

# THE COURTS

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CH. 4 ]

### Order Amending Rule 470 of the Rules of Criminal Procedure; No. 399 Criminal Procedural Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 18th day of February 2011, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of justice and efficient administration, and a Final Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rule of Criminal Procedure 470 is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective March 18, 2011.

#### Annex A

### TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 4. PROCEDURES IN SUMMARY CASES PART G. Special Procedures in Summary Cases Under the Vehicle Code

Rule 470. Procedures Related to [ Licenses ] License Suspension After Failure to Respond to Citation or Summons or Failure to Pay Fine and Costs.

(A) When a defendant fails to comply with the 10-day response period set forth in Rules 407, 412, [ and ] 422, and 456, the issuing authority shall notify the defendant in writing that, pursuant to Section 1533 of the Vehicle Code, the defendant's license will be suspended if the defendant fails to respond to the citation or summons or fails to pay all fines and costs imposed or enter into an agreement to make installment payments for the fines and costs within 15 days of the date of the notice.

(B) Service of the notice required in paragraph (A) shall be by first class mail, and a copy shall be made part of the record.

(C) If the defendant does not respond by the fifteenth day, the issuing authority shall so notify the Pennsylvania Department of Transportation. The notice shall be sent by electronic transmission in the form prescribed by the Pennsylvania Department of Transportation. The issuing authority shall print out and sign a copy of the notice, which shall include the date and time of the transmission, and the signed copy shall be made part of the record.

(D) If the defendant responds to the citation or summons or pays all fines and costs imposed or enters into an agreement to make installment payments for the fines and costs imposed after notice has been sent pursuant to paragraph (C), the issuing authority shall so notify the Pennsylvania Department of Transportation and request the withdrawal of the defendant's

license suspension. The notice and request shall be sent by electronic transmission. The issuing authority shall print out and sign a copy of the notice and request, which shall include the date and time of the transmission, and the signed copy shall be made part of the record.

(E) Upon request of the defendant, the attorney for the Commonwealth, or any other government agency, the issuing authority's office shall provide a certified copy of any notices or any request form required by this rule.

#### Comment

This rule was adopted in 1993, and amended in 2011, to implement the notice requirements of 75 Pa.C.S. § 1533 and to insure uniform, prompt transmissions to the Department of Transportation. It does not change the other procedural requirements contained in the summary case rules generally. *See, e.g., paragraph (B)(1)(a) of Rule 430[ (A)(1) ] (Issuance of Warrant) and Rule 456 (Default Procedures: Restitution, Fines, and Costs).*

This rule is not intended to address the admissibility of evidence. See the Pennsylvania Rules of Evidence and 42 Pa.C.S. § 6101 *et seq.* concerning the Rules of Evidence for documents.

Under paragraph (E), the issuing authority is required to provide a certified copy of the report, but only if the request is made within the period that the issuing authority is required to retain the records.

Electronic transmissions are to be made from the [ District Justice Central Site Computer ] Magisterial District Judge System or other computer [ facility utilized ] system used by issuing authorities.

**Official Note:** Previous Rule 91, formerly Rule 140, adopted January 31, 1970, effective May 1, 1970; renumbered Rule 69 September 18, 1973, effective January 1, 1974; Comment revised January 28, 1983, effective July 1, 1983; rescinded July 12, 1985, effective January 1, 1986. The January 1, 1986 effective date is extended to July 1, 1986. Readopted and renumbered Rule 91 February 1, 1989, effective July 1, 1989; rescinded June 3, 1993, effective July 1, 1993, and replaced by new Rule [ 471 ] 92. New Rule 91 adopted June 3, 1993, effective July 1, 1993; renumbered Rule 470 and amended March 1, 2000, effective April 1, 2001; amended February 18, 2011, effective March 18, 2011.

#### Committee Explanatory Reports:

Report explaining the provisions of the new rule published with the Court's Order at 23 Pa.B. 2811 (June 19, 1993).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [ 1477 ] 1478 (March 18, 2000).

Final Report explaining the February 18, 2011 amendments to paragraphs (A) and (D) adding failure to pay fines and costs published with the Court's Order at 41 Pa.B. 1168 (March 5, 2011).

FINAL REPORT<sup>1</sup>*Amendment of Pa.R.Crim.P. 470*

On February 18, 2011, effective March 18, 2011, upon the recommendation of the Criminal Procedural Rules Committee, the Court approved the amendments to Rule of Criminal Procedure 470 (Procedures Related to License Suspension after Failure to Respond to Citation or Summons). These amendments bring the procedures in Rule 470 concerning license suspensions in line with the provisions of 75 Pa.C.S. § 1533 (Suspension of Operating Privilege for Failure to Respond to Citation).

In response to an inquiry from the legal staff of the Administrative Office of Pennsylvania Courts (AOPC) that raised questions about the interplay between Rules of Criminal Procedure 456 and 470 and 75 Pa.C.S. § 1533, the Committee undertook a review of the procedures in Rule 470 and in 75 Pa.C.S. § 1533 (Suspension of Operating Privilege for Failure to Respond to Citation).

Rule 470 sets forth the procedures for license suspensions when a defendant fails to respond to a citation or summons in a summary case. Pursuant to Rule 470(A), when a defendant fails to respond to a citation or summons within the 10-day period provided in Rules 407, 412, and 422, the issuing authority is required to send the defendant a notice explaining that the defendant's license will be suspended pursuant to 75 Pa.C.S. § 1533 if the defendant does not respond to the citation or summons within 15 days of the license suspension notice. The issuing authority is required to notify the Pennsylvania Department of Transportation (PennDOT) if the defendant does not respond by the 15th day. Rule 470 also provides the procedures for the electronic transmission of the information to PennDOT and for the issuing authority to request that PennDOT rescind the license suspension after the defendant responds. These procedures were adopted in 1993 to implement the notice of license suspension provisions in 75 Pa.C.S. § 1533, and to provide for the electronic transmission of the documents the statute requires be sent to PennDOT.

In 1994, Section 1533 was amended to add, *inter alia*, a license suspension for failure to pay fines and costs. Although the Committee monitors legislative changes, the 1994 amendments to Section 1533 were missed. In considering the communications from the AOPC legal staff, the Committee realized its oversight and agreed the discrepancy between Rule 470 and the statute was a source of the confusion to the bench, bar, and court administration. The Committee members agreed Rule 470 should be amended to align the rule procedures with the amended version of Section 1533. Accordingly, Rule 470(A) has been amended by the addition of the requirement that the issuing authority also must provide the license suspension notice when the defendant fails to pay the fine and costs or fails to enter into a payment plan. Rule 470(D) similarly has been amended by the addition of the fine and costs provision to the procedures for the rescission of the license suspension when the defendant has appeared and paid the fines and costs or established a payment for paying.

[Pa.B. Doc. No. 11-365. Filed for public inspection March 4, 2011, 9:00 a.m.]

<sup>1</sup> The Committee's Final 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 Committee's explanatory Final Reports.

# Title 25—LOCAL COURT RULES

## BUTLER COUNTY

### Local Rules of Court; CP-10-AD-000003-2011

#### Administrative Order of Court

*And Now*, this 15th day of February, 2011 it is hereby ordered and decreed that the Butler County local rules of criminal procedure (L117) is approved and adopted and is made a part of the Butler County Local Rules of Criminal Procedure for use in the Court of Common Pleas of Butler County, Pennsylvania, the 50th Judicial District of Pennsylvania, effective thirty days after the publication of the rule in the *Pennsylvania Bulletin*.

It is further ordered and decreed that the Court Administrators Office of Butler County shall:

1. File seven (7) certified copies of this Administrative Order & Local Rule with the Administrative Office of the Pennsylvania Courts.
2. File two (2) certified copies of this Administrative Order & Local Rule and one (1) diskette in the required format with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy of this Administrative Order & Local Rule with the Pennsylvania Criminal Procedural Rules Committee.
4. Forward one (1) copy of this Administrative Order to the administrative office of the *Butler County Legal Journal* for publication.
5. Keep continuously available for public inspection copies of this Administrative Order in the Office of the Butler County Clerk of Courts, in the Office of the Court Administrator and the Butler County Law Library.

*By the Court*

THOMAS J. DOERR,  
*President Judge*

#### **Rule L117. Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail.**

A. After hours coverage shall be provided by way of a schedule of specified times when the "duty" issuing authority will be available to conduct business. Each Magisterial District Judge, who has county-wide jurisdiction, will be available to receive calls on a rotational schedule as adopted by Administrative Order on an annual basis. Said Administrative Order shall be maintained by the Court Administrator's office and shall be distributed to the Butler County Communications Center and each Magisterial District Judge.

(1) The "on call" Magisterial District Judge may hold court by any approved advanced communication technology as provided by Butler County or the Administrative Office of the Pennsylvania Courts. The Magisterial District court office will remain closed to the public during after hours coverage except at the discretion of the Magisterial District Judge.

(2) The Magisterial District Judge serving as the "on-call" issuing authority shall be available to conduct preliminary arraignments between the hours of 4:30 pm and 11:00 pm, Monday through Friday, and shall be contacted through the Butler County Communications

Center. The Magisterial District Judge serving as “on-call” issuing authority shall also be available to conduct preliminary arraignments at 8:00 am, seven days a week and at 4:00 pm and 10:00 pm on weekends and holidays. The “on call” Magisterial District Judge shall also be available to conduct preliminary arraignments during regular business hours when the original issuing authority is not available.

(3) In the event a Magisterial District Judge is needed at any time for after hours coverage for issuance of a search or arrest warrant, an Emergency Protection From Abuse Petition or other emergency matter, the “on call” Magisterial District Judge shall be contacted through the Butler County Communications Center.

(4) Procedures for executed summary warrants shall be pursuant to Pa.R.Crim.P.431.

(B) Monetary bond may be posted outside of normal business hours with the Magisterial District Judge, the Clerk of Courts or the Warden of the Butler County Prison with the following provisions:

(1) Bonds required prior to the verdict or other case disposition in the amount of Five Hundred (\$500.00) Dollars and No Cents or less shall be posted with the Warden at the Butler County Prison.

(2) Bonds required prior to verdict or other case disposition in the amount of Five Hundred and One (\$501.00) Dollars and No Cents or more shall be posted with “on-call” Magisterial District Judge.

(3) All Property Bonds must be posted during regular business hours with the Clerk of Courts of Butler County.

[Pa.B. Doc. No. 11-366. Filed for public inspection March 4, 2011, 9:00 a.m.]

**MONTGOMERY COUNTY**

**Adoption of Local Rule of Civil Procedure Rule 1920.42(d)\*(3)—Verification of Defendant’s Signature; No. 2011-00001**

**Order**

And Now, this 15th day of February, 2011, the Court adopts Montgomery County Local Rule of Civil Procedure 1920.42(d)\*(3)—Verification of Defendant’s Signature. This Rule shall become effective thirty days after publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.C.P. 239, one (1) certified copy of the within Order shall be filed by the Court Administrator with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) certified copy shall be filed with the Domestic Relations Procedural Rules Committee. One (1) copy shall be filed with the Prothonotary, one (1) copy with the Clerk of Courts, and one (1) copy with the Court Administrator of Montgomery County, one (1) copy with the Law Library of Montgomery County and one (1) copy with each Judge of this Court.

By the Court

RICHARD J. HODGSON,  
President Judge

**Rule 1920.42(d)\*(3). Verification of Defendant’s Signature.**

(3) Upon the filing of the Praecepte to Transmit in a divorce action where the defendant has no attorney of record and the defendant has not appeared for any proceeding before the Court, the plaintiff shall execute and file a Verification of Defendant’s Signature in the following form:

(Caption)

**VERIFICATION OF DEFENDANT’S SIGNATURE**

I, \_\_\_\_\_, hereby state that I am the Plaintiff in the above-captioned divorce matter, that I am familiar with the signature of Defendant, and that the signature that appears on the following document(s) is that of the Defendant.

Check all that apply:

- \_\_\_ Acceptance of Service of the Divorce Complaint
- \_\_\_ Signature on Certified Mail Receipt
- \_\_\_ Property Settlement Agreement dated \_\_\_\_ (insert date)
- \_\_\_ Affidavit of Consent under Section 3301(c) of the Divorce Code
- \_\_\_ Affidavit under Section 3301(d) of the Divorce Code
- \_\_\_ Counter-affidavit under Section 3301(c) or 3301(d) of the Divorce Code (circle the applicable section)
- \_\_\_ Waiver of Notice of Intention to Transmit the Record
- \_\_\_ Other (if this section applies, list the document(s)):

I verify that the statements made in this Verification of Defendant’s Signature are true and correct to the best of my knowledge and belief. I understand that false statements made herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Signature of Plaintiff

[Pa.B. Doc. No. 11-367. Filed for public inspection March 4, 2011, 9:00 a.m.]

**DISCIPLINARY BOARD OF THE SUPREME COURT**

**Notice of Transfer to Disability Inactive Status**

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated February 17, 2011, Antonia S. Bevis is transferred to Disability Inactive Status from the Bar of this Commonwealth for an indefinite period and until further Order of the Court. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
Secretary

The Disciplinary Board of the  
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 11-368. Filed for public inspection March 4, 2011, 9:00 a.m.]

# SUPREME COURT

## Modification of the Magisterial Districts Within the Eighth Judicial District; No. 275 Magisterial Rules Doc.

### Order

#### *Per Curiam*

*And Now*, this 15th day of February, 2011, upon consideration of the Request of the President Judge of Northumberland County to eliminate Magisterial District 08-3-01 and reconfigure Magisterial Districts 08-2-01, 08-3-02, 08-3-03 and 08-3-04 of the Eighth Judicial District (Northumberland County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Request is granted. This Order is effective March 1, 2011. The vacancy for District 08-3-01 shall not appear on the ballot for the primary or general election in 2011.

Said Magisterial Districts shall be as follows:

Magisterial District 08-2-01:	Kulpmont Borough
Magisterial District Judge	Marion Heights Borough
Hugh A. Jones	Mount Carmel Borough
	Mount Carmel Township
	Riverside Borough
	East Cameron Township
	Ralpho Township
	Rush Township
	West Cameron Township
Magisterial District 08-3-02:	McEwensville Borough
Magisterial District Judge	Delaware Township
Robert J. Bolton	East Chilisquaque Township
	Lewis Township
	Milton Borough
	Point Township
	Turbot Township
	Turbotville Township
	Watsonstown Borough
	West Chilisquaque Township
Magisterial District 08-3-03:	Snydertown Borough
Magisterial District Judge	Shamokin City
John Gembic	Coal Township
	Shamokin Township
	Zerbe Township
Magisterial District 08-3-04:	Herndon Borough
Magisterial District Judge	Northumberland Borough
Carl B. Rice	Sunbury City
	Jackson Township
	Jordan Township
	Little Mahanoy Township
	Lower August Township
	Lower Mahanoy Township
	Rockefeller Township
	Upper August Township
	Upper Mahanoy Township
	Washington Township

[Pa.B. Doc. No. 11-369. Filed for public inspection March 4, 2011, 9:00 a.m.]

## Modification of the Magisterial Districts Within the Fifth Judicial District; No. 271 Magisterial Rules Doc.

### Order

#### *Per Curiam*

*And Now*, this 15th day of February, 2011, upon consideration of the Request of the President Judge of Allegheny County to eliminate Magisterial District 05-2-09 and 05-2-46 and reconfigure Magisterial Districts 05-2-05, 05-2-06, 05-2-08, 05-2-10, 05-2-12, 05-2-14, 05-2-32, 05-2-47, 05-3-02, 05-3-03 and 05-3-04 of the Fifth Judicial District (Allegheny County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Request is granted. This Order is effective January 2, 2012. The vacancies for Districts 05-2-09 and 05-2-46 shall not appear on the ballot for the primary or general election in 2011.

Said Magisterial Districts shall be as follows:

Magisterial District 05-2-05:	Brackenridge Borough
Magisterial District Judge	Tarentum Borough
Carolyn S. Bengel	East Deer Township
	Fawn Township
	Harrison Township
Magisterial District 05-2-06:	Municipality of Penn Hills
Magisterial District Judge	Verona Borough
Leonard J. HRomyak	Wilkins Township
Magisterial District 05-2-08:	Braddock Hills Borough
Magisterial District Judge	Chalfant Borough
Thomas P. Caulfield	Churchill Borough
	Forest Hills Borough
	Swissvale Borough
Magisterial District 05-2-10:	Edgewood Borough
Magisterial District Judge	Wilkinsburg Borough
Kim M. Hoots	
Magisterial District 05-2-12:	Bradford Woods Borough
Magisterial District Judge	Marshall Township
William K. Wagner	McCandless Township
	Pine Township
Magisterial District 05-2-14:	Dravosburg Borough
Magisterial District Judge	Rankin Borough
Richard D. Olasz, Jr.	West Mifflin Borough
	Whitaker Borough
Magisterial District 05-2-32:	Plum Borough
Magisterial District Judge	Oakmont Borough
Linda I. Zucco	
Magisterial District 05-2-47:	City of Duquesne
Magisterial District Judge	Braddock Borough
Scott H. Schricker	East Pittsburgh Borough
	North Braddock Borough
	Turtle Creek Borough
Magisterial District 05-3-02:	Bell Acres Borough
Magisterial District Judge	Edgeworth Borough
Robert L. Ford	Franklin Park Borough
	Glenfield Borough
	Haysville Borough
	Leetsdale Borough
	Osborne Borough
	Sewickley Borough
	Sewickley Heights Borough
	Sewickley Hills Borough
	Aleppo Township
	Leet Township

Magisterial District 05-3-03: Cheswick Borough  
 Magisterial District Judge Springdale Borough  
 David J. Sosovicka Frazier Township  
 Hamar Township  
 Springdale Township

Magisterial District 05-3-04: Hampton Township  
 Magisterial District Judge Richland Township  
 Suzanne R. Blaschak West Deer Township

[Pa.B. Doc. No. 11-370. Filed for public inspection March 4, 2011, 9:00 a.m.]

**Modification of the Magisterial Districts Within the  
 Forty-Fifth Judicial District; No. 274 Magisterial  
 Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 15th day of February, 2011, upon consideration of the Request of the President Judge of Lackawanna County to eliminate Magisterial District 45-1-07 and reconfigure Magisterial Districts 45-1-06 and 45-3-03 of the Forty-fifth Judicial District (Lackawanna County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Request is granted. This Order is effective immediately. The vacancy for District 45-1-07 shall not appear on the ballot for the primary or general election in 2011.

Said Magisterial Districts shall be as follows:

Magisterial District 45-1-06: City of Scranton, Wards 1,  
 Magisterial District Judge 2, 3, 7, 13 and 23  
 James Kennedy Dunmore Borough

Magisterial District 45-3-03: City of Carbondale  
 Magisterial District Judge Vandling Borough  
 Sean McGraw Benton Township  
 Carbondale Township  
 Fell Township  
 Greenfield Township  
 Scott Township

[Pa.B. Doc. No. 11-371. Filed for public inspection March 4, 2011, 9:00 a.m.]

**Modification of the Magisterial Districts Within the  
 Seventeenth Judicial District; No. 277 Magisterial  
 Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 15th day of February, 2011, upon consideration of the Request of the President Judge of the Seventeenth Judicial District to eliminate Magisterial District 17-3-05 and reconfigure Magisterial Districts 17-3-03 and 17-3-04 of the Seventeenth Judicial District (Snyder and Union Counties) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Request is granted. This Order is effective January 2, 2012. The vacancy for District 17-3-05 shall not appear on the ballot for the primary or general election in 2011.

Said Magisterial Districts shall be as follows:

Magisterial District 17-3-03: Selinsgrove Borough  
 Magisterial District Judge Shamokin Dam Borough  
 John T. Robinson Jackson Township  
 Middlecreek Township  
 Monroe Township  
 Penn Township

Magisterial District 17-3-04: Beavertown Borough  
 Magisterial District Judge McClure Borough  
 Willis E. Savidge Middleburg Borough  
 Freeburg Borough  
 Adams Township  
 Beaver Township  
 Center Township  
 Chapman Township  
 Franklin Township  
 Perry Township  
 Spring Township  
 Union Township  
 Washington Township  
 West Beaver Township  
 West Perry Township

[Pa.B. Doc. No. 11-372. Filed for public inspection March 4, 2011, 9:00 a.m.]

**Modification of the Magisterial Districts Within the  
 Thirty-Second Judicial District; No. 273 Magisterial  
 Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 15th day of February, 2011, upon consideration of the Request of the President Judge of Delaware County to eliminate Magisterial District 32-2-50 and reconfigure Magisterial District 32-2-37 of the Thirty-second Judicial District (Delaware County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Request is granted. This Order is effective March 1, 2011. The vacancy for District 32-2-50 shall not appear on the ballot for the primary or general election in 2011.

Said Magisterial District shall be as follows:

Magisterial District 32-2-37: Colwyn Borough  
 Magisterial District Judge Darby Borough  
 Leonard V. Tenaglia Sharon Hill Borough

[Pa.B. Doc. No. 11-373. Filed for public inspection March 4, 2011, 9:00 a.m.]

**Modification of the Magisterial Districts Within the  
 Twenty-First Judicial District; No. 276 Magisterial  
 Rules Doc.**

**Order**

*Per Curiam*

*And Now*, this 15th day of February, 2011, upon consideration of the Request of the President Judge of Schuylkill County to eliminate Magisterial District 21-3-02 and reconfigure Magisterial Districts 21-2-01, 21-3-01, 21-3-03, 21-3-04, 21-3-06 and 21-3-07 of the Twenty-first Judicial District (Schuylkill County) of the

Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Request is granted. This Order is effective January 2, 2012. The vacancy for District 21-3-02 shall not appear on the ballot for the primary or general election in 2011.

Said Magisterial Districts shall be as follows:

Magisterial District 21-2-01: Ashland Borough  
Magisterial District Judge Frackville Borough  
Gilberton Borough  
Girardville Borough  
Gordon Borough  
Ringtown Borough  
Butler Township  
North Union Township  
Ryan Township  
West Mahanoy Township  
(Altamont section)

Magisterial District 21-3-01: Mechanicsville Borough  
Magisterial District Judge Middleport Borough  
David A. Platchko Minersville Borough  
New Philadelphia Borough  
Palo Alto Borough  
Port Carbon Borough  
St. Clair Borough  
Blythe Township  
East Norwegian Township  
New Castle Township  
Norwegian Township  
Schuylkill Township

Magisterial District 21-3-03: Auburn Borough  
Magisterial District Judge Cressona Borough  
James R. Ferrier Deer Lake Borough  
New Ringgold Borough  
Orwigsburg Borough  
Port Clinton Borough  
Schuylkill Haven Borough  
East Brunswick Township  
North Manheim Township  
South Manheim Township  
Walker Township  
Wayne Township  
West Brunswick Township  
West Penn Township

Magisterial District 21-3-04: Pine Grove Borough  
Magisterial District Judge Tower City Borough  
Carol A. Pankake Tremont Borough  
Barry Township  
Branch Township  
Cass Township  
Eldred Township  
Foster Township  
Frailey Township  
Hegins Township  
Hubley Township  
Pine Grove Township  
Porter Township  
Reilly Township  
Tremont Township  
Upper Mahantongo  
Township  
Washington Township

Magisterial District 21-3-06: Coaldale Borough  
Magisterial District Judge McAdoo Borough  
Stephen Bayer Tamaqua Borough  
Kline Township  
Rush Township

Magisterial District 21-3-07: Mount Carbon Borough  
Magisterial District Judge Pottsville City  
James K. Reiley

[Pa.B. Doc. No. 11-374. Filed for public inspection March 4, 2011, 9:00 a.m.]

### Modification of the Magisterial Districts Within the Twenty-Third Judicial District; No. 272 Magisterial Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 15th day of February, 2011, upon consideration of the Request of the President Judge of Berks County to eliminate Magisterial District 23-1-04 and reconfigure Magisterial Districts 23-1-05 and 23-3-09 of the Twenty-third Judicial District (Berks County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Request is granted. This Order is effective January 2, 2012. The vacancy for District 23-1-04 shall not appear on the ballot for the primary or general election in 2011.

Said Magisterial Districts shall be as follows:

Magisterial District 23-1-05: City of Reading, Wards  
Magisterial District Judge 6, 7, 15 and 19  
Alvin B. Robinson

Magisterial District 23-3-09: City of Reading, Wards 13,  
Magisterial District Judge 14 and 17  
Deborah P. Lachina

[Pa.B. Doc. No. 11-375. Filed for public inspection March 4, 2011, 9:00 a.m.]