

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CHS. 89 AND 93]

Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 87

By this Order, the Disciplinary Board of the Supreme Court of Pennsylvania is amending its Rules of Organization and Procedure to modify Rule § 89.278 regarding reinstatement filing fees and Rule § 93.111 regarding administrative fees.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Board Prothonotary shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect 30 days after publication in the *Pennsylvania Bulletin*.

*By the Disciplinary Board of the
Supreme Court of Pennsylvania*

JESSE G. HEREDA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

CHAPTER 89. FORMAL PROCEEDINGS

Subchapter F. REINSTATEMENT AND RESUMPTION OF PRACTICE

REINSTATEMENT OF FORMERLY ADMITTED ATTORNEYS

§ 89.278. Expenses of reinstatement proceedings.

Enforcement Rule [218(f)] 218(f)(1) provides that a non-refundable reinstatement filing fee shall be

assessed against a petitioner-attorney. A filing fee schedule is set forth in the rule. Enforcement Rule 218(f)(2) provides that the Supreme Court in its discretion may direct that the necessary expenses incurred in the investigation and processing of the petition for reinstatement be paid by the petitioner-attorney[; a reinstatement fee of \$300 shall be assessed against a petitioner-attorney who was administratively suspended at the time of the filing of the petition; and the]. The annual fee required by Enforcement Rule 219(a) [and the reinstatement fee, if applicable,] for the current year shall be paid to the Attorney Registration Office after the Supreme Court order is entered.

CHAPTER 93. ORGANIZATION AND ADMINISTRATION

Subchapter G. FINANCIAL MATTERS

TAXATION OF COSTS

§ 93.111. Determination of reimbursable expenses.

(a) *General rule.* Enforcement Rule 208(g)(2) provides that expenses taxable by the Board pursuant to § 89.205(b) (relating to informal admonition, private reprimand or public reprimand following formal hearing) shall be prescribed by these rules. See also § 89.209 (relating to expenses of formal proceedings) and § 89.278 (relating to expenses of reinstatement proceedings).

(b) *Enumeration of expenses.* Taxable expenses under these rules shall include, but not be limited to, the following:

- (1) court reporter fees and transcript costs;
- (2) the fees and expenses of expert and other witnesses;
- (3) the cost of serving subpoenas, pleadings and briefs;
- (4) the charges by banks and other institutions for production of statements, checks and other records in response to subpoenas or otherwise;
- (5) the cost of reproducing documents introduced or offered as evidence at hearings;
- (6) the cost of reproducing pleadings and briefs, and
- (7) the cost of publishing notices in the legal journal and a newspaper of general circulation as required by Enforcement Rule 217(f) (relating to publication of a notice of suspension, disbarment, administrative suspension or transfer to inactive status) or § 89.274(b) (relating to publication of a notice of reinstatement hearing).

(c) *Administrative fee.* Enforcement Rule 208(g)(4) provides that [the expenses taxable under § 89.205(b) (relating to informal admonition, private reprimand, or public reprimand following formal hearing) or § 89.209 (relating to expenses of formal proceedings) may include an administrative fee except that an administrative fee shall not be included where the discipline imposed is an informal admonition; and that the administrative fee shall be \$250] in addition to the payment of any expenses under Enforcement Rule 208(g)(1) or (g)(2), a respondent-attorney shall pay upon the final order of discipline an administrative fee, pursuant to the schedule set forth in the rule.

[Pa.B. Doc. No. 19-132. Filed for public inspection February 1, 2019, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART II. ORPHANS' COURT RULES

[231 PA. CODE CH. 5]

Proposed Adoption of Pa. O.C. Rule 5.50

The Orphans' Court Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the adoption of Pa. O.C. Rule 5.50, providing for petitions for the settlement of small estates pursuant to 20 Pa.C.S. § 3102, for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor be officially adopted by the Supreme Court.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Orphans' Court Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9526
orphanscourtproceduralrules@pacourts.us

All communications in reference to the proposal should be received by March 4, 2019. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Orphans' Court
Procedural Rules Committee*

WAYNE M. PECHT, Esq.,
Chair

Annex A

Title 231. RULES OF CIVIL PROCEDURE

PART II. ORPHANS' COURT RULES

CHAPTER 5. RULES GOVERNING SPECIFIC TYPES OF PETITIONS

(Editor's Note: The following rule is proposed to be added and printed in regular type to enhance readability.)

Rule 5.50. Settlement of Small Estates by Petition.

(a) *Applicability.* This Rule applies to all petitions filed pursuant to 20 Pa.C.S. § 3102, pertaining to settlement of small estates by petition.

(b) *Contents.* A petition shall set forth the following:

(1) *Estate.*

(i) the name and address of each petitioner and the petitioner's relationship to the decedent;

(ii) the decedent's name, date of death, and domicile at the time of death;

(iii) a statement whether the decedent died testate or intestate and, if testate, that the original will is attached, or that the original will cannot be produced, the reason it cannot be produced, and that a photocopy of the original will is attached;

(iv) the name and address of each testate or intestate heir, as applicable; and

(v) whether a claim for family exemption is included, and a statement that the claimant resided with the decedent at the date of death and if the claimant is the surviving spouse, that he or she has not forfeited the right to claim the family exemption.

(2) *Assets.* All assets of decedent's estate, other than real estate, and the value of each asset. If it appears that all creditors cannot be paid in full, then include all other assets in which the decedent had an interest as a joint tenant with right of survivorship, together with the value of each such asset and decedent's fractional interest therein.

(3) *Liabilities.*

(i) the names and addresses of all known creditors, total amounts claimed by each, whether the debts have been satisfied, and an itemized list of all debts, including whether or not admitted, a description of the property claimed and the gross value thereof, and whether there is any objection to the debt, and if so, by whom;

(ii) an itemized list of unpaid administrative expenses, unpaid taxes, all other unpaid debts, and, if insolvent, as prioritized under 20 Pa.C.S. § 3392; and

(iii) whether a Statement of Claim Request Form, as required to comply with the Medical Assistance Estate Recovery Program, was sent to the Department of Human Services, the date the form was sent, and the response received from the Department.

(4) *Distribution.*

(i) the name of any distributee paid prior to the filing of the petition, including the nature and amount of each payment;

(ii) the name of each proposed distributee and respective proposed distribution;

(iii) the name of each interested person who has consented to or joined in the petition; and

(iv) the names of each testate or intestate heir, as applicable, who has not consented to or joined in the petition.

(5) *Taxes.* A statement that a Pennsylvania inheritance tax return need not be filed and the reason for such assertion, or a statement that a Pennsylvania inheritance tax return has been filed, that all taxes due thereon have been paid in full, and that proof of such payment is attached to the petition, or the reason why payment has not occurred.

(c) *Exhibits.* The following items shall be attached as exhibits to the petition in the following order:

(1) an original death certificate;

(2) the decedent's will, if any;

(3) Pennsylvania Department of Revenue Notice of Appraisal and Assessment of Tax;

(4) original consents, joinders, and statements of no objection signed by interested parties; and

(5) a copy of any correspondence received from the Department of Human Services in response to the Statement of Claim Request Form referenced in subparagraph (b)(3)(iii).

(d) *Notice.* The petitioner shall serve written notice on interested parties in compliance with Chapter III.

Explanatory Comment: In subparagraph (b)(3), the term creditors includes creditors of the decedent on the date of death, providers of funeral services, and providers of goods and services to the petitioner arising from settlement of the estate.

The Medical Assistance Estate Recovery Program, established by federal law, requires the Commonwealth to recover the Medical Assistance costs from decedents' estates. *See* 42 U.S.C. § 1396p; 62 P.S. § 1412.

See Rule 3.4(b) for the requirement to attach a proposed form of decree to a petition.

The filings required by this rule are subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. *See* Rule 1.99.

PUBLICATION REPORT

Proposed Adoption of Pa. O.C. Rule 5.50

The Orphans' Court Procedural Rules Committee ("Committee") is planning to propose to the Supreme Court of Pennsylvania the adoption of new Pa. O.C. Rule 5.50. This rule will set forth the contents of a petition filed pursuant to 20 Pa.C.S. § 3102, pertaining to the settlement of small estates.

Pursuant to 20 Pa.C.S. § 3102, a "small estate" is one with a gross value not exceeding \$50,000 ("exclusive of real estate and property payable under 20 Pa.C.S. § 3101 (relating to payments to family and funeral directors) but including property claimed as the family exemption"). Upon reviewing several local rules addressing small estate petitions, the Committee considered whether a statewide rule governing such petitions would be beneficial. The Committee established a subcommittee, which examined local rules and polled counties on the extent of small estate practice. The subcommittee recommended that the Committee draft a statewide rule addressing these types of petitions, and identified certain information and exhibits that should be included in petitions for the settlement of small estates.

Accordingly, the Committee proposes the adoption of new Rule 5.50 to prescribe the contents of a petition filed to settle a small estate pursuant to 20 Pa.C.S. § 3102. The Committee invites all comments, concerns, and suggestions regarding this proposal.

[Pa.B. Doc. No. 19-133. Filed for public inspection February 1, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEDFORD COUNTY

Guardianship Compliance Officer; No. AD 1 for the Year 2019

Administrative Order of Court

And Now, this 8th day of January, 2019, the Court enters the following Administrative Order to ensure compliance with the Pennsylvania Orphans' Court rules

regarding guardianship reporting, monitoring, and compliance. Pursuant to Pa. O.C. Rule 14.8. The Court directs the following:

1. The Court hereby designates a Guardianship Compliance Officer who shall be responsible for ensuring the inventories and reports described in Pa. O.C. Rule 14(a), (1), (2), (3), (4), and (5) are completed and filed in accordance with the Rules.

2. The Guardianship Compliance Officer may, in their discretion utilize any of the compliance procedures described in Pa. O.C. Rule 14.8(f) to remedy incomplete or delinquent reports or inventories.

3. The Bedford County Clerk of Orphans' Court and staff are directed to advise the Guardianship Compliance Officer of delinquent or incomplete inventories and reports.

4. The Guardianship Compliance Officer shall be a member of the Bar of the Pennsylvania Supreme Court.

5. The Guardianship Compliance Officer shall submit billings for services rendered periodically to the Court for reimbursement at the rate of \$65.00 per hour for any and all work performed. Said invoices shall list the docket number and name of each guardianship, a brief description of the services performed, and the hours or parts of an hour involved.

6. Carol Ann Rose, Esquire, is designated as the Guardianship Compliance Officer to serve at the discretion of the President Judge.

7. This Local Rule of Judicial Administration shall become effective thirty (30) days after the publication in the *Pennsylvania Bulletin*.

8. The Bedford County District Court Administrator is Ordered and Directed to do the following:

a. Forward one (1) copy of this Administrative Order to the Administrative Office of Pennsylvania Courts via e-mail to adminrules@pacourts.us.

b. Send two (2) paper copies of this Local Rule of Judicial Administration together with one (1) electronic copy in a Microsoft Word format only to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

c. Publish a copy of the Local Rule of Judicial Administration on the Bedford County Court website at www.bedfordcountypa.org and thereafter compile the Local Rule of Judicial Administration within the complete set of Local Rules no later than thirty (30) days after the Local Rule of Judicial Administration becomes effective.

d. File one (1) copy of the Local Rule of Judicial Administration in the Office of the Prothonotary of Bedford County and in the Bedford County Law Library for public inspection and copying.

By the Court

THOMAS S. LING,
President Judge

[Pa.B. Doc. No. 19-134. Filed for public inspection February 1, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BLAIR COUNTY

Local Rules; No. 2019 MD 78

Now this 16th day of January, 2019, it appearing that this Court should establish procedures which will provide to parties involved in custody cases access to systems through which resolution of their controversies may be accomplished via mediation and agreement, and in the case of matters involving a request for less than full physical custody of children, hearing in front of a hearing officer, while providing full accessibility to the opportunity for litigation before the court, this Court concludes that the following order is appropriate:

It is hereby ordered, directed, and decreed that these local rules for custody cases (following hereto and made part hereof) are adopted and shall be applicable to all custody proceedings filed in this Court after the 30th day after the publication of said rules in the *Pennsylvania Bulletin* as required by the Supreme Court of Pennsylvania. All previous Blair County Local Rules for Custody are rescinded where inconsistent with these newly adopted rules.

By the Court

ELIZABETH A. DOYLE,
President Judge

Rule 1915.3. Commencement of action. Complaint. Order.

All actions for custody, partial custody and supervised physical custody of minor children, including divorce complaints, shall be commenced by the filing of a verified complaint and scheduling order as required by Pa.R.C.P. 1915.3 and Local Rule 1915.3 (Form 1).

Rule 1915.4-2. Procedures for Request for Full or Partial Custody. Office Conferences. Hearing record. Exception. Order.

Preface:

Any custody case in Blair County shall proceed through office conference(s) and a prehearing or pretrial conference before being scheduled for a hearing before a hearing officer or a custody evidentiary trial before a judge.

Definitions:

1. *Office Conference. (Intake Conference, Conciliation Conference, Prehearing Conference, Pretrial Conference.)*

a) *Intake Conference.* The parties and/or their counsel shall attend the Intake Conference which shall be conducted by the intake conference officer or designated individual within approximately 45 days after the filing of the complaint or modification petition so the parties will have had an opportunity to attend the Children First program in accordance with local rule 1915.3.

The Intake Conference is not a hearing, but an opportunity for parties to reach agreement early in the custody process. No evidence or testimony is presented. The goal of the intake conference is to (1) assist the parties in identifying areas of agreement and disagreement and sharing parenting responsibilities and (2) develop a parenting plan that best suits them and their children.

b) All agreements reached at Intake Conference shall be reduced to a Consent Agreement (Form 2)

c) If agreement on all issues is not reached, then a temporary agreement may be entered into by the parties and a Conciliation Conference scheduled to further address the unresolved issues.

d) *Conciliation Conference.* The Conciliation Conference will be conducted by the Custody Conciliator, whose role is to actively engage the parties in reaching a custody agreement using mediation skills and techniques.

A Conciliation Conference is informal, with no record created or testimony elicited from parties and is scheduled for one hour or as needed. The parties are given the opportunity to present the issues or problems and explore all available options for resolution.

e) All agreements reached at Conciliation Conference shall be reduced to a Consent Agreement (Form 2)

f) If agreement on all issues is not reached, then a temporary agreement may be entered into by the parties and the unresolved issues will be addressed by the court upon the filing of the Request for Evidentiary Hearing/Trial (Form 3) in the Prothonotary office.

g) Participation will be limited to the parties and/or their counsel. All participants must act in a cooperative matter and comply with the directives of the person conducting the conference.

h) If the respondent fails to appear at the conference before the conference officer as directed by the court, the conference may proceed without the respondent.

i) *Pretrial/Prehearing Conference*—after the conciliation conference, the matter shall proceed to prehearing or pretrial conference upon the filing of a Request for Evidentiary Hearing/Trial. A pretrial/prehearing conference shall be conducted by a hearing officer.

j) *Prehearing conference—concerning partial or supervised custody.* The parties shall have prehearing narratives filed ten days before the prehearing conference. The hearing officer may make a recommendation to the parties relating to partial or supervised physical custody of the child or children. If an agreement is reached at the conference, the hearing officer shall prepare a written order in conformity with the agreement for signature by the parties and submission to the court together with the officer's recommendation for approval or disapproval. The court may enter an order in accordance with the agreement without hearing the parties.

k) At the conclusion of the prehearing conference, if an agreement relating to partial or supervised physical custody has not been reached, the party shall be given notice of the date, time and place of the hearing before a hearing officer, which may be the same day, but in no event shall be more than 45 days from the date of the conference.

l) *Pretrial conference.* If the conference is a pretrial rather than prehearing conference, it shall be conducted by a pretrial hearing officer in preparation for a trial by the parties before a Blair County judge. The pretrial conference focuses on identification of issues to be resolved by the Court, unresolved discovery issues, any agreements of the parties, issues of and names of any expert witnesses to be called, proposed exhibits, request for an interview of a child, settlement or mediation of the case, and such other matters as may aid in the disposition of the case. The parties or attorneys are responsible for estimating to the pretrial hearing officer how much time they believe their case will realistically take. A time and date for the evidentiary hearing will be set. Any requirement for the filing of briefs will be discussed. A

summary of the conference will be forwarded by the pretrial hearing officer to a Judge in preparation for trial.

Procedure

Listing Trial or Hearing before the Court

a) Within 10 days from the date of service of a custody order from a conciliation conference, a party may file a Request for Evidentiary Hearing/Trial (Form 3) in the Blair County Prothonotary office.

1) There is no filing fee required. The request form must be served on the other counsel/party with the specific issues identified for consideration in the evidentiary hearing/trial. The request form shall be forwarded by the prothonotary to the custody office for a date to be assigned for a prehearing or pretrial conference.

2) The parties must specify whether they are asking for shared physical and legal custody, partial physical and legal custody, supervised physical custody, primary physical custody, or sole legal custody.

3) The parties must specify whether their matter is so complex that it should not be heard by a hearing officer even though they are not asking for primary physical custody.

Hearing or Trial. If the parties have identified, or are identified by a prehearing conference officer or by the court, as asking for shared or partial custody, or asking for supervised physical custody, except as provided by Rule 1915.4-1(b)(1) or (b)(2), after intake/conciliation they shall proceed to hearing with a hearing officer, as set out below. If the parties have identified, or are identified by a prehearing conference officer or by the court, as asking for sole legal or primary physical custody, they shall proceed to a custody evidentiary trial before the court as outlined below.

Prehearing/Pretrial narratives required.

4) 10 days prior to the prehearing/pretrial conference, the parties and/or counsel shall submit to the Prothonotary office a narrative, including but not limited to the following:

(i) Names and addresses of all witnesses, including experts.

(ii) Copies of all exhibits

(iii) A detailed proposed custody arrangement for both parties that encompasses time with both parents. The arrangements should be prepared from the perspective that each party would consider the proposal reasonable if it applied to them.

(iv) requested stipulation of facts and anticipated length of trial.

(v) Statement if needed regarding unique circumstances of the case which will require a time allotment of more than one half day of trial, as per Blair County Administrative Order.

If no narrative is filed, the offending party could be found in contempt by the Court after hearing, and fined or sanctioned by the Court.

Trial

A matter in which the parties are seeking primary custody or sole legal custody shall proceed to custody intake and custody conciliation and pretrial conference, as defined above, before trial. The trial before the court shall be de novo. The court shall hear the case and render a decision within the time period set forth in Pa.R.C.P. No. 1915.4.

Comment: The purpose of this revised Local Rule, which adds a hearing officer to the court's options for litigants, is to add to the Court's ability to efficiently accommodate litigants who are seeking either partial periods of custody, including shared custody, of their children, or who are asking for supervised physical custody.

Certification: I hereby certify that Blair County generally conducts its custody proceedings in accordance with Pa.R.C.P. No. 1915.4-2.

ELIZABETH A. DOYLE,
President Judge

Form (1)

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

_____	:	NO.
Plaintiff	:	
vs.	:	
_____	:	CUSTODY
Defendant	:	

COMPLAINT FOR CUSTODY

1. The Plaintiff is _____, residing at

_____	(city)
(street)	
_____	(county)
(state)	(zip code)
Phone: _____	

2. The Defendant is _____, residing at

_____	(city)
(street)	
_____	(county)
(state)	(zip code)
Phone: _____	

3. Plaintiff seeks:

LEGAL CUSTODY:

- _____ shared legal custody (The right to make major decisions on behalf of the child, including, but not limited to, medical, religious and educational decisions are shared.)
- _____ sole legal custody (The right to make major decisions on behalf of the child, including, but not limited to, medical, religious and educational decisions is made by one individual.)

PHYSICAL CUSTODY:

- _____ partial physical custody (The right to assume physical custody of the child for less than a majority of the time.)
- _____ primary physical custody (The right to assume physical custody of the child for the majority of the time.)
- _____ shared physical custody (The right of more than one individual to assume physical custody of the child, each having significant periods of physical custodial time with the child.)
- _____ sole physical custody (The right of one individual to exclusive physical custody of the child.)
- _____ supervised physical custody (Custodial time during which an agency or an adult designated by the court or agreed upon by the parties monitors the interaction between the child and the individual with those rights.)

of the child(ren) identified on the Confidential Information Form first column. (204 Pa. Code § 213.81)

***Do not list names and date of birth of children on this form, identify by numerals or initials corresponding to attached Confidential Information Form.

Child _____ Child _____ Child _____ Child _____

List additional children as necessary.

The child(ren) (was/were) (was not/were not) born out of wedlock.

The child(ren) is/are presently in the custody of _____ who resides at

_____ (street) _____ (city)

_____ (state) _____ (zip code) _____ (county)

During the past five years, the child(ren) has/have resided with the following persons and at the following addresses:

List all persons	List all addresses	Dates
_____	_____	_____
_____	_____	_____
_____	_____	_____

The Mother of the child is _____, currently residing at

_____ (street) _____ (city) _____ (state) _____ (zip code) _____ (county)

The Father of the child is _____, currently residing at

_____ (street) _____ (city) _____ (state) _____ (zip code) _____ (county)

4. The relationship of the Plaintiff to the child(ren) is that of _____. The Plaintiff currently resides with the following persons:

Name	Relationship
_____	_____
_____	_____

5. The relationship of the Defendant to the child(ren) is that of _____. The Defendant currently resides with the following persons:

Name	Relationship
_____	_____
_____	_____

6. Plaintiff (has) (has not) participated as a party or witness, or in another capacity, in other litigation concerning the custody of the said child in this or another court. The court, term number, and its relationship to this action is:

Plaintiff (has) (has no) information of a custody proceeding concerning the child pending in a court of this Commonwealth or any other state. The court, term and number, and its relationship to this action is:

CUSTODY SCHEDULING ORDER

You, _____ (Respondent) have been sued in Court to obtain custody, partial custody or supervised physical custody of the child(ren) identified on the Confidential Information Form first column. (204 Pa. Code § 213.81)

***Do not list names and date of birth of children on this form, identify by numerals or initials corresponding to attached Confidential Information Form.

Child _____ Child _____ Child _____ Child _____

List additional children as necessary.

All parties of this custody action are hereby ORDERED to attend the Mandatory Parent Education Children First Program within forty—five (45) days of this order. All parties are required to contact the Children First Program at (814) 693-3292 within five (5) days of receipt of this order to register for said program.

Should the moving party fail to pay fees or fail to appear for the Education Program, the custody action shall be dismissed without prejudice and any fees paid by such party shall be forfeited.

Should the non-moving party fail to pay fees or fail to appear for the Education Program, an immediate Rule to Show Cause why such party should not be held in Contempt shall be issued from the court.

You are hereby ORDERED to appear in person on:

_____ 20____ at _____ a.m./p.m. for an Intake/Conciliation Conference with _____ at the Blair County Courthouse, 423 Allegheny Street, New Wing, Third Floor, Suite 327 Hollidaysburg, Pa. 16648.

NO CHILDREN SHALL ATTEND THE INTAKE/CONCILIATION CONFERENCE

If you fail to appear for the Intake Conference, Conciliation Conference or any other scheduled proceeding as provided by this Order, an Order for Custody, Partial Custody or Supervised Physical Custody may be entered against you or the Court may issue a Warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

IF YOU CANNOT AFFORD A LAWYER

MIDPENN LEGAL SERVICES

205 Lakemont Park Blvd.
ALTOONA, Pa. 16602
(800) 326-9177

IF YOU DO NOT HAVE A LAWYER

BLAIR COUNTY LAWYER REFERRAL

Third Floor, New Wing (3C)
Blair County Court House
Hollidaysburg, Pa. 16648
(814) 693-3090

AMERICANS WITH DISABILITIES ACT OF 1990

The court of Common Pleas of Blair 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 (814) 693-3050. All arrangements must be made seventy-two (72) hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

BY THE COURT

Date _____ j.

Form (2)

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

_____,
Plaintiff(s)

VS.

NO: _____

_____,
Defendant(s)

Custody

CONSENT AGREEMENT/AGREED ORDER

We have agreed to the following parenting plan for the custody of our child(ren):

1) The parents shall share the legal and physical custody of their child(ren).

The names of the child(ren) are as follows: (Names/DOB)

2) The child(ren) shall reside with his/her/their Mother and Father. The mother's address is:

The father's address is:

3) The parents agree that the time arrangements for the Father/ Mother with the child(ren) are as follows:

a) Weekends - _____

b) Weekdays - _____

c) Holidays -
Thanksgiving - _____

Christmas - _____

New Year's - _____

Easter - _____

Memorial Day, Fourth of July and Labor Day - _____

4) Transportation - _____

5) Other - _____

6) The child(ren) shall be with the Mother on Mother's Day and with the Father on Father's Day.

7) The child(ren)'s birthday will be spent with whatever parent they are scheduled to be with.

8) Each party shall keep the other informed of their current address and telephone number.

9) Each party shall keep the other informed of the child(ren)'s health, progress in school, school activities, general welfare, and shall consult with the other parent concerning major decisions affecting the child(ren), to include education, religious training and medical treatment. If an emergency or illness requiring a physician's attention should occur to the child(ren) while in their physical custody each party must notify the other party.

10) Each parent is entitled to receive directly from schools, health care providers, or other relevant sources, information concerning their child(ren).

11) The parties shall not argue or engage in heated discussion in the presence of the child(ren).

12) Neither party shall engage in any conduct which presents to the child(ren) a negative or hostile view of the other nor shall they allow any third party to do or say anything that would hamper the natural love and respect of the child(ren) for either party.

13) Each parent shall encourage the child(ren) to comply with this parenting agreement and foster in the child(ren) a positive view of the other.

14) The party who has physical custody of the child(ren) should encourage, prepare and have the child(ren) available at the designated times and places so visitations occur smoothly. Likewise, the party exercising partial custody or visitation rights should encourage, prepare and return the child(ren) promptly at the designated times and places.

15) THE PARTIES MAY DECIDE DIFFERENT TIME ARRANGEMENTS AND MAKE DECISIONS FOR THE CHILD(REN) WHENEVER THEY MUTUALLY AGREE TO DO SO. NOTHING IN THIS AGREEMENT IS UNDERSTOOD TO LIMIT OR RESTRICT THE ABILITY OF THE PARTIES TO MUTUALLY AGREE ON ALTERNATIVE PARENTING ARRANGEMENTS. IF FOR ANY REASON THE PARTIES CANNOT AGREE, THE TERMS OF THE CONSENT AGREEMENT WILL BE FOLLOWED.

16) ALL HOLIDAY SCHEDULES SHALL SUPERSEDE ANY OTHER TIME ARRANGEMENT UNLESS THE PARTIES MUTUALLY AGREE TO DO OTHERWISE.

17) VIOLATION OF THIS ORDER BY ANY PERSON MAY RESULT IN CIVIL AND CRIMINAL PENALTIES, INCLUDING PROSECUTION PURSUANT TO SECTION 2904 OF THE PENNSYLVANIA CRIMES CODE, INTERFERENCE WITH CUSTODY OF CHILDREN.

18) Jurisdiction of the child(ren) shall remain with the court of common pleas of Blair County, Pennsylvania, unless jurisdiction would change under the Uniform Child Custody Jurisdiction Act.

19.) NOTICE OF OBLIGATIONS BEFORE YOU RELOCATE: No party shall relocate with the child/ren unless every individual who has custody rights consents to the proposed relocation, or the court approves the relocation. Any party who desires to relocate with the child/ren shall first notify every other individual who has custody rights. The party who desires to relocate with the child/ren must also comply with 23 Pa.C.S. 5337 ET SEQ. (A copy of this statute is available in the Blair County Custody Office.)

We agree to abide by the agreement developed this _____ day of _____, 20____ and submit it to the Court of Common pleas to be formalized into an order of Court.

Mother		Attorney
Father		Attorney
Hearing Officer		

Form (3)

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

Plaintiff	NO. _____
Defendant	CIVIL ACTION—CUSTODY

REQUEST FOR CUSTODY EVIDENTIARY HEARING/TRIAL

At a recent Custody Conciliation Conference held on ____/____/____ an acceptable Custody Agreement could not be reached. I hereby request an Evidentiary Hearing/Trial.

The Petitioner is _____ Plaintiff/Defendant in the above captioned case.

The Petitioner is not represented/represented by _____, Esq.
(please circle one)

The Respondent is not represented/represented by _____, Esq.
(please circle one)

The Petitioner seeks:

LEGAL CUSTODY:

_____ shared legal custody	(The right to make major decisions on behalf of the child, including, but not limited to, medical, religious and educational decisions are shared.)
_____ sole legal custody	(The right to make major decisions on behalf of the child, including, but not limited to, medical, religious and educational decisions is made by one individual.)

PHYSICAL CUSTODY:

_____ partial physical custody	(The right to assume physical custody of the child for less than a majority of the time.)
_____ primary physical custody	(The right to assume physical custody of the child for the majority of the time.)
_____ shared physical custody	(The right of more than one individual to assume physical custody of the child, each having significant periods of physical custodial time with the child.)

_____ sole physical custody (The right of one individual to exclusive physical custody of the child.)
 _____ supervised physical custody (Custodial time during which an agency or an adult designated by the court or agreed upon by the parties monitors the interaction between the child and the individual with those rights.)

I hereby certify that on ____/____/____ I served a copy of this request on the opposing counsel/party.

I verify that the statements made in this request for Court hearing are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to Unsworn Falsification to Authorities.

Date: ____/____/____

Petitioner or Petitioner’s Attorney

Address of Plaintiff: _____ _____ _____	Address of Defendant: _____ _____ _____	Address of Additional Party: _____ _____ _____
Phone _____	Phone _____	Phone _____

[Pa.B. Doc. No. 19-135. Filed for public inspection February 1, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CARBON COUNTY

Drug Treatment Court Programs Administrative Fee; CP-13-AD-000002-2019

Administrative Order No. 6-2019

And Now, this 14th day of January, 2019, in order to administer the Carbon County Drug Treatment Court Programs, it is hereby

Ordered and Decreed that all parties placed into either the Carbon County Veterans Treatment Court or the Carbon County Drug Treatment Court shall be assessed an Administrative Fee of \$500.00 upon placement in the program.

Administrative Order 8-2017 is VACATED.

The Carbon County District Court Administrator is directed to:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two (2) certified copies and one electronic copy in Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish a copy of this Administrative Order on the Carbon County Court website at www.carboncourts.com/rules.htm.
4. Forward one (1) copy for publication in the *Carbon County Law Journal*.
5. Forward one (1) copy to the Carbon County Law Library.

6. Keep copies of the Order continuously available for public inspection in the Carbon County Clerk of Courts’ Office.

By the Court

ROGER N. NANOVIC,
President Judge

[Pa.B. Doc. No. 19-136. Filed for public inspection February 1, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

SCHUYLKILL COUNTY

Local Rule of Civil Procedure No. 234.1; AD-3-2019

Order of Court

And Now, this 15th day of January, 2019, at 2:30 p.m., the Schuylkill County Court of Common Pleas hereby adopts Local Rule of Civil Procedure No. 234.1 for use in the Schuylkill County Court of Common Pleas, Twenty-First Judicial District, effective 30 days after publication in the *Pennsylvania Bulletin*.

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

- 1) File one (1) copy of this Order and Rule with the Administrative Office of the Pennsylvania Courts via email to adminrules@pacourts.us.
- 2) File two (2) paper copies of this Order and Rule and (1) electronic copy in a Microsoft Word format to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- 3) Publish the local rule on the Schuylkill County Court website at www.co.schuylkill.pa.us.
- 4) Incorporate the local rule into the set of local rules on www.co.schuylkill.pa.us within thirty (30) days after publication in the *Pennsylvania Bulletin*.

5) File one (1) copy of the local rule in the Office of the Schuylkill County Clerk of Courts and provide a copy to the Prothonotary for public inspection and copying.

6) Forward one (1) copy to the Law Library of Schuylkill County for publication in the *Schuylkill Legal Record*.

By the Court

WILLIAM E. BALDWIN,
President Judge

Rule 234.1. Civil Bench Warrants.

Upon an Applicant's filing in the Office of the Prothonotary a Motion with a Proposed order in compliance with the Pa. Rules of Civil Procedure, seeking a Civil Bench Warrant, the Applicant shall pay the filing fee and the Schuylkill County Sheriff's fee. The Motion and Proposed Order shall be forwarded to the Court promptly for disposition. The Bench Warrant will be issued if appropriate. Any Order granting the Bench Warrant and the Motion shall be returned to the Prothonotary's Office and then certified copies of the Order and Motion promptly forwarded to the Sheriff's Office for service.

[Pa.B. Doc. No. 19-137. Filed for public inspection February 1, 2019, 9:00 a.m.]

**DISCIPLINARY BOARD OF
THE SUPREME COURT**

Notice of Disbarment

Notice is hereby given that Jason Michael Tabor (# 88859), having been disbarred in the State of New Jersey, the Supreme Court of Pennsylvania issued an Order on January 11, 2019, disbaring Jason Michael Tabor from the Bar of this Commonwealth, effective February 10, 2019. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,
Secretary

[Pa.B. Doc. No. 19-138. Filed for public inspection February 1, 2019, 9:00 a.m.]

**DISCIPLINARY BOARD OF
THE SUPREME COURT**

Notice of Suspension

Notice is hereby given that Michael P. Guido having been suspended from the practice of law in the State of Florida; the Supreme Court of Pennsylvania issued an Order dated January 17, 2019 suspending Michael P. Guido from the practice of law in this Commonwealth for a period of one year, effective February 16, 2019. 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*.

JULIA M. FRANKSTON-MORRIS, Esq.,
Secretary

[Pa.B. Doc. No. 19-139. Filed for public inspection February 1, 2019, 9:00 a.m.]

**DISCIPLINARY BOARD OF
THE SUPREME COURT**

Notice of Suspension

Notice is hereby given that Harry Tun having been suspended from the practice of law in the District of Columbia; the Supreme Court of Pennsylvania issued an Order dated January 17, 2019 suspending Harry Tun from the practice of law in this Commonwealth for a period of one year, effective February 16, 2019. 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*.

JULIA M. FRANKSTON-MORRIS, Esq.,
Secretary

[Pa.B. Doc. No. 19-140. Filed for public inspection February 1, 2019, 9:00 a.m.]