

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[ 204 PA. CODE CH. 207 ]

#### Amendment of Financial Regulation Pursuant to 42 Pa.C.S. § 3502(C); No. 615 Judicial Adminis- tration Docket

##### Order

*Per Curiam*

*And Now*, this 6th day of March, 2024, it is Ordered, pursuant to Article V, Section 10(c) of the Constitution of Pennsylvania and 42 Pa.C.S. § 3502(a), that the attached amendments to the Financial Regulation are hereby adopted.

To the extent that notice of proposed rulemaking may be required by Pa.R.J.A. 103(a), the immediate promulgation of the regulation is hereby found to be in the interests of efficient administration. *See* Pa.R.J.A. 103(a)(3).

This Order is to be processed in accordance with Pa.R.J.A. 103(b), and the amendments shall be effective April 1, 2024.

##### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

##### CHAPTER 207. TRANSMITTING REMITTANCES

#### § 207.3. Online Payment Convenience Fee—Adjust- ment of Fines, Costs, Fees, and Other Remit- tances.

(a) Pursuant to 42 Pa.C.S. § 3502(c)(3), the Court Administrator of Pennsylvania hereby adjusts the level of fines, costs, fees, and other remittances by assessing a non-refundable [ **\$2.75** ] **2.75 percent (%)** convenience fee for online credit/debit card payments of court costs, fines, fees, and restitution associated with pre-existing cases, cases initiated within the Magisterial District Judge, Common Pleas, and Appellate Court Case Management Systems of the Pennsylvania Courts, or filings submitted via the Guardianship Tracking System. **The 2.75 % convenience fee shall also be assessed on any other online credit/debit card payments initiated through the AOPC's UJS Portal.** Said amount shall be paid through a contracted financial intermediary and shall be added at the time of the payment.

(b) This regulation shall become effective [ **January 1, 2010** ] **April 1, 2024**, and shall apply to all online credit/debit card payments initiated through the AOPC's UJS Portal [ **made on or after this date on pre-existing cases, cases initiated within the Magisterial District Judge, Common Pleas, and Appellate**

Court Case Management Systems of the Pennsylvania Courts, or filings submitted via the Guardianship Tracking System ].

[Pa.B. Doc. No. 24-388. Filed for public inspection March 22, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BUCKS COUNTY

#### Promulgation of Rules of Judicial Administration No. 5102.1 and 5103.1; Administrative Order No. 120

##### Order

*And Now*, this 12th day of March, 2024, the Court hereby promulgates Bucks County Rules of Judicial Administration No. 5102.1 and 5103.1 as follows:

#### Rule 5102.1. Custody of Exhibits. General Provi- sions.

(a) *Documentary Exhibits. Court Proceedings before a Judge.* The court clerk or other member of the Court's staff as designated by the presiding judge shall be the "Custodian," as defined by Pa.R.J.A. 5101(a)(2), of all documentary exhibits, photographs, and photographs of non-documentary exhibits submitted and accepted or rejected during the court proceeding, and shall maintain an index of exhibits.

(b) *Documentary Exhibits. Court Proceedings before a Hearing Officer or other Quasi-judicial officer.* The Hearing Officer or other Quasi-judicial officer conducting a record proceeding shall be the "Custodian," as defined by Pa.R.J.A. 5101(a)(2), of all documentary exhibits, photographs, and photographs of non-documentary exhibits submitted and accepted or rejected during the proceeding, and shall maintain an index of exhibits.

(1) The Custodian shall secure and maintain all documentary exhibits during court proceedings, including breaks and recesses, unless otherwise provided in Pa.R.J.A. 5103(c)-(d).

(2) Should the nature of the proceeding require that more than one custodian serve, the initial custodian shall provide the subsequent custodian (and so on, if more than two custodians serve) with the submitted and accepted or rejected exhibits and the index of exhibits.

(c) *Non-documentary Exhibits. All Court Proceedings.* Subject to Pa.R.J.A. No. 5104(c) and (d), the court clerk or other member of the Court's staff as designated by the presiding judge or the Hearing Officer or other Quasi-judicial officer shall be the "Custodian," as defined by Pa.R.J.A. 5101(a)(2), of all non-documentary exhibits which, in the discretion of the Court or Hearing Officer, may be reasonably maintained in the Custodian's possession during the proceeding. In the event that any non-documentary exhibit is not able to be retained by the Custodian due to its bulk, size, or any other factor, the proponent of such bulky or oversize exhibit shall be the Custodian thereof, as provided by Pa.R.J.A. No. 5103(c)(3).

(d) *After Court Proceedings.*

(1) *Custodian.* The Custodian of exhibits defined by sections (a), (b) and (c) above shall, at the conclusion of the proceeding:

(i) retain or take custody of all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceeding;

(ii) file all documentary exhibits, photographs, and photographs of non-documentary exhibits with the appropriate records office immediately following, but in any event no later than five (5) business days of, the conclusion of the proceeding, unless otherwise directed by the Court; and

*Note:* For the purposes of this rule, “the appropriate records office” shall be the filing/records office in which the legal papers on which the court proceeding is based are filed.

(iii) secure and maintain all other non-documentary exhibits as:

- a. provided by rule;
- b. directed by the court; or
- c. agreed by the parties with the approval of the Court.

(e) *Alternate Custodial Process.* Notwithstanding any provision above, the parties may agree to an alternate custodial process if approved by the presiding judge, hearing officer or other quasi-judicial officer.

**Rule 5103.1. Custody of Exhibits. Special Provisions.**

(a) *Reproduction of Oversized or Voluminous Documentary Exhibits.*

(1) Where any intended documentary exhibit exceeds 200 pages (single sided) in length, the proponent shall cause the exhibit to be converted into a portable document file (“pdf”) and stored on a portable media device. For purposes of submission to the Court and retention, the proponent shall place the portable media device in an envelope not to exceed 8.5 × 11 inches in size bearing a label or containing a separate sheet of paper describing the contents of the portable media device, which description shall include at minimum:

- (i) the case caption and docket number;
- (ii) identity of the presiding judge or officer;
- (iii) proponent’s name;
- (iv) a brief description of the document and its content, which may include date of creation of the original documents (if known), date of conversion to pdf format, date of the proceeding at which it will be submitted, and the exhibit number or other designation assigned by the Court upon submission (if known).

(b) *Maintenance and Security of Bulky or Oversized Non-documentary Exhibits During and After the Court Proceeding.*

(1) In any proceeding at which a party anticipates submission of bulky or oversized non-documentary exhibits, the submitting party shall make the Court aware of the nature of any such exhibit and shall request that the Court conduct a conference at which the Court shall determine the appropriate procedure for submission, maintenance and security of any such exhibit both during and after the proceeding, or for any alternate or necessary arrangements as determined by the Court in its discretion.

(2) The Court shall enter an order confirming the procedures determined for submission, handling and security of any such exhibit.

This rule shall be effective 30 days from the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

RAYMOND F. McHUGH,  
*President Judge*

[Pa.B. Doc. No. 24-389. Filed for public inspection March 22, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

#### Adoption of Local Rules of Judicial Administration CARB.R.J.A. 5102—5105 for the Custody of Exhibits in Court Proceedings; Case No. 24-CV-0442; 24-RW-0095; CP-13-AD-0000006-2024

##### Administrative Order No. 10-2024

*And Now*, this 7th day of March, 2024, in order to establish Carbon County Local Rules of Judicial Administration CARB.R.J.A. 5102—5105 pertaining to the Custody of Exhibits in Court Proceedings, it is hereby

*Ordered and Decreed* that Carbon County Court of Common Pleas Local Rules of Judicial Administration CARB.R.J.A. 5102—5105 are *Adopted*, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*. A copy of each rule is as follows for easy reference.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following with the Administrative Order and Rule:

1. E-mail one (1) copy with the Administrative Office of Pennsylvania Courts to adminrules@pacourts.us.
2. Mail one (1) copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* to PA Code and Bulletin, Legislative Reference Bureau, 647 Main Capitol Building, Harrisburg, PA 17120 and e-mail one (1) copy in Microsoft Word format to bulletin@palrb.us.
3. Publish this local rule on the www.carboncourts.com website within 30 days after the publication in the *Pennsylvania Bulletin*.
4. File one (1) copy in the Carbon County Prothonotary, Register of Wills/Orphans Court, and Clerk of Courts Offices.
5. E-mail one (1) copy for publication in the *Carbon County Law Journal*.
6. Forward one (1) copy to the Carbon County Law Library.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

#### Rule 5102. Custody of Exhibits. General Provisions.

(a) *During Court Proceedings.*

Unless otherwise directed by the court at the time of the Court Proceeding, during any Court Proceeding before a presiding judge of the Carbon County Court of Common

Pleas, including breaks and recesses, the Court Stenographer shall be the Custodian of all exhibits admitted into evidence. Those exhibits offered but not admitted into evidence shall be retained by the Proponent of the exhibit as Custodian thereof.

(b) *After Court Proceedings.*

(1) *Documents:* At the conclusion of a Court Proceeding, the Court Stenographer shall be the Custodian of all documentary exhibits, photographs and photographs of all non-documentary exhibits admitted into evidence during the proceeding. As Custodian of such documents, the Court Stenographer shall take and maintain custody of these exhibits and secure them at a location (Court Evidence Room) made available to the Stenographer for these purposes or as otherwise directed by the court. In accordance with Pa.R.J.A. No. 5103(a)(1), if a Proponent offers into evidence a document that is larger in size than 8 1/2 × 11 inches, the Proponent shall ensure that a copy of the document reduced to 8 1/2 × 11 inches (or smaller) is entered into the record.

(2) *Non-Documents:* With the exception of any weapons, ammunition, drugs, contraband or other dangerous or hazardous materials which are addressed in paragraph 3 below, and unless otherwise directed by the court, at the conclusion of a Court Proceeding, the Court Stenographer shall retain custody of all non-documentary exhibits admitted into evidence and secure and maintain them at a location (Court Evidence Room) made available to the Stenographer for these purposes. With respect to any non-documentary exhibit, the Proponent shall also ensure that a photograph (no larger in size than 8 1/2 × 11 inches) of the exhibit is entered into the record for inclusion in the documentary record.

At the conclusion of any post-trial proceedings, and after the exhaustion of any direct appeals or other pending direct challenges related to the proceedings, all such non-documentary exhibits, excluding cash, jewelry and other valuables as further addressed in paragraph 4 below, shall be returned by the Court Stenographer to the Proponent of the exhibit who will thereafter be responsible for maintaining and securing the exhibit as Custodian thereof until the latter of the expiration of any applicable retention schedule, law, rule, regulation or policy, or as otherwise directed by the court. To facilitate the transfer of non-documentary exhibits to the Proponent, upon receiving notice from the Stenographer of the intended transfer, the Proponent of the exhibits shall arrange with the Stenographer to have the exhibits picked up and upon receipt of such exhibits shall execute a receipt prepared by the Stenographer acknowledging the Proponent's receipt.

Any non-documentary exhibits not admitted into evidence shall be retained by the Proponent of the exhibit as Custodian thereof.

(3) At the conclusion of any Court Proceeding at which any weapons, ammunition, drugs, contraband or other dangerous or hazardous materials were admitted into evidence, unless otherwise ordered by the court, such exhibits shall be maintained and secured by the Proponent of the exhibit as Custodian thereof, including during any post-trial proceedings and until the exhaustion of any direct appeals or other pending direct challenges related to the proceedings. With respect to the exhibits covered by this paragraph, the Proponent shall ensure that a

photograph (no larger in size than 8 1/2 × 11 inches) of the exhibit is also entered into the record for inclusion in the documentary record. The Proponent of these exhibits shall further be responsible for maintaining and securing them until the latter of the expiration of any applicable retention schedule, law, rule, regulation or policy, or as otherwise directed by the court. With respect to any weapons, ammunition, drugs, contraband or other dangerous or hazardous materials which have been admitted into evidence, at the conclusion of the Court Proceedings, the Court Stenographer shall complete a transfer of custody document describing all such exhibits being transferred to the Proponent, said document to be signed by the Stenographer evidencing this transfer and acknowledged by the Proponent in writing acknowledging the Proponent's receipt of all such exhibits.

As to any weapons, ammunition, drugs, contraband or other dangerous or hazardous materials which have not been admitted into evidence, such exhibits shall be retained by the Proponent of the exhibit as Custodian thereof.

(4) At the conclusion of any Court Proceeding in which cash, jewelry or other valuables were admitted into evidence, such exhibits shall be maintained and secured by the Court Stenographer as Custodian thereof in a safe in the secured Court Evidence Room. Alternatively, with the Sheriff's consent, as to these exhibits, the Court Stenographer may designate the Sheriff as the Custodian's designee. If any of the exhibits covered by this paragraph are not admitted into evidence, the exhibits shall be retained by the Proponent of the exhibit as Custodian thereof.

(5) The court stenographer shall prepare an Index of Exhibits setting forth a numbered list of exhibits and for each exhibit identify the Proponent, whether the exhibit was admitted or rejected from evidence, and a textual description or identification of the exhibit. This Index shall be filed by the court stenographer in the appropriate Records Office within five business days of the conclusion of the court proceeding. The court stenographer shall retain a copy of the Index of Exhibits and provide a copy to counsel for each party, or to a party directly if unrepresented.

**Rule 5103. Custody of Exhibits. Special Provisions.**

(a) Any non-documentary exhibit which is retained by the Proponent during or after the Court, Master, or Hearing Officer proceeding must be photographed in color by the Proponent and presented in a letter-sized form (8 1/2 × 11 inches) document for inclusion in the record prior to the end of the proceeding. The photograph shall be marked as an exhibit and identified in the exhibits index.

(b) Any digital exhibit that is not also presented via photograph, and any documentary exhibits of extraordinary size or bulk shall be entered into the record on a Universal Serial Bus (USB) flash drive. Multiple digital exhibits may be submitted by a party on one USB flash drive.

**Rule 5104. Custody of Exhibits. Local Rule. Prohibition.**

(a) Excluded from the requirements of Carbon County Rule of Judicial Administration 5102 regarding the custody, retention and safeguarding of exhibits offered into evidence, whether or not admitted, are record hearings which may be appealed de novo to the Carbon County Court of Common Pleas or upon which exceptions or objections can be filed to the Carbon County Court of

Common Pleas. This exception includes but is not limited to proceedings before hearing officers in divorce, custody, support, delinquency, and dependency matters.

(b) Any exhibits offered into evidence in a proceeding excluded by this Rule from being subject to C.C.R.J.A. 5102 shall be retained by the hearing officer or master as Custodian thereof until thirty days after the time for filing an appeal, exceptions or objections has passed and shall thereafter be returned to the Proponent of the exhibit unless an appeal, exceptions or objections have been filed. In the event an appeal, exceptions or objections have been filed to the hearing officer's/master's findings and decision, upon being notified by the Court Stenographer that the required deposit for making a transcription has been received or is excused, the hearing officer/master shall transfer and deliver the exhibits to the Court Stenographer accompanied by a descriptive list of the exhibits transferred to be signed by the hearing officer/master and acknowledged in writing by the Court Stenographer, which list shall be retained by the Court Stenographer.

**Rule 5105. Custody of Exhibits. Confidentiality. Exhibits Under Seal.**

(a) The Proponent of an exhibit containing confidential information or confidential documents, as defined in the Case Records Access Policy of the Unified Judicial System of Pennsylvania ("Policy"), shall give a copy of the exhibit and a certification prepared in compliance with the Policy to the Court Stenographer no later than five days after the conclusion of the Court Proceeding, shall serve a copy on the presiding judge with a proposed order to have the document sealed or information therein kept confidential, if appropriate, and file a copy of the certification with the appropriate Records Office.

(b) Exhibits sealed by the Court during the Court proceeding shall not be accessible by the public.

[Pa.B. Doc. No. 24-390. Filed for public inspection March 22, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CLARION COUNTY

#### Adoption of Local Rules of Administrative Procedure—Custody of Exhibits; 174 CD 2024

##### Order of Court

*And Now*, this 29th day of February, 2024, effective April 1, 2024 or thirty (30) days after publication in the *Pennsylvania Bulletin*, in accordance with Pa.R.J.A. 5101—5105, which address Custody of Exhibits in Court Proceedings and were issued by an Order of the Pennsylvania Supreme Court (to take effect on April 1, 2024), the Local Rules of the Clarion County Court of Common Pleas are hereby amended to include the new local rules 5102—5104 which are set forth as follows.

The Clarion County District Court Administrator is Ordered and Directed to do the following:

1. File one (1) copy with the Administrative Office of Pennsylvania Courts via email to [admin.rules@pacourts.us](mailto:admin.rules@pacourts.us).

2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to [bulletin@palrb.us](mailto:bulletin@palrb.us) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish these Rules on the Clarion County Court website at [www.co.clarion.pa.us](http://www.co.clarion.pa.us).

4. Incorporate the local rules into the set of Clarion County local rules within thirty (30) days after the publication of the local rules in the *Pennsylvania Bulletin*.

5. File one (1) copy of the local rules in the appropriate filing office for public inspection and copying.

*By the Court*

SARA J. SEIDLE-PATTON,  
*President Judge*

#### Local Rules of Administrative Procedure.

Local Rules 5102, 5103 and 5104 are issued to align Clarion County Court of Common Pleas practice and procedure with Pa.R.J.A. 5101—5105. Reference to Pa.R.J.A. 5102—5105 shall be made when interpreting Clarion County Local Rules 5102, 5103 and 5104 and when determining the procedure and practice for custody of exhibits and exhibit retention in Clarion County.

#### Rule 5102. Custody of Exhibits. General Provisions.

(a) The bailiff, or bailiff's designee, of a court proceeding shall be designated as the "custodian," as defined by Pa.R.J.A. 5101(a)(2), for all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceeding and shall continue as custodian of all documentary exhibits, photographs and photographs of non-documentary exhibits after the court proceeding.

(b) The custodian shall utilize an Index of Exhibits form prescribed by the court to record all exhibits offered in a court proceeding in accordance with Pa.R.J.A. 5102(b)(2).

(c) The custodian serving at the conclusion of the proceeding shall file with the appropriate records office all submitted exhibits and index of exhibits within 5 business days of the conclusion of the proceeding.

(d) The proponent shall retain custody of non-documentary exhibits, including, but not limited to weapons, cash, other items of value, drugs, or other dangerous materials and bulky, oversized, or otherwise physically impractical exhibits at all times during and after a court proceeding and must appropriately secure and maintain all such exhibits.

#### Rule 5103. Custody of Exhibits. Special Provisions.

(1) Non-documentary exhibits must be photographed by the proponent, converted to 8 1/2 × 11 sized documents, and appropriately marked and produced to the custodian during the court proceeding.

(2) Unless otherwise provided by the presiding judge, at the conclusion of the court proceeding, non-documentary evidence shall be returned to the proponent for safekeeping as required by any applicable retention schedule, statute, rule, regulation, or policy, or until further order of court.

(3) Unless otherwise ordered, the proponent shall maintain non-documentary exhibits for the following time periods:

i. *Non-criminal matters.* Retain exhibits until the later of the expiration of the appeal period or final disposition of the appeal if one is taken.

ii. *Criminal matters:*

1. *Homicides.* Retain exhibits 75 years.

2. *Summary cases.* Retain exhibits 5 years.

3. *Other cases.* Retain exhibits 20 years.

(b) Any digital exhibit that cannot be printed (i.e., audio or video recording) shall be entered into the record on a Universal Serial Bus (USB) flash drive (or other format if expressly approved by the court). If one party has multiple digital exhibits, they may be submitted together on one USB flash drive.

(c) Any exhibit containing confidential information or equivalent to any of the categories enumerated in Pa. Access Policy § 8.0 shall include a Confidential Document Form so that the document can be properly sealed by the records office.

**Rule 5104. Exempt Proceedings.**

Any record hearing that may be appealed de novo to the Court of Common Pleas or upon which exceptions or objections can be filed to the Court of Common Pleas shall be exempt from the custody of exhibits procedures set forth in Rules 5102 and 5103. These hearings shall include, but are not limited to, divorce master's hearings, arbitration hearings, and hearings before a Domestic Relations hearing officer.

[Pa.B. Doc. No. 24-391. Filed for public inspection March 22, 2024, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### MONROE COUNTY

#### Local Rule of Judicial Administration 5101 to 5104 Adopted; 5 CV 2024

##### Order

*And Now*, this 12th day of March, 2024, it is *Ordered* that Monroe County Rules of Judicial Administration 5101 to 5104 (Monroe Co.R.J.A. 5101—5104) are as follows and adopted, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

*It Is Further Ordered* that the District Court Administrator shall:

1. File one (1) electronic copy of these Rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2. File two (2) paper copies of this Order and Rules with the Legislative Reference Bureau and one (1) electronic copy in Microsoft Word format only via email to bulletin@palrb.us for publication in the *Pennsylvania Bulletin*.

3. Arrange to have these Rules published on the Monroe County Bar Association website at www.monroebar.org.

4. Arrange to have these Rules, as well as all local rules, published on the 43rd Judicial District website at www.monroepacourts.us.

5. Keep these Rules, as well as all local rules of this Court, continuously available for public inspection and copying in the respective Monroe County filing office

a. Upon request and payment of reasonable cost of reproduction and mailing, the respective filing office shall furnish to any person a copy of any local rule.

*By the Court*

MARGHERITA PATTI-WORTHINGTON,  
*President Judge*

## LOCAL RULES OF JUDICIAL ADMINISTRATION COURT OF COMMON PLEAS 43RD JUDICIAL DISTRICT MONROE COUNTY

### Rule 5101. Custody of Exhibits in Court Proceedings.

(a) Matters regarding exhibits not addressed in these Local Rules shall be governed by Pa.R.J.A. 5101—5104.

### Rule 5102. Custody of Exhibits. General Provisions.

(a) *During Court Proceedings.* The Court Reporter/Recorder/Monitor shall be the Custodian of all exhibits admitted or rejected during a Court Proceeding, including breaks and recesses, except:

(1) The Proponent shall secure all non-documentary exhibits that are bulky, oversized, or physically impractical for the Court Reporter/Recorder/Monitor to maintain, or evidence that is weapons, cash, items of value, drugs, or dangerous materials, while the Court Proceeding is in session, and during all breaks and recesses.

(2) In advance of a Court Proceeding, the Proponent shall prepare a photographic copy of all potential non-documentary exhibits pursuant to Pa.R.J.A. 5103(b) for submission to the Court Reporter/Recorder/Monitor at the conclusion of the Court Proceeding in accordance with all applicable Local Rules.

(3) The Proponent shall include a Confidential Information Form or Confidential Document Form for any exhibit offered into evidence that contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. These forms shall be given by the Proponent to the Court Reporter/Recorder/Monitor at the time the evidence is introduced.

(b) *After Court Proceedings.*

(1) *Custodian.* After the close of Court Proceedings:

(i) *Documentary Exhibits*—The Court Reporter/Recorder/Monitor shall be the Custodian of all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected. The Court Reporter/Recorder/Monitor shall take custody of, secure, and maintain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the Court proceeding in a format approved by the Court;

(ii) *Non-Documentary Exhibits*—The Proponent of all non-documentary exhibits, including but not limited to bulky or oversized exhibits, weapons, cash, items of value, drugs, or dangerous materials shall secure said exhibits after Court Proceedings and maintain same as required by all applicable retention schedules, statutes, rules, regulations, and policies, or until further order of the Court. The Proponent shall not modify, tamper with or otherwise permit the degradation of any non-documentary exhibit.

(2) *Index of Exhibits.* Within five days of the conclusion of a Court Proceeding, the Court Reporter/Recorder/Monitor shall file with the appropriate filing office an index of exhibits, which shall include for each exhibit the proponent, whether the exhibit was admitted into evidence, and a textual description or identification of the exhibit. The Court Reporter/Recorder/Monitor shall use the Index of Exhibits Template included below.



(3) For video, all files shall be in .mp4 format or, in the event that a Proponent receives from a third party a video file that is not convertible (e.g. Motor Vehicle Recordings (“MVRs”)), the Proponent shall include on the USB with the video file, the appropriate software required to view the video.

*Comment:* This provision shall be phased in over time but no later than January 1, 2025 to enable counsel to meet the requirements of this provision.

**Rule 5104. Local Rule. Prohibition.**

(a) *Reserved.*

(b) *Optional Provision.* Support, Divorce, Juvenile, and Dependency Hearing Officer hearings, being proceedings of record upon which exceptions or objections can be filed, are specifically excepted from the provisions of this chapter.

[Pa.B. Doc. No. 24-392. Filed for public inspection March 22, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### MONTGOMERY COUNTY

#### Adoption of Local Rule of Judicial Administration 5104\*—Custody of Exhibits; No. 2024-00001

##### Order

And Now, this 7th day of March, 2024, the Court hereby adopts Montgomery County Local Rule of Judicial Administration 5104\*—Custody of Exhibits. This Local Rule shall become effective on April 1, 2024.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court’s website and incorporated into the complete set of the Court’s Local Rules.

By the Court

CAROLYN TORNETTA CARLUCCIO,  
*President Judge*

#### Local Rule of Judicial Administration 5104\*. Custody of Exhibits.

(a) *Custodian of Exhibits During Court Proceedings.* The court reporter is designated as the custodian of all documentary exhibits unless otherwise provided in this Rule or directed by the Court. The proponent is designated as the custodian of all non-documentary exhibits.

(b) *Custodian of Exhibits After Court Proceedings.* The court reporter is designated as the custodian of all documentary exhibits unless otherwise provided in this Rule or directed by the Court. The proponent is designated as the custodian of all non-documentary exhibits.

(c) *Standards for Filing of Exhibits with the Records Office.* At the conclusion of the court proceeding, the

custodian shall comply with the requirements of Pa.R.J.A. 5102(b). All documentary exhibits shall be submitted to the record office by the custodian within five (5) business days following the close of the court proceeding. Exhibits may be e-filed with the record office, if available, and if provided to the custodian in electronic format. Nothing in this rule shall prevent the filing of exhibits prior to court proceedings, as is the current practice in juvenile dependency cases.

(d) *Standards for the Reproduction of Oversized or Voluminous Documentary Exhibits or Photographs.* In compliance with Pa.R.J.A. 5103(a) and (b), if a proponent offers into evidence a documentary exhibit or photograph that is larger in size than 8-1/2 × 11 inches, the proponent shall ensure that a copy of the document or photograph reduced to 8-1/2 × 11 inches (or smaller) is entered into the record. A proponent who provides a reduced copy of an oversized exhibit shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media.

(e) *Standards for the Maintenance and Security of Bulky or Oversized Non-Documentary Exhibits During and After Court Proceedings.*

1) *Generally.* If a proponent offers into evidence a non-documentary exhibit, the proponent shall provide a photograph (no larger in size than 8-1/2 × 11 inches) of the exhibit which will be made a part of the record. A proponent who provides a photograph of a non-documentary exhibit shall ensure that the photograph is clear and capable of further reproduction or transfer to digital media.

2) *Weapons, Contraband, Hazardous Materials.* In any proceeding in which weapons, cash, other items of value, drugs, or other dangerous materials are offered into evidence, the proponent shall secure the exhibits while the court proceeding is in session, as well as during all breaks, recesses and after the court proceeding. During the proceeding, the proponent shall exercise all appropriate safeguards necessary to protect the public based on the nature of the exhibit.

(f) *Digital Media.* A proponent shall ensure that an exhibit in a digital format entered into the record is in a format acceptable to the court. The proponent shall maintain possession of any exhibit in a digital format such as a computer disc, DVD or thumb drive during and after the court proceeding.

(g) *Retention of Non-Documentary Exhibits.* Proponents who are maintaining non-documentary exhibits after court proceedings shall do so in compliance with the retention policies that apply to the respective filing office, as set forth in the County Records Manual.

(h) *Proceedings Excluded from Rule.* Record hearings that may be appealed de novo to the Court of Common Pleas or upon which exceptions or objections can be filed to the Court of Common Pleas, including proceedings before this court’s family and juvenile hearing officers, shall be excluded from the provisions of Rules 5101—5105 of the Pennsylvania Rules of Judicial Administration.

[Pa.B. Doc. No. 24-393. Filed for public inspection March 22, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### MONTGOMERY COUNTY

#### Rescission of Local Rule of Civil Procedure 223\*— Custody and Storage of Trial Exhibits; No. 2024- 00001

##### Order

And Now, this 7th day of March, 2024, the Court hereby Rescinds Montgomery County Local Rule of Civil Procedure 223\*—Custody and Storage of Trial Exhibits, effective April 1, 2024.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

By the Court

CAROLYN TORNETTA CARLUCCIO,  
*President Judge*

#### Local Rule of Civil Procedure 223\*. Custody and Storage of Trial Exhibits.

##### [Rescinded.]

[Pa.B. Doc. No. 24-394. Filed for public inspection March 22, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### PIKE COUNTY

#### Local Rule Judicial Administration 5102 et al. Custody of Exhibits; No. 300-2024

##### Administrative Order

And Now, this 6th day of March, 2024, pursuant to Pa.R.J.A. 5104, the Court Orders the following:

1. The Court Administrator of the 60th Judicial District is hereby Ordered to do the following:

a. File one certified copy of this Order with the Administrative Office of Pennsylvania Courts to adminrules@pacourt.us;

b. Submit two paper copies of this Order to the Legislative Reference Bureau and one electronic copy in Microsoft Word format only to Bulletin@palrb.us for publication in the *Pennsylvania Bulletin*;

c. Provide one copy of this Order to the members of the Pike County Bar Association;

d. Incorporate the Rule into the set of Local Rules within thirty (30) days of publication of the Local Rule in the *Pennsylvania Bulletin* and publish the rules on the Court's website at court.pikepa.org;

e. File this Order in the Prothonotary's Office of Pike County.

By the Court

HON. GREGORY H. CHELAK,  
*President Judge*

#### Rule 5102.1. Custody of Exhibits Generally.

(a) *Application*. These Rules, 60th Jud.Dis.R.Jud.Adm. 5102.1—5105 and Pa.R.J.A. 5101—5105, shall apply to Court Proceedings as defined by Pa.R.J.A. 5101(a)(1).

(b) *Index of Exhibits and Confidential Information*.

1. During all court proceedings, the court Stenographer/Transcriptionist shall maintain the index of exhibits. The court Stenographer/Transcriptionist shall utilize the index of exhibits form denoted at the end of these Rules.

2. In all court proceedings, the proponent shall include a properly completed confidential information form or confidential document form for any exhibit offered into evidence that contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. These forms shall be given by the proponent to the court Stenographer/Transcriptionist maintaining the Index of Exhibits at the time evidence is introduced.

3. The index of exhibits shall be filed of record with the corresponding Records Office, as defined by Pa.R.J.A. 5101(a)(7), not later than five business days after the conclusion of the Court Proceeding pursuant to Pa.R.J.A. 5104(a)(2).

#### Rule 5102.2. Custody of Exhibits.

(a) *During Court Proceedings*. The Court Stenographer/Transcriptionist shall be designated the Custodian of all exhibits admitted or rejected during a Court proceeding. The Court Stenographer/Transcriptionist shall secure and maintain all exhibits during the court proceeding, including breaks and recesses, except:

1. If a non-documentary exhibit is bulky, oversized, or physically impractical for the Custodian to maintain, the Custodian may direct that the Proponent offering the exhibit maintain custody of it, and secure it during the Court proceedings.

2. If weapons, cash, items of value, drugs, or dangerous materials are offered into evidence, the Proponent shall secure the exhibits while the Court proceeding is in session, and during all breaks and recesses.

(b) *After Court Proceedings*.

1. Within five days of the conclusion of any Court proceeding, the Court Stenographer/Transcriptionist shall transfer custody of all exhibits admitted or rejected during the Court proceeding to the Prothonotary, Clerk of the Criminal Court or Clerk of the Orphans' Court, as may be the applicable Records Office, which shall take custody of all exhibits, file all documentary exhibits and photographs, and secure and maintain all exhibits.

2. *Index of Exhibits*. Together with the exhibits from the Court Proceeding, the Court Stenographer/Transcriptionist shall provide a numbered list of exhibits to the Prothonotary, Clerk of the Criminal Court or Clerk of the Orphans' Court not later than five business days after the Court proceeding. For each exhibit, the Stenographer/Transcriptionist shall identify the Proponent, whether the exhibit was admitted or rejected from evidence, and a textual description or identification of the exhibit. The original index of exhibits shall be filed with the appropriate Records Office simultaneously with the exhibits from



the Court Proceeding. The Stenographer/Transcriptionist shall retain a copy of the index.

3. *Confirmation.* If exhibits are transferred from a Court Stenographer/Transcriptionist back to a Proponent-Custodian pursuant to subsection (a)(2) of this Rule, the Court Stenographer/Transcriptionist shall confirm that the Proponent-Custodian has provided the appropriate photographic exhibit as required by Rule 5103.1(a) to the Court Stenographer/Transcriptionist at the conclusion of the Court proceeding, unless the Court otherwise directed by the Court.

(c) *During and After Domestic Relations Master and Hearing Officer Proceedings.*

1. The Master or Hearing Officer conducting a Domestic Relations hearing shall be the Custodian of the exhibits admitted during the hearing—with the exception of weapons, cash, items of value, drugs or dangerous materials, which shall be retained by the Proponent during the proceeding.

2. The Master or Hearing Officer shall confirm that the Proponent-Custodian has transferred custody of any exhibit maintained in his/her custody during the proceeding to the Master or Hearing Officer at the end of the proceeding. Such latter exhibits shall be maintained by the appropriate filing office or as directed by the Hearing Officer or Master.

3. The Master or Hearing Officer shall file all exhibits, together with an index of the exhibits, with the Prothonotary within five business days of the filing of their Report and Recommendation with the Court. The exhibits index shall include a numbered list of exhibits, and for each exhibit shall identify the Proponent, whether the exhibit was admitted or rejected from evidence, and a textual description or identification of the exhibit.

**Rule 5103. Custody of Exhibits. Special Provisions.**

(a) *Photographs of Non-Documentary Exhibits.*

1. In advance of any court proceeding, the proponent shall prepare a physical, photographic copy of all non-documentary exhibits pursuant to Pa.R.J.A. 5103(b).

2. Any non-documentary exhibit shall be retained by the Proponent during and after the Court, Master, or Hearing Officer proceeding.

3. The non-documentary exhibit must be photographed in color by the Proponent and presented in a letter-sized form (8 1/2 by 11 inches) document for inclusion in the record prior to the end of the proceeding. The photograph shall be marked as an exhibit and identified in the exhibits index.

(b) *Media & Videos.* Any media or videos presented at a Court Proceeding shall be retained by the proponent. The proponent shall submit a copy of the media or video on a portable Universal Serial Bus (USB) flash drive and it shall be entered into the record.

(c) *Reproduction of Oversized or Voluminous Documentary Exhibits.* Where the intended, original documentary exhibit(s) exceeds 150 pages (single sided), the proponent shall cause the exhibit to be transformed into a portable document file (“pdf”) and placed onto a Universal Serial Bus (USB) flash drive and it shall be entered into the record.

(d) *Weapons, Contraband, and Hazardous Materials Pursuant to Pa. R.J.A. 5103(d), and Other Dangerous Items.*

1. *Dangerous Items Defined.* “Dangerous Items” within these Rules shall include, but are not limited to, weapons, cash, currency, money, negotiable instruments, other items of value, drugs, dangerous materials, guns, knives, explosives, controlled substances, narcotics, intoxicants, toxic materials, biological items, and biohazards. “Dangerous Items” may also include other items not specifically defined herein as determined by the presiding judge.

2. The presiding judge in any court proceeding may issue special instructions to address the method by which dangerous items are offered into evidence, including the party that shall secure the exhibits while the court proceeding is in session, as well as during all breaks and recesses, which method shall be confirmed by court order.

3. In the absence of a court order, in any court proceeding where dangerous items are offered as evidence, the proponent shall secure the exhibits while the court proceeding is in session, as well as during all breaks and recesses.

4. During a court proceeding, the proponent shall exercise all appropriate safeguards necessary to protect the public based on the nature of the exhibit. Exhibits comprised of dangerous items are prohibited from viewing in the jury room. The presiding judge may direct alternative viewing arrangements for such exhibits upon the request of the jury.

5. At the conclusion of a court proceeding, all dangerous items which have been offered into evidence, whether or not admitted of record, shall be kept in the custody of the proponent, the proponent’s Designee, or such other person as designated by the presiding judge.

6. Dangerous items categorized under this Rule may only be disposed of or destroyed by a court order.

7. If there are dangerous items which require temporary storage, the Sheriff’s Office shall provide the proponent with an escort to the Records Office, as defined by Pa.R.J.A. 5101(a)(7), or other secure area designated by the presiding judge.

8. In advance of any court proceeding, the proponent shall prepare a physical, photographic copy of any weapon, contraband hazardous material or dangerous items exhibits pursuant to Pa.R.J.A. 5103(b).

9. The weapon, contraband hazardous material or dangerous items exhibit must be photographed in color by the Proponent and presented in a letter-sized form (8 1/2 by 11 inches) document for inclusion in the record prior to the end of the proceeding. The photograph shall be marked as an exhibit and identified in the exhibits index.

**Rule 5105. Confidentiality. Exhibits Under Seal.**

(a) The Proponent of an exhibit containing confidential information or confidential documents, as defined in the Case Records Access Policy of the Unified Judicial System of Pennsylvania, shall include a confidential document form, prepared in compliance with the Policy, so the exhibit may be sealed by the Records Office.

(b) Exhibits sealed by the Court during the Court proceeding shall not be accessible by the public. The Prothonotary, Clerk of the Criminal Court or Clerk of the Orphans’ Court shall ensure the confidentiality of such documents as defined in the Case Records Access Policy of the Unified Judicial System of Pennsylvania.



## Title 255—LOCAL COURT RULES

### SNYDER COUNTY

#### Judicial Administration; No. MC-35-2024

##### Order

*And Now*, this 8th day of March, 2024, inasmuch as the Supreme Court of Pennsylvania has adopted Pa.R.J.A. 5101—5105, with a directive that local rules of judicial administration comply with Pa.R.J.A. 5101—5105, no later than April 1, 2024, the Order of Court is as follows:

1. Local Rule of Judicial Administration 5102 (Custody of Exhibits in Court Proceedings) is hereby adopted as follows to this Order of Court.

2. This Order of Court and Local Rule of Judicial Administration 5102 shall be promulgated in accordance with Pa.R.J.A. 103(c), effective thirty days after publication in the *Pennsylvania Bulletin*.

The District Court Administrator is directed to:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts via email to [adminrules@pacourts.us](mailto:adminrules@pacourts.us);

2. File two (2) paper copies and one (1) electronic copy in Word format to [bulletin@palrb.us](mailto:bulletin@palrb.us) with Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. Incorporate the rule into the 17th Judicial District Rules of this Court within thirty (30) days after publication of the Local Rules in the *Pennsylvania Bulletin* on the county website.

#### 17CV5102 and 17CR5102. Custody of Exhibits.

(a) *Scope*. Local rule 5102 is hereby issued to align the practice and procedure in the Court of Common Pleas for the 17th Judicial District with Pa.R.J.A. 5101—5105. These local rules incorporate the terms of art and their definitions as set forth in Pa.R.J.A. 5101(a). These local rules do not apply to any record hearing which may be appealed de novo to the Court of Common Pleas or upon which exceptions or objections can be filed to the Court of Common Pleas.

(b) *Custodian*. The proponent of any exhibit being offered into evidence shall be its custodian. The custodian is responsible for safeguarding and maintaining the exhibit(s) until the conclusion of the proceedings.

(c) *Format of Exhibits*. The custodian shall ensure that the format of an exhibit, including size and material, is compatible with the records office's ability to maintain and retrieve it. This includes the following: (i) offering as an exhibit an 8 1/2 by 11 inch copy of any oversized (larger than 8 1/2 by 11 inches) documentary evidence; (ii) offering as an exhibit copies of any voluminous documentary evidence on a digital storage device; and (iii) offering any digital media (e.g., video and/or audio recordings) as an exhibit on a digital storage device in a format that uses publicly available software for retrieval, or includes any proprietary software necessary for retrieval.

(d) *Submission to the Court*. Unless instructed otherwise by the presiding judge, the custodian shall submit any exhibits to the Court at the conclusion of the court proceeding in order to ensure that the exhibits are filed with the records office for incorporation into the docket within the next five business days. The custodian shall submit to the Court a numbered list of exhibits offered into evidence that includes the following: (i) a textual

description or identification of each exhibit; and (ii) whether the exhibit was admitted into or rejected from evidence by the Court.

(e) *Retention by the Custodian*. Unless instructed otherwise by the presiding judge, the custodian shall retain custody after the conclusion of court proceedings of the following: (i) non-documentary evidence (i.e., physical evidence including, but not limited to, clothing, weapons, cash or other items of value, drugs, and dangerous or biohazardous materials); or (ii) evidence that is bulky, oversized or otherwise impractical for the records office to store/maintain. In such cases, the custodian shall ensure that a photograph (no larger than 8 1/2 by 11 inches) of such evidence is offered as an exhibit and included in the index of exhibits.

*By the Court*

LORI HACKENBERG,  
*President Judge*

[Pa.B. Doc. No. 24-396. Filed for public inspection March 22, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### UNION COUNTY

#### Judicial Administration; No. AD-3-2024

##### Order

*And Now*, this 8th day of March, 2024, inasmuch as the Supreme Court of Pennsylvania has adopted Pa.R.J.A. 5101—5105, with a directive that local rules of judicial administration comply with Pa.R.J.A. 5101—5105, no later than April 1, 2024, the Order of Court is as follows:

1. Local Rule of Judicial Administration 5102 (Custody of Exhibits in Court Proceedings) is hereby adopted as follows to this Order of Court.

2. This Order of Court and Local Rule of Judicial Administration 5102 shall be promulgated in accordance with Pa.R.J.A. 103(c), effective thirty days after publication in the *Pennsylvania Bulletin*.

The District Court Administrator is directed to:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts via email to [adminrules@pacourts.us](mailto:adminrules@pacourts.us);

2. File two (2) paper copies and one (1) electronic copy in Word format to [bulletin@palrb.us](mailto:bulletin@palrb.us) with Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. Incorporate the rule into the 17th Judicial District Rules of this Court within thirty (30) days after publication of the Local Rules in the *Pennsylvania Bulletin* on the county website.

#### 17CV5102 and 17CR5102. Custody of Exhibits.

(a) *Scope*. Local rule 5102 is hereby issued to align the practice and procedure in the Court of Common Pleas for the 17th Judicial District with Pa.R.J.A. 5101—5105. These local rules incorporate the terms of art and their definitions as set forth in Pa.R.J.A. 5101(a). These local rules do not apply to any record hearing which may be appealed de novo to the Court of Common Pleas or upon which exceptions or objections can be filed to the Court of Common Pleas.

(b) *Custodian.* The proponent of any exhibit being offered into evidence shall be its custodian. The custodian is responsible for safeguarding and maintaining the exhibit(s) until the conclusion of the proceedings.

(c) *Format of Exhibits.* The custodian shall ensure that the format of an exhibit, including size and material, is compatible with the records office's ability to maintain and retrieve it. This includes the following: (i) offering as an exhibit an 8 1/2 by 11 inch copy of any oversized (larger than 8 1/2 by 11 inches) documentary evidence; (ii) offering as an exhibit copies of any voluminous documentary evidence on a digital storage device; and (iii) offering any digital media (e.g., video and/or audio recordings) as an exhibit on a digital storage device in a format that uses publicly available software for retrieval, or includes any propriety software necessary for retrieval.

(d) *Submission to the Court.* Unless instructed otherwise by the presiding judge, the custodian shall submit any exhibits to the Court at the conclusion of the court proceeding in order to ensure that the exhibits are filed with the records office for incorporation into the docket within the next five business days. The custodian shall submit to the Court a numbered list of exhibits offered

into evidence that includes the following: (i) a textual description or identification of each exhibit; and (ii) whether the exhibit was admitted into or rejected from evidence by the Court.

(e) *Retention by the Custodian.* Unless instructed otherwise by the presiding judge, the custodian shall retain custody after the conclusion of court proceedings of the following: (i) non-documentary evidence (i.e., physical evidence including, but not limited to, clothing, weapons, cash or other items of value, drugs, and dangerous or biohazardous materials); or (ii) evidence that is bulky, oversized or otherwise impractical for the records office to store/maintain. In such cases, the custodian shall ensure that a photograph (no larger than 8 1/2 by 11 inches) of such evidence is offered as an exhibit and included in the index of exhibits.

*By the Court*

LORI HACKENBERG,  
*President Judge*

[Pa.B. Doc. No. 24-397. Filed for public inspection March 22, 2024, 9:00 a.m.]