

# THE COURTS

## Title 207—JUDICIAL CONDUCT

### PART II. CONDUCT STANDARDS

[207 PA. CODE CH. 51]

Order Amending Rule 13 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges; No. 221 Magisterial Doc. No. 1

#### Order

*Per Curiam:*

*And Now*, this 1st day of November, 2005, upon the recommendation of the Minor Court Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 13 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges be, and hereby 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 immediately.

#### Annex A

### TITLE 207. JUDICIAL CONDUCT

#### PART II. CONDUCT STANDARDS

#### CHAPTER 51. STANDARDS OF CONDUCT OF MAGISTERIAL DISTRICT JUDGES

#### PENNSYLVANIA RULES FOR MAGISTERIAL DISTRICT JUDGES

#### Rule 13. Incompatible Practices.

Magisterial district judges[, **constables**] and all [**employes**] **employees** assigned to or appointed by magisterial district judges shall not engage, directly or indirectly, in any activity or act incompatible with the [**expeditions**] **expeditious**, proper and impartial discharge of their duties, including, but not limited to, (1) in any activity prohibited by law; (2) in the collection business; or (3) in the acceptance of any premium or fee for any judicial bond. A magisterial district judge shall not exploit his **or her** judicial position for financial gain or for any business or professional advantage. A magisterial district judge shall not receive any fee or emolument for performing the duties of an arbitrator.

\* \* \* \* \*

[Pa.B. Doc. No. 05-2116. Filed for public inspection November 18, 2005, 9:00 a.m.]

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[231 PA. CODE CHS. 200 AND 1000]

Technical Amendment of Rule 239.8, the Notes to Rules 205.2, 206.1, 206.4, 208.2, 208.3, 210, 1028, 1034, and 1035.2, and the Explanatory Comment—2003 to Rule 239; No. 444 Civil Procedural Rules; Doc. No. 5

#### Order

*Per Curiam:*

*And Now*, this 2nd day of November, 2005, Pennsylvania Rule of Civil Procedure 239.8, the notes to Rules 205.2, 206.1, 206.4, 208.2, 208.3, 210, 1028, 1034, and 1035.2, and the Explanatory Comment—2003 to Rule 239 are amended to read as follows.

Whereas prior distribution and publication of these amendments would otherwise be required, it has been determined that the amendments are of a perfunctory nature and that immediate promulgation is required in the interests of justice and efficient administration.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective immediately.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 200. BUSINESS OF COURTS

#### Rule 205.2. Filing Legal Papers with the Prothonotary.

\* \* \* \* \*

#### *Official Note:*

\* \* \* \* \*

Any local rule which has been promulgated must be published on the [**web site of the Administrative Office of Pennsylvania Courts (www.aopc.org)**] **Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us)**.

#### Rule 206.1. Petition. Definition. Content. Form.

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

\* \* \* \* \*

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

#### *Official Note:*

\* \* \* \* \*

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

\* \* \* \* \*

**Rule 206.4. Rule to Show Cause. Alternative Procedures.**

\* \* \* \* \*

**Official Note:** Subdivisions (b) through (e) of Rule 239.2 require every court to promulgate Local Rule 206.4(c) describing the court's procedures for the issuance of a rule to show cause. Local Rule 206.4(c) shall be published on the [ **web site of the Administrative Office of Pennsylvania Courts (www.aopc.org) ] Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us).**

**Rule 208.2. Motion. Form. Content.**

\* \* \* \* \*

**Official Note:**

\* \* \* \* \*

Any local rule which has been promulgated must be published on the [ **web site of the Administrative Office of Pennsylvania Courts (www.aopc.org) ] Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us).**

**Rule 208.3. Alternative Procedures.**

(a) Except as otherwise provided by subdivision (b), the court shall initially consider a motion without written responses or briefs. For a motion governed by this subdivision, the court may not enter an order that grants relief to the moving party unless the motion is presented as uncontested or the other parties to the proceeding are given an opportunity for an argument.

**Official Note:**

\* \* \* \* \*

Rule 239.3(d) requires every court to promulgate Local Rule 208.3(a) describing the local court procedure governing motions under this rule. Local Rule 208.3(a) shall be published on the [ **web site of the Administrative Office of Pennsylvania Courts (www.aopc.org) ] Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us).**

(b) A court, by local rule, numbered Local Rule 208.3(b), may impose requirements with respect to motions listed in the rule for the filing of a response, a brief or both. Where a response is required, any party opposing a motion governed by Local Rule 208.3(b) shall file the response within twenty days after service of the motion, unless the time for filing the response is modified by court order or enlarged by local rule.

**Official Note:**

\* \* \* \* \*

Any local rule promulgated must be published on the [ **web site of the Administrative Office of Pennsyl-**

**vania Courts (www.aopc.org) ] Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us).**

**Rule 210. Form of Briefs.**

\* \* \* \* \*

**Official Note:** Rule 239.4 authorizes each court of common pleas to impose additional requirements governing the form and content of a brief. Rule 239.4 requires each court which has imposed such requirements to promulgate a local rule, numbered Local Rule 210, listing the requirements. Any local rule which has been promulgated must be published on the [ **web site of the Administrative Office of Pennsylvania Courts (www.aopc.org) ] Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us).**

**Rule 239. Local Rules.**

\* \* \* \* \*

**Explanatory Comment—2003**

*I. Statewide Practice of Law*

The primary obstacle to the statewide practice of law has been the inability of lawyers to learn how each court of common pleas actually operates, particularly with respect to pre-trial applications. New Rules 239.1 through 239.8 [ **and the amendment to Rule 239 adding new subdivision (c)(7)** ] will eliminate this obstacle through three requirements: (1) the promulgation of local rules which describe the steps that litigants must take to have pre-trial matters decided, (2) the use of a standardized numbering system for the local rules, and (3) the publication of the local rules on the [ **web site of the Administrative Office of Pennsylvania Courts (AOPC) ] Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us).**

The new rules enable a litigant to obtain the details of a local practice from the [ **AOPC web site** ] **Web Application Portal** by referring to the particular county and the number of the local rule for a specific procedure. For example, new Rule 239.3(c) provides that a court may require any motion relating to discovery to include a certification that counsel has conferred with all interested parties in order to resolve the matter without court action. A common pleas court, which requires such certification, must promulgate a local rule, numbered Local Rule 208.2(e), describing its requirement. Consequently, a litigant can learn from the [ **AOPC web site** ] **Web Application Portal** whether a particular court has promulgated Local Rule 208.2(e) and, if so, the requirements of that rule.

**Rule 239.8. Local Rules. Promulgation. Publication. Effective Date.**

(a) Local rules required by Rules 239.2, 239.3, 239.5, 239.6 and 239.7 shall be promulgated not later than nine months following the date of the Order of the Supreme Court promulgating this rule.

**Official Note:**

\* \* \* \* \*

Local requirements under Rules 239.1 through 239.7 are not effective and enforceable unless local rules are published on the [ **web site of the Administrative Office of Pennsylvania Courts** ] **Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us).** See subdivision (c) of this rule.

(b) The court promulgating a local rule or an amendment to a local rule pursuant to Rules 239.1 through 239.7 shall transmit a copy to the Civil Procedural Rules Committee which shall then forward a copy to the Administrative Office of Pennsylvania Courts (AOPC) for publication on the [AOPC web site] Pennsylvania Judiciary's Web Application Portal.

Official Note:

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The Committee may, of necessity arising from judicial automation, direct the court promulgating a local rule or amendment to transmit it to the AOPC or take other action to effect publication on the [AOPC web site] Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us).

(c) To be effective and enforceable, a local rule or an amendment to a local rule promulgated pursuant to Rules 239.1 through 239.7 shall be

\* \* \* \* \*

(2) published on the [web site of the Administrative Office of Pennsylvania Courts] Pennsylvania Judiciary's Web Application Portal, and

Official Note: The [Administrative Office of Pennsylvania Courts (AOPC)] Pennsylvania Judiciary maintains a web page at http://ujportal.pacourts.us/ containing the texts of local rules promulgated pursuant to Rules 239.1 through 239.7.

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(d) A local rule or amendment promulgated pursuant to Rules 239.1 through 239.7 shall become effective upon publication on the [web site of the Administrative Office Pennsylvania Courts] Pennsylvania Judiciary's Web Application Portal.

CHAPTER 1000. ACTIONS

Subchapter A. CIVIL ACTION

PLEADINGS

Rule 1028. Preliminary Objections.

\* \* \* \* \*

(c)(1) A party may file an amended pleading as of course within twenty days after service of a copy of preliminary objections. If a party has filed an amended pleading as of course, the preliminary objections to the original pleading shall be deemed moot.

(2) The court shall determine promptly all preliminary objections. If an issue of fact is raised, the court shall consider evidence by depositions or otherwise.

Official Note:

\* \* \* \* \*

Rule 239.5 requires every court to promulgate Local Rule 1028(c) describing the local court procedure governing preliminary objections. Local Rule 1028(c) shall be published on the [web site of the Administrative Office of Pennsylvania Courts (www.aopc.org)] Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us).

\* \* \* \* \*

Rule 1034. Motion for Judgment on the Pleadings.

(a) After the relevant pleadings are closed, but within such time as not to unreasonably delay the trial, any party may move for judgment on the pleadings.

Official Note:

\* \* \* \* \*

Rule 239.6 requires every court to promulgate Local Rule 1034(a) describing the local court procedure governing motions for judgment on the pleadings. Local Rule 1034(a) shall be published on the [web site of the Administrative Office of Pennsylvania Courts (www.aopc.org)] Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us).

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Rule 1035.2. Motion.

\* \* \* \* \*

Official Note:

\* \* \* \* \*

Rule 239.7 requires every court to promulgate Local Rule 1035.2(a) describing the local court procedure governing motions for summary judgment. Local Rule 1035.2(a) shall be published on the [web site of the Administrative Office of Pennsylvania Courts (www.aopc.org)] Pennsylvania Judiciary's Web Application Portal (http://ujportal.pacourts.us).

[Pa.B. Doc. No. 05-2117. Filed for public inspection November 18, 2005, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CH. 3000]

Amendment of Rule 3135 Governing Sheriff's Deed to Real Property and Correction of Deed; No. 443 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 2nd day of November, 2005, Rule of Civil Procedure 3135 is amended to read as follows.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective January 1, 2006.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 3000. JUDGMENTS

Subchapter D. ENFORCEMENT OF MONEY JUDGMENTS FOR THE PAYMENT OF MONEY

Rule 3135. Sheriff's deed to real property. Correction of deed.

(a) When real property is sold in execution and no petition to set aside the sale has been filed, the sheriff, at the expiration of [ten] twenty days after either the filing of the schedule of distribution or the execution sale if no schedule of distribution need be filed, shall execute and acknowledge before the prothonotary a deed to the property sold. The sheriff shall forthwith deliver the deed to the appropriate officers for recording

and for registry if required. Confirmation of the sale by the court shall not be required.

**Official Note: See Rule 3136(a) governing the filing of the schedule of distribution.**

(b) If the sheriff has made a defective return of the execution proceeding or has executed a defective deed, including the erroneous description of the real estate, the court upon petition of the purchaser or the purchaser's successors in title may correct the return or deed or order that a new return or deed be executed.

#### Explanatory Comment

Prior to the present amendment, Rule 3135(a) governing execution sales provided in part that "the sheriff, at the expiration of ten days after the filing of the schedule of distribution, shall execute and acknowledge before the prothonotary a deed to the property sold." There was a gap in the rule because Rule 3136(a) provides that a schedule of distribution need not be filed where the real property is sold to the plaintiff for costs only. The amended rule eliminates this gap. Where a schedule of distribution is not required, the sheriff must execute and acknowledge the deed within twenty days of the date of the sale.

The rule has also been amended by increasing from ten to twenty days the time in which the sheriff must execute and acknowledge a deed in a sale as to which a schedule of distribution is required to be filed. The uniform twenty-day period is therefore applicable in all cases and eliminates potential confusion.

*By the Civil Procedural Rules Committee*

R. STANTON WETTICK, Jr.,  
*Chair*

[Pa.B. Doc. No. 05-2118. Filed for public inspection November 18, 2005, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### FAYETTE COUNTY

**Local Rule 86: Deposit and Disposition of Percentage Cash Bail: Consent Thereto and Form; Criminal Division No. 2 AD 2005**

#### Order

*And Now*, this 1st day of November, 2005, pursuant to Pennsylvania Rule of Criminal Procedure 105, it is hereby ordered that Fayette County Rule of Criminal Procedure 86 is rescinded upon the effective date of Fayette County Rule of Criminal Procedure 535.

The Clerk of Courts is directed as follows:

(1) Seven certified copies of this order shall be filed with the Administrative Office of Pennsylvania Courts.

(2) Two certified copies and diskette of this order shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One certified copy of this order shall be sent to the State Criminal Procedural Rules Committee.

(4) One certified copy shall be sent to the Fayette County Law Library and the Editor of the *Fayette Legal Journal*.

*By the Court*

CONRAD B. CAPUZZI,  
*President Judge*

[Pa.B. Doc. No. 05-2119. Filed for public inspection November 18, 2005, 9:00 a.m.]

### FAYETTE COUNTY

**Local Rule 535 Return of Cash Deposits; Criminal Division No. 3 AD 2005**

#### Order

*And Now*, this 1st day of November, 2005, pursuant to Rule 105 of the Pennsylvania Rules of Criminal Procedure, it is hereby ordered that Local Rule 535 is adopted as follows.

The Clerk of Courts is directed as follows:

(1) Seven certified copies of the Local Rule shall be filed with the Administrative Office of Pennsylvania Courts.

(2) Two certified copies of the Local Rule shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One certified copy of the Local Rule shall be sent to the State Criminal Procedural Rules Committee.

(4) One certified copy shall be sent to the Fayette County Law Library.

(5) One certified copy shall be sent to the Editor of the *Fayette Legal Journal*.

This Local Rule shall be continuously available for public inspection and copying in the Office of the Clerk of Courts. Upon request and payment of reasonable costs of reproduction and mailing, the Clerk shall furnish to any person a copy of any local rule.

This Local Rule shall be effective 30 days after the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

CONRAD B. CAPUZZI,  
*President Judge*

**Rule 535 Return of Cash Deposits**

Upon full and final disposition of the case, the issuing authority or the Clerk of Courts shall retain thirty percent (30%) of the amount deposited, but in no event less than Ten (\$10.00) Dollars, as administrative costs, which includes the Clerk's poundage fee for the percentage cash bail program. The balance shall be returned to the depositor, unless the depositor at the time the balance is to be returned otherwise agrees in writing. The thirty per cent (30%) to be retained shall be considered as earned at the time the bail undertaking is executed and the defendant or the third party surety deposits the cash. Any money not claimed within one hundred eighty (180) days from the time of full and final disposition of the case shall be deemed as fees and shall be forfeited to the use of the county of Fayette.

[Pa.B. Doc. No. 05-2120. Filed for public inspection November 18, 2005, 9:00 a.m.]

## LEHIGH COUNTY

Clerk of Courts; Civil Division—Fee Schedule;  
Case No. 2005-J-48

## Order

*And Now*, this 28th day of October, 2005, upon consideration of the within Petition for Increased Fee Schedule, presented by Lehigh County Clerk of Courts, Andrea E. Naugle, and in accordance with Act 164 of 1998, the Prothonotary Fee Law,

*It Is Ordered* that the Fee Schedule of the Lehigh County Clerk of Courts—Civil Division is amended effective January 1, 2006.

*It Is Further Ordered* that the Fee Schedule of the Lehigh County Clerk of Courts—Civil Division, which follows, is approved and adopted effective January 1, 2006.

*By the Court*

WILLIAM H. PLATT,  
*President Judge*

**ANDREA E. NAUGLE, CLERK OF COURTS  
LEHIGH COUNTY CLERK OF COURTS—  
CIVIL DIVISION**

**FEE SCHEDULE—EFFECTIVE JANUARY 1, 2006**

(42 Pa.C.S. § 21071)  
Act 98-164 Effective 1/21/99

Note: CTF=Children's Trust Fund Fee Mandated by  
State Legislation

JCP=Judicial Computer Project Fee Mandated by  
State Legislation (Act 122-2002 Rev. 11/02)

PAF=Prothonotary Automation Fee Authorized  
by Act 98-164

LCE=Lehigh County E-filing created by Leh  
R.C.P. 205.3 effective 1/1/04

<i>Document Type</i>	<i>Fee</i>
<b>Acknowledgment of Deeds</b>	\$ 8.50
<b>APPEALS</b>	
<b>Appeal of Appellate Court</b> Plus check made payable to "Prothonotary of Superior/Commonwealth Court" for \$60.00	\$ 55.00
<b>Appeal from District Justice</b>	\$121.00
<b>Appeal from Arbitration</b> *plus any add'l compensation authorized, but not to exceed 50% of the amount in controversy. Shall not be taxable as costs or be recoverable in any proceeding.	\$600.00*
<b>Assignments</b>	\$ 8.50
<b>Building Agreements / Stip</b>	\$ 17.00
<b>CERTIFICATION</b>	
Certification—(Except UCC)	\$ 5.00
Divorce Decree, Name Change Certification of Entire Record	\$ 17.00

<i>Document Type</i>	<i>Fee</i>
<b>COMMENCEMENT OF ACTION</b>	
Action at Law or Equity (plus .50 extra for indexing more than 5 pltfs. or defts.)	\$121.00
Miscellaneous Civil Filing	\$ 36.00
Custody Actions	\$147.50
Modification of Custody per petition	\$ 22.75
Divorce—(No Fault)	\$215.50
<i>Plus add'l counts</i>	
Alimony	\$ 36.50
Alimony pendente lite, counsel fees & costs	\$ 36.50
Custody & Visitation	\$ 43.00
Property Rights	\$ 36.50
Support	\$ 36.50
Other, each	\$ 36.50
Vital Statistics	\$ .50
Praecepto to Transmit	\$ 26.50
<i>Master Fees</i>	
Before 97-FC-818	\$305.00
After 97-FC-818	\$250.00
Name change final order	\$ 5.00
Any action or proceeding to open/strike a judgment	\$102.00
Proceedings on any lien other than revival—(Mechanic's Lien Complaint)	\$102.00
*Actions started by a political subdivision (Includes tax and surcharges)	\$ 39.50
<b>COPIES</b>	
Docket printout	\$ 1.50
Docket printout by mail	\$ 3.00
Photo copying by clerk	
1st page by mail	\$ 1.00
Each add'l page	\$ .50
Microfilm Copies	\$ 1.00
<b>JUDGMENTS</b>	
Confession (notes, bonds, etc.)	\$ 45.00
District Justice Transcript	\$ 45.00
Certification of Judgment	\$ 45.00
Domestic Relations	\$ 45.00
Exemplification/Foreign Judgment (Incoming Exemplified Records)	\$ 45.00
Exemplification of Judgment (Outgoing Exemplified Records)	\$ 17.00
Liens	\$ 45.00
Default, non-pros, demurrer	\$ 16.00
Verdict, Award, Court Order, Agreement & Final Decree	\$ 16.00
Release of Judgment	\$ 8.50
Reassess of Judgment	\$ 8.50
Subordination of Judgment	\$ 8.50
Withdraw of Judgment	\$ 8.50
<b>LETTER OF ATTORNEY</b>	
Recording—each name	\$ 8.50
Revoking—each name	\$ 8.50
<b>NOTARY PUBLIC</b>	
Notary Certificate	\$ 3.50
Notary Signature Registration	\$ 3.50
<b>POLITICAL SUBDDIVISION *</b>	
Action at Law or Equity	\$ 39.00
Appeal from District Justice	\$ 38.75
Correction Notices	\$ 28.75
1. Federal Liens	
District Justice Transcript	\$ 38.75

<i>Document Type</i>	<i>Fee</i>
Execution	\$ 10.00
Judgment	\$ 10.00
Liens with Satisfaction Fee	\$ 39.00
1. Municipal Liens	
2. Mechanic Liens	
Liens without Satisfaction Fee	\$ 30.50
1. State Liens	
2. Unemployment Liens	
3. Federal Liens	
Re-file Notice	\$ 10.00
Suggestion of Non-payment	\$ 10.00
Federal, State, Unemployment	

**POUNDAGE**

(The handling fee of monies paid into court)  
4.5% on the first \$1,000 and 1.5% on each  
add'l \$1,000 or fraction thereof

**PROTECTION FROM ABUSE**

PFA filing	\$141.90
PA State Police Registry	\$ 25.00
PFA Contempt or Bench Warrant	\$ 17.00

**Removal or Transfer** \$ 17.00

**REPORTS**

Case Type Reports	\$ 16.00
Detailed Mortgage Foreclosure	\$ 21.00

**REVIVALS**

Amicable/Agreement	\$ 16.00
Adverse/Writ	\$ 26.50
Averments, suggestion of non-payment, (Continuing any lien not reduced to a judgment)	\$ 16.00

**Satisfactions**—not prepaid \$ 8.50

**School Audits** \$ 8.50

**Subordination, withdrawal,  
postponement** \$ 8.50

**SECURED TRANSACTIONS (UCC)**

**UCC—SEARCH to 7/1/2001**

Advanced UCC Search (Deposit will be  
applied towards costs; if insufficient, you  
will be contacted; if excess, it will be  
returned.) \$200.00

UCC—Five Year Search	
Each debtor name	\$ 59.00
Each reference found	\$ 5.00
Each page of photocopy furnished	\$ 2.00
UCC—Certification of Search	\$ 28.00
Plus any copy fee(s) applicable	

**SUBPOENA**

Subpoena—To Attend and Testify)	\$ 3.50
Subpoena—To Produce Documents	\$ 3.50

**Surety Financial Statement** \$ 16.00

**WRITS**

Execution	\$ 26.50
Attachment Execution	\$ 27.00
Writs (Seizure, Possession, and Habeas)	\$ 26.50

**No personal checks will be accepted**

Business checks should be made payable to:

**CLERK OF COURTS—CIVIL DIVISION**

All checks returned for insufficient funds will be assessed a \$20.00 service charge.

The Clerk of Courts—Civil Division *shall not* be required to enter on the docket any suit, action or order of court or enter any judgment thereon or perform any service whatsoever for any person, political subdivision or the Commonwealth until the requisite fee is paid per 42 P. S. § 21073(b).

\*The maximum fee to be charged a political subdivision for any one of the services provided for herein shall be \$10.00. Total fee may include satisfaction/discontinuance, automation fees, JCS fee and Tax.

**Service Fee for the use of a credit/debit card will as follows:**

<i>Transaction Fee</i>	<i>Service Fee</i>
\$ 0.00 to \$100.00	\$2.00
\$101.00 to \$200.00	\$4.00
\$201.00 to \$300.00	\$6.00...etc.

[Pa.B. Doc. No. 05-2121. Filed for public inspection November 18, 2005, 9:00 a.m.]

**SOMERSET COUNTY**

**Consolidated Rules of Court; No. 93 Misc. 2005**

**Adopting Order**

Now, this 7th day of November, 2005, it is hereby Ordered:

1. Somerset County Rule of Criminal Procedure 117 (Som.R.Crim.P. 117) Continuous Coverage For Issuance Of Warrants, Preliminary Arraignments, Summary Trials, And Setting And Accepting Bail, copy of which follows, is hereby adopted as a Rule of this Court, effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

2. The Somerset County Court Administrator is directed to:

A. File seven (7) certified copies of this Order and the attached Rule with the Administrative Office of Pennsylvania Courts.

B. Distribute two (2) certified copies of this Order and the following Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

C. File one (1) certified copy of this Order and the attached Rule with the Pennsylvania Criminal Procedural Rules Committee.

D. File proof of compliance with this Order in the docket for these Rules, which shall include a copy of each transmittal letter.

*By the Court*

EUGENE E. FIKE, II,  
*President Judge*

**RULES OF COURT**

*Continuous Coverage By Magisterial District Judges.*

**Som. R.Crim.P. 117. Continuous Coverage For Issuance Of Warrants, Preliminary Arraignments, Summary Trials, And Setting And Accepting Bail.**

A. Continuous coverage for issuance of warrants, holding of preliminary arraignments and summary trials, and

setting and accepting bail shall be by traditional on-call system as presently established. The President Judge shall establish the schedule of assignment of Magisterial District Judges to on-call duty.

B. Magisterial District Judges, the Clerk of Courts and Warden of the Somerset County Jail shall be authorized to accept bail in accordance with the provisions, and subject to the limitations, of the Pennsylvania Rules of Criminal Procedure.

[Pa.B. Doc. No. 05-2122. Filed for public inspection November 18, 2005, 9:00 a.m.]

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## ORPHANS' COURT PROCEDURAL RULES COMMITTEE

[Correction]

### Proposed Electronic Forms

The Orphans' Court Procedural Rules Committee published a notice at 35 Pa.B. 6092 (November 5, 2005) directing the attention of the bench and bar to the Administrative Office of Pennsylvania Courts' website to review and comment on a set of electronic forms. The title of a form was incorrectly stated. The correct title of the form is as follows, with ellipses referring to the existing text of the notice:

\* \* \* \* \*

#### *Guardianship Forms*

Annual Report of Guardian of the Estate  
Annual Report of Guardian of the Person  
Inventory—For Incapacitated or Minor's Estate

\* \* \* \* \*

[Pa.B. Doc. No. 05-2017. Filed for public inspection November 4, 2005, 9:00 a.m.]

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