

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

[204 PA. CODE CH. 29]

Promulgation of Consumer Price Index Pursuant to 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4); No. 578 Judicial Administration Docket

Order

Per Curiam

And Now, this 5th day of October, 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 obtain and publish in the *Pennsylvania Bulletin* the percentage increase in the Consumer Price Index for calendar year 2021 as required by Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended).

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter K. COSTS, FINES AND FEES

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

Pursuant to Article V, Section 10 of the Pennsylvania Constitution, and 42 Pa.C.S. § 1721, the Supreme Court has authorized the Court Administrator of Pennsylvania to obtain and publish in the *Pennsylvania Bulletin* on or before November 30 the percentage increase in the Consumer Price Index for calendar year 2021 as required by Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended). See, No. 578 Judicial Administration Docket.

The Court Administrator of Pennsylvania reports that the percentage increase in the Consumer Price Index, All Urban Consumers, U.S. City Average, for calendar year 2021 was 7.0% percent. (See, U.S. Department of Labor, Bureau of Labor Statistics, Series CUUROOOSAO, January 24, 2022.)

[Pa.B. Doc. No. 22-1599. Filed for public inspection October 21, 2022, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

[204 PA. CODE CH. 29]

Promulgation of Financial Regulations Pursuant to 42 Pa.C.S. § 3502(a); No. 577 Judicial Administration Docket

Order

Per Curiam

And Now, this 5th day of October, 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 costs outlined in the Financial Regulations are effective as of January 1, 2023.

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

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

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter K. COSTS, FINES AND FEES

§ 29.401. Scope.

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

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

§ 29.402. 42 Pa.C.S. § 1725.1. Costs.

(a) *Civil cases.*—In calendar year 2023, the costs to be charged by magisterial district judges in every civil case, except as otherwise provided in this section, shall be as follows:

- (1) Actions involving \$500 or less \$61.00
- (2) Actions involving more than \$500 but not more than \$2,000 \$81.00
- (3) Actions involving more than \$2,000 but not more than \$4,000 \$101.50
- (4) Actions involving between \$4,001 and \$12,000 \$152.00
- (5) Landlord-tenant actions involving \$2,000 or less \$91.00
- (6) Landlord-tenant actions involving more than \$2,000 but not more than \$4,000 \$111.50
- (7) Landlord-tenant actions involving more than \$4,000 but not more than \$12,000 \$152.00
- (8) Order of execution \$45.50
- (9) Objection to levy \$20.50
- (10) Reinstatement of complaint \$10.50
- (11) Entering Transcript on Appeal or Certiorari. . \$5.50

Said costs shall not include, however, the cost of postage and registered mail which shall be borne by the plaintiff.

(a.1) *Custody cases.*—In calendar year 2023, the cost (in addition to the cost provided by general rule) to be charged by the court of common pleas shall be as follows:

(1) Custody cases, except as provided in section 1725(c)(2)(v).....\$9.50

(b) *Criminal cases.*—In calendar year 2023, the costs to be charged by the minor judiciary or by the court of common pleas where appropriate in every criminal case, except as otherwise provided in this section, shall be as follows:

(1) Summary conviction, except motor vehicle cases..... \$58.00

(2) Summary conviction, motor vehicle cases, other than paragraph (3)..... \$45.50

(3) Summary conviction, motor vehicle cases, hearing demanded \$55.50

(4) Misdemeanor \$66.00

(5) Felony..... \$76.00

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

(c) *Unclassified costs or charges.*—In calendar year 2023, the costs to be charged by the minor judiciary in the following instances not readily classifiable shall be as follows:

(1) Entering transcript of judgment from another member of the minor judiciary..... \$10.50

(2) Marrying each couple, making record thereof, and certificate to the parties..... \$51.00

(3) Granting emergency relief pursuant to 23 Pa.C.S. Ch. 61 (relating to protection from abuse) \$20.50

(4) Issuing a search warrant (except as provided in subsection (d))..... \$20.50

(5) Any other issuance not otherwise provided in this subsection..... \$20.50

§ 29.403. 42 Pa.C.S. § 3571.

In calendar year 2023, Commonwealth portion of fines, etc.

* * * * *

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

(2) Amounts payable to the Commonwealth:

(i) Summary conviction, except motor vehicle cases..... \$20.30

(ii) Summary conviction, motor vehicle cases other than subparagraph (iii)..... \$20.30

(iii) Summary conviction, motor vehicle cases, hearing demanded \$20.30

(iv) Misdemeanor..... \$26.40

(v) Felony..... \$40.50

(vi) Assumpsit or trespass involving:

(A) \$500 or less \$25.40

(B) More than \$500 but not more than \$2,000.. \$40.50

(C) More than \$2,000 but not more than \$4,000 \$60.90

(D) Between \$4,001 and \$12,000 \$101.35

(vii) Landlord-tenant proceeding involving:

(A) \$2,000 or less \$40.40

(B) More than \$2,000 but not more than \$4,000 \$50.70

(C) More than \$4,000 but not more than \$12,000 \$70.95

(viii) Objection to levy \$10.25

(ix) Order of execution..... \$30.30

(x) Issuing a search warrant (except as provided in section 1725.1(d) (relating to costs))... \$14.35

(xi) Order of possession \$15.00

(xii) Custody cases (except as provided in section 1725(c)(2)(v))\$7.60

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

[Pa.B. Doc. No. 22-1600. Filed for public inspection October 21, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DAUPHIN COUNTY

Promulgation of Local Rules; No. 1793 S 1989

Order

And Now, this 3rd day of October, 2022, Dauphin County Local Rules of Criminal Procedure 202 and 507 are rescinded and replaced with the following:

Rule 202. Approval of Search Warrant Applications by Attorney for the Commonwealth.

The District Attorney of Dauphin County, having filed a certification pursuant to Pa.R.Crim.P. 202, search warrants arising out of an investigation of any of the following offenses:

(1) Corrupt organizations in violation of 18 Pa.C.S.A. § 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) Causing or aiding suicide in violation of 18 Pa.C.S. § 2505;

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

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

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

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

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

(12) Any offense under Chapter 29 of the Crimes Code, relating to Kidnapping;

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

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

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

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

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

(18) Any offense under Chapter 30 of the Crimes Code, relating to Human Trafficking;

(19) Any offense under Chapter 31 of the Crimes Code, relating to Sexual Offenses;

(20) Prostitution and related offenses in violation of 18 Pa.C.S. § 5902;

(21) Sexual abuse of children in violation of 18 Pa.C.S. § 6312;

(22) Unlawful contact with a minor in violation of 18 Pa.C.S. § 6318;

(23) Sexual exploitation of children in violation of 18 Pa.C.S. § 6320;

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

(25) Any offense arising out of an incident for which the District Attorney of Dauphin County has given written notice to the investigating agency of his intent to review any charges brought in connection with that incident prior to filing shall not hereafter be issued by any judicial officer unless the search warrant application has the approval of an attorney for the Commonwealth prior to filing.

In addition, any search warrant application involving the search for electronically stored data of any type, including but not limited to search warrants for mobile telephones, computers, other electronic devices, USB drives, external hard drives, remotely stored data and social media accounts, shall not hereafter be issued by any judicial officer unless the search warrant application has the approval of an attorney for the Commonwealth prior to filing.

Rule 507. Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth.

The District Attorney of Dauphin County, having filed a certification pursuant to Pa.R.Crim.P. 507, criminal complaints and arrest warrant affidavits by police officers as defined in the Rules of Criminal Procedure charging:

(1) Corrupt organizations in violation of 18 Pa.C.S.A. § 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) Causing or aiding suicide in violation of 18 Pa.C.S. § 2505;

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

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

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

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

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

(12) Aggravated assault in violation of 18 Pa.C.S. § 2702(a)(4);

(13) Any offense under Chapter 29 of the Crimes Code, relating to Kidnapping;

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

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

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

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

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

(19) Any offense under Chapter 30 of the Crimes Code, relating to Human Trafficking;

(20) Any offense under Chapter 31 of the Crimes Code, relating to Sexual Offenses;

(21) Prostitution and related offenses in violation of 18 Pa.C.S. § 5902;

(22) Sexual abuse of children in violation of 18 Pa.C.S. § 6312;

(23) Unlawful contact with a minor in violation of 18 Pa.C.S. § 6318;

(24) Sexual exploitation of children in violation of 18 Pa.C.S. § 6320;

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

(26) Criminal conspiracy to commit any offense not listed above, if the underlying offense is not also charged;

(27) Any offense arising out of an incident for which the District Attorney of Dauphin County has given written notice to the investigating agency of his intent to review any charges brought in connection with that incident prior to filing shall not hereafter be issued by any judicial officer unless the complaint and affidavit have the approval of an attorney for the Commonwealth prior to filing.

The above amendments shall be published in the *Pennsylvania Bulletin* and will become effective thirty (30) days from the date of publication.

By the Court

JOHN F. CHERRY,
President Judge

[Pa.B. Doc. No. 22-1601. Filed for public inspection October 21, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Barry Jay Beran having been suspended from the practice of law in the State of New Jersey; the Supreme Court of Pennsylvania issued an Order dated October 5, 2022 suspending Barry Jay Beran from the practice of law in this Commonwealth for a period of three years, consecutive to the three-year term of suspension ordered by this Court on May 6, 2021. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-1602. Filed for public inspection October 21, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Edward Harrington Heyburn having been suspended from the practice of law in the Supreme Court of New Jersey; the Supreme Court of Pennsylvania issued an Order dated October 5, 2022 suspending Edward Harrington Heyburn (# 80472) from the practice of law in this Commonwealth for a period of eighteen months consecutive to the three-year term of suspension ordered by this Court on June 22, 2021.

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

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-1603. Filed for public inspection October 21, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Christopher M. Manganello having been suspended from the practice of law in the Supreme Court of New Jersey; the Supreme Court of Pennsylvania issued an Order dated October 5, 2022 suspending Christopher M. Manganello a/k/a Christopher Michael Manganello (# 82728) from the practice of law in this Commonwealth for a period of six months and for a separate period of one year, to be served consecutive to the aforementioned six-month suspension, consistent with the Orders of the Supreme Court of New Jersey, effective November 4, 2022.

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

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-1604. Filed for public inspection October 21, 2022, 9:00 a.m.]