

# THE COURTS

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

**Amendment of Fee Schedule for Counsel Appointed by the Court; 06-2715 and 06-9278, CP-13-AD-0000006-2006 (Old Number 87-2197 and 71 MI 04)**

#### Administrative Order No. 17-2006

*And Now*, this 21st day of August, 2006, in order to establish a reasonable rate for counsel appointed by the Court, it is hereby

*Ordered and Decreed* that, effective January 1, 2007, Carbon County *Amends* the fee schedule for court appointed counsel in all types of cases except homicide cases to the rate of Fifty Dollars (\$50.00) per hour for time expended in Court and Forty Dollars (\$40.00) per hour for time expended out of Court. Homicide cases shall be established at the rate of Seventy-Five Dollars (\$75.00) per hour for time expended in Court and Fifty Dollars (\$50.00) per hour for time expended out of Court. All compensation payments shall be approved by the Court.

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

1. File seven (7) certified copies of this Administrative Order with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy with the Pennsylvania Civil Procedural Rules Committee, Pennsylvania Criminal Procedural Rules Committee, Pennsylvania Orphans Court Procedural Rules Committee and Pennsylvania Juvenile Court Procedural Rules Committee.
4. Forward one (1) copy for publication in the *Carbon County Law Journal*.
5. Forward one (1) copy to the Carbon County Law Library.
6. Keep continuously available for public inspection copies of the Order in the Prothonotary's Office, Clerk of Courts Office, Juvenile Court and Orphans Court.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

[Pa.B. Doc. No. 06-1746. Filed for public inspection September 8, 2006, 9:00 a.m.]

### CENTRE COUNTY

**Adoption of Local Criminal Rule 117; No. CP-14-MD-690-2006**

#### Order

*And Now*, this 21st day of August, 2006, pursuant to Pennsylvania Rules of Criminal Procedure 117 and 105,

this Court hereby adopts Local Criminal Rule 117, as follows; the same to be given full force and effect once all provisions of Pennsylvania Rule of Criminal Procedure 105(c), et seq., have been fully complied with.

*By the Court*

CHARLES C. BROWN, Jr.,  
*President Judge*

### Centre County Criminal Local Rule

**Local Rule 117 Providing for Judicial Coverage for the Issuance of and Presiding Over Necessary Proceedings: Issuing Warrants, Preliminary Arraignments, Summary Trials, and Setting and Accepting Bail**

(a) After normal business hours, coverage shall be provided by a Magisterial District Judge, assigned on a rotational schedule, who has county-wide jurisdiction and who operates between the hours of 5:00 p.m. to 8:30 a.m. Monday through Friday. Holidays and weekend coverage shall be provided by an assigned on-call Magisterial District Judge.

(1) In the event a Magisterial District Judge is needed for after-hours coverage for the issuance of a search or arrest warrant, a preliminary arraignment, a summary trial, a protection from abuse petition, or other emergency matters; the "duty" Magisterial District Justice will be contacted through the Centre County 911 Center.

(2) The "duty" Magisterial District may conduct essential hearing, such as a preliminary arraignment pursuant to Pa.R.Crim.P. 516 & 519 (A)(1) and summary trials pursuant to Pa.R.Crim.P. 430(A), 431 (b)(3), and 441(c), from any approved advanced communication technology site.

(3) It shall be at the discretion of the Magisterial District Judge presiding whether to conduct said essential hearing.

(b) Monetary bond may be posed after normal business hours for Magisterial District Judge Court or Common Pleas Court cases at the Centre County Correctional Facility by certified check or money order. Bail bond agents may continue to post bond at the Centre County Correctional Facility.

[Pa.B. Doc. No. 06-1747. Filed for public inspection September 8, 2006, 9:00 a.m.]

### PIKE COUNTY

**Amendment to Local Rule L.Civ.P. 1915; No. 1146-2006-Civil**

#### Order

*And Now*, this 22nd day of August, 2006, the Court *Orders* the following:

1. Local Rule of Civil Procedure 1915 is hereby amended effective thirty (30) days after publication in the *Pennsylvania Bulletin*;

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

a. File seven (7) certified copies of this *Order* and the pertinent Rules with the Administrative Office of Pennsylvania Courts;

b. File two (2) certified copies and a computer diskette containing this *Order* and the pertinent Rule with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. File one (1) certified copy of this *Order* and the pertinent Rule with the Civil Procedural Committee;

d. Provide one (1) copy of this *Order* and the Local Rule to each member of the Pike County Bar Association who maintain an active practice in Pike County; and

e. Keep continuously available for public inspection, copies of this *Order* and the Local Rules.

*By the Court*

JOSEPH F. KAMEEN,  
President Judge

**Local Rule L.1915—Civil Custody, Partial Custody and Visitation**

A. Claims for Custody—Whenever a Divorce Complaint containing a count for custody, a Custody Complaint or a Petition for Modification is filed, it shall contain a Cover Sheet, essentially in the attached format. The Prothonotary shall submit the Cover Sheet to the Court Administrator. Pursuant to the provisions of 23 Pa.C.S.A. § 3902(a), an additional twenty dollar (\$20) filing fee is hereby imposed on Custody Complaints and Divorce Complaints containing a count for custody. After the filing of any of the above pleadings, each of the parties shall be ordered to attend the “Kids First” Program, or other similar program approved by the Court, cost to be borne by the parties. Failure by a party to comply with an Order of Court directing attendance at one of the programs, as set forth above, will result in the initiation of contempt proceedings against said party.

B. Upon the filing of a Divorce Complaint containing a count for custody, a Custody Complaint, or a Petition for Modification of Custody, the parties shall be Ordered to attend an orientation session relative to resolving the dispute through a mediation process, pursuant to the provisions of Pa.R.C.P. § 1940.3 and 23 Pa.C.S.A. § 3901(b). No orientation session shall take place if a party or a child of either party is or has been the subject of domestic violence or child abuse either during the pendency of the action or within twenty-four (24) months preceding the filing of the action, pursuant to Pa.R.C.P. § 1940.3(b), which shall be determined by the domestic violence answers on the Cover Sheet.

C. For internal control and monitoring, all motions and petitions in custody actions shall be filed with the Prothonotary, for submission to the Court Administrator. Motions requiring immediate action shall be brought directly to the Court Administrator.

D. The Mediator shall encourage and supervise the formulation of settlement agreements between the parties. In the event the parties agree to mediation, each party shall bear the cost equally, in accordance with procedures established by the Court. The mediation shall be conducted in accordance with the provisions of Pa.R.C.P. § 1940.1—1940.8.

E. In the event the parties reach an agreement, the Mediator shall, within fourteen (14) days, prepare a Memorandum of Understanding (MOU), pursuant to the provisions of Pa.R.C.P. § 1940(b). The Mediator shall then provide the parties, and/or their attorneys, the opportunity to meet with the Mediator to finalize the

terms of the Memorandum of Understanding. In the event the parties, and/or their attorneys, agree that the MOU can be submitted to the Court, the Mediator will do so and an Order approving the MOU will be entered. In the event the parties, and/or their attorneys, desire to prepare a more formal Settlement Agreement, it must be submitted to the Mediator, signed by each of the parties, within fourteen (14) days of the final mediation session with the parties, and/or their attorney. The Mediator shall then submit the Settlement Agreement to the Court with a recommendation. If a Settlement Agreement is not submitted within fourteen (14) days as aforesaid, and neither of the parties, and/or their attorneys, have objected to the terms of the MOU, said MOU will be submitted by the Mediator to the Court, with a recommendation that it be approved and made an Order of the Court.

In the event the parties, and/or their attorneys, before holding the final mediation session as set forth above, either submit a signed Settlement Agreement, or agree to the terms of the MOU, and agree that it can be submitted to the Court for approval, then the Mediator shall determine whether or not a final mediation session need be held.

F. In the event no agreement is reached at the mediation, the Court shall appoint a Hearing Officer to conduct a hearing, which shall be recorded. The Hearing Officer shall file a Report and Recommendation and proposed Order with fifteen (15) days upon which the trial is concluded, unless extended by Court Order, for good cause shown. The Hearing Officer shall send a copy of the Report and Recommendation and proposed Order to each party or their counsel. If no Exceptions are filed within ten (10) days of the filing of the report, the Prothonotary shall transmit the file for Court approval.

G. Exceptions to the Hearing Officer’s Report and Recommendation, and proposed Order, shall be in writing, and shall be filed with the Prothonotary, within ten (10) days of the date of the Hearing Officer’s Report. Upon the filing of Exceptions, the Prothonotary shall schedule the matter for argument on the next available argument date. A copy of the Exceptions shall be delivered to the Hearing Officer, and opposing counsel. All costs associated with the filing of Exceptions, including transcription costs, shall be borne by the party filing same.

H. Upon certification from the Hearing Officer that the matter relates to Primary Custody and is outside the Hearing Officer’s authority, pursuant to Pennsylvania Rule of Civil Procedure 1915.4-1A, a status conference in preparation for a De Novo Custody Trial, shall be scheduled before the Trial Judge within sixty (60) days of the receipt of the Hearing Officer’s Report and Recommendation.

A Status Conference/Pre-Trial Memo, in the attached format, shall be submitted by each party to the Trial Judge, and opposing counsel, at least five (5) days prior to a scheduled status conference. The Status Conference Memo shall be for the exclusive use of the Trial Judge, and shall not be made part of the record.

[Pa.B. Doc. No. 06-1748. Filed for public inspection September 8, 2006, 9:00 a.m.]

# DISCIPLINARY BOARD OF THE SUPREME COURT

## Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania issued August 22, 2006, Nathaniel M. Davis is suspended from the practice of law for a period of one year and one day, to be effective September 21, 2006. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*  
*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 06-1749. Filed for public inspection September 8, 2006, 9:00 a.m.]

## Notice of Transfer of Attorneys to Inactive Status

Notice is hereby given that the following attorneys have been transferred to inactive status by Order of the Supreme Court of Pennsylvania dated July 26, 2006, pursuant to Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective August 25, 2006 for Compliance Group 3 due December 31, 2005.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been transferred to inactive status by said Order, was published in the appropriate county legal journal.

Ahmad, Sarah  
Washington, DC  
Allen III, Frederick H.  
Somerville, NJ  
Batts, Norliza  
Fort Lauderdale, FL  
Belli Jr., Richard Charles  
Marlton, NJ  
Benson, Stacy I.  
Martinsville, NJ  
Borock, Jacqueline  
Kingston, NY  
Buckman IV, John B.  
Morristown, NJ  
Chase-Walters, Victoria Lynne  
Camden, NJ  
Ciocca, Stephen Charles  
Buffalo, NY  
Curley, Brian Francis  
Morristown, NJ  
Currier, Romin N.  
West Palm Beach, FL  
Edgerton, Adele Pleasance  
New Haven, CT

Fernando-Santana, G. Alain  
Santa Clara, CA  
Goodman, Steven Jeffery  
Ventnor, NJ  
Gorski, Gary William  
Fair Oaks, CA  
Hager, Christopher W.  
Morristown, NJ  
Henderson, Renee Lynette  
Cherry Hill, NJ  
Hunter, Maureen E.  
Holden, MA  
Klima, William Leonard  
Stafford, VA  
Kotchick, Gregory Francis  
West Caldwell, NJ  
Levin, Meredith Rae  
La Jolla, CA  
Luthra, Dipika J.  
New York, NY  
Marchioni, Elizabeth Watson  
Wilmington, DE  
Mastrodomenico, Nicholas M.  
Montville, NJ  
McGuigan, Epiphany  
Atlantic City, NJ  
Motta, Alison H.  
Aurora, IL  
Nicodemo III, Robert Rocco  
Cherry Hill, NJ  
Penberthy III, John C.  
Marlton, NJ  
Peterson, Mark Douglas Starr  
Washington, DC  
Pinto, Earl Gregory  
Silver Spring, MD  
Santangini, Paul David  
Mullica Hill, NJ  
Serata, Daniel Edward  
Union City, NJ  
Sudol, Ted Joseph  
Harrisonburg, VA  
Tarrantor, Cheryl Leslie  
Richmond, VA  
Uhlig, Calvin D.  
Kaneohe, HI  
Wallen, John David  
Wilmington, DE  
Weinberg, Marc David  
Wilmington, DE  
White, Reginald F.  
Sicklerville, NJ

ELAINE M. BIXLER,  
*Secretary*  
*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 06-1750. Filed for public inspection September 8, 2006, 9:00 a.m.]