

THE COURTS

Title 255—LOCAL COURT RULES

ALLEGHENY COUNTY

Criminal Rules of the Court of Common Pleas; No. 2 of 2010

Order of Court

And Now, to-wit, this 17th day of May, 2010, *It Is Hereby Ordered, Adjudged and Decreed* that the following Rule of the Court of Common Pleas of Allegheny County, Pennsylvania, Criminal Division, adopted by the Board of Judges on May 13, 2010, shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

Criminal Procedure Rule 202.2 Approval of Search Warrant Applications by Attorney for the Commonwealth in Felony Sexual Assault Cases

Criminal Procedure Rule 507.2 Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth in Felony Sexual Assault Cases

By the Court

DONNA JO McDANIEL,
President Judge

Rule 202.2. Approval of Search Warrant Applications by Attorney for the Commonwealth in Felony Sexual Assault Cases.

The District Attorney of Allegheny County, Stephen A. Zappala, Jr., having filed a certification pursuant to Pa.R.Crim.P. 202, search warrants in the following circumstances: wherein the search warrant is relative to the investigation or prosecution of the following criminal offenses:

Rape (18 Pa.C.S. § 3121), Statutory Sexual Assault (18 Pa.C.S. § 3122.1), Involuntary Deviate Sexual Intercourse (18 Pa.C.S. § 3123), Sexual Assault (18 Pa.C.S. § 3124.1), Institutional Sexual Assault (18 Pa.C.S. § 3124.2), or Aggravated Indecent Assault (18 Pa.C.S. § 3125), shall not hereafter be accepted by any judicial officer unless the search warrant applications have the approval of an Attorney for the Commonwealth prior to filing.

Rule 507.2. Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth in Felony Sexual Assault Cases.

The District Attorney of Allegheny County, Stephen A. Zappala, Jr., having filed a certification pursuant to Pa.R.Crim.P. 507, criminal complaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedure, charging Rape (18 Pa.C.S. § 3121), Statutory Sexual Assault (18 Pa.C.S. § 3122.1), Involuntary Deviate Sexual Intercourse (18 Pa.C.S. § 3123), Sexual Assault (18 Pa.C.S. § 3124.1), Institutional Sexual Assault (18 Pa.C.S. § 3124.2), or Aggravated Indecent Assault (18 Pa.C.S. § 3125), shall not hereafter be ac-

cepted by any judicial officer unless the criminal complaint and arrest warrant affidavit have the approval of an Attorney for the Commonwealth prior to filing.

[Pa.B. Doc. No. 10-1026. Filed for public inspection June 4, 2010, 9:00 a.m.]

BUCKS COUNTY

Imposition of Laboratory Fees in Certain Criminal Matters; Administrative Order No. 57

And Now, this 10th day of May, 2010, pursuant to 16 P. S. § 1403, it is hereby *Ordered and Directed* that all defendants convicted under the Driving After Imbibing Statute, Title 75, Chapter 38, of driving under the influence of alcohol and/or other controlled substance and anyone accepted into Accelerated Rehabilitative Disposition in such matters, shall be assessed a fee of \$150.00 to offset forensic laboratory costs associated with prosecution of these offenses. Said fees shall be assessed as court costs. This fee is in addition to all other authorized fines, costs and supervision fees legally assessed.

Fees so collected shall be paid into the General fund of Bucks County. Each year the Controller's Office shall disburse these funds to the Bucks County District Attorney's Office which shall apply the said funds to the cost of performing forensic tests necessary to the investigation and prosecution of the said cases.

This Order shall become effective July 1, 2010.

By the Court

SUSAN D. SCOTT,
President Judge

[Pa.B. Doc. No. 10-1027. Filed for public inspection June 4, 2010, 9:00 a.m.]

CLARION COUNTY

Administrative Order Appointing Designee to Receive Reports Pursuant to Pa.R.J.C.P. 1604(B); No. 586 CD 2010

Administrative Order

And Now, May 12, 2010 pursuant to Rule 1604(B) of the Pa. Rules of Juvenile Court Procedure, the President Judge hereby appoints the Clarion County Court Administrator as designee to receive reports of a foster parent, pre-adoptive parent or relative providing care for a child, submitted regarding the child's adjustment, progress and condition for view by the Court in dependency hearings.

The report to the herein appointed designee shall be submitted at least seven (7) days prior to the hearing. The Court Administrator, no later than one business day following receipt of the report, shall promptly distribute said report to the Judge before whom the hearing will be held. Further, the Court Administrator shall file the original report with the Clerk of Courts and distribute copies to the attorneys of record, unrepresented parties and Children & Youth Services, as well as the court-appointed special advocate if one is appointed.

At the time that Children & Youth Services distributes the form designated by 42 Pa.C.S. § 6336.1(b), which shall be not less than twenty-one days prior to the scheduled hearing, they shall provide to the Clarion County Court Administrator a list of those parties to whom the form was distributed as well as a complete list of those persons who should receive the completed form along with their addresses.

This order shall become effective thirty days after its publication in the *Pennsylvania Bulletin*.

By the Court

JAMES G. ARNER,
President Judge

[Pa.B. Doc. No. 10-1028. Filed for public inspection June 4, 2010, 9:00 a.m.]

FAYETTE COUNTY

Fayette County Civil Rules: 212.5 and 205.2(b); No. 1271 of 2010 GD

Order

And Now, this 20th day of May, 2010, pursuant to Pa.R.C.P. Sec 239, it is hereby directed that Local Rule 212.5 is hereby rescinded, effective 30 days after publication in the *Pennsylvania Bulletin*; and a new Fayette County Civil Rule 205.2(b) is hereby proposed.

With regard to Fayette County Civil Rule 212.5, the Prothonotary is directed as follows:

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

(2) Two certified copies and diskette of the Local Rules 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 Civil Procedural Rules Committee.

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

In accordance with Pa.R.C.P. Sec. 239.1, the proposed Fayette County Rule of Civil Procedure 205.2(b) is to be hereby processed by the Fayette County District Court Administrator in accordance with Pa.R.C.P. 239.8, and shall become effective upon publication on the AOPC web site at <http://ujportal.pacourts.us/>.

By the Court

GERALD R. SOLOMON,
President Judge

RULE 205.2(b)

CIVIL COVER SHEET

A party commencing an action by summons, complaint, pleading or other document used to commence a new civil action filed in the Prothonotary is required to attach a duly completed cover sheet in the form set forth as follows. The cover sheet may also be obtained in the in Office of the Prothonotary of Fayette County or printed from the webpage of the Administrative Office of Fayette County Courts found at <http://www.co.fayette.pa.us>.

<p>Court of Common Pleas of Fayette County</p> <p>Civil Cover Sheet</p>		<p>For Prothonotary Use only (Docket Number)</p>	
<p>A. PLAINTIFF'S NAME:</p>		<p>DEFENDANT'S NAME:</p>	
<p>PLAINTIFF'S ADDRESS & TELEPHONE NUMBER:</p>		<p>DEFENDANT'S ADDRESS & TELEPHONE NUMBER:</p>	
<p>PLAINTIFF'S NAME:</p>		<p>DEFENDANT'S NAME:</p>	
<p>PLAINTIFF'S ADDRESS & TELEPHONE NUMBER:</p>		<p>DEFENDANT'S ADDRESS & TELEPHONE NUMBER:</p>	
<p>TOTAL NUMBER OF PLAINTIFFS</p>		<p>TOTAL NUMBER OF DEFENDANT'S</p>	
<p>B. AMOUNT IN CONTROVERSY</p> <p>_____ \$50,000 or less</p> <p>_____ More than \$50,000</p>	<p>C. COMMENCEMENT OF ACTION</p> <p>_____ 1. Complaint</p> <p>_____ 2. Writ of Summons</p> <p>_____ 3. Notice of Appeal</p> <p>_____ 4. Petition Action</p> <p>_____ 5. Arbitration</p>	<p>D. CASE PROCESS</p> <p>_____ 6. Jury</p> <p>_____ 7. Non Jury</p> <p>_____ 8. Class Action</p> <p>_____ 9. For Order</p>	
<p>E. CODE AND CASE TYPE (See Instructions)</p>			
<p>F. STATUTORY BASIS FOR CAUSE OF ACTION (See Instructions)</p>			
<p>G. RELATED PENDING CASES (List by Docket Number - Indicate whether the related cases have been consolidated)</p>			
<p>H. TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant. Papers may be served at the address set forth below.</p>			
<p>NAME OF PLAINTIFF'S/APPELLANT'S ATTORNEY</p>		<p>ADDRESS</p>	
<p>PHONE NUMBER</p>	<p>SUPREME COURT IDENTIFICATION NUMBER</p>	<p>E-MAIL ADDRESS:</p>	
		<p>FAX NO. (OPTIONAL - FOR SERVICE):</p>	
<p>DATE: _____ SIGNATURE: _____</p>			

Instructions for Completing Civil Cover Sheet

The attorney (or pro se party) filing a case shall complete the form as follows:

A. Parties

i. *Plaintiff(s)/Defendant(s)*

Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency or corporation, use the full name of the agency or corporation. In the event there are more than two plaintiffs and/or two defendants, list the additional parties on a separate sheet of paper. Husband and wife should be listed as separate parties.

ii. *Parties' Addresses and Telephone Numbers*

Enter the address and telephone numbers of the parties at the time of filing of the action. If any party is a corporation, enter the address and telephone number of the registered office of the corporation.

iii. *Number of Plaintiffs/Defendants*

Indicate the total number of plaintiffs and the total number of defendants in the action.

B. Amount in Controversy

Check the appropriate box. Indicate whether an Assessment of Damages Hearing is required.

C. Commencement of Action

Indicate type of document to be filed to initiate the action.

D. Other

Indicate whether the case is an arbitration, jury or non-jury case. Check any other appropriate boxes. If the action will require the entry of an Order approving a minor/incapacitated person's compromise, wrongful death or survival action, check the appropriate box.

E. Type of Action - Case Type

Select and insert the applicable case type and code from the following list.

Code	Case Type	Code	Case Type	Code	Case Type
TORT (do not include Mass Tort) 201 - Intentional 202 - Malicious Prosecution 203 - Motor Vehicle 204 - Nuisance 205 - Premises Liability 206 - Product Liability (does not include mass tort) 207 - Slander/Libel/Defamation 208 - Other: _____		CONTRACT (do not include Judgments) 231 - Buyer Plaintiff 232 - Debt Collection: Credit Card 233 - Debt Collection: Other _____ _____ 234 - Employment Dispute: Discrimination 235 - Employment Dispute: Other _____ _____ 236 - Other: _____ _____		CIVIL APPEALS Administrative Agencies 251 - Board of Assessment 252 - Board of Elections 253 - Dept. of Transportation 254 - Zoning Board 255 - Statutory Appeal: Other _____ _____ Judicial Appeals 256 - MDJ - Landlord/Tenant 257 - MDJ - Money Judgment 258 - Other: _____ _____	
MASS TORT 211 - Asbestos 212 - Tobacco 213 - Toxic Tort - DES 214 - Toxic Tort - Implant 215 - Toxic Waste 216 - Other: _____		REAL PROPERTY 241 - Ejectment 242 - Eminent Domain/Condemnation 243 - Ground Rent 244 - Landlord/Tenant Dispute 245 - Mortgage Foreclosure 246 - Partition 247 - Quiet Title 248 - Other: _____ _____		MISCELLANEOUS 261 - Common Law/Statutory Arbitration 262 - Declaratory Judgment 263 - Mandamus 264 - Non-Domestic Relations 265 - Restraining Order 266 - Quo Warranto 267 - Replevin 116 - Name Change 268 - Other: _____ _____	
PROFESSIONAL LIABILITY 221 - Dental 222 - Legal 223 - Medical 224 - Other Professional: _____ _____					
Code	Case Type	Code	Case Type	Code	Case Type
DOMESTIC					
104 - Custody		106 - Divorce		111 - PFA	

F. Statutory Basis for Cause of Action

If the action is commenced pursuant to statutory authority ("Petition Action"), the specific statute must be cited.

G. Related Pending Cases

All previously filed related cases must be identified. Indicated whether they have been consolidated by Court Order or Stipulation.

H. Plaintiffs/Appellant's/Petitioner's Attorney - Entry of Appearance

The name of filing party's attorney must be inserted, together with the other required information. Unrepresented filers must provide their name, address, telephone number and signature. **Providing the fax number shall authorize the service of legal papers by facsimile transmission. See Pa.R.C.P. 440(d).**

[Pa.B. Doc. No. 10-1029. Filed for public inspection June 4, 2010, 9:00 a.m.]

JEFFERSON COUNTY

Administrative Order Requiring Affidavits of Non-Military Service When Counsel Does Not Appear of Record on Defendants' Behalf; No. 9-2010 AD**Order**

And Now, this 19th day of May 2010, *It Is Ordered That* in all divorce actions in which counsel does not appear of record for the defendant, whether for purposes of a divorce pursuant to 23 Pa.C.S.A. § 3301(c) or § 3301(d), the plaintiff shall file a notarized Affidavit of Non-military Service before transmitting the action for the Court's signature. If the plaintiff is represented by counsel, it shall be sufficient for counsel to state in the verified complaint that the defendant is not in the military. This order shall be known as Jeff.Co.R.C.P. 1920.46.

This Order shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

HONORABLE JOHN HENRY FORADORA,
President Judge

[Pa.B. Doc. No. 10-1030. Filed for public inspection June 4, 2010, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Edward Davis Fagan having been disbarred from the practice of law in the State of New Jersey by Order of the Supreme Court of New Jersey dated June 18, 2009, the Supreme Court of Pennsylvania issued an Order on May 17, 2010, disbarring Edward Davis Fagan from the Bar of this Commonwealth, effective June 16, 2010. 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*.

ELAINE M. BIXLER,
Secretary
*The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 10-1031. Filed for public inspection June 4, 2010, 9:00 a.m.]

Notice of Disbarment

Notice is hereby given that Brian Grayson West having been disbarred from the practice of law in the State of Maryland by Opinion and Order of the Court of Appeals of Maryland filed October 6, 2009, the Supreme Court of Pennsylvania issued an Order on May 17, 2010, disbarring Brian Grayson West from the Bar of this Commonwealth, effective June 16, 2010. 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*.

ELAINE M. BIXLER,
Secretary
*The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 10-1032. Filed for public inspection June 4, 2010, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated May 24, 2010, Jack Willard Snyder is Suspended on Consent from the Bar of this Commonwealth for a period of 3 years, to be effective June 23, 2010. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
Secretary
*The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 10-1033. Filed for public inspection June 4, 2010, 9:00 a.m.]