

# THE COURTS

## Title 255—LOCAL COURT RULES

### BERKS COUNTY

#### Adoption and Amendments to Local Rules 4002, 4008.1, 4008.4 and Rescission of Rules 5000.2, 5000.4-5000.5; No. 24-1 Prothonotary; No. CP-06-AD-27-2024 Clerk of Courts; Orphans Ct. 60539

*And Now*, this 12th day of June 2024 it is hereby Ordered that Local Rule of Judicial Administration No. 4002—Definitions is adopted and No. 4008.1 and 4008.4 are amended in following form. It is further Ordered Local Rules of Judicial Administration No. 5000.2, 5000.4-5000.5 are hereby rescinded.

The District Court Administrator is *Ordered* and *Directed* to:

1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish these Rules on the Berks County Court website at www.berkspa.gov.
4. Incorporation of the local rule into the set of local rules on www.berkspa.gov within thirty (30) days after publication of the local rule in the *Pennsylvania Bulletin*.
5. File one (1) copy of the local rule in the appropriate filing office(s) for public inspection and copying.

M. THERESA JOHNSON,  
*President Judge*

#### Rule 4002. Definitions.

“Clerk” as used in the rules shall mean the prothonotary, where the records of the proceedings involved are filed with the prothonotary, and the clerk of courts, where the records of the proceeding involved are filed with said clerk.

“Rough Draft Transcript” as used in these rules shall mean an uncertified and unedited transcription of the proceedings, including the testimony of witnesses, that is presented in its initial form that may contain untranslated or mistranslated stenotype symbols which will need to be revised before it is finished and certified. A “Rough Draft Transcript” request is only available during the instant proceedings and may be used by counsel solely for the purposes of preparation for hearings and/or trials and may not be used for any evidentiary purpose whatsoever in a hearing and/or trial nor may it be read or displayed to a jury or other factfinder.

#### Rule 4008.1. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.

(A) Where a person or entity other than the Commonwealth or a subdivision thereof has requested an ordinary original transcript:

(1) Any person or entity who obtains a Transcript Request Form shall pay to the appropriate filing office one-half the estimated cost for the transcript calculated at the rate of \$2.75 for each page of bound ordinary original transcript and \$0.75 for each page of copy to the requestor in bound paper format or \$0.50 for each page of

copy to the requestor in electronic format and shall pay the balance upon completion of the transcript. The court reporter shall not be required to start the transcription until such one-half advance payment has been made.

(2) Upon completion of the transcript, the court reporter shall file the ordinary original transcript with the filing office along with a notice of the balance due to the person or entity who obtained the Transcript Request Form. Checks for the final balance due shall be made payable to the filing office and shall be delivered to the filing office.

(3) Where any person or entity other than the Commonwealth or a political subdivision thereof requests a copy of the transcript previously ordered, transcribed, and filed of record, such person or entity must complete a Request for Copy of Transcript form and may purchase the same by paying the filing office \$0.75 for each page of bound paper format. Where any person or entity other than the Commonwealth or a political subdivision thereof requests a copy of the transcript in electronic format (if available), such person or entity must complete a Request for Copy of Transcript form and may purchase the same by paying the filing office \$0.50 for each page of transcript.

(4) Where the Commonwealth or any political subdivision requests a copy of the transcript, the court reporter shall provide the Commonwealth or any political subdivision thereof with a copy without charge.

(5) Where a litigant requests a copy of the transcript and has been approved for representation by a legal aid service, the court reporter shall provide the legal aid client with a copy without charge.

(B) The filing office shall pay the monies received for original transcript and for copies to the county promptly. The county shall thereupon pay therefrom:

- (a) to the court reporter, the sum of \$2.75 for each page of bound ordinary original transcript;
- (b) to the court reporter, the sum of \$0.75 for each page of copy in bound paper format or \$0.50 for each page of copy in electronic format;
- (c) to the court reporter, the sum of \$2.50 for each page of copy of rough draft transcript;
- (d) to the court reporter, the sum of \$3.75 for each page of bound original expedited transcript;
- (e) to the court reporter, the sum of \$4.75 for each page of bound original daily transcript;
- (f) to the court reporter, the sum of \$6.75 for each page of bound original same-day delivery transcript.

#### Rule 4008.4. Additional Costs.

(A) In cases such as mass tort, medical malpractice, or other unusually complex litigation where there is a need for court reporters to significantly expand their dictionary, a trial judge may impose a surcharge of \$0.50 per page for ordinary original transcript.

(B) In cases of a non-technical nature where a secure electronic feed is requested to instantaneously deliver the translated notes from the court reporter to a laptop or other portable electronic device via cable, WiFi, router, or Bluetooth to the parties, a fee of \$3.50 per page per hookup shall be charged. There shall be no charge to the court for such a connection.

(C) In cases such as mass tort, medical malpractice, or other unusually complex litigation where a secure electronic feed is requested to instantaneously deliver the translated notes from the court reporter to a laptop or other electronic device via cable, WiFi, router, or Bluetooth to the parties, a fee of \$4.00 per page shall be charged. There shall be no charge to the court for such a connection.

(D) In cases where a rough draft transcript is requested by the court and/or the parties of all or part of a proceeding while utilizing a secure electronic feed, a fee of \$2.50 per page of rough draft shall be charged.

[Pa.B. Doc. No. 24-887. Filed for public inspection June 28, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### WASHINGTON COUNTY

#### Fees for Electronic Access and Filing in the Civil and Orphans’ Court Divisions; No. 2024-1

##### Administrative Order

And Now, this 17th day of June, 2024, pursuant to Local Rule of Civil Procedure L-205.4(d) and Local Rule of Orphans’ Court Procedure L-O.C. 4.7(f), it is hereby *Ordered, Adjudged, and Decreed* that the following schedule of fees shall be collected for use of the C-Track Public Portal. Fees assessed in relation to the use of the C-Track Public Portal shall be paid by use of debit or credit card.

##### I. Document Access Subscription Fees

Docket sheets on remotely available public cases are viewable for free to registered users of the C-Track Public Portal. Registered users that are either a case party or attorney of record are not required to either subscribe or pay an individual document access fee to view documents on their case(s) in the C-Track Public Portal. Individuals or organizations that are not a case party or record attorney may choose to pay a monthly subscription fee for access to all remotely and publicly available case documents. The subscription fees are based on a “seat count” of the individual or organization paying for them. The monthly per-seat subscription fees are as follows:

Maximum Seat Count	Cost Per Seat
1	\$42.00
5	\$30.00
20	\$25.00
50	\$21.00
100	\$10.00

##### II. Individual Document Access Fee

Users who do not pay for a C-Track Subscription Fee shall be charged per instance of viewing, downloading, or printing a document in the C-Track Public Portal. This fee shall be \$0.25 per page, with a minimum charge of \$5.00.

##### III. Electronic Filing Fee

Registered users may electronically file certain legal papers to the Prothonotary or the Register of Wills/Clerk of the Orphans’ Court. A user fee of \$7.00 shall be imposed for each legal paper that is electronically filed.

##### IV. Debit or Credit Card Processing Fee

All payments in the C-Track Public Portal are handled via a payment processor. A processing fee shall be charged per debit or credit card transaction. This fee shall be the greater of either \$2.95 or three percent (3%) of the total transaction cost. This fee is in addition to any other charges in the C-Track Public Portal.

##### V. Filing Fees Suspended

It is further *Ordered* that the Register of Wills/Clerk of the Orphans’ Court shall not charge a fee to a party and/or counsel of record for the filing of an order or decree of court. Collection of any such fees shall cease effective June 20, 2024.

It is further *Ordered* that the Prothonotary shall not charge an additional \$25.00 fee for arbitration referral to a party and/or counsel of record for electronically filing a writ of summons or complaint involving damages below the arbitration limits.

##### VI. Conclusion

The District Court Administrator is directed to:

1. File copies of this Administrative Order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
2. File one (1) electronic copy of this Administrative Order with the Administrative Office of Pennsylvania Courts;
3. Arrange for the publication of this Administrative Order on the website for the Twenty-seventh Judicial District, [www.washingtoncourts.us](http://www.washingtoncourts.us), within thirty (30) days of the effective date; and
4. Cause a copy hereof to be published in the *Washington County Reports* once a week for two (2) successive weeks at the expense of the County of Washington.

By the Court

GARY GILMAN,  
President Judge

[Pa.B. Doc. No. 24-888. Filed for public inspection June 28, 2024, 9:00 a.m.]