

PUBLIC NOTICES

Brian Harris ■ 215.557.2496 ■ bharris@alm.com

The Legal Intelligencer

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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)

BAILER, DEBRA A. -- Donna M. D'Ambrosio, Executrix, c/o Dianne C. Magee, Esquire, P.O. Box 215, Perkasie, PA 18944; Dianne C. Magee, Esq., Attorney, P.O. Box 215, Perkasie, PA 18944.
7-10-3*

BOOZER, THELMA R. -- Deborah T. Randolph, Executor, 5604 Silver Oak Court, Derwood, MD 20855.
7-10-3*

CLEMENTS, GEORGE WILLIAM, SR. -- Victor J. Clements, Sr., Administrator, 1203 E. Mount Airy Ave., Philadelphia, PA 19150; Marybeth O. Lauria, Atty., The Law Office of Michael S. Connor, LLC, 644 Germantown Pike, Ste. 2-C, Lafayette Hill, PA 19444.
7-10-3

CRAIG, KIMBERLY (a/k/a KIMBERLY MARIE CRAIG) -- Margery Dotter, Administratrix, c/o Erik P. Snyder, Esq., 121 Ivy Ln., King of Prussia, PA 19406; Erik P. Snyder, Atty., Snyder Law Group, P.C., 121 Ivy Ln., King of Prussia, PA 19406.
7-10-3

GRAY, SALLY ANN E (a/k/a SALLY GRAY, SALLY A. GRAY, SARAH ANNE GRAY) -- Helene Gray, Executrix, c/o Edward J. Gilson, Jr., Esq., Four Neshaminy Interplex Dr., Ste. 105, Trevose, PA 19053; Edward J. Gilson, Jr., Atty., Law Offices of Edward J. Gilson, Jr., Four Neshaminy Interplex Dr., Ste. 105, Trevose, PA 19053.
7-10-3

GREENBLATT, FRANCES PHYLLIS (a/k/a FRANCES K. GREENBLATT) -- Michael Greenblatt, Executor, 804 N. Woodstock St., Philadelphia, PA 19130; Mark S. Harris, Atty., Kraut Harris, P.C., 5 Valley Square, Ste. 120, Blue Bell, PA 19422.
7-10-3

KELLY, DENNIS J. A/K/A DENNIS KELLY -- Regina Lynn Kelly, Executrix, 8745 Stardust Lane, Philadelphia, PA 19136; David A. Schweizer, Atty., Maniaci, Ciccotta & Schweizer, 6720 Frankford Ave., Philadelphia, PA 19135.
7-10-3*

MENNO, DOLORES -- Lisa White and Elizabeth Paris, Executrices, c/o Hilary Fuelleborn, Esq., 745 Yorkway Place, Jenkintown, PA 19046; Hilary Fuelleborn, Atty., Luskus & Fuelleborn, P.C., 745 Yorkway Place, Jenkintown, PA 19046.
7-10-3

PLATNICK, NORMAN I. -- William Platnick, Administrator, c/o Flora M. Novick, Esq., 1701 Walnut St., 6th Fl., Philadelphia, PA 19103; Flora M. Novick, Atty., The Law Offices of Peter L. Klenk & Associates, 1701 Walnut St., 6th Fl., Philadelphia, PA 19103.
7-10-3

SAILMAN, ELSIE -- Dianne Steskal, Executrix, 9200 Blue Grass Rd., H187, Philadelphia, PA 19114; Kenneth C. Russell, Atty., Baratta Russell & Baratta, 3500 Reading Way, Huntingdon Valley, PA 19006.
7-10-3

SHALKHAM, KAREN LEE -- Richard Sheaffer, Executor, 290 Madison Rd., Huntingdon Valley, PA 19006; Kenneth C. Russell, Atty., Baratta Russell & Baratta, 3500 Reading Way, Huntingdon Valley, PA 19006.
7-10-3

SHEEHY, THOMAS E. (a/k/a THOMAS EDWARD SHEEHY, II; THOMAS SHEEHY) -- Rosemary Mariano, Executrix, c/o Samuel G. Forte, Esq., 9225 Frankford Ave., Philadelphia, PA 19114; Samuel G. Forte, Atty., 9225 Frankford Ave., Philadelphia, PA 19114.
7-10-3

SLUSSER, ELEANOR (a/k/a ELEANOR RAFFAELE SLUSSER) -- Josette Raffaele Costello, Executrix, c/o Maureen L. Anderson, Esq., 605 Farm Ln., Doylestown, PA 18901; Maureen L. Anderson, Atty., Maureen L. Anderson Elder Law, 605 Farm Ln., Doylestown, PA 18901.
7-10-3

CORPORATE NOTICES

3600 WEST BROAD STREET INC., has been incorporated under the provisions of the Business Corporation Law of 1988, as amended. **MONTGOMERY McCracken Walker & Rhoads, LLP**, Solicitors, 1735 Market St., Phila., PA 19103-7505.
7-10-1

DISBARMENT NOTICES

NOTICE OF DISBARMENT
Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated July 6, 2020, **HARRIS ROY ROSEN (#33015)**, of Philadelphia, PA, has been DISBARRED, retroactive to the date of March 16, 2017.

Marcee D. Sloan
Prothonotary
The Disciplinary Board of the Supreme Court of Pennsylvania
7-10-1*

FICTITIOUS NAMES

Notice is hereby given, pursuant to the provisions of Act of Assembly, No. 295, effective March 16, 1983, of the filing in the office of the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on July 1, 2020 an application for the conduct of a business in Philadelphia County, Pennsylvania, under the assumed or fictitious name, style or designation of **Institute for Healthy Leadership** with the principal place of business at 616 West Upsal Street, Philadelphia, PA 19119. The name and address of the person owning or interested in said business is Nancy Post, 616 West Upsal Street, Philadelphia, PA 19119.
7-10-1*

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NON-PROFIT CHARTER

Notice is hereby given that Articles of Incorporation for a Domestic Nonprofit Corporation for **Bottle Underground, Inc.** were filed with the Commonwealth of Pennsylvania on July 7, 2020. The address of the corporation's current registered office is c/o Danielle Ruttenger, Bok Building, 1901 South 9th Street, BU, Philadelphia PA 19148 in Philadelphia county. This Corporation is incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, as amended.
7-10-1*

RECORDS DEPARTMENT

NOTICE IS HEREBY GIVEN, under Philadelphia Home Rule Charter Section Number 8-407, that on July 7, 2020 **EMERGENCY REGULATIONS ADDRESSING ADMINISTRATIVE REVIEW PERIOD OF ZONING VARIANCES AND SPECIAL EXCEPTIONS IN CONNECTION WITH THE COVID-19 EMERGENCY** were promulgated by the Department of Licenses and Inspections and filed with the Department of Records, Room 158, City Hall, available to view at <http://regulations.phila-records.com/>, and temporarily effective on the same date in accordance with the Mayor's "Declaration of Extraordinary Circumstance: Suspending the Formal Regulatory Process for Regulations Concerning a Novel Coronavirus" dated March 11, 2020. Anyone affected thereby may file a written request for hearing with the Department of Records within thirty (30) days from the above date, including by sending an email to regulations@phila.gov. The regulation will become effective permanently at the conclusion of this notice period if no hearing is requested.

James P. Leonard, Esq.
Commissioner of Records
7-10-1*



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Email: **bharris@alm.com**

L E G A L L I S T I N G S

C O U R T N O T I C E S

Emergency Judge Schedule

Week of July 10th through July 17, 2020

Emergency Judge – HON. TIFFANY PALMER

The Emergency Judge handles all emergencies (Civil, Criminal, Orphans' and Family Court matters) arising after Court hours. NO WEDDINGS WILL BE PERFORMED.

any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Civil Procedural Rules
Committee,

John J. Hare
Chair

**SUPREME COURT OF PENNSYLVANIA
CIVIL PROCEDURAL RULES COMMITTEE**

NOTICE OF PROPOSED RULEMAKING

Proposed Amendment of Pa.R.C.P. No. 400

The Civil Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P. No. 400 governing the person to make service for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Karla M. Shultz, Counsel
Civil Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9526
civilrules@pacourts.us

All communications in reference to the proposal should be received by **September 25, 2020**. E-mail is the preferred method for submitting comments, suggestions, or objections;

**SUPREME COURT OF PENNSYLVANIA
CIVIL PROCEDURAL RULES COMMITTEE**

PUBLICATION REPORT

The Civil Procedural Rules Committee is considering proposing the amendment of Rule 400(b) governing those actions in which both the sheriff and a competent adult may serve original process. The proposal is the result of the Committee's examination of the holding in *Encompass Ins. Co. v. Stone Mansion Restaurant Inc.*, 902 F.3d 147 (3d Cir. 2018) concerning the removal of actions from state to federal court and permitting pre-service or "snap" removal.

28 U.S.C. § 1441(a) provides that a civil action brought in a state court may be removed to federal court where there is federal subject matter jurisdiction, including where there is complete diversity of citizenship between all plaintiffs and all defendants. Section 1441(b) states the "forum defendant" exception to that rule: an action otherwise removable on the basis of diversity jurisdiction "may not be removed if any of the parties in interest properly joined and served as defendants is a citizen of the State in which the action is brought." 28 U.S.C. § 1441(b) (emphasis added).

In *Encompass Ins. Co.*, the United States Third Circuit Court of Appeals held that Section 1441(b) does not prevent removal to federal court on the basis of diversity jurisdiction where there is a forum defendant when the forum defendant has not yet been served. In other words, removal is proper where the plaintiff intends to serve and proceed against an in-state defendant, but removal is filed before both joinder and service have occurred.

Preliminarily, delay between the filing of the complaint and original service provides opportunity for "snap" removal. As reported to the Committee, the method of original service available to plaintiffs is a significant factor in the magnitude of any delay. For example, employing a private process server permits prompt, plaintiff-directed service on defendants whereas the timing of sheriff-effectuated service varies widely within Pennsylvania. The Committee focused on reducing this potential inconsistency in statewide practice as it relates to "snap" removal.

The Committee observed that Rule 400(a) provides that the sheriff must serve original process of civil actions within the Commonwealth. Rule 400(b) sets forth certain, discrete civil actions for which, in addition to service by the sheriff, original process within the Commonwealth may be served

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C O M I N G E V E N T S

JULY 10

PBA Family Law Section Summer Meeting 2020

July 9 - 1:30 PM to 3:00 PM: Ripple Effects of Tax Cuts and Jobs Act of 2017, CARES Act of 2020 and Beyond

July 10 - 9:00 AM to 10:30 AM: Mistakes, Mishaps & Malpractice: Ethical Anecdotes and Cautionary Tales for the Modern Family Lawyer

July 10 - 10:45 AM to 12:25 PM: Practicing in a Pandemic: The Aftermath, Lessons Learned and a Look into the Future

Cost: \$249.00 Standard; \$ Attorneys licensed 5 years or less, judicial law clerks & paralegals
3 substantive/1.5 ethics

For more information contact PBI Customer Service at 1-800-932-4637

or go to: www.pbi.org

JULY 13

Environmental Law Forum 2020 - Webcast

9:00 AM to 4:00 PM

Cost: \$575.00 Standard; \$275.00 Attorneys licensed 5 years or less, judicial law clerks & paralegals

10 substantive/2 ethics

For more information contact PBI Customer Service at

1-800-932-4637 or go to: www.pbi.org

JULY 15

Four County Civil Practice 2020

9:00 AM to 1:15 PM

Cost: \$249.00 Standard; \$125.00 Attorneys licensed 5 years or less, judicial law clerks & paralegals

4 substantive

For more information contact PBI Customer Service at

1-800-932-4637

or go to: www.pbi.org

JULY 16

Proven Strategies to Protect Your Family from New Death Tax 2020 - Webcast

9:00 AM to 4:30 PM

Cost: \$299.00 Standard; \$150.00 Attorneys licensed 5 years or less, judicial law clerks & paralegals

5 substantive/1 ethics

For more information contact PBI Customer Service at

1-800-932-4637 or go to: www.pbi.org

Bringing Your POA Document into 2020 Focus 2020 - Webinar

12:00 PM to 1:00 PM

Cost: \$79.00 Standard; \$40.00 Attorneys licensed 5 years or less, judicial law clerks & paralegals

1 substantive

For more information contact PBI Customer Service at

1-800-932-4637

or go to: www.pbi.org

Department Of Records

As of January 31, 2020 all instruments left for record are ready for delivery

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by a competent adult. These include civil actions in which the complaint includes a request for injunctive relief, perpetuation of testimony, appointment of a receiver; partition; and declaratory judgment when declaratory relief is the only relief sought. In addition, Rule 400.1 also permits service of original process in Philadelphia County only by either the sheriff or a competent adult.

The various means of permissible original service in Pennsylvania, as provided by the Rules, has resulted in disparate delays in original service, which has led to inconsistent “snap” removal opportunities based upon the county of filing. To address this disparity, the Committee is proposing a modest amendment to Rule 400(b) to extend service of original process by a competent adult to every county only in the narrow category of cases impacted by the *Encompass Ins. Co.* decision, providing the same options for service in these cases regardless of the county in which the defendant is located.

An alternative resolution would be to remove the category of cases subject to “snap” removal from operation of Rule 400(b) so that such cases must also be served by sheriff pursuant to Rule 400(a). However, this approach, which seemingly fosters additional delay, appeared contrary to the purpose of the Rules to obtain speedy determinations of actions. See, e.g., Pa.R.C.P. No. 128.

Accordingly, the Committee invites all comments, objections, concerns, and suggestions regarding this proposed rulemaking.

Rule 400. Person to Make Service.

(a) Except as provided in subdivisions (b) and (c) and in Rules 400.1 and 1930.4, original process shall be served within the Commonwealth only by the sheriff.

(b) In addition to service by the sheriff, original process may be served also by a competent adult in the following actions:

(1) a civil action in which the complaint includes a request for injunctive relief under Rule 1531, perpetuation of testimony under Rule 1532 or appointment of a receiver under Rule 1533[.];

(2) partition[, and];

(3) declaratory judgment when declaratory relief is the only relief sought[.]; and

(4) a civil action in which there is a complete diversity of citizenship between all plaintiffs and all defendants, and at least one defendant is a citizen of Pennsylvania.

Note: See Rule 76 for the definition of “competent adult.”

Service of original process in domestic relations matters is governed by Rule 1930.4.

(c) When the sheriff is a party to the action, original process shall be served by the coroner or other officer authorized by law to perform the duties of coroner.

(d) If service is to be made by the sheriff in a county other than the county in which the action was commenced, the sheriff of the county where service may be made shall be deputized for that purpose by the sheriff of the county where the action was commenced.

SUPREME COURT OF PENNSYLVANIA CIVIL PROCEDURAL RULES COMMITTEE

NOTICE OF PROPOSED RULEMAKING

Proposed Amendment of Pa.R.C.P. No. 401(b)(2)

The Civil Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Rule 401(b)(2) governing the reissuance or reinstatement of original process set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Karla M. Shultz, Counsel
Civil Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9526
civilrules@pacourts.us

All communications in reference to the proposal should be received by **September 25, 2020**. 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 Civil Procedural Rules
Committee,

John J. Hare
Chair

Rule 401. Time for Service. Reissuance, Reinstatement, and Substitution of Original Process.

(a) Original process shall be served within the Commonwealth within 30 days after the issuance of the writ or the filing of the complaint.

Note: See Rule 404 for the time for service outside the Commonwealth.

(b)(1) If service within the Commonwealth is not made within the time prescribed by subdivision (a) of this rule or outside the Commonwealth within the time prescribed by Rule 404, the prothonotary upon *praecipe* and upon presentation of the original process, shall continue its validity by reissuing the writ or reinstating the complaint, by writing thereon “reissued” in the case of a writ or “reinstated” in the case of a complaint.

(2) A writ may be reissued or a complaint reinstated at any time and any number of times. A new party defendant may be named in a reissued writ or a reinstated complaint **only if the writ or complaint has not been served on any defendant.**

Note: A new party defendant cannot be added to a reissued writ or reinstated complaint if service has been completed on a defendant already named in the writ or complaint. For cases involving multiple defendants, a new party defendant cannot be added to a reissued writ or reinstated complaint if service has been completed on any defendant already named in the writ or complaint.

If a new party defendant cannot be added pursuant to this rule, other procedures are available. See Rule 219 to discontinue to start a new action; Rule 1033 to amend the caption of the writ or complaint by agreement of the party or by leave of court; or Rule 2232 to seek leave of court for an order joining a defendant.

(3) A substituted writ may be issued or a substituted complaint filed upon *praecipe* stating that the former writ or complaint has been lost or destroyed.

(4) A reissued, reinstated or substituted writ or complaint shall be served within the applicable time prescribed by subdivision (a) of this rule or by Rule 404 after reissuance, reinstatement, or substitution.

(5) If an action is commenced by writ of summons and a complaint is thereafter filed, the plaintiff instead of reissuing the writ, may treat the complaint as alternative original process and as the equivalent for all purposes of a reissued writ, reissued as of the date of the filing of the complaint. Thereafter the writ may be reissued, or the complaint may be reinstated as the equivalent of a reissuance of the writ, and the plaintiff may use either the reissued writ or the reinstated complaint as alternative original process.

Note: If the applicable time has passed after the issuance of the writ or the filing of the complaint, the writ must be reissued or the complaint reinstated to be effective as process. Filing or reinstatement or substitution of a complaint which is used as alternative process under this subdivision, has been held effective in tolling the statute of limitations as the reissuance or substitution of a writ.

Explanatory Comment

Rule 401(b)(2) provides: “A writ may be reissued or a complaint reinstated at any time and any number of times. A new party defendant may be named in a reissued writ or a reinstated complaint.” On its own, a literal reading of Rule 401(b)(2) suggests that a new party defendant can be added at any time upon the reissuance of a writ or reinstatement of a complaint; neither the rule nor its explanatory comment provide context as to its application. In practice, self-represented litigants have interpreted this provision to allow new defendants to be added simply by reissuing the writ or reinstating the complaint without any context as to whether service of the writ or complaint has already been completed pursuant to subdivision (a) on a named defendant. In addition, the rule does not provide any guidance as to the operation of this subdivision when there are multiple defendants.

The proposed amendment would clarify that a new party defendant may be added to a reissued writ or reinstated complaint only if service of the writ or complaint on the defendant has not yet been completed. A proposed note would also be added to provide guidance for cases involving multiple defendants: if service has been completed for any defendant, a plaintiff cannot add a new defendant pursuant to this rule. In addition, the proposed note would cross-reference three other procedural methods for adding a defendant should a plaintiff be precluded from doing so pursuant to Rule 401(b)(2). These procedural methods include: discontinuance pursuant to Rule 229 and starting a new action; agreement by the parties or seeking leave of court to amend the pleading pursuant to Rule 1033, and seeking leave of court for an order joining a defendant pursuant to Rule 2232.

Accordingly, the Committee invites all comments, objections, concerns, and suggestions regarding this proposed rulemaking.

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:	:	NO. 198
	:	
AMENDMENT OF RULES 205(b) and (c),	:	DISCIPLINARY RULES
208(c) and (d)(1), and 213(d)(3) of the	:	
PENNSYLVANIA RULES OF	:	DOCKET
DISCIPLINARY ENFORCEMENT	:	

ORDER

PER CURIAM

AND NOW, this 6th day of July, 2020, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania, which follows the proposal having been published for comment in the *Pennsylvania Bulletin*, 50 Pa.B. 642 (February 1, 2020),

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Court Notices

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IT IS ORDERED pursuant to Article V, Section 10 of the Constitution of Pennsylvania, that Rules 205(b) and (c), 208(c) and (d)(1), and 213(d)(3) of the Pennsylvania Rules of Disciplinary Enforcement are amended as set forth in the attached form.

This **ORDER** shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in thirty (30) days.

Material to be added is bolded and underlined.
Material to be deleted is bolded and in brackets.

Rule 205. The Disciplinary Board of the Supreme Court of Pennsylvania.

(b) The regular terms of members of the Board shall be for six years, unless otherwise specified by order of the Court, and no member shall serve for more than one term. Except when acting under Paragraph (c)(5), (7), (8), **[and] (9) and (16)** of this rule, the Board shall act only with the concurrence of not less than the lesser of: (i) seven members, or (ii) a majority of the members in office who are not disqualified from participating in the matter or proceeding. Seven members shall constitute a quorum. The presence of members who are disqualified from participating in one or more matters to be considered at a meeting shall nonetheless be counted for purposes of determining the existence of a quorum for the consideration of all matters on the agenda.

(c) The Board shall have the power and duty:

(16) To decide, through the Board Chair, the Vice-Chair, or a designated lawyer-member of the Board, an interlocutory appeal to the Board when such appeal is permitted by the Enforcement Rules, the Board Rules, or other law.

[16](17) To exercise the powers and perform the duties vested in and imposed upon the Board by law.

Rule 208. Procedure.

(c) **Prehearing and [H]hearing procedures.** — **The procedure in formal [P]proceedings before hearing committees and special masters shall be governed by Board rules, the Enforcement Rules, and the decisional law of the Court and the Board in attorney discipline and reinstatement matters. [except that, u]Unless waived in the manner provided by [such] the Board [r]Rules, at the conclusion of the hearing the hearing committee or special master shall submit a report to the Board containing the findings and recommendations of the hearing committee or special master.**

(d) Review and action by Board.

(1) **The procedure in formal [P] proceedings before the Board shall be governed by Board rules, the Enforcement Rules, and the decisional law of the Court and the Board in attorney discipline and reinstatement matters. [except that, u]Unless waived in the manner provided by [such] the Board [r] Rules, both parties shall have the right to submit briefs and to present oral argument to a panel of at least three members of the Board. Members of the Board who have participated on a reviewing panel under paragraph (a)(4) or (5) of this rule shall not participate in further consideration of the same matter or decision thereof on the merits under this subdivision (d).**

Rule 213. Subpoena power, depositions and related matters.

(d) Challenges; appeal of challenges to subpoena. Any attack on the validity of a subpoena issued under this rule shall be handled as follows:

(1) A challenge to a subpoena authorized by subdivision (a)(1) shall be heard and determined by the hearing committee or special master before whom the subpoena is returnable in accordance with the procedure established by the Board. *See* D.Bd. Rules § 91.3(b) (relating to procedure).

(2) A challenge to a subpoena authorized by subdivision (a)(2) shall be heard and determined by a member of a hearing committee in the disciplinary district in which the subpoena is returnable in accordance with the procedure established by the Board. *See* D.Bd. Rules § 91.3(b) (relating to procedure).

(3) A determination under paragraph (1) or (2) may be appealed to a lawyer-Member of the Board within ten days after service pursuant to D.Bd. Rules §§ 89.21 and 89.24 of the determination on the party bringing the appeal by filing a petition with the Board setting forth in detail the grounds for challenging the determination. The appealing party shall serve a copy of the petition on the non-appealing party by mail on the date that the appealing party files the appeal, and the non-appealing party shall have five business days after delivery to file a response. No attack on the validity of a subpoena will be considered by the Designated lawyer-Member of the Board unless previously raised before the hearing committee **or special master**. The Board Member shall decide the appeal within five business days of the filing of the non-appealing party's response, if any. There shall be no right of appeal to the Supreme Court. Any request for review shall not serve to stay any hearing or proceeding before the hearing committee, **special master** or the Board unless the Court enters an order staying the proceedings.

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

President Judge Administrative Order

No. 47 of 2020

In re: Common Pleas & Municipal Court Criminal Divisions.

Resumption of Court Proceedings. Updated Protocols

ORDER

AND NOW, this 6th day of July, 2020 under Pa.R.J.A. No 1952 (B)(2), and the Judicial Emergency declared by the First Judicial District, and this Court's prior Order No. 33 of 2020 it is **ORDERED AND DECREED THAT:**

1. No criminal trials will take place in July 2020. However, as to Common Pleas cases previously scheduled in July 2020, each case will remain listed to be reviewed for status before the assigned Judge. As to Municipal Court, all criminal matters will remain scheduled for status hearings.

2. Counsel will be notified in advance regarding the status of hearings previously scheduled to Common Pleas Court on a date certain in July, 2020.

3. Counsel will be contacted before the date of the status listing and provided with instructions on how to participate remotely through Advanced Communication Technology. The Office of the District Attorney and the Defender Association must be available to participate.

4. Counsel are required to contact the courtroom prior to the date and time of their case to inform courtroom staff if they will be attending in person or through Advanced Communication Technology. Any counsel who chooses to appear in person, must maintain appropriate social distancing, wear protective face masks, and comply with all safety directives provided by courtroom staff. It is strongly recommended that counsel participate by Advanced Communication Technology rather than in person.

5. Consistent with this Court's prior Order, the Juanita Kidd Stout Center for Criminal Justice shall REMAIN GENERALLY CLOSED to the public. No witnesses or defendants will be permitted into the facility, unless specifically authorized by the Court. No defendants will be required to participate by video for these status hearings.

6. If you received a subpoena, summons and/or notice to appear at the Justice Juanita Kidd Stout Center for Criminal Justice for a Municipal Court criminal case through August 28, 2020, you are NOT required to appear.

7. Defendants should contact their attorney or the FJD at (215) 686-7000 if they have questions concerning their court date. If you are a victim on a criminal case, please contact the Philadelphia District Attorney's Office.

BY THE COURT:

/s/ Idee C. Fox

Idee C. Fox
Chair, Administrative Governing Board
First Judicial District of Pennsylvania
President Judge, Court of Common Pleas
Philadelphia County

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

President Judge Administrative Order

No 46 of 2020

In re: Appeals to Common Pleas from Municipal Court Judgements of Possession of Real Property Pursuant to a Lease

ORDER

AND NOW, this 6th day of July, 2020 under Pa.R.J.A. No 1952 (B)(2), and the Judicial Emergency declared by the First Judicial District, and in light of the limited public access to City Hall it is **ORDERED AND DECREED THAT:**

1. As to appeals from Municipal Court judgments of possession of real property pursuant to a lease filed before March 16, 2020, due to the limitations of in-person filings, the deposit of rent required by Philadelphia Civil Rule *1008 in order to maintain the supersedeas pending disposition of the appeal is hereby stayed until September 8, 2020, or until further Order of this Court.

2. The Office of Judicial Records shall not terminate supersedeas in appeals from Municipal Court judgments for possession of real property for failure to make rental deposits as required under Philadelphia Civil Rule *1008 before September 8, 2020, or until further Order of this Court.

BY THE COURT:

/s/ Idee C. Fox

Idee C. Fox, President Judge
Chair, Administrative Governing Board
First Judicial District of Pennsylvania
President Judge, Court of Common Pleas,
Philadelphia County

BY THE COURT:

/s/ Jacqueline f. Allen

Jacqueline F. Allen, Administrative Judge
First Judicial District of Pennsylvania
Court of Common Pleas, Philadelphia County

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FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

President Judge Administrative Order

No 43 of 2020

In re: Updated Protocol, Essential Delinquent Juvenile Proceedings

ORDER

AND NOW, this 1st day of July 2020 under Pa.R.J.A. No 1952 (B)(2), and the Judicial Emergency declared by the First Judicial District, it is **ORDERED AND DECREED THAT** the President Judge Administrative Order No 34 of 2020 remains in effect, with the exception of the paragraph pertaining to Juvenile Delinquency Matters, (paragraph 2 of Juvenile), which is hereby amended as follows:

Delinquency Matters

- a. Detention Hearings, Adjudicatory Hearings, Dispositional Hearings, Pre-trial Hearings and Review Hearings shall continue to be conducted. Parties will receive notification of their rescheduled hearings.
- b. Detention Hearings shall be conducted at the **Philadelphia Juvenile Justice Services Center, (PJJSC) 91 North 48th Street, Philadelphia, PA 19139.**
- c. In cases where a juvenile is detained prior to the adjudicatory hearing, the Court may schedule the adjudicatory hearing more than 10 days after the filing of the petition or the pre-hearing conference, as deemed appropriate by the hearing officer or the judge. The Court shall conduct a status hearing to review the pretrial detention every ten (10) days until the adjudicatory hearing is scheduled.

BY THE COURT:

/s/ Idee C. Fox

Idee C. Fox, President Judge
Chair, Administrative Governing Board
First Judicial District of Pennsylvania
President Judge, Court of Common Pleas,
Philadelphia County

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

No. 42 of 2020

In re: *Commerce Court Temporary Financial Monitor Program*

ORDER

AND NOW, this 22nd day of June, 2020, consistent with the goals of the Commerce Court, which hears, *inter alia*, disputes between or among two or more business entities and handles dissolution and liquidation of business entities, the court takes judicial notice that the COVID-19 pandemic has caused significant economic harm to local for-profit businesses and non-profit institutions, many of which were forced to close for lengthy periods of time and have been unable to generate sufficient income to pay their debts or retain their staff, and it appears that the current economic climate threatens their ability to operate in the future, it is hereby **ORDERED** and **DECREED** that, in order to provide assistance to keep local enterprises operational, a *Commerce Court Temporary Financial Monitor Program* (hereinafter the "*Monitor Program*") shall be created within the First Judicial District's Commerce Court under the general supervision of the Commerce Court Supervising Judge as follows:

1. **Establishment and Eligibility of the Monitor Program.**
 - A. The Commerce Court Supervising Judge, upon consultation with the Administrative Judge of the Trial Division, members of the bar, and other stakeholders, shall adopt appropriate case management orders and other protocols for the implementation of the *Monitor Program* in accordance with the Administrative Orders governing the Commerce Court and other applicable rules of court.
 - B. Any for-profit or non-profit entity, including a sole proprietorship, is eligible to participate in the *Monitor Program* if its principal place of business is located in Philadelphia County and it ceased to conduct a substantial portion of its operations due to the Covid-19 pandemic, resulting in a loss of revenue and causing the entity to be unable to pay its usual and customary costs and expenses coming due in the ordinary course on and after March 1, 2020. Entities whose defaults or failure to pay costs and expenses occurred on or before February 29, 2020, are generally ineligible to participate, unless otherwise determined by the court upon Petition.
2. **Assignment to the Monitor Program.**
A case is commenced and will be assigned to the *Monitor Program* when an eligible entity files a *Petition to Enjoin Collection Activities and Appoint a Temporary Financial Monitor* (hereinafter the "*Petition*").
3. **Information to be included in the Petition.**
The petitioning entity must include in, or as exhibits to, the *Petition* financial statement(s) identifying pre- and post- COVID assets, revenues, costs, and expenses, along with detailed information regarding the entity's creditors and the amounts owed to each of them. Exhibits containing financial information may be filed under seal, but they will be available for viewing by creditors and the *Temporary Financial Monitor*. The *Petition* must be filed as a public document.

4. **Court Review and Assignment of Temporary Financial Monitor.**
The *Petition* shall be assigned to the Commerce Court Supervising Judge or his designee, who may issue one or more orders: directing the filing of Response(s) to the *Petition* by creditors and other interested parties; appointing a legal or accounting professional to act as a *Temporary Financial Monitor*; scheduling meetings or conferences with creditors; enjoining creditors from engaging in any collection activities against the petitioning entity and its assets; requiring the entity to post a nominal bond; and directing such other actions as the court, sitting in equity, deems appropriate.
5. **Duties and Obligations of Temporary Financial Monitor.**
The *Temporary Financial Monitor* shall be responsible for evaluating the financial information provided by the petitioning entity and, upon consultation with the entity and its creditors, shall prepare a proposed Operating Plan to enable the entity to resume and/or continue operations while paying off its accumulated debts. The Operating Plan will be shared with creditors and other interested parties and submitted to the court for approval. The *Temporary Financial Monitor* shall provide periodic reports, as well as any revised Operating Plans, as directed by the court.
6. **Termination or Conclusion of Assignment of Temporary Financial Monitor**
The *Temporary Financial Monitor* will be discharged within one year from the date of appointment, unless otherwise ordered by the court.

As required by Pa.R.J.A. 103(d), this Administrative Order and the proposed local rule were submitted to the Supreme Court of Pennsylvania Civil Procedural Rules Committee for review and written notification has been received from the Rules Committee certifying that the proposed local rule is not inconsistent with any general rule of the Supreme Court. This Administrative 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 to the Legislative Reference Bureau on a computer diskette 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: COURT:

/s/ Idee C. Fox

Honorable Idee C. Fox
President Judge, Court of Common Pleas
Philadelphia County

BY THE COURT:

/s/ Gary S. Glazer

Honorable Gary S. Glazer
Supervising Judge, Commerce Court
Court of Common Pleas, Philadelphia County

BY THE

/s/ Jacqueline F. Allen

Honorable Jacqueline F. Allen
Administrative Judge, Trial Division
Court of Common Pleas,
Philadelphia County

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

President Judge Administrative Order

No 40 of 2020

In re: Postponement of July, August and September Mortgage Foreclosure Sales.

ORDER

AND NOW, this 18 day of June, 2020 under Pa.R.J.A. No 1952 (B)(2), and the Judicial Emergency declared by the First Judicial District, and in light of the limited access to City Hall for emergency relief, and the public safety concerns associated with large crowds, it is **ORDERED AND DECREED THAT** Philadelphia County Sheriff's Mortgage Foreclosure Sales are postponed and rescheduled as follows:

1. The Philadelphia County Sheriff's Mortgage Foreclosure Sale scheduled for Tuesday, July 7, 2020 is postponed and rescheduled for Tuesday, October 6, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
2. The Philadelphia County Sheriff's Mortgage Foreclosure Sale scheduled for Tuesday, August 4, 2020 is postponed and rescheduled for Tuesday, November 10, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
3. The Philadelphia County Sheriff's Mortgage Foreclosure Sale scheduled for Tuesday, September 1, 2020 is postponed and rescheduled for Tuesday, December 1, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.

BY THE COURT:

/s/ Idee C. Fox

Idee C. Fox, President Judge
Chair, Administrative Governing Board
First Judicial District of Pennsylvania
President Judge, Court of Common
Pleas, Philadelphia County

Court Notices

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FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

President Judge Administrative Order

No 41 of 2020

In re: Postponement of July, August and September Tax Sales.

ORDER

AND NOW, this 18 day of June, 2020 under Pa.R.J.A. No 1952 (B)(2), and the Judicial Emergency declared by the First Judicial District, and in light of the limited access to City Hall for emergency relief, and the public safety concerns associated with large crowds, it is **ORDERED AND DECREED THAT** Philadelphia County Sheriff's Tax Sales are postponed and rescheduled as follows:

- The July Philadelphia County Sheriff's Tax Sales are rescheduled as follows:
 - The Tax Sale scheduled for Thursday, July 9, 2020 is postponed and rescheduled for Thursday, October 8, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
 - The Tax Sale scheduled for Wednesday, July 15, 2020 is postponed and rescheduled for Wednesday, October 21, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
 - The Tax Sale scheduled for Tuesday, July 21, 2020 is postponed and rescheduled for Tuesday, October 20, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
 - The Tax Sale scheduled for Thursday, July 23, 2020 is postponed and rescheduled for Thursday, October 22, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
- The August Philadelphia County Sheriff's Tax Sales are rescheduled as follows:
 - The Tax Sale scheduled for Thursday, August 6, 2020 is postponed and rescheduled for Wednesday November 4, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
 - The Tax Sale scheduled for Tuesday, August 18, 2020 is postponed and rescheduled for Tuesday November 17, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
 - The Tax Sale scheduled for Wednesday, August 19, 2020 is postponed and rescheduled for Wednesday, November 18, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
 - The Tax Sale scheduled for Thursday, August 20, 2020 is postponed and rescheduled for Thursday, November 19, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
- The September Philadelphia County Sheriff's Tax Sales are rescheduled as follows:
 - The Tax Sale scheduled for Thursday, September 3, 2020 is postponed and rescheduled for Thursday, December 3, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
 - The Tax Sale scheduled for Wednesday, September 16, 2020 is postponed and rescheduled for Wednesday, December 16, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
 - The Tax Sale scheduled for Tuesday, September 22, 2020 is postponed and rescheduled for Tuesday, December 15, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.
 - The Tax Sale scheduled for Thursday, September 24, 2020 is postponed and rescheduled for Thursday, December 17, 2020. No new notice shall be required, as provided in Pa.R.C.P. No. 3129.3. No further costs.

BY THE COURT:

/s/ Idee C. Fox

Idee C. Fox, President Judge
Chair, Administrative Governing Board
First Judicial District of Pennsylvania
President Judge, Court of Common Pleas,
Philadelphia County

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
PHILADELPHIA COURT OF COMMON PLEAS

Thursday, June 11, 2020

TRIAL DIVISION – CIVIL

NOTICE TO THE BAR

PROTOCOL FOR COMPULSORY ARBITRATION PROGRAM
DURING COVID-19 JUDICIAL EMERGENCY

PHASE II

General Statement

Given the uncertainty of the COVID-19 emergency, and with the safety of the parties and their attorneys in mind, as well as the directive from the Pennsylvania Supreme Court, the Arbitration

Center is going to rely heavily on technology to move the docket forward. For this protocol to be successful, the arbitrators and litigants will need to have certain technological capabilities.

Protocol

- Per the initial protocol announced by the First Judicial District, all Arbitration matters listed between March 17th and May 29th, 2020 have been assigned a new Arbitration hearing date consistent with the Court's calendar and to allow for the protocol on proceeding with Arbitration hearings to be developed.
- All matters scheduled for Arbitration hearings in June of 2020 which were viable for a settlement conference with an *Arbitration Judge Pro Tempore (AJPT)*, have been assigned for such conferences. Those that were not ripe for a settlement conference, i.e., lack of service or the filing of a Complaint, were either continued by the Court or upon the filing of a Continuance/Deferral application by a party.
- The AJPT Protocol will continue for the July and August 2020 Arbitration hearing lists. Those cases that are viable for a settlement conference will have a virtual or remote *Judge Pro Tempore* settlement conference as opposed to an Arbitration hearing. The conferences are expected to be completed by August 31, 2020.
- Attorneys who are currently certified to serve as Arbitrators or Judges Pro Tempore have been contacted regarding their ability and willingness to volunteer as "Arbitration Judge Pro Tempore" (AJPT). AJPTs will not receive compensation for their service.
- If a July Arbitration matter is not ripe for a settlement conference, i.e., lack of service or the filing of a Complaint, a Continuance/Deferral Application shall be filed no later than June 19, 2020, and for August matters, no later than July 2, 2020. Additionally, if the parties have reached a settlement on their own accord, the parties are directed to advise the Arbitration Center by fax (215) 686-9594 or e-mail ArbitrationFJD@courts.phila.gov and the docket will be marked accordingly.
- In the event a settlement cannot be reached of a matter assigned to an AJPT, the case will be re-assigned a new Arbitration hearing date consistent with the Court's calendar and in an expeditious fashion.

AJPTs who have the ability and necessary technology to conduct audio and video conferences remotely utilizing Zoom or similar virtual conferencing software will be assigned a list of cases currently scheduled for Arbitration in July and August of 2020. Upon appointment of the case, the Arbitration Center will provide the phone numbers of the attorneys and any self-represented litigants to the *AJPT*, who will then expeditiously contact all parties, notifying them that the *AJPT* is hosting the virtual settlement conference. Accommodations will be made for those attorneys or parties who can only participate telephonically. Times for the conferences will be set in consultation with the *AJPTs* and parties' schedules.

Settlement Conference Memoranda must be sent electronically to the *AJPT* and counsel of record or self-represented litigant at least five (5) days prior to the settlement conference date. **The settlement conference memoranda do not need to be filed with the Court.**

The Settlement Conference Memorandum should not exceed five (5) double-spaced pages and should include the following information:

- Facts Giving Rise to the Action
- Theory of Liability
- Causal Connection to Injury
- Description of Injury, including summary of medical testimony
- Itemization of Special Damages
- Current Demand/Offer

The Settlement Conference Memorandum shall be served on all other parties and shall include a Certificate of Service.

Please be reminded that the *AJPTs* work directly under the supervision of the Judicial Team Leaders and Arbitration Center, to whom the results of each conference are reported. Should the parties appear unprepared or fail to negotiate in good faith at the settlement conference, the *AJPT* may issue a Rule to Show Cause before the Judicial Team Leader, who will address the failure to appropriately participate in the virtual settlement conference.

Honorable Jacqueline F. Allen
Administrative Judge
Trial Division

Honorable Arnold L. New
Supervising Judge
Trial Division – Civil

Honorable Gary S. Glazer
Supervising Judge
Trial Division - Commerce

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

President Judge Administrative Order

No 38 of 2020

In re: Continuation of Judicial Emergency in the First Judicial District
ORDER

AND NOW, this 4th day of June, 2020 under Pa.R.J.A. No 1952 (B)(2), and the Judicial Emergency declared by the First Judicial District, the Tax Sheriff Sale scheduled June 23, 2020 is continued to September 22, 2020.

BY THE COURT:

/s/ Idee C. Fox

Idee C. Fox, President Judge
Chair, Administrative Governing Board
First Judicial District of Pennsylvania
President Judge, Court of Common Pleas,
Philadelphia County

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FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

President Judge Administrative Order

No 36 of 2020

In re: Continuation of Judicial Emergency in the First Judicial District

ORDER

AND NOW, this 1st day of June 2020, consistent with the Pennsylvania Supreme Court's Order dated May 27, 2020 (Nos. 531 and 532 Judicial Administration Docket), and under Pa.R.J.A. No 1952 (B)(2), this Court having declared a Judicial Emergency by Administrative Order issued March 16, 2020, hereby DECLARES that the Judicial Emergency in the First Judicial District shall continue pursuant to the terms and conditions as set forth in Administrative Orders No. 06 through 35 of 2020, as applicable.

It is further **ORDERED AND DECREED** that as authorized by the above-referenced Supreme Court Order, the following statewide rules and regulations are suspended until further order of court:

- (1) Pa.R.Crim.P. 119;
- (2) Pa.R.Crim.P. 600 (C); and
- (3) Statewide rules that restrict, directly or indirectly, the use of advanced communication technologies including Section 104(a) and Section 104(b) of the Administrative Regulations Governing Court Interpreters for Persons with Limited English Proficiency and for Persons who are Deaf or Hard of Hearing.

BY THE COURT:

/s/ *Idee C. Fox*

Idee C. Fox, President Judge, Court of Common Pleas
Chair, Administrative Governing Board
First Judicial District of Pennsylvania

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

Administrative Court Order

No. 37 of 2020

In re: ORPHANS' COURT CITATION PROCEDURE

ORDER

AND NOW, this 1st day of June, 2020, in light of the Per Curiam Order of the Pennsylvania Supreme Court dated May 27, 2020 for Cessation of Statewide Judicial Emergency after June 1, 2020, and in accordance with the continuing the judicial emergency declarations for the First Judicial District, and

Whereas, to ensure protection of the public, employees of the Clerk of Orphans' Court and the First Judicial District, public access to City Hall is not permitted at this time,

It is therefore **ORDERED and DECREED** that, until further modified by this Court, the Orphans' Court citation procedure shall be as follows:

1. For emergency guardianship petitions, the substitute citation procedure established under paragraph 8. H. of this Court's March 17th Order (No. 10 of 2020) and its subsequent amendments, remains in effect until such time as the Clerk of Orphans' Court can resume processing emergency citations.
2. Effective June 1, 2020, petitions for citation shall be reviewed by the assigned Orphans' Court Judges.
3. Effective June 8, 2020, the Clerk of Orphans' Court shall process decrees granting petitions for citations. The Clerk shall use such procedures to see that the citations properly exit from the Clerk's office and are delivered to Petitioner by such means as facsimile, regular mail or electronic mail. Petitioners and counsel are directed to exercise due diligence and cooperate with the Clerk's Office.
4. Questions regarding the issuance of citations shall be directed to Diane Patate, Clerk of Orphans' Court, Room 415 City Hall, Philadelphia, PA 19107, (215) 686-2230, e-mail address Diane.Patate@courts.phila.gov.

BY THE COURT:

/s/ *Idee C. Fox*

Idee C. Fox, President Judge
Court of Common Pleas,
Chair, Administrative Governing Board
First Judicial District of Pennsylvania

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

President Judge Administrative Order

No 34 of 2020

In re: Family Court. Resumption of Operations. Updated Protocols.

ORDER

AND NOW, this 15th day of May, 2020 consistent with the terms of the Pennsylvania Supreme Court's order of April 28, 2020 (Nos. 531 and 532 Judicial Administration Docket), it is **ORDERED AND DECREED THAT:**

1. Unless otherwise specified hereafter, this Order applies to the resumption of Court operations in Philadelphia Family Court, effective June 1, 2020.
2. While the Philadelphia Family Court BUILDING shall REMAIN GENERALLY CLOSED to the public, services and court proceedings shall be expanded as set forth hereafter. Family Court services, conferences, hearings, and court proceedings shall generally be conducted through the use of advanced communications technologies as defined in the General Statewide Judicial Emergency Orders issued by the Pennsylvania Supreme Court on April 28, 2020 (Nos. 531 and 532 Judicial Administration Docket). Family Court reserves the right to require parties and/or counsel and necessary witnesses to participate in person at proceedings held in the Philadelphia Family Courthouse, if necessary.
3. Supervised physical custody at the Family Court Nursery shall remain suspended pending further order of court.
4. **Suspension of Time Requirements.** The suspension of time requirements, time limitations, or filing deadlines imposed by this Court's Orders in connection with the Judicial Emergency will expire. Legal papers or pleadings required to be filed between March 16, 2020 and June 15, 2020, shall be deemed to have been filed timely if they are filed by the close of business on June 15, 2020.
5. **Rescheduling of Events** – As to Family Court, all matters that were given a date certain by notice issued prior to March 16, 2020 for any date from March 17, 2020 through December 31, 2020, are hereby administratively canceled and will be rescheduled. Parties will receive notification of their rescheduled hearing date(s). **This does not apply to cases designated as protracted, which remain as scheduled.**
6. **Filing.** All legal papers may be filed, as applicable, through the following electronic filing systems, which will be fully operational: Criminal Electronic Filing System, PACSES, and PACFile. Legal papers may also be mailed or emailed to the applicable filing office as set forth hereafter. For the protection of court staff and court users, filing of legal papers in person at filing offices is suspended until further court order.

Domestic Relations

1. **Domestic Relations Customer Service**
 - a. Litigants seeking assistance with domestic relations matters may contact Family Court Domestic Relations Customer Service representatives at 215-686-7466 between the hours of 8:00 A.M. and 4:00 P.M., Monday through Friday (except holidays).
 - b. Domestic Relations Customer Service representatives are also available via email at Philacsc@pacses.com.
 - c. Litigants may obtain information about their support cases at www.childsupport.state.pa.us.
2. **Custody Emergencies** – the procedures set forth in [AGB Order 18 of 2020 In Re: Emergency Custody Petitions](#) are hereby incorporated by reference and shall remain in effect until further order of court.
3. **Protection From Abuse petitions** – EFFECTIVE **MAY 18, 2020**, the procedures set forth in [AGB Order 16 of 2020 In Re: Relief Under The Protection From Abuse Act](#) are hereby incorporated by reference and shall remain in effect, subject to the following modifications, until further order of court:
 - a. **Emergency Temporary Protection from Abuse Hearings and Orders.**
Emergency PFA relief will be available Monday through Thursday at the Stout Center for Criminal Justice beginning daily at 5:00 P.M. and until 8:00 A.M. the following day, and weekends from Friday at 5:00 P.M. to the following Monday at 8:00 A.M.
 - b. **Temporary PFA Hearings** – Temporary PFA hearings will be conducted through advanced communication technology from 9:30 A.M. to 4:00 P.M., Monday through Friday (except holidays). If a Temporary PFA Order is entered, the order will be available for pickup by petitioner (or counsel, if applicable) from 4:00 P.M. to 5:00 P.M., Monday through Friday, in the Family Court lobby. In addition, petitioners (and counsel, if applicable) shall receive a copy of their Temporary Order via First Class mail.
 - i. Staff in the Domestic Violence Unit will be available telephonically from 8:00 A.M. to 4:00 P.M., Monday through Friday, to assist in the preparation of a Petition for Protection from Abuse.
 - ii. *In order to ensure there is adequate time to complete, execute, and file a verified petition and participate in a hearing via advanced communication technology on the same day, it is imperative that self-represented petitioners contact the DV Unit between 8:00 A.M. and 12:00 P.M. (noon) for all necessary steps to be completed.*

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4. All Other Emergency Filings

- a. Emergency filings *OTHER THAN CUSTODY EMERGENCY OR PROTECTION FROM ABUSE* (see Paragraphs 2 and 3, above) may be emailed to the following email address: DRClerkEmergency@courts.phila.gov.

5. Non-Emergency Filings:

- a. **How to File.** In addition to the ability to electronically file Complaints for Support and Petitions to Modify Support through PACSES, non-emergency filings other than Interstate Child support matters may be filed via mail or email:

i. Self-represented parties may directly file complaints for support and petitions to modify support online at the following PACSES address: www.childsupport.state.pa.us.

ii. Mail – non-emergency filings may be made by mail to the Office of the Clerk of Family Court, 11th Floor, 1501 Arch Street, Philadelphia, PA 19102.

iii. Email – non-emergency filings may be emailed to the following email address: DRClerkRoutine@courts.phila.gov.

- b. **Filing fees.** Payment of all applicable filing fees, or in the alternative a fully completed Petition to Proceed In Forma Pauperis (“IFP”), must be received by the Office of the Clerk of Family Court simultaneously with a mailed filing, or within three (3) business days from an emailed filing. All filing fees must be in the form of a money order or attorney’s check (**no personal checks**), MADE PAYABLE TO THE OFFICE OF JUDICIAL RECORDS, and must be mailed (along with the legal filing, if applicable) to the Clerk’s office, addressed as follows:

Office of the Clerk of Family Court

1501 Arch Street, 11th Floor

Philadelphia PA 19102

ATTENTION: FILING FEES (if payment is included)

i. **IMPORTANT:** *If, after Court review, the IFP petition is denied, payment of all applicable filing fees must be made via mail within twenty (20) days from notification by the Clerk’s office to the Petitioner that the IFP petition has been denied.*

ii. **IF THE FILING FEE IS BEING MAILED SEPARATE FROM THE LEGAL FILING, BE SURE TO INCLUDE THE DOCKET NUMBER IN THE MEMO PORTION OF THE MONEY ORDER.**

- c. **Assistance Available to Self-Represented Litigants to File Custody and Support Complaints/Petitions**

i. **CUSTODY AND LOCAL (NON-INTERSTATE) SUPPORT CASES:** self-represented litigants seeking assistance to file complaints and petitions in child custody and/or non-interstate child support matters may contact the Family Court Intake Unit at 215-686-6311, extensions 19220 and 19221, between the hours of 8:00 A.M. and 4:00 P.M., Monday through Friday (except holidays).

1. Intake Unit personnel will conduct an interview and obtain a valid phone number and mailing address for each petitioner.

2. Intake Unit personnel will mail the appropriate pleading to the filing party with instructions on how to complete and return the same, in addition to how to pay the applicable filing fee. At petitioner’s request, a Petition to Proceed In Forma Pauperis will be mailed along with the underlying pleading. (Note that domestic relations forms can also be accessed at www.courts.phila.gov/forms under the “Court of Common Pleas Family Court – Domestic Relations” heading.)

ii. **INTERSTATE SUPPORT CASES:** Self-represented Philadelphia residents who require assistance with the preparation and filing of child support establishment/modification pleadings against parties who reside outside Philadelphia may contact the Intergovernmental Affairs Filing Unit to schedule an appointment by email at philainterstate@pacses.com or by phone at (215) 686-4004, option number 2.

6. Forms and additional information (including a schedule of Family Court Filing Fees) are available on the First Judicial District website at <https://www.courts.phila.gov/forms/> and under the “Forms” section of the Domestic Relations page of the FJD website at <https://www.courts.phila.gov/common-pleas/family/dr/>.

Juvenile

1. Dependency Matters

a. Shelter Care Hearings, Adjudatory Hearings, Dispositional Hearings, Permanency Hearings, and Adoption Finalizations, shall continue to be conducted. Termination of Parental Rights shall resume. Parties will receive notification of their rescheduled hearing dates.

b. With agreement of all parties, reunification orders will be administratively granted without a hearing, using advanced communication technology when necessary.

c. The Court shall continue to issue orders for Authorization of Medical Treatment of a Minor, pursuant to 18 Pa.C.S. 3201.

2. Delinquency Matters

a. Detention Hearings shall continue to be conducted Monday, Wednesday, and Friday at the Family Courthouse, 1501 Arch Street, Philadelphia, PA 19102.

b. Adjudatory hearings shall resume after June 1, 2020, with notice to parties and counsel.

c. In cases where the juvenile is detained prior to the adjudatory hearing, the Court shall schedule a prehearing conference at which time the pretrial detention of the juvenile will be reviewed using advanced communication technology.

d. The Court shall continue to hear motions for step down from detention and discharge from placement using advanced communication technology.

e. Dispositional Review Hearings shall continue to be conducted with notice to parties and counsel.

3. Filings

a. **How to File.** Juvenile filings shall continue to be electronically filed through PACFile. Self-represented litigants may file according to the below procedures:

i. Mail – filings may be made by mail to the Office of the Clerk of Family Court – Juvenile, 11th Floor, 1501 Arch Street, Philadelphia, PA 19102. ii. Email – all filings may be emailed to: JUVClerkEmergency@courts.phila.gov.

b. **Filing Fees.** Payment of all applicable filing fees, or in the alternative a fully completed Petition to Proceed In Forma Pauperis (“IFP”), must be received by the Office of the Clerk of Family Court simultaneously with a mailed filing, or within three (3) business days from an emailed filing. All filing fees must be in the form of a money order or attorney’s check (**no personal checks**), MADE PAYABLE TO THE OFFICE OF JUDICIAL RECORDS, and must be mailed (along with the filing, if applicable) to the Clerk’s office, addressed as follows:

Office of the Clerk of Family Court – Juvenile

1501 Arch Street, 11th Floor

Philadelphia PA 19102

ATTENTION: FILING FEES (if payment is included)

i. **IMPORTANT:** *If, after Court review, the IFP petition is denied, payment of all applicable filing fees must be made via mail within twenty (20) days from notification by the Clerk’s office to the Petitioner that the IFP petition has been denied.*

ii. **IF THE FILING FEE IS BEING MAILED SEPARATE FROM THE LEGAL FILING, BE SURE TO INCLUDE THE DOCKET NUMBER IN THE MEMO PORTION OF THE MONEY ORDER.**

BY THE COURT:

/s/ *Idee C. Fox*

**Idee C. Fox, President Judge
Chair, Administrative Governing Board
First Judicial District of Pennsylvania
President Judge, Court of Common Pleas,
Philadelphia County**

To publish your Corporate Notices,
call Brian Harris at 215-557-2496, Email: bharris@alm.com