

# THE COURTS

## Title 255—LOCAL COURT RULES

### ARMSTRONG COUNTY

#### Adoption of New Local Court Rules—Custody of Exhibits; No. CP-03-AD-0000006-2024

##### Order of Court

And Now, this 22nd day of March, 2024, in compliance with Rule 103(c) of the Pennsylvania Rules of Judicial Administration, *It Is Hereby Ordered And Decreed*, that Armstrong County Local Rule 1904 is Rescinded. Effective thirty (30) days after publication in the *Pennsylvania Bulletin* the Armstrong County Court of Common Pleas adopts the following Local Rules 5101, 5102, and 5103.

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

1. File one (1) copy of this Order with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2. Submit two (2) paper copy to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* and one (1) copy e-mailed in a Microsoft Word format only to bulletin@palrb.us.

3. Publish these Rules on the Armstrong County Court website at www.accourts.com.

4. Incorporate the local rules into the set of local rules on the Armstrong County website within thirty (30) days after the publication of the local rules 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 1904. Custody, Storage and Disposal of Exhibits.

(To be rescinded)

#### Local Rule 5101. Definition.

The term “custodian,” as used in this rule, shall mean the Prothonotary/Clerk of Courts, or a designated representative, as the case may be.

#### Local Rule 5102. Custody of Exhibits. General Provisions.

(a) *During Court Proceedings.*

(1) The custodian shall secure and maintain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceeding.

(2) If, for any given proceeding, no representative of the Clerk of Courts/Prothonotary is present, then the court reporter shall be designated as custodian during the court proceeding.

(b) *After Court Proceedings.*

The custodian shall deliver all documentary exhibits, photographs, and photographs of non-documentary exhib-

its to the Prothonotary/Clerk of Courts for filing within five (5) business days after the conclusion of the court proceeding.

#### Local Rule 5103. Custody of Exhibits. Special Provisions.

(a) *Documentary Exhibits.*

(1) If a proponent offers into evidence an exhibit such as a letter, report, drawing, map, photograph, or other document that is larger in size than 8-1/2 × 11 inches, the proponent shall ensure that a copy of the document reduced to 8-1/2 × 11 inches is entered into the record.

(2) A proponent who provides a reduced copy of an oversized exhibit shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media.

(b) *Photographs.*

(1) If a proponent offers into evidence a photograph, the proponent shall ensure that the original or a copy of the photograph in lieu of the original (no larger in size than 8-1/2 × 11 inches) is entered into the record.

(2) A proponent who provides a copy of a photograph shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media.

(c) *Non-documentary Exhibits: Generally.*

(1) If a proponent offers into evidence a non-documentary exhibit, the proponent shall ensure that a photograph (no larger in size than 8-1/2 × 11 inches) of the exhibit is entered into the record.

(2) A proponent who provides a photograph of a non-documentary exhibit shall ensure that the photograph is clear and capable of further reproduction or transfer to digital media.

(3) An exhibit that is bulky, oversized or otherwise physically impractical for the custodian to maintain, the exhibit shall be secured as directed by the court in a secured vault established for such purpose.

(4) Any exhibit that cannot be printed (i.e., audio or video recording) shall be entered into the record on a Universal Serial Bus (USB) flash drive (or other format, such a compact disc, if expressly approved by the court).

(d) *Non-documentary Exhibits: Weapons, Contraband, Hazardous Materials.*

(1) If a proponent intends to bring any weapon, drug or other dangerous material into court for use in a proceeding, the proponent shall so notify the Sheriff of Armstrong County at least one day in advance and attach the gun or material to a board.

(2) In any proceeding in which weapons, cash, other items of value, drugs, or other dangerous materials are offered into evidence, the custodian shall secure the exhibits while the court proceeding is in session, as well as during all breaks and recesses. The securing of

exhibits of this nature shall be done under the supervision of the Sheriff of Armstrong County or deputy.

[Pa.B. Doc. No. 24-458. Filed for public inspection April 5, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BERKS COUNTY

#### Amendments to Local Rules Custody of Exhibits in Court Proceedings; No. 24-1 Prothonotary; No. CP-06-AD-18-2024 Clerk of Courts; Orphans Ct. 60539

*And Now*, this 22 day of March 2024 it is hereby Ordered that the following Local Rules of Judicial Administration of the Court of Common Pleas of 23rd Judicial District of Pennsylvania, Berks County, are adopted as indicated, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The District Court Administrator is *Ordered* and *Directed* to:

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 Berks County Court website at www.berkspa.gov.

4. Incorporation of the local rule into the set of local rules on www.berkspa.gov within thirty (30) days after publication of the local rule in the *Pennsylvania Bulletin*.

5. File one (1) copy of the local rule in the appropriate filing office(s) for public inspection and copying.

M. THERESA JOHNSON,  
*President Judge*

#### Local Rule—Custody of Exhibits (Berks County)

##### Rule 5101. Custody of Exhibits. Exclusion of Certain Proceedings.

For purposes of the local rules governing custody of exhibits, the following hearings are excluded: proceedings before conference officers or hearing officers in custody, delinquency, dependency, and support matters with the exception of divorce master hearings.

##### Rule 5102. Custody of Exhibits. General Provisions.

(A) *During Court Proceedings*. Any documentary exhibits and photographs of non-documentary exhibits offered into evidence in a case will be placed in the custody of the assigned court reporter as custodian during the court proceeding, including breaks and recesses.

(B) *After Court Proceedings*. No later than five business days after the end of the court proceeding, the Evidence/Exhibit Storage Technician, as custodian, shall take custody of all documentary exhibits and photographs of non-documentary exhibits.

1. *Evidence/Exhibit Storage Technician as custodian*: Evidence/Exhibit Storage Technician shall:

i. retain or take custody of all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceeding; and

ii. file an Index of Exhibits with the corresponding Records office, as defined by Pa.R.J.A. 5101(a)(7), no later than five business days after the conclusion of the Court Proceeding pursuant to Pa.R.J.A. 5104(a)(2)

2. *Index of Exhibits*. The assigned court reporter as custodian shall include a numbered list of exhibits, and for each exhibit identify the proponent, whether the exhibit was admitted or rejected from evidence, and a textual description or identification of the exhibit, which shall accompany the exhibits and be given to the Evidence/Exhibit Storage Technician.

3. *Confidential Information Form*. In all Court Proceedings, the Proponent shall include a properly completed Confidential Information Form or Confidential Document Form for any exhibit offered into evidence that contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. These forms shall be given by the Proponent to the assigned court reporter maintaining the Index of Exhibits at the time evidence is introduced.

##### Rule 5103. Custody of Exhibits. Special Provisions.

###### (A) *Documentary Exhibits*.

1. If a proponent offers into evidence an exhibit such as a letter, report, drawing, map, photograph, or other document that is larger in size than 8-1/2 × 11 inches, the proponent shall ensure that a copy of the document reduced to 8-1/2 × 11 inches (or smaller) is entered into the record. Items larger than 8-1/2 × 11 inches may be used for illustration during court proceedings.

2. A proponent who provides a reduced copy of an oversized exhibit shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media in a format acceptable to the Court.

3. If a proponent offers into evidence a deposition of a witness via digital media, the digital media shall be a format acceptable to the Court and shall be marked as an exhibit. The submission of the same must be accompanied by a transcript of the deposition which shall also be marked as an exhibit.

4. Documentary exhibits, photographs, and photographs of non-documentary exhibits entered into the record are subject to existing record retention schedules.

###### (B) *Non-documentary Exhibits: Generally*.

1. If a proponent offers into evidence a non-documentary exhibit, the proponent shall ensure that a photograph (no larger in size than 8-1/2 × 11 inches) of the exhibit is entered into the record in lieu of the non-documentary exhibit.

2. The proponent shall retain custody of physical evidence (including, but not limited to weapons, cash, other items of value, drugs, or other dangerous materials as determined by the presiding judge) and bulky, oversized, or otherwise physically impractical exhibits at all times during and after a court proceeding.

3. During a Court Proceeding, the proponent shall exercise all appropriate safeguards necessary to protect the public based on the nature of the exhibit.

4. Non-documentary exhibits may only be disposed of or destroyed by an Order of Court.

[Pa.B. Doc. No. 24-459. Filed for public inspection April 5, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Clerk of Courts’ Schedule of Fees and Costs; Miscellaneous; Administrative Doc. No. 4-2024

Clerk of Courts’ Petition to Increase Fees and Costs Pursuant to 42 Pa.C.S. § 1725.4

And Now, comes Lisa Weiland Lotz, Clerk of Courts of Butler County, by and through Leo M. Stepanian II, Esquire, Solicitor, and respectfully petitions this Court as follows:

1. Petitioner is the duly elected Clerk of Courts of the Common Pleas Court of Butler County, Pennsylvania.

2. Butler County is a county of the fourth class.

3. Act 36 of 2000 provides in pertinent part:

The amount of any fee or charge increased pursuant to paragraph (1) may be increased every three years, provided that the amount of the increase may not be greater than the percentage of increase in the Consumer Price Index for Urban Workers for the immediate three years preceding the last increase in the fee or charge.

42 Pa.C.S. § 1725.4(a)(2).

4. The Clerk of Courts last sought approval for and this Court last granted approval for an increase in the fees and costs charged by the Clerk of Courts in May 2021.

5. Pursuant to 42 Pa.C.S. § 1725.4(a)(2), the Clerk of Courts may request, and the President (Administrative) Judge may approve, an increase in the fees and costs charged by the Clerk of Courts based upon the increase in the Consumer Price Index for the period from May 2020 to April 2023.

6. Based upon the Consumer Price Index for Urban Workers (Wage Earners and Clerical Workers), the Consumer Price Index has increased 19.32% (May 2020 to April 2023).

7. Following hereto as Exhibit “A” is a proposed fee bill for the Clerk of Courts of Butler County, Pennsylvania that takes into account the increase in the Consumer Price Index previously set forth.

Wherefore, the Clerk of Courts of Butler County, Pennsylvania respectfully requests this honorable Court to authorize and adopt the schedule of fees and costs as proposed hereby.

LEO M. STEPANIAN, II, Solicitor for the Clerk of Courts

Verification

The undersigned has read the forgoing Pleading in this case. The statements of fact contained therein are true and correct to the best of my personal knowledge, information and belief.

This statement and verification is made subject to the penalties in 18 Pa.C.S. Section 4904 relating to unsworn

falsification to authorities which provides that if I make knowingly false averments, I may be subject to criminal penalties.

\_\_\_\_\_ (SEAL)

\_\_\_\_\_ (SEAL)

Dated: \_\_\_\_\_

Clerk of Courts’ Schedule of Fees and Costs; Miscellaneous; Administrative Doc. No. 4-2024

Order of Court

And Now, this 21 day of March, 2024, upon consideration of the Clerk of Courts’ Petition to Increase Fees and Costs Pursuant to 42 Pa.C.S.A. § 1725.4 It Is Hereby Ordered, Adjudged and Decreed, that:

1. The revised fee schedule submitted by the Clerk of Courts of Butler County, Pennsylvania, a copy of which is as follows hereto and incorporated herein, is approved.

2. The revised fee schedule approved by this Order of Court shall be effective on May 1, 2024.

3. The Clerk of Courts is hereby directed to immediately cause the publication of the revised fee schedule in the Butler County Legal Journal once a week for two (2) successive weeks, and to file a copy of the Proof of Publication of the advertisement at the previous term and docket number.

4. The Clerk of Courts shall file one (1) certified copy hereof with AOPC and distribute two (2) certified copies plus a diskette to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

5. The Clerk of Courts is to distribute a copy of the fee schedule to each of the Judges of the Court of Common Pleas of Butler County and to the Butler County Bar Association.

6. Nothing contained herein shall prevent this Court to further revise the fee schedule approved by this Order of Court upon proper application made in accordance with law.

By the Court

S. MICHAEL YEAGER, Principle Judge

Exhibit A

BUTLER COUNTY CLERK OF COURTS’ FEE BILL (Effective May 1, 2024)

Criminal Filings

Table with 2 columns: Case Type and Fee Amount. Includes Misdemeanor and Felony Case During or After Trial (277.50), Misdemeanor and Felony Case Before Trial (207.25), Summary Case (42.75), and Juvenile Case (27.50).

Appeal Fees

Table with 2 columns: Case Type and Fee Amount. Includes Summary Appeal/Nunc Pro Tunc Filing Fee (77.00), Appellate Court Appeal (83.50), Appellate Court Appeal (Current Rate), and Liquor Control Board Appeals (27.50).

*Bench Warrant/Bail Related Fees*

Processing all types . . . . . 27.50  
 Cash Bonds . . . . . 69.00  
 Property Bonds . . . . . 69.00  
 Bail Forfeiture . . . . . 27.50  
 Bail Piece (Includes Certified Copy to Bondsman) . . 42.50  
 Bench Warrant (Includes Certified Copy to Sheriff) . . . . . 42.50  
*Miscellaneous Filings/Fees*  
 Automation Fee (All initiations—42 Pa.C.S.A. 1725.4(b)) . . . . . 5.00  
 Certified Copy . . . . . 14.00  
 Constable—Bond/Oath/I.D. Card . . . . . 27.50  
 Copies (per page) . . . . . 0.50  
 Criminal Search (per name) . . . . . 27.50  
 Exemplifications . . . . . 27.50  
 Expungement (per case) . . . . . 92.75  
 Facsimile (fax) Fee . . . . . 7.25  
 NSF Check/Cancelled Money Order/Credit-Debit Card Reversals . . . . . 30.00  
 Private Detective (Individual) Bond/Oath per year . . . . . 100.00  
 Private Detective (Corporate) Bond/Oath per year . . . . . 150.00  
 Miscellaneous Case . . . . . 27.50  
 Road Docket . . . . . 27.50  
 Subpoenas . . . . . 6.00  
 File Retrieval From Iron Mountain . . . . . Current Rate

[Pa.B. Doc. No. 24-460. Filed for public inspection April 5, 2024, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**

**CLINTON COUNTY**

**Local Rules 5102, 5103 and 5104; No. AD-247-2024**

**Administrative Order of Court**

*And Now*, this 25th day of March, 2024, the Court hereby adopts the following Local Rules 5102, 5103 and 5104 effective thirty (30) days after the publication of same in the *Pennsylvania Bulletin*.

Erin J. Karmen, Esquire, Judicial Law Clerk, is Ordered and Directed to do the following:

1. File one (1) copy of this Order and the following Local Rules 5102, 5103, and 5104 with the Administrative Office of Pennsylvania Courts (AOPC) via email to adminrules@pacourts.us.

2. File one (1) copy of this Order and the following Local Rules 5102, 5103, and 5104 with the Legislative Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish a copy of this Administrative Order and the following Local Rules 5102, 5103, and 5104 on the Clinton County Court website.

*By the Court*

CRAIG P. MILLER,  
*President Judge*

**Rule 5102. Custody of Exhibits. General Provisions.**

(a) *During Court Proceedings.*

(1) The Court Reporter for all, or a portion, of a court proceeding, shall be designated as the “Custodian,” as defined by Pa.R.J.A. 5101(a)(2), for all documentary exhibits, photographs, and photographs of non-documentary exhibits submitted during the court proceeding, regardless of whether said exhibits are accepted or rejected.

(2) The proponent shall be designated as the “Custodian,” as defined by Pa.R.J.A. 5101(a)(2), of physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits during a court proceeding.

(3) If only one (1) Custodian is involved with a proceeding, said Custodian shall file with the appropriate filing office all submitted exhibits and index of exhibits within five (5) business days of the conclusion of the proceeding.

(4) If multiple Custodians are involved with a proceeding, the first Custodian shall provide the subsequent Custodian (and so on, if more than two Custodians) with the submitted exhibits and index of exhibits. The Custodian at the conclusion of the proceeding shall file with the appropriate filing office all submitted exhibits and index of exhibits within five (5) business days of the conclusion of the proceeding.

(5) Notwithstanding this subdivision, the parties to a proceeding may agree to an alternate custodial process if approved by the presiding judge and confirmed by an Order of Court.

(b) *After Court Proceedings.*

(1) *Custodian.*

(i) *Documentary Exhibits.* The appropriate filing office shall be designated as “Custodian,” as defined by Pa.R.J.A. 5101(a)(1), for all documentary exhibits, photographs, and photographs of non-documentary after the conclusion of a court proceeding, upon filing of said exhibits and index of exhibits.

(ii) *Non-Documentary or Physical Exhibits.*

(A) At the conclusion of a court proceeding, the proponent shall transfer custody of physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits to the Court Reporter. The Court Reporter shall thereafter be designated as “Custodian,” as defined by Pa.R.J.A. 5101(a)(1), for such exhibits upon receipt from the proponent at the conclusion of a court proceeding.

(B) Upon receipt of physical exhibits from the proponent, the Custodian shall handle said exhibits in accordance with procedures outlined in Clinton County Local Rule of Judicial Administration 5103.

(iii) Notwithstanding this subdivision, the parties may agree to an alternate custodial process if approved by the presiding judge and confirmed by an Order of Court.

(c) *Proceedings Before a Hearing Officer.*

(1) *During Proceedings Before a Hearing Officer.*

(i) *Documentary Exhibits.* During a proceeding before a Hearing Officer, the Court Reporter shall be designated as the “Custodian,” as defined by Pa.R.J.A. 5101(a)(2), for all documentary exhibits, photographs, and photographs of non-documentary exhibits submitted during the proceeding before the Hearing Officer, regardless of whether said exhibits are accepted or rejected.

(ii) *Non-Documentary or Physical Exhibits.* During a proceeding before a Hearing Officer, the proponent shall be designated as the “Custodian,” as defined by Pa.R.J.A. 5101(a)(2), of physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits.

(2) *After Proceedings Before a Hearing Officer.*

(i) *Documentary Exhibits.* The appropriate filing office shall be designated as “Custodian,” as defined by Pa.R.J.A. 5101(a)(1), for all documentary exhibits, photographs, and photographs of non-documentary after the conclusion of a proceeding before a Hearing Officer, upon filing of said exhibits and index of exhibits.

(ii) *Non-Documentary or Physical Exhibits.* At the conclusion of a proceeding before a Hearing Officer, the proponent shall transfer custody of physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits to the Court Reporter. The Court Reporter shall thereafter be designated as “Custodian,” as defined by Pa.R.J.A. 5101(a)(1), for such exhibits upon receipt from the proponent at the conclusion of proceedings before a Hearing Officer.

(d) *Index of Exhibits.* Litigants and the Court Reporter shall utilize the attached form when indexing said exhibits which shall be delivered, along with a copy of said form, with the exhibits to the filing office by the Court Reporter. The filing office personnel receiving the exhibits shall execute the original indexing form of exhibits, along with the copy, noting the date the exhibits were received by the filing office and return the copy to the Court Reporter and file the original of record with said document being scanned and docketed within five (5) business days of said filing.

(e) *Confidential Information.* In all Court Proceedings, including proceedings before a Hearing Officer, the proponent shall include a properly completed Confidential Information Form or Confidential Document Form for any exhibit offered into evidence that contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. These forms shall be given by the proponent to the Court Reporter maintaining the Index of Exhibits at the time evidence is introduced.

**Rule 5103. Custody of Exhibits. Special Provisions.**

(a) *Documentary Exhibits.*

(1) *Reproduction of Oversized or Voluminous Documentary Exhibits.* Upon a good-cause request for reproduction of an oversized or voluminous documentary exhibit, the custodian of said exhibit shall furnish a digital copy of said exhibit to the requesting party for reproduction. Said digital copy may be in the form of a physical universal serial bus (USB) drive or a portable document file (PDF) or other electronic file format sent by email to the requesting party.

(b) *Photographs.* Any photograph offered by a proponent may not be larger than 8-1/2 × 11 inches.

(c) *Non-documentary or Physical Exhibits: Generally.*

(1) If a proponent offers into evidence physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) or bulky, oversized, or otherwise physically impractical exhibits, said exhibit(s) must be photographed by the proponent, converted to a letter-sized document, and appropriately marked and produced during the court proceeding for inclusion in the documentary record. Any converted letter-sized document shall be filed by the Custodian in the appropriate filing office, with other submitted documentary exhibits and index of exhibits, within five (5) business days of the conclusion of the proceeding.

(2) Unless otherwise provided by the presiding judge, at the conclusion of the court proceeding, custody of physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits shall be transferred from the proponent to the Court Reporter for safekeeping as required by any applicable retention schedule, statute, rule, regulation, or policy, or until further Order of Court.

(3) *Status Conference for Bulky, Oversized, or Otherwise Physically Impractical Exhibits.*

(i) In advance of any proceeding where a proponent anticipates their exhibits will be categorized as bulky, oversized, or otherwise physically impractical pursuant to Pa.R.J.A. 5103(c)(3), the proponent shall motion for a status conference to be attended by all counsel and parties of record, if unrepresented.

(ii) A status conference held pursuant to this subdivision may be held via telephone or other electronic means at the discretion of the presiding judge.

(iii) The presiding judge, counsel, and parties if unrepresented, shall discuss maintenance and security of the exhibit(s) both during and after the proceeding consistent with Pa.R.J.A. 5104(a)(4), and the presiding judge shall confirm the same per an Order of Court.

**Rule 5104. Custody of Exhibits. Special Provisions for Oversized or Voluminous Documentary Exhibits.**

(a) All documentary exhibits shall be filed in the appropriate filing office.

(b) For any documentary exhibit that is found by the Court to be oversized or voluminous, the Court, on the Court’s own Motion, or at the request of any party, may direct the party offering the oversized or voluminous documentary exhibit to provide the oversized or voluminous documentary exhibit in the form of a physical universal serial bus (USB) drive, a portable document file (PDF), or other electronic file format.

(c) The physical universal serial bus (USB) drive, portable document file (PDF), or other electronic file format shall be entered into evidence as an exhibit, shall be maintained by the Court Reporter, and not filed of record in the appropriate filing office.

(d) At the sole discretion of the Court, the Court may order the physical universal serial bus (USB) drive, portable document file (PDF), or other electronic file format to be uploaded into the applicable electronic system utilized by the filing office.

THE COURT OF COMMON PLEAS OF THE 25th JUDICIAL DISTRICT OF PENNSYLVANIA
Index of Exhibits

Case Name:
Docket Number:
Proceeding:
Date:
Presiding Judge:
Parties/Counsel Present:

Table with 7 columns: Number, Description/Title, Proponent, Admitted, Rejected, Sealed by Court, Confidential Information Sheet Required?

Name of Person Completing this Index:

[Pa.B. Doc. No. 24-461. Filed for public inspection April 5, 2024, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DELAWARE COUNTY

Custody of Exhibits; No. CV-2022-3777

Administrative Order

And Now, this 22nd day of March 2024, it is hereby Ordered and Decreed that Delaware County Local Rule of Civil Procedure 223.1 is hereby Rescinded and Substituted with Local Rules of Judicial Administration 5103, 5104, and 5105 as set forth as follows.

The Solicitor for Internal Management is hereby Ordered to:

- 1. Distribute one copy of each Rule to the Administrative Office of Pennsylvania Courts via email at adminrules@pacourts.us.
2. Distribute two paper copies of the local Rules to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.
3. Distribute one copy of each of the local Rules to the Legislative Reference Bureau via email at bulletin@palrb.us in a Microsoft Word format.
4. Publish the local Rules on the Delaware County Court's website.
5. Incorporate the local Rules into the set of local Rules on this Court's website within 30 days after the publication of the Rules in the Pennsylvania Bulletin.
6. File one copy of each of the local Rules in the following filing offices of Delaware County: Office of

Judicial Support, Office of the District Attorney, Juvenile Court, Orphans' Court, Domestic Relations, and Children and Youth Services.

By the Court

LINDA A. CARTISANO,
President Judge

Rule 5103. Custody of Exhibits. General Provisions.

(A) Court Proceedings before Common Pleas Court.

(1) A "custodian" will either be a member of court staff, e.g., court reporter, Judicial Support Information Officer, Office of Judicial Support (hereinafter "OJS"), Court Information Officer, District Attorney Evidence Custodian, Domestic Relations Court Unit, the Register of Wills/Orphans' Court, or the proponent of the exhibit. See Pa.R.J.A. 5101(a)(2) (definition of custodian). When the proponent is designated as the custodian, the proponent will fulfill all the responsibilities of a custodian in accordance with Pa.R.J.A. 5102.

(2) A local court security committee shall make recommendations to the President Judge on protocols, policies, and procedures that should be implemented to protect the public, court personnel, and court facilities in the event of an emergency as deemed necessary. See Pa.R.J.A. 1954 (Court Security).

(3) The appropriate entity, as designated below, shall be the custodian of all documentary exhibits and photographs of non-documentary exhibits accepted or rejected during and after court proceedings.

(B) Custody of Documents before and after Common Pleas Court Proceedings.

*(1) Civil and Criminal Proceedings before the Court of Common Pleas.*

(a) Unless directed otherwise herein, the Judicial Support Information Officer on behalf of OJS shall:

(i) retain or take custody of all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceedings.

(ii) formally designate all documentary exhibits, photographs, and photographs of non-documentary exhibits with the Office of Judicial Support Public Access System within five (5) business days of the conclusion of the court proceedings; and

(iii) secure and maintain all other non-documentary exhibits as directed by the Court or agreed to by the parties.

(b) Unless directed otherwise herein, OJS shall be designated as the custodian of all documentary exhibits and photographs of non-documentary exhibits after court proceedings have concluded.

*(2) Civil Arbitration Proceedings.*

(a) In Civil Arbitration proceedings, neither OJS nor the arbitrators are required to retain any exhibits. The documentary and non-documentary exhibits shall not be a matter of record.

*(3) Juvenile Criminal Matters before a Hearing Officer or Judge.*

(a) If an exhibit is admitted into evidence, the Hearing Officer or Judge, in conjunction with the Juvenile Court Information Officer, shall file the documents in an envelope marked with the appropriate case ID. The envelope shall be placed in the Juvenile Court file.

(b) The Hearing Officer or Judge, in conjunction with the Juvenile Court Information Officer, shall retain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceedings, such shall be a matter of record.

(c) The Juvenile Court Information Office shall act as the custodian of all documentary and non-documentary exhibits unless otherwise directed herein.

*(4) Domestic Relations Proceedings before a Judge.*

(a) During Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit shall be the custodian of the documentary exhibits, and such shall be a matter of record.

(b) In Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit shall retain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceedings unless otherwise directed herein.

(c) In Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit, shall prepare the Index of Exhibits and file the Index of Exhibits within the court file.

(d) After Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit shall secure and maintain all exhibits and shall act as the custodian of records.

(e) The Domestic Relations Court Unit shall comply with any and all requirements of the PACSES systems.

*(5) Proceedings before Divorce/Custody/Support Hearing Officers.*

(a) In proceedings before the Divorce/Custody/Support Hearing Officer, neither OJS nor the Hearing Officer are required to retain any exhibits. The documentary and non-documentary exhibits shall not be a matter of record.

*(6) Proceedings before Orphans' Court.*

(a) During proceedings before the Orphans' Court, the Register of Wills, in conjunction with the Judicial Support Information Officer on behalf of OJS, shall be the custodian of the documentary exhibits, and such shall be a matter of record.

(b) In proceedings before the Orphans' Court, the Register of Wills, in conjunction with the Judicial Support Information Officer on behalf of OJS, shall retain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceedings unless otherwise directed herein.

(c) In proceedings before the Orphans' Court, the Judicial Support Information Officer on behalf of OJS shall prepare the Index of Exhibits and file the Index of Exhibits with the exhibits in the Register of Wills File.

(d) After proceedings before the Orphans' Court, the Register of Wills shall secure and maintain all exhibits and shall act as the custodian of records.

(e) After proceedings before the Orphans' Court relating to Termination of Parental Rights, OJS shall secure and maintain all exhibits and shall act as the custodian of records.

*(7) Children and Youth Services ("CYS")/Dependency Proceedings before a Hearing Officer or a Judge.*

(a) In proceedings involving CYS or Dependency before a Hearing Officer or a Judge, the Judicial Support Information Officer on behalf of OJS shall maintain all exhibits and records.

**Rule 5104. Custody of Exhibits. Special Provisions.**

(a) Any custodian accepting exhibits shall maintain the Index of Exhibits during court proceedings. Such custodian shall use the form supplied by Court Administration which shall be in the following format:

**Index of Exhibits**

<i>Exhibit Number/Description/Title Proponent Admitted Rejected</i>	<i>Sealed by Court</i>	<i>Confidential Information Sheet (If required)</i>
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(b) If statutorily required, the proponent shall include a Confidential Information Form or Confidential Document Form for any exhibit offered into evidence that contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. These forms shall be given by the proponent to the applicable

custodian at the time the evidence is introduced and maintained by the custodian in the file.

*(c) Documentary Exhibits: Generally*

(1) If a document is larger than 8-1/2 x 11 inches, the Judicial Support Information Officer on behalf of the Office of Judicial Support (hereinafter "OJS") shall be

provided with a copy of the same sized 8-1/2 × 11 inches. Items larger than 8-1/2 × 11 may be used for illustration during the court proceedings.

(2) Media depositions presented at trial shall remain in the proponent's possession. The proponent shall simultaneously submit a transcript of the deposition as an exhibit in the form of a zip drive, flash drive, or compacted disc.

(3) Any digital exhibit that cannot be printed (i.e., audio or video recording) shall be entered into the record in OJS public access system, flash drive, or other format if expressly approved by the court. If one party has multiple digital exhibits, they may be submitted together on one USB flash drive.

(d) *Non-documentary Exhibits: Generally*

(1) If the exhibit is bulky, oversized, or contains contraband including but not limited to controlled substances, narcotics, or weapons, either OJS, the District Attorney Evidence Custodian, Court Information Office for Juvenile matters, Orphans' Court and Domestic Relations Unit, or the proponent shall retain custody of the exhibit as directed by the Court.

(2) If any Exhibits are weapons, narcotics, controlled substances, or other contraband, it shall be placed in the evidence room where the District Attorney Evidence Custodian signs an evidence log form acknowledging receipt of same. Thereafter, the form shall remain in the file.

(3) Bulky, oversized Exhibits that do not require the services of the District Attorney Evidence Custodian shall be retained by the Judicial Support Information Officer on behalf of OJS, or Court Information Office for Juvenile matters. Thereafter, such evidence shall be identified on an evidence log form and placed in the file.

**Rule 5105. Confidentiality. Exhibits Under Seal.**

(a) The Proponent of an exhibit containing confidential information or confidential documents, as defined in the Case Records Access Policy of the Unified Judicial System of Pennsylvania (Policy), shall include a confidential document form, prepared in compliance with the Policy, so the exhibit may be sealed by the Records Office.

(b) Exhibits sealed by the Court during the Court proceedings shall not be accessible by the public.

(c) The Custodian or Records/filing Office, as may be applicable, shall maintain all non-documentary evidence

(1) in a Civil, Orphans' Court or Domestic Relations matter until the later of the expiration of the appeal period from the final disposition of the case, as otherwise required by any applicable retention schedule, law, rule, regulation or policy, or as directed by the Court;

(2) in Criminal and Juvenile Court proceedings until the later of the expiration of any applicable retention schedule, law, rule, regulation or policy, or as otherwise directed by the Court.

*Effective Date:* This Rule shall be effective April 1, 2024.

[Pa.B. Doc. No. 24-462. Filed for public inspection April 5, 2024, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### MIFFLIN COUNTY

#### Adoption of Local Rules 5101, 5102, 5103 and 5105 Custody of Exhibits; CP-44-CV-2-2024

##### Administrative Order

*And Now*, this 22nd day of March, 2024, with respect to the Mifflin County Local Rules of Court, the Court hereby *Orders* the following:

The following new Mifflin County Local Rules of Court, 5101, 5102, 5103 and 5105 are hereby *Adopted* and shall become effective thirty (30) days after publication of same in the *Pennsylvania Bulletin*.

##### Rule MC5101. Definitions.

(a) Any word or phrase used in these local rules that are defined in Pa.R.J.A. 5101(a) shall have the meaning and definition as set forth in Pa.R.J.A. 5101(a)(1)—(7), unless the context clearly indicates otherwise, or the particular word or phrase is expressly defined in the local rule in which the particular rule is included.

(b) For any words and phrases not defined in Pa.R.J.A. 5101, a meaning may be discerned through examination of its dictionary definition and its legal meaning may be gleaned from its use in an applicable body of law.

##### Rule MC5102. Custody of Exhibits. General Provisions.

(a) *During Court Proceedings.* The Court Reporter shall be designated as custodian of all documentary exhibits and photographs and non-documentary exhibits accepted or rejected during court proceedings. The custodian shall secure and maintain all exhibits during a court proceeding, including breaks and recesses. However, if the Court Reporter is not present during the court proceeding, such as if the proceeding is being electronically and/or digitally recorded, the Digital Court Recorder serving that courtroom shall be designated as such custodian, and shall, immediately upon the conclusion of the proceeding, deliver such exhibits to the custody of the Court Reporter.

(b) *After Court Proceedings.* The Court Reporter shall be designated as the custodian of all documentary exhibits and photographs and all non-documentary exhibits accepted or rejected during the court proceedings after the court proceedings have concluded.

(1) *Custodian.* The custodian shall:

(i) retain and take custody of all documentary exhibits, photographs, and non-documentary exhibits accepted or rejected during the court proceeding;

(ii) within five (5) business days, file of record with the Prothonotary, Clerk of Court, Clerk of the Orphans' Court in the case file, a numbered list of exhibits, and for each exhibit identify the proponent, whether the exhibit was admitted or rejected from evidence, and a textual description or identification of the exhibit;

(iii) immediately secure all such exhibits in a secured and locked vault provided to the Court Reporter for such purposes, with access thereto to be provided only under the control and supervision of the Court Reporter, the Court Administrator and the Deputy District Court Administrator, unless otherwise directed by the court.



**Rule MC5103. Custody of Exhibits. Special Provisions.**(a) *Documentary Exhibits.*

(1) If a proponent offers into evidence an exhibit such as a letter, report, drawing, map, photograph, or other document that is larger in size than 8-1/2 × 11 inches, the proponent may provide a copy reduced to 8-1/2 × 11 inches for entry into the record.

(2) A proponent who provides a reduced copy of an oversized exhibit shall ensure that the reproduced document is clear and capable of further reproduction or transfer to digital media.

(b) *Photographs.*

(1) If a proponent offers into evidence a photograph, the proponent shall ensure the original or a copy of the photograph in lieu of the original (no larger in size than 8-1/2 × 11 inches) is entered into the record.

(2) A proponent who provides a copy of a photograph shall ensure the reproduced document is clear and capable of further reproduction or transfer to digital media.

(c) *Non-documentary Exhibits: Generally.*

(1) If a proponent offers into evidence a non-documentary exhibit, the proponent may be directed to provide a photograph (no larger in size than 8-1/2 × 11 inches) of the exhibit to be entered into the record.

(2) A proponent who provides a photograph of a non-documentary exhibit shall ensure the photograph is clear and capable of further reproduction or transfer to digital media.

(3) If the exhibit is bulky, oversized, or otherwise physically impractical for the Court Reporter or Digital Court Recorder to maintain, the Court may direct the proponent offering the exhibit to maintain and secure the exhibit during the court proceeding.

(d) *Non-documentary Exhibits: Weapons, Contraband, Hazardous Materials.*

(1) In any proceeding in which weapons, cash, other items of value, drugs, or other dangerous materials are offered into evidence, the Court Reporter or Digital Court Recorder shall secure the exhibits while the court proceeding is in session as well as during all breaks and recesses.

(2) During the proceeding, the Court Reporter or Digital Court Recorder shall exercise all appropriate safeguards necessary to protect the public based on the nature of the exhibit.

(3) Exhibits comprised of weapons, cash, other items of value, drugs, or other dangerous materials are prohibited from viewing in the jury room. The Court may direct alternative viewing arrangements for such exhibits upon the request of the jury.

(e) *Use of Digital Media.* A proponent shall ensure an exhibit in digital format entered into the record is in a format acceptable to the Court.

(f) *Duplicates.* The Court may direct the original item, and not a duplicate, be entered into the record.

**Rule MC5105. Confidentiality. Exhibits Under Seal.**

(a) If an exhibit offered into evidence contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania (“Policy”), the Court may

direct the exhibit be sealed and a certification prepared in compliance with the Policy be affixed thereto.

(b) Any exhibit sealed by the Court shall not be accessible to the public.

*By the Court*

AARON L. GINGRICH,  
*President Judge*

[Pa.B. Doc. No. 24-463. Filed for public inspection April 5, 2024, 9:00 a.m.]

**Title 255—LOCAL COURT RULES****MONROE COUNTY****Local Civil Rule 500 Rescinded and Replaced;  
5 CV 2024****Amended Order**

*And Now*, this 22nd day of March, 2024, it is *Ordered* that the following Monroe County Civil Rule 500 (Monroe Co.R.Civ.P. 500) is rescinded in its entirety and replaced by Monroe County Rules of Judicial Administration 5101 to 5104 (Monroe Co.R.J.A. 5101—5104), effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

*By the Court*

MARGHERITA PATTI-WORTHINGTON,  
*President Judge*

**Rule 500. Disposition of Evidence.**

Within thirty (45) days from the date that an action is finally concluded, each party which has introduced evidence during a hearing at the trial of a matter shall recover their trial exhibits from the court reporter.

If a party has not recovered an exhibit or exhibits offered at trial within sixty (60) days from the date the action is finally concluded, the court reporter shall notify counsel for the parties, or the parties themselves if they do not have counsel, in writing by U.S. first class mail at their addresses of record, that the exhibits will be destroyed thirty (30) days thereafter.

If the exhibits are not retrieved during that time period, the court reporter shall destroy or otherwise dispose of the exhibits.

[Pa.B. Doc. No. 24-464. Filed for public inspection April 5, 2024, 9:00 a.m.]

**Title 255—LOCAL COURT RULES****MONROE COUNTY****Local Rule of Judicial Administration 5101 to 5104  
Amended; 5 CV 2024****Order**

*And Now*, this 22nd day of March, 2024, it is *Ordered* that Monroe County Rules of Judicial Administration 5101 to 5104 (Monroe Co.R.J.A. 5101—5104) are amended as indicated in the following document, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

*It Is Further Ordered* that the District Court Administrator shall:

1. File one (1) electronic copy of these Rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2. File two (2) paper copies of this Order and Rules with the Legislative Reference Bureau and one (1) electronic copy in Microsoft Word format only via email to bulletin@palrb.us for publication in the *Pennsylvania Bulletin*.

3. Arrange to have these Rules published on the Monroe County Bar Association website at www.monroebar.org.

4. Arrange to have these Rules, as well as all local rules, published on the 43rd Judicial District website at www.monroepacourts.us.

5. Keep these Rules, as well as all local rules of this Court, continuously available for public inspection and copying in the respective Monroe County filing office.

a. Upon request and payment of reasonable cost of reproduction and mailing, the respective filing office shall furnish to any person a copy of any local rule.

By the Court

MARGHERITA PATTI-WORTHINGTON,  
President Judge

**Rule 5101. Custody of Exhibits in Court Proceedings.**

(a) Matters regarding exhibits not addressed in these Local Rules shall be governed by Pa.R.J.A. 5101— [ 5104 ] 5105.

**Rule 5102. Custody of Exhibits. General Provisions.**

(a) *During Court Proceedings.* The Court Reporter/Recorder/Monitor shall be the Custodian of all exhibits admitted or rejected during a Court Proceeding, including breaks and recesses, except:

(1) The Proponent shall secure all non-documentary exhibits that are bulky, oversized, or physically impractical for the Court Reporter/Recorder/Monitor to maintain, or evidence that is weapons, cash, items of value, drugs, or dangerous materials, while the Court Proceeding is in session, and during all breaks and recesses.

(2) In advance of a Court Proceeding, the Proponent shall prepare a photographic copy of all potential non-documentary exhibits pursuant to Pa.R.J.A. 5103(b) for submission to the Court Reporter/Recorder/Monitor at the conclusion of the Court Proceeding in accordance with all applicable Local Rules.

(3) The Proponent shall include a Confidential Information Form or Confidential Document Form for any exhibit offered into evidence that contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. These forms shall be given by the Proponent to the Court Reporter/Recorder/Monitor at the time the evidence is introduced.

(b) *After Court Proceedings.*

(1) *Custodian.* After the close of Court Proceedings:

(i) *Documentary Exhibits*—The Court Reporter/Recorder/Monitor shall be the Custodian of all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected. The Court Reporter/Recorder/Monitor shall take custody of, secure, and maintain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the Court proceeding in a format approved by the Court;

(ii) *Non-Documentary Exhibits*—The Proponent of all non-documentary exhibits, including but not limited to bulky or oversized exhibits, weapons, cash, items of value, drugs, or dangerous materials shall secure said exhibits after Court Proceedings and maintain same as required by all applicable retention schedules, statutes, rules, regulations, and policies, or until further order of the Court. The Proponent shall not modify, tamper with or otherwise permit the degradation of any non-documentary exhibit.

(2) *Index of Exhibits.* Within five days of the conclusion of a Court Proceeding, the Court Reporter/Recorder/Monitor shall file with the appropriate filing office an index of exhibits, which shall include for each exhibit the proponent, whether the exhibit was admitted into evidence, and a textual description or identification of the exhibit. The Court Reporter/Recorder/Monitor shall use the Index of Exhibits Template included below.

[ “INDEX OF EXHIBITS TEMPLATE” ]

COURT OF COMMON PLEAS OF MONROE COUNTY  
43RD JUDICIAL DISTRICT  
COMMONWEALTH OF PENNSYLVANIA

[Case Caption]

:  
:  
:  
:

[Case Number]

**INDEX OF EXHIBITS**  
**PURSUANT TO PA.R.J.A. 5102(b)(2)**

COURT REPORTER/RECORDER/MONITOR: \_\_\_\_\_  
DATE OF PROCEEDING: \_\_\_\_\_  
TYPE OF PROCEEDING: \_\_\_\_\_  
PRESIDING JUDGE: \_\_\_\_\_

*NOTE:* The images of the exhibits listed below are maintained separately and in accordance with all applicable retention schedules, statutes, rules, regulations, and policies, and Monroe County Local Rules of Judicial Administration.

<i>Exhibit:</i>	<i>Party:</i>	<i>Description: Indicate in this field whether Proponent submitted Confidential Document/Information Form with the Exhibit</i>	<i>Admitted?</i>	<i>Non-Documentary Exhibit?</i>

[Attach Additional Pages as Needed]

**Rule 5103. Custody of Exhibits. Special Provisions.**

- (a)—(d) *Reserved.*
- (e) *Use of Digital Media.* The Proponent of any exhibit shall ensure such exhibit, or photographic substitution thereof, is submitted to the Court Reporter/Recorder/Monitor on a Universal Serial Bus (USB) flash drive (or other storage device if expressly approved by the Court), which shall contain an index of all exhibits on said device, in one of the following acceptable formats:
  - (1) For documents and photographs, all files shall be in PDF-A format;
  - (2) For audio, all files shall be in .mp3 format;
  - (3) For video, all files shall be in .mp4 format or, in the event that a Proponent receives from a third party a video file that is not convertible (e.g. Motor Vehicle Recordings (“MVRs”)), the Proponent shall include on the USB with the video file, the appropriate software required to view the video.

*Comment:* This provision shall be phased in over time but no later than [ **January** ] **July** 1, 2025 to enable counsel to meet the requirements of this provision.

**Rule 5104. Local Rule. Prohibition.**

- (a) *Reserved.*
- (b) *Optional Provision.* Support, Divorce, Juvenile, and Dependency Hearing Officer hearings, being proceedings of record upon which exceptions or objections can be filed, are specifically excepted from the provisions of this chapter.

[Pa.B. Doc. No. 24-465. Filed for public inspection April 5, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### TIOGA COUNTY

#### Adoption of Local Rules of Criminal, Juvenile and Civil Procedure—Custody of Exhibits; No. 42 MS 2024

##### Order of Court

*And Now*, this 25th day of March 2024, effective April 1, 2024 or thirty (30) days after publication in the *Pennsylvania Bulletin*, in accordance with Pa.R.J.A. 5101—5105, which address Exhibit Retention and were issued by an Order of the Pennsylvania Supreme Court (to take effect on April 1, 2024), the Local Rules of the Tioga County Court of Common Pleas are hereby amended to include the new local rules 5102 and 5103 which are set forth as follows.

The Tioga 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. Incorporation of the local rule into the set of Tioga County local rules within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.
4. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

*By the Court*

GEORGE W. WHEELER,  
*President Judge*

##### Rule 5102. General Provisions.

Local Rules 5102 and 5103 are issued to align Tioga County Court of Common Pleas practice and procedure with Pa.R.J.A. 5101—5105. Reference to Pa.R.J.A. 5102—5105 shall be made when interpreting Tioga County Local Rules 5102 and 5103 and when determining the procedure and practice for Exhibit Retention in Tioga County.

The court recorder/monitor or court reporter for all, or a portion, of a court proceeding shall be designated as the “Custodian,” as defined by Pa.R.J.A. 5101(a)(2), for all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted during the court proceeding.

(a) If only one custodian is involved with a proceeding, they shall file with the appropriate records office (Prothonotary/Clerk of Courts or Orphan’s Court) all submitted exhibits, with the exception of non-documentary exhibits, and index of exhibits within 5 business days of the conclusion of the proceeding.

(b) The proponent shall assure that document evidence is in a format, including size and material, that is compatible with being filed and easily stored by the records office. If, due to the nature of the proceeding and the requirement that an oversized or undersized document exhibit be entered into evidence that is not easily capable of storage by the records office, then the records office may request that alternate measures be undertaken

for storage of this document evidence, including that the proponent retain custody in conformance with Rule 5103 for physical evidence.

(c) If multiple custodians are involved with a proceeding, the first custodian shall provide the subsequent custodian (and so on, if more than two custodians) with the submitted exhibits and index of exhibits. The custodian at the conclusion of the proceeding shall file with the appropriate records office all submitted exhibits and index of exhibits within 5 business days of the conclusion of the proceeding.

##### Rule 5103. Custody of Exhibits. Special Provisions.

(a) The proponent (party that moved Exhibit into evidence) shall retain custody of physical evidence (including, but not limited to weapons, cash, other items of value, drugs, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits at all times during and after a court proceeding. The court may issue an order in exceptional circumstances for the court to retain said exhibits.

(1) These non-documentary exhibits must be photographed by the proponent, converted to a letter sized document, and appropriately marked and produced during the court proceeding for inclusion in the documentary record.

(2) Digital media such as CDs, thumb drives, etc. shall also be retained by the records office.

(3) Unless otherwise provided by the presiding judge, at the conclusion of the court proceeding, non-documentary evidence shall be returned to the proponent for safekeeping.

(4) Document exhibits shall be retained by the records office in accordance with existing authority for record retention.

(5) Non-documentary exhibits such as, but not limited to, knives, firearms, drugs, car parts, etc., shall be held by the proponent until an appropriate order such as: Order for Forfeiture; Order for Destruction; Order for Return, etc. is obtained. When addressing such a request the court will consider the nature of the action, the status of the proceedings including whether there is an active appeal or the potential for future litigation and the position of the opposing party.

(b) Any digital exhibit that cannot be printed (i.e., audio or video recording) shall be entered into the record on a Universal Serial Bus (USB) flash drive (or other format if expressly approved by the court). If one party has multiple digital exhibits, they may be submitted together on one USB flash drive.

(c) Any exhibit containing confidential information or equivalent to any of the categories enumerated in Pa. Access Policy § 8.0 shall include a Confidential Document Form so that the document can be properly sealed by the record office.

##### iii. Exceptions:

Excluded from the requirements of these Exhibit Retention Local Rules are record hearings that may be appealed de novo to a court of common pleas or upon which exceptions or objections can be filed to a court of common

pleas from the provisions of this chapter, such as: proceedings before hearing officers in divorce, custody, support, delinquency, and dependency matters.

[Pa.B. Doc. No. 24-466. Filed for public inspection April 5, 2024, 9:00 a.m.]

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**DISCIPLINARY BOARD  
OF THE SUPREME COURT**

**Notice of Disbarment**

Notice is hereby given that James Charles Bailey, A/K/A James C. Bailey, (# 69086), having been disbarred

in the District of Columbia Court of Appeals, the Supreme Court of Pennsylvania issued an Order March 21, 2024, disbarring James Charles Bailey, A/K/A James C. Bailey, from the Bar of this Commonwealth, effective April 20, 2024.

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. 24-467. Filed for public inspection April 5, 2024, 9:00 a.m.]

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