

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 81]

Order Amending Rule 1.19 of the Rules of Professional Conduct; No. 232 Disciplinary Rules Docket

Order

Per Curiam

And Now, this 11th day of April, 2023, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania, the proposal having been submitted without publication in the interests of justice and efficient administration pursuant to Pa.R.J.A. No. 103(a)(3),

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1.19 of the Rules of Professional Conduct is amended in the attached form.

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

Justice Donohue notes her dissent.

Additions to the rules are shown in bold and are underlined.

Deletions from the rules are shown in bold and in brackets.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter A. RULES OF PROFESSIONAL CONDUCT

§ 81.4. Rules of Professional Conduct.

The following are the Rules of Professional Conduct:

CLIENT-LAWYER RELATIONSHIP

Rule 1.19. Lawyers Acting as Lobbyists.

(a) A lawyer acting as lobbyist, as defined in any statute, resolution passed or adopted by either house of the Legislature, regulation promulgated by the Executive Branch or any agency of the Commonwealth of Pennsylvania, or ordinance enacted by a local government unit, shall comply with all regulation, disclosure, or other requirements of such statute, resolution, regulation or ordinance which are consistent with the Rules of Professional Conduct.

(b) Any disclosure of information relating to representation of a client made by the lawyer-lobbyist in order to comply with such statute, resolution, regulation or ordinance is a disclosure explicitly authorized to carry out the representation and does not violate Rule 1.6.

(c) A lawyer whose service as a public officer or public employee of a governmental body concludes on or after June 1, 2023, shall not act as a lobbyist, as defined in any statute, resolution passed or adopted by either house of the Legislature, regulation promulgated by the Executive Branch or any agency of the Commonwealth of Pennsylvania or ordinance enacted by a local government unit, on any matter before the governmental body with which the lawyer had been associated for one year after termination of the lawyer's service as a public officer or public employee.

* * * * *

[Pa.B. Doc. No. 23-530. Filed for public inspection April 21, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LUZERNE COUNTY

Criminal Division of the Courts Department of Probation Services Adult Division—DUI Treatment Court; No. CP-40-MD-0000264-2023

Administrative Order

And Now, this 3rd day of March, 2023, at 10:15 o'clock a.m., it is hereby *Ordered* and *Decreed* that effective March 3, 2023, in accordance with 18 P.S. § 11.1102(c) every defendant placed under supervision of the Department of Probation Services—Adult Division-specific acceptance and placement into DUI Treatment Court shall pay:

All defendants will also pay \$45.00 toward the costs of administrative fee with regard to the immediate criminal action which has resulted in acceptance into Luzerne County DUI Treatment Court. Monies will be paid directly to the Department of Probation Services.

○ Restitution to victim(s) in the criminal actions shall be paid by the offender on a plan set forth by the Department of Probation Services—Court Collections Division within the time frame allotted during DUI Treatment Court supervision. Restitution to victim(s) is considered a priority and the Court shall determine restitution to be imposed. The Court shall state in the sentencing order:

1. the amount of restitution ordered;
2. the details of any payment plan after evaluation of defendant income;
3. the identity, address and contact information of the payee(s);
4. that the restitution payment shall be made to the Department of Probation Services;
5. any on-going victim expenses that may need to be reviewed at a future time;
6. whether any restitution has been paid directly to the victim;

7. responsible for the fees to the electronic monitoring device used during the time in the DUI Treatment Court Program, the fee will be paid to the provider of the device.

- Defendants accepted into DUI Treatment Court will also be responsible for reimbursement of the costs of all positive drug testing and lab fees associated thereof. Fee schedule will be provided by the DUI Treatment Court Coordinator to the Courts Collection Division of the Department of Probation Services.

In accordance with the implementation and administration of Luzerne County DUI Treatment Court services, fees and costs may be adjusted hereto forward by Order of Court upon review of program requirements and services provided.

The defendant's financial obligations as ordered by the Court shall be considered a condition of sentencing and of supervision and failure to pay such shall be considered by the Court to be a violation of the Order and the defendant shall be exposed to the full Contempt power of the Court. At the time of sentencing, the current legal residence of the offender shall be established and made a part of the sentencing order along with personal identifiers for clear defendant tracking.

In those instances, where a defendant has multiple financial obligations owed to the Court, the defendant and the Department of Probation Services—Court Collection Division shall apportion the offender financial obligations in accordance with its existing practices and procedures. Treatment Court shall coordinate with the Court Collection Division of the Department of Probation Services regarding enforcement of policy and procedures, including liens, Court Compliance Enforcement Hearings, license suspensions, etc., and petitions for Contempt of Court.

Any defendant committed to, remanded to, or detained in a jail or prison for a violation of Luzerne County DUI Treatment Court—Order of Court, shall have his/her supervision fees accrue until such time as the Court makes determination as to his/her participation in the program. Upon release, supervision fees shall be reassessed by the Department of Probation Services—Court Collection Division, if the defendant will be under continued supervision.

Restitution as ordered by the Court shall not be waived and defendant will be responsible for payment until such time that it is paid in full. Mechanisms for monitoring defendant's compliance after the term of supervision shall be addressed by DUI Treatment Court and the Department of Probation Services—Court Collection Division.

It is further Ordered and directed that the Luzerne County District Court Administrator shall:

1. File seven (7) certified copies of this Order with the Administrative Office of Pennsylvania Courts,
2. Two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*,
3. One (1) certified copy to the Criminal Procedures Rules Committee,
4. One (1) copy to the *Luzerne Legal Register* for publication in the next issue,
5. One (1) copy to the Wilkes-Barre Law and Library Association,

6. Keep continuously available for public inspection copies of this Administrative Order in the Office of Court Administration, Office of Judicial Records and Services (Criminal Division),

7. This Order shall also be published on the web site of the Administrative Office of Pennsylvania Courts (www.aopc.org) as well as the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

By the Court

MICHAEL T. VOUGH
President Judge

[Pa.B. Doc. No. 23-531. Filed for public inspection April 21, 2023, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Harry Tun, (# 50775), having been disbarred in the District of Columbia Court of Appeals, the Supreme Court of Pennsylvania issued an Order April 6, 2023, disbaring Harry Tun, from the Bar of this Commonwealth, effective May 6, 2023.

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. 23-532. Filed for public inspection April 21, 2023, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 39th Judicial District of the Commonwealth of Pennsylvania; No. 531 Magisterial Rules Docket

Order

Per Curiam

And Now, this 6th day of April 2023, upon consideration of the Petition to Reestablish the Magisterial Districts of the 39th Judicial District (Franklin and Fulton Counties) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, to the extent it provides that the President Judge reevaluate the Franklin County magisterial districts in 2026 and submit a new proposal with respect to those districts to the Court no later than July 1, 2026, is granted; however, that new proposal shall use caseload, workload, and demographic data from January 1, 2022 through December 31, 2025 and comply with reestablishment guidelines.

It is further *Ordered and Decreed* that the Petition, to the extent it provides for the reestablishment of Fulton County Magisterial Districts 39-4-01, 39-4-02, and 39-4-03 to be effective immediately, is granted.

Said Fulton County Magisterial Districts shall be as follows:

Magisterial District 39-4-01 Magisterial District Judge Devin C. Horne	Dublin Township Licking Creek Township Taylor Township Wells Township
--	--

Magisterial District 39-4-02 Magisterial District Judge David A. Washabaugh	McConnellsburg Borough Ayr Township Todd Township
Magisterial District 39-4-03 Magisterial District Judge Tamela M. Heming	Valley-Hi Borough Belfast Township Bethel Township Brush Creek Township Thompson Township Union Township

[Pa.B. Doc. No. 23-533. Filed for public inspection April 21, 2023, 9:00 a.m.]