

THE COURTS

Title 207—JUDICIAL CONDUCT

PART V. JUDICIAL ETHICS ADVISORY BOARD

[207 PA. CODE CH. 1]

Order Amending Rule 104 of the Pennsylvania Rules of the Judicial Ethics Advisory Board; No. 570 Judicial Administration Docket

Order

Per Curiam

And Now, this 31st day of March, 2022, pursuant to Article V, Section 10 of the Constitution of Pennsylvania, *It Is Ordered* that:

Rule 104 of the Pennsylvania Rules of the Judicial Ethics Advisory Board is amended in the attached form.

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

Additions to the rules are shown in bold and are underlined.

Deletions from the rules are shown in bold and in brackets.

Annex A

TITLE 207. JUDICIAL CONDUCT

PART V. JUDICIAL ETHICS ADVISORY BOARD CHAPTER 1. RULES OF THE JUDICIAL ETHICS ADVISORY BOARD

Subchapter A. PRELIMINARY PROVISIONS

Rule 104. Pennsylvania Judicial Ethics Advisory Board.

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(b) *Submissions from Representative **Courts and Judicial Organizations.** The President Judges of the Superior and Commonwealth Courts shall submit to the Chief Justice the names of three candidates for each Board position to be filled by a judge of their respective courts.* The PCSTJ shall submit to the Chief Justice the names of three candidates for each Board position to be filled by a judge of a common pleas court or a judge of the Philadelphia Municipal Court. The SCJAP shall submit to the Chief Justice the names of three candidates for each Board position to be filled by a magisterial district judge. The Supreme Court shall select appointees for those positions from the names submitted. In the absence of submissions, the Supreme Court shall proceed to fill the Board positions.

(c) *Terms and Vacancies.* The first nine appointments to the Board shall be for staggered terms as follows: three members appointed for [**nine**] **six** years, three members for [**six**] **four** years, and three members for [**three**] **two** years. Thereafter, a new appointment to the Board shall be for a single [**nine**] **six**-year term. A vacancy shall be filled from the same membership category[, or in the case of a representative judicial organization,] using the same process[,] from which the vacating member was appointed. Appointments to fill a vacancy shall be for the balance of the term vacated.

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[Pa.B. Doc. No. 22-551. Filed for public inspection April 15, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WESTMORELAND COUNTY

Bail Before Verdict; No. 3 of 2022

Administrative Order of Court

And Now, this 4th day of March 2022, *It Is Hereby Ordered* that Westmoreland County Criminal Procedures WC117 and WC520 are hereby rescinded and new Rules WC117 and WC520 are adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

RITA DONOVAN HATHAWAY,
President Judge

Rule WC117. Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail.

(a) After hours coverage shall be provided by a magisterial district judge, assigned on a rotational schedule, who has county-wide jurisdiction and who operates between the hours of 4:00 p.m. to 10:00 p.m. Monday through Friday. Holidays and weekend coverage shall be provided by an assigned on-call magisterial district judge.

(1) The “duty” magisterial district judge will hold court by video conferencing available from any approved advanced communication technology site. The magisterial district court office will remain closed to the public during after hours coverage except at the discretion of the magisterial district judge.

(2) In the event a magisterial district judge is needed when the court is not scheduled for after hours coverage for the issuance of a search or arrest warrant, a protection from abuse petition, or other emergency matter; the “duty” magisterial district judge will be contacted through Westmoreland 911.

(3) Procedures for executed summary warrants shall be pursuant to Pa.R.Crim.P. 431, and Westmoreland Rule of Criminal Procedure WC431.

(b) Bail in the form of certified check, cashier’s check or money order, may be posted after normal business hours at the Westmoreland County Prison. Bail may be posted electronically via PA ePay Bail Online Case Payments, by accessing <http://ujportal.pacourts.us>. In the event bail is posted electronically, in order to release the defendant, the person posting bail must contact the Westmoreland County Prison to ensure that all conditions of bail have been satisfied and all necessary bail-related documents have been completed.

Adopted _____, effective _____, 2022.

Rule WC520. Bail Before Verdict—After Normal Business Hours.

Bail in the form of certified check, cashier’s check or money order, may be posted after normal business hours at the Westmoreland County Prison. Bail may be posted electronically via PA ePay Bail Online Case Payments, by accessing <http://ujportal.pacourts.us>. In the event bail is posted electronically, in order to release the defendant, the person posting bail must contact the Westmoreland

County Prison to ensure that all conditions of bail have been satisfied and all necessary bail-related documents have been completed.

Adopted _____, effective _____, 2022.

[Pa.B. Doc. No. 22-552. Filed for public inspection April 15, 2022, 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 April 1, 2022, Milena Mladenovich (# 308148) is Suspended on Consent from the Bar of this Commonwealth for a period of three years, effective May 1, 2022. 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. 22-553. Filed for public inspection April 15, 2022, 9:00 a.m.]

Further, Pa.R.A.P. 2113 (regarding reply briefs) is *Temporarily Suspended* in these matters; no reply briefs will be permitted.

Notices of appeal, jurisdictional statements, and briefs shall be filed electronically when counsel or the litigants have a PACFile account. Otherwise, counsel or the litigants shall contact the relevant filing office during normal business hours to make alternative arrangements to ensure that the filing office actually receives the submissions by the applicable deadline.

Pa.R.A.P. 1931(a) and (c) (regarding the deadline for transmittal of the record when complete) are *Temporarily Suspended* in these matters, and the record shall be transferred as soon as practicable. The lower court may transmit partially completed records in the interest of facilitating prompt resolution of any appeal in these matters.

Applications for reconsideration or reargument will not be entertained by this Court on election matters falling under this order.

Any court deciding a matter that arises under the Pennsylvania Election Code in relation to the May 17, 2022 General Primary Election shall append a copy of this order to its decision.

[Pa.B. Doc. No. 22-554. Filed for public inspection April 15, 2022, 9:00 a.m.]

SUPREME COURT

Petitions for Review Challenging the Final 2021 Legislative Reapportionment Plan; No. 569 Judicial Administration Docket

Order

Per Curiam

And Now, this 4th day of April, 2022, the calendar for the General Primary Election to be held on May 17, 2022, as set forth in this Court's Order dated March 16, 2022, for seats in the General Assembly and for State Party Committees is *Modified* in the following respect:

Last day that may be fixed by the Commonwealth Court for hearings and to render decisions on objections that have been filed to nomination petitions	April 13, 2022
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Further, in order to expedite the appellate process regarding appeals from challenges to nomination petitions for any and all candidates running for office in the May 17, 2022 General Primary Election, Pa.R.A.P. 903(c)(1)(ii), providing for a ten-day appeal period from an order in any matter arising under the Pennsylvania Election Code, is *Temporarily Modified* to provide for a five-day appeal period.

Additionally, Pa.R.A.P. 107 is *Temporarily Suspended* to the extent it specifies that weekends and holidays are to be excluded from calculating the five-day appeal period.

In appeals arising under the Election Code that fall within this order, appellants shall file briefs within twenty-four hours after filing their notice of appeal and jurisdictional statement. Appellees' briefs are due within twenty-four hours of the filing of appellants' briefs.

SUPREME COURT

Temporary Modification of the Rules of Appellate Procedure Arising under the Pennsylvania Elec- tion Code; No. 571 Judicial Administration Docket

Order

Per Curiam

And Now, this 5th day of April, 2022, in order to expedite the appellate process regarding appeals from challenges to nomination petitions for any and all candidates running for office in the May 17, 2022 General Primary Election, Pa.R.A.P. 903(c)(1)(ii), providing for a ten-day appeal period from an order in any matter arising under the Pennsylvania Election Code, is *Temporarily Modified* to provide for a five-day appeal period.

Additionally, Pa.R.A.P. 107 is *Temporarily Suspended* to the extent it specifies that weekends and holidays are to be excluded from calculating the five-day appeal period.

In appeals arising under the Election Code that fall within this order, appellants shall file briefs within twenty-four hours after filing their notice of appeal and jurisdictional statement. Appellees' briefs are due within twenty-four hours of the filing of appellants' briefs. Further, Pa.R.A.P. 2113 (regarding reply briefs) is *Temporarily Suspended* in these matters; no reply briefs will be permitted.

Notices of appeal, jurisdictional statements, and briefs shall be filed electronically when counsel or the litigants have a PACFile account. Otherwise, counsel or the litigants shall contact the relevant filing office during normal business hours to make alternative arrangements to ensure that the filing office actually receives the submissions by the applicable deadline.

Pa.R.A.P. 1931(a) and (c) (regarding the deadline for transmittal of the record when complete) are *Temporarily Suspended* in these matters, and the record shall be transferred as soon as practicable. The lower court may transmit partially completed records in the interest of facilitating prompt resolution of any appeal in these matters.

Applications for reconsideration or reargument will not be entertained by this Court on election matters falling under this order.

Any court deciding a matter that arises under the Pennsylvania Election Code in relation to the May 17, 2022 General Primary Election shall append a copy of this order to its decision.

[Pa.B. Doc. No. 22-555. Filed for public inspection April 15, 2022, 9:00 a.m.]
