

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

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

Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 75

By Order dated March 4, 2014, the Supreme Court of Pennsylvania amended Pa.R.D.E. 214(a) to clarify that the self-reporting requirements of that Rule includes both direct and indirect criminal contempt. By this Order, the Board is making conforming changes to its Rules to reflect the adoption of this amendment.

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)(10), orders:

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

(2) The Secretary of the Board 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 upon publication in the *Pennsylvania Bulletin*.

(4) This Order shall take effect immediately.

By The Disciplinary Board of the Supreme Court of Pennsylvania

ELAINE M. BIXLER,
Secretary

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 B. ATTORNEYS CONVICTED OF CRIMES

§ 91.37. Definition of “crime.”

As Enforcement Rule 214(h) provides and as used in this Subchapter 91B, the term “crime” means an offense

that is punishable by imprisonment in the jurisdiction of conviction, whether or not a sentence of imprisonment is actually imposed; **and, notwithstanding any other provision of subdivision (h) of Enforcement Rule 214 or this rule, the term “crime” shall include criminal contempt, whether direct or indirect, and without regard to the sentence that may be imposed or that is actually imposed.** It does not include parking violations or summary offenses, both traffic and non-traffic, unless a term of imprisonment is actually imposed.

[Pa.B. Doc. No. 14-1339. Filed for public inspection June 27, 2014, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DAUPHIN COUNTY

Promulgation of Local Rules; No. 1793 S 1989

Order

And Now, this 29th day of May 2014, Dauphin County Local Rule of Civil Procedure 1915.15(c) is amended as follows:

Rule 1915.15(c). Cover Sheet to Custody Complaint, Petition for Modification or Petition for Contempt.

In addition to the information required by Pa.R.C.P. 1915.15(a) or 1915.15(b), each Complaint, Petition for Modification or Petition for Contempt relating to child custody [**or visitation**] shall contain a cover sheet in the following format:

	:	IN THE COURT OF COMMON PLEAS
	:	DAUPHIN COUNTY, PENNSYLVANIA
Plaintiff	:	
	:	CIVIL ACTION
	:	CUSTODY
	:	
Defendant	:	NO.
	:	ORDER OF COURT

[You, _____, have been sued in court to obtain shared legal custody, sole legal custody, partial physical custody, primary physical custody, shared physical custody, sole physical custody, supervised physical custody of the following child/ren: _____ .]

AND NOW, upon consideration of the attached Complaint, Petition for Modification or Petition for Contempt of a Custody Order, it is hereby directed that the parties and their respective counsel appear before the Custody Conference Officer, on the _____ day of _____, _____, Dauphin County Courthouse, 3rd Floor, 101 Market Street, Harrisburg, Pennsylvania for a Custody Conference. At such Conference, an effort will be made to resolve the issues in dispute; or if this cannot be accomplished, to define and narrow the issues to be heard by the Court, and to enter into a Temporary Order. Children should not attend the conference unless requested by the Custody Conference Officer.

You must file with the court a verification regarding any criminal record or abuse history regarding you and anyone living in your household on or before the conference scheduled above. [**initial in-person contact with the court (including, but not limited to, a conference with the conference officer or judge or conciliation) but not later than 30 days after service of the complaint or petition.**] This verification must be filed in the Prothonotary's Office at the Dauphin County Courthouse, 101 Market Street, Harrisburg, PA.

No party may make a change in the residence of any child which significantly impairs the ability of the other party to exercise custodial rights without first complying with all of the applicable provisions of 23 Pa.C.S. § 5337 and Pa.R.C.P. No. 1915.17 regarding relocation.

The Court strongly recommends that all parties immediately attend the Seminar for Families in Conflict presented by InterWorks which provides helpful information on communication concerning the child(ren) despite disagreements of the parties on those and other topics. Call InterWorks to schedule attendance at (717) 236-6630. If resolution is not reached at the custody conference, the Court will order the parties to attend the Seminar.

IF ANY PARTY TO THIS CUSTODY ACTION IS INCARCERATED AT ANY STAGE OF THE PROCEEDINGS, THE CUSTODY CONFERENCE OFFICER OR ASSIGNED JUDGE WILL MAKE REASONABLE EFFORTS TO ARRANGE FOR THE INCARCERATED PARTY TO PARTICIPATE BY TELEPHONE. IF YOU, AS AN INCARCERATED PARTY, DO NOT THINK SUCH ARRANGEMENTS HAVE BEEN MADE, PLEASE CONTACT THE COURT ADMINISTRATOR'S OFFICE AT (717) 780-6630 OR BY MAIL AT 3RD FLOOR, DAUPHIN COUNTY COURTHOUSE, 101 MARKET STREET, HARRISBURG, PA. 17101.

FOR THE COURT:

Date _____ By _____
Custody Conference Officer

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Dauphin 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 the Court Administrator's Office at (717) 780-6624. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference.

This amendment shall be effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

TODD A. HOOVER,
President Judge

[Pa.B. Doc. No. 14-1340. Filed for public inspection June 27, 2014, 9:00 a.m.]