

The Legal Intelligencer

THE OLDEST LAW JOURNAL IN THE UNITED STATES 1843-2025

PHILADELPHIA, MONDAY, OCTOBER 6, 2025

VOL 270 • NO. 192

An ALM Publication

LEGAL LISTINGS COURT NOTICES

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY FIRST JUDICIAL DISTRICT OF PENNSYLVANIA TRIAL DIVISION - CIVIL

IN RE: ASBESTOS LITIGATION
OCTOBER TERM 1986
NO. 00001

ORDER

AND NOW, this 6th day of **August 2025**, upon consideration of plaintiffs' proposed case groupings for the 2026 Litigation Groups and defense objections, it is **ORDERED** that the proposed Litigation Groups, copy attached hereto, are hereby **APPROVED** and shall be implemented forthwith.

BY THE COURT:

/s/

JOSHUA ROBERTS, J.

2026 Asbestos Trial List begins on Page 4.

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY FIRST JUDICIAL DISTRICT OF PENNSYLVANIA TRIAL DIVISION - CIVIL ADMINISTRATIVE ORDER

11 of 2025

IN RE: STAY OF LITIGATION FOR PA OFFICE OF ATTORNEY GENERAL

ORDER

AND NOW this 12th day of September 2025, upon consideration of the Motion to Extend the Administrative Stay Order filed by the Commonwealth of Pennsylvania Office of Attorney General ("OAG"), and any response thereto, following a hearing, it is hereby **ORDERED** and **DECREED** that the OAG's motion to Extend the Stay is **GRANTED** as follows:

WHEREFORE, the Court previously having been made aware of the a network outage of the OAG and the resulting inability to proceed with litigation, and as a result on August 13, 2025, the Court issued Administrative Order 9 of 2025, which stayed all matters for 30 days until September 12, 2025, in which an attorney from the OAG has entered an appearance and which provided that the Stay may be extended upon the filing of a motion to extend the Stay and following a hearing.

It is hereby **ORDERED** and **DECREED** that the Stay shall be extended for another 30 days for all cases in which an attorney from the OAG has entered an appearance.

It is further **ORDERED** and **DECREED** that the stay does not apply to any stipulations of dismissal of any Commonwealth of Pennsylvania related party that the OAG has entered its appearance.

It is further **ORDERED** and **DECREED** that as to any new cases to which this Stay applies to the entry of appearance by an OAG attorney on behalf of the Commonwealth of Pennsylvania, its agencies and employees, must be accompanied by a Praecept to Stay the Action, together with a copy of this Order.

It is further **ORDERED** and **DECREED** that this Stay shall remain in effect until October 14, 2025 unless the OAG notifies the Court before October 14, 2025 that its electronic data and network have been restored to allow its attorneys to access litigation data and proceed with litigation. 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. Any objection to the motion to extend the Stay shall be filed before the hearing.

It is further **ORDERED** and **DECREED** that a hearing is scheduled for October 14, 2025 at 1 p.m. in Courtroom 513, City Hall.

BY THE COURT:

/s/ Daniel J. Anders

DANIEL J. ANDERS,
Administrative Judge, Court
of Common Pleas
Trial Division, First Judicial District of
Pennsylvania

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: NO. 316
ORDER AMENDING RULE 511 AND
1113 OF THE PENNSYLVANIA RULES
OF APPELLATE PROCEDURE

APPELLATE PROCEDURAL
RULES DOCKET

ORDER

PER CURIAM

AND NOW, this 15th day of July, 2025, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. 103(a)(3):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 511 and 1113 of the Pennsylvania Rules of Appellate 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.

APPELLATE COURT PROCEDURAL RULES COMMITTEE ADOPTION REPORT

Amendment of Pa.R.A.P. 511 and 1113

On July 15, 2025, the Supreme Court of Pennsylvania amended Pennsylvania Rules of Appellate Procedure 511 and 1113. The Appellate 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.

In *Kramer v. Nationwide Property and Casualty Insurance Co.*, 313 A.3d 1031 (Pa. 2024), the Supreme Court noted that guidance related to the timing of filing a protective cross-petition for allowance of appeal was set forth in the commentary to Pa.R.A.P. 511 governing cross-appeals, but similar guidance was not provided in the commentary to Pa.R.A.P. 1113 governing cross-petitions for allowance of appeal, and referred the matter to the Committee. *Id.* 1044 n.17. The commentary to Pa.R.A.P. 511 relevant to the Court's referral provided:

If, however, an intermediate appellate court awards different relief than the trial court or other government unit, a party may wish to file a cross-petition for allowance of appeal under Pa.R.A.P. 1112. See, e.g., *Meyer, Darragh, Buckler, Bebenek & Eck, P.L.L.C. v. Law Firm of Malone Middleman, P.C.*, 179 A.3d 1093, 1098 & n.5 (Pa. 2018); *Meyer, Darragh, Buckler, Bebenek & Eck, P.L.L.C. v. Law Firm of Malone Middleman, P.C.*, 137 A.3d 1247 (Pa. 2016).

Pa.R.A.P. 511, cmt.

Following review, this commentary has been removed from Pa.R.A.P. 511 and a reference to the comment to Pa.R.A.P. 1113 has been added. Commentary has also been added to Pa.R.A.P. 1113 to describe the circumstances when a protective cross-petition for allowance of appeal should be filed as discussed in *Kramer*. Stylistic revisions have also been made to both rules.

The amendments were not published for comment because they are technical in nature and do not affect practice or procedure. The amendments become effective on October 1, 2025.

Rule 511. Cross-Appeals.

The timely filing of an appeal shall extend the time for any other party to cross-appeal as set forth in Pa.R.A.P. 903(b) (cross-appeals), 1113(b) (cross-petitions for allowance of appeal), and 1512(a)(2) (cross-petitions for review). The discontinuance of an appeal by a party shall not affect the right of appeal or cross-appeal of any other party regardless of whether the parties are adverse.

[Note] Comment: See also Pa.R.A.P. 2113, 2136, and 2185 regarding briefs in cross-appeals and Pa.R.A.P. 2322 regarding oral argument in multiple appeals.

An appellee should not be required to file a cross-appeal because the court below ruled

Court Notices continues on 10

INSIDE

Common Pleas Court	42 Public Notices
3 Civil Listings	7 Supreme Court
5 Criminal Listings	7 Superior Court
5 Family Court	7 U.S. Bankruptcy Court
4 Mass Tort Asbestos	7 U.S. Court of Appeals
6 Municipal Court	7 U.S. District Court
9 Orphans' Court	2 Trial List

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.

W. BEETLESTONE
Chief Judge

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

TUESDAY, OCTOBER 7, 2025**Motion Hearing**

02:00 P.M.

25-cr-0094 USA v. ABDULMALIKZODA

03:00 P.M.

23-cr-0454 USA v. BYRD

10:00 A.M.

21-cv-0433 ATAIN INSURANCE COMPANY v. NOR

TUESDAY, OCTOBER 14, 2025**Jury Trial**

09:00 A.M.

25-cr-0094 USA v. ABDULMALIKZODA

R.A. LLORET, M.J.

M.S. GOLDBERG, J.
COURTROOM 17A
Courtroom Deputy: Sheila McCurry
Phone: (267) 299-7501

SANCHEZ, J.
COURTROOM 14B
Courtroom Deputy: Nancy DeLisle
Phone: (267) 299-7789

TUESDAY, OCTOBER 7, 2025**Sentencing**

01:30 P.M.

23-cr-0359 USA v. BROWN

11:00 A.M.

23-cr-0255 USA v. CORREA DEL ORBE

WEDNESDAY, OCTOBER 8, 2025**Sentencing**

01:30 P.M.

23-cr-0255 USA v. BAEZ

Status Conference/Hearing

11:00 A.M.

24-cr-0324 USA v. PASTURE

TUESDAY, OCTOBER 14, 2025**Sentencing**

01:30 P.M.

22-cr-0049 USA v. HARS

P.S. DIAMOND, J.
Courtroom 14A
Courtroom Deputy: Lenora K. Wittie
Phone: (267) 299-7789

TUESDAY, OCTOBER 7, 2025**Final Pretrial Conference**

01:30 P.M.

23-cv-3300 BENSON v. DELAWARE COUNTY SHER

Jury Trial

09:00 A.M.

25-cr-0311 USA v. BROWN

WEDNESDAY, OCTOBER 8, 2025**Change of Plea Hearing**

09:30 A.M.

23-cr-0364 USA v. PRIDGEN

Revocation Superv Rls-FinalHrg

11:00 A.M.

15-cr-0249 USA v. WRIGHT

16-cr-0231 USA v. WRIGHT

THURSDAY, OCTOBER 9, 2025**Plea Agreement Hearing**

11:30 A.M.

25-cr-0424 USA v. LIMON ASCENCION

Pretrial Conference/Hearing

09:30 A.M.

24-cr-0421 USA v. ROBERTO

TUESDAY, OCTOBER 14, 2025**Jury Trial**

09:00 A.M.

24-cr-0156 USA v. CLARK

GOLDBERG**WEDNESDAY, OCTOBER 8, 2025****Sentencing**

10:00 A.M.

23-cr-0522 USA v. LAWSON

TUESDAY, OCTOBER 14, 2025**Jury Trial**

10:00 A.M.

25-cr-0104 USA v. VARGAS-PELLICCIA

QUINONES ALEJANDRO, J.**Courtroom 8B**

Secretary/Civil Deputy: Nicole Phillipi
(267) 299-7461

Criminal Deputy Clerk: Rosalind Burton-Hoop
(267) 299-7467

TUESDAY, OCTOBER 7, 2025**Bench Trial**

10:00 A.M.

22-cv-1979 DEVON HORSE SHOW AND COUNTRY F

SCHMEHL, J.**Courtroom The Gateway Building Reading, PA**

Courtroom Deputy: Brian Dixon
(610) 320-5099

Reading, PA 19601

3rd flr, Rm. 3041 when in Phila.

FRIDAY, OCTOBER 10, 2025**Arbitration Hearing**

09:30 A.M.

25-cv-1573 CHAVERS v. STATE FARM MUTUAL A

G.A. MCHUGH, J.**Civil Deputy: Patricia Clark**

Phone: 267 299-7301

Criminal Deputy: Christian Henry

Phone: 267-299-7307

TUESDAY, OCTOBER 7, 2025**Settlement Conference**

01:00 P.M.

20-cv-0200 ALLEGHENY COUNTY EMPLOYEES' RE

KEARNEY, J.**Courtroom 6B**

Deputy Clerk: Ulrike Hevener

Phone: (267) 299-7688

TUESDAY, OCTOBER 7, 2025**Motion Hearing**

09:30 A.M.

25-cv-2224 JANSON v. ESTES et al

11:00 A.M.

24-cv-4374 FLACCO et al v. OUTLAW et al

WEDNESDAY, OCTOBER 8, 2025**Motion Hearing**

02:00 P.M.

24-cr-0326 USA v. SMITH

Pretrial Conference/Hearing

12:15 P.M.

25-cr-0024 USA v. OLIVERO

TUESDAY, OCTOBER 14, 2025**Jury Selection**

09:00 A.M.

25-cv-1271 REVUNOV v. SHEVCHENKO et al

Jury Trial

09:00 A.M.

25-cr-0024 USA v. OLIVERO

25-cv-1271 REVUNOV v. SHEVCHENKO et al**Trial Date**

09:00 A.M.

25-cv-1271 REVUNOV v. SHEVCHENKO et al

PAPPERT, J.**Courtroom 11A**

Courtroom Deputy: Katie Rolon

Phone: (267) 299-7531

TUESDAY, OCTOBER 7, 2025**Revocation Superv Rls-FinalHrg**

10:00 A.M.

13-cr-0206 USA v. BRICE

WEDNESDAY, OCTOBER 8, 2025**Arbitration Hearing**

09:30 A.M.

25-cv-0003 HAROWITZ v. RANDLE

THURSDAY, OCTOBER 9, 2025**Motion Hearing**

10:00 A.M.

24-cv-6303 GUZMAN v. UNITED STATES OF AME

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.

TUESDAY, OCTOBER 7, 2025**Sentencing**

01:30 P.M.

24-cr-0287 USA v. MOUNTIS

02:00 P.M.

24-cr-0287 USA v. MOUNTIS

02:30 P.M.

24-cr-0287 USA v. MOUNTIS

TUESDAY, OCTOBER 14, 2025**Settlement Conference**

04:00 P.M.

24-cr-0082 USA v. TORRES RODRIGUEZ
J. M. GALLAGHER, J.
 Courtroom Edward Cahn
 Federal Bldg Allentown, PA
 Courtroom Deputy: Christine Stein
 Phone: (610) 391-7012

TUESDAY, OCTOBER 7, 2025
 Sentencing
 01:30 P.M.
 USA v. GOODMAN

WEDNESDAY, OCTOBER 8, 2025
 Final Pretrial Conference
 01:30 P.M.
 GONZALEZ FELICIANO v. LANDSTAR
 Pretrial Conference/Hearing
 09:30 A.M.
 USA v. MCPHERSON II

TUESDAY, OCTOBER 14, 2025
 Sentencing
 10:30 A.M.
 USA v. MATOS
 Status Conference/Hearing
 09:30 A.M.
 Alexander et al v. Seaworld Pa

PEREZ, J.
COURTROOM 10B
 Courtroom Deputy: Mia Harvey
 267-299-7589

TUESDAY, OCTOBER 7, 2025
 Sentencing
 01:00 P.M.
 USA v. MENA-MARIANO
 Status Conference/Hearing
 10:00 A.M.
 HOFMANN v. MALVERN POLICE DEPA

WEDNESDAY, OCTOBER 8, 2025
 Motion Hearing
 10:00 A.M.
 USA v. BURTON

HODGE, J.
Courtroom 15A
 Courtroom Deputy: Leesa Ciamaichelo 267-299-7559

TUESDAY, OCTOBER 7, 2025
 Show Cause Hearing
 01:00 P.M.
 DEECK et al v. STATE FARM FIRE
 Status Conference/Hearing
 10:00 A.M.
 Porretta v. CITY OF PHILADELPH

WEDNESDAY, OCTOBER 8, 2025
 Show Cause Hearing
 02:00 P.M.
 MAGGITT v. HON. BRETT M. BINDE

TUESDAY, OCTOBER 14, 2025
 Change of Plea Hearing
 03:00 P.M.
 USA v. ADAMS
 Sentencing
 11:00 A.M.
 USA v. RIPPERT

MURPHY, J.
Courtroom 3B
 Courtroom Deputy: Kerry Christy 267-299-7510

TUESDAY, OCTOBER 7, 2025
 Pretrial Conference/Hearing
 10:00 A.M.
 VASQUEZ v. MCGINLEY et al

WEDNESDAY, OCTOBER 8, 2025
 Motion Hearing
 02:00 P.M.
 Tuttolomondo et al v. EKTA SEM

THURSDAY, OCTOBER 9, 2025
 Pretrial Conference/Hearing
 02:00 P.M.
 USA v. ALEXANDER

FRIDAY, OCTOBER 10, 2025
 Change of Plea Hearing
 02:00 P.M.
 USA v. BLAZO
 Final Pretrial Conference
 10:00 A.M.
 McCready v. Unity Sober Living

Pretrial Conference/Hearing
 11:00 A.M.
 USA v. BUTLER

TUESDAY, OCTOBER 14, 2025
 Jury Trial
 09:00 A.M.
 USA v. ALEXANDER
 Motion Hearing
 10:00 A.M.
 AYO v. AMR GP HOLDINGS, LLC et al

SCOTT, J.
Courtroom 13B
 Courtroom Deputy: Susan Flaherty
 Phone: 267-299-7598

TUESDAY, OCTOBER 7, 2025
 Miscellaneous Hearing
 09:30 A.M.
 SIRACUSA v. SHALEEMENTERPRISE3
 Pretrial Conference/Hearing
 10:00 A.M.
 FLEETWOOD v. MIDLAND CREDIT MA

WEDNESDAY, OCTOBER 8, 2025
 Motion Hearing
 11:00 A.M.
 REESE v. MERCY CATHOLIC MEDICA
 Scheduling Conference
 09:30 A.M.
 USA v. SMITH

THURSDAY, OCTOBER 9, 2025
 Motion Hearing
 10:00 A.M.
 N- v. MCSHANE et al

TUESDAY, OCTOBER 14, 2025
 Arraignment
 09:30 A.M.
 USA v. HERNANDEZ-MARTINEZ

COSTELLO, J.
Courtroom 6A
 Courtroom Deputy: Michael Coyle
 Phone: (267) 299-7720

TUESDAY, OCTOBER 7, 2025
 Jury Selection
 09:30 A.M.
 USA v. SANCHEZ-HERNANDEZ

Jury Trial
 09:30 A.M.
 USA v. SANCHEZ-HERNANDEZ

HENRY, J.
 Courtroom The Holmes Bldg
 Easton, PA
 Courtroom Deputy: Tanya Allender
 Phone: (610) 333-1833

WEILHEIMER, J.
Courtroom TBD
 Courtroom Deputy: Christin Henry
 Phone: (267) 299-7769

TUESDAY, OCTOBER 14, 2025
 Sentencing
 10:30 A.M.
 USA v. ARGRO

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

TUESDAY, OCTOBER 14, 2025
 Change of Plea Hearing
 01:30 P.M.
 USA v. KANE

A. B. BRODY, S.J.
Courtroom 7B
 Scheduling/Deputy Clerk: Joseph Walton
 Phone: 215-597-7431
 ESR-Courtroom Deputy: Jim Scheidt
 Phone: 267-299-7439

THURSDAY, OCTOBER 9, 2025
 Status Conference/Hearing
 01:30 P.M.
 IN RE: GENERIC PHARMACEUTICALS

R. SURREICK, S.J.
8A
 Courtroom Deputy: Tashia Reynolds
 Phone: (267) 299-7631

THURSDAY, OCTOBER 9, 2025
 Sentencing
 04:00 P.M.
 USA v. CAMACHO

TUESDAY, OCTOBER 14, 2025
 Sentencing
 01:00 P.M.
 USA v. HUANG

C.M. RUFFE, S.J.
 Scheduling/Deputy Clerk Kristen Pepin
 Phone: (267) 299-7490
 Fax: (267) 299-5077
 ESR/Courtroom Deputy: Erica Pratt
 Phone: (267) 299-7499

TUESDAY, OCTOBER 7, 2025
 Sentencing
 10:30 A.M.
 USA v. MCCODE

Show Cause Hearing
 10:00 A.M.
 USA v. RODRIGUEZ

TUESDAY, OCTOBER 14, 2025
 Motion Hearing
 09:30 A.M.
 USA v. BENSON

M. BAYLSON, S.J.
Courtroom 3A
 Courtroom Deputy: Lori DeSanti
 Phone: (267) 299-7291

THURSDAY, OCTOBER 9, 2025
 Motion Hearing
 02:30 P.M.
 USA v. WARLOW

Revocation Superv Rls-FinalHrg
 02:30 P.M.
 USA v. IRIZARRY

TUESDAY, OCTOBER 14, 2025
 Jury Trial
 09:30 A.M.

25-cr-0109
 USA v. WARLOW
Revocation Superv Rls-FinalHrg
 02:30 P.M.
 USA v. ELAM

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, OCTOBER 14, 2025
 Settlement Conference
 09:30 A.M.
 COPELAND v. ASSOCIATED PRODUCT

C. S. WELLS, M.J.
Courtroom 3F
 Deputy Clerk: Edward Andrews
 Phone: (267) 299-7833

E. T. HEY, M.J.
Courtroom 3I
 Courtroom Deputy: Lara Karlson
 Phone: (267) 299-7671

L.A. SITARSKI, M.J.
Courtroom 3E
 Deputy Clerk: Regina M. Zarnowski
 Phone: 267-299-7810

TUESDAY, OCTOBER 7, 2025
 Final Pretrial Conference
 10:00 A.M.
 ELLIS et al v. TOWNSEND

Settlement Conference
 10:00 A.M.
 SANTANDER BANK v. COMER ENTERP

THURSDAY, OCTOBER 9, 2025
 Settlement Conference
 10:00 A.M.
 25-cv-2461 KAWAGUCHI v. STATE FARM MUTUAL

TUESDAY, OCTOBER 14, 2025
 Settlement Conference
 10:00 A.M.
 ORLENA v. JOHNSON AND JOHNSON

Trial Date
 09:00 A.M.
 ELLIS et al v. TOWNSEND

REID, M.J.
Courtroom 3C
 3042 US Courthouse
 601 Market Street
 Philadelphia, PA 19106
 Courtroom as assigned
 Ian Broderick, Deputy Clerk
 (267) 299-7640
 Ian_Broderick@paed.uscourts.gov

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

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

ARTEAGA, MJ
Courtroom 3H
 Courtroom Deputy: Danielle Hauger
 Phone: (267) 299-7421

CINQUANTO, M.J.
Courtroom 3D
 Courtroom Deputy: Jeff Lucini
 Phone: 267-299-7751

COMMON PLEAS COUR
CASE MANAGEMENT
CONFERENCE LIST

CASE MANAGEMENT
PROGRAM
ROOM 613
CITY HALL
 Any questions regarding the Case Management Program should be directed to CivilCaseManagement@courts.phila.gov

MON., OCTOBER 6, 2025
8 A.M.
 0012502-0572T. F. Sacchetta; T. Sacchetta
 Sousa v.Danfotech et al.
 J. A. Wescoe; J. J. Essis; M. K. Bailey
 0022504-3429J. T. Woy; J. R. Vannaarden
 Ingoo v.Brown et al.
 A. Z. Wenger; D. J. Ferhat; M. A. Jabour; S. J. Mumford
 0032507-0783K. T. Levine; M. Connolly Smith v.Rust-Oleum Corp.
 A. P. Fishkin; Z. W. Silverman
 0042507-1357A. J. Dupont; M. T. Garmisa; S. C. Wallace
 Mason et al. v.Air Methods, Llc et al.
 A. D. Capasso; G. F. Sasso; J. D. Clark; W. F. McDevitt
 0052507-1362D. R. Layser; M. G. Knoll; M. P. Miller
 Mitchell et al. v.Defilippis et al.
 B. A. Post; J. M. Becker; M. P. Merlini; T. Guerrero
 0062507-1376B. J. Kaminsky; K. Lekh Silva et al. v.Siebecker et al.
 J. L. Harlow; S. H. Charette; V. Hogan; Z. R. Fowler
9 A.M.
 0012407-0255D. B. Sherman
 Mack-Eady et al. v.Cohen Boys Llc et al.
 S. A. Peterman
 0022411-3150M. L. Greenfield
 Hedgepeth et al. v.T&T Nelson Group, Llc et al.
 M. A. Lockett
 0032412-3002L. Solomon
 Drummond v.Archdiocese of Philadelphia of The Rom
 M. L. Jones; N. M. Centrella
 0042501-0417J. Devirgillis
 Nova Builders, Llc v.Pelco Builders Inc.
 0052501-2447M. D. Copoulos
 Hnb Investment Properties Llc v.Unknown Occupants
 0062503-2907D. H. Tsarouhis
 Bankers Healthcare Group, Llc v.Perdomo Franco
9:30 A.M.
 0012505-3767J. L. Lentini
 Selective Ins Co. of The Se Aso Pinnacle Holdings, v.Perdomo Franco
 P. J. Brennan; C. Y. Carreras; F. A. Lasalvia; G. Hartzel; M. J. Wozny; M. Senoyuit; S. J. Finley
 0022506-3233D. S. Jaffe
 Simpson v.Patel et al.
 B. A. Carter; D. A. Santilli
 0032506-3240F. Milillo
 Simmons v.Ezekiel et al.
 D. P. Czap; J. D. Buchanico; M. S. Baio; M. E. Hill
 0042506-3243C. R. Durso
 Brown v.Battis et al.
 A. L. Latonick; B. A. Carter; J. R. Andrzejewski
 0052506-3250D. S. Jaffe
 Medaglia v.Nguyen
 A. M. Thammavong
1 P.M.
 0012505-0850M. C. Bendo
 Rivera v.Occupants
 0022506-1299M. T. Leabman
 Florio et al. v.State Farm Mutual Automobile Insura
 A. C. Venters
 0032506-2862A. M. Henkle
 Scott v.Nimaga
 0042506-2864A. M. Henkle
 Eckford v.Rosansky et al.
 F. C. Love
 0052506-2865R. T. Galas
 Williams v.Ginter et al.
 J. A. Vanderkwaest
 0062506-2872S. F. Bello III
 Hackett et al. v.Interpark Holdings, Llc et al.
 0072506-2879F. Milillo
 Morgan v.Crispy Pizza et al.
 J. A. Godin
 0082506-2880A. S. Getson; S. T. Haileab
 Miranda v.Glovis America et al.
 C. J. Tellner; E. Garcia; G. E. Brown
 0092506-2884A. Harmon; A. McHugh
 Philadelphia Federal Credit Union v.Bond et al.
10 P.M.
 0102506-2889T. L. McElhaney
 State Farm Fire And Casualty Company

0112506-2894J. L. McGlynn Amguard Insurance Company v.Electrolux Home Prod E. T. Romanowski	v.Bsh Home A R. E. Ostriak 0032506-3022T. C. Levy Robbins v.Tall Tree Village et al. J. G. Devlin	Williams et al.v.Butts et al. C. Yu; M. T. McDonnell 0032506-3025M. L. Barnabe Genesis International Realty, Llc v.Auto-Owners I J. A. Deane; T. R. Foster	0032507-0098J. B. Solomon Ngassam v.Guerdy 0042507-0101R. L. Vanderslice Gooding v.Lee et al.	Inova Federal Credit Union v.Niblack 2 P.M. 0012504-2416C. Treglia; E. D. Frank U.S. Bank National Association v.Sostre et al.	1. 230902428 WRIGHT 2872 HALPERN LUNG CANCER 1. 230200467 BERNARD 2. 230400499 GAVIN 3. 230700156 GAVIN 4. 231200773 SOVKO 5. 240802430 SOVKO
0122506-2895A. M. Kroupa Johnson v.Bell Atlantic et al. S. J. Moore	10 A.M. 0012506-2991J. N. Leo Page v.Rahman et al. A. L. Boardman; C. S. Vahey; J. P. Silli; M. L. Razzano; M. K. Stricker	0042506-3025M. L. Barnabe Genesis International Realty, Llc v.Auto-Owners I J. A. Deane; T. R. Foster	0052506-3036J. S. Shorr Eze Brothers Logistics Limited et al. v.Crystal Tra	0052507-0109T. A. Lynam Sporn v.Miranda Cartagena et al. L. B. Glynn	12/8/2025 2873 WEITZ LUNG CANCER 1. 230600947 WRIGHT 2. 230602009 ROSE 3. 230702563 EMIGH 4. 230803354 LEWIS 5. 231100800 PDTX-LANICH 6. 231200910 BARNES-HICKMAN 7. 231202326 JARROUJ
0012506-2992B. S. Rush Ellis v.Chotoev et al. K. M. Frascella; M. Long; R. A. Steiger	0022506-2992B. S. Rush Ellis v.The Cincinnati Insurance Company C. B. Stokes	0062506-3045J. A. Schluth; S. Fishman Sikharulidze v.Modern Group, Llc et al. A. R. Kasian; J. R. Fowler	0072506-3048D. P. Thiruselvam; K. T. West	0062507-0111C. Treglia Freedom Mortgage Corp. v.Bolds	0032505-1245M. L. Greenfield Tillman v.Perez et al. C. J. Tellner; E. Garcia
0032506-2993J. B. Solomon Anderson-Baylor v.City of Philadelphia S. Kirby	0042506-2996B. M. Ruditys Ellis v.The Cincinnati Insurance Company C. B. Stokes	0072507-0116A. A. Nichols Mobley v.Crestwood Apartments et al.	0082507-0118T. C. Dyer Capital One Auto Finance v.Hall	0042506-2430D. E. Jokelson Dougherty v.Parkway Corp. et al. D. F. Donnelly; D. M. Samuel; K. M. Barlow; L. C. Miller	0022505-0292A. T. Kravitz Athene Annuity And Life Company v.Homes By Vanzan
0062506-3001R. P. Santosusso Shoemake v.Henry et al. M. Long; P. W. Baker; R. A. Steiger	0052506-3001R. P. Santosusso Bowers v.Williams et al.	0092506-3052S. D. Wilson Han v.Burlington Coat Factory et al. G. M. Vinci Jr; J. T. Asher	0012505-2495S. E. Quinn Brown-Burton v.Sanchez et al. J. C. Schwartz; S. Bayor	0042506-2430D. E. Jokelson Dougherty v.Parkway Corp. et al. D. F. Donnelly; D. M. Samuel; K. M. Barlow; L. C. Miller	0022505-0149D. C. Coyne; J. C. Haggerty; W. Santarsiero Miller v.Abraham et al.
0062506-3007R. A. Feeney Medina v.201 N. Broad Street Commercial Condo, Ll B. N. Gialloreto; E. Merrigan	0012504-3067N. M. Murawsky Bowers v.Williams et al.	0012506-3374G. R. Connor; J. S. Zafran Henderson v.Borodyanskaya et al. A. E. Walters	0012505-2495S. E. Quinn Brown-Burton v.Sanchez et al. J. C. Schwartz; S. Bayor	0062507-0153A. S. Gilberg; G. S. Marion Anderson et al.v.Wierzbicki et al. E. M. Pritchak; T. D. Summerville	0022505-0157J. Z. Swist Wright v.The Good Shepherd Rehabilitation Network
0022506-3313D. J. Morello; D. J. Feinberg Taylor v.Cook	10:30 A.M. 0012504-3067N. M. Murawsky Bowers v.Williams et al.	2:30 P.M. 0012506-3374G. R. Connor; J. S. Zafran Henderson v.Borodyanskaya et al. A. E. Walters	10 A.M. 0012505-2495S. E. Quinn Brown-Burton v.Sanchez et al. J. C. Schwartz; S. Bayor	0022505-0153A. S. Gilberg; G. S. Marion Anderson et al.v.Wierzbicki et al. E. M. Pritchak; T. D. Summerville	0072507-0157J. Z. Swist Wright v.The Good Shepherd Rehabilitation Network
0032506-3318D. M. Dileva Secretary of Housing And Urban Development v.Doe	0042506-3320A. Baron Taylor v.Oliviera et al.	3 P.M. 0012411-1201M. T. Vanderveen; N. Levin Sarnor P/N/G Y. S. Minor v.Hip Hop Takes A Villag	10:30 A.M. 0012504-3326M. D. Copoulos Azjen Properties Llc v.Butler	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0052506-3338T. A. Hagner Ward v.Next Level Concrete Llc et al.	0032506-3320A. Baron Taylor v.Oliviera et al.	0022504-3331G. Gossett Re v.Revel	10:30 A.M. 0012504-3326M. D. Copoulos Azjen Properties Llc v.Butler	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0062506-3366C. Dawson Klein; D. P. Cortes; M. M. McKenzie; O. Mania Norris Square Neighborhood Project v.Bittle et al.	0052506-3338T. A. Hagner Ward v.Next Level Concrete Llc et al.	0032505-2899R. P. Lieberman Sanchez v.Ibanez	10:30 A.M. 0012504-3326M. D. Copoulos Azjen Properties Llc v.Butler	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0072506-3368D. S. Jaffe Melendez v.Recinosgarcia et al.	0082506-3373B. E. Levy Raye v.Doe et al.	11 A.M. 0012504-2944D. M. Dileva Secretary of Housing And Urban Development v.Doe	11 A.M. 0012504-2944D. M. Dileva Secretary of Housing And Urban Development v.Doe	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0022506-3104George v.National Council of State Boards of Nurs	0032506-3107M. S. Mednick Gonzalez et al.v.Mokarow et al.	8 A.M. 0012506-0632C. C. Johnson Landau v.Monarch et al.	11 A.M. 0012505-0575M. E. Lemieux-Fillary Power v.Planned Parenthood Southeastern Pennsylvania	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0032506-3107M. S. Mednick Gonzalez et al.v.Mokarow et al.	0042506-3110M. R. Cohen By & Through Her Parent And Guardian, Joseph Demar v.Mokarow et al.	0022507-1981L. R. Jubb Corredora v.Lehigh Valley Hosp. - Cedar Crest	11 A.M. 0012505-0575M. E. Lemieux-Fillary Power v.Planned Parenthood Southeastern Pennsylvania	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0042506-3110M. R. Cohen By & Through Her Parent And Guardian, Joseph Demar v.Mokarow et al.	0052506-3115C. S. Regan; R. Cahall New Jersey Manufacturers Insurance Company v.Mode	8:30 A.M. 0012506-0632C. C. Johnson Landau v.Monarch et al.	11 A.M. 0012505-0575M. E. Lemieux-Fillary Power v.Planned Parenthood Southeastern Pennsylvania	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0062506-3123J. Greenberg American Credit Acceptance, Llc v.Drive Line Auto	0072506-3128A. Vanwagner Huff v.Lgn-Rk Assoc. Inc. et al.	9 A.M. 0012507-0075N. A. Bezar Calandra v.Hall et al.	11 A.M. 0012505-0575M. E. Lemieux-Fillary Power v.Planned Parenthood Southeastern Pennsylvania	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0012504-3845Fontalus, Jr. v.Garraud	11:30 A.M. 0012504-3845Fontalus, Jr. v.Garraud	9 A.M. 0012507-0075N. A. Bezar Calandra v.Hall et al.	11 A.M. 0012505-0575M. E. Lemieux-Fillary Power v.Planned Parenthood Southeastern Pennsylvania	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0022506-3412A. L. Bugay Betancourt et al. v.Wilf	0012506-3412A. L. Bugay Betancourt et al. v.Wilf	10 A.M. 0012507-0075N. A. Bezar Calandra v.Hall et al.	11 A.M. 0012505-0575M. E. Lemieux-Fillary Power v.Planned Parenthood Southeastern Pennsylvania	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0032506-3414M. F. Greenfield Hodges v.Southeastern Pennsylvania Transportation	0042506-3415M. F. Greenfield James v.The Meni Development Corp. et al.	11:30 A.M. 0012507-0075N. A. Bezar Calandra v.Hall et al.	11 A.M. 0012505-0575M. E. Lemieux-Fillary Power v.Planned Parenthood Southeastern Pennsylvania	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0052506-3417M. F. Greenfield Jackson v.Dietrick	0062506-3419W. C. Bensley Skrup v.Kelly Chrysler et al.	12 P.M. 0012507-0075N. A. Bezar Calandra v.Hall et al.	12 P.M. 0012505-0575M. E. Lemieux-Fillary Power v.Planned Parenthood Southeastern Pennsylvania	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0072506-3421A. S. Getson; S. T. Haileab Shreeves-Taylor v.Lyft Inc. et al.	0082506-3430L. A. Fox Gaither v.Leader	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
B. A. Carter; J. R. Andrzejewski; M. G. Bradley	1:30 P.M. 0012506-3253D. Kostin; P. V. Volkov Santos v.Nascimento et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
J. A. Vanderkwaast	1:30 P.M. 0012506-3253D. Kostin; P. V. Volkov Santos v.Nascimento et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
Lloyd-Bey v.Lloyd et al.	2 P.M. 0012504-3071C. K. Sunwabe Jr Gesna v.Franck	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
0022506-3020L. B. Edelstein	2 P.M. 0012504-3071C. K. Sunwabe Jr Gesna v.Franck	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
		1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
		1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
		1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
		1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
		1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
		1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
		1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	1 P.M. 0012507-0084N. V. Hatton Twymann v.Sorts et al.	0022505-0137 Yauri v.Hamilton et al.	0012507-0256J. A. Zenstein Walton et al.v.Allstate Vehicle And Property Insur
		1 P.M. 0012507-0			

5. JANEIRA 241203125

2882 HALPERN MESOTHELIOMA

- CIMINS 240200223
- WARNER 240301418
- WARNER 241003944
- WARNER 241102450
- WARNER 241201910
- KOZIKOWSKI 241202249
- WARNER 250102062

2883 HALPERN PRTNL MESTLMA

- MASON III 230300880
- GATES 240701042
- HARSHBERGER 241001381
- GATES 241102536

2884 NASS LUNG CANCER

- BERGERON 240401415
- BLAKE 240503414
- ONEILL 240602093
- YORKMAN 240602118
- TRUSSELL 240702438
- BERGERON 241001254
- SIRAVO 241001682
- STINSON 241101963
- STRICK 241102415
- KAUT 241202585

2885 WEITZ LUNG CANCER

- STERLING 240100544
- VENEZIALE 240402411
- STRAIN 240502063
- BREWER 240700570
- DANIELS 240702885
- KAHMER 240800382
- KOZISKI 241001166
- BACHINSKI 241200039
- GRAVES 241200935
- MANKE 241201585

APRIL 13, 2026

2886 SHEIN MESOTHELIOMA

- TENPENNY 240700436
- HUGHES 240801236
- CHERNOFF 241202669
- MCCARTHY 241203158

2887 WEITZ MESOTHELIOMA

- BILLUS 240202556
- RUSSIELLO 240502928
- DZWONCZYK 240802053
- HEMMERLE 240902097
- BROWN 241202043

2888 WEITZ PRTNL MESTLMA

- BUDESA 240501915
- VOCONNER 241000431
- MCANALLEN 241101783

2889 HALPERN LUNG CANCER

- COFIELD 240102844
- CRISWELL 240503288
- COFIELD 240503601
- FOLTZ 240600524
- BAREFOOT 240702141
- BOETTCHER 240702161
- BAREFOOT 240702534
- CARLL 240800343
- DELSIGNORE 240803045
- EVANS 240803500
- CARLL 240901006
- EVANS 240901579
- BRINKER 241102515
- FAIRFULL 241201418

2890 NASS NON-MALIGNANCY

- MILLER 240403139
- WICKETT 240500860
- HEISTAND 240500937
- RUDD 240900219
- CAMPAGNINI 241000025
- COLARUSSO 241001632
- BRADY 241003659
- QUINN 241003970
- KEEN 241202305

MAY 4, 2026

2891 BROOKMAN MESOTHELIOMA

- ZAJAC 240502108

2892 MAUNE MESOTHELIOMA

- ROGGIO 231002309
- VIRBITSKY 231101456
- HALL 240502118
- REGER 240700866

2893 WEITZ MESOTHELIOMA

- SILLAMAN 240202248
- ROSA 240503383
- SWINK 240902933
- WELLS 241000986
- WEST 241100811
- MOYER 241102082
- TERNENT 241202939
- KRISTOFIC 241203307

2894 HALPERN LUNG CANCER

- ATKINSON 231102324

2. ZYLSTRA 240202630

3. HARNER 240301187

4. HOLLERAN 240500959

5. HARNER 240600313

6. JOYCE 240601014

7. GABELT 240603057

8. HANNIS 240800686

9. HARNER 240801235

10. GINTHER 240802410

11. KEIDERLING 240802738

12. HILLER 240901207

13. LABANT 241004000

2895 NASS LUNG CANCER

1. STREICHER 240902107

2. HAEGELE 240902315

3. ZARENKIEWICZ 241003450

4. FILIPOWICZ 241102522

5. STAFFORD 241103066

6. CAMP 241202306

JUNE 1, 2026**2896 COHEN PLACITELLA****MESOTHELIOMA**

1. FITZGERALD 221200951

2. SULLIVAN 230702362

3. SMITH 240700892

4. SHEPPARD MARSHALL 241202058

5. PEIFFER 241202345

6. DARCY 241202676

2897 HALPERN LUNG CANCER

1. LUTZ 240100561

2. SPADACCINO 240401101

3. MOSKOVITZ 240402452

4. STRICKLER 240403687

5. MCNALLY 240801029

6. MYERS 240900731

7. SPADACCINO 240900859

8. RAUPERS 240903062

9. MANERA 241200972

2898 WEITZ LUNG CANCER

1. OSATCHUCK 240101385

2. AWERDICK 240102127

3. BULLOCK 240702864

4. JANCZAK 240801077

5. HOFFNER 241000095

6. COLLINS 241001312

7. WILLIS 241001759

8. LANICH 241001809

9. MCINTOSH 241101179

10. BRYANT 241202077

2899 NASS OTHER CANCER

1. BADER 240302728

2. CARTER 240503530

3. JOHNSTON 240600579

4. AVILLION 241200710

5. ROBISON 241201329

6. GAVAZZI 241202009

JULY 6, 2026**2900 MEIROWITZ MESOTHELIOMA**

1. MARABELLA 240201701

2. ZUNIGA 240300655

3. CIUFFETELLI 240301202

4. MARABELLA 240502832

5. SMITH 240802858

6. DELCASTILLO 241003882

2901 BROOKMAN LUNG CANCER

1. MOORE 240400276

2. BEAUFORD 240503384

3. SERVIS 240600422

4. TROUTMAN 240601619

5. MASTERS 241000809

6. ZERO 241003729

7. WALLEN 241202031

8. WEAKLAND 241202722

2902 HALPERN OTHER CANCER

1. MOYER 231000169

2. BOWEN 240303301

3. KORCZYKOWSKI 240700725

2903 NASS NON-MALIGNANCY

1. WILLIAMS 240602150

2. FRYE 241102407

3. CLASS 241103050

4. BIRES 241200806

AUGUST 3, 2026**2904 BOSWORTH MESOTHELIOMA**

1. NAMNUN 240301549

2905 MEIROWITZ LUNG CANCER

1. NEEDHAM 230800878

2. TURNER 231100709

3. HECK 231202750

4. MAZZANTI 240301532

5. MCCAUUSLAND 240602968

6. WATSON 240901633

7. PERRONE 241003161

8. PEREZ 241101243

9. PUSATERI 241202640

10. MORAN 241202922

2906 WEITZ OTHER CANCER

1. PEARSON 240902734

2. ROSENHOOVER 241103334

3. BAUMEISTER 241200522

2907 HALPERN NON-MALIGNANCY

1. TILLOTSON 230301893

2. KETTER 230500913

3. ANDERSON 231003210

4. FURPHY 240402979

5. WARMUS 240602678

6. STANLEY 240800698

7. FOX 240801156

8. LEONARD 241101497

9. DUBECK 241103199

2908 WEITZ NON-MALIGNANCY

1. MORROW 240503132

2. ROY 240503597

3. MOYER 240503634

4. MCINTYRE 2

Mendez, Edward (Def. Assoc.)
Navarro, Luis (Def. Assoc.)
Parker, Brittany (Def. Assoc.)
Robinson, Jeffrey (Def. Assoc.)
Smith, Rasheed (Def. Assoc.)
Walker, Ezra (Bermudez, Donald)

Room 701-EISENHOWER, J.
Cuevas, Jose (Solomon, Eric Robert)
Dejesus, Jampo (Def. Assoc.)
Dempsey, Barbara (Sigman, Scott Philip)
Erwin, Antonio (Humble, Brian Francis)
Gallagher, James (Def. Assoc.)
Hayes, Gary (Marsh, James T.)
Herrera, Jose (Def. Assoc.)
McCutchen, Ronald (Raynor, Earl Dubois Jr.)
Mclaurin, Marquise R. (Def. Assoc.)
Robbins, Steve (Def. Assoc.)
Scott, Jonathan (Mann, Jessica Consuela)

Room 702-HANGLEY, J.
Byard, Shazzmina S. (Privitera, Dino)
Colon, Jose (Def. Assoc.)
Colon, Samuel (Szanto, Jules Norris)
Crenshaw, Danielle B. (Def. Assoc.)
Falu, Roberto (Link, Robert Patrick)
Fernandez, Abdal (Rivera, Edwin R.)
Jenkins, Eric (Def. Assoc.)
Natson, Gregory (Def. Assoc.)
Ruiz, Geovanny A. (Burrows, William Gordon)
Tenlee, Sharmaine (Def. Assoc.)
Thorton, Omar (Giuliani, Richard J.)
Werts, Khalil (Edelin, Kenneth Carlton Jr.)
Werts, Taja (Osei, Nana Yaw Adom)
Wright, Donta (Def. Assoc.)

Room 705-WILLIAMS, J.

Adams, Jeneil (Def. Assoc.)
Carson, Daryl (Savino, Louis Theodore Jr.)
Dancy, Tyler (Ward, Annemarie Elizabeth)
David, Rafael (McCrae, Kendra Ilene)
Deimeyer, Garrett (Def. Assoc.)
Gillison, Devon (Def. Assoc.)
Golden, Michael (Def. Assoc.)
Goodman, Samuel (Def. Assoc.)
Guzman, Hector (Def. Assoc.)
James, Tasir (McKoy, Tamika T.)
Johnson, Lashai (Def. Assoc.)
Muhammad, Khadir (Goldstein, Zak Taylor)
Negron, Michael (Def. Assoc.)
Ruiz, Alfredo (Def. Assoc.)
Sheed, Marlowe (Mann, Jessica Consuela)
Soler, Amarelis (Steenson, Derek Alan)
Winston, Lorrena (Def. Assoc.)

Room 707-CAMPBELL, J.

Smith, Eshine (Johnson, Shaka Mzee)

Room 801-BRYANT-POWELL, J.

Albright, Andrew (Coleman, Joseph L.)
Allen, John (Szanto, Jules Norris)
Baldwin, James (Def. Assoc.)
Ball, Jabril (Abdul-Rahman, Qawi)
Billups, Dominique (Nascimento, Lucas Tavares)
Cuartas, Alexander C. (Stein, Gerald A.)
Dejesus, Hector H. (Savino, Louis Theodore Jr.)
Donato, Lesty (Def. Assoc.)
Hada, Ali (Kellis, Steven Ernest)
Hada, Mohammed (Scott, Nigel S.)
Henry, Kyeis (Fishman, Brian M.)
Johnson, Michael (Walker, John Robert)
Johnson, Michael A. (Def. Assoc.)
Jones, Sherriff (Browning, Deon Basheer)
Lewis, Franklin (Def. Assoc.)
Miller, Fred (Def. Assoc.)
Mills, Kyree D. (Nasuti, Carmen Charles III)
Parsons, Dwayne (Def. Assoc.)
Slaughter, Aaron D. (Def. Assoc.)
Taylor, Dexter (Def. Assoc.)
Todd-brown, Kadree (Cameron, Angelo Leroy)
Wilson, Kamaury (Def. Assoc.)

Room 802-CLEMONS, J. (OUT)

Albreo, Elbin (Def. Assoc.)
Davis, Malik (Def. Assoc.)
Gonzalez, Alvin G. (Alva, Jeremy-Evan)
Hasty, Jahil (Def. Assoc.)
Mouzon, Jerome
Phillips, Andre (Kravets, Richard Julian)
Ryan, Andrew (Def. Assoc.)

Room 804-SAWYER, J.

Cody, Brandon (Meehan, Edward C. Jr.)
Cooper, George (DEFENDER ASSOCIATION)
Curry, Angela (Def. Assoc.)
Dancey, Ebony (Def. Assoc.)
Gathers, Kwaman (Def. Assoc.)
Geary, Mark (Def. Assoc.)
Gomez, Pedro (Szanto, Jules Norris)
Herman, Christopher (Def. Assoc.)
Holland, James (Def. Assoc.)
Holly, Frederick (Def. Assoc.)
Hoover, Justine (Wallace, Hannah N.)
Hoover, Justine A. (Def. Assoc.)
Khan, Amir (Def. Assoc.)
Khan, Amir T. (Kramer, Max Gerson)
Morris, Kashif (DEFENDER ASSOCIATION)
Parnell-bullock, James (Link, Robert Patrick)
Parnell-bullock, James F. (Link, Robert Patrick)
Perez, Louis (Petrone, Anthony J.)
Rivas, Jim (Def. Assoc.)
Velazquez, Javier (Def. Assoc.)
Velazquez, Javier (Def. Assoc.)
Ward, Jamie (Def. Assoc.)
Ward, Jamie M. (Def. Assoc.)
Weary, James (Defender, Public Philadelphia)
Wilson, Donald (Walker, David Michael)
Wilson, Freddie (Cameron, Angelo Leroy)
Wilson, Lakim (Def. Assoc.)

Room 805-ROSS, J. (OUT)

Barber, Braheem (Tinari, Eugene P.)
Barr, Lemuel Jr. (Turner, Alexandre Neuerburg)
Bowser, Khalid
Brown, Bendu (Def. Assoc.)
Concepcion-chava, Luis (Savino, Louis Theodore Jr.)
Crawford, Arzaair (Def. Assoc.)
Cruz, Alex
Davis, Charles J. (Def. Assoc.)
Davis, Jihad A. (Def. Assoc.)
Davis, Marquan (Def. Assoc.)
Day, Jason (Def. Assoc.)
Dejesus, Alex (Def. Assoc.)
Fletcher, Anthony

Hannah, Zaira (Def. Assoc.)
Harrod, Steven (Def. Assoc.)
Haynes, Stephen (Parkinson, Michael Patrick)
Hicks, Octavian (Boyd, Matthew Christopher)
Hobbs, Kelly (Def. Assoc.)
Jenkins, Jeremiah (Fiore, Todd R.)
Johnson, Andrew (Def. Assoc.)
Kornegav, Tyra (Def. Assoc.)
Koroma, Mohamed (Def. Assoc.)
Meleski, Anthony (Def. Assoc.)
Minter, Nafiz (Fioravanti, Michelle A.)
Moore, Mikele (Ringgold, Hamilton Jr.)
Moss, Tariq (Giuliani, Richard J.)
Owens, Michael A. (Boyd, Matthew Christopher)
Powell, Rashon (Def. Assoc.)
Rodriguez, William
Shelby, Maurice (Def. Assoc.)
Shields, Myanni (Def. Assoc.)
Short-johnson, Nasza (Def. Assoc.)
Smith, Dashaun (Def. Assoc.)
Stanton, Muhammad (Def. Assoc.)
Taintor, Ezekiel N.
Timothy, Fauls (Def. Assoc.)
Torres, Edwin (Rivera, Edwin R.)

Room 808-KAMAU, J.

Araus, Carnell (Def. Assoc.)
Ayelle, Samuel (Walker, David Michael)
Borum-simpson, Emmanuel (Def. Assoc.)
Burney, Phillip (Def. Assoc.)
Cottrell, Vincent (Walker, John Robert)
Cousins, Daquan (Sigman, Scott Philip)
Holt, Shalanda L. (Def. Assoc.)
Oppmann, Nathan (Fioravanti, Michelle A.)
Pearson-dunias, Tajuan (Dover, Andre)
Stockton, Qaadir (Szanto, Jules Norris)
Wilkerson, Bryheem (Def. Assoc.)

Room 901-BROWN, J.

Allen, Nasir (Def. Assoc.)
Baez, Elven (Def. Assoc.)
Ellis, Derrick (Def. Assoc.)
Gray, Mahli (Def. Assoc.)
Grier, William (Link, Robert Patrick)
Johnson, Elijah (Def. Assoc.)
Medina, Joah (Def. Assoc.)
Paschall, Burl (Present, Eliot B.)
Ponzo, Montell (Shaw, Brianna Corine)
Rodriguez, Octavio (Def. Assoc.)
Smalls, Andre (Coleman, Joseph L.)
Talley, Lawrence (Def. Assoc.)
Talley, Lawrence D. (Def. Assoc.)

Room 905-SHAFER, J.

Briggs, Semaj (Mischak, David B.)
Jones, William A. (Def. Assoc.)
Kahl, John (Def. Assoc.)
Kittrell, Carl (Def. Assoc.)
Kittrell, Carl A. (Def. Assoc.)
Ly, Thanh T. (Seth, Anita Marie)
Redanauer, Robert (Gibbs, Charles Matthew)
Rivera, Manuel E. (Sciolla, Guy R. II)
Savage, Briajanne K. (Steinberg, S. Philip)
Williams, Djean (Def. Assoc.)

Room 907-O'KEEFE, J.

Mcphaul, Terrell (Diamondstein, Michael Jay)

Room 908-BRANDEIS- ROMAN, J.

Chancellor, Elonte (Def. Assoc.)
King, Tyrone (Def. Assoc.)

Room 1005-GIBBS, J.

Admiral, Tyrik J. (Savino, Louis Theodore Jr.)
Bruce, Donnell (Def. Assoc.)
Carrington, Jahson (Def. Assoc.)
Chapman, Colt (Def. Assoc.)
Dass, Monique (Def. Assoc.)
Davis, Marcus (Def. Assoc.)
Gindraw, Braheem (Glanzberg, David Seth)
Glover, Kysair Y. (Def. Assoc.)
Granville, Jonathan (Def. Assoc.)
Gwaltney, Christian (Mincey, Kevin V.)
Jacobs, Steven (Def. Assoc.)
Jones, Antonio (Def. Assoc.)
Luisa, Luis (Def. Assoc.)
May, James (Def. Assoc.)
Morales, Joel (Def. Assoc.)
Moses-miller, Isaiah M. (Def. Assoc.)
Neher, Ryan (Def. Assoc.)
Noori, Abdulaziz (Def. Assoc.)
Owens, Tariq (Def. Assoc.)
Robbins, Ronald (Def. Assoc.)
Rodriguez, Elmer (Def. Assoc.)
Rosario, Jesus (Def. Assoc.)
Russell, Shawn M. (Def. Assoc.)
Sharper, Mark (Def. Assoc.)
Torres, Carlos (Def. Assoc.)
Vargas, Andres (Def. Assoc.)
Vidovic, Seth L. (Def. Assoc.)
Waller, Michelle (Latta, Denita Cherell)
Witherspoon, Malachi (Def. Assoc.)

Room 1007-BRONSON, J.

Bates, Tyron Y. (Boyd, Matthew Christopher)
Kinslow, Sufyaan (Montroy, Andrew David)
Lopez, Quaza (Server, Gary Sanford)
Love, Tyrel (Yacoubian, George Setrag Jr.)
Reid, Eric T. (Scarcello, Joshua E.)

Room 1101-S. JOHNSON, J.

Burks, Robert (Def. Assoc.)
Hale, Reginald D. (Savino, Louis)
Haynes, David (Def. Assoc.)
Jones, Duanne (Szanto, Jules Norris)
Machado, Angel L. (Dolman, Douglas Lee)
Mcnally, Daniel (O'Riordan, Daniel John)
Mines, Natasha (Tarpey, Timothy J.)
Moore, Jeremiah (Mandell, Lee)
Phillips, Christopher (Osei, Nana Yaw Adom)
Rojas-nunez, Jose (Savino, Louis)
Thomas, Wali (Johnson, Shaka Mzee)
Tisdale, Cecelia F. (Def. Assoc.)
Walker, Tyreek (Def. Assoc.)
Walski, Iwona (Slaven, Ryan Patrick)
Walski, Jozef (Fish, Illon Ross)

Room 1102-COVINGTON, J.

Williams, Dayquan (Stretton, Samuel C.)
Williams, Dayquan D. (Stretton, Samuel C.)

Room 1104-T/C ARRAIGNMENTS

Abram, Noah (Def. Assoc.)
Broggins, Andrew (Def. Assoc.)
Brown, Jamaal (Perri, Fortunato N. Jr.)
Brown, Richard (Def. Assoc.)
Brown, Zion (Martino, Andre)
Clinton, Chevey (Def. Assoc.)

Eddy, Solomon (Def. Assoc.)
Freeman, Kenneth (McGarrigle, Daniel Anthony)
Guzman, Demirti (Def. Assoc.)
Harrison, Troy (Def. Assoc.)
Jones, Alicia (Def. Assoc.)
Joslin, Adam P. (Def. Assoc.)
Julien, Robert (Def. Assoc.)
Lawson, Thomas (Def. Assoc.)
Lee, Darren (Def. Assoc.)
Maldonado, Manuel (Def. Assoc.)
Mcclain, Ralph (Chisholm, Walter C.)
Mcclain, Ralph W. (Chisholm, Walter C.)
McCray, Ava (Wallace, Han Niko)
McFadden, Conner (Def. Assoc.)
Mcilhenny, Daniel (Def. Assoc.)
Norat, Diana (Link, Robert Patrick)
Norwood, Monique R. (Def. Assoc.)
Orzuna, Isreal (Dennis, Charles E.)
Outlaw, Chester (Snyder, Marni Jo)
Perry, Gotti S. (Def. Assoc.)
Phillips, Kahleem (Def. Assoc.)
Pino-mora, Milton (Def. Assoc.)
Reed, Bilal (Birley, Kevin Thomas)
Smith, Niger K. (Def. Assoc.)
Smith-allen, Lamont (Gessner, Scott)
Souici, Ilyass (Lorusso, Vincent M.)
Swinton, Shaun A. (Def. Assoc.)
Thomas, Stephon (Def. Assoc.)
Tingle, Isaiah (Boyd, Matthew Christopher)
Torres-colon, Walberto (Fioravanti, Michelle A.)
Trippit, Gary L. (Def. Assoc.)
Vargas, Noel (McCaule, John Francis)
Vargas, Wascar (Simmons, Benjamin John)
Willard-mays, Malia (Def. Assoc.)
Williams, Julian (Def. Assoc.)
Williams, Khalil (Duckett, Cowan Lee Jr.)
Williams, Rodney (Def. Assoc.)
Wilson, Antoine (Def. Assoc.)

Room 1107-DEFINO-NASTASI, SJ.

Kilson, Corey (Kauffman, Earl G.)
Room 1108-CIANFRANI, J.
Brown, Ricardo (Jerrelian, Matthew Louis)
Negro, Harry D. (Wimmer, Lauren A.)
Williams, Rasheeda (Def. Assoc.)

MUNICIPAL COURT

CIVIL LISTINGS

MONDAY, OCTOBER 6, 2025

2—OSBORNE, J.

9:15 A.M.

1 MCMANUS v. SAFFROCK 1910-16 MIFFLIN LLC
2 State Farm Mutual Automobile Ins. Co. v. Monzo
3 Cancel v. Vazquez
4 Cartagena v. Assembly Rooftop Lounge
5 Mendez v. Truelle
6 Wisher v. Peck
8 Doughty-Goodman v. Transunion LLC
9 Kupriienko v. Bridge Venture LLC
11 Wang v. Gong
12 Horning v. OCF Realty LLC
13 Saar v. Carspot, Inc
14 Johnson v. Orozco Roa
15 Davis v. Johnson-Fowlkes
16 Chaudhry v. Vilaysaeng
17 Eisele v. Lew Blum Towing Co. INC.
18 Dolled Up v. Daj LLC v. Lee
19 Shotts v. Specialty Medical Product, Inc
20 Ibrahim v. Roto Rooter, Inc.
21 Khuseynov v. Bates
22 Espinoza v. Louis
23 Thong v. Sullivan
25 JCW Computer Consulting LLC v. Real Entertainment - Philadelphia, LLC
26 HARPER v. SPEIGHTS
27 Ramirez v. Fedex

3—CONROY, J.

8:45 A.M.

1 WPRE III LP v. McCoy
2 STENTON HOUSE APARTMENTS LP v. Wright
3 WILLOW COURT APARTMENTS v. BURGESS
4 Koroma v. Feika
5 WYNNEFIELD TERR ASSOC v. BRANTLEY
6 EA Real Estate Ventures LLC v. Goode
7 JOHNSON v. KARGBO
8 ACG 1708 S 54TH LLC v. HARRIS
9 N. Fifth Realty Cop v. Ritsky
10 RSW PREMIER HOLDINGS LLC v. HODGES
11 Chan v. Bundy
12 BELMONT INVESTMENTS 2012 LLC v. BRUNS
13 DUFFIELD VETERANS VILLAGE LLC v. MILLHOUSE
14 Poplar Ground Tenant LLC v. Lebbeney-Bandar
15 LINCOLN GREEN 2018 LLC v. DUNMORE
16 Oghayore v. Adams
17 Johnny Nozil v. Jackson
18 LINCOLN GREEN 2018 LLC v. JAMES
19 Lennox Apartments GEM LLC v. BASTARDI
20 Green v. Albater
21 Mitchell v. Chaney
22 Durden v. Johns
23 Elbaum v. Rasmussen
24 North East Apts LLC v. PEMBERTON
25 Tri Star 1016 LLC v. Williams
26 Univ City Assoc Inc. v. Poindexter
27 Philadelphia Lotus 03A LLC v. Murray
28 FERNHILL PARK HOLDINGS LLC v. STEELE
29 Centennial Village LP v. Hicks-Johnson
30 ASHLEY COURT 2013 LP v. Sultanov
31 ASHLEY COURT 2013 LP v. Tursunova
32 YOLANDA PROCACCINI v. CESARE
33 DFH REGENCY LLC v. Keyes
34 1148 Frankford Partners, LLC v. Edwards
35 1148 Frankford Partners, LLC v. Edwards
36 1148 Frankford Partners, LLC v. Edwards
37 1148 Frankford Partners, LLC v. Edwards
38 1148 Frankford Partners, LLC v. Edwards
39 1148 Frankford Partners, LLC v. Edwards
40 1148 Frankford Partners, LLC v. Edwards
41 1148 Frankford Partners, LLC v. Edwards
42 1148 Frankford Partners, LLC v. Edwards
43 1148 Frankford Partners, LLC v. Edwards
44 1148 Frankford Partners, LLC v. Edwards
45 1148 Frankford Partners, LLC v. Edwards
46 1148 Frankford Partners, LLC v. Edwards
47 1148 Frankford Partners, LLC v. Edwards
48 1148 Frankford Partners, LLC v. Edwards
49 1148 Frankford Partners, LLC v. Edwards
50 1148 Frankford Partners, LLC v. Edwards
51 1148 Frankford Partners, LLC v. Edwards
52 1148 Frankford Partners, LLC v. Edwards
53 1148 Frankford Partners, LLC v. Edwards
54 1148 Frankford Partners, LLC v. Edwards
55 1148 Frankford Partners, LLC v. Edwards
56 1148 Frankford Partners, LLC v. Edwards
57 1148 Frankford Partners, LLC v. Edwards
58 1148 Frankford Partners, LLC v. Edwards
59 1148 Frankford Partners, LLC v. Edwards
60 1148 Frankford Partners, LLC v. Edwards
61 1148 Frankford Partners, LLC v. Edwards
62 1148 Frankford Partners, LLC v. Edwards
63 1148 Frankford Partners, LLC v. Edwards
64 1148 Frankford Partners, LLC v. Edwards
65 1148 Frankford Partners, LLC v. Edwards
66 1148 Frankford Partners, LLC v. Edwards
67 1148 Frankford Partners, LLC v. Edwards
68 1148 Frankford Partners, LLC v. Edwards
69 1148 Frankford Partners, LLC v. Edwards

70 1148 Frankford Partners, LLC v. Edwards
71 1148 Frankford Partners, LLC v. Edwards
72 1148 Frankford Partners, LLC v. Edwards
73 1148 Frankford Partners, LLC v. Edwards
74 1148 Frankford Partners, LLC v. Edwards
75 1148 Frankford Partners, LLC v. Edwards
76 1148 Frankford Partners, LLC v. Edwards
77 1148 Frankford Partners, LLC v. Edwards
78 1148 Frankford Partners, LLC v. Edwards
79 1148 Frankford Partners, LLC v. Edwards
80 1148 Frankford Partners, LLC v. Edwards
81 1148 Frankford Partners, LLC v. Edwards
82 1148 Frankford Partners, LLC v. Edwards
83 1148 Frankford Partners, LLC v. Edwards
84 1148 Frankford Partners, LLC v. Edwards
85 1148 Frankford Partners, LLC v. Edwards
86 1148 Frankford Partners, LLC v. Edwards
87 1148 Frankford Partners, LLC v. Edwards
88 1148 Frankford Partners, LLC v. Edwards
89 1148 Frankford Partners, LLC v. Edwards
90 1148 Frankford Partners, LLC v. Edwards
91 1148 Frankford Partners, LLC v. Edwards
92 1148 Frankford Partners, LLC v. Edwards
93 1148 Frankford Partners, LLC v. Edwards
94 1148 Frankford Partners, LLC v. Edwards
95 1148 Frankford Partners, LLC v. Edwards
96 1148 Frankford Partners, LLC v. Edwards
97 1148 Frankford Partners, LLC v. Edwards
98 1148 Frank

CREDIT UNION v. COLEMAN
138 POLICE AND FIRE FEDERAL CREDIT UNION v. JOE
139 POLICE AND FIRE FEDERAL CREDIT UNION v. ROGERS
141 POLICE AND FIRE FEDERAL CREDIT UNION v. TERRELL
142 POLICE AND FIRE FEDERAL CREDIT UNION v. TERRELL
143 POLICE AND FIRE FEDERAL CREDIT UNION v. MARTIN
144 POLICE AND FIRE FEDERAL CREDIT UNION v. BOYER
145 POLICE AND FIRE FEDERAL CREDIT UNION v. ROBINSON
146 POLICE AND FIRE FEDERAL CREDIT UNION v. ROBINSON
147 Midland Credit Management, Inc. v. LOPEZ

6—HOPE, J.**9:15 A.M.**

3 Thompson v. C.T. Corporation System
4 Funari Public Adjusters v. Whittington
5 Abdulmalik v. KJ Auto Sales LLC
6 Ge v. Crawford
7 Schreiber v. Bullard

408—TO BE ASSIGNED 9 A.M.

1 FIGUEROA v. DOMINGUEZ

600—TO BE ASSIGNED 9 A.M.

1 Martin v. Guatam

COURT OF APPEALS**NOT PRECEDENTIAL OPINIONS FILED****OCTOBER 02, 2025****PER CURIAM**

Charles Jones v. Jerry Hobeck; 24-1802; judgment of the district court affirmed.

PER CURIAM

Keith Brown v. Mary Monsalud; 24-1555; judgment of the district court affirmed.

DISTRICT COURT**MEMORANDA AND ORDERS****OCTOBER 01, 2025****BY HENRY, J.**

Lehigh Valley 1 LLC v. Saucor Trust, U/T/A dated October 1, 2007; 24-2709; For all the reasons set forth above, I find that the appointment of a receiver in these matters is warranted.

CIVIL ACTIONS

The defendant's name appears first, followed by the name of the plaintiff, the number, the nature of the suit and the name of plaintiff's attorney.

OCTOBER 02, 2025

Commissioner of the Social Security Administration—Niesha Mintz; 25-05679; U.S. Government Defendant; C.G. Cinquanto. William Kardosh: Mary Ellen Kardosh: Julia Kardosh—Nationwide Mutual Insurance Company; 25-05680; Fed. Question; J.R. Sanchez.

City of Philadelphia—Skaria Pulimkalayil; 25-05681; Fed. Question; H. Bartle, III.

Home Depot U.S.A., Inc.; Home Depot International, Inc.; Home Depot—Darrow Robinson; 25-05682; Fed. Question; M.K. Costello.

Upper Merion Township Police Department: Officer Andrew Scavichio; Officer John Doe (white male)—Kenard Pitney; 25-05683; Fed. Question; C.F. Kenney.

Amazon.com, Inc.; Shenzhen Kornful S&T Co. Ltd.—Danielle Allen; 25-05684; Diversity; J.D. Wilson.

Children's Hospital of Philadelphia—Tamy Savage; 25-05686; Fed. Question; C.M. Rufe. Transworld Systems, Inc.—Kimberly Molfetto; 25-05688; Fed. Question; W. Beetlestone.

Novo Nordisk A/S; Novo Nordisk, Inc.; Eli Lilly and Company—Charise Boyd; 25-05690; Diversity; K.S. Marston.

Novo Nordisk A/S; Novo Nordisk, Inc.; Eli Lilly and Company—Christopher Jack Cooper; 25-05691; Diversity; K.S. Marston.

Briar Magee—A.M.; Brian McKeown; 25-05692; Diversity.

Navy Federal Credit Union—Antoniette Patrick; Charles Nolan Patrick; 25-05693; Diversity; W. Beetlestone.

Novo Nordisk Inc.; Novo Nordisk A/S—Michael Hemenway; 25-05694; Diversity; K.S. Marston.

General Motors LLC—Eric Barron; Chelsey Thompson; 25-05696; Fed. Question; J.F. Murphy.

Unionville Chadds Ford School District; Centreville Layton School; Nancy Warner—Summer Alonso; 25-05697; Diversity; J.D. Wilson.

Berger Law Group, P.C.—Carol Sandusky; 25-05698; Fed. Question.

Joel Anderson; Kenneth Bull; Thomas Vellios—Austin Vinson; 25-05700; Fed. Question.

Novo Nordisk, Inc.; Novo Nordisk A/S; Eli Lilly and Company—Jenene Boyd; 25-05701; Diversity.

The PNC Financial Services Group, Inc.; PNC Bank, N.A.; Timothy Carlson—Kristin Carlson; 25-05702; Diversity.

In Re: Dr. Houa-Yan Wang; 25-00055; Fed. Question.

Cincinnati Insurance: Kevin Klatt, Sr-

Makhoul Electric LLC: Munhel Makhoul; 25-05689; Diversity; C. Henry. Wal-Mart Associates, Inc.—Levi Robinson; 25-05699; Fed. Question.

BANKRUPTCY COURT**PETITIONS FILED****OCTOBER 02, 2025****(READING)****Chapter 7**

Maria De Jesus Andujar Rodriguez, 36 S Franklin St, Allentown, PA 18102 -- Lynn E. Feldman; United States Trustee; 25-14007; no summaries listed; C. Laputka, atty; P.M. Mayer, B.J.

Matthew Anthony Thompson, 1835 Schoenersville Rd, Unit B, Bethlehem, PA 18018 -- Lynn E. Feldman; United States Trustee; 25-14009; no summaries listed; C. Laputka, atty; P.M. Mayer, B.J.

Roseann Smitreski, 1023 4th St, Apt 10, Catasauqua, PA 18032 -- Lynn E. Feldman; United States Trustee; 25-14012; no summaries listed; C. Laputka, atty; P.M. Mayer, B.J.

Chapter 13

Rose M. Miller, 27 Maywood Ave, Reading, PA 19608 -- United States Trustee; 25-14005; no summaries listed; B.H. Mendelsohn, atty; P.M. Mayer, B.J.

OCTOBER 02, 2025**(PHILADELPHIA)****Chapter 7**

Marjorie Kaplan Schall, 134 Plymouth Road, Apt. 1201, Plymouth Meeting, PA 19462 -- Lynn E. Feldman; United States Trustee; 25-14003; no summaries listed; G.H. Gallagher, atty; D.J. Baker, B.J.

Justin S. Miller, 510 Mohawk Avenue, Norwood, PA 19074 -- Lynn E. Feldman; United States Trustee; 25-14004; no summaries listed; B.J. Sadek, atty; D.J. Baker, B.J.

Ryan J. Saini Vil, 1008 Winfield Ct, Lansdale, PA 19446 -- Lynn E. Feldman; United States Trustee; 25-14006; no summaries listed; B.J. Sadek, atty; P.M. Mayer, B.J.

Joan Rosner, 421 W. State Street, Apt 101, Media, PA 19063 -- Lynn E. Feldman; United States Trustee; 25-14010; no summaries listed; J.A. Diorio, atty; A.M. Chan, B.J.

Chapter 13

John Eric Medycki, Jr., 822 W Ashland Avenue, Glenolden, PA 19036 -- Kenneth E. West; United States Trustee; 25-13999; no summaries listed; J.L. Quinn, atty; A.M. Chan, B.J.

Sarah Forbes, 1428 Birchwood Avenue, Abington, PA 19001 -- Kenneth E. West; United States Trustee; 25-14000; no summaries listed; B.J. Perloff, atty; D.J. Baker, B.J.

Silvana Masri, 2825 Poplar Street, Philadelphia, PA 19130 -- Kenneth E. West; United States Trustee; 25-14001; no summaries listed; Z. Perlick, atty; A.M. Chan, B.J.

Dominic Rocco, 307 Southern Avenue, Ambler, PA 19002 -- Kenneth E. West; United States Trustee; 25-14002; no summaries listed; M. Lee, atty; D.J. Baker, B.J.

Lynette Offner, 1221 Cobblestone Drive, Quakertown, PA 18951 -- United States Trustee; 25-14008; no summaries listed; B.J. Sadek, atty; D.J. Baker, B.J.

Nikki Benson, 2649 Belmont Avenue, Abington, PA 19001 -- United States Trustee; 25-14011; no summaries listed; M. Lee, atty; D.J. Baker, B.J.

SUPREME COURT**ORDERS & DECREES****September 22, 2025**

Com. v. Scheer, Petitioner; 105 WAL 2025; The Petition for Allowance of Appeal is Denied.

McLaughlin, Petitioner v. Glenmore Place Apt.; 68 WAL 2025; Petitioner's Emergency Petition for Extraordinary Relief is hereby Denied without prejudice to Petitioner's right to seek relief in the Court of Common Pleas via Pa.R.Civ.P. 3172.

September 23, 2025

Com. v. Smith, Petitioner; 144 MAL 2025; The Petition for Allowance of Appeal is Denied.

Office of Disciplinary Counsel, Petitioner v. Bernbaum; 3134 Disciplinary Docket No. 3; The Recommendation of the Disciplinary Board, Joel B. Bernbaum is placed on temporary suspension until further action by this Court. Respondent shall comply with the provisions of Pa.R.D.E. 217. Respondent's rights to petition for dissolution or amendment of this Order and to request accelerated disposition of charges underlying this order are specifically preserved. This Order constitutes an imposition of public discipline within the meaning of Pa.R.D.E. 402, pertaining to confidentiality. Denied.

Com. v. Wayne, Petitioner; 112 WAL 2025; The Petition for Allowance of Appeal is Denied.

Com. v. Wayne, Petitioner; 113 WAL 2025; The Petition for Allowance of Appeal is Denied.

Com. v. Martinez, Petitioner; 124 EAL 2025; The Petition for Allowance of Appeal is Denied.

Com. v. Mitchell, Petitioner; 78 EAL 2025; The Petition for Allowance of Appeal is Denied.

Com. v. Cervantes, Petitioner; 102 MAL 2025; The Petition for Allowance of Appeal is Denied.

Com. v. Castaneria, Petitioner; 105 MAL 2025; The Petition for Allowance of Appeal is Denied.

Devore, Petitioner v. Metro Aviation, Inc.; 36 WAL 2025; The Petition for Allowance of Appeal is Granted. The issue, as stated by petitioner, is Does an individual state a claim of wrongful discharge where [he is] terminated for acting in conformity with the General Assembly's clear mandate of public policy enumerated in the Emergency Medical Services System Act.

Com. v. Holley, Petitioner; 71 EAL 2025; The Petition for Allowance of Appeal is Granted.

The issue, as stated by petitioner, is Do the state and federal protections against double jeopardy prevent a trial court from modifying a sentence of incarceration after the defendant has served the entire term of incarceration, even where the originally ordered sentence was illegal under state law.

Devore, Petitioner v. Metro Aviation, Inc.; 37 WAL 2025; The Petition for Allowance of Appeal is Granted. The issue, as stated by petitioner, is Does an individual state a claim of wrongful discharge where [he is] terminated for acting in conformity with the General Assembly's clear mandate of public policy enumerated in the Emergency Medical Services System Act.

Com. v. Frazier, Petitioner; 46 EAL 2025; The Petition for Allowance of Appeal is Denied.

Com. v. Muhammad, Petitioner; 66 WAL 2025; The Petition for Allowance of Appeal is Denied.

Com., Petitioner v. Lowrey; 169 MAL 2025; The Petition for Allowance of Appeal is Granted.

Gross, Petitioner v. Mintz; 172 MAL 2025; The Petition for Allowance of Appeal is Denied.

Mutchler, Petitioner v. Pennsylvania Office Of Administration; 196 MAL 2025; The Petition for Allowance of Appeal is Granted, Limited To the issues set forth below. Allocutus is Denied as to all remaining issues. The issues, as stated by petitioners, are Did the Commonwealth Court err by disregarding the plain language of Section 506(d)(1) of the Right to Know Law in its holding that an agency is only required to obtain records that are in the possession of a "private party" which whom the agency has contracted to perform a governmental function on behalf of the agency.

Com. v. Bradley, Petitioner; 213 MAL 2025; The Petition for Allowance of Appeal is Denied.

Burke, Petitioner v. Com., Department Of Transportation; 217 MAL 2025; The Petition for Allowance of Appeal is Denied.

Com. v. Stewart; 2383 EAL 2024; Affirmed.

U.S. Bank Trust v. Durty Devilz Property; 1778 EAL 2024; Affirmed.

Com. v. Gonzalez Santiago; 1788 EAL 2024; Affirmed/Modified; Comments: Jurisdiction relinquished.

Com. v. Charles; 1931 EAL 2024; Affirmed.

Com. v. Whatley; 2167 EAL 2024; Affirmed.

Com. v. Whatley; 2198 EAL 2024; Affirmed.

Juarez v. Odagbodo; 2256 EAL 2024; Affirmed.

Com. v. Stewart; 2389 EAL 2024; Affirmed.

Com. v. Giddings; 3015 EAL 2024; Affirmed.

In Re: Est. of C.I.L.S., Appeal of: A.S.; 66 EAL 2025; Affirmed.

Com. v. Kelly; 71 EAL 2025; Affirmed.

In the Int. of: M.S., Appeal of: M.S.; 1201 EAL 2025; Affirmed.

Omalley v. Isquierdo; 214 EAL 2025; Vacated/ Remanded; Comments: Jurisdiction relinquished.

2024; Affirmed.

Com. v. Smith; 2781 EAL 2024; Affirmed.

Com. v. Maggitti; 2859 EAL 2024; Appeal Dismissed.

Cottle v. Walls; 2859 EAL 2024; Affirmed.

Com. v. Walls; 3043 EAL 2024; Affirmed.

Com. v. Chaffier; 3231 EAL 2025; Affirmed.

Com. v. O'Connor; 53 EAL 2025; Affirmed - Application to Withdraw as Counsel Granted.

Com. v. Taylor; 332 EAL 2025; Affirmed.

Com. v. Taylor; 334 EAL 2025; Affirmed.

In the Int. of: E.S., Appeal of: C.S.; 384 EAL 2025; Affirmed.

In the Int. of: E.M.S., Appeal of: C

is directed to file the docketing statement with the Prothonotary of this court by September 29, 2025. Failure to file the docketing statement by that date will lead to an order dismissing the appeal.

Spelin, H. v. Watson, D.; 2104 EDA 2025; The appellant has failed to file timely the docketing statement required by Pa.R.A.P. 3517. The appellant is directed to file the docketing statement with the Prothonotary of this court by September 29, 2025. Failure to file the docketing statement by that date will lead to an order dismissing the appeal.

Com. v. Malik, F.; 2094 EDA 2025; The appellant has failed to file timely the docketing statement required by Pa.R.A.P. 3517. The appellant is directed to file the docketing statement with the Prothonotary of this court by September 29, 2025. Failure to file the docketing statement by that date will lead to an order dismissing the appeal.

Mid Atlantic Building Assoc v. Noesis Project; 2080 EDA 2025; The appellant has failed to file timely the docketing statement required by Pa.R.A.P. 3517. The appellant is directed to file the docketing statement with the Prothonotary of this court by September 29, 2025. Failure to file the docketing statement by that date will lead to an order dismissing the appeal.

Com. v. Rivera, A.; 2146 EDA 2025; The appellant has failed to file timely the docketing statement required by Pa.R.A.P. 3517. The appellant is directed to file the docketing statement with the Prothonotary of this court by September 29, 2025. Failure to file the docketing statement by that date will lead to an order dismissing the appeal.

Com. v. Hunter; 764 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. Appellee's Brief shall be filed on or before October 22, 2025.

Com. v. Drain; 1101 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. No further extensions shall be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before November 21, 2025.

Com. v. Moser; 1014 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. Appellee's Brief shall be filed on or before October 17, 2025.

R.A. Hoffman Architects, Inc. v. Baird; 1430 EDA 2025; The notice of appeal filed by Appellants, defendants below, Kevin R. Baird and Jill Ann Baird, the appeal at No. 1430 EDA 2025 is hereby Dismissed as duplicative of the appeal at No. 1749 EDA 2025. All properly preserved issues sought to be raised at No. 1430 EDA 2025 may be raised in the appeal at No. 1749 EDA 2025. This Order is not a determination as to the propriety of the appeal at 1749 EDA 2025.

Com. v. Ali; 1126 EDA 2025; The application of Appellant, Suliman Ali, for extension of time to file Brief, the application is hereby Granted. No further extensions will be granted absent extenuating circumstances. Appellant's Brief shall be filed on or before November 3, 2025.

Com. v. Rochester; 1146 EDA 2025; The application of Appellant, Curtis Wilford Rochester, for extension of time to file Brief the application is hereby granted. Appellant's Brief shall be filed on or before September 22, 2025.

People First Federal Credit Union v. Andrews; 2101 EDA 2025; Application to Quash filed by Appellee, People First Federal Credit Union, and noting no response filed thereto, the application is Denied without prejudice.

Hernandez v. Independence Construction Corporation; 1911 EDA 2023; This 16th day of September, we hereby grant Independence Construction Corporation's "Motion to Substitute Petition for Rerargument En Banc to Conform to Format Requirements of Pa.R.A.P. 2544." We direct this Court's Prothonotary to docket the petition, attached as Exhibit A to the above motion, with a filing date of September 2, 2025, per our September 11, 2025 order (accepting as timely filed Independence Construction Corporation's "Petition for Rehearing En Banc of Decision Dated August 18, 2025").

Termini v. Redel; 1456 EDA 2025; Appellants William A. Redel and Cynthia F. Redel, defendants below, were directed to preceipe the trial court Prothonotary to enter judgment on the decision of the trial court. Appellants complied with the part of the Order that directed them to preceipe for the entry of judgment, and on August 19, 2025, judgment was entered. Appellants, however, did not comply with the part of the Order that directed them to file with the Prothonotary of the Superior Court a certified copy of the trial court docket reflecting the entry of judgment.

Com. v. Miller; 1408 EDA 2025; Appellant's August 26, 2025 "Application To Withdraw As Counsel," the trial court is Directed to conduct an on-the-record determination as to whether Appellant's waiver of counsel is knowing, intelligent, and voluntary, pursuant to Commonwealth v. Grazier, 713 A.2d 81 (Pa. 1998), and to provide written notice of its determination to the Prothonotary of this Court within ninety (90) days of the date that this Order is filed. The Prothonotary of this Court is Directed to forward copies of this Order to the Honorable Allison Bell Royer, the clerk of courts, and Appellant.

Com. v. Santiano; 96 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. No further extensions shall be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before December 1, 2025.

Com. v. Atkinson; 506 EDA 2025; Appellant's application to withdraw as Counsel, filed by Daniel Anthony Alvarez, Esq., is Granted. The trial court is Directed to appoint substitute counsel on Appellant's behalf and provide written notice to the Prothonotary of this Court within fourteen (14) days of the date that this Order is filed. The Prothonotary of this Court is Directed to provide copies of this Order to the Honorable George R. Twardy and the Office of Judicial Records.

Com. v. Flood; 796 EDA 2025; The application of Appellant, Robert Flood, for extension

of time to file Brief the application is hereby granted. No further extensions shall be granted absent extenuating circumstances. Appellant's Brief shall be filed on or before November 14, 2025.

Com. v. Muhammad; 295 EDA 2025; The application of Appellee, the Commonwealth of Pennsylvania, for extension of time to file Brief, the application is hereby Granted. No further extensions will be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before October 15, 2025.

Com. v. Jackson; 507 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. No further extensions shall be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before October 17, 2025.

Com. v. Cole; 602 EDA 2024; Appellant's Motion to Reconsider Order of August 25, 2025 is Denied.

Com. v. Zealor; 825 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. Appellee's Brief shall be filed on or before September 30, 2025.

Com. v. Dansby; 2017 EDA 2025; The application of Appellant, Tyrone Jelani Dansby, for extension of time to file Brief the application is hereby granted, In Part. No further extensions shall be granted absent extenuating circumstances. Appellant's Brief shall be filed on or before December 1, 2025.

Com. v. Rivera; 657 EDA 2025; Appellant's application to withdraw as Counsel, filed by Daniel Anthony Alvarez, Esq., is Granted. The trial court is Directed to appoint substitute counsel on Appellant's behalf and provide written notice to the Prothonotary of this Court within fourteen (14) days of the date that this Order is filed. The Prothonotary of this Court is Directed to provide copies of this Order to the Honorable Natasha Taylor-Smith and the Office of Judicial Records.

Hartmann v. Hartmann; 2260 EDA 2025; This appeal is taken from an interlocutory order dated August 5, 2025 and entered on the trial court docket on August 8, 2025 ("August 8th Order") in the parties' ongoing divorce matter. The August 8th Order denied Appellant's petition to compel answers to discovery finding that the parties' Pre-Nup demonstrated clear waiver of any marital interest in Harman Electrical Contracting. Counsel has filed a completed docketing statement asserting that the August 8th order is a final order. However, the August 8th Order is not final or otherwise appealable. Generally only final orders are appealable.

Anderson v. Johnson; 1072 EDA 2025; The application of Appellee, Roosevelt Anderson and Carolyn Lester, for extension of time to file Brief the application is hereby granted. Appellee's Brief shall be filed on or before October 20, 2025.

Com. v. Rodriguez; 450 EDA 2025; Appellant's application to withdraw as Counsel, filed by Daniel Anthony Alvarez, Esq., is Granted. The trial court is Directed to appoint substitute counsel on Appellant's behalf and provide written notice to the Prothonotary of this Court within fourteen (14) days of the date that this Order is filed. The Prothonotary of this Court is Directed to provide copies of this Order to the Honorable Zachary C. Shaffer and the Office of Judicial Records.

Com. v. Davis; 201 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. No further extensions shall be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before November 14, 2025.

Com. v. Russell; 1241 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. No further extensions shall be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before November 12, 2025.

Com. v. Miller; 700 EDA 2025; Appellant's application to withdraw as Counsel, filed by Daniel Anthony Alvarez, Esq., is Granted. The trial court is Directed to appoint substitute counsel on Appellant's behalf and provide written notice to the Prothonotary of this Court within fourteen (14) days of the date that this Order is filed. The Prothonotary of this Court is Directed to provide copies of this Order to the Honorable Charles A. Ehrlich and the Office of Judicial Records.

Com. v. Bronson; 1550 EDA 2025; According to the trial court docket, on April 17, 2025, the PCRA court dismissed Appellant's PCRA petition. On April 30, 2025, Appellant filed a pro se notice of appeal from the April 17, 2025 PCRA order, which is docketed at No. 1128 EDA 2025. On May 19, 2025, Appellant filed a pro se motion for reconsideration of the April 17, 2025 order dismissing the PCRA petition. The PCRA court dismissed the motion for reconsideration for lack of jurisdiction on May 29, 2025. On June 17, 2025, Appellant filed the instant pro se notice of appeal, purportedly from the May 29, 2025 order.

Com. v. Painton; 1828 EDA 2025; review of the July 2, 2025 judgment of sentence and the trial court docket, the status of Appellant's representation is unclear. Accordingly, the following is Ordered. Within 90 days of the date of this Order, the trial court is Directed to determine whether Appellant is eligible for court-appointed counsel or if Appellant wishes to proceed pro se.

In The Interest Of: M.K.L, A Minor Appeal Of: Philadelphia Department Of Human Services; 947 EDA 2025; Application for Continuance of Oral Argument" filed by Appellant Philadelphia Department of Human Services (DHS) is hereby granted given that counsel for DHS represents to this Court that he has an illness that prevents him from attending the A22 argument session.

Com. v. Mathis; 1087 EDA 2025; The application of Appellant, Mr. Flynt Mathis III, for extension of time to file Brief the application is hereby granted. Appellant's Brief shall be filed on or before October 30, 2025.

Com. v. Millhouse; 1325 EDA 2024; The application of Appellee, the Commonwealth of Pennsylvania, for extension of time to file Brief,

the application is hereby Granted. No further extensions will be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before October 14, 2025.

Com. v. Thompson; 642 EDA 2025; Appellant's application to withdraw as Counsel, filed by Daniel Anthony Alvarez, Esq., is Granted. The trial court is Directed to appoint substitute counsel on Appellant's behalf and provide written notice to the Prothonotary of this Court within fourteen (14) days of the date that this Order is filed. The Prothonotary of this Court Is Directed to provide copies of this Order to the Honorable Natasha Taylor-Smith and the Office of Judicial Records.

Com. v. Murphy; 512 EDA 2025; Appellant's application to withdraw as Counsel, filed by Daniel Anthony Alvarez, Esq., is Granted. The PCRA court is Directed to appoint substitute counsel on Appellant's behalf and provide written notice to the Prothonotary of this Court within fourteen (14) days of the date that this Order is filed. The Prothonotary of this Court Is Directed to provide copies of this Order to the Honorable Natasha Taylor-Smith and the Office of Judicial Records.

Com. v. Dansby; 2017 EDA 2025; The application of Appellant, Tyrone Jelani Dansby, for extension of time to file Brief the application is hereby granted, In Part. No further extensions shall be granted absent extenuating circumstances. Appellant's Brief shall be filed on or before December 1, 2025.

Com. v. Rivera; 1897 EDA 2024; Appellant's application to withdraw as Counsel, filed by Daniel Anthony Alvarez, Esq., is Granted. The trial court is Directed to appoint substitute counsel on Appellant's behalf and provide written notice to the Prothonotary of this Court within fourteen (14) days of the date that this Order is filed. The Prothonotary of this Court Is Directed to provide copies of this Order to the Honorable Charles A. McDermott and the Office of Judicial Records.

Com. v. Brown; 1897 EDA 2024; Appellant's application to withdraw as Counsel, filed by Daniel Anthony Alvarez, Esq., is Granted. The trial court is Directed to appoint substitute counsel on Appellant's behalf and provide written notice to the Prothonotary of this Court within fourteen (14) days of the date that this Order is filed. The Prothonotary of this Court Is Directed to provide copies of this Order to the Honorable Charles A. McDermott and the Office of Judicial Records.

Com. v. Weiss; 1001 EDA 2025; The trial court docket, judgment of sentence was imposed on October 18, 2023. On October 30, 2023, Appellant filed a timely post-sentence motion for reconsideration of sentence. On October 31, 2023, the trial court entered an "Order Granting Motion for Reconsideration of Sentence - A new sentencing hearing is to be scheduled." On November 15, 2023, the trial court entered an "Order Granting Motion to Continue Resentencing Hearing." On March 13, 2024, the trial court entered an "Order Denying Motion for Reconsideration of Sentence - After conference and argument by the parties - Sentence Imposed 10/18/23 Remains Intact in its Entirety" and an "Order Classifying Defendant SVP."

Com. v. Bryant; 151 EDA 2025; The original record in the above-captioned appeal was initially due to be transmitted to this Court by February 25, 2025, sixty days after the notice of appeal was filed. On March 27, 2025, we notified the trial court that the record was overdue. Later, on June 9, 2025, we mailed the court a second letter reminding it of the overdue record. However, as of the date of this order, the record remains outstanding, and the record is now over six months overdue.

Com. v. Castro; 758 EDA 2025; The application of Appellee, the Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby Granted. No further extensions will be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before September 29, 2025.

In The Interest Of: T.A.H., A Minor Appeal Of: T.H.G.; 1664 EDA 2025; This appeal has been taken from the July 2, 2025 Order that denied T.H.G.'s Petition For Adoption as to Child, T.A.H. Review reveals that T.H.G. filed this pro se Notice of Appeal on behalf of herself and another individual, C.S. Although Appellant is permitted to file a pro se Notice of Appeal on behalf of herself she is not permitted to file a Notice of Appeal on behalf of herself and other individuals. Furthermore, Appellant may not file an appeal on behalf of another as there is no indication on the trial court docket that B.P. is a licensed attorney in the Commonwealth of Pennsylvania and is therefore prohibited from representing any other individual.

Com. v. Brown; 1894 EDA 2025; Appellant's application to withdraw as Counsel, filed by Daniel Anthony Alvarez, Esq., is Granted. The trial court is Directed to appoint substitute counsel on Appellant's behalf and provide written notice to the Prothonotary of this Court within fourteen (14) days of the date that this Order is filed. The Prothonotary of this Court is Directed to provide copies of this Order to the Honorable Charles A. Ehrlich and the Office of Judicial Records.

Com. v. Miller; 130 EDA 2025; The original record in the above-captioned appeal was initially due to be transmitted to this Court by February 21, 2025, sixty days after the notice of appeal was filed. On March 27, 2025, we notified the trial court that the record was overdue. Later, on June 9, 2025, we mailed the court a second letter reminding it of the overdue record. However, as of the date of this order, the record remains outstanding, and the record is now over six months overdue. As this Court's prior correspondence advised the trial court that the certified record was overdue, the trial court is Ordered to complete, certify, and transmit the record to this Court with a trial court opinion within 60 days of this Order.

Com. v. Bryant; 150 EDA 2025; The original record in the above-captioned appeal was initially due to be transmitted to this Court by February 25, 2025, sixty days after the notice of appeal was filed. On March 27, 2025, we notified the trial court that the record was overdue. Later, on June 9, 2025, we mailed the court a second letter reminding it of the overdue record. However, as of the date of this order, the record remains outstanding, and the record is now over six months overdue. As this Court's prior correspondence advised the trial court that the certified record was overdue, the trial court is Ordered to complete, certify, and transmit the record to this Court with a trial court opinion within 60 days of this Order.

Com. v. Harrison-El; 2494 EDA 2024; Appellant's pro se August 25, 2025 motion, the motion is Denied in light of the fact that the trial court stated in its July 22, 2025 order that the court conducted a waiver of counsel hearing on July 21, 2025, and the appellate briefs have already been filed. The Prothonotary of this Court is Directed to provide copies of Appellant's motion to Appellant's counsel, Keith J. Williams, Esq., and provide copies of this Order to Appellant.

Com. v. Thomas; 68 EDA 2025; The application of Appellee, the Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby Granted. No further extensions will be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before September 26, 2025.

Com. v. Millhouse; 1325 EDA 2024; The application of Appellee, the Commonwealth of Pennsylvania, for extension of time to file Brief, the application is hereby Granted. No further extensions will be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before October 14, 2025.

Com. v. Bryant; 150 EDA 2025; The original record in the above-captioned appeal was initially due to be transmitted to this Court by February 25, 2025, sixty days after the notice of appeal was filed. On March 27, 2025, we notified the trial court that the record was overdue. Later, on June 9, 2025, we mailed the court a second letter reminding it of the overdue record. However, as of the date of this order, the record remains outstanding, and the record is now over six months overdue. As this Court's prior correspondence advised the trial court that the certified record was overdue, the trial court is Ordered to complete, certify, and transmit the record to this Court with a trial court opinion within 60 days of this Order.

Com. v. Sawyer; 2456 EDA 2024; Appellant's "Application for Relief Seeking Permission to Submit on Briefs," filed September 12, 2025, said application is Granted. The prothonotary is directed to remove this case from the daily list of cases scheduled for oral argument on September 16, 2025, and designated the case as submitted on the briefs.

Com. v. Clark; 19 EDA 2025; The original record in the above-captioned appeal was initially due to be transmitted to this Court by February 18, 2025, sixty days after the notice of appeal was filed. On March 21, 2025, we notified the trial Court that the record was overdue. Later, on July 7, 2025, we mailed the court a second letter reminding it of the overdue record. However, as of the date of this order, the record remains outstanding, and the record is now over six months overdue. As this Court's prior correspondence advised the trial court that the certified record was overdue, the trial court is Ordered to complete

fyng injunction appealable as of right) as the basis for appealability.

Marlin Leasing Corporation v. Radeco LLC; 1820 EDA 2025; Appellee Marlin Leasing Corporation's Motion to Quash/Dismiss Appeal," (docketed as "Application to Quash Appeal") filed by Appellee Marlin Leasing Corporation, plaintiff below, and noting Appellant's response thereto, the application to quash is Granted and the appeal is Quashed. All pending applications filed by Appellant are Dismissed as moot.

Com. v. Harper; 1754 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. No further extensions shall be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before November 17, 2025.

Hagans v. Hospital Of The University Of Pennsylvania; 536 EDA 2024; It Is Hereby Ordered. That the application filed July 23, 2025, decision dated July 10, 2025, is Denied.

Linde v. Linde; 1717 EDA 2024; It Is Hereby Ordered. That the application filed July 21, 2025, requesting reargument of the decision dated July 7, 2025, is Denied.

Panichelli v. Fuyao Glass America Inc.; 86 EDM 2025; Application to Withdraw Application," filed by Petitioner Anthony Panichelli, the application is accepted as praeceipe to discontinue under Pa.R.A.P. 1973 and the petition for permission to appeal is Discontinued. All pending applications are Dismissed as moot.

In Re: A.A.G., An Alleged Incapacitated Person Appeal Of: Jamin K.K. Kush; 1315 EDA 2025; This Court having received a response to the August 15, 2025 Rule to Show Cause Order. Accordingly, the Rule is Discharged and this appeal shall proceed. This ruling, however, is not binding upon this Court as a final determination as to the propriety of the appeal. The parties are advised that the issue may be revisited by the panel assigned to decide the merits of this appeal. The parties should be prepared to address, in their briefs or at the time of oral argument, any concerns the panel may have regarding the issue.

In Re: Adoption Of: R.A.S., A Minor Appeal Of: G.S., Jr., Father; 2015 EDA 2025; Appellant appointed counsel's, Lisa Kane Brown, Esquire, untimely "Application for Extension to File Brief", filed September 21, 2025, is Denied.

Garcia v. Caban; 845 EDA 2025; Appellant counsel's Third "Application for Extension of Time to File Brief", filed September 12, 2025, is Granted. On or before October 14, 2025, Counsel shall file Appellant's brief and reproduced record. No further extensions shall be granted. Counsel's failure to file Appellant's brief and reproduced record no later than October 14, 2025 shall result in dismissal of this appeal without further notice of court.

Wentz v. Wentz; 2217 EDA 2025; Appellant's counsel has failed to file with the completed docketing statement a copy of the up-to-date trial court docket as required. On or before September 25, 2025. Counsel shall file with this Court a copy of the up-to-day trial court docket or this appeal will be dismissed without further order of court.

In Re: Estate Of Maurice R. Davis, Jr., Deceased Appeal Of: Lawrence Collopy, Laura Collopy, And Lexis Collopy; 1376 EDA 2025; Appeal and the docketing statement filed by Appellants Lawrence Collopy, Laura Collopy, and Alexis Collopy, petitioners below, the appeal is taken from the April 16, 2025 order that confirmed the account and authorized/or directed distributions from the Estate of Maurice R. Davis, Jr., Deceased. In their response to this Court's August 5, 2025 show-cause Order entered in the related appeal at 1459 EDA 2025, Appellants indicated that they did not file objections to the account. In order to preserve issues for appeal, one must ordinarily make a timely and specific objection below.

Council v. Simmons; 2985 EDA 2024; The application of Appellant, Blondell Simmons, for extension of time to file Brief the application is hereby granted. Appellant's Brief shall be filed on or before October 15, 2025.

Council v. Simmons; 2986 EDA 2024; The application of Appellant, Blondell Simmons, for extension of time to file Brief the application is hereby granted. Appellant's Brief shall be filed on or before October 15, 2025.

Com. v. Wright; 2841 EDA 2024; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. No further

extensions shall be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before November 14, 2025.

Com. v. Thompson; 642 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. No further extensions shall be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before November 10, 2025.

Council v. Simmons; 3320 EDA 2024; The application of Appellant, Blondell Simmons, for extension of time to file Brief the application is hereby granted. Appellant's Brief shall be filed on or before September 29, 2025.

Council v. Simmons; 3321 EDA 2024; The application of Appellant, Blondell Simmons, for extension of time to file Brief the application is hereby granted. Appellant's Brief shall be filed on or before September 29, 2025.

Cittadini v. Nguyen; 3121 EDA 2024; The application of Appellee, Joseph Cittadini, for extension of time to file Brief the application is hereby granted. Appellee's Brief shall be filed on or before October 15, 2025.

Com. v. Brown; 612 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief, the application is hereby Granted. No further extensions will be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before October 30, 2025.

Ali v. Dinerman; 949 EDA 2025; This Court has received a response to the August 15, 2025 Rule to Show Cause Order. Accordingly, the Rule is Discharged and this appeal shall proceed. This ruling, however, is not binding upon this Court as a final determination as to the propriety of the appeal. The parties are advised that the issue may be revisited by the panel assigned to decide the merits of this appeal. The parties should be prepared to address, in their briefs or at the time of oral argument, any concerns the panel may have regarding the issue.

Turinski v. Nicholas And Tracy Reichard; 2237 EDA 2025; Application for Intervention" (treated as "Application for Stay Pending Appeal") filed by pro se Appellants Nicholas and Tracy Reichard, the application is Denied because Appellants did not first seek such relief with the trial court. Appellants' September 11, 2025 "Application to Expedite," seeking to expedite a decision on the application for intervention is Denied as moot.

Com. v. Edwards; 1659 EDA 2025; The application of Appellant, Omar Edwards, for extension of time to file Brief the application is hereby granted. No further extensions shall be granted absent extenuating circumstances. Appellant's Brief shall be filed on or before November 7, 2025.

Com. v. Pryor; 702 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. No further extensions shall be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before November 12, 2025.

Com. v. Bates; 202 EDA 2025; Through this Court's July 14, 2025 and August 26, 2025 Orders, the trial court was directed to correct the January 8, 2025 trial court docket entry to reflect that the motion for reconsideration of sentence was denied, as it stated "[o]rder granting motion for reconsideration of sentence." The briefing schedule was vacated pending further Order of this Court. On September 10, 2025, this Court received a supplemental record containing the transcripts of testimony from the January 8, 2025 trial court hearing, in which the trial court appears to have extended the period for deciding Appellant's post-sentence motions *sua sponte*, and ordered the post-sentence motions to be denied by operation of law as of January 5, 2025. In light of the September 10, 2025 response, the following is Ordered.

LVNV Funding, LLC v. Biggins; 848 EDA 2025; This Court directed pro se Appellant Thomas Biggins to show cause as to why the appeal should not be quashed where the order from which Appellant seeks to appeal was not entered in the underlying action. Appellant failed to respond. Accordingly, the appeal is Quashed.

Com. v. Faust; 426 EDA 2025; The application of Appellant, Walter Faust, for extension of time to file Brief the application is hereby granted. Appellant's Brief shall be filed on or before October 15, 2025.

Com. v. Wright; 2841 EDA 2024; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. No further

extensions shall be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before November 14, 2025.

Com. v. Thompson; 642 EDA 2025; The application of Appellee, Commonwealth of Pennsylvania, for extension of time to file Brief the application is hereby granted. No further extensions shall be granted absent extenuating circumstances. Appellee's Brief shall be filed on or before November 10, 2025.

Holland v. WM Operating, LLC; 4 EDA 2025; Appellant's "Motion for Extension of Time to File Reply Brief," the application is hereby granted. Appellant's Brief shall be filed on or before September 30, 2025.

Reiter v. Barazza; 2367 EDA 2025; from order of Phila Cty; 19154-2801.

Reeby v. Mebert; 2368 EDA 2025; from order of Delaware Cty; 2021-007167; G. Gebhart.

Reeby's Kitchen Magician Catering Limited Liability Company v. Kairali Enterprises LLC; 2369 EDA 2025; from order of Delaware Cty; 2021-007969.

Clayborn v. Drissel; 2364 EDA 2025; from order of Bucks Cty; A-060-2024-060246-C-37.

Hatchigian v. Berschker; 2365 EDA 2025; from order of Montgomery Cty; 2025-10228.

U.S. Bank Trust National Association v. Taggart; 2366 EDA 2025; from order of Phila Cty; 201001597.

Oethel Taylor, 585 AI 2025/252170; D. Broyan, A. Quinn.

2:00 P.M. HEARING, via ZOOM

Tuan Nguyen, 1087 IC 2024/253229; M. Isenberg.

Oethel Taylor, 585 AI 2025/252170; D. Broyan, A. Quinn.

2:00 P.M. HEARING, via ZOOM

Tuan Nguyen, 1087 IC 2024/253229; M. Isenberg.

HEARINGS AND CONFERENCES

Before OVERTON, J.
FOR THE WEEK OF OCTOBER 6, 2025
MON., OCTOBER 6, 2025

10:00 A.M. AUDIT LIST HEARINGS via ZOOM

Harry Ewald - OC#: 202501029IV (control #; 253683)

Donald Yatwin - OC#: 202500926DE (control #; 253294)

Donald Winkle - OC#: 202500940DE (control #; 253364)

Lois George - OC#: 202500448DE (control #; 253444)

10:00 A.M. REVIEW HEARING via ZOOM

Patricia Mongahan - OC#: 202301034IC

TUES., OCTOBER 7, 2025

NO HEARINGS SCHEDULED

WED., OCTOBER 8, 2025

NO HEARINGS SCHEDULED

THURS., OCTOBER 9, 2025

NO HEARINGS SCHEDULED

FRI., OCTOBER 10, 2025

NO HEARINGS SCHEDULED

HEARINGS AND CONFERENCES

Before SHEILA WOODS-SKIPPER, J.
FOR THE WEEK OF OCTOBER 6, 2025
MON., OCTOBER 6, 2025

10:00 A.M. BIFURCATED EMERGENCY HEARING, via ZOOM

Estate of George Diaz, AI, ACT, 1038AI of 2023, #254187; Y. Rogers, R. Bembry, III, et al.

2:00 P.M. EMERGENCY HEARING, via ZOOM

Estate of Rachel Da Silva, AI, ACT, 1179AI of 2025, #254251; M. Szymborski, F. Odza.

TUES., OCTOBER 7, 2025

9:30 A.M. RULE TO SHOW CAUSE, COURTROOM 425

Estate of James Hite, DE, 1337DE of 2021; R. Bembry, III, R. Celli, et al.

1:00 P.M. PCRA DAY (Criminal Court), via ZOOM

ACT

WED., OCTOBER 8, 2025

9:30 A.M. REVIEW HEARING, via ZOOM

Estate of Stephen Wargo, IC, ACT, 139IC of 2021; H. Kelly.

THURS., OCTOBER 9, 2025

9:30 A.M. HEARING, via ZOOM

Estate of Eh Doe Soe, MI, ACT, 983MI of 2025, #253492; Y. Houston.

FRI., OCTOBER 10, 2025

NO HEARINGS SCHEDULED

HEARINGS AND CONFERENCES

Before STELLA TSALI, J.
FOR THE WEEK OF OCTOBER 6, 2025
MON., OCTOBER 6, 2025

10:00 A.M. HEARING, via ZOOM

James Streat, 383 AI of 2025/251605.

11:00 A.M. STATUS HEARING, via ZOOM

Ruth O Croxton, 83 ST of 2025/250530.

2:00 P.M. HEARING, COURTROOM 432

Western Soup Society, 837 NP of 2025/252958.

TUES., OCTOBER 7, 2025

2:00 P.M. HEARING, COURTROOM 432

Betty Little, 29 DE of 2022/250433.

WED., OCTOBER 8, 2025

10:00 A.M. HEARING, via ZOOM

Richard King, 903 AI of 2025/253219.

2:00 P.M. HEARING, via ZOOM

John Shea, 889 AI of 2025/253178.

THURS., OCTOBER 9, 2025

10:00 A.M. REVIEW HEARING, via ZOOM

David Jones, 467 IC of 2025.

10:30 A.M. PRELIMINARY CONFERENCE, via ZOOM

Michael Muk Choy, 280 DE of 2025/251231.

11:00 A.M. CONFERENCE, via ZOOM

Court Notices

continued from 1

against it on an issue, as long as the judgment granted appellee the relief it sought. See Lebanon Valley Farmers Bank v. Commonwealth, 83 A.3d 107, 112 (Pa. 2013); Basile v. H & R Block, Inc., 973 A.2d 417, 421 (Pa. 2009). For discussion of cross-petitions for allowance of appeal, see Pa.R.A.P. 1113, cmt.

[If, however, an intermediate appellate court awards different relief than the trial court or other government unit, a party may wish to file a cross-petition for allowance of appeal under Pa.R.A.P. 1112. See, e.g., *Meyer, Darragh, Buckler, Bebenek & Eck, P.L.L.C. v. Law Firm of Malone Middleman, P.C.*, 179 A.3d 1093, 1098 & n.5 (Pa. 2018); *Meyer, Darragh, Buckler, Bebenek & Eck, P.L.L.C. v. Law Firm of Malone Middleman, P.C.*, 137 A.3d 1247 (Pa. 2016).]

In deciding whether to cross-appeal, parties may also consider that appellate courts have discretion, but are not required, to affirm for any reason appearing in the record. See Commonwealth v. Fant, 146 A.3d 1254, 1265 n.13 (Pa. 2016); Pa. Dept. of Banking v. NCAS of Del., LLC, 948 A.2d 752, 762 (Pa. 2008); Am. Future Sys., Inc. v. Better Bus. Bureau of E. Pa., 923 A.2d 389, 401 (Pa. 2007).

Historical Commentary

The following commentary is historical in nature and represents statements of the Committee at the time of rulemaking:

Explanatory Comment--2002

Introduction: The Appellate Rules contemplate three “multiple appeal” situations in which more than one party may wish to challenge individually an order of a court. These are: cross appeals; cross petitions for review; and cross petitions for allowance of appeal. The proposed amendments are intended to simplify and clarify the terminology and procedures in such cases. The 2002 amendments do not create a right to file new briefs or affect the right to file briefs heretofore permitted by the Appellate Rules.

Rule 511 (Cross Appeals). The 2002 amendment clarifies the intent of the former rule that the filing of an appeal extends the time within which any party may cross appeal as set forth in Rules 903(b), 1113(b) and 1512(a)(2) and that a discontinuance of an appeal by a party will not affect the right of any other party to file a timely cross appeal under Rules 903(b), 1113(b) or 1512(a)(2) or to otherwise pursue an appeal or cross appeal already filed at the time of the discontinuance. The discontinuance of the appeal at any time before or after a cross appeal is filed will not affect the right of any party to file or discontinue a cross appeal. The 2002 amendment supersedes In Re: Petition of the Board of School Directors of the Hampton Township School, 688 A.2d 279 (Pa. Cmwlth. 1997) to the extent that decision requires that a party be adverse to the initial appellant in order to file a cross appeal.

The Note to Rule 511 is also amended to advise that an appellee should not be required to file a cross appeal because the court below ruled against it on an issue, as long as the judgment granted appellee the relief it sought.

Rule 903 (Time For Appeal). The 2002 amendment to the Note to Rule 903 includes a suggestion, for the aid of the appellate court filing office, that a party identify a cross appeal in its notice of appeal. This will assure that the appeals are linked for processing purposes. The proposed amendment to the note also cross references Rule 511 (Cross Appeals), Rule 2136 (briefs in cases of cross appeals) and Rule 2322 (Cross and Separate Appeals). This is for the convenience of counsel and the parties to alert them to the unique aspects of cross appeal or petition practice. See also conforming amendments to the Notes to Rules 1113 and 1512.

The Explanatory Comment--1979, which is simply historical reference, is deleted as unnecessary.

Rule 1113 (Time For Petitioning For Allowance Of Appeal). See explanatory comment to Rule 903 (Time for Appeal).

Rule 1512 (Time For Petitioning For Review). See explanatory comment to Rule 903 (Time for Appeal).

Rule 2113 (Reply Brief). The 2002 amendment deletes subdivision (c), an obsolete cross reference to a reply brief in cross appeals. The briefs permitted and proper sequence in cases involving cross appeals are explained in the Note to Rule 2136.

Rule 2136 (Briefs In Cases Involving Cross Appeals). In a single party appeal or petition situation, there are three briefs: appellant's principal brief on the merits, appellee's principal brief on the merits and appellant's reply brief. In a cross appeal or petition situation, there are four briefs, because the designated appellant's second brief must serve two purposes, that is, it is the appellant's reply brief (a brief limited in scope by Rule 2113) and, simultaneously, the appellant's principal brief on the merits of the cross appeal or petition. The appellee may then file a “reply” brief on the merits of the cross appeal, that is, a reply brief in the appeal filed by the appellee. This procedure is explained in the proposed amendment to the Note as follows:

When there are cross appeals, there may be up to four briefs: (1) the deemed or designated appellant's principal brief on the merits of the appeal; (2) the deemed or designated appellee's brief responding to appellant's arguments and presenting the merits of the cross appeal; (3) the appellant's second brief replying in support of the appeal and responding to the merits of the cross appeal; and (4) appellee's reply brief in the cross appeal.

Rule 2185 (Time For Serving And Filing Briefs). The existing rule is unclear as to the due date for the filing of the designated appellant's second brief (Brief No. 3 as described above). The 2002 amendment provides that brief is due thirty days after the deemed appellee's brief (Brief No. 2) as described above.

Rule 1113. Time for Petitioning for Allowance of Appeal.

(a) **General [rule.--] Rule.** Except as otherwise prescribed by this rule, a petition for allowance of appeal shall be filed with the Prothonotary of the Supreme Court within 30 days after the entry of the order of the Superior Court or the Commonwealth Court sought to be reviewed.

(1) If a timely application for reargument is filed in the Superior Court or Commonwealth Court by any party, the time for filing a petition for allowance of appeal for all parties shall run from the entry of the order denying reargument or from the entry of the decision on reargument, whether or not that decision amounts to a reaffirmation of the prior decision.

(2) **Unless the Superior Court or the Commonwealth Court acts on the application for reargument within 60 days after it is**

filed, the court shall no longer consider the application, it shall be deemed to have been denied, and the prothonotary of the appellate court shall forthwith enter an order denying the application and shall immediately give notice of entry of the order denying the application to each party who has appeared in the appellate court. A petition for allowance of appeal filed before the disposition of such an application for reargument shall have no effect. A new petition for allowance of appeal must be filed within the prescribed time measured from the entry of the order denying or otherwise disposing of such an application for reargument.

(3) In a children's fast track appeal, unless the Superior Court acts on the application for reargument within 45 days after it is filed, the court shall no longer consider the application, it shall be deemed to have been denied, and the Prothonotary of the Superior Court shall forthwith enter an order denying the application and shall immediately give notice of entry of the order denying the application to each party who has appeared in the appellate court. A petition for allowance of appeal filed before the disposition of such an application for reargument shall have no effect. A new petition for allowance of appeal must be filed within the prescribed time measured from the entry of the order denying or otherwise disposing of such an application for reargument.]

Except as provided by subdivision (a)(3), the Superior Court or the Commonwealth Court may act on the application for reargument within 60 days after it is filed.

In a children's fast track appeal, the Superior Court may act on the application for reargument within 45 days after it is filed.

If an appellate court does not act on an application for reargument within the prescribed time period set forth in subdivisions (a)(2) and (a)(3):

(i) **The application for reargument shall be deemed denied.**

(ii) **The prothonotary of the appellate court shall immediately enter an order denying the application and give notice of entry of the order denying the application to each party who has appeared in the appellate court.**

(iii) **A petition for allowance of appeal filed before the disposition of an application for reargument shall have no effect. A new petition for allowance of appeal shall be filed within the prescribed time measured from the entry of the order denying or otherwise disposing of such an application for reargument.**

(b) **Cross petitions.--] Cross-Petitions for Allowance of Appeal.** Except as otherwise prescribed in [paragraph] subdivision (c) [of this rule], if a timely petition for allowance of appeal is filed by a party, any other party may file a cross-petition for allowance of appeal within 14 days of the date on which the first petition for allowance of appeal was served, or within the time otherwise prescribed by this rule, whichever period last expires.

Special [provisions.--] Provisions. Notwithstanding any other provision of this rule, a petition for allowance of appeal from an order in any matter arising under any of the following shall be filed within ten days after the entry of the order sought to be reviewed:

[1.](1) Pennsylvania Election Code[.]; and

[2.](2) Local Government Unit Debt Act or any similar statute relating to the authorization of public debt.

[Nunc pro tunc filing.--] Nunc Pro Tunc Filing. In addition to the right of any petitioner to seek nunc pro tunc relief in compliance with the standard set forth in case law, in a criminal case, a party may, [(] either [pro se] by self-representation or through counsel[)], file an application for permission to file a petition for allowance of appeal nunc pro tunc if the party directed counsel to file a petition for allowance of appeal but counsel did not do so timely. If the Supreme Court cannot determine whether nunc pro tunc relief is appropriate from the information provided, the Supreme Court may remand to the trial court for factual findings.

[Note: See note to] Comment: See Pa.R.A.P. 903, cmt. (time for appeal).

[Paragraph (b)--] Regarding subdivision (b), a party filing a cross-petition for allowance of appeal should identify it as a cross-petition to assure that the prothonotary will process the cross-petition with the initial petition. See also Pa.R.A.P. 511 (cross- appeals), Pa.R.A.P. 2136 (briefs in cases involving cross-appeals), and Pa.R.A.P. 2322 (cross- and separate appeals).

Unlike the Rules of Appellate Procedure governing cross-appeals as of right, the rules governing appeals by allowance do not contain an aggrievement standard. Kramer v. Nationwide Property and Casualty Insurance Co., 313 A.3d 1031, 1042-44 (Pa. 2024). Thus, if a petition for allowance of appeal is filed challenging a final order of the Superior Court or the Commonwealth Court, and, in that order, the intermediate appellate court rules against the respondent on an issue, the respondent must file a cross-petition for allowance of appeal if the respondent wishes to seek discretionary review of that issue. If a respondent fails to timely file a cross-petition for allowance of appeal, and the Supreme Court reverses the judgment of the intermediate appellate court, the respondent's only recourse is to seek leave to file a nunc pro tunc cross-petition for allowance of appeal. Kramer v. Nationwide Property and Casualty Insurance Co., 313 A.3d 1031, 1042-44, 1044 n.18 (Pa. 2024); Meyer, Darragh, Buckler, Bebenek & Eck, P.L.L.C. v. Law Firm of Malone Middleman, P.C., 137 A.3d 1247, 1260 (Pa. 2016) (Saylor, C.J., concurring); id. (Todd, J., concurring).

[Paragraph (d)--] An] Regarding subdivision (d), an application for nunc pro tunc relief pursuant to Pa.R.A.P. 123 should contain averments and documentation in support of the request. Such an application may eliminate the need for a criminal defendant to vindicate the right

Court Notices

continued from 10

to file a petition for allowance of appeal through post-conviction proceedings and preserve judicial resources. This method is available because the Supreme Court has recognized that a criminal defendant has a right to have counsel petition for allowance of appeal. [Pennsylvania Rules of Criminal Procedure] Pa.R.Crim.P. 120 and 122 require counsel to represent clients through all stages of a direct appeal, and this places on counsel an obligation to file a petition for allowance of appeal if the client requests one, and to represent the client in the Pennsylvania Supreme Court, if allowance of appeal is granted. Parties seeking nunc pro tunc relief must act promptly to assert such a right upon learning of the existence of the basis for such relief. See, e.g., Commonwealth v. Bassion, 568 A.2d 1316 (Pa. Super. 1990). Additionally, nothing in this rule is intended to expand upon the jurisdictional time limitations of the Post Conviction Relief Act, 42 Pa.C.S. §§ 9541 et seq.

Historical Commentary

The following commentary is historical in nature and represents statements of the Committee at the time of rulemaking:

Explanatory Comment--2002

See Comment following Pa.R.A.P., Rule 511.

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: PROMULGATION OF: NO. 642
FINANCIAL REGULATIONS:
PURSUANT TO ACT 14 OF 2025: JUDICIAL ADMINISTRATION
: DOCKET
ORDER

PER CURIAM

AND NOW, this 15th day of July, 2025, it is Ordered, pursuant to Article V, Section 10(c) of the Constitution of Pennsylvania and 42 Pa.C.S. § 3502(a), that the attached amendments to the Financial Regulations are hereby adopted.

To the extent that notice of proposed rulemaking may be required by Pa.R.J.A. 103(a), the immediate promulgation of the regulations is hereby found to be in the interests of efficient administration. See Pa.R.J.A. 103(a)(3).

This Order is to be processed in accordance with Pa.R.J.A. 103(b), and the amendments shall be effective immediately.

Additions are shown in bold and are underlined.

Deletions are shown in bold and are bracketed.

PROMULGATION OF FINANCIAL REGULATIONS PURSUANT TO ACT 14 OF 2025

204 Pa. Code Ch. 29, Subch. I (Budget and Finance)

§ 29.351. Definitions.

(a) *Pennsylvania Supreme, Superior and Commonwealth Courts. Initial Filing.*

Except for the provisions of subsection (g)(1) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1 and section 1795.1-E of The Fiscal Code (72 P.S. § 1795.1-E), a statutory fee of nineteen dollars (\$19.00) shall be imposed on all items enumerated in the fee schedules of the Appellate Courts for which a filing and service fee is collected, excluding the following:

- i. Second and Subsequent Filings for Extension of Time.
- ii. Rereading/Reconsideration.
- iii. Services in Connection with Appeals to or Writs of Certiorari from the United States Supreme Court.
- iv. Miscellaneous Fees.
- v. Subpoenas.

(b) *Court of Common Pleas. Prothonotary. Civil Actions and Legal Proceedings.*

1. Except for the provisions of subsection (g)(1) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1 and section 1795.1-E of The Fiscal Code (72 P.S. § 1795.1-E), a statutory fee of nineteen dollars (\$19.00) shall be imposed on a civil action or legal proceeding in a Court of Common Pleas whenever it is initiated upon the filing of the first legal paper therein of record with the prothonotary. The first legal paper may be any of the following:

- i. Praecept for a Writ of Summons.
- ii. Complaint.
- iii. Deleted.
- iv. Petition.
- v. Notice of Appeal from a court of limited jurisdiction.
- vi. Petition or grant of any other legal paper commencing an action or proceeding authorized by Act of Assembly or rule of court.

2. For purposes of these regulations, the initiation of a civil action or legal proceeding shall include, but is not limited to:

- i. Actions governed by or authorized under the Pennsylvania Rules of Civil Procedure, such as Civil Action Ejectment, Equity, Ground Rent, Mandamus, Mortgage Foreclosure, Partition of Real Property, Quiet Title, Quo Warranto, Replevin, and the Prevention of Waste.
- ii. Actions pertaining to Dependency, Annulments, Divorce, Custody, Partial Custody, Alimony Pendente Lite, Support, and Paternity. With respect to Divorce actions, a separate statutory fee shall be

imposed for each count in the complaint in addition to the count requesting divorce.

- iii. Statutory actions such as Confirmation of Arbitration Awards, Conformation of Confessed Judgment, Declaratory Judgment, Opening or Striking Off a Judgment, Eminent Domain, Habeas Corpus, Proceedings on Liens (other than revival), Name Changes, Partition of Property Held by Husband and Wife as Tenants By the Entireties, Tax Sales of Real Property.
- iv. Other actions not included in subsections (i), (ii) or (iii), such as Appeals from Board of Elections, Appeals from Board of Viewers, Appeals from Zoning Boards, and Certiorari to Magisterial District Judges.

(c) *Court of Common Pleas. Orphans' Court Clerk, Register of Wills.*

Except for the provisions of subsection (g)(1) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1 and 1795.1-E of The Fiscal Code (72 P.S. § 1795.1-E), a statutory fee of nineteen dollars (\$19.00) shall be imposed on all petitions for grant of letters, and first filings in petitions concerning adoptions, incapacitated persons' estates, minors' estates, and inter vivos trusts.

(d) *Court of Common Pleas. Clerk of Court.*

1. Except for the provisions of subsection (g)(1) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1 and section 1795.1-E of The Fiscal Code (72 P.S. § 1795.1-E), a statutory fee of nineteen dollars (\$19.00) shall be imposed upon conviction, guilty plea, or when a defendant is granted entry into an Accelerated Rehabilitative Disposition (ARD) or other pretrial diversionary program based upon the initiation of any criminal proceeding. The initiation of a criminal proceeding shall include the following:

- i. Cases commenced at the magisterial district judge level resulting in the issuance of a numbered docket transcript form (OTN), and subsequently waived or held to court.
- ii. The appeal of a summary conviction to the Court of Common Pleas.
- iii. Cases involving juvenile defendants where a petition alleging delinquency has been filed in the Court of Common Pleas.
- iv. Cases involving juvenile defendants certified to the Court of Common Pleas, resulting in the issuance of a numbered docket transcript form (OTN).
- v. Cases involving the severance of charges into separate cases resulting in the issuance of one or more additional numbered docket transcripts (OTNs).

2. Except for the provisions of subsection (g)(1) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1 and section 1795.1-E of The Fiscal Code (72 P.S. § 1795.1-E), a statutory fee of nineteen dollars (\$19.00) shall be imposed for each filing of a deed, mortgage or property transfer for which a fee, charge or cost is now authorized. The documents identified as meeting the above conditions are listed below. The list is not exclusive; other filings for which a fee is imposed and that can be considered a property transfer are included, and the fee shall be imposed. Subject to later amendment, the following documents have been identified as meeting the statutory provisions:

- i. Deeds in any form.
- ii. Mortgages.
- iii. Mortgage assignments.
- iv. Mortgage releases.
- v. Mortgage satisfaction pieces.
- vi. Installment sales agreements.
- vii. Leases for a term of thirty (30) years or longer.
- viii. Easements.
- ix. Rights of Way.

(e) *Minor Judiciary. Civil and Criminal Proceedings.*

For purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1, and section 1795.1-E of The Fiscal Code (72 P.S. § 1795.1-E), a statutory fee of nineteen dollars (\$19.00) shall be imposed on the initiation of a legal proceeding except as provided in subsection (iii). The initiation of a legal proceeding, in the following courts of the Minor Judiciary, shall include, but is not limited to, the following:

- i. *Magisterial District Judge. Civil Actions.* Except for the provisions of subsection (g)(1) below, a statutory fee of nineteen dollars (\$19.00) shall be imposed in connection with the filing of a complaint in Trespass and Assumpsit or for the Recovery of Possession of Real Property (Landlord and Tenant Proceeding) or for any other Civil Action as provided in the Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges.
- ii. *Magisterial District Judge. Criminal Actions.* Except for the provisions of

Court Notices

continued from 11

subsection (g)(1) below, a statutory fee of nineteen dollars (\$19.00) shall be imposed upon a conviction, guilty plea or when a defendant is granted entry into an Accelerated Rehabilitative Disposition (ARD) or any other pretrial diversionary program based upon the filing of a criminal complaint or non-traffic citation charging an offense classified as misdemeanor or summary under a state statute or local ordinance as provided in the Pennsylvania Rules of Criminal Procedure.

- iii. *Magisterial District Judge, Pittsburgh Municipal Court, and Philadelphia Municipal Court. Title 75 Summary Offenses Initiated by Traffic Citation.* Except for the provisions of subsection (g)(2) below, a statutory fee of twelve dollars (\$12.00) shall be imposed upon a conviction or guilty plea based upon the filing of a traffic citation charging a violation of Title 75 (relating to vehicles) offense classified as summary under a state statute or local ordinance as provided in the Pennsylvania Rules of Criminal Procedure.
- iv. *Pittsburgh Municipal Court. Civil Actions.* Except for the provisions of subsection (g)(1) below, a statutory fee of nineteen dollars (\$19.00) shall be imposed in connection with the filing of a civil complaint seeking recovery of fines and penalties imposed by an ordinance of the City of Pittsburgh or by any ordinance or regulation relating to housing and health administered and enforced by the county health department where the violation occurs within the City of Pittsburgh.
- v. *Pittsburgh Municipal Court. Criminal Actions.* Except for the provisions of subsection (g)(1) below, a statutory fee of nineteen dollars (\$19.00) shall be imposed upon a conviction, guilty plea or when a defendant is granted entry into an Accelerated Rehabilitative Disposition (ARD) or any other pretrial diversionary program based upon the filing of a criminal complaint or non-traffic citation charging an offense classified as misdemeanor or summary under state statute or local ordinance as provided for in the Pennsylvania Rules of Criminal Procedure.
- vi. *Philadelphia Municipal Court. Civil Actions.* Except for the provisions of subsection (g)(1) below, a statutory fee of nineteen dollars (\$19.00) shall be imposed in connection with the filing of a complaint for a Civil Action, as defined in the Philadelphia Municipal Court Rules of Civil Procedure.
- vii. *Philadelphia Municipal Court. Criminal Actions.* Except for the provisions of subsection (g)(1) below, a statutory fee of nineteen dollars (\$19.00) shall be imposed upon conviction, guilty plea or when a defendant is granted entry into an Accelerated Rehabilitative Disposition (ARD) or any other pretrial diversionary program based upon the filing of a criminal complaint or non-traffic citation charging an offense classified as misdemeanor or summary under state statute or local ordinance as provided for in the Pennsylvania Rules of Criminal Procedure.

(f) *Recorders of Deeds.*

Except for the provisions of subsection (g)(1) below, for purposes of 42 Pa.C.S. §§ 3733(a.1) and 3733.1 and section 1795.1-E of The Fiscal Code (72 P.S. § 1795.1-E), a statutory fee of nineteen dollars (\$19.00) shall be imposed for each filing of a deed, mortgage or property transfer for which a fee, charge or cost is now authorized. The documents identified as meeting the above conditions are listed below. The list is not exclusive; other filings for which a fee is imposed and that can be considered a property transfer are included, and the fee shall be imposed. Subject to later amendment, the following documents have been identified as meeting the statutory provisions:

- i. Deeds in any form.
- ii. Mortgages.
- iii. Mortgage assignments.
- iv. Mortgage releases.
- v. Mortgage satisfaction pieces.
- vi. Installment sales agreements.
- vii. Leases for a term of thirty (30) years or longer.
- viii. Easements.
- ix. Rights of Way.

(g) *Temporary Surcharge.*

1. Beginning November 1, 2023, and until **[July 31, 2025] December 31, 2027**, for purposes of section 2802-E of The Administrative Code of 1929 (71 P.S. § 720.102), a temporary surcharge of twenty-one dollars and twenty-five cents (\$21.25) shall be collected by all collectors of the JCS/ATJ/CJEA fee to supplement the nineteen dollars (\$19.00) statutory fee described above. This temporary surcharge may not be imposed upon a conviction or guilty plea based upon the filing of a traffic citation charging a Title 75 (relating to vehicles) offense classified as summary under a state statute or local ordinance as provided in the Pennsylvania Rules of Criminal Procedure.

2. *Magisterial District Judge, Pittsburgh Municipal Court, and Philadelphia Municipal Court. Title 75 Summary Offenses Initiated by Traffic Citation.* Beginning November 1, 2023, and until

[July 31, 2025] December 31, 2027, for purposes of section 2802-E of The Administrative Code of 1929 (71 P.S. § 720.102), a temporary surcharge of twenty-one dollars and twenty-five cents (\$21.25) shall be collected to supplement the twelve dollars (\$12.00) statutory fee imposed upon a conviction or guilty plea based upon the filing of a traffic citation charging a violation of Title 75 (relating to vehicles) offense classified as summary under a state statute or local ordinance as provided in the Pennsylvania Rules of Criminal Procedure.

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: NO. 1003
ORDER ADOPTING RULE 1203 AND SUPREME COURT RULES DOCKET
AMENDING RULES 1120, 1210, 1240,
1242, 1320, 1321, 1330, 1408, 1409,
1515, AND 1608 - 1611 OF THE
PENNSYLVANIA RULES OF JUVENILE
COURT PROCEDURE :

AMENDED ORDER

PER CURIAM

AND NOW, this 23rd day of December, 2024, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been published for public comment at 47 Pa.B. 3962 (July 22, 2017):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rule of Juvenile Court Procedure 1203 is adopted and Pennsylvania Rules of Juvenile Court Procedure 1120, 1210, 1240, 1242, 1320, 1321, 1330, 1408, 1409, 1515, and 1608-1611 are amended in the attached form.

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

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

Rule 1120. Definitions.

HEALTH CARE is care related to any medical need including physical, mental, and dental health. This term is used in the broadest sense to include any type of health need.

INDIAN CHILD is any unmarried person who is under the age of eighteen and is either 1) a member of an Indian tribe or 2) eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe.

Comment:

“Health care” includes, but is not limited to, routine physical check-ups and examinations; emergency health care; surgeries; exploratory testing; psychological exams, counseling, therapy and treatment programs; drug and alcohol treatment; support groups; routine eye examinations and procedures; teeth cleanings, fluoride treatments, fillings, preventative dental treatments, root canals, and other dental surgeries; and any other examination or treatment relating to any physical, mental, and dental needs of the child.

The definition for “Indian Child” originates from the Indian Child Welfare Act, 25 U.S.C. §§ 1901 et seq., and the Bureau of Indian Affairs regulations, 25 C.F.R. § 23.2.

(This is an entirely new rule).

Rule 1203. Indian Child.

(a) **Inquiry.**

- (1) At the commencement of the initial proceeding, including a court's acceptance of either jurisdiction of a resident child from another state or supervision pursuant to another state's order, the court shall inquire as to the efforts made by the county agency to determine whether the child is an Indian child and whether any participant has reason to know the child is an Indian child. All responses shall be placed on the record.
- (2) The court shall advise the participants of their obligation to report to the court if they subsequently receive information that provides a reason to know the child is an Indian child.

- (b) **Finding of Court.** The court shall make a finding as to whether there is reason to know the child is an Indian child.

(c) **Additional Requirements.**

- (1) If the court finds there is reason to know the child is an Indian child, but lacks sufficient evidence to determine whether the child is an Indian child, the court shall confirm due diligence has been used to make such determination, and the court shall treat the child as an Indian child until it can determine, from the record, that the child does not meet the definition of an Indian child.
- (2) If the court has sufficient evidence to conclude the child is an Indian child, then the notification and rights under the Indian Child Welfare Act shall apply.

Comment: The Indian Child Welfare Act, 25 U.S.C. §§ 1901 et seq. and the Bureau of Indian Affairs regulations, 25 C.F.R. § 23.107, require the court at the commencement of the initial proceeding to determine if any participant has reason to know whether the child is an Indian child.

For the definition of “Indian child,” see Rule 1120. Nothing in this rule is intended to prohibit the court from continuing to inquire at every subsequent proceeding. For determination of a reason to know whether a child is an Indian child, see 25 C.F.R. § 23.107. When a court knows or has reason to know that a child is an Indian child, see 25 C.F.R. § 23.111 for notice requirements. *See also* 25 C.F.R. § 23.11.

For additional requirements concerning the emergency removal or emergency placement of an Indian child, see 25 C.F.R. § 23.113. For additional requirements concerning the non-emergency placement of an Indian child, see 25 C.F.R. §§ 23.121-122. For the transfer of proceedings to the Indian child's tribe, see 25 C.F.R. §§ 23.115-119. For requirements concerning voluntary

Court Notices

continued from 12

proceedings for the placement of an Indian child, see 25 C.F.R. §§ 23.124-.127. For the placement preferences of an Indian child, see 25 C.F.R. §§ 23.131-.132.

Rule 1210. Order for Protective Custody.

[A.]**(a)** **Application of [order] Order.** The application for a court order of protective custody may be orally made; however, the request shall be reduced to writing within [twenty-four] 24 hours. The request shall set forth reasons for the need of protective custody and include whether the applicant has reason to know the child is an Indian child as defined in Rule 1120.

[B.]**(b)** **Finding of [court] Court.**

- (1) A child may be taken into protective custody by court order when the court determines that removal of the child is necessary for the welfare and best interests of the child.
- (2) At the time the court issues a protective custody order, the court shall inquire as to whether family finding efforts pursuant to Rule 1149 have been initiated by the county agency, and as to the efforts made by the applicant to determine whether the child is an Indian child and whether any participant has reason to know the child is an Indian child pursuant to Rule 1203. All responses shall be placed on the record.
- (3) The order may initially be oral, provided that it is reduced to writing within [twenty-four] 24 hours or the next court business day.

[C.]**(c)** **Law [enforcement] Enforcement.** The court may authorize a search of the premises by law enforcement or the county agency so that the premises may be entered into without authorization of the owner for the purpose of taking a child into protective custody.

[D.]**(d)** **Contents of [order] Order.** The court order shall include:

- (1) the name of the child sought to be protected;
- (2) the date of birth of the child, if known;
- (3) the whereabouts of the child, if known;
- (4) the names and addresses of the guardians;
- (5) the reasons for taking the child into protective custody;
- (6) a finding whether reasonable efforts were made to prevent placement of the child;
- (7) a finding whether the reasons for keeping the child in shelter care and that remaining in the home is contrary to the welfare and best interests of the child; [and]
- (8) findings and orders related to the requirements of Rule 1149 regarding family finding[.]; and
- (9) findings as to whether there is reason to know the child is an Indian child pursuant to Rule 1203.

[E.]**(e)** **Execution of [order] Order.** The court shall specify:

- (1) the limitations of the order;
- (2) the manner in which the order is to be executed; and
- (3) who shall execute the order.

Comment: See 42 Pa.C.S. § 6324 for statutory provisions concerning taking into custody.

For a discussion of the due process requirements for taking a child into emergency custody, see *Patterson v. Armstrong County Children and Youth Services*, 141 F. Supp. 2d 512 (W.D. Pa. 2001).

The court is to determine whether reasonable efforts, including services and family finding efforts, were made to prevent placement or in the case of an emergency placement where services were not offered and could not have prevented the necessity of placement, whether this level of effort was reasonable due to the emergency nature of the situation, safety considerations and circumstances of the family. See 42 Pa.C.S. § 6332.

See also *In re Petition to Compel Cooperation with Child Abuse Investigation*, 875 A.2d 365 (Pa. Super. [Ct.] 2005).

The court is required to inquire and determine whether any participants have reason to know whether the child is an Indian child. The court is also required to advise the participants of their obligation to report to the court if they subsequently receive information that provides a reason to know the child is an Indian child. See Pa.R.J.C.P. 1203.

Pursuant to [paragraph (D)(8)] subdivision (d)(8), the county agency should be looking for family and kin as a resource to aid and assist the family to prevent removal of the child from the home. When removal of the child is necessary, placement with family and kin will help reduce the potential trauma of the removal from the home. See Rule 1149 regarding family finding requirements.

[Official Note: Rule 1210 adopted August 21, 2006, effective February 1, 2007. Amended July 13, 2015, effective October 1, 2015.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1210 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006). Final Report explaining the amendments to Rule 1210 published with the Court's Order at 45 Pa.B. 3987 (July 25, 2015).]

Rule 1240. Shelter Care Application.

[A.]**(a)** **Filings.** A shelter care application may be oral or in writing. If oral, [within twenty-four hours of exercising protective custody pursuant to Rule 1210,] the county agency shall file a written shelter care application within 24 hours of exercising protective custody pursuant to Rule 1210.

[B.]**(b)** **Application [contents] Contents.** Every shelter care application shall set forth:

the name of the applicant;
the name, date of birth, and address of the child, if known;

the name and address of the child's guardian, or if unknown, the name and address of the nearest adult relative;
the date that the child was taken into custody;
a concise statement of facts in support of the allegation of dependency;
a statement detailing family finding efforts and:
[(a)](i) the reasonable efforts made to prevent placement; and
[(b)](ii) why there are no less restrictive alternatives available;
a verification by the applicant that the facts set forth in the petition are true and correct to the applicant's personal knowledge, information, or belief, and that any false statements are subject to the penalties of [the Crimes Code,] 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities;
the signature of the applicant and the date of the execution of the application; [and]
the whereabouts of the child unless the county agency has determined it would pose a risk to the safety of the child or the guardian, or disclosure is prohibited by the court[.]; and
whether the applicant has reason to know the child is an Indian child as defined in Rule 1120.

Comment: In lieu of a shelter care application, the county agency may file a petition as set forth in Rule 1330.

The primary focus of the shelter care application is to assert that protective custody is needed, and the child should remain in the custody of the county agency. A shelter care hearing is to be held within [seventy-two] 72 hours of taking the child into protective custody. See [Rule 1242(D)] **Pa.R.J.C.P. 1242(d).**

Pursuant to [paragraph (B)(6)] subdivision (b)(6), the application is to contain a statement detailing the reasonable efforts made to prevent placement and the specific reasons why there are no less restrictive alternatives available. This statement may include information such as: 1) the circumstances of the case; 2) family finding efforts made by the county agency; 3) contact with family members or other kin; 4) the child's educational, health care, and disability needs; and 5) any need for emergency actions.

See Rule 1149 regarding family finding requirements.

[Official Note: Rule 1240 adopted August 21, 2006, effective February 1, 2007. Amended April 29, 2011, effective July 1, 2011. Amended July 13, 2015, effective October 1, 2015.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1240 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006). Final Report explaining the amendments to Rule 1240 published with the Court's Order at 41 Pa.B. 2413 (May 14, 2011). Final Report explaining the amendments to Rule 1240 published with the Court's Order at 45 Pa.B. 3987 (July 25, 2015).]

Rule 1242. Shelter Care Hearing.

[A.]**(a)** **Informing of [rights] Rights.** Upon commencement of the hearing, the court shall ensure that:

- (1) a copy of the shelter care application is provided to the parties; and
- (2) all parties are informed of the right to counsel.

[B.]**(b)** **Manner of [hearing] Hearing.**

- (1) **Conduct.** The hearing shall be conducted in an informal but orderly manner.
- (2) **Recording.** If requested, or if ordered by the court, the hearing shall be recorded by appropriate means. If not so recorded, full minutes of the hearing shall be kept.
- (3) **Testimony and [evidence] Evidence.** All evidence helpful in determining the questions presented, including oral or written reports, may be received by the court and relied upon to the extent of its probative value even though not competent in the hearing on the petition. The child's attorney, the guardian, if unrepresented, and the attorney for the guardian shall be afforded an opportunity to examine and controvert written reports so received.
- (4) **Advanced [communication technology] Communication Technology.** Upon good cause shown, a court may utilize advanced communication technology pursuant to Rule 1129.

[C.]**(c)** **Findings.** The court shall determine whether:

- (1) there are sufficient facts in support of the shelter care application;
- (2) the county agency has reasonably engaged in family finding;
- (3) custody of the child is warranted after consideration of the following factors:

[(a)](i) remaining in the home would be contrary to the wel-

Court Notices

continued from 13

- [b](ii) fare and best interests of the child; reasonable efforts were made by the county agency to prevent the child's placement;
- [c](iii) the child's placement is the least restrictive placement that meets the needs of the child, supported by reasons why there are no less restrictive alternatives available; and
- [d](iv) the lack of efforts was reasonable in the case of an emergency placement where services were not offered;
- (4) a person, other than the county agency, submitting a shelter care application, is a party to the proceedings; **[and]**
- (5) there are any special needs of the child that have been identified and that the court deems necessary to address while the child is in shelter care[.]; **[and]**
- (6) **the county agency has made efforts to determine whether the child is an Indian child and whether any participant has reason to know the child is an Indian child pursuant to Rule 1203.**

[D.]d **Prompt [hearing] Hearing.** The court shall conduct a hearing within **[seventy-two]** 72 hours of taking the child into protective custody. The parties shall not be permitted to waive the shelter care hearing.

[E.]e **Court [order] Order.** At the conclusion of the shelter care hearing, the court shall enter a written order setting forth:

- (1) **its findings pursuant to [paragraph (C)] subdivision (c);**
- (2) **any conditions placed upon any party;**
- (3) **any orders regarding family finding pursuant to Rule 1149;**
- (4) **any orders for placement or temporary care of the child;**
- (5) **any findings or orders necessary to ensure the stability and appropriateness of the child's education, and when appropriate, the court shall appoint an educational decision maker pursuant to Rule 1147;**
- (6) any findings or orders necessary to identify, monitor, and address the child's needs concerning health care and disability, if any, and if parental consent cannot be obtained, authorize evaluations and treatment needed; **[and]**
- (7) any orders of visitation[.]; **[and]**
- (8) **whether there is reason to know the child is an Indian child pursuant to Rule 1203.**

Comment: Pursuant to **[paragraph (B)(4)] subdivision (b)(4)**, it is expected that the parties be present. Only upon good cause shown should advanced communication technology be utilized.

Pursuant to **[paragraph (C)] subdivision (c)**, the court is to make a determination that the evidence presented with the shelter care application under Rule 1240 is supported by sufficient facts. After this determination, the court is to determine whether the custody of the child is warranted by requiring a finding that: 1) remaining in the home would be contrary to the health and welfare of the child; 2) reasonable efforts were made by the county agency to prevent the placement of the child; 3) the child was placed in the least restrictive placement available; and 4) if the child was taken into emergency placement without services being offered, the lack of efforts by the county agency was reasonable. Additionally, the court is to state the reasons why there are no less restrictive alternatives available.

Family finding is to be initiated prior to the shelter care hearing. **See Comment to Rule 1149 as to level of reasonableness.**

Pursuant to **[paragraph (C)(2)] subdivision (c)(2)**, the court is to make a determination whether the county agency has reasonably engaged or is to engage in family finding in the case. The county agency will be required to report its diligent family finding efforts at subsequent hearings. **[See] See Rule 1149 for requirements of family finding.** **[See also] Rules 1408(2), 1512(D)(1)(h), 1514(A)(4), 1608(D)(1)(h),** **[See also] Rules 1408(b), 1512(D)(1)(h), 1514(a)(4), 1608(d)(1)(viii),** and 1610(D) and their Comments for the court's findings as to the county agency's satisfaction of the family finding requirements and Rules **[1210(D), 1409(C) and 1609(D)] 1210(d), 1409(c) and 1609(D)** and Comments to Rules 1408, 1409, 1512, 1514, 1515, and 1608[. 1609, 1610, and] - 1611 on the court's orders.

Pursuant to **[paragraph (C)(4)] subdivision (c)(4)**, the court is to determine whether **[or not]** a person is a proper party to the proceedings. Regardless of the court's findings on the party status, the court is to determine if the application is supported by sufficient evidence.

The court is required to inquire and determine whether any participants have reason to know whether the child is an Indian child. The court is also required to advise the participants of their obligation to report to the court if they subsequently receive information that provides a reason to know the child is an Indian child. See Pa.R.J.C.P. 1203.

Under **[paragraph (D)] subdivision (d)**, the court is to ensure a timely hearing. Nothing in **[paragraph (D)] subdivision (d)** is intended to preclude the use of stipulations or agreements among the parties, subject to court review and acceptance at the shelter care hearing.

See 42 Pa.C.S. § 6332 **(Informal Hearing).**

Pursuant to **[paragraph (E)] subdivision (e)**, the court is to enter a written order. It is important that the court address any special needs of the child while the child is in shelter care. The child's attorney or the county agency is to present any educational, health care, and disability needs to the court, if known at the time of the hearing. These needs may include a child's educational stability, needs concerning early intervention, remedial services, health care, and disability. If the court determines a child is in need of an educational decision maker, the court is to appoint an educational decision maker pursuant to Rule 1147.

The court's order should address the child's educational stability, including the right to an educational decision maker. The order should address the child's right to: 1) educational stability, including the right to: a) remain in the same school regardless of a change in placement when

it is in the child's best interest; b) immediate enrollment when a school change is in the child's best interest; and c) have school proximity considered in all placement changes, 42 U.S.C. §§ 675(1) (G) and 11431 *et seq.*; 2) an educational decision maker pursuant to Rule 1147, 42 Pa.C.S. § 6301, 20 U.S.C. § 1439(a)(5), and 34 C.F.R. § 300.519; 3) an appropriate education, including any necessary special education, early intervention, or remedial services pursuant to 24 P.S. §§ 13-1371 and 13-1372, 55 Pa. Code § 3130.87, and 20 U.S.C. §§ 1400 *et seq.*; 4) the educational services necessary to support the child's transition to successful adulthood pursuant to 42 Pa.C.S. § 6351 if the child is 14 or older; and 5) a transition plan that addresses the child's educational needs pursuant to 42 U.S.C. § 675(5)(H) if the child will age out of care within 90 days.

When addressing the child's health and disability needs, the court's order should address the right of: 1) a child to receive timely and medically appropriate screenings and health care services, 55 Pa. Code § 3800.32 and 42 U.S.C. § 1396d(r); and 2) a child with disabilities to receive necessary accommodations, 42 U.S.C. § 12132, 28 C.F.R. §§ 35.101 *et seq.*, Section 504 of the Rehabilitation Act of 1973, *as amended*, 29 U.S.C. § 794, and implementing regulations at 45 C.F.R. §§ 84.1 *et seq.*

Pursuant to the Juvenile Act, the court has authority to order a physical or mental examination of a child and medical or surgical treatment of a minor, who is suffering from a serious physical condition or illness which requires prompt treatment in the opinion of a physician. The court may order the treatment even if the guardians have not been given notice of the pending hearing, are not available, or without good cause inform the court that they do not consent to the treatment. **See** 42 Pa.C.S. § 6339(b).

Nothing in this rule prohibits informal conferences, narrowing of issues, if necessary, and the court making appropriate orders to expedite the case. The shelter care hearing may be used as a vehicle to discuss the matters needed and narrow the issues. The court is to ensure a timely adjudicatory hearing is held.

[See] See 42 Pa.C.S. § 6339 for orders of physical and mental examinations and treatment.

[See] See Rule **[1330(A)] 1330(a)** for filing of a petition.

Rule 1320. Application to File a Private Petition.

[A.]a **Application [contents] Contents.** Any person, other than the county agency, may present an application to file a private petition with the court. The application shall include the following information:

- (1) **the name of the person applying for a petition;**
- (2) **the name of the alleged dependent child;**
- (3) **the relationship of the person presenting this application to the child and to any other parties;**
- (4) **if known, the following:**
 - [a](i)** **the date of birth and address of the child;**
 - [b](ii)** **the name and address of the child's guardian, or the name and address of the nearest adult relative;**
 - [c](iii)** **[if a child is Native American, the child's Native American history or affiliation with a tribe] whether the applicant has reason to know the child is an Indian child as defined in Rule 1120;**
 - [d](iv)** **a statement, including court file numbers where possible, of pending juvenile or family court proceedings and prior or present juvenile or family court orders relating to the child;**
 - (5) **a concise statement of facts in support of the allegations for which the application for a petition has been filed;**
 - (6) **a statement that the applying person has reported the circumstances underlying this application to the county agency or a reason for not having reported the circumstances underlying the application;**
 - (7) **a verification by the person making the application that the facts set forth in the application are true and correct to the person's personal knowledge, information, or belief, and that any false statements are subject to the penalties of [the Crimes Code,] 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities; and**
 - (8) **the signature of the person and the date of the execution of the application for a petition.**

[B.]b **Notice to County Agency.** Upon receipt of an application, the court shall provide a copy of the application to the county agency. The county agency shall thereafter receive notice of the hearing.

Comment: Any person, other than the county agency, shall first file an application to file a petition under this **[Rule] rule**. Rule 1800 suspends 42 Pa.C.S. § 6334 to the extent it is inconsistent with this **[Rule] rule**.

See Rule 1321 for hearing on application.

This rule is not intended to preclude the county agency from seeking to intervene and participate in the hearing on the application. **See [Rule] Pa.R.J.C.P. 1133 (Motion to Intervene).** **[Official Note: Rule 1320 adopted August 21, 2006, effective February 1, 2007. Amended May 12, 2008, effective immediately. Amended May 16, 2017, effective July 1, 2017.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1320 published with the Court's Order at 36 Pa.B. 5599 (September 2, 2006). Final Report explaining the amendments to Rule 1320 published with the Court's Order at 38 Pa.B. 2360 (May 24, 2008). Final Report explaining the amendments to Rule 1320 published with the Court's Order at 47 Pa.B.

Court Notices

continued from 14

3079 (June 3, 2017).]

Rule 1321. Hearing on Application for Private Petition.

[A.](a)

Hearing. The court shall conduct a hearing within [fourteen] 14 days of the presentation of the application for a petition to determine:

- (1) if there are sufficient facts alleged to support a petition of dependency; [and]
- (2) **the efforts made by the applicant to determine whether the child is an Indian child and whether any participant has reason to know the child is an Indian child pursuant to Rule 1203; and**
- (3) whether the person applying for the petition is a proper party to the proceedings.

[B.](b) **Findings.**

- (1) **The court shall make a finding as to whether there is reason to know the child is an Indian child pursuant to Rule 1203.**
- (2) If the court finds sufficient facts to support a petition of dependency, then the applicant may file a petition pursuant to Rule 1330.
- (2)(3) If the court finds the person making the application for a petition is a proper party to the proceedings, then the person shall be afforded all rights and privileges given to a party pursuant to law.

[C.](c)

Joiner. Following grant of an application under this rule, the county agency shall be joined as a party in any further proceedings upon filing and service of a private petition pursuant to Rules 1330 and 1331.

Comment: Under [paragraph (A)] **subdivision (a)**, at a hearing, the court is to determine if: 1) there are sufficient facts alleged to support a petition of dependency; and 2) the applying person is a proper party to the proceedings. A petition of dependency may go forward [whether or not the applying person] **regardless of whether the applicant** is determined to be a party to the proceedings.

If a child is in custody, the hearing under [paragraph (A)] **subdivision (a)** may be combined with the shelter care hearing pursuant to Rule 1242.

The court is required to inquire and determine whether any participants have reason to know whether the child is an Indian child. The court is also required to advise the participants of their obligation to report to the court if they subsequently receive information that provides a reason to know the child is an Indian child. See Pa.R.J.C.P. 1203.

[Official Note: Rule 1321 adopted August 21, 2006, effective February 1, 2007. Amended May 16, 2017, effective July 1, 2017.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1321 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006). Final Report explaining the amendments to Rule 1321 published with the Court's Order at 47 Pa.B. 3079 (June 3, 2017).]

Rule 1330. Petition: Filing, Contents, Function, Aggravated Circumstances.

[A.](a) **Filings.**

- (1) **A dependency petition may be filed at any time; however, if a child is taken into custody, the requirements of [paragraph (A)(2)] subdivision (a)(2) shall be met.**
- (2) **Within [twenty-four] 24 hours of the shelter care hearing, the county agency shall file a dependency petition with the clerk of courts [when] if:**
 - (a)(i) the child remains in protective custody pursuant to Rule 1201, 1202 or 1210; or
 - (b)(ii) the child is not in protective custody but it is determined at a shelter care hearing pursuant to Rule 1242 that the filing of a dependency petition is appropriate.

[B.](b) **Petition [contents] Contents.** Every petition shall set forth plainly:

- (1) **the name of the petitioner;**
- (2) **the name, date of birth, and address of the child, if known;**
- (3) **the name and address of the child's guardian, or if unknown, the name and address of the nearest adult relative;**
- (4) **[if a child is Native American, the child's Native American history or affiliation with a tribe] whether the petitioner has reason to know the child is an Indian child as defined in Rule 1120; a statement [that]:**
 - (a)(i) **that** it is in the best interest of the child and the public that the proceedings be brought; **and**
 - (b)(ii) **whether** the child is [or is not] currently under the supervision of the county agency;
- (5) **a statement detailing family finding efforts and, if, whether the county agency is seeking placement:**
 - (a)(i) **the** reasonable efforts made to prevent placement; and
 - (b)(ii) **why** there are no less restrictive alternatives available;
- (6) **a concise statement of facts in support of the allegations for which the petition has been filed; with**
 - (a)(i) **facts for each allegation [shall be] set forth separately; and**
 - (b)(ii) **the relevant statute or code section [shall be] set forth specifically for each allegation;**
- (7) **a verification by the petitioner that the facts set forth in the petition are true and correct to the petitioner's personal knowledge, information, or belief, and that any false statements are subject to the penalties of [the Crimes Code,] 18 Pa.C.S. § 4904, relating to unsworn**

- (9) **falsification to authorities; the signature of the petitioner and the date of the execution of the petition; and**
- (10) **the whereabouts of the child unless disclosure is prohibited by court order and if taken into custody, the date and time thereof.**

[C.](c) **Aggravated [circumstances] Circumstances.** A motion for finding of aggravated circumstances may be brought in the petition pursuant to Rule 1701(A).

Comment: Petitions should be filed without unreasonable delay.

[Under paragraph (A)(2), a petition is to be filed twenty-four hours after the shelter care hearing if the requirements of (A)(2)(a) and (b) are met.] Rule 1800 suspends 42 Pa.C.S. § 6331 only as to the time requirement of when a petition is to be filed.

[Additionally, paragraph (A)(2)] **Subdivision (a)(2)** requires that the county agency file a petition. Any other person, other than the county agency, is to file an application to file a petition under Rule 1320. Rule 1800 suspends 42 Pa.C.S. § 6334, which provides any person may file a petition.

For the safety or welfare of a child or a guardian, the court may order that the addresses of the child or a guardian not be disclosed to specified individuals.

Pursuant to [paragraph (B)(6)] **subdivision (b)(6)**, when the county agency is seeking placement, the petition is to include the reasonable efforts made to prevent placement, including efforts for family finding, and why there are no less restrictive alternatives available. [See] See Rule 1149 for family finding requirements. [See also] Rule 1242(C)(2) & (3)(b) & (c) See also Rule 1242(c)(2), (c)(3)(ii)-(c)(3)(iii), and Comments to Rules 1242, 1409, 1515, and 1608[, 1609, 1610, and] - 1611 for reasonable efforts determinations.

If a petition is filed after the county agency has discontinued family finding for non-court cases, the county agency is to aver reasons for the discontinuance in the petition. See 67 Pa.C.S. § 7503.

A motion for finding of aggravated circumstances may be brought in a dependency petition. See [Rule] Pa.R.J.C.P. 1701(A). If aggravated circumstances are determined to exist after the filing of a petition, a written motion is to be filed pursuant to Rules 1701 and 1344.

The aggravated circumstances, as defined by 42 Pa.C.S. § 6302, are to be specifically identified in the motion for finding of aggravated circumstances.

Rule 1408. Findings on Petition.

The court shall enter findings, within seven days of hearing the evidence on the petition or accepting stipulated facts by the parties:

- (1)(a) **by specifying which, if any, allegations in the petition were proved by clear and convincing evidence; [and]**
- (2)(b) **[its findings] as to whether the county agency has reasonably engaged in family finding as required pursuant to Rule 1149[.]; and**
- (c) **as to the efforts made by the county agency to determine whether the child is an Indian child and whether any participant has reason to know the child is an Indian child pursuant to Rule 1203.**

Comment: The court is to specify which allegations in the petition are the bases for the finding of dependency.

Pursuant to [paragraph (2)] **subdivision (b)**, the court is to [make a determination] **determine** whether the county agency has reasonably engaged in family finding in the case. The county agency will be required to report its diligent family finding efforts at subsequent hearings. [See] See Rule 1149 for requirements of family finding. [See also] See also Rules [1210(D) (8), 1242(E)(3), 1512(D)(1)(h), 1514(A)(4), 1608(D)(1)(h)] 1210(d)(8), 1242(e)(3), 1512(D)(1)(h), 1514(a)(4), 1608(d)(1)(viii), and 1610(D) and their Comments for the court's findings as to the county agency's satisfaction of the family finding requirements and Rules [1242(E)(3), 1409(C)] 1242(e)(3), 1409(c), 1609(D), and 1611(C) and Comments to Rules 1242, 1409, 1512, 1514, 1515, and 1608[, 1609, 1610, and] - 1611 on the court's orders.

The court is required to inquire and determine whether any participants have reason to know whether the child is an Indian child. The court is also required to advise the participants of their obligation to report to the court if they subsequently receive information that provides a reason to know the child is an Indian child. See Pa.R.J.C.P. 1203.

[Official Note: Rule 1408 adopted August 21, 2006, effective February 1, 2007. Amended July 13, 2015, effective October 1, 2015.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1408 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006). Final Report explaining the amendments to Rule 1408 published with the Court's Order at 45 Pa.B. 3987 (July 25, 2015).]

Rule 1409. Adjudication of Dependency and Court Order.

[A.](a) **Adjudicating the [child dependent] Child Dependent.** Once the court has made its findings under Rule 1408, the court shall enter an order whether the child is dependent.

(1) **Dependency.** If the court finds from clear and convincing evidence that the child is dependent, the court shall proceed to a dispositional hearing under Rule 1512.

(2) **No [dependency] Dependency.** If the court finds the child not to be dependent or the court finds a parent ready, willing, and able to provide proper parental care or control, the court shall:

[a](i) **dismiss the petition;**

Court Notices

continued from 15

- [(b)](ii) order the child to be discharged from custody and any restrictions ordered in the proceedings; and
- [(c)](iii) enter an order identifying individual(s) who will have the legal and physical custody until such order is modified by further order of the court.

[B.](b) Timing.

- (1) **Child in [custody] Custody.** If a child is removed from the home, the court shall enter an adjudication of dependency within seven days of the adjudicatory hearing and enter its findings pursuant to Rule 1408.
- (2) **Child [not in custody] Not in Custody.** If a child is not removed from the home and if the court fails to enter an order of dependency, the court shall hold a status hearing every [thirty] 30 days.

[C.](c) Court [order] Order.

- (1) A statement pursuant to [paragraph (A)] subdivision (a):
 - [(a)](i) as to whether the court finds the child to be dependent from clear and convincing evidence;
 - [(b)](ii) *including the specific factual findings that form the bases of the court's decision;*
 - [(c)](iii) including any legal determinations made; and
- (2) Any orders directing the removal of a child from the home or change in the current residential status, including:
 - [(a)](i) orders as to placement; [or]
 - [(b)](ii) visitation; or
 - [(c)](iii) change in custody; and
- (3) Any orders as to any aids in disposition that may assist in the preparation of the dispositional hearing, including orders regarding family finding.
- (4) **Whether there is reason to know the child is an Indian child pursuant to Rule 1203.**

Comment: Before the court can find a child to be dependent, there must be clear and convincing evidence in support of the petition. The burden of proof is on the petitioner. The court's inquiry is to be comprehensive, and its findings are to be supported by specific findings of fact and a full discussion of the evidence. *In re LaRue*, [244 Pa. Super. 218,] 366 A.2d 1271 (Pa. Super. 1976). See also *In re Frank WD, Jr.*, [315 Pa. Super. 510,] 462 A.2d 708 (Pa. Super. 1983); *In re Clouse*, [244 Pa. Super. 396,] 368 A.2d 780 (Pa. Super. 1976). The evidence must support that the child is dependent. *In the Matter of DeSavage*, [241 Pa. Super. 174,] 360 A.2d 237 (Pa. Super. 1976). [The court is not free to apply the best interest of the child standard as the requirements of the Juvenile Act, 42 Pa.C.S. § 6341(c), require clear and convincing evidence that the child is dependent is the proper standard.] The court must apply the clear and convincing evidence standard (not the best interest of the child standard) that the child is dependent per the requirements of the Juvenile Act, 42 Pa.C.S. § 6341(c). *In re Haynes*, [326 Pa. Super. 311,] 473 A.2d 1365 (Pa. Super. 1983). A child, whose non-custodial parent is ready, willing, and able to provide adequate care for the child, cannot be found dependent on the basis of lacking proper parental care and control. *In re M.L.*, [562 Pa. 646,] 757 A.2d 849 (Pa. 2000). A trial court has the authority to transfer custody or modify custody to the child's non-custodial parent without a finding of dependency if sufficient evidence of dependency would have existed but for the availability of the non-custodial parent. *In re Justin S.*, [375 Pa. Super. 88,] 543 A.2d 1192 (Pa. Super. 1988).

The court is to specify which allegations in the petition are the bases for the finding of dependency pursuant to Rule 1408. The court is to make an adjudication of dependency based upon the allegations in the petition, not on alternative grounds. Due process and fundamental fairness require adequate notice of the allegations to afford a reasonable opportunity to prepare a defense. *In re R.M.*, [567 Pa. 646,] 790 A.2d 300 (Pa. 2002).

[Under paragraph (B), if a child is removed from the home, a finding of dependency is to be made within seven days.]

Under [paragraph (C)(3)] subdivision (c)(3), aids in disposition may include, but are not limited to, any services, investigations, evaluations, studies, treatment plans, and any other appropriate reports that may aid the court in making its determination at the dispositional hearing. See 42 Pa.C.S. § 6339 for orders of a social study or physical and mental examinations and treatment.

See also 42 Pa.C.S. §§ 6341 (Adjudication) [&] and 6302 (Definitions).

Pursuant to [paragraph (C)(3)] subdivision (c)(3), when making its determination for reasonable efforts made by the county agency, the court is to consider the extent to which the county agency has fulfilled its obligation pursuant to Rule 1149 regarding family finding. [See also Rules 1242(C)(2) & (3)(b) & (c) and 1330(B)(6)] See also Rule 1242(c)(2), (c)(3)(ii)-(c)(3)(iii), Rule 1330(b)(6), and Comments to Rules 1242, 1330, 1515, and 1608, 1609, 1610, and 1611 for reasonable efforts determinations.

If the requirements of Rule 1149 regarding family finding have not been met, the court is to make necessary orders to ensure compliance by enforcing this legislative mandate. See 67 Pa.C.S. §§ 7501 *et seq.* See also Pa.R.J.C.P. [1242(E)(3)] 1242(e)(3) and 1609(D), and Comments to Pa.R.J.C.P. 1242, 1408, 1512, 1514, 1515, and 1608-1611.

Rule 1515. Dispositional Order.

Comment:

When making its determination for reasonable efforts made by the county agency, the court is to consider the extent to which the county agency has fulfilled its obligation pursuant to Rule 1149 regarding family finding. See also Rules [1240(B)(6), 1242(C)(2) & (3)(b) & (c), and 1330(B)(6)] 1240(b)(6), 1242(c)(2), (c)(3)(ii)-(c)(3)(iii), and 1330(b)(6), and Comments to Rules 1242, 1330, 1409, 1608, 1609, 1610, and 1611 for reasonable efforts determinations.

Rule 1608. Permanency Hearing.

Comment:

When making its determination for reasonable efforts made by the county agency, the court is to consider family finding. See also Pa.R.J.C.P. [1240(B)(6), 1242(C)(2) & (3)(b) & (c), and 1330(B)(6)] 1240(b)(6), 1242(c)(2), (c)(3)(ii)-(c)(3)(iii), and 1330(b)(6), and Comments to Pa.R.J.C.P. 1242, 1330, 1409, 1515, 1609, and 1611 for reasonable efforts determinations.

Rule 1609. Permanency Hearing Orders.

Comment:

Pursuant to paragraph (D), when making its determination for reasonable efforts made by the county agency, the court is to consider the extent to which the county agency has fulfilled its obligation pursuant to Rule 1149 regarding family finding. See also Rules [1240(B)(6), 1242(C)(2) & (3)(b) & (c), and 1330(B)(6)] 1240(b)(6), 1242(c)(2), (c)(3)(ii)-(c)(3)(iii), and 1330(b)(6), and Comments to Rules 1242, 1330, 1409, 1515, 1608, 1609, and 1611 for reasonable efforts determinations.

Rule 1610. Permanency Hearing for Children over Eighteen.

Comment:

When making its determination for reasonable efforts made by the county agency, the court is to consider family finding. See also Rules [1240(B)(6), 1242(C)(2) & (3)(b) & (c), and 1330(B)(6)] 1240(b)(6), 1242(c)(2), (c)(3)(ii)-(c)(3)(iii), and 1330(b)(6), and Comments to Rules 1242, 1330, 1409, 1515, 1608, 1609, and 1611 for reasonable efforts determinations.

Rule 1611. Permanency Hearing Orders for Children over Eighteen.

Comment:

Pursuant to paragraph (C), when making its determination for reasonable efforts made by the county agency, the court is to consider the extent to which the county agency has fulfilled its obligation pursuant to Rule 1149 regarding family finding. See also Rules [1240(B)(6), 1242(C)(2) & (3)(b) & (c), and 1330(B)(6)] 1240(b)(6), 1242(c)(2), (c)(3)(ii)-(c)(3)(iii), and 1330(b)(6), and Comments to Rules 1242, 1330, 1409, 1515, 1608, 1609, and 1610 for reasonable efforts determinations.

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

Administrative Order 10 of 2025

In re: Stay of Post-Conviction 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;

AND, WHEREFORE, the Court having been made further aware that the Attorney General is unable to proceed with criminal matters filed under the Pennsylvania Post Conviction Relief Act ("PCRA"), 42 Pa.C.S. § 9541 *et seq.*, it is hereby ORDERED and DECREED that all PCRA 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 PCRA matter 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 while this Stay is in effect, the entry of appearance by the attorney on behalf of the Pennsylvania Office of Attorney General via the attached letter (attached as an Exhibit to this Order) shall be stayed for at least 30 days.

Court Notices

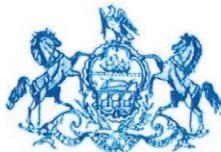
continued from 16

vania Office of Attorney General must be accompanied by a Praeipe to Stay the Action, together with a copy of this Order.

It is further ORDERED that the Stay shall remain in effect until September 21, 2025 unless the Office of Attorney General notifies the Court before September 21, 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.

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 21, 2025



DAVID W. SUNDAY, JR.
ATTORNEY GENERAL
COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

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

August 12, 2025

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

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 on going 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,
/s/
CARA B. GREENHALL
Senior Deputy Attorney General-in-Charge Torts Litigation Section
Eastern Regional Office

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 Praeipe 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

Court Notices

continued from 17

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.

(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 18

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,

Tariq K. El-Shabazz, Esq.

Undersheriff

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:

ORDER REGARDING
IMPLEMENTATION AND
RECOGNITION OF NEXTGEN
UNIFORM BAR EXAMINATION FOR PURPOSES OF
THE PENNSYLVANIA BAR ADMISSION RULES

NO. 1017

SUPREME COURT RULES DOCKET ORDER

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

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 decedent 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

Court Notices

continued from 19

(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:

- 1. 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.
- 2. 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.
- 3. 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.
- 4. Counsel may file subsequent petitions for allowance if additional attorneys' fees are incurred thereafter with respect to the Petition.
- 5. Counsel shall record their time and submit the time records along with the Petition for Allowance.
- 6. 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: NO. 1012
ORDER AMENDING RULES 140 AND SUPREME COURT RULES DOCKET
141 OF THE PENNSYLVANIA RULES
OF JUVENILE COURT PROCEDURE

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 appropriate registries.

[C.] (c) Juvenile.

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

(a) 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.

Court Notices

continued from 20

[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.

- [1]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 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.

Court Notices

continued from 21

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] 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 (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.

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

Court Notices

continued from 22

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 CPCMS, 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.

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: NO. 766
ORDER AMENDING RULES 1915.3-2, CIVIL PROCEDURAL RULES DOCKET
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

ORDER

PER CURIAM

Court Notices

continued from 23

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. 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

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).

Court Notices

continued from 24

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, 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 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

Court Notices

continued from 25

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 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 § 5323(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.

² The Act has added "restrictions or safeguards" to "safety conditions." *See* 23 Pa.C.S. § 5323(e)(1)(i).

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.

Court Notices

continued from 26

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 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

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.

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)				
	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)				

Court Notices

continued from 27

18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure)	_____	_____	18 Pa.C.S. § 5534 (relating to aggravated cruelty to animal)	_____	_____
18 Pa.C.S. Ch. 30 (relating to human trafficking)	_____	_____	18 Pa.C.S. § 5543 (relating to animal fighting)	_____	_____
18 Pa.C.S. § 3121 (relating to rape)	_____	_____	18 Pa.C.S. § 5544 (relating to possession of animal fighting paraphernalia)	_____	_____
18 Pa.C.S. § 3122.1 (relating to statutory sexual assault)	_____	_____	18 Pa.C.S. § 5902(b) or (b) (1) (relating to prostitution and related offenses)	_____	_____
18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse)	_____	_____	18 Pa.C.S. § 5903(c) or (d) (relating to obscene and other sexual materials and performances)	_____	_____
18 Pa.C.S. § 3124.1 (relating to sexual assault)	_____	_____	18 Pa.C.S. § 6301 (relating to corruption of minors)	_____	_____
18 Pa.C.S. § 3125 (relating to aggravated indecent assault)	_____	_____	18 Pa.C.S. § 6312 (relating to sexual abuse of children)	_____	_____
18 Pa.C.S. § 3126 (relating to indecent assault)	_____	_____	18 Pa.C.S. § 6318 (relating to unlawful contact with minor)	_____	_____
18 Pa.C.S. § 3127 (relating to indecent exposure)	_____	_____	18 Pa.C.S. § 6320 (relating to sexual exploitation of children)	_____	_____
18 Pa.C.S. § 3129 (relating to sexual intercourse with animal)	_____	_____	23 Pa.C.S. § 6114 (relating to contempt for violation of protection order or agreement)	_____	_____
18 Pa.C.S. § 3130 (relating to conduct relating to sex offenders)	_____	_____	Driving under the influence of drugs or alcohol	_____	_____
18 Pa.C.S. § 3301 (relating to arson and related offenses)	_____	_____	Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device	_____	_____
18 Pa.C.S. § 4302 (relating to incest)	_____	_____	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:		
18 Pa.C.S. § 4303 (relating to concealing death of child)	_____	_____	Check all that apply	Self	Other household member
18 Pa.C.S. § 4304 (relating to endangering welfare of children)	_____	_____	A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction.	_____	Date
18 Pa.C.S. § 4305 (relating to dealing in infant children)	_____	_____			
18 Pa.C.S. § 5533 (relating to cruelty to animal)	_____	_____			

Court Notices

continued from 28

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: _____

3. Please list any evaluation, counseling or other treatment received following conviction or finding of abuse:

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.

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:

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 unworn falsification to authorities.

Signature _____

Printed Name] _____

(This is entirely new text.)

(a) **Criminal Record/Abuse History Verification.**

- (1) **Confidential Document.** A party's filed Criminal Record/Abuse History Verification form shall be confidential and shall not be publicly accessible.
- (2) **Plaintiff or Petitioner.** Contemporaneous with filing a custody action or a contempt proceeding, the plaintiff or petitioner shall:
 - (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
 - (ii) serve the complaint, petition, or counterclaim on the defendant or respondent with:
 - (A) a copy of the filed Criminal Record/Abuse History Verification form; and
 - (B) a blank Criminal Record/Abuse History Verification form for the defendant or respondent to complete and file.
- (3) **Defendant or Respondent.** After being served pursuant to subdivision (a)(2)(ii), the defendant or respondent shall:
 - (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
 - (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.

(4) **Updating Criminal Record/Abuse History Verification Form.**

- (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.
- (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.

(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.

(b) **Evaluation.**

- (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.
 - (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:
 - (A) the party's Criminal Record/Abuse History Verification form; and
 - (B) other information or documentation of the party's or household member's criminal record or abuse history that is provided by either party.
 - (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:
 - (A) the severity of the offense or abuse;
 - (B) when the offense or abuse occurred;
 - (C) if the victim was a child or family member; and
 - (D) whether the offense or abuse involved physical violence.

- (2) **Additional Evaluation or Counseling.** If the initial 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)

Court Notices

continued from 29

— 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)		
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)		

Court Notices

continued from 30

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 con-
cealing death of
child)

18 Pa.C.S. § 4304
(relating to endan-
gering welfare of
children)

18 Pa.C.S. § 4305
(relating to deal-
ing in infant chil-
dren)

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

18 Pa.C.S. § 5534
(relating to aggra-
vated cruelty to
animal)

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

18 Pa.C.S. § 5544
(relating to pos-
session of animal
fighting parpher-
nalia)

18 Pa.C.S. §
5902(b) or (b.1)
(relating to prosti-
tution 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 cor-
ruption of minors)

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

18 Pa.C.S. § 6318
(relating to unlaw-
ful contact with
minor)

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

Finding of
contempt of a
Protection from
Abuse order or
agreement under
23 Pa.C.S. § 6114

Finding of
contempt of a
Protection of
Victims of Sexual
Violence and
Intimidation order
or agreement
under 42 Pa.C.S.
§ 62A14

Driving under the
influence of drugs
or alcohol

Manufacture, sale,
delivery, holding,
offering for sale
or possession of
any controlled
substance or other
drug or device

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?: _____

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.

Court Notices

continued from 31

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 _____ Plaintiff/Defendant
Signature _____ 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:
 - ① "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.
 - ② "County agency" shall have the same meaning as set forth in Pa.R.J.C.P. 1120 (defining "county agency").
 - ③ "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:

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)

Court Notices

continued from 32

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

B. Determination date:
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 *praecipe* 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 *praecipe* 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 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 *praecipe* for pre-trial conference shall be substantially in the following form:

(Caption)

PRAECLPICE 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 _____.

Court Notices

continued from 33

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 *praecipe* set forth in subdivision (h).
 - (ii) A party may file the *praecipe* 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).

(e) **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 *praecipe* for pre-trial conference required by this rule shall be substantially in the following form:

PRAEVICE 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*.

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.

Court Notices

continued from 34

(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.)

(α) **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.

(β) **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.

(γ) **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.

(δ) **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 writ-

ten 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 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

- The plaintiff is _____, residing at (Street) _____ (City) _____ (Zip Code) _____ (County) _____.
- The defendant is _____, residing at (Street) _____ (City) _____ (Zip Code) _____ (County) _____.
- 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
------	-------------------	-----

Court Notices

continued from 35

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

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

(Street) _____ (City) _____
(State)

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
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)

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*.]

Court Notices

continued from 36

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) (partial 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 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. Medical expenses do not include cosmetic, chiropractic, [psychiatric, psychological,] or other services unless spe-

(iii)

Court Notices

continued from 37

- (2) cifically directed in the order of court. 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. § 1185a(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).

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

Court Notices

continued from 38

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 prose], 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 [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 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).

Court Notices

continued from 39

Third, subdivision (d) sets forth the methods of serving a subpoena within the Commonwealth. 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 maybe 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:

Carla 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 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

Court Notices

continued from 40

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 Committees
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.

Additionally, Pa.R.Civ.P. 235 does not differentiate between "as applied" or "as written" challenges. The Committee believed that proposed Pa.R. Crim.P579.1 (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 timely notice, or absolute failure to pro-

vide 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 Marcea 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.

PUBLIC NOTICES

Jennifer McCullough ■ 215.557.2321 ■ jmccullough@alm.com

ESTATE NOTICES

NOTICE TO COUNSEL

Your attention is directed to Section 3162 of the Probate, Estates and Fiduciaries Code of June 30, 1972 (Act No. 164) which requires advertisement of grant of letters to contain the name and address of the personal representatives.

ORPHANS' COURT OF
PHILADELPHIA COUNTY

Letters have been granted on the Estate of each of the following decedents to the representatives named, who request all persons having claims against the Estate to present them in writing and all persons indebted to the Estate to make payment to them (unless otherwise noted all addresses being in Philadelphia)

ESTATE NOTICES

AYRES, ELEANOR V. (a/k/a ELEANOR AYRES) — Mark DiGiovanni, Executor, c/o Paul H. Masciantonio, Esq., 1806 Callowhill St., Philadelphia, PA 19130; Paul H. Masciantonio, Atty., 1806 Callowhill St., Philadelphia, PA 19130.

9-22-3

AZZARANO, ANGELA A. — Celeste Ann Ravello, Executrix, c/o Frank C. DePasquale, Jr., Esq., 2332-34 S. Broad St., Philadelphia, PA 19145; Frank C. DePasquale, Jr., Atty., DePasquale Law Offices, 2332-34 S. Broad St., Philadelphia, PA 19145.

9-22-3

BRAGGS, AMAR — Ameena Brown and Evan Braggs, Administrators, c/o Kristen L. Behrens, Esq., 1650 Market St., Ste. 1200, Philadelphia, PA 19103; Kristen L. Behrens, Atty., Dilworth Paxson LLP, 1650 Market St., Ste. 1200, Philadelphia, PA 19103.

9-22-3

BRUMMETT, PHYLLIS — Robert Brummett, Executor, 6025 Michael Dr., Bensalem, PA 19020; John Slowinski, Attorney, 3143 Knights Road, Bensalem, PA 19020.

9-22-3*

BURKE, JR., JAMES J. — James J. Burke, Executor, c/o Ned Hark, Esq., 7716 Castor Ave., Philadelphia, PA 19152; Ned Hark, Attorney, Goldsmith Hark & Hornak, PC, 7716 Castor Ave., Philadelphia, PA 19152.

9-22-3*

CAMPBELL, EILEEN B. — Patricia H. Hoover, Executrix, c/o Stephen T. Elinski, Esq., 301 E. Germantown Pike, 1st Fl., East Norriton, PA 19401; Stephen T. Elinski, Atty., Salvo Rogers Elinski & Scullin, 301 E. Germantown Pike, 1st Fl., East Norriton, PA 19401.

9-22-3

DAVIS, BARBARA ANN — Warren Davis, Administrator, c/o Clair M. Stewart, Esq., The Land Title Bldg., 100 S. Broad St., #1523, Philadelphia, PA 19110; Clair M. Stewart, Atty., The Land Title Bldg., 100 S. Broad St., #1523, Philadelphia, PA 19110.

9-22-3

FORNWALT, CONSTANCE JOSEPHINE (a/k/a CONSTANCE FORNWALT a/k/a CONSTANCE J. FORNWALT) — Harold Fornwalt, Jr., Executor, c/o Hope Bosniak, Esq., 600 Easton Rd., Willow Grove, PA 19090; Hope Bosniak, Attorney, Dessen, Moses & Rossitto, 600 Easton Rd., Willow Grove, PA 19090.

9-22-3*

ESTATE NOTICES

FRAGA, LUZ M. (a/k/a LUZ MARINA FRAGA) — Maria P. Fraga-Delahunt, Administratrix CTA, c/o Nancy W. Pine, Esq., 104 S. Church St., West Chester, PA 19382; Nancy W. Pine, Atty., Pine & Pine LLP, 104 S. Church St., West Chester, PA 19382.

9-22-3

FRANCIS, CALVIN LEON, SR. — Dezerae Francis, Administratrix, 7860 Saturn Place, Philadelphia, PA 19153; Kristen R. Matthews, Atty., Kristen Mathews Law, 14 E. Welsh Pool Rd., Exton, PA 19341.

9-22-3

LO, YUEN WING — Yuen Chi Wong, Administrator, c/o Lewis & McIntosh, LLC, 372 N. Lewis Road, P.O. Box 575, Royersford, PA 19468; Damien D. Brewster, Atty., Lewis & McIntosh, LLC, 372 N. Lewis Road, P.O. Box 575, Royersford, PA 19468.

9-22-3*

McLAURIN, NICOLE — Kevin McLaurin, Administrator, 6227 Magnolia St., Philadelphia, PA 19144; Rhonda Anderson, Atty., Anderson Law Group, 610 Old York Rd., Ste. 400, Jenkintown, PA 19046.

9-22-3

O'MALLEY, FRANCES A. — Colleen Mary Ziegler, Executrix, c/o Lara A. Bolte Esq., 1260 Bustleton Pike, Feasterville, PA 19053; Lara A. Bolte, Atty., Dilworth Paxson, LLP, 1260 Bustleton Pike, Feasterville, PA 19053.

9-22-3

PUGH, MARILYN A. — Leslie Pugh Schultz, Executrix, c/o Denise A. Kuestner, Esq., 1818 Market St., Ste. 2430, Philadelphia, PA 19103; Denise A. Kuestner, Atty., Langsam Stevens Silver & Hollaender LLP, 1818 Market St., Ste. 2430, Philadelphia, PA 19103.

9-22-3

REZNIKOV, GREGORY — Lyubov Papier, Executrix, 300 Winston Dr., Apt. 2217, Cliffside Park, NJ 07010; Michael L. Galbraith, Atty., Galbraith Law, LLC, 1845 Walnut St., 25th Fl., Philadelphia, PA 19103.

9-22-3

SHAW, MARGARET MARY (a/k/a MARGARET M. McGOUGH, MARGARET M. SHAW) — Daniel Shaw, Executor, c/o Hilary A. Fuelleborn, Esq., 1260 Bustleton Pike, Feasterville, PA 19053; Hilary A. Fuelleborn, Atty., Dilworth Paxson, LLP, 1260 Bustleton Pike, Feasterville, PA 19053.

9-22-3

SHIMONY, MAUREEN — John M. Shimony, Administrator, c/o Lara A. Bolte Esq., 1260 Bustleton Pike, Feasterville, PA 19053; Lara A. Bolte, Atty., Dilworth Paxson, LLP, 1260 Bustleton Pike, Feasterville, PA 19053.

9-22-3

TAYLOR-SAWYER, JULIET — Stacie Sawyer, Executrix, 6223 Camac St., Philadelphia, PA 19141; Rhonda Anderson, Atty., Anderson Law Group, 610 Old York Rd., Ste. 400, Jenkintown, PA 19046.

9-22-3

WALKER, LILLIT LASCELLES (a/k/a LILLIT L. WALKER, LIL-LIT WALKER) — Kellee L. Baptiste, Executrix, c/o William B. Cooper, III, Esq., P.O. Box 673, Exton, PA 19341-0673; William B. Cooper, III, Atty., Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341-0673.

9-22-3

CITY COUNCIL

City of Philadelphia Public Hearing Notice

The Committee on Rules of the Council of the City of Philadelphia will hold a Public Hearing on **Tuesday, October 21, 2025, at 10:00 AM**, in **Room 400, City Hall**, to hear testimony on the following items:

240063 An Ordinance amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," to create a distinction between hospitals and alcohol or substance use rehabilitation facilities.

250534 An Ordinance continuing the Mayfair Business Improvement District ("District") beyond its termination date in an area that generally includes both sides of Frankford Avenue from the north side of Harbison Avenue to the south side of Sheffield Street and certain blocks of streets that intersect that portion of Frankford Avenue; approving a change of the boundaries of the District to include 6700 Rowland Avenue to the service area; approving a change of boundaries of the District to remove from the service area 4014 through 4034 Robbins Street as well as 3501 through 3539 Ryan Avenue; continuing the Mayfair Business Improvement District, Inc., a Pennsylvania non-profit corporation, as the neighborhood improvement district management association for the District; approving a plan for and report concerning the District; authorizing the Director of Commerce, on behalf of the City, to execute an agreement with the Mayfair Business Improvement District, Inc. relating to the District; and reauthorizing the Mayfair Business Improvement District, Inc. to assess property owners within the District a special property assessment fee to be used in accordance with the approved plan; all in accordance with the provisions of the Community and Economic Improvement Act, and under certain terms and conditions.

250572 An Ordinance amending Section 2-112 of The Philadelphia Code, entitled "City Commissioners," by removing the powers and duties of the Department of Licenses and Inspections over matters relating to weights and measures; amending Title 9, entitled "Regulation of Businesses, Trades and Professions," by removing provisions relating to amusement devices, and weights and measures and making related technical changes; and amending Title 19, entitled "Finance, Taxes and Collections," by eliminating provisions related to amusement licenses and weights and measures registration; all under certain conditions.

250577 An Ordinance repealing in its entirety the following Ordinance, approved December 23, 2024: Bill No. 240964-A02 (authorizing the City of Philadelphia to organize an authority to be known as The Arena Services District Authority, pursuant to the terms of the Pennsylvania Municipality Authorities Act, all under certain terms and conditions).

250648 An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by North Street, Broad Street, Wallace Street, and 15th Street.

250767 An Ordinance repealing in its entirety Bill No. 240415 (approved July 19, 2024), entitled "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Island Avenue, the Delaware Expressway, and Bartram Avenue."

250800 An Ordinance amending Title 14-602, entitled "Use Tables," by prohibiting drug paraphernalia sales in certain industrial districts, all under certain terms and conditions.

250802 An Ordinance amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning" by revising and clarifying certain provisions and making technical changes to text that has expired, all under certain terms and conditions.

250803 An Ordinance amending Section 14-524 of The Philadelphia Code, entitled "/FDO Fourth District Overlay District" by clarifying allowed uses, all under certain terms and conditions.

250804 An Ordinance amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending certain provisions of Chapter 14-500, entitled "Overlay Zoning Districts," by creating the "/UCO, University-Community Overlay District"; and by making related changes, all under certain terms and conditions

250808 An Ordinance amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning" by revising and clarifying certain provisions and making technical changes to text that has expired, all under certain terms and conditions.

250810 An Ordinance amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning" by clarifying certain provisions related to mixed income housing, revising the quality standards for affordable units within mixed income developments and making related technical changes, all under certain terms and conditions.

250811 An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Ardleigh Street, East Sedgwick Street, the SEPTA Chestnut Hill East Line and East Gorgas Lane.

Immediately following the public hearing, a meeting of the Committee on Rules, open to the public, will be held to consider the action to be taken on the above listed items.

Copies of the foregoing items are available in the Office of the Chief Clerk of the Council, Room 402, City Hall.

The Legal Intelligencer

An ALM Product

NAME CHANGE

Court of Common Pleas for the County of Philadelphia, September Term, 2025, No. NC2509005. NOTICE IS HEREBY GIVEN that on September 16, 2025, the petition of **Suwen Chen** and **Lei Zhan** was filed, praying for a decree to change their Minor Child's name from **Yvonna Chen** to **Yvonna Zhan**. The Court has fixed November 6, 2025, at 9:00 A.M. in Room No. 6F, Family Court, 1501 Arch Street, Philadelphia, PA 19102 for a hearing. All persons interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

10-6-1*