

CHAPTER 7. OTHER RELIEF

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Source

The provisions of this Chapter 7 adopted November 16, 1994, effective January 1, 1995, 24 Pa.B. 5835; amended April 12, 1996, effective April 13, 1996, 26 Pa.B. 1677, unless otherwise noted. Immediately preceding text appears at serial pages (192899) to (192900).

Rule 701. Other Relief Generally.

Whenever the Board seeks relief other than the filing of formal charges pursuant to Article V, § 18(b)(5) of the Pennsylvania Constitution, it shall be initiated by a Petition for Relief as provided in this Chapter.

Official Note: This rule is derived from former interim Rule 30.

Source

The provisions of this Rule 701 adopted May 31, 1994, effective May 31, 1994. Amended November 1, 1994, effective January 1, 1995; amended December 5, 2001, effective immediately, 31 Pa.B. 6917. Immediately preceding text appears at serial page (245731).

Rule 702. Contents of Petition.

A Petition for Relief filed with the Court shall state with particularity the grounds on which it is based, and shall set forth the order or relief sought. A copy of the petition shall be served on the opposing party concurrently with the filing of the petition. A petition may be made in the alternative and pray for such alternative relief as may be appropriate. A request for more than one type of relief may be combined in the same petition. The petition shall state whether an evidentiary hearing or oral argument before the Court is requested.

Official Note: This rule is derived from former interim Rule 30(A).

Adopted May 31, 1994, effective May 31, 1994; amended November 1, 1994, effective January 1, 1995.

Rule 703. Answer.

Any party may file an answer to the petition within 14 days after service of the petition unless the Court shortens or lengthens the time for answering such petition.

Official Note: This rule is derived from former interim Rule 30(B).

Adopted May 31, 1994, effective May 31, 1994.

Rule 704. Conference Judge.

The President Judge may appoint a member of the Court to serve as Conference Judge on the case as provided by the rules of Chapter 3.

Source

The provisions of this Rule 704 adopted May 31, 1994, effective May 31, 1994; amended June 3, 1998, effective immediately, 28 Pa.B. 2806; amended December 5, 2001, effective immediately, 31 Pa.B. 6917; amended October 16, 2002, effective immediately. Immediately preceding text appears at serial page (286502).

Rule 705. Hearing or Argument.

(A) The Conference Judge may schedule argument or an evidentiary hearing on the petition.

(B) The President Judge may schedule argument before the full Court on the petition.

(C) Any decision on the petition shall be made by the full Court.

Source

The provisions of this Rule 705 adopted November 1, 1994, effective January 1, 1995; amended June 3, 1998, effective immediately, 28 Pa.B. 2806; amended December 5, 2001, effective immediately, 31 Pa.B. 6917. Immediately preceding text appears at serial page (245732).

Rule 706. Verification.

A petition or answer which sets forth facts which do not already appear of record, shall be verified by the party filing it or by counsel for the Board, subject to penalties for unsworn falsification to authorities under the Crimes Code, 18 Pa.C.S. § 4904.

Source

The provisions of this Rule 706 adopted May 31, 1994, effective May 31, 1995; amended June 3, 1998, effective immediately, 28 Pa.B. 2806; amended December 5, 2001, effective immediately, 31 Pa.B. 6917. Immediately preceding text appears at serial page (245732).

Rule 707. [Reserved].

Source

The provisions of this Rule 707 adopted June 3, 1998, effective immediately, 28 Pa.B. 2806; reserved December 5, 2001, effective immediately, 31 Pa.B. 6917. Immediately preceding text appears at serial page (245733).

Rule 708. [Reserved].

Source

The provisions of this Rule 708 adopted June 3, 1998, effective immediately, 28 Pa.B. 2806; reserved December 5, 2001, effective immediately, 31 Pa.B. 6917. Immediately preceding text appears at serial page (245733).

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