

THE COURTS

Title 255—LOCAL COURT RULES

ARMSTRONG COUNTY

Adoption of New Local Court Rules—Custody; CP-03-AD-0000001-2019

Order of Court

And Now, this 1st day of May, 2019, *It Is Hereby Ordered and Decreed* that Armstrong County Local Rules 1915.4-3.1, 1915.4-3.2, and 1915.11 are Rescinded. Effective thirty (30) days after publication in the *Pennsylvania Bulletin* the Armstrong County Court of Common Pleas adopts the following Local Rules 1915.3, 1915.4-3, and 1915.4-4.

The Armstrong County District Court Administrator is Ordered and Directed to do the following:

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 Armstrong County Court website at www.accourts.com.
4. Incorporate the local rule into the set of local rules on the Armstrong County website within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.
5. File one (1) copy of the local rule in the office of the Armstrong County Prothonotary for public inspection and copying.

By the Court

JAMES J. PANCHIK,
President Judge

Local Rule 1915.3. Commencement of Action; Custody Conciliation Conference Fee.

a) Every party who initiates a custody action by the filing of a custody complaint, custody count in a divorce action, or petition for modification of custody, shall, in addition to the filing fee assessed by the Prothonotary, pay to the Prothonotary a custody conciliation conference fee in an amount to be set from time to time by administrative order of court.

Local Rule 1915.4-3. Custody Conciliation Conference.

a) All adult parties named in an action for custody, whether initiated by complaint, custody count in a divorce action, or petition for modification of custody, shall attend a custody conciliation conference scheduled by the Court Administrator. A Conciliation Conference Officer (“CCO”) shall preside at the conciliation conference. Children who are the subject of the custody action shall not participate in the conciliation conference.

b) Failure of a party to appear at the conciliation conference may result in the entry of a custody or partial custody order by the Court on the recommendation of the CCO in the absence of that party. Unless otherwise excused by the Court, the failure of the filing party to attend the conciliation conference shall result in the dismissal of the action.

c) To encourage frank, open and meaningful exchanges between the parties and their respective counsel, statements made by the parties or their attorneys at the conference shall not be admissible as evidence at a later custody hearing. The CCO shall not be a witness for or against any party.

d) At the conciliation conference, the parties shall, under the supervision of the CCO, attempt to reach a final, comprehensive custody agreement that will then be converted to a final custody consent order to be entered by the Court.

e) If the parties are unable to reach a comprehensive, final custody agreement, they shall attempt to reach a temporary custody agreement, which may then be entered as a temporary consent order by the Court. Temporary orders may include provisions for temporary legal or physical custody, drug and alcohol evaluations or treatment, counseling, psychological evaluations, home study evaluations, visit coaching, supervised custody, and other matters pertaining to the best interests of the subject child(ren).

f) The CCO shall have the ability to request that any party submit to a urine drug analysis at the conciliation conference, which shall be performed with that party's consent. If a party requests that another party submit to a drug analysis, the drug analysis shall be performed at the discretion of the CCO and with the consent of that party.

g) (Reserved)

h) Conciliation conferences shall not be continued except by written request or motion filed with the Prothonotary at least two (2) business days prior to the date scheduled. Said written request or motion must indicate whether notice of the request was made on all other parties.

i) If the parties reach a final settlement agreement, or the case is withdrawn, prior to the conciliation conference, the filing party may request a refund of the conciliation conference fee by filing a written motion with the Prothonotary requesting the same.

Local Rule 1915.4-4. Pre-trial Conference.

a) If at the conciliation conference the parties cannot agree upon a resolution of all the issues and a trial before a judge becomes necessary, the Court Administrator shall cause a pretrial conference to be scheduled to occur within ninety (90) days after the date the conciliation conference was held.

b) The Court will schedule a trial date at the pretrial conference and a date for an additional pretrial conference when appropriate. The parties must attend each pre-trial conference.

[Pa.B. Doc. No. 19-777. Filed for public inspection May 24, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Order Amending Administrative Order No. 38; Administrative Order No. 38

Order

And Now, this 9th day of May 2019, Bucks County Criminal Division Paragraphs 1, 2, 3 and 5 of Administrative Order No. 38 are hereby amended to read as follows:

1. A probation supervision fee of forty dollars (\$40.00) per month is hereby imposed on all probation and/or parole sentences where the defendant is placed under the supervision of the Bucks County Adult Probation/Parole Department on or after the effective date hereof. All dispositions of violations of probation/parole shall be governed by this order. All such fees shall be paid to the Office of the Clerk of Courts of Bucks County.

2. Except upon special order of the sentencing judge, the following types of sentences are exempt from monthly probation supervision fees:

A. Accelerated Rehabilitation Disposition (ARD) (including summary cases);

B. Probation without verdict; and

C. Drug Court.

3. On or after the effective date of this order, any defendant transferred by another Court or jurisdiction for supervision in Bucks County shall be required to pay the sum of forty dollars (\$40.00) per month to the Bucks County Clerk of Courts for those months that the defendant is under the supervision of the Bucks County Adult Probation/Parole Department.

5. The Clerk shall, by the tenth working day of each month, transfer 50 percent of the supervision fees so collected to the Treasurer of Bucks County to be credited to the Bucks County Adult Probation/Parole Department and to be known as the Bucks County Offender Supervision Fund and to be allocated as may be directed by the President Judge. The balance of the supervision fees so collected shall be remitted to the Commonwealth of

Pennsylvania as required by law. The ARD administration fee of two hundred (\$200.00) dollars shall be payable to the Office of the District Attorney.

This Order shall become effective July 1, 2019.

By the Court

WALLACE H. BATEMAN, Jr.,
President Judge

[Pa.B. Doc. No. 19-778. Filed for public inspection May 24, 2019, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated May 8, 2019, John T. Lynch, Jr. (# 19354) whose registered address is in Scottsdale, AZ, is Suspended on Consent from the Bar of this Commonwealth for a period of 30 months. 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*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 19-779. Filed for public inspection May 24, 2019, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Transfer to Disability Inactive Status

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated May 7, 2019, Jackson Phillips is transferred to Disability Inactive Status from the Bar of this Commonwealth for an indefinite period and until further Order of the Court. 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*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 19-780. Filed for public inspection May 24, 2019, 9:00 a.m.]