

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[204 PA. CODE CH. 209]

Pennsylvania Appellate Courts Records Retention Schedule

In accordance with Judicial Code, 42 Pa.C.S. § 4301(b), the *Pennsylvania Appellate Courts Records Retention Schedule* has been amended and shall be effective immediately. The changes were made to ensure consistency between the *Pennsylvania Appellate Courts Records Retention Schedule* and amendments to the *County Records Manual* relative to PDF/A as an archival alternative to microfilm as well as other non-substantive changes for purposes of clarity.

The amended Schedule can be found on the Unified Judicial System's website located at <http://www.pacourts.us>.

Filed in the Administrative Office of Pennsylvania Courts on April 27, 2023.

GEOFF MOULTON,
Court Administrator of Pennsylvania

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 209. PENNSYLVANIA APPELLATE COURTS RECORDS RETENTION SCHEDULE

§ 209.1. Establishment.

In order to establish procedures and guidance [to] for the various records custodians of the appellate courts of Pennsylvania, the Appellate Court R[r]ecords R[r]etention S[s]chedule in Appendix A has been approved by the Supreme Court of Pennsylvania and originally promulgated by the Administrative Office of Pennsylvania Courts (AOPC) [Court Administrator of Pennsylvania] on April 6, 1990.

§ 209.2. Procedure for the Destruction or Transfer of Appellate Court Records.

(a) Records may be disposed of in accordance with the retention periods listed on the [current] Appellate Court Records Retention Schedule (Schedule) in Appendix A. The S[s]chedule is "permissive" in that court personnel may continue to hold records beyond the stated retention requirements. Records need not be kept in their original form, particularly those requiring long term or permanent retention. Microfilm or PDF/A copies that meet the micrographics or PDF/A standards and the quality control guidelines and related policies approved by the Commonwealth's County Records Committee set forth in the County Records Manual are acceptable substitutes and shall be followed to the extent practicable. When scanning documents there must be an individual responsible for quality con-

trol. Copying onto any other [new] media [such as optical disk] must be approved in advance by the AOPC.

(b) Records not listed for permanent retention may be disposed of in accordance with the S[s]chedule. A record of the destruction, containing the record series titles, date spans, approximate quantities of the records, and date destroyed must be submitted to AOPC. AOPC need not approve destruction of these records. A sample Records Disposal form can be found in Appendix B.

(c) Records listed for permanent retention may not be disposed of without approval by AOPC. Records listed for permanent retention and archival review may not be disposed of without approval by both AOPC and the Pennsylvania Historical and Museum Commission (PHMC).

(1) AOPC approval must be obtained before destroying original records scheduled for permanent retention that have been microfilmed or converted to PDF/A format.

(2) If the records are marked for archival review on the Schedule, [A]approval must also be obtained from both AOPC and the PHMC [if the records are marked for archival review on the schedule] prior to destruction. Records series marked with an asterisk in the Archival Review column on the S[s]chedule have potential historical value and[. This means that the Pennsylvania Historical and Museum Commission's] the PHMC [Division of Archives and Manuscripts (]State Archives[) would] may be interested in maintaining original, [and/or] microfilm and/or PDF/A copies of these series. [Records marked for archival review may not be destroyed without permission of the PHMC.] One form, the form attached in Appendix C, is to be used to obtain approvals.

(d) In some instances, inactive records that have not been microfilmed or converted to PDF/A, and are no longer needed for administrative or legal purposes by the Courts, may be transferred to the State Archives in lieu of permanent retention at the office of origin. Records transferred to the State Archives become the legal property and responsibility of the PHMC. Court officers should contact the PHMC [Commission's Division of Archival and Records Management Services] to make arrangements for archival appraisal and the systematic or one-time transfer of individual series on the schedule.

(e) Definitions.

(1) Electronic records: "Electronic records" are information which satisfy the definition of a record as defined below, and have been recorded and stored in an electronic file which is readable by a computer. Electronic files may consist of database records, correspondence, spreadsheets, word processing documents, presentations, digital images, e-mail, reports, and other file types. These files may be stored on cloud-based computer storage such as OneDrive, Google Drive, and DropBox; on data center network attached computer storage such as network shared drives, storage area networks

(SANs), network-attached storage (NASs), and electronic filing systems; on stand-alone computer storage such as PC internal hard drives, server hard drives, and solid-state drives; or on removable storage media such as backup tapes, disks, CD-ROMs, DVDs, diskettes, ZIP disks, and USB/Flash drives.

(2) PDF/A: "PDF/A" is an International Organization for Standardization (ISO) standardized version of Adobe PDF specialized for use in archiving. The PDF/A specification ensures that electronic documents can be retained permanently by providing long-term reliability and preservation. The purpose of PDF/A is to accurately display documents in the distant future even though computer standards and formats will evolve over time. The PDF/A format described in ISO 19005 should be utilized.

(3) Records: As used in this Schedule, the term "records" includes those papers, dockets, books, photographs, or other documentary materials in any form made or received in an appellate court pursuant to law, statute, or rules of court, in connection with transactions of its business and the discharge of its responsibilities. The term includes electronic records as defined above.

[(1)] (4) Retain permanently: Records designated for permanent retention or acceptable facsimiles (i.e., microfilm or PDF/A), as defined by the County Records Committee and/or the AOPC, [**Administrative Office of the Pennsylvania Courts**] may not be destroyed under any circumstances. Permanent records may be transferred to a records center in which case the prothonotary of the appellate court would maintain custodial control of the records, or they may be transferred to the legal custody of the PHMC [**Pennsylvania Historical and Museum Commission**].

[(2)] (5) Final disposition:

(i) The final adjudication by the Pennsylvania appellate courts for cases in which appeals are not taken to the [U. S.] **United States** Supreme Court; or

(ii) the final adjudication by the [U. S.] **United States** Supreme Court.

If the final adjudication of the [U. S.] **United States** Supreme Court or of the Pennsylvania Supreme Court remands the case to another appellate court, the case will be treated as an open case in the court to which the remand is directed.

APPENDIX A

Section I—Appellate Courts (General)			
[(Original Jurisdiction case files not included in this schedule)]			
Series	Description	Retention	<i>Archival Review</i> [<i>Retained by Archives (Historical Value)</i>]
1.	<i>Appellate Case files</i>		
	These files include appeals commenced by notice of appeal, petition for review, petition for allowance of appeal, petition for permission to appeal nunc pro tunc, and petition for permission to appeal an interlocutory order. Contained in these files are all pleadings and papers filed ancillary to the appeal.	Retain for one (1) year after final disposition.	
2.	<i>Appellate Briefs</i>		
	Includes briefs filed by appellants, appellees and amicus curiae. All three appellate courts send copies of each brief filed in an appellate matter to the State Library and Jenkins Memorial Law Library in Philadelphia. The Supreme Court also sends copies to those [these] entities listed in Pa.R.A.P. 3191. Should this procedure change, the State Archives must be notified.	Retain until filing of decision.	
3.	<i>Memorandum Opinions</i>		
	All unpublished nonprecedential memorandum decisions or unreported memorandum opinions of the Superior or the Commonwealth Court.	Retain Permanently.	*

<i>Series</i>	<i>Description</i>	<i>Retention</i>	<u><i>Archival Review</i></u> <u>[<i>Retained by</i></u> <u><i>Archives (Historical</i></u> <u><i>Value)]</i></u>
4.	<i>Original Jurisdiction</i>		
	These files include papers filed in civil matters both at law and equity including but not limited [be] to affidavits, agreements, answers, assignments, awards, bills, bonds, certificates, complaints, decrees, executions, exemplifications, memoranda, notes, notices, opinions, orders, petitions, petitions for review, powers of attorney, praecipes, reports, returns of service, rules, subpoenas, stipulations, transfers, waivers, writs of summons, petitions to enforce, and petitions for access to confidential information.	1. All matters involving title to real estate shall retained permanently.	
		2. Equity, declaratory judgment, mandamus. Retain for two (2) years after final disposition.	
		3. Matters marked withdrawn or discontinued. Retain for one (1) year after disposition.	
		4. Matters dismissed for failure to prosecute. Retain for one (1) year after disposition.	
		5. Matters filed pursuant to the Election Code. Retain for one (1) year after disposition.	
		6. Liquidation and Rehabilitation matters under the Insurance Department Act. Retain for two (2) years after final discharge of the Insurance Commissioner as rehabilitator or liquidator.	* Petitions for liquidation and/or rehabilitation and petitions for final discharge to be reviewed for historical value.

Section II—Supreme Court of Pennsylvania

[(Original Jurisdiction case files not included in this schedule)]

<u><i>Series</i></u>	<u><i>Description</i></u>	<u><i>Retention</i></u>	<u><i>Archival Review</i></u>
1.	<i>Allocatur Dockets Prior to 1980 After 1981</i>		
	Case information and Record of Contents of case files in which allowance of appeal has been sought pursuant to Pa.R.A.P. 1111 et seq.	Retain Permanently.	*
2.	<i>Appeal Docket</i>		
	Case information and Record of Contents of case files of direct appeals and granted petitions for allowance of appeal.	Retain Permanently.	
3.	<i>Miscellaneous Docket</i>		
	Case information and Record of Contents of case files other than appeals and petitions for allowance of appeal (N. B. During 1980 and 1981 petitions for allowance of appeal were included on this docket) and some administrative orders.	Retain Permanently.	*
4.	<i>Disciplinary Docket</i>		
	Case information and Record of Contents of attorney discipline files, record of orders promulgating or changing rules pertaining to attorney conduct, and record of appointments to the Client Security Fund Board.	Retain Permanently.	*

<u>Series</u>	<u>Description</u>	<u>Retention</u>	<u>Archival Review</u>
5.	<i>Disciplinary Board Appointment Docket (Bd. Of Governance)</i>		
	Record of Appointment Orders.	Retain Permanently.	*
6.	<i>Judicial Inquiry and Review Board (J.I.R.B.) Docket</i>		
	Case information and Record of Contents of files pertaining to the discipline of members of the judiciary, and record of orders appointing members to the Judicial Inquiry and Review Board.	Retain Permanently.	*
7.	<i>Criminal Procedural Rules Docket</i>		
	Record of orders promulgating or changing Rules of Criminal Procedure, and orders appointing members to the Criminal Procedural Rules Committee.	Retain Permanently.	*
8.	<i>Civil Procedural Rules Docket</i>		
	Record of orders promulgating or changing Rules of Civil Procedure, and orders appointing members to the Civil Procedural Rules Committee.	Retain Permanently.	*
9.	<i>Appellate Rules Docket</i>		
	Record of orders promulgating or changing Rules of Appellate Procedure, and orders appointing members to the Advisory Committee on Appellate Court Rules or Appellate Court Rules Committee.	Retain Permanently.	*
10.	<i>Judicial Administration Docket</i>		
	Record of orders issued on subjects involving judicial administration throughout the Commonwealth, and orders promulgating or changing Rules of Judicial Administration.	Retain Permanently.	*
11.	<i>Supreme Court Docket</i>		
	Record of orders promulgating or changing (former) Supreme Court rules, and Bar Admission Rules, and orders appointing members to the Pa. Commission on Sentencing, and to the Pa. Board of Law Examiners.	Retain Permanently.	*
12.	<i>Court Administrator Docket</i>		
	Record of orders dealing with the State Court Administrator's Office, and orders appointing members to the Judicial Auditing Agency.	Retain Permanently.	*
13.	<i>Magisterial Docket—Rules</i>		
	Record of orders promulgating or changing rules of civil procedure in the minor courts and rules of conduct for magisterial district judges , district justices and magistrates; and orders appointing members to the Minor Court Civil Procedural Rules Committee or Minor Court Rules Committee.	Retain Permanently.	*
	<i>—Magisterial Districts</i>		
	Record of petitions and orders dealing with apportioning and reapportioning magisterial districts.	Retain Permanently.	*
14.	<i>Judicial Classification Docket</i>		
	Record of petitions and orders assigning commissioned judges to divisions of the Court of Common Pleas in their judicial district.	Retain Permanently.	
15.	<i>Judicial Assignment Index</i>		
	Alphabetical index to orders assigning senior judges to judicial duties and assigning commissioned judges to sit in different judicial districts.	Retain Permanently.	

<u>Series</u>	<u>Description</u>	<u>Retention</u>	<u>Archival Review</u>
16.	<i>Special Masters Docket</i>		
	Record of petitions and orders for the appointment of special masters.	Retain Permanently.	*
17.	<i>Roll of Attorneys</i>		
	List of the names of attorneys admitted to practice law in the Commonwealth, with date of admission and names of sponsors.	Retain Permanently.	*
18.	<i>Legal Interns Docket</i>		
	Record of requests and approval for law students to engage in the limited and supervised practice of law.	Retain Permanently.	*
19.	<i>Juvenile Masters Docket</i>		
	Record of motions and approvals of attorneys authorized to act as masters under the Juvenile Act in Courts of Common Pleas.	Retain Permanently.	
20.	<i>Miscellaneous Files</i>		
	These files include all initial filings which are not petitions for allowance of appeal or direct appeal items, and the subsequent filings and correspondence ancillary thereto. Historically some administrative matters were included in these files. Disciplinary matters shall be retained as prescribed in Section II: Item 20, disciplinary rules shall be retained as prescribed in Section II: Item 23, and Disciplinary Board Appointment order shall be retained as prescribed in Section II: Item 22. Other administrative matters shall be retained as prescribed elsewhere in the schedule.	Retain for [one (1)] two (2) years after final disposition.	
21.	<i>Disciplinary Files—Court Files</i>		
	These files include the pleadings filed with the Supreme Court, and the Court's orders in cases involving attorney discipline.	Retain for one hundred (100) years after initial filing.	*
	<i>—Board Records</i>		
	These papers are the actual records of disciplinary proceeding received from the Disciplinary Board and are analogous to a lower court record. They are not returned to the Board at the close of the case.	Retain for one hundred (100) years after initial filing.	* —
	<i>—Transfers to Inactive Status (D.D.171)</i>		
	These files include the voluntary requests from attorneys to be transferred to inactive status, and the Court's order in response thereto.	Retain for one hundred (100) years after initial filing.	* —
	<i>—Transfers Under Rule 219 (D.D.318)</i>		
	This file contains the list received from the Disciplinary Board of those attorneys who have failed to comply with registration requirements and related Court orders [pay their annual disciplinary fees and the order of the Court transferring those attorneys to involuntary inactive status] .	Retain for one hundred (100) years after initial filing.	* —
22.	<i>Disciplinary Board Appointment Orders</i>		
	These files contain the orders of the Court appointing members to the Disciplinary Board (previously known as Board of Governance) and the associated correspondence.	Retain for ten (10) years.	

<u>Series</u>	<u>Description</u>	<u>Retention</u>	<u>Archival Review</u>
23.	<i>Disciplinary Rules Files</i>		
	These files contain the orders of the Court promulgating or changing rules pertaining to attorney discipline and conduct, and the associated correspondence.	Retain for seventy-five (75) years.	
24.	<i>J.I.R.B. Files—Court Files</i>		
	These files contain the papers filed with the Supreme Court by the J.I.R.B. and by the respondent in cases involving allegations of misconduct by members of the judiciary, with the associated orders and correspondence.	Retain for seventy-five (75) years.	
	<i>—Board Records</i>		
	These papers are the actual records of the proceedings before the J.I.R.B., and are analogous to a lower court record. They are not returned at the close of the case.	Retain for seventy-five (75) years.	
25.	<i>Attorney Applications for Admission</i>		
	These papers include the certifications from the [State] Pa. Board of Law Examiners and the applications and motions for admission for individuals seeking admission to the bar.	Retain for one hundred (100) years.	
26.	<i>Name Change Records</i>		
	These papers include the correspondence with the [State] Pa. Board of Law Examiners and the district offices of the Supreme Court recording the change of name of any attorney admitted to practice law within the Commonwealth.	Retain for one hundred (100) years.	
27.	<i>Certificate of Good Standing Correspondence</i>		
	These papers include requests from attorneys for the issuance of Certificates of Good Standing and associated correspondence.	Retain for two (2) years.	
28.	<i>Legal Intern Applications</i>		
	These papers include the recommendation for individual law students to engage in the limited and supervised practice of law, pursuant to Pa.B.A.R. 321, and letters approving such practice.	Retain for five (5) years.	
29.	<i>Civil Rules Files</i>		
	These files contain the orders of the Court promulgating or changing Rules of Civil Procedure and orders appointing members of the Civil Procedural Rules Committee with the associated correspondence.	Retain for seventy-five (75) years.	
30.	<i>Criminal Rules Files</i>		
	These files contain the orders of the Court promulgating or changing Rules of Criminal Procedure and orders appointing members to the Criminal Procedural Rules Committee with the associated correspondence.	Retain for seventy-five (75) years.	
31.	<i>Appellate Rules Files</i>		
	These files contain the orders of the Court promulgating and changing Rules of Appellate Procedure and court calendars and associated correspondence.	Retain for seventy-five (75) years.	
32.	<i>Judicial Administration Files</i>		
	These files contain the orders of the Court involving the Rules of Judicial Administration and other administrative orders and the associated correspondence.	Retain for seventy-five (75) years.	

<u>Series</u>	<u>Description</u>	<u>Retention</u>	<u>Archival Review</u>
33.	<i>Supreme Court Rules</i>		
	These files contain the orders of the Court pertaining to the former Supreme Court Rules, the Bar Admission Rules, and appointments to the Pa. Commission on Sentencing and the Pa. Board of Law Examiners.	Retain for seventy-five (75) years.	
34.	<i>Court Administrator Files</i>		
	These files contain orders of the Court pertaining to court administration and the Court Administrator's Office.	Retain for seventy-five (75) years.	
35.	<i>Judicial Classifications Files</i>		
	These files contain the petitions, orders and correspondence pertaining to the assignment of commissioned judges within the judicial district in which they were commissioned.	Retain for twenty-five (25) years.	
36.	<i>Judicial Assignment Orders</i>		
	These orders are maintained in loose-leaf books in sequential order. The orders assign senior judges to duties and reassign commissioned judges to other judicial districts.	Retain for twenty-five (25) years.	
37.	<i>Magisterial Files—Rules</i>		
	These files contain orders and correspondence pertaining to rules of procedure in minor courts and rules of conduct for magisterial district judges , district justices, and magistrates.	Retain for seventy-five (75) years.	
	<i>—Magisterial Districts</i>		
	These files contain correspondence, petitions, orders, and census data pertaining to the apportionment of magisterial districts.	Retain until a new order is entered.	
38.	<i>Judicial Discipline Matters</i>		
	Case information and Record of Contents of files pertaining to the discipline of members of the judiciary, and records of orders appointing members to the Court of Judicial Discipline and Judicial Conduct Board.	Retain Permanently.	* —

Section III—Superior Court of Pennsylvania

[(Original Jurisdiction case files not included in this schedule)]

<u>Series</u>	<u>Description</u>	<u>Retention</u>	<u>Archival Review</u>
1.	<i>Admission Docket</i>		
	Prior to 1972 attorneys had to be separately admitted to practice before the Superior Court.	Can be given to archives immediately.	*
2.	<i>Superior Court Rules Docket</i>		
	Includes those rules promulgated by the Superior Court which are relevant to practice before the Court.	75 years.	* —
3.	<i>Appeals Docket</i>		
	The dockets of all cases in the Superior Court which have been assigned an appellate case number.	Retain Permanently.	*
4.	<i>Miscellaneous Docket</i>		
	The docket of all cases in the Superior Court which are not given appellate numbers.	Retain Permanently.	*
5.	<i>Miscellaneous Files</i>		
	The cases are docketed in the Superior Court upon filing of a petition when no appeal has been docketed. The files contain all papers and pleadings ancillary to the petition.	1 year after disposition.	

<u>Series</u>	<u>Description</u>	<u>Retention</u>	<u>Archival Review</u>
6.	<i>General Docket</i>		
	The docket of all petitions seeking the interception of communications via pen register.	Retain Permanently.	
7.	<i>Wiretap Docket</i>		
	The docket of all petitions seeking the interception of oral communication other than by pen register.	Retain Permanently.	
8.	<i>Wiretap and Pen Register Files</i>		
	These files are sealed by Court Order and are kept in a protective vault. They contain the tapes, transcripts and inventories of intercepted communications.	10 years by statute.	
9.	<i>Session Minutes</i>		
	The summary of the judges and attorneys who participated in a particular Superior Court session as well as the cases which comprised the session.	Retain Permanently.	*
10.	<i>Memorandum Opinions</i>		
	All unpublished non precedential memorandum decisions and opinions.	Retain Permanently.	*

Section IV—Commonwealth Court of Pennsylvania

<u>Series</u>	<u>Description</u>	<u>Retention</u>	<u>Archival Review</u>
1.	<i>Appeals from Board of Finance and Revenue Files</i>		
	These files include petitions for review of decisions of the Board of Finance and Revenue and all related papers, with the exception of bonds filed pursuant to Pa.R.A.P. 1734.	Retain for one (1) year after final disposition.	
2.	<i>Bonds (Bd. of Fin. and Rev. Cases)</i>		
	All bonds filed in appeals from decisions of the Board of Finance and Revenue pursuant to Pa.R.A.P. 1734.	Retain for five (5) years after final disposition.	
3.	<i>Commonwealth Docket</i>		
	Case information relating to all appeals filed with the Commonwealth Court. The Commonwealth docket also contains information regarding original jurisdiction actions commenced in the Commonwealth Court prior to January 1, 1989. Finance and Revenue appeals were included prior to that time as well.	Retain Permanently.	*
4.	<i>Miscellaneous Docket</i>		
	Case information for matters commenced in the Commonwealth Court other than appellate matters. Miscellaneous Docket contains case information regarding original jurisdiction matters after December 31, 1988. The Miscellaneous docket also contains case information regarding petitions for permission to appeal and petitions for permission to appeal nunc pro tunc prior to December 31, 1988.	Retain Permanently.	*
5.	<i>Finance and Revenue Docket</i>		
	This docket contains information regarding appeals from determinations of the Board of Finance and Revenue filed after December 31, 1988.	Retain Permanently.	*
6.	<i>Transfer Docket</i>		
	This docket contains information on all cases transferred to the Commonwealth Court from the Superior Court or Courts of Common Pleas prior to January 1, 1989.	Retain Permanently.	*

<u>Series</u>	<u>Description</u>	<u>Retention</u>	<u>Archival Review</u>
7.	<i>Judgment Docket</i>		
	This docket contains an alphabetical listing of all judgments entered in the Commonwealth Court since its inception.	Retain Permanently.	*
8.	<i>Foreign Registry Docket</i>		
	This docket contains information regarding cases filed against foreign governments pursuant to this Court's jurisdiction at 42 [P.S.] Pa.C.S. § 761.	Retain Permanently.	*

NOTE: Foreign Registry files will be treated in the same manner as other original jurisdiction cases.

APPENDIX B

SUBJECT: Records Disposal

TO: [**Nancy M. Sobolovitch**] The Court Administrator of Pennsylvania.

FROM: _____ Prothonotary of the _____ Court

This is to certify that the _____ Court has disposed of the following records:

<i>Item No.</i>	<i>Series Title</i>	<i>Date Span</i>	<i>Quantity</i>	<i>Date Destroyed</i>
-----------------	---------------------	------------------	-----------------	-----------------------

Prothonotary

Adopted Nov. 24, 1990. Revised _____ .

APPENDIX C

COURT RECORDS DISPOSAL CERTIFICATION REQUEST

1. COURT

8. RETENTION PERIOD IN SCHEDULE

2. OFFICE OF ORIGIN

PAGE AND SECTION IN SCHEDULE

3. ADDRESS

9. QUANTITY _____ TOTAL CUBIC FEET

No. of cartons _____

length _____ width _____ height _____

4. CONTACT PERSON

5. PHONE

(OF AVERAGE CARTON)

No. of volumes _____

6. APPROVAL REQUESTED FOR:

_____ Records Destruction

length _____ width _____ height _____

No. of file drawers _____

_____ Records Transfer [of] to PHMC

length _____ width _____ woodruff _____

Other _____

7. RECORD TITLE AND INCLUSIVE DATES

(One series per form)

10. HAVE RECORDS BEEN MICROFILMED OR CONVERTED TO PDF/A FORMAT?

Yes _____ No. _____

Size: 16mm 35mm _____ Other _____

Form: Roll _____ Cartridge _____

Cassette _____ Fiche _____ Other _____

1. Record Retention Program

1.1 Background

Pennsylvania Rule of Judicial Administration [No.] 507 establishes three categories of offices for purposes of record retention and disposition: 1) offices scheduled by the County Records Committee (that must dispose of records in conformity with the applicable retention schedules established by the Committee)¹; 2) offices scheduled by the Supreme Court (that must dispose of records in conformity with the applicable retention schedules established by the Supreme Court)²; and 3) non-scheduled offices (that can only dispose of records upon request to the Pennsylvania Historical and Museum Commission [PHMC] and the Administrative Office of Pennsylvania Courts [AOPC] and with approval by the AOPC).³

The record retention and disposition schedules set forth hereunder have been adopted by the Supreme Court. This document contains guidelines and procedures for storing and archiving records, as well as the disposal of both permanent and non-permanent records.

1.2 Definitions

Court Records—“Court records” are those papers, dockets, books, photographs, or other documentary materials in any form made or received in a [J]judicial [D]district pursuant to law, statute, or rules of court, in connection with transactions of its business and the discharge of its responsibilities.

Electronic Records—“Electronic records” are information which satisfy the definition of a court record as defined in this section, and have been recorded and stored in an electronic file which is readable by a computer. Electronic files may consist of database records, correspondence, spreadsheets, word processing documents, presentations, digital images, e-mail, reports, and other file types. These files may be stored on cloud-based computer storage such as OneDrive, Google Drive, and DropBox; on a data center network attached computer storage such as network shared drives, storage area networks (SANs), network-attached storage (NASs), and electronic filing systems; on stand-alone computer storage such as PC internal hard drives, server hard drives, and solid-state drives; or on removable storage media such as backup tapes, disks, CD-ROMs, DVDs, diskettes, ZIP disks, and USB/Flash drives.

Non-permanent Records—“Non-permanent records” are court records which need to be retained for a specified period of time and may be disposed of upon expiration of the retention period provided in the applicable record retention schedule without prior approval of AOPC. These records must be listed in the appropriate Records Disposal Log, which must be filed with the AOPC on an annual basis. (See Section 2.3 Disposal Request Procedure & Log—Non-Permanent Records)

PDF/A—“PDF/A” is an International Organization for Standardization (ISO) standardized version of Adobe PDF specialized for use in archiving. The PDF/A specification ensures that electronic documents can be retained permanently by providing long-term reliability and preservation. The purpose of PDF/A is to accurately display documents in the

distant future even though computer standards and formats will evolve over time. PDF/A described in ISO 19005 should be utilized.

Permanent Records—“Permanent records” are court records [those] scheduled for permanent retention [which may not be destroyed]. Permanent records may [, however,] be disposed if they are replicated on a medium approved by the Supreme Court [as required by the applicable schedules adopted by the Supreme Court,] and [provided that prior] approval for disposal has been received from the AOPC. (See [§] Section 2.2 Disposal Request Procedure—Permanent Records)

[Non-permanent Records—“Non-permanent records” are those records which need to be retained for a specified period of time and which may be disposed without prior approval upon expiration of the retention period provided in the applicable record retention schedule. These records must be listed in the appropriate Records Disposal Log which must be filed with the AOPC on an annual basis, as further set forth herein. (See § 2.3 Disposal Request Procedure & Log—Non-Permanent Records)

Electronic Records—“Electronic records” include numeric, graphic, and text information which may be recorded on any medium capable of being read by a computer and which satisfies the definition of a record as defined in § 1.2 Definitions. This includes, but is not limited to: magnetic media such as computer tapes, disks, optical disks, diskettes and other electronic storage devices and electronic filing systems containing records. These requirements apply to all electronic records systems, whether microcomputers, minicomputers or mainframe computers, in network or stand-alone configurations. (See § 3. Microfilm and Electronic Archival Systems)

Records not subject to retention—“Records not subject to retention” are those records which need not be maintained permanently or for a specified period of time, and which may be used by system and related personnel of the Unified Judicial System as unofficial in-house working papers, reference, and drafts. No approval is required to dispose of these records.

Unscheduled Records—Questions concerning retention periods for records not included in this schedule, or, for records created subsequent to the adoption of this schedule, should be directed to the AOPC’s Judicial District Operations and Programs Department.

1.3 Application of the Schedules

This document sets forth schedules and guidelines for records that are being used by personnel of the Unified Judicial System and related staff that support the courts of the Commonwealth of Pennsylvania, but not records maintained by county officers which are set forth in the County Records Manual.

These schedules and guidelines are intended to supplant existing practices for the retention and disposition of permanent and non-permanent records and to help officials responsible for record disposition proceed consistently throughout the Unified Judicial System [of the Commonwealth]. It is recognized that the same type of record may be under the control of different offices or

¹ Pa.R.J.A. 507(a)

² Pa.R.J.A. 507(b)

³ Pa.R.J.A. 507(c)

personnel in the various [J]judicial [D]districts. Nonetheless, the retention period of the record remains the same, although the office or personnel charged with the responsibility of retaining or disposing of the record may vary.

1.3.1 Conflict With Other Retention Schedules

These schedules are intended to be consistent with those set forth in the County Records Manual. However, if conflicts arise, this schedule shall govern.

1.4 Mandatory Minimum Retention Periods

The record retention periods set forth herein are minimum terms for the retention of the respective files after which the files may be disposed. While the files may be destroyed—in accordance with the conditions and procedures contained herein—they may also be retained for longer than the established retention periods. Those decisions are best left to court records management officials and their leaders. The District Record Retention Officer—as further defined in [§] *Section* 2.1 [**below**]—will be available to provide information and guidance as necessary.

Absent good cause to the contrary, personnel should dispose of files in conformity with the minimum standards in the schedules. The retention periods have undergone considerable scrutiny, both in terms of practicality and for conformance with legally accepted standards from many sources.

1.4.1 Identification of Records

The ability to dispose of records in an efficient and responsible manner is dependent upon the reliable identification of the records in question. Therefore, officials, when storing records subject to these retention schedules, should do so in a manner that clearly [**sets forth**] **identifies** the materials contained in the files under consideration. Information may include such elements as the date the record was created, the subject matter, record type ([**i.e.**] **e.g.**, presentence reports, notes of testimony, etc.), and scheduled destruction date.

1.5 Effective Date

This Record Retention Schedule shall become effective as provided by the Supreme Court.

2. Record Disposal and Retention Procedures

No permanent or non-permanent record may be disposed unless in compliance with the procedure set forth in this Schedule.

2.1 Central Point of Contact for Record Retention

As a central point of contact, a “Record Retention Officer,” designated by the District Court Administrator with the approval of the President Judge, will coordinate the disposition of records within each [J]judicial [D]district. No records may be destroyed without the approval of the Record Retention Officer.

2.2 Disposal Request Procedure: Permanent Records

Within each [D]district, the record custodian (or person making the disposal request) must submit requests to destroy or transfer permanent records to the Record Retention Officer utilizing a Unified Judicial System Scheduled Court Records Disposal Certification Request form adopted by the AOPC pursuant to Pa.R.J.A. 507(b). The Record Retention Officer shall review the form for completeness and **then** ascertain and certify in

writing that the records to be destroyed have been replicated on a medium approved by the Supreme Court, (See [§] *Section 6 Retention Forms*) and must forward the original form to the AOPC at [**such location as may be provided from time to time**] **1515 Market Street, Suite 1414, Philadelphia, PA 19102**. A copy of each request form must be retained by the Record Retention Officer for the [D]district. The AOPC shall review the Disposal Certification Request and shall forward same to the PHMC in the event an advisory opinion is deemed necessary. [, or, if not,] **If an advisory opinion is not deemed necessary, the AOPC** shall approve or deny the request. The AOPC will return a copy of the request form reflecting the decision to authorize or deny the request. If the request is authorized, the specified record(s) may be destroyed or transferred to the PHMC, as specifically provided in the form. No permanent records may be destroyed or transferred unless the request form with the authorization from the AOPC has been received by the Record Retention Officer. The form must be retained permanently.

The following procedure must be followed:

1. Permanent records must not be destroyed without approval of the AOPC.

2. Requests for the destruction of permanent records will be submitted by the records custodian to the Record Retention Officer utilizing a form approved by the AOPC pursuant to Pa.R.J.A. 507(b).

3. The Record Retention Officer will review the request form to verify that the records in question are permanent records and confirm in writing that those records have been transferred to an acceptable medium (See [§] *Section 6 Retention Forms*). Only then will the Record Retention Officer forward the request to the AOPC. Where records have been transferred to microfilm **or converted to PDF/A** format, the standards and quality control measures set forth in the County Records Manual shall apply (*See Section 3 Microfilm and Electronic Archival Systems for more information*) [(See *County Records Manual at page 1-MF-1*)].

4. Upon receipt of the Disposal Certification Request form, AOPC shall determine whether an advisory opinion should be solicited from the PHMC. If so, the AOPC shall forward a copy of the form to the PHMC for review, and shall consider the recommendation of the PHMC in deciding whether to grant or deny the request. If an advisory opinion is not deemed necessary, the AOPC shall determine whether to grant the request based upon a review of the form. Upon determination, the AOPC shall send a copy to the Record Retention Officer. When the Record Retention Officer receives the written response from the AOPC, a copy shall be sent to the record custodian of the unit that requested leave to destroy the records, with instructions for their disposal.

5. No permanent record may be destroyed without having complied with the specific direction set forth by the AOPC at the time permission to destroy the permanent record is granted.

2.3 Disposal Request Procedure & Log: Non-permanent Records

A request to destroy non-permanent scheduled records must be submitted by the record custodian [**requesting permission to dispose of the record(s)**] to the Record Retention Officer utilizing a Unified Judicial System Disposal Log for Non-Permanent Records form adopted by

the AOPC as provided in Pa.R.J.A. [No.] 507. The Record Retention Officer shall review the Records Disposal Log Form for completeness and shall grant written permission to dispose of such non-permanent records upon ascertaining that the applicable retention period as set forth in the schedule has been met. Written approval from the AOPC is not necessary before destroying non-permanent records as identified in the schedule. A log of individual disposition actions involving non-permanent records must be maintained. Copies of the Records Disposal Log Form shall be submitted on an annual basis to the AOPC. (See [§] *Section 4.5 Form Retention*)

The following procedure must be followed:

1. The record custodian seeking permission to dispose of the record shall complete a Record Disposal Log Form for records designated for destruction pursuant to the appropriate schedule, and shall submit the form to the Record Retention Officer for review and approval. (See [§] *Section 6[.] Retention Forms [at the end of this document]*).

2. The Record Retention Officer will indicate approval or disapproval in the provided place(s), and return a copy to the individual submitting the destruction request. The original Records Disposal Log Form will be retained by the Record Retention Officer.

3. If approved, the records listed on the log form may then be destroyed.

4. No later than January 31st of every year, the Record Retention Officer will forward to the AOPC a copy of the log forms listing the records that have been disposed during the previous year. Copies of logs may be emailed to Judicial.DistrictOperationsDept@pacourts.us.

2.4 Destruction Hold Procedures

2.4.1 Matters In Litigation

Notwithstanding the disposition schedules set forth herein, no record which is otherwise eligible for disposition shall be destroyed if the [D] district becomes aware that the record may be needed for **actual or impending** litigation. District Court Administrators or their designees, upon having the knowledge or belief of actual or impending litigation requiring the preservation of certain records, shall immediately so notify in writing the Record Retention Officer, and appropriate deputies or other staff, to ensure the preservation of the subject records, as well as suspending any destruction or transfer activities. Such records shall be retained until all related proceedings have been concluded or until such time as, in the written opinion of counsel for the [D] district or the AOPC, the threat of litigation has been removed. (See also [§] *Section 4.9 Litigation: Judicial Districts and Employees*)

2.4.2 Matters Pending Audit

Records subject to audit must be retained for the periods listed in the schedule and must be audited and all findings resolved before such records may be destroyed. Applicable Federal and State statutes and administrative regulations may necessitate retaining records for a longer period of time than indicated in the schedule. Information on specific program regulations should be obtained from the appropriate administering/funding/licensing agency.

2.5 Methods of Record Destruction

2.5.1 Confidential Records

Where confidential information may be contained in the records, shredding is the preferred method of destruction.

Otherwise, records may be incinerated under the direct supervision of the District Court Administrator or his/her designee.

2.5.2 Non-Confidential Records

Records that do not contain confidential information may be shredded, incinerated, or otherwise disposed according to general practice.

Records stored at vendor sites designated for record storage, maintenance, and disposition may be destroyed under the supervision of the vendor with written confirmation from the vendor that the records have been disposed.

2.6 Liability of Record Retention Officer and System and Related Personnel.

Record retention officers and/or system and related personnel involved in record retention and disposal duties shall be immune from all civil liability that may be related to records management practices provided that the disposition of records is accomplished in accordance with the terms of the within schedule, and any amendment thereto.⁴

2.7 Disposal Request Procedure: Damaged Records

Records are to be maintained at such appropriate locations as to minimize their potential loss or damage. It is crucial that [D] districts periodically undertake risk assessments of the conditions under which records are stored, and take appropriate steps to mitigate the threat of damage. Extensive information on Disaster Planning and [Vital] Essential Records protection is provided by the [Pennsylvania Historical Commission] PHMC on its website, at <https://www.phmc.pa.gov/Pages/default.aspx> [http://www.phmc.pa.gov] ([S] [s]ee Archives, Records Management, State Government Services, Disaster Planning & [Vital] Essential Records; and Local Government[/] and Judicial System Services, Disaster Planning & [Vital] Essential Records Management). All Record Retention Officers are encouraged to take advantage of the information provided, which includes generic templates for the establishment of Disaster Response and Recovery Plans.

Despite periodic risk assessments, some records may be damaged before the expiration of their retention period by unforeseeable natural disasters such as floods, earthquakes, fires, or other causes. When records are damaged, an assessment must be immediately conducted to determine the potential for their recovery. Districts should attempt to salvage and preserve all damaged records whenever possible. Only after an appropriate determination has been made that the damaged records cannot be salvaged or restored should their disposal be requested. Of course, records that are beyond their mandatory minimum retention period and have no administrative, legal, or historical value may be destroyed without approval from the AOPC, provided, however, that the protocol established in Section 2.3 is followed.

The request to dispose of damaged records must be made by the District Court Administrator, after consultation with the official responsible for the records and the Record Retention Officer and after [at] the conclusion

⁴ Patterned after the County Records Act, which provides that "No County officer shall be held liable on his official bond or in any way, either civil or criminal, because of the disposition of records, provided he disposes of the records in accordance with the schedules adopted by the committee." Act No. 407, August 14, 1963, as amended. See 16 P.S. § 13005.

of the evaluation process necessary to determine the salvageability of the damaged records. The District Court Administrator must personally view all records **for which [whose]** disposal is sought, and must attach photographs and other appropriate description of the damage and justification for the request to dispose of the records.

The [D] district must consider the following factors in determining that the records cannot be salvaged and must be destroyed: whether the records are permanent or non-permanent; whether the records are subject to audit, and if so, whether an audit has been completed; whether the records can be salvaged by ordinary methods such as air drying; whether the records may be salvaged by extraordinary means such as retaining an expert in record reconstruction; whether the damaged records pose a health risk in their continued storage; whether any movement of the damaged records can be safely made; whether the cost of restoring the record exceeds its value, administrative, historical, or otherwise.

In the event the damaged records whose destruction is being sought are subject to an audit, and copies of the damaged records are not available, the official responsible for the records shall notify the auditing entity, as soon as practicable, that the specified records were damaged, describe the nature of the damage, and represent that on a date certain a Unified Judicial System Record Disposal Certification Request—Damaged Records form will be submitted to the [**Administrative Office of Pennsylvania Courts**] **AOPC** seeking permission to destroy the damaged records unless the auditing entity requests, before the submission date, a reasonable delay in seeking destruction of the damaged records. Information concerning the notice provided (date, name of auditing entity, and address) as well as responses, if any, will be entered on the Unified Judicial System Record Disposal Certification Request—Damaged Records form. Of course, no notification need be made if a copy of the records exists, if the damaged records were audited, or are not subject to an audit.

A Unified Judicial System Record Disposal Certification Request—Damaged Records form must be submitted by the District Court Administrator to the **AOPC [Administrative Office of Pennsylvania Courts, at such location as may be provided from time to time]**. In order to expedite the approval process where public health and safety concerns are present, the Record Disposal Certification Request form should be submitted by electronic mail or fax. The AOPC will return a copy of the request form reflecting the decision to authorize or deny the request. If the request is authorized, the specified damaged record(s) may be destroyed.

The following procedure must be followed to seek permission to dispose of Damaged Records:

1. The official responsible for maintaining the records must notify the Record Retention Officer and District Court Administrator immediately upon ascertaining that records which are subject to a Record Retention Schedule have been damaged.

2. The Record Retention Officer will immediately conduct a personal inspection of the damaged records. In the event the Record Retention Officer is of the opinion that the damaged records may not be salvageable, the Record Retention Officer must inform the District Court Administrator.

3. The District Court Administrator will direct the Record Retention Officer and official responsible for the

records to conduct an appropriate evaluation of the options available to restore the damaged records and will request the preparation of a comprehensive report detailing the available options, if any. The Report should include photographs or other representations of the current condition of the damaged records.

4. If the Report issued by the Record Retention Officer and official responsible for the records reveals that the damaged records cannot be safely salvaged, the District Court Administrator shall personally review the damaged records and, if he/she is in agreement with the Report, shall complete a Unified Judicial System Record Disposal Certification Request—Damaged Records form and forward it to the Administrative Office of Pennsylvania Courts.

5. The damaged records must be maintained until such time as the District Court Administrator has received a written response from the AOPC approving the disposal of the damaged records.

3. Microfilm and Electronic Archival Systems

[**The last several years have seen the introduction of numerous technologies with indications that they may have the potential to change traditional archiving practices. Magnetic tape, optical disk and CD Rom have caused the use of microfilm as the sole method of non-paper archiving to be questioned by some. However, officials are cautioned that the decision to utilize archiving media other than microfilm requires implementation of policies and practices to ensure that the integrity of the data is maintained and that the ability to extract the data in a human readable format is present for the entire retention period. Therefore, a [All records stored in any electronic manner, including but not limited to Magnetic Tape, Optical Disk, or CD Rom, must be refreshed or migrated at intervals not exceeding eight years. Additionally, under no circumstances are computer hard drives or disks running on direct access storage devices to be used for archiving purposes as these devices are subject to periodic failure.**

When considering the preservation of **permanent records and** documents having a retention period in excess of twenty-five years, it is recommended that the [**conservative**] microfilm method **or PDF/A** be utilized. The microfilming **and PDF/A⁵** standards and quality control guidelines **and related policies** contained in the County Records Manual are adopted herein **and shall be followed to the extent practicable by offices covered by this schedule. When scanning documents, at a minimum there must be an individual responsible for quality control.**

[**That manual also contains g [Guidelines concerning the retention and disposition of records onto optical imaging and storage systems contained in the County Records Manual[. These]** also are hereby adopted **and shall be followed to the extent practicable by offices covered by this schedule[, with the exception of § 8(d)(iii) and § 8(d)(iv)]**.

Paper documents with less than a twenty-five year retention period and all documents originating electroni-

⁵ [Statutory changes have necessitated the extension of the Protection from Abuse record retention period from 1 year—as indicated County Records Manual—to the 18 months indicated above.] In 2017, the County Records Manual was amended to permit the use of PDF/A format as an alternative to microfilm for the storage of permanent records.

cally such as indices and dockets may be archived using media other than microfilm **or PDF/A** provided the refresh/migrate safeguards noted above are followed. Used within the context of this **section of this** Schedule, the following definitions shall apply:

Refresh—To move data/images from one medium to the same medium ([i.e.] e.g., tape to tape). This requires an analysis of the medium and the associated software and hardware to determine its viability for the next eight years.

Migrate—To move data/images from one medium to a new medium ([i.e.] e.g., tape to CD Rom), one software program to a current version or another program and/or from one hardware platform to a new hardware platform.

Retention periods that govern files in paper form also govern records in electronic form. (See [§] **Section 1.2 Definitions, Electronic Records**)

4. Retention and Disposition of Miscellaneous Records

4.1 Annual Reports

Annual reports of the [J]judicial [D]districts are considered permanently valuable for historical and research purposes, and should be retained permanently.

4.2 Electronic Case Indices

Electronic computer indices listing cases disposed, generally indexed by year that show party/defendant name, case number, and disposition are to be retained permanently and refreshed or migrated consistent with the requirements set forth in [§] **Section 3[.] Microfilm and Electronic Archival Systems**. These may include indices maintained by Common Pleas Courts, Magisterial District Courts, Pittsburgh Municipal Court, Philadelphia Municipal Court, and the Adult Probation, Juvenile Probation, and Domestic Relations offices. Paper copies may be destroyed through the most convenient means upon being replaced.

4.3 Notes of Testimony

Retention periods for notes of testimony are generally determined by: whether they have been transcribed; whether and with whom they have been filed; and whether they pertain to testimony in juvenile court proceedings.

4.3.1 [Raw] Notes of Testimony **Production Materials**

Notes of testimony production materials include untranscribed notes of testimony, rough draft transcripts, reporter and recorder log notes, tapes, other electronic or digital audio files, and any hardware, software, tools, or dictionaries necessary for proper transcription. Notes of testimony production materials may be destroyed 60 days after transcription and filing of the notes of testimony. [Raw notes of testimony are those on paper tapes and/or other media in the original state in which they existed when taken at the time of testimony. Consistent with Pa.R.J.A. 5000.13(b) once transcribed, raw stenographic notes may be destroyed 60 days after filing. Raw notes] Notes of testimony production materials that have not been transcribed may be destroyed seven years from the date of testimony.

4.3.2 Transcribed Notes of Testimony—Filed

Transcribed notes of testimony filed with the Prothonotary, Clerk of the Orphans' Court, and Clerk[s] of Court are subject to the retention periods set forth in the County Records Manual under those offices, and need not be retained by the [J]judicial [D]district, court reporter or court.

4.3.2.1 Juvenile Matters

Transcribed notes of testimony filed in juvenile matters shall be retained until the subject reaches the age of 25, or, 10 years after the last action in the case, whichever is later. (See [§] **Section 5.7 Juvenile Delinquency and Dependency Records**). **Materials discussed in Section 4.3.1 [Raw notes] Notes of Testimony Production Materials** that have not been transcribed may be destroyed seven years from the date of testimony.

4.3.3 Transcribed Notes of Testimony—Not Filed

Transcribed notes of testimony not filed with the Prothonotary, Clerk of the Orphans' Court, and Clerk[s] of Court are subject to the retention periods set forth in the County Records Manual under those offices, and must be retained by the [J]judicial [D]district for the retention periods set forth in the County Records Manual.

4.3.4 Method: Record Retention Disposal Log

Disposal of **notes of testimony production materials as defined in § 4.3.1 [raw notes]** shall be accomplished as provided in [§] **Section 2.3 Disposal Request Procedure & Log: Non-permanent Records**. When completing Records Disposal Log Forms, the untranscribed [**raw notes**] **notes of testimony production materials** need not be listed on the Records Disposal Log by caption and case number, but may be listed merely by date of hearing.

4.3.5 Audio, Digital, and Video Recordings

Except as otherwise provided in this schedule, audio, digital, and video recordings made in matters of record have the same retention periods as do their paper equivalents. (See [§] **Section 4.3.1 [Raw] Notes of Testimony Production Materials**, [§] **Section 5.7 Juvenile [] Delinquency and Dependency Records[]**, [§] **Section 5.3 Domestic Relations Records**, and [§] **Section 5.2 Magisterial District Courts, etc.**)

4.3.5.1 Mental Health Proceedings

Audio, digital, and video recordings made in mental health proceedings should be retained for one year from the date of the hearing at which they were made.

4.4 Personal Records of the Judiciary

The judiciary should dispose of personal files not integrally related to court operations. The judiciary is encouraged to minimize, to the greatest extent possible, the numbers and types of files to be retained. Moreover, certain files often included among judicial personal records are already retained elsewhere, and it is neither necessary, nor advisable, to retain these types of files. They include the following:

Notes of Testimony—which are subject to retention schedules applicable to official Court Reporters, Prothonotaries, and Clerks of Court and are available from those entities.

Pre-Sentence Reports—which are subject to retention schedules applicable to the Probation Department and are available from that agency.

Mental Health Evaluation Reports—which are subject to retention schedules applicable to the Probation Department are available from that agency.

Pleadings—which are subject to retention schedules applicable to the Clerks of Court or Prothonotary and are available from those agencies.

Pa.R.J.A. 703 Reports—which are subject to either Section 5.10 President & Administrative Judges & Court Administrators (for the President Judge’s or District Court Administrator’s copies of the judicial district’s Pa.R.J.A. 703 reports) or the individual judge’s discretion (for a judge’s personal copies of his or her previously-filed Pa.R.J.A. 703 reports).

4.4.1 Retention Period

Records submitted for storage by the judiciary will be retained for as long as the records are of administrative value and as otherwise specified by the individual judge, provided however, that no record will be retained for any longer than two years from the conclusion of the judge’s term of office.

4.5 Form Retention

All retention forms shall be retained permanently.

4.6 Records Disposed Pursuant to Pa.R.J.A. [No.] 1901

Records of Court of Common Pleas cases filed with Clerks of Court or Prothonotary which are disposed pursuant to Pa.R.J.A. [No.] 1901 and local rules enacted thereunder, are subject to the retention periods set forth in the County Records Manual **relating to [under § 4.B.X.(b)3. (Relating to) Clerks of Court[)], and [§ 3.B.VII.(b)11. (Relating to) Prothonotaries[)],** and

shall be disposed **of** consistent with the provisions of the County Records Manual. Records of all other cases may be disposed **of** 60 days after the entry of the order to terminate such matters.

4.7 Trial/Hearing Lists

Trial/Hearing Lists are used universally across all courts of the Commonwealth. Such documents, used by court personnel for the daily conduct of courtroom activities, include information such as parties’ names, addresses, charges, case numbers, attorney information, etc.

Trial/Hearing Lists should be retained for as long as they are of administrative value, but are not to be destroyed if they might be referenced during litigation concerning speedy trial issues.

4.8 Expungement of Records

Court orders for the expungement of records shall supersede the conditions of this schedule.

4.9 Litigation: Judicial Districts and Employees

Records relating to litigation involving the [D]district and/or [D]district employees must be maintained and available for the pendency of the litigation. They should be retained for a minimum of six years following the expiration of the appeal period.

5. Schedules

These tables [below and on the following pages will] provide listings of the various types of affected records, grouped into major categories, or series: 1) Adoptions; 2) Magisterial District Courts, Pittsburgh Municipal Court, Philadelphia Municipal Court; 3) Domestic Relations; 4) Facilities; 5) Financial; 6) Jury Commissioner; 7) Juvenile—Delinquency and Dependency; 8) Payroll; 9) Personnel; 10) President and Administrative Judges and Court Administrators; 11) Pretrial Services; 12) Probation (Adult); 13) Protection from Abuse; and 14) Purchasing.

5.1 Adoptions Records

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
ADOPTIONS		
Adoption Dockets, Indices, & Papers	Record of all proceedings in adoptions. Indices of the adoption dockets. Shows name of the person adopted, name of the adopting parents, date of adoption, case number, and volume and page where recorded in the adoption docket. Case files include petitions, paternity claims, consents, reports, notices, hearings, decrees, exhibits, notes of testimony, certifications of adoption, voluntary relinquishments, involuntary terminations, information on child and natural parents, investigators’ reports on the adoptees, doctors’ reports, recommendations from pastor, and all other records relating to adoptions.	Retain permanently for administrative and legal purposes.

5.2 Magisterial District Courts, Pittsburgh Municipal Court, Philadelphia Municipal Court Records

<i>Category</i>	<i>Time Measured From:</i>	[Mandatory] <i>Retention Period</i>
TRAFFIC CITATIONS		
Traffic Citations—Disposed	F[rom f]inal disposition—payment of all monies due, satisfactory completion of all sentences imposed, and/or entry of an order terminating further court activity, except records for cases disposed under Pa.R.J.A. [No.] 1901. (See [§] Section 4.6 Records Disposed Pursuant to Pa.R.J.A. [No.] 1901)	Retain 3 years.

<i>Category</i>	<i>Time Measured From:</i>	[Mandatory] <i>Retention Period</i>
CIVIL RECORDS		
Civil Original Papers	Entry of Judgments, except records for cases disposed under Pa.R.J.A. [No.] 1901. (See [§] Section 4.6 Records Disposed Pursuant to Pa.R.J.A. [No.] 1901)	Retain 7 years.
	Discharge, Verdict, or Other Disposition Without Judgment, except records for cases disposed under Pa.R.J.A. [No.] 1901. (See [§] Section 4.6 Records Disposed Pursuant to Pa.R.J.A. [No.] 1901)	Retain 3 years.
Civil Dockets	F[rom f]inal disposition in Magisterial District Court.	Retain 7 years.
Notes of Testimony (Including Audio, Digital, and Video Recordings)	Expiration of appeal period.	Retain 1 year.
CRIMINAL RECORDS		
Criminal Dockets & Indices	F[rom f]inal disposition—payment of all monies due, satisfactory completion of all sentences imposed, and/or entry of an order terminating further court activity.	Retain 7 years.
Original Papers in Misdemeanor and Felony Cases	F[rom f]inal disposition—payment of all monies due, satisfactory completion of all sentences imposed, and/or entry of an order terminating further court activity except records for cases disposed under Pa.R.J.A. [No.] 1901. (See [§] Section 4.6 Records Disposed Pursuant to Pa.R.J.A. [No.] 1901)	Retain 3 years.
Non-Traffic Citations, & Summary Criminal Complaints	F[rom f]inal disposition—payment of all monies due, satisfactory completion of all sentences imposed, and/or entry of an order terminating further court activity, except records for cases disposed under Pa.R.J.A. [No.] 1901. (See [§] Section 4.6 Records Disposed Pursuant to Pa.R.J.A. [No.] 1901)	Retain 3 years.
Magisterial District Courts/Pittsburgh Municipal/Philadelphia Municipal Courts General Correspondence Records Not Relating to Official Action Taken	Filing in Magisterial District Courts/Pittsburgh Municipal Court/Philadelphia Municipal Court.	Retain 1 year.
FINANCIAL RECORDS		
Financial Incoming Records: Journals, Ledgers, Receipts, Bank Statements, etc.	Close of the year for which the records apply.	Retain 7 years.
MISCELLANEOUS MATTERS		
Miscellaneous Matters Where Official Action Taken (Including Search Warrants and Affidavits)	Filing in Magisterial District Courts/Pittsburgh Municipal Court/Philadelphia Municipal Court.	Retain 3 years, except for unexecuted search warrants and affidavits which shall be destroyed pursuant to Pa.R.Crim.P. 212(B).

5.3 Domestic Relations Records

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
DOMESTIC RELATIONS		
Divorce and Annulment Papers	Complaint; Proof/Affidavit/Acknowledgment of Service of complaint/Answers/Counter Claim; Final Decree; Property, Custody, Alimony, and Support Orders; Agreements; and Notice of Election to Retake Prior Name.	Retain permanently for administrative and legal purposes.

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
	All other papers in Divorce or Annulment actions (e.g., Masters' Reports, Notes of Testimony, Inventories and Appraisements, Income and Expense Statements, Correspondence, Proposed/Suggested Schedules of Distribution, Notices of Counseling, Hearing Notices, [and] other Certificates of [s]Service and Special Relief Papers).	Retain for 5 years after Final Decree in Divorce or Annulment.
Domestic Relations Files	Complaint for Support, Support Orders, Acknowledgments of Paternity and Genetic test results, Petitions for Modification, Transcripts of Court Proceedings, Court Opinions, [and] Appeals to Superior Court, and Custody records in matters not involving divorce.	Retain permanently, except for custody records in matters not involving divorce. If not part of a divorce action, retain 20 years after filing of order granting custody.
	Orders for earnings and health insurance information, Appearance Orders, Bench Warrant Orders, Contempt Orders, and Income Withholding Orders.	Retain 4 years unless otherwise provided by the rules and regulations promulgated by the appropriate administering/funding/licensing agency (Bureau of Child Support Enforcement, Pennsylvania Department of Public Welfare and Bureau of Child Support Enforcement, U.S. Department of Health and Human Services).
Dockets and Indices	Dockets and indices pertaining to papers filed in Domestic Relations cases, including Divorce and Annulment.	Retain permanently.

5.4 Facilities Documents

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
FACILITIES		
Space Allocation & Use Records	Records used to manage office space & facilities in the courthouse and government complex. Shows department space usage and future needs.	Retain 5 years.
Facility Maintenance—Routine	Records of maintenance and other work performed on major equipment or systems. Usually shows date, type of repair, cost, and workers.	Retain 5 years.
Leases	Signed original leases and supporting work papers.	Retain general written leases 6 years after termination or the termination of any substitute or renewal thereof.
Construction Contracts	Signed original contracts or agreements and supporting work papers.	Retain construction contracts 12 years after termination or the termination of any substitute or renewal thereof.
Parking Permit/Assignments	Applications, waiting lists, and assignments for parking spaces.	Retain 6 months after permit expires.
Incident Investigation Records	Records documenting incidents and investigations by District staff, including but not limited to injury, theft, or breach of District policies relating thereto.	Retain 5 years after investigation is closed or concluded.

5.5 Financial Records

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
<i>FINANCIAL</i>		
Accounts Payable Files	Bills including certain Court Appointed Lawyers' bills and Court Reporter, Interpreter, and jury expenses, check vouchers, invoices, purchase orders & requisitions, receiving reports, and other records of payment for goods & services.	Retain 7 years.
Accounts Payable Ledgers	Usually indicates date, department or cost center, invoice & check number, vendor's name, amount, and account totals.	Retain 7 years.
Accounts Receivable Files & Ledgers	Records document monies owed and paid to the court, showing date, department or fund, amount received, and account total.	Retain 7 years.
Receipts	Records that document payments received by the court from parties, fees, or other monies assessed for fees or services.	Retain 3 years.
Cash Register Accounting	Records used to reconcile transactions with cash on hand at the end of each day.	Retain 3 years.
Canceled checks	Checks that have been paid by the bank and returned to the depositor as evidence that the payee has received the funds.	Retain 7 years.
Deposit Slips	Consists of copies of slips listing and accompanying bank deposits showing date, account, clerk numbers, and amounts.	Retain 3 years.
Controller Reports	Includes a summary of the financial condition of the District, with an account of all receipts, expenditures, disbursements, revenues, assets, and liabilities.	Retain Permanently.
Grant Administration Records	Usually include application, purpose, personnel, [and] budget, financial reports, correspondence, and other related papers.	Comply with Funding Agency.
Budget Preparation Files	Records created and used during budget development and request including cost statements, estimates, justifications, narratives, spread sheets, and relevant background materials.	Retain FY plus 5 years or as otherwise provided by funding source.
Budget Request	Copy of the final budget request created by the court along with supporting materials that document communications between the District and the funding source, and may include documents relating to negotiations and review after the budget request.	Retain FY plus 3 years or as otherwise provided by funding source.

5.6 Jury Commissioner Records

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
Calendars of Drawings	Published listing of dates for court trials and hearings. Indicates court date, drawing date, and mailing date.	Retain until end of court term/session.
<i>JURY LISTS</i>		
Jury Records: Master Lists of Prospective Jurors	List of county residents, in manual or electronic form, who may be eligible to serve as jurors. Includes name, street address, city, and zip code. May be drawn from Voter Registration, Department of Motor Vehicles, or other source lists.	Retain until end of court term/session. For courts with continuous trial terms, retain 2 years after creation of list.
Jury Selection Lists	Result of regular drawings for each court term/session. The number of names is designated by the president judge and drawn at random from the master list of prospective jurors. Includes individual's name and address, and sometimes occupation.	Retain 5 years after end of court term/session. For courts with continuous trial terms, retain 6 years after creation of list.
Lists of Qualified Jurors	Names drawn from the jury selection list of all those individuals determined eligible for jury duty.	Retain 5 years after end of court term/session. For courts with continuous trial terms, retain 5 years after mailing.

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
Exempt Jurors List	List of individuals excused from jury duty, with reason for exemption.	Retain as long as of administrative value.
Juror Qualification Forms	[] As provided in 42 Pa.C.S. § 4521(d)[] ₁ , [R] returned questionnaires of prospective jurors used to evaluate their qualifications to serve on a jury. May include information on name, age, residence, employer, citizenship, literacy, disability, criminal record, prior service, occupation, and undue hardship. Signed by respondent.	Retain until completion of jurors' service unless otherwise ordered by the trial judge.
Juror Information Questionnaires	(As provided in Pa.R.Crim.P. 632) Questionnaires used during <i>voir dire</i> process.	Retain until completion of jurors' service unless otherwise ordered by the trial judge, during which time it shall be sealed.
Service Review Forms (Exit Questionnaires)	Optional evaluation form filled out by jurors on completion of jury duty and designed to solicit opinions concerning various aspects of jury duty.	Retain as long as of administrative value.
<i>MINUTES</i>		
Minutes of the Jury Selection Commission	Information may include date and place of meetings, ₂ [;] names of members who attended, ₁ [;] name, address, ₂ and occupation of each juror selected, ₁ [;] type of jury for which each juror was drawn, ₁ [;] type of court and term of service, ₂ [;] and signature of jury commissioners' clerk.	Retain 7 years; then contact State Archives to arrange transfer of selected books. Those records not selected may be destroyed.

5.7 Juvenile Delinquency and Dependency Records

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
<i>JUVENILE</i>		
Juvenile Dependency Case Dockets Books & Indices, and Juvenile Delinquency and Dependency Papers/Files, Probation Files	A. All dockets, books, and indices pertaining to papers filed in juvenile delinquency and dependency cases. B. Papers filed in juvenile delinquency and dependency matters including dependent petitions, orders, counsel appointments, mental health evaluations, ₂ background information, drug & alcohol test results, case supervision records, and transcribed testimony. C. All other delinquency and dependency papers retained by the District.	Retain permanently—the Docket, plus original court orders pertaining to adjudication, disposition and consent decrees. All other records—retain until age 25 or 10 years after last action on the case whichever is later. No distinction between dependent cases and delinquent cases.

5.8 Payroll Records

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
<i>PAYROLL</i>		
Daily Time Sheets	Employee's name, ₂ date, ₂ and hours worked each day.	Retain 3 years.
Employee Payroll Adjustment Records	Usually includes employee's name, [and] social security number, [and] amounts withheld for Federal and State taxes, insurance, bonds, ₂ and any other deductions.	Retain 4 years.
Individual Employee's Earning Record—Terminated	Often kept in card form, salary history includes employee's name, ₂ [and] address, social security number, department, position, date of birth, date employed, and salary/earnings history totals, posted for the duration of county employment. Usually transferred to Individual Pension Files upon termination of employment.	Employees Who Separate with Post-termination Benefits—Retain 3 years after all benefits have been paid. Records may be transferred to County Pension Board.

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
Employees Who Separate without Post-termination Benefits [—Retain 5 years after termination of employment.]		Retain 5 years after termination of employment.
Payroll Deduction Authorizations	Completed by employee, the record usually indicates employee's name, [and] address, department, social security number, deductions authorized, and employee's signature (W-4).	Retain 4 years after cancelled or superseded; or employment is terminated.
Payroll Earnings and Deductions Registers	Generally includes employee's name, social security number, gross earnings, taxes withheld, deductions, net earnings, check number, and date of payment.	Pay period reports—Retain 4 years.
Year-to-date annual summary [—If payroll data is posted to individual employee's earning record, retain 7 years; otherwise retain 100 years.]		If payroll data is posted to individual employee's earning record, retain 7 years; otherwise retain 100 years.

5.9 Personnel Documents

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
<i>PERSONNEL</i>		
Applications for Employment—Not Hired	Includes applications, resumes, and pre-employment records.	Retain 2 years.
Employee Card Files or Record Books	Summary may include employee's name, address, date of birth, social security number, job and salary history, and benefit and termination data.	Retain permanently for administrative and historical purposes.
Individual Employee's Personnel Records	File may include, employee ID card, application, references, photo ID records, resume, EAR, and records pertaining to health and life insurance, performance evaluations, commendations, training, change forms, retirement, letters of resignation, vacation and sick leave, salary, and separation correspondence.	Vested employees—Retain 3 years after all benefits have been paid. Non-vested employees—Retain 5 years after termination.
Employee Medical Records	May include pre-employment and other medical records showing health or physical condition of employee during their tenure.	Same as Employee's Personnel Records. For those exposed to toxic substances or harmful agents in the workplace, retain at least 30 years after termination & comply with OSHA standards.
Job Descriptions & Announcements	Narrative descriptions of job duties [&] and responsibilities.	Descriptions: Retain current plus one prior revision. Announcements: 2 years after position is filled.
Labor Negotiation files	Correspondence, reports, and other records used to negotiate contracts with labor unions representing employees.	Retain 5 years after contract expiration, or any renewal or extension thereof.
Labor Contracts and Memoranda of Understanding	Contract and other records that include the date, terms, [&] and appropriate signatures.	Retain 20 years after contract or agreement expiration or any renewal or extension thereof.

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
Equal Employment Opportunity Records	Includes affirmative action report (EEO-4) showing total number of positions by employment classification and related records, including discrimination complaint files.	Retain EEO-4 and related records 3 years. Retain case files 4 years after resolution of the case.
Union Grievances	Employee allegations of contract violations. Usually includes date, parties, and grievance.	Retain 3 years after final resolution.
Merit System Examination Records & Answer Sheets	Record may include examinee's ID, name address, title [&] and signature, test date [&] and results, and score. Answer sheet: examinee's ID#, score, test date and title.	Retain 5 years.
Training (Not Individual)	Records related to specific courses.	Retain 3 years after course is completed.
Immigration Records	INS Form I-9: Employment Eligibility Verification Forms.	Retain 3 years after date of hiring or 1 year after termination, whichever is later.

5.10 President & Administrative Judges & Court Administrators

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
Statistical and Annual Reports	Reports describing the performance of various court programs. May include cases filed, cases disposed, pending caseload, etc.	Retain permanently for administrative, legal, and historical purposes.
Administrative Orders and Regulations	Directives issued to augment local Rules and Policies.	Retain permanently.
Judicial Assignment Schedule	Directives setting forth courtroom and program assignments of judges.	Retain weekly schedules for 2 years. Retain Semi-annual and annual schedules for 10 years.
Judicial Seniority Lists	Document filed with the AOPC setting forth the names of judges according to court, birth date, and commencement of term.	Retain permanently for administrative, legal, and historical purposes.
General Administrative Documents	Reports and general correspondence relating to program activity, and policy implementation or interpretation.	Retain 2 years after expiration of term of office.
Memoranda of Understanding and Cooperative Agreements	Written agreements between governmental entities.	Retain permanently.
Pa.R.J.A. 703 Reports	President Judge copies of the judicial district's Pa.R.J.A. 703 reports. District Court Administrator copies of the judicial district's Pa.R.J.A. 703 reports.	Retain as long as the President Judge deems necessary. Retain for 5 years following the judge's resignation, retirement, death, or removal.

5.11 Pretrial Services Records

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
[PRETRIAL SERVICES RECORDS]		
[Pretrial Master Files, Electronic Monitoring Files, and Enforcement Records: Client-Based Files]	[Pretrial service files that include client's name, photo ID number, state ID number, address verification, case number, date, type of case, court history, arrest report, risk/needs assessment, enrollment form, home monitoring rules and regulations, home investigative report, progress reports, violation notes, officers' notes, judicial and related correspondence.	Retain for 3 years from the [final] conclusion of the case [based on the defendant's latest arrest].

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
<p><u>Pretrial Master Files: Client-Based Files</u></p>	<p>May also include bail guidelines, financial eligibility interviews, bail review/reduction petitions, confidential mental health assessments, conditional release records, photographs, copies of bench warrants, and probation detainers.</p> <p>Some files may include physical data about the defendant, including date of entry and expiration date of the monitor device, type of completion, charge code, reports of the defendants' movements, and related documents. May also include violation and progress reports to judges, system printouts with specific dates and times of curfew violations, judges' orders, employment information, and overall performance of the defendant while on EM.</p> <p>Also refers to Progress and Incident Reports regarding apprehensions, attempted apprehensions, and contacts with others in the home.]</p> <p><u>Pretrial Services files that include client's name, police ID number, state ID number, date of birth, social security number, address verification, docket number, date, court and failure to appear histories, assessments, and judicial and related correspondence.</u></p> <p><u>Includes documents related to client's Pretrial Services supervision, not limited to, agreement to Pretrial supervision, court orders, case notes, dates of supervision, and progress and violation reports.</u></p> <p><u>Also refers to Progress and Incident Reports with respect to apprehensions.</u></p> <p><u>May also include documents related to financial interviews, e.g., proof of income/support, assets, and dependents.</u></p> <p><u>May also include bail guidelines, financial eligibility interviews, bail review/reduction petitions, confidential mental health assessments, conditional release records, photographs, copies of bench warrants, and probation detainers.</u></p> <p><u>Also refers to Progress and Incident Reports regarding apprehensions, attempted apprehensions, and contacts with others in the home.</u></p>	
<p><u>[Pretrial Master Files, Electronic Monitoring Files, and Enforcement Records: Administrative Files] Electronic Monitoring (EM) Files</u></p>	<p>[Additionally, Pretrial Investigative files may include Shift Incident Logs, Street Logs, CJC Bench Warrant Surrender Hearing logs, Shift Assignment sheets, and vehicle assignment.]</p> <p><u>May include Shift Incident Logs, Street Logs, CJC Bench Warrant Surrender Hearing logs, Shift Assignment sheets, and vehicle assignment.</u></p> <p><u>Files may also include documents and logs related to Field Unit activity, equipment control, PTO/PO email requests, Vehicle Accident Reports (if required,) Daily Street logs, case assignment, and EM enrollment.</u></p> <p><u>Some files may include physical data about the defendant, including date of entry and expiration date of the monitor device, type of completion, charge code, reports of the defendants' movements, and related documents. May also include violation and progress reports to judges, system printouts with specific dates and times of curfew violations, judges' orders, employment information, and overall performance of the defendant while on EM.</u></p>	<p>Retain for 3 years from the [final] conclusion of the case [based on the defendant's latest arrest].</p>

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
Appointment of Counsel Financial Interviews	May also include documents related to financial interviews, e.g., proof of income/support, assets, and dependents.	Retain for 3 years from the conclusion of the case.
Data Verification Files	May include arrest logs of any law enforcement agency. Files may also include photos, documents and logs related to bench warrant hearings and surrenders, NCIC/PCIC, CLEAN, and JNET.	Retain for 3 years from the conclusion of the case. Retain for 3 years from the conclusion of the case, except NCIC/CLEAN hit confirmations, which are retained for 1 year.

5.12 Probation (Adult) Files

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
<i>ADULT PROBATION/PAROLE MASTER FILES</i>		
Probation/Parole Master Files	Consists of records pertaining to the Office of Probation and Parole, including the following: petitions to release to probation/parole, commitment papers, court orders, pre-sentence investigation reports, background sheets with photo ID, hearing summaries, Prothonotary status reports, correspondence with treatment facilities, community service status, home monitoring and case supervision records, medical records, requests to terminate, interstate and intrastate transfers, and related documents.	Retain for a minimum of one year after case is closed, then for as long as of administrative or legal value.
<i>CASE FILE INDEX</i>		
Main Index to the master files.	This index is kept in various forms. May contain probation/parolee's name, date of release to probation/parole and termination date.	Retain as long as of administrative or legal value.

5.13 Protection from Abuse **and Protection from Sexual Violence or Intimidation**

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
<i>PROTECTION FROM ABUSE</i>		
Protection from Abuse Records		Retain [18 months] <u>1 year</u> after termination of protection order.[⁵]
<i>PROTECTION FROM SEXUAL VIOLENCE OR INTIMIDATION</i>		
Protection from Sexual Violence or Intimidation Records		Retain 1 year after termination of protection order.

5.14 Purchasing Records

<i>Category</i>	<i>Description</i>	<i>Retention Period</i>
<i>PURCHASING</i>		
Purchase Order Files	Copy of purchase order usually shows number, name and address of vendor, department and account, date, quantity, unit price, and total cost. File may also include invoices, bills of lading, and purchase requisitions.	Retain 7 years.
Purchasing Files	Relates to acquisition of services, goods, and equipment. File may include specifications, bids, quotes, contracts, and other related papers (e.g., Requests for Proposals, Requests for Information).	Retain 6 years.
Supply Requisitions	Usually indicates date, department requesting supplies, items needed, total cost, and account number.	Retain 2 years.

6. Retention Forms

Unified Judicial System Scheduled Court Records Disposal Certification Request forms and Unified Judicial System Disposal Log for Non-Permanent Records forms are available in electronic and hard copy formats from the AOPC, and may be amended from time to time. Electronic versions will be available from the AOPC through <https://www.pacourts.us/forms/for-the-judiciary/> , **and through the website for the Pennsylvania Association of Court Management at <http://pacm.org>]**. Copies of the forms are appended to this schedule.

Unified Judicial System Disposal Log—Non-Permanent Records

Page _____ of _____

1. _____ 2. _____ 3. _____
 County Judicial District Record Custodian
 4. _____ 5. _____ 6. _____
 Office / Department Address Telephone No.

7. RECORD TITLE	8. AUTHORIZATION FOR DISPOSAL [§ Name (e.g. 5.7 Juvenile)]		9. INCLUSIVE DATES OF RECORDS	10. FORMAT	11. MICRO-FILMED or <u>PDF/A</u> (Y-N)	12. ORIGINAL (Y-N)

FOR USE BY RECORD CUSTODIAN

I, _____, hereby request that the Record Retention Officer authorize the disposal of the listed records.

 Record Custodian's Name

 Record Custodian's Signature

 Title

 Date

FOR USE BY THE DISTRICT RECORD RETENTION OFFICER

I, _____, hereby approve of the disposal of the records listed as requested.

 Record Retention Officer's Name

 Record Retention Officer's Signature

 Title

 Date

*Original to be retained by the District Record Retention Officer. Copy to be provided to Record Custodian. Copy to be provided to the AOPC on or before January [15th] 31st of each year. **AOPC copies of Disposal Logs may be emailed to Judicial.DistrictOperationsDept@pacourts.us***

This form is to be deleted in its entirety

[COUNTY RECORDS DISPOSAL CERTIFICATION REQUEST

[Pursuant to PA RJA 507(a)]

COUNTY	JUDICIAL DISTRICT	OFFICE OF ORIGIN	
PERSON MAKING DISPOSAL REQUEST (RECORD CUSTODIAN)		APPROVAL REQUESTED FOR <input type="checkbox"/> Records Destruction <input type="checkbox"/> Records transfer to PHMC	
ADDRESS			
RECORD TITLE AND INCLUSIVE DATES (one series per form)			
DESCRIPTION OF RECORD (include type of information contained and purpose of record)			
RETENTION PERIOD IN SCHEDULE	PAGE AND SECTION IN SCHEDULE	HAVE ALL AUDIT REQUIREMENTS BEEN MET? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable	
QUANTITY _____ TOTAL CUBIC FEET No. of cartons _____ Length _____ Width _____ Length _____ OF AVERAGE CARTON No. of volumes _____ Length _____ Width _____ Length _____ OF AVERAGE CARTON No. of the drawers _____ <input type="checkbox"/> Legal <input type="checkbox"/> Letter <input type="checkbox"/> Other _____			
HAVE THE RECORDS BEEN MICROFILMED? <input type="checkbox"/> Yes <input type="checkbox"/> No Size: <input type="checkbox"/> 16mm <input type="checkbox"/> 35mm <input type="checkbox"/> Other _____ Form: <input type="checkbox"/> Roll <input type="checkbox"/> Cartridge <input type="checkbox"/> Cassette <input type="checkbox"/> Fiche <input type="checkbox"/> Other _____		ARCHIVAL MEDIUM UTILIZED	
LOCATION OF SECURITY COPY			
FOR USE BY RECORD CUSTODIAN			
_____ hereby requests that the Record Retention Officer seek approval from the Pennsylvania Historical and Museum Commission for permission to dispose of records identified above.			
_____ <i>Date</i>	_____ <i>Signature</i>	_____ <i>Phone Number</i>	
FOR USE BY DISTRICT RECORDS RETENTION OFFICER			
PHMC authorization to dispose or transfer the above-identified records is requested. If destruction of the records is requested, I certify that the records have been reproduced on an archival medium approved by the County Records Committee.			
_____ <i>Date</i>	_____ <i>Signature of Records Custodian</i>	_____ <i>Judicial District</i>	
FOR PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION			
Approval is given for: <input type="checkbox"/> Destruction <input type="checkbox"/> Destruction as Amended <input type="checkbox"/> Transfer to PHMC <input type="checkbox"/> Disapproved <input type="checkbox"/> Retain Pending Further Instructions			
Comments/Amendments: _____			
_____ <i>Date</i>	_____ <i>Signature</i>	_____ <i>Title</i>	

*Original must be sent to the Pennsylvania Historical and Museum Commission,
 Division of Archival and Records Management Services, P.O. Box 1026, Harrisburg, PA 17108-1026
 and a copy sent to the Administrative Office of Pennsylvania Courts,
 1515 Market Street, Suite 1414, Philadelphia, PA 19102.
 Keep a copy for your records.]*

UNIFIED JUDICIAL SYSTEM SCHEDULED COURT RECORDS DISPOSAL CERTIFICATION REQUEST
(Pursuant to Pa.R.J.A. 507(b))

COUNTY	JUDICIAL DISTRICT	IF APPLICABLE	
		MAGISTERIAL DISTRICT	MAGISTERIAL DISTRICT JUDGE NAME
OFFICE OF ORIGIN		PERSON MAKING DISPOSAL REQUEST (RECORD CUSTODIAN)	
ADDRESS			
APPROVAL REQUESTED FOR: Records Destruction <input type="checkbox"/> Records Transfer to PHMC <input type="checkbox"/>			
RECORD TITLE AND INCLUSIVE DATES <i>(one series per form)</i>			
DESCRIPTION OF RECORD <i>(include type of information contained and purpose of record)</i>			
RETENTION PERIOD IN SCHEDULE	PAGE AND SECTION IN SCHEDULE	HAVE ALL AUDIT REQUIREMENTS BEEN MET? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable	
QUANTITY _____ TOTAL CUBIC FEET			
No. of cartons _____	Length _____	Width _____	Height _____ OF AVERAGE CARTON
No. of volumes _____	Length _____	Width _____	Height _____ OF AVERAGE CARTON
No. of the drawers _____	<input type="checkbox"/> Legal <input type="checkbox"/> Letter	<input type="checkbox"/> Other _____	
HAVE THE RECORDS BEEN MICROFILMED OR CONVERTED TO PDF/A? <input type="checkbox"/> Yes <input type="checkbox"/> No		ARCHIVAL MEDIUM UTILIZED	
Size: <input type="checkbox"/> 16mm <input type="checkbox"/> 35mm <input type="checkbox"/> Other _____			
Form: <input type="checkbox"/> Roll <input type="checkbox"/> Cartridge <input type="checkbox"/> Cassette <input type="checkbox"/> Fiche <input type="checkbox"/> Other			
LOCATION OF SECURITY COPY			
FOR USE BY RECORD CUSTODIAN			
_____ hereby requests that the Record Retention Officer seek approval from the Administrative Office of Pennsylvania Courts for permission to dispose of or transfer the records identified above.			
_____ <i>Date</i>	_____ <i>Signature</i>	_____ <i>Phone Number</i>	
FOR USE BY DISTRICT RECORDS RETENTION OFFICER			
Authorization to dispose of or transfer the above-identified records is requested. If destruction of the records is requested, I certify that the records have been reproduced on an archival medium approved by the Administrative Office of Pennsylvania Courts.			
_____ <i>Date</i>	_____ <i>Signature</i>	_____ <i>Judicial District</i>	
FOR USE BY THE ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS			
Review by the Pennsylvania Historical and Museum Commission <input type="checkbox"/> is <input type="checkbox"/> is not requested.			
_____ <i>Date</i>	_____ <i>Signature</i>	_____ <i>Title</i>	
FOR USE BY THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION ONLY IF REVIEW REQUESTED BY AOPC			
<input type="checkbox"/> Concur With Request <input type="checkbox"/> Recommend Denial of Request <input type="checkbox"/> Recommend Disposal Request Be Amended As Follows:			
_____ <i>Date</i>	_____ <i>Signature</i>	_____ <i>Title</i>	

FOR USE BY THE ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS		
Approval is given for: <input type="checkbox"/> Destruction <input type="checkbox"/> Destruction as Amended <input type="checkbox"/> Transfer to PHMC		
<input type="checkbox"/> Disapproved <input type="checkbox"/> Retain Pending Further Instructions		
Comments/Amendments: _____		
_____	_____	_____
<i>Date</i>	<i>Signature</i>	<i>Title</i>

***Original must be sent to the Administrative Office of Pennsylvania Courts,
1515 Market Street, Suite 1414, Philadelphia, PA 19102.***

Keep a copy for your records.

**UNIFIED JUDICIAL SYSTEM NON-SCHEDULED COURT RECORDS DISPOSAL
CERTIFICATION REQUEST**
(Pursuant to Pa.R.J.A. 507(c))

COUNTY/AGENCY	JUDICIAL DISTRICT	IF APPLICABLE, CITE APPROPRIATE FEDERAL/STATE RULES AND/OR REGULATIONS GOVERNING RETENTION	
OFFICE OF ORIGIN			
PERSON MAKING DISPOSAL REQUEST (RECORD CUSTODIAN)		PHONE	HAVE ALL AUDIT REQUIREMENTS BEEN MET? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
ADDRESS		QUANTITY _____ TOTAL CUBIC FEET No. of cartons _____	
RECORD TITLE AND INCLUSIVE DATES (<i>one series per form</i>)		Length _____ Width _____ Height _____ OF AVERAGE CARTON No. of volumes _____ Length _____ Width _____ Height _____ OF AVERAGE CARTON	
DESCRIPTION OF RECORD (<i>include type of information contained and purpose of record</i>)		No. of file drawers _____ <input type="checkbox"/> Legal <input type="checkbox"/> Letter <input type="checkbox"/> Other _____	
Is this the primary record? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, office that holds the primary record: _____		HAVE THE RECORDS BEEN MICROFILMED OR CONVERTED TO PDF/A FORMAT? <input type="checkbox"/> Yes <input type="checkbox"/> No Size: <input type="checkbox"/> 16mm <input type="checkbox"/> 35mm <input type="checkbox"/> Other _____ Form: <input type="checkbox"/> Roll <input type="checkbox"/> Cartridge <input type="checkbox"/> Cassette <input type="checkbox"/> Fiche <input type="checkbox"/> Other	
LOCATION OF SECURITY COPY			
FOR USE BY RECORD CUSTODIAN			
_____ hereby requests that the Record Retention Officer seek approval from the Administrative Office of Pennsylvania Courts for permission to dispose of or transfer the records identified above.			
_____ <i>Date</i>	_____ <i>Signature</i>	_____ <i>Phone Number</i>	
FOR USE BY DISTRICT RECORDS RETENTION OFFICER			
Authorization to dispose of or transfer the above-identified records is requested. If destruction of the records is requested, I certify that the records have been reproduced on a medium approved by the Administrative Office of Pennsylvania Courts.			
_____ <i>Date</i>	_____ <i>Signature</i>	_____ <i>Judicial District</i>	
FOR USE BY THE ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS			
Review by the Pennsylvania Historical and Museum Commission <input type="checkbox"/> is <input type="checkbox"/> is not requested.			
_____ <i>Date</i>	_____ <i>Signature</i>	_____ <i>Title</i>	

FOR USE BY THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION ONLY IF REVIEW REQUESTED BY AOPC		
<input type="checkbox"/> Concur With Request <input type="checkbox"/> Recommend Denial of Request <input type="checkbox"/> Recommend Disposal Request Be Amended As Follows:		
Date	Signature	Title
FOR USE BY THE ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS		
Approval is given for: <input type="checkbox"/> Destruction <input type="checkbox"/> Destruction as Amended <input type="checkbox"/> Transfer to PHMC <input type="checkbox"/> Disapproved <input type="checkbox"/> Retain Pending Further Instructions		
Date	Signature	Title

***Original must be sent to the Administrative Office of Pennsylvania Courts,
1515 Market Street, Suite 1414, Philadelphia, PA 19102.***

Keep a copy for your records.

**UNIFIED JUDICIAL SYSTEM
RECORD DISPOSAL CERTIFICATION REQUEST—DAMAGED RECORDS**

COUNTY	JUDICIAL DISTRICT	IF APPLICABLE	
		MAGISTERIAL DISTRICT	MAGISTERIAL DISTRICT JUDGE NAME
OFFICE OF ORIGIN		PERSON MAKING DISPOSAL REQUEST (DISTRICT COURT ADMINISTRATOR)	
ADDRESS			
APPROVAL REQUESTED FOR: <input type="checkbox"/> Records Destruction <input type="checkbox"/> Other			
RECORD TITLE AND INCLUSIVE DATES (<i>one series per form</i>)			
DESCRIPTION OF RECORD (<i>include type of information contained and purpose of record</i>)			
TYPE OF RECORD <input type="checkbox"/> Permanent <input type="checkbox"/> Non-Permanent	RETENTION PERIOD IN SCHEDULE	SECTION IN SCHEDULE	HAVE ALL AUDIT REQUIREMENTS BEEN MET? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
HAVE THE RECORDS BEEN MICROFILMED <u>OR</u> CONVERTED TO PDF/A FORMAT? <input type="checkbox"/> Yes <input type="checkbox"/> No		ARE RECORDS CONSIDERED VITAL? <input type="checkbox"/> Yes <input type="checkbox"/> No	DO COPIES (NOT MICROFILM) EXIST? <input type="checkbox"/> Yes <input type="checkbox"/> No
IF STORED ELECTRONICALLY, SPECIFY MEDIUM	LOCATION OF MICROFILMED OR ELECTRONIC COPY		
DESCRIBE DAMAGE TO RECORDS (ATTACH PHOTOS)			
IF THE AUDIT HAS NOT BEEN COMPLETED, PROVIDE INFORMATION CONCERNING AUDITING ENTITY NOTIFIED AND REQUIRED BY SECTION 2.7 OF THE RECORDS RETENTION SCHEDULE			
FOR USE BY THE JUDICIAL DISTRICT OFFICIAL RESPONSIBLE FOR RECORDS AT ISSUE			
I, the person responsible for maintenance of the records identified above, hereby request that the Record Retention Officer seek approval from the Administrative Office of Pennsylvania Courts (AOPC) to dispose of the records identified above which have been damaged and which cannot be reasonably restored or salvaged. <input type="checkbox"/> <i>Check if a Report is attached.</i>			
_____	_____	_____	
<i>Date</i>	<i>Signature</i>	<i>Phone Number</i>	
FOR USE BY DISTRICT RECORD RETENTION OFFICER			
I have reviewed the request to dispose of the damaged records identified [below] above , have participated in a evaluation to ascertain whether the damaged records could be restored or salvaged, and concur that the damaged records cannot be reasonably restored or salvaged. I recommend to the District Court Administrator that permission be sought from the AOPC to dispose of the damaged records.			
_____	_____	_____	
<i>Date</i>	<i>Signature</i>	<i>Judicial District</i>	
FOR USE BY THE DISTRICT COURT ADMINISTRATOR			
I have reviewed the request to dispose of the damaged records identified [below] above , have evaluated the report, if attached, have viewed the damaged records and available photographs and other description of the damaged records and concur that the damaged records cannot be restored or salvaged, and recommend and request that the AOPC grant permission to dispose of the damaged records.			
_____	_____	_____	
<i>Date</i>	<i>Signature</i>	<i>Title</i>	

FOR USE BY THE ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

Request for disposition is Granted Denied

Date

Signature

Title

*Original must be sent to the Administrative Office of Pennsylvania Courts,
1515 Market Street, Suite 1414, Philadelphia, PA 19102.*

Keep a copy for your records.

[Pa.B. Doc. No. 23-662. Filed for public inspection May 19, 2023, 9:00 a.m.]

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CHS. 21 AND 23]

Proposed Amendment of Pa.R.A.P. 2136 with Corollary Amendments of Pa.R.A.P. 2113, 2135, 2185, and 2322

The Appellate Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.A.P. 2113, 2135, 2136, 2185, and 2322 governing briefs in cross-appeals for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Karla M. Shultz, Counsel
Appellate Court Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9551
appellaterules@pacourts.us

All communications in reference to the proposal should be received by June 23, 2023. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Appellate Court
Procedural Rules Committee*

J. ANDREW CROMPTON,
Chair

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 21. BRIEFS AND REPRODUCED RECORD

CONTENT OF BRIEFS

(Editor's Note: Pa.R.A.P. 2113 as printed in 210 Pa. Code reads "Official Note" rather than "Note" and the "Explanatory Comment" is not codified.)

Rule 2113. Reply Brief.

(a) *General [rule.—] Rule.* In accordance with Pa.R.A.P. 2185(a) (time for serving and filing briefs), the appellant may file a brief in reply to matters raised by appellee's brief or in any *amicus curiae* brief and not previously addressed in appellant's brief. If the appellee has cross appealed, the appellee may file a similarly limited reply brief. A reply brief shall contain the certificates of compliance required by Pa.R.A.P. 127 and **Pa.R.A.P. 2135(d)**.

(b) *Response to [draft or plan.—] Draft or Plan.* A reply brief may be filed as prescribed in Pa.R.A.P. 2134 (drafts or plans).

(c) *Other [briefs.—] Briefs.* No further briefs may be filed except with leave of court.

[Note:] Comment:

An appellant now has a general right to file a reply brief. The scope of the reply brief is limited, however, in that such brief may only address matters raised by appellee and not previously addressed in appellant's brief. No subsequent brief may be filed unless authorized by the court.

The length of a reply brief is set by Pa.R.A.P. 2135 (length of briefs). The due date for a reply brief is found in Pa.R.A.P. 2185(a) (service and filing of briefs).

Where there **[are cross appeals, the deemed or] is a cross-appeal, the** designated appellee may file a similarly limited reply brief addressing issues in the **[cross appeal] cross-appeal.** See also Pa.R.A.P. 2136 (briefs in cases involving **[cross appeals] cross-appeals**).

[The 2011 amendment to paragraph (a) authorized an appellant to address in a reply brief

matters raised in *amicus curiae* briefs. Before the 2011 amendment, the rule permitted the appellant to address in its reply brief only matters raised in the appellee's brief. The 2011 amendment did not change the requirement that the reply brief must not address matters previously addressed in the appellant's principal brief.

EXPLANATORY COMMENT—2002

See Comment following Pa.R.A.P., Rule 511.]

(*Editor's Note:* Pa.R.A.P. 2135 as printed in 210 Pa. Code reads "Official Note" rather than "Note.")

Rule 2135. Length of Briefs.

(a) **General Rule.** Unless otherwise ordered by an appellate court:

(1) A principal brief shall not exceed 14,000 words and a reply brief shall not exceed 7,000 words, except as stated in [**subparagraphs (a)(2)—(4)**] **subdivisions (a)(2)—(a)(4)**. A party shall file a certificate of compliance with the word count limit if the principal brief is longer than 30 pages or the reply brief is longer than 15 pages when prepared on a word processor or typewriter.

(2) [**In cross appeals under Pa.R.A.P. 2136, the first brief of the deemed or designated appellee and the second brief of the deemed or designated appellant**] **In cross-appeals, the brief of the designated appellee required by Pa.R.A.P. 2136(b)(2) and the brief of the appellant required by Pa.R.A.P. 2136(b)(3)** shall not exceed 16,500 words. A party shall file a certificate of compliance if the brief is longer than 35 pages when produced on a word processor or typewriter.

(3) In capital direct appeals, the principal brief shall not exceed 17,500 words and a reply brief shall not exceed 8,500 words. A party shall file a certificate of compliance if the principal brief is longer than 38 pages or the reply brief is longer than 19 pages when prepared on a word processor or typewriter.

(4) In the first Capital Post-Conviction Relief Act appeal, the principal brief shall not exceed 22,500 words and a reply brief shall not exceed 11,250 words. A party shall file a certificate of compliance if the principal brief is longer than 49 pages or the reply brief is longer than 24 pages when prepared on a word processor or typewriter.

(b) **Supplementary [matter] Matters.** Supplementary matters, such as, the cover of the brief and pages containing the table of contents, tables of citations, proof of service, and any addendum containing opinions, signature blocks or any other similar supplementary matter provided for by these rules shall not count against the word count limitations set forth in [**paragraph (a) of this rule**] **subdivision (a)**.

(c) **Size and [physical characteristics] Other Physical Characteristics.** Size and other physical characteristics of briefs shall comply with Pa.R.A.P. 124.

(d) [**Certification of compliance**] **Certificate of Compliance.** Any brief in excess of the stated page limits shall include a certification that the brief complies with the word count limits. The certificate may be based on the word count of the word processing system used to prepare the brief.

[**Note:** A principal brief is any party's initial brief and, in the case of a cross appeal, the appellant's second brief, which responds to the initial brief in the cross appeal.]

Comment:

A principal brief is any party's initial brief. In a cross-appeal, the designated appellant's brief required by Pa.R.A.P. 2136(b)(3) is the principal brief. See [the note to] Pa.R.A.P. 2136. Reply briefs permitted by Pa.R.A.P. 2113 and any subsequent brief permitted by leave of court are subject to the word count limit or page limit set by this rule.

A party filing a certificate of compliance under this rule may rely on the word count of the word processing system used to prepare the brief.

[**It is important to note that each**] **Each** appellate court has the option of reducing the word count for a brief, either by general rule, see Chapter 33 (Business of the Supreme Court), Chapter 35 (Business of the Superior Court), and Chapter 37 (Business of the Commonwealth Court), or by order in a particular case.

(*Editor's Note:* The "Official Note" as follows is not codified in Pa.R.A.P. 2136 as printed in 210 Pa. Code.)

Rule 2136. Briefs in Cases Involving [**Cross Appeals**] **Cross-Appeals.**

[(a) **Designation of parties in cross appeals.** If a cross appeal is filed, the plaintiff or moving party in the court or other government unit below shall be deemed the appellant for the purposes of this chapter and Chapter 23 (sessions and argument), unless the parties otherwise agree or the appellate court otherwise orders. Where the identity of the appellant for the purposes of this chapter and Chapter 23 is not readily apparent, the prothonotary of the appellate court shall designate the appellant for the purposes of those two chapters when giving notice under Rule 1934 (filing of the record).

(b) **Order of briefs.** The deemed or designated appellant shall file its principal brief on the merits of its appeal in accordance with the briefing schedule. The deemed or designated appellee shall then file a brief that addresses (i) the arguments advanced in the appellant's brief and (ii) the merits of the cross appeal. Thereafter, the appellant shall file its second brief, which shall (i) reply to issues raised in the appellee's brief and not previously addressed in appellant's principal brief and (ii) respond to the issues raised by appellee regarding the cross appeal. The appellee may then file a reply brief limited to issues raised by the appellant that were not previously addressed by the appellee in its principal brief on the merits of the cross appeal.

Official Note: For cross appeals, Rule 2136 provides both a method for determining which party shall file the first brief and a description of the subsequent briefs. Either party may initiate the process described in Subdivision (a) by notifying the prothonotary by letter that the prothonotary must designate the appellant, that is the party to file the first brief, or that the parties have agreed which party shall be the appellant.

With regard to the briefing process, when there are cross appeals, there may be up to four briefs: (1) the deemed or designated appellant's principal brief on the merits of the appeal; (2) the deemed or designated appellee's brief responding to appellant's arguments and presenting the merits of the cross appeal; (3) the appellant's second brief reply-

ing in support of the appeal and responding to the issues raised in the cross appeal; and (4) appellee's second brief in support of the cross appeal.

Thus, the deemed or designated appellee's first brief (Brief No. 2 as described above) functions as both a response to the arguments advanced by the appellant in the first appeal and the primary brief on the merits of the cross appeal. Similarly, the deemed or designated appellant's second brief (Brief No. 3 as described above) serves the dual purposes of responding to the merits of the arguments in the cross appeal and replying to arguments raised in opposition to the first appeal. See generally Rule 2111 (brief of the appellant), Rule 2112 (brief of the appellee), and Rule 2113(a) (regarding reply briefs).

Rule 2135 (length of briefs) establishes the length of the various briefs. Only appellee's second brief is considered a reply brief subject to the lesser page limits. There is no provision for a longer principal brief on the merits in cross appeal situations.

Rule 2185(a) (time for serving and filing briefs) provides that appellant's second brief shall be served within 30 days after service of the preceding brief. Appellee's second brief is due 14 days later.

Rule 2322 (cross and separate appeals) addresses oral argument in cross appeals.]

(This is entirely new text.)

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

(a) *Designation of the Parties in Cross-Appeals.* If a cross-appeal is filed, for the purposes of this chapter (briefs and reproduced record) and Chapter 23 (sessions and argument), the plaintiff or moving party in the trial court or other government unit shall be designated the appellant and any remaining party shall be designated the appellee, unless other designations are made by:

- (1) order of the appellate court; or
- (2) agreement of the parties, who shall promptly notify the prothonotary of the appellate court of the parties' designations.

(b) *Scope and Sequence of Briefs.* In accordance with the briefing schedule, the scope and sequence of briefs shall be as follows:

(1) *First Brief—Designated Appellant's Brief on the Merits of the Appeal.* The designated appellant shall file a brief addressing the merits of the appeal in accordance with Pa.R.A.P. 2111.

(2) *Second Brief—Designated Appellee's Brief on the Merits of the Cross-Appeal and Response to Appeal.* The designated appellee shall file a brief on the merits of the cross-appeal in accordance with Pa.R.A.P. 2111. In the same brief, the designated appellee shall respond to the designated appellant's arguments in the designated appellant's brief on the merits of the appeal in accordance with Pa.R.A.P. 2112.

(3) *Third Brief—Designated Appellant's Response to Cross-Appeal and Reply Brief in Support of Appeal.* The designated appellant shall file a response to the designated appellee's arguments in the designated appellee's brief on the merits of the cross-appeal in accordance with Pa.R.A.P. 2112. In the same brief, the designated appel-

lant shall file any reply in support of the appeal in accordance with Pa.R.A.P. 2113.

(4) *Fourth Brief—Designated Appellee's Reply Brief.* The designated appellee shall file any reply to the designated appellant's response in accordance with Pa.R.A.P. 2113.

Comment:

Pa.R.A.P. 2136 provides both a method for determining which party shall file the first brief and the sequence for filing those briefs. Subdivision (a) specifies that the party initiating the action in either the trial court or other government unit is the designated appellant unless the appellate court otherwise orders or the parties otherwise agree.

If the parties have agreed to a designation of appellant and appellee, they shall inform the prothonotary of the appellate court of the agreed-upon designations at the earliest opportunity. An agreement of the parties to designate a different appellant or appellee does not toll the time for filing a party brief. Following an agreement to designate a different appellant or appellee, each party maintains the obligation to file briefs pursuant to the schedule set by the appellate court.

Subdivision (b) addresses the sequence of briefs. A designated appellant may file up to two briefs, as described in subdivisions (b)(1) and (b)(3). A designated appellee may file up to two briefs, as described in subdivisions (b)(2) and (b)(4).

See Pa.R.A.P. 2111, 2112, and 2113 for the scope and content of briefs filed pursuant to subdivision (b).

Pa.R.A.P. 2135 (length of briefs) establishes the length of the various briefs. Only the brief filed by the designated appellee pursuant to subdivision (b)(4) is considered a reply brief subject to lower page and word limitations. All other briefs are subject to usual page and word limitations.

Pa.R.A.P. 2185(a) (time for serving and filing briefs) provides that the brief by the designated appellant pursuant to subdivision (b)(3) shall be served within 30 days after service of the brief filed by the designated appellee pursuant to subdivision (b)(2). The designated appellee's brief filed pursuant to subdivision (b)(4) is due 14 days following the filing of the designated appellant's brief pursuant to subdivision (b)(3).

Pa.R.A.P. 2322 (cross-appeals and separate appeals) addresses oral argument in cross-appeals.

FILING AND SERVICE

(*Editor's Note:* The "Explanatory Comments" are not codified in Pa.R.A.P. 2185 as printed in 210 Pa. Code.)

Rule 2185. Service and Filing of Briefs.

(a) *Time for [serving and filing briefs] Serving and Filing Briefs.*

(1) *General [rule.—] Rule.* Except as otherwise provided by this rule, the appellant shall serve and file appellant's brief not later than the date fixed pursuant to [Subdivision] subdivision (b) [of this rule,] or within 40 days after the date on which the record is filed, if no other date is so fixed. The appellee shall serve and file appellee's brief within 30 days after service of appellant's brief and reproduced record if proceeding under [Rule] Pa.R.A.P. 2154(a) (general rule). A party may serve and file a reply brief permitted by these rules within 14 days after service of the preceding brief but,

except for good cause shown, a reply brief must be served and filed so as to be received at least three days before argument. **[In cross appeals, the second brief of the deemed or designated appellant shall be served and filed within 30 days of service of the deemed or designated appellee's first brief.] In cross-appeals, the brief of the designated appellant required by Pa.R.A.P. 2136(b)(3) shall be served and filed within 30 days of service of the brief of the designated appellee required by Pa.R.A.P. 2136(b)(2).** Except as prescribed by **[Rule] Pa.R.A.P. 2187(b)** (advance text of briefs), each brief shall be filed not later than the last day fixed by or pursuant to this rule for its service. Briefs shall be deemed filed on the date of mailing if first class, express, or priority United States Postal Service mail is utilized.

(2) *Children's [fast track appeals] **Fast Track Appeals.***

(i) In a children's fast track appeal, the appellant shall serve and file appellant's brief within 30 days after the date on which the record is filed, if no other date is so fixed. The appellee shall serve and file appellee's brief within 21 days after service of appellant's brief and reproduced record. A party may serve and file a reply brief permitted by these rules within **[7] seven** days after service of the preceding brief but, except for good cause shown, a reply brief must be served and filed so as to be received at least **[3] three** days before argument. **[In cross appeals, the second brief of the deemed or designated appellant shall be served and filed within 21 days of service of the deemed or designated appellee's first brief.] In cross-appeals, the brief of the designated appellant required by Pa.R.A.P. 2136(b)(3) shall be served and filed within 21 days of service of the brief of the designated appellee required by Pa.R.A.P. 2136(b)(2).** Briefs shall be deemed filed on the date of mailing if first class, express, or priority United States Postal Service mail is utilized.

(ii) In a children's fast track appeal, the provisions of **[Subdivisions] subdivisions** (b) and (c) **[of this Rule]** shall not apply.

(3) *Multiple [briefs for appellants or appellees.—] **Briefs for Appellants or Appellees.*** If the time for filing a brief is established by reference to service of a preceding brief and more than one such preceding brief is filed, the deadline for filing the subsequent brief shall be calculated from the date on which the last timely filed preceding brief is served. If no such preceding brief is filed, the deadline for a subsequent brief shall be calculated from the date on which the preceding brief should have been filed.

(b) *Notice of [deferred briefing schedule.—] **Deferred Briefing Schedule.*** When the record is filed, the prothonotary of the appellate court shall estimate the date on which the matter will be argued before or submitted to the court, having regard for the nature of the case and the status of the calendar of the court. If the prothonotary determines that the matter will probably not be reached by the court for argument or submission within 30 days after the latest date on which the last brief could be filed under the usual briefing schedule established by these rules, the prothonotary shall fix a specific calendar date as the last date for the filing of the brief of the appellant in the matter, and shall give notice

thereof as required by these rules. The date so fixed by the prothonotary shall be such that the latest date on which the last brief in the matter could be filed under these rules will fall approximately 30 days before the probable date of argument or submission of the matter.

(c) *Definitive [copies.—] **Copies.*** If the record is being reproduced pursuant to **[Rule] Pa.R.A.P. 2154(b)** (large records) the brief served pursuant to **[Subdivision] subdivision** (a) **[of this rule]** may be typewritten or page proof copies of the brief, with appropriate references to pages of the parts of the original record involved. Within 14 days after the reproduced record is filed, each party who served briefs in advance form under this subdivision shall serve and file definitive copies of **[his or her] the party's** brief or briefs containing references to the pages of the reproduced record in place of or in addition to the initial references to the pages of the parts of the original record involved (see **[Rule] Pa.R.A.P. 2132** (references in briefs to the record)). No other changes may be made in the briefs as initially served, except that typographical errors may be corrected.

[Official Note: The 2002 amendment] **Comment:** **Pa.R.A.P. 2185(a)** recognizes that in **[cross appeals] cross-appeals** the **[deemed or]** designated appellant's second brief is more extensive than a reply brief and, therefore may require more than 14 days to prepare. See **[Rule] Pa.R.A.P. 2136** (briefs in cases involving cross appeals).

[The addition of paragraph] **Subdivision** (a)(3) **[clarified] clarifies** practice in an appeal in which there is more than one appellant or appellee and all appellants or all appellees do not file their briefs on the same date. For example, if there are two appellants and one files early or one is granted an extension of time to file, the two briefs for appellants will not be filed or served on the same date. **[Without paragraph (a)(3), it was not] **Subdivision**** (a)(3) **makes** clear when the appellee's 30-day period to file its brief **[began] begins**. The same issue can arise with respect to the appellant's time for filing its reply brief when there are two or more appellees. **[New paragraph (a)(3) clarified] **Subdivision**** (a)(3) **clarifies** the point by starting the period on the date on which the latest, timely filed preceding brief is served.

[EXPLANATORY COMMENT—1979

The principal criticism of the new Appellate Rules has been the provisions for deferred preparation of the reproduced record, and the resulting procedure for the filing of advance copies of briefs (since the page citations to the reproduced record pages are not then available) followed by the later preparation and filing of definitive briefs with citations to the reproduced record pages. It has been argued that in the typical state court appeal the record is quite small, with the result that the pre-1976 practice of reproducing the record in conjunction with the preparation of appellant's definitive brief is entirely appropriate and would ordinarily be followed if the rules did not imply a preference for the deferred method. The Committee has been persuaded by these comments, and the rules have been redrafted to imply that the deferred method is a secondary method particularly appropriate for longer records.

Also, the number of briefs to be filed under the *in forma pauperis* procedure has been increased from ten to 15 in the Commonwealth and Superior Courts.

EXPLANATORY COMMENT—2002

See Comment following Pa.R.A.P., Rule 511.]

CHAPTER 23. SESSIONS AND ARGUMENT

ORDER AND CONTENT OF ARGUMENT

(*Editor's Note:* Pa.R.A.P. 2322 as printed in 210 Pa. Code reads "Official Note" rather than "Note" and the "Explanatory Comment" is not codified.)

Rule 2322. [**Cross**] **Cross-Appeals** and Separate Appeals.

(a) **Cross-Appeals.** A [**cross or separate appeal**] **cross-appeal** shall be argued with the initial appeal at a single argument, unless the court otherwise directs. [**If a case involves a cross appeal, the plaintiff or moving party in the action below shall be deemed the appellant for the purposes of these rules unless the parties otherwise agree or the court otherwise directs. If two or more parties support the same argument, care shall be taken to avoid duplication of argument.**]

(b) **Separate Appeals.** A separate appeal shall be argued with the initial appeal at a single argument, unless the court otherwise directs. If two or more parties support the same argument, care shall be taken to avoid duplication of argument. Where two or more appeals [, not being cross-appeals,] are heard together, each appellant shall open the argument on [**his**] **each appellant's** appeal, each appellee shall reply thereto [, and (if permitted by the court by way of rebuttal)]. If permitted by the court in rebuttal, not more than two appellants will be heard in conclusion.

[*Note:* Based in part on former Supreme Court Rule 31 and former Superior Court Rule 23. See Rule]

Comment:

See Pa.R.A.P. 2136 (briefs in [**cases involving cross appeals**] **cross-appeals**) for inclusion of **the** designation of **the** appellant **and the** appellee for purposes of this chapter in notice given by the appellate prothonotary under [**Rule**] Pa.R.A.P. 1934 (filing of the record).

[EXPLANATORY COMMENT—1979

The appellate prothonotary is directed to designate the party who shall file the first brief in cases involving cross appeals where the identity of the "moving party" below is not readily apparent.]

SUPREME COURT OF PENNSYLVANIA APPELLATE COURT PROCEDURAL RULES COMMITTEE

PUBLICATION REPORT

Proposed Amendment of Pa.R.A.P. 2136 with
Corollary Amendments of Pa.R.A.P. 2113, 2135, 2185,
and 2322

The Appellate Court Procedural Rules Committee is considering proposing to the Supreme Court the amendment of Pennsylvania Rule of Appellate Procedure 2136 governing the designation of parties and the sequence

and order of briefs in cross-appeals. Corollary amendments of Pa.R.A.P. 2113, 2135, 2185, and 2322 are also proposed.

The Committee received a request to amend Pa.R.A.P. 2136 to clarify for practitioners the order and sequence of filing briefs in cross-appeals. Preliminarily, the Committee acknowledged that the Superior Court and the Commonwealth Court have different practices for the administrative management of cross-appeals. The Commonwealth Court most often designates the appellant and the appellee via court order followed by a briefing schedule that instructs which party is to file a specific brief. The Superior Court, on the other hand, has administratively designated each brief as a "Step 1 brief," "Step 2 brief," etc. to guide attorneys as to who must file which brief and when. Given the disparity in practice, the Committee agreed to consider amendments to the rule.

At the outset of its review, the Committee observed that current Pa.R.A.P. 2136 contains two components. First, subdivision (a) governs how the parties are designated in cross-appeals. It provides that the plaintiff in the lower court is the appellant on appeal unless the parties agree or the court orders otherwise. The Committee examined Pennsylvania's designation procedure, including how it differs from the designation procedure in Fed.R.App.P. 28.1. Under the federal approach, the first to file is the presumptive appellant. The Committee weighed the relative merits of each approach and concluded that the federal approach does not provide any marked benefit to the courts or practitioners over Pennsylvania's existing practice.

The Committee therefore proposes retaining Pennsylvania's existing approach to designation of parties in a cross-appeal with the following changes to subdivision (a) as follows:

1) Restate the subdivision (a) in shorter sentences so that each part contains single procedural steps, in appropriate sequence, and reflecting current practice.

2) Remove the second sentence of current subdivision (a) authorizing the appellate court prothonotary to designate the appellant when the appellant's identity is not readily apparent when giving notice under Pa.R.A.P. 1934 (notice of filing of the record) and Pa.R.A.P. 2185 (notice of deferred briefing schedule). This part of current subdivision (a) is redundant given that the appellate courts already have authority to designate the parties by order.

Second, subdivision (b) provides for the order of briefs and the contents of each brief. Typically, the sequence of briefs is set forth in an appellate court's briefing schedule. However, to benefit the appellate courts and practitioners alike, the proposed amendment to subdivision (b) is intended to improve legibility and reflect current practice.

As a result, the Committee proposes substantial changes to the text of subdivision (b) as follows:

1) Restate this subdivision in shorter sentences so that each part contains single procedural steps, in appropriate sequence.

2) Add the current commentary relating to the order of briefs into the rule text. The Committee observed that the current Comment to Pa.R.A.P. 2136, which discusses the order of briefs in a numerical sequence, is instructive to practitioners and proposes making it part of the rule.

3) Restate the requirements for the content of briefs in subdivision (b) by reference to Pa.R.A.P. 2111, 2112, and 2113. Those rules govern the scope of an appellant's opening brief, an appellee's responsive brief, and the

appellant's reply brief. Referencing Pa.R.A.P. 2111, 2112, and 2113 in relation to the contents of briefs is intended to provide clearer direction for practitioners filing briefs in a cross-appeal.

Questions may arise whether the phrasing "shall file any reply . . . in accordance with Pa.R.A.P. 2113" in Pa.R.A.P.(b)(3) and (b)(4) suggests to practitioners that the filing of a reply brief would be mandated by Pa.R.A.P. 2136(b). This is not the intent of the proposed amendment. Nor can the language be fairly understood to impose such a requirement, especially when it is read together with Pa.R.A.P. 2113. Subdivisions (b)(3) and (b)(4), if amended as proposed, would mandate compliance with Pa.R.A.P. 2113. In turn, Pa.R.A.P. 2113 plainly states that the filing of a reply brief is not mandatory. The relevant language is as follows: "[T]he appellant may file a brief in reply to matters raised by appellee's brief or in any amicus curiae brief and not previously addressed in appellant's brief. If the appellee has cross appealed, the appellee may file a similarly limited reply brief."

* * *

Accordingly, the Committee invites all comments, objections, concerns, and suggestions regarding this proposed rulemaking.

[Pa.B. Doc. No. 23-663. Filed for public inspection May 19, 2023, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

List of Financial Institutions

Notice is hereby given that pursuant to Rule 221(b), Pa.R.D.E., the following List of Financial Institutions have been approved by the Supreme Court of Pennsylvania for the maintenance of fiduciary accounts of attorneys. Each financial institution has agreed to comply with the requirements of Rule 221, Pa.R.D.E., which provides for trust account overdraft notification.

SUZANNE E. PRICE,
Attorney Registrar

FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES OF TRUST ACCOUNTS OF ATTORNEYS

Bank Code A.

595 Abacus Federal Savings Bank
2 ACNB Bank
613 Allegent Community Federal Credit Union
375 Altoona First Savings Bank
376 Ambler Savings Bank
532 **AMERICAN BANK (PA)**
615 Americhoice Federal Credit Union
116 **AMERISERV FINANCIAL**
648 Andover Bank (The)
377 Apollo Trust Company

Bank Code B.

558 Bancorp Bank (The)
485 Bank of America, NA
662 **BANK OF BIRD-IN-HAND**
415 Bank of Landisburg (The)
596 **BANK OF PRINCETON (THE)**
664 BankUnited, NA
501 BELCO Community Credit Union

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

Bank Code C.

654 CACL Federal Credit Union
618 Capital Bank, NA
675 **CENTRE 1ST BANK, A DIVISION OF OLD
DOMINION NATIONAL BANK**
394 **CFS BANK**
623 Chemung Canal Trust Company
599 Citibank, NA
238 Citizens & Northern Bank
561 Citizens Bank, NA
206 Citizens Savings Bank
576 Clarion County Community Bank
591 Clearview Federal Credit Union
23 CNB Bank
223 Commercial Bank & Trust of PA
21 Community Bank (PA)
371 Community Bank, NA (NY)
132 Community State Bank of Orbisonia
380 County Savings Bank
536 Customers Bank

Bank Code D.

339 Dime Bank (The)
27 Dollar Bank, FSB

Bank Code E.

500 Elderton State Bank
567 Embassy Bank for the Lehigh Valley
541 Enterprise Bank
28 Ephrata National Bank
601 Esquire Bank, NA
340 ESSA Bank & Trust

Bank Code F.

629 1st Colonial Community Bank
158 1st Summit Bank
31 F & M Trust Company—Chambersburg
658 Farmers National Bank of Canfield
34 Fidelity Deposit & Discount Bank (The)
583 Fifth Third Bank
661 First American Trust, FSB
643 First Bank
174 First Citizens Community Bank
191 First Columbia Bank & Trust Company
539 First Commonwealth Bank
674 First Commonwealth Federal Credit Union
504 First Federal S & L Association of Greene
County
525 First Heritage Federal Credit Union
42 First Keystone Community Bank
51 First National Bank & Trust Company of
Newtown (The)
48 First National Bank of Pennsylvania
426 First Northern Bank & Trust Company
604 First Priority Bank, a division of Mid Penn
Bank
592 **FIRST RESOURCE BANK**
657 First United Bank & Trust
408 First United National Bank
151 Firstrust Savings Bank
416 Fleetwood Bank
175 FNCB Bank
647 **FORBRIGHT BANK**

291 Fox Chase Bank
 241 Franklin Mint Federal Credit Union
 639 Freedom Credit Union
 58 Fulton Bank, NA

Bank Code G.

499 Gratz Bank (The)
 498 Greenville Savings Bank

Bank Code H.

244 Hamlin Bank & Trust Company
 362 Harleysville Savings Bank
 363 Hatboro Federal Savings
 463 Haverford Trust Company (The)
 606 Hometown Bank of Pennsylvania
 68 Honesdale National Bank (The)
364 HUNTINGDON VALLEY BANK
 605 Huntington National Bank (The)
 608 Hyperion Bank

Bank Code I.

669 Industrial Bank
 365 InFirst Bank
 668 Inspire FCU
 557 Investment Savings Bank
 526 Iron Workers Savings Bank

Bank Code J.

70 Jersey Shore State Bank
 127 Jim Thorpe Neighborhood Bank
 488 Jonestown Bank & Trust Company
 659 JPMorgan Chase Bank, NA
72 JUNIATA VALLEY BANK (THE)

Bank Code K.

651 KeyBank NA
 414 Kish Bank

Bank Code L.

78 Luzerne Bank

Bank Code M.

361 M & T Bank
 386 Malvern Bank, NA
 510 Marion Center Bank
 387 Marquette Savings Bank
 81 Mars Bank
 367 Mauch Chunk Trust Company
 511 MCS (Mifflin County Savings) Bank
 641 Members 1st Federal Credit Union
 555 Mercer County State Bank
 192 Merchants Bank of Bangor
 671 Merchants Bank of Indiana
 610 Meridian Bank
 294 Mid Penn Bank
276 MIFFLINBURG BANK & TRUST COMPANY
 457 Milton Savings Bank
484 MUNCY BANK & TRUST COMPANY (THE)

Bank Code N.

433 National Bank of Malvern
 168 NBT Bank, NA
 347 Neffs National Bank (The)
434 NEW TRIPOLI BANK
 15 NextTier Bank, NA
 636 Noah Bank
 666 Northern Trust Co.
 439 Northumberland National Bank (The)
 93 Northwest Bank

Bank Code O.

653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

Bank Code P.

598 PARKE BANK
 584 Parkview Community Federal Credit Union
 40 Penn Community Bank
 540 PennCrest Bank
 419 Pennian Bank
 447 Peoples Security Bank & Trust Company
 99 PeoplesBank, a Codorus Valley Company
 556 Philadelphia Federal Credit Union
 448 Phoenixville Federal Bank & Trust
 665 Pinnacle Bank
 79 PNC Bank, NA
 449 Port Richmond Savings
 667 Premier Bank
 354 Presence Bank
 451 Progressive-Home Federal Savings & Loan Association
 637 Provident Bank
 491 PS Bank

Bank Code Q.

107 QNB Bank
 560 Quaint Oak Bank

Bank Code R.

452 Reliance Savings Bank
 220 Republic First Bank d/b/a Republic Bank

Bank Code S.

153 S & T Bank
 316 Santander Bank, NA
 460 Second Federal S & L Association of Philadelphia
 646 Service 1st Federal Credit Union
 458 Sharon Bank
 462 Slovenian Savings & Loan Association of Franklin-Conemaugh
486 SOMERSET TRUST COMPANY
 633 SSB Bank
 122 Susquehanna Community Bank

Bank Code T.

638 3Hill Credit Union
 143 TD Bank, NA
656 TIOGA FRANKLIN SAVINGS BANK
 182 Tompkins Vist Bank
 660 Top Tier FCU
 577 Traditions Bank
 609 Tristate Capital Bank
 672 Truist Bank
 640 TruMark Financial Credit Union
 467 Turbotville National Bank (The)

Bank Code U.

483 UNB Bank
 481 Union Building and Loan Savings Bank
 634 United Bank, Inc.
 472 United Bank of Philadelphia
 475 United Savings Bank
 600 Unity Bank
 232 Uninvest Bank & Trust Co.

Bank Code V.

611 Victory Bank (The)

Bank Code W.

119	Washington Financial Bank
121	Wayne Bank
631	WELLS FARGO BANK, NA
553	WesBanco Bank, Inc.
494	West View Savings Bank
473	Westmoreland Federal S & L Association
476	William Penn Bank
272	Woodlands Bank
573	Woori America Bank
630	WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.**Bank Code Y.****Bank Code Z.****PLATINUM LEADER BANKS**

The **HIGHLIGHTED ELIGIBLE INSTITUTIONS** are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program. These Institutions pay a net yield at the higher of 1% or 75 percent of the Federal Funds Target Rate on all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

IOLTA EXEMPTION

Exemptions are not automatic. If you believe you qualify, you must apply by sending a written request to the IOLTA Board's executive director: 601 Commonwealth Avenue, Suite 2400, P.O. Box 62445, Harrisburg, PA 17106-2445. If you have questions concerning IOLTA or exemptions from IOLTA, please visit their website at www.paiolta.org or call the IOLTA Board at (717) 238-2001 or (888) PAIOLTA.

**FINANCIAL INSTITUTIONS WHO HAVE FILED
AGREEMENTS TO BE APPROVED AS A
DEPOSITORY OF TRUST ACCOUNTS AND TO
PROVIDE DISHONORED CHECK REPORTS IN
ACCORDANCE WITH RULE 221, Pa.R.D.E.**

*New**Name Change*

596	MoreBank, a division of The Bank of Princeton—Change to 596 Bank of Princeton (The)
136	Centric Bank—Change to 539 First Commonwealth Bank

Platinum Leader Change

119	Washington Financial Bank—Remove
-----	----------------------------------

*Correction**Removal*

[Pa.B. Doc. No. 23-664. Filed for public inspection May 19, 2023, 9:00 a.m.]

SUPREME COURT

Financial Institutions Approved as Depositories for Fiduciary Accounts; No. 233 Disciplinary Rules Docket

Order*Per Curiam*

And Now, this 10th day of May, 2023, it is hereby Ordered that the financial institutions named on the

attached list are approved as depositories for fiduciary accounts in accordance with Pa.R.D.E. 221.

Bank Code A.

595	Abacus Federal Savings Bank
2	ACNB Bank
613	Allegent Community Federal Credit Union
375	Altoona First Savings Bank
376	Ambler Savings Bank
532	AMERICAN BANK (PA)
615	Americhoice Federal Credit Union
116	AMERISERV FINANCIAL
648	Andover Bank (The)
377	Apollo Trust Company

Bank Code B.

558	Bancorp Bank (The)
485	Bank of America, NA
662	BANK OF BIRD-IN-HAND
415	Bank of Landisburg (The)
596	BANK OF PRINCETON (THE)
664	BankUnited, NA
501	BELCO Community Credit Union
673	BENCHMARK FEDERAL CREDIT UNION
652	Berkshire Bank
663	BHCU
5	BNY Mellon, NA
392	Brentwood Bank
495	Brown Brothers Harriman Trust Co., NA

Bank Code C.

654	CACL Federal Credit Union
618	Capital Bank, NA
675	CENTRE 1ST BANK, A DIVISION OF OLD DOMINION NATIONAL BANK
394	CFS BANK
623	Chemung Canal Trust Company
599	Citibank, NA
238	Citizens & Northern Bank
561	Citizens Bank, NA
206	Citizens Savings Bank
576	Clarion County Community Bank
591	Clearview Federal Credit Union
23	CNB Bank
223	Commercial Bank & Trust of PA
21	Community Bank (PA)
371	Community Bank, NA (NY)
132	Community State Bank of Orbisonia
380	County Savings Bank
536	Customers Bank

Bank Code D.

339	Dime Bank (The)
27	Dollar Bank, FSB

Bank Code E.

500	Elderton State Bank
567	Embassy Bank for the Lehigh Valley
541	Enterprise Bank
28	Ephrata National Bank
601	Esquire Bank, NA
340	ESSA Bank & Trust

Bank Code F.

629	1st Colonial Community Bank
158	1st Summit Bank
31	F & M Trust Company—Chambersburg
658	Farmers National Bank of Canfield
34	Fidelity Deposit & Discount Bank (The)
583	Fifth Third Bank

661 First American Trust, FSB
 643 First Bank
 174 First Citizens Community Bank
 191 First Columbia Bank & Trust Company
 539 First Commonwealth Bank
 674 First Commonwealth Federal Credit Union
 504 First Federal S & L Association of Greene County
 525 First Heritage Federal Credit Union
 42 First Keystone Community Bank
 51 First National Bank & Trust Company of Newtown (The)
 48 First National Bank of Pennsylvania
 426 First Northern Bank & Trust Company
 604 First Priority Bank, a division of Mid Penn Bank
592 FIRST RESOURCE BANK
 657 First United Bank & Trust
 408 First United National Bank
 151 Firsttrust Savings Bank
 416 Fleetwood Bank
 175 FNCB Bank
647 FORBRIGHT BANK
 291 Fox Chase Bank
 241 Franklin Mint Federal Credit Union
 639 Freedom Credit Union
 58 Fulton Bank, NA

Bank Code G.

499 Gratz Bank (The)
 498 Greenville Savings Bank

Bank Code H.

244 Hamlin Bank & Trust Company
 362 Harleysville Savings Bank
 363 Hatboro Federal Savings
 463 Haverford Trust Company (The)
 606 Hometown Bank of Pennsylvania
 68 Honesdale National Bank (The)
364 HUNTINGDON VALLEY BANK
 605 Huntington National Bank (The)
 608 Hyperion Bank

Bank Code I.

669 Industrial Bank
 365 InFirst Bank
 668 Inspire FCU
 557 Investment Savings Bank
 526 Iron Workers Savings Bank

Bank Code J.

70 Jersey Shore State Bank
 127 Jim Thorpe Neighborhood Bank
 488 Jonestown Bank & Trust Company
 659 JPMorgan Chase Bank, NA
72 JUNIATA VALLEY BANK (THE)

Bank Code K.

651 KeyBank NA
 414 Kish Bank

Bank Code L.

78 Luzerne Bank

Bank Code M.

361 M & T Bank
 386 Malvern Bank, NA
 510 Marion Center Bank
 387 Marquette Savings Bank
 81 Mars Bank

367 Mauch Chunk Trust Company
 511 MCS (Mifflin County Savings) Bank
 641 Members 1st Federal Credit Union
 555 Mercer County State Bank
 192 Merchants Bank of Bangor
 671 Merchants Bank of Indiana
 610 Meridian Bank
 294 Mid Penn Bank
276 MIFFLINBURG BANK & TRUST COMPANY
 457 Milton Savings Bank
484 MUNCY BANK & TRUST COMPANY (THE)

Bank Code N.

433 National Bank of Malvern
 168 NBT Bank, NA
 347 Neffs National Bank (The)
434 NEW TRIPOLI BANK
 15 NexTier Bank, NA
 636 Noah Bank
 666 Northern Trust Co.
 439 Northumberland National Bank (The)
 93 Northwest Bank

Bank Code O.

653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

Bank Code P.

598 PARKE BANK
 584 Parkview Community Federal Credit Union
 40 Penn Community Bank
 540 PennCrest Bank
 419 Pennian Bank
 447 Peoples Security Bank & Trust Company
 99 PeoplesBank, a Codorus Valley Company
 556 Philadelphia Federal Credit Union
 448 Phoenixville Federal Bank & Trust
 665 Pinnacle Bank
 79 PNC Bank, NA
 449 Port Richmond Savings
 667 Premier Bank
 354 Presence Bank
 451 Progressive-Home Federal Savings & Loan Association
 637 Provident Bank
 491 PS Bank

Bank Code Q.

107 QNB Bank
 560 Quaint Oak Bank

Bank Code R.

452 Reliance Savings Bank
 220 Republic First Bank d/b/a Republic Bank

Bank Code S.

153 S & T Bank
 316 Santander Bank, NA
 460 Second Federal S & L Association of Philadelphia
 646 Service 1st Federal Credit Union
 458 Sharon Bank
 462 Slovenian Savings & Loan Association of Franklin-Conemaugh
486 SOMERSET TRUST COMPANY
 633 SSB Bank
 122 Susquehanna Community Bank

Bank Code T.

638	3Hill Credit Union
143	TD Bank, NA
656	TIOGA FRANKLIN SAVINGS BANK
182	Tompkins Vist Bank
660	Top Tier FCU
577	Traditions Bank
609	Tristate Capital Bank
672	Truist Bank
640	TruMark Financial Credit Union
467	Turbotville National Bank (The)

Bank Code U.

483	UNB Bank
481	Union Building and Loan Savings Bank
634	United Bank, Inc.
472	United Bank of Philadelphia
475	United Savings Bank
600	Unity Bank
232	Univest Bank & Trust Co.

Bank Code V.

611	Victory Bank (The)
-----	--------------------

Bank Code W.

119	Washington Financial Bank
121	Wayne Bank
631	WELLS FARGO BANK, NA
553	WesBanco Bank, Inc.
494	West View Savings Bank
473	Westmoreland Federal S & L Association
476	William Penn Bank
272	Woodlands Bank
573	Woori America Bank
630	WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.**Bank Code Y.****Bank Code Z.****PLATINUM LEADER BANKS**

The **HIGHLIGHTED ELIGIBLE INSTITUTIONS** are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program. These Institutions pay a net yield at the higher of 1% or 75 percent of the Federal Funds Target Rate on all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

IOLTA EXEMPTION

Exemptions are not automatic. If you believe you qualify, you must apply by sending a written request to the IOLTA Board's executive director: 601 Commonwealth Avenue, Suite 2400, P.O. Box 62445, Harrisburg, PA 17106-2445. If you have questions concerning IOLTA or exemptions from IOLTA, please visit their website at www.paiolta.org or call the IOLTA Board at (717) 238-2001 or (888) PAIOLTA.

**FINANCIAL INSTITUTIONS WHO HAVE FILED
AGREEMENTS TO BE APPROVED AS A
DEPOSITORY OF TRUST ACCOUNTS AND TO
PROVIDE DISHONORED CHECK REPORTS IN
ACCORDANCE WITH RULE 221, Pa.R.D.E.**

*New**Name Change*

596	MoreBank, a division of The Bank of Princeton—Change to 596 Bank of Princeton (The)
136	Centric Bank—Change to 539 First Commonwealth Bank

Platinum Leader Change

119	Washington Financial Bank—Remove
-----	----------------------------------

*Correction**Removal*

[Pa.B. Doc. No. 23-665. Filed for public inspection May 19, 2023, 9:00 a.m.]