

THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1915]

Order Amending Rules 1915.11-2 and 1915.21 of the Pennsylvania Rules of Civil Procedure; No. 737 Civil Procedural Rules Docket

Order

Per Curiam

And Now, this 27th day of January, 2023, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment at 50 Pa.B. 7007 (December 12, 2020) and re-published for public comment at 51 Pa.B. 6141 (September 25, 2021):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1915.11-2 and 1915.21 of the Pennsylvania Rules of Civil Procedure are amended in the attached forms.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective April 1, 2023.

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

Deletions from the rule are shown in bold and brackets.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

Rule 1915.11-2. [Appointment of Guardian Ad Litem] Guardian Ad Litem.

(*Editor's Note:* Pa.R.C.P. 1915.11-2 as printed in 231 Pa. Code reads "Official Note" rather than "Note.")

[(a) The court may, on its own motion or the motion of a party, appoint a guardian ad litem to represent the best interests of the child in a custody action. The guardian ad litem shall be a licensed attorney or licensed mental health professional. The guardian ad litem shall not act as the child's counsel or represent the child's legal interests. Prior to appointing a guardian ad litem, the court shall make a finding that the appointment is necessary to assist the court in determining the best interests of the child.

(b) The court may order either or both parties to pay all or part of the costs of appointing a guardian ad litem.

(c) The guardian ad litem shall file of record and provide copies of any reports prepared by the guardian ad litem to each party and the court not later than 20 days prior to trial. The admissibility of the report shall be determined at the hearing. Prior to disclosure to the parties of confidential information prohibited by 23 Pa.C.S. § 5336, the court shall make a determination of whether the information may be disclosed. The guardian ad

litem shall attend all proceedings and be prepared to testify. The guardian ad litem shall be subject to cross-examination if called to testify by either party or the court.

(d) The order appointing a guardian ad litem shall be in substantially the form set forth in Rule 1915.21.

Note: 23 Pa.C.S. § 5334 is suspended insofar as it (1) requires that a guardian ad litem be an attorney, (2) permits the guardian ad litem to represent both the best interests and legal interests of the child, (3) provides the guardian ad litem the right to examine, cross-examine, present witnesses and present evidence on behalf of the child, and (4) prohibits the guardian ad litem from testifying.]

(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) Appointment.

(1) On its own motion or a party's motion, the court may appoint a guardian *ad litem* if the court finds that the appointment is necessary for determining the child's best interest.

(2) As set forth in Pa.R.Civ.P. 1915.21, the court's order appointing the guardian *ad litem* may apportion to the parties the reasonable cost of the guardian *ad litem*.

(b) *Qualifications.* The guardian *ad litem* shall be a licensed attorney or licensed mental health professional.

(c) Duties.

(1) As provided in 23 Pa.C.S. § 5334, which has been suspended in part by Pa.R.Civ.P. 1915.25, the guardian *ad litem* shall perform the duties as enumerated in Section 5334, including representing the child's best interest.

(2) The guardian *ad litem* shall not represent the child's legal interest or act as the child's legal counsel.

(d) *Report.* The guardian *ad litem* shall prepare a written report, which shall include specific recommendations relating to the child's best interest.

(1) Child's Statement.

(i) The written report may include a subject child's statement to the guardian *ad litem* that would be otherwise inadmissible as hearsay under the Pennsylvania Rules of Evidence, provided the requirements of Pa.R.E. 703 are satisfied.

(ii) A child's statement included in the written report under subdivision (d)(1)(i) shall not be considered substantive evidence.

(2) The guardian *ad litem* shall file the written report with the prothonotary, which shall become part of the record.

(3) *Confidential.* The guardian *ad litem*'s filed report and a party's filed response to the report as provided in subdivision (d)(5) shall be confidential and shall not constitute a public record.

(4) The guardian *ad litem* shall provide the report to the parties and the court when filed but not later than 20 days prior to a hearing or trial or as otherwise ordered by the court.

(5) *Comments. Objections.*

(i) Within ten days of receiving the guardian *ad litem*'s report, a party may file with the prothonotary and serve on the other party and the court:

(A) a comment to the report, which shall become part of the record; or

(B) an objection to the report's admissibility, in whole or in part, including a subject child's statement to the guardian *ad litem*.

(ii) The court shall determine the report's admissibility prior to the hearing or trial.

(6) Subject to Pa.R.Civ.P. 1915.11, a party may subpoena:

(i) an individual interviewed by the guardian *ad litem* or identified in the report to appear and testify at the hearing or trial; or

(ii) the guardian *ad litem* for the production of a document relied upon by the guardian *ad litem* in preparing the report.

(e) *Testimony.*

(1) When determined necessary by the trial court, the guardian *ad litem* shall participate in court proceedings by attending, and by providing sworn testimony if called to testify by a party or the court. The guardian *ad litem* shall not be permitted to provide argument, unsworn opinions, or unsworn testimony to the court.

(2) If called to testify by a party, the guardian *ad litem* shall be subject to cross-examination by opposing parties. If called to testify by the court, the guardian *ad litem* shall be subject to cross-examination by any party.

(3) *Child's Statement.*

(i) Except as precluded by the court in subdivision (d)(5)(ii), the guardian *ad litem*'s testimony may include the subject child's statement to the guardian *ad litem* that would be otherwise inadmissible as hearsay under the Pennsylvania Rules of Evidence, provided the requirements of Pa.R.E. 703 are satisfied.

(ii) A child's statement included in the guardian *ad litem*'s testimony under subdivision (e)(3)(i) shall not be considered substantive evidence.

(f) *Order.* The order appointing a guardian *ad litem* shall be substantially in the form set forth in Pa.R.Civ.P. 1915.21.

Comment:

Subdivision (a)(1) states that the guardian *ad litem* may be appointed when "the appointment is necessary." Such appointments should be limited to extraordinary cases in which the trial judge determines that the level of conflict is unusually high or that the parties will be absolutely unable to provide the court with the information necessary to evaluate and determine the subject child's best interests. Regardless of appointment of a GAL, the duty and responsibility to determine the best interests of the children involved lies solely with the trial judge.

The Supreme Court of Pennsylvania suspended 23 Pa.C.S. § 5334 insofar as it (1) requires that a guardian *ad litem* be an attorney, (2) permits the guardian *ad litem* to represent both the best interests and legal interests of the child, (3) provides the guardian *ad litem* the right to examine, cross-examine, present witnesses, and present evidence on behalf of the child, and (4) prohibits the guardian *ad litem* from testifying.

See 23 Pa.C.S. § 5336, prohibiting disclosure of certain records and information to parents and parties.

Subdivision (d)(1) and (e)(3) reference the requirements of Pa.R.E. 703. Rule 703 relates to the bases for expert opinion testimony. While the requirements of Rule 703 must be satisfied for any written report that includes statements made by a subject child, the guardian *ad litem* is not an expert witness and need not be qualified as an expert prior to testifying. However, the guardian *ad litem* remains subject to questions and cross-examination regarding qualifications and experience.

In addition, the guardian *ad litem* cannot serve as a mere conduit for hearsay or for the opinions of another person, including the subject child. The guardian *ad litem* cannot relate the opinion of a non-testifying witness unless the guardian *ad litem* has reasonably relied upon it. Upon appropriate objection from any party, the trial court shall strike any testimony or portion of the guardian *ad litem*'s written report that is inadmissible as hearsay if the requirements for Pa.R.E. 703 are not met.

Subdivision (d)(6) provides that a party may subpoena an individual interviewed by the guardian *ad litem*, an individual that is identified in the guardian *ad litem*'s report, or a document relied upon by the guardian *ad litem* in producing the report. The subdivision shall not be construed to limit a party's ability to subpoena other individuals or for the production of documents for a trial or hearing, or for discovery purposes, if the court had previously authorized discovery pursuant to Pa.R.Civ.P. 1915.5(c).

Rule 1915.21. Form of Order Appointing Guardian Ad Litem.

The order appointing a guardian *ad litem* in a child custody action pursuant to Rule 1915.11-2 shall be in substantially the following form:

(Caption)

ORDER OF COURT

AND NOW, THIS _____ day of _____, 20 ____, it is hereby ordered as follows:

Pursuant to Pa.R.[C]Civ.P. No. 1915.11-2, is appointed as guardian *ad litem* for the minor child _____ (D.O.B. _____) in connection with the civil proceedings related to the custody of the minor child.

The child's guardian *ad litem* shall represent the best interests of the child. The guardian *ad litem* shall not act as the child's attorney or represent the child's legal interests.

It is ordered and decreed that all relevant schools, police departments, hospitals and social service agencies including home and school agencies who have records, reports and/or information pertaining to the child relevant to the custody of the child, shall allow the guardian *ad litem* access to all files and records in its possession, custody or control and shall cooperate in responding to all relevant inquires. These files/records may include but are not limited to medical, psychological or psychiatric charts including evaluations and progress notes and records, X-rays, photographs, tests, test evaluations, intake and discharge summaries, police records, and school records including report cards, educational assessments and educational plans, relevant to this custody dispute and/or relevant to any special needs or requirements of the child. The guardian *ad litem* shall have the right to copy any part of the files and records maintained in connection with the child.

It is further ordered and decreed that the guardian *ad litem* shall be permitted to see and speak with the child, and family, medical and/or social service providers connected with this case, and take all steps appropriate to and consonant with this order.

The guardian *ad litem* shall provide copies of any reports prepared by the guardian *ad litem* to each party, or to their counsel, and to the court **when filed but not later than 20 days prior to a hearing or trial or as otherwise ordered by the court.**

The guardian *ad litem* shall attend all proceedings and be prepared to testify. The guardian *ad litem* shall be subject to cross-examination **in accordance with Pa.R.Civ.P. 1915.11-2(e)(2)** if called to testify [**by either party or the court**].

The fees for the guardian *ad litem* shall be paid as follows:

This appointment shall terminate upon the entry of a final order resolving the petition pending as of the date of this order or as provided in subsequent order of court.

BY THE COURT:

J.

**SUPREME COURT OF PENNSYLVANIA
DOMESTIC RELATIONS PROCEDURAL RULES
COMMITTEE
ADOPTION REPORT**

On January 27, 2023, the Supreme Court of Pennsylvania amended Pa.R.Civ.P. 1915.11-2 and 1915.21, which address the appointment of a guardian *ad litem* (GAL) in a custody action, as authorized by 23 Pa.C.S. § 5334. Specifically, the amendments permit a GAL to include the subject child's statement to the GAL in the GAL's report, and to testify at trial about the statement as well, provided the requirements of the Pennsylvania Rule of Evidence 703 are satisfied. The Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, cmt. The statements contained in this Adoption Report are those of the Committee, not the Court.

The Committee received a request for rulemaking on the admissibility of a child's statement to a GAL in a custody hearing or trial. The Rules of Civil Procedure provide for a GAL's appointment when the court finds that a GAL is necessary for the court to determine the child's best interest. As set forth in 23 Pa.C.S. § 5334(b), a GAL is required to meet with a child of an appropriate age to ascertain the facts. The GAL shall also interview potential witnesses, investigate facts and documents, and make specific recommendations in a written report to the court relating to the best interests of the child.

While meeting with the GAL, a child may make a statement to the GAL that could impact a court's best interest analysis. However, the Pennsylvania Rules of Evidence do not provide a categorical exception to Pa.R.E. 802 (Rule Against Hearsay) for a child's statement made to a GAL. Unlike dependency actions under the Juvenile Act, 42 Pa.C.S. §§ 6301 *et seq.*, in which a hearsay statement may be admissible in dispositional hearings, similar statements in a child custody action do not have a similar statutory exception and, as such, are inadmissible unless an enumerated hearsay exception applies. Never-

theless, as a matter of practice, a child's statement is often included in a GAL's report or testimony in custody matters.

As reported to the Committee, the admissibility of a child's hearsay vis-à-vis a GAL varies from court to court. Some courts will allow the statement into evidence because it could impact the child's best interest. Other courts will disallow the statement as hearsay unless a hearsay exception applies. To remedy the disparate treatment of the child's statement to a GAL, the Committee proposed amending the rules.

The Committee originally published proposed amendments for public comment in the *Pennsylvania Bulletin*, 50 Pa.B. 7007 (December 12, 2020). After reviewing the comments received from the original publication and additional deliberations, the Committee re-published the proposal for comment in the *Pennsylvania Bulletin*, 51 Pa.B. 6141 (September 25, 2021).

Pa.R.Civ.P. 1915.11-2 is rewritten in its entirety. In addition to substantive amendments, the rule reflects stylistic and format changes. Further, the Note was removed, and its content placed in a Comment.

One of the substantive amendments includes subdivision (d)(1), which addresses the admissibility of a child's hearsay statement to a GAL. The GAL's report and testimony may include the child's statement to the GAL. If the child's statement complies with Pa.R.E. 703 (Bases of an Expert's Opinion Testimony), *i.e.*, is the type of statement or information a GAL would rely upon in forming their recommendation on the child's best interest, the statement or information should be admissible and may be incorporated into the GAL's report or testimony. The revised rule reflects that a GAL may rely upon hearsay, as may be permitted pursuant to Pa.R.E. 703, as a basis for their recommendation. The amendment also confirms that a child's statement included in the GAL's report or testimony shall not be considered substantive evidence by the court.

Subdivision (d)(5) allows parties to file with the prothonotary, and serve on the other party and the court, a comment to the report or an objection to the report's admissibility, in whole or in part. The objection may be related to the child's statement.

Post-publication, the Committee added a subdivision related to the confidentiality of the report and a party's filed response. Subdivision (d)(3) states that the report and response shall be confidential and shall not constitute a public record.

Another substantive change is the deletion of the reference to 23 Pa.C.S. § 5336 in the rule text. Section 5336(b) identifies specific information that is expressly prohibited from disclosure to the parties. Of course, the court retains the discretion under Section 5336(c) to limit a party's access to certain records or information set forth in Section 5336(a). A reference to 23 Pa.C.S. § 5336 is included in the Comment.

The revised rule also clarifies that a party may subpoena an individual interviewed by the guardian *ad litem* or identified in the report to appear and testify at the hearing or trial. A party may also subpoena the guardian *ad litem* for the production of a document relied upon by the guardian *ad litem* in preparing the report. Post-publication, the rule was further revised in subdivision (d)(6) confirming a subpoena shall be "subject to Pa.R.Civ.P. 1915.11," related to the appointment of an attorney for the child. Commentary was added confirming

that this subdivision shall not be construed to limit a party's ability to subpoena other individuals, or limit the production of documents, if the court previously authorized discovery pursuant to Pa.R.Civ.P. 1915.5(c).

There were several post-publication revisions to the Comment to provide further guidance to the reader. The amended Comment confirms that "appointments should be limited to extraordinary cases. . ." and "the duty and responsibility to determine the best interests of the children involved lies solely with the trial judge." Furthermore, while the requirements of Pa.R.E. 703 (Bases of an Expert's Opinion Testimony) must be satisfied, the guardian *ad litem* is not an expert witness and need not be qualified as an expert prior to testifying. Finally, the amendments clarify the guardian *ad litem* cannot simply relate the opinion of a non-testifying witness unless the guardian *ad litem* has reasonably relied upon it.

Additional post-publication revisions include amending Pa.R.Civ.P. 1915.21 concerning the form order appointing a guardian *ad litem*. Specifically, the form order was revised to align with the language of Pa.R.Civ.P. 1915.11-2(d)(4) governing the guardian *ad litem*'s report. The general language informing the guardian *ad litem* that they may be subject to cross-examination "by either party or the court" was also amended to refer the reader to Pa.R.Civ.P. 1915.11-2(e)(2).

The following text in the Note was removed:

23 Pa.C.S. § 5334 is suspended insofar as it (1) requires that a guardian *ad litem* be an attorney, (2) permits the guardian *ad litem* to represent both the best interests and legal interests of the child, (3) provides the guardian *ad litem* the right to examine, cross-examine, present witnesses and present evidence on behalf of the child, and (4) prohibits the guardian *ad litem* from testifying.

The amendments become effective April 1, 2023.

[Pa.B. Doc. No. 23-175. Filed for public inspection February 10, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

VENANGO COUNTY

Electronic Filing and Service of Legal Papers; MD. No. 3-2023

Administrative Order

Order of Court

And Now, this 20th day of January, 2023, pursuant to Pennsylvania Rule of Criminal Procedure 576.1, it is *Hereby Ordered and Decreed* that the electronic filing of legal papers through the PACFile system with the Venango County Clerk of Court for cases in the Venango County Court of Common Pleas is authorized and shall be governed by V.C.R.Crim.P. 576.1, which is adopted. This rule shall be continuously available for public inspection and copying in the office of the prothonotary/clerk of courts. This rule is effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

MARIE T. VEON,
President Judge

V.C.R.Crim.P. 576.1. Electronic Filing and Service of Legal Papers.

(A) *Agreement.* The Administrative Office of Pennsylvania Courts and the 28th Judicial District of Venango County have agreed upon an implementation plan for electronic filing, as that term is defined Pa.R.Crim.P. 576.1(C), in the 28th Judicial District of Venango County through the statewide system known as PACFile, effective April 4, 2022.

(B) *Purpose.*

1) The electronic filing of legal papers and the electronic service of such papers through the PACFile system with the Venango County Clerk of Court for criminal cases in the Venango County Court of Common Pleas is permitted under the terms described in this Local Rule.

2) The exclusive system for electronic filing is the PACFile System, developed and administered by the Administrative Office of the Pennsylvania Courts and located on Pennsylvania's Unified Judicial System Web Portal at <https://ujportal.pacourts.us/PACFile.aspx>.

3) The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing.

(C) *Definitions.* As used in this rule, the following words shall have the following meanings:

"*electronic filing*," the electronic transmission of legal papers by means other than facsimile transmission and the acceptance of the document by the clerk of courts;

"*filing party*," an attorney, party, or other person who files a legal paper by means of electronic filing;

"*legal paper*," a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, copies of exhibits, and attachments, but excluding:

(1) applications for search warrants,

(2) applications for arrest warrants,

(3) any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment,

(4) submissions filed *ex parte* as authorized by law,

(5) submissions filed or authorized to be filed under seal, and

(6) exhibits offered into evidence, whether or not admitted, in a court proceeding;

(7) confidential documents, including but not limited to: drug & alcohol assessments and reports, mental health evaluations and reports, and medical records

"*original document*," a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original exhibit for evidentiary purposes.

(D) *Participation.*

1) All attorneys and defendants proceeding without counsel shall be permitted to file legal papers electronically in accordance with this local rule.

2) In order to participate in the PACFile system, an attorney shall establish an account in the PACFile system by procedures established by the Administrative Office of Pennsylvania Courts.

3) A defendant who is proceeding without counsel shall be permitted to utilize the PACFile system through an authorization process established by the Administrative Office of Pennsylvania Courts.

4) Establishment of an account by an attorney or authorization of a defendant proceeding without counsel in the PACFile system, to the extent permitted under this local rule and authorized by the Administrative Office of Pennsylvania Courts, shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed in the PACFile system.

5) Any attorney or defendant participating in the PACFile system is permitted to file a legal paper either in an electronic or in a physical paper format. Service upon an attorney or defendant participating in the PACFile system shall be done electronically.

6) Any party who declines to participate in the PACFile electronic filing system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the PACFile system, shall be permitted to file legal papers in a physical paper format ('hard-copy') and shall be served legal papers in a physical paper format by the Clerk of Courts and other parties, whether electronically filed or otherwise, as required by Pa.R.Crim.P. 576.

7) The following offices must be served in accordance with Pa.R.Crim.P. 576: Sheriff, Adult Probation, Court Reporter, and Court Administration. This applies to the service of court orders and notices. Distribution to those parties not automatically served via PACFile with a court order or notice must be filed with the Clerk of Courts office with a complete distribution list including the names and addresses of all parties required to be served with a paper copy.

(E) *Retention, Conversion, and Use of Legal Papers.*

1) All legal papers electronically filed shall be maintained and retained by the clerk of courts in an electronic format. Neither the clerk of courts nor the court is required to maintain in a physical paper format any legal paper filed electronically as provided in this rule.

2) Any legal paper submitted for filing to the Clerk of Courts in a physical paper (or 'hard-copy') format shall be accepted by the Clerk of Courts in that format and shall be retained by the Clerk of Courts as may be required by applicable rules of court and record retention policies. The Clerk of Courts shall convert such hard-copy legal paper to .pdf and add it to the system, except those legal papers excluded from electronic filing pursuant to Pa.R.Crim.P. 576.1(C) and this rule.

3) Once converted to .pdf, the .pdf version of the legal paper shall be deemed and treated as the original legal paper and may be used by the parties and the Court for all purposes, including but not limited to, court hearings and trials in the Venango County Court of Common Pleas.

4) Those legal papers that are not permitted to be electronically filed pursuant to this rule shall be maintained in a physical paper format only.

(F) *Filing.*

1) When a legal paper is to be electronically filed, it shall be submitted to the PACFile system at the Unified Judicial System web portal at <http://ujportal.pacourts.us>, in accordance with Pa.R.Crim.P. 576.1, this rule, and any filing instructions as may be otherwise provided at the web portal site.

2) Electronic filings may be submitted at any time, except during times of periodic maintenance. The electronic submission must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

3) A legal paper shall be considered filed upon submission of the legal paper to the system and acceptance of the filing by the clerk of courts. If the clerk of courts determines that the requirements for filing have been met, the time and date of filing shall be the time and date that the legal paper was submitted to the system. If the clerk of courts finds that the requirements for filing are not met, the clerk may reject the filing.

4) No legal paper that complies with the Pennsylvania Rules of Criminal Procedure shall be refused for filing by the clerk of courts or the electronic filing system based upon a requirement of a local rule or local administrative procedure or practice pertaining to the electronic filing of legal papers.

5) A filing party shall be responsible for any delay, disruption, and interruption of the electronic signals and legibility of the document electronically filed, except when caused by the failure of the system's website.

6) Legal papers shall be presented for filing in portable document format (".pdf").

(G) *Signature.*

1) Except as provided in paragraph (G)(3), an electronic signature of the filer as provided for in the system is permitted on electronic filings in the following form: /s/ John L. Doe.

2) The electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.Crim.P. 575 that the filing party or attorney has read the legal paper, that to the best of the filing party's or attorney's knowledge, information and belief there is good ground to support the motion or answer, and that it is not interposed for delay.

3) Any motion that, pursuant to Pa.R.Crim.P. 575(A)(2)(g), avers facts not of record and requiring a sworn affidavit must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed.

4) The original of a sworn or verified legal paper that is an electronic filing or is contained within an electronic filing shall be maintained by the electronic filer in paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

(H) *Confidential Information.* Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and refrain from including confidential information in legal papers filed with the Clerk of Courts or the Court whether filed electronically or in a paper format.

(I) *Fees.* Applicable filing fees shall be paid through procedures established by the Clerk of Courts and at the same time and in the same amount as required by statute, Court rule or order, or published fee schedule.

(J) *Record on Appeal.* Electronically filed legal papers, and copies of legal papers filed in a paper format as provided in subsections (D) and (E), shall become the record on appeal.

[Pa.B. Doc. No. 23-176. Filed for public inspection February 10, 2023, 9:00 a.m.]

**DISCIPLINARY BOARD
OF THE SUPREME COURT**
Revised Notice of Suspension

By Order of the Supreme Court of Pennsylvania dated January 26, 2023, Jin-Ho Cynn (# 41534), whose registered address is Fairfax, VA, is suspended from the practice of law in this Commonwealth for a period of ninety days, effective February 25, 2023. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 23-177. Filed for public inspection February 10, 2023, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 21st Judicial District of the Commonwealth of Pennsylvania; No. 488 Magisterial Rules Docket

Amended Order

Per Curiam

And Now, this 1st day of February, 2023, the Order dated June 14, 2022, that Reestablished the Magisterial Districts of the 21st Judicial District (Schuylkill County) of the Commonwealth of Pennsylvania, is hereby *Amended* as follows: Gilberton Borough and the Altamont Section of West Mahanoy Township shall be included in Magiste-

rial District 21-2-01 and not in Magisterial District 21-3-05. The Order of June 14, 2022 shall remain in effect in all other respects.

[Pa.B. Doc. No. 23-178. Filed for public inspection February 10, 2023, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 38th Judicial District of the Commonwealth of Pennsylvania; No. 525 Magisterial Rules Docket

Amended Order

Per Curiam

And Now, this 1st day of February, 2023, the Order dated December 27, 2022, that Reestablished the Magisterial Districts of the 38th Judicial District (Montgomery County) of the Commonwealth of Pennsylvania is hereby *Amended* as follows: Magisterial District 38-1-22 shall include Hatboro Borough and all voting districts within Horsham Township. The Order of December 27, 2022 shall remain in effect in all other respects.

[Pa.B. Doc. No. 23-179. Filed for public inspection February 10, 2023, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 44th Judicial District of the Commonwealth of Pennsylvania; No. 511 Magisterial Rules Docket

Amended Order

Per Curiam

And Now, this 1st day of February, 2023, the Order dated September 13, 2022 that Reestablished the Magisterial Districts of the 44th Judicial District (Wyoming and Sullivan Counties) of the Commonwealth of Pennsylvania, is hereby *Amended* as follows: Tunkhannock Borough, included in Magisterial District 44-3-01 is hereby removed and added in Magisterial District 44-3-02; and Exeter Township, Falls Township and Mehoopany Township, included in Magisterial District 44-3-02, are hereby removed from 44-3-02 and added in Magisterial District 44-3-01. The Order of September 13, 2022 shall remain in effect in all other respects.

[Pa.B. Doc. No. 23-180. Filed for public inspection February 10, 2023, 9:00 a.m.]