

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 82]

Continuing Legal Education Board Regulations

The official text of the Continuing Legal Education Board Regulations, 204 Pa. Code Chapter 82, Subchapter B, section 3 is set forth in Annex A. The text in Annex A reflects the amendments to section 3 effective January 23, 2014, and May 9, 2018, that were previously omitted from the *Pennsylvania Code*.

Effective Date.

The following provisions took effect January 23, 2014:

- (1) The addition of section 3(d).
- (2) The redesignation of section 3(e).

The addition of section 3(f) took effect May 9, 2018.

By the Continuing Legal Education Board of the Supreme Court of Pennsylvania

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 82. CONTINUING LEGAL EDUCATION

Subchapter B. CONTINUING LEGAL EDUCATION BOARD REGULATIONS

Section 3. Minimum Education Requirements.

Every active lawyer shall complete the following annual CLE minimum requirements:

(a) Commencing January 1, 1994, the CLE requirement for each compliance group shall be a minimum of one (1) hour of ethics, professionalism, or substance abuse and a minimum of five (5) hours of substantive law, practice and procedure.

(b) Commencing September 1, 1994, the CLE requirement for each compliance group shall be a minimum of one (1) hour of ethics, professionalism, or substance abuse and a minimum of eight (8) hours of substantive law, practice and procedure and shall be first applicable to the compliance groups as follows:

- Compliance Group II August 31, 1995
- Compliance Group III December 31, 1995
- Compliance Group I April 30, 1996

(c) Commencing September 1, 1995, the CLE requirement shall be a minimum of one (1) hour of ethics, professionalism, or substance abuse and a minimum of eleven (11) hours of substantive law, practice and procedure and shall be first applicable to the compliance groups as follows:

- Group II August 31, 1996
- Group III December 31, 1996
- Group I April 30, 1997

(Editor's Note: Section 3(d) was added January 23, 2014, effective immediately.)

(d) Commencing January 30, 2014, the CLE requirement shall be a minimum of (2) hours of ethics, professionalism, or substance abuse and a minimum of (10) ten hours of substantive law, practice and procedure and shall be first applicable to the compliance groups as follows:

- Group I April 30, 2015
- Group II August 31, 2015
- Group III December 31, 2015

(Editor's Note: Section 3(e) was redesignated from subsection (d) to subsection (e) January 23, 2014, effective immediately.)

(e) CLE credits for ethics, professionalism, or substance abuse may be applied to any substantive law, practice and procedure requirement.

(Editor's Note: Section 3(f) was added May 9, 2018, effective immediately.)

(f) The CLE requirement for lawyers with an Emeritus status shall be a minimum of two (2) hours of ethics, professionalism or substance abuse and a minimum of six (6) hours of substantive law, practice and procedure.

[Pa.B. Doc. No. 22-1683. Filed for public inspection November 4, 2022, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 82]

Amendments to the Continuing Legal Education Board Rules and Regulations for Diversity and Sexual Harassment Awareness Training for Attorneys

Notice of Proposed Rulemaking

Notice is hereby given that The Continuing Legal Education Board (the "CLE Board") of the Supreme Court of Pennsylvania is considering recommending to the Supreme Court of Pennsylvania that it adopt new Amendments to Rule 105 of the Pennsylvania Rules for Continuing Legal Education ("Pa.R.C.L.E.") and Section 3 of the applicable Regulations for Continuing Legal Education.

The proposed Rule and Regulation changes will, if adopted, rename the "Ethics" category to "Ethics and Professionalism" and create a one-time mandatory ethics and professionalism component of the CLE requirement for training on Diversity, Inclusion and Anti-Bias and Sexual Harassment Awareness and Prevention as set forth in Attachments A and B.

Specifically, the proposed Rule and Regulation changes, if adopted, will:

- Maintain the present 12-credit annual requirement with the substantive credit requirement to remain at 10;
- Rename the "Ethics" category, to "Ethics and Professionalism," preserving the requirement of at least two credits annually; and

- Require that by the conclusion of a lawyer’s second full compliance period following adoption, each attorney must obtain one Diversity, Inclusion and Anti-Bias Training (collectively “Diversity”) credit and one Sexual Harassment Awareness and Prevention Training (collectively, Sexual Harassment”) credit, each related to lawyers and the practice of law, which shall be tracked by the CLE Board as “Ethics and Professionalism” credits and included as part of what is currently an attorney’s annual two-credit Ethics requirement.

The chart below is a comparison of the current CLE requirements and the proposed rule and regulation change:

<i>CURRENT</i>	<i>PROPOSED</i>
12 CREDIT ANNUAL CLE REQUIREMENT	12 CREDIT ANNUAL CLE REQUIREMENT
10 OF 12 CREDITS SUBSTANTIVE	10 OF 12 CREDITS SUBSTANTIVE
2 OF 12 CREDITS ETHICS	2 OF 12 CREDITS ETHICS AND PROFESSIONALISM
NO DIVERSITY OR SEXUAL HARASSMENT REQUIREMENT	1 CREDIT DIVERSITY AND 1 CREDIT SEXUAL HARASSMENT WITHIN FIRST 2 COMPLIANCE PERIODS, EACH RELATED TO LAWYERS AND THE PRACTICE OF LAW

The net result of this proposed rule and regulation change would be that by the conclusion of a lawyer’s second full compliance period following implementation of this proposed rule and regulation change, every Pennsylvania attorney will have taken at least one hour of Diversity Training and at least one hour of Sexual Harassment Training. Subject to further Order of the Pennsylvania Supreme Court, this requirement then terminates as to each lawyer upon completion of such coursework, although lawyers then will have the option of taking additional Diversity Training and Sexual Harassment Training coursework within the basket of available Ethics and Professionalism courses. Newly admitted attorneys will also have additional exposure to such categories through the Bridge the Gap program.

By way of background, in recent years, both the Supreme Court of Pennsylvania and the CLE Board have received input from various professional organizations and stakeholders affiliated with the Pennsylvania legal community expressing support for mandatory coursework on the proposed subject matter. The Supreme Court asked the CLE Board to review the matter and, if deemed appropriate by the CLE Board, make an informed recommendation to the Court for any proposed Rule or Regulation changes. In response, the CLE Board reviewed the comments received and the myriad of additional factors to help inform the CLE Board as to the appropriate response to these concerns. As part of this analysis, the CLE Board considered the following:

- In 2005, the Court created the Pennsylvania Interbranch Commission on Gender, Racial and Ethical Fairness, which recommended that all Court employees be required to participate in elimination of bias training, and that such training be available to all aspects of the justice system.
- In 2008, the Pennsylvania Supreme Court adopted its policy on Non-Discrimination and Equal Employment Opportunity in which the Court declared that, “it is the

policy of the Unified Judicial System of Pennsylvania (UJS) to ensure that all individuals having business with the UJS are treated in a dignified, civil, respectful and non-discriminatory manner.” This policy was cited in various bar association letters of support for mandatory Diversity, Inclusion and Anti-Bias Training. In addition to other forms of discrimination, this policy expressly prohibits all forms of sexual harassment in the courts throughout the Commonwealth.

- Advocates for diversity training noted that for over a decade voluntary coursework has been offered, yet the attendees were primarily minority attorneys or attorneys with a history of work on diversity and inclusion issues.
- Various studies consistently indicated a significant number of women in the law firm workplace have experienced sexual harassment. For example, an international research firm, Acritas, published a study in 2018 involving approximately 8,700 lawyers (including 2,000 senior in-house counsel, 1,700 “higher performing” law firm attorneys, and 5,000 lawyers responding to a web survey) that 35 percent of women attorneys surveyed indicated that they had been sexually harassed at work, which included receiving sexually suggestive comments, and being subject to inappropriate physical contact.

The CLE Board spent considerable time evaluating whether such training should be mandatory and concluded that some level of mandated requirement was needed to address these issues. The CLE Board was mindful of the levels of concern that all attorneys participate in some type of meaningful programming addressing Diversity and Sexual Harassment Training issues. Without some type of mandated training, many attorneys who would benefit from better understanding of these workplace issues would not even consider the relevance to their practice or the positive impact such training may have on their law firm or their practice. Ultimately, the CLE Board concluded that the mere availability of such coursework is insufficient to address these topics and to ensure a comprehensive dialogue takes place among Pennsylvania licensed attorneys—a dialogue facilitated through continuing legal education requirements.

The CLE Board also makes note of a relevant diversity initiative it has undertaken in recent years. Through a partnership with the Carnegie Mellon University Entertainment and Technology center, the CLE Board developed an interactive educational experience, entitled, “Objection” which explores diversity and bias issues in the legal profession. This scenario-based ethics program is made available to Pennsylvania Accredited Providers and is regularly offered to lawyers throughout the Commonwealth. The CLE Board is committed to working with course providers to develop a catalogue of meaningful training options in subjects of Diversity and Sexual Harassment Prevention. These efforts will not only facilitate compliance with the proposed ethics and professionalism requirement but also spread awareness of compelling issues and help reinforce a principled and non-discriminatory legal infrastructure in Pennsylvania.

Interested persons are invited to submit written comments to the proposed amendments on or before January 5, 2023. Comments should be submitted by email to kbuggy@pacle.org or regular mail addressed to the Continuing Legal Education Board of the Supreme Court of Pennsylvania, 601 Commonwealth Avenue, Suite 3400, PO Box 62495, Harrisburg, PA 17106-2495.

By the Continuing Legal Education Board of the
Supreme Court of Pennsylvania

Annex A

**TITLE 204. JUDICIAL SYSTEM GENERAL
PROVISIONS**

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 82. CONTINUING LEGAL EDUCATION

Subchapter A. PROFESSIONAL RESPONSIBILITY

(*Editor's Note:* The text of Rule 105 does not reflect the current codified text in 204 Pa. Code.)

Rule 105. CLE Requirement.

(a) *General Requirements:*

1. Every active lawyer shall annually complete, during the compliance period to which **they are [he or she is]** assigned, the CLE required by the Board pursuant to these rules and established in Board regulations.

2. CLE shall be on the subjects of:

- (i) substantive law, practice, and procedure, **and**
- (ii) **[lawyer]** ethics and **professionalism [, the rules of professional conduct]**
- (iii) **[professionalism]**
- (iv) **[substance abuse as it affects lawyers and the practice of law].**

3. The minimum annual CLE requirement shall be **[nine (9) hours, effective September 1, 1994, and]** twelve (12) hours, **[effective September 1, 1995].**

(b) *Fulfillment Requirements:* The CLE requirement shall be fulfilled by attending the required number of CLE courses by providers or completing a CLE activity approved by the Board as sufficient to meet the CLE general requirement.

(c) Every newly admitted attorney shall attend the Bridge the Gap program, of at least four (4) credit hours, sponsored by **an** approved Bridge the Gap CLE provider prior to **their [his or her]** first compliance deadline.

(d) Lawyers with an Emeritus license shall complete an annual CLE requirement of eight (8) hours pursuant to these rules and established in Board regulations.

**Subchapter B. CONTINUING LEGAL EDUCATION
BOARD REGULATIONS**

(*Editor's Note:* The official text of section 3 is set forth at 52 Pa.B. 6838).

Section 3. Minimum Education Requirement.

Every active lawyer shall complete the following annual CLE minimum requirements:

(a) **[Commencing January 1, 1994,]** The CLE requirement **[for each compliance group]** shall be a minimum of **[one (1)] two (2) hours** of ethics **and** professionalism **[or substance abuse]** and a minimum of **[five (5)] ten (10) hours** of substantive law, practice, and procedure, **[.] and shall be applicable to the compliance groups as follows:**

Compliance Group I—April 30 of each calendar year

Compliance Group II—August 31 of each calendar year

Compliance Group III—December 31 of each calendar year

(b) **[Commencing September 1, 1994, the CLE requirement for each compliance group shall be a minimum of one (1) hour of ethics, professionalism, or substance abuse a minimum of eight (8) hours of substantive law, practice, and procedure and shall be first applicable to the compliance groups as follows:**

- **Compliance Group II—August 31, 1995**
- **Compliance Group III—December 31, 1995**
- **Compliance Group I—April 30, 1996]**

For purposes of this Regulation, the CLE requirement on "ethics and professionalism" shall include (1) lawyer ethics and the rules of professional conduct, (2) lawyer professionalism, (3) substance abuse as it affects lawyers and the practice of law, (4) diversity, inclusion and anti-bias training related to lawyers and the practice of law, (5) sexual harassment awareness and prevention training related to lawyers and the practice of law, and (6) such other subjects as may be designated in the future by the Pennsylvania Supreme Court.

(c) **[Commencing September 1, 1995, the CLE requirement shall be a minimum of one (1) hour of ethics, professionalism, or substance abuse and a minimum of eleven (11) hours of substantive law, practice and procedure and shall be first applicable to the compliance groups as follows:**

- **Group II—August 31, 1996**
- **Group III—December 31, 1996**
- **Group I—April 30, 1997]**

To be completed by the conclusion of a lawyer's second full compliance period following adoption of this Regulation, the CLE requirement for ethics and professionalism shall include a minimum of one (1) hour in subjects relating to diversity, inclusion and anti-bias training, and a minimum of (1) hour in subjects relating to sexual harassment awareness and prevention training.

(d) **[Commencing January 30, 2014, the CLE requirement shall be a minimum of (2) hours of ethics, professionalism, or substance abuse and a minimum of (10) ten hours of substantive law, practice and procedure and shall be first applicable to the compliance groups as follows:**

- **Group I—April 30, 2015**
- **Group II—August 31, 2015**
- **Group III—December 31, 2015]**

For all newly admitted lawyers, in addition to their requirement to fulfill their Bridge the Gap requirement, a minimum of one (1) hour in subjects relating to the diversity, inclusion and anti-bias training, and a minimum of one (1) hour in subjects relating to sexual harassment awareness and prevention training must be completed no later than the end of the second period in which their CLE compliance is required.

(e) [CLE credits for ethics, professionalism, or substance abuse may be applied to any substantive law, practice, and procedure requirement.]

Subject to further Order of the Pennsylvania Supreme Court, the CLE ethics and professionalism requirement that lawyers must take a minimum of one (1) hour in subjects relating to diversity, inclusion and anti-bias training, and a minimum of one (1) hour in subjects relating to sexual harassment awareness and prevention training automatically terminates as to each lawyer upon completion of such coursework, although lawyers then have the option of taking, but are not mandated to take, additional coursework in these subjects to fulfill their annual CLE ethics and professionalism requirement.

(f) [e] CLE credits for ethics and professionalism, [or substance abuse] may be applied to any substantive law, practice, and procedure requirement.

(g) [f] The CLE requirement for lawyers with an Emeritus status shall be a minimum of two (2) hours of ethics and professionalism [or substance abuse] and a minimum of six (6) hours of substantive law, practice and procedure.

[Pa.B. Doc. No. 22-1684. Filed for public inspection November 4, 2022, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CHS. 91 AND 93]

Amendments to Rules of Organization and Procedure of The Disciplinary Board of The Supreme Court of Pennsylvania; Order No. 104

By this Order, the Disciplinary Board of the Supreme Court of Pennsylvania amends its Board Rules and Procedures to modify Rule § 91.151 (related to emergency temporary suspension orders and related relief), Rule § 93.23 (related to the Board's powers and duties), and Rule § 93.107 (related to public access to public proceedings).

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 Executive Director 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 91. MISCELLANEOUS MATTERS

Subchapter G. EMERGENCY PROCEEDINGS

§ 91.151. Emergency temporary suspension orders and related relief.

* * * * *

(h) Temporary suspension for more than two years without a formal proceeding. Enforcement Rule 208(f)(8) provides that where a respondent-attorney has been temporarily suspended under Enforcement Rule 208(f)(1) or (f)(5) and more than two years have passed without the commencement of a formal proceeding, and it appears by an affidavit demonstrating facts that:

(1) the respondent-attorney has not complied with conditions imposed in the order of temporary suspension or with the requirements of Enforcement Rule 217;

(2) the order of temporary suspension was based, in whole or in part, on the respondent-attorney's failure to provide information or records, and the respondent-attorney has not provided the information or records, or otherwise cured the deficiency;

(3) the respondent-attorney has engaged in post-suspension conduct, by act or omission, that materially delays or obstructs Disciplinary Counsel's ability to fully investigate allegations of misconduct against the respondent-attorney;

(4) the respondent-attorney's whereabouts are unknown, in that despite reasonably diligent efforts, Disciplinary Counsel has not been able to contact or locate the respondent-attorney for information or to serve notices or other process at the address provided by the respondent-attorney in the verified statement required by Enforcement Rule 217(e)(1) or at any other known addresses that might be current;

(5) a conservatorship of the affairs of the respondent-attorney has been appointed pursuant to Enforcement Rule 321; or

(6) the respondent-attorney has not participated in proceedings before the Pennsylvania Lawyers Fund for Client Security in which an adjudicated claim has resulted in an award,

Disciplinary Counsel may petition the Court for the issuance of a rule to show cause why an order of disbarment should not be entered. The procedure set forth in Enforcement Rule 208(f)(1) as to service shall apply. Upon the filing by Disciplinary Counsel of an affidavit establishing service compliance, the Court may enter a rule directing the respondent-attorney to show cause why the respondent-attorney should not be disbarred, which rule is returnable in 30 days. The respondent-attorney shall serve a copy of any response on Disciplinary Counsel, who shall have fourteen days after receipt to file a reply.

Enforcement Rule 208(f)(9) provides that if a rule to show cause has been issued, and the period for response has passed without a response having been filed, or after consideration of any responses, the Court may enter an order disbarring the respondent-attorney from the practice of law, discharging the rule to show cause, or directing such other action as the Court deems appropriate.

[(h)] (i) *Procedural requirements.* The Note to Enforcement Rule [208(f)] 208(f)(7) provides that the “without appreciable delay” standard of subsections (f)(3) and (g) is derived from *Barry v. Barchi*, 443 U.S. 55, 99, (1979). Appropriate steps will be taken to satisfy this requirement, such as continuous hearing sessions, procurement of daily transcript, fixing of truncated briefing schedules, conducting special sessions of the Board, etc.

CHAPTER 93. ORGANIZATION AND ADMINISTRATION

Subchapter B. THE DISCIPLINARY BOARD

§ 93.23. Powers and duties.

(a) *General rule.* Enforcement Rule 205(c) provides that the Board shall have the power and duty:

* * * * *

(17) To authorize the use of electronic means to conduct prehearing conferences and post-hearing proceedings before a hearing committee, special master or the Board, but all adjudicatory proceedings shall be conducted in person unless warranted by extraordinary circumstances. Witness testimony may be presented via ACT upon motion for cause shown. All proceedings shall be conducted in accordance with Board Rules, Enforcement Rules and the decisional law of the Court and the Board.

[(17)] (18) To exercise the powers and perform the duties vested in and imposed upon the Board by law.

* * * * *

Subchapter F. CONFIDENTIALITY

§ 93.107. Broadcasting and other recording of proceedings. Public access to public proceedings.

(a) Enforcement Rule [402(j)] 402(j)(1) provides that this subchapter does not permit broadcasting, televising, recording or taking photographs during a proceeding under these rules, except that a hearing committee, a special master, the Board or the Supreme Court when conducting a proceeding may authorize the use of electronic or photographic means for the presentation of evidence, for the perpetuation of a record or for other purposes of judicial administration.

(b) Enforcement Rule 402(j)(2) provides that public access to a public proceeding before a hearing committee, special master or the Board shall con-

sist of or be supplemented by livestream technology, which access shall cease upon the conclusion of the proceeding. The official record of the proceeding shall be the record generated by the court reporter, as applicable.

(c) Enforcement Rule 402(j)(3) provides that a request for in-person access to a public proceeding other than by the parties, their attorneys and reasonably necessary staff shall be made to the Board at least 30 days in advance of the scheduled proceeding.

[Pa.B. Doc. No. 22-1685. Filed for public inspection November 4, 2022, 9:00 a.m.]

Title 25—LOCAL COURT RULES

ADAMS COUNTY

Rule of Judicial Administration 160; Administrative Order Number 16 of 2022

Order of Court

And Now, this 25th day of October, 2022, the Court hereby modifies Rule 160 of the Adams County Rules of Judicial Administration as follows:

160. Termination of Inactive Cases.

A. Magisterial District Court-Traffic

1. In this subsection, the rule shall apply only to those summary traffic violations or parking violations in which a warrant has been issued pursuant to Pennsylvania Rule of Criminal Procedure Rule 430(A), Rule 430(B)(1)(a) or Rule 430(B)(2).

2. On or before the 15th day of November of each year, each Magisterial District Court shall:

i. Dismiss any summary citation or ticket filed under Title 75 (relating to vehicles) or under local ordinance pertaining to overtime parking which was issued three years prior to November 15th of each respective year.

ii. Vacate any active warrant in relation to the dismissed summary citation or ticket and promptly remove the warrant from MDJS, CPCMS or any other system or list in which the warrant has been issued.

iii. Forward notice to the Pennsylvania Department of Transportation that the citation or ticket has been dismissed and request withdrawal of the defendant’s license suspension as needed pursuant to Pennsylvania Rule of Criminal Procedure Rule 470.

3. Each Magisterial District Court shall promptly provide a list of those cases being dismissed to Court Administration.

B. Magisterial District Court-Non-Traffic

1. On or before the 15th day of November of each year, each Magisterial District Court shall:

i. Identify all non-traffic summary cases where no plea has been entered and where there has been no evidence of activity in the three years prior to November 15th of each respective year.

ii. Compile a list that will indicate the name of the affiant, the name of the defendant, the docket number and the charge(s) associated with the docket number.

iii. Forward this list to Court Administration.

2. Upon receipt of the lists, Court Administration shall:

i. **[Submit the lists to the Adams County Legal Journal for publication] Publish the list in a newspaper of general circulation in Adams County for all cases in which the affiant is neither filing as a law enforcement officer nor a tax bureau or taxing authority.**

ii. **[Provide a copy of the lists to the District Attorney] For matters where the affiant is filing as a law enforcement officer, provide a copy of the list of those cases to the District Attorney.**

iii. **For matters where the affiant is a tax bureau or taxing authority, provide a copy of the list of those cases to the tax bureau or taxing authority.**

3. The publication **and lists sent to the District Attorney and tax bureau or taxing authority** shall include a disclaimer to indicate that the matters listed shall be terminated after 30 days of publication **or date of the lists sent to the District Attorney and tax bureau or taxing authority** unless a party to the proceeding requests a hearing from the appropriate Magisterial District Court.

i. **[If the defendant requests a hearing, the matter shall promptly be scheduled for such hearing or other disposition pursuant to the Rules of Criminal Procedure.**

ii.] If the [**Commonwealth**] **affiant** requests a hearing to oppose termination, the matter shall promptly be scheduled to determine if termination is appropriate.

[**iii.**] **ii.** Disposition of any hearing, including hearings where a citation or ticket is dismissed over the objection of the [**Commonwealth**] **affiant**, shall be filed of record in MDJS.

[**iv.**] **iii.** The [**Commonwealth**] **affiant** shall have the right to appeal any determination to the Court of Common Pleas within the time period for Summary Appeals pursuant to the Rules of Criminal Procedure.

4. In the event a hearing is not requested within 30 days of publication, the Magisterial District Court shall:

i. Dismiss the summary citation or ticket filed.

ii. Vacate any active warrant in relation to the dismissed summary citation or ticket and promptly remove the warrant from MDJS, CPCMS or any other system or list in which the warrant has been issued.

iii. For any matter involving a license suspension, forward notice to the Pennsylvania Department of Transportation that the citation or ticket has been dismissed and request withdrawal of the defendant's license suspension pursuant to Pennsylvania Rule of Criminal Procedure Rule 470.

The modifications to this rule shall become effective after all the provisions of the Pennsylvania Rules of Judicial Administration 103 are met, to include the following:

a. Two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

b. One copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts via e-mail to adminrules@pacourts.us;

c. A copy of the proposed local rule(s) shall be published on the 51st Judicial District website;

d. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

e. The effective date of the local rule(s) shall be 30 days after publication in the *Pennsylvania Bulletin*.

f. For 2022, the District Court Administrator is authorized to publish the lists pursuant to this rule after November 15th as prescribed by Adams County Rule of Judicial Administration 160(B)(1), given that the rule changes described herein will not be in effect until after that date. It is directed that the District Court Administrator proceed to publication as soon as the rule change is effective.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 22-1686. Filed for public inspection November 4, 2022, 9:00 a.m.]