

THE COURTS

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. 576 Judicial Adminis- tration Docket

Order

Per Curiam

And Now, this 1st day of September, 2022, 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 attached Financial Regulations. The Financial Regulations are effective September 1, 2022.

To the extent that notice of proposed rulemaking may be required by Pa.R.J.A. 103, the immediate promulgation of the regulations is hereby found to be in the interest of efficient administration.

This Order is to be processed in accordance with Pa.R.J.A. 103(b) and is effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter I. BUDGET AND FINANCE

§ 29.353. General Principles.

The Supreme Court of Pennsylvania, pursuant to general authority set forth by Art. V, § 10 of the Pennsylvania Constitution, and 42 Pa.C.S. § 1721, has authorized the Court Administrator of Pennsylvania to promulgate regulations in accordance with all applicable statutory provisions pertaining to the distribution and disbursement of all fines, fees, costs, reparations, restitution, penalties and other remittances imposed and collected by the Criminal Division of the Courts of Common Pleas, Philadelphia Municipal Court, any other entity on behalf of the Court using the Common Pleas Criminal Court Case Management System (CPCMS), and the Magisterial District Courts, which use the Magisterial District Judge System (MDJS).

These regulations are effective [**April 28, 2019**] **September 1, 2022**.

I. Schedule for standard distribution of funds collected by the Criminal Division of the Courts of Common Pleas, Philadelphia Municipal Court, any other entity on behalf of the Court using the CPCMS, and the Magisterial District Courts, which use the MDJS.

A. All fines, fees, costs, reparations, restitution, penalties and other remittances imposed and collected by the Criminal Division of the Courts of Common Pleas, Philadelphia Municipal Court, any other entity on behalf of the

Court using the CPCMS, and the Magisterial District Courts, which use the MDJS, shall be distributed in the following prioritized order:

1. The collection agency fee provided for in 42 Pa.C.S. § 9730.1 shall be paid first, but only in cases wherein the private collection agency has secured the funds from the defendant or a third party and the payment is made to the court. No more than 25% of each payment secured from the defendant by the private collection agency may be applied towards this fee.

2. The [**Crime Victim's Compensation Fund and Victim Witness Services Fund**] **Crime Victim Services and Compensation Fund** shall be paid, but only in cases in which the defendant has been sentenced to incarceration, probation or is admitted into an accelerated rehabilitative disposition program (see 18 P.S. § 11.1101). Otherwise, these costs shall be distributed in accordance with subsection (A)(6) of these regulations.

3. At least 50% of any additional payment shall go to restitution until it is paid in full (see 42 Pa.C.S. § 9728(g.1)). When restitution is ordered to more than one recipient at the same time, the court shall set the priority of payment as follows, in accordance with 18 Pa.C.S. § 1106(c)(1)(ii)(A)—(G):

i. Any individual.

ii. Any affected government agency. The term "affected government agency" is defined as the Commonwealth, a political subdivision or local authority that has sustained injury to property. The term "injury to property" is defined as loss of real or personal property, including negotiable instruments, or decrease in its value, directly resulting from the crime. See Section 1106(h) of the Crimes Code, 18 Pa.C.S. § 1106(h).

iii. The Crime Victim's Compensation Board.

iv. Any other government agency that has provided reimbursement to the victim as a result of the defendant's criminal conduct.

v. Any insurance company that has provided reimbursement to the victim as a result of the defendant's criminal conduct.

vi. Any estate or testamentary trust.

vii. Any business entity organized as a nonprofit or not-for-profit entity.

viii. Any other business entity. The term "business entity" is defined as a domestic or foreign: business corporation, nonprofit corporation, general partnership, limited partnership, limited liability company, unincorporated nonprofit association, professional association or business trust, common law business trust or statutory trust. See Section 1106(h) of the Crimes Code, 18 Pa.C.S. § 1106(h).

4. Judicial Computer Project/Access To Justice/Criminal Justice Enhancement Account/**Office of Attorney General** (JCS/ATJ/CJEA/OAG) Fee (see 42 Pa.C.S. §§ 3733(a.1) and 3733.1; [**71 P.S. § 720.102;**] and 72 P.S. § 1795.1-E).

5. Electronic monitoring fees, offender supervision fees (as set forth in 18 P.S. § 11.1102(c)), alcohol highway safety school fees, service fees (such as sheriff's fees set forth in 42 P.S. § 21101 *et seq.*, and constable's fees set forth in 44 Pa.C.S. §§ 7161 and 7161.1), transcript fees,

witness fees (as provided for in 42 Pa.C.S. § 5903), and other similar fees shall be paid based upon a pro-rated formula, unless the fees are prioritized by court order or the judicial district. The Administrative Office of Pennsylvania Courts may preclude a fee from being classified as an “other similar fee.” The amount of the payment allocated to each outstanding item shall be determined by dividing the outstanding balance for the individual item by the combined total of the outstanding balances for all items. The resulting number is then multiplied by the amount of the payment to determine how much of the payment shall be allocated to the outstanding balance of the individual item involved.

For example, a defendant owes \$80.00 in electronic monitoring fees, \$10.00 in offender supervision fees, and \$10.00 in service fees, for a total of \$100.00 in outstanding fees. Defendant makes a payment of \$10.00 in his/her case. To determine the amount to be allocated to electronic monitoring fees, divide the outstanding balance of the electronic monitoring fee (\$80.00) by the combined total outstanding balances of all items (\$80.00 + 10.00 + 10.00 = \$100.00). The result in this example is .8 (80/100). Multiply the resulting figure by the amount of the payment to determine the allocation to electronic monitoring fees, which in this example is \$8.00 (.8 × \$10.00 = \$8.00).

6. All other fines, fees, costs, reparations, penalties and other remittances, except for judgment or satisfaction fees, shall be distributed based upon a pro-rated formula. Specifically, the amount of the payment allocated to each outstanding item shall be determined by dividing the outstanding balance for the individual item by the combined total of the outstanding balances for all items. The resulting number is then multiplied by the amount of the payment to determine how much of the payment shall be allocated to the outstanding balance of the individual item involved.

For example, a defendant owes \$80.00 in costs, \$10.00 in fines, and \$10.00 in fees, for a total of \$100.00 in outstanding costs, fines and fees. Defendant makes a payment of \$20.00 in his/her case. To determine the amount to be allocated to the fines, divide the outstanding balance of the fines (\$10.00) by the combined total outstanding balances of all items (\$80.00 + 10.00 + 10.00 = \$100.00). The result in this example is .1 (10/100). Multiply the resulting figure by the amount of the payment to determine the allocation to the fines, which in this example is \$2.00 (.1 × \$20.00 = \$2.00).

7. Fees charged by the clerk of courts, prothonotary, other entity in the county responsible for the distribution and disbursement of all fines, fees, costs, reparations, restitution, penalties, or other remittances, or the Clerk of Philadelphia Municipal Court for the entry or satisfaction of a civil judgment related to a criminal proceeding, as set forth in 42 Pa.C.S. § 1725 and 42 P.S. §§ 21042 and 21071, shall be paid last. The amount of the payment allocated to each fee shall be determined by dividing the outstanding balance for the individual fee by the combined total of the outstanding balances for both fees. The resulting number is then multiplied by the amount of the payment to determine how much of the payment shall be allocated to the outstanding balance of the individual fee involved.

For example, a defendant owes \$60.00 in judgment fees and \$40.00 in satisfaction fees for a total of \$100.00 in

outstanding fees. Defendant makes a payment of \$10.00 in his/her case. To determine the amount to be allocated to judgment fees, divide the outstanding balance of the judgment fees (\$60.00) by the combined total outstanding balances of all items (\$60.00 + 40.00 = \$100.00). The result in this example is .6 (60/100). Multiply the resulting figure by the amount of the payment to determine the allocation to judgment fees, which in this example is \$6.00 (.6 × \$10.00 = \$6.00).

B. Each payment shall be applied to a single case, unless otherwise ordered by the court.

II. The county probation department or other agent designated to collect all fines, fees, costs, reparations, restitution, penalties and other remittances pursuant to 42 Pa.C.S. § 9728 shall use the CPCMS when performing collection-related activities.

III. Nothing in these regulations shall be applicable to the collection and/or distribution of any filing fee that is authorized by law. Filing fees shall include but not be limited to the clerk of courts automation fee set forth in 42 Pa.C.S. § 1725.4(b).

[Pa.B. Doc. No. 22-1410. Filed for public inspection September 16, 2022, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 400]

Proposed Amendment of Pa.R.Civ.P. 400 and Proposed Rescission of Pa.R.Civ.P. 400.1

The Civil Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.Civ.P. 400 and the rescission of Pa.R.Civ.P. 400.1 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 November 17, 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 DUFFY BRUDER,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 400. SERVICE OF ORIGINAL PROCESS

SERVICE GENERALLY

(Editor's Note: The "Explanatory Comment" is not codified in Pa.R.Civ.P. 400 as printed in 231 Pa. Code.)

Rule 400. Person to Make Service.

[(a) Except as provided in subdivisions (b) and (c) and in Rules 400.1 and 1930.4, original process shall be served within the Commonwealth only by the sheriff.

(b) In addition to service by the sheriff, original process may be served also by a competent adult in the following actions:

(1) a civil action in which the complaint includes a request for injunctive relief under Rule 1531, perpetuation of testimony under Rule 1532, or appointment of a receiver under Rule 1533;

(2) partition;

(3) a declaratory judgment when declaratory relief is the only relief sought; and

(4) a civil action in which there is a complete diversity of citizenship between all plaintiffs and all defendants, and at least one defendant is a citizen of Pennsylvania.

Note: See Rule 76 for the definition of "competent adult".

Service of original process in domestic relations matters is governed by Rule 1930.4.

(c) When the sheriff is a party to the action, original process shall be served by the coroner or other officer authorized by law to perform the duties of coroner.

(d) If service is to be made by the sheriff in a county other than the county in which the action was commenced, the sheriff of the county where service may be made shall be deputized for that purpose by the sheriff of the county where the action was commenced.

EXPLANATORY COMMENT — 1985

See Explanatory Comment preceding Rule 400.]

(This is an entirely new text.)

(Editor's Note: The following text is proposed to be added and is printed in regular type to enhance readability.)

(a) *General Rule.* Original process shall be served within the Commonwealth by the sheriff or a competent adult.

(b) *Sheriff as a Party.* When the sheriff is a party to the action, original process shall be served by the coroner or other officer authorized by law to perform the duties of coroner.

(c) *Service by Sheriff Outside of County Where Action is Commenced.* If service is to be made by the sheriff in a county other than the county where the action was commenced, the sheriff of the county where service may be made shall be deputized for that purpose by the sheriff of the county where the action was commenced.

Comment:

See Rule 76 for the definition of "competent adult."

(Editor's Note: Pa.R.Civ.P. 400.1 as printed in 231 Pa. Code reads "Official Note" rather than "Note.")

Rule 400.1. [Provisions for All Courts of the First Judicial District] [Reserved].

[(a) In an action commenced in the First Judicial District, original process may be served

(1) within the county by the sheriff or a competent adult, or

(2) in any other county by deputized service as provided by Rule 400(d) or by a competent adult forwarding the process to the sheriff of the county where service may be made.

Note: See Rule 76 for the definition of "competent adult."

The First Judicial District is comprised of Philadelphia.

(b) In an action commenced in any other county, original process may be served in Philadelphia County by deputized service as provided by Rule 400(d) or by a competent adult.

Note: See Rule 76 for the definition of "competent adult."

(c) Rescinded.

Note: For service in an action for protection from abuse, see Rule 1930.4(b).]

SUPREME COURT OF PENNSYLVANIA CIVIL PROCEDURAL RULES COMMITTEE

PUBLICATION REPORT

Proposed Amendment of Pa.R.Civ.P. 400 and Proposed Rescission of Pa.R.Civ.P. 400.1

The Civil Procedural Rules Committee is considering proposing to the Supreme Court the amendment of Pennsylvania Rule of Civil Procedure 400 and the rescission of Pennsylvania Rule of Civil Procedure 400.1 to provide for service of original process within the Commonwealth by the sheriff or a competent adult for all civil actions.

The Committee received a request to consider the amendment of Pa.R.Civ.P. 400 to allow service of original process by a competent adult within the Commonwealth for all civil actions in addition to service by the sheriff. The requester contended that sheriff offices' resources are stretched, especially recently during the COVID-19 pandemic, the tightening labor market, and increased operating costs. Permitting a competent adult to serve original process would allow sheriff offices to devote more of their limited resources to courthouse duties, transporting prisoners, and protecting court employees. At the same time,

such service would provide plaintiffs the ability to secure service of original process properly, timely, and pursuant to specific instructions.

Current Pa.R.Civ.P. 400(a) requires that original process be served by a sheriff within the Commonwealth subject to certain exceptions. Those exceptions include service by a competent adult in addition to service by a sheriff for civil actions where the complaint includes a request for injunctive relief under Pa.R.Civ.P. 1531, perpetuation of testimony under Pa.R.Civ.P. 1532, or appointment of a receiver under Pa.R.Civ.P. 1533; partition actions; declaratory judgment actions when declaratory relief is the only relief sought; and civil actions subject to snap removal. Moreover, Pa.R.Civ.P. 400.1 permits service of original process by a competent adult in all civil actions in Philadelphia County in addition to service by the sheriff.

The Committee considered the merits of expanding service of original process within the Commonwealth to include service by a competent adult. Preliminarily, the Committee rejected basing a rulemaking proposal for the purpose of alleviating perceived resource limitations within sheriff offices. Matters of budgeting and personnel for independently elected offices are beyond the Committee's purview. Instead, the Committee evaluated the request in terms of establishing uniformity of service for all civil actions by permitting the plaintiff to choose either service by the sheriff or by a competent adult.

First, the Committee took note of an absence of concern with the current exceptions allowing service of original process using a competent adult. A previous proposal recently adopted by the Supreme Court to amend Pa.R.Civ.P. 400(b) expanding service by a competent adult for civil actions subject to snap removal was endorsed by commenters. *See* 52 Pa.B. 682 (January 29, 2022). Second, the proliferation of process servers in the Philadelphia area is indicative that the option of service of original process by a competent adult is being utilized in that county. This utilization suggests the efficacy and efficiency of that mode of service is at least comparable to sheriff service. Moreover, service of original process by a competent adult is permitted for citations in orphans' court proceedings, *see* Pa.R.O.C.P. 3.5, and in domestic relations matters, *see* Pa.R.Civ.P. 1930.4. The Committee specifically welcomes comments regarding experience using a competent adult for service of original process. Third, the Committee believes there is merit in having one, consistent rule governing service of original process within Pennsylvania for all civil actions.

The Committee also considered how current practice in Pennsylvania compared to service of original process in other states. To determine whether other states limited service of original process to the sheriff only, the Committee reviewed procedural rules and statutes of the remaining 49 states. The research revealed one other state limiting service of original process to the sheriff only: New Hampshire. Service of original process in the other states breaks down as follows:

- Twenty-three states permit service by a sheriff or other person authorized by law and a person 18 years of age or older who is not a party to the action—Colorado, Idaho, Iowa, Kentucky, Maryland, Michigan, Minnesota, Mississippi, Montana, Nevada, New Mexico, New York (outside NYC), North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Utah, Virginia, Washington, West Virginia, Wyoming

- Twenty-two states, which permit service by both the sheriff or a competent adult, require the court or other authority to appoint or designate by order the person 18 years of age or older who is not a party to the action—Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Maine, Massachusetts, Missouri, Nebraska, New Jersey, Ohio, Oklahoma, Texas, Vermont

- Two states permit service by any adult not a party and 18 years of age or older; there is no provision service by the sheriff.—Tennessee and Wisconsin

- One state permits service by the sheriff, or the party or party's attorney if the party elects to undertake responsibility for service—Kansas

- California, New York (within NYC), Oklahoma, and Texas require certification, registration, or licensure of process servers

Based on this review, the Committee concluded that Pennsylvania's practice of allowing only the sheriff to serve original process within the Commonwealth for most civil actions is an outlier compared to the majority of other states.

Accordingly, the Committee believes that expanding and making uniform service of original process to permit service by a competent adult, in addition to service by a sheriff, would benefit plaintiffs with direct, timely, and efficient service, and bring the procedure in step with other states' practice. Please note this proposal is not intended to eliminate sheriff service, but to provide plaintiffs an option in selecting a mode of serving original process rather than the rules mandating the mode in an inconsistent manner within Pennsylvania. Insofar this proposal may free up sheriff offices' resources for other duties, the Committee specifically invites comments from all stakeholders on that matter.

The Committee is also proposing the deletion of the 1985 Explanatory Comment prefacing Pa.R.Civ.P. 400—449. The text of that historical commentary has been omitted from the instant publication due to length and for readers' ease of review.

The Committee invites all comments, concerns, and suggestions.

[Pa.B. Doc. No. 22-1411. Filed for public inspection September 16, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ADAMS COUNTY

Rules of Criminal Procedure; Administrative Order Number 11 of 2022

Order of Court

And Now, this 1st day of August, 2022, the Court hereby Orders that Rule 120 of the Adams County Rules of Criminal Procedure shall be created, as follows:

120. Attorneys—Appearance and Withdrawals.

Upon filing of entry of appearance, counsel of record shall receive notification of filings and

docket entries in the matter until said attorney files a withdrawal of appearance and upon approval of said withdrawal by the court.

This rule creation shall become effective after all the provisions of the Pennsylvania Rules of Criminal Procedure are met, to include the following:

a. A certified copy of this order shall be submitted to the Criminal Procedural Rules Committee for review in accordance with Pa.R.Crim.P. No. 105(D);

b. Upon receipt of a statement from the Criminal Procedural Rules Committee that the local rule is not inconsistent with any general rule of the Supreme Court, two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. One (1) certified copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts for distribution in accordance with the provisions of Pa.R.Crim.P. No. 105(F)(1);

d. A copy of the local rule shall be published on the Unified Judicial System's website;

e. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

f. The effective date of the local rule shall be 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 22-1412. Filed for public inspection September 16, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CLINTON COUNTY

Local Rule 1012; No. AD-980-2022

Administrative Order of Court

And Now, this 31st day of August, 2022, the Court hereby adopts the following Local Rule 1012, effective thirty (30) days after the publication of same in the *Pennsylvania Bulletin*.

Katherine G. Turner, Judicial Law Clerk, is Ordered and Directed to do the following:

1. File one (1) copy of this Order and the following Local Rule with the Administrative Office of Pennsylvania (AOPC) via email to adminrules@pacourts.us.

2. File one (1) copy of this Order and the following Local Rule with the Legislative Bureau for publication in The *Pennsylvania Bulletin*.

3. Publish a copy of this Order and the following Local Rule on the Clinton County Court website.

4. Compile this Local Rule within the complete set of Local Rules no later than thirty (30) days following publication in the *Pennsylvania Bulletin*.

By the Court

CRAIG P. MILLER,
President Judge

Rule 1012. Attorney and Party Contact Information.

(a) It is the sole responsibility of attorneys and unrepresented parties in matters before the Court to maintain current and accurate contact information with the Court. The term "contact information" shall include a valid mailing address, a valid telephone number and a valid email address.

(b) Upon the commencement of any action, the filing party shall be responsible to provide the Office of the Prothonotary contact information for the filing party and all other parties to the action, if known. Such information shall be listed on a separate document filed contemporaneously with the pleading commencing the action.

(c) The failure of any attorney or unrepresented party to maintain current and accurate contact information with the Court may result in the attorney or unrepresented party failing to receive timely notice of Court Orders, scheduled case events and other proceedings. Such failure will not be considered by the Court as an excuse for the attorney's or unrepresented party's failure to timely file responsive documents, appear for scheduled proceedings, or comply with Court Orders.

Note: A form Praecepte for Change of address/Contact Information has been approved by the Court and is available at: <https://www.clintoncountypa.com/government/court-services/county-courts/court-forms/-fsiteid-1> or by contacting the District Court Administrator's Office directly at 570-893-4016.

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA

)
)
) vs.) No.
)
)

PRAECIPE TO CHANGE ADDRESS/CONTACT INFORMATION

TO THE PROTHONOTARY:

Kindly change the Plaintiff's/Defendant's/Attorney's mailing address and other noted information in the above captioned matter to the following:

Name Telephone No. (please check applicable type)
Address, Number and Street Telephone No. (alternate)
Address, Number and Street (cont.)
Address, City, State, Zip Code
Email Address

I certify that I am the Party/Attorney named above, that the above is my true and correct mailing address and contact information, and that I understand that the above address may be used for any mailing of notices and orders of court directed to the undersigned.

I further understand that by providing an email address above, I am consenting to use of that email address for receipt of copies of all legal papers in this action that are not required to be served personally or to be contacted by Court officials.

Date:
Plaintiff/Defendant/Attorney for
Attorney Id No.

[Pa.B. Doc. No. 22-1413. Filed for public inspection September 16, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CLINTON COUNTY

Local Rule 1018.1; No. AD-981-2022

Administrative Order of Court

And Now, this 31st day of August, 2022, the Court hereby rescinds previous Local Rule 1018.1 and adopts the following Local Rule 1018.1, effective thirty (30) days after the publication of same in the Pennsylvania Bulletin.

Katherine G. Turner, Judicial Law Clerk, is Ordered and Directed to do the following:

- 1. File one (1) copy of this Order and the following Local Rule with the Administrative Office of Pennsylvania (AOPC) via email to adminrules@pacourts.us.
2. File one (1) copy of this Order and the following Local Rule with the Legislative Bureau for publication in The Pennsylvania Bulletin.
3. Publish a copy of this Order and the following Local Rule on the Clinton County Court website.

4. Compile this Local Rule within the complete set of Local Rules no later than thirty (30) days following publication in the Pennsylvania Bulletin.

By the Court

CRAIG P. MILLER,
President Judge

Rule 1018.1. Notice to Defendant. Form.

The designated officer to be named in the Notice to Defend from whom legal help can be obtained as required by Pa.R.C.P. No. 1018.1 shall be:

IF YOU DO NOT HAVE A LAWYER CONTACT:

Pennsylvania Bar Association
Lawyer Referral Service
100 South Street
PO Box 186
Harrisburg, PA 17108-0186
Telephone—800-692-7375
Website—pabar.org/site/For-the-Public/Find-a-Lawyer/Get-a-Referral

IF YOU CANNOT AFFORD A LAWYER, YOU MAY BE ELIGIBLE FOR LEGAL AID THROUGH:

North Penn Legal Services
Penn Tower Building
25 West Third Street, Suite 400
Williamsport, PA 17701
Telephone—570-323-8741
Fax—570-323-5256
Website—nplsoi.legalserver.org/modules/matter/externaltakephp?pid=129h=daa817

[Pa.B. Doc. No. 22-1414. Filed for public inspection September 16, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CRAWFORD COUNTY

In the Matter of the Adoption of Local Criminal Rules of Procedure; No. AD 1 of 2022

Order

And Now, September 2, 2022, Local Rule of Criminal Procedure 117 is amended as follows, effective thirty days after publication in the *Pennsylvania Bulletin*:

Rule 117. Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; Setting and Accepting Bail; and Other Services.

REGULAR BUSINESS HOURS

All magisterial district judge offices shall be open for regular business Monday through Friday, excluding holidays celebrated by the Court of Common Pleas of Crawford County, from 8:30 a.m. to 4:30 p.m. prevailing local time, to provide the services specified in Rule 117(A) of the Pennsylvania Rules of Criminal Procedure during regular business hours.

MAGISTERIAL DISTRICT JUDGE TEMPORARY ASSIGNMENTS

When during regular business hours for magisterial district judges, a judge who has venue over a particular matter is unavailable, any other magisterial district judge in Crawford County is hereby temporarily assigned to serve the magisterial district of the judge who is unavailable. Such an arrangement may be made between respective magisterial district judges by mutual agreement. Any additional compensation for said arrangement will be waived.

ON-CALL COVERAGE DURING NON-BUSINESS HOURS

There shall be continuous coverage for all of the magisterial district courts during non-business hours by the on-call magisterial district judge for all of the following:

1. Issuance of search warrants pursuant to Pa.R.Crim.P. 203;
2. Issuance of arrest warrants pursuant to Pa.R.Crim.P. 513; and
3. Issuance of emergency orders under the Protection From Abuse Act (23 Pa.C.S. §§ 6101—6122), the Protection of Victims of Sexual Violence or Intimidation Act (42 Pa.C.S. §§ 62A01—62A20), and the Older Adults Protective Services Act (35 P.S. §§ 10225.101—10225.5102).

The “Continuous Coverage” services set forth above shall be provided by the on-call magisterial district judge in the following manner: The on-call magisterial district judge will be promptly notified by Crawford County Emergency Management Office whenever there is a need for any “Continuous Coverage” service. The on-call magisterial district judge will then contact the police officer or other person requesting the services of the on-call magisterial district judge. The Crawford County Emergency Management Office will only notify the on-call magisterial district judge if the request is for one of the enumerated “Continuous Coverage” services.

OTHER ON-CALL COVERAGE

The on-call magisterial district judge will also be responsible for performing the services required by Pa.R.Crim.P. 117(A)(2), in the following manner: The on-call magisterial district judge shall call the booking officer at the Crawford County Correctional Facility each morning at 8:00 a.m. to determine whether there is a need to perform any of the services required by Pa.R.Crim.P. 117(A)(2). If such a need has arisen, the on-call magisterial district judge shall appear that day for the performance of those services, without unnecessary delay, either at the office of the on-call magisterial district judge, or (to the extent allowable by Pa.R.Crim.P. 119) remotely by two-way audio-visual communication if such equipment is available, at the option of the on-call magisterial district judge.

ON-CALL MAGISTERIAL DISTRICT JUDGE ASSIGNMENTS

The magisterial district judges shall rotate in performing the services of on-call magisterial district judge on a weekly basis consistent with a schedule established annually by the District Court Administrator with the approval of the President Judge. Modifications of this schedule may occur amongst the respective magisterial district judges by mutual agreement. Any such modification shall be conveyed to the Crawford County Emergency Management Office by the magisterial district judge who will be serving as the on-call magisterial district judge by mutual agreement. Any additional compensation for subsequent modification of an existing schedule shall be waived.

The weekly on-call duty shall begin on Friday at 4:30 p.m. and continue until the following Friday at 8:30 a.m., unless the magisterial district court offices are closed that Friday, in which case on-call duty shall continue that Friday until 4:30 p.m.

OFFICIALS DESIGNATED TO ACCEPT BAIL

Magisterial district judges, the Clerk of Courts, and the Crawford County Correctional Facility shall be authorized to accept bail in accordance with the provisions and subject to the limitations of the Pennsylvania Rules of Criminal Procedure.

Further, the District Court Administrator is *Ordered* and *Directed* to publish and disseminate this Order in conformity with Pa.R.J.A. 103.

By the Court

JOHN F. SPATARO,
President Judge

[Pa.B. Doc. No. 22-1415. Filed for public inspection September 16, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LAWRENCE COUNTY

Increase in Jurisdictional Limit for Compulsory Arbitration and Amendment to Local Rule L1301; No. 90097 of 2022 A.D.

Administrative Order

And Now, this 12th day of August, 2022, in accordance with the authority given to the Court and as authorized by 42 Pa.C.S.A. § 7361, it is *Ordered* and *Decreed* that the jurisdictional limit for compulsory arbitration in the Court of Common Pleas of Lawrence County, 53rd Judicial District, is hereby increased from the current limit of twenty-five thousand dollars (\$25,000.00) to the amount of fifty thousand dollars (\$50,000.00).

It is further *Ordered* and *Decreed* that Local Rule L1301 is hereby amended to provide as follows:

Rule L1301. Arbitration-Scope.

All cases where the amount in controversy does not exceed \$50,000.00, excluding interest and costs, except those involving title to real estate, shall be submitted to compulsory arbitration under this Rule.

The effective date of this Order and Amended Rule L1301 shall be January 1, 2023, and shall apply to all cases filed on or after June 1, 2023, and to all cases pending as of such date. As to any case pending as of January 1, 2023, where the complainant asserted the claim was above the previous limit of twenty-five thousand dollars (\$25,000.00), the claimant may file a certification that the claim is within the increased arbitration

limit of fifty thousand dollars (\$50,000.00) and thereby proceed to compulsory arbitration.

The District Court Administrator of Lawrence County shall:

1. File one (1) electronic copy of this Administrative Order and Rule with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2. File two (2) paper copies of this Administrative Order and Rule with the Legislative Reference Bureau and one (1) electronic copy in Microsoft Word format only via email to bulletin@palrb.us for publication in the *Pennsylvania Bulletin*.

3. Arrange to have this Administrative Order and Rule published on the Lawrence County Bar Association website at lawrencecountybar.org, and forward one copy to the *Lawrence Law Journal* for publication.

4. Arrange to have this Administrative Order and Rule, as well as all Local Rules, published on the 53rd Judicial District website at lawrencecountypa.gov.

5. Keep this Administrative Order and Rule, as well as all Local Rules of this Court, continuously available for public inspection and copying in the appropriate Lawrence County filing office. The respective filing office shall furnish to any person a copy of any Local Rule upon request and payment of reasonable cost of reproduction and mailing.

By the Court

DOMINICK MOTTO,
President Judge

[Pa.B. Doc. No. 22-1416. Filed for public inspection September 16, 2022, 9:00 a.m.]