

THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 3000]

Proposed Amendment of Rule 3136 Governing Distribution of Proceeds of Sheriff's Sales; Proposed Recommendation No. 260

The Civil Procedural Rules Committee proposes that Rule of Civil Procedure 3136 governing distribution of proceeds of sheriff's sales be amended as set forth herein. The proposed recommendation is being submitted to the bench and bar for comments and suggestions prior to its submission to the Supreme Court of Pennsylvania.

All communications in reference to the proposed recommendation should be sent no later than September 26, 2014 to:

Karla M. Shultz
Counsel
Civil Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
P. O. Box 62635
Harrisburg PA 17106-2635
FAX 717-231-9526
civilrules@pacourts.us

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 3000. JUDGMENTS

Subchapter D. ENFORCEMENT OF MONEY JUDGMENTS FOR THE PAYMENT OF MONEY

Rule 3136. Distribution of proceeds.

(a) Not later than thirty days after the sale of real property and not later than five days after the sale of personal property, the sheriff shall prepare a schedule of proposed distribution of the proceeds of sale which shall be [**kept on file and shall be available for inspection in the sheriff's office**] filed in the prothonotary's office. No schedule of distribution or list of liens need be filed when the property is sold to the plaintiff for costs only.

* * * * *

Explanatory Comment

Current Rule 3136 provides for the sheriff to prepare a schedule of proposed distribution of proceeds (schedule) no later than thirty days after a sale of real property or five days after the sale of personal property. The sheriff is required to keep the schedule on file so that it is available for inspection in the sheriff's office. The parties in interest (parties) then have ten days to file exceptions to the schedule. The rule, however, does not require the sheriff to serve or notify the parties that a schedule has been prepared. As a result, the parties must monitor the sheriff's office on a daily basis to acquire the schedule in order to have the full ten days with which to prepare and file the exceptions. Instead of keeping the schedule on file in the sheriff's office, the proposed amendment would require the sheriff to file the schedule with the prothono-

tary and is intended to give the practitioner the ability to consult the docket, which in some counties can be done electronically.

By the Civil Procedural Rules Committee

PETER J. HOFFMAN,
Chair

[Pa.B. Doc. No. 14-1555. Filed for public inspection July 25, 2014, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CH. 4000]

Amendment of Rule 4003.5 of the Rules of Civil Procedure; No. 604 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 10th day of July, 2014, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been published at 40 Pa.B. 7334 (December 25, 2010):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 4003.5 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective August 9, 2014.

Mr. Justice Saylor dissents. *See Barrick v. Holy Spirit Hosp. of Sisters of Christian Charity*, 91 A.3d 680, 689 (Pa. 2014) (Opinion in Support of Reversal) (Saylor, J.).

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 4000. DEPOSITIONS AND DISCOVERY

Rule 4003.5. Discovery of Expert Testimony. Trial Preparation Material.

(a) Discovery of facts known and opinions held by an expert, otherwise discoverable under the provisions of Rule 4003.1 and acquired or developed in anticipation of litigation or for trial, may be obtained as follows:

(1) A party may through interrogatories require

[(a)] (A) any other party to identify each person whom the other party expects to call as an expert witness at trial and to state the subject matter on which the expert is expected to testify and

[(b)] (B) subject to the provisions of subdivision (a)(4), the other party to have each expert so identified state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion. The party answering the interrogatories may file as his or her answer a report of the expert or have the interrogatories answered by the expert. The answer or separate report shall be signed by the expert.

(2) Upon cause shown, the court may order further discovery by other means, subject to

(A) such restrictions as to scope and such provisions concerning fees and expenses as the court may deem appropriate[.], and

(B) the provisions of subdivision (a)(4) of this rule.

(3) A party may not discover facts known or opinions held by an expert who has been retained or specially employed by another party in anticipation of litigation or preparation for trial and who is not expected to be called as a witness at trial, except a medical expert as provided in Rule 4010(b) or except on order of court as to any other expert upon a showing of exceptional circumstances under which it is impracticable for the party seeking discovery to obtain facts or opinions on the same subject by other means, subject to such restrictions as to scope and such provisions concerning fees and expenses as the court may deem appropriate.

Official Note: For additional provisions governing the production of expert reports in medical professional liability actions, see Rule 1042.26 et seq. Nothing in Rule 1042.26 et seq. precludes the entry of a court order under this rule.

(4) A party may not discover the communications between another party's attorney and any expert who is to be identified pursuant to subdivision (a)(1)(A) or from whom discovery is permitted under subdivision (a)(3) regardless of the form of the communications, except in circumstances that would warrant the disclosure of privileged communications under Pennsylvania law. This provision protects from discovery draft expert reports and any communications between another party's attorney and experts relating to such drafts.

(b) An expert witness whose identity is not disclosed in compliance with subdivision (a)(1) of this rule shall not be permitted to testify on behalf of the defaulting party at the trial of the action. However, if the failure to disclose the identity of the witness is the result of extenuating circumstances beyond the control of the defaulting party, the court may grant a continuance or other appropriate relief.

* * * * *

Explanatory Comment

The Supreme Court has amended Rule 4003.5 governing the discovery of expert testimony. Recent amendments to the Federal Rules of Civil Procedure have prohibited the discovery of communications between an attorney and his or her expert witness unless those communications (1) relate to compensation for the expert's study or testimony, (2) identify facts or data that the party's attorney provided and that the expert considered in forming the opinions to be expressed, or (3) identify assumptions that the party's attorney provided and that the expert relied on in forming the opinions to be expressed. See FRCP 26(b)(4)(C), effective December 31, 2010.

Under current practice in Pennsylvania, few attorneys have been seeking discovery of the communications between an opposing attorney and his or her expert. The proposed amendment to Rule 4003.5 follows the federal rule in explicitly prohibiting the discovery of such communications. However, it does not include the exceptions in the federal rule to those communications because of the

differences between the federal rules and the Pennsylvania rules governing the scope of discovery of expert testimony.

The federal rules of civil procedure permit an expert to be deposed after the expert report has been filed. The exceptions enumerated above simply describe some of the matters that may be covered in a deposition. However, in the absence of cause shown, the Pennsylvania rules of civil procedure do not permit an expert to be deposed. Thus, the exceptions within the federal rule are inconsistent with the restrictions of the Pennsylvania rules of civil procedure governing discovery of expert witnesses.

In Pennsylvania, questions regarding the compensation of the expert have traditionally been addressed at trial; there is no indication that this procedure is not working well.

In addition, the facts or data provided by the attorney that the expert considered, as well as the assumptions provided by the attorney that the expert relied on in forming his or her opinion, are covered by Rule 4003.5(a)(1)(B), which requires the expert to "state the substance of the facts and opinions to which the expert is expected to testify and summary of the ground for each opinion." If facts or data which the expert considered were provided by counsel or if the expert relied on assumptions provided by counsel, they must be included in the expert report. See Rule 4003.5(c) which provides that the expert's direct testimony at trial may not be inconsistent with or go beyond the fair scope of his or her testimony set forth in the report. If the expert report is unclear as to the facts upon which the expert relied, upon motion of a party, the trial court should order the filing of a supplemental report that complies with Rule 4005.3(a)(1).

*By the Civil Procedural
Rules Committee*

PETER J. HOFFMAN,
Chair

[Pa.B. Doc. No. 14-1556. Filed for public inspection July 25, 2014, 9:00 a.m.]

Title 25—LOCAL COURT RULES

LEHIGH COUNTY

Amended Rule 1018.1 Notice to Defend; 2014-J-47

Administrative Order

And Now, this 2nd day of July, 2014, *It Is Hereby Ordered That* the following Amended Lehigh County Rule 1018.1 is hereby *Adopted*, effective 30 days after publication in the *Pennsylvania Bulletin*.

It Is Further Ordered That the Court Administrator of Lehigh County shall file: one (1) certified copy of this Order and the Amended Lehigh County Rule 1302(a) with the Administrative Office of Pennsylvania Courts; two (2) certified copies and a computer diskette or CD-ROM copy that complies with the requirement of 1 Pa. Code Section 13.11(b) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; one (1) certified copy

with the Civil Procedural Rules Committee, and one (1) copy in the Office of the Clerk of Judicial Records—Civil Division of Lehigh County.

By the Court

CAROL K. MCGINLEY,
President Judge

Amended Lehigh County Rule 1018.1. Notice to Defend.

The following shall be designated in the notice to defend contained in a complaint filed by a plaintiff and a complaint filed by a defendant against an additional defendant as the organization from whom legal referral can be obtained, as required by Pa.R.C.P. 1018.1:

Lawyer Referral Service
P.O. Box 1324
Allentown, Pennsylvania 18105-1324
Telephone No. 610-433-7094

[Pa.B. Doc. No. 14-1557. Filed for public inspection July 25, 2014, 9:00 a.m.]

MONROE COUNTY

Adoption of Local Custody Rules Nos. 1915.1, 1915.3, 1915.3-3, 1915.4, 1915.4-3, 1915.4-4, 1915.8, 1915.12, 1915.22; Local Divorce Rules Nos. 1920.12, 1920.43, 1920.51, 1920.51-1, 1920.54, 1920.55-2; and Local Domestic Relations Rules No. 1930.4-1, 1930.8; ADM 43; 5 CV 2014

Order

And Now, this 11th day of July, 2014, it is *Ordered* that the Monroe County Rules of Civil Procedure in Custody, Divorce, and Domestic Relations adopted March 20, 2014 and any subsequent amendments thereafter, are rescinded in their entirety, effective upon the adoption of new Local Rules of Court. Monroe County Local Custody Rules Nos. 1915.1, 1915.3, 1915.3-3, 1915.4, 1915.4-3, 1915.4-4, 1915.8, 1915.12, 1915.22; Local Divorce Rules Nos. 1920.12, 1920.43, 1920.51, 1920.51-1, 1920.54, 1920.55-2; and Local Domestic Relations Rules No. 1930.4-1, 1930.8 are adopted as indicated as follows and shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. The Court Administrator is directed to:

1. File one (1) certified copy of the within Order and new local rules with the Administrative Office of Pennsylvania Courts;
 2. Distribute two (2) certified paper copies and a computer diskette containing the text of the local rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
 3. File one (1) certified copy of the within order and new local rule with the Domestic Relations Procedural Rules Committee of the Supreme Court of Pennsylvania;
 4. Forward one (1) copy to the *Monroe County Legal Reporter* for publication;
- and
5. Arrange to have the local rule changes published on the Monroe County Court of Common Pleas website at www.monroepacourts.us and the Monroe County Bar Association website at www.monroebar.org.

Copies shall be kept continuously available for public inspection in the Office of the Monroe County Prothonotary, the Office of the Court Administrator, and the Monroe County Law Library.

By the Court

MARGHERITA PATTI WORTHINGTON,
President Judge

Actions in Custody

1915.1. Definitions.

“Conciliator” shall be an active-status attorney duly licensed to practice law in the Commonwealth of Pennsylvania and appointed by the Court.

“Conciliation Conference” shall be a prehearing negotiation meeting conducted under the auspices of the Court by the Conciliator.

“Evidentiary Hearing” shall be an evidentiary hearing before a judge of the Court of Common Pleas of Monroe County.

“Program” shall be the Monroe County Co-Parent Education Program.

“Provider” shall be the provider of the Monroe County Co-Parent Education Program.

1915.3. Commencement of Action. Complaint. Order. Fees.

(a) All complaints for custody, petitions for modification, petitions for contempt, and all motions for conciliation conference shall be substantially in the form set forth in Pa.R.C.P. 1915.15 or 1915.12, as applicable, filed with the Prothonotary, and forwarded promptly to the Court Administrator.

(b) Initial complaints and initial motions for conciliation conference shall be accompanied by a scheduling order, the co-parent order, information and registration forms, and a blank criminal or abuse history verification in the forms set forth at Local Rule 1915.22(1), (2) below and Pa.R.C.P. 1915.3-2(c).

(c) Upon the filing of any complaint, petition or motion relating to child custody, the moving party shall pay a fee to the Prothonotary (in addition to the fees required by Local Rule 1940.5) in an amount set forth in the fee schedule adopted by the Court.

(d) Motions for the scheduling of a conciliation conference shall be in accordance with Local Rules 208.2(c), 208.2(d), and 208.3(a).

1915.3-3. Co-Parent Education Program.

(a) All parties to initial custody actions and to divorce actions in which the divorce complaint contains a count for custody shall attend and complete the four hour program entitled Co-Parent Education Program. The Court, in its discretion, may require repeat attendance.

(b) In divorce actions, parties with minor children may attend the Co-Parent Education Program but are not required to do so unless ordered by the Court.

(c) The parties shall register for the program using the registration form set out in these Rules and served with the custody complaint or motion. The moving party must register for the program within fifteen days after service of the order requiring attendance at the program and must complete the program within sixty days after service of the aforementioned order. The responding party must register for the program within fifteen days after service of the order requiring attendance at the program and must complete the program within sixty days after

service of the order. The provider shall certify the parties' attendance by filing a certificate of attendance with the Prothonotary.

Failure to comply with an order requiring attendance at the Co-Parent Education Program may result in the Court taking any appropriate action, including sanctions and/or contempt.

1915.4. Motions to Participate Telephonically.

All requests by a party to participate in a custody conference or custody hearing by telephone and not in person shall be made by the filing of a timely written motion with the court.

1915.4-3. Conciliation Conference.

(a) All parties and all children specifically ordered to attend shall attend the conciliation conference. At the conciliation conference, the conciliator shall meet with the parties and their counsel to conciliate all claims and may meet with the children if deemed appropriate in the discretion of the conciliator. The conciliator shall also screen for referral of the appropriate cases to mediation.

(b) To facilitate conciliation and to encourage frank, open and meaningful exchanges between the parties and their counsel, statements made by the parties, children, counsel or the conciliator at the conciliation conference shall not be admissible as evidence in court. The conciliator shall not be competent to serve as a witness for or against any party nor shall there be any testimony taken at the conciliation conference. The conciliator shall not be subject to subpoena to compel testimony regarding information revealed at the conciliation conference.

(c) Promptly following the conciliation conference, the conciliator shall file a recommendation with the Court setting forth the terms of a consent agreement reached by the parties or setting forth a recommendation for an interim order that may include a requirement that the parties undergo a specific period of counseling with a licensed psychologist or therapist or with a certified mediator. In appropriate cases, the conciliator may recommend mediation pursuant to Pa.R.C.P. 1940.1 et seq.

(d) Where it appears that the resolution of the matter will require an evidentiary hearing, the conciliator shall recommend family social studies or the completion of custody questionnaires. Unless otherwise directed by the Court, the agency issuing the family social study shall mail the written study to the custody conciliation office and to counsel of record for the parties or to the parties if there are no attorneys of record, pursuant to Pa.R.C.P. 1915.8.

(e) Where it appears that the resolution of the matter will require an evidentiary hearing, the conciliator may make any additional recommendations for mental health evaluations, drug and alcohol evaluations, the appointment of experts, guardians ad litem, or counsel for the child or for any other prehearing matters the conciliator deems necessary or appropriate.

(f) No exceptions may be taken from the recommendation of the conciliator.

(g) Nothing in this rule shall be interpreted to contravene Pa.R.C.P. 1915.4.

1915.4-4. Pre-Trial Procedures.

Upon the completion of all family social studies and any evaluations ordered by the Court, either party may move for an evidentiary hearing that shall be held before a judge of the Court. The motion for evidentiary hearing shall be filed with the Prothonotary and shall be accom-

panied by a proposed order scheduling a prehearing conference and the evidentiary hearing in accordance with the form set forth in Local Rule 1915.22(3) below. Prior to any evidentiary hearing, counsel to the parties shall appear for a prehearing conference to be scheduled by the assigned judge. Unless otherwise ordered by the Court, the parties shall be present for prehearing conferences.

All parties shall provide to the Court and all other parties a completed parenting plan, in accordance with 23 Pa.C.S.A. § 5331, and an updated criminal or abuse history verification concerning any criminal and/or abusive history, in accordance with 23 Pa.C.S.A. § 5329 and Pa.R.C.P. 1915.3-2. The completed parenting plan and criminal or abuse history verification shall be attached and submitted to the Court as part of the party's pre-hearing memorandum.

1915.8. Disclosure of Expert Evaluations.

A party to a custody action shall not disclose the contents of an expert report pursuant to Pa.R.C.P. 1915.8, including home study evaluations, mental and physical evaluations, and drug and alcohol evaluations, to anyone except their attorney. Disclosure to an unauthorized person, including the child who is the subject of the action, may result in a finding of contempt and sanctions.

1915.12. Civil Contempt for Disobedience of a Custody Order.

Petitions for contempt shall be filed in the Office of the Prothonotary in accordance with Pa.R.C.P. 1915.12 and may be scheduled for a conference before the conciliator. If the contempt matter is not resolved at conference, then the conciliator shall refer the matter to the judge for appropriate action.

1915.22. Forms.

(a) The scheduling order on complaints and motions for conciliation conferences shall be in the form attached hereto.

(b) The co-parent order, information and registration forms shall be in the forms attached hereto, as supplemented annually.

(c) The order for prehearing conference and final hearing shall be in the form attached hereto.

(d) The parenting plan to be submitted to the Court shall be in the form attached hereto.

**COURT OF COMMON PLEAS OF
MONROE COUNTY
FORTY-THIRD JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA**

_____, : NO. ____ CV 20____
Plaintiff : NO. ____ DR 20____
 :
vs. :
 : IN CUSTODY
_____, :
Defendant :

ORDER

You, _____, have been sued in court to obtain/modify custody or partial custody of the minor child(ren), _____, born _____, now age ____; _____, born _____, now age ____; _____, born _____, now age ____; _____, born _____, now age ____.

AND NOW, upon consideration of the attached Complaint/Petition, it is hereby Ordered that the parties and their respective counsel appear before _____, Esquire, Custody Conciliator, on the _____ day of _____, 20__ in the Conciliation Room, Second Floor, Monroe County Courthouse at _____ (a.m./p.m.) for a conciliation conference. At such conference, an effort will be made to resolve the issues in dispute; or, if this cannot be accomplished, to define and narrow the issues to be heard by the Court and to enter into an Interim Order. Failure to appear at the Conference may provide grounds for the entry of a Temporary Order.

You are further ordered to bring with you the following children to the conference:

NOTE: Children under the age of eight (8) need not attend.

You are also ordered to provide to the Court and all other parties a current criminal or abuse history verification in accordance with Pa.R.C.P. 1915.3-2(c) prior to the custody conference.

If you fail to appear as provided by this Order, to bring with you the minor child(ren), or provide the criminal or abuse history verification, an Order for custody may be entered against you by the Court or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET HELP:

MONROE COUNTY BAR ASSOCIATION
FIND A LAWYER PROGRAM
913 MAIN STREET, P. O. BOX 786
STROUDSBURG, PENNSYLVANIA 18360
(570) 424-7288

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Monroe County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

BY THE COURT:

Date: _____ J.

cc: _____, Esquire, Custody Conciliator

**COURT OF COMMON PLEAS OF
MONROE COUNTY
FORTY-THIRD JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA**

_____, : NO. _____ CV 20__
Plaintiff : NO. _____ DR 20__
: :
vs. : :
: : IN CUSTODY
_____, : :
Defendant : :

ORDER

AND NOW, this _____ day of _____, 20__, ALL PARTIES ARE HEREBY ORDERED to attend a program entitled the Co-Parent Education Program and to bring with you the Certificate of Completion you will receive at the program. You must register for the program using the registration form attached within fifteen (15) days of the date that you receive this Order. Further, you must attend and complete the program within sixty (60) days of the date that you receive this Order.

FAILURE TO ATTEND AND COMPLETE THE PROGRAM IN ACCORDANCE WITH THE INSTRUCTIONS ATTACHED TO THIS ORDER WILL BE BROUGHT TO THE ATTENTION OF THE COURT AND MAY RESULT IN THE FINDING OF CONTEMPT AND THE IMPOSITION OF SANCTIONS BY THE COURT.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET HELP:

MONROE COUNTY BAR ASSOCIATION
FIND A LAWYER PROGRAM
913 MAIN STREET, P. O. BOX 786
STROUDSBURG, PENNSYLVANIA 18360
(570) 424-7288

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Monroe County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

BY THE COURT:

_____ J.

cc:

2014 CO-PARENT EDUCATION PROGRAM

In cases involving minor children, attendance at a four-hour Co-Parent Education Program is required of the parties in custody and divorce actions.

MINOR CHILDREN SHALL NOT BE BROUGHT TO THE PROGRAM

Program Content

The program focuses on the impact of divorce on parents and children, with an emphasis on fostering a child's emotional health and well being during the periods of stress. The program is informative, supportive, and directs people desiring additional information or help to appropriate resources.

The Program addresses the following items:

I. Impact of Divorce on Parents and Children; tasks adults face; tasks children face; common reactions of children of different ages; and do's and don'ts of parenting.

II. Handling the Feelings: Identifying feelings; Anger in divorce: toward your co-parent, from your children, toward your children; Feeling and healing.

III. Video segments and Discussion: Explaining divorce, warning parents, new relationships, etc.

IV. Mediation: Explanation of mediation process and its applicability to divorce and custody matters.

When

The Program is offered every month on one Saturday morning from 9:00 a.m. until 1:00 p.m. or every month on one Tuesday evening from 5:30 p.m. until 9:30 p.m.

Where

The Program will be presented in Hearing Room A, lower level of the Monroe County Courthouse, 7th & Monroe Streets, Stroudsburg, Pennsylvania, unless otherwise directed by security. A security officer will direct you on where to go.

Attendance

Attendance at the Program is required of parties to a case where the interests of children under the age of eighteen years are involved. Additional interested persons may attend the seminar upon prior approval of Family/Divorce Services and certain fees may apply.

Presenters

Qualified counselors, educators and trainers selected by Family/Divorce Services will present the Program pursuant to arrangements with the Court of Common Pleas of Monroe County.

Notification

A copy of the Order requiring the parties to attend the Program and Registration Form will be provided to the parties at the time of the filing of the action or service of the applicable pleading.

Fees

A fee of \$40.00 per party for the Program is required and will be used to cover all program costs including the presenter's fee, handouts and administration. The fee must be submitted with the registration form.

Registration

The registration form must be received by Family/Divorce Services at least seven (7) days prior to the Program date selected. Each party shall attend the Program without further notification by the Court. Any changes in scheduling must be arranged through Family/Divorce Services.

Verification of Attendance

Upon proof of identification at the Program, Family/Divorce Services will record the party as "present" and provide to the Prothonotary of Monroe County a Certificate of Completion, which shall be filed of record. Each person successfully completing the program will be given a Certificate of Attendance. Should you have a case in another County or State, you are responsible to provide that Court with a copy of your Certificate of Completion.

Americans with Disabilities

For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the Court Administrator's office at (570)-517-3009. All arrangements must be made at least (72) hours prior to the Co-Parent Program and you must attend the scheduled program.

Security

The Monroe County Sheriff's Office will provide armed, uniformed deputies at each Program immediately prior to, during and immediately after each presentation.

**CO-PARENT EDUCATION PROGRAM—
2014 Registration Form**

READ ALL INFORMATION

The Program is held on the lower level of the Monroe County Courthouse, Stroudsburg, PA. The Sheriff's Department provides security. Register by MAIL ONLY. See form below.

Further questions should be directed to Family/Divorce Services at 610-366-8868.

The Program fee is \$40 per person for all persons ordered to attend. Guests are welcome, but require an additional \$15 fee. Sign them up on form below.

A videotape or DVD to view and return is available ONLY to parties who reside more than 90 minutes driving time from Stroudsburg. See below.

Please register at least a week before you plan to attend. Confirmations are NOT sent by mail or by phone. Send in your form and come to the courthouse on the date you choose.

Children shall not be brought to the courthouse. Be prompt. Latecomers will not be admitted and will have to re-schedule.

In case of a snowstorm, a message will play at 610-366-8868 if class is canceled. Also, listen to radio 93.5FM or 840AM or WYOU TV for notices of cancellation. If you are disabled and need special assistance to enter the courthouse, call ahead.

REGISTER BY MAIL: Choose your date, fill out the form below and send money order payable to: Family/Divorce Services, P. O. Box 318, Trexlertown, PA 18087.

DOCKET NUMBERS of your divorce and custody case MUST be filled in. Include numbers-letters-year of file:

Your name: _____

Guest (name and relationship to child): _____

Address: _____ City _____

State _____ Zip _____

Phone: Home _____ Work _____

Pick a Saturday morning OR a Tuesday evening:

SATURDAYS
9:00 a.m.—1:00 p.m.

TUESDAYS
5:30 p.m.—9:30 p.m.

- ___ January 4, 2014
- ___ March 15
- ___ May 3
- ___ July 12
- ___ September 20
- ___ November 15

- ___ February 11, 2014
- ___ April 8
- ___ June 10
- ___ August 12
- ___ October 14
- ___ December 9

___ DVD: \$75 fee (includes S&H and \$25 deposit. Deposit is refunded when DVD is returned per instructions.)

COURT OF COMMON PLEAS OF
MONROE COUNTY
FORTY-THIRD JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA

Plaintiff, : NO. CV 20
vs. : NO. DR 20
Defendant, :
IN CUSTODY

ORDER

AND NOW, this ___ day of ___, 20___, upon consideration of the attached motion for hearing, a full evidentiary hearing is scheduled for the ___ day of ___, 20___, at ___ o'clock a.m./p.m., in Courtroom No. ___ of the Monroe County Courthouse, Stroudsburg, Pennsylvania.

Further, a pre-hearing conference is scheduled for the ___ day of ___, 20___, at ___ o'clock a.m./p.m., in the Chambers of the Honorable ___, Monroe County Courthouse, Stroudsburg, Pennsylvania. Unless otherwise ordered by the Court, the parties shall be present for prehearing conferences.

On or before ___, counsel for each party shall provide to the Court and to opposing counsel a written pre-hearing memorandum which shall include the following:

- 1. Name of client, name and telephone number of attorney.
2. A statement of all legal and evidentiary issues anticipated at hearing and citation to legal authorities relied upon by counsel.
3. The names and addresses of all witnesses to be called at hearing with a notation of their specific purpose.
4. A list of all exhibits to be used at hearing and a statement certified by counsel that all exhibits were furnished to opposing counsel as part of the pre-hearing memorandum.
5. The estimated length of hearing time necessary for counsel to present evidence.
6. A proposed order providing the terms you seek.
7. A proposed order providing the terms you seek if the opposing party prevails.
8. The parties shall complete a parenting plan, in accordance with 23 Pa.C.S.A § 5331 and Pa. Monroe Co. R.C.P. Rule 1915.22(4), and an updated criminal or abuse history verification, in accordance with Pa.R.C.P. 1915.3-2(c). The completed parenting plan and criminal or abuse history verification shall be attached and submitted to the Court as part of the party's pre-hearing memorandum.

BY THE COURT:

_____, J.

cc:

COURT OF COMMON PLEAS OF
MONROE COUNTY
FORTY-THIRD JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA

Plaintiff, : NO. CV 20
vs. : NO. DR 20
Defendant, :
IN CUSTODY

PARENTING PLAN

This parenting plan involves the following child/children:

Table with 3 columns: Child's Name, Age, Where does this child live? and 4 rows for listing children.

If you have children not addressed by this parenting plan, name here:

Table with 3 columns: Child's Name, Age, Where does this child live? and 4 rows for listing children.

Legal Custody (who makes decisions about certain things):

Circle one

- Diet Both parties decide together / Plaintiff / Defendant
- Religion Both parties decide together / Plaintiff / Defendant
- Medical Care Both parties decide together / Plaintiff / Defendant
- Mental Health Care Both parties decide together / Plaintiff / Defendant
- Discipline Both parties decide together / Plaintiff / Defendant
- Choice of School Both parties decide together / Plaintiff / Defendant
- Choice of Study Both parties decide together / Plaintiff / Defendant
- School Activities Both parties decide together / Plaintiff / Defendant
- Sports Activities Both parties decide together / Plaintiff / Defendant
- Additional items Both parties decide together / Plaintiff / Defendant

Explain what process you will use to make decisions? (For example, the parent confronted with or anticipating the choice will call the other parent when the choice presents itself, and the other parent must agree or disagree within 24 hours of any deadline.)

Physical Custody (where the child/children live(s)):

The child's/children's residence is with _____.

Describe which days and which times of the day the child/children will be with each person:

Sunday Monday Tuesday Wednesday Thursday Friday Saturday

Describe where and when the child/children will be dropped off and/or picked up (day and time of day)?

Drop-Off:

Where: _____

When: _____

Pick-Up:

Where: _____

When: _____

If one of you doesn't show up, how long will the other wait? _____

If there are any extraordinary costs (taxi, train, airplane, etc.), who will pay for which costs?

HOLIDAYS

Where will the child/children stay?

HOLIDAY	YEAR A	YEAR B	EVERY YEAR
Martin Luther King Day	_____	_____	_____
President's Day	_____	_____	_____
Easter	_____	_____	_____
Memorial Day	_____	_____	_____
Fourth of July	_____	_____	_____
Labor Day	_____	_____	_____
Yom Kippur	_____	_____	_____
Rosh Hashanah	_____	_____	_____
Thanksgiving	_____	_____	_____
Vacation after Thanksgiving	_____	_____	_____
Christmas Vacation	_____	_____	_____
Kwanzaa	_____	_____	_____
New Year's Eve/Day	_____	_____	_____

HOLIDAY	YEAR A	YEAR B	EVERY YEAR
Spring Vacation	_____	_____	_____
Easter Sunday	_____	_____	_____
Child's Birthday	_____	_____	_____
Mother's Day	_____	_____	_____
Father's Day	_____	_____	_____
Other:	_____	_____	_____
Other:	_____	_____	_____
Other:	_____	_____	_____

Summer Vacation Plans:

Special Activities or School Activities:

Will both of you attend?

Child's Name	Activity	If not, which of you will attend?
_____	_____	_____
_____	_____	_____
_____	_____	_____

Temporary changes to this parenting schedule:

From time to time, one of you might want or need to rearrange the parenting time schedule due to work, family or other events. You can attempt to agree on these changes. If you cannot agree, the parent receiving the request will make the final decision.

The parent asking for the change will ask ___ in person ___ by letter/mail ___ by phone

No later than ___ 12 hours ___ 24 hours ___ 1 week ___ 1 month

The parent being asked for a change will reply ___ in person ___ by letter/mail ___ by phone

No later than ___ 12 hours ___ 24 hours ___ 1 week ___ 1 month

May parents contact one another? _____

When the child/children is/are with one of you, how may they contact the other parent?

When and how may _____ contact the child?

In the event that proposed changes, disputes or alleged breaches of this parenting plan and custody order are necessary or desired, the parties agree that such changes will be addressed by the following method (specify method of arbitration, mediation, court action, etc.):

The following matter or matters as specified by the court:

Other (Anything else you want to agree on):

Date

Signature of Mother

Date

Signature of Father

Date

Signature of Witness

Actions in Divorce**1920.12. Filing and Service of Complaint. Costs.**

(a) With the filing of a complaint in divorce, the plaintiff shall deposit court costs with the Prothonotary in an amount set forth in the fee schedule adopted by the Court.

1920.43. Motions and Petitions.

(a) Motions practice shall be in accordance with Local Rules, 208.2(c), 208.2(d), and 208.3(a).

(b) Petitions practice shall be in accordance with Local Rule 206.1(a).

(c) All divorce motions or petitions including a petition for a master's hearing shall be filed with the Prothonotary.

1920.51. Proceedings Before the Master.

(a) Monroe County shall follow the Master's Hearing procedure set out at Pa.R.C.P. § 1920.55-2.

(b) No case shall be scheduled for Master's Hearing prior to the expiration of 90 days from the service of the Divorce Complaint.

(c) Either party may file a Petition for the Appointment of a Divorce Master, in the Form set forth below, provided that:

(1) The petitioning party has complied with the requirements of Pa.R.Civ.P. 1920.33 (pertaining to Inventory and Pretrial Statement); and

(2) The required fee has been paid to the Prothonotary; and

(3) The petitioning party certifies at the time of filing of the Petition that:

(i) The Inventory and Pretrial Statement of the petitioning party have been filed;

(ii) The petitioning party has completed all discovery and knows of no pending discovery on the part of the non-petitioning party which will delay Hearing;

(iii) The petitioning party has given 20 days written Notice of Intention to File Petition for the Appointment of a Divorce Master, using the form set forth below, to all counsel of record and unrepresented parties.

(d) If opposing counsel or any unrepresented party objects to the filing of the Petition for the Appointment of a Divorce Master, the objector shall, within 10 days of the service of the Notice of Intention to File Petition for the Appointment of a Divorce Master, file with the court a statement of objections which shall include the basis for objection and a statement of when the case will be ready for Master's Hearing, along with a Praecipe for Argument. All of the foregoing shall be served on all counsel of record and unrepresented parties.

(e) Upon the filing of the Petition, the Court Administrator shall assign the Master and the Court shall issue an Order scheduling a Hearing, a Pretrial Conference and setting a deadline for the filing and service of the non-petitioning parties' Pretrial Statements in conformity with Pa.R.C.P. § 1920.33.

(f) Counsel of record and unrepresented parties shall attend the Pretrial Conference; represented parties shall be available to consult with their counsel by telephone during the Pretrial Conference. In the event that counsel for either party or an unrepresented party fails to attend

the Pretrial Conference, or fails to file a Pretrial Statement as Ordered, the Master may recommend that the Court impose sanctions.

(g) If a Pretrial Conference or any portion of a Hearing day is held, the Master shall receive a fee in an amount determined by the Court

(h) If additional Hearing days are needed, the Master shall petition the Court with a recommendation regarding the number of additional full or partial hearing days requested and the amount of the additional court costs to be paid by one or both of the parties. The Court shall issue an order for the payment of additional costs and following payment of the costs as ordered shall set the additional hearing dates. No additional hearing dates shall be scheduled prior to the payment of court costs. The Master shall be compensated for any additional full or partial days of hearing in an amount to be determined by the Court.

(i) Forms.

[CASE CAPTION]

**NOTICE OF INTENTION TO FILE PETITION
REQUESTING THE APPOINTMENT OF A
DIVORCE MASTER**

Notice is hereby given that 20 days following the date set out below, [Plaintiff/Defendant] intends to file a Petition Requesting the Appointment of a Divorce Master.

Date: _____ [Signature of Counsel or Pro Se
Party with full address and tele-
phone.]

CERTIFICATE OF SERVICE

I certify that I have provided or will immediately provide a copy of this Notice of Intention to File Petition Requesting the Appointment of a Divorce Master to all other self-represented parties or their attorney of record at the following address as listed below:

Name _____

Address _____

Date: _____ [Signature of Counsel or Pro Se
Party with full address and tele-
phone.]

[CASE CAPTION]

**PETITION REQUESTING THE APPOINTMENT
OF A DIVORCE MASTER**

_____, petitions this Honorable Court for the Appointment of a Master in Divorce, and in support thereof avers:

1. Petitioner is _____ .
2. Respondent is _____ .
3. Petitioner has complied with the requirements of Pa.R.C.P § 1920.33.
4. The required fee for the Master's Hearing has been paid to the Prothonotary.
5. The Complaint was served on the Defendant by the following means:
6. Ninety days have passed since the date of service of the Complaint.
7. Petitioner filed an Inventory on the following date: _____ . Petitioner filed a Pretrial Statement on the following date: _____ .

8. Petitioner has completed all discovery requests to and has received all necessary discovery from all other parties and knows of no pending discovery on the part of any other party which will delay the Master's Hearing.

9. Petitioner has given 20 days written Notice of Intention to File Petition Requesting the Appointment of a Divorce Master to all other parties or their counsel of record at the address listed below and no party has filed objections to the appointment of a Divorce Master or to the scheduling of a Master's Hearing.

Name _____

Address _____

Date Notice was Served: _____

Date: _____ [Signature of Counsel or Pro Se Party with full address and telephone.]

[CASE CAPTION]

ORDER FOR THE APPOINTMENT OF DIVORCE MASTER

AND NOW, this _____ day of _____, upon Petition for the Appointment of a Divorce Master, is appointed Divorce Master.

It is ORDERED that a Pretrial Conference is scheduled for the _____ day of _____, 20____ at ____: __ o'clock a.m./p.m. in the office of the Master located at _____.

It is further ORDERED that all parties shall file a Pretrial Statement in conformity with Pa.R.Civ.P. 1920.33. The petitioning party shall file his/her Pretrial Statement on or before the filing of the Petition for Appointment of a Divorce Master, and the responding party shall file his/her Pretrial Statement within 20 days of service of the petitioning party's inventory.

Counsel of record and unrepresented parties shall attend the Pretrial Conference; represented parties shall be available to consult with their counsel by telephone during the Pretrial Conference. In the event that counsel for either party or an unrepresented party fails to attend the Pretrial Conference, or fails to file a Pretrial Statement as ORDERED in this Order, the Master may recommend that the Court impose sanctions.

The parties and counsel of record are further ORDERED to appear for Hearing before the Master on the _____ day of _____, in Hearing Room _____, Monroe County Courthouse, Stroudsburg, Pennsylvania at _____ o'clock, __ M.

By the Court, _____

cc:

1920.51-1. Continuance of Master's Hearing in Divorce.

(a) Scheduled master's hearings may be continued by petition only, filed in accordance with Monroe Co.R.C.P. 206.1(a) and 208.2(d).

(b) Prior to filing a petition to continue a master's hearing, the moving party or, if represented, their counsel shall contact the Office of the Court Administrator to secure several prospective dates for the rescheduled hearing, and shall list those dates on the concurrence/non-concurrence required to be attached to the petition and which shall be substantially in the form set forth below.

(c) Upon receipt of prospective continuance dates from Court Administration, the moving party shall forward to all responding parties, or if represented, to their counsel, the concurrence/non-concurrence form setting forth the prospective continuance dates.

(d) Within three (3) business days of receiving the concurrence/non-concurrence form from the moving party, all responding parties, or if represented, their counsel, shall complete the form stating their concurrence or non-concurrence in the petition, and notwithstanding their non-concurrence, shall indicate their availability for hearing on the prospective continuance dates.

(e) The moving party or counsel shall complete a proposed order rescheduling the master's hearing by filling in a specific date for the rescheduled hearing from the list of prospective dates provided by the Court Administrator and approved by all responding parties and counsel, and attach the proposed order to the petition.

(f) The completed petition, concurrence/non-concurrence form and proposed order shall be filed in the Office of the Prothonotary and copies served on the master, the Office of Court Administration and all parties, with a certificate of service.

(g) Petitions for continuance of master's hearings shall be filed no later than one week before the scheduled pretrial conference with the master, except for good cause shown.

(h) Form.

CERTIFICATION OF CONCURRENCE, NON-CONCURRENCE OR NO REPLY

I hereby certify that I am counsel for the Petitioner OR I am the Pro Se Petitioner and that concurrence in the prayer of the within Petition for Continuance of Divorce Master's Hearing has been sought from _____, Counsel to Respondent, OR _____ Pro Se Respondent, by mailing the Petition for Continuance of Divorce Master's Hearing, with a copy of this Certification of Concurrence, Non-Concurrence or No Reply to the following, addressed as follows on [date of mailing]:

**

I further certify that:

_____ Responses are set out below with signatures of counsel or Pro Se Respondent.

_____ No responses were provided.

I further certify that the Office of the Court Administrator has provided the following prospective dates for the rescheduled Master's Hearing in Divorce, all of which are dates on which I am available and Petitioner are available:

Dated: _____, Esquire
Counsel to Petitioner

[OR]

Dated: _____
Pro Se Petitioner

I hereby certify that I am counsel to the Respondent and that:

_____ I concur in the Petition for Continuance.

_____ I do not concur in the Petition for Continuance.

I further certify that I am available and the Respondent is available on the following prospective dates identified above provided by the Office of the Court Administrator. I understand that whether I concur or do not concur I am required to identify dates of availability:

Dated: _____, Esquire
Attorney for Respondent

I hereby certify that I am the responding Pro Se party and that:

- _____ I concur in the Petition for Continuance.
_____ I do not concur in the Petition for Continuance.

I further certify that I am available on the following prospective dates identified above provided by the Office of the Court Administrator. I understand that whether I concur or do not concur I am required to identify dates of availability:

Dated: _____ Pro Se Respondent

1920.54. Settlement Before Scheduled Hearing.

In the event that the parties settle all claims prior to hearing, the parties and counsel shall appear before the master and state the terms of their settlement on the record. Said appearance is waived if by the close of business on the day before the scheduled hearing the parties file with the Prothonotary and deliver to the master an executed divorce settlement agreement and affidavits of consent. Where parties settle on the record or by the filing of a written divorce settlement agreement, the master shall file a report and recommendation within thirty days of the scheduled hearing date.

1920.55-2. Master's Report.

Following the conclusion of the final hearing, the master shall file the record and the report and recommendation within:

- a) twenty days in uncontested actions, or
b) thirty days from the last to occur of the receipt of the transcript by the master or last submission to the master in contested actions.

Counsel for the parties shall file briefs or memoranda of law within fifteen days after the filing of the transcript. The service of the master's report and recommendations and the filing of exceptions shall follow the procedures set out in Pa.R.C.P. § 1920.55-2. The parties shall serve a copy of any exceptions they file upon the master, by regular mail or by personal service by a competent adult at the master's principal office.

1930.4-1. Service of Legal Papers Other Than Original Process.

(a) Manner of Service. Copies of all legal papers other than original process filed in an action or served upon any party shall be served upon every other party to the action in conformity with Pa.R.C.P. 440.

(b) Time for Service. Service shall be make upon every other party to the action on or before the date the legal paper is filed with the court.

(c) Certificate of Service. A certificate of service, substantially in the form set forth below, shall be filed

together with any legal papers other than original process filed in an action or served upon any party. The certificate of service shall identify the document served, the individual(s) served, the address(es) where service is made, and the manner of service, and shall be signed by the person responsible for service.

(d) Form Certificate of Service:

[CAPTION]

CERTIFICATE OF SERVICE

I certify that I am THIS DAY causing the attached [name of document] to be served upon the following individual(s) at the address(es) and in the manner(s) specified below:

- Name of Individual Served
Address of Individual Served
Manner of Service (i.e. Regular First Class US Mail or Personal Service)

Signature of Person Serving

Date: _____

Rule 1930.8. Self-represented party.

(a) A party representing himself or herself shall enter a written appearance, substantially in the form set forth below, which shall state an address, which need not be is or her home address, where the party agrees that pleadings and other legal papers may be served, and a telephone number through which the party may be contacted.

(b) A self-represented party is under a continuing obligation to provide current contact information to the court, to other self-represented parties, and to attorneys of record.

(c) When a party has an attorney of record, the party may assert his or her self-representation by:

(1) Filing a written entry of appearance and directing the Prothonotary to remove the name of his or her counsel of record with contemporaneous notice to said counsel, or

(2) Filing an entry of appearance with the withdrawal of appearance signed by his or her attorney of record.

(d) The self-represented party shall provide a copy of the entry of appearance to all self-represented parties and attorneys of record.

(e) The assertion of self-representation shall not delay any stage of the proceeding.

(f) The written entry of appearance shall be substantially in the form set forth below.

(g) Form.

COURT OF COMMON PLEAS OF MONROE COUNTY FORTY-THIRD JUDICIAL DISTRICT COMMONWEALTH OF PENNSYLVANIA

Plaintiff, : NO. DR 20
: NO. CV 20
vs. :
Defendant, :

ENTRY OF APPEARANCE AS A SELF-REPRESENTED PARTY

1. I am the Plaintiff Defendant in the above-captioned (MARK ONE) custody, divorce, support, Protection from abuse, paternity case.

2. This (MARK ONE) is is not a new case and I am representing myself in this case and have decided not to hire an attorney to represent me.

OR (check only one box)

This is NOT a new case and _____ (Name of Attorney) previously represented me in this case. I have decided not to be represented by that attorney and direct the Prothonotary to remove that attorney as my counsel of record in this case.

I have provided a copy of this form to that attorney listed above at the following address:

OR (check only one box)

I am entering my appearance as a self-represented party (sign) _____. My attorney acknowledges his/her withdrawal as my attorney in this case.

(Attorney signature) _____, Esq.

(Print Attorney Name) _____, Esq.

3. My address for the purpose of receiving all future pleadings and other legal notices is: _____. I understand that this address will be the only address to which notices and pleadings in this case will be sent, and that I am responsible to regularly check my mail at this address to ensure that I do not miss important deadlines or proceedings.

This is my home address.

This is not my home address.

4. My telephone number where I can be reached during normal business hours (8:30 a.m. - 4:30 p.m. Monday - Friday) is _____. My email address is _____.

My telephone number and email address are confidential pursuant to a Protection From Abuse Order.

5. I UNDERSTAND I MUST FILE A NEW FORM EVERY TIME MY ADDRESS OR TELEPHONE NUMBER CHANGES.

6. I have provided or will immediately provide a copy of this form to all other attorneys or other self-represented parties at the following addresses as listed below: (Use reverse side if you need more space)

Name _____ Address _____

Name _____ Address _____

7. I fully understand that by deciding to represent myself, the Court will hold me to the same standards of knowledge regarding the statutory law, evidence law, Local and State Rules of Procedure and applicable case law as a Pennsylvania licensed attorney, and that I must be fully prepared to meet those responsibilities.

I verify that the statements made in this Entry of Appearance as a Self-Represented Party are true and correct. I understand that if I make false statements herein, that I am subject to the criminal penalties of

18 Pa.C.S. § 4904 relating to unsworn falsification to authorities which could result in a fine and/or prison term.

Date Signature (Your Signature)

Please Print (Your Name)

[Pa.B. Doc. No. 14-1558. Filed for public inspection July 25, 2014, 9:00 a.m.]

MONTGOMERY COUNTY

Adoption of Local Rule of Judicial Administration 1901*—Termination of Inactive Cases; No. 2014-00001

Order

And Now, this 10th day of July, 2014, the Court hereby adopts Montgomery County Local Rule of Judicial Administration 1901*—Termination of Inactive Cases. This Local Rule shall become effective thirty days after publication in the *Pennsylvania Bulletin*.

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.

By the Court

WILLIAM J. FURBER, Jr.,
President Judge

Local Rule of Judicial Administration 1901*. Termination of Inactive Cases.

(a) This Local Rule shall not apply to criminal, juvenile, orphans' court or zoning cases. This Local Rule shall be applicable to all remaining civil and family cases regardless of the nature or extent of the relief sought.

(b) The Court may initiate proceedings to terminate a case in which there has been no activity of record for two years or more by serving a notice of proposed dismissal of court case.

(c) The Court shall serve the notice on counsel of record, and on the parties if not represented, sixty days prior to the date of the proposed termination. The notice shall contain the date of the proposed termination and the procedure to avoid termination. The notice shall be served by mail pursuant to Rule 440 or by electronic transmission pursuant to Rule 205.4(g). If the mailed notice is returned, the notice shall be served by advertising it in the *Montgomery Law Reporter*.

(d) The notice required by subdivision (c) shall be in substantially the following form:

(Caption)

Notice of Proposed Termination of Court Case

The Court intends to terminate this case without further notice because the docket shows no activity in the case for at least two years. You may stop the court from terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed should be filed with the Prothonotary of the Court at COUNTY

OF MONTGOMERY, OFFICE OF THE PROTHONOTARY, P. O. BOX 311, COURTHOUSE, NORRISTOWN, PA 19404-0311, on or before _____ .

Date

IF YOU FAIL TO FILE THE REQUIRED STATEMENT OF INTENTION TO PROCEED THE CASE WILL BE TERMINATED.

BY THE COURT:

Date of this Notice

Prothonotary

(e) The Statement of Intention to Proceed shall be in the following form:

(Caption)

Statement of Intention to Proceed

TO THE COURT:

_____ intends to proceed with the above captioned matter.

Date: _____

_____ Attorney for _____

(f) If no statement of intention to proceed has been filed in the required time period, the Prothonotary shall enter an order as of course terminating the matter with prejudice for failure to prosecute.

(g) If an action has been terminated pursuant to this rule, an aggrieved party may petition the court to reinstate the action. All matters so terminated may not be reinstated except with leave of Court, for cause shown.

(h) Following the filing of a statement of intention to proceed in civil cases only, the Court may schedule a Discovery Management Conference in the subject case as set forth in Montgomery County Local Rule of Civil Procedure 4019*(5).

Comment: The forms referenced in this rule are available online at www.montcopa.org/prothonotary.

[Pa.B. Doc. No. 14-1559. Filed for public inspection July 25, 2014, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Karen Jones Miller having been disbarred by consent from the practice of law in the District of Columbia by Order of the District of Columbia Court of Appeals filed February 6, 2014; the Supreme Court of Pennsylvania issued an Order on July 10, 2014, disbaring Karen Jones Miller from the Bar of this Commonwealth, effective August 9, 2014. 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. 14-1560. Filed for public inspection July 25, 2014, 9:00 a.m.]

Notice of Disbarment

Notice is hereby given that Thomas Leo Murphy having been disbarred by consent from the practice of law in the State of New Jersey by Order of the Supreme Court of New Jersey dated February 6, 2014; the Supreme Court of Pennsylvania issued an Order on July 10, 2014, disbaring Thomas Leo Murphy from the Bar of this Commonwealth, effective August 9, 2014. 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. 14-1561. Filed for public inspection July 25, 2014, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Joseph S. Chizik having been suspended from the practice of law in the State of New Jersey for a period of three months by Order of the Supreme Court of New Jersey dated January 14, 2014; the Supreme Court of Pennsylvania issued an Order dated July 10, 2014 suspending Joseph S. Chizik from the practice of law in this Commonwealth for a period of three months. 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*.

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

[Pa.B. Doc. No. 14-1562. Filed for public inspection July 25, 2014, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Jeffery L. Krain having been suspended from the practice of law in the State of New Jersey for a period of six months by Order of the Supreme Court of New Jersey dated February 11, 2014, the Supreme Court of Pennsylvania issued an Order on July 10, 2014 suspending Jeffery L. Krain from the practice of law in this Commonwealth for a period of six months, to take effect on August 9, 2014. 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*.

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

[Pa.B. Doc. No. 14-1563. Filed for public inspection July 25, 2014, 9:00 a.m.]