

THE COURTS

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

**Arrowood Indemnity Company; Administrative
Doc. No. 2024-02**

Order

And Now, this 22nd day of January, 2024, upon consideration of the Liquidation and Injunction Order with Bar Date issued by the Court of Chancery of the State of Delaware on November 8, 2023, it is *Ordered* that all cases in which Arrowood Indemnity Company is a named party shall be placed in deferred status until further notice.

It is *Further Ordered* that all actions currently pending against any insured of Arrowood Indemnity Company shall be placed in deferred status until further notice.

This Administrative Order is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1, and with the March 26, 1996 order of the Supreme Court of Pennsylvania, Eastern District, No. 164 Judicial Administration, Docket No. 1, as amended. This Order shall be filed with the Office of Judicial Records in a docket maintained for Orders issued by the First Judicial District of Pennsylvania and shall be published in *The Legal Intelligencer*, and will be posted on the First Judicial District's website at <http://www.courts.phila.gov/regs>. One certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts; two certified copies of this Order, and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. Copies shall be submitted to American Lawyer Media, the Jenkins Memorial Law Library, and the Law Library for the First judicial District of Pennsylvania.

By the Court

HONORABLE DANIEL ANDERS,
*Administrative Judge
Trial Division*

[Pa.B. Doc. No. 24-152. Filed for public inspection February 9, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ERIE COUNTY

**Local Rule of Criminal Procedure 576.1; Doc. No.
AD 2 of 2024**

Order

And Now, this 29th of January 2024, it is hereby *Ordered and Decried* that, effective 30 days after publication in the *Pennsylvania Bulletin*, the Erie County, Pennsylvania Court of Common Pleas adopts Local Rule of Criminal Procedure 576.1.

The Erie County District Court Administrator shall be process this Order in accordance with Pennsylvania Rule of Judicial Administration 103(c).

By the Court

JOSEPH M. WALSH, III,
President Judge

Rule 576.1. Electronic Filing in Criminal Dockets.

(A) Pursuant to Pa.R.Crim.P. 576.1, the Erie County Clerk of Courts Office and the Administrative Office of Pennsylvania Courts (AOPC) have agreed upon an implementation plan for PACFile in Erie County for certain criminal filings. Electronic filing is permissive and not mandatory.

(B) As used in this rule, the following words shall have the following meanings:

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

(2) "filing party," an attorney, defendant, or other person who files a legal paper by means of electronic filing;

(3) "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. The following documents are excluded from the definition of "legal paper" and are therefore prohibited from being filed electronically:

(a) applications for search warrants,

(b) applications for arrest warrants,

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

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

(e) submissions filed or authorized to be filed under seal,

(f) exhibits offered into evidence, whether or not admitted, in a court proceedings, and

(4) "original document," a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes; and

(5) "the system," the PACFile electronic filing system, developed and administered by the Administrative Office of Pennsylvania Courts, is the exclusive system for electronic filing.

(C) Attorneys or self-represented parties who file legal papers electronically must establish a PACFile account using the Unified Judicial System of Pennsylvania Web Portal. Pursuant to Pa.R.Crim.P. 576.1(D)(2), the establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed using PACFile.

(D) Applicable filing fees for electronically filed legal papers shall be paid electronically to the Clerk of Courts simultaneously with the filing.

(E) A party who was granted in forma pauperis status shall not pay filing fees to the Clerk of Courts.

(F) All filings shall comply with the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.

(G) *Service of Legal Papers.*

(1) Attorneys or self-represented parties who are unable or unwilling to participate in electronic filing of documents are permitted to file and serve the legal papers in a physical paper format.

(2) Service of legal papers on any attorney or party who has not established an account as provided in subsection (C) of this rule shall be made in accordance with Pa.R.Crim.P. 114(B) and 576(b).

(3) Notification by the system to an attorney or defendant participating in the system shall satisfy the service requirements of Pa.R.Crim.P. 114(B) and 576(b).

[Pa.B. Doc. No. 24-153. Filed for public inspection February 9, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

SCHUYLKILL COUNTY

Administrative Order; No. 5202-24

Administrative Order

And Now, this 30th day of January, 2024, pursuant to Pa.R.J.A. 5104, it is *Ordered* and *Decreed* that this Court adopts the following Rules of Judicial Administration (Sch.R.J.A. 5102, 5103 and 5105) regarding, inter alia, the custody of exhibits, which shall become effective April 1, 2024.

The Schuylkill County Court Administrator is *Hereby Ordered* to:

1. Distribute one copy of each Rule to the Administrative Office of Pennsylvania Courts via email at adminrules@pa.courts.us.

2. Distribute two paper copies of the local Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Distribute one copy of each of the local Rules to the Legislative Reference Bureau via email at bulletin@palrb.us in a Microsoft Word format.

4. Publish the local Rules on the Schuylkill County Court's website.

5. Incorporate the local Rules into the set of local Rules on this Court's website within 30 days after the publication of the Rules in the *Pennsylvania Bulletin*.

6. File one copy of each of the local Rules in the following filing offices of Schuylkill County: Clerk of Courts, Prothonotary, Clerk of the Orphans Court, and Domestic Relations.

By the Court

JACQUELINE L. RUSSELL,
President Judge

Rule 5102. Custody of Exhibits. General Provisions.

(a) *During Court Proceedings.*

The Court Stenographer shall be the Custodian of all exhibits admitted or rejected during a 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 proceeding.

(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) Immediately upon conclusion of a Criminal or Juvenile Court proceeding, the Deputy Court Administrator for Criminal, or his/her designee, shall become the Custodian of exhibits and shall

(i) Take custody of all documentary exhibits, photographs, and photographs of non-documentary exhibits admitted or rejected during the Court proceeding;

(ii) File all documentary exhibits, photographs, and photographs of non-documentary exhibits with the Records Office within five business days of the conclusion of the Court proceeding, unless otherwise directed by the Court; and,

(iii) Secure and maintain all non-documentary exhibits admitted or rejected during the Court proceeding in the secured Court Evidence Room, with the exception of controlled substances which shall be maintained by the prosecution. Cash and other valuables shall be kept in a safe in the secured Court Evidence Room.

(1a) Immediately after the conclusion of any Civil or Orphans' Court proceeding, the Court Stenographer shall transfer custody of all exhibits admitted or rejected during the Court proceeding to the Prothonotary 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 non-documentary exhibits.

(2) *Index of Exhibits.* The Court Stenographer shall provide a numbered list of exhibits to the Deputy Court Administrator for Criminal, Prothonotary, or Clerk of the Orphans' Court, as may be applicable, not later than five business days after the Court proceeding. For each exhibit, the Stenographer shall identify the Proponent, whether the exhibit was admitted or rejected from evidence, and a textual description or identification of the exhibit. The Deputy Court Administrator for Criminal shall retain the original index of exhibits for criminal and juvenile matters, and shall file a copy of the index with the Records Office immediately upon receipt of the index from the Stenographer.

(3) *Confirmation.* If exhibits are transferred from a Court Stenographer to a Proponent-Custodian pursuant to subsection (a)(2) of this Rule, the Court Stenographer shall confirm that the Proponent-Custodian has provided the exhibits to the Court Stenographer at the conclusion of the Court proceeding, unless the Court otherwise directs the manner of securing and maintaining such exhibits.

(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 or rejected 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 or Domestic Relations Office, as may be applicable, within five business days of the conclusion of the hearing. 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.

(c) 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 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.

(e) 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 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 (Policy), 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.

(f) The Custodian or Records/filing Office, as may be applicable, shall maintain all non-documentary evidence

(1) in a Civil, Orphans' Court or Domestic Relations matter until the later of the expiration of the appeal period from the final disposition of the case, as otherwise required by any applicable retention schedule, law, rule, regulation or policy, or as directed by the Court;

(2) in Criminal and Juvenile Court proceedings until the later of the expiration of any applicable retention schedule, law, rule, regulation or policy, or as otherwise directed by the Court.

Effective Date: This Rule shall be effective April 1, 2024.

[Pa.B. Doc. No. 24-154. Filed for public inspection February 9, 2024, 9:00 a.m.]

SUPREME COURT

Financial Disclosure and Reporting Requirements for Judicial Officers; No. 612 Judicial Administration Docket

Order

Per Curiam

And Now, this 30th day of January, 2024, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the prior order related to the filing of statements of financial interest, electronic or otherwise, by judicial officers, is rescinded. See Order of February 6, 2015, No. 442 Judicial Administration Docket No. 1.

Furthermore, all judicial officers, as defined herein, shall file a statement of financial interest in accordance with the following provisions on a form prescribed by the Administrative Office of Pennsylvania Courts ("AOPC") and approved by this Court or such amended form as may be issued in the future.

1. *Persons Required to File:*

For purposes of this Order, a judicial officer is defined as a justice of the Supreme Court, a judge of the Superior or Commonwealth Court, a judge of the Court of Common Pleas, a judge of the Municipal Court of Philadelphia, a magisterial district judge, and all senior jurists who are active or eligible for recall to judicial services.

2. *Filing:*

All judicial officers shall file a statement of financial interest with the AOPC for the prior calendar year no later than May 1 of each year.

All judicial officers who are appointed to office shall file a statement of financial interest within 60 days of assuming office.

All judicial officers who leave their position shall file a statement of financial interest within 60 days of their departure for any period of service not covered by a previously filed statement. This requirement does not apply to judicial officers who are certified senior jurists within that period of time.

Such filing may be accomplished electronically through the use of a secure log-in supplied by the AOPC. The submission of a statement through electronic means signifies the user's intent to sign the document. By submitting the statement electronically, the individual certifies the electronic filing is true and correct. All statements of financial interest submitted electronically through the secure log-in procedure shall be accepted for filing by the AOPC.

3. *Failure to File; Falsification of Information:*

Upon failure of any judicial officer to file the required statement within the time allowed, the AOPC shall give notice to such judicial officer that failure to comply with this Order within 10 days may result in the suspension of the judicial officer from his or her duties.

Following receipt of this notice, if the judicial officer fails to file the statement within the 10-day period, the AOPC shall immediately notify the Chief Justice of Pennsylvania and the Judicial Conduct Board of Pennsylvania of the delinquency in filing.

The knowing and willful falsification of any information required to be reported pursuant to this Order, or the knowing and willful failure to report information as required by this Order, may result in the suspension of the judicial officer from his or her duties, and shall constitute a charge of misconduct and result in referral of the case to the Judicial Conduct Board for disposition. *See In re Bruno*, 627 Pa. 505, 101 A.3d 635 (2014) (explaining the separate constitutional functions of the Judicial Conduct Board, Court of Judicial Discipline and Pennsylvania Supreme Court).

4. *Public Access:*

All statements of financial interest filed pursuant to this Order shall be made available for public inspection and copying during regular office hours.

5. *Retention:*

The AOPC shall preserve statements of financial interest for a period of 5 years from the date of receipt.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective immediately.

[Pa.B. Doc. No. 24-155. Filed for public inspection February 9, 2024, 9:00 a.m.]
