

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 11]

Proposed Amendment of Pa.R.A.P. 1115 and 1116

The Appellate Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.A.P. 1115 and 1116 governing petitions for allowance of appeal and answers thereto for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They will neither constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Karla M. Shultz, Counsel
Appellate Court Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9551
appellaterules@pacourts.us

All communications in reference to the proposal should be received by September 10, 2021. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Appellate Court
Procedural Rules Committee*

PATRICIA A. McCULLOUGH,
Chair

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 11. APPEALS FROM COMMONWEALTH COURT AND SUPERIOR COURT

PETITION FOR ALLOWANCE OF APPEAL

Rule 1115. Content of the Petition for Allowance of Appeal.

(a) *General rule.*—The petition for allowance of appeal need not be set forth in numbered paragraphs in the manner of a pleading, and shall contain the following (which shall, insofar as practicable, be set forth in the order stated):

(1) A reference to the official and unofficial reports of the opinions delivered in the courts below, if any, and if reported. Any such opinions shall be appended as provided in **[item 6 of paragraph (a) of this rule] subdivision (a)(7).**

(2) The text of the order in question, or the portions thereof sought to be reviewed, and the date of its entry in the appellate court below. If the order is voluminous, it may, if more convenient, be appended to the petition.

(3) Where under the applicable law an issue is not reviewable on appeal unless raised or preserved below, the petition shall contain a statement of place of raising or preservation of issues, as required in Pa.R.A.P. 2117(c).

[(3)] (4) The questions presented for review, expressed in the terms and circumstances of the case but without unnecessary detail. The statement of questions presented will be deemed to include every subsidiary question fairly comprised therein. Only the questions set forth in the petition, or fairly comprised therein, will ordinarily be considered by the court in the event an appeal is allowed.

[(4)] (5) A concise statement of the case containing the facts material to a consideration of the questions presented.

[(5)] (6) A concise statement of the reasons relied upon for allowance of an appeal. *See* Pa.R.A.P. 1114.

[(6)] (7) There shall be appended to the petition a copy of any opinions delivered relating to the order sought to be reviewed, as well as all opinions of government units, trial courts, or intermediate appellate courts in the case, and, if reference thereto is necessary to ascertain the grounds of the order, opinions in companion cases. If an application for reargument was filed in the Superior Court or Commonwealth Court, there also shall be appended to the petition a copy of any order granting or denying the application for reargument. If whatever is required by this paragraph to be appended to the petition is voluminous, it may, if more convenient, be separately presented.

[(7)] (8) There shall be appended to the petition the verbatim texts of the pertinent provisions of constitutional provisions, statutes, ordinances, regulations, or other similar enactments which the case involves, and the citation to the volume and page where they are published, including the official edition, if any.

[(8)] (9) The certificate of compliance required by Pa.R.A.P. 127.

* * * * *

Rule 1116. Answer to the Petition for Allowance of Appeal.

(a) *General rule.*—Except as otherwise prescribed by this rule, within 14 days after service of a petition for allowance of appeal an adverse party may file an answer. The answer shall be deemed filed on the date of mailing if first class, express, or priority United States Postal Service mail is utilized. The answer need not be set forth in numbered paragraphs in the manner of a pleading, shall set forth any procedural, substantive or other argument or ground why the order involved should not be reviewed by the Supreme Court, and shall comply with

Pa.R.A.P. [1115(a).7] 1115(a)(8). No separate motion to dismiss a petition for allowance of appeal will be received. A party entitled to file an answer under this rule who does not intend to do so shall, within the time fixed by these rules for filing an answer, file a letter stating that an answer to the petition for allowance of appeal will not be filed. The failure to file an answer will not be construed as concurrence in the request for allowance of appeal.

(b) *Children's fast track appeals.*—In a children's fast track appeal, within 10 days after service of a petition for allowance of appeal, an adverse party may file an answer.

(c) *Length.*—An answer to a petition for allowance of appeal shall not exceed 9,000 words. An answer that does not exceed 20 pages when produced by a word processor or typewriter shall be deemed to meet the 9,000 word limit. In all other cases, the attorney or the unrepresented filing party shall include a certification that the answer complies with the word count limit. The certificate may be based on the word count of the word processing system used to prepare the answer.

(d) *Supplementary matter.*—The cover of the answer, pages containing the table of contents, table of citations, proof of service, signature block, and anything appended to the answer shall not count against the word count limitations of this rule.

(e) *Certificate of compliance with Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.*—An answer to a petition for allowance of appeal shall contain the certificate of compliance required by Pa.R.A.P. 127.

Official Note: This rule and Pa.R.A.P. 1115 contemplate that the petition and answer will address themselves to the heart of the issue, such as whether the Supreme Court ought to exercise its discretion to allow an appeal, without the need to comply with the formalistic pattern of numbered averments in the petition and correspondingly numbered admissions and denials in the response. While such a formalistic format is appropriate when factual issues are being framed in a trial court [()], as in the petition for review under Chapter 15 [()], such a format interferes with the clear narrative exposition necessary to outline succinctly the case for the Supreme Court in the allocatur context.

Parties are strongly encouraged to raise any waiver-based or procedural objection to a petition for allowance of appeal in an answer to the petition. In addition, parties are reminded that they may raise waiver-based, procedural, and jurisdictional objections after the grant of a petition for allowance of appeal, but before merits briefing, through a dispositive motion filed under Pa.R.A.P. 1972.

PUBLICATION REPORT

Proposed Amendment of Pa.R.A.P. 1115 and 1116

The Appellate Court Procedural Rules Committee is considering proposing the amendment of Pennsylvania Rules of Appellate Procedure 1115 and 1116 to facilitate the early identification of waiver in discretionary appeals before the Supreme Court. The Committee initially undertook review of this issue based, in part, upon a suggestion that:

Any appellee that intends to assert a waiver defense with respect to any issue presented for review in a petition for allowance of appeal, see Rule 1115(a)(3),

should be required to file an answer to said petition notifying this Court of its intention to assert such a defense. An appellee failing to comply with this requirement would then be precluded from asserting the defense in any subsequent filings with this Court in the case then at bar. Where an appellee provides the notice as required, it would remain within this Court's discretion to grant allocatur and decide the issue on its substantive merits.

Commonwealth v. Bishop, 217 A.3d 833, 844 (Pa. 2019) (J. Donohue concurring).

To encourage parties to identify waiver earlier in the appellate process, the Committee previously proposed the amendment of the Official Note to Pa.R.A.P. 1116 to suggest raising waiver in opposition to a petition for allowance of appeal and through an application pursuant to Pa.R.A.P. 1972. See 50 Pa.B 4383 (August 29, 2020). In response, the Committee received a suggestion for an additional measure to facilitate the early identification of waiver issues whereby petitioners would designate within the petition for allowance of appeal the place in the record where an issue has been preserved.

The Committee agreed with this suggestion, concluding that it would assist in the earlier identification of unpreserved issues and it did not represent an undue burden on petitioners because preservation would likely have already been identified in the intermediate appellate court brief pursuant to Pa.R.A.P. 2117(c). Moreover, placing this requirement in petitions for allowance of appeal merely shifts an existing burden to an earlier stage in the appellate process.

Accordingly, the Committee proposes amendment of Pa.R.A.P. 1115 to insert in paragraph (a) a requirement that a petition for allowance of appeal contain a statement indicating where the issue was previously raised or preserved, if the issue is required to be raised or preserved for appellate review. The operative language contained in Pa.R.A.P. 2117(c) was used for the proposed requirement, inserted as new paragraph (a)(3), together with reference to that rule's requirements for specification.

Readers should note that the proposed requirement of Pa.R.A.P. 1115(a)(3) is not intended to eliminate the existing requirement that an appellant's merits brief to the Supreme Court also comply with Pa.R.A.P. 2117(c). A granted petition for allowance of appeal under this procedure is not intended preclude the Court from finding waiver in review of the merits.

This proposed amendment is being consolidated with the previously proposed amendment of Pa.R.A.P. 1116. All comments, concerns, and suggestions concerning this proposal are welcome.

[Pa.B. Doc. No. 21-1187. Filed for public inspection July 30, 2021, 9:00 a.m.]

Title 25—LOCAL COURT RULES

CHESTER COUNTY

Adoption of Court of Common Pleas District Justice Rule L.1901

Administrative Order No. 10-2021

And Now, this 20th day of July, 2021, the following amended Chester County Court of Common Pleas District

Justice Rule L.1901 is adopted in its entirety. In accordance with Pennsylvania Rules of Judicial Administration 103(d)(4), the proposed Rule was submitted to and approved by the Criminal Procedural Rules Committee of the Supreme Court.

Effective Date

The amended Rule shall become effective thirty (30) days from the date of their publication in the *Pennsylvania Bulletin*.

Procedural Compliance

In conformity with Pa.R.J.A. 103(d), the Chester County Court Administrator shall do the following:

- 1) Distribute two (2) paper copies of the amended Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, along with a copy of the amended Rules in an agreed upon format which complies with the requirements of 1 Pa. Code § 13.11.
- 2) File one copy of the amended Rules with the Administrative Office of Pennsylvania Courts.
- 3) Publish a copy of the amended Rules on the Chester County website.
- 4) Incorporate the amended Rules in the complete set of the published Chester County Court Rules no later than thirty (30) days following publication in the *Pennsylvania Bulletin*.

Chester County District Justice Rules Committee

The Chester County District Justice Rules Committee, formed to create Rule L.1901 and consisting of the Honorable Bret M. Binder, the Honorable Lori Novak-Donatelli, Yolanda Van de Krol, Kirsten Schurr, Michael Lusk, Vicky Bartholomew, Mary Ellen Rzcudlo, and Gloriana Noreika, Esquire, has now completed its work and henceforth shall be inactive unless reconvened by the president judge.

By the Court

JOHN L. HALL,
President Judge

Rule L.1901. Termination of inactive cases.

The clerk of courts shall list, by district court number, at least bi-annually (January and June) of each year all summary or criminal proceedings in the magisterial district courts in which no steps or proceedings have been taken for two years or more prior thereto and shall give thirty (30) days' notice of intention of termination to all parties as provided by Pa.R.J.A. 1901(c)(2) by publishing legal notice in the legal newspaper of the county. The legal notice shall contain a hyperlink to the Clerk of Courts website which shall have a dedicated section containing a list of each case and the docket information. A form notice of intention to proceed shall also be obtainable through the aforementioned hyperlink and in hardcopy form from the Clerk of Courts' office. If no notice of intention to proceed is received within thirty (30) days of the date of publishing the matter shall be terminated by order of court.

[Pa.B. Doc. No. 21-1188. Filed for public inspection July 30, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

SNYDER COUNTY

Judicial Administration; CP-55-MC-18-2021

Order

And Now, this 20th day of July, 2021, the 17th Judicial District hereby revises the Uniform Rules Governing Court Reporting and Transcripts (Rule 4001-et seq.) Local Rule of Judicial Administration 17CV4007 through 17CV4009 is revised for use in Snyder County, Court of Common Pleas of the 17th Judicial District, Commonwealth of Pennsylvania, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The 17th Judicial District Court Administrator is Ordered and Directed to do the following:

- 1) File one (1) certified copy of this Order and Rule with the Administrative Office of the Pennsylvania Courts.
- 2) Forward two (2) certified copies of this Order and Rule and a computer diskette containing the text of the Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- 3) Forward one (1) certified copy of this Order and Rule to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania.
- 4) Copies shall be kept continuously available for public inspection in the Office of the Snyder County Prothonotary.

By the Court

MICHAEL T. HUDOCK,
President Judge

Court Reporter Rules—Transcripts

17-CV4007—4009. Local Rule.

And Now, this 20th day of July 2021, the 17th Judicial District hereby revises the Uniform Rules Governing Court Reporting and Transcripts (Rule 4001—4016 et seq), previously, PA Snyder Union Cty. Jud. Admin. LR-17-CV4007—4009.

The President Judge hereby appoints the District Court Administrator as designee for purposes of the administration of this local rule.

This rule shall not interfere with or otherwise limit the income of court reporters. Court reporters shall continue to be properly compensated for their professional services regarding the preparation of transcripts.

I. Procedures:

(A) Format:

Requests for transcripts shall be set forth on a standardized form provided by the Court Administrator of the Administrative Office of Pennsylvania Courts.

(B) Requests for Transcripts:

For an ordinary transcript, the party requesting the full or partial transcript of a trial or other proceeding shall file the original transcript request form with the Prothonotary/Clerk of Courts Office.

(C) Service:

The requesting party shall serve copies of the formal request to:

1. The court reporter(s) assigned to the proceeding.

2. The District Court Administrator.

(D) *Filing:*

In courts where daily, expedited, same-day or rough draft transcripts are available, requests for transcripts shall be filed in writing in the appropriate filing office at least 10 days prior to the proceeding.

1. Copies of the written request shall be served as provided for by Section (C) supra.

2. In the event of an emergency, a party may request by oral motion a daily, expedited, same-day or rough draft transcript.

(E) *Private Litigant Requests:*

When a private litigant requests a transcript, the litigant ordering the transcript shall make payment in the amount of 100% of the estimated total cost of the transcript.

(F) *Payment of Costs:*

Deposit checks are to be made payable to appropriate Common Pleas Court Snyder County or Union County and shall be delivered to County Clerk of Courts/Prothonotary's office. A copy of the receipt will be provided to the District Court Administrator from the Clerk of Courts/Prothonotary's office.

(G) *Preparation of Transcripts:*

Upon receipt of the 100% deposit, the court reporter(s) assigned to the proceeding shall be directed by the District Court Administrator to prepare the transcript.

(H) *Notice of Completion:*

The court reporter(s) shall notify the ordering party and the District Court Administrator of the completion of the transcript and shall deliver a copy of the transcript to the judge presiding over the matter.

(I) *Payment for Balance:*

Checks for the final balance are to be made payable to: Snyder or Union County Prothonotary's office at which time the filing office will confirm payment with the District Court Administrator.

(J) *Requirement of Signature of Presiding Judge:*

Upon payment of the balance owed, the court reporter(s) shall obtain the signature of the presiding judge on the original transcript and shall deliver the original transcript to the appropriate filing office. After the original transcript has been delivered to the appropriate filing office, if ordered pursuant to Section II(E) infra, copies shall be delivered to the parties.

(K) *Request by Litigant (Economic Hardship):*

1. When a litigant requests a transcript, but cannot pay for the transcript because of alleged economic hardship, the Court shall determine economic hardship pursuant to the procedure set forth in Paragraph II(C) infra.

2. In cases of economic hardship where the matter is under appeal or a transcript is necessary to advance litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the Court.

3. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the

transcript to advance litigation, the requesting party must demonstrate reasonable need before the Court shall waive or adjust the cost of obtaining the transcript.

II. *Rates:*

Transcript costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, shall be governed as follows:

(A) *Costs Payable:*

The costs payable by the initial ordering party for a transcript delivered by means of electronic format shall not exceed:

1. For an ordinary transcript, \$2.50 per page
2. For an expedited transcript, \$3.50 per page—when available
3. For a daily transcript, \$4.50 per page
4. For same-day delivery, \$6.50 per page
5. For copies, \$0.25 per page
6. For complex litigation, \$4.50 per page, Ex: medical malpractice
7. For Adoption hearings \$20.00

Transcript costs payable by the Commonwealth or a subdivision thereof shall be governed as follows:

1. For an ordinary transcript, \$1.50 per page
2. For an expedited transcript, \$2.50 per page—when available
3. For a daily transcript, \$3.50 per page
4. For same-day delivery, \$5.50 per page
5. For copies, \$0.25 per page
6. For complex litigation, \$3.50 per page

(B) *Bound Paper Format:*

When the transcript is prepared in bound paper format, the costs shall be in accordance with Section II(A) supra relating to electronic format plus a surcharge of \$0.25 per page. Bound paper format copies shall not be delivered in condensed form.

(C) *Economic Hardship:*

1. Transcript costs for ordinary transcripts in matters under appeal or in which the transcript is necessary to advance the litigation shall be waived for a litigant who has been permitted by the Court to proceed in forma pauperis or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

2. Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

3. Transcript costs for ordinary transcripts in matters that are not subject to appeal, where the transcript is not necessary to advance the litigation, or for expedited, daily, same-day or rough draft transcripts may be waived at the Court's discretion for parties who qualify for economic hardship under Section II(C)(1) or II(C)(2) supra and upon good cause shown.

4. The application for waiver of all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure.

(D) *Assignment and Allocation of Transcript Costs:*

1. The requesting party, or the party required by general rule to file a transcript, shall be responsible for the cost of the transcript. Costs shall not be assessed against any party for transcripts prepared at the initiation of the Court.

2. When more than one party requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

(E) *Copies of transcripts:*

A request for a copy of any transcript previously ordered, transcribed, and filed of record shall be provided according to the following schedule:

1. \$0.75 per page bound, paper format; and
2. \$0.50 per page for an electronic copy, if available
3. \$0.25 per page for Commonwealth and subdivisions

All additional copies of transcripts shall be requested from and provided by the filing office, and this office will be responsible for copying the transcript and receipt of the copy fees. Filing offices must inform District Court Administrator of copies of transcripts for statistical purposes only.

[Pa.B. Doc. No. 21-1189. Filed for public inspection July 30, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

UNION COUNTY

Judicial Administration; No. 16-664 AD-3-2016

Order

And Now, this 20th day of July, 2021, the 17th Judicial District hereby revises the Uniform Rules Governing Court Reporting and Transcripts (Rule 4001-et seq.) Local Rule of Judicial Administration 17CV4007 through 17CV4009 is revised for use in Union County, Court of Common Pleas of the 17th Judicial District, Commonwealth of Pennsylvania, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The 17th Judicial District Court Administrator is Ordered and Directed to do the following:

1. File one (1) certified copy of this Order and Rule with the Administrative Office of the Pennsylvania Courts.

2. Forward two (2) certified copies of this Order and Rule and a computer diskette containing the text of the Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Forward one (1) certified copy of this Order and Rule to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania.

4) Copies shall be kept continuously available for public inspection in the Office of the Union County Prothonotary.

By the Court

MICHAEL T. HUDOCK,
President Judge

Court Reporter Rules—Transcripts

17-CV4007—4009. Local Rule.

And Now, this 20th day of July 2021, the 17th Judicial District hereby revises the Uniform Rules Governing Court Reporting and Transcripts (Rule 4001—4016 et seq), previously, PA Snyder Union Cty. Jud. Admin. LR-17-CV4007—4009.

The President Judge hereby appoints the District Court Administrator as designee for purposes of the administration of this local rule.

This rule shall not interfere with or otherwise limit the income of court reporters. Court reporters shall continue to be properly compensated for their professional services regarding the preparation of transcripts.

I. *Procedures:*

(A) *Format:*

Requests for transcripts shall be set forth on a standardized form provided by the Court Administrator of the Administrative Office of Pennsylvania Courts.

(B) *Requests for Transcripts:*

For an ordinary transcript, the party requesting the full or partial transcript of a trial or other proceeding shall file the original transcript request form with the Prothonotary/Clerk of Courts Office.

(C) *Service:*

The requesting party shall serve copies of the formal request to:

1. The court reporter(s) assigned to the proceeding.
2. The District Court Administrator.

(D) *Filing:*

In courts where daily, expedited, same-day or rough draft transcripts are available, requests for transcripts shall be filed in writing in the appropriate filing office at least 10 days prior to the proceeding.

1. Copies of the written request shall be served as provided for by Section (C) supra.

2. In the event of an emergency, a party may request by oral motion a daily, expedited, same-day or rough draft transcript.

(E) *Private Litigant Requests:*

When a private litigant requests a transcript, the litigant ordering the transcript shall make payment in the amount of 100% of the estimated total cost of the transcript.

(F) *Payment of Costs:*

Deposit checks are to be made payable to appropriate Common Pleas Court Snyder County or Union County and shall be delivered to County Clerk of Courts/Prothonotary's office. A copy of the receipt will be provided to the District Court Administrator from the Clerk of Courts/Prothonotary's office.

(G) Preparation of Transcripts:

Upon receipt of the 100% deposit, the court reporter(s) assigned to the proceeding shall be directed by the District Court Administrator to prepare the transcript.

(H) Notice of Completion:

The court reporter(s) shall notify the ordering party and the District Court Administrator of the completion of the transcript and shall deliver a copy of the transcript to the judge presiding over the matter.

(I) Payment for Balance:

Checks for the final balance are to be made payable to: Snyder or Union County Prothonotary's office at which time the filing office will confirm payment with the District Court Administrator.

(J) Requirement of Signature of Presiding Judge:

Upon payment of the balance owed, the court reporter(s) shall obtain the signature of the presiding judge on the original transcript and shall deliver the original transcript to the appropriate filing office. After the original transcript has been delivered to the appropriate filing office, if ordered pursuant to Section II(E) infra, copies shall be delivered to the parties.

(K) Request by Litigant (Economic Hardship):

1. When a litigant requests a transcript, but cannot pay for the transcript because of alleged economic hardship, the Court shall determine economic hardship pursuant to the procedure set forth in Paragraph II(C) infra.

2. In cases of economic hardship where the matter is under appeal or a transcript is necessary to advance litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the Court.

3. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the transcript to advance litigation, the requesting party must demonstrate reasonable need before the Court shall waive or adjust the cost of obtaining the transcript.

II. Rates:

Transcript costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, shall be governed as follows:

(A) Costs Payable:

The costs payable by the initial ordering party for a transcript delivered by means of electronic format shall not exceed:

1. For an ordinary transcript, \$2.50 per page
2. For an expedited transcript, \$3.50 per page—when available
3. For a daily transcript, \$4.50 per page
4. For same-day delivery, \$6.50 per page
5. For copies, \$0.25 per page
6. For complex litigation, \$4.50 per page, Ex: medical malpractice
7. For Adoption hearings \$20.00

Transcript costs payable by the Commonwealth or a subdivision thereof shall be governed as follows:

1. For an ordinary transcript, \$1.50 per page
2. For an expedited transcript, \$2.50 per page—when available
3. For a daily transcript, \$3.50 per page

4. For same-day delivery, \$5.50 per page
5. For copies, \$0.25 per page
6. For complex litigation, \$3.50 per page

(B) Bound Paper Format:

When the transcript is prepared in bound paper format, the costs shall be in accordance with Section II(A) supra relating to electronic format plus a surcharge of \$0.25 per page. Bound paper format copies shall not be delivered in condensed form.

(C) Economic Hardship:

1. Transcript costs for ordinary transcripts in matters under appeal or in which the transcript is necessary to advance the litigation shall be waived for a litigant who has been permitted by the Court to proceed in forma pauperis or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

2. Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

3. Transcript costs for ordinary transcripts in matters that are not subject to appeal, where the transcript is not necessary to advance the litigation, or for expedited, daily, same-day or rough draft transcripts may be waived at the Court's discretion for parties who qualify for economic hardship under Section II(C)(1) or II(C)(2) supra and upon good cause shown.

4. The application for waiver of all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure.

(D) Assignment and Allocation of Transcript Costs:

1. The requesting party, or the party required by general rule to file a transcript, shall be responsible for the cost of the transcript. Costs shall not be assessed against any party for transcripts prepared at the initiation of the Court.

2. When more than one party requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

(E) Copies of transcripts:

A request for a copy of any transcript previously ordered, transcribed, and filed of record shall be provided according to the following schedule:

1. \$0.75 per page bound, paper format; and
2. \$0.50 per page for an electronic copy, if available
3. \$0.25 per page for Commonwealth and subdivisions

All additional copies of transcripts shall be requested from and provided by the filing office, and this office will be responsible for copying the transcript and receipt of the copy fees. Filing offices must inform District Court Administrator of copies of transcripts for statistical purposes only.

[Pa.B. Doc. No. 21-1190. Filed for public inspection July 30, 2021, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Current Schedule of Continuing Legal Education Courses Required for Reinstatement Under §§ 89.275 and 89.279 of the Disciplinary Board Rules

Disciplinary Board Rule § 89.279 provides that a formerly admitted attorney who has been disbarred or suspended for more than one year or on administrative suspension, retired status or inactive status for more than three years shall within one year preceding the filing of the petition for reinstatement take courses meeting the requirements of the current schedule published by the Executive Office.

Evidence that a formerly admitted attorney has attended the required courses and lectures or has viewed videotapes of them shall be considered in determining whether the formerly admitted attorney possesses the required competency and learning in law, but shall not be conclusive on the issue.

Schedule Effective July 31, 2021

Every formerly admitted attorney who petitions for reinstatement under these rules shall take the following:

A minimum of thirty-six (36) hours of accredited PA CLE courses with a minimum twelve (12) of those hours in the area of Ethics. Thirty (30) credits may be taken in pre-approved, interactive, Internet or computer based CLE programs. Six (6) credits must be completed in person or by live webinar/webcast.

Any petitions filed on or after December 1, 2011, by formerly admitted attorneys who have been disbarred or suspended for more than one year shall include the Bridge the Gap course taken through an accredited PA CLE provider as part of the thirty-six hours of credits.

Note: Accredited PA CLE courses taken for reinstatement may be used to meet CLE requirements once reinstated.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 21-1191. Filed for public inspection July 30, 2021, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Chi-Yuan Hwang (# 39253), having been disbarred in New York, the Supreme Court of Pennsylvania issued an Order on July 16, 2021, disbaring Chi-Yuan Hwang from the Bar of this Commonwealth, effective August 15, 2021.

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*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 21-1192. Filed for public inspection July 30, 2021, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Irene Marie Costello having been suspended from the practice of law in the United States District Court for the Southern District of New York; the Supreme Court of Pennsylvania issued an Order dated July 16, 2021 suspending Irene Marie Costello from the practice of law in this Commonwealth for a period of two years, effective August 15, 2021. 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. 21-1193. Filed for public inspection July 30, 2021, 9:00 a.m.]