

THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 200]

Proposed Amendment of Rule 206.1 Governing Petitions and Rule 206.5 Governing Rules to Show Cause; Proposed Recommendation No. 243

The Civil Procedural Rules Committee proposes that Rules of Civil Procedure 206.1 governing petitions and 206.5 governing rules to show cause 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 February 19, 2010 to:

Karla M. Shultz, Esquire
Counsel
Civil Procedural Rules Committee
5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055

or e-mail to
civil.rules@pacourts.us

The Explanatory Comment which appears in connection with the proposed recommendation has been inserted by the Committee for the convenience of the bench and bar. It will not constitute part of the rules of civil procedure or be officially adopted or promulgated by the Court.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

Rule 206.1. Petition. Definition. Content. Form.

(a) As used in this chapter, "petition" means

(1) an application to **strike and/or** open a default judgment or a judgment of non pros, and

(2) any other application which is designated by local rule, numbered Local Rule 206.1(a), to be governed by Rule 206.1 et seq.

Official Note: A petition for relief from a judgment by confession is governed by Rule 2959.

Motions are governed by Rule 208.1 et seq.

Rule 206.1(a)(2) authorizes each court of common pleas to designate applications which are to proceed in the manner of a petition under Rule 206.1 et seq. Rule 239.2(a) requires each court which has made that designation to promulgate a local rule, numbered Local Rule 206.1(a), listing the applications to be determined pursuant to Rule 206.1 et seq. Any local rule which has been promulgated must be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujsportal.pacourts.us>).

(b) A petition shall specify the relief sought and state the material facts which constitute the grounds therefore. **All grounds for relief, whether to strike or open a default judgment, shall be asserted in a single petition.**

(c) A petition shall be divided into paragraphs numbered consecutively. Each paragraph shall contain as far as practicable only one material allegation.

Official Note: Petitions are subject to Rule 440 governing service of legal papers other than original process, Rule 1023.1 governing the signing of documents, and Rule 1025 governing the endorsement of legal papers. Any requirements of a court relating to the format of a petition and cover sheet must be set forth in local rules numbered Local Rule 205.2(a) and Local Rule 205.2(b).

Rule 206.5. Rule to Show Cause. Discretionary Issuance. Stay. Form of Order.

(a) [**Rescinded**] **A judgment shall be stricken without the issuance of a rule to show cause when there is a defect on the face of the record that is grounds for striking a default judgment.**

* * * * *

Explanatory Comment

The Civil Procedural Rules Committee is proposing the amendment of Rule 206.1 governing petitions and Rule 206.5 governing rules to show cause. The proposed amendment requires that all grounds for relief from a default judgment, whether to strike off or to open, be raised in a single petition. Under current case law, it appears that a judgment debtor is not required to raise all grounds for relief from a default judgment in a single petition. In *Mother's Restaurant, Inc. v. Krystkiewicz*, 861 A.2d 327, 337 (Pa. Super. 2004) (citation omitted) (footnote omitted), the Superior Court stated "Additionally, an individual may even seek to strike a void judgment after a trial court has previously denied his/her petition to open the same judgment." See also *Bancorp Group, Inc. v. Pirgos, Inc.*, 744 A.2d 791, 793 n.1 (stating that the denial of a petition to strike does not preclude review of a subsequent petition to open a default judgment.)

The proposed amendment is intended to bring the practice involving default judgments in line with other areas of the rules of civil procedure in which all grounds must be raised at the same time, such as striking off or opening confessed judgments pursuant to Rule 2959(a) or raising all preliminary objections at the same time pursuant to Rule 1028(b).

By the Civil Procedural
Rules Committee

STEWART L. KURTZ
Chair

[Pa.B. Doc. No. 09-2360. Filed for public inspection December 24, 2009, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[204 PA. CODE CH. 207]

Adjustment of Fines, Costs, Fees, and Other Remittances

By Order of the Supreme Court of Pennsylvania of October 14, 1988, Judicial Administration Docket No. 88, the Court Administrator has been delegated the authority under the Judicial Code, 42 Pa.C.S. § 3502(c)(3), to adjust, through regulation, the level of fines, costs, fees, and other remittances as otherwise fixed by law so as to facilitate the transmission of remittances through or by a financial intermediary.

In accordance therewith, the following regulation is hereby promulgated.

Filed in the Administrative Office of the Pennsylvania Courts on December 14, 2009.

ZYGMONT A. PINES,
Court Administrator of Pennsylvania

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 207. TRANSMITTING REMITTANCES

§ 207.3. Online Payment Convenience Fee—Adjustment of Fines, Costs, Fees, and Other Remittances.

(a) Pursuant to 42 Pa.C.S. § 3502(c)(3), the Court Administrator of Pennsylvania hereby adjusts the level of fines, costs, fees, and other remittances by assessing a non-refundable \$2.75 convenience fee for online credit/debit card payments of court costs, fines, fees, and restitution associated with pre-existing cases or those initiated within the Magisterial District Judge, Common Pleas, and Appellate Court Case Management Systems of the Pennsylvania Courts. Said amount shall be paid through a contracted financial intermediary and shall be added at the time of the payment.

(b) This regulation shall become effective January 1, 2010, and shall apply to all online credit/debit card payments initiated through the AOPC's UJS Portal made on or after this date on pre-existing cases or those initiated within the Magisterial District Judge, Common Pleas, and Appellate Court Case Management Systems of the Pennsylvania Courts.

Comment

As part of an overall strategy to increase collections of fines, costs and restitution for the local and county court systems, the Administrative Office of Pennsylvania Courts is working to develop an Internet-based web application that will permit the online payment of fines, costs and restitution for defendants. This Internet application will be hosted on the Pennsylvania Judiciary's web portal and be integrated with the Common Pleas Criminal Case Management System (CPCMS) and Magisterial

District Judge System (MDJS) applications. By charging a per transaction convenience fee, the AOPC intends to provide this service at no cost to the counties.

A person interested in paying fees online will navigate to the Judiciary's web portal site (located at <http://ujportal.pacourts.us/>), select the e-commerce link, search for his/her cases/payment plans at the MDJS and/or CPCMS levels of court. The payment amount must be entered along with the credit card information. The transaction will then be processed, sending the appropriate financial information to the court applications for review, selection and acceptance by the court staff. It is anticipated that this application will be expanded in the future to include the processing of filing fees for certain documents at the various levels of court.

[Pa.B. Doc. No. 09-2361. Filed for public inspection December 24, 2009, 9:00 a.m.]

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[204 PA. CODE CH. 211]

Judicial Salaries

The Court Administrator of Pennsylvania reports that the percentage change in the Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the 12-month period ending October 2009, was negative 0.1 percent (-0.1%). (See U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, Wednesday, November 18, 2009.)

Therefore, the annual judicial salaries for calendar year beginning January 1, 2010, will not be adjusted by a cost-of-living factor. The following salaries that became effective January 1, 2009, will remain in effect:

The annual salary of a justice of the Supreme Court shall be \$186,450.

The annual salary of the Chief Justice of the Supreme Court shall be \$191,876.

The annual salary of a judge of the Superior Court shall be \$175,923.

The annual salary of the President Judge of the Superior Court shall be \$181,349.

The annual salary of a judge of the Commonwealth Court shall be \$175,923.

The annual salary of the President Judge of the Commonwealth Court shall be \$181,349.

The annual salary of a judge of the court of common pleas shall be \$161,850.

The annual salary of the President Judges of the Court of Common Pleas shall be in accordance with the following schedule:

Allegheny County, \$164,563.

Philadelphia County, \$165,106.

Judicial districts having six or more judges, \$163,260.

Judicial districts having one to five judges, \$162,555.

Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of six or more judges, \$163,260.

Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of five or less judges, \$162,555.

Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of six or more judges, \$163,260.

Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of five or less judges, \$162,555.

The annual salary of a judge of the Philadelphia Municipal Court shall be \$158,105.

The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$160,547.

The annual salary of a judge of the Philadelphia Traffic Court shall be \$85,050.

The annual salary of the President Judge of the Philadelphia Traffic Court shall be \$85,755.

The annual salary of a magisterial district judge shall be \$80,927.

The compensation payable to a senior judge of a court of common pleas, a senior Commonwealth Court judge, a senior Superior Court judge and a senior Supreme Court justice, assigned pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) and a senior Philadelphia Municipal Court judge assigned pursuant to 42 Pa.C.S. § 4124 (relating to assignment of senior Philadelphia Municipal Court judges) shall be \$497 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not, when added to retirement income paid by the Commonwealth, for the senior judge, exceed the annual salary payable by the Commonwealth to a judge then in regular active service on the court from which the senior judge retired.

In any calendar year, the amount of compensation which a senior judge assigned to serve on a court referred to in 42 Pa.C.S. § 1806 (relating to Philadelphia Municipal Court), 42 Pa.C.S. § 1807 (relating to Philadelphia Traffic Court) or 42 Pa.C.S. § 1808 (relating to magisterial district judges) shall be permitted to earn as a senior judge shall not, when added to retirement income paid by the Commonwealth to that senior judge, exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which that senior judge retired.

A senior judge who so elects may serve without being paid all or any portion of the compensation permitted.

[Pa.B. Doc. No. 09-2362. Filed for public inspection December 24, 2009, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CH. 1]

Proposed Modifications to Rules 167, 170 and 172

Introduction

The Juvenile Court Procedural Rules Committee is planning to recommend to the Supreme Court of Pennsylvania that the modification of Rules 167, 170 and 172 be adopted and prescribed. The proposed modified Rule 167

adds court designee as a person that may distribute court orders or notices. The proposed modified Rule 170 clarifies in the Comment when records may be expunged. The proposed modified Rule 172 provides for directives in the court's order. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the intent of this rule. Note that the Committee's Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

We request that interested persons submit suggestions, comments or objections concerning this proposal to the Committee through counsel, Christine Riscili at juvenile.rules@pacourts.us. E-mail is the preferred method for receiving comments in an effort to conserve paper and expedite the distribution of Comments to the Committee.

If you do not have access to e-mail, comments may be faxed to the Committee at (717) 231-9541 or written comments may be mailed to:

Christine Riscili, Esq., Staff Counsel
Supreme Court of Pennsylvania
Juvenile Court Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 6200
P. O. Box 62635
Harrisburg, PA 17106-2635

All Comments shall be received no later than Monday, January 25, 2010.

By the Juvenile Court
Procedural Rules Committee

CYNTHIA K. STOLTZ, Esq.,
Chair

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

PART C(2). MAINTAINING RECORDS

Rule 167. Filings and Service of Court Orders and Notices.

A. Filings.

1) All orders and court notices shall be transmitted promptly to the clerk of courts for filing. Upon receipt by the clerk of courts, the order or court notice shall be time stamped promptly with the date of receipt.

2) All orders and court notices shall be filed in the juvenile court file.

B. Service.

1) A copy of any order or court notice shall be served promptly on each party's attorney, and the juvenile, if unrepresented.

2) The clerk of courts shall serve the order or court notice, unless the president judge has promulgated a local rule designating service to be by the [**court or**] court administrator **or other court designee**.

3) *Methods of service.* Service shall be:

a) in writing by:

i) personal delivery to the party's attorney, and if unrepresented, the juvenile;

ii) mailing a copy to the party's attorney or leaving a copy for the attorney at the attorney's office;

iii) in those judicial districts that maintain in the courthouse assigned boxes for counsel to receive service, leaving a copy for the attorney in the attorney's box;

iv) sending a copy to an unrepresented juvenile by first class mail addressed to the juvenile's place of residence, detention, or placement;

v) sending a copy by facsimile transmission or other electronic means if the party's attorney, and if unrepresented, the juvenile has filed written request for this method of service or has included a facsimile number or an electronic address on a prior legal paper filed in the case; or

vi) delivery to the party's attorney, and if unrepresented, the juvenile by carrier service; or

b) orally in open court on the record.

C. *Unified Practice.* Any local rule that is inconsistent with the provisions of this rule is prohibited, including any local rule requiring a person to file or serve orders or court notices.

Comment

Court notices, as used in this rule, are communications that ordinarily are issued by a judge or the court administrator concerning, for example, calendaring or scheduling, including proceedings requiring the juvenile's presence.

A facsimile number or electronic address set forth on the letterhead is not sufficient to authorize service by facsimile transmission or other electronic means under paragraph (B)(3)(a)(v). The authorization for service by facsimile transmission or other electronic means under this rule is valid only for the duration of the case. A separate authorization is to be filed in each case by the juvenile, if unrepresented, or by the attorney who wants to receive documents by this method of service.

Nothing in this rule is intended to preclude the use of automated or other electronic means for the transmission of the orders or court notices between the judge, court administrator, and clerk of courts, or for time stamping.

Official Note: Rule 167 adopted April 1, 2005, effective October 1, 2005.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 167 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

PART C(3). EXPUNGING OR DESTROYING RECORDS

Rule 170. Expunging or Destroying Juvenile Court Records.

A. *Motion.* Juvenile records may be expunged upon motion.

B. *Contents of Motion.* A motion, which shall [**take the form of**] include a proposed court order, shall contain the following information:

- 1) [**The**] the name of the juvenile;
- 2) the date of birth of the juvenile, if known;
- 3) the juvenile's case docket number, if any;

4) the allegations to which the order pertains;

5) the law enforcement agency that initiated the allegations;

6) the reference number of the police report or written allegation to be expunged or destroyed;

7) the date of arrest;

8) the disposition of the written allegation or petition;

9) the reasons and statutory authority for expunging or destroying the document; and

10) the agencies upon which certified copies of the court order shall be served.

C. *Service of Motion.* In addition to the service required by Rule 345, the movant shall serve the motion on the chief juvenile probation officer.

D. *Answer.* The attorney for the Commonwealth, and any other person upon whom the motion was served, may file an answer to the motion.

E. *Hearing.* Unless the attorney for the Commonwealth consents to expunging the records, the court shall schedule and conduct a hearing, and thereafter grant or deny the motion.

Comment

[**See 18 Pa.C.S. § 9123 for records that may be expunged and 42 Pa.C.S. § 6341(a) for destruction of fingerprints and photographs.**]

Under paragraph (B)(6), any number assigned to police papers helpful in tracking the police report or written allegation that would assist the law enforcement agency in expunging or destroying the document is to be listed. A reference number could be an offense tracking number, district control number, crime control number, incident number, Philadelphia identification number, or another number assigned by the law enforcement agency to track the document.

Pursuant to paragraph (B)(9), the reasons and the statutory authority for expunging the records are to be included in the motion. Pursuant to 18 Pa.C.S. § 9123, records may be expunged because: a) the written allegation was not substantiated or the petition was dismissed; b) six months have elapsed since the final discharge of the person from supervision under a consent decree and no proceeding seeking adjudication or conviction is pending; c) 5 years have elapsed since the final discharge of the juvenile from commitment, placement, probation, or any other disposition and referral, and since such final discharge, the juvenile has not been convicted or adjudicated delinquent of a felony or misdemeanor, and no such proceeding is pending seeking such conviction or adjudication; or d) the individual is eighteen years of age or older, the attorney for the Commonwealth consents to the expungement, and the court has given consideration to the factors listed in 18 Pa.C.S. § 9123(A)(4)(i)—(iv). See 18 Pa.C.S. § 9123 for records that may be expunged. See also 42 Pa.C.S. § 6341(a) for destruction of fingerprints and photographs.

Official Note: Rule 170 adopted April 1, 2005, effective October 1, 2005.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 170 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Rule 172. Order to Expunge or Destroy.

A. *Contents.* Any order to expunge or destroy the juvenile court file, docket entries, law enforcement records, or fingerprints and photographs shall include the following information:

- 1) [**All**] all items contained in Rule 170(B);
 - 2) a directive that the keeper of the juvenile records shall expunge all official and unofficial law enforcement, probation, and juvenile court records, including fingerprints, photographs, and all other information pertaining to the arrest;
 - 3) a directive that each agency, department, or office shall notify the court or its designee of the action taken in response to the order to expunge or destroy;
 - 4) the printed name and signature of the judge issuing the order; and
- [**3**] 5) the date of the court order.

B. *Service.* In addition to the service required by Rule 167, the clerk of courts, **court administrator, or other court designee** shall serve certified copies of the order on the chief juvenile probation officer and any other person or agency as directed by the court.

Comment

Pursuant to Rule 167(B)(2), the clerk of courts is to serve orders from the court unless the President Judge has promulgated a local rule designating service to be by the court administrator or other court designee. See Rule 121 for procedures on local rules.

The directive is to include expungement from all registries, including but not limited to the Central Repository maintained by the Pennsylvania State Police, JNET, CLEAN, PCIC, and NCIC. Each agency, department, or office is to notify the court that it has complied with the expungement order. See also 42 Pa.C.S. § 6309.

Official Note: Rule 172 adopted April 1, 2005, effective October 1, 2005.

EXPLANATORY REPORT**Rule 167. Filings and Service of Court Orders and Notices.**

The addition to Rule 167(B)(2) deletes “court” and adds “court designee” as persons who may serve court orders and notices. It is not the court that does the serving but rather the court designee performs this function for the court.

Rule 170. Expunging or Destroying Juvenile Court Records.

The addition to Rule 170(B) clarifies that there is a separate motion and a proposed court order.

The addition to the *Comment* to Rule 170 sets forth the statutory authority for expunging records. Pursuant to 18 Pa.C.S. § 9123, records may be expunged because: a) the written allegation was not substantiated or the petition was dismissed; b) 6 months have elapsed since the final discharge of the person from supervision under a consent decree and no proceeding seeking adjudication or conviction is pending; c) 5 years have elapsed since the final discharge of the juvenile from commitment, placement, probation, or any other disposition and referral, and since such final discharge, the juvenile has not been convicted

or adjudicated delinquent of a felony or misdemeanor, and no such proceeding is pending seeking such conviction or adjudication; or d) the individual is 18-years of age or older, the attorney for the Commonwealth consents to the expungement, and the Court has given consideration to the factors listed in 18 Pa.C.S. § 9123(A)(4)(i)—(iv). See 18 Pa.C.S. § 9123.

Rule 172. Order to Expunge or Destroy.

The additions to Rule 172(A)(2) and (3) include two directives. First, the keeper of the juvenile records must expunge all records pertaining to the arrest. This includes official and unofficial records, fingerprints, photographs, officer notes, reports, and any other information maintained by a law enforcement agency. Second, each agency, department, or office must notify the court that it has complied with the court order. The *Comment* to Rule 172 lists some registries that may have this information.

Rule 172(B) and its *Comment* add that the court administrator or another court designee may provide service of the court order if the President Judge of a judicial district has promulgated a local rule. See Rule 121 for procedures on local rules.

[Pa.B. Doc. No. 09-2363. Filed for public inspection December 24, 2009, 9:00 a.m.]

Title 25—LOCAL COURT RULES

LEHIGH COUNTY

**In Re: Clerk of Orphans’ Court Division; Fee
Schedule; No. AO2009-001**

Administrative Order

And Now, this 8th day of December, 2009, pursuant to 42 P.S. § 21032.1, and on motion of the Clerk of the Orphans’ Court Division,

It Is Ordered that the Fee Schedule for the Clerk of the Orphans’ Court Division, as set forth in the attached Fee Bill, is approved and the charges set forth herein shall be the fees for services rendered by the said Clerk of the Orphans’ Court Division.

It Is Further Ordered that said Fee Schedule is effective January 1, 2010, and shall supersede any and all previously established fee schedules for the transaction of business with the Clerk of Orphans’ Court Division.

It Is Further Ordered that the District Court Administrator shall file seven (7) certified copies of this Order with the Administrative Office of Pennsylvania Courts; that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that a copy hereof shall be published in the *Lehigh Law Journal*; and that one (1) copy shall be filed with the Clerk of Orphans’ Court Division of the Court of Common Pleas of Lehigh County.

By the Court

WILLIAM H. PLATT,
President Judge

**Schedule of Fees
Clerk of the Orphans' Court
Lehigh County**

ADOPTIONS—PARENTAL TERMINATIONS

Report of Intention to Adopt	25.00
Counseling Fund Fee (Arms Length Adopt.)	75.00
Adoption Petition/Gestational Birth Carrier Petition	100.00
Involuntary Term/Voluntary Relinq Petitions	75.00
Foreign Adoption Registration IR3 Visa (no hrg req'd)	75.00
Foreign Adoption Registration/Re-Adoption IR4 Visa (hrq req'd.)	100.00
Adoption Search	100.00

ADOPTION INVESTIGATION FEES

Adoptive Parents Only	350.00
Adoptive Parents and Biological Parents interviewed within Lehigh County or within fifty (50) mile radius	450.00
Adoptive Parents and if one or both biological parents interviewed reside outside fifty (50) mile radius	500.00

GUARDIANSHIP OF INCAPACITATED PERSON/MINORS

Petition for Determination of Incapacity	100.00
Guardian Certificate	10.00
Will Inspection	10.00

MARRIAGE LICENSES

{All costs associated with Marriage License transactions are payable only in cash or money order}

Marriage Application	50.00
Certified Copy Marriage Record	10.00
Exemplification of Marriage Record	50.00
Certification of No Marriage	10.00
Petition for Court Approval—Applicant Under 16 years	25.00
Waiver of 3 Day Waiting Period {Fee waived for Active Duty Military applicant(s)—Written proof of active duty required}	10.00
Search Fee {Marriage/Birth/Death/O.C.}	25.00
Reprinted Marriage License	15.00

ACCOUNTS FILED FOR FORMAL AUDIT

INSOLVENT ESTATES	100.00
<i>Cost is based on valuation of gross estate or gross principal receipts</i>	

<i>Valuation of Gross Estate</i>	<i>Cost</i>
1 to 300,000	200.00
300,001 to 500,000	300.00
500,001 to 750,000	400.00
750,001 to 1,000,000	500.00
1,000,001 to 2,000,000	600.00

For each succeeding \$500,000 or fraction thereof over \$2,000,000 add an additional \$100.00

Automation Fee ¹	5.00
Appeal to Superior/Supreme Court ²	125.00
Certified copy of any document	10.00
Claim, Notice of,	25.00
Copies/per page (photocopies, microfiche copies or copies from scanned images)	.25
Corporate Fiduciary Power/Sureties Current Certificate	10.00
Disclaimer/Renunciation/Election to take under/against	25.00

Exceptions	25.00
Exemplification	50.00
Guardian's Certificate	10.00
Guardian's Inventory	15.00
Guardian's Inventory (Supplemental)	10.00
Informal Account	75.00
Judicial Computer System ³	23.50
Lehigh County E-filing fee ⁴	5.00
Minors' Compromise Petitions (Copy of Civil Division signed, clocked Order)	25.00
Minors' Compromise Petition {No action commenced in Civil Division}	50.00
Miscellaneous Transactions ⁵	****
Objections	25.00
Petition {Contested}	100.00
Petition {Uncontested}	50.00
Power of Attorney	25.00
Returned Check Charge (separate check)	20.00
Small Estate Petition	50.00
Subpoena	10.00
Will Contest Proceeding	100.00

¹ This \$5.00 fee imposed pursuant to 42 P.S. § 2102.1, is in addition to the OC filing fee, the LCE fee and the JCS fee, regarding all initial filings.

² In addition to the stated Orphans' Court fee there are appellate filing fees imposed by the Superior and Supreme Courts. That fee, payable to the appropriate appellate court by separate check, must accompany the requisite notice of appeal and OC filing fee. Counsel is urged to contact the appellate court to obtain the correct appellate filing fee.

³ This is a statutorily created fee imposed upon "first filings in petitions concerning adoptions, incapacitated persons, estates of minors and *inter vivos* trusts." 42 P.S. § 3733. Effective December 8, 2009, the JCS fee was increased from \$10.00 to \$23.50. This \$23.50 JCS fee is in addition to the OC filing fee, the LCE fee and the Automation fee.

⁴ Imposed upon all initial filings pursuant to 42 P.S. § 2102.1.

⁵ A filing fee in an amount equal to that of the most similar pleading will be assessed regarding pleadings not specifically enumerated in the fee schedule.

[Pa.B. Doc. No. 09-2364. Filed for public inspection December 24, 2009, 9:00 a.m.]

LEHIGH COUNTY

In Re: Lehigh County Clerk of Judicial Records; Register of Wills Division—Fee Schedule; No. AO2009-0002

Administrative Order

And Now, this 7th day of December, 2009, pursuant to 42 P.S. § 21022.1, and on motion of the Clerk of Judicial Records,

It Is Ordered that the Fee Schedule of the Office of the Clerk of Judicial Records—Register of Wills Division as set forth in the attached Fee Bill is approved and the charges set forth herein shall be the fees for services rendered by the Office of the Clerk of Judicial Records—Register of Wills Division.

It Is Further Ordered that said Fee Schedule is effective January 1, 2010, and shall supersede any and all previously established fee schedules for the transaction of business within the Clerk of Judicial Records—Register of Wills Division.

It Is Further Ordered that the District Court Administrator shall file seven (7) certified copies of this Order with the Administrative Office of Pennsylvania Courts;

that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that a copy hereof shall be published in the *Lehigh Law Journal*; and that one (1) copy shall be filed with the Clerk of Judicial Records of the Court of Common Pleas of Lehigh County.

By the Court

WILLIAM H. PLATT,
President Judge

Clerk of Judicial Records of Lehigh County,
Pennsylvania
Register of Wills Division
Effective January 1, 2010

LETTERS
TESTAMENTARY/ADMINISTRATION
ESTIMATED VALUE*

\$ 0.00	to	\$ 10,000.00	\$ 40.00
\$ 10,000.01	to	\$ 50,000.00	\$ 80.00
\$ 50,000.01	to	\$ 100,000.00	\$120.00
\$100,000.01	to	\$ 200,000.00	\$160.00
\$200,000.01	to	\$ 300,000.00	\$200.00
\$300,000.01	to	\$ 400,000.00	\$240.00
\$400,000.01	to	\$ 500,000.00	\$300.00
\$500,000.01	to	\$ 600,000.00	\$340.00
\$600,000.01	to	\$ 700,000.00	\$400.00
\$700,000.01	to	\$ 800,000.00	\$440.00
\$800,000.01	to	\$ 900,000.00	\$480.00
\$900,000.01	to	\$1,000,000.00	\$520.00
Each additional \$1,000,000.00 or fraction thereof			\$300.00
Affidavit			\$ 5.00
Ancillary Letters			\$ 50.00
Appeal			\$ 25.00
Automation Fee**			\$ 5.00
Bond			\$ 10.00
Caveat			
Formal			\$ 50.00
Informal			\$ 25.00
Certification of documents			\$ 10.00

Citation		
Pet. & issuing one respondent		\$ 50.00
Each additional respondent		\$ 5.00
Commission		\$ 50.00
Copies		\$.25
Mail		\$.50
Microfiche		\$ 1.00
E-Filing***		\$ 5.00
Election against a Will		\$ 5.00
Estate Closing Letter		\$ 5.00
Exemplification		
Filing		\$ 50.00
Preparing		\$ 50.00
Federal Return		\$ 25.00
Hearing/Order		\$100.00
Inheritance Tax Return		\$ 20.00
Supplemental		\$ 20.00
Inventory		\$ 10.00
Supplemental		\$ 10.00
Judicial Computer System (set by law)		\$ 23.50
Miscellaneous transactions		****
Receipt and Release		\$ 25.00
Renunciation		\$ 5.00
Research fee		\$ 5.00
Returned check		\$ 20.00
Short Certificates		\$ 5.00
Subpoena		\$ 10.00
Will Lodged		\$ 35.00

* At the time of filing the Petition for Letters an estimate of the gross probate value of the Estate is required. Additional probate fees will be charged if the Inventory and/or Notice of Inheritance Tax Assessment value is greater than the original estimate.

** Automation charge pursuant to 42 P. S. § 21022.1.

*** E-Filing charge pursuant to 42 P. S. § 21022.1.

**** Instruments not specifically listed will be charged at a rate comparable to this schedule for a similar instrument.

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