

The Legal Intelligencer

THE OLDEST LAW JOURNAL IN THE UNITED STATES 1843-2025

PHILADELPHIA, THURSDAY, AUGUST 14, 2025

VOL 270 • NO. 156

An ALM Publication

LEGAL LISTINGS COURT NOTICES

COMMONWEALTH OF PENNSYLVANIA OFFICE OF ATTORNEY GENERAL

DAVID W. SUNDAY, JR.
ATTORNEY GENERAL

August 12, 2025

Torts Litigation
1600 Arch Street, Suite 300
Philadelphia, PA 19103
(856) 816-0927 (cell)
cgreenhall@attorneygeneral.gov

Honorable Daniel J. Anders
Administrative Judge
Room 516, City Hall
Philadelphia, PA 19107

Re: Pennsylvania Office of Attorney General network outage

Dear Judge Anders,

The computer network that hosts the Pennsylvania Office of Attorney General's systems has been down since August 11, 2025. Office of Attorney General staff are unable to access any litigation data, which prevents our attorneys from contacting witnesses, timely responding to pleadings, conducting discovery, or otherwise proceeding with litigation. IT staff are working diligently to identify and resolve the problem, but we are unable to access our computer systems for the foreseeable future. Since the Office of Attorney General's website is down, information on the ongoing situation is available on our social media: <https://x.convPAAttorneyGen>.

In the interest of safeguarding the rights of the parties in all litigation pending in the Court of Common Pleas - Trial Division, I respectfully request that all cases in which an attorney from the Pennsylvania Office of Attorney General has entered his or her appearance be stayed and placed into deferred status for at least 30 days, unless the Office of Attorney General notifies the Court sooner that its network has been restored.

Thank you for your consideration of this request.

Respectfully,
CARA B. GREENHALL
Senior Deputy Attorney General-in-Charge
Torts Litigation Section
Eastern Regional Office

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY TRIAL DIVISION

Administrative Order 9 of 2025

In re: Stay of Litigation for PA Office of Attorney General
ORDER

WHEREFORE, the Court having been made aware of a network outage at the Pennsylvania Office of Attorney General via the attached letter (attached as an Exhibit to this Order), resulting in an inability to access any litigation data, which prevents their attorneys from contacting witnesses, timely responding to pleadings, conducting discovery, or otherwise proceeding with litigation, it is hereby ORDERED and DECREED that all cases in which an attorney from the Pennsylvania Office of Attorney General has entered his or her appearance be stayed for at least 30 days.

It is further ORDERED and DECREED that the Pennsylvania Office of Attorney General provide the Court with a list of their attorneys who have entered their appearance in an active civil case in Philadelphia along with their Pennsylvania Bar ID numbers.

It is further ORDERED and DECREED that as to any new cases to which this Stay applies filed against the Pennsylvania Office of Attorney General while this Stay is in effect, the entry of appearance by the attorney on behalf of the Pennsylvania Office of Attorney General must be accompanied by a Praecept to Stay the Action, together with a copy of this Order.

It is further ORDERED that the Stay shall remain in effect until September 12, 2025 unless the Office of Attorney General notifies the Court before September 12, 2025 that its network has been restored. It is further provided, however, that the Stay may be extended upon the filing of

a motion to extend the Stay and following a hearing. Any motion to extend the Stay shall be filed at least five (5) days prior to the end of the Stay and docketed on Case No. 250801412.

BY THE COURT:
/s/ Daniel J. Anders _____

DANIEL J. ANDERS,
Administrative Judge, Court of Common Pleas
Trial Division, First Judicial District of Pennsylvania
Dated: August 13, 2025

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

In Re: *1303.- Hearing Notice No. 2022-03777

ADMINISTRATIVE ORDER

AND NOW, this 28th day of May 2025, it is hereby ORDERED and DECREED that Rule *1303. is hereby RESCINDED and the attached Rule *1303. regarding Hearing Notices, is hereby adopted and effective immediately upon publication in the Pennsylvania Bulletin.

IT IS FURTHER ORDERED that in accordance with 201 Pa. Code Rule 103, the Solicitor for Internal Management shall:

- (a) File one (1) certified copy of this Order with the Administrative Office of the Pennsylvania Courts;
- (b) File two (2) certified copies of this Order with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin;
- (c) Publish a copy of this Order on the website of the Delaware County Court of Common Pleas;
- (d) File one (1) certified copy of this Order with the Office of Judicial Support of the Court of Common Pleas of Delaware County; and
- (e) Forward one (1) copy of this Order for publication in the Delaware County Legal Journal.

By the Court
Linda A. Cartisano
President Judge

Pursuant to Rule *1303., the Rule is hereby amended as follows:

Rule *1303.- Hearing, Notice

(A)(1)

- (i) All arbitration cases will be assigned a date and time for hearing at the time of the initial filing by the plaintiff or appellant from a judgment by a District Justice. In non-Landlord/Tenant matters, the hearing date shall be the first available date no less than 270 days from the date of initial filing. In all cases involving Landlord/Tenant disputes, the hearing date shall be the first available date no more than 120 days from the date of the initial filing.

- (ii) A notice prepared and attached by the Office of Judicial Support shall indicate the hearing time and date, which notice shall be attached at the time of initial filing. The aforementioned notice shall be affixed both to the original and all service copies of the complaint or praecipe for writ of summons or, in the case of appeal from District Justice judgments, the notice of appeal.

Court Notices continues on 6

INSIDE

Common Pleas Court: 3 Civil Listings 4 Criminal Listings 4 Family Court 5 Municipal Court 5 Orphans' Court	36 Public Notices 4 Rules Returnable 5 U.S. Court of Appeals 5 U.S. District Courts 2 Trial List
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DISTRICT COURT**NOTICE**

1. Counsel shall promptly notify the deputy clerk to each judge before whom he/she has a case listed upon becoming attached for trial in another court. To be accorded recognition, a busy slip, using the designated form, MUST be filed in Room 2609 before 1 p.m. on the day after counsel becomes attached.

2. Cases in the trial pools do not necessarily appear in the order in which they will be called. Counsel should therefore be ready to begin trial upon receiving telephone call notice, subject to the following:

- (a) Counsel whose cases are in the pools will be given 48 hours' notice, if feasible, but not less than 24 hours notice to ready for trial with witnesses.
- (b) It is counsel's responsibility to check with each judge's deputy clerk on the status and movement of criminal and civil cases in that judge's pool.
- (c) Counsel will not be required to commence trial less than 24 hours after completing trial of another case.

J. GOLDBERG
Chief Judge

R.A. LLORET, M.J.

M.S. GOLDBERG, CH. J.
COURTROOM 17A

Courtroom Deputy: Sheila McCurry
Phone: (267) 299-7501

SANCHEZ, J.
COURTROOM 14B

Courtroom Deputy: Nancy DeLisle
Phone: (267) 299-7789

P.S. DIAMOND, J.
COURTROOM 14A

Courtroom Deputy: Lenora K. Wittje
Phone: (267) 299-7789

THURSDAY, AUGUST 21, 2025
Change of Plea Hearing

01:30 P.M.

23-cr-0255 USA v. SOTO ORTIZ

Revocation Superv Rls-FinalHrg

11:00 A.M.

07-cr-0003 USA v. YOUNG

SANCHEZ

MONDAY, AUGUST 18, 2025
Jury Trial

09:00 A.M.

25-cr-0015 USA v. ROBERTO

QUINONES ALEJANDRO, J.
Courtroom 8B

Secretary/Civil Deputy: Nicole Phillipi
(267) 299-7460
Criminal Deputy Clerk: Rosalind Burton-Hoop
(267) 299-7467

MONDAY, AUGUST 18, 2025
Dispositional Hearing

10:30 A.M.

09-cr-0623 USA v. GASTON

Sentencing

11:00 A.M.

24-cr-0004 USA v. COBB

WEDNESDAY, AUGUST 20,
2025

Arraignment

03:00 P.M.

25-cr-0321 USA v. GERONIMO

Evidentiary Hearing

10:00 A.M.

24-cr-0325 USA v. MCLAUGHLIN

Motion Hearing

10:00 A.M.

24-cr-0325 USA v. MCLAUGHLIN

FRIDAY, AUGUST 22, 2025

Arbitration Hearing

Jury Selection

09:30 A.M.

18-cv-5418 WILLIAMS v. ELLIOTT et al

21-cv-2290 Elliott v. Williams

SCHMEHL, J.
Courtroom The Gateway
Building Reading, PA
Courtroom Deputy: Brian Dixon
Phone: (610) 320-5099
Reading, PA 19601
3rd flr, Rm. 3041 when in Phila.

TUESDAY, AUGUST 19, 2025
Initial Appearance

02:00 P.M.

25-cr-0314 USA v. LISCHAK

THURSDAY, AUGUST 21, 2025
Sentencing

01:30 P.M.

23-cr-0500 USA v. PEREZ

G.A. MCHUGH, J.
Civil Deputy: Patricia Clark
Phone: 267 299-7301
Criminal Deputy: Christian Henry
Phone: 267-299-7307

TUESDAY, AUGUST 19, 2025
Motion Hearing

10:00 A.M.

25-cr-0145 USA v. BONAPARTE

WEDNESDAY, AUGUST 20,
2025

Sentencing

10:00 A.M.

23-cr-0403 USA v. CANTEY

THURSDAY, AUGUST 21, 2025
Arbitration Hearing

09:30 A.M.

24-cv-6487 SEIBERT v. PENNSYLVANIA CVS PH

BEETLESTONE, J.
Courtroom 10A
Courtroom Deputy: Mike Beck
Phone: (267) 299-7459

KEARNEY, J.
Courtroom 6B
Deputy Clerk: Ulrike Hevener
Phone: (267) 299-7688

TUESDAY, AUGUST 19, 2025
Change of Plea Hearing

09:30 A.M.

24-cr-0326 USA v. SMITH

Detention Hearing

09:30 A.M.

24-cr-0326 USA v. SMITH

THURSDAY, AUGUST 21, 2025
Pretrial Conference/Hearing

12:15 P.M.

24-cr-0326 USA v. SMITH

PAPPERT, J.
Courtroom 11A
Courtroom Deputy: Katie Rolon
Phone: (267) 299-7531

THURSDAY, AUGUST 21, 2025
Arbitration Hearing

09:30 A.M.

25-cv-0252 Adams v. BURLINGTON COAT FACTO

J.F. LEESON, JR., J.
Courtroom Edward Cahn
Federal Bldg Allentown, PA
Courtroom Deputy: Diane Abeles
Phone: (610) 391-7020
Chambers of the Honorable Joseph F. Leeson, Jr.
United States District Court
Eastern District of PA
Edward N. Cahn U.S. Courthouse, Suite 3401
504 W. Hamilton St.
Allentown, PA 18101
4th Flr, Rm. 4000 when in Phila.

FRIDAY, AUGUST 15, 2025
Arbitration Hearing

09:30 A.M.

FRIDAY, AUGUST 22, 2025

09:30 A.M.

24-cv-5504 DAL MASO, LLC et al v. BLUETRI

MONDAY, AUGUST 18, 2025
Change of Plea Hearing

02:00 P.M.

25-cr-0281 USA v. GUEVARA-GUEVARA

Jury Selection

09:00 A.M.

25-cr-0281 USA v. GUEVARA-GUEVARA

C.E. KENNEY, J.
Criminal Deputy: Christopher Kurek
Phone 267-299-7549
Civil Deputy: Shelli MacElderly
Phone 267-299-7540
Chambers of the Honorable Chad F. Kenney,
United States District Court
Eastern District of PA

MONDAY, AUGUST 18, 2025
Change of Plea Hearing

02:00 P.M.

24-cr-0443 USA v. YOUNG

Pretrial Conference/Hearing

09:00 A.M.

25-cv-0174 DAVOS EQUITIES, LLC v. MILES

10:00 A.M.

25-cv-2206 WILKINS v. MASTERY CHARTERY SC

TUESDAY, AUGUST 19, 2025
Pretrial Conference/Hearing

09:00 A.M.

25-cv-2150 MUSTIN v. GROUNDWORKS OPERATIO

09:30 A.M.

25-cv-2608 LIU v. BYRSON et al

10:00 A.M.

25-cv-0866 ALLIED WORLD SURPLUS LINES INS

WEDNESDAY, AUGUST 20,
2025

Sentencing

09:00 A.M.

24-cr-0370 USA v. SESSOMS

THURSDAY, AUGUST 21, 2025
Pretrial Conference/Hearing

10:00 A.M.

25-cv-4258 Lacontora v. THE TRAVELERS IND

J.D. WOLSON, J.
Civil Deputy: Jeannine Abed
Phone: (267) 299-7321
Criminal Deputy: Laura Buenzle
Phone: (267) 299-7239

J.M. YOUNGE, J.
Courtroom 15B
Courtroom Deputy: Dredra Brannan
Phone: (267) 299-7361

WEDNESDAY, AUGUST 20,
2025

Change of Plea Hearing

10:00 A.M.

24-cr-0444 USA v. LEONARD

K. S. MARSTON, J.
Courtroom 16B
Courtroom Deputy: Mark Rafferty
phone: (267) 299-7379

TUESDAY, AUGUST 19, 2025
Motion Hearing

01:00 P.M.

24-cv-3485 WALLACE v. WELLPATH, LLC et al

Sentencing

10:30 A.M.

24-cr-0246 USA v. CARROLL

J. M. GALLAGHER, J.
Courtroom Edward Cahn
Federal Bldg Allentown, PA
Courtroom Deputy: Christine Stein
Phone: (610) 391-7012

TUESDAY, AUGUST 19, 2025

Pretrial Conference/Hearing

11:15 A.M.

25-cv-1591 RAYSOR et al v. AMERICAN SUGAR

Sentencing

01:30 P.M.

25-cr-0076 USA v. BURFORD

WEDNESDAY, AUGUST 20,
2025

Settlement Conference

09:30 A.M.

20-cv-5453 GOOD, et al. v. TRAVELERS PROP

THURSDAY, AUGUST 21, 2025
Change of Plea Hearing

09:30 A.M.

25-cr-0258 USA v. RAMIREZ

PEREZ, J.

COURTROOM 10B

MONDAY, AUGUST 18, 2025

Sentencing

11:00 A.M.

23-cr-0205 USA v. HYDOCK

TUESDAY, AUGUST 19, 2025

Revocation Superv Rls-FinalHrg

11:00 A.M.

20-cr-0038 USA v. GARCIA

WEILHEIMER, J.

Courtroom TBD

Courtroom Deputy: Richard Thieme

Phone: (267) 299-7769

MONDAY, AUGUST 18, 2025

Motion Hearing

12:00 P.M.

02-cr-0260 USA v. MCGRUDER

TUESDAY, AUGUST 19, 2025

Motion Hearing

10:30 A.M.

25-cv-1249 INTERNATIONAL UNION OF PAINTER

H. BARTLE, III, S.J.

Courtroom 16A

Courtroom Deputy: Nicole Spicer

Phone: (267) 299-7389

J. R. PADOVA, S.J.

Courtroom 17B

Courtroom Deputy: Malissa Wolenski

Phone: (215) 597-1178

A. B. BRODY, S.J.

Courtroom 7B

Scheduling/Deputy Clerk: Joseph Walton

Phone: 215-597-3978

ESR-Courtroom Deputy: Jim Scheidt

Phone: 267-299-7439

WEDNESDAY, AUGUST 20, 2025

Show Cause Hearing

11:00 A.M.

21-cv-0705 Ledebur et al v. MCHENRY III e

R. SURREICK, S.J.

8A

Courtroom Deputy: Tashia Reynolds

Phone: (267) 299-7631

C.M. Rufe,S.J.

Scheduling/Deputy Clerk: Kristen Pepin

Phone: (267) 299-7490

Fax: (267) 299-5077

ESR/Courtroom Deputy: Erica Pratt

Phone (267) 299-7499

M. BAYLSON, S.J.

Courtroom 3A

Courtroom Deputy: Lori DeSanti

Phone: (267) 299-7291

TUESDAY, AUGUST 19, 2025

Motion Hearing

10:30 A.M.

22-cv-2389 PLOEGER v. TRUSTEES OF THE UNI

THURSDAY, AUGUST 21, 2025

Sentencing

10:30 A.M.

24-cr-0406 USA v. CAPEHART

T. J. SAVAGE, S.J.

Courtroom 9A

Courtroom Deputy: Alex Eggert

Phone: 267-299-7489

J. H. SLOMSKY, S.J.

Courtroom 13A

Courtroom Deputy: Kelly Haggerty

Phone: (267) 299-7349

TUESDAY, AUGUST 19, 2025

Arbitration Hearing

10:00 A.M.

25-cv-1470

MONDELLI et al v. STATE FARM M

C. S. WELLS, M.J.
Courtroom 3F
Deputy Clerk: Edward Andrews
Phone: (267) 299-7833E.T. HEY, M.J.
Courtroom 3I
Courtroom Deputy: Lara Karlson
Phone: (267) 299-7671L.A. SITARSKI, M.J.
Deputy Clerk: Regina M. Zarnowski
Phone: 267-299-7810

MONDAY, AUGUST 18, 2025

Settlement Conference

10:00 A.M.

24-cv-2527 Burke v. Loparex LLC

24-cv-5690 BULL v. GEO SECURE SERVICES LL

TUESDAY, AUGUST 19, 2025

Settlement Conference

10:00 A.M.

25-cv-0775 SALEM v. NETHEALTH, LLC

THURSDAY, AUGUST 21, 2025

Settlement Conference

10:00 A.M.

25-cv-2005 THOMSON et al v. NESTLE USA, I

REID , M.J.
Courtroom 3C3042 US Courthouse
601 Market Street
Philadelphia, PA 19106Courtroom as assigned
Ian Broderick, Deputy Clerk
(267) 299-7640

Ian_Broderick@paed.uscourts.gov

FRIDAY, AUGUST 22, 2025

Jury Selection

09:00 A.M.

24-cv-1635 THOMAS v. GLP CAPITAL, L.P. et

CARLOS, M.J.

Courtroom Edward Cahn
Federal Bldg Allentown, PA
Courtroom Deputy: Carlene Nice
Phone: (610) 434-3823

FRIDAY, AUGUST 22, 2025

Arraignment

01:30 P.M.

24-cr-0413 USA v. MYLES

STRAW, M.J.
Courtroom 3GCourtroom Deputy: Donna Croce
Phone: (267) 299-7661

ARTEAGA, MJ

Courtroom 3H
Courtroom Deputy: Danielle Hauger
Phone: (267) 299-7421CINQUANTO, M.J.
Courtroom 3DCourtroom Deputy: Jeff Lucini
Phone: 267-299-7751COMMON PLEAS COURT
CASE MANAGEMENT
CONFERENCE LISTCASE MANAGEMENT
PROGRAM
ROOM 613
CITY HALL

Any questions regarding the Case Management Program should be directed to CivilCaseManagement@courts.phila.gov

THU., AUGUST 14, 2025
8 A.M.
0012404-3725J. R. Ronnebaum; R. P.

Chase

Reber v.Hosp. of The Univ of Pennsylvania
G. Ovari; J. Lesser; K. M. Kramer; K. M. Majernik
0022505-0001A. Manohar; J. P. Guinan;
M. Shnayder; T. A. RussekClay v.Roman Catholic Archdiocese of
Philadelphia
H. M. Klein; J. Falkenstein; J. C. Falls; M.E. Demarco; N. M. Centrella; S. A. Orvetz
0032505-0003C. N. Cope; J. J. Waldenberger; T. R. KlineClark v.Temple Univ. Health System Inc.
et al.C. A. Kibler; C. Kearney; C. G. Goebel; R. M. Waddell
0042505-0037T. F. Sacchetta; T. SacchettaMunch v.Ean Holdings, Llc et al.
A. D. Torres; B. P. Gallagher; B. S. Kane; E. A. Weill; J. F. Kampherstein; L. J. Janiczek; N. A. Murphy; R. J. Hafner; T. J. Kepner; W. F. Sperling; W. E. Remphrey0052505-0176C. J. Culleton
Noble et al. v.West Chester Operator, Llc
et al.J. M. Doyle; K. C. Koob; M. A. Mantell
9 A.M.0012502-3337
Harris v.Price0022504-0709A. M. Sorce
Molina v.Centeno et al.C. N. Walto; G. N. Stewart
0032504-0712C. J. Boyle
Jones v.Team Clean Inc.0042504-0713N. C. Kapsimalis
Rivera v.Dorado et al.K. R. McNulty
9:30 A.M.0012503-0690
Napper-Marsh v.SmithC. L. Johnson
0022505-1930J. Bender
Itria Ventures, Llc v.Milan Pharmacy Inc.
et al.0012505-2053M. A. Fleming; S. I. Scuteri
Newlane Finance Company v.GiannarasChiropractic
1 P.M.0012501-2525W. J. Taylor
Northeast Fence & Iron Works Inc. v.39
Degrees NG. J. Kelley
0022502-0582K. Dugan
Blow v.Cohen et al.0032503-0621L. D. Uqddah
Brookside Elite Villas Llc v.HarrisR. V. Ashodian
0042504-0714J. A. Greenberg
Bankhead et al. v.Mjm Construction And
Renovations,C. Browne Jr
0052504-0720
Thomas v.Miles et al.0062505-3016J. Bender
Itria Ventures, Llc v.Tile Importers Inc. et al.

10 A.M.

0012503-0636R. W. Johnson; V. P. Wilson
Brown v.Monroe Operations, Llc et al.C. J. Jones; S. J. Meintel
0022504-0796E. I. Lerner
Frank v.City of PhiladelphiaJ. Giatras
0032504-0797S. T. Brecher
Scott et al. v.Delaware River Waterfront
CorporatioD. L. Mallick; J. P. Morgenstern
0042504-0808R. S. Miller; S. T. Brecher
Stutz v.Lik Management Inc. et al.A. Bender; S. P. Stenson
0052505-2114G. A. Lomax
Reliant Income Fund, Llc et al. v.Next Bank

11 A.M.

0012505-2117A. Chigounis; T. B. Oconnell
Samuels And Son Seafood Co. Inc. v.7201
Sunset Ll

10:15 A.M.

0012505-2118A. Chigounis; T. B. Oconnell
Samuels And Son Seafood Co. Inc. v.7201
Sunset Ll

10:30 A.M.

0012502-0584A. T. Kravitz
U.S. Bank Trust National Association, As
Trustee O v.7201 Sunset Ll0022503-0712E. R. Grady
Odk Capital Llc v.Santosso Construction
Inc. et al.

10:45 A.M.

0012505-2506J. K. Daniels
Daniels et al. v.Surrogate ServicesInternational L
11 A.M.0012504-0898E. E. Pine
Rhodes v.Irons et al.L. D. James
0022504-0905L. G. Metzger
Gerban et al. v.VargasA. Bender
0032504-0907J. N. Manis; K. Bates; M.C. Fallings
0042505-0449S. O. Schindler
Janssen et al. v.Shirker et al.

B. A. Post; G. M. Samms; J. M. Becker; J.

0052505-0495E. C. Wilson
HoxhaUs Bank National Association As Indenture
Trustee v.Vargas

11:15 A.M.

0012505-2765P. D. Berger
12 Sg Assoc. Llc v.1201

et al.
M. L. Fink; R. P. Lopez
0032504-1097 G. P. Heslin
Webb v. Yeager

0042504-1107 M. I. Simon
Tito v. Rossman
M. R. Aguilera-Seara

0052504-1117 M. E. London
Schaible et al. v. Rhythm Ambulance Inc. et al.
K. M. Obrien

0062504-1119 A. M. Kroupa
Brown et al. v. Pacitti Brothers Construction
et al.
M. L. Razzano

RULES RETURNABLE

TUE., AUGUST 19, 2025
1 P.M.

0012501-0137 G. M. Beers
Abgaryan v. American Modern Property And
Casualty
0022501-1418 L. J. Janiczek
James v. Brooks et al.
A. R. Benedict; J. S. Kaner; M. S.
Friedman; R. D. MacMahon

0032501-2749 S. J. Herczeg
Santaguida et al. v. Kennedy-Lane

0042501-3397 A. M. Marth; J. E.
Beasley Jr
Wuchter et al. v. Lehigh Valley Hosp. -
Cedar Cre
G. S. Nesbitt; L. B. Shannon

0052502-1164 D. A. Berlin; G.
Schafkopf; M. B. Weisberg
Mims v. Green et al.

0062502-1527 S. M. Lipschutz
Bonamico v. Whaleco Inc. et al.
B. R. Grossman

0072502-2501 E. G. Zajac
Proffitt et al. v. Pennrose Management, Co.
et al.
K. R. Jalali

0082502-3623 N. M. Murawsky; S. B.
Barrett
Booker v. City of Philadelphia C/O City of
Philadelphia
S. Kirby; T. J. Gregory

**FAMILY COURT
DIVISION**

AUGUST 14, 2025
ADMINISTRATION AND
MISCELLANEOUS
1501 ARCH ST.
MURPHY, A.J.

JUVENILE BRANCH
FAMILY COURT BUILDING
1501 ARCH ST.
Juvenile Justice Service Center
YSM MASTER
Courtroom-3G
JCHO SHULER (M,W-F 9:30

A.M.) (T,TH 12:30 P.M.)
3E CASES HEARD IN 3G
Courtroom--4A
JCHO CICCONE (W,TH Only)
Courtroom--4B
JCHO GIUSINI (Ex TH)
Courtroom--4C
GREY, J.
Courtroom--4D
MCCABE, J. (Ex M)
Courtroom--4E
FERNANDES, J. (Ex TH)
Courtroom--4G
IRVINE, J. (Ex W)

KRISTIANNSON, J. (W Only)
Courtroom--5A
BARISH, J. (M Only)
Courtroom--5B
MCLAUGHLIN, J. (Ex T,TH)
Courtroom--5C
CANTY, J.
Courtroom--5D
WASHINGTON, J.
Courtroom--5E
MCLAUGHLIN, J. (T,TH Only)
IRVINE, J. (W Only)
Courtroom--5F
FURLONG, J.
Courtroom--5G
JCHO STOKES
Courtroom--6H
GORDON, J.
JCHO MCCULLOUGH (T
Only)
JCHO CICCONE (F Only)
DOMESTIC RELATIONS/
FAMILY COURT BUILDING
1501 ARCH ST.
Courtroom--3A
SANDHER, J.
Courtroom--3C
JACKSON, J.
Courtroom--3D
PALMER, J. (Out)
Courtroom--3E
JOHNSON, J. (Ex F)
Courtroom--3F
MALLIOS, J. (Ex T)
Courtroom--4F

KRISTIANSSON, J.
Courtroom--6A
LITWIN, J.
Courtroom--6B
FANNING, J. (Ex M)
Courtroom--6C
FORD, J.
Courtroom--6D
WAHL, J.
Courtroom--6E
PAPADEMETRIOU, J.
Courtroom--6F
SULMAN, J. (Out)
Courtroom--7B
CHEN, J.

CRIMINAL TRIAL DIVISION

THURSDAY, AUGUST 14, 2025
Room 505-PALUMBO, J.
Araus, Carnell (Def. Assoc.)
Brown, Kevin (Def. Assoc.)
Gonzales, David (Def. Assoc.)
Holmes, Isaiah
John, Gerena (McCrae-Kane, Kendra)
Moragne, Shacor T. (Def. Assoc.)
Myers, Marquise (Steinberg, S. Philip)
Porter, Shaune (Defender, Public)
Sexton, Thomas J. (Def. Assoc.)
Soto, Daniel (Lesh, Peter J.)
Stowe, Justin (Def. Assoc.)
Williams, Don (Def. Assoc.)
Williams, Kevin (Def. Assoc.)

Room 507-MCDERMOTT, J.
Buce, Gia (Server, Gary Sanford)
Hack, Richard (Campbell, R. Christopher)
Kirby, Edward A. (Amorillo, Gina A.)
Lane, Earl (Def. Assoc.)
Long, Butch (Schwartz, Karl David)
Miller, Carl (Yacobian, George Setrag Jr.)
Pickens, Lawrence (Himebaugh, Teri B.)
Pone, Daria (Server, Gary Sanford)
Rains, Anthony Clinton (Tarpey, Timothy J.)
Robinson, Nayshell (Server, Gary Sanford)

Room 602-LIGHTSEY, J.
Allen, Keith T. (Def. Assoc.)
Iannelli, Mike A. (Def. Assoc.)
Stroud, Richard (Def. Assoc.)

Room 607-EHRLICH, J.
Antwon, Terrell (Foster, Edward Joseph)
Brown, Roland (Foster, Edward Joseph)
Carter, Terrell K. (Himebaugh, Teri B.)
Dorsey, Nathaniel (Wimmer, Lauren A.)
Evans, Chad (Def. Assoc.)
Heard, Walter (Barris, David W.)
Hill, Shawna R. (Schwab, Elizabeth Jane)
Jean, Collins S. (Def. Assoc.)
Reaves, Nyheim (Mosser, Todd Michael)
Rivera, Alexander (Fuschino, Richard John Jr.)
Tutira, Tolksis (Def. Assoc.)

Room 702-HANGLEY, J.
Diaz, Gabriel (Montroy, Andrew David)
Griffin, Jahcere J. (Capek, Justin Charles)
Ocasio, Angel (Sigman, Scott Philip)
Parks, Eddie (Ward, Annemarie Elizabeth)
Rivera, Jorge (Thomas, Melissa Diane)
Sharp, Matthew (Def. Assoc.)
Sherman, Nathaniel (McCrae-Kane, Kendra)
Smith, Kaman N. (Burke, Thomas F.)
Stowe, Alfred (Def. Assoc.)

Turner, Darryl (Osei, Nana Yaw Adom)
Uqdah, Montez (Abdul-Rahman, Qawi)
Room 704-SABATINA, J.
Butler, Damon (Def. Assoc.)
Cirino-matos, Jonas (Rainey, Debra Denise)
Ebron, Keith (Def. Assoc.)
Francis, John R. (Def. Assoc.)
Jackson, Jeremiah (Def. Assoc.)
Lewis, Taleah (McDermott, Michael L.)
Scott, Marc (Def. Assoc.)
Smith, Jimmy (Def. Assoc.)
Smith, Serrine (Kelly, Joseph Kevin)
Thomas, Timothy (Def. Assoc.)
Vasilyeva, Svetlana (Sigman, Jeffrey Allen)
Walters, Lynell (Def. Assoc.)

Room 707-CAMPBELL, J.
Champion, Jamal (Kadish, Jason Christopher)
Hogan, Anthony (Johnson, Shaka Mzee)
Rivera-pagan, Victor (Altschuler, Jonathan R.)
Robinson, Troy (Amorillo, Gina A.)
Tran, John (Server, Gary Sanford)
Velaquez, Samuel D. (Johnson, Shaka Mzee)

Room 801-BRYANT-POWELL,
J.
Adams, Thomas (Mischak, David B.)
Barr, Kyheir (Def. Assoc.)
Harvey, Malik (Def. Assoc.)
Purvis, Reginald (Osei, Nana Yaw Adom)
Riggs, Michael (Def. Assoc.)
Riggs, Michael V. (Def. Assoc.)
Rivera-saez, Jesus (Def. Assoc.)
Rodriguez, Carlos (Def. Assoc.)

Room 802-CLEMONS, J.
Albreo, Elbin (Def. Assoc.)
Gann, Simon (Gamburg, Robert Marc)
Jackson, Jermel (Boyd, Matthew Christopher)
Jones, Michael D. (McKenna, Emily Dust)
Mease, Dennis (Stein, Gerald A.)
Meskimen, Jessica John
Temple, Qadir (Defender, Public Philadelphia)

Room 804-SAWYER, J.
Baez, Carlos (Def. Assoc.)
Billings, Michael (Def. Assoc.)
Harvey, Tariq (George, Henry Jr.)
Hendricks, Andre (Def. Assoc.)
McCoy, Anjhair (Duckett, Cowan Lee Jr.)
Tirado, Jose (Savino, Louis Theodore Jr.)

Room 805-ROSS, J.
Birkett, Anaiyah (Odza, Frances M.)
Bivings, Jordan
Black, Raesah (Burke, Thomas F.)
Carter, Eric
Chamberlain, David (Def. Assoc.)
Chatmon, Andrew C. C. (Def. Assoc.)
Compton, Alexander (Pagano, Gregory Joseph)
Cruz, Alex
Dockery, Abdul-reheem
Eck, Timothy R. (Levin, Andrew Joseph)
Edmondson, Christopher
Goode, Jamil (Def. Assoc.)
Goodwin, Elan
Hall, David
Hamp, Jared L. (Boyd, Matthew Christopher)
Harris, Tynisha (Def. Assoc.)
Kennedy, Chal (Finestone, Aaron Charles)
Polk, Jalen C. (Savino, Louis Theodore Jr.)
Rannels, Khalil
Robinson, Wayne D. (Def. Assoc.)
Rosario, Romer (Sanita, Amato T.)
Salcedo, Esmelin
Shapiro, Meyer
Turner, Tyneeka (Savino, Louis Theodore Jr.)
Tyson, James

Room 807-ANHALT, J.
Baily, Matthew (Steenson, Derek Alan)
Jones, Dennis (Amorillo, Gina A.)
Pearsall, Tyrone Q. (Altschuler, Jonathan R.)
Robinson, Timothy R. (O'Hanlon, Stephen Thomas)
Thomas, Marquis (Himebaugh, Teri B.)

Room 902-WOELPPER, J.
Adams, Carol (Def. Assoc.)
Allen, Deshoni (Szanto, Jules Norris)
Bik, Za (Def. Assoc.)

Boyce, Ronnelle (Def. Assoc.)
Briscoe, Isaiyah (Def. Assoc.)
Brown, Kymirah (Def. Assoc.)
Bush, Derrick (Def. Assoc.)
Campbell, Keisha (Def. Assoc.)
Campbell, Kiesha (Def. Assoc.)
Chalson, Gregory (Def. Assoc.)
Dieng, Oumar (Def. Assoc.)
Ellis, Tariq (Def. Assoc.)
Epps, Morrell A. (Def. Assoc.)
Foley, Tim (Tauber, Alan J.)
Foley, Tim M. (Tauber, Alan J.)
Franco, Serina (Def. Assoc.)
Gamble, Caliph (Parrish, Demetrios John Jr.)
Garvin, Theodore (Def. Assoc.)
Gause, Handy (Def. Assoc.)
Gomez, Aiyana (Def. Assoc.)
Hanratty, Steven (Def. Assoc.)
Harrell, Larry (Def. Assoc.)
Harroff, Joseph (Marsh, James T.)
Hassan, Khadijah (Def. Assoc.)
Hayward, Sanequah (Def. Assoc.)
Hill, Jerome (Piccarreto, Marisa Anne)
Iglesias, Yariel (Def. Assoc.)
Irby, Jelani (Cacciamani, Kathryn Covielo)
Jackson, Ahmad (Def. Assoc.)
Khean, Daravichai S. (Def. Assoc.)
Lama, Basem (Lorusso, Vincent M.)
Lane, Ebony (Bermudez, Donald)
Levond, Benjamin (Def. Assoc.)
Mejia, Angel (Fioravanti, Michelle A.)
Mejia-castillo, Carlos A. (Def. Assoc.)
Melton, Haneef (Mann, Jessica Consuela)
Muhammad, Taliyah (Burrows, William Gordon)
Nadal, Christopher (Def. Assoc.)
Nash, Georgina (Islam, Mu'Min)
Neisser, Mathew M. (Def. Assoc.)
Oceean, Evens (Def. Assoc.)
Otero, Elizabeth (Def. Assoc.)
Pearson, Keith (Def. Assoc.)
Pounds, Tronta (Def. Assoc.)
Pressman, Gabrielle (Def. Assoc.)
Reid, Thomas (Def. Assoc.)
Rister, Tarrell (Yee, Adam Sequoyah)
Rodgers, Gregory (Def. Assoc.)
Scarle, Curtis (Def. Assoc.)
Shuaib, Waled A. (Coleman, Joseph L.)
Thomas, Les (Def. Assoc.)
Tumlin, Allen (Def. Assoc.)
Vanravenstein, Noel (Snyder, Marni Jo)
Veney-fisher, Dominic (Def. Assoc.)
Wade, Alex D. (Def. Assoc.)
Warhop, John W. (Def. Assoc.)
Washington, Vincent (Def. Assoc.)
Williams, Karim (Def. Assoc.)
Williams, Shawn (Def. Assoc.)

Room 904-TO BE ASSIGNED
Foster, Savon (Tinari, Eugene P.)
Ndiaye, Abdoulaye (Bahuriak, David Stephen Jr.)

Room 905-SHAFFER, J.
Alexander, Dishon (Datner, Robert Frederick)
Ames, Gary (Schatz, Daniel Jason)
Berrios, Kiana (Def. Assoc.)
Bosque, Nelson L. (Def. Assoc.)
Bowman, Demetrios (Def. Assoc.)
Breslin, David (Def. Assoc.)
Brown, Damon (Def. Assoc.)
Bueno-fermin, Victor (O'Riordan, Daniel John)
Bullock, Nikolena (Clemens, Thomas C.)
Butler, Namyi (Def. Assoc.)
Butts, Douglas (Link, Robert Patrick)
Chapman, Colt (Def. Assoc.)
Conner, David (Yee, Adam Sequoyah)
Cope, Malik (Def. Assoc.)
Dagostino, D
Davis, Alexis (Dennis, Charles E.)
Diaz, Angel (Humble, Brian Francis)
Doto, Gregory J. (Mallis, Paul Jared)
Duarte-paulina, Yesenia (Goodman, Leon Dominic)
Dudley, Latia M. (Snyder, Marni Jo)
Enriquez, Alejandro (Def. Assoc.)
Felder, Dominick J. (Def. Assoc.)
Foreman, Nikeia (Def. Assoc.)
Franklin, Joseph T. (Savino, Louis Theodore Jr.)



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Groover, Shaiem (Def. Assoc.)
 Harris, Gary (Coleman, Joseph L.)
 Harris, Rahmin (De Ritis, Joseph Edward)
 Hayes, Justin (Def. Assoc.)
 Hollis, Leo (Def. Assoc.)
 Irvin, Kyle (Def. Assoc.)
 Jacobs, Anthony M. (Pagan, Gregory Joseph)
 Jenkins, Nigel K. (Def. Assoc.)
 Johnson, Brian (Def. Assoc.)
 Jones, Natoria E. (Consadene, Jonathan D.)
 Joseph, Akash (Kenny, Thomas)
 Lewis, Dashana (Cameron, Angelo Leroy)
 Lewis, Malika (Alboum, Samuel)
 Lowery, Reginald (Goodman, Leon Dominic)
 McCloskey, John (Burley, Kevin Thomas)
 Mcilhinney, James F. (Burke, Thomas F.)
 Mickle, Terrence (Def. Assoc.)
 Mojica, Eric (Alboum, Samuel)
 Montgomery, James (Def. Assoc.)
 Mooney, Eric W. (Def. Assoc.)
 Moses, Fatima (Solomon, Eric Robert)
 Mott, James (Def. Assoc.)
 Oliver, Tyrik L. (Keller, Robert Craig)
 Parker, Aaron (Petrone, Anthony J.)
 Parker, William (Alva, Jeremy Evan)
 Peralta, Alexis (Def. Assoc.)
 Peterson, Xavier (Def. Assoc.)
 Price, Sybree (Capek, Justin Charles)
 Rahming, Latoya R. (Fioravanti, Michelle A.)
 Reddy, Tashaan (Def. Assoc.)
 Rodriguez, Johsua (Def. Assoc.)
 Rogers, Anahi (Narcisi, Laurence Anthony III)
 Rondon, Jose (Savino, Louis Theodore Jr.)
 Rowland, David (Def. Assoc.)
 Rush, Abdul (Coleman, Joseph L.)
 Saleh, Marwan (Def. Assoc.)
 Sanchez-santos, Manuel (Stein, Gerald A.)
 Smith, Joshua (Def. Assoc.)
 Stewart, Bernard (Def. Assoc.)
 Sudler, Aaron (Def. Assoc.)
 Turpin, Larry (Nascimento, Lucas Tavares)
 White, Christian (Def. Assoc.)
 Williams, Anthony (Def. Assoc.)
 Willis, Dameon (Def. Assoc.)
 Wood, Christopher L. (Davis, William Jr.)

Room 907-O'KEEFE, J.

Barcliff, Jeremy (Amoriello, Gina A.)
 Black, Rasheed (Def. Assoc.)
 Bonner, Danny (Amoriello, Gina A.)
 Burgos, Edgardo (Szanto, Jules Norris)
 Coffee, Baraka (Godshall, Anthony Francis)
 Dailey, Quadri (Yacoubian, George Setrag Jr.)
 Daniel, Earl (Def. Assoc.)
 Fearington, Brandon (Nenner, David Scott)
 Flores, Alexander (Himebaugh, Teri B.)
 Gaddis, Charles (Def. Assoc.)
 Hunt, Kani (Cameron, Angelo Leroy)
 Kee, Tevin (Burley, Kevin Thomas)
 Minor, Justin (Def. Assoc.)
 Nichols, Rodney (Major, Rania Maria)
 Nichols, Rodney R. (Major, Rania Maria)
 Outlaw, Calvin (Szanto, Jules Norris)
 Pagan, Miguel A. (Capek, Justin Charles)
 Ponds, Ricardo (Def. Assoc.)
 Whitehead, Tahir J. (Johnson, Shaka Mzee)
 Zellars, Rodney (Tarpey, Timothy J.)

Room 908-BRANDEIS- ROMAN, J.

Bonner, Zymir (Def. Assoc.)
 Brooks, Deonte (Piccarreto, Marisa Anne)
 Brown, Namil (Szanto, Jules Norris)
 Harris, Samira (Def. Assoc.)
 Harris, Samira E. (Def. Assoc.)
 Jones, Kenneth (Burrows, William Gordon)
 Kellenberger, John (Def. Assoc.)
 Lopez, Michael (Savino, Louis Theodore Jr.)
 Mcquillkin, Daniel (Jerrehian, Matthew Louis)
 Monroe, Khazeem (Yee, Adam Sequoyah)
 Speach, Albert (Consadene, Jonathan D.)
 Thomson, Derrick (Stretton, Samuel C.)
 Torrez, Anyelo (Savino, Louis Theodore Jr.)
 Zimmerman, Theoren (Def. Assoc.)

Room 1002-TAYLOR-SMITH, J.

Broadbuss, Carmen (Def. Assoc.)
 Bruce, Donnell (Def. Assoc.)
 Caple, Anthony (Def. Assoc.)
 Edwards, Brian D. (Consadene, Jonathan D.)
 Garcia, Jaime (Def. Assoc.)
 Harrell, Christian (Petrone, Anthony J.)
 Holden, Herbert (Def. Assoc.)
 Jackson, Tymir (Def. Assoc.)
 Jenkins, Khalil (Def. Assoc.)
 Koffi, Yao (Def. Assoc.)
 Matyok, Erica (Def. Assoc.)
 Moreau, Kostaky (Def. Assoc.)
 Neher, Ryan (Def. Assoc.)
 Otero, Joel (Def. Assoc.)
 Robinson, Nathaniel E. (Def. Assoc.)
 Ruiz, Joemarie (Def. Assoc.)
 Serrano, Cameron (Def. Assoc.)
 Serrano, Isiala (Def. Assoc.)
 Smith, Michael (Tarpey, Timothy J.)
 Warren, Sharif B (Savino, Louis Theodore Jr.)
 Wise, Byron E. (Johnson, Shaka Mzee)
 Wynder, Sabir (Def. Assoc.)

Room 1005-GIBBS, J.

Adorno, Holando (Def. Assoc.)
 Baren, Kyi (Def. Assoc.)
 Barry, Mamadou (Def. Assoc.)
 Braswell, Janyl (Steinberg, S. Philip)
 Brooks, Jescia (Def. Assoc.)
 Brown, Sherita L. (Def. Assoc.)
 Brunch, Jabari (Def. Assoc.)
 Buchanan, Alphonso (Def. Assoc.)
 Bunch, Joshua (Nenner, David Scott)
 Camp, Dante (Def. Assoc.)
 Carestio, Amber (Parkinson, Michael Patrick)
 Charles, Alexander (Latour, Pierre III)
 Destra, William (Def. Assoc.)
 Falu, Bryan (Def. Assoc.)
 Franklin, Christopher (Def. Assoc.)
 Gudknecht, Christopher (Def. Assoc.)
 Guzman, Angel (Def. Assoc.)
 Hall, James (Def. Assoc.)
 Hall, James R. (Def. Assoc.)
 Harris, Damir S. (Def. Assoc.)
 Harris, Nyeer (Def. Assoc.)
 Henry, Lynell (Def. Assoc.)
 Hernandez, Vidal (Def. Assoc.)
 Jones, Rodger (Def. Assoc.)
 Lewis, Linda (Def. Assoc.)
 Lindsay, Ahmed (Foster, Edward Joseph)

Martin, Kahlil (Def. Assoc.)
 Martincheatham, Jaylen A. (Steinberg, S. Philip)
 Morrison, Lamar (Kadish, Jason Christopher)
 Newton, Tymire (Def. Assoc.)
 Ortiz-capellan, Alvaro (Def. Assoc.)
 Pault, Devonta (Def. Assoc.)
 Powers, Raymond (Greenblatt, Ronald)
 Prez, Erik (Yee, Adam Sequoyah)
 Ramos, Miguel (Gambone, Alfonso)
 Rivera, Joel (Def. Assoc.)
 Ruttenberg, Erik (Def. Assoc.)
 Sistrunk, Lejah (Kramer, Max Gerson)
 Smith, Mileah (Def. Assoc.)
 Stone-harrington, Tyler (Alboum, Samuel)
 Thompson, Gary (Altschuler, Jonathan R.)
 Timmons, Atika (Def. Assoc.)
 Vankirk, Tyler (Def. Assoc.)
 Vaughn, Kemo D. (Mann, Jessica Consuela)
 Waters, Tre A. (Def. Assoc.)
 Watson, Kerron (Def. Assoc.)
 West, Michael (Def. Assoc.)
 Wicker, Zahir (Def. Assoc.)
 Willis, Nadir (Def. Assoc.)
 Winchester, Zafique (Def. Assoc.)
 Young, Terrance E. (Osei, Nana Yaw Adom)

Room 1007-BRONSON, J.

Capers, Zhontay (Amoriello, Gina A.)
Room 1101-S. JOHNSON, J.
 Adams-hall, Artquan (Def. Assoc.)
 Alvarez, Angel (Altschuler, Jonathan R.)
 Beard, Anthony L. (Savino, Louis Theodore Jr.)
 Cintron, Juan C. (Def. Assoc.)
 Davis, Arthur (Def. Assoc.)
 Davis, Kevin (Def. Assoc.)
 Gadson, Aaron (Link, Robert Patrick)
 Haynes, David (Def. Assoc.)
 Moore, Jeremiah (Mandell, Lee)
 Parker, Larry (Savino, Louis Theodore Jr.)
 Ramirez, Alexander (Chisholm, Walter C.)
 Robinson, Shaun (Def. Assoc.)
 Selvin, Matthew (Latta, Denita Cherell)
 Wilson, Marquis (Def. Assoc.)

Room 1104-T/C**ARRAIGNMENTS**

Bennett-harrell, Quasson (Def. Assoc.)
 Blaney, John (Def. Assoc.)
 Branch, Charles (Diamondstein, Michael Jay)
 Cruz, Gamalier (Def. Assoc.)
 Dario, Alonzo (Def. Assoc.)
 Deshields, Wahlkym (Def. Assoc.)
 Diaz, Jose (Def. Assoc.)
 Dixey, Bryant R. (Def. Assoc.)
 Hunger, Christopher (Def. Assoc.)
 Jackmond, Dustin (Def. Assoc.)
 Jones, Littia (Def. Assoc.)
 Jones, Richard (Godshall, Anthony Francis)
 Meares, Donte (Def. Assoc.)
 Oliver, Shaniqua (Def. Assoc.)
 Quintero, Antonio (Def. Assoc.)
 Richards, Stephen (Def. Assoc.)
 Rodriguez, Jose (Def. Assoc.)
 Rodriguez, Otero (Def. Assoc.)
 Rosario, Harry (Def. Assoc.)
 Ruffin, Rahsan (Def. Assoc.)
 Simmons, Bilal (Def. Assoc.)
 Stoppel, Jake (Kelly, Joseph Kevin)
 Thompson, James L. (McGarrigle, Daniel Anthony)
 Timms, April R. (Piccarreto, Marisa Anne)
 Vazquez, Coral (Walker, John Robert)
 Ward, Jaquine (Def. Assoc.)
 Young-el, Tichina (Def. Assoc.)
 Ziglar, Robert E. (Dolfinan, Douglas Lee)

Room 1108-CIANFRANI, J.

Jackson, Kyleem (Humble, Brian Francis)
 Jones, Jerome (Gamburg, Robert Marc)
 Roberts, Ahmir (Def. Assoc.)
 Tarver, Derrick (Yee, Adam Sequoyah)
 Young, Staisey R. (Def. Assoc.)

MUNICIPAL COURT**CIVIL LISTINGS****THURSDAY, AUGUST 14, 2025****2—THOMSON, J. 9:15 A.M.**

1 Altieri v. Mattia
 5 Zimlong LLC v. Ruth
 7 Harrison v. Cooper
 8 GEICO a/s/o Melissa Laine v. Gulla

3—LAMBERT, J. 8:45 A.M.

1 19134 HOMES LLC v. CONNELLY

2 Finley v. Jones

3 AE INVESTMENT LLC v. LAVERY

4 1 BROWN STREET ASSOCIATES LP v. Howard

5 BUSH v. PITTS

6 1312-14 Development LLC v. TWEED

7 Zhang's Family Partnership v. Jackson

8 JUMA INVESTMENTS LLC v. YATES

8:30 AM

1 PHILADELPHIA LOTUS 07 LLC v. WILLIAMS

2 PHILADELPHIA HOUSING AUTHORITY v. Lambert

3 JSD Triplehocken St LLC v. Milner

4 RSW PREMIER HOLDINGS LLC v. GREEN

5 Summers v. Kemler

7 Yang v. Alves Guimaraes

8 AVENUE APARTMENTS LLC v. Trammell

10 Regency Townhomes 2014 LLC v. Flowers

11 Regency Townhomes 2014 LLC v. Reinhart

12 JOHNSON v. KARAGBO

14 ACADEMIA SUITES LP v. HARRELL

16 Washington Lane 2005 LP v. MOORE

17 ENJ DÉVELOPPEMENT LLC v. Meachum

19 US IMMOTREUHAND NON-QOZ LLC v. Taylor

20 Keomanivong v. Kelly

21 Blount v. Gaillard

22 OKH PH OWNER LLC v. LEE

23 INDUS LLC v. MCCOY

24 WPHS VENTURE PARTNERS LLC v. KELLUM

25 AVENUE APARTMENTS LLC v. ARAUS
 26 7TH STREET PROPERTIES EAST LLC v. HERNANDEZ
 27 ZELTSER v. DAVIS
 28 Ortiz v. Carpenter
 29 Penn Properties Investment Group LLC v. Kelly
 30 TCS ÁNIKA HOMES ACQUISITIONS 4 LLC v. WILLIAMS
 31 TCS ÁNIKA HOMES ACQUISITIONS 5 LLC v. BARNES BEY
 32 CHRISTOPHER ARROYO v. DOUMBIA
 34 Rosas v. GLOSTER
 35 BJJ HOLDINGS 1 LLC v. THOMAS
 36 Laskar v. Wells
 37 1254 N Carlisle LLC v. Baxter
 38 Salaberry v. Wilson
 39 Thermil v. Barton
 40 Zheng v. Terance
 41 FINE PHILLY RENTALS LLC v. MONROE
 42 BJJ HOLDINGS 1 LLC v. GARCIA
 43 PHILADELPHIA LOTUS 01A LLC v. WISDOM
 44 HARMINDER MANGAT v. HAYDEN
 45 FERNHILL PARK HOLDINGS LLC v. PUGH
 46 FERNHILL PARK HOLDINGS LLC v. BURBAGE
 47 DANIEL HARVEY v. Morel
 48 Delancey Holdings v. HAWKINS
 49 MT VERNON MANOR II LP v. ROCKEYMORE
 50 WILLOW COURT APARTMENTS LLC v. MURRAY
 51 SPRUCE RUN HOMES LLC v. HARRISON
 52 NUCC One LLC v. Kornegay
 53 DUKE STREET HOLDINGS LLC v. LINSCHOTT
 54 LUBLIN CORPORATION v. MADDEN
 55 ELPENORDE v. GRAHAM
 56 LLC v. Scott
 57 SGYS St. Ives LLC v. Claude
 58 Adriana Rela Estate v. Rondon
 59 OKH-PH OWNER LLC v. MALLOY
 60 JH VENTURES 57 LLC v. CALLAHAM
 61 Dong v. Joseph Baker
 62 Zheng v. Ribeiro
 63 Glenn v. Jackson
 64 Gallagher v. Tejada
 65 Tentsoglides v. Lee
 66 Daley v. Fairfax Realty, LLC
 67 McCoy v. INDUS LLC

4—TO BE ASSIGNED 9 A.M.

1 Philadelphia Housing Authority v. Boone
 3 Philadelphia Housing Authority by managing agent S v. Rawls
 4 PHILADELPHIA AUTHORITY v. Williams
 5 PHILADELPHIA AUTHORITY v. Burnett
 6 PHILADELPHIA AUTHORITY v. Savage
 7 PHILADELPHIA AUTHORITY v. Bussey
 8 PHILADELPHIA AUTHORITY v. Williams
 9 PHILADELPHIA AUTHORITY v. Carter
 10 PHILADELPHIA AUTHORITY v. Berryman
 11 Philadelphia Asset and Property Management
 12 PHILADELPHIA AUTHORITY v. Stackhouse
 13 PHILADELPHIA AUTHORITY v. Wilcher
 14 PHILADELPHIA AUTHORITY v. Clyde
 15 PHILADELPHIA AUTHORITY v. Keith
 16 PHILADELPHIA AUTHORITY v. Graves
 17 PHILADELPHIA AUTHORITY v. Edwards
 18 PHILADELPHIA AUTHORITY v. Johnson
 19 PHILADELPHIA AUTHORITY v. Howard
 20 PHILADELPHIA AUTHORITY v. Perrett
 21 PHILADELPHIA AUTHORITY v. Ledbetter
 22 PHILADELPHIA AUTHORITY v. Mathis
 23 PHILADELPHIA AUTHORITY v. Simpson
 24 PHILADELPHIA AUTHORITY v. Highter
 25 PHILADELPHIA AUTHORITY v. Kimble
 26 PHILADELPHIA AUTHORITY v. Stevenson-Gaymon
 27 PHILADELPHIA AUTHORITY v. Eason
 28 PHILADELPHIA AUTHORITY v. Lyles
 29 PHILADELPHIA AUTHORITY v. Washington
 30 PHILADELPHIA AUTHORITY v. Samuel
 31 PHILADELPHIA AUTHORITY v. Miller
 32 PHILADELPHIA AUTHORITY v. Terry
 33 Bertha-Lowery v. Philadelphia Housing Authority

6—TO BE ASSIGNED 9:15 A.M.

1 CAPITAL ONE, N.A. v. JONES
 3 DISCOVER BANK v. ADDE
 4 Pennsylvania Turnpike Commission v. Underwood
 5 Williams v. McGivern
 6 Rodriguez v. McGivern
 7 Blaxwell v. Charles Bois Enterprise, LLC

EDELINE
 15 Barclays Bank Delaware v. SISBARRO
 18 Velocity Investments, LLC v. Burton
 20 Velocity Investments, LLC v. Smith
 22 Velocity Investments, LLC v. Quiles
 26 Velocity Investments, LLC v. Griffin
 27 Velocity Investments, LLC v. Lucas
 29 Velocity Investments, LLC v. Spence
 30 Velocity Investments, LLC v. Sylla
 33 Velocity Investments, LLC v. Rodriguez
 34 Velocity Investments, LLC v. Bowman
 35 Velocity Investments, LLC v. Harp
 36 Velocity Investments, LLC v. Bhattan
 37 Velocity Investments, LLC v. Sturgis
 38 Velocity Investments, LLC v. Bowman
 42 Velocity Investments, LLC v. Briones
 46 Velocity Investments, LLC v. Hill
 48 Velocity Investments, LLC v. Lenard-Palmer
 50 Velocity Investments, LLC v. Jones
 56 Velocity Investments, LLC v. Harris
 58 Velocity Investments, LLC v. Billups
 61 Velocity Investments, LLC v. Walker
 67 Velocity Investments, LLC v. Killion
 68 Velocity Investments, LLC v. Carrero
 69 Velocity Investments, LLC v. Taylor
 71 Velocity Investments, LLC v. Nestor
 75 Velocity Investments, LLC v. Mickens
 76 Velocity Investments, LLC v. Burems
 81 Velocity Investments, LLC v. Andrews
 82 Velocity Investments, LLC v. Casey-McLoughlin
 84 Velocity Investments, LLC v. Dejesus
 85 Velocity Investments, LLC v. Manzano
 87 Velocity Investments, LLC v. Kearse
 93 Velocity Investments, LLC v. Fountain
 94 Velocity Investments, LLC v. Raleigh
 98 Velocity Investments, LLC v. Tyler
 99 Velocity Investments, LLC v. Elam
 102 JPMorgan Chase Bank N.A. v. Gardner
 103 Portfolio Recovery Associates, LLC v. Hayes
 104 Portfolio Recovery Associates, LLC v. Maminski
 105 Portfolio Recovery Associates, LLC v. Martinez
 106 Portfolio Recovery Associates, LLC v. Parran
 107 Midland Credit Management, Inc. v. Morrison
 108 Portfolio Recovery Associates, LLC v. Mercedes
 109 Portfolio Recovery Associates, LLC v. Oquendo
 110 JPMorgan Chase Bank N.A. v. Thompson
 111 JPMorgan Chase Bank N.A. v. Mendez
 112 JPMorgan Chase Bank N.A. v. Sou
 113 JPMorgan Chase Bank N.A. v. Simon
 114 JPMorgan Chase Bank N.A. v. Mighty
 115 JPMorgan Chase Bank N.A. v. Wilson
 116 JPMorgan Chase Bank N.A. v. Williams
 117 JPMorgan Chase Bank N.A. v. Crump
 118 JPMorgan Chase Bank N.A. v. Pendleton
 119 JPMorgan Chase Bank N.A. v. Hudson
 120 JPMorgan Chase Bank N.A. v. Waddell
 121 JPMorgan Chase Bank N.A. v. Sarmiento
 122 JPMorgan Chase Bank N.A. v. Rivers

BY CHAGARES, J.
 USA v. Torey Dobbin; 24-1762; For the foregoing reasons, we will affirm the judgment of the District Court.

BY SHWARTZ, J.
 Azer Scientific LLC v. Quidel Corp; 24-1022; For the foregoing reasons, we will affirm the judgment of the District Court.

BY ROTH, J.
 Vamsidhar Vurimindi v. Erin Morgan; 23-1886; For the foregoing reasons, we will affirm the judgment of the District Court.

BY MARSTON, J.
 Heckman et al v. Samsung Electronics America, Inc.; et al; 24-6835; For the foregoing reasons, the Court grants SEA's motion to dismiss and Plaintiffs' request for leave to amend their Complaint.

BY SCOTT, J.
 Kataria et

Court Notices

continued from 1

(iii) The notice attached by the Office of Judicial Support to the original filing shall also include the following statement:

"This matter will be heard by a board of arbitrators at the time, date and place specified but, if one or more of the parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge."

(iv) In the case of a joinder complaint, the moving party shall provide to the parties being joined a copy of the original notice setting forth the time, place and location of the arbitration hearing, as well as a copy of the notice referred to in (a)(1)(iii).

(v) In no event shall less than thirty (30) days' written notice of the date, time and place of hearing be given to the parties or their attorneys of record.

(b)(2) Should the court decide to hear the matter pursuant to Pa.R.C.P. 1303(b)(2), the trial court may choose to

(i) enter a judgment of nonsuit if the plaintiff is not ready or fails to appear; or

(ii) enter a judgment of non pros if neither party is ready or appears; or

(iii) hear the matter and make a decision, if the defendant is not ready or fails to appear.

(b)(3) Should a nonsuit be entered under this Rule, it is subject to the filing of a motion under Rule *227. 1(a)(3) for post-trial relief to remove the nonsuit.

(b)(4) Should a judgment of non pros be entered under this Rule, it is subject to the filing of a petition under Rule 3051 for relief from a judgment of non pros.

(b)(5) Should an adverse decision be entered under this Rule against a Defendant who failed to appear, The Defendant may file a motion for post-trial relief which may include a request for a new trial on the ground of a satisfactory excuse for the defendant's failure to appear.

Comment: Amended January 9, 2007

(c) When the amount in controversy, exclusive of interest, costs and delay damages, is reduced to a sum not in excess of Fifty Thousand Dollars (\$50,000.00) in accordance with the provisions of Rule *1301(b), the case shall forthwith be assigned a hearing date no less than 60 days from the date on which the stipulation is filed or the date of the court's order. The plaintiff shall promptly notify all other parties of the hearing date and time assigned by the Court Administrator.

(d) The plaintiff may apply to the court to have a case originally filed as an arbitration matter certified as a non-arbitration matter. Such application shall be by motion filed in accordance with the provision of Rule *206(B)I.

(e) In the event a case is settled or otherwise concluded it shall be plaintiff's responsibility to give prompt written notification thereof to the Court Administrator in the form of an order to settle, discontinue and end or an application for continuance pending consummation of the settlement.

(f) All motions, with the exception of applications for continuance, must be filed no later than thirty (30) days before the hearing date.

Comment: Adopted February 9, 1999, clarified May 3, 1999.

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

General Court Regulation No. 2025-01

In re: Act 44 Probation Review Conference Procedures

AND NOW this 21st day of July, 2025 this Court adopts this General Court Regulation to establish the Probation Review Conference Program and provide procedural guidance for the expeditious processing of all Probation Review Conferences required under Section 4 of the *Probation Reform Act*, Act No. 44 of 2023, Dec. 14, 2023 (hereinafter, "the Act"), 42 Pa.C.S. §9774.1.

This General Court Regulation shall apply to all individuals sentenced or resentenced to a term of probation on or after June 11, 2024.

1. The Probation Office shall:

- a. Calculate the date of eligibility for a probation review conference (hereinafter, "PRC") as set forth under 42 Pa.C.S. §9774.1.
- b. Prepare a Probation Status Report (hereinafter, "Report") as defined under 42 Pa.C.S. §9774.1(d) for an eligible defendant under its supervision.
- c. File the Report no later than 30 days prior to the date the defendant is otherwise entitled to a PRC.
 - i. The Report shall be filed with the Office of Judicial Records.
 - ii. The Report shall be accompanied by an Affidavit of Service setting forth the efforts made by the Probation Office to send a copy of the Report to the Defendant and any victim registered with the Pennsylvania Office of Victim Advocate or county victim witness program (hereinafter, "Registered Victim").
- d. Send a copy of the Report to the Defendant and any Registered Victim by U.S. Mail.
 - i. The copy of the Report sent to any Registered Victim shall have all personal or confidential information related to the Defendant redacted and shall be accompanied by instructions on how to submit a Response to the Court.

2. The Office of Judicial Records shall serve a copy of the Report on the Commonwealth, the Defendant's last counsel of record, and the Defender Association of Philadelphia in accordance with Pa. R. Crim. P. 576 and Phila. Crim. R. *576.

3. Upon filing the Report, the Probation Office shall immediately provide the Criminal Listings Unit (hereinafter, "Criminal Listings") with the case information for each matter in which a Report was filed.

4. Upon receiving the case information, Criminal Listings shall schedule the matter for a PRC before the sentencing judge at the earliest time practicable at least 30 days from the date the Report is filed, but no later than 60 days from the date the Defendant is eligible for a PRC.

- a. If the sentencing judge is no longer sitting in the Philadelphia

County Court of Common Pleas, the PRC will be scheduled before a judge assigned to preside over non-sitting judge PRC.

- 5. Notice of the PRC shall be provided as follows:
 - a. Criminal Listings shall notify the Probation Office, the Defendant's last counsel of record, the Commonwealth and the Defender Association of Philadelphia of the date and location of the PRC.
 - b. The Probation Office shall notify the Defendant and Registered Victim of the date and location of the PRC.
- 6. The Commonwealth and the Defendant shall have 30 days from the date the Report is filed to file an objection or otherwise respond to the Report.
 - a. Any objection or response filed by the Commonwealth or the Defendant shall be filed with the Office of Judicial Records and served on the opposing party, the Probation Office, and the Defender Association of Philadelphia in accordance with Pa. R. Crim. P. 576 and Phila. Crim. R. *576.
- 7. A Registered Victim shall have 30 days from the date the Report is filed to provide input or otherwise respond to the Report.
 - a. A response submitted by a victim shall be submitted in person or by U.S. mail to the Office of Judicial Records – Motions Unit, Stout Center for Criminal Justice, 1301 Filbert Street, Room 206, Philadelphia, PA 19107.
 - b. Upon receiving a response from a Registered Victim, the Office of Judicial Records shall enter a Registry Entry on the Docket indicating that a victim response was received and shall send the victim's response to the chambers of the assigned Judge.
- 8. If, in advance of the Probation Review Conference, the Court determines that the Report was sent to all parties entitled to receive a copy of the Report and that no objections to the recommendations contained in the Report were filed, the Court may cancel the PRC and enter an appropriate Order from Chambers.
 - a. If the Court cancels the PRC:
 - i. The Court shall immediately notify Criminal Listings that the PRC listing should be canceled.
 - ii. Criminal Listings shall cancel the PRC listing and notify the Commonwealth, the Defender Association, and the last counsel of record that the PRC listing was canceled.
 - iii. The Commonwealth shall notify any Registered Victim that the PRC listing was canceled.
 - iv. The Probation Office shall notify the Defendant that the PRC listing was canceled.
 - v. The Court's Order shall memorialize the recommendation contained in the Report.
 - 1. The Court shall promptly transmit a copy of the Court's Order to the Office of Judicial Records.
 - 2. Thereafter, the Office of Judicial Records shall serve a copy of the Court's Order on the Commonwealth, the Defender Association and the last counsel of record pursuant to Pa.R.Crim.P. 114.
 - 3. The Probation Office shall send a copy of the Court's Order to the Defendant and any Registered Victim.
- 9. If the matter proceeds to a PRC:
 - a. Immediately following the PRC, the Court shall enter an Order terminating probation or continuing probation with the same or modified terms.
 - i. The Court shall promptly transmit a copy of the Order to the Office of Judicial Records.
 - ii. Thereafter, the Office of Judicial Records shall serve a copy of the Court's Order on the Commonwealth, the Defender Association and the last counsel of record pursuant to Pa. R.Crim. P. 114.
 - b. If the Court terminates probation at the PRC in the absence of the Defendant, the Probation Office shall promptly notify the Defendant that the sentence of probation was terminated.
 - c. If the Court does not terminate probation following a Probation Review Conference.
 - i. The Court's Order shall detail the Court's findings.
 - ii. The Probation Office shall send a copy of the Court's Order to the Defendant by U.S. mail.
- 10. If a Defendant's PRC has not commenced within sixty days of the eligibility date, defense counsel or the Defendant if unrepresented may file a motion demanding a PRC be scheduled within five business days.

This General Court Regulation is issued pursuant to *Probation Reform Act*, Act No. 44 of 2023, Dec. 14, 2023 and shall become effective immediately. The original General Court Regulation shall be filed with the Office of Judicial Records in a Docket maintained for General Court Regulations issued by the Administrative Judge of the Court of Common Pleas of Philadelphia County, shall be published in the *Pennsylvania Bulletin*, and copies shall be submitted to the Administrative Office of Pennsylvania Courts and to the Criminal Procedural Rules Committee. Copies of the General Court Regulation will be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and posted on the website of the First Judicial District of Pennsylvania at <http://courts.phila.gov>.

BY THE COURT:

/s/ Daniel J. Anders

Daniel J. Anders,
Administrative Judge – Trial Division

Court Notices

continued from 6

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
Administrative Order
No. 7 of 2025

In re: Temporary Stay of Evictions and Ejectments

ORDER

AND NOW, this 7th day of July 2025, upon request of the Sheriff of Philadelphia County, attached hereto as Exhibit "A" it is hereby **ORDERED** and **DECREED** that all Court of Common Pleas and Municipal Court evictions and ejectments scheduled for a two-week period beginning on July 7, 2025, are hereby stayed. The Sheriff of Philadelphia County shall contact the parties to reschedule evictions and ejectments that have already been scheduled during the two-week period beginning on July 7, 2025. This Order may be extended pending the status of the ongoing strike of AFSCME District Council 33 upon further request of the Sheriff

BY THE COURT:

/s/ Daniel J. Anders

Daniel J. Anders,
 Administrative Judge, Trial Division
 Court of Common Pleas, Philadelphia County

BY THE COURT:

/s/ Joffie C. Pittman, III

Joffie C. Pittman, III
 Administrative Judge,
 Philadelphia Municipal Court



OFFICE OF THE SHERIFF
CITY AND COUNTY OF PHILADELPHIA

Land Title Building

100 S. Broad Street, 5th Floor, Philadelphia, PA 19110
 TARIQ KARIM EL-SHABAZZ, ESQ.,
 Undersheriff
 Tel. 215-686-3533
 Fax 215-686-3579
 TARIQ.EL-SHABAZZ@PHILAGOV

July 7, 2025
 Honorable Judge Daniel Anders
 City Hall, Room 516
 Philadelphia, PA 19107

Re: Request to Stay Municipal Court and Common Plea Evictions

Due to the on going DC33 strike, the Philadelphia Sheriff's Office is respectfully requesting an administrative order staying all Municipal Court and Court of Common Plea evictions, until the strike ends. Our detectives are assisting with providing security at designated strike sites, while still having to execute evictions. The Sheriff's Office procedure is for two civil enforcement detectives to execute evictions, however; the additional assistance needed considering the strike has caused a strain. The Office will continue to post notices of evictions, but we are asking for a stay regarding the execution.

Therefore, given the impact the DC33 strike has on our Civil Enforcement Unit, we are submitting this letter as an official request that the court issue an administrative order to stay evictions.

Respectfully,

TariqK. El-Shabazz, Esq.

Undersheriff

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:

ORDER REGARDING NO. 1017
 IMPLEMENTATION AND SUPREME COURT RULES DOCKET ORDER
 RECOGNITION OF NEXTGEN
 UNIFORM BAR EXAMINATION FOR PURPOSES OF
 THE PENNSYLVANIA BAR ADMISSION RULES

ORDER

PER CURIAM

WHEREAS, by Order of January 4, 2022, this Court approved the Uniform Bar Examination (UBE), produced by the National Conference of Bar Examiners (NCBE), for administration in Pennsylvania; and

WHEREAS, NCBE has announced that it is replacing the current version of the UBE (Legacy UBE) with a new version of the UBE (NextGen UBE);

THEREFORE, this 3rd day of July, 2025, upon the recommendation of the Pennsylvania Board of Law Examiners, and pursuant to Article V, Section 10 of the Constitution of Pennsylvania, IT IS ORDERED:

Beginning in July 2028, the Pennsylvania Board of Law Examiners (Board) will administer the NextGen UBE for purposes of admission to the bar of this Commonwealth under Bar Admission Rule 203 (Admission by Bar Examination); and

Beginning on September 1, 2026, an application for admission to the bar of this Commonwealth under Bar Admission Rule 206 (Admission by Bar Examination Score Transfer) may be based upon either a Legacy UBE score or a NextGen UBE score submitted in accordance with Rule 206(a)(2). This Court will, prior to that date, announce the minimum scaled score required to constitute satisfactory completion of the NextGen UBE for purposes of Rule 206(a)(1); and

Absent further order of this Court, the score constituting satisfactory completion of the NextGen UBE for purposes of Rule 206 will also constitute satisfactory completion for purposes of Rule 203 beginning with the Board's July 2028 administration of the NextGen UBE.

This ORDER shall be processed in accordance with Pa.R.J.A. No. 103(b) and shall be effectively immediately.

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
TRIAL DIVISION

Administrative Order

No 6 of 2025

In re: Postponement of July 2, 2025, Mortgage Foreclosure Sales.

ORDER

AND NOW, this 27th day of June, 2025 at the request of the Sheriff of Philadelphia County; attached hereto as Exhibit "A," it is **ORDERED AND DECREED** that Philadelphia County Sheriff's Mortgage Foreclosure Sales scheduled for July 2, 2025, are postponed and rescheduled for September 9, 2025. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3, however the Sheriff of Philadelphia shall provide notice of this Administrative Order to the Plaintiffs on the matters listed on Exhibit "A."

BY THE COURT:

/s/ Daniel J. Anders

Daniel J. Anders,
 Administrative Judge, Trial Division
 First Judicial District of
 Pennsylvania
 Court of Common Pleas,
 Philadelphia County

OFFICE OF THE SHERIFF
CITY AND COUNTY OF PHILADELPHIA
 Land Title Building
 100 S. Broad Street, 5th Floor, Philadelphia, PA 19110

TARIQ KARIMEL-SHABAZZ, ESQ.
 Undersheriff
 Tel.215-686-3533
 Fax215-686-3579
 TARIQ.EL-SHABA@PHILA.GOV

June 27,2025
 Honorable Judge Daniel Anders
 City Hall, Room 516
 Philadelphia, PA 19107
 Re: Request to postpone July 2, 2025, Sheriff sale

In anticipation of the potential DC33 strike, the Philadelphia Sheriff's Office is respectfully requesting an administrative order for the postponement of July 2, 2025, mortgage sheriff sale. There are sixteen (16) employees from our real estate/ main desk units who are members of DC33, and that number is over half of the staff required to properly conduct the sale. The 16 employees are comprised of some of the unit's senior staff, who are an integral part of the pre-sale, in-sale, and post-sale, administrative process. Specifically, senior staff remain available to attorneys and are responsible for ensuring sale status (stays, postponements, bankruptcy filings, etc.) are updated during the sale.

Simply, it would be impossible for the Office to successfully conduct the sale if the DC33 strike occurs. As you know, the Office does not have express authority to stop the sale, on our own. Therefore, the Philadelphia Sheriff's Office submits this letter as an official request that the court issue an administrative order given these circumstances.

Respectfully

Tariq K. El-Shabazz, Esq.

Note: I have enclosed the July 1,2025, Mortgage Sheriff Sale List, and the Philadelphia Sheriff Sale Year 2025 Calendar.

Court Notices

continued from 7

JUL 01, 2025 AUCTIONEER LIST

POSTPONED FROM MARCH, 2022					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2203-455	5033 SCHUYLER STREET PHILADELPHIA PA 19144-4807	MCCABE, WEISBERG & CONWAY, P.C.		08/05/2025	080702738

POSTPONED FROM FEBRUARY, 2023					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2302-350	7109 PHOEBE PLACE PHILADELPHIA PA 19153	MCCABE, WEISBERG & CONWAY, P.C.		08/05/2025	170102350

POSTPONED FROM MARCH, 2023					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2303-353	3335 ASHFIELD LANE PHILADELPHIA PA 19114	ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC		10/07/2025	190606691

POSTPONED FROM JULY, 2024					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2306-370	6142 TACKAWANNA STREET PHILADELPHIA PA 19135	HLADIK, ONORATO & FEDERMAN, LLP			210400094
2306-374	6039 NORTH PARK AVENUE PHILADELPHIA PA 19141	MDK LEGAL			161101235

POSTPONED FROM JULY, 2023					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2307-407	303 N 54TH ST STREET PHILADELPHIA PA 19139	STERN & EISENBERG, PC		09/09/2025	200302482

POSTPONED FROM AUGUST, 2023					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2308-378	1524 68TH AVENUE PHILADELPHIA PA 19126	ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC			210601153

POSTPONED FROM OCTOBER, 2023					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2310-343	1335 NORTH HOBART STREET PHILADELPHIA PA 19131	FRIEDMAN VARTOLO LLP	SM	08/05/2025	230103146
2310-402	2300-08 NORTH SYDENHAM STREET PHILADELPHIA PA 19132	EISENBERG, GOLD & AGRAWAL, PC			230102922

POSTPONED FROM NOVEMBER, 2023					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2311-332	5230 N 15TH STREET PHILADELPHIA PA 19141	PRESSMAN & DOYLE, LLC			180603629
2311-398	7126 NORTH BROAD STREET PHILADELPHIA PA 19126	BROOK & SCOTT, PLLC		09/09/2025	170901576

POSTPONED FROM DECEMBER, 2023					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2312-344	7204 BRARI ROAD PHILADELPHIA PA 19138	ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC		09/09/2025	180203147
2312-379	845 CORINTHIAN AVENUE PHILADELPHIA PA 19130	FRIEDMAN, SCHUMAN, LAYER, P.C.		08/05/2025	230801913

POSTPONED FROM FEBRUARY, 2024					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2402-368	4706-08 ALMOND STREET PHILADELPHIA PA 19137	MDK LEGAL			181001560
2402-375	460 EAST COSGROVE STREET PHILADELPHIA PA 19144	MCCABE, WEISBERG & CONWAY, P.C.	SM		160600105

POSTPONED FROM MARCH, 2024					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2403-352	257 SOUTH 16TH STREET PHILADELPHIA PA 19102	STRADLEY RONON STEVENS & YOUNG, LLP	SM		230901940
2403-395	1539 SOUTH 19TH STREET PHILADELPHIA PA 19146	KML LAW GROUP, P.C.			230503236

POSTPONED FROM MAY, 2024					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2404-377	1401 NORTH 29TH STREET PHILADELPHIA PA 19121	MESTER & SCHWARTZ PC			221101779
2404-411	7514 THOURON AVENUE PHILADELPHIA PA 19150	PINCUS LAW GROUP, PLLC			181202026

POSTPONED FROM JUNE, 2024					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2406-328	5701 NORTH LAMBERT STREET PHILADELPHIA PA 19138	LOGS LEGAL GROUP, LLP		STAYED	220400356
2406-394	3640 NEWBERRY ROAD PHILADELPHIA PA 19154	HLADIK, ONORATO & FEDERMAN, LLP			220100745
2406-399	11035 KNIGHTS ROAD PHILADELPHIA PA 19154	STERN & EISENBERG, PC		08/05/2025	180104890
2406-405	3914 NORTH 13TH STREET PHILADELPHIA PA 19140	PINCUS LAW GROUP, PLLC			200203598
2406-438	2424 E SOMERSET STREET PHILADELPHIA PA 19134	ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC		STAYED	210902407

POSTPONED FROM JULY, 2024					
BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #

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Court Notices

continued from 8

2504-445	5543 MALCOLM STREET PHILADELPHIA PA 19143	HLADIK, ONORATO & FEDERMAN, LLP	220802758
2504-447	9017 EASTVIEW ROAD PHILADELPHIA PA 19152	HLADIK, ONORATO & FEDERMAN, LLP	240602004
2504-448	2255 NORTH UBER STREET PHILADELPHIA PA 19132	HLADIK, ONORATO & FEDERMAN, LLP	220802316

POSTPONED FROM MAY, 2025

BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2505-310	4993 NORTH 2ND STREET PHILADELPHIA PA 19120	MANLEY DEAS KOCHALSKI LLC	SR		240601504
2505-312	3154 DRAPER STREET PHILADELPHIA PA 19136	KML LAW GROUP, P.C.			230602270
2505-313	3126 WEST BERKS STREET PHILADELPHIA PA 19121	MCCABE, WEISBERG, & CONWAY, LLC		09/09/2025	240702596
2505-316	1599 NORTH 24TH STREET PHILADELPHIA PA 19121	PINCUS LAW GROUP, PLLC			230201420
2505-320	1433 ELLSWORTH STREET PHILADELPHIA PA 19146	KML LAW GROUP, P.C.		09/09/2025	211002057
2505-321	2322 SOUTH BEULAH STREET PHILADELPHIA PA 19148	TUCKER ARENSBERG, P.C.	SM		221001788
2505-322	1129 SLOCUM STREET PHILADELPHIA PA 19150	HLADIK, ONORATO & FEDERMAN, LLP		09/09/2025	220401596
2505-324	2135 SIGEL STREET PHILADELPHIA PA 19145	HLADIK, ONORATO & FEDERMAN, LLP			230501708
2505-325	631 ELKINS AVENUE PHILADELPHIA PA 19120	HLADIK, ONORATO & FEDERMAN, LLP			240203148
2505-329	3841 OLIVE STREET PHILADELPHIA PA 19102	MDK LEGAL	SR	STAYED	240302900
2505-331	6514 LIMEKILN PIKE PHILADELPHIA PA 19138	HILL WALLACK LLP			240900778
2505-335	49 NORTH 46TH STREET PHILADELPHIA PA 19136	MCCABE, WEISBERG & CONWAY, LLC			190904536
2505-337	2820 WOODHAVEN ROAD PHILADELPHIA PA 19154	MCCABE, WEISBERG & CONWAY, LLC			240700240
2505-344	5633 NORTH CAMAC STREET PHILADELPHIA PA 19141	LOGS LEGAL GROUP LLP		08/05/2025	230402053
2505-344	5633 NORTH CAMAC STREET PHILADELPHIA PA 19141	LOGS LEGAL GROUP LLP		08/05/2025	230402053
2505-345	2442 ROSELLA STREET PHILADELPHIA PA 19153	KML LAW GROUP, P.C.		STAYED	240102338
2505-346	7352 WOODCREST AVENUE PHILADELPHIA PA 19151	MDK LEGAL		09/09/2025	190509097
2505-351	7307 SOMMERS ROAD PHILADELPHIA PA 19138	BROCK & SCOTT, PLLC	SR	09/09/2025	230701471
2505-352	6021 REACH STREET PHILADELPHIA PA 19111	BROCK & SCOTT, PLLC	SR	STAYED	230802581
2505-353	6138 GRAYS AVENUE PHILADELPHIA PA 19142	BROCK & SCOTT, PLLC	SM	09/09/2025	171000225
2505-357	5430 GAINER ROAD PHILADELPHIA PA 19134	ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC			160402218
2505-359	503 EAST WESTMORELAND STREET PHILADELPHIA PA 19134	STERN & EISENBERG, PC			230702843
2505-365	411 SOUTH 10TH STREET PHILADELPHIA PA 19147	PADGETT LAW GROUP	SM	STAYED	230902057
2505-368	433 NORTH 66TH STREET PHILADELPHIA PA 19151	ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC			190404641
2505-370	5814 FLORENCE AVENUE PHILADELPHIA PA 19143	ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC			180103977
2505-375	129 DUDLEY STREET PHILADELPHIA PA 19148	KML LAW GROUP, P.C.			240702158
2505-376	520 PARNELL PLACE PHILADELPHIA PA 19144	KML LAW GROUP, P.C.			240501937
2505-377	5542 PENTRIDGE STREET PHILADELPHIA PA 19143	KML LAW GROUP, P.C.		08/05/2025	231101369
2505-380	8643 AGUSTA STREET PHILADELPHIA PA 19152	LOGS LEGAL GROUP LLP		STAYED	220700580
2505-382	3373 EAST THOMPSON STREET PHILADELPHIA PA 19144	STRADLEY RONON STEVENS & YOUNG, LLP			240303021
2505-383	2633 EAST ALLEGHENY AVENUE PHILADELPHIA PA 19134	STRADLEY RONON STEVENS & YOUNG, LLP	SM/SR		240303014
2505-385	4934 NORTH 5TH STREET PHILADELPHIA PA 19120	KIVITZ & KIVITZ, P.C.		09/09/2025	210402419
2505-396	2616 NORTH HOLLYWOOD STREET PHILADELPHIA PA 19132	HILL WALLACK LLP			240802266
2505-397	7403 RUSKIN ROAD PHILADELPHIA PA 19151	HILL WALLACK LLP		08/05/2025	240402248
2505-398	1144 SOUTH 18TH STREET PHILADELPHIA PA 19146	FRIEDMAN VARTOLO LLP	SM	STAYED	240501132
2505-399	4454 CARWITHIN ROAD PHILADELPHIA PA 19136	FRIEDMAN VARTOLO LLP	SR		221202439
2505-400	8134 HALSTEAD STREET PHILADELPHIA PA 19111	KML LAW GROUP, P.C.		09/09/2025	181103323
2505-401	2348 WATKINS STREET PHILADELPHIA PA 19145	KML LAW GROUP, P.C.			240500309
2505-407	4531 EDGEMONT STREET PHILADELPHIA PA 19137	LOGS LEGAL GROUP LLP			230900381
2505-409	2665 ARAMINGO AVENUE PHILADELPHIA PA 19125	LOGS LEGAL GROUP LLP			180104396
2505-410	9129 ASHTON ROAD PHILADELPHIA PA 19114	LOGS LEGAL GROUP LLP		09/09/2025	240602782
2505-413	7736 WOODBINE AVENUE PHILADELPHIA PA 19151	LUNDY BELDECO & MILBY, PC	SM	09/09/2025	180200463
2505-418	12026 ACADEMY ROAD PHILADELPHIA PA 19154	ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC		09/09/2025	240700349
2505-420	243 NORTH WILTON STREET PHILADELPHIA PA 19139	FRIEDMAN VARTOLO LLP	SM	10/07/2025	220100951
2505-421	30 SOUTH 62ND STREET PHILADELPHIA PA 19139	FRIEDMAN VARTOLO LLP		08/05/2025	240402008
2505-423	1322 WEST CUMBERLAND STREET PHILADELPHIA PA 19132	FRIEDMAN VARTOLO LLP	SM		240502361
2505-424	1633 SOUTH YEWDALI STREET PHILADELPHIA PA 19149	FRIEDMAN VARTOLO LLP	SM		240702399
2505-425	3121 WEST NORRIS STREET PHILADELPHIA PA 19121	FRIEDMAN VARTOLO LLP	SM	08/05/2025	240502642
2505-429	4207 HARTEL AVENUE PHILADELPHIA PA 19136	MDK LEGAL		STAYED	220701704
2505-431	5334 LESHER STREET PHILADELPHIA PA 19124	LOGS LEGAL GROUP LLP		STAYED	240700924
2505-444B	5903 LITCHFIELD STREET PHILADELPHIA PA 19143	FRIEDMAN VARTOLO LLP	SM		230501252
2505-444C	6424 CALLOWHILL STREET PHILADELPHIA PA 19151	FRIEDMAN VARTOLO LLP	SM		230501252

POSTPONED FROM JUNE, 2025

BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2506-302	4229 NORTH 8TH STREET PHILADELPHIA PA 19140	ROMANO GARIBO & ARGENTIERI		08/05/2025	230601729
2506-305	253 SLOCUM STREET PHILADELPHIA PA 19119	LOGS LEGAL GROUP LLP		08/05/2025	240800480
2506-306	45 MONTANA STREET PHILADELPHIA PA 19119	PRESSMAN & DOYLE, LLC		09/09/2025	190500968
2506-309	5411 WYNNEFIELD AVENUE PHILADELPHIA PA 19131	ORLANS LAW GROUP PLLC	SM		240401564
2506-311	6806 PASCHALL AVENUE PHILADELPHIA PA 19142	MANLEY DEAS KOCHALSKI LLC	SM		240802246
2506-319	126 WEST QUEEN LANE PHILADELPHIA PA 19144	C/O FRIEDMAN VARTOLO LLP	SM		241001332

POSTPONED FROM JULY, 2025

BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2507-451	4143 MAYWOOD STREET PHILADELPHIA PA 19124	BARLEY SNYDER LLP	SM	10/07/2025	231100081

TODAY SALE JULY, 2025

BOOK & WRIT	STREET ADDRESS	ATTORNEY/REPRESENTATIVE	SM/SR	RESULTS	COURT CASE #
2507-301	1710 NORTH STILLMAN STREET PHILADELPHIA PA 19121	FRIEDMAN VARTOLO LLP	SM		230902888
2507-302	4488 LIVINGSTON STREET PHILADELPHIA PA 19137	FRIEDMAN VARTOLO LLP	SM		250101024
2507-303	5503 CHANCELLOR STREET PHILADELPHIA PA 19139	FRIEDMAN VARTOLO LLP	SM	09/09/2025	240703086
2507-304	2334 TURNER STREET PHILADELPHIA PA 19121	FRIEDMAN VARTOLO LLP	SM		230701167
2507-305	147 WEST LAUREL STREET PHILADELPHIA PA 19123	FRIEDMAN VARTOLO LLP	SM		221101807
2507-306	5118 HAZEL AVENUE PHILADELPHIA PA 19143	FRIEDMAN VARTOLO LLP	SM	09/09/2025	151003297
2507-307	2440 SHARWOOD STREET PHILADELPHIA PA 19121	WEBER CALLAGHER SIMPSON STAPLETON FIRS & NEWBY LLP		08/05/2025	240700340
2507-308</td					

Court Notices

continued from 9

2507-432A	1312 EAST PASSYUNK AVENUE PHILADELPHIA PA 19147	STERN & EISENBERG, PC	230502646
2507-432B	1314 EAST PASSYUNK AVENUE PHILADELPHIA PA 19147-5623	STERN & EISENBERG, PC	230502646
2507-432C	1316 EAST PASSYUNK AVENUE PHILADELPHIA PA 19147	STERN & EISENBERG, PC	230502646
2507-432D	916 WHARTON STREET PHILADELPHIA PA 19147	STERN & EISENBERG, PC	230502646
2507-433	3545 NORTH RANDOLPH STREET PHILADELPHIA PA 19140	MCCABE, WEISBERG & CONWAY, LLC	241003583
2507-434	2739 SOUTH MARSHALL STREET PHILADELPHIA PA 19140	MCCABE WEISBERG & CONWAY, LLC	221102063
2507-435	533 NORTH FELTON STREET PHILADELPHIA PA 19151	MCCABE, WEISBERG & CONWAY, LLC	240702417
2507-436	2727 EAST THOMPSON STREET PHILADELPHIA PA 19134	BERGER LAW GROUP, P.C.	240302418
2507-437	5020 BROWN STREET PHILADELPHIA PA 19114	STERN & EISENBERG, PC	230101108
2507-438	9612 CONVENT AVENUE PHILADELPHIA PA 19114	STERN & EISENBERG, PC	230900579
2507-439	1207 FENWICK PLACE PHILADELPHIA PA 19115	STERN & EISENBERG, PC	09/09/2025
2507-440	7430 LAWNDALE STREET PHILADELPHIA PA 19111	STERN & EISENBERG, PC	230500649
2507-441	4818 NORTH 6TH STREET PHILADELPHIA PA 19120	KML LAW GROUP, P.C.	09/09/2025
2507-442	12120 SWEET BRIAR ROAD PHILADELPHIA PA 19154	KML LAW GROUP, P.C.	09/09/2025
2507-443	7804 WHITAKER AVENUE PHILADELPHIA PA 19111	KML LAW GROUP, P.C.	STAYED
2507-444	6726 DITMAN STREET PHILADELPHIA PA 19135	ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC	08/05/2025
2507-445	5330 UPLAND STREET PHILADELPHIA PA 19143	ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC	08/05/2025
2507-446	9671 PINE ROAD PHILADELPHIA PA 19115	ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC	08/05/2025
2507-447	1213 NORTH 54TH STREET PHILADELPHIA PA 19131	COOPER LEVISON, P.A.	SM
2507-448A	1116 LINOLEY AVENUE PHILADELPHIA PA 19141	COOPER LEVISON, P.A.	240401264
2507-448B	4801 NORTH 12TH STREET PHILADELPHIA PA 19141	COOPER LEVISON, P.A.	240401264
2507-448C	6342 MARTINS MILL ROAD PHILADELPHIA PA 19111	COOPER LEVISON, P.A.	SM
2507-449	5542 MEDIA STREET PHILADELPHIA PA 19131	KML LAW GROUP, P.C.	10/07/2025
2507-450	2517 SOUTH CHADWICK STREET PHILADELPHIA PA 19145	KML LAW GROUP, P.C.	09/09/2025
2507-452	221 NORTH 54TH STREET PHILADELPHIA PA 19139	HILL WALLACK LLP	220902361
2507-453	7349 BULDEN STREET PHILADELPHIA PA 19111	EISENBERG GOLD & AGRAWAL	231201742
2507-454	8030 DITMAN STREET #36F PHILADELPHIA PA 19136	CLEMONS RICHTER & REISS, P.C.	200801071
2507-455A	5911 CATHARINE STREET PHILADELPHIA PA 19143	DWALDMANLAW, P.C.	SM
2507-455B	5847 CHRISTIAN STREET PHILADELPHIA PA 19143	DWALDMANLAW, P.C.	220902857
2507-456A	505 QUEEN LANE PHILADELPHIA PA 19144	DWALDMANLAW, P.C.	SM
			220902862



FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

NOTICE TO THE BAR

The Administrative Governing Board of the First Judicial District has adopted a First Judicial District Cell Phone Policy, effective immediately.

THE USE OF ANY ELECTRONIC DEVICE WHILE COURT IS IN SESSION IS PROHIBITED WITHOUT THE COURT'S EXPRESS PERMISSION. ALL CELL PHONES AND OTHER ELECTRONIC DEVICES, INCLUDING, BUT NOT LIMITED TO SMARTPHONES, TABLETS, LAPTOPS, SMART WATCHES, META GLASSES AND OTHER DEVICES WITH RECORDING OR BROADCASTING AND/OR COMMUNICATION CAPABILITIES MUST BE POWERED OFF AND PUT AWAY. ANY CELL PHONE OR OTHER ELECTRONIC DEVICE THAT IS BROUGHT INTO A COURTROOM AND NOT POWERED OFF AND OUT OF SIGHT MAY BE CONFISCATED BY THE COURT AND TURNED OVER TO THE DISTRICT ATTORNEY'S OFFICE FOR SEARCH.

THE PROHIBITED USE OF AN ELECTRONIC DEVICE MAY RESULT IN SANCTIONS INCLUDING PUNISHMENT FOR CRIMINAL CONTEMPT, EXPULSION FROM THE COURTROOM, AND ARREST AND PROSECUTION UNDER SECTION 5103.1 OF THE PENNSYLVANIA CRIMES CODE.

The following Rules will be posted in each Courtroom:

- POWER OFF AND PUT AWAY, OUT OF SIGHT, ALL CELL PHONES OR OTHER ELECTRONIC DEVICES (CELL PHONES OR OTHER ELECTRONIC DEVICES, INCLUDING BUT NOT LIMITED TO SMARTPHONES, TABLETS, LAPTOPS, SMART WATCHES, META GLASSES, AND OTHER DEVICES WITH RECORDING OR BROADCASTING AND/OR COMMUNICATION CAPABILITIES NOT POWERED OFF AND OUT OF SIGHT MAY BE CONFISCATED, SEARCHED, AND RESULT IN CRIMINAL CONTEMPT PROCEEDINGS OR EXPULSION FROM THE COURTROOM. TEXTING, CAPTURING PHOTOGRAPHS, OR RECORDING OR BROADCASTING AUDIO OR VIDEOS WILL BE CRIMINALLY PROSECUTED)**
- NO TALKING WHILE COURT IS IN SESSION**
- CHILDREN WILL BE ADMITTED AT THE DISCRETION OF THE COURT**
- NO EATING OR DRINKING IN THE COURTROOM**
- NO CHEWING GUM IN THE COURTROOM**
- NO READING NEWSPAPERS, BOOKS, ETC. IN THE COURTROOM**

DATE: June 25, 2025

THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA [204 PA. CODE CH. 83]

Proposed Amendments to the Pennsylvania Rules of Disciplinary Enforcement Relating to Judicial Officers

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania (the "Board") is considering recommending to the Supreme Court of Pennsylvania proposed new Pennsylvania Rule of Disciplinary Enforcement ("Pa.R.D.E.") 222 (Commencement and conclusion of judicial service) and amendments to Pa.R.D.E. 102 (Definitions), 201 (Jurisdiction), and 219 (Annual registration and assessment. Administrative suspension. Administrative changes in status).

EXPLANATORY REPORT

Pa.R.D.E. 222

The Board proposes new Pa.R.D.E. 222 to require all judicial officers to provide written notification to the Board of the commencement and conclusion of judicial service. Rule 222 replaces current Pa.R.D.E. 2190, related to judge status. The proposed rule remedies a gap in Rule 219, which is limited to certain categories of judges. The proposed rule applies to all judicial officers, defined as "a justice, judge, or magisterial district judge in the Commonwealth, or the equivalent position in another jurisdiction, who is an attorney admitted to the bar of this Commonwealth. This term includes a judicial officer who is on a senior status."

The proposal enables the Board's Attorney Registration Office ("ARO") to track attorneys who become or currently are judicial officers as they ascend to and leave the bench and provides procedures to allow eligible judicial officers leaving the bench to assume active, inactive or retired status.

Subdivision(a) requires an attorney to provide written notification to the ARO of the commencement of judicial service within 30 days. Under paragraph(a)(2), the ARO will assign judge status to those who commence service on certain courts, as set forth in the rule. Judge status exempts the judicial officer from annual attorney registration requirements under Rule 219(a)(2).

Subdivision(b) addresses a judicial officer's conclusion of judicial service. Every judicial officer concluding judicial service is required to notify the ARO within 30 days. Paragraph(b)(2) applies to judicial officers on judge status. Those on judge status must elect a new license status upon conclusion of judicial service. The judicial officers have 60 days to submit to the ARO a status change form with a certification that the judicial officer either was or was not leaving judicial office as the "subject of an adverse circumstance." The proposal defines "adverse circumstance" as any of the following: judicial suspension, removal from office, a pending investigation, prosecution, or removal proceedings for conduct or disability. Additionally, the judicial officer must submit a confidentiality waiver. The waiver authorizes the Judicial Conduct Board ("JCB") and the Court of Judicial Discipline ("CJD"), or equivalent entities in another jurisdiction, to release to Disciplinary Counsel records of proceedings relating to adverse circumstances. Finally, if the judicial officer elects active or inactive status, they must pay the annual assessment. Those electing retired status are not required to pay an assessment.

Paragraph (b)(2)(ii) addresses the situation where a judicial officer on judge status fails to timely submit the document to elect a status change and authorizes the ARO to place that officer on retired status. However, the officer may later seek a license status change if desired.

Paragraph (b)(3) applies to judicial officers who conclude service on a status other than judge status, e.g., magisterial district judges. These officers have 60 days to submit to the ARO the certification related to adverse circumstances and the confidentiality waiver. The officers may retain their current license status or elect another pursuant to the Enforcement Rules.

Under subdivision(c), the certification submitted by the judicial officer provides notification to Office of Disciplinary Counsel of an adverse circumstance and permits investigation of the circumstance and determination of whether attorney disciplinary proceedings are warranted.

Subdivision (d) sets forth definitions of the terms "adverse circumstance" and "subject of an adverse circumstance."

Amendments to Pa.R.D.E. 102, 201, and 219

The Board proposes amending Pa.R.D.E. 102 (Definitions) by adding definitions of terms used in Rule 222. These terms are "former judicial officer"; "judicial officer"; and "judicial service."

The Board proposes amending Pa.R.D.E. 201 (Jurisdiction) to clarify and reinforce that the disciplinary jurisdiction of the Court and the Board under the Enforcement Rules extends to: (1) any former judicial officer with respect to acts that occurred while a judicial officer and that would have been grounds for lawyer discipline; and (2) any judicial officer with respect to acts during the practice of law that constitute violation of the ethical rules.

The Board's proposal is not an expansion of the current jurisdiction of the Court and the Board. On two occasions, the Court has determined that the CJD, on the one hand, and the Board and the Court, on the other, concurrently have the power to discipline a judicial officer. More recently, ODC has initiated disciplinary proceedings and the Court has imposed discipline on former judges for acts of misconduct that occurred while the judges were on the bench and which violated the Rules of Professional Conduct and Rules of Disciplinary Enforcement. 2

Finally, the Board proposes amending Pa.R.D.E. 219 (Annual registration and assessment. Administrative suspension. Administrative changes in status) to eliminate current Rule 219(j) governing judge status, as adoption of proposed Rule 222 would render such provision redundant.

The enclosed proposal benefits judicial officers by creating a standalone rule that clarifies procedures for assuming the bench, concluding service, and electing new license statuses. The new procedures enable the ARO to maintain accurate records on

Court Notices

continued from 10

every judicial officer licensed in Pennsylvania, which benefits the disciplinary system and the public.

Interested persons are invited to submit written comments, suggestions or objections by mail, email or facsimile to the Executive Office, The Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Avenue, Suite 5600, PO Box 62625, Harrisburg, PA 17106-2625, facsimile number (717-231-3381), email address Dboard.comments@pacourts.us on or before July 14, 2025.

By The Disciplinary Board of the Supreme Court of Pennsylvania

JESSE G. HEREDA
Executive Director

¹ *Office of Disciplinary Counsel v. Diane R. Jepsen*, 787 A.2d 420, 423 (2002); In re Julius Melograne, 812 A.2d 1164, 1169 (2002). Concurrent power to discipline exists whether the judicial officer's misconduct occurs while the judicial officer is engaged in the private practice of law and is unrelated to her judicial office, Jepsen (the Court accepted the Pa.R.D.E. 215 resignation of Jepsen, who was a district judge, and disbarred her, and the JCB subsequently filed in the Court an application to implement automatic forfeiture of Jepsen's judicial office), or the judicial misconduct related to the judge's judicial activities while on the bench, Melograne (after Melograne's conviction for conspiracy to violate the civil rights of two litigants, the CJD ordered Melograne moved from office, declared him ineligible to hold judicial office in the future, and disbarred him; the Court held that since it has the exclusive power to discipline attorneys, only the Court could impose the sanction of disbarment; the Court vacated only that portion of the CJD's order that disbarred Melograne and referred Melograne to the Disciplinary Board).

² *Office of Disciplinary Counsel v. Joseph James O'Neill*, No. 187 DB2016 (D.Bd.Rpt.8/5/2019) (S. Ct. Order 10/1/2019); *Office of Disciplinary Counsel v. Angeles Roca*, No. 185 DB2018 (S. Ct. Order 4/9/2019) (consent discipline); *Office of Disciplinary Counsel v. Dawn A. Segal*, No. 195 DB 2018 (S. Ct. Order 4/9/2019) (consent discipline).

PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Rule 102. Definitions.

Former judicial officer. A judicial officer who is no longer engaged in judicial service.

“Judge status.” The license status of a justice or judge serving on the following Pennsylvania courts of record: Supreme, Superior, Commonwealth, Common Pleas, and Philadelphia Municipal; and a justice or judge serving on the following federal courts: Supreme, Court of Appeals, Bankruptcy, and District Court, including full-time and part-time magistrate judges not otherwise engaged in the practice of law. This status includes a justice or judge who served on one of these courts and is granted senior status. [An attorney on judge status is exempt from annual registration under Rule 219(a)(2).]

“Judicial officer.” A justice, judge or magisterial district judge in the Commonwealth, or the equivalent position in another jurisdiction, who is an attorney admitted to the bar of this Commonwealth. This term includes a judicial officer who is on a senior status. “Judicial service.” Service as a judicial officer.

Rule 201. Jurisdiction.

(a) The exclusive disciplinary jurisdiction of the Supreme Court and the Board under these rules extends to:

(1) Any [attorney who resumes the practice of law,] former judicial officer with respect to non judicial acts while in [office as a justice, judge or magisterial district judge] judicial service.

(b) The disciplinary jurisdiction of the Supreme Court and the Board under these rules also extends to:

(1) any former judicial officer with respect to acts that occurred while a judicial officer and that would have been grounds for lawyer discipline.

(2) any former judicial officer with respect to acts during the practice of law that constitute the violation of the Disciplinary Rules, these rules of the Board adopted pursuant hereto.

[(b)] (c) Nothing contained in these rules shall be construed to deny to any other court such powers as are necessary for that court to maintain control over proceedings conducted before it, such as the power of contempt, nor to prohibit bar associations from censuring, suspending or expelling their members from membership in the association.

Rule 219. Annual registration and assessment. Administrative suspension.

Administrative changes in status.

[(j) Judge status.

(1) An attorney who commences judicial service as a justice or judge on the following courts shall be assigned judge status by the Attorney Registration

tion Office:

(i) Pennsylvania courts of record: Supreme, Superior,

Commonwealth, Common Pleas, and Philadelphia Municipal; and federal courts: Supreme, Court of Appeals, Bankruptcy, and District Court, including full-time and part-time magistrate judges not otherwise engaged in the practice of law.

(2) At the conclusion of judicial service, an attorney holding judge status shall:

(ii) within 20 days, notify the Attorney Registration Office in writing of the conclusion of judicial service; and
(III) within 60 days, elect either active status under paragraph (3) or retired status under paragraph (4).

(3) Administrative change to active status within 60 days of conclusion of judicial service. A former justice or judge on judge status who seeks to resume active status upon conclusion of judicial service shall, within 60 days, submit to the Attorney Registration Office:

(i) a form available through the Attorney Registration Office;
(ii) a notice in writing which shall set forth:

(A) any discipline imposed within six years before the date of the notice upon the justice or judge by the Court of Judicial Discipline; and

(B) any proceeding before the Judicial Conduct Board or the Court of Judicial Discipline settled within six years before the date of the notice on the condition that the justice or judge resign from judicial office or enter a rehabilitation program;

(iii) a waiver available through the Attorney Registration Office and signed by the former justice or judge of the confidentiality of the record in any proceeding disclosed in the notice provided under paragraph (ii), for the limited purpose of making the record available to the Board in any subsequent proceeding under these rules;

(iv) payment of the active annual assessment for the year in which the request for active status is made.

(4) Administrative change to retired status within 60 days of conclusion of judicial service. A former justice or judge on judge status who seeks to assume retired status upon conclusion of judicial service shall, within 60 days, submit to the Attorney Registration Office a form available through that office.

Upon determination by the Attorney Registration Office that the application requirements of paragraph (3) or (4) have been satisfied, the Attorney Registration Office shall process the requested status change.

A former justice or judge on judge status who fails to elect a new registration status within 60 days of concluding judicial service shall be placed on retired status by the Attorney Registration Office.]

Rule 222. Commencement and conclusion of Judicial Service

(a) Commencement of judicial service.

(1) Required notification. An attorney shall notify the Attorney Registration Office in writing of the commencement of judicial service within 30 days.

(2) Judge status

(i) An attorney who commences judicial service as a justice or judge on the following courts shall be assigned judge status by the Attorney Registration Office:

(A) Pennsylvania courts of record: Supreme, Superior, Commonwealth, Common Pleas, and Philadelphia Municipal; and

(B) federal courts: Supreme, Court of Appeals, Bankruptcy, and District Court, including full-time and part-time magistrate judges not otherwise engaged in the practice of law.

(iii) An attorney not assigned judge status shall remain on the attorney's current license status until that status changes pursuant to another provision of the Enforcement Rules.

Note: Paragraph (2) also applies to judicial officers who are assigned a senior status

Court Notices

continued from 11

(b) Conclusion of Judicial Service.

(1) Required notification. Within 30 days after the conclusion of judicial service, a judicial officer shall notify the Attorney Registration Office of the conclusion of judicial service.

(2) Concluding judicial service on judge status. A judicial officer concluding judicial service on judge status must elect a new license status: active, inactive or retired.

(i) The judicial officer shall, within 60 days after the conclusion of judicial service, submit to the Attorney Registration Office:

(A) an administrative change in status form available through that office which shall include a certification that at the conclusion of judicial service, the judicial officer either was or was not subject of an adverse circumstance as defined in paragraph (d)(2);

(B) a confidential waiver, where the judicial officer has indicated an adverse circumstance as defined in paragraph (d)(1); the waiver shall authorize the Judicial Conduct Board and the Court of Judicial Discipline, or equivalent entities in another jurisdiction, to release Disciplinary Counsel records or proceedings relating to adverse circumstances; and

(C) payment of the annual assessment for the year in which the request is made, where the judicial officer has elected active or inactive status.

(ii) A former judicial officer who does not timely submit to the Attorney Registration Office the documents and payment required by paragraph (b)(2)(i) shall be placed on retired status by that office. Thereafter, the former judicial officer may seek a change in license status under (A) or (B) or the paragraph (ii).

(A) **Retired status for three years or less.** The former judicial officer must submit to the Attorney Registration Office the documents and payment required by paragraph (b)(2)(i). Upon determination by the Attorney Registration Office that the applicable requirements have been satisfied, the Attorney Registration Office shall process the requested status change.

(B) **Retired status for more than three years.** The former judicial officer must petition for reinstatement under the provision of Enforcement Rule 218(d).

(3) Concluding judicial service on a status other than the judge status. A judicial officer who concludes judicial service on a status other than judge status shall, within 60 days after the conclusion of service, submit to the Attorney Registration Office:

(i) a certification that at the conclusion of judicial service, the judicial officer either was or was not the subject of an adverse circumstance as defined in paragraph (d)(2); and

(ii) a confidentiality waiver, where the judicial officer has indicated an adverse circumstance as defined in paragraph (d)(1); the waiver shall authorize the Judicial Conduct Board and the Court of Judicial Discipline, or equivalent entities in another jurisdiction, to release to Disciplinary Counsel records or proceedings relating to adverse circumstances.

The judicial officer's current license status shall remain in effect until that status changes pursuant to another provision of the Enforcement Rules.

(c) Initiation of investigation of a former judicial officer who concluded judicial service while the subject of an adverse circumstance.

(1) Upon notification from any source that a former judicial officer concluded judicial service while the subject of an adverse circumstance as defined in paragraph (d)(2), Disciplinary Counsel:

(i) Shall open a file and investigate; and

(ii) may pursue informal or formal proceedings under the Enforcement Rules, including seeking a temporary suspension under Rule 208(f) or Rule 214(d).

(2) Evidence of removal or judicial discipline in the form of an order or judgement shall be admissible in proceedings under these rules and is conclusive proof of the facts on which the judicial misconduct or disability was found by the Court of Judicial Discipline or the Court, or equivalent entity

in another jurisdiction.

(d) Definitions.

(1) Adverse circumstances. Any of the following:

(i) judicial suspension

(ii) removal from office by order, impeachment, or other form of adverse action.

(iii) a pending investigation, prosecution, or removal proceedings for misconduct or disability.

(2) Subject of an adverse circumstance. A judicial officer who, at the conclusion of judicial service, was the subject of an adverse circumstance enumerated in (d)(1).

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

No. 5 of 2025

President Judge General Court Regulation

In re: Adoption of Philadelphia Court of Common Pleas Orphans' Court Rule 5.16B, 7.1A, and 14.4

ORDER

AND NOW, this 16th day of May, 2025, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on May 15, 2025, to adopt Phila. O.C. Div. Rules 5.16B, 7.1A, and 14.4 as attached to this Order, and as required by Pa.R.J.A. 103, the Supreme Court Civil Procedural Rules Committee has reviewed the attached local rules, has determined that Phila. O.C. Div. Rules 5.16B, 7.1A, and 14.4 are not inconsistent with applicable statewide rules, and has authorized their promulgation.

NOW, therefore, it is hereby ORDERED and DECREED that *Philadelphia Court of Common Pleas Orphans' Court Rules 5.16B, 7.1A and 14.4* are adopted, as attached, effective thirty days after publication in the *Pennsylvania Bulletin*.

As required by Pa.R.J.A. 103(d), the local rule which follows this Order was submitted to the Supreme Court of Pennsylvania Orphans' Court Procedural Rules Committee for review, and written notification has been received from the Rules Committee certifying that the local rule is not inconsistent with any general rule of the Supreme Court. This Order and the attached local rule shall be filed with the Office of Judicial Records (formerly the Prothonotary, Clerk of Courts and Clerk of Quarter Sessions) in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified copies of this Administrative Order and the attached local rule, as well as one copy of the Administrative Order and local rule shall be distributed for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order and local rule shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://courts.phila.gov>, and shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order and local rules shall also be published in *The Legal Intelligencer* and will be submitted to *American Lawyer Media, Jenkins Memorial Law Library*, and the Law Library for the First Judicial District.

BY THE COURT:

/s/ Nina Wright

Padilla

NINA WRIGHT PADILLA
President Judge, Court of Common Pleas
Philadelphia County

Phila. O.C. Div. Rule 5.16B

Rule 5.16B. Procedure for Determination of Title to Decedent's Interest in Real Estate Under 20 Pa.C.S. § 3546

(1) Contents of Petition. A petition under 20 Pa.C.S. § 3546 for the determination of title shall set forth:

(a) the name of the petitioner and petitioner's relationship to the decedent;

(b) the facts on which the claim of the petitioner is based;

(c) whether the decedent died testate or intestate, and where, when, and to whom letters were granted;

(d) a description of real property located within the Commonwealth, the place, book, and page of recording the last deed thereto, and the Office of Property Assessment Account number assigned to the real property;

(e) the names and addresses of all known creditors and interested parties which shall include the Pennsylvania Department of Revenue, Office of Chief Counsel, if heirs to the dece-

Court Notices

continued from 12

dent are unknown;

- (f) the facts material to a determination of the title; and
- (g) a prayer for a Citation, directed to all interested parties and known creditors to show cause why title to the decedent's interest in the real property should not be in Petitioner's name;

(2) **Exhibits.** The following exhibits shall be attached to the petition:

- (a) a copy of decedent's will, deed, trust agreement, or other instrument of conveyance (if any) pertaining to the real property for which relief is requested; *and*
- (b) any consents to the relief requested signed by interested parties who have not joined in the Petition or any signed statements by interested parties who do not object to the relief requested in the Petition.

(3) **Service of Citation and Notice.** Service of the citation and notice on all interested parties shall be made in accordance with Pa. R.O.C.P. 3.5(a).⁽⁴⁾ *Decree.* There shall be attached to the face of the petition:

- (a) A preliminary decree in approved form awarding a citation as requested in the petition and imposing all notice requirements enumerated in 20 Pa.C.S. §3546(f); *and*
- (b) A final decree in approved form providing for the relief requested or other appropriate relief as the court determines.

Probate Section Comment: As of 2024, notice to the Pennsylvania Department of Revenue, Office of Chief Counsel, may be sent to P.O. Box 281061, Harrisburg, PA 17128-1061.

Phila. O.C. Div. Rule 7.1A.

Rule 7.1A. Philadelphia Orphans' Court Division Practice.

- (1) Except upon agreement of counsel, leave to take depositions, or obtain discovery or the production of documents, may be granted only on petition upon cause shown.
- (2) Where leave has been granted by the Court, the procedure relating to depositions, discovery, and the production of documents shall be governed by the order of the Court.
- (3) In the event a Trial Judge, on the Judge's own motion, or on the motion of a party finds that matters raised should be heard by a court *en banc*, the matter should be referred to the Administrative Judge of Orphans' Court to determine if an Order should be entered to schedule the matter before an *en banc* panel using the procedures provided in Pa.R.C.P. 227.2.

Phila. O.C. Div. Rule 14.4

1. Appointment of Counsel in Orphans' Court Guardianship Cases & Eligibility

(A) Regardless of the ability of the alleged incapacitated person to pay, the court shall appoint counsel to represent the alleged incapacitated person in any matter for which counsel has not been retained by the alleged incapacitated person, including in all proceedings under 20 Pa.C.S. §§ 5511 *et seq.* and in any subsequent proceedings to consider, modify or terminate a guardianship.

(B) To be eligible for appointment as court-appointed counsel for the alleged incapacitated person, counsel must comply with the following requirements:

1. Counsel has had within the last fiscal year an active law practice in Philadelphia County;
2. Counsel or their firm maintain a current Commercial Activity License (linked) issued by the City of Philadelphia;
3. Counsel must complete and submit to Orphans' Court an Application for Orphans' Court Guardianship Certification (insert link);
4. Counsel must be a member in good standing of the Pennsylvania Bar;
5. Counsel must obtain a Certificate of Attendance at a Court Approved Continuing Legal Education seminar on Guardianship or provide the Court with evidence of equivalent experience;
6. After the initial year of eligibility, to remain on the Court Approved Counsel Appointment List, counsel must obtain a Certificate of Attendance at a Court Approved Continuing Legal Education seminar on Guardianship by the end of the calendar year;
7. Counsel must have Professional Liability Insurance of at least \$100,000 per occurrence and \$300,000 in the aggregate per year and certify, upon filing the required Petition for Allowance, that they maintain Professional Liability Insurance required by this Rule.

2. Responsibilities of Court-Appointed Counsel in Orphans' Court Guardianship Cases

- (A) Shortly after the Petition for Citation to Appoint a Guardian is filed, the Court will issue a Decree appointing counsel to represent the alleged incapacitated person and serve a copy of this Decree on court-appointed counsel.
- (B) Upon appointment, counsel shall fully and completely review the petition for guardianship and supporting documentation.

(C) Counsel shall comply with the Rules of Professional Conduct and advocate for the client's expressed wishes consistent with the client's instructions, to the extent the client is able to express wishes and provide instruction.

(D) Court-appointed counsel shall meet with the alleged incapacitated person as soon as reasonably possible after the appointment but no later than ten days after the appointment. Within five days of the initial meeting, appointed counsel shall file with the court a certification of the time and place that the meeting occurred.

(E) Upon review of the expert report, court appointed counsel should determine if an independent expert is needed and if so, make an appropriate timely request to the assigned judge within 5 days of receipt of the expert report.

(F) Court-appointed counsel must appear in all court proceedings to represent the client. Representation shall continue for the duration of the matter including subsequent proceedings and review hearings. See 20 Pa.C.S. § 5511(a.1)(2).

Payment Authorization and Compensation for Court-Appointed Counsel in Orphans' Court Guardianship Cases

(A) The Clerk of Orphans' Court waives all filing fees and costs for court-appointed counsel.

(B) Compensation will be as follows:

  Court appointed counsel with one to five years of practice shall be paid a fair and reasonable fee at a rate of \$250 per hour for services rendered.

  Court appointed counsel with five plus years of practice shall be paid a fair and reasonable fee at a rate of \$300 per hour for services rendered.

  After the initial hearing, and after filing of the inventory, counsel shall file a Petition for Allowance seeking approval of attorneys' fees. In those cases in which a Guardian of the Estate has been appointed, however, the Petition for Allowance shall be filed after the inventory has been filed.

  Counsel may file subsequent petitions for allowance if additional attorneys' fees are incurred thereafter with respect to the Petition.

  Counsel shall record their time and submit the time records along with the Petition for Allowance.

  The Court will review the Petition for Allowance for fairness and reasonableness of the fees charged for the services rendered and issue a Decree stating the approved amount.

(C) Per 20 Pa.C.S. § 5511(c), if the alleged incapacitated person is unable to pay fair and reasonable counsel fees, counsel fees will be paid promptly, upon approval of the Court, by the City and County of Philadelphia. These costs will be reimbursed by the Commonwealth of Pennsylvania in the next fiscal year.

(D) For any fee not paid within 30 days of presentation by court appointed counsel of a Court order or Decree authorizing payment of fees, the City and County of Philadelphia shall be assessed an interest fee in the amount of 1.5% per month or part of a month until payment is made.

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: ORDER AMENDING RULES 140 AND 141 OF THE PENNSYLVANIA RULES OF JUVENILE COURT PROCEDURE

NO. 1012

SUPREME COURT RULES DOCKET

ORDER

PER CURIAM

AND NOW, this 25th day of April, 2025, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been published for public comment at 54 Pa.B. 5082 (August 10, 2024):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 140 and 141 of the Pennsylvania Rules of Juvenile Court Procedure are amended in the attached form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective October 1, 2025.

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

Deletions from the rule are shown in bold and brackets.

Rule 140. Bench Warrants for Failure to Appear at Hearings.

[A.] (a) Issuance of [warrant] Warrant.

(1) Before a bench warrant may be issued by a judge, the judge shall find that the subpoenaed or summoned person received sufficient notice of the hearing and failed to appear.

(2) For the purpose of a bench warrant, a judge may not find notice solely based on first-class mail service.

[B.] (b) Entry of [warrant information] Warrant Information. Upon being notified by the court, the juvenile probation officer or other court designee shall enter or request that a law enforcement officer enter the bench warrant in all

Court Notices

continued from 13

appropriate registries.

[C.]**(c)** Juvenile.

(1) Where to take the juvenile] Appearance of Juvenile. Detention.

- [a.]**(i)** When a juvenile is taken into custody pursuant to a bench warrant, the juvenile shall [be taken] appear, without unnecessary delay, [to] before the judge who issued the warrant, or a judge or juvenile court hearing officer designated by the President Judge to hear bench warrants.
- [b.]**(ii)** If the juvenile [is not brought] does not appear before a judge or juvenile court hearing officer, the juvenile shall be released unless:
 - [i.]**(A)** the warrant specifically orders detention of the juvenile; or
 - [ii.]**(B)** there are circumstances learned at the time of the surrender or apprehension that warrant detention of the juvenile.
- [c.]**(iii)** If a juvenile is detained, pending a hearing pursuant to subdivision (c)(2), the juvenile shall be detained in a detention facility or other facility either designated in the bench warrant [by the judge] or directed by the court at the time the juvenile is taken into custody [pending a hearing].

(2) Prompt [hearing] Hearing.

- [a.]**(i)** If a juvenile is detained, the juvenile shall [be brought] appear before the judge who issued the warrant, a judge or juvenile court hearing officer designated by the President Judge to hear bench warrants, or an out-of-county judge or juvenile court hearing officer pursuant to [paragraph (C) (4)] subdivision (c)(4) within [seventy-two] 72 hours.
- [b.]**(ii)** If the juvenile [is not brought] does not appear before a judge or juvenile court hearing officer within this time, the juvenile shall be released.

(3) Notification of [guardian] Guardian. If a juvenile is taken into custody pursuant to a bench warrant, the arresting officer shall immediately notify the juvenile's guardian of the juvenile's whereabouts and the reasons for the issuance of the bench warrant.

(4) Out-of-[county custody] County Custody.

- [a.]**(i)** If a juvenile is taken into custody pursuant to a bench warrant in a county other than the county of issuance, the county of issuance shall be notified immediately.
- [b.]**(ii)** Arrangements to transport the juvenile shall be made immediately.
- [c.]**(iii)** If transportation cannot be arranged immediately, then the juvenile shall [be taken] appear, without unnecessary delay, [to] before a judge or juvenile court hearing officer of the county where the juvenile is found.
- [d.]**(iv)** The judge or juvenile court hearing officer [will] shall identify the juvenile as the subject of the warrant, decide whether detention is warranted, and order or recommend that arrangements be made to transport the juvenile to the county of issuance.

(5) Time [requirements] Requirements. The time requirements of Rules 240, 391, 404, 510, and 605 shall be followed.

[D.]**(d)** Witnesses.

(1) Where to take the witness] Appearance of Witness.

- [a.]**(i)** When a witness is taken into custody pursuant to a bench warrant, the witness shall [be taken] appear, without unnecessary delay, [to] before the judge who issued the warrant, or a judge or juvenile court hearing officer designated by the President Judge to hear bench warrants.
- [b.]**(ii)** If the witness [is not brought] does not appear before a judge or juvenile court hearing officer, the witness shall be released unless the warrant specifically orders detention of the witness.
- [c.]**(iii)** A motion for detention as a witness may be filed [anytime] at any time before or after the issuance of a bench warrant. The judge may order or the juvenile court hearing officer may recommend detention of the witness pending a hearing.
- [11]A **Minor.** If a detained witness is a minor, the witness shall be detained in a detention facility.

(2)B **Adult.** If a detained witness is an adult, the witness shall be detained at the county jail.

(2) Prompt [hearing] Hearing.

- [a.]**(i)** If a witness is detained pursuant to [paragraph (D)(1)(c)] subdivision (d)(1)(iii) or [brought back] transported to the county of issuance pursuant to [paragraph (D)(4)] (f) subdivision (d)(4)(vi), the witness shall [be brought] appear before the judge or juvenile court hearing officer by the next business day.

- [b.]**(ii)** If the witness [is not brought] does not appear before a judge or juvenile court hearing officer within this time, the witness shall be released.

(3) Notification of [guardian] Guardian. If a witness who is taken into custody pursuant to a bench warrant is a minor, the arresting officer shall immediately notify the witness's guardian of the witness's whereabouts and the reasons for the issuance of the bench warrant.

(4) Out-of-[county custody] County Custody.

- [a.]**(i)** If a witness is taken into custody pursuant to a bench warrant in a county other than the county of issuance, the county of issuance shall be notified immediately.

- [b.]**(ii)** The witness shall [be taken] appear, without unnecessary delay and within the next business day, [to] before a judge or juvenile court hearing officer of the county where the witness is found.

- [c.]**(iii)** The judge or juvenile court hearing officer will identify the witness as the subject of the warrant, decide whether detention as a witness is warranted, and order or recommend that arrangements be made to transport the witness to the county of issuance.

- [d.]**(iv)** Arrangements to transport the witness shall be made immediately.

- [e.]**(v)** If transportation cannot be arranged immediately, the witness shall be released unless the warrant or other order of court specifically orders detention of the witness.

- [i.]**(A)** **Minor.** If the witness is a minor, the witness may be detained in an out-of-county detention facility.

- [ii.]**(B)** **Adult.** If the witness is an adult, the witness may be detained in an out-of-county jail.

- [f.]**(vi)** If detention is ordered, the witness shall be [brought back] transported to the county of issuance within [seventy-two] 72 hours from the execution of the warrant.

- [g.]**(vii)** If the time requirements of this [paragraph] subdivision are not met, the witness shall be released.

[E.]**(e)** Advanced Communication Technology. A court may utilize advanced communication technology pursuant to Rule 129 for the appearance of a juvenile or a witness unless good cause is shown otherwise.

[F.]**(f)** Return [& execution] and Execution of [the warrant] Warrant for [juveniles] Juveniles and [witnesses] Witnesses.

- (1)** The bench warrant shall be executed without unnecessary delay.

- (2)** The bench warrant shall be returned to the judge who issued the warrant, or to the judge or juvenile court hearing officer designated by the President Judge to hear bench warrants.

- (3)** When the bench warrant is executed, the arresting officer shall immediately execute a return of the warrant with the judge.

- (4)** Upon the return of the warrant, the judge shall vacate the bench warrant.

- (5)** Once the warrant is vacated, the juvenile probation officer or other court designee shall remove or request that a law enforcement officer remove the bench warrant in all appropriate registries.

Comment: 42 Pa.C.S. § 6335(c) was suspended to the extent it is inconsistent with this rule. See Pa.R.J.C.P. 800(2).

Pursuant to [paragraph (A)] subdivision (a), the judge is to ensure that the person received sufficient notice of the hearing and failed to attend. The judge may order that the person be served in-person or by certified mail, return receipt. The judge may rely on first-class mail service if additional evidence of sufficient notice is presented. For example, testimony that the person was told in person about the hearing is sufficient notice. Before issuing a bench warrant, the judge should determine if the guardian was notified.

[Under Rule 800, 42 Pa.C.S. § 6335(c) was suspended only to the extent that it is inconsistent with this rule. Under paragraph (A)(1), the judge is to find a subpoenaed or

Court Notices

continued from 14

summoned person failed to appear and sufficient notice was given to issue a bench warrant. The fact that the juvenile or witness may abscond or may not attend or be brought to a hearing is not sufficient evidence for a bench warrant.]

The fact that the juvenile or witness did not attend a hearing is not sufficient evidence, alone, for a bench warrant. A judge may issue a bench warrant if the judge finds that a subpoenaed or summoned person failed to appear, and sufficient notice was given.

This rule, however, does not prohibit [probation] the juvenile probation office from recommending detention for a juvenile. [The normal rules of procedure in these rules are to be followed if a juvenile is detained. See Chapter Two, Part D.] For procedures if a juvenile is detained under those circumstances, see Pa.R.J.C.P. 240-243.

Pursuant to [paragraph (C), the] subdivision (c), a "juvenile" is the subject of the delinquency proceedings. [When] If a witness is a child, the witness is referred to as a "minor." [This distinction is made to differentiate between children who are alleged delinquents and children who are witnesses. See paragraph (C) for alleged delinquents and paragraph (D) for witnesses. See also Rule 120 for definition of "juvenile" and "minor."] A juvenile is subject to subdivision (c) and a minor witness is subject to subdivision (d). See also Pa.R.J.C.P. 120 (defining "juvenile" and "minor").

Pursuant to [paragraph (C)(1)(a)] subdivision (c)(1)(i), the juvenile is to [be taken] immediately [to] appear before the judge who issued the bench warrant, or a judge or juvenile court hearing officer designated by the President Judge of that county to hear bench warrants. This provision allows the judge or juvenile court hearing officer the discretion to postpone a hearing, for example, the adjudicatory hearing, until later in the same day while the police officer, sheriff, or juvenile probation officer retrieves the juvenile. If taken into custody on the same day, the juvenile is to [be brought] immediately appear before the court for the hearing. However, pursuant to [paragraph (C)(1)(b)] subdivision (c)(1)(ii), if a bench warrant specifically provides that the juvenile may be detained in a detention facility, or there are circumstances apparent at the time of the surrender or apprehension that merit detention of the juvenile, the juvenile may be detained without having to [be brought] appear before the judge or juvenile court hearing officer until a hearing within [seventy-two] 72 hours under [paragraph (C)(2)(a)] subdivision (c)(2)(i). The juvenile is not to languish in a detention facility. [Pursuant to this paragraph, if] If a hearing is not held promptly, the juvenile is to be released. [See paragraph (C)(2)(b).]

Subdivision (c)(1)(iii) is intended to permit, as an option, the warrant to contain contact information so the court can designate where the juvenile should be taken after the juvenile is apprehended. The information allows the arresting officer to contact the court or the court's designee to ascertain where the juvenile should be detained based on current availability within facilities.

At the [seventy-two] 72-hour hearing, the judge or juvenile court hearing officer may determine that the juvenile willfully failed to appear and may continue the detention of the juvenile until the rescheduled hearing. If the juvenile is detained, the rescheduled hearing is governed by the time requirements provided elsewhere in these rules. See [Rules] Pa.R.J.C.P. 240, 391, 404, 510, and 605.

Under [paragraphs (C)(2) and (C)(4)] subdivisions (c)(2) and (c)(4), a juvenile taken into custody pursuant to a bench warrant is to have a hearing within [seventy-two] 72 hours regardless of where the juvenile is found. See [Rule] Pa.R.J.C.P. 240(C).

Pursuant to [paragraph (C)(4)] subdivision (c)(4), the juvenile may be detained out-of-county until transportation arrangements can be made.

[Pursuant to paragraph (C)(5), the time requirements of all other rules are to apply to juveniles who are detained. See, e.g., Rules 240, 391, 404, 510, and 605.]

Pursuant to [paragraph (D)(1)(a), the] subdivision (d)(1)(i), a witness is to [be taken] immediately [to] appear before the judge who issued the bench warrant or a judge or juvenile court hearing officer designated by the President Judge of that county to hear bench warrants. This provision allows the judge or juvenile court hearing officer the discretion to postpone a hearing, for example, an adjudicatory hearing, until later in the same day while the police officer, sheriff, or juvenile probation officer retrieves the witness. The witness is to [be brought] immediately appear before the court for the hearing. However, pursuant to [paragraph (D)(1)(b)] subdivision (d)(1)(ii), if the judge or juvenile court hearing officer is not available, the witness is to be released immediately unless the warrant specifically orders detention. Pursuant to [paragraph (D)(1)(c)] subdivision (d)(1)(iii), a motion for detention as a witness may be filed. If the witness is detained, a prompt hearing pursuant to [paragraph (D)(2)] subdivision (d)(2) is to be held by the next business day or the witness is to be released. [See paragraph (D)(2)(b).]

At the hearing pursuant to [paragraph (D)(2)(a)] subdivision (d)(2)(i), the judge or juvenile court hearing officer may determine that the witness willfully failed to appear and find or recommend that the witness is in contempt of court, or that the witness is in need of protective custody. If the judge or juvenile court hearing officer has made one of these findings, the judge may continue the detention of the witness until the rescheduled hearing. The judge or juvenile court hearing officer should schedule the hearing as soon as possible. In any event, if the witness is detained, the rescheduled hearing must be conducted by the specific time requirements provided elsewhere in these rules. See [Rules] Pa.R.J.C.P. 240, 391, 404, 510, and 605.

Pursuant to [paragraph (D)(4)(b)] subdivision (d)(4)(ii), a witness is to [be brought] appear before an out-of-county judge or juvenile court hearing officer by the next business day unless the witness can [be brought] appear before the judge who issued the bench warrant within this time. When the witness is transported back to the county of issuance within [seventy-two] 72 hours of the execution of the bench warrant, the witness is to [be brought] appear before the court by the next business day. [See paragraph (D)(4)(f).]

[Pursuant to paragraph (F)(2), the bench warrant is to be returned to the judge who issued the warrant or to the judge or juvenile court hearing officer designated by the President Judge to hear warrants by the arresting officer executing a return of warrant. See paragraph (F)(3).]

[Pursuant to paragraph (F)(4), the bench warrant is to be vacated after the return of the warrant is executed.] "Vacated," as used in subdivision (f)(4), is to denote that the bench warrant has been served, dissolved, executed, dismissed, canceled, returned, or any other similar language used by the judge to terminate the warrant. The bench warrant is no longer in effect once it has been vacated.

[Pursuant to paragraph (F)(5), once the warrant is vacated, the juvenile probation officer, other court designee, or law enforcement officer is to remove the warrant from all appropriate registries so] The intent of subdivision (f)(5) is to prevent the juvenile [is not] from being taken into custody on the same warrant if the juvenile is released.

[See] See 42 Pa.C.S. § 4132 for punishment of contempt for juveniles and witnesses.

If there is a bench warrant issued, juvenile court hearing officers may hear cases in which the petition alleges only misdemeanors. See [Rule] Pa.R.J.C.P. 187(A)(2) and [(3)] (A)(3). The purpose of the hearing for juveniles pursuant to [paragraph (C)(2)(a)] subdivision (c)(2)(i) or the hearing for witnesses pursuant to [paragraph (D)(2)(a)] subdivision (d)(2)(i) is to determine if the juvenile or witness willfully failed to appear and if continued detention is necessary.

Pursuant to Rule 191, the juvenile court hearing officer is to submit his or her findings and recommendation to the court. In bench warrant cases, the juvenile court hearing officer should immediately take his or her recommendation to the judge so the judge can make the final determination of whether the juvenile or witness should be released. See [Rule] Pa.R.J.C.P. 191(D).

If the findings and recommendation are not taken immediately to the judge, the juvenile court hearing officer is to submit the recommendation within one business day. See [Rule] Pa.R.J.C.P. 191(C).

[Official Note: Rule 140 adopted February 26, 2008, effective June 1, 2008. Amended September 30, 2009, effective January 1, 2010. Amended April 21, 2011, effective July 1, 2011. Amended September 20, 2011, effective November 1, 2011. Amended April 6, 2017, effective September 1, 2017. Amended May 4, 2018, effective July 1, 2018.]

Committee Explanatory Reports: Final Report explaining the provisions of Rule 140 published with the Court's Order at 38 Pa.B. 1142 (March 8, 2008). Final Report explaining the amendments to Rule 140 with the Court's Order at 39 Pa.B. 6029 (October 17, 2009). Final Report explaining the amendments to Rule 140 published with the Court's Order at 41 Pa.B. 2319 (May 7, 2011). Final Report explaining the amendments to Rule 140 with the Court's Order at 41 Pa.B. 5355 (October 8, 2011). Final Report explaining the amendments to Rule 140 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017). Final Report explaining the amendments to Rule 140 published with the Court's Order at 48 Pa.B. 2939 (May 19, 2018).]

Rule 141. Bench Warrants for Absconders.

[A.] (a) **Issuance of [warrant] Warrant.** The juvenile probation officer shall immediately notify the court upon notification or recognition that a juvenile has absconded from the supervision of the court. The court may issue a bench warrant for the juvenile.

[B.] (b) **Entry of [warrant information] Warrant Information.** Upon being notified by the court, the juvenile probation officer or other court designee shall enter or request that a law enforcement officer enter the bench warrant in all appropriate registries.

[C.] (c) **[Where to take the juvenile] Detention.** The juvenile shall be detained, pending a hearing pursuant to subdivision (d), in a detention facility or other facility either designated in the bench warrant [pending a hearing pursuant to paragraph (D)] or directed by the court at the time the juvenile is taken into custody. If the juvenile is taken into custody in a county other than the county of issuance, the juvenile shall be transported back to the county of issuance prior to the hearing pursuant to subdivision (d).

[D.] (d) **Prompt [hearing] Hearing.**

- (1) The juvenile shall have a detention hearing within [seventy-two] 72 hours of the placement in detention.
- (2) A court may utilize advanced communication technology pursuant to Rule 129 for the appearance of a juvenile or a witness unless good cause is shown otherwise.

[E.] (e) **Time [requirements] Requirements.** The time requirements of Rules 240, 391, 404, 510, and 605 shall be followed.

[F.] (f) **Notification of [guardian] Guardian.** When the juvenile is taken into custody pursuant to a bench warrant, the arresting officer shall immediately notify the juvenile's guardian of the juvenile's whereabouts and the reasons for the issuance of the bench warrant.

[G.] (g) **Return [& execution of the warrant] and Execution of Warrant.**

- (1) The bench warrant shall be executed without unnecessary delay.
- (2) The bench warrant shall be returned to the judge who issued the warrant or to the judge designated by the President Judge to hear bench warrants.
- (3) When the bench warrant is executed, the arresting officer shall immediately execute a return of the warrant with the judge.
- (4) Upon the return of the warrant, the judge shall vacate the bench warrant.
- (5) Once the warrant is vacated, the court shall order the probation officer or other court designee to remove or request that a law enforcement officer remove the warrant from all appropriate registries.

Court Notices

continued from 15

Comment: Pursuant to [paragraph (A), when] subdivision (a), the court may issue a bench warrant if a juvenile: 1) escapes from a placement facility, detention facility, shelter care facility, foster-care, or other court-ordered program or placement; 2) fails to report to juvenile probation; 3) cannot be located by juvenile probation; or 4) otherwise leaves the jurisdiction of the court[, the court may issue a warrant for the juvenile].

Pursuant to [paragraph (B)] subdivision (b), the court is to notify the juvenile probation officer or another court designee to enter or request that a law enforcement officer enter the bench warrant in all appropriate registries, such as JNET, CLEAN, PCIC, and NCIC.

[Pursuant to paragraph (C), the juvenile is to be detained in a detention facility or any other facility designated in the bench warrant. If a juvenile is taken into custody pursuant to the bench warrant in a county other than the county of issuance, the juvenile is to be transported back to the county of issuance prior to the seventy-two-hour detention hearing mandated pursuant to paragraph (D)(1).]

Subdivision (c) is intended to permit, as an option, the warrant to contain contact information so the court can designate where the juvenile should be taken after the juvenile is apprehended. The information allows the arresting officer to contact the court or the court's designee to ascertain where the juvenile should be detained based on current availability within facilities.

Pursuant to [paragraphs (D)(1) and (E)] subdivisions (d)(1) and (e), the time requirements of the Rules of Juvenile Court Procedure are to apply, including the [seventy-two] 72-hour detention hearing. *See, e.g., [Rules] Pa.R.J.C.P.* 240, 391, 404, 510, and 605.

[The arresting officer is to notify the juvenile's guardian of the arrest, the reasons for the arrest, and the juvenile's whereabouts under paragraph (F).]

[Pursuant to paragraph (G)(2), the bench warrant is to be returned to the judge who issued the warrant or to the judge designated by the President Judge to hear warrants by the arresting officer executing a return of warrant. *See* paragraph (G)(3).] The "judge" in subdivision (g)(3) is the judge who issued the warrant or the judge designated by the President Judge to hear warrants pursuant to subdivision (g)(2).

[Pursuant to paragraph (G)(4), the bench warrant is to be vacated after the return of the warrant is executed.] "Vacated," as used in subdivision (g)(4), [is to denote] denotes that the bench warrant has been served, dissolved, executed, dismissed, canceled, returned, or any other similar language used by the judge to terminate the warrant. The bench warrant is no longer in effect once it has been vacated.

[Pursuant to paragraph (G)(5), once the warrant is vacated, the juvenile probation officer or other court designee is to remove the warrant or request that a law enforcement officer remove the warrant from all appropriate registries so] The intent of subdivision (g)(5) is to prevent the juvenile [is not] from being taken into custody on the same warrant if the juvenile is released.

Official Note: Rule 141 adopted September 30, 2009, effective January 1, 2010. Amended April 21, 2011, effective July 1, 2011.

Committee Explanatory Reports: Final Report explaining the provisions of Rule 141 published with the Court's Order at 39 Pa.B. 6029 (October 17, 2009). Final Report explaining the amendments to Rule 141 published with the Court's Order at 41 Pa.B. 2319 (May 7, 2011).]

SUPREME COURT OF PENNSYLVANIA JUVENILE COURT PROCEDURAL RULES COMMITTEE

ADOPTION REPORT Amendment of Pa.R.J.C.P. 140 and 141

On April 25, 2025, the Supreme Court amended Pennsylvania Rules of Juvenile Court Procedure 140 and 141 to permit a court to direct a juvenile's place of detention at the time of apprehension pursuant to a bench warrant. The Juvenile Court Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. *See* Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

If a juvenile, with sufficient notice, fails to appear at a hearing, or a juvenile absconds, the court may issue a bench warrant for the juvenile. *See* Pa.R.J.C.P. 140, 141. When a juvenile is apprehended and the juvenile is to be detained, the rules require the juvenile to be taken to a facility designated in the bench warrant.

The statewide Common Pleas Case Management System (CPCMS) requires a court user to input specific information to generate a bench warrant. Because CPCMS is programmed to adhere to the requirements of the rules, the user must enter information directing where to detain an apprehended juvenile, *i.e.*, a "place of detention," before the bench warrant can be generated and issued. *See* Pa.R.J.C.P. 140(C)(1)(c), 141(C).

The Administrative Office of Pennsylvania Courts (AOPC) maintains CPMCS, receives feedback and requests from its users, and, in consultation with the Committee, AOPC designs and publishes forms necessary to implement the rules. *See* Pa.R.J.C.P. 165. Relevant to the instant proposal, AOPC received a request to revise the CPCMS-generated bench warrant to permit the court, at the time of apprehension, to direct where to detain a juvenile. The rationale for the request was that the court could not predict, at the time of issuing a bench warrant, the availability of a detention center at the time of apprehension given that availability can vary over time. Believing that statewide changes to the content of bench warrants were constrained by the rules, the matter was brought before the Committee.

The Committee proposed responsive rule amendments intended to change the process after a juvenile is to be detained after apprehension on a bench warrant. Instead of the bench warrant directing where to take the juvenile, the amendment would provide the option of the court directing where to take the juvenile at the time of apprehension. With this option, and as

discussed in the commentary, the court user may insert contact information, *e.g.*, juvenile probation office telephone number, to be used by law enforcement once the juvenile has been apprehended. Corollary amendments to the rule governing bench warrants for the failure to appear in dependency proceedings were not included because a child would be placed in shelter care and not a detention center. *See* Pa.R.J.C.P. 1140, cmt. at ¶ 4.

Additionally, the Committee proposed amending Pa.R.J.C.P. 140 and 141 stylistically. An apprehended juvenile or witness will no longer be "brought" before a judge; rather, they would "appear." Some of the commentary restating the rule text has been removed. In Pa.R.J.C.P. 141, the third paragraph of the Comment was removed and subdivision (c) was amended to include language governing out-of-county apprehension.

The Committee published the proposal for comment. *See* 54 Pa.B. 5082 (August 10, 2024). No comments were received. Post-publication, the Committee revised "probation" to "juvenile probation office" in the fifth paragraph of the Comment to Pa.R.J.C.P. 140 and added the operative commentary proposed in Pa.R.J.C.P. 140 to Pa.R.J.C.P. 141.

Aside from stylistic revisions, the following commentary has been removed:
Pa.R.J.C.P. 140

Under Rule 800, 42 Pa.C.S. § 6335(c) was suspended only to the extent that it is inconsistent with this rule. Under paragraph (A)(1), the judge is to find a subpoenaed or summoned person failed to appear and sufficient notice was given to issue a bench warrant. The fact that the juvenile or witness may abscond or may not attend or be brought to a hearing is not sufficient evidence for a bench warrant.

This distinction is made to differentiate between children who are alleged delinquents and children who are witnesses. *See* paragraph (C) for alleged delinquents and paragraph (D) for witnesses. *See also* Rule 120 for definition of "juvenile" and "minor."

Pursuant to paragraph (F)(2), the bench warrant is to be returned to the judge who issued the warrant or to the judge or juvenile court hearing officer designated by the President Judge to hear warrants by the arresting officer executing a return of warrant. *See* paragraph (F)(3).

Pursuant to paragraph (F)(5), once the warrant is vacated, the juvenile probation officer, other court designee, or law enforcement officer is to remove the warrant from all appropriate registries so ...

Official Note: Rule 140 adopted February 26, 2008, effective June 1, 2008. Amended September 30, 2009, effective January 1, 2010. Amended April 21, 2011, effective July 1, 2011. Amended September 20, 2011, effective November 1, 2011. Amended April 6, 2017, effective September 1, 2017. Amended May 4, 2018, effective July 1, 2018.

Committee Explanatory Reports: Final Report explaining the provisions of Rule 140 published with the Court's Order at 38 Pa.B. 1142 (March 8, 2008). Final Report explaining the amendments to Rule 140 with the Court's Order at 39 Pa.B. 6029 (October 17, 2009). Final Report explaining the amendments to Rule 140 published with the Court's Order at 41 Pa.B. 2319 (May 7, 2011).

Final Report explaining the amendments to Rule 140 with the Court's Order at 41 Pa.B. 5355 (October 8, 2011). Final Report explaining the amendments to Rule 140 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017). Final Report explaining the amendments to Rule 140 published with the Court's Order at 48 Pa.B. 2939 (May 19, 2018).

Pa.R.J.C.P. 141

Pursuant to paragraph (C), the juvenile is to be detained in a detention facility or any other facility designated in the bench warrant. If a juvenile is taken into custody pursuant to the bench warrant in a county other than the county of issuance, the juvenile is to be transported back to the county of issuance prior to the seventy-two-hour detention hearing mandated pursuant to paragraph (D)(1).

The arresting officer is to notify the juvenile's guardian of the arrest, the reasons for the arrest, and the juvenile's whereabouts under paragraph (F).

Pursuant to paragraph (G)(2), the bench warrant is to be returned to the judge who issued the warrant or to the judge designated by the President Judge to hear warrants by the arresting officer executing a return of warrant. *See* paragraph (G)(3).

Pursuant to paragraph (G)(4), the bench warrant is to be vacated after the return of the warrant is executed.

Pursuant to paragraph (G)(5), once the warrant is vacated, the juvenile probation officer or other court designee is to remove the warrant or request that a law enforcement officer remove the warrant from all appropriate registries so ...

Official Note: Rule 141 adopted September 30, 2009, effective January 1, 2010. Amended April 21, 2011, effective July 1, 2011.

Committee Explanatory Reports: Final Report explaining the provisions of Rule 141 published with the Court's Order at 39 Pa.B. 6029 (October 17, 2009). Final Report explaining the amendments to Rule 141 published with the Court's Order at 41 Pa.B. 2319 (May 7, 2011).

The amendments become effective October 1, 2025.

Court Notices

continued from 16

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:
ORDER AMENDING RULES 1915.3-2,
1915.4-4, 1915.10, 1915.15, AND
1915.25, AND ADOPTING RULES
1915.3-3 AND 1915.3-4 OF THE
PENNSYLVANIA RULES OF CIVIL
PROCEDURE

NO. 766
CIVIL PROCEDURAL RULES DOCKET

ORDER

PER CURIAM

AND NOW, this 25th day of April, 2025, upon the recommendation of the Domestic Relations Procedural Rules Committee, the proposal having been published for public comment at 53 Pa.B. 2560 (May 13, 2023):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1915.3-2, 1915.4-4, 1915.10, 1915.15, and 1915.25 of the Pennsylvania Rules of Civil Procedure are amended, and Rules 1915.3-3 and 1915.3-4 of the Pennsylvania Rules of Civil Procedure are adopted in the attached form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective July 2, 2025.

Additions to the rule are shown in bold and are underlined.
Deletions from the rule are shown in bold and brackets.

SUPREME COURT OF PENNSYLVANIA DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE

ADOPTION REPORT

**Amendment of Pa.R.Civ.P. 1915.3-2, Pa.R.Civ.P. 1915.4-4,
Pa.R.Civ.P. 1915.10, Pa.R.Civ.P. 1915.15, Pa.R.Civ.P. 1915.25,
and Adoption of Pa.R.Civ.P. 1915.3-3 and Pa.R.Civ.P. 1915.3-4**

On April 25, 2025, the Supreme Court amended Pennsylvania Rules of Civil Procedure 1915.3-2, 1915.4-4, 1915.10, 1915.15, 1915.25 and adopted Pennsylvania Rules of Civil Procedure 1915.3-3 and 1915.3-4 governing custody proceedings. The Domestic Relations Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. *See* Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

These amendments are intended to update and provide procedures to implement the statutory requirement that custody courts consider criminal records, abuse history, and county agency involvement with the parties and their household members. The primary sources of this information are the parties and the county agencies. The information is most probative when it is timely and current. While information may impel further investigation by a party or inquiry by a court, it is only when that information becomes evidence that it can weighed in a custody proceeding.

Background

Since 2011, custody courts have been required to conduct an initial evaluation of a party or household member who committed an enumerated offense to determine whether that person poses a threat to the child. *See* 23 Pa.C.S. § 5329(a), (c). In 2013, the Court adopted Pa.R.Civ.P. 1915.3-2 to require parties to complete a criminal record or abuse history verification for the enumerated offenses and to provide for the initial evaluation. The rule was amended in 2014 to include disclosure of involvement with a county agency. The Act of June 5, 2020, P.L. 246, No. 32 amended 23 Pa.C.S. § 5329(a) to add 18 Pa.C.S. § 2718 (strangulation) to the list of enumerated offenses. The Act of June 30, 2021, P.L. 197, No. 38 amended 23 Pa.C.S. § 5329(a) to add 18 Pa.C.S. Ch. 30 (human trafficking) and 18 Pa.C.S. § 5902(b.1) (prostitution and related offenses) to the list of enumerated offenses.

Since 2014, custody courts have been required to consider child abuse and the involvement of a party, household member, or child with a child protective services agency when determining child custody under 23 Pa.C.S. §§ 5321 - 5340. *See* 23 Pa.C.S. §§ 5328(a)(2.1) and 5329.1(a). Further the Department of Public Welfare, now the Department of Human Services (DHS), the local county children and youth social services agencies (“county agencies”), and the courts of common pleas were required to cooperate with the exchange of information that is necessary for the court’s determination of a child custody order. *See* 23 Pa.C.S. § 5329.1(b).

The Child Protective Services Law, 23 Pa.C.S. §§ 6301 - 6375, and the Juvenile Act, 42 Pa.C.S. §§ 6301 - 6375, were also amended to enhance the accessing and sharing of information. *See* 23 Pa.C.S. § 6340(a)(5.1) (permitting the release of information in confidential agency reports to a court of common pleas in connection with a matter involving custody of a child); 42 Pa.C.S. § 6307(a)(4.1) (opening juvenile court records to “a court in determining custody, as provided in 23 Pa.C.S. §§ 5328 (relating to factors to consider when awarding custody) and 5329.1 (relating to consideration of child abuse and involvement with protective services)”). Additionally, juvenile court files and records were made available to the DHS for use in determining whether an individual named as the perpetrator of an indicated report of child abuse should be expunged from the statewide database. *See* 42 Pa.C.S. § 6307(a)(6.5).

Rulemaking Proposal

The Committee proposed comprehensive amendments to Pa.R.Civ.P. 1915.3-2 (Criminal Record or Abuse History) governing the parties’ criminal record/abuse history, including the Verification form. To protect the parties, their household members, and the children against the disclosure of potentially confidential information, subdivision (a)(1) would require that the verification form remain confidential.

Regarding the timing of the filing, the Committee proposed modest revision of the requirements for the responding party. Currently, the defendant or respondent must file and serve the completed verification form “on or before the initial in-person contact with the court ... but not later than 30 days after service of the complaint or petition.” Subdivision (a)(3) would require, in pertinent part, that the verification form be filed with the prothonotary “before” the initial in-person contact or within 30 days of service of the initiating pleading, whichever occurs first. This amendment would ensure that the court has the responding party’s information before the initial in-person proceeding. The Committee believed it was necessary for the court to have the most current information about the parties’ and household members’ criminal record/abuse history to properly determine the best interest of the child.

Subdivision (a)(4) would require the parties to update the form when there are any changes to the household membership since the previous filing either five days after a change in circumstances or no less than one day before any proceeding, whichever occurs first. This requirement was intended to provide the parties and the court with current and accurate information so they can understand any potential threats of harm to the child. Subdivision (a)(5) would address sanctions for a party’s failure to comply with the requirement of filing their updated verification form.

The Committee proposed several changes to the verification form in subdivision (c). First, the parties would be required to complete the information on the form. Therefore, the form was revised to confirm that only a party, and not their attorney, must sign the form. The first page of the verification form, which was to include the names of all children and parties involved with the matter, may be used by the court to submit a request to the county agency regarding any involvement by the parties with the county agency, as provided in Pa.R.Civ.P. 1915.3-3.

Next, the form was expanded to include any pending charges, as well any offenses that have been resolved by Accelerated Rehabilitative Disposition or another diversionary program but have not been expunged. This addition would provide the court with the most relevant and recent information to ensure the best interest of the child, while being cognizant of the limitations associated with requesting information regarding expunged crimes or offenses having limited access or subject to “Clean Slate” programs.

To reflect recent statutory requirements, 18 Pa.C.S. § 2718 (related to strangulation), 18 Pa.C.S. Ch. 30 (related to human trafficking), and 18 Pa.C.S. § 5902(b.1) (relating to prostitution) was added to the enumerated crimes on the verification form. To provide a more complete history of violent or abusive conduct, the Committee proposed adding contempt of Protection of Victims of Sexual Violence and Intimidation order or agreement to the list of offenses included on the form. A “catch-all” category of “other” is also proposed to be included for other forms of abuse or violent conduct that may not be specifically enumerated.

The Committee proposed a new rule, Pa.R.Civ.P. 1915.3-3 (Report of Child Abuse and Protective Services), to provide a procedure for a custody court to request information from the local county agency, as well as the return and dissemination of that information. This rule, as well as Pa.R.Civ.P. 1915.3-4 (Form for Report of Child Abuse and Protective Services), which provides the form for the request of information, were intended to establish a uniform statewide procedure.

Subdivision (a) of Pa.R.Civ.P. 1915.3-3 would confirm the purpose for the rule, which is in accordance with 23 Pa.C.S. § 5329.1(a). Subdivision (b) provided definitions for both Pa.R.Civ.P. 1915.3-3 and 1915.3-4. Subdivision (c) outlined the minimum circumstances under which the court should request information from the local county agency. The Committee wanted to provide a general guideline for submission of the court’s request, while allowing each court discretion in deciding whether to request a report in other circumstances.

Subdivision (d) provided a timeline for the county agency to return the report to the court. The decision to specify “no later than five days” for the return of the completed form was selected considering the court’s need for information as quickly as possible, while being mindful of the administrative burden on county agencies. The proposed subdivision provided the court with the option of designating a different timing if there is a pressing need for the information to be returned sooner.

Subdivision (e) required that the court file the completed form on the docket and disseminate it to the parties. Subdivision (f) deemed the completed form to be confidential and warned recipients against further dissemination to maintain the confidentiality associated with county agency investigations, for the protection of the subject children, parties, and any interested third parties.

Subdivision (g) established the right of the parties and the court to subpoena the county agency to provide witnesses to attend and testify at a custody proceeding. The Committee believed that this subdivision was necessary due to the elimination of requests for any narrative explanation from the county agency in the report.

Pa.R.Civ.P. 1915.3-4 provided a form to be used for the court to request information from county agencies. The Committee took note that there is no statute “relaxing” the admissibility of caseworker statements and opinions in custody proceedings under the Pennsylvania Rules of Evidence. Cf. 23 Pa.C.S. § 6381 (admissibility of certain evidence in child abuse proceedings). Informed by recent rulemaking involving Pa.R.Civ.P. 1915.11-2 (Guardian *Ad Litem*), the Committee believed the returned form should be filed, shared with the parties, deemed confidential, and subject to the Pennsylvania Rules of Evidence.

The first page of the form would be the same as the first page of the Criminal Record or Abuse History Verification in Pa.R.Civ.P. 1915.3-2. Each party’s verification form will be filed with the court after being completed. In appropriate circumstances, the court or its designee could take the first page of each party’s verification form and submit it to the county agency to request information directly from the county agency.

The contents of the proposed form were similar to DHS’s form in the Office of Children, Youth and Families’ Bulletin No. 3490-19-30 (November 1, 2019). The proposed form was intended to solicit many of the statutory factors but eschewed those related to the “circumstances” of child abuse or provision of services. *See* 23 Pa.C.S. § 5329.1(a)(1)(iii), (a)(2)(iii). To address concerns that some of the items on the DHS form invited open-ended statements and possibly opinions, questions soliciting potential hearsay were eliminated. The open-ended requests for “any pertinent information” in Questions (I)(G) and (II)(I) from the DHS form were eliminated.

Court Notices

continued from 17

The Committee acknowledges this may result in the increased need for a county agency representative to testify in custody proceedings but believed that any such statements should be made subject to the Pennsylvania Rules of Evidence.¹

To preserve confidentiality, the Committee also omitted the requests for dates of referrals in the DHS form at Questions (I)(A) and (II)(A). The general timing of the alleged abuse will be evident, but specifically indicating the date of any referral might pinpoint the referral source, which is to remain confidential.

Pa.R.Civ.P. 1915.25 (Suspension of Acts of Assembly) was proposed to be amended to suspend 23 Pa.C.S. § 6339, insofar as it is inconsistent with Pa.R.Civ.P. 1915.3-3 and 1915.3-4. This amendment was intended to permit the court to share the completed forms provided by the county agency without risk of criminal prosecution.

Pa.R.Civ.P. 1915.4-4(f) (Pre-Trial Procedures) was proposed to be amended to require that the court address the parties' criminal record or abuse history; the admissibility of any county agency documents and information; and other related evidentiary issues at the pre-trial conference. This requirement appears in subdivision (f)(6).

A portion of the Note in current Pa.R.Civ.P. 1915.7 (Consent Order) referencing Pa.R.Civ.P. 1915.10(b) regarding written custody order requirements, was proposed to be eliminated. The Committee believed that Pa.R.Civ.P. 1915.10(b) related only to a court's decision in custody, not to an agreement by the parties. Therefore, it was irrelevant to Pa.R.Civ.P. 1915.7.

Regarding Pa.R.Civ.P. 1915.10, subdivision (c) would be amended to require the court's custody order to include a notice outlining the parties' ongoing obligation to update the verification form post-final order. This amendment was intended to inform the other party of any changes that may have a significant impact on the child and the child's best interest. By requiring a party to update the verification form when his or her circumstances, or those of a household member, warrant it, the other party can obtain information and assess whether a modification of the order is necessary. This requirement was fashioned after the current relocation notice requirement. Subdivision (c) would be subdivided so that both requirements, relocation and updating verification forms, are in separate subdivisions.

Commentary was added to Pa.R.Civ.P. 1915.10 to state that the filing of an updated verification form does not impose a duty on the court to review, respond, or react unless a party petitions the court for relief. While such a statement may seem harsh, it is intended to inform the parties that they must act to bring the matter to the court's attention through the adversarial process. The courts do not have the resources to actively monitor the filing of updated forms and to order the parties to appear.

Pa.R.Civ.P. 1915.15(c) would set forth the form of the order of court that must be attached to the front of the complaint or petition for modification that is served on the defendant or respondent. The proposed change in this rule reflected the same timing as Pa.R.Civ.P. 1915.3-2(a)(3).

Publication and Comments

The proposal was published for comment. See 53 Pa.B. 2560 (May 13, 2023). Six comments were received.

Rule 1915.3-2. Criminal Record or Abuse History.

The Committee received several comments regarding the timing for the completion, service, and filing of the verification forms. Revisions were made to subdivisions (a)(3) and (a)(4) to clarify the service and filing requirements for the defendant/respondent's verification and updated verifications. Subdivision (a)(4)(ii) was revised to specify that parties must file with the court an updated verification within 14 days of any change in circumstances, or within 5 days of any court proceeding, depending on whichever date occurs first. Prompt reporting of any change in circumstances was believed to be consistent with the intent of Kayden's Law, which is to maximize the protection of children from abusive relationships.

A commenter expressed concern that Pa.R.Civ.P. 1915.3-2(a)(4) does not explicitly state that there is an ongoing requirement to update the criminal record verification when there is no pending litigation. The Committee observed that subdivision (a)(4) would require an updated verification form either five days after any change in circumstances or no less than one day before any proceeding, whichever occurs first. Implicit in this requirement is that, if there is no pending proceeding, the five-day deadline applies. To clarify, the Committee revised subdivision (a)(4)(i) to add: "If there is no pending proceeding, the party shall complete, sign, and serve on the other parties an updated Criminal Record/Abuse History Verification form five days after any change in circumstances."

Relatedly, a commenter recommended that the updated verification requirement extend past the final order, "provided the child remains under the court's jurisdiction." To clarify, the Committee revised subdivision (a)(4)(i) to require updating "for as long as a child is subject to the court's jurisdiction."

Several commenters suggested that the nature of the sanctions to be imposed pursuant to Pa.R.Civ.P. 1915.3-2(a)(5) should be clarified. Further, it should be clarified if sanctions apply to "willful" disregard for the rule, as opposed to just negligence. Finally, it should be clarified whether the "willful failure" to file the form should be a part of the custody decision or if it should be a financial sanction.

The Committee intended for subdivision (a)(5) to provide the court with flexibility in determining whether to impose a sanction. There may be good cause for not filing a verification form or not timely filing a verification form. This flexibility also provides leeway for the untimely filing of a verification form. As for the type of sanction, the Committee did not wish to delineate sanctions, leaving that matter for judicial discretion based on individual circumstances. Additionally,

¹ The Committee observes there is no statute governing the admissibility of caseworker statements and opinions in custody proceedings. Cf. 23 Pa.C.S. § 6381 (admissibility of certain evidence in child abuse proceedings).

an incomplete or inaccurate form could also be used for impeachment purposes, which may be a sufficient "sanction," e.g., *falsus in uno, falsus in omnibus*.

A commenter believed the box on the criminal record/abuse history form in Pa.R.Civ.P. 1915.3-2(c) regarding an adjudication of dependency should be separate from that regarding delinquency because the delinquency inquiry is conditioned on the record being publicly available. Dependency records are not publicly available, so the public availability condition is inapplicable.

The Committee agreed that information concerning a delinquency adjudication, publicly available pursuant to 42 Pa.C.S. § 6307, should not be solicited under the topic of "Abuse or Agency Involvement" on the form in Pa.R.Civ.P. 1915.3-2. Additionally, soliciting such information under that topic is duplicative of what is solicited under the "Criminal Offenses" topic. Accordingly, the Committee removed publicly available delinquency adjudications from the "Abuse and Agency Involvement" topic. What remains of that inquiry is "An adjudication of dependency under Pennsylvania's Juvenile Act, or a similar law in another jurisdiction." The inquiry further prompts for the jurisdiction of the dependency case and whether the case remains active. The Committee observed this inquiry may overlap, to some degree, with a preceding inquiry concerning "involvement with a children and youth social service agency." However, not all encounters with a county agency result in a dependency petition being filed so the inquiries are not redundant.

A commenter sought to limit the "involvement with a county agency" question on the form to only adults. Thus, the question would cover a person who was a caregiver but not when the person was a child. The Committee did not make a responsive revision because it believed the judge should have this information and then determine whether that information is relevant.

Another commenter suggested adding a checkbox to the form to affirmatively indicate whether each enumerated offense and agency involvement is "not applicable." This approach struck the Committee as "belt and suspenders" because the form already instructs that the box should be checked for any applicable crime or offense. There appeared to be marginal informational benefit to adding the box.

A commenter also sought clarification whether only PFA litigants seeking custody must complete the form. Ostensibly, the current rule could be read as requiring all PFA litigants to complete the form, regardless of whether there is a custody matter. The Committee agreed to clarify Pa.R.Civ.P. 1915.3-2 so that only PFA litigants seeking custody are required to complete the verification form because the requirement is custody related. Accordingly, the third paragraph of the Comment to Pa.R.Civ.P. 1915.3-2 was revised to instruct that the form is required for a PFA where custody is sought, and it is not required if custody is not sought.

Another commenter thought that a household member might refuse to provide information necessary for a party to complete the form. In that circumstance, the party may be precluded from filing a custody action. The Committee believed that, if a party's household member refuses to provide that information, the party can explain to the court why they should not be sanctioned for filing an incomplete verification form, but this refusal should not preclude the filing of a custody action.

Rule 1915.3-3. Report of Child Abuse and Protective Services.

A commenter suggested that Pa.R.Civ.P. 1915.3-3(c) should clarify that the court transmits the form to the county agency and that the transmission should be immediate. Further, the deadline for the local agency to respond in subdivision (d) should be seven days prior to the scheduled hearing rather than five days after transmission to the county agency or the time specified by the court. Additionally, subdivision (g) should be revised to permit the county agency to testify via advanced communication technology (ACT), e.g., Zoom.

The Committee observed that subdivision (3)(c), proposed, stated: "the court shall ... transmit the form for completion to the county agency." The Committee did not believe the rule needed further clarification. In response to the requested extended deadline, the Committee changed it to 14 days and noted the proposed rule permits the court to specify when the completed form should be returned. Regarding the use of ACT, Pa.R.Civ.P. 1930.4 already permits the use of ACT with approval of the court for good cause shown.

Another commenter recommended that Pa.R.Civ.P. 1915.3-3(e) (dissemination) include language about the potential consequence to a party who has disseminated confidential information in violation of the rule. The Committee did not adopt this recommendation because the CPSL already provides the sanction for an unauthorized release of information. See 23 Pa.C.S. § 6349(b) (misdemeanor of the second degree); cf. *Schrader v. District Attorney of York County*, 74 F.4th 120, 126 (3rd Cir. 2023) (opining the statute may violate the First Amendment as applied if information was lawfully obtained). The rule does not criminalize further dissemination; the statute does. The present reference in subdivision (f) (confidentiality) to 23 Pa.C.S. Chapter 63 was deemed sufficient.

Rule 1915.3-4. Form for Report of Child Abuse and Protective Services.

Concerning the form for the report of child abuse and protective services, a commenter suggested adding a box indicating that the child is currently adjudicated dependent and including a prompt for the date of the order and the docket number, together with a statement that the court may take judicial notice of its records. Additionally, the commenter suggested eliminating the following from Question 2 because it is repetitive:

Has a party or member of the party's household been identified as the perpetrator in a founded report of child abuse?

Yes No. If yes, indicate date(s) of incident(s) and name(s):

The Committee agreed with adding a box indicating whether the child is currently an adjudicated dependent and, if "yes," including the adjudication date and docket number. This appears as Question 4 on the Form for Report of Child Abuse and Protective Services in Pa.R.Civ.P. 1915.3-4.

The Committee did not add a provision for judicial notice because that is governed by Pa.R.E. 201 (Judicial Notice of Adjudicative Facts). Additionally, given that dependency court records are not publicly available, it is uncertain whether those records are capable of judicial notice if a party to a custody action was not also a party to the dependency action. See Pa.R.E. 201(b)(1) (Kind of

Court Notices

continued from 18

Facts that may be Judicially Noticed).

Regarding the form's request for information about only founded reports, the Committee agreed that it was unnecessary because another question requests information about indicated *or* founded reports. Ultimately, the Committee abandoned the compound question by removing "or founded" in favor of separate inquiries regarding indicated reports and founded reports on the form.

A commenter suggested eliminating the response that the concerns in a GPS referral were "invalid" in Question (3)(A). The commenter did not believe that invalid concerns were relevant and might promote the filing of false reports. The Committee believed that the relevancy determination should be made by a judge rather than the rule. Indeed, the reporting of invalid concerns may be relevant to a best interest determination if the reporter is also a party to the custody action.

A commenter recommended deleting the portion of the form identifying the county agency caseworker and supervisor. Instead, the county agency could name a "Family Court Liaison" who would respond to the court notwithstanding any staffing changes. A liaison could be the county administrator, deputy administrator, case manager, or whoever else the county agency may so name. Relatedly, another commenter believed that requiring the testimony of county agency workers would place a burden on county agencies.

The Committee was not inclined to make this change because Pa.R.E. 602 requires a witness to have personal knowledge of the matter for which they are testifying. The caseworker would be that person. The Committee did not wish to endorse a practice whereby anyone from the local agency could appear as a witness to simply read from someone else's report. Further, while it is speculative whether the new form will increase the frequency that caseworkers are called to testify, the Committee did not disagree that testifying is typically more burdensome than submitting a written statement. However, the caseworker may be required to testify pursuant to the rules of evidence.

A commenter commended the proposed changes regarding the request for, and dissemination of, information from DHS and suggested adding a section allowing the agency to provide information about the circumstances of the abuse by sharing the category of abuse.

The Committee previously discussed the merits of using the completed form, which could be a conduit for hearsay. As was discussed in the Publication Report, the Committee specifically did not wish to solicit hearsay vis-à-vis the report of child abuse and protective services form. The circumstances are to be provided by the caseworker through sworn testimony subject to cross-examination.

A commenter asserted that dissemination of the report to all parties would conflict with the confidentiality requirement of 23 Pa.C.S. § 6340. The commenter recommended that the statement in subdivision (g) concerning confidentiality be placed on the form so that all parties are aware of the confidentiality of the information.

The Committee deliberated as to whether the report should be shared with the parties and the Committee reconfirmed that it should be shared if the information was received by the trier-of-fact *ex parte*. The suggestion that the report form contain a statement about the confidentiality of the form was accepted by the Committee and the form was revised to state:

NOTICE

The completed form shall be confidential and not publicly accessible. Further dissemination by the recipients of the form is in violation of 23 Pa.C.S. Ch. 63 (Child Protective Services Law).

A commenter also believed the form should provide for the confidentiality of an address when a party may be in hiding prior to seeking a PFA. The Committee confirmed that both the child abuse and protective services reporting form and the criminal record/abuse history form provide a check box for a confidential address.

Finally, a commenter contended that the required disclosure of services and referrals to outside providers for household members without the informed consent of non-parties may lead to distrust among participants, the community, and county agencies. The Committee observed that the form requires disclosure of this information because 23 Pa.C.S. § 5329.1 requires the court to consider that information.

Rule 1915.4-4. Pre-Trial Procedures.

A commenter believed Pa.R.Civ.P. 1915.4-4(c) should clarify that only exhibits to be used in a party's "case in chief" are expected to be produced because there may be other permissible rebuttal exhibits that could not be anticipated at that time. The Committee did not disagree but considered it outside the scope of the proposal. Whether rebuttal exhibits are included in a pretrial statement is more a matter of practice than procedure. *See, e.g.*, Pa.R.Civ.P. 212.2(a)(4), note ("This rule does not contemplate that the pre-trial statement include a list of exhibits for use in rebuttal or for impeachment. These matters are governed by case law.").

Rule 1915.10. Decision. Order.

Regarding Pa.R.Civ.P. 1915.10, a commenter expressed concern that details, including "highly sensitive information," contained in an order may also put the child or parent's safety and well-being at risk. The Committee responded that the rule requires the court to state the reasons for its decision on the record or in a written opinion or order. Additionally, those reasons may also include whether the child is at risk of harm so that safety provisions are included in the order. Finally, the parties have a right to know the basis for the court decision. An alternative does not exist.

Rule 1915.15. Form of Complaint. Caption. Order. Petition to Modify a Custody Order.

A commenter suggested that the order in Pa.R.Civ.P. 1915.15(c) provide better contact information for bar association, legal aid, and ADA Act offices. The Committee believed this suggestion was outside the scope of the proposal.

Rule 1915.25. Suspension of Acts of Assembly.

A commenter disagreed with the proposed wording of Pa.R.Civ.P. 1915.25 suspending 23 Pa.C.S. § 6339, insofar as it is inconsistent with the rules. Instead, the commenter suggested: "The provision of 23 Pa.C.S. § 6339 is protected, insofar as it is not inconsistent with this rule." This suggested wording was intended to "preserve confidentiality."

The Committee observed that the proposed language is consistent with that used in Pa.R.Civ.P. 1915.25. Additionally, it is consistent with the language used in Pa.R.J.C.P. 1800(9), which also suspends 23 Pa.C.S. § 6339 insofar as it is inconsistent with Pa.R.J.C.P. 1340(B)(1)(e). Accordingly, the Committee made no responsive revisions.

Post-Publication Revisions

Rule 1915.7. Consent Order.

The Committee observed that the 2019 amendment of Pa.R.Civ.P. 1915.7 (Consent Order) added the reference to Pa.R.Civ.P. 1915.10(b), regarding written order requirements, in the Comment. The intent of that amendment was for consent orders to be in writing. After further review, the Committee decided to retain that reference. Given that the removal of the reference was the only substantive proposed amendment of Pa.R.Civ.P. 1915.7, that rule was removed from the proposal.

"Kayden's Law"

The Act of April 15, 2024, P.L. 24, No. 8, colloquially known as "Kayden's Law," was intended to strengthen the custody factors as they relate to abuse and to provide for additional safety conditions and restrictions to protect children and abused parties.

The Act amended the definition of "abuse" to include 18 Pa.C.S. § 2709.1 (stalking) and added exceptions for the justified use of force. *See* 23 Pa.C.S. § 5322(a). Stalking is already one of the enumerated offenses on the criminal record/abuse history form. Additionally, the form references "abuse," as defined by 23 Pa.C.S. § 6102. Therefore, the verification form presently collected sufficient information to meet the amended definition of "abuse." Whether an exception for justified use of force is available should be a matter for the court to decide, not the party completing the form.

Kayden's Law also contained several additional definitions, including "household member," "nonprofessional supervised physical custody," "professional supervised physical custody," "safety of the child," and "temporary housing instability." *See id.* Regarding "household member," it is defined as:

A spouse or an individual who has been a spouse, an individual living as a spouse or who lived as a spouse, a parent or child, another individual related by consanguinity or affinity, a current or former sexual or intimate partner, an individual who shares biological parenthood or any other person, who is currently sharing a household with the child or a party.

23 Pa.C.S. § 5322(a). Owing to the placement of the last comma before the overarching conditional clause of "who is currently sharing a household with the child or a party," the antecedent description of definite classes, together with the indefinite class of "any other person," seem to include anyone meeting the conditional clause. Stated differently, it appears that a "household member" is anyone sharing a household with the child or a party. Rather than attempting to restate the definition in layperson terms or to repeat an arguably confusing definition, the Committee proposed adding a reference to the definition of "household member" and 23 Pa.C.S. § 5322(a) in the Comment to Pa.R.Civ.P. 1915.3-2.

Regarding the other definitions, the Committee observed that Pa.R.Civ.P. 1915.2(b) defines the various forms of legal and physical custody. "Supervised physical custody" is defined as "custodial time during which an agency or an adult designated by the court or agreed upon by the parties monitors the interaction between the child and the individual with those rights." *See also* 23 Pa.C.S. § 5322(b). The Committee believed that the definition of "supervised physical custody" is sufficiently broad to encompass both professional and nonprofessional supervised physical custody without the need to specifically define those forms of supervised physical custody via rule. Indeed, those phrases seem self-defining. Further, the definitions in Pa.R.Civ.P. 1915.2 track the types of custody that may be awarded, which do not include whether the supervision is professional or non-professional. *See* 23 Pa.C.S. § 5323(a) (Award of Custody).

The other definitions added by Kayden's Law are substantive rather than procedural. Accordingly, the Committee did not recommend their codification within the procedural rules governing child custody proceedings.

Kayden's Law next enhanced the statutory requirements for safety conditions² when there is a history of abuse of the child or a household member by a party *or* a risk of harm to the child or an abused party. *See* 23 Pa.C.S. § 5323(e) (emphasis added). Notably, the requirement of safety conditions was expanded to include a history of abuse, including abuse of a household member by a party. If a safety condition is required, the court must include in the custody order the reason for imposing the safety condition, why it is in the best interest of the child or a party, and the reason why unsupervised physical custody is in the child's best interest if there is a history of abuse committed by a party. *See id.* § 5323(e)(1)(ii)-(e)(1)(iii).

Pa.R.Civ.P. 1915.10(b)(2) requires the court to include safety provisions for the protection of an endangered party or the child if the court finds either of them to be at risk of harm. The commentary provides a non-exhaustive list of safety provisions. The Committee proposed further revising subdivision (b)(2) to state the statutory precondition in § 5323(e)(1) and to set forth the required findings in subdivision (b)(2)(i)-(b)(2)(iii).

Further, the Committee proposed revising commentary to reference pertinent statutory

Court Notices

continued from 19

authority. The existing phrase, “safety provisions,” was believed to be sufficient to cover “safety conditions, restrictions or safeguards as reasonably necessary.” *See* 23 Pa.C.S. § 5323(e)(1)(i). The phrase “reasonably necessary” was omitted because it is implicit that a court would only impose both reasonable and necessary safety provisions. The non-exhaustive list of examples of safety provisions would be revised to add “professional” to “supervised physical custody” consistent with the Act.

Within the same statute, “if supervised contact is ordered,” § 5323(e)(2) permits a party to petition for judicial review of the “risk of harm” and continued need for supervision.³ *See id.* § 5323(e)(2). Presumably, this is “supervised contact” permitted pursuant to § 5323(e)(1) when safety conditions are imposed; however, the statute lacks prefatory language in § 5523(e) or internal references. “Contact” is undefined and ambiguous as to physical contact or verbal, written, or remote communications. The Committee construed “supervised contact” to be synonymous with “supervised physical custody.”

It was not apparent whether the petition practice permitted by § 5323(e)(2) was intended to permit a party for whom custody must be supervised to challenge the continued necessity of supervised physical custody. Alternatively, the provision could be intended to permit the other party to challenge the degree to which physical custody is supervised. Nonetheless, § 5323(e)(2) set forth several safety conditions available, including professional and nonprofessional supervised physical custody, as well as the qualification of a professional supervisor.

Aside from reference to § 5323(e)(2) in the Comment to Pa.R.Civ.P. 1915.10, no further responsive rulemaking was recommended for several reasons. First, the reach of § 5323(e)(2) was ambiguous. The courts should resolve this ambiguity rather than the rules. Second, and perhaps more importantly, rulemaking was unnecessary because the statutorily sanctioned petition practice was unnecessary. Pennsylvania has rejected the need to demonstrate a change in circumstances to seek modification of custody. *See, e.g., Karis v. Karis*, 544 A.2d 1328, 1332 (Pa. 1988) (“[A] petition for modification of a partial custody to shared custody order requires the court to inquire into the best interest of the child regardless of whether a ‘substantial’ change in circumstances has been shown.”). The statute explicitly permits a petition to seek review of the conditions of physical custody, but parties have been able to do so without such statutory permission.

Kayden’s Law also added § 5323(e.1), which created a rebuttable presumption for supervised physical custody if there is a finding of “an ongoing risk of abuse of the child.” *See* 23 Pa.C.S. § 5323(e.1). This provision introduced a new condition of “risk of abuse,” as opposed to “risk of harm,” and limited the condition to the child. Given that § 5323(e.1) is an entirely separate subsection of § 5323, this presumption may arise when the court is awarding custody pursuant to § 5323(e)(1) and upon a party’s petition pursuant to § 5323(e)(2).⁴ If the court awards supervised physical custody because of the presumption, then § 5223(e.1) instructs the court to “favor” the condition of professional supervised custody unless it is unavailable or unaffordable.

Aside from reference to § 5323(e.1) in the Comment to Pa.R.Civ.P. 1915.10, no responsive rulemaking was recommended because rebuttable presumptions are substantive – the rules implement the law but do not restate the law. Further, the custody rules generally do not instruct the judges on how to apply the law. Finally, “favor” seemed to be an amorphous term intended to influence judicial discretion by an unquantifiable measure.

Kayden’s Law also amended the custody factors in 23 Pa.C.S. § 5328 consistent with the Act. The current rules do not enumerate the factors so no responsive amendments were believed necessary.

The Act added seven offenses (18 Pa.C.S. §§ 2701, 2705, 2904, 5533, 5534, 5543, and 5544) to the list of offenses to be considered pursuant to 23 Pa.C.S. § 5329. Readers should note that, during this rulemaking, the Court amended Pa.R.Civ.P. 1915.3-2(c) to update the offenses to the criminal record/abuse history verification form. *See* Order No. 755 Civil Procedural Rules Docket (August 9, 2024); 54 Pa.B. 5353 (August 24, 2024). That amendment has been incorporated into Pa.R.Civ.P. 1915.3-2.

Kayden’s Law amended 23 Pa.C.S. § 5334(c) to make the appointment of a guardian *ad litem* for a child discretionary when there are substantial allegations of abuse. This amendment also broadens the condition of the statute’s application from “child abuse” to “abuse.” The two further conditions of the statute for the appointment of a guardian *ad litem* were changed from disjunctive to conjunctive. Pa.R.Civ.P. 1915.11-2(a) permits the appointment of a guardian *ad litem* “when necessary for determining the child’s best interest.” That rule has no specific provision for the appointment of a guardian *ad litem* for alleged child abuse, and subdivision (a) is therefore sufficient to address the revised circumstances.

The Committee intends to continue to monitor the application of Kayden’s Law for further rulemaking. *See also* 54 Pa.B. 6244 (October 5, 2024) (proposing a rule and forms for the use of non-professional custody supervisors).

As a matter of restyling, the following commentary was removed from Pa.R.Civ.P. 1915.25. “Note: Rule 1915.6(b) provides that a person not a party who claims to have custody or visitation rights with respect to the child shall be given notice of the pendency of the proceedings and of the right to intervene.”

These amendments and Pa.R.Civ.P. 1915.3-3 and Pa.R.Civ.P. 1915.3-4 become effective on July 2, 2025 Rule 1915.3-2. Criminal Record or Abuse History.

[(a) *Criminal Record or Abuse History Verification.* A party must file and serve with the complaint, any petition for modification, any counterclaim, any petition for contempt or any count for custody in a divorce complaint or counterclaim a verification regarding any criminal record or abuse history of that party and anyone living in that party’s household. The verification

³ Per the language of the statute, the judicial review is limited to the risk of harm and, consequently, not the history of abuse. Further, the statute does not address whether the risk of harm is toward the child or an abused party.

⁴ Within § 5323(e.1), there is a sentence addressing the use of an indicated report as a basis for a finding of abuse. However, the court may only make such a finding after a *de novo* “review” of the circumstances leading to the report. This provision supported the Committee’s proposal that information about county agency involvement must be shared with the parties in a custody proceeding.

shall be substantially in the form set forth in subdivision (c) below. The party must attach a blank verification form to a complaint, counterclaim or petition served upon the other party. Although the party served need not file a responsive pleading pursuant to Rule 1915.5, he or she must file with the court a verification regarding his or her own criminal record or abuse history and that of anyone living in his or her household on or before the initial in-person contact with the court (including, but not limited to, a conference with a conference officer or judge or conciliation, depending upon the procedure in the judicial district) but not later than 30 days after service of the complaint or petition. A party’s failure to file a Criminal Record or Abuse History Verification may result in sanctions against that party. Both parties shall file and serve updated verifications five days prior to trial.

(b) *Initial Evaluation.* At the initial in-person contact with the court, the judge, conference officer, conciliator or other appointed individual shall perform an initial evaluation to determine whether the existence of a criminal or abuse history of either party or a party’s household member poses a threat to the child and whether counseling is necessary. The initial evaluation required by 23 Pa.C.S. § 5329(c) shall not be conducted by a mental health professional. After the initial evaluation, the court may order further evaluation or counseling by a mental health professional if the court determines it is necessary. Consistent with the best interests of the child, the court may enter a temporary custody order on behalf of a party with a criminal history or a party with a household member who has a criminal history, pending the party’s or household member’s evaluation and/or counseling.

Note: The court shall consider evidence of criminal record or abusive history presented by the parties. There is no obligation for the court to conduct an independent investigation of the criminal record or abusive history of either party or members of their household. The court should not consider ARD or other diversionary programs. When determining whether a party or household member requires further evaluation or counseling, or whether a party or household member poses a threat to a child, the court should give consideration to the severity of the offense, the age of the offense, whether the victim of the offense was a child or family member and whether the offense involved violence.

(c) *Verification.* The verification regarding criminal or abuse history shall be substantially in the following form:

(Caption)
CRIMINAL RECORD / ABUSE HISTORY VERIFICATION

I _____, hereby swear or affirm, subject to penalties of law including 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities that:

1. Unless indicated by my checking the box next to a crime below, neither I nor any other member of my household have been convicted or pled guilty or pled no contest or was adjudicated delinquent where the record is publicly available pursuant to the Juvenile Act, 42 Pa.C.S. § 6307 to any of the following crimes in Pennsylvania or a substantially equivalent crime in any other jurisdiction including pending charges:

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contest plea or pending charges	Sentence
	18 Pa.C.S. Ch. 25 (relating to criminal homicide)				
	18 Pa.C.S. § 2701 (relating to simple assault)				
	18 Pa.C.S. § 2702 (relating to aggravated assault)				
	18 Pa.C.S. § 2705 (relating to recklessly endangering another person)				
	18 Pa.C.S. § 2706 (relating to terroristic threats)				
	18 Pa.C.S. § 2709.1 (relating to stalking)				

Court Notices

continued from 20

18 Pa.C.S. § 2718
(relating to strangulation)

18 Pa.C.S. § 2901
(relating to kidnapping)

18 Pa.C.S. § 2902 (relating to unlawful restraint)

18 Pa.C.S. § 2903
(relating to false imprisonment)

18 Pa.C.S. § 2904
(relating to interference with custody of children)

18 Pa.C.S. § 2910
(relating to luring a child into a motor vehicle or structure)

18 Pa.C.S. Ch. 30 (relating to human trafficking)

18 Pa.C.S. § 3121
(relating to rape)

18 Pa.C.S. § 3122.1 (relating to statutory sexual assault)

18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse)

18 Pa.C.S. § 3124.1 (relating to sexual assault)

18 Pa.C.S. § 3125
(relating to aggravated indecent assault)

18 Pa.C.S. § 3126
(relating to indecent assault)

18 Pa.C.S. § 3127
(relating to indecent exposure)

18 Pa.C.S. § 3129
(relating to sexual intercourse with animal)

18 Pa.C.S. § 3130
(relating to conduct relating to sex offenders)

18 Pa.C.S. § 3301 (relating to arson and related offenses)

18 Pa.C.S. § 4302 (relating to incest)

18 Pa.C.S. § 4303
(relating to concealing death of child)

18 Pa.C.S. § 4304 (relating to endangering welfare of children)

18 Pa.C.S. § 4305
(relating to dealing in infant children)

18 Pa.C.S. § 5533
(relating to cruelty to animal)

18 Pa.C.S. § 5534
(relating to aggravated cruelty to animal)

18 Pa.C.S. § 5543
(relating to animal fighting)

18 Pa.C.S. § 5544
(relating to possession of animal fighting paraphernalia)

18 Pa.C.S. § 5902(b) or (b)
(1) (relating to prostitution and related offenses)

18 Pa.C.S. § 5903(c) or (d)
(relating to obscene and other sexual materials and performances)

18 Pa.C.S. § 6301 (relating to corruption of minors)

18 Pa.C.S. § 6312
(relating to sexual abuse of children)

18 Pa.C.S. § 6318 (relating to unlawful contact with minor)

18 Pa.C.S. § 6320
(relating to sexual exploitation of children)

23 Pa.C.S. § 6114
(relating to contempt for violation of protection order or agreement)

Court Notices

continued from 21

<p>Driving under the influence of drugs or alcohol _____</p> <p>Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device _____</p> <p>2. Unless indicated by my checking the box next to an item below, neither I nor any other member of my household have a history of violent or abusive conduct, or involvement with a Children & Youth agency, including the following:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 5px;">Check all that apply</th> <th style="text-align: left; padding: 5px;">Self</th> <th style="text-align: left; padding: 5px;">Other household member</th> <th style="text-align: left; padding: 5px;">Date</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction.</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> </tr> <tr> <td style="padding: 5px;">Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction.</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> </tr> <tr> <td style="padding: 5px;">Involvement with a Children & Youth Agency or similar agency in Pennsylvania or another jurisdiction. Where?: _____ _____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> </tr> <tr> <td style="padding: 5px;">Other: _____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> </tr> </tbody> </table> <p>3. Please list any evaluation, counseling or other treatment received following conviction or finding of abuse:</p> <p>_____</p> <p>_____</p> <p>4. If any conviction above applies to a household member, not a party, state that person's name, date of birth and relationship to the child.</p> <p>_____</p> <p>_____</p> <p>5. If you are aware that the other party or members of the other party's household has or have a criminal record/abuse history, please explain:</p> <p>_____</p> <p>_____</p> <p>I verify that the information above is true and correct to the best of my knowledge, information, or belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities. _____ Signature</p> <p style="text-align: right;">Printed Name] _____</p> <p style="text-align: center;">(This is entirely new text.)</p> <p>(a) Criminal Record/Abuse History Verification.</p> <p>(1) Confidential Document. A party's filed Criminal Record/Abuse History Verification form shall be confidential and shall not be publicly accessible.</p> <p>(2) Plaintiff or Petitioner. Contemporaneous with filing a custody action or a contempt proceeding, the plaintiff or petitioner shall:</p> <p>(i) complete, sign, and file with the prothonotary a Criminal Record/Abuse History Verification form for the party and any member of that party's household, as provided in subdivision (c); and</p> <p>(ii) serve the complaint, petition, or counterclaim on the defendant or respondent with:</p> <p>(A) a copy of the filed Criminal Record/Abuse History Verification form; and</p> <p>(B) a blank Criminal Record/Abuse History Verification form for the defendant or respondent to complete and file.</p> <p>(3) Defendant or Respondent. After being served pursuant to subdivision (a)(2)(ii), the defendant or respondent shall:</p> <p>(i) complete, sign, and serve on the plaintiff or petitioner the Criminal Record/Abuse History Verification form for the defendant or respondent and any member of that party's household no less than one day prior to the initial in-person contact with the court or within 30 days of service of the initiating pleading, whichever occurs first; and</p> <p>(ii) file the completed and signed Criminal Record/Abuse History Verification form at the initial in-person contact with the court or within 30 days of service of the initiating pleading, whichever occurs first.</p> <p>(4) Updating Criminal Record/Abuse History Verification Form.</p> <p>(i) For as long as a child is subject to the court's jurisdiction and following the initial in-person contact with the court, a party shall complete, sign, and serve on the other parties an updated Criminal Record/Abuse History Verification form either five days after any change in circumstances, or no less than one day prior to any proceeding, whichever occurs first. If there is no pending proceeding, the party shall complete, sign, and serve on the other parties an updated Criminal Record/Abuse History Verification form five days after any change in circumstances. A party shall report a change in circumstances of the party and any of the party's household members.</p> <p>(ii) The updated Criminal Record/Abuse History Verification form shall be filed with the prothonotary within 14 days of any change in circumstances, or five days prior to any court proceeding, whichever occurs first.</p> <p>(5) Sanctions. A party's failure to file an initial or updated Criminal Record/Abuse History Verification form may result in sanctions against that party.</p> <p>(b) Evaluation.</p> <p>(1) Initial Evaluation. During the initial in-person custody proceeding, the judge, conference officer, conciliator, or other appointed individual shall evaluate whether a party or household member poses a threat to the child.</p> <p>(i) In determining whether a party or household member poses a threat to the child or requires an additional evaluation or counseling, as provided in 23 Pa.C.S. § 5329(c)-(e), the judge, conference officer, conciliator, or other appointed individual shall consider:</p> <p>(A) the party's Criminal Record/Abuse History Verification form; and</p> <p>(B) other information or documentation of the party's or household member's criminal record or abuse history that is provided by either party.</p> <p>(ii) To the extent a party or household member has a criminal record relating to an enumerated offense in 23 Pa.C.S. § 5329(a) or an abuse history, the judge, conference officer, conciliator, or other appointed individual shall consider:</p> <p>(A) the severity of the offense or abuse;</p> <p>(B) when the offense or abuse occurred;</p> <p>(C) if the victim was a child or family member; and</p> <p>(D) whether the offense or abuse involved physical violence.</p> <p>(2) Additional Evaluation or Counseling. If the initial</p>	Check all that apply	Self	Other household member	Date	A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction.	_____	_____	_____	Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction.	_____	_____	_____	Involvement with a Children & Youth Agency or similar agency in Pennsylvania or another jurisdiction. Where?: _____ _____	_____	_____	_____	Other: _____	_____	_____	_____
Check all that apply	Self	Other household member	Date																	
A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction.	_____	_____	_____																	
Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction.	_____	_____	_____																	
Involvement with a Children & Youth Agency or similar agency in Pennsylvania or another jurisdiction. Where?: _____ _____	_____	_____	_____																	
Other: _____	_____	_____	_____																	

Court Notices

continued from 22

evaluation set forth in subdivision (b)(1) determines that a party or household member poses a threat to the child, the conference officer, conciliator, or other appointed individual conducting the evaluation may recommend to the judge and the judge may order:

- (i) a party or party's household member to undergo an additional evaluation or counseling by a mental health professional appointed by the court; or
- (ii) temporary custody pending the additional evaluation or counseling.

(c) **Form.** The verification regarding criminal record or abuse history shall be substantially in the following form:

(Caption)

**CRIMINAL RECORD / ABUSE HISTORY VERIFICATION
REPORT OF CHILD ABUSE AND PROTECTIVE SERVICES REQUESTED BY
COURT**

(Court may use the first page of the parties' criminal record/abuse history verification or may complete a new form.)

1. **Participants.** Please list ALL members in your/the participant's household and attach sheets if necessary:

Name	Date of Birth	Address	Relationship to Child(ren)

____ Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa.C.S. § 6112, or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 Pa.C.S. §§ 6701-6713, or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

Please list ALL members in the opposing party's household and attach sheets if necessary:

Name	Date of Birth	Address	Relationship to Child(ren)

____ Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa.C.S. § 6112, or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 Pa.C.S. §§ 6701-6713, or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

SUBJECT CHILD(REN) – Attach additional sheets if necessary:

Name	Date of Birth

2. **Criminal Offenses.** As to the following listed Pennsylvania crimes or offenses, or another jurisdiction's substantially equivalent crimes or offenses, check the box next to any applicable crime or offense in which you or a household member:

- has pleaded guilty or no contest;
- has been convicted;
- has charges pending; or
- has been adjudicated delinquent under the Juvenile Act, 42 Pa.C.S. §§ 6301 - 6375, and the record is publicly available as set forth in 42 Pa.C.S. § 6307.

You should also check the box next to a listed criminal offense even if the offense has been resolved by Accelerated Rehabilitative Disposition (ARD) or another diversionary program, unless it has been expunged pursuant to 18 Pa.C.S. § 9122, or a court has entered an order for limited access, *e.g.*, Clean Slate, pursuant to 18 Pa.C.S. §§ 9122.1 or 9122.2.

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contest plea, or pending charges	Sentence
	18 Pa.C.S. Ch. 25 (relating to criminal homicide)				
	18 Pa.C.S. § 2701 (relating to simple assault)				
	18 Pa.C.S. § 2702 (relating to aggravated assault)				
	18 Pa.C.S. § 2705 (relating to recklessly endangering another person)				
	18 Pa.C.S. § 2706 (relating to terroristic threats)				
	18 Pa.C.S. § 2709.1 (relating to stalking)				
	18 Pa.C.S. § 2718 (relating to strangulation)				
	18 Pa.C.S. § 2901 (relating to kidnapping)				
	18 Pa.C.S. § 2902 (relating to unlawful restraint)				
	18 Pa.C.S. § 2903 (relating to false imprisonment)				
	18 Pa.C.S. § 2904 (relating to interference with custody of children)				
	18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure)				
	18 Pa.C.S. Ch. 30 (relating to human trafficking)				
	18 Pa.C.S. § 3121 (relating to rape)				
	18 Pa.C.S. § 3122.1 (relating to statutory sexual assault)				
	18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse)				

Court Notices

continued from 23

18 Pa.C.S. § 3124.1 (relating to sexual assault)	_____	_____	18 Pa.C.S. § 5903(c) or (d) (relating to obscene and other sexual materials and performances)	_____	_____
18 Pa.C.S. § 3125 (relating to aggravated indecent assault)	_____	_____	18 Pa.C.S. § 6301 (relating to corruption of minors)	_____	_____
18 Pa.C.S. § 3126 (relating to indecent assault)	_____	_____	18 Pa.C.S. § 6312 (relating to sexual abuse of children)	_____	_____
18 Pa.C.S. § 3127 (relating to indecent exposure)	_____	_____	18 Pa.C.S. § 6318 (relating to unlawful contact with minor)	_____	_____
18 Pa.C.S. § 3129 (relating to sexual intercourse with animal)	_____	_____	18 Pa.C.S. § 6320 (relating to sexual exploitation of children)	_____	_____
18 Pa.C.S. § 3130 (relating to conduct relating to sex offenders)	_____	_____	Finding of contempt of a Protection from Abuse order or agreement under 23 Pa.C.S. § 6114	_____	_____
18 Pa.C.S. § 3301 (relating to arson and related offenses)	_____	_____	Finding of contempt of a Protection of Victims of Sexual Violence and Intimidation order or agreement under 42 Pa.C.S. § 62A14	_____	_____
18 Pa.C.S. § 4302 (relating to incest)	_____	_____	Driving under the influence of drugs or alcohol	_____	_____
18 Pa.C.S. § 4303 (relating to concealing death of child)	_____	_____	Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device	_____	_____
18 Pa.C.S. § 4304 (relating to endangering welfare of children)	_____	_____			
18 Pa.C.S. § 4305 (relating to dealing in infant children)	_____	_____			
18 Pa.C.S. § 5533 (relating to cruelty to animal)	_____	_____			
18 Pa.C.S. § 5534 (relating to aggravated cruelty to animal)	_____	_____			
18 Pa.C.S. § 5543 (relating to animal fighting)	_____	_____			
18 Pa.C.S. § 5544 (relating to possession of animal fighting paraphernalia)	_____	_____			
18 Pa.C.S. § 5902(b) or (b.1) (relating to prostitution and related offenses)	_____	_____			

3. **Abuse or Agency Involvement.** Check the box next to any statement that applies to you, a household member, or your child.

Check all that apply

Self **Household** **Child**
member

Involvement with a children and youth social service agency in Pennsylvania or a similar agency in another jurisdiction.

What jurisdiction?: _____

A determination or finding of abuse (*i.e.*, indicated or founded report) by a children and youth social service agency or court in Pennsylvania or a similar agency or court in another jurisdiction.

What jurisdiction?: _____

Court Notices

continued from 24

An adjudication of dependency involving this child or any other child under Pennsylvania's Juvenile Act, or a similar law in another jurisdiction.

What jurisdiction?: _____
Is the case active?: _____

A history of perpetrating "abuse" as that term is defined in the Protection from Abuse Act, 23 Pa.C.S. § 6102.

A history of perpetrating "sexual violence" or "intimidation" as those terms are defined in 42 Pa.C.S. § 62A03 (relating to protection of victims of sexual violence and intimidation).

Other: _____

4. If you checked a box in (2) or (3), list any evaluation, counseling, or other treatment received as a result:

5. If you checked a box in (2) or (3) that applies to your household member, who is not a party, state that person's name, date of birth, and relationship to the child.

6. If you are aware that the other party or the other party's household member has a criminal record or abuse history, please explain:

ONLY A PARTY CAN SIGN THIS FORM. IF A PARTY IS REPRESENTED BY AN ATTORNEY, THE ATTORNEY CANNOT SIGN THIS FORM ON BEHALF OF THE PARTY.

I verify that the information above is true and correct to the best of my knowledge, information, or belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date _____
Signature _____

Plaintiff/Defendant

Printed Name

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents

Signature of Filer

Printed Name

Comment: There is no obligation for the court to conduct an independent investigation of the criminal record or abuse history of a party or the party's household member.

The intent of subdivision (a)(4) is for the parties to have the most current information available, including after a final order — provided the child remains under the court's jurisdiction.

As used in subdivision (a), a "child custody action" is intended to include any action where custody is sought to be awarded, including a protection from abuse action. An Criminal Record/Abuse History Verification form is not required in a protection from abuse action if custody is not sought.

See 23 Pa.C.S. § 5322 (defining "household member").

For subdivision (c)(6), see Pa.R.Civ.P. 1930.5 (discovery in domestic relations matters) and Pa.R.E. 614 (court's calling or examining a witness).

Given the sensitive nature of the record, see Pa.R.Civ.P. 1930.1 (form of caption and applicability of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*).

(This is an entirely new rule.)

Rule 1915.3-3. Report of Child Abuse and Protective Services.

(a) **General Rule.** A court shall determine whether a participant in a child custody action has a history of child abuse or involvement with protective services.

(b) **Definitions.** The following definitions shall apply to this rule:

④ "Participant" shall include any party, child, or member of a party's household identified on the Criminal Record or Abuse History Verification, as required by Pa.R.Civ.P. 1915.3-2.

④ "County agency" shall have the same meaning as set forth in Pa.R.J.C.P. 1120 (defining "county agency").

④ "Form" shall be the form found at Pa.R.Civ.P. 1915.3-4.

- (c) **Submission.** Whenever a party has disclosed a history of child abuse or involvement with protective services pursuant to Pa.R.Civ.P. 1915.3-2, or the court or its designee believes that further inquiry is warranted, the court shall confirm or identify all participants on the form in Pa.R.Civ.P. 1915.3-4 and transmit the form for completion to the county agency with notice to the parties.
- (d) **Return.** The county agency shall complete the form for all participants and return it to the court no later than 14 days or the time specified by the court after receiving the submission.
- (e) **Dissemination.** Upon receipt of the completed form, the court shall promptly docket and disseminate it to the parties.
- (f) **Confidentiality.** The completed form shall be confidential and not publicly accessible. Further dissemination by the recipients of the form is in violation of 23 Pa.C.S. Ch. 63 (Child Protective Services Law).
- (g) **Witnesses.** The parties may subpoena with leave of court, or the court may otherwise order, the county agency to provide a witness or witnesses to attend and testify about any child abuse history or protective services disclosed on the form.

Comment: This rule is intended to implement 23 Pa.C.S. § 5329.1.

As used in subdivision (a), a "child custody action" is intended to include any action where custody may be awarded, including a protection from abuse action.

For subdivision (c), the court may use Part I (Participant) of each party's Criminal Record or Abuse History Verification ("Verification"), as provided in Rule 1915.3-2, in lieu of completing the "participant" section of the form. The court shall indicate the request for information by checking the box at the top of the first page of the Verification.

For subdivision (g), see Pa.R.Civ.P. 1930.5 (discovery in domestic relations matters) and Pa.R.E. 614 (court's calling or examining a witness).

Given the sensitive nature of the record, see Pa.R.Civ.P. 1930.1 (form of caption and applicability of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*).

Rule 1915.25(c) suspends 23 Pa.C.S. § 6339, insofar as it is inconsistent with this rule.

(This is an entirely new rule.)

Rule 1915.3-4. Form for Report of Child Abuse and Protective Services.

The report of child abuse and protective services pursuant to Pa.R.Civ.P. 1915.3-3 shall be substantially in the following form:

(Caption)
CRIMINAL RECORD / ABUSE HISTORY VERIFICATION
REPORT CHILD ABUSE AND PROTECTIVE SERVICES REQUESTED BY COURT

(Court may use the first page of the parties' criminal record/abuse history verification or may complete a new form.)

1. **Participants.** Please list ALL members in your/the participant's household and attach sheets if necessary:

Name	Date of Birth	Address	Relationship to Child(ren)

____ Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa.C.S. § 6112, or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 Pa.C.S. §§ 6701-6713, or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

Please list ALL members in the opposing party's household and attach sheets if necessary:

Name	Date of Birth	Address	Relationship to Child(ren)

____ Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa.C.S. § 6112, or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 Pa.C.S. §§ 6701-6713, or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

SUBJECT CHILD(REN) – Attach additional sheets if necessary:

Court Notices

continued from 25

Name	Date of Birth

TO BE COMPLETED BY THE COUNTY AGENCY:

CHECK ALL THAT APPLY:

- No information on this family within county agency records.
- Child Protective Services (Complete CPS section below).
- General Protective Services (Complete GPS section below).

2. Child Protective Services (CPS) Cases:

Was any child(ren), listed above, subject of an indicated report of child abuse? Circle your response and supplement, if indicated.

Yes No If yes, indicate date(s) of incident(s) and name(s):
 Was any child(ren), listed above, subject of a founded report of child abuse?
 Yes No If yes, indicate date(s) of incident(s) and name(s):

Has a party or member of the party's household been identified as the perpetrator in an indicated report of child abuse?

Yes No If yes, indicate date(s) of incident(s) and name(s):

Has a party or member of the party's household been identified as the perpetrator in a founded report of child abuse?

Yes No If yes, indicate date(s) of incident(s) and name(s):

If any of the questions above are answered "Yes," provide the following information:

Name of county agency: _____

County agency caseworker(s): (please list current or most recently assigned, if known) _____

County agency supervisor(s): (please list current or most recently assigned, if known) _____

For each instance, please provide: (attach additional sheets if necessary to provide the information below for additional participants)

- A. Determination date of indicated or founded CPS referral(s): _____
- B. Was a service provided?
 - No If answered "No," skip questions C, D, E, and F.
 - Yes If answered "Yes," please list the type of service(s) and name of service provider(s): _____
- C. Date services ended, if applicable: _____
- D. Who received the services? _____
- E. Services were:
 - Voluntary Court-ordered If court-ordered, please provide the docket number: _____
- F. Generally describe the services provided: _____
- G. If the county agency made referrals to outside providers, list the type of service and the name of the service provider: _____

3. General Protective Services (GPS) Cases:

Has a party or a member of a party's household been provided services? Circle your response and supplement, if indicated.

Yes No If answered "Yes," provide the following information:
 Name of county agency: _____

County agency caseworker(s): (please list current or most recently assigned, if known) _____

County agency supervisor(s): (please list current or most recently assigned, if known) _____

For each instance, please provide: (attach additional sheets if necessary to provide the information below for additional participants)

- A. The concerns identified on the GPS referral(s) were:
 - Valid Invalid
 - Determination date: _____
- B. Was a service provided?
 - No If answered "No," skip questions C, D, E and F.
 - Yes If answered "Yes," please list the type of service(s) and name of service provider(s): _____
- C. Date GPS services ended, if applicable: _____
- D. Who received GPS services? _____
- E. GPS Services were:
 - Voluntary Court-ordered. If court-ordered, please provide the docket number: _____
- F. Generally describe the services provided: _____
- G. If the county agency made referrals to outside providers, list the type of service and the name of the service provider: _____

4. Dependency Cases:

Is the child currently adjudicated dependent? Circle your response and supplement, if indicated.

Yes No If answered "Yes," provide the following information:

Name of county where the case is filed: _____

Docket number of case: _____

County agency caseworker(s): (please list current or most recently assigned, if known) _____

County agency supervisor(s): (please list current or most recently assigned, if known) _____

NOTICE

The completed form shall be confidential and not publicly accessible. Further dissemination by the recipients of the form is in violation of 23 Pa.C.S. Ch. 63 (Child Protective Services Law).

Comment: Rule 1915.25(c) suspends 23 Pa.C.S. § 6339, insofar as it is inconsistent with this rule.

Rule 1915.4-4. Pre-Trial Procedures.

[A pre-trial conference in an initial custody or modification proceeding shall be scheduled before a judge at the request of a party or *sua sponte* by the court and the procedure shall be as set forth in this rule. If a party wishes to request a pre-trial conference, the *praeceipe* set forth in subdivision (g) shall be filed. The scheduling of a pre-trial conference shall not stay any previously scheduled proceeding unless otherwise ordered by the court.

- (a) The *praeceipe* may be filed at any time after a custody conciliation or conference with a conference officer unless a pre-trial conference has already been scheduled or held. The pre-trial conference may be scheduled at any time, but must be scheduled at least 30 days prior to trial.
- (b) Not later than five days prior to the pre-trial conference, each party shall file a pre-trial statement with the prothonotary's office and serve a copy upon the court and the other party or counsel of record. The pre-trial statement shall include the following matters, together with any additional information required by special order of the court:
 - (1) the name and address of each expert whom the party intends to call at trial as a witness;
 - (2) the name and address of each witness the party intends to call at trial and the relationship of that witness to the party. Inclusion of a witness on the pre-trial statement constitutes an affirmation that the party's counsel or the self-represented

Court Notices

continued from 26

party has communicated with the witness about the substance of the witness's testimony prior to the filing of the pretrial statement; and

(3) a proposed order setting forth the custody schedule requested by the party.

In addition to the above items included in the pre-trial statement, any reports of experts and other proposed exhibits shall be included as part of the pre-trial statement served upon the other party or opposing counsel, but not included with the pre-trial statement served upon the court.

Note: See Pa.R.C.P. No. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

(c) If a party fails to file a pre-trial statement or otherwise comply with the requirements of subdivision (b), the court may make an appropriate order under Pa.R.C.P. No. 4019(c)(2) and (4) governing sanctions.

(d) Unless otherwise ordered by the court, the parties may amend their pre-trial statements at any time, but not later than seven days before trial.

(e) At the pre-trial conference, the following shall be considered:

- (1) issues for resolution by the court;
- (2) unresolved discovery matters;
- (3) any agreements of the parties;
- (4) issues relating to expert witnesses;
- (5) settlement and/or mediation of the case;
- (6) such other matters as may aid in the disposition of the case; and
- (7) if a trial date has not been scheduled, it shall be scheduled at the pre-trial conference.

(f) The court shall enter an order following the pre-trial conference detailing the agreements made by the parties as to any of the matters considered, limiting the issues for trial to those not disposed of by agreement and setting forth the schedule for further action in the case. Such order shall control the subsequent course of the action unless modified at trial to prevent manifest injustice.

(g) The *praeceipe* for pre-trial conference shall be substantially in the following form:

(Caption)

PRAECEIPE FOR PRE-TRIAL CONFERENCE

To the Prothonotary:

Please schedule a pre-trial conference in the above-captioned custody matter pursuant to Pa.R.C.P. No. 1915.4-4.

The parties' initial in-person contact with the court (conference with a conference officer or judge, conciliation, or mediation) occurred on _____.

Plaintiff/Defendant/Attorney for Plaintiff/
Defendant]

(This is entirely new text.)

(a) **Pre-Trial Conference.**

- (1) The court shall schedule a pre-trial conference before a judge in an initial custody or modification proceeding at the request of a party or by the court *sua sponte*.
- (2) The pre-trial conference scheduling procedure shall be as follows:
 - (i) If a party wishes to request a pre-trial conference, the party shall file a *praeceipe* set forth in subdivision (h).
 - (ii) A party may file the *praeceipe* any time after a custody conciliation or conference unless a pre-trial conference has already been scheduled or held.
 - (iii) The scheduling of a pre-trial conference shall not stay a previously scheduled proceeding unless otherwise ordered by the court.
 - (iv) The pretrial conference may be scheduled at any time, but shall be scheduled at least 30 days prior to trial.

(b) **Pre-Trial Statement.**

- (1) Not later than five days prior to the pre-trial conference, each party shall file a pre-trial statement with the prothonotary and serve a copy upon the court and the other party or the party's counsel.
- (2) The pre-trial statement shall include, together with any additional information required by special order of the court, the following matters:
 - (i) the name and address of each expert whom the party intends to call as a witness at trial;
 - (ii) the name and address of each person the party intends to call as a witness at trial and the relationship of that witness to the party. Inclusion of a witness on the pre-trial statement constitutes an affirmation that the party's counsel or the self-represented party has communicated with the witness about the substance of the witness's testimony prior to the filing of the pre-trial statement; and
 - (iii) a proposed order setting forth the custody schedule requested by the party.

(c) **Exhibits.** In addition to subdivision (b)(2), the party shall include any proposed exhibits to be introduced at trial, including the expert's report, as part of the pre-trial statement served upon the other party or other party's counsel, but the proposed exhibits shall not be included with the pre-trial statement served upon the court.

(d) **Sanctions.** If a party fails to file a pre-trial statement or otherwise comply with the requirements of subdivisions (b) and (c), the court may sanction the party as provided in Pa.R.Civ.P. 4019(c)(2) and (c)(4).

Amendments. Unless the court orders otherwise, the parties may amend a pretrial statement at any time, but not less than seven days before trial.

(f) **Topics.** The court shall consider the following topics at the pre-trial conference:

- (1) issues for resolution by the court;
- (2) unresolved discovery matters;
- (3) agreements of the parties;
- (4) issues relating to expert witnesses;
- (5) settlement or mediation of the case;
- (6) a party's or household member's criminal record or abuse history or a party's, household member's, or child's involvement with the juvenile dependency court or the children and youth social service agency as outlined in 23 Pa.C.S. §§ 5329 and 5329.1, including the admissibility of related documents, other evidentiary issues, or testimony;
- (7) such other matters that may aid in the disposition of the case; and
- (8) if a trial date has not been scheduled, the court shall schedule the trial at the pre-trial conference.

(g) **Order.** The court shall enter an order following the pre-trial conference detailing the parties' agreements as to any of the matters considered, limiting the trial to unresolved issues, and setting forth the schedule for further action in the case. The order shall control the subsequent course of the action unless modified at trial to prevent manifest injustice.

(h) **Form.** The *praeceipe* for pre-trial conference required by this rule shall be substantially in the following form:

PRAECEIPE FOR PRE-TRIAL CONFERENCE

To the Prothonotary:

Please schedule a pre-trial conference in the above-captioned custody matter pursuant to Pa.R.Civ.P. 1915.4-4.

The parties' initial in-person contact with the court (conference with a conference officer or judge, conciliation, or mediation) occurred on _____.

Plaintiff/Defendant/
Attorney for Plaintiff/
Defendant

Comment: Rule 1930.1(b) may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

Court Notices

continued from 27

Historical Commentary

The following commentary related to Pa.R.Civ.P. 1915.4-4 is historical in nature and represents statements of the Committee at the time of rulemaking:

Explanatory Comment

In 2013, the Domestic Relations Procedural Rules Committee (the “Committee”) recognized there was a wide disparity in pre-trial procedures in custody cases among the various judicial districts. By adopting this rule, the Supreme Court established uniform state-wide pre-trial procedures in custody cases. With an eye toward reducing custody litigation, the rule encourages early preparation and court involvement for purposes of expedited resolutions. The rule was based upon the pretrial procedures in divorce cases as set forth in Pa.R.C.P. No. 1920.33(b). The rule does not affect, however, the First Judicial District’s practice of conducting a pre-trial conference upon the filing of a motion for a protracted or semi-protracted trial.

In 2015, the Committee expressed concern the rule as previously adopted by the Supreme Court allowed for an interpretation contrary to the intent of the rule. The Committee proposed and the Court adopted an amendment to the rule to clarify the rule’s mandate as it relates to witnesses. As a goal of any pre-trial conference is to settle the case, in whole or in part, the Committee believed a best practice in reaching that goal is having a thorough knowledge of the case, including the substance of anticipated witness testimony. As amended, the rule plainly states that counsel or a self-represented party is required to discuss with the witness their testimony prior to including the witness on the pre-trial statement.

Unlike Pa.R.C.P. No. 1920.33(b), the rule does not require inclusion of a summary of the witness’s testimony in the pre-trial statement; but rather, an affirmation by counsel or self-represented party that there was actual communication with each witness about the witness’s testimony. With the additional information from witnesses, counsel, self-represented parties, and the trial court can better engage in more fruitful settlement discussions at the pre-trial conference.

Rule 1915.10. Decision. Order.

(a) **The court may make the decision before the testimony has been transcribed. The court shall state the reasons for its decision on the record in open court or in a written opinion or order.**

Note: See 23 Pa.C.S. § 5323(d).

(b) **The court shall enter a custody order as a separate written order or in a separate section of a written opinion.**

- (1) **The court’s order shall state sufficiently specific terms to enforce the order.**
- (2) **If the court has made a finding that a party or child is at risk of harm, the court’s order shall include safety provisions for the endangered party’s or child’s protection.**
- (3) **The court may order that the case caption use the parties’ initials rather than the parties’ names based on the sensitive nature of the facts in the case record and the child’s best interest.**

Note: See Pa.R.C.P. No. 1930.1(a).

(4) **When drafting a written opinion or order in an action having the parties’ initials in the case caption, the court shall:**

- (i) **avoid using specific identifiers for people, places, or things that may indirectly reveal the child’s identity; and**
- (ii) **use generalized identifiers when describing a child’s school, activities, affiliated organizations, or other similar terms.**

(c) **A custody order shall include a notice outlining the parties’ obligations under 23 Pa.C.S. § 5337, regarding a party’s intention to relocate with a minor child.**

Note: See 23 Pa.C.S. § 5323(c) and Pa.R.C.P. No. 1915.17.

(d) **A party may not file a motion for post-trial relief to an order of legal or physical custody.]**

(This is entirely new text.)

(a) **Decision.**

- (1) The court may decide custody before the testimony has been transcribed.
- (2) The court shall state the reasons for its decision:
 - (i) on the record in open court; or
 - (ii) in a written opinion or order.

(b) **Order. The court shall enter a custody order as a separate written order or in a written opinion as a separate section.**

(1) **The court’s order shall sufficiently state specific terms to enforce the order.**

(2) **If the court finds a history of abuse of the child or a household member by a party, or a present risk of harm to the child or an abused party, the court’s order shall include:**

- (i) **safety provisions for the protection of the endangered party or the child;**
- (ii) **the reason for imposing the safety provisions and why they are in the best interest of the child or abused party; and**
- (iii) **if past abuse was committed by a party, why unsupervised physical custody is in the best interest of the child.**

(2) **The court may order that the case caption use the parties’ initials rather than the parties’ names based on the sensitive nature of the facts in the case record and the child’s best interest.**

(3) **When drafting a written opinion or order in an action having the parties’ initials in the case caption, the court shall:**

- (i) **avoid using specific identifiers for people, places, or things that may indirectly reveal the child’s identity; and**
- (ii) **use generalized identifiers when describing a child’s school, activities, affiliated organizations, or other similar terms.**

(x) **Party Obligations. A custody order shall include a notice outlining the parties’ obligations under:**

(1) **23 Pa.C.S. § 5337, regarding a party’s intention to relocate with a minor child; and**

(2) **Pa.R.Civ.P. 1915.3-2(a)(4), regarding a party’s ongoing obligation to complete, serve, and file, if required, the Criminal Record/Abuse History Verification form.**

(8) **No Post-Trial Relief. A party shall not file a motion for post-trial relief to an order of legal or physical custody.**

Comment: See 23 Pa.C.S. § 5323(d) (requiring the court to delineate the reasons for its decision on the record in open court or in a written opinion or order).

See Pa.R.Civ.P. 1930.1(a)(2) (permitting the court to order that the case caption contain the parties’ initials rather than their names in custody actions).

See 23 Pa.C.S. § 5323(c)(requiring that an order include notice of a party’s obligations under § 5337, relating to relocation) and Pa.R.Civ.P. 1915.17 (outlining the requirements for the proposed relocation of a child’s residence).

Subdivision (b) sets forth requirements of 23 Pa.C.S. § 5323(e)(1). Examples of safety provisions include, but are not limited to, professional supervised physical custody, a supervised or neutral custody exchange location, a neutral third-party present at custody exchanges, telephone or computer-facilitated contact with the child, no direct contact between the parties, third-party contact for cancellations, third-party transportation, and designating a secure, neutral location as repository for a child’s passport. A party may seek review by petition of the risk of harm and need for continued supervision pursuant to 23 Pa.C.S. § 5323(e)(2). For a presumption of supervised physical custody and safety provisions, see 23 Pa.C.S. § 5323(e).1.

Additionally, subdivision (b) requires a court to enter a custody order as a separate written order or in a separate section of a written opinion. The subdivision also addresses the practice of orally entering a custody order on the record without formalizing the custody order in writing. In such circumstances, the parties’ only documentation of the custody order is a transcription of the oral record. In *R.L.P. v. R.F.M.*, 110 A.3d 201 (Pa. Super. 2015), the Superior Court held that “in order to be sufficiently specific to be enforced, an order of custody must be entered as a separate written order, or as a separate section of a written opinion.” *Id.* at 206. Despite the Superior Court’s decision, the practice of placing custody orders on the record without subsequently entering a written order has continued, which has been problematic for enforcement and understanding of the agreement’s or order’s terms.

Pursuant to subdivision (b)(2), the court may initialize a custody action’s case caption if the child’s privacy may be compromised by the sensitive nature of the facts in the case record. If the court determines that the case caption should be initialized, additional privacy safeguards are required under subdivision (b)(3).

Subdivision (b)(3) recognizes that inadvertent disclosure of the child’s identity and privacy may occur if the written custody order or opinion provides specific details of the child’s life, i.e., school, extracurricular activities. Subdivision (b)(3) requires that the court refrain from using specific identifiers; instead, the court should use general terms, e.g., “high school,” not “John F. Kennedy High School.” In circumstances in which name specificity is required, such as school choice, the court should consider a separate order for that issue.

Under no circumstance does a party’s filing of an updated Criminal Record/Abuse History Verification form impose a duty on the court to review, respond, or react to a newly revealed

Court Notices

continued from 28

criminal record or abuse history unless a party petitions the court for relief.

Historical Commentary

The following commentary related to Pa.R.Civ.P. 1915.10 is historical in nature and represents statements of the Committee at the time of rulemaking:

Explanatory Comment – 2019

Subdivision (b) further defines and reinforces the requirements in 23 Pa.C.S. § 5323(e). Examples of safety provisions include, but are not limited to, supervised physical custody, a supervised or neutral custody exchange location, a neutral third-party present at custody exchanges, telephone or computer-facilitated contact with the child, no direct contact between the parties, third-party contact for cancellations, third-party transportation, and designating a secure, neutral location as repository for a child's passport.

Additionally, subdivision (b) requires a court to enter a custody order as a separate written order or in a separate section of a written opinion. The subdivision also addresses the practice of orally entering a custody order on the record without formalizing the custody order in writing. In such circumstances, the parties' only documentation of the custody order is a transcription of the oral record. In *R.L.P. v. R.F.M.*, 110 A.3d 201 (Pa. Super. 2015), the Superior Court held that "in order to be sufficiently specific to be enforced, an order of custody must be entered as a separate written order, or as a separate section of a written opinion." *Id.* at 206. Despite the Superior Court's decision, the practice of placing custody orders on the record without subsequently entering a written order has continued, which has been problematic for enforcement and understanding of the agreement's or order's terms.

Explanatory Comment – 2021

Subdivision (b)(3) allows the court discretion to initialize a custody action's case caption when the child's privacy may be compromised by the sensitive nature of the facts in the case record. When the court determines that the case caption should be initialized, additional privacy safeguards are required under subdivision (b)(4).

Subdivision (b)(4) recognizes that inadvertent disclosure of the child's identity and privacy may occur if the written custody order or opinion provides specific details of the child's life (*i.e.*, school, extracurricular activities). Subdivision (b)(4) requires that the court refrain from using specific identifiers; instead, the court should use general terms (*i.e.*, high school, not John F. Kennedy High School). In circumstances in which name specificity is required, such as school choice, the court should consider a separate order for that issue.

Rule 1915.15. Form of Complaint. Caption. Order. Petition to Modify a Custody

Order.

(a) **Complaint.** The complaint in a custody action shall be substantially in the following form:

(Caption)

COMPLAINT FOR CUSTODY

1. The plaintiff is _____, residing at (Street) _____ (City) _____ (Zip Code) _____ (County) _____.
2. The defendant is _____, residing at (Street) _____ (City) _____ (Zip Code) _____ (County) _____.
3. Plaintiff seeks (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the following child(ren):

Name	Present Residence	Age
_____	_____	_____
_____	_____	_____

The child (was) (was not) born out of wedlock.

The child is presently in the custody of _____, (Name) who resides at

(Street)	(City)
_____	_____

During the past five years, the child has resided with the following persons and at the following addresses:

(List All Persons)	(List All Addresses)	(Dates)
_____	_____	_____
_____	_____	_____

A parent of the child is _____, currently residing at _____.

This parent is (married) (divorced) (single).

A parent of the child is _____, currently residing at _____.

This parent is (married) (divorced) (single).

4. Plaintiff's relationship to the child is that of _____.

Plaintiff currently resides with the following persons:

Name
Relationship

5. Defendant's relationship to the child is that of _____.

Defendant currently resides with the following persons:

Name
Relationship

6. Plaintiff (has) (has not) participated as a party or witness, or in another capacity, in other litigation concerning the custody of the child in this or another court. The court, term and number, and its relationship to this action is:

Plaintiff (has) (has no) information of a custody proceeding concerning the child pending in a court of this Commonwealth or any other state. The court, term and number, and its relationship to this action is:

Plaintiff (knows) (does not know) of a person not a party to the proceedings who has physical custody of the child or claims to have custodial rights with respect to the child. The name and address of such person is:

7. The child's best interest and permanent welfare will be served by granting the relief requested because (set forth facts showing that the granting of the relief requested will be in the child's best interest and permanent welfare):

8. Each parent whose parental rights to the child have not been terminated and the person who has physical custody of the child have been named as parties to this action. All other persons, named below, who are known to have or claim a right to custody of the child will be given notice of the pendency of this action and the right to intervene:

Name	Address	Basis of Claim
_____	_____	_____
_____	_____	_____

9. Standing.

(a) If the plaintiff is seeking physical or legal custody of a child and is *in loco parentis* to the child, the plaintiff shall plead facts establishing standing under 23 Pa.C.S. § 5324(2).

(b) If the plaintiff is a grandparent seeking physical or legal custody of a grandchild and is not *in loco parentis* to the child, the plaintiff shall plead facts establishing standing under 23 Pa.C.S. § 5324(3).

(c) If the plaintiff is seeking physical or legal custody of a child and is not *in loco parentis* to the child, the plaintiff shall plead facts establishing standing pursuant to 23 Pa.C.S. § 5324(4) and (5).

(d) If the plaintiff is a grandparent or great-grandparent seeking

Court Notices

continued from 29

partial physical custody or supervised physical custody of a grandchild or great-grandchild, the plaintiff shall plead facts establishing standing under 23 Pa.C.S. § 5325.

10. Plaintiff has attached the Criminal Record/Abuse History Verification form required pursuant to [Pa.R.C.P. No.] Pa.R.Civ.P. 1915.3-2.

Wherefore, Plaintiff requests the court to grant (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the child.

Plaintiff/Attorney for Plaintiff

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Plaintiff

[Note: The form of complaint is appropriate if there is one plaintiff and one defendant and the custody of one child is sought or the custody of several children is sought and the information required by Paragraphs 3 to 7 is identical for all of the children. If there are more than two parties, the complaint should be appropriately adapted to accommodate them. If the custody of several children is sought and the information required is not identical for all of the children, the complaint should contain a separate paragraph for each child.]

See Pa.R.C.P. No. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.]

(b) **Petition for Modification.** A petition [to modify] for modification of a custody order shall be substantially in the following form:

(Caption)

PETITION FOR MODIFICATION OF A CUSTODY ORDER

1. Petitioner is _____ and resides at _____.
2. Respondent is _____ and resides at _____.
3. Petitioner respectfully represents that on _____, 20_____, an Order of Court was entered for (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody). A true and correct copy of the Order is attached.
4. This Order should be modified because: _____

5. Petitioner has attached the Criminal Record/Abuse History Verification form required pursuant to [Pa.R.C.P. No.] Pa.R.Civ.P. 1915.3-2.
WHEREFORE, Petitioner requests that the Court modify the existing Order because it will be in the best interest of the child(ren).

(Attorney for Petitioner)
(Petitioner)

I verify that the statements made in this petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date _____

Petitioner _____

[Note: See Pa.R.C.P. No. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.]

(c) **Order.** The order to be attached at the front of the complaint or petition for modification shall be substantially in the following form:

(Caption)

ORDER OF COURT

You, _____, (defendant) (respondent), have been sued in court to (OBTAIN) (MODIFY) (shared legal custody) (sole legal custody) (par-

trial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the child(ren): _____.

You are ordered to appear in person at _____ (Address), on _____ (Day and Date), at _____ (Time), _____ M., for

a conciliation or mediation conference.
 a pretrial conference.
 a hearing before the court.

If you fail to appear as provided by this order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

You must file with the court a verification regarding any criminal record or abuse history regarding you and [anyone living in your household on or before] any member of your household at the initial in-person contact with the court (including, but not limited to, a conference with a conference officer or judge or conciliation) [but not later than] or within 30 days [after] of service of the [complaint or petition] initiating pleading, whichever occurs first.

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

(Name)

(Address)

(Telephone Number)

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of _____ County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

BY THE COURT:

J.

Date: _____

Comment: The form of complaint is appropriate if there is one plaintiff, one defendant, and the custody of one child is sought or the custody of several children is sought, and the information required by Paragraphs 3 to 7 is identical for all of the children. If there are more than two parties, the complaint should be appropriately adapted to accommodate them. If the custody of several children is sought and the information required is not identical for all of the children, the complaint should contain a separate paragraph for each child.

Pa.R.Civ.P. 1930.1(b) may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

Historical Commentary

The following commentary related to Pa.R.Civ.P. 1915.15 is historical in nature and represents statements of the Committee at the time of rulemaking:

Explanatory Comment – 2008

In an effort to promote uniformity of practice throughout the Commonwealth, several forms are included in the rules. Two aspects of these forms are worthy of mention. First, much of the information which must be set forth in the complaint is required by the Uniform Child Custody Jurisdiction and Enforcement Act, 23 Pa.C.S.A. § 5429. Second, the complaint is verified by use of a statement that it is subject to the penalties of the Crimes Code relating to unsworn falsification to authorities. A notary public is not needed.

Explanatory Comment – 2020

Act of May 4, 2018, P.L. 112, No. 21, amended 23 Pa.C.S. § 5324 by adding a new class of third-party standing for individuals seeking custody of a child whose parents do not have care

Court Notices

continued from 30

and control of the child. The individual seeking custody may or may not be related to the child. Subject to the limitations in 23 Pa.C.S. § 5324(5), the newly added standing provision requires that: (1) the individual has assumed or is willing to assume responsibility for the child; (2) the individual has a sustained, substantial, and sincere interest in the child's welfare; and (3) the child's parents do not have care and control of the child. A plaintiff proceeding under Section 5324(4) shall satisfy the requirements of that provision by clear and convincing evidence. Additionally, if a juvenile dependency proceeding has been initiated, or is ongoing, or if there is an order for permanent legal custody, Section 5324(5) provides that an individual cannot assert standing under Section 5324(4).

Consistent with the Act's statutory change, the Complaint for Custody Paragraph 9 has been revised to include a third party seeking custody of a child under 23 Pa.C.S. § 5324(4) and has been reorganized to sequentially follow the statutory provisions in 23 Pa.C.S. §§ 5324(2)-(4) and 5325. Similarly, Pa.R.C.P. No. 1915.3(e) has been reorganized to sequentially follow the statutory provision sequence. See Pa.R.C.P. No. 1915.3(e).

Rule 1915.25. Suspension of Acts of Assembly.

- (a) [23 Pa.C.S. § 5351. Section 5351 of the Domestic Relations Code, 23 Pa.C.S. § 5351, of the Uniform Child Custody Jurisdiction Act, relating to additional parties, is suspended insofar as it provides for the joinder of a person not a party who claims to have custody or visitation rights with respect to the child.] Rescinded.
- (b) 23 Pa.C.S. § 5334. 23 Pa.C.S. § 5334 is suspended insofar as it (1) requires that a guardian [ad litem] ad litem be an attorney[.]; (2) permits the guardian [ad litem] ad litem to represent both the best interests and legal interests of the child[.]; (3) provides the guardian [ad litem] ad litem the right to examine, cross-examine, present witnesses, and present evidence on behalf of the child[.]; and (4) prohibits the guardian [ad litem] ad litem from testifying. [Note: Rule 1915.6(b) provides that a person not a party who claims to have custody or visitation rights with respect to the child shall be given notice of the pendency of the proceedings and of the right to intervene.]
- (c) 23 Pa.C.S. § 6339. 23 Pa.C.S. § 6339, which provides for the confidentiality of reports made pursuant to the Child Protective Services Law, 23 Pa.C.S. §§ 6301 et seq., is suspended insofar as it is inconsistent with Pa.R.Civ.P. 1915.3-3 and 1915.3-4, which provide for the disclosure of such reports by the court to the parties.

IN THE SUPREME COURT OF PENNSYLVANIA
IN RE: NO. 765
ORDER AMENDING RULE 1910.16-6 OF CIVIL PROCEDURAL RULES DOCKET
THE PENNSYLVANIA RULES OF CIVIL
PROCEDURE
ORDER
PER CURIAM

AND NOW, this 15th day of April, 2025, upon the recommendation of the Domestic Relations Procedural Rules Committee, the proposal having been published for public comment at 52 Pa.B. 7807 (December 17, 2022):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1910.16-6 of the Pennsylvania Rules of Civil Procedure are amended in the attached form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective July 2, 2025.

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

Deletions from the rule are shown in bold and brackets.

Rule 1910.16-6. Support Guidelines. Basic Support Obligation Adjustments.

Additional Expenses Allocation.

- (c) **Reasonable Unreimbursed Medical Expenses.** The trier-of-fact shall allocate the obligee's or child's reasonable unreimbursed medical expenses. However, the trier-of-fact shall not allocate reasonable unreimbursed medical expenses incurred by a party who is not owed a statutory duty of support by the other party. The trier-of-fact may require that the obligor's expense share be included in the basic support obligation, paid directly to the health care provider, or paid directly to the obligee.
 - (1) **Medical Expenses.**
 - (i) For purposes of this subdivision, medical expenses are annual unreimbursed medical expenses in excess of \$250 per person.
 - (ii) Medical expenses include insurance co-payments and deductibles and all expenses reasonably incurred for [reasonably] necessary medical services and supplies, including but not limited to surgical, dental, and optical services, psychiatric and psychological services, and orthodontia.
 - (iii) Medical expenses do not include cosmetic, chiropractic, [psychiatric, psychological,] or other services unless specifically directed in the order of court.
 - (2) The trier-of-fact may impose an annual limitation when the burden on the obligor would otherwise be excessive.
 - (3) Annual expenses shall be calculated on a calendar year basis.
 - (i) In the year in which the initial support order is entered, or in any period in which support is being paid that is less than a full year, the \$250 threshold shall be pro-rated.

- (ii) The party seeking allocation for an unreimbursed medical expense shall provide to the other party the expense's documentation, such as a receipt or an invoice, promptly upon receipt, but not later than March 31st of the year following the calendar year in which the final bill was received by the party seeking allocation.
- (iii) For purposes of subsequent enforcement, unreimbursed medical bills need not be submitted to the domestic relations section prior to March 31st.
- (iv) The trier-of-fact shall have the discretion to not allocate an expense if documentation is not timely provided to the other party.

(4) If the trier-of-fact determines that out-of-network unreimbursed medical expenses were not obtained due to medical emergency or other compelling factors, the trier-of-fact may deem those expenses to be unreasonable and decline to assess the expenses against the other party.

Comment: Subdivision (a)(1)(i) Example: Mother has primary custody of the parties' two children and Father has partial custody. The parties' respective monthly net incomes are \$2,000 and \$3,500. At the combined monthly net income of \$5,500 for two children, the basic child support obligation is \$1,567. As Father's income represents 64% of the parties' combined monthly net income, Father's basic child support obligation is \$1,003. Mother incurs monthly child care expenses of \$400, and Father incurs \$100 per month. The total child care expenses, \$500, will be apportioned between the parties, with Father paying 64%, or \$320. As Father is paying \$100 for the children's child care during [in] his partial custody, he would pay the remaining \$220 to Mother for a total child support obligation of \$1,223 (\$1,003 + \$220).

[Concerning subdivision (c), if the trier-of-fact determines that the obligee acted reasonably in obtaining services that were not specifically set forth in the order of support, payment for such services may be ordered retroactively.]

Concerning subdivision (c)(1), while cosmetic, chiropractic, psychiatric, psychological, or other expenses are not required to be apportioned between the parties, the trier-of-fact may apportion such expenses that it determines to be reasonable and appropriate under the circumstances.]

Subdivision (c) is intended to implement 23 Pa.C.S. § 4326(e).

An unreimbursed medical expense may be unreasonable if it was an avoidable expense incurred solely by the party requesting reimbursement, e.g., expenses for missed office visits, excessive supplies, purchases of name brand medications when generic medications are suitable and available, denial of insurance coverage because of a failure to comply with plan requirements, or non-emergency out-of-network expenses pursuant to subdivision (c)(4).

The determination of medical necessity of a medical service or medical supplies can be made in a support proceeding or a custody proceeding. Even if challenged during a support proceeding (rather than a custody proceeding), the necessity of a medical service or medical supplies, which results in an unreimbursed medical expense for which a party seeks allocation subject to subdivision (c)(1)(ii), should be determined by the trier-of-fact, and subject to review by a judge if the trier-of-fact is not a judge.

If the trier-of-fact determines that a party acted reasonably in obtaining services that were not specifically set forth in the order of support, payment for such services may be ordered retroactively.

Pursuant to subdivision (c)(1)(iii), medical expenses for cosmetic, chiropractic, or other services may be, but are not required to be, allocated between the parties by the trier-of-fact if such expenses are reasonable and necessary.

SUPREME COURT OF PENNSYLVANIA DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE ADOPTION REPORT

Amendment of Pa.R.Civ.P. 1910.16-6

On April 15, 2025, the Supreme Court amended Pennsylvania Rule of Civil Procedure 1910.16-6 governing the allocation of psychological and psychiatric services as medical expenses between the parties if those expenses are not reimbursed by a third party. The Domestic Relations Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

The Committee received several requests for the amendment of Pa.R.Civ.P. 1910.16-6(c) to categorize psychological and psychiatric expenses as medical expenses subject to mandatory allocation. Prior to amendment, the rule, which has existed in some form since the original support guidelines were adopted and became effective September 30, 1989, excluded allocation of those expenses unless ordered by the court.

Since the adoption of Rule 1910.16-6(c), the coverage and provision of mental health services has evolved. In 2010, the Mental Health Parity and Addiction Equality Act of 2008 (MHPAEA) was enacted to require that insurance companies provide equivalent coverage for mental health services as they do for other medical and surgical benefits, if covered. See 29 U.S.C. § 1185(a)(3)(A) and 42 U.S.C. § 300gg-26(a)(3)(A). Similarly, the Patient Protection and Affordable Care Act built on the MHPAEA, requiring all new small group and individual market plans to cover ten essential health benefit categories, including mental health and substance use disorder services, and to cover them at parity with medical and surgical benefits. See 42 U.S.C. § 18022(b)(1)(E).

Court Notices

continued from 31

Moreover, children covered by the Children's Health Insurance Program (CHIP) receive mental health services. See 42 U.S.C. § 1397cc(c)(6). These services include counseling, therapy, medication management, and substance use disorder treatment. See *id.* Children enrolled in Medicaid also receive a wide range of "medically necessary" services, including mental health services. See 42 U.S.C. § 1396d(r)(1)(A)(ii).

The requests for amendment to categorize psychological and psychiatric expenses as medical expenses follow the existing statutory inclusion of those expenses as medical expenses. The Domestic Relations Code requires one or both parents to provide "medical support" for children of parties in support matters. See 23 Pa.C.S. § 4326(a). "Medical support" is defined as "[h]ealth care coverage, which includes coverage under a health insurance plan..." and "health care coverage" includes "coverage for medical, dental...psychological, psychiatric or other health care services..." See *id.* § 4326(l).

The Committee published a proposed amendment of Pa.R.Civ.P. 1910.16-6(c) for comment. See 52 Pa.B. 7807 (December 17, 2022). The proposal would move the references to "psychiatric" and "psychological" expenses from subdivision (c)(1)(iii) to subdivision (c)(1)(ii) so those expenses would be allocated without a specific order of court in a manner similar to other medical expenses.

The Committee also proposed adding the following paragraph to the Comment:

The contested necessity of unreimbursed medical services should be raised as a custody or other matter. The intent of this rule is strictly to apportion costs of these services, not to determine if the services are appropriate for the child or obligee.

Commenters agreed with the proposed amendment of the rule text but disagreed with the above commentary. The primary contention was the commentary sowed confusion whether medical necessity could be determined in a support proceeding.

The Committee revised the commentary to make explicit that a determination of medical necessity can be made in a support proceeding, as well as in a custody proceeding. The case law suggests that medical necessity, in practice, may fall within the purview of a support proceeding. Further, the Committee could discern little difference with the application of Pa.R.Civ.P. 1910.16-6(d)(1) ("If the trier-of-fact determines that private school or summer camp is reasonable under the parties' circumstances, the trier-of-fact shall apportion the expense to the parties.") and a determination of medical necessity. If the court can decide about attending a private school or summer camp in a support matter, then the court can make a decision about necessity of a medical service or medical supplies in a support matter. The revised commentary also contains a proviso that a determination of medical necessity in a support proceeding should be subject to judicial review if the trier-of-fact is not a judge.

The Committee also added commentary to provide guidance through examples of unreasonable medical expenses. The examples are not intended to be exhaustive.

This amendment becomes effective on July 2, 2025.

SUPREME COURT OF PENNSYLVANIA

Minor Court Rules Committee

NOTICE OF PROPOSED RULEMAKING Proposed Amendment of Pa.R. Civ.P.M.D.J. 214

The Minor Court Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.Civ.P.M.D.J. 214, pertaining to subpoenas, for the reasons set forth in the accompanying Publication Report. Pursuant to Pa.R.J.A. 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 report accompanying this proposal was prepared by the Committee to include the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be officially adopted by the Supreme Court.

Additions to the text 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:

Pamela S. Walker, Counsel Minor Court Rules Committee
Supreme Court of Pennsylvania Pennsylvania Judicial Center PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9546
minorrules@pacourts.us

All communications in reference to the proposal should be received by **June 17, 2025**. 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 Minor Court Rules Committee,
Hon. Alexandra Kokura Kravitz
Chair

Rule 214. Subpoena; Issuance; Service.
[(A) Magisterial district judges may issue subpoenas throughout the Commonwealth. Magisterial district judges shall not issue subpoenas in blank.

(B) (a) Generally.

1. Upon the request of a self-represented party [proceeding pro se], the authorized representative of a party, or an attorney of record, the magisterial district judge may issue a subpoena signed and under the seal of the magisterial district judge.

2. The request shall include the information required in subdivision (b), the address of the person being subpoenaed, and whether the person being subpoenaed is a minor.

3. A magisterial district judge shall not issue a subpoena in blank.

(b) [The] Contents of Subpoena. If the subpoena is to be issued, the

magisterial district judge shall specify in the subpoena:

1. the name [and address for service] of the person [subpoenaed] being ordered to testify or being ordered to produce documents or things;

2. the name of the party on whose behalf the person is being ordered to testify or being ordered to produce documents or things;

3. the date, time, and place [at which] where the person is to appear; and

4. a description of the documents or things that the person is to produce, if any.

[(1) The party, authorized representative, or attorney of record requesting the subpoena shall provide the magisterial district court with the information required in paragraph (B).]

[(2)](c) [If the subpoena is to be issued, the magisterial district court shall fill in the information provided and return it to the requestor for service.] Issuance. Upon issuance, the magisterial district judge shall return the subpoena to the requestor for service.

[(C)](d) [A subpoena may be served] Service Within Commonwealth. A competent adult may serve the subpoena upon any person within the Commonwealth by [a competent adult]:

(1) [by] handing a copy to the person; or

(2) [by] handing a copy:

[(a)] (A) at the residence of the person to an adult member of the family with whom the person resides; but if no adult member of the family is found, then to an adult in charge of [such] the residence; [or]

[(b) at the residence of the person] (B) to the clerk or manager of the hotel, inn, apartment house, boarding house, or other place of lodging [at which] where the person resides; or

[(c) at any office or usual place of business of the person to the person's agent or other person for the time being in charge thereof.] (C) to the person's agent or other person for the time being in charge of any office or usual place of business of the person;

(3) mailing a copy to the person by certified or comparable delivery method resulting in a return receipt in paper or electronic form. The return receipt shall show the signature of the person or those persons designated in subdivision (d) (2). If the signature on the return receipt is that of any persons designated in subdivision (d) (2), it shall be presumed, unless contrary evidence is shown, that the signer was an agent of the person subpoenaed.

(4) first class mail. In addition to the subpoena, the mail shall contain two copies of an acknowledgement of receipt on a form prescribed by the Court Administrator of Pennsylvania and a self-addressed stamped envelope. A subpoena delivered by first class mail is not enforceable unless the person subpoenaed acknowledges having received it.

[(D)](e) Return of Service. The person making service of a subpoena [must] shall file a return of service on a form promulgated by the Court Administrator of Pennsylvania in the magisterial district court [in which] where the hearing is pending within 48 hours of service, and in no event later than the commencement of the hearing. There turn of service shall identify, among other things, the method and location of service. Filing under this [paragraph] subdivision may be accomplished by sending a copy by facsimile transmission.

[(E)] (f) Minors. If [a subpoenaed witness] the person subpoenaed is under the age of 18, the parent or guardian of the [witness] person subpoenaed shall be served with a copy of the subpoena in the same manner as prescribed in

Court Notices

continued from 32

[paragraph (C).] subdivision (d).

[Note:] Comment: When issuing a subpoena, the magisterial district judge has discretion to limit the scope of the subpoena to persons, documents, or things that are relevant to the cause of action before the magisterial district judge.

The request for a subpoena shall include the address of the person being subpoenaed in the event the magisterial district court must contact the person. However, the address is not included on the subpoena. Service may occur at a location other than the address of the person being subpoenaed. The location of service is reported on the return of service.

A subpoenaed person who resides outside the Commonwealth may be served while present in the Commonwealth pursuant to subdivision (d)(1) or (d)(2)(c).

The service of subpoenas outside the Commonwealth is beyond the scope of this rule. A party seeking the issuance of a subpoena for service outside the Commonwealth should consult the statutes and procedural rules of the jurisdiction where the subpoena is to be served. See, e.g., Unif. Interstate Depositions and Discovery Act (2007), if adopted in the jurisdiction where the subpoena will be served, and compare with 42 Pa.C.S. §§ 5331 et seq., pertaining to procedures for service of a subpoena issued by another jurisdiction upon a resident of the Commonwealth.

[Paragraph (D)] **Subdivision (e)** provides for filing **the return of service** by facsimile transmission. It is [the intent of these rules] **intended** that filing documents by facsimile transmission is permitted only [when] **as** expressly provided for in the rules. [Paragraph (D) also provides for use of a form promulgated by the Court Administrator of Pennsylvania.]

[Paragraph (E) provides that parties choosing to subpoena witnesses under the age of 18 must alert the magisterial district court of the witness' age and are responsible for any additional service costs.] **Regarding subdivision(f), the person requesting the subpoena is responsible for any additional service costs resulting from service of a copy of the subpoena on the parent or guardian of a subpoenaed person under the age of 18.**

[See Rule 202] **See Pa.R.Civ.P.M.D.J. 202** for definitions of "subpoena" and "attorney of record." [Compare Pa.R.C.P. Nos. 234.2 and 402(a) and Pa.R.Crim.P. 107.] **Compare Pa.R.Civ.P. 234.2 and Pa.R.Crim.P. 107 (pertaining to the use of subpoenas in the court of common pleas and in criminal matters).** [See also Rule 207] **See also Pa.R.Civ.P.M.D.J. 207** regarding representation by an authorized representative.

[For the scope of the contempt powers of magisterial district judges, see 42 Pa.C.S. §4137.] **See 42 Pa.C.S. § 4137 for the contempt powers of a magisterial district judge.** [See also] **See also** Pa.R.Crim. P. 140-142.

SUPREME COURT OF PENNSYLVANIA

Minor Court Rules Committee PUBLICATION REPORT Proposed Amendment of Pa.R.Civ.P.M.D.J.214

The Minor Court Rules Committee ("Committee") is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.Civ.P.M.D.J. 214, pertaining to the issuance and service of subpoenas in magisterial district court proceedings.

The Committee received an inquiry from an individual concerning the denial of a request for the issuance of a subpoena. The Committee was advised that the request was denied because the individual intended to serve the subpoena on a corporation at its location in another state. This inquiry caused the Committee to examine Pa.R.Civ.P.M.D.J. 214 to determine if revisions were warranted.

The Committee observes that Pennsylvania residents, particularly those living near the Commonwealth's borders with neighboring states, regularly do business with or have contact with out-of-state persons and businesses. A Pennsylvanian may bring a civil action in a magisterial district court that requires the testimony of or documents in the possession of a person residing outside the state.

Currently, the rule provides that "[m]agisterial district judges may issue subpoenas throughout the Commonwealth." See Pa.R.Civ.P.M.D.J. 214(A). However, upon further review, the Committee believes that the provision over simplifies the subpoena process and focuses on the issuance of the subpoena rather than its service. For example, an out-of-state corporation will have a registered agent in the Commonwealth to accept service of process. See 15 Pa.C.S. § 411(f) ("every registered foreign association shall have, and continuously maintain, in this Commonwealth a registered office"). Similarly, a nonresident can be served while present in the Commonwealth by being handed a copy of the subpoena. See Pa.R.Civ.P.M.D.J. 214(C)(1) ("any person within the Commonwealth"). The Committee explored ways to clarify that the rule permits service of a subpoena on an out-of-state person when within the Commonwealth.

First, the Committee is considering recommending the deletion of subdivision (A), pertaining in part to magisterial district judges' authority to issue subpoenas throughout the Commonwealth. This phrase may confuse readers if they do not understand that it is intended to relate to the issuance of subpoenas for service throughout the Commonwealth and not the residency of the intended recipient. The existing prohibition on magisterial district judges issuing subpoenas in blank would be moved to new subdivision (a).

Second, the Committee observes that while Pa.R.Civ.P.M.D.J. 214 identifies the contents of the subpoena, it is silent as to the contents of the subpoena request. Therefore, the Committee is proposing a new provision in subdivision (a) to require that the subpoena request include the items set forth in subdivision (b), pertaining to contents of the subpoena, as well as the address of the person being subpoenaed. The address of the person subpoenaed will be included in the request but not the issued subpoena. It is hoped that removing the subpoenaed person's address from the subpoena will help avoid conflation between a person's residence and the location for service of the subpoena. Having the address available to the magisterial district court will be useful if it is necessary to contact the subpoenaed person. The subpoena request must also indicate whether the person to be subpoenaed is under the age of 18 so the court can confirm whether service on a parent or guardian was also effectuated, as required by subdivision (f).

Third, subdivision (d) sets forth the methods of serving a subpoena within the Com-

monwealth. As proposed, service within the Commonwealth can be accomplished by personal service, as well as two new options: certified mail and first-class mail. Adding new options for service by mail is consistent with practice in the courts of common pleas. See Pa.R.Civ.P. 234.2(b) (2)-(b)(3). Proof of mail service will be accomplished by a signed return receipt or a new acknowledgment of receipt.

Fourth, the Committee proposes the revision of subdivision (e) to reflect that the return of service form is promulgated by the Court Administrator of Pennsylvania. The person making service will be required to identify the method and location of service to ensure that it comports with subdivision (d).

Finally, the Committee is considering adding new commentary to Pa.R.Civ.P.M.D.J.214. It will clarify that service of a subpoena may be made at a location other than the recipient's residence. Additionally, the commentary explains that Rule 214 does not address service of a subpoena outside the Commonwealth because out-of-state service is subject to the statutes and procedural rules of the jurisdiction where the subpoena is to be served. Stylistic changes were made through the rule, including, but not limited to the addition of subdivision titles.

The Committee welcomes all comments, concerns, and suggestions regarding this proposal.

SUPREME COURT OF PENNSYLVANIA APPELLATE COURT PROCEDURAL RULES COMMITTEE NOTICE OF PROPOSED RULEMAKING

Proposed Amendment of Pa. R.A.P. 521

The Appellate Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.A.P. 521 for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 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 report accompanying this proposal was prepared by the Committee to indicate the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be 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, Deputy Chief 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 **June 12, 2025**. 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,
Peter J. Gardner
Chair

Rule 521. Notice to Attorney General of Challenge to Constitutionality of Statute.

(a) **Notice.** [—It shall be the duty of a party who draws in question the constitutionality of any statute in any matter in an appellate court to which the Commonwealth or any officer thereof, acting in his official capacity, is not a party, upon the filing of the record, or as soon thereafter as the question is raised in the appellate court, to give immediate notice in writing to the Attorney General of Pennsylvania of the existence of the question; together with a copy of the pleadings or other portion of the record raising the issue, and to file proof of service of such notice.]

(1) **If the constitutionality of any statute is questioned in any matter in an appellate court:**

(i) In criminal appeals, where the Commonwealth is represented by the district attorney, the district attorney shall give written notice to the Attorney General of Pennsylvania of the existence of the question in addition to notice previously given pursuant to Pa.R.Crim.P.579.1.
(ii) In all other appeals, unless the Attorney General is already a party or represents a party or was previously given written notice by other authority, the party raising the question of constitutionality shall give written notice to the General of Pennsylvania of the existence of the question.

(2) **A copy of the pleadings or other portion of the record raising the issue shall be attached to the notice.**

(3) **Notice shall be given upon the filing of the record or as soon as the question is raised in the appellate court.**

(4) **Proof of service of the notice shall be filed of record.**

(b) **Status of Attorney General.** [—Where notice is required under this rule, [T]he Attorney General may be heard on the question of the constitutionality of the statute involved

Court Notices

continued from 33

without formal intervention. If the Attorney General files a brief concerning the question, the [Commonwealth] Attorney General shall thereafter be deemed to be an intervening party in the matter.

(c) **Intervenor or Amicus Curiae.** A court may invite the Attorney General's participation as an intervening party where a party has drawn into question the constitutionality of any statute or as a *amicus curiae* in any other case in which the Attorney General's participation may be helpful in resolving an issue.

(d) **Failure to Provide Notice.** If the notice required by subdivision (a) is not provided to the Attorney General, the appellate court in its discretion may direct that the notice be given to the Attorney General.

[Note] **Comment:** Based on Pa.R. Civ. P.235 and [Fed. Rules. App. Proc.] Fed. R. App. P.

44.

Practitioners should be aware that subdivision (a)(1) is intended to include constitutional challenges to a statute as written and as applied.

"Other authority" as used in subdivision (a) (1) (ii) includes Pa.R.Civ.P. 235 (Notice to the Attorney General. Constitutionality of Statute. Charitable Request or Trust.); Pa.R. Crim.P. 579.1 (Notice to Attorney General. Constitutionality of Statute.); (Pa. R.O.C.P. 4.4 (Charities – Notice to the Attorney General); Pa.R.A.P.1514(c) (service of petition for review required on Attorney General).

The provisions of subdivision (b) are intended to place the Commonwealth in a position to obtain review in the Supreme Court of Pennsylvania or the Supreme Court of the United States of an adverse decision on the constitutional question.

SUPREME COURT OF PENNSYLVANIA APPELLATE COURT PROCEDURAL RULES COMMITTEE

PUBLICATION REPORT

Proposed Amendment of Pa. R.A.P. 521

The Appellate Court Procedural Rules Committee is considering proposing to the Supreme Court the amendment of Pennsylvania Rule of Appellate Procedure 521 governing notice to the Attorney General in appellate proceedings.

The Committee, in conjunction with the Criminal Procedural Rules Committee, has prepared a proposal to add procedures for the notification of the Attorney General in appellate proceedings of criminal appeals if the constitutionality of a statute is at issue. *See, e.g.*, 71 P.S. §732-204(a)(3) ("It shall be the duty of the Attorney General to uphold and defend the constitutionality of all statutes so as to prevent their suspension or abrogation in the absence of a controlling decision by a court of competent jurisdiction.").

Current Pa.R.A.P.521, based on Pa.R. Civ. P. 235 and Fed.R. App. P. 44, provides generally for notice only when the Commonwealth or any officer thereof is not already a party. To align with the new procedures of Pa.R.Crim. P. 579.1, the rule is proposed to be amended to ensure that in criminal appeals the Attorney General receives notice of all challenges to statutes regardless of the Commonwealth's representation by a district attorney unless the Attorney General is already a party.

To that end, subdivision(a) (1) (i) would require that, in criminal appeals, the district attorney provide notice to the Attorney General when the Attorney General is not a party to the proceeding, in addition to the notice previously given pursuant to Pa.R.Crim.P. 579.1. The Committee believed that requiring notice to the Attorney General in appellate proceedings, even if previously provided in trial court proceedings, would aid the Attorney General with identifying appeals continuing to challenge the constitutionality of a statute and would apprise the Attorney General of the Commonwealth's party status, *e.g.*, appellant or appellee, as well as the procedural posture of the case, *e.g.*, direct appeal, PCRA appeal, petition for permission to appeal, or petition for allowance of appeal.

Subdivision(a) (1) (ii) would govern the notice requirements to the Attorney General in all other appeals. Existing rule requirements to attach a copy of the pleadings or portion of the certified record to the notice, as well as provisions regarding timing and proof of service would be retained and set forth as subdivisions (a)(2), (a)(3), and (a)(4), respectively.

Subdivision (b) would retain the current text regarding the status of the Attorney General and permit the Attorney General to be heard on the question of the constitutionality of the statute without formal intervention. If the Attorney General files a brief on the constitutional question, the Attorney General would be deemed to be an intervening party in the matter.

Subdivision (c) would be added to codify an appellate court's ability to invite the Attorney General to participate as an intervening party if a party draws into question the constitutionality of a statute or as an *amicus curiae* in any other case in which the Attorney General's participation maybe helpful. Thus, if the Attorney General is not inclined to file a brief as permitted by subdivision (b), the Attorney General may never the less be "invited" to participate.

Subdivision (d) is intended to provide a remedy when notice has not been given. The Committee considered whether a district attorney's untimely notice, or absolute failure to provide notice, to the Attorney General of a defendant's constitutional challenge to a statute would foreclose the defendant from raising that issue at trial. Further, the Committee discussed whether the defendant could provide notice to the Attorney General if the district attorney did not. Ultimately, the Committee concluded that these were substantive matters to be decided by the courts rather than addressed in the rules because there is likely an aspect of prejudice to be considered on a case-by-case basis.

Commentary has been added to the rule to advise practitioners that notice should be given to constitutional challenges to a statute both as written and as applied.

The Committee invites all comments, concerns, and suggestions.

SUPREME COURT OF PENNSYLVANIA CRIMINAL PROCEDURAL

NOTICE OF PROPOSED RULEMAKING

Proposed Adoption of Pa.R.Crim.P. 579.1

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the adoption of Pa.R.Crim.P. 579.1 for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 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 report accompanying this proposal was prepared by the Committee to indicate the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be 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:

Mark A. Merdinger, Counsel
Criminal Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center PO Box 62635
Harrisburg, PA 17106-2635
FAX:(717) 231-9521
criminalrules@pacourts.us

All communications in reference to the proposal should be received by **June 12, 2025**. 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 Criminal Procedural Rules Committee,
David R. Crowley, Esq., Chair

Rule 579.1. Notice to Attorney General. Constitutionality of Statute.

(a) Notice. In any criminal proceeding prosecuted by the district attorney in which an Act of Assembly is alleged to be unconstitutional as written or as applied, the district attorney shall:

(1) promptly give written notice thereof to the Attorney General of Pennsylvania in a form designated by the Attorney General together with a copy of the motion or other portion of the record raising the issue; and

(2) shall file proof of the giving of the notice.

(b) Intervention. The Attorney General may intervene as a party or may be heard without the necessity of intervention.

(c) Effect on Proceeding. The court, in its discretion, may stay the proceedings pending the giving of the notice and a reasonable opportunity to the Attorney General to respond thereto. If the circumstances of the case require, the court may proceed without prior notice in which event notice shall be given as soon as possible; or the court may proceed without waiting for action by the Attorney General in response to a notice.

Comment: The Attorney General may direct the manner of notice for the purpose of expediting and facilitating receipt of the notice.

For notice requirements when on appeal, see Pa.R.A.P. 521 (Notice to Attorney General of Challenge to Constitutionality of Statute).

SUPREME COURT OF PENNSYLVANIA CRIMINAL PROCEDURAL RULES COMMITTEE

PUBLICATION REPORT

Proposed Adoption of Pa.R. Crim.P. 579.1

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court the adoption of Pa.R. Crim.P. 579.1 governing notice to the Attorney General of Pennsylvania in criminal proceedings.

The Committee, in conjunction with the Appellate Court Procedural Rules Committee, has prepared proposals regarding procedures for the notification of the Office of Attorney General in criminal proceedings when the constitutionality of a statute is at issue. *See, e.g.*, 71 P.S. §732-204(a)(3) ("It shall be the duty of the Attorney General to uphold and defend the constitutionality of all statutes so as to prevent their suspension or abrogation in the absence of a controlling decision by a court of competent jurisdiction.").

Proposed Pa.R. Crim. P.579.1 is derived largely from Pa.R.Civ.P.235. Subdivision (a) would require the district attorney to provide notice to the Attorney General if a statute is alleged to be unconstitutional. The subdivision does not explicitly state that the district attorney must provide notice of a defendant's challenge; rather, the rule is focused on the subject matter of the proceeding regardless of which party raises the challenge.

Unlike Pa.R.Civ.P. 235's requirement that notice be given via registered mail, the Committee proposes in subdivision (a) (1) that the Attorney General be permitted to designate a form for giving notice. The Committee so indicates that the Attorney General may direct the manner of notice.

Court Notices

continued from 34

Additionally, Pa.R.Civ.P. 235 does not differentiate between "as applied" or "as written" challenges. The Committee believed that proposed Pa.R.Crim.P.579.1(a) should explicitly state both bases so the necessity of giving notice prior to the close of the record would be evident.

Subdivision (c) is intended to provide a remedy when notice has not been given. The Committee discussed whether a district attorney's sun timely notice, or absolute failure to provide notice, to the Attorney General of a defendant's constitutional challenge to a statute would foreclose the defendant from raising that issue before the trial court. Further, the Committee discussed whether the defendant could provide notice to the Attorney General if the district attorney did not. Ultimately, the Committee concluded that these were substantive matters to be decided by the courts rather than the procedural rules because there is likely an aspect of prejudice to be considered on a case-by-case basis.

The Committee invites all comments, concerns, and suggestions.

SUPREME COURT OF PENNSYLVANIA JUVENILE COURT PROCEDURAL RULES COMMITTEE

NOTICE OF PROPOSED RULEMAKING

Proposed Amendment of Pa.R.J.C.P. 161, 170, and 172

The Juvenile Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pennsylvania Rules of Juvenile Court Procedure 161, 170, and 172 governing expungement procedures for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 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 report accompanying this proposal was prepared by the Committee to indicate the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be adopted by the Supreme Court.

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

Daniel A. Durst, Chief Counsel
Juvenile Court Procedural Rules Committee
Supreme Court of Pennsylvania Pennsylvania Judicial Center

P.O. Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9541
juvenilerules@pacourts.us

All communications in reference to the proposal should be received by **April 30, 2025**. 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 Juvenile Court Procedural Rules Committee,
Judge Andrea Marceca Strong, Chair

SUPREME COURT OF PENNSYLVANIA APPELLATE COURT PROCEDURAL RULES COMMITTEE

PUBLICATION REPORT

Proposed Amendment of Pa.R.A.P.1931

JAMS Arbitration, Mediation and ADR Services
1717 Arch Street
Suite 4010 – Bell Atlantic Tower
Philadelphia, PA 19103
(215) 246-9494

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: TEMPORARY MODIFICATION AND
SUSPENSION OF THE RULES OF
APPELLATE PROCEDURE AND JUDICIAL
ADMINISTRATION FOR APPEALS ARISING
UNDER THE PENNSYLVANIA ELECTION
CODE

NO. 622

JUDICIAL
ADMINISTRATION
DOCKET

ORDER

PER CURIAM

AND NOW, this 24th day of February, 2025, it is ORDERED that the August 27, 2024 order entered at this docket number is no longer in effect.

**ALM. REPRINTS
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