

# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA. CODE CH. 7 ]

### Amendment of Rules 701 and 706 of the Rules of Judicial Administration; No. 495 Judicial Administration Doc.

#### Order

*Per Curiam:*

And Now, this 12th day of January, 2018, Rules 701 and 706 of the Pennsylvania Rules of Judicial Administration are amended to read as follows.

To the extent that notice of proposed rulemaking would be required by Rule 103 of the Pennsylvania Rules of Judicial Administration or otherwise, the amendment of Rule 701 and 706 is hereby found to be required in the interest of justice and efficient administration.

This Order shall be effective immediately and shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration.

#### Annex A

### TITLE 201. RULES OF JUDICIAL ADMINISTRATION

#### CHAPTER 7. ASSIGNMENT OF JUDGES

##### ASSIGNMENT AND TRANSFER OF JUDGES

###### Rule 701. Assignment of judges to courts.

(A) *Conditions Applicable for the Certification of Senior Magisterial District Judges, Judges or Justices.*

\* \* \* \* \*

(2) In addition to paragraph (1), any duly elected magisterial district judge, judge or justice, having an aggregate of five years of judicial service, who is required to retire [ **at age seventy** ] **due to mandatory retirement age**, shall be eligible for certification.

\* \* \* \* \*

##### SUPERVISION AND ASSIGNMENT OF JUDGES

###### Rule 706. Determination or selection of Chief Justice and president and administrative judges.

\* \* \* \* \*

(b) *Courts of eight or more judges.* The president judge of all courts with eight or more judges shall be selected for five-year terms by the members of their respective courts. In the event of a tie vote for the office of president judge, the Supreme Court shall appoint as president judge for a five-year term one of the judges receiving the highest number of votes. Upon the occurrence of a vacancy in the office of president judge of a court subject to this subdivision by reason of death, resignation, removal, retirement or otherwise, his successor shall be selected for a five-year term. No president judge may succeed himself or herself after a full elected term without an intervening full elected term.

[ (1) ] Upon the vacation of the office of President Judge or Administrative Judge by death, resignation,

termination of term of office or removal by the Supreme Court, all personal staff members of said judge shall be reassigned to a general pool for a period of sixty (60) days to be assigned to other judges or terminated, except as follows:

[ (a) ] (1) Those employees (i.e., secretary, tipstaff, law clerk) retained by the outgoing judge who continues serving as a trial or appellate court judge shall be compensated at a level commensurate with other trial and appellate court staff members, taking into consideration their total years of service, where applicable;

[ (b) ] (2) Those employees of the outgoing judge chosen by other judges of the same court to serve on their staffs may be retained and shall be compensated at a level commensurate with that staff position, taking into consideration their total years of service, where applicable.

\* \* \* \* \*

###### (f) *Selection procedures.*

(1) Each court selecting a president judge pursuant to this rule shall do so at a meeting held pursuant to this subdivision. Except as otherwise prescribed in this paragraph, the court shall meet for such purpose in the chambers of the [ **senior judge** ] **commissioned judge with the greatest seniority**, as determined by Rule 705, who is [ **under age 70 and** ] entitled to participate in the selection, or in a courtroom designated by him, at noon on the tenth day (Sundays excepted) preceding the expiration of the term of office of the incumbent president judge, or on the tenth day (Sundays excepted) next following the death, resignation, removal, retirement or reassignment of the president judge for whom a successor is to be selected. A majority of the judges entitled to participate in the selection of a president judge may fix another time and place for the selection of a president judge consistent with the requirements of this paragraph, upon giving all other judges entitled to participate therein at least 72 [ **hours** ] **hours** prior written notice of the time and place fixed for the meeting. Whenever a vacancy occurs or will occur in the office of president judge between February 1 of any odd-numbered year and the first Monday of January next following, the meeting for the purpose of selecting a president judge shall not be held before noon on such first Monday of January, but a meeting may be held during such period for the purpose of selecting an acting president judge.

(2) At the meeting the [ **senior judge** ] **commissioned judge with the greatest seniority**, as determined by Rule 705, who is [ **under age 70 and** ] present, shall preside. Ballots shall be prepared and distributed containing the name of each judge of the court. Voting shall be by secret ballot and the judge receiving a plurality of the votes cast shall be declared selected.

\* \* \* \* \*

[Pa.B. Doc. No. 18-133. Filed for public inspection January 26, 2018, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### ARMSTRONG COUNTY

Central Booking System Fee; No. CP-03-AD-0000001-2018

#### Administrative Order of Court

And Now, this 5th day of January, 2018, upon recommendation from the Armstrong County Criminal Justice Advisory Board, which has, pursuant to 42 Pa. Cons. Stat. Ann. § 1725.6, developed and implemented a countywide central booking center plan that has been submitted to and approved by the Pennsylvania Commission on Crime and Delinquency, it is *Ordered* as follows: Pursuant to 42 Pa. Cons. Stat. Ann. §§ 1725.5(a) and 1725.6(a)(1), the Court hereby directs that a central booking fee of \$150.00 shall be assessed as part of every sentence imposed by the Court of Common Pleas of Armstrong County, Pennsylvania. Said fee shall be paid by the defendant to the order of the County of Armstrong and shall be collected by the Armstrong County Clerk of Court's office. Once collected, the fee shall be deposited into a specially-created and designated central booking center fund, which fund shall be used solely for the implementation and operation of the central booking center. This Order shall become effective on the first Monday following thirty (30) days after the same has been published in the *Pennsylvania Bulletin*.

By the Court

JAMES J. PANCHIK,  
President Judge

[Pa.B. Doc. No. 18-134. Filed for public inspection January 26, 2018, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BUTLER COUNTY

Local Rule of Judicial Administration; MsD No. 18-40009

#### Administrative Order of Court

And Now, this 5th day of January, 2018, it is hereby Ordered and Decreed, that the Administrative Order of Court dated December 23, 2016 adopting local rules L4002, L4007, L4008 and L4014 is herewith vacated. Effective January 1, 2018, or thirty (30) days after publication in the *Pennsylvania Bulletin*, whichever is later, the Butler County Court of Common Pleas adopts the following local rules, L4002, L4007, L4008, and L 4011A, governing court reporting and transcripts for the 50th Judicial District.

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

1. File one (1) copy with the Administrative Office of Pennsylvania Courts via e-mail to adminrules@pacourts.us.
2. File two (2) paper copies and one (1) electronic copy in Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish these rules on the Butler County Court Services website.

4. Incorporate this rule into the set of Butler County local rules on the Court's website within thirty days after the publication of the rule in the *Pennsylvania Bulletin*.

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

6. Deliver one (1) copy to the *Butler County Legal Journal* for publication at their discretion.

By the Court

MARILYN J. HORAN,  
Administrative Judge

### LOCAL RULES GOVERNING COURT REPORTING AND TRANSCRIPTS

#### Rule L4002. Definitions.

Court Administrator means the Court Administrator of Pennsylvania

District Court Administrator means the County Court Administrator

#### Rule L4007. Requests for Transcripts.

(A) All requests for transcripts shall be set forth on a standardized form provided by the District Court Administrator. Because multiple Court Reporters may be involved in multiple day hearings, separate requests must be submitted for each date requested.

(B) The party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the District Court Administrator of the Court of Common Pleas of Butler County who will immediately note in their intake log that the filing has been made. The requesting party shall also serve copies of the formal request to:

- (1) the judge presiding over the matter; and
- (2) opposing counsel, but if not represented, the opposing party.
- (3) the District Court Administrator shall determine which Court Reporter is responsible for information requested and deliver a copy of the request to that reporter.

(C) Requests for expedited, daily or same day transcripts must be approved by the Court following the submission of such request to the Court at least ten days prior to the proceeding. Requests for expedited, daily or same day transcripts following a hearing or other judicial proceeding shall be submitted to the District Court Administrator for consideration. In the event of an emergency or disagreement, a party may request of the trial court judge, by oral motion, an expedited, daily or same day transcript which shall be subject to the availability of the Court Reporter.

(D) When counsel, or the litigant, when proceeding pro se, requests a transcript:

- (1) The requester shall make partial payment of 90% of the estimated transcript cost upon notification by the Court Reporter of the estimated total cost of preparing the transcript. Litigants will be directed by the Court Reporter to the proper filing office where payment may be made. Deposit checks are to be made payable to the filing office in which the transcript will be or has been filed.
- (2) Upon payment of the deposit the filing office will notify the District Court Administrator who in turn will notify the Court Reporter that the deposit has been received and that preparation of the desired transcript may proceed. Failure to pay the required deposit or final payment within 30 days of notification by the Court Reporter of the amount due shall cause the Request for

Transcript to be deemed withdrawn and the Requestor shall be required to start the process again if the transcript is still wanted.

(3) Upon completion of the transcript, the Court Reporter shall notify the individual who requested the transcript that it is ready for delivery. The Court Reporter shall notify the requester of the balance due and place an electronic copy in the designated Recording Office docketing queue. The Recording Office shall then serve an electronic copy on the trial Judge if and when requested and the transcript shall be filed of record with the appropriate filing office. Upon payment of any balance owed, the filing office shall deliver a copy of the transcript to the litigant who ordered it. Electronic delivery by e-mail is preferred. Checks or Money Orders for the final balance are to be made payable to the filing office in which the transcript has been filed. Transcripts of all hearings or portions thereof, once transcribed by the Court Reporter, shall be filed of record in the proper recording office.

(4) A "Request for Transcript" must also be submitted for individuals seeking to obtain copies of transcripts that have previously been filed of record. Upon payment of the appropriate fee, the recording office may provide a copy of the transcript to the individual requesting it. Distribution of electronic copies by e-mail is preferred.

(5) A copy of the "Request for Transcript" form shall be made available in the District Court Administrator's office, the recording offices and on the Butler County Court of Common Pleas website.

**Rule L4008. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.**

(A) *Costs*

(1) The costs payable by a requesting party, other than those entities described in section 4 below, for production and filing of a transcript in an electronic format shall be:

- (a) for an ordinary transcript, \$2.50 per page;
- (b) for an expedited transcript, \$3.50 per page, expedited transcripts are only available if the court reporter is able to accommodate;
- (c) for a daily transcript, \$4.50 per page, daily transcripts are only available if the court reporter is able to accommodate; and
- (d) for same day delivery, \$6.50 per page, same day delivery transcripts are only available if the court reporter is able to accommodate.

(2) When the transcript is prepared in paper format, the costs shall be in accordance with paragraph (1) relating to electronic format plus a surcharge of \$0.25 per page. When a requestor indicates that the transcript is being ordered pursuant to an appeal, the requestor (except those listed in section 4 below) must pay for one hard copy and one electronic copy at the rates of \$2.75 per page for a hard copy for the recording office and an additional \$.50 per page for an electronic copy for his or her own personal use.

(3) When the requesting party represents a Commonwealth or federal agency (for example but not limited to: Office of the Attorney General, Penn Dot, FBI other state or federal investigative agency) the costs payable to the

County of Butler shall be equivalent to that which is charged to any outside, private party or litigant. A request for transcript under this section must be made on the form prescribed by the Court Administrator.

(4) When the requesting party is a Judge, the Butler County District Attorney's office, the Butler County Public Defender's Office or any other County office or agency there will be no charge for a transcript provided the transcript is being used in the furtherance of litigation. A request for transcript under this section must be made on the form prescribed by the Court Administrator. All transcripts under this section will be delivered to the requester in electronic format only.

(5) Nothing in this rule shall authorize delivery of an original transcript, or copy thereof, in a proceeding where the record is sealed or where the record is not generally available to the public to any person or entity not otherwise entitled to the same.

(B) *Economic hardship—minimum standards*

(4) The application to waive all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure. Such application should be prepared in the form of a Petition to Proceed In Forma Pauperis to waive all or a portion of the transcript costs and filed in the appropriate filing office. A copy of the Order of Court granting a person the privilege of proceeding In Forma Pauperis, or at a reduced rate, must accompany the "Request for Transcript" form. A sample Petition to Proceed In Forma Pauperis shall be made available in the recording offices, the Court Administrator's office and on line on the Butler County Courts web page.

(D) *Copies of transcript*

A request for a copy of any transcript previously ordered, transcribed and filed of record shall be provided by the appropriate filing office upon completion of a "Request for Transcript" and payment of the appropriate fee according to the following schedule:

- (1) \$0.75 per page, paper format; and,
- (2) \$0.50 per page electronic copy.

(E) *Additional Costs*

A trial judge may impose a reasonable surcharge in cases such as mass tort, medical malpractice or other unusually complex litigation, where there is a need for court reporters to significantly expand their dictionary. Such surcharges, not to exceed \$1.00 per page, are at the discretion of the trial judge.

**Rule L 4011(A). Deadline for Delivery of Transcript.**

(A) Unless otherwise ordered by the court, the court reporter shall deliver the transcript for those cases under appeal within 14 days of receiving notice from the district court administrator as required by Pa.R.A.P. 1922(a). As evidence that an appeal has been filed, the requestor of the transcript shall deliver the Notice of Appeal as filed with the appropriate recording office to the District Court Administrator along with the Request for Transcript.

[Pa.B. Doc. No. 18-135. Filed for public inspection January 26, 2018, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### DAUPHIN COUNTY

#### Promulgation of Local Rules; No. 1793 S 1989

##### Order

*And Now*, this 8th day of January 2018, Dauphin County Local Rules of Criminal Procedure 575 is promulgated as follows:

##### **Rule of Criminal Procedure 575. Physical Characteristics of Pleadings and Other Legal Papers.**

(1) All documents filed in the Office of Clerk of Courts shall be on 8 1/2 inch by 11 inch paper and shall comply with the following requirements:

(a) The document shall be prepared on white paper of good quality and the use of recycled paper is encouraged.

(b) The first sheet shall contain a 3-inch space from the top of the paper for all court stampings, filing notices, etc.

(c) The text must be double spaced, but quotations more than two lines long may be indented and single spaced. Except as provided in subsection b, margins must be at least one inch on all four sides.

(d) The lettering shall be clear, legible and no smaller than Arial 12 point.

(e) The lettering shall be on only one side of a page.

(f) All exhibit tabs shall appear at the bottom of the pleading.

(g) No backers shall be used on the original or any copies of pleadings or other legal papers filed with the Clerk of Courts. The original of pleadings or other legal papers should be paper clipped in the top left corner. If the document is over one-half inch thick, it should be secured with a binder clip. Backers may be used for copies provided to the court, opposing parties or clients.

(h) Exhibits or attachments smaller than 8 1/2 inches by 11 inches shall be attached to a regular size paper by using adhesive tape.

(i) Pages shall be consecutively numbered beginning with page 2 and said number shall appear on the bottom center of the motion/petition.

(j) The name of the attorney or party, the address at which service can be made, a telephone number and email address of the attorney or party if service is to be effectuated by email shall appear on the top left hand corner of the first page of all papers filed in the Office of the Clerk of Courts.

(k) Filings of record may be referenced in any subsequent filing but shall not be attached to the filing.

(1) Attorneys and self-represented parties shall comply with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts and Local Rules of Judicial Administration 101 and 102 found at <http://www.dauphincounty.org/government/Court-Departments/Local-Rules-of-Court/Pages/default.aspx>.

(2) The Clerk of Courts shall endorse upon each paper filed, the date and time of its filing, and enter it upon the proper docket.

(3) If a proposed order or alternative orders are attached to any motion, petition or answers or responses thereto, the proposed order shall contain a distribution legend. The distribution legend shall include the name(s) and mailing address(es), telephone number(s), facsimile number(s) and e-mail address(es), if any, of all attorneys and/or self-represented parties to be served with a copy of the order. The distribution legend shall also list Court Administration and any other office that should receive a copy of the order including but not limited to the Prison, Probation Services and the Sheriff's Office especially if the proposed order requests the release of a defendant from incarceration. The Clerk of Courts is not responsible for sending a copy of an order to anyone who is not listed in the distribution legend.

(4) The filing shall contain a certificate of service as required by Rule of Criminal Procedure 576(B)(4).

This amendment shall be effective thirty (30) days from date of publication.

*By the Court*

RICHARD A. LEWIS,  
*President Judge*

[Pa.B. Doc. No. 18-136. Filed for public inspection January 26, 2018, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### DAUPHIN COUNTY

#### Promulgation of Local Rules; No. 1793 S 1989

##### Order

*And Now*, this 8th day of January 2018, Dauphin County Local Rules 1911.11.1, 1915.3, 1915.3.1, 1915.7, 1915.15(c), 1920.1, 1920.74(b), 1930 and 1930.8 are amended as follows:

##### **Rule 1910.11.1.**

The Educational [ **PARENTING** ] Seminar Attendance Order shall be substantially in the following form:

: IN THE COURT OF COMMON PLEAS  
: DAUPHIN COUNTY, PENNSYLVANIA

Plaintiff :  
: PACSES CASE NUMBER

:  
Defendant : DOCKET NO.

##### EDUCATIONAL [ **PARENTING** ] SEMINAR ATTENDANCE ORDER

All parties are ORDERED to attend a four hour educational [ **parenting** ] seminar (**Seminar for Families in Change and Conflict**) and file [ **the** ] **your** Certificate of Attendance [ **you will receive at the Seminar** ] at the Domestic Relations Office prior to your hearing before the Court.

The Plaintiff shall attend on \_\_\_\_\_ at \_\_\_\_\_ M and the Defendant shall attend on \_\_\_\_\_ at \_\_\_\_\_ M. Any requests for rescheduling must be directed to the provider of the Seminar [ **and you will be required to** ]. **You**

**should** attend the next available Seminar. (See attached information sheet for additional information).

You **MUST** attend and complete the Seminar prior to your Hearing before the Court.

**FAILURE TO ATTEND AND COMPLETE [APPEAR AT] THE SEMINAR [AS SCHEDULED OR FAILURE TO REGISTER AND COMPLETE THE PROGRAM] WILL BE BROUGHT TO THE ATTENTION OF THE COURT AND MAY RESULT IN THE FINDING OF CONTEMPT OF COURT PUNISHABLE BY FINE AND OTHER APPROPRIATE SANCTIONS.**

BY THE COURT:

DATE: \_\_\_\_\_

**Rule 1915.3. Custody Actions.**

(a) *Commencement of Custody Actions*

1. A custody action shall be commenced by the filing of an original and one copy of either a Custody Complaint or a Divorce Complaint or Counterclaim that contains a custody count with the Prothonotary in accordance with Pa.R.C.P. 1915.3.

2. In addition to the filing fees assessed for the filing of complaints, an additional administrative fee in the amount of \$150.00 shall be paid to the Prothonotary simultaneously with the filing of the Custody action.

(b) A Custody Action shall include the following attachments:

1. A Seminar Attendance and Custody Conference Scheduling Order in accordance with Local Rule 1915.15(c).

2. Prior Court Involvement Statement in accordance with Local Rule 1931. This form is available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

3. A Criminal or Abuse History Verification in accordance with Pa.R.C.P. 1915.3-2. This form is available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

4. Self-Represented Party Entry of Appearance, if not represented by legal counsel, in accordance with Local Rule 1930.8. This form is available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

(c) The Prothonotary shall promptly forward the original Custody [ **action** ] **Complaint** with the attachments listed above to the Court Administrator's Office for assignment to a Custody Conference Officer and scheduling of the Seminar.

(d) The Court Administrator's Office will contact a Custody Conference Officer to establish the date, time and location of the Custody Conference which will generally be scheduled after the dates for the parties' attendance at the mandatory four hour educational [ **parenting** ] seminar (**Seminar for Families in Change and Conflict**) in accordance with Local Rule 1930.

(e) The Court Administrator's Office will insert the assigned dates, times and location on the Seminar Attendance and Custody Conference Scheduling Order.

(f) The Court Administrator's Office shall file the Order with the Prothonotary and promptly notify the Plaintiff(s) or their legal counsel, if represented, that the Custody action, attachments, Seminar Attendance and Custody

Conference Scheduling Order are ready to pick up for service on the other parties in accordance with the applicable rules of civil procedure.

(g) Plaintiff(s) or their legal counsel, if represented, shall promptly file a Certificate of Service with the Prothonotary verifying that they have served the Complaint, attachments and Order on all parties before the date of the scheduled Seminars and Custody Conference.

(h) If the parties do not reach an agreement at the Custody Conference (see Local Rule 1915.4-2), the case will be assigned to a Family Court Judge.

(i) As a general rule, if a Judge has handled a contested family law case for that family, the matter will be assigned to that Judge.

**Rule 1915.3.1. Petitions for Modification of a Custody Order.**

(a) An original and one copy of a Petition for Modification of a Custody Order shall be filed with the Prothonotary together with the administrative fee of \$150.00.

(b) A Petition for Modification of a Custody Order shall include the following attachments:

1. A Seminar Attendance and Custody Conference Scheduling Order in accordance with Local Rule 1915.15(c).

2. Prior Court Involvement Statement in accordance with Local Rule 1931. This form is available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

3. A Criminal or Abuse History Verification in accordance with Pa.R.C.P. 1915.3-2. This form is available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

4. Self-Represented Party Entry of Appearance, if not represented by legal counsel, in accordance with Local Rule 1930.8. This form is available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

5. A copy of the most recent Custody Order[ , **Agreement or Parenting Plan** ].

(c) The Prothonotary shall promptly forward the original Petition for Modification of a Custody Order with the attachments listed above to the Court Administrator's Office for assignment to a Custody Conference Officer and scheduling of the Seminar.

(d) The Court Administrator's Office shall contact a Custody Conference Officer to establish the date, time and location of the Custody Conference which will generally be scheduled after the dates for the parties' attendance at the mandatory four hour educational [ **parenting** ] seminar (**Seminar for Families in Change and Conflict**) in accordance with Local Rule 1930. Attendance at the Seminar is not required if the parties have attended the Seminar within the last twelve (12) months unless ordered by the Court.

(e) The Court Administrator's Office will insert the dates, times and location on the Seminar Attendance and Custody Conference Scheduling Order.

(f) The Court Administrator's Office shall file the Order with the Prothonotary and promptly notify the Petitioner(s) or their legal counsel, if represented, that the Petition for Modification, attachments and Seminar Attendance and Custody Conference Scheduling Order are

ready for service on the other parties in accordance with the applicable rules of civil procedure.

(g) The Petitioner or their legal counsel, if represented, shall promptly thereafter file a Certificate of Service verifying that they have served the Petition, attachments and Order on all parties with the Prothonotary before the date of the scheduled Seminars and Custody Conference.

(h) If the parties do not reach an agreement at the Custody Conference (see Local Rule 1915.4-2), **the Conference Officer may recommend an Interim Order and the case will be assigned to a Family Court Judge.**

(i) As a general rule, if a Family Court Judge has handled a contested family law case for that family, the matter will be assigned to that Judge.

#### 1915.7. Agreements [ and Consent Orders ].

(a) Agreements [ and consent orders ] filed contemporaneously with the custody complaint:

1. When [ a custody agreement has been reached ] **the parties reach an agreement** prior to the filing of the custody complaint, either party shall file [ with the Prothonotary the original signed custody agreement simultaneously with the original and one copy of the custody complaint ] **the original and one copy of the custody complaint with the Prothonotary and bring the original signed custody agreement to the Court Administrator's Office for assignment to a Family Court Judge. The agreement shall not be filed with the Prothonotary at the same time that the custody complaint is filed. The agreement will be filed with the Prothonotary as an attachment to the Court Order.**

2. The [ custody ] agreement shall be signed by all parties and the signatures shall be witnessed or notarized unless the agreement is reached before the Custody Conference Officer or the Court.

3. The [ custody ] agreement shall contain a proposed order of court with a distribution legend.

4. An administrative fee of \$150.00 shall be paid to the Prothonotary in accordance with Rule 1915.3(a) or (b).

5. [ **The Prothonotary shall forward the original custody complaint and the signed and witnessed custody agreement to the Court Administrator's Office for review and assignment to the judge assigned to oversee custody matters.** ]

6. ] Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

(b) Agreements [ and consent orders ] to modify existing custody orders:

1. When the parties agree to modify an existing custody order, the original agreement [ and consent order shall be filed with the Prothonotary ] **and proposed order shall be taken to the Court Administrator's Office for assignment to a Family Court Judge. The agreement shall not be filed with the Prothonotary but will be filed as an attachment to the Court Order.** A petition for modification of a custody order

should not be filed. There shall be no administrative fee paid to the Prothonotary for the modification of an existing custody order when no petition for modification of a custody order has been filed.

2. The [ custody ] agreement shall be signed by all parties and the signatures shall be witnessed or notarized.

3. The [ custody ] agreement shall contain a proposed order of court with a distribution legend.

4. [ **The Prothonotary shall forward the original signed and witnessed custody agreement to the Court Administrator's Office for review and assignment to the judge assigned to oversee custody matters.** ]

5. ] Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

(c) Agreements reached after the complaint or petition for modification of a custody order is assigned to a Custody Conference Officer:

1. If at any time prior to the Custody Conference the parties are able to agree upon custody, the parties shall [ file with the Prothonotary the proposed custody agreement ] **take the original signed agreement to the Court Administrator's Office for assignment to a Family Court Judge. The custody agreement shall not be filed with the Prothonotary but will be filed as an attachment to the Court Order.** The [ custody ] agreement shall be signed by all parties and the signatures shall be witnessed or notarized. The [ custody ] agreement shall contain a proposed order of court with a distribution legend.

2. [ **The Prothonotary shall forward the original signed and witnessed custody agreement to the Court Administrator's Office for review and assignment to the judge assigned to oversee custody matters.** ]

3. ] Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

(d) Agreements reached after a custody matter has been assigned to a judge:

1. If at any time prior to a conference or hearing before the assigned judge an agreement is reached regarding custody [ or visitation, the parties shall file with the Prothonotary the proposed agreement and consent order with a distribution legend ], **the parties shall take the original signed agreement to the Court Administrator's Office for assignment to the assigned Family Court Judge. The agreement shall not be filed with the Prothonotary but will be filed as an attachment to the Court order.** The agreement shall be signed by all parties and the signatures shall be

witnessed or notarized. [ **The Prothonotary shall forward the original signed and witnessed custody agreement to the Court Administrator's Office for delivery to the assigned judge.** ] Upon presentation of the agreement and consent order, the Court may, in its discretion, enter an order without taking testimony.

2. The parties or children need not be present at a scheduled **pretrial** conference or hearing before a judge when an agreement has been reached prior to the conference or hearing unless the Court so directs.

3. Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

Rule 1915.15(c). Educational [ **Parenting** ] Seminar Attendance and Custody Conference Scheduling Order—Custody Complaint, Custody Count in Divorce Complaint or Petition for Modification or Petition for Contempt.

In addition to the information required by Pa.R.C.P. 1915.15(a) or 1915.15(b), each Custody Complaint, Petition for Modification, Petition for Contempt, or custody count in a Divorce action relating to child custody shall include an Educational [ **Parenting** ] Seminar Attendance and Custody Conference Scheduling Order in substantially the following form:

: IN THE COURT OF COMMON PLEAS  
: DAUPHIN COUNTY, PENNSYLVANIA  
Plaintiff :  
: CIVIL ACTION  
: CUSTODY  
:  
Defendant : NO.

**EDUCATIONAL [ PARENTING ] SEMINAR AND CUSTODY CONFERENCE SCHEDULING ORDER**

AND NOW, upon consideration of the attached Complaint, Petition for Modification or Petition for Contempt of a Custody Order, it is hereby ordered that the parties and their respective counsel appear before Custody Conference Officer \_\_\_\_\_ on \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ M, Dauphin County Courthouse, 3rd Floor, 101 Market Street, Suite 300, Harrisburg, Pennsylvania for a Custody Conference.

At such Conference, an effort will be made to conciliate and 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 recommend an interim order pending pretrial/trial. Failure to appear may also result in an interim order being entered.

Children should not attend the conference unless requested by the Custody Conference Officer.

All parties are ORDERED to attend a four hour educational [ **parenting seminar and file** ] **seminar (Seminar for Families in Change and Conflict)**. File with the Prothonotary and bring with you to the Custody Conference your Seminar Certificate of Attendance you will receive at the Seminar. The Plaintiff is scheduled to attend on \_\_\_\_\_ at \_\_\_\_\_ M and the Defen-

dant is scheduled to attend on \_\_\_\_\_ at \_\_\_\_\_ M. Any requests for rescheduling must be directed to the provider of the Seminar and you will be required to attend the next available Seminar. (See attached information sheet regarding the Seminar).

**FAILURE TO [ APPEAR AT ] ATTEND AND COMPLETE THE SEMINAR [ AS SCHEDULED OR FAILURE TO REGISTER AND COMPLETE THE PROGRAM ] WILL BE BROUGHT TO THE ATTENTION OF THE COURT AND MAY RESULT IN THE FINDING OF CONTEMPT OF COURT PUNISHABLE BY FINE AND OTHER APPROPRIATE SANCTIONS.**

**IF YOU FAIL TO APPEAR AT THE CUSTODY CONFERENCE [ AS PROVIDED BY THIS ORDER, ] WITHOUT PROPER CAUSE SHOWN, [ AND THE CUSTODY CONFERENCE OFFICER IS SATISFIED THAT PROPER NOTICE OF THE ORDER SCHEDULING THE CONFERENCE HAS BEEN SERVED ON OR PROVIDED TO THAT PARTY, ] THE CUSTODY CONFERENCE OFFICER SHALL REFER THE MATTER TO THE COURT FOR A CONTEMPT HEARING WHICH CAN RESULT IN AN INTERIM CUSTODY ORDER, THE IMPOSITION OF SANCTIONS INCLUDING FINES, ATTORNEY FEES AND COSTS.**

You must complete and file with the Prothonotary a Criminal or Abuse History Verification regarding you and anyone living in your household on or before \_\_\_\_\_. The Criminal or Abuse History Verification is attached [ **This form** ] and is also available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

You must mail a copy of your Criminal or Abuse History Verification to all other parties by \_\_\_\_\_.

No party may [ **make a** ] change [ **in** ] the **child(ren)'s** residence [ **of any child** ] which significantly impairs the ability of the other party to exercise custodial rights without first complying with all of the applicable provisions of 23 Pa.C.S. § 5337 and Pa.R.C.P. No. 1915.17 regarding relocation.

If any party to this custody action is incarcerated at any stage of the proceedings, the Custody Conference Officer or [ **assigned** ] Judge will make reasonable efforts to arrange for the incarcerated party to participate by telephone or video conference. If you, as an incarcerated party, do not think such arrangements have been made, please contact the Court Administrator's office at (717) 780-6624 or by mail at 3rd floor, Dauphin County Courthouse, 101 Market Street, Harrisburg, PA 17101.

If any party needs an interpreter at either the custody conference or trial, please contact the Court Administrator's office at (717) 780-6640 or email [interpreterrequest@dauphinc.org](mailto:interpreterrequest@dauphinc.org) as soon as possible. It takes a minimum of five days to schedule an interpreter and failure to make a timely request could delay the proceedings.

FOR THE COURT:

DATE: \_\_\_\_\_ By \_\_\_\_\_ Custody Conference Officer

**YOU SHOULD TAKE THIS [ PAPER ] ORDER TO YOUR LAWYER AT ONCE.**

**IF YOU DO NOT HAVE A LAWYER AND WANT A LAWYER TO REPRESENT YOU, IMMEDIATELY CONTACT MIDPENN LEGAL SERVICES AT (717) 232-0581**

TO OBTAIN LEGAL REPRESENTATION OR REFERRAL TO THE DAUPHIN COUNTY BAR ASSOCIATION LAWYER REFERRAL.

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Dauphin 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 the Court Administrator's Office at [ (717) 780-6630 ] (717) 780-6608. All arrangements must be made at least 72 hours prior to any hearing or conference.

1920.1. Form of **Divorce or Annulment** Complaint.

(1) In addition to the information required by Pa.R.C.P. 1920.12, each Divorce or Annulment Complaint shall contain one of the following averments:

A. Plaintiff avers that there are no children of the parties under the age of 18.

B. Plaintiff avers that there are children of the parties under the age of 18 [ **and their names and ages are as follows:** ].

(2) A Divorce or Annulment Complaint or Counterclaim which includes a count for custody shall contain the attachments set forth in Local Rule 1915.3 and follow all other Custody action procedures.

(3) A Divorce or Annulment Complaint which does not include a count for custody, where the parties are parents of children under the age of eighteen (18), shall include the [ **following** ] Educational [ **Parenting** ] Seminar Scheduling Order.

Plaintiff : IN THE COURT OF COMMON PLEAS
: DAUPHIN COUNTY, PENNSYLVANIA
: CIVIL ACTION
Defendant : NO.

EDUCATIONAL [ **PARENTING** ] SEMINAR SCHEDULING ORDER

All parties are ORDERED to attend a four hour educational [ **parenting** ] seminar (**Seminar for Families in Change and Conflict**) and file your Certificate of Attendance you receive at the Seminar with the Prothonotary. The Plaintiff is scheduled to attend on \_\_\_\_\_ at \_\_\_ M and the Defendant is scheduled to attend on \_\_\_\_\_ at \_\_\_ M. Any requests for rescheduling must be directed to the provider of the Seminar and you [ **will be required to** ] **should** attend the next available Seminar. (See attached information sheet for additional information).

**FAILURE TO [ **APPEAR AT** ] **ATTEND AND COMPLETE** THE SEMINAR [ **AS SCHEDULED OR FAILURE TO REGISTER AND COMPLETE THE PROGRAM** ] WILL BE BROUGHT TO THE ATTENTION OF THE COURT AND MAY RESULT IN A FINDING OF CONTEMPT OF COURT PUNISHABLE BY FINE AND OTHER APPROPRIATE SANCTIONS.**

If you fail to attend this seminar, no divorce decree will be granted where there are children under the age of 18 until both parties attend the Seminar, **unless this requirement is waived by the Court for good cause shown.**

BY THE COURT:

DATE: \_\_\_\_\_

**1920.74(b). Form—Order Appointing Master and Scheduling Preliminary Conference.**

[CAPTION]

ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the Motion of Appointment of Master is GRANTED and \_\_\_\_\_ is appointed as Master.

A Preliminary Conference is scheduled for both parties and their attorneys on \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ .M. in Conference Room 2 on the 7th Floor of the Juvenile Justice Center, 25 S. Front Street, Harrisburg, Pennsylvania 17101.

If economic claims have been raised of record in this case, to the extent not already filed, the non-moving party shall have ten (10) days from the date of this Order to file the documents required by Pa.R.C.P. 1920.31(a) and Pa.R.C.P. 1920.33(a). Failure to file the required documents may subject the offending party to sanctions as provided in those rules.

BY THE COURT:

PER CURIAM.

DISTRIBUTION:

Rule 1930. [ **A.** ] Mandatory Four Hour Educational [ **Parenting** ] Seminar.

[ **1.** ] (a) In all Custody, Divorce or Annulment actions in which the parties have children under the age of 18 and where a Demand for Hearing De Novo Before the Court involving child support has been filed, except for the exclusions listed below, the parties shall complete a four hour [ **parenting** ] educational seminar (**Seminar for Families in Change and Conflict**) if a party has not attended the Seminar in the prior twelve (12) months and in such other cases as the Court may order.

[ **2.** ] (b) In Divorce or Annulment actions in which the parties have children under the age of 18, the Plaintiff shall attend the Seminar within forty five (45) days of filing and the Defendant shall attend the Seminar within forty five (45) days from service of the complaint.

[ **3.** ] (c) In custody actions, other than Petitions for Special Relief (Emergency Custody Petitions) and Contempt, all parties must attend the Seminar before the date of their Custody Conference.

[ **4.** ] (d) In a Petition for Contempt or a Petition for Special Relief (Emergency Custody) or other similar Custody actions, the parties shall attend the Seminar as ordered by the Court.

[ **5.** ] (e) In Demands for Hearing De Novo Before the Court involving child support, the parties shall attend the Seminar prior to the hearing before the Court except in Children and Youth Appeals, emancipation cases and cases where the obligor has no assets.

[ **6.** ] (f) The fee for the Seminar must be submitted to the Provider on the date of attendance in accordance with



the instructions contained in the [ pamphlet ] **information sheet** provided to all parties with their Seminar Attendance Order.

[ 7. ] (g) If the parties have not attended the Seminar prior to their Custody Conference, the Custody Conference Officer shall provide the party with another date or time to attend the Seminar and such Order will be filed with the Prothonotary's Office.

[ 8. ] (h) If the Custody Conference Officer recommends that it would be in the child(ren)'s best interests for a party's paramour or other adult who resides in the household or has a strong role in the parenting of the child(ren) to attend the Seminar, the Court may enter an Order requiring their attendance at the Seminar.

[ 9. ] (i) No Parenting Plan/Custody Order will be entered or Divorce or Annulment Decree granted in cases where the parties have children under the age of eighteen (18) until all parties have completed the Seminar, unless this requirement is waived by the Court for good cause shown.

[ 10. ] (j) Failure to attend the Seminar may be considered as Contempt of Court punishable by fine and other appropriate sanctions [ **including up to six (6) months incarceration** ].

**Rule 1930.8. Self-Represented Party Entry of Appearance—Family Law Matters.**

1. All self-represented parties in family law matters shall file a written Self Represented Party Entry of Appearance in accordance with Pa.R.C.P. 1930.8 at all of their pending case dockets (custody, divorce, support, protection from abuse and paternity) where they are not represented by counsel. This form is available in the Prothonotary's Office, Domestic Relations Office and at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

2. All self-represented parties shall be under a continuing obligation to file an amended Self Represented Party Entry of Appearance updating the self-represented party's contact information immediately upon any change in their address, telephone number or other contact information.

3. All self-represented parties shall provide a copy of their Self Represented Party Entry of Appearance and any updates to all other parties and attorneys of record immediately upon filing.

4. The Self-Represented Party Entry of Appearance under this rule shall be substantially in the following form:

IN THE COURT OF COMMON PLEAS

DAUPHIN COUNTY, PENNSYLVANIA

NO. \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF

vs.

\_\_\_\_\_  
DEFENDANT

**SELF-REPRESENTED PARTY ENTRY OF APPEARANCE**

- 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 \_\_\_\_\_ previously  
(Name of Attorney)

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:

\_\_\_\_\_  
 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.

3. Check one box.

I am a victim of abuse and the other party to this action was the abuser. My address is listed on the Confidential Information Form Abuse Victim Addendum filed along with this Self-Represented Party Entry of Appearance.

I am not an abuse victim and 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. Check one box.

- I am a victim of abuse and the other party to this action was the abuser. My telephone number and email address are listed on the Confidential Information Form Abuse Victim Addendum filed along with this Self-Represented Party Entry of Appearance.
- I am not the victim of abuse and my telephone number where I can be reached during normal business hours (8:00 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 AND CONFIDENTIAL INFORMATION FORM ABUSE VICTIM ADDENDUM (IF APPLICABLE) EVERY TIME MY ADDRESS OR TELEPHONE NUMBER CHANGES.

6. Check one box.

- I have provided 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 \_\_\_\_\_
- I am a victim of abuse and the other party to this action was the abuser. I understand that I should only provide a copy of this form to all other attorneys or self-represented parties BUT THAT I SHOULD NOT PROVIDE A COPY OF THE CONFIDENTIAL INFORMATION FORM ABUSE VICTIM ADDENDUM TO ANYONE EXCEPT TO THE COURT BY FILING THAT FORM WITH THE APPROPRIATE FILING OFFICE (PROTHONOTARY OR DOMESTIC RELATIONS).

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)

These amendments shall be effective thirty (30) days from date of publication.

*By the Court*

RICHARD A. LEWIS,  
*President Judge*

[Pa.B. Doc. No. 18-137. Filed for public inspection January 26, 2018, 9:00 a.m.]