certain within sixty (60) days of the filing of the Petition.

7) *Answer. Response Period.* The Respondent may file a verified Answer to the Petition within 20 days after service of the Petition. An Answer may include a New Matter.

8) *Filing of Final Plan.* In addition to the requirements of Section 1106(b) of the Act, the Final Plan shall specifically set forth the Scope of Work to be performed, set forth in detail the financing for the costs of rehabilitation, and other relevant requests, including whether the conservator intends to request the court grant priority status to a lien given to secure payment on a debt incurred to facilitate the borrowing of funds to rehabilitate or demolish the Property, as authorized in Section 1108(b) of the Act.

9) *Filing of an Account.* Upon completion of the Final Plan, the Conservator shall file a full Account of all funds expended by the Conservator. The Account shall include a summary of actions taken by the Conservator, a detailed report verifying each of the items in the Scope of Work

approved by the court was in fact completed, and if not completed, the Conservator must provide sufficient justification for not completing any of the items.

10) *Sale of the Property. Distribution of Proceeds.*

(a) When seeking court approval to sell the Property at public or private sale, the Conservator must set forth in detail:

- (i) the reasons for seeking the sale of the Property;
- (ii) whether a pre-existing relationship exists between the Conservator and the proposed purchaser;

1) If pre-existing relationship does exist between the Conservator and the proposed purchaser, the Conservator must include a detailed description of the nature of the relationship;

- (iii) the proposed terms of the sale;
- (iv) estimated costs necessary to convey the Property; and
- (v) proposed distribution of the proceeds.

(b) The proposed Agreement of Sale shall be attached to any request for permission to sell the Property.

(c) The court may schedule a hearing on the Conservator's request to sell the Property, and the Conservator must provide notice of the hearing to the Respondent(s), lienholders, and other parties to the action.

(d) After the hearing, the court may issue an order authorizing the sale of the premises and further authorizing the Conservator or the Director of the Office of Judicial Records to execute the deed conveying title to the purchaser.

(e) *Accounting. Distribution of Proceeds.*

(i) Upon the Sale of the Property, the Conservator shall hold the proceeds of the sale in escrow pending the filing of an Account and a petition for approval to distribute the proceeds.

(ii) Upon approval of the Account, the court will direct distribution of the proceeds as appropriate.

11) *Status Reports.* From time to time, the court may hold hearings so status reports may be presented by the Conservator or Respondent.

12) *Appointment of a Judge Pro Tem.* At any time, the Court may appoint a judge pro tem to review the pleadings filed, conduct any hearing or status hearing, and issue recommendations as directed by the Court. Court costs necessary for the payment of the judge pro tem must be deposited with the Office of Judicial Records by the Petitioner or Conservator as may be ordered from time to time by the Court.

This General Court Regulation is issued pursuant to The Abandoned and Blighted Property Conservatorship Act, 68 P.S. § 1101 et seq. and shall become effective immediately. The original General Court Regulation shall be filed with the Office of Judicial Records in a Docket maintained for General Court Regulations issued by the Administrative Judge of the Court of Common Pleas of Philadelphia County, shall be published in the *Pennsylvania Bulletin*, and copies shall be submitted to the Administrative Office of Pennsylvania Courts and to the Civil Procedural Rules Committee. Copies of the General Court Regulation will be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and posted on the website of the First Judicial District of Pennsylvania at <http://courts.phila.gov>.

By the Court

HONORABLE LISETTE SHIRDAN-HARRIS,
Administrative Judge
Court of Common Pleas

ATTACHMENT "A"
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

[Petitioner]	:	
	:	COURT OF COMMON PLEAS
Petitioner.	:	
	:	PHILADELPHIA COUNTY
	:	
v.	:	CIVIL TRIAL DIVISION
	:	
[Owner(s) of Property at Issue]	:	_____ TERM, 20 __
	:	
Respondent(s).	:	No.: _____

**NOTICE OF FILING OF A
PETITION FOR THE APPOINTMENT OF A CONSERVATOR**

A Petition has been filed under the Abandoned and Blighted Property Conservatorship Act, 2008, November 26, P.L. 1672, No. 135 effective Feb. 24, 2009.; amended 2014, October 22, P.L. 2557, No. 157, effective Dec. 22, 2014; 68 P.S. § 1101 et seq. ("the Act" or "Act 135") for appointment of a Conservator to take possession of and rehabilitate or demolish the property located at:

_____, OPA No(s). _____
[and, [the land adjacent thereto] [a vacant lot on which a building has been demolished],
_____, OPA No(s). _____.]

**YOU ARE RECEIVING THIS NOTICE BECAUSE PUBLIC RECORDS REVEAL
THAT YOU MAY BE ONE OF THE FOLLOWING:**

TO THE RESPONDENT(S)/PROPERTY OWNER(S) AND OCCUPANTS:

Any owner or occupant who does not file an Answer to the Petition or fails to appear at the hearing scheduled on this matter may lose important rights to their property, including ownership rights. As provided for in Act 135, a Conservator

may be appointed to take possession of the property and remediate the blight, incur significant cost or expenses related to remediation of the blight that will be a lien against the property, and sell the property. If you are represented by a lawyer, you should provide them with a copy of this Notice of Filing and a copy of the Petition for the Appointment of a Conservator as soon as possible.

As required by the Act, a hearing will be held on <DATE and Time, at [<Location>] [<via Zoom Video Conference Technology>].

TO ALL LIENHOLDERS/SECURED CREDITORS:

If you are a holder of a mortgage, lien, or other encumbrance on the property or a secured creditor of the owner and want to be heard in this matter, you must file a Petition to Intervene. You may also seek to be appointed as Conservator. If you do not seek to intervene or file an Answer to the Petition, the court may proceed without you and you may lose your rights to or interest in the property. A Conservator may be appointed to take possession of the property, incur expenses that will be a lien against the property, and may sell the property free and clear of all liens and encumbrances. The Conservator's lien may have priority over your lien or other rights.

TO THE CITY OF PHILADELPHIA.

As the political subdivision in which the property is located, the City of Philadelphia may file a Petition to Intervene as provided in the Rule to Show Cause and Case Management Order and may seek to be appointed as Conservator.

TO ANY AND ALL MUNICIPAL AUTHORITIES KNOWN TO HAVE PROVIDED SERVICE TO THE PROPERTY:

A municipal authority which has provided service to the property may file a Petition to Intervene as provided for in the Rule to Show Cause and Case Management Order, and may seek to be appointed as the conservator.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office below to find out where you can get legal help.

Philadelphia Bar Association
Lawyer Referral and Information Service
1101 Market Street, 11th Floor
Philadelphia, Pennsylvania 19107
(215) 238-6333
<http://www.philadelphiabarlawyers.com/>

Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio, vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

Asociacion de Licenciados de Filadelfia
Servicio de Referencia e Informacion Legal
1101 Market Street, 11th Floor
Filadelfia, Pennsylvania 19107
(215) 238-6333
<http://www.philadelphiabarlawyers.com/>

[Pa.B. Doc. No. 22-1244. Filed for public inspection August 19, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Guardian Ad Litem Appointments; MsD No. 2022-40226

Administrative Order of Court

And Now, this 4th day August 2022, it is hereby Ordered and Directed that the Butler County Guardian-Ad-Litem Policies in Custody Matters as follows hereto, and adopted for use in Butler County, Pennsylvania, by Administrative Order of Court on July 17, 2018, is amended as follows.

These amendments to the Butler County Guardian-ad-Litem Policies in Custody Matters 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 Guardian-Ad-Litem Policies in Custody Matters with the Administrative Office of the Pennsylvania Courts.

2. File two (2) certified copies of this Administrative Order and the within Guardian-Ad-Litem Policies in Custody Matters with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Forward one (1) copy of this Administrative Order and the within Guardian-Ad-Litem Policies in Custody Matters to the administrative office of the *Butler County Legal Journal* for publication as that organization deems appropriate.

4. Distribute a copy of this Administrative Order and the within Guardian-Ad-Litem Policies in Custody Matters to the Judges of the Court of Common Pleas in Butler County, the Domestic Relations Office, the Custody Conciliators, and to attorneys on the Butler County Family Court list serve.

5. Forward one (1) copy of this Administrative Order and the within Guardian-Ad-Litem Policy in Custody Matters to the Butler County Law Library.

6. Keep continuously available for public inspection copies of this Administrative Order of Court and the within Guardian-Ad-Litem Policies in Custody Matters in the Office of the Prothonotary of Butler County, Pennsylvania.

By the Court

S. MICHAEL YEAGER,
President Judge

Butler County Guardian-Ad-Litem Policies in Custody Matters

The following process and procedures shall be followed when appointing a Guardian Ad Litem in a custody matter:

I. Qualifications

1. Pennsylvania Licensed attorney.
2. Practiced family law a minimum of one year.
3. Clearances pursuant to Act 34 (Criminal Record Check) Act 151 (Child Abuse Background Checks), and Act 114 (Finger Printing).
4. Watched the Pre-Service Training for Guardians Ad Litem video and filed accompanying affidavit with the Family Court Administrator in the Butler County Domestic Relations Office.
5. Maintain professional liability insurance at a minimum coverage of \$100,000.00 per occurrence and \$300,000.00 in the aggregate per year, subject to commercially reasonable deductibles, retention or co-insurance.
6. Complete a minimum of three hours per year of continuing legal education in relevant substantive areas.

II. Appointments

1. Appointments may be made after the court makes a finding that the appointment is necessary pursuant to Pa.R.C.P. 1915.11-12.
2. The parties may by mutual consent request the appointment of a guardian ad litem.
3. Family Court Administrator in the Butler County Domestic Relations Office shall maintain a list of qualified guardians ad litem from which appointments shall be made.
4. Each year, no later than January 5, an attorney shall provide the following updated documents to the Family Court Administrator in the Butler County Domestic Relations Office;
 - Professional liability statement (Rider)
 - Three CLE credits from the prior year in relevant substantive areas
 - Current clearances (if prior is expired)
 - Letter of standard hourly rate
 - If an attorney no longer meets the qualifications to be appointed, he/she shall immediately notify the judge and the Family Court Administrator in the Butler County Domestic Relations Office and his/her name shall be removed from the list until such time as the qualifications are met.
5. Any attorney who meets the qualifications may submit their name to the judge to be placed on the list of guardians ad litem.
6. The specific attorney appointed may be chosen by either mutual consent of the parties or by the judge. To ensure that no one attorney is overloaded with responsibility or there is no other conflict, the court will confirm with the attorney the desire to be appointed on a specific case prior to the issuance of an order of court.

III. Payment

1. If both parties are determined by the court to be indigent, the court may order compensation from the court's budget to be paid at the hourly rate of \$75.00.
2. Otherwise, costs shall be paid by the parties at the standard hourly rate for that guardian ad litem. Pursuant to Pa.R.C.P. 1915.11-2(b), the court may order either or both parties to pay all or part of the costs.
3. Each attorney shall provide to the Family Court Administrator in the Butler County Domestic Relations Office a letter setting forth his/her standard hourly rate.

That rate shall be noted on the guardian ad litem list kept by the Family Court Administrator in the Butler County Domestic Relations Office, and made available to counsel for the parties or the parties if pro-se, for review prior to the appointment of the guardian ad litem.

4. If the cost is to be paid by the parties, the court has the power of contempt for non-payment of costs.

IV. Scope of Appointment

1. The guardian ad litem shall perform all duties in conformity with Pa.R.C.P. 1914-11-12, the Code of Civility, the Rules of Professional conduct, and Pennsylvania law.

2. The appointment shall terminate upon the entry of a final order resolving the complaint/petition pending for which the appointment was made. Except that in extraordinary circumstances the court may, if in the best interest of the child(ren), extend the appointment by order of court.

[Pa.B. Doc. No. 22-1245. Filed for public inspection August 19, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DAUPHIN COUNTY

Promulgation of Local Rules; No. 1793 S 1989

Order

And Now, this 5th day of July 2022, Dauphin County Local Rule of Criminal Procedure 301 is amended as follows:

Rule 301. Accelerated Rehabilitative Disposition in Summary Cases.

[(a) Eligibility: Pursuant to the District Attorney's designation filed under Pa.R.Crim.P. 300B(2), all summary first offenders and summary juvenile offenders may apply for admission to the program with the following exceptions:

(i) Any offense which is excluded by statute.

(ii) Any offense under Title 75 (Vehicles).

(iii) Any offense charged by local ordinance, with the exception of local ordinances prohibiting the public display of open containers of alcoholic beverages.

(iv) Any offense which is the result of an original charge classified as a misdemeanor three or above, which is subsequently reduced.

(v) Any offense which is joined with a court case which is held or waived for trial at a preliminary hearing.

(b) **Program Costs:** The costs taxable under each docket number shall be \$50 (fifty dollars), in addition to restitution, if any, both of which shall be payable no later than the day of admission to the program. The Magisterial District Judge may, in appropriate cases, waive or defer payment of the ARD fee. Restitution may not be waived. The defendant shall further agree, as a condition of the ARD program, to pay the costs of any recommended treatment and/or community service program, and further pay any assessed probation supervision fees.

(c) *Application:* Eligible offenders may apply for ARD by completing an application, waivers of Rule 600 and applicable statutes of limitations, and submitting them to the Dauphin County District Attorney for preliminary investigation. The District Attorney shall have full authority to conduct a criminal and social background check and shall have access to any available records to confirm application information. The District Attorney shall further consider input from the victim, if any, and recommend restitution when appropriate. The District Attorney may then move for the defendant's inclusion in ARD.

(d) *Program Conditions:* An offender admitted to ARD shall comply with the following:

(i) Obey all federal, state and local penal laws, and all rules of probation.

Complete a minimum of 20 hours of community service.

(ii) Undergo a drug and alcohol evaluation, if required by the Magisterial District Judge, and complete any recommended treatment.

(iii) Complete any other adjudication alternative program as directed by the Magisterial District Judge.

(e) *Program Admission and Completion:* An eligible offender may be admitted to ARD by the Magisterial District Judge upon the motion of the District Attorney. Bail, security or other collateral shall terminate upon entry. Admission to ARD shall not affect any period of license suspension/revocation directed by statute. Upon satisfactory completion of the program, the charges against the defendant shall be dismissed. The record of arrest shall not be affected by the operation of this local rule, however upon successful completion of the program, the case record shall be sealed by the Magisterial District Judge.

The Magisterial District Judge, in all cases where he/she finds the defendant guilty through trial and therefore ineligible for ARD, may refer the defendant to the program as part of a post-dispositional order. In all such cases the issuing authority shall consider imposing a fine with the provision that the fine be vacated or reduced if the defendant successfully completes the program. Restitution may not be reduced under this provision.

(f) *Program Monitoring:* The Dauphin County Adult and Juvenile Probation departments, or representatives from an adjudication alternative program, or Pre-Trial Services, are hereby authorized to monitor and supervise a defendant's progress in the summary ARD program. Further such organizations shall inform the Magisterial District Judge of either the offender's successful completion, or the failure to complete, and in the latter case may testify as to the reasons thereof in program revocation proceedings. An allegation that the defendant has violated a condition of ARD must be brought during the term of the program, or if filed thereafter, within a reasonable time after the alleged violation was committed.

(g) *Revocation:* Should a defendant fail to comply with any condition of the ARD program, he or she may be revoked from the program by order of the Magisterial District Judge at a revocation hearing

where the defendant will be afforded an opportunity to be heard. The Magisterial District Judge may issue such process as is necessary to bring the defendant before the Court. Should the defendant fail to appear after receiving notice of a revocation hearing, the Magisterial District Judge may issue a warrant pursuant to Pa.R.Crim.P. 430. No appeal shall be allowed from a revocation order.

Upon revocation from the summary ARD program, or if a defendant declines to accept the program, the case shall thereafter be scheduled for trial pursuant to Chapter 4 of the Pennsylvania Rules of Criminal Procedure.

(h) *Monthly Report:* Magisterial District Judges shall submit a monthly report on the disposition of all cases which have applied for entry to ARD to the District Attorney. Should admission to ARD be denied, the reasons for such denial shall be included.]

1. Pursuant to the election of the district attorney, in addition to those statutorily excluded, the following offenses and offenders shall not be considered for summary ARD:

a. No offense under the Vehicle Code may be considered for disposition through summary ARD.

b. Prior to admission to summary ARD, a CLEAN/NCIC criminal history check conducted by the affiant or other law enforcement agency must occur and be submitted for review by the magisterial district judge.

c. No defendant with a prior conviction for any of the following offenses or an equivalent offense may be accepted into the ARD program for a summary offense:

(1) Corrupt organizations in violation of 18 Pa.C.S. § 911;

(2) Criminal homicide in violation of 18 Pa.C.S. § 2501;

(3) Murder in any degree in violation of 18 Pa.C.S. § 2502;

(4) Voluntary manslaughter in violation of 18 Pa.C.S. § 2503;

(5) Involuntary manslaughter in violation of 18 Pa.C.S. § 2504;

(6) Drug delivery resulting in death in violation of 18 Pa.C.S. § 2506;

(7) Criminal homicide of unborn child in violation of 18 Pa.C.S. § 2603;

(8) Murder in any degree of unborn child in violation of 18 Pa.C.S. § 2604;

(9) Voluntary manslaughter of unborn child in violation of 18 Pa.C.S. § 2605;

(10) Aggravated assault of unborn child in violation of 18 Pa.C.S. § 2606;

(11) Aggravated assault in violation of 18 Pa.C.S. § 2702;

(12) Arson and related offenses in violation of 18 Pa.C.S. § 3301;

(13) Burglary in violation of 18 Pa.C.S. § 3502;

(14) Robbery in violation of 18 Pa.C.S. § 3701;

(15) Robbery of a motor vehicle in violation of 18 Pa.C.S. § 3702;

(16) Dealing in proceeds of illegal activity in violation of 18 Pa.C.S. § 5111;

(17) Any violation of 18 Pa.C.S. Ch. 31 (relating to Sexual Offenses);

(18) Any violation of 18 Pa.C.S. Ch. 61 (relating to Firearms and Other Dangerous Articles);

(19) Homicide by vehicle in violation of 75 Pa.C.S. § 3732;

(20) Homicide by vehicle while driving under influence in violation of 75 Pa.C.S. § 3735;

(21) Aggravated assault by vehicle while driving under influence in violation of 75 Pa.C.S. § 3735.1;

(22) Criminal attempt, criminal solicitation, or criminal conspiracy to commit any of the above offenses.

d. No defendant with a pending misdemeanor or felony charge or with a prior conviction for any misdemeanor or felony offenses for which imposition of sentence or for which the last date of imprisonment occurred within the prior ten years may be accepted into the ARD program for a summary offense.

e. No defendant who has previously received ARD for a court case or a summary offense within ten years prior to the date of the current offense or within ten years prior to the proposed date of admission on the current offense may be accepted into the ARD program for a summary offense.

2. Summary ARD is the only form of pretrial diversion permitted in summary criminal cases in Dauphin County.

3. Upon accepting an applicant into summary ARD, issuing authority will charge a fee of up to \$50.00, court costs, and any restitution. Court costs may be waived or reduced for indigent defendants only upon proof of indigence. Any defendant seeking waiver of court costs must make written application and such application shall be a public record.

4. Upon accepting an applicant into summary ARD, issuing authority will set the term of ARD not to exceed a term of six months to complete conditions. The conditions will be in writing. Conditions may include community service of up to 30 hours.

5. All summary ARD applications and dispositions must be recorded on the AOPC docket.

6. If a defendant fails to comply with any condition of the summary ARD program, the magisterial district judge may issue process to bring the defendant before issuing authority for a revocation hearing. After a hearing, the magisterial district judge may revoke the defendant from the summary ARD program and schedule the case for trial. There shall be no right of appeal from an order of revocation from the summary ARD program. If a defendant fails to appear for the revocation hearing, the magisterial district judge may issue a warrant pursuant to Pa.R.Crim.P. 430(B).

7. By the 5th of each month, the Deputy Court Administrator for Magisterial District Judges will file a report with the Clerk of Courts of all sum-

mary ARD applications and dispositions for the prior month. The reports will be filed under an MD docket.

8. Accelerated Rehabilitative Disposition must be available for appropriate summary cases in all magisterial districts in the 12th Judicial District. Applications for summary ARD must be made available in each MDJ office.

The previously listed amendments shall be published in the *Pennsylvania Bulletin* and will become effective thirty days from the date of publication.

By the Court

JOHN F. CHERRY,
President Judge

[Pa.B. Doc. No. 22-1246. Filed for public inspection August 19, 2022, 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	BankUnited, NA
501	BELCO Community Credit Union
673	BENCHMARK FEDERAL CREDIT UNION
652	Berkshire Bank
663	BHCU
5	BNY Mellon, NA
392	Brentwood Bank
495	Brown Brothers Harriman Trust Co., NA

Bank Code C.

654	CACL Federal Credit Union
618	Capital Bank, NA

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
223	Commercial Bank & Trust of PA
21	Community Bank (PA)
371	Community Bank, NA (NY)
132	Community State Bank of Orbisonia
380	County Savings 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)
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
674	First Commonwealth Federal Credit Union
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
647	FORBRIGHT 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.

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.

669	Industrial Bank
365	InFirst Bank
668	Inspire FCU
557	Investment Savings Bank
670	Investors 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.

78	Luzerne Bank
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Bank Code M.

361	M & T Bank
386	Malvern Bank, NA
510	Marion Center Bank
387	Marquette Savings Bank
81	Mars 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
671	Merchants Bank of Indiana
610	Meridian 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
667	Premier Bank
354	Presence Bank
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

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
122	Susquehanna Community Bank

Bank Code T.

143	TD Bank, NA
656	TIOGA FRANKLIN SAVINGS BANK
182	Tompkins Vist Bank
577	Traditions Bank
609	Tristate Capital Bank
672	Truist 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)
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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 American Bank
630	WSFS (Wilmington Savings Fund Society), FSB

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

674	First Commonwealth Federal Credit Union
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*Name Change**Platinum Leader Change*

673	Benchmark Federal Credit Union—Add
662	Bank of Bird-in-Hand—Add

*Correction**Removal*

[Pa.B. Doc. No. 22-1247. Filed for public inspection August 19, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Michael Nielson Behunin, (# 70074), having been disbarred in the state of Utah, the Supreme Court of Pennsylvania issued an Order July 28, 2022, disbaring Michael Nielson Behunin, from the Bar of this Commonwealth, effective August 27, 2022.

In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-1248. Filed for public inspection August 19, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Thomas A. Fadner, II, (# 75114), having been disbarred in the state of Wisconsin, the Supreme Court of Pennsylvania issued an Order August 5, 2022, disbaring Thomas A. Fadner, II, from the Bar of this Commonwealth, effective September 4, 2022.

In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-1249. Filed for public inspection August 19, 2022, 9:00 a.m.]

SUPREME COURT

Financial Institutions Approved as Depositories for Fiduciary Accounts; No. 228 Disciplinary Rules Docket

Order

Per Curiam

And Now, this 5th day of August, 2022, it is hereby Ordered that the financial institutions named on the attached list are approved as depositories for fiduciary accounts in accordance with Pa.R.D.E. 221.

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 BankUnited, NA
501 BELCO Community Credit Union

673 **BENCHMARK FEDERAL CREDIT UNION**
652 Berkshire Bank
663 BHCU
5 BNY Mellon, NA
392 Brentwood Bank
495 Brown Brothers Harriman Trust Co., NA

Bank Code C.

654 CACL Federal Credit Union
618 Capital Bank, NA
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
223 Commercial Bank & Trust of PA
21 Community Bank (PA)
371 Community Bank, NA (NY)
132 Community State Bank of Orbisonia
380 County Savings 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)
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
674 First Commonwealth Federal Credit Union
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

647 FORBRIGHT 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.

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.

669 Industrial Bank
 365 InFirst Bank
 668 Inspire FCU
 557 Investment Savings Bank
 670 Investors 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.

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
 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
 671 Merchants Bank of Indiana
 610 Meridian 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 NextTier 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
 667 Premier Bank
 354 Presence Bank
 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

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
 122 Susquehanna Community Bank

Bank Code T.

143 TD Bank, NA
656 TIOGA FRANKLIN SAVINGS BANK
 182 Tompkins Vist Bank
 577 Traditions Bank
 609 Tristate Capital Bank
 672 Truist 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 American Bank
630 WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.

Bank Code Y.

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

674 First Commonwealth Federal Credit Union

Name Change

Platinum Leader Change

673 Benchmark Federal Credit Union—Add
662 Bank of Bird-in-Hand—Add

Correction

Removal

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