

PUBLIC NOTICES

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The Legal Intelligencer

An ALM Product

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)

ABRAMS, JULES C. - Nancy Greenberg, Executrix, c/o Kenneth F. Cohen, Esq., 1515 Market St., Ste. 1200, Philadelphia, PA 19102; Kenneth F. Cohen, Atty., 1515 Market St., Ste. 1200, Philadelphia, PA 19102.

7-20-3*

BUTOW, IVAN -- Geraldine Butow, Administratrix, c/o Len Haberman, Esq., 1800 JFK Blvd., Ste. 1500-A, Philadelphia, PA 19103; Len Haberman, Atty., Haberman Law, P.C., 1800 JFK Blvd., Ste. 1500-A, Philadelphia, PA 19103.

7-20-3*

GOLDSTEIN, LAWRENCE S. (a/k/a LARRY GOLDSTEIN, LAWRENCE SCOTT GOLDSTEIN) -- Louis I. Lipsky, Executor, 1101 Market St., Ste. 2820, Philadelphia, PA 19107-2993; Louis I. Lipsky, Atty., Lipsky and Brandt, 1101 Market St., Ste. 2820, Philadelphia, PA 19107-2993.

7-20-3*

GREENE, ELINOR R. -- Nancy A. Greene, Executor, 25 Narbrook Park, Narberth, PA 19072.

7-13-3*

JOHNSON, ESTHER LEE (a/k/a ESTHER L. JOHNSON) - Robert L. Johnson and Ephraim Johnson, Executors, c/o Karen L. Wolfe, Esq., 6377 Germantown Ave., Philadelphia, PA 19144-1947; Karen L. Wolfe, Atty., Commons & Commons, LLP, 6377 Germantown Ave., Philadelphia, PA 19144-1947.

7-20-3*

LEOPOLD, HAROLD (a/k/a HAROLD P. LEOPOLD) - Edna C. Duffy, Executrix, c/o Larry Scott Auerbach, Esq., 1000 Easton Rd., Abington, PA 19001; Larry Scott Auerbach, Atty., 1000 Easton Rd., Abington, PA 19001.

7-20-3*

MALLERY, JUDITH C. - Diane Mallery, Executrix, c/o Katherine B. Commons, Esq., 6377 Germantown Ave., Philadelphia, PA 19144-1947; Katherine B. Commons, Atty., Commons & Commons, LLP, 6377 Germantown Ave., Philadelphia, PA 19144-1947.

7-20-3*

McFADDEN, MARTIN J. - Janice A. McFadden, Executrix, 217 Sarahs Lane, Harleysville, PA 19438; Michael F. Rogers, Atty. Salvo Rogers Elinski & Scullin, 510 E. Township Line Rd., Ste. 150, Blue Bell, PA 19422.

7-20-3*

PALMER, MARGARET W. -- Kristina D. Palmer, Executrix, 426 E. Durham St., Philadelphia, PA 19119; Chari M. Alson, Atty., Anderson Elder Law, 206 State Rd., Media, PA 19063.

7-20-3*

SCHILLINGER, FRANCES C. - Frederick Schillinger, Executor, c/o Don F. Marshall, Esq., 2 N. State St., Newtown, PA 18940; Don F. Marshall, Atty., Stuckert & Yates, 2 N. State St., Newtown, PA 18940.

7-20-3*

STEIN, ANA - Jennifer Stein, Executrix, c/o Bruce D. Hess, Esq., 2444 Huntingdon Pike, Bethayres, PA 19006; Bruce D. Hess, Atty., Howland, Hess, Guinan, Torpey, Cassidy & O'Connell, LLP, 2444 Huntingdon Pike, Bethayres, PA 19006.

7-20-3*

SWIKER, JOHN E. - John E. Swiker, Jr., Executor, 9312 Wissinoming St., Philadelphia, PA 19114; Karen F. Angelucci, Atty., Howland, Hess, Guinan, Torpey, Cassidy & O'Connell, LLP, 2444 Huntingdon Pike, Bethayres, PA 19006.

7-20-3*

TARTAGLIONE, MARGARET M. - Eugene A. Tartaglione, Administrator, c/o Robert N. Dellavella, Esq., 3200 Magee Ave., Philadelphia, PA 19149; Robert N. Dellavella, Atty., Dellavella & Associates, 3200 Magee Ave., Philadelphia, PA 19149.

7-20-3*

THACKRAY, ANNA MARIE - Megan T. Hilpl, Executrix, 2216 Kimball St., Philadelphia, PA 19146; Kenneth C. Russell, Atty., Baratta, Russell & Baratta, 3500 Reading Way, Huntingdon Valley, PA 19006.

7-20-3*

TOBIN, JAMES J. - Joseph Tobin, Administrator, 3100 Longshore Ave., Philadelphia, PA 19149; Mark Feinman, Atty., 8171 Castor Ave., Philadelphia, PA 19152.

7-20-3*

WEINMAN, JANE (a/k/a MARY JANE WEINMAN, MARY WEINMAN) - Elizabeth Reilly, Executrix, c/o James M. Martin, Esq., One Neshaminy Interplex, Ste. 202, Trevoise, PA 19053-6959; James M. Martin, Atty., Martin and Martin, P.C., One Neshaminy Interplex, Ste. 202, Trevoise, PA 19053-6959.

7-20-3*

DISBARMENT NOTICES

NOTICE OF DISBARMENT

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated July 13, 2020, **RHASHEA LYNN HARMON (#312859)**, of Philadelphia, PA, has been DISBARRED, effective August 12, 2020.

Marcee D. Sloan

Prothonotary
The Disciplinary Board of the
Supreme Court of Pennsylvania

7-20-1*

FICTITIOUS NAMES

An application for registration of the fictitious name **American Vending**, 548 W. Wyoming Ave., Phila, PA 19140 has been filed in the Department of State at Harrisburg, PA, File Date 04/29/2020 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Armandi J. Marshall, 548 W. Wyoming Ave., Phila, PA 19140.

7-20-1*

An application for registration of the fictitious name **Principles Over Politics**, 5941 Media, Phila, PA 19151 has been filed in the Department of State at Harrisburg, PA, File Date 06/09/2020 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Johnathan Underwood, 5941 Media, Philadelphia, PA 19151.

7-20-1*

MISCELLANEOUS GENERAL NOTICES

NOTICE

NOTICE is given **NANCY ALESSI and next of kin** of HEARING on **October 6, 2020 at 9:30 a.m. Courtroom 416 City Hall, Philadelphia**, upon Petition for Finding of Death of Nancy Alessi, Docket No. 506 PD of 2020. Evidence of alleged absence, circumstances, duration thereof, diligent inquiry into absence to be taken.

7-13-4*

RECORDS DEPARTMENT

NOTICE IS HEREBY GIVEN, under Philadelphia Home Rule Charter Section Number 8-407, that on July 13, 2020, **CITY OF PHILADELPHIA BOARD OF LICENSE AND INSPECTION REVIEW EMERGENCY REGULATIONS REGARDING PUBLIC HEARING PROCEDURES** were promulgated by the Board of License and Inspection Review and filed with the Department of Records, Room 158, City Hall, on July 15, 2020, 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 July 15, 2020, 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

7-20-1*



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facebook

www.facebook.com/legalintelligencer

To publish your Corporate Notices,
call **Brian Harris at 215-557-2496**
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

[CAPTION]

To the Landlord or Authorized Agent: Please see Supplemental Instructions for information about the CARES Act and definitions of terms used in this affidavit.

AFFIDAVIT OF COMPLIANCE WITH THE CARES ACT

In order to support my assertion that this filing complies with the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136, enacted March 27, 2020 ("CARES Act"), I affirm that:

1. Neither I, the property, nor any tenant of the property participates in or receives subsidies or benefits under any of covered housing programs or rural housing voucher programs listed:
- Public Housing (42 U.S.C. § 1437d)
 - Section 8 Housing Choice Voucher (42 U.S.C. § 1437f)
 - Section 8 Project-based Housing (42 U.S.C. § 1437f)
 - Section 202 Housing for the Elderly (12 U.S.C. § 1701q)
 - Section 811 Housing for Persons with Disabilities (42 U.S.C. § 8013)
 - Section 236 Multifamily Housing (12 U.S.C. § 1715z-1)
 - Below Market Interest Rate (BMIR) Housing (12 U.S.C. § 1715l(d))
 - HOME (42 U.S.C. §§ 12741 *et seq.*)
 - Housing Opportunities for Persons with AIDS (HOPWA) (42 U.S.C. §§ 12901 *et seq.*)
 - Continuum of Care or other McKinney-Vento Act Homelessness Programs (42 U.S.C. §§ 11360 *et seq.*)
 - Section 515 Rural Rental Housing (42 U.S.C. § 1485)
 - Sections 514 and 516 Farm Labor Housing (42 U.S.C. §§ 1484, 1486)
 - Section 533 Housing Preservation Grants (42 U.S.C. § 1490m)
 - Section 538 Multifamily Rental Housing (42 U.S.C. § 1490p-2)
 - Low-Income Housing Tax Credit (LIHTC) (26 U.S.C. § 42)
 - Rural Housing Voucher Program (42 U.S.C. § 1490r)
2. The property is not subject to a federally backed mortgage loan or a federally backed multifamily mortgage loan. Examples of a federally backed mortgage loan or federally backed multifamily mortgage loan include mortgage loans guaranteed by the Federal Housing Administration, HUD, the Department of Veterans Affairs, or the USDA, and those that were purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

3. I have confirmed that there is no unsatisfied mortgage on the property that was purchased or securitized by the Federal Home Loan Mortgage Corporation ("Freddie Mac") or the Federal National Mortgage Association ("Fannie Mae") by checking the property via the mortgage lookup tool for Freddie Mac (www.FreddieMac.com/mymortgage) and Fannie Mae (www.KnowYourOptions.com/loanlookup).

For Landlords with Federally Backed Multifamily Loans After August 24, 2020

4. If the property is the subject of a federally backed multifamily mortgage loan, there is no mortgage on the property that is currently in forbearance status, and there is no pending application for mortgage forbearance. *See* CARES Act, § 4023(d).
5. If the property is the subject of a federally backed multifamily mortgage loan that was in forbearance status under the CARES Act that has now expired, I have provided the required notice to vacate to the tenant. *See* CARES Act, § 4023(d).

I, _____, verify that the facts set forth in this affidavit are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of 18 Pa.C.S. § 4904 related to unsworn falsification to authorities.

Date

Signature of Landlord or Authorized Agent

AFFIDAVIT OF COMPLIANCE WITH THE CARES ACT
Supplemental Instructions

The federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 ("CARES Act") was enacted on March 27, 2020. Among other things, the CARES Act provides a temporary moratorium related to certain eviction actions. During the 120-day period following enactment, *i.e.*, through July 25, 2020, a landlord may not "make, or cause to be made, any filing with the court of jurisdiction to initiate a legal action to recover possession of the covered dwelling from the tenant for nonpayment of rent or other fees or charges." CARES Act, § 4024(b)(1). The moratorium also applies to the charging of "fees, penalties, or other charges to the tenant related to such nonpayment of rent." CARES Act, § 4024(b)(2).

On July 16, 2020, the Supreme Court of Pennsylvania ordered that every action by a landlord against a tenant for the recovery of possession of real property filed in a magisterial district court or the Philadelphia Municipal Court shall be accompanied by an Affidavit of Compliance with the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 as available on the website of the Administrative Office of Pennsylvania Courts at <http://www.pacourts.us/forms/for-the-public> (for actions in magisterial district courts) or on the website of the Philadelphia Municipal Court at <https://www.courts.phila.gov/municipal/civil/>, respectively. The requirement is in effect through August 24, 2020 to ensure that a landlord has given the proper notice to vacate required by section 4024(c) of the CARES Act.

Court Notices continues on 20

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

JULY 20

U.S. Supreme Court Roundup 2020 - Webcast

1:00 PM to 4:15 PM

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

For more information contact PBI Customer Service at 1-800-932-4637 or go to: www.pbi.org

JULY 21

The Role of Indemnity and Insurance in Business Transactions and Litigation 2020 - Webcast

9:00 AM to 1:15 PM

Cost: \$249.00 Standard; \$125.00 Attorneys licensed 5 years or less, judicial law clerks & paralegals
3 substantive/1 ethics

For more information contact PBI Customer Service at 1-800-932-4637 or go to: www.pbi.org

JULY 22 - 23 JULY

Employment Law Institute 2020 - Webcast

8:30 AM to 4:35 PM

Cost: \$595.00 Standard; \$295.00 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 24

Unemployment Compensation in Pennsylvania 2020 - Webcast

9:00 AM to 4:15 PM

Cost: \$279.00 Standard; \$140.00 Attorneys licensed 5 years or less, judicial law clerks & paralegals
6 substantive

For more information contact PBI Customer Service at 1-800-932-4637 or go to: www.pbi.org

JULY 28

Intellectual Property Law Institute 2020 - Webcast

9:00 AM to 5:00 PM

Cost: \$375.00 Standard; \$185.00 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

JULY 29

Handling the Workers' Comp Case 2020 - Webcast

9:00 AM to 4:00 PM

Cost: \$199.00 Standard; \$100.00 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

Department Of Records

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

I N S I D E			
14	Coming Events	19	U.S. Bankruptcy Court
17	Common Pleas Court	19	Hearings
	18 Civil Trial List		
15	Federal Court	19	Court of Appeals
18	MASS TORT	19	District Court

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Landlords who are federally backed multifamily mortgage loan borrowers must continue to use the affidavit through the earlier of 60 days after the termination of the national emergency on COVID-19 as declared by the President on March 1, 2021. This requirement ensures that the landlord is compliant with the renter protections during a forbearance period afforded by section 4023(d) of the CARES Act, as well as the notice to vacate requirement of section 4023(e) of the CARES Act.

In addition to filing the affidavit with the complaint, a landlord shall demonstrate compliance with the CARES Act by presenting testimony and evidence including, but not limited to, the affidavit filed by the landlord at the inception of the case at the time of the hearing for the recovery of possession of real property. A tenant may present testimony and evidence that the landlord is not in compliance with the CARES Act.

Terms used in the affidavit have the following meanings:

“Covered dwelling” means a dwelling that is occupied by a tenant pursuant to a residential lease or without a lease or with a lease terminable under State law, and is on or in a covered property. CARES Act, § 4024(a)(1).

“Covered property” means any property that participates in one of the covered housing programs or the rural housing voucher program listed on the affidavit or has a Federally backed mortgage loan or a Federally backed multifamily mortgage loan. CARES Act, § 4024(a)(2).

“Federally backed mortgage loan” includes any loan (other than temporary financing such as a construction loan) that (A) is secured by a first or subordinate lien on residential real property (including individual units of condominiums and cooperatives) designed principally for the occupancy of from 1 to 4 families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and (B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association. CARES Act, § 4024(a)(4).

“Federally backed multifamily mortgage loan” includes any loan (other than temporary financing such as a construction loan) that (A) is secured by a first or subordinate lien on residential multifamily real property designed principally for the occupancy of 5 or more families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and (B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association. CARES Act, §§ 4023(f)(2)(3), 4024(a)(5).

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: FILING AN AFFIDAVIT OF COMPLIANCE WITH THE FEDERAL CARES ACT IN LANDLORD-TENANT CASES : No. 537
: Judicial Administration Docket
:
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ORDER

PER CURIAM

AND NOW, this 16th day of July, 2020, IT IS ORDERED pursuant to Article V, Section 10 of the Constitution of Pennsylvania, that every action by a landlord against a tenant for the recovery of possession of real property filed on or after March 27, 2020 through August 24, 2020 shall be accompanied by an Affidavit of Compliance with the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 (“CARES Act”) in the attached form as available on the website of the Administrative Office of Pennsylvania Courts at <http://www.pacourts.us/forms/for-the-public> (for actions in magisterial district courts and courts of common pleas) or as available on the website of the Philadelphia Municipal Court at <https://www.courts.phila.gov/municipal/civil/>, respectively. A copy of the completed affidavit shall be attached to the complaint and served upon the tenant.

Additionally, every action by a landlord who is a federally backed multifamily mortgage loan borrower, as defined by section 4023(f)(2)-(3) of the CARES Act, against a tenant for the recovery of real property shall continue to be accompanied by the Affidavit of Compliance with the CARES Act through the earlier of 60 days after the termination of the national emergency on COVID-19 as declared by the President on March 1, 2021. See Affidavit, questions 4 and 5.

Notwithstanding the provisions of Pa.R.E. 802, the affidavit is admissible at the hearing or trial for the recovery of possession of real property.

SUPREME COURT OF PENNSYLVANIA DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE

NOTICE OF PROPOSED RULEMAKING

Proposed amendment of Pa.R.C.P. No. 1915.11

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania an amendment to Pa.R.C.P. No. 1915.11 for the reasons set forth in the accompanying publication 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 neither will 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:

Bruce J. Ferguson, Counsel
Domestic Relations Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9531
domesticrules@pacourts.us

All communications in reference to the proposal should be received by **October 2, 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 Domestic Relations Procedural Rules Committee

Walter J. McHugh, Esq.
Chair

SUPREME COURT OF PENNSYLVANIA DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE

RULE PROPOSAL 178

*** The following rule text replaces the current rule text in its entirety ***

Rule 1915.11. Appointment of Attorney for Child. Child Interview by the Court. Child Attending Court Proceedings

- (a) *Appointment of Attorney for Minor Child.*
- (1) Upon its own motion or a motion of a party, the court may appoint an attorney to represent a child, who is the subject of the action.
 - (2) The court may apportion the cost of the child’s attorney to the parties.
 - (3) The order appointing the child’s attorney shall be substantially in the form in Pa.R.C.P. No. 1915.19.
 - (4) The child’s attorney:
 - (i) shall represent the child’s legal interest;
 - (ii) shall zealously represent the child as any other client in an attorney-client relationship; and
 - (iii) shall not act as the child’s guardian *ad litem* or best interest attorney.

Note: See Pa.R.C.P. No. 1915.11-2 for the appointment of a guardian *ad litem*.

- (b) *Child Interview by the Court.*
- (1) The court shall interview the child, along with other minor children who are called to testify in the action, in open court or in chambers and on the record.
 - (i) Except as provided in (b)(1)(ii), a party and his or her attorney may observe the interview.
 - (ii) A party may waive observation of the interview, including by his or her attorney.
 - (iii) During the interview, the court shall permit a party’s attorney or a self-represented party to either:
 - (A) question the child under the court’s supervision; or
 - (B) submit written questions to the court, which the court may include in its interview.
 - (2) The court shall include the transcript of the interview in the record.

(c) *Child Attending Court Proceedings.* A child’s attendance at a court proceeding, e.g., conference, hearing, or trial, is not required unless the court orders the child to attend the proceeding.

*** The preceding rule text replaces the current rule text in its entirety ***

COMMENT — 2020

Subdivision (b) permits a party or his or her attorney to observe the child interview process, which the party may waive. The rule further provides the court with an alternative to live questioning of the child by the attorney or self-represented party through submission of written questions to the court for the child’s interview. This alternative participation would

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obviate circumstances in which the court determines that the attorney or self-represented party directly questioning the child could intimidate or otherwise adversely impact the child or the court's ability to acquire information from the child. As the rule provides that the questioning is under the court's supervision, the court has the ability to address inappropriate questions or conduct by the attorney or self-represented party during the interview process.

SUPREME COURT OF PENNSYLVANIA
DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE

PUBLICATION REPORT

RULE PROPOSAL 178

The Domestic Relations Procedural Rules Committee (Committee) is proposing an amendment to Pa.R.C.P. No. 1915.11. This rule addresses the appointment of an attorney for a child in a custody case, the child interview by the court, and children attending various court proceedings.

The Committee received correspondence suggesting the current rule infringes upon a self-represented party's ability to represent himself or herself by not permitting the self-represented party to participate in the child interview in the same manner as a represented party through his or her counsel. The Rule Proposal's primary purpose is amending subdivision (b) by allowing a self-represented party to directly participate in the child's interview. As in the current rule, the proposed rule requires the court to supervise the questioning of the child by a party's attorney or a self-represented party, which should ensure that inappropriate questions or behavior by a litigant or an attorney can be promptly addressed by the court.

Currently, Pa.R.C.P. No. 1915.11(b) provides that the court may interview the child in the presence of the parties' attorneys and, if the court permits, the parties. This aspect of the rule is unchanged, and the provision is rewritten into subdivision (b)(1)(i). Also, the Committee is proposing adding a waiver provision into subdivision (b)(1)(ii) in which a party may waive not only his or her observation of the child's interview, but also his or her attorney's observation. In practice, the parties and counsel often agree to not observe the child's interview to allow for a more fruitful and honest discussion between the court and the child. Proposed subdivision (b)(1)(ii) essentially codifies that current practice.

More significantly, however, the Rule Proposal incorporates and modifies the current rule's provision of permitting an attorney to interview the child under the court's supervision into subdivision (b)(1)(iii). The current rule permits only an attorney to interview the child. The Rule Proposal would allow a self-represented party the same opportunity do so under the court's supervision. The Committee is cognizant of the potential problems associated with a parent or third party questioning a child; however, the few cases in which this becomes an issue should not thwart a self-represented party's ability to represent himself or herself, especially when the court supervises the interview. Moreover, the Committee is cognizant that a self-represented party has the same rights as a represented party and, as such, should be afforded the same opportunity to interview the child. Furthermore, as a self-represented party is obligated to understand the rules and the law and conduct himself or herself in the same manner as an attorney, it would seem incompatible to that requirement for this rule to hinder a party's ability to self-represent by not permitting the party to question the child. See *Rich v. Acrivos*, 815 A.2d 1106 (Pa. Super. 2003).

To help the court manage the child's interview by the attorneys or parties, the proposed rule provides that in lieu of live questioning of the child by the attorneys or parties, the court may request that a party or the party's attorney provide the court with questions for the child that the court may include in its interview. Similar to subdivision (b)(1)(ii), the Committee is essentially codifying this common practice into subdivision (b)(1)(iii).

Finally, the current rule's subdivisions (a) and (c) are substantively unchanged, but the Committee is proposing rewriting these narrative subdivisions into an outline format. As a result, Pa.R.C.P. No. 1915.11 is rewritten in its entirety.

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

SUPREME COURT OF PENNSYLVANIA
DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE

NOTICE OF PROPOSED RULEMAKING

Proposed amendment of Pa.R.C.P. Nos. 1915.3-2, 1915.4-4, 1915.7 and 1915.10

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P. Nos. 1915.3-2, 1915.4-4, 1915.7 and 1915.10 for the reasons set forth in the accompanying publication 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 neither will 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:

Bruce J. Ferguson, Counsel
Domestic Relations Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9531
domesticrules@pacourts.us

All communications in reference to the proposal should be received by **October 2, 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 Domestic Relations Procedural Rules Committee

Walter J. McHugh, Esq. Chair

SUPREME COURT OF PENNSYLVANIA
DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE
RULE PROPOSAL 154

Rule 1915.3-2. Criminal Record or Abuse History.

* * * Subdivisions (a) and (b) are being replaced with the following * * *

(a) Criminal Record/Abuse History Verification.

(1) Confidential Document. A party's Criminal Record/Abuse History Verification form shall be confidential and shall not constitute a public record.

(2) Plaintiff or Petitioner. Contemporaneous with initiating a custody action or a contempt proceeding, the plaintiff or petitioner shall:

(i) complete and sign a Criminal Record/Abuse History Verification form;

Note: See subdivision (d) for the Criminal Record/Abuse History Verification form.

(ii) file the completed form and the complaint, petition, or counterclaim initiating the action or contempt proceeding with the prothonotary; and

(iii) serve on the defendant or respondent with the pleading initiating the custody action:

(A) his or her filed 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 with a pleading initiating a custody action or contempt proceeding, the defendant or respondent shall:

(i) complete and sign the blank Criminal Record/Abuse History Verification form served with the initiating pleading;

(ii) file the completed form with the prothonotary before the initial in-person contact with the court or within 30 days of service of the initiating pleading, whichever occurs first; and

(iii) serve his or her filed verification form on the plaintiff or petitioner.

(4) Updating Verification Form. A party shall complete, sign, file with the prothonotary, and serve on the other party an updated verification in the following circumstances.

(i) Pending Court Proceedings. At each of the following:

- (A) hearing;
- (B) pretrial conference; or
- (C) trial; or

(ii) After a Final Order. Provided the child remains subject to the court's jurisdiction, when a party knows the information on the most recently filed verification is inaccurate or has changed relative to him or her or his or her household member.

(5) Sanctions. A party's failure to file a Criminal Record/Abuse History Verification may result in sanctions against that party.

(b) Initial Evaluation.

(1) 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(d)-(e), the judge, conference officer, conciliator, or other appointed individual shall consider:

(A) a party's Criminal Record/Abuse History Verification form; and

(B) other information or documentation of a party's or household member's criminal record or abuse history that are provided by a 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:

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- (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) When 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, if it is in the child's best interest.

(c) **[Verification]** *Verification.* The verification regarding criminal **record** 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:]

1. As to the following listed Pennsylvania crimes or offenses or other jurisdiction's substantially equivalent crimes or offenses, check the box(es) 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.

A party should also identify a listed criminal offense even if the offense had been resolved by Accelerated Rehabilitative Disposition (ARD) or another diversionary program, had been expunged pursuant to 18 Pa.C.S. § 9122, or a court has entered an order for limited access, i.e., 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
<input type="checkbox"/>	18 Pa.C.S. Ch. 25 (relating to criminal homicide)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2702 (relating to aggravated assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2706 (relating to terroristic threats)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2709.1 (relating to stalking)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2718 (related to strangulation)			_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2901 (relating to kidnapping)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2902 (relating to unlawful restraint)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2903 (relating to false imprisonment)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3121 (relating to rape)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3122.1 (relating to statutory sexual assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

<input type="checkbox"/>	18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3124.1 (relating to sexual assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3125 (relating to aggravated indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3126 (relating to indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3127 (relating to indecent exposure)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3129 (relating to sexual intercourse with animal)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3130 (relating to conduct relating to sex offenders)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3301 (relating to arson and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4302 (relating to incest)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4303 (relating to concealing death of child)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4304 (relating to endangering welfare of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4305 (relating to dealing in infant children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 5902(b) (relating to prostitution and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 5903(c) or (d) (relating to obscene and other sexual materials and performances)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6301 (relating to corruption of minors)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6312 (relating to sexual abuse of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6318 (relating to unlawful contact with minor)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6320 (relating to sexual exploitation of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Finding of contempt of a Protection from Abuse Order or agreement under 23 Pa.C.S. § 6114 [(relating to contempt for violation of protection order or agreement)]	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Finding of contempt of a Protection of Victims of Sexual Violence and Intimidation order or agreement under 42 Pa.C.S. § 62A14	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Driving under the influence of drugs or alcohol	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

[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:

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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.

Check all that apply	Self	Other household member	Date
<input type="checkbox"/> A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction.	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction.	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Involvement with a Children & Youth Agency or similar agency in Pennsylvania or another jurisdiction. Where?: _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	_____

Signature

Printed Name

(d) Child Abuse and Protective Services Involvement. A judicial district shall develop procedures by local rule, as necessary, for:

- (1) obtaining the information required by 23 Pa.C.S. § 5329.1(a) from the county children and youth social service agency;
- (2) distributing the information obtained in subdivision (d)(1) to the parties or the parties' counsel, as appropriate, while ensuring that sharing confidential reports and information is consistent with the law, including 23 Pa.C.S. § 6340; and
- (3) introducing the relevant information into evidence at a hearing or trial, including authenticating witness testimony.

Comment — 2020

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

Subdivision (a)(1) provides that the Criminal Record/Abuse History Verification form is a confidential document under the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. A party with a criminal offense expunged or granted limited access is generally not required to disclose such information. See 18 Pa.C.S. § 9122.5. However, the Verification form requires a party to disclose this information, including the information of a household member. Although most of the listed offenses would be ineligible for expungement or limited access due to the severity and nature of the criminal offense, some listed criminal offenses could be expunged or subject to limited access. As such, to avoid inadvertently disclosing this information to individuals not associated with the court or the custody litigation, the rule deems the Verification form a confidential document under the *Public Access Policy*.

Additionally, a requirement for the parties to update the Verification form has been added in subdivision (a)(4). The rule's intent is for the court and parties to have the most current information available, including after a final order — provided the child remains under the court's jurisdiction. Although the rule provides for the filing of an amended Verification form at a hearing, pretrial conference, or trial, the terminology used by a judicial district may vary for these court proceedings.

Subdivision (d) requires a judicial district to develop local rules for obtaining, distributing, and introducing into evidence information from the county children and youth social service agency. In a judicial district with a "one family - one judge" policy or in a county in which a judge presides over the custody and dependency cases, a local rule may not be necessary as provided in subdivision (d) as the judge will have access to the requisite Section 5329.1 information as set forth in 23 Pa.C.S. §§ 5328(a)(2.1) and 5329(a). In contrast, a local procedure may be necessary in a judicial district in which the juvenile dependency court's information and the county children and youth social service agency's file are not readily accessible to a custody court judge who is not directly involved in the juvenile dependency case.

In several counties, judicial districts have developed forms to elicit the appropriate Section 5329.1 information from the children and youth social service agency. In a judicial district using such a form, the court should ensure that the information or documentation obtained from the agency, which may be confidential, is handled in accordance with applicable laws related to the distribution of confidential information and the Pennsylvania Rules of Evidence.

The Verification form has been updated to include a new criminal offense, 18 Pa.C.S. § 2718 (relating to strangulation), which was added to 23 Pa.C.S. § 5329 in Act 32 of 2020 (effective August 4, 2020). In addition, the Verification form has been amended to require the disclosure of a finding of contempt related to a Protection of Victims of Sexual Violence and Intimidation Order under 42 Pa.C.S. § 62A14. The form already required the disclosure of a finding of contempt in a PFA action.

2. Check the box(es) next to the statements that apply to you, a household member, or your child.

Check all that apply	Self	Household member	Child
<input type="checkbox"/> Involvement with a children and youth social service agency in Pennsylvania or a similar agency in another jurisdiction. What jurisdiction?: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> A determination or finding of abuse (<i>i.e.</i> , 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?: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> An adjudication of dependency or delinquency under Pennsylvania's Juvenile Act, or a similar law in another jurisdiction, and the record is publicly available as set forth in 42 Pa.C.S. § 6307. What jurisdiction?: _____ Is the case active? _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> A history of "abuse" as that term is defined in the Protection from Abuse Act, 23 Pa.C.S. § 6102.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> A history of "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).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

4. If [any conviction above] you checked a box in (1) or (2) that applies to [a] your household member, who is 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 member has [or have] a criminal record [] or 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 unsworn falsification to authorities.

Date

Plaintiff/Defendant Signature

Printed Name

Rule 1915.4-4. Pre-Trial Procedures.

- (e) At the pre-trial conference, the court shall consider 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) 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 as may aid in the disposition of the case; and
 - (7)8) if a trial date has not been scheduled, [it shall be scheduled] the court shall schedule the trial at the pre-trial conference.

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.

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Rule 1915.7. Consent Order

If the parties have an agreement regarding custody and request that the court enter a consent order incorporating the agreement's terms:

- (a) the parties shall submit to the court a proposed custody order bearing the parties' written consent; or
- (b) the parties may state the agreement on the record, provided that:
 - (1) within ten days of placing the agreement on the record, the parties comply with subdivision (a); or
 - (2) the court memorializes the oral agreement from the record into a written custody order.

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*.

[See Pa.R.C.P. No. 1915.10(b) regarding written custody order requirements.]

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.
 - (c) 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**

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

- (2) **Pa.R.C.P. No. 1915.3-2(a)(4)(ii), regarding a party's ongoing obligation to complete, file, and serve the Criminal Record/Abuse History Verification form.**

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

Comment — 2020

Similar to the rule's requirement that the court include in a custody order provide a notice to the parties of his or her obligation with regard to relocation, the rule now provides that the custody court order contain a notice to the parties notifying him or her of the ongoing obligation to update the Criminal Record/Abuse History Verification form. Under no circumstances does a party filing an updated Verification form impose a duty on the court to respond or react to a newly revealed criminal record or abuse history absent another party petitioning the court for relief.

SUPREME COURT OF PENNSYLVANIA DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE REPUBLICATION REPORT RULE PROPOSAL 154

The Domestic Relations Procedural Rules Committee ("Committee") is proposing amendments to Pa.R.C.P. No. 1915.3-2, Criminal Record or Abuse History, Pa.R.C.P. No. 1915.4-4, Pre-Trial Procedures, Pa.R.C.P. No. 1915.7 - Consent Order, and Pa.R.C.P. No. 1915.10 - Decision. Order. Initially, Act 107 of 2013, effective January 1, 2014, prompted the Committee to discuss rule amendments to further those legislative changes, which included directing custody courts 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. Furthermore, Act 107 amended not only Title 23 as it relates to child custody, but also the Child Protective Services Law, 23 Pa.C.S. §§ 6301 - 6375, and the Juvenile Act, 42 Pa. C.S. §§ 6301 - 6375. Act 107 directed the Department of Public Welfare, now the Department of Human Services (DHS), the local county children and youth social services agency (CYS), and the court of common pleas to cooperate with the exchange of information that is necessary for a court to determine child custody.

As it relates to child custody determinations, Act 107 provided statutory changes requiring inter-branch cooperation between family courts and DHS, including CYS, for sharing reports and other information of families and children involved with CYS and a custody court.

The information sharing is necessary for a custody court to determine the amended factors in 23 Pa.C.S. §§ 5328(a)(2.1) and 5329.1(a). These statutory changes also provide a number of procedural and evidentiary problems.

First, child custody proceedings are adversarial, and the parties are required to present evidence in support of his or her claim for custody, which address the Section 5328 factors, including (a)(2.1). Often the custody litigants are not the dependency action litigants (e.g., grandparents, other third parties). Those litigants may not have access to juvenile court records and CYS files, which may have relevancy in the custody action. Moreover, some dependency and CYS information or reports are confidential and, as such, a custody litigant may be precluded from obtaining evidence relevant to the custody action.

Second, the Act amends the Child Protective Services Law and Juvenile Act by granting courts of common pleas access to reports, files, and court records that would assist the court in determining custody. Allowing the custody judge access to CYS information and files places the judge in an investigative rather than an adjudicative role. Previous published versions of this Rule Proposal had many comments objecting to this judicial investigative role.

Complicating matters are the varying judicial district court procedures for custody cases and juvenile dependency cases. In judicial districts in which a judge may hear both custody and dependency cases or the judicial district is "one family one judge," the issues are less problematic since the custody court often would have knowledge of the parties' or child's involvement with CYS and dependency court. Additionally, the court would already have access to the dependency case records and files, and may have conducted hearings in which this information had been entered as evidence. However, even in these judicial districts, the issue of how CYS and dependency court information will be entered into evidence in the custody action is still problematic in many circumstances, as is third-party litigants accessing confidential CYS reports and information.

On three occasions, the Committee published for public comment in the *Pennsylvania Bulletin* a variation of this Rule Proposal. See 46 Pa.B. 3932 (July 23, 2016), 47 Pa.B. 3333 (June 17, 2017), and 49 Pa.B. 3469 (July 6, 2019). After reviewing comments from the most recent publication and additional Committee deliberations, the Committee has substantially revised the previous proposal, and the Committee is now republishing the Rule Proposal for public comment.

Initially, the Committee proposes reformatting Pa.R.C.P. No. 1915.3-2 into an outline format rather than the current narrative format. The current Rule Proposal significantly restructures the rule. The Committee believes this format is more easily understood and followed, especially in rules in which there are numerous procedural parts. As such, subdivisions (a) and (b) have been completely rewritten. The rule revision includes the current rule's narrative provisions reformatted and enumerated into distinct subdivisions with additional provisions detailing when the parties must update the Criminal Record/Abuse History Verification form and addressing sanctions for failure to file the form.

Of significance, the Committee believes that it is critical that the court have the most current information on the parties and household member's criminal record and abuse history to properly determine custody. As such, the Rule Proposal provides that the party's shall have the ongoing obligation for updating the Verification form so that the parties and the court have current and accurate information so they can understand any potential threats of harm to the child. The Rule Proposal requires the parties to update the Verification form at each hearing, pretrial conference, or trial and after a final order, if the court has jurisdiction over the child, when a party's or household member's circumstances have changed relative to the required disclosures, which would impact the most recently filed Verification form's accuracy.

Finally, as it relates to Pa.R.C.P. No. 1915.3-2(b), the Committee has deleted the Note following the current rule text and, instead, incorporated the relevant portions into the rule text. The Committee determined that the Note's information would be better suited and have greater significance in practice by its inclusion into the rule text.

Also, the Committee proposes adding subdivision (d) to Pa.R.C.P. No. 1915.3-2, which will require judicial districts to develop local rules/procedures for obtaining the requisite information from CYS and the dependency courts, as appropriate. As set forth in the accompanying Comment, the variation in judicial district procedures in custody and juvenile dependency cases makes a "one-size fits all" statewide rule difficult and impractical. The Committee's deliberations suggested that the local courts were in a better position to develop procedures between two court divisions and a county agency.

Another statutory change impacting Pa.R.C.P. No. 1915.3-2 is a recent amendment to 23 Pa.C.S. § 5329. Act 32 of 2020 (effective August 4, 2020) amends Section 5329 and adds 18 Pa.C.S. § 2718 (related to strangulation) to the list of criminal offenses that the court must consider in awarding custody. The Committee proposes amending the Criminal Record/Abuse History Verification form to include that statutory amendment along with adding contempt of Protection of Victims of Sexual Violence and Intimidation order or agreement to the list of offenses included on the form.

As noted above, the Rule Proposal includes amendments to Pa.R.C.P. Nos. 1915.4-4, 1915.7, 1915.10. With regard to Rule 1915.4-4, the proposed amendment would require that the court address the parties' criminal record or abuse history at a pre-trial conference. In addition, the proposed amendment would require the court to address the admissibility of the CYS documents and information and other related evidentiary issues, including authenticating CYS witness testimony, during a pretrial conference, as well.

Finally, the Committee proposes amending Rule 1915.10(c) by adding a provision requiring that the court's custody order include a notice outlining the parties' ongoing obligation to update the Verification form post-final order. The Committee reasoning in proposing this obligation is that often after a final order one party's circumstances change that are unknown to the other party, which could have significant impact on the child and the child's best interest. By requiring a party to update the Verification when his or her circumstances (or his or her household member's circumstances) warrant, the other party can obtain information and assess whether a modification of the order is necessary. This requirement is fashioned after a similar relocation notice requirement. As proposed, subdivision (c) is subdivided so that both requirements, relocation and updating verifications, are in separate subdivisions.

The DRPRC invites comments, concerns, and suggestions regarding this rulemaking proposal.

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FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
PHILADELPHIA COURT OF COMMON PLEAS
TRIAL DIVISION – CIVIL

Thursday, July 16, 2020

NOTICE TO THE CIVIL BAR

**POLICIES AND PROTOCOLS FOR USE OF ADVANCED COMMUNICATION
TECHNOLOGY FOR COURT PROCEEDINGS IN CIVIL MATTERS**

Pursuant to paragraph 3 of Administrative Order, Amended No. 33 of 2020, dated May 21, 2020, the Court adopts the following Protocols and Policies for all proceedings in civil matters that will be held using Advanced Communication Technology:

1. Trial Division – Civil will use Zoom video conferencing services (“Zoom”) as the designated Advanced Communication Technology for certain proceedings in civil matters.
2. All participants – counsel, clients and witnesses – shall familiarize themselves with Zoom in advance of the proceeding.
3. When signing into Zoom, each participant shall use only their first and last name as their screen name along with an appropriate designation such as “plaintiff’s counsel, plaintiff or witness. For example, a proper screen name is “Jane Doe – plaintiff’s counsel.” The screen name cannot be an email address or nickname, e.g., southsidejohnny@gmail.com.
4. All participants must confirm that their computer audio is enabled and that their Internet connection is working properly and with sufficient signal strength. Where possible, participants should use a desktop computer rather than a mobile device. When using a mobile device, ensure that device is sufficiently charged and/or plugged into a power source.
5. Counsel shall make every effort to ensure that the witness/party can use Zoom and can view exhibits via Zoom. The camera should be positioned such that the person’s entire face and shoulders are visible.
6. During testimony by a party or witness, no one is permitted to communicate – via text or chat application or any other means – with the testifying witness except by way of on the record oral questions directed toward that witness.
7. If counsel is muted and has an objection or requests permission to address the Court, counsel should physically raise their hands so that the Court may recognize counsel.
8. If during the course of the proceeding it becomes necessary for counsel to consult with a client in private, counsel may raise their hand to request to be sent to a breakout room for a short time to have a private conversation.
9. If a participant’s video freezes and that participant is unable to restart video, the participant shall dial-in to the Zoom proceeding and use audio only.
10. Counsel and parties must treat the proceeding as if it were in open court so appropriate dress and decorum are required.
11. Counsel and parties must silence all other electronic devices.
12. No participant may use a virtual background without Court permission.
13. Participants are reminded that everyone must appear on camera during the entire hearing, whether or not they are speaking, unless the Court directs otherwise. Participants must limit or eliminate possible background distractions.
14. All participants must be able to review exhibits while also participating in a Zoom proceeding.
15. Pa. Rule of Judicial Administration No. 1910 provides that it “is unlawful and a criminal offense to use or operate a device to capture, record, transmit or broadcast a photograph, video, motion picture or audio of a proceeding or person within a judicial facility or in an area adjacent to or immediately surrounding a judicial facility without the approval of the court or presiding judicial officer or except as provided by rules of court.” The Zoom proceeding takes place in a virtual courtroom and constitutes a judicial facility. As such, any broadcasting, transmitting, video recording, audio recording, photographing, taking screenshots and/or otherwise saving or reproducing of the proceeding is strictly prohibited and is subject to penalties including contempt of court.

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
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
PHILADELPHIA MUNICIPAL COURT

President Judge Administrative Order

No. 48 of 2020

**In re: Reopening of Philadelphia Municipal Court Civil Division
to In-Person Proceedings**

ORDER

AND NOW, this 13th day of July, 2020, pursuant to Pa.R.J.A. No 1952 (B)(2), the Judicial Emergency declared by the First Judicial District, and upon consideration of Governor Wolf’s July 9, 2020 Order regarding Staying Notice Requirements for Specified Actions Related to the Dispossession of Property, **it is hereby ORDERED and DECREED** that the reopening of the Philadelphia Municipal Court Civil Division to in-person proceedings shall be implemented in phases as follows:

- (1) The Court will hear in-person small claims court matters, limiting the number of cases scheduled each day.
- (2) Landlord-Tenant trials and petitions currently scheduled to be heard by the Philadelphia Municipal Court from July 6, 2020 to September 2, 2020 are postponed. They will be rescheduled beginning on or after September 3, 2020
- (3) Landlord-Tenant complaints may be filed with the Philadelphia Municipal Court electronically and in-person (an appointment should be made with the court by those persons who will be filing in-person) beginning on July 13, 2020. Before filing, landlords should review Sections 4023 and 4024 of The Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”), City Council Bill No. 200305 which was enacted on July 1, 2020, and provides for a Mandatory Hardship Repayment Agreement for certain residential tenants, and Governor Wolf’s July 9, 2020 Executive Order that suspends eviction notice periods through August 31, 2020 for residential landlord-tenant cases in which the CARES Act is inapplicable and which are based on nonpayment of rent or termination of term. Any landlord-tenant action filed on and after July 10, 2020 will be listed for trial on November 16, 2020 and thereafter.
- (4) The issuance and service of writs and alias writs of possession are stayed until September 3, 2020. In calculating the six-month period set forth in Rule 126(e) (“[a]n alias writ of possession may not be issued after six months from the date of the judgment for possession without leave of court”) and the 180-day period for serving alias writs of possession (the practice of the Philadelphia Municipal Court is to serve the alias writ of possession within 180 days from the entry of a judgment for possession), the time from March 16, 2020 through and including September 2, 2020 shall be excluded from the computation of those time periods.
- (5) Petitions previously filed in code enforcement shall be scheduled or rescheduled on or after July 27, 2020.
- (6) Cases scheduled or rescheduled may be heard, as appropriate, utilizing Advanced Communication Technology as provided by protocols that may be issued from time to time.
- (7) As to Philadelphia Municipal Court cases only, writs of execution and attachment seeking the enforcement of money judgments, including but not limited to garnishment of bank accounts, may be issued and served on or after July 13, 2020.
- (8) **Information Regarding Appeals from Philadelphia Municipal Court Judgments.** A judgment of the Philadelphia Municipal Court may be appealed to the Court of Common Pleas as provided in Philadelphia Rule of Civil Procedure *1001.

To appeal to the Court of Common Pleas parties may email the Office of Judicial Records at OJR_Civil@courts.phila.gov or call (215) 686-4251 to ask about how to file an appeal to the Court of Common Pleas. Office of Judicial Records staff can assist the Appellant with using the Electronic Filing System so that the appealing party may file from home or Office of Judicial Records staff can make an appointment for the appealing party to file in person at the Civil Filing Center in City Hall during normal business hours.
- (9) This Order supersedes conflicting provisions contained in President Judge Order No. 44 of 2020.

BY THE COURT:

/s/ Idee C. Fox

Hon. Idee C. Fox, President Judge
Court of Common Pleas
Philadelphia County
Chair, Administrative Governing Board

/s/ Patrick F. Dugan

Hon. Patrick F. Dugan, President Judge
Philadelphia Municipal Court
Philadelphia County

Court Notices

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UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PUBLIC NOTICE FOR REAPPOINTMENT OF AN INCUMBENT MAGISTRATE JUDGE

The current term of office of United States Magistrate Judge David R. Strawbridge at Philadelphia, Pennsylvania is due to expire on April 25, 2021. The United States District Court is required by law to establish a panel of citizens to consider the reappointment of the Magistrate Judge to a new eight-year term.

The duties of a Magistrate Judge in this court include the following: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from a district judge; and (4) trial and disposition of civil cases upon consent of the litigants.

Comments from members of the bar and the public are invited as to whether the incumbent magistrate judge should be recommended by the panel for reappointment by the court and should be directed to:

Kate Barkman, Clerk of Court
2609 United States Courthouse 601 Market Street
Philadelphia, PA 19106

*ATTN: Human Resources Department
Magistrate Judge Reappointment*

Comments must be received by August 31, 2020.
Juan R. Sánchez
Chief Judge

Dated: July 13, 2020

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PUBLIC NOTICE FOR REAPPOINTMENT OF AN INCUMBENT MAGISTRATE JUDGE

The current term of office of United States Magistrate Judge Timothy R. Rice at Philadelphia, Pennsylvania and Reading, Pennsylvania is due to expire on March 21, 2021. The United States District Court is required by law to establish a panel of citizens to consider the reappointment of the Magistrate Judge to a new eight-year term.

The duties of a Magistrate Judge in this court include the following: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from a district judge; and (4) trial and disposition of civil cases upon consent of the litigants.

Comments from members of the bar and the public are invited as to whether the incumbent magistrate judge should be recommended by the panel for reappointment by the court and should be directed to:

Kate Barkman, Clerk of Court
2609 United States Courthouse 601 Market Street
Philadelphia, PA 19106

*ATTN: Human Resources Department
Magistrate Judge Reappointment*

Comments must be received by August 31, 2020.
Juan R. Sánchez
Chief Judge

Dated: July 13, 2020

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:**

- 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.
- 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

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

No. 45 of 2020

President Judge Administrative Order

Court Notices continues on 27

Court Notices

continued from 26

In re: **QUALIFYING RESIDENTIAL MORTGAGE FORECLOSURE PROGRAM REASSIGNMENT**

ORDER

AND NOW, this 2nd 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 access to City Hall for emergency relief, and the public safety concerns associated with large crowds, it is **ORDERED AND DECREED THAT** Mortgage Foreclosure Conciliation Conferences and Case Management Conferences subject to Joint General Court Regulation No. 2008-01 are continued generally until further order of court and pending cases shall be processed as follows:

PART I. Mandatory Deferral Applications

1. Plaintiff's counsel must file a Praecipe to Defer in the form attached to this Order, in the following cases:
 - a. The parties have entered a Trial Modification Plan;
 - b. The parties have entered a Forbearance Agreement;
 - c. The Defendant is an "At-Risk" HECM Mortgagor pursuant to HUD Mortgagee Letter 2015-11, Option 2.
 - d. Plaintiff has instructed counsel to not proceed with the case.
2. Plaintiff's counsel may remove case from deferred status by filing a Praecipe to Relist in the form attached to this Order. Cases removed from deferred status will be listed for a Conciliation Conference.

PART II. Case Management Conferences

1. If a Case Management Conference is pending, in lieu of a conference, the court will review the docket to determine whether service is completed on all named Defendants and whether the case completed Conciliation.
 - a. If the docket reflects service is complete as to all Defendants and the case completed Conciliation, a Standard Track Case Management Order will be issued.
 - b. If Plaintiff has failed to effectuate service on all named Defendants, and the case was removed from Conciliation because of the failure to serve all named Defendants, a Rule will be issued against Plaintiff to show cause why the case should not be dismissed for lack of prosecution. Until further notice said Rule hearing will be conducted remotely.
 - c. If the case was removed for lack of service, and service is completed on all named Defendants, the case may also be returned to Conciliation upon the filing of a Praecipe to Relist by Plaintiff's counsel.

Part III. Trial

Any foreclosure case scheduled for trial, whether a date-certain or pool, between March 16, 2020 through October 1, 2020, is continued until October 15, 2020, at which time the case will be reviewed on the papers, counsel and parties will be notified to determine status, and if ready for trial, will be scheduled for trial. Plaintiffs are again advised that cases subject to forbearance should be placed in deferred status.

Part IV Reassignment from Diversion Program

Where the applicability of Joint General Court Regulation 2008-01 is disputed, a Motion to reassign may be filed. Motions will be decided on the pleadings and must contain sufficient facts, including, but not limited to photographs of the property. In addition, the Motion will be reviewed at the next scheduled Conciliation Conference.

BY THE COURT:

/s/ Jacqueline F Allen

/s/ Idee C. Fox

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

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

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

Plaintiff :
v. : Term 20
 : Docket No.
 :
 : Conciliation Date:
 : Day Forward No.
 :
 : Housing Counselor:
 :
 Defendant(s) :

PLAINTIFF'S PRAECIPE TO PLACE CASE IN DEFERRED STATUS

TO THE OFFICE OF JUDICIAL RECORDS:

Please place this residential mortgage foreclosure case into deferred status for the following reason (check one):

- The parties have entered a Trial Modification Agreement.
- The parties have entered a Forbearance Agreement.
- Defendant's status as an "At Risk" HECM Mortgagor pursuant to HUD Mortgagee Letter 2015-11, Option 2.
- Plaintiff has instructed counsel not to proceed with the case.

This matter may be removed from deferred status by Praecipe to Discontinue or Praecipe to Relist for a Conciliation Conference.

Attorney for Plaintiff

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

:
 : Term 20
 : Plaintiff
 : Docket No.
 v. :
 :
 : Conciliation Date:
 : Day Forward No.
 : Housing Counselor:
 :
 Defendant(s) :

PLAINTIFF'S PRAECIPE TO RELIST

TO THE OFFICE OF JUDICIAL RECORDS:

Please remove this mortgage foreclosure matter from deferred status and list it for a Conciliation Conference.

Attorney for Plaintiff

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

President Judge Administrative Order

No. 44 of 2020

In re: **Landlord-Tenant Cases**

ORDER

AND NOW, this 2nd day of July, 2020, pursuant to Pa.R.J.A. No 1952 (B)(2) and the Judicial Emergency declared by the First Judicial District, and in light of the continuing public safety concerns especially in light of the increasing number new of Covid-19 infections and the limitations in accessing court facilities, it is hereby **ORDERED and DECREED** that:

- (1) Landlord/Tenant cases currently scheduled to be heard by the Municipal Court from July 6, 2020 to September 2, 2020 are postponed until further order of court;
- (2) New Landlord-Tenant actions will be accepted for filing by the Philadelphia Municipal Court beginning on July 10, 2020; however, they will not be scheduled for a hearing until further order of court;
- (3) The issuance and service of writs of possession and of possession and alias writs of possession, is stayed until further order of court. In calculating the timeliness of the filing of *alias writs of possession*, the period from March 1, 2020 until the Court authorizes the filings of *alias writs of possessions*, shall be excluded from the computation of such time periods.

BY THE COURT:

/s/ Idee C. Fox

/s/ Patrick F Dugan

Hon. Idee C. Fox, President Judge
Court of Common Pleas
Philadelphia County
Chair, Administrative Governing Board

Hon. Patrick F. Dugan, President Judge
Philadelphia Municipal Court
Philadelphia County

Court Notices

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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:

/s/ Idee C. Fox

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

BY THE COURT:

/s/ Jacqueline F. Allen

Honorable Jacqueline F. Allen
Administrative Judge, Trial Division
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

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.

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Court Notices

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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

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

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

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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

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

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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.*
- 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, Adjudicatory 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. Adjudicatory hearings shall resume after June 1, 2020, with notice to parties and counsel.
 - c. In cases where the juvenile is detained prior to the adjudicatory 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**

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