

# THE COURTS

## Title 255—LOCAL COURT RULES

### BUTLER COUNTY

In Re: Local Rule L543; AD-10-4-2009

#### Order of Court

*And Now*, this 18th day of August, 2009, It is hereby ordered that the above captioned Butler County Local Rule be adopted. This rule shall become effective thirty days after publication in the *Pennsylvania Bulletin*.

It is further ordered that the Butler County Court Administrator shall cause two certified paper copies of this rule, along with a computer diskette upon which the rule has been copied, to be forwarded to the Legislative Reference Bureau; shall file one certified copy of the local rule with the Administrative Office of the Pennsylvania Courts; shall publish the local rule on the Unified Judicial System's web site; and shall ensure that a copy of this rule is continuously available in the office of the Butler County Clerk of Courts and in the Butler County Law Library.

*By the Court*

THOMAS J. DOERR,  
*President Judge*

#### L-543. Disposition of Case at Preliminary Hearing— Administrative Processing.

(A) When a defendant has appeared and has been held for court, the issuing authority shall at the conclusion of the Preliminary Hearing:

a. If the defendant has not submitted to the administrative processing and identification procedures as authorized by law and pursuant to Rule 510(c)(2), make compliance with these processing procedures a condition of bail.

b. Direct that the defendant, in order to come into compliance, shall appear forthwith at one of the Butler County Regional Booking Centers to complete the processing using CPIN and Livescan technology.

[Pa.B. Doc. No. 09-1654. Filed for public inspection September 4, 2009, 9:00 a.m.]

### BUTLER COUNTY

Regional Booking Fees; AD-10-5-2009

#### Order of Court

*And Now*, this 18th day of August, 2009, on its own motion, the Court herewith directs that the Administrative Orders of Court CP-10-AD—2006 and CP-10-AD—2006, related to the above captioned matter are vacated.

The Court, having taken notice that the Butler County Regional Booking Policy has been approved by PCCD, further orders that, pursuant to Title 42 § 1725.5 and 1725.6, a fee of \$100.00 shall be assessed against any defendant who meets the requirements of that title.

It is further ordered that such assessment shall be levied by the Clerk of Courts according to the Act.

Magisterial District Judges shall assess the fee in those cases which are eligible and disposed of at the MDJ office.

This Order of Court shall take effect thirty days after publication in the *Pennsylvania Bulletin*.

*By the Court*

THOMAS J. DOERR,  
*President Judge*

[Pa.B. Doc. No. 09-1655. Filed for public inspection September 4, 2009, 9:00 a.m.]

### MONROE COUNTY

#### Amendment to Rule of Civil Procedure 51; Title and Citation of Rules

#### Order

*And Now*, this 20th day of August, 2009, Monroe County Rule of Civil Procedure 51 is hereby amended as indicated in the attachment (amendment noted in *Italics*) and shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. The Court Administrator is directed to:

1. file seven (7) certified copies of the within Order and amended local rule with the Administrative Office of Pennsylvania Courts;
2. forward two (2) certified copies and a disk containing text of the amended local rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
3. forward one (1) certified copy to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania;
4. forward one (1) copy to the *Monroe County Legal Reporter* for publication.

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*

RONALD E. VICAN,  
*President Judge*

#### Rule 51—Title and Citation of Rules.

These Rules shall be known as "Court of Common Pleas of Monroe County, 43rd Judicial District, Commonwealth of Pennsylvania, Rules of Civil Procedure" and may be cited as "Monroe Co.R.C.P. \_\_\_\_\_."

[Pa.B. Doc. No. 09-1656. Filed for public inspection September 4, 2009, 9:00 a.m.]

#### Amendment to Rule of Civil Procedure 1302; Selection and Compensation of Arbitrators

#### Order

*And Now*, this 20th day of August, 2009, Monroe County Rule of Civil Procedure 1302 is hereby amended as indicated in the attachment (amendment noted in

*Italics*) and shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. The Court Administrator is directed to:

1. file seven (7) certified copies of the within Order and amended local rule with the Administrative Office of Pennsylvania Courts;
2. forward two (2) certified copies and a disk containing text of the amended local rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
3. forward one (1) certified copy to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania;
4. forward one (1) copy to the *Monroe County Legal Reporter* for publication.

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*

RONALD E. VICAN,  
*President Judge*

**Rule 1302—Selection and Compensation of Arbitrators.**

1. The attorneys admitted to the Bar of the Court shall constitute a list of members qualified to act as arbitrators. The Court Administrator shall select from said list three (3) arbitrators for each action; the chairperson shall have been a member of the Bar of this Court for least five (5) years.
2. If any attorney wishes to be replaced as an arbitrator in any particular hearing, the attorney shall *request replacement by letter directed to the Court Administrator* at least seven (7) days before the scheduled hearing, except where excused by the Court for exigent circumstances. In the event that an attorney, without leave of

Court, fails to serve as an arbitrator after having been notified of his appointment by mail by the Court Administrator, the attorney may be subject to sanctions.

3. The Court Administrator shall mail a copy of the notice of appointment to each attorney of record and to each arbitrator appointed. In the event that any party is not represented by an attorney, the Court Administrator shall send such copy to the party at his last known address. The address of the unrepresented party is to be furnished to the Court Administrator when the attorney files the praecipe for arbitration.

4. The President Judge or his designee shall have the power to grant continuances and all applications for continuances shall be in motion form as set forth in Rule 206.1(a) and 208.2(d) and filed at least seven (7) business days prior to the date of the hearing.

5. If a party fails to appear, no default judgment shall be entered. The arbitrators shall proceed to hear the case and enter an appropriate award upon the conclusion of the evidence. The arbitrators shall in all respects comply with Pa.R.C.P. 1303, 1304, 1305, 1306.

6. The compensation for each member of the Board of Arbitrators to be paid by the County shall be established from time to time by the Court. When more than one hearing becomes necessary, additional amounts may be allowed at the discretion of the Court upon petition by the Chairperson on behalf of the Board. If there is concurrence, the motion shall include a certification that all participants are in concurrence with the motion and shall set forth a hearing date mutually agreed upon by counsel, the parties and the arbitrators.

[Pa.B. Doc. No. 09-1657. Filed for public inspection September 4, 2009, 9:00 a.m.]