

THE COURTS

Title 255—LOCAL COURT RULES

ADAMS COUNTY

Rules of Criminal Procedure; Administrative Order No. 2 of 2023

Order of Court

And Now, this 18th day of April, 2023, it is hereby Ordered:

1. Adams County Rules of Criminal Procedure 541, 541.1, 542, 542.1, 542.2, and 570.1 are enacted as follows:

Rules 536—[569] 540. Reserved.

(*Editor's Note:* The following rules are new and they are printed in regular type to enhance readability.)

Rule 541. Waiver of Preliminary Hearing.

A. A defendant represented by counsel may waive the right to a preliminary hearing by both the defendant and counsel executing a waiver in substantially the form set forth in Rule 541.1. The waiver shall be prepared by the presiding Magisterial District Judge prior to the defendant's execution of the waiver. Upon defendant's execution of the waiver, the waiver must be returned to and, if accepted, signed by the Magisterial District Judge. The executed waiver may be presented by counsel to the presiding Magisterial District Judge no later than the end of business on the Friday preceding the preliminary hearing.

B. If bail was set at preliminary arraignment, bail shall remain as set unless the defendant requests a hearing.

C. Bail for any defendant waiving preliminary hearing who has not otherwise been preliminarily arraigned by a Magisterial District Judge shall be set by the presiding Magisterial District Judge. Bail shall be noted by the Magisterial District Judge on the waiver form prior to

execution of the form by the defendant. Bail shall be conditioned upon compliance with the following conditions in addition to any special conditions set by the Magisterial District Judge:

1. The defendant must appear at all times required until full and final disposition of the case(s).

2. The defendant must obey all further orders of the bail authority.

3. The defendant must provide a current address and must give written notice to the bail authority, the Clerk of Courts, the District Attorney, and the court bail agency or other designated court bail officer, of any change of address within 48 hours of the date of the change.

4. The defendant must neither do, nor cause to be done, nor permit to be done on his or her behalf, any act as prescribed by Section 4952 of the Crimes Code (relating to intimidation of witnesses or victims), or by Section 4953 (relating to retaliation against witnesses or victims), 18 Pa.C.S. § 4952, 4953.

5. The defendant must refrain from criminal activity.

6. The Defendant must comply with any fingerprint order, if any is issued by this Court.

D. Execution of the waiver form by a party will indicate their acknowledgement of the bail conditions. The Magisterial District Judges are relieved from requiring further signature of the defendant on bail documentation.

E. When a waiver is executed and filed with the Magisterial District Judge pursuant to the terms of this section, the Magisterial District Judge shall confirm receipt of the same to defendant's counsel. Upon confirmation of receipt, the defendant's obligation to appear as previously directed is waived.

Rule 541.1. Form of Waiver.

The notice shall substantially be in the following form:

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA

CRIMINAL

COMMONWEALTH OF PENNSYLVANIA

MJ-513 -

VS.

I verify that the foregoing is true and correct to the best of my knowledge:

1. I am represented by counsel of record and wish to waive my preliminary hearing.

2. If I am represented by counsel, my attorney concurs in this waiver.

3. I understand the nature of all charges against me.

4. I understand that I am required to report for formal arraignment before the Adams County Court of Common Pleas on the date and time provided to my attorney. In that regard, I will consult with my attorney concerning the date which I must appear. I am further aware that my presence at formal arraignment is required and if I fail to appear, the proceeding may be conducted in my absence and a bench warrant will be issued for my arrest.

5. I understand that my bail has been set at _____ and that failure to appear as directed at all future court proceedings or to otherwise comply with the conditions of bail as set forth hereinbelow may result in forfeiture of the bail bond and issuance of a warrant for arrest.

6. I understand that the conditions of my release as established in paragraph 5 above are as follows:

- a. I must appear at all times required until full and final disposition of the case(s).
- b. I must obey all further orders of court.
- c. I must provide a current address and must give written notice to the Adams County Clerk of Courts and the Adams County District Attorney of any change of address within 48 hours of the date of the change. In this regard, if my address listed on the criminal complaint is inaccurate, I must advise the Clerk of Courts and the District Attorney of the correct address within 48 hours of the date this document is executed by me.
- d. I must neither do, nor cause to be done, nor permit to be done on my behalf, any act as proscribed by Section 4952 of the Pennsylvania Crimes Code (relating to intimidation of witnesses or victims) or by Section 4953 (relating to retaliation against witnesses or victims), 18 Pa.C.S. § 4952, 4953.
- e. I must refrain from criminal activity.
- f. I must comply with any fingerprint order if issued by any court.

I verify that the facts contained in the above pleading are true and correct to the best of my knowledge, information, and belief. I understand that the facts herein are verified subject to penalties for unsworn falsification to authorities under Section 4904 of the Crimes Code (18 Pa.C.S. § 4904). I have been advised by the issuing authority of my right to a preliminary hearing. I understand that, by waiving my right to a preliminary hearing, I am precluded from raising the sufficiency of the Commonwealth's prima facie case. I voluntarily waive this hearing and agree for this matter to be bound over to court.

Dated: _____

 Defendant

I represent that I am counsel of record in this matter and I concur in this waiver. I further represent that I will advise the defendant of the date of all future court proceedings before the Adams County Court of Common Pleas.

Dated: _____

 Attorney

This waiver of preliminary hearing is accepted.
 Dated: _____

 Magisterial District Judge

Rule 542. Notice of Arraignment.

A. In all cases where defendants are held for court, the Magisterial District Judge shall provide the defendant and counsel of record notice of the dates of formal arraignment, non-trial disposition conference, DUI date or plea date, and criminal trial term including jury selection. Notice shall be given at the conclusion of the preliminary hearing. The notice (hereinafter "Written Notice") shall be in the form set forth in Rule 542.1 and shall be signed by the defendant and counsel, if any. The defendant and defense counsel of record shall be given a copy of the Written Notice at the time of acknowledgement. In the event the preliminary hearing is waived, the Written Notice may be given solely to counsel who thereafter shall have the Written Notice executed by their client and filed with the Clerk of Court's Office prior to formal arraignment. Counsel shall also provide a copy of the Written Notice to their client. No further notice of the scheduled court dates shall be required.

B. The court dates for further appearance of the defendant will be set in accordance with Local Rule 542.2.

C. The issuing authority shall transmit the original Written Notice of court dates, along with the transcript, to the Clerk of Court's Office within five (5) days of the defendant being held for court.

Rule 542.1. Form of Written Notice.

The written notice shall substantially be in the following form:

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA
 CRIMINAL

COMMONWEALTH OF PENNSYLVANIA	MJ-513 -
VS.	CR-
_____	CHARGES:

NOTICE OF COURT DATES

1. You must appear for formal arraignment at 8:30 a.m. on _____, 20__ in a Courtroom to be designated, Adams County Courthouse, 111-117 Baltimore Street, Gettysburg, Pennsylvania, unless you are represented by counsel and your attorney has filed a written waiver of arraignment with the Adams County Clerk of Court's Office prior to the above specified date and time. If you do not appear or do not file a written waiver of arraignment as directed, a bench warrant will be issued for your arrest and bail will be forfeited.

2. You must appear for a non-trial disposition conference in the Adams County District Attorney's Office, Room 301, Adams County Courthouse, on _____, 20__ at 10:00 a.m. Your failure to appear on said date and time will result in your bail being revoked and a bench warrant being issued for your arrest. If you are represented by counsel, your appearance may be waived upon consent of the Commonwealth.

3. You must appear at 8:30 a.m. on _____, 20__ in a Courtroom to be designated, fourth floor, Adams County Courthouse, for purpose of entering a plea or requesting a continuance in the above-captioned case. If you fail to appear on said date, your bail will be revoked and a warrant will be issued for arrest.

4. You are scheduled for trial during the trial term beginning _____, 20__ at 8:30 a.m. in Courtroom No. 2, fourth floor, Adams County Courthouse. Jury selection will take place on the first day of the trial term and trials will be held throughout the length of the trial term. Your failure to appear will result in forfeiture of your bail and issuance of a warrant for your arrest. If you fail to appear without cause for jury selection or trial, your absence may be deemed waiver of your right to be present and the proceeding, including trial, may be conducted in your absence. If trial occurs in your absence, you may be found guilty of all charges against you and subject to all penalties provided by law including imprisonment.

FOR YOUR ASSISTANCE, IF YOU DO NOT HAVE AN ATTORNEY OR CANNOT AFFORD ONE, YOU MAY BE ELIGIBLE FOR COUNSEL UPON COMPLETION OF AN APPLICATION FOR COURT APPOINTED COUNSEL AVAILABLE AT THE ADAMS COUNTY PUBLIC DEFENDER'S OFFICE AT 717-337-9842.

I, the undersigned defendant, acknowledge that I have received a copy of the above Notice of Court Dates and understand that should I fail to appear on the dates set forth hereinabove, a bench warrant may be issued for my arrest. I further understand that a trial may be held in my absence if I fail to appear on the trial dates set forth hereinabove.

Date

Defendant's signature

Defense Attorney's signature

THIS WILL BE YOUR ONLY NOTICE!

Rule 542.2. Scheduling of Court Dates.

A. The date on which a defendant shall be directed to appear for formal arraignment, non-trial disposition conference, DUI date or plea date, and trial will be as follows:

1. Arraignment shall be scheduled on the arraignment date as established bi-annually by schedule adopted by the Court.
2. Non-trial disposition conference shall be scheduled as established bi-annually by schedule adopted by the Court.
3. Plea dates shall be held on DUI dates and plea dates as established by the Court Calendar, as supplemented by the Court Administrator's Office pursuant to paragraph B herein below.
4. Jury selection and trial shall be scheduled on the first day of the criminal trial term, as established by the Court Calendar, which follows the DUI date/plea date established above.

B. The Court Administrator's Office shall biannually prepare a schedule from the Court Calendar, which shall list the dates of arraignment, non-trial disposition conference, DUI date or plea date, and jury selection/trial term applicable for cases held for court on or before each Central Court date. On or before January 1st and July 1st of each year, the Court Administrator's Office shall post the schedule for Central Court dates occurring within the following six (6) months and provide copies to the Court, the Clerk of Court's Office, each Magisterial District Judge, the District Attorney, and the Public Defender. The Magisterial District Judge shall enter the dates of court appearances and the notice required by this rule in accordance with the schedule established by the Court Administrator's Office.

C. If a defendant is held for court following a preliminary hearing on a date other than a Central Court date, they shall be scheduled for additional proceedings according to the schedule which would apply to the Central Court date immediately following the preliminary hearing.

D. In order to comply with Pennsylvania Rule of Criminal Procedure 600, the Commonwealth may change the dates of plea and trial by providing the Court and counsel with written notice of the same at the time of formal arraignment.

Rule 570.1. Non-Trial Disposition Conference.

A. Within 60 days of formal arraignment, the Commonwealth and defense attorney or pro se defendant shall meet for a non-trial disposition conference to discuss:

1. informal discovery;
2. applicable sentencing guideline ranges and other sentencing factors; and

3. the terms, if any, of proposed plea offers and agreements.

B. The date of non-trial disposition conference shall be set annually by the Court Calendar with notice of the same provided to the parties at the time of preliminary hearing.

C. Attendance at the non-trial disposition conference is mandatory and appearing at the same shall be a standard condition of all bail.

D. Upon petition of the Commonwealth, and after hearing, the Court may revoke the defendant's bail for failure to appear at the non-trial disposition conference.

E. The non-trial disposition conference is a non-record proceeding.

2. Adams County Rules of Criminal Procedure 571, 571.1, 571.2, and 571.3 are vacated in their entirety and replaced as follows:

(Editor's Note: The following rules are new and they are printed in regular type to enhance readability.)

Rule 571. Waiver of Arraignment.

A defendant who is represented by counsel of record may waive appearance at formal arraignment by presenting to the Court prior to or at the time of formal arraignment a waiver in substantially the form set forth in Rule 571.1. The waiver shall be executed by both the defendant and counsel. If a defendant represented by counsel waives arraignment, the Commonwealth shall serve counsel of record with a copy of the criminal information within ten (10) days of the date the waiver is presented to the Court. The Commonwealth shall further provide counsel of record notice of the dates of defendant's plea day appearance and jury selection/trial within ten (10) days of the date the waiver is presented to the Court. Counsel waiving formal arraignment on behalf of a defendant shall be prepared to indicate on the record at the time of the plea day appearance and/or jury selection that the defendant was provided written notice as to the respective date and requirement that he/she must appear for plea and/or trial.

Rule 571.1. Form of Waiver.

The notice shall substantially be in the following form:

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA

CRIMINAL

COMMONWEALTH OF PENNSYLVANIA

CP-01-CR-

VS.

WAIVER OF APPEARANCE AT FORMAL ARRAIGNMENT

I verify that the foregoing is true and correct to the best of my knowledge:

1. I understand that I have the right to be represented by counsel. I am represented by counsel of record and wish to waive my appearance at formal arraignment.

2. My attorney concurs in this waiver.

3. I understand the nature of all charges against me.

4. I am aware of my right to file motions, including a request for a bill of particulars, a motion for pre-trial discovery and inspection, a motion requesting transfer from criminal proceedings to juvenile proceedings pursuant to 42 Pa.C.S. § 6322, and an omnibus pre-trial motion. I am also aware of the time limits within which these motions must be filed.

5. I understand that I am required to report for future court proceedings including my plea date and date for trial on the date and time provided to my attorney. In that regard, I will consult with my attorney concerning the dates and times which I must appear. I am further aware that my presence at these events is required and if I fail to appear, it may be deemed a waiver of my right to be present and the proceedings may be conducted in my absence. Additionally, I understand a bench warrant will be issued for my arrest. I verify that the facts contained in the above pleading are true and correct to the best of my knowledge, information, and belief. I understand that the facts herein are verified subject to penalties for unsworn falsification to authorities under Section 4904 of the Crimes Code (18 Pa.C.S. § 4904).

Dated: _____

Defendant

I represent that I am counsel of record in this matter and I concur in this waiver. I further represent that I will advise the defendant of the date of plea day and trial before the Adams County Court of Common Pleas.

Dated: _____

Attorney

3. It is further Ordered that Administrative Orders No. 6 of 2020 and 13A of 2022 are vacated.

These rule amendments shall become effective after all the provisions of the Pennsylvania Rules of Judicial Administration 103 are met, to include the following:

1. A certified copy of this Order shall be submitted to the Criminal Procedural Rules Committee for review.
2. Upon receipt of a statement from the Criminal Procedural Rules Committee that the local rules are 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*.
3. One (1) certified copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts.
4. A copy of the proposed local rules shall be published on the 51st Judicial District website.
5. 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.
6. The effective date of the local rules shall be thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 23-561. Filed for public inspection April 28, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ADAMS COUNTY

Rules of Criminal Procedure; Administrative Order No. 3 of 2023

Order of Court

And Now, this 18th day of April, 2023, in concert with Administrative Order 2 of 2023 entered this date, Adams County Rule of Criminal Procedure 570 is also vacated in its entirety.

This rule amendment shall become effective after all the provisions of the Pennsylvania Rules of Judicial Administration 103 are met, to include the following:

1. A certified copy of this Order shall be submitted to the Criminal Procedural Rules Committee for review.
2. Upon receipt of a statement from the Criminal Procedural Rules Committee that the local rules are 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*.
3. One (1) certified copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts.
4. A copy of the proposed local rules shall be published on the 51st Judicial District website.
5. 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.
6. The effective date of the local rules shall be thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 23-562. Filed for public inspection April 28, 2023, 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, April 18, 2023, the Court *Orders* as follows:

1. Subsection (4) of Local Rule of Criminal Procedure 552, establishing deadlines for accepting negotiated pleas and jury trial waivers, is rescinded in its entirety; and
2. This Order shall be processed in accordance with Pa.R.J.A. 103(d), and effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

JOHN F. SPATARO,
President Judge

[Pa.B. Doc. No. 23-563. Filed for public inspection April 28, 2023, 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, April 18, 2023, the Court *Orders* as follows:

1. Local Rule of Criminal Procedure 575 (concerning motions) is amended in the following form, in which additions to the rule are shown in bold type and underlined; and
2. This Order shall be processed in accordance with Pa.R.J.A. 103(d), and effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

JOHN F. SPATARO,
President Judge

Rule 575. Motions and [answers] **Motions Court.**

(a) There shall be a session of the Court for the optional presentation of motions every Monday, Wednesday, and Friday at 8:45 a.m., except on holidays and other times when no judge is available (“Motions Court”).

(b) Motions intended for consideration by a Motions Court Judge are not required to be filed in the Office of the Clerk of Courts in advance of such presentation. The Clerk of Courts or a designee shall be present at every session of Motions Court to receive such motions for filing. Motions are to be served upon the District Court Administrator concurrently with filing in accordance with Pa.R.Crim.P. 576(b)(1), (3).

(c) Motions presented at Motions Court must comply with Pa.R.Crim.P. 575(A) and (C), such as including the certificate of service required by Pa.R.Crim.P. 576(b)(4). No cover sheet or backer need be attached to the motion. Attaching a proposed order is encouraged, but not required.

(d) If the party presenting a motion at Motions Court, or otherwise filing a written motion, knows that the motion is consented to by the other party or parties, counsel for the moving party shall certify that consent within the motion so that the Court has that information in making a determination pursuant to Pa.R.Crim.P. 577 as to whether an answer and/or hearing and/or argument is necessary.

[Pa.B. Doc. No. 23-564. Filed for public inspection April 28, 2023, 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, April 18, 2023, the Court Orders as follows:

1. Local Rule of Criminal Procedure 590, governing pleas, plea agreements, and plea colloquies, is rescinded and new Rule 590 is adopted in the following form; and

2. This Order shall be processed in accordance with Pa.R.J.A. 103(d), and effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

JOHN F. SPATARO,
President Judge

Rule 590. Pleas, Plea Agreements, and Plea Colloquies.

(a) The Court will be available for the purpose of taking guilty or nolo contendere pleas from time to time as designated by the Court Administrator, and at other times pursuant to court order. Plea Court times shall generally include each Thursday afternoon that court is in session, and immediately after the Call of the Criminal Trial List.

(b) Whenever a guilty or nolo contendere plea agreement is reached between the parties, a Plea Agreement shall be completed on the form provided by the District Court Administrator. The Plea Agreement shall be signed

by the Commonwealth, the defendant, and counsel for the defendant (if any). The Commonwealth shall retain the original and provide a copy to the defendant and to defense counsel (if any) and, at the time of entering the plea, to the presiding judge.

(c) For defendants represented by counsel, guilty and nolo contendere pleas are to be entered through the use of a written colloquy substantially in conformity with the written plea colloquy form maintained by the District Court Administrator, available in each courtroom and online at the County website (www.crawfordcountypa.net). A judge may, however, excuse the use of a written plea colloquy, or otherwise decide that a written colloquy should not be used.

(d) If the plea is to be entered through the use of a written colloquy, then prior to Plea Court, defense counsel shall review and explain the contents of the written plea colloquy form to the defendant, and both defense counsel and the defendant shall sign the completed form. Defense counsel must be satisfied that the defendant understands all of the questions on the form, has answered them truthfully, and is entering a knowing, voluntary, and intelligent plea. Counsel's signature on the written plea colloquy shall constitute a certification that defense counsel has explained and discussed all of the questions on the form, as well as all of the elements of the offense(s) charged, and that to the best of counsel's knowledge, information, and belief, the defendant understands the consequences of entering the plea.

(e) Those entering pleas through the use of a written plea colloquy will do so at the onset of Plea Court. Defense counsel shall appear with the defendant at the time set for Plea Court, unless advanced communication technology is being utilized with the permission of the presiding judge. The judge accepting the plea will also conduct a limited oral colloquy to supplement the written plea colloquy in accord with Pa.R.Crim.P. 590, and to address any issues raised therein. The written colloquy shall be filed in open court at the time the plea is entered.

(f) For a defendant unrepresented by counsel, the presiding judge shall conduct the guilty or nolo contendere plea colloquy in accord with Pa.R.Crim.P. 590 and the Comment thereto, together with an inquiry relating to waiver of counsel in accord with Pa.R.Crim.P. 121(a)(2). The plea colloquy may be conducted in combination with a video presentation, provided that the defendant acknowledges, either in writing or on the record, having watched the video.

[Pa.B. Doc. No. 23-565. Filed for public inspection April 28, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LYCOMING COUNTY

Amendments to the Rules of Civil Procedure; Doc. No. CV-2023-00001

Order

And Now, this 24th day of March, 2023, it is hereby Ordered and Directed as follows:

1) Lycoming County Rules of Civil Procedure L205.2, L208.3, L1910.12, L1910.14, L1910.15, L1915.3, L1915.8, L1915.12, L1920.16, L1920.51, L1920.53, and L1930.5 are

amended as set forth as follows. (Underline is new language; strikeout is removed language.)

2) New Lycoming County Rules of Civil Procedure L1915.4-3, L1920.55-1, and L1920.55-2 are promulgated, as set forth as follows.

3) Lycoming County Rules of Civil Procedure L300, L411, L1910.22, L1915.3-1, L1915.3-2, L1915.3-3, L1915.3-4, L1915.10-1, L1915.10-2, L1920.13, L1920.21, L1920.31, L1920.32, L1920.33, L1920.42, L1920.43, L1920.45, L1920.55, L1920.71, L1920.73, L1920.74, L1920.75, L1920.76, and L1920.77 are rescinded.

4) The Prothonotary is directed to do the following:

a) File one (1) copy of this order with the Administrative Office of Pennsylvania Courts;

b) Distribute two (2) copies and a computer disk of this order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and

c) Forward one (1) copy of this order to the chairperson of the Lycoming County Customs and Rules Committee.

5) The chairperson of the Lycoming County Customs and Rules Committee is directed to do the following:

a) Publish the revised rules on the Lycoming Law Association website at <https://www.lycolaw.org/rules-contents>; and

b) Compile the rule revisions within the complete set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*.

6) The new rules shall become effective 30 days after the publication of this order in the *Pennsylvania Bulletin*.

By the Court

NANCY L. BUTTS,
President Judge

(*Editor's Note:* New text is printed in bold type and underscored. Deleted text is printed in bold type and bracketed.)

L205.2. Filing Legal Papers with the Prothonotary.

(a) . . .

(b) Required cover sheets.

A. . . .

B. Motion Cover Sheet. . . .

. . .

4. If expedited consideration by the court is requested or required by statute or rule of procedure, **the filing party shall check the "expedited consideration" box on the cover sheet and state the reason for such consideration [shall be set forth on the cover sheet.] Simultaneously with the filing of the request, the filing party shall deliver a copy of the request to the court administrator who shall deliver the request to a judge.** Such consideration must be requested if the date of the pretrial conference has been set or if the case has already been pre-tried.

. . .

L208.3 Motions. Procedures. Briefs.

(a) Motion procedure.

. . .

[E. Emergency petitions for child custody shall proceed under L1915.13-1.]

(b) . . .

[DOCKETS

L300. Dockets.

The prothonotary shall keep and maintain the following dockets:

A. Judgment docket.

B. Mechanics lien docket, wherein shall be entered mechanics liens, releases and waivers thereof, and municipal claims.

C. Federal tax lien docket, wherein shall be entered federal tax liens.

D. Secured transaction docket.

E. Fictitious names docket.

F. General miscellaneous docket, wherein shall be entered all other actions and proceedings of every kind, except disciplinary cases.

G. Supplemental or pre-index docket.

L411. Action for Support.

In all actions against a defendant residing in Lycoming County, the domestic relations office shall serve the complaint, order and notice in accordance with Pa.R.C.P. 411.]

L1910.12. Exceptions Procedure.

A. [This procedure shall apply to:

1. all exceptions to the report and recommendation entered with respect to claims filed in or collected through the domestic relations office; and,

2. all exceptions to the report and recommendation entered with respect to claims raised in a divorce action and which have not been filed in or collected through the domestic relations office.]

When exceptions are filed with the domestic relations office, they shall have attached to them a copy of the order to which the exceptions have been taken. A rule L205.2(b)B motion cover sheet is required. The hearing officer who entered the order shall be served with a copy of the exceptions.

B. [The exceptions and two copies shall be filed with the prothonotary.] If a transcript is requested, a request for transcript form must be completed pursuant to L4007(A) and submitted to the senior court reporter. If the exceptions raise an issue not addressed in the order, a transcript must be requested. If a transcript is not requested and the court determines that the transcript was necessary, the court may, at its discretion, dismiss the exceptions.

[C. Hearing Date.

1. Upon the filing of exceptions under subparagraph A.1, above, a date for argument will be scheduled on the first available domestic relations hearing date occurring 21 days or more following the date of mailing of the temporary order.

2. Upon the filing of exceptions under subparagraph A.2, above, a date for argument will be scheduled on the first available miscellaneous date 21 days or more following the date of mailing of the temporary order.

D. At the argument, the parties will be required to stipulate on the record to all relevant facts which are not in dispute. If all of the facts necessary for resolution of the exceptions cannot be presented by way of stipulation, the court will

direct preparation of a complete transcript of the proceedings held before the hearing officer, and require the posting of a deposit within a certain time period for preparation of the transcript by the party filing exceptions, or by both parties if cross-exceptions are filed, excepting any party who may have been granted leave to proceed in forma pauperis. The judge may also direct that further argument be held after the transcript is filed.

E. Upon completion and filing of any transcript ordered, the exceptions will be resolved based upon the argument previously presented to the court and the transcript, along with any exhibits previously entered into the record. Unless directed by the court, no further proceedings will be scheduled. Final allocation of the cost of the transcript, including any payment by a party who was previously excused from posting a deposit, will be ordered upon resolution of the exceptions.

F. If the deposit for the transcript is not paid as directed under sub-paragraph D, above, all exceptions may be decided by the court based upon the findings of fact made by the family court hearing officer.]

L1910.14. Defendant Leaving the Jurisdiction.

Any request for relief under Pa.R.C.P. No. 1910.14 shall be filed in the [office of the prothonotary with two copies: one each for the domestic relations office and the court administrator. The court shall then direct when and by what process the defendant shall be brought before the court.] domestic relations office.

L1910.15. Paternity.

[A. Initially, the procedure provided for in Pa.R.C.P. No. 1910.15(a) and (b) shall be followed.

B. If the reputed father does not execute an acknowledgment of paternity, the court shall, on its own motion or motion of any party, including the domestic relations office, order blood tests pursuant to the Uniform Act on Blood Tests to Determine Paternity, 42 Pa.C.S. Section 6133 et seq. The domestic relations office will make arrangements for and schedule said testing. The costs for said tests will be advanced by the county from the Title IV-D Trustee Account. The costs will then become part of the cost of the case to be recovered from the defendant in the event of a verdict that he is the father of the subject child.

C. After results of blood tests have been received, the domestic relations office shall schedule a conference with the parties to determine whether the reputed father is excluded from paternity, wishes to acknowledge paternity, or still denies paternity.

D. If after the above conference there is neither an exclusion nor an acknowledgment of paternity, the domestic relations office shall request the office of the court administrator to place the case on the next appropriate pre-trial list and schedule it for trial.

E. Thereafter, the procedure will be in accordance with Pa.R.C.P. No. 1910.15(c) through (f).]

A party shall commence an action for paternity, independent of a claim for support, by filing a complaint in the domestic relations office.

[L1910.22. Attachment of Wages, Salaries and Commissions.

A. Proceedings for relief under Pa.R.C.P. No. 1910.22, if not initiated upon motion of the court or the domestic relations office, shall be initiated by the filing of a petition and rule to show cause along with a copy for the domestic relations office, in the office of the prothonotary.

B. The domestic relations office shall schedule a hearing before the family court hearing officer, who, after hearing, shall propose an order of court in conformity with the provisions of Pa.R.C.P. No. 1910.22(b) or (c).

C. Should either party to the proceeding disagree with the determination of the family court hearing officer, exceptions may be filed in accordance with the procedure found in Lyc. Co. R.C.P. L1910.10 and the matter will be heard by the court de novo.]

CUSTODY AND VISITATION MATTERS

L1915.3. Custody [Petitions and Procedure] Pleadings.

A. All [petitions] pleadings relating only to custody [or visitation with] of minor children shall [be filed in accordance with] include a motion cover sheet pursuant to rule L205.2(b)B.

[B. All counts in a divorce complaint and all petitions relating to custody, partial custody, or visitation, of minor children shall be processed in accordance with Lyc.Co.R.C.P. L1915.3, et seq.

C. As part of the pre-trial procedures, the court administrator shall refer a] B. All custody-related [complaints or petitions] pleadings, [() other than those alleging contempt or [those accompanied by a petition for emergency relief, see L1915.13-1 and L1915.13-2] requesting special relief, shall be referred to a family court hearing officer for the scheduling of an initial conference with the parties and their respective counsel.

[D] C. If the custody action is [based upon] included in a count [of] in a divorce complaint, an initial conference before a hearing officer will be scheduled upon the filing of a [written] praecipe [or other written request by either party]. The praecipe must include an updated criminal record/abuse history verification completed by the filing party and a blank verification form for the opposing party, along with the order/notice required by Pa.R.C.P 1915.15(c).

[E. The court or hearing officer shall enter an order or notice scheduling the initial conference to be held at the earliest available date.

F. The moving party shall cause service of the complaint or petition or praecipe filed under subparagraph 1 or 2, above, and order or notice for conference, to be made on the opposing party.

G. Any pleading which requests the scheduling of a proceeding and also requests entry of a temporary order to maintain de facto custody provisions pending the initial conference shall set forth with

specificity those facts supporting the Request for the temporary custody order pending the initial conference.

L1915.3-1. Initial Conference.

A. The parties and their respective counsel shall appear at the initial conference before the family court hearing officer.

B. If the parties reach an agreement resolving all of the issues raised, the hearing officer shall forward an order to the court for approval setting forth the terms of such agreement.

C. If the parties do not reach an agreement resolving all issues raised, the hearing officer will conduct a non-record proceeding to establish a recommended interim order as to custody, partial custody or visitation, which will govern pending further proceedings. This non-record proceeding may be a conference with attorneys, conference with parties, and/or the taking of testimony under oath and receipt of other evidence and arguments of counsel as the hearing officer deems appropriate, based upon the particular issues raised.

D. At the conclusion of the proceeding, the hearing officer shall: 1) give the parties oral notice of the essential aspects of the recommended interim order and reasons for the recommendation; 2) make an initial determination as to the use of mediation, psychological evaluations or home studies, in accordance with Rules L1915.7 and L1915.8; 3) shall set a date for the pretrial conference.

L1915.3-2. Exceptions and Reconsideration of Interim Order.

A. No exceptions may be filed to an interim order entered in a custody action. Any matter not stipulated to at the initial conference may be reviewed at the pre-trial conference or resolved at trial.

B. Should a significant change in circumstances arise after entry of an interim order and before the pre-trial conference necessitating a modification of the interim order, which modification cannot be amicably agreed upon pending the pretrial conference, either party may file a motion for reconsideration of the interim order, setting forth all pertinent facts in support thereof or verified by the filing party. The court administrator shall refer such motion to the hearing officer who entered the interim order. Based on the allegations of the motion, the hearing officer may take any one or more of the following actions deemed appropriate under the circumstances: 1) enter an order summarily denying the motion; or 2) hold a telephone or other conference with counsel for both parties; or 3) after providing the opposing party an opportunity to respond, enter a modified interim order; or 4) direct that the matter be resolved at the pre-trial conference.

L1915.3-3. Approval of Recommended Orders.

Any recommended interim order of the hearing officer shall be submitted to the court for approval and upon court approval shall have the effect of a pre-trial order.

L1915.3-4. Mediation.

The hearing officer may refer the parties to mediation and, if so, may direct a date by which the parties must commence the mediation process. The

date set for the pre-trial conference shall allow sufficient time for completion of the mediation process. If mediation terminates prior to the anticipated completion date, the mediator shall notify the court administrator who may then reschedule the pre-trial conference for an earlier date. The expense of mediation shall be paid by the parties in accordance with the agreement between Lycoming County and the mediator as the same may exist from time to time.]

1915.4-3. Initial Conference.

A. The parties and their respective counsel shall appear at the initial conference before the family court hearing officer.

B. If the parties reach an agreement resolving all of the issues raised, the hearing officer shall forward an order to the court for approval setting forth the terms of such agreement.

C. If the parties do not reach an agreement resolving all issues raised, the hearing officer will conduct a non-record proceeding to establish a recommended interim order as to custody, partial custody or visitation, which will govern pending further proceedings. This non-record proceeding may be a conference with attorneys, conference with parties, and/or the taking of testimony under oath and receipt of other evidence and arguments of counsel as the hearing officer deems appropriate, based upon the particular issues raised.

D. At the conclusion of the proceeding, the hearing officer shall: 1) give the parties oral notice of the essential aspects of the recommended interim order and reasons for the recommendation; 2) make an initial determination as to the use of mediation, psychological evaluations or home studies, in accordance with Rule L1915.8; 3) shall set a date for the pretrial conference.

E. No exceptions may be filed to an interim order entered in a custody action.

F. Any recommended interim order of the hearing officer shall be submitted to the court for approval and upon court approval shall have the effect of an interim pre-trial order.

G. The hearing officer may refer the parties to mediation and, if so, may direct a date by which the parties must commence the mediation process. The date set for the pre-trial conference shall allow sufficient time for completion of the mediation process. If mediation terminates prior to the anticipated completion date, the mediator shall notify the court administrator who may then reschedule the pre-trial conference for an earlier date. The expense of mediation shall be paid by the parties in accordance with the agreement between Lycoming County and the mediator as the same may exist from time to time.

L1915.8. Physical/Mental/Psychological Examinations and Home Studies.

[A.] Upon agreement of the parties at the initial conference, the hearing officer may include in the recommended interim order a direction that the parties obtain

physical, mental or psychological examinations and/or home studies, prior to the date of the pre-trial conference and may establish a date by which the parties must make the initial arrangements. Where mediation is utilized, the order may provide that the evaluation be undertaken during the mediation process, deferred until mediation is complete or be left for consideration at the pre-trial conference. Unless otherwise directed by the court or hearing officer or agreed upon by the parties, the expense of any evaluation shall be borne initially by the party requesting the evaluation.

[B. Any request by the parties for evaluations made after the initial conference and not made at the pre-trial conference or entered into by stipulation must be made by motion in accordance with Pa.R.C.P. No. 1915.8, alleging specific facts and reasons for the request, with a hearing to be held after reasonable notice to the other party.

C. Unless otherwise directed by the court or hearing officer or agreed upon by the parties, the expense of any evaluation shall be borne initially by the party requesting the evaluation and shall be paid in accordance with Pa.R.C.P. No. 1915.8. A final allocation of the expense may be made by the court upon entry of an order or decision rendered on any issues raised in the proceeding.

D. Any evaluation filed with the court shall not be available for public inspection and shall be impounded by the prothonotary.

L1915.10-1. Pre-trial Conference.

At the time set for the pre-trial conference, both parties shall submit a pre-trial memorandum in the form prescribed by the court. Both parties and their respective counsel shall appear before the court for presentation of the issues and discussion of possible settlement and disposition of any matters referred to the pre-trial conference judge

L1915.10-2. Continuances.

Any requests for a continuance of the initial conference, pre-trial conference or trial must be made on forms provided by the court administrator's office at the earliest opportunity. Continuance requests will be evaluated in light of the court's policy that custody disputes should be promptly resolved.]

L1915.12. Required Certification for Petition for Civil Contempt Relating to a Custody Order.

A. . . .

1. The opposing party is represented by counsel. Counsel was [**apprized**] **apprized** of the alleged contemptuous conduct and that a contempt petition would be filed unless remedial steps were offered, but the opposing party, through counsel, has declined to offer sufficient remedial steps. Such remedial steps may include assurance of compliance with the order and replacement time for custody or visitation time claimed to have been lost to the petitioning party by the alleged contemptuous conduct.

2. . . .

DIVORCE OR ANNULMENT OF MARRIAGE

[L1920.13. Interim Relief.

Any request for interim relief raised under Pa.R.C.P. No. 1920.13(c) shall be initially referred to

the family court office for hearing. Proposed orders entered after hearing are subject to the exception procedure set forth in Lyc.Co. R.C.P. L1920.55.]

L1920.16 Bifurcation.

[A. A praecipe to transmit record requesting entry of a divorce decree under Domestic Relations Code § 3301(c) or § 3301(d) should not be filed prior to the resolution of all other claims raised unless an order has been entered permitting bifurcation or the other party consents to bifurcation. The filing party must indicate in the praecipe to transmit that either, (1) there are no outstanding claims, or (2) bifurcation has been consented to by the other party, as verified by an affidavit attached to the praecipe to transmit, or approved by court order, a copy of which is attached to the praecipe to transmit. Where the other party does not consent to bifurcation, a] A request for bifurcation shall be made by motion in accordance with the procedure set forth in rule L205.2(b)B., and [may be referred by the court, in its discretion, to the family court hearing office for hearing thereon.] will be scheduled before a judge for a hearing.

[B. A motion for appointment of master to hear a claim for divorce on "fault" grounds may include a request for bifurcation. If such a request is included, the master shall rule on both the claim for divorce and the request for bifurcation. If both are granted, the master shall forward to the court a proposed decree, retaining jurisdiction of all outstanding claims. If the request for bifurcation is denied, assuming the claim for divorce is granted, no decree shall be entered until all remaining claims are resolved.

L1920.21. Bill of Particulars.

A. A praecipe for a rule to file a bill of particulars shall be considered untimely filed if it is filed after notice of the scheduling of a master's hearing on the contested divorce has been given, provided a copy of the motion for appointment of master was served on opposing counsel or party. All other objections as to the untimely filing of such a praecipe shall be raised by petition and rule.

B. A non pros entered pursuant to Pa.R.C.P. No. 1920.21(b) shall not be effective against ancillary claims for relief pleaded if grounds for divorce other than those under Domestic Relations Code Sections 3301(a) or 3301(b) have been alleged in the complaint or answer.

L1920.31. Joinder of Related Claims. Economic.

A. Any motion for sanctions filed pursuant to Pa.R.C.P. 1920.31 may be referred to the family court office for hearing thereon. Any oral motion for sanctions made before a master at the time of hearing shall be disposed of by the master in the same manner as the court under Pa.R.C.P. No. 4019, subject to the exceptions procedure of Lyc.Co.R.C.P. L1920.55.

B. A preliminary conference on any issues raised in the pleadings will be scheduled only if requested by the filing of a praecipe.

C. A request for a hearing on child support, spousal support, alimony pendente lite, health insurance or interim counsel fees shall be made by filing a praecipe for hearing setting forth the claims to be heard. An original and copy for the family office shall be filed with the prothonotary and copies shall be served on the opposing counsel or party.

L1920.32. Joinder of Related Claims.

Custody. All claims involving custody joined with an action for divorce or annulment shall be governed by the procedures set forth in rule L1915.3 et seq.

L1920.33. Joinder of Related Claims.

Property. Any motion for sanctions filed pursuant to Pa.R.C.P. No. 1920.33(c) may be referred to the family court office for hearing thereon. Any oral motion for sanctions made before a master at the time of hearing shall be disposed of by the master in the same manner as the court under Pa.R.C.P. No. 4019, subject to the exception procedure of Lyc.Co.R.C.P. L1920.55

L1920.42. Affidavit and Decree Under § 3301(c) or § 3301(d) of the Domestic Relations Code.

A. A copy of the praecipe to transmit record, proposed divorce decree, and notice that decree will be entered (unless notice has been waived under Pa.R.C.P. No. 1920.42(e)) shall be served upon opposing counsel or party and a certificate of service shall be filed.

B. If related claims are resolved by means of a written agreement between the parties, a copy of the agreement may be attached to the praecipe to transmit record along with an appropriate proposed decree. If related claims are pending, the attached proposed decree shall contain a provision reserving the court's jurisdiction over the unresolved issues.

C. A decree will not be entered unless the appropriate administrative fee has been paid to the prothonotary or the court has granted leave to proceed in forma pauperis.

L1920.43. Special Relief.

The court, in its discretion, may refer certain requests for special relief to the family court office for hearing thereon.

L1920.45. Counseling.

Requests for counseling shall be made on a form provided by the family court office. The request will be scheduled by the family court office for conference or hearing, as may be appropriate. When there is no other provision governing the time within which counseling may be requested or carried out, any request must be filed within such time as to not delay trial or a hearing.]

L1920.51. [Hearing by the Court.] Appointment of [Master] Hearing Officer.

[A. All claims for relief on the merits, other than disputed claims as to custody or paternity shall

initially be heard by a family court hearing officer or master. Any request for hearing before the court on matters other than custody and paternity shall be made by motion and will be granted by the court only upon cause shown.

B. Prior to a hearing on claims for equitable distribution, alimony or final counsel fees, costs and expenses, a pre-trial conference between counsel for the parties and the appointed master shall take place to narrow the claims to be determined, review compliance with discovery or disclosure, and to discuss settlement alternatives. The master may enter orders subject to court approval, pursuant to stipulation of the parties or in aid of the anticipated hearing.

C. A decree under Domestic Relations Code Sections 3301(a) and 3301(b) will not be entered unless the appropriate administrative fee has been paid to the prothonotary or the court has granted leave to proceed in forma pauperis.

D. The recommendation for disposition made by the master or hearing officer shall include a determination of the amount of master's fees or stenographic costs and a recommendation as to their allocation.]

A. The following matters shall be heard by a hearing officer:

1. Alimony.

2. Equitable division of marital property.

3. Counsel fees.

4. Costs and expenses.

5. Divorce pursuant to 3301(a) or 3301(b) of the Divorce Code.

6. Date of separation dispute under 3301(c)2 or 3301(d) of the Divorce Code.

B. Upon the appointment of a hearing officer pursuant to A.1—A.4 above, an order will be entered scheduling a scheduling conference with the hearing officer.

C. Upon the appointment of a hearing officer pursuant to A.5-A.6 above, an order will be entered scheduling a hearing with the hearing officer.

D. Appointment of Hearing Officer. Form of Order.

1. The motion for appointment of hearing officer shall be accompanied by a proposed order that identifies the section of the Divorce Code under which grounds have been established and the ancillary claims the hearing officer is being appointed to hear.

2. The motion for appointment of hearing officer shall indicate under which section of the Divorce Code the divorce is being sought, as well as indicate the date the affidavit of consent or affidavit of separation were filed.

3. The form of the proposed order shall be substantially as follows:

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

Plaintiff :
vs : NO.
Defendant :

ORDER

AND NOW, this _____ day of _____, 20 __, upon receipt of plaintiff's motion for appointment of hearing officer, the court hereby finds that grounds for divorce have been established pursuant to [§ 3301(c)] [§ 3301(d)] of the Divorce Code, as averred in the attached motion.

_____ is hereby appointed hearing officer with respect to plaintiff's claims for: _____.

By the Court,
Judge

L1920.53. Hearing by [Master] Hearing Officer.

Report. Requests for continuances of conferences or hearings before a [master or family court] hearing officer shall be directed to the [family court hearing office for decision by the master or] hearing officer. [Any disagreement with the decision of the hearing officer or master may be referred to the court for review.]

L1920.55-1. Matters Referred to a Hearing Officer.

The procedure of Pa.R.C.P. 1920.55-2 is hereby adopted.

L1920.55-2. Exception Procedure.

[A. All] The original and one copy of exceptions to a [Master's] hearing officer's report and recommendation [entered with respect to claims of child support, spousal support, alimony pendente lite or interim counsel fees raised in a divorce action shall be filed and processed in accordance with the procedure set forth in L1910.12.] shall be filed with the prothonotary and include the report and recommendation to which the exceptions have been taken. A rule L205.2(b)B motion cover sheet is required. The cover sheet shall indicate whether a transcript is required. If a transcript is requested, the procedure of rule L4007(A) shall be followed.

[B. Upon the filing of exceptions as to child support, spousal support, alimony pendente lite or interim counsel fees the recommended order shall be entered as a temporary order as to those issues and the exceptions shall not act as a stay pending resolution of the exception.

L1920.71. Form of Notice.

The form of notice to defend and claim rights shall be in the form set forth in Pa.R.C.P. No. 1920.71 and Lyc.Co.R.C.P. L1018.1.

L1920.73. Form of Praecipe to Transmit Record.

The family court office shall prepare a form suitable for use in Lycoming County and this form shall be made available in the office of the prothonotary and the family court office.

L1920.74. Form of Motion for Appointment of Master.

The family court office shall prepare a form suitable for use in Lycoming County and this form

shall be made available in the office of the prothonotary and the family court office.

L1920.75. Form of Inventory and Appraisalment.

The family court office shall prepare a form suitable for use in Lycoming County and this form shall be made available in the office of the prothonotary and the family court office.

L1920.76. Form of Divorce Decree.

The Family court office shall prepare a form suitable for use in Lycoming County and this form shall be made available in the office of the prothonotary and the family court office.

L1920.77. Forms for Counseling.

The family court office shall prepare a form suitable for use in Lycoming County and this form shall be made available in the office of the prothonotary and the family court office.]

L1930.5. Discovery.

[A.] Any request for discovery [in addition to that permitted by the rules shall be] in a simple support, custody, protection from abuse or protection from victim of sexual violence or intimidation case shall be made to the court by filing a motion for leave to take discovery setting forth the type of discovery sought and reasons therefor. This shall not preclude the parties from stipulating to additional discovery. All discovery authorized by order of court shall be subject to the limitations of rule L4005.

[B. The serving of interrogatories concerning alimony or the determination and distribution of property rights shall be considered untimely if filed after notice of the scheduling of a master's hearing on those claims has been given, provided a copy of the motion for appointment of master was served on opposing counsel or party.

C. In the case of interrogatories served pursuant to rules of civil procedure, the first set of interrogatories propounded to a party may not exceed fifty (50) in number, including subparts, whether or not they are separately numbered. In the event that the response given to the first set of interrogatories is considered by the requesting party to indicate a need for additional interrogatories, a second set of interrogatories, again limited to fifty (50) including subparts, may be served upon a party. The second set of interrogatories must be case specific. The responding party shall not be compelled to answer

any interrogatories beyond the number allowed under this rule. The court may, in its discretion, allow additional interrogatories to be served in an appropriate case.]

[Pa.B. Doc. No. 23-566. Filed for public inspection April 28, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WAYNE COUNTY

Local Criminal Rule 117; No. Criminal-AD-6-2023

Order

And Now, this 17 day of April, 2023, *It Is Hereby Ordered* that Criminal Local Rule 117.1 is *Rescinded* in its entirety and replaced with Local Criminal Rule 117:

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

(A) Each Magisterial District Court shall be open for regular business hours from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding county-established holidays. The hours of an office may be modified with the approval of the President Judge or the President Judge's designee.

(B) When, during regular business hours for magisterial district judges, a judge with venue over a matter is unavailable, any other magisterial district judge in Wayne County is hereby temporarily assigned to serve the magisterial district of the judge who is unavailable. Such an arrangement shall be made between respective magisterial district judges and communicated to the District Court Administrator.

(C) A magisterial district judge shall be available twenty-four hours a day, every day of the calendar year to provide continuous coverage for the:

- (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).

(D) This rule shall be satisfied by a magisterial district judge remaining on-call during non-business hours on a rotating basis, pursuant to an annual schedule prepared by the District Court Administrator or designee.

(E) The on-call magisterial district judge shall be responsible for performing all 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 Wayne County Correctional Facility each morning at 8:30 a.m. to determine if there is a need to perform any of the services required by Pa.R.Crim.P. 117(A)(2). If such need has arisen, the on-call magisterial district judge shall conduct all necessary proceedings, without unnecessary delay, either at the office of the on-call magisterial district judge or remotely by two-way audio-visual communication (to the extent allowable by Pa.R.Crim.P. 119) at the option of the on-call magisterial district judge.

(F) In addition to those persons who are authorized by statute or the Pennsylvania Rules of Criminal Procedure to accept bail, the Warden or the designee of the Warden of the Wayne County Correctional Facility outside of regular business hours, is authorized to accept bail in accordance with the provisions and subject to the limitations of the Pennsylvania Rules of Criminal Procedure. The Warden or Warden's designee shall be authorized to accept bail and to witness a defendant's signature on the bail bond. The defendant and surety shall be given a copy of the bail bond. The Warden or Warden's designee shall then forward the appropriate bail information and any money posted to the Magisterial District Court office on the next business day.

The Effective Date of this Local Rule is 30 days after the date of publication in the *Pennsylvania Bulletin*.

The District Court Administrator is directed to:

1. File one (1) certified copy of this Order with the Administrative Office of Pennsylvania Courts;
2. Submit two (2) certified copies of this Order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* along with a copy of this Order on a CD-ROM or other agreed upon alternate format;
3. Publish a copy of this Order on the Wayne County Court of Common Pleas website;
4. Compile the local rule within the complete set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*.

By the Court

JANINE EDWARDS,
President Judge

[Pa.B. Doc. No. 23-567. Filed for public inspection April 28, 2023, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Current Schedule of Continuing Legal Education Courses Required for Reinstatement Under §§ 89.275 and 89.279 of the Disciplinary Board Rules

Disciplinary Board Rule § 89.279 provides that a formerly admitted attorney who has been disbarred or suspended for more than one year or on administrative suspension, retired status or inactive status for more than three years shall within one year preceding the filing of the petition for reinstatement take courses meeting the requirements of the current schedule published by the Executive Office.

Evidence that a formerly admitted attorney has attended the required courses and lectures or has viewed videotapes of them shall be considered in determining whether the formerly admitted attorney possesses the required competency and learning in law, but shall not be conclusive on the issue.

Schedule Effective May 1, 2023

Every formerly admitted attorney who petitions for reinstatement under these rules shall take the following:

A minimum of thirty-six (36) hours of accredited PA CLE courses with a minimum twelve (12) of those hours in the area of Ethics. Eighteen (18) credits may be taken in pre-approved, interactive, Internet or computer based

CLE programs. Eighteen (18) credits must be completed in person or by live webinar/webcast.

Any petitions filed by formerly admitted attorneys who have been disbarred or suspended for more than one year shall include the Bridge the Gap course taken through an accredited PA CLE provider as part of the thirty-six hours of credits.

Note: Accredited PA CLE courses taken for reinstatement may be used to meet CLE requirements once reinstated.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 23-568. Filed for public inspection April 28, 2023, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 27th Judicial District of the Commonwealth of Pennsylvania; No. 532 Magisterial Rules Docket

Order

Per Curiam

And Now, this 13th day of April, 2023, upon consideration of the Petition to Reestablish the Magisterial Districts of the 27th Judicial District (Washington County) of the Commonwealth of Pennsylvania, it is hereby *Ordered* and *Decreed* that the Petition is *Granted*, to the extent it provides for the elimination of Magisterial District 27-3-02, and the realignment of Magisterial Districts 27-1-03 and 27-3-03 within Washington County, to be effective on January 3, 2028, or upon the retirement of the current magisterial district judge in Magisterial District 27-3-02, whichever shall occur sooner.

It is further *Ordered* and *Decreed* that the Petition is *Denied* to the extent it provides for the elimination of any other Magisterial District.

It is further *Ordered* and *Decreed* that the Petition is *Granted*, to the extent it provides for the realignment of Magisterial Districts 27-1-01, 27-2-01, 27-3-05, and 27-3-10, within Washington County, to be effective January 1, 2024.

It is further *Ordered* and *Decreed* that Magisterial Districts 27-1-02, 27-3-01, 27-3-06, and 27-3-07, within Washington County, shall be reestablished as follows, to be effective immediately:

Magisterial District 27-1-01 Magisterial District Judge Kelly J. Stewart	East Washington Borough City of Washington
Magisterial District 27-1-02 Magisterial District Judge Mark A. Wilson	Carroll Township City of Monongahela Donora Borough New Eagle Borough

Magisterial District 27-1-03 Magisterial District Judge Eric G. Porter	Allenport Borough Bentleyville Borough Charleroi Borough Dunlevy Borough Elco Borough Fallowfield Township Long Branch Borough North Charleroi Borough Roscoe Borough Speers Borough Stockdale Borough Twilight Borough
Magisterial District 27-2-01 Magisterial District Judge Vincenzo J. Saieva, Jr.	Canonsburg Borough Houston Borough North Strabane Township
Magisterial District 27-3-01 Magisterial District Judge Phillippe A. Melograne	Finleyville Borough Peters Township Nottingham Township Union Township
Magisterial District 27-3-03 Magisterial District Judge Joshua P. Kanalis	Beallsville Borough California Borough Centerville Borough Coal Center Borough Cokeburg Borough Deemston Borough East Bethlehem Township Ellsworth Borough Marianna Borough North Bethlehem Township Somerset Township West Brownsville Borough West Bethlehem Township West Pike Run Township
Magisterial District 27-3-05 Magisterial District Judge Michael L. Manfredi	Chartiers Township North Franklin Township South Strabane Township
Magisterial District 27-3-06 Magisterial District Judge Louis J. McQuillan	Cecil Township McDonald Borough Mount Pleasant Township Robinson Township
Magisterial District 27-3-07 Magisterial District Judge Gary H. Havelka	Burgettstown Borough Cross Creek Township Hanover Township Jefferson Township Midway Borough Smith Township
Magisterial District 27-3-10 Magisterial District Judge John P. Bruner	Amwell Township Blaine Township Buffalo Township Canton Township Claysville Borough Donegal Township East Finley Township Green Hills Borough Hopewell Township Independence Township Morris Township South Franklin Township West Finley Township West Middletown Borough

[Pa.B. Doc. No. 23-569. Filed for public inspection April 28, 2023, 9:00 a.m.]