ATTORNEY WANTED


Email resume and compensation expectations. LUCAS and CAVALIER, LLC rcavalier@lucascavalier.com

ASSOCIATE ATTORNEY

Kent & McBride, P.C, a medium-sized civil defense litigation firm in center city Philadelphia seeks a highly motivated associate with 1-4 years experience to assist with its ever growing Workers Compensation Practice. Membership to PA Bar a must; NJ and/or DE Bar membership a plus. Excellent growth opportunity. Pleasant working conditions, good benefits, and competitive salary. Kindly forward all responses to my attention via email: jmcmbride@kentmcbride.com

ATTORNEY

Blue Bell-based property-subrogation firm, de Luca Levine LLC, seeks a PA-barred attorney with litigation experience either as a lawyer or a paralegal. Property, Casualty, and/or Products background (defense or plaintiff) preferred. Strong research, writing, and communication skills required. NJ and/or NY bar admission is a plus.

Please forward resume to: udeluca@delucalevine.com

ATTORNEY

Defense firm seeking senior litigation associate for Cherry Hill, New Jersey office to fill Nursing Home Negligence and Medical Malpractice position. Candidate must be admitted and well versed in Pennsylvania and New Jersey. Strong speaking, writing, and team management skills necessary. Competitive benefits and salary.

Submit resume and writing sample to: attyapp@kbrlaw.com

HOMEOWNERSHIP RIGHTS STAFF ATTORNEY

Job Overview:
This full time attorney position provides representation, education, and advocacy for older low income or vulnerable homeowners facing foreclosure, tangled title, or other situations putting their homes at risk. Experience in a legal services office and in aging and/or poverty law, working with older adults, minority, low-income, and/or Limited English Proficient communities are all important foundations for this position, based in Center City Philadelphia. This position requires a highly professional, organized, energetic, flexible, confident, and culturally sensitive attorney to provide direct legal services to seniors. Job responsibilities include providing client intake and direct client services in and out of court, including civil representation and litigation and in-person and telephone legal counseling. Courtroom experience and appearances are required. The attorney will also participate in community education, professional training, and advocacy initiatives, attend staff and coalition meetings, and participate in special projects with and as a representative of the SeniorLAW Center team. All members of the SeniorLAW Center team participate in resource development and fundraising initiatives, events, writing, and reporting, as we foster a culture of philanthropy that supports our work for older people. Reports to Director, Homeownership Rights.

RESPONSIBILITIES INCLUDE:
A. Client Representation
1. Advise homeowners and assess homeownership needs of callers to the program through the Pennsylvania SeniorLAW Helpline.
2. Manage individual caseload and representation of clients in homeownership-related matters, including, but not limited to, forward and reverse mortgage foreclosures, tax foreclosures, contractor fraud matters, and matters involving transferring title to the client proceeds, quiet title, deed transfer, etc.
3. Attend court, represent clients, and provide at-court advice, including in the Philadelphia Mortgage Foreclosure Diversion Program.
4. Timely complete required documents on all cases and referrals.

B. Outreach/Community Relations
1. At the discretion of the Director, Homeownership Rights, develop and present legal education workshops to older homeowners and professional training. Attend community events.
2. Systems Advocacy
3. Participate in systems advocacy and represent SeniorLAW Center on various professional committees and advocacy coalitions, as needed.
4. Other Duties
   A. Participate in data collection, reporting, communications, development, and other projects and events as needed.
   B. Demonstrate ability to manage multiple projects and deadlines.
   C. Must be an active member of the Pennsylvania Bar in good standing.
   D. At least three (3) years of legal experience with direct experience in mortgage foreclosures, property tax, and/or probate.
   E. Good oral, research, writing, and public speaking skills.
   F. Excellent advocacy and negotiating skills, good organizational and interpersonal skills.
   G. Commitment to serving vulnerable and diverse communities required.
   H. Ability to work under pressure.
   I. Ability to work well as a team and individually.
   J. The highest degree of professionalism is required.

QUALIFICATIONS:
This is a full-time position (40 hours/week). Salary range, commensurate with experience. Excellent benefits, including 401(k), flexible spending plan, generous holidays and PTO, short- and long-term disability, and health and dental, valued at approximately $30,000. All applications should include a cover letter, resume, and at least three (3) professional references. Please include a writing sample. Please apply by email to the attention of Dana N. Goldberg, Esq., Legal Director, at employment@seniortlawcenter.org. No phone calls, please.

EMPLOYMENT WANTED

Excellent very experienced Senior Trial Attorney/Litigator available for Counsel or similar position. Primary focus has been in the areas of medical malpractice and other serious personal injury cases on both plaintiff and defense sides. Has first-chaired over 30 complex cases to verdict in the state and federal courts of PA and NJ. Has extensive appellate experience and has briefed and argued significant cases in the PA Supreme and Superior Courts. Also has experience in construction, civil rights, employment, defamation and Orphan’s Court litigation. Selected as a PA Super Lawyer for the past 15 plus years and carries an AV rating from Martindale-Hubbell. Looking to associate with a collegial, top-notch firm that values excellence, professionalism and camaraderie in a mutually beneficial arrangement.

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PUBLIC NOTICES

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.

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):

CHILDLS, CALVIN KEMP (aka CALVIN CHILDLS) – Brenda Louise Childs, Executrix, c/o Gregory J. Allard, Esquire, 24 Regency Plaza, Glen Mills, PA 19342; Gregory J. Allard, Attorney, 24 Regency Plaza, Glen Mills, PA 19342.

CHILDS, CALVIN KEMP – Charlesetta Patterson, Executor, 417 Third Avenue, Haddon Heights, NJ 08035-1415; Dorothy K. Weik, Attorney, 3114 Cottman Avenue, Bala Cynwyd, PA 19004.

HUNGER, ALICE L. – Sandra M. Hunger, Executrix, 105 Taylor St., Bristol, PA 19007.

HUNGER, ADMINISTRATRIX, 250 HUNGER, ALICE L. – Box 64769; Souderton, PA 18964. Atty., 1650 Market Street, Philadelphia, PA 19102.


LEBARBER, VALERIA L. – Sandra M. Lemberski, Executrix, 105 Taylor St., Bristol, PA 19007.

McGRATH, ANN C. – Colleen Ryan, Executrix, c/o Mark S. Pinnie, Esquire, 218 W. Front Street, Media, PA 19063; Mark S. Pinnie, Attorney, 218 W. Front Street, Media, PA 19063.

PARRA, FRANCISCO – Leslie Parr Rodriguez, Administratrix, c/o Clair M. Stewart, Esquire, 100 S. Broad Street, #1523, Philadelphia, PA 19102; Clair M. Stewart, Attorney, 100 S. Broad Street, #1523, Philadelphia, PA 19102.

PFAFF, ELIZABETH – Philip G. Pierré, Executor, 3305 Saphire Springs Drive, Knightdale, NC 27545.


Simmons, Leroy – Kenneth Simmons, Executor, c/o Rhonda Anderson, Esquire, 610 N. Old York Road, Suite 400, Jenkintown, PA 19046; Rhonda Anderson, Attorney, 610 N. Old York Road, Suite 400, Jenkintown, PA 19046.

Taylor, Francis James, Jr. – Charlene Taylor, Executor, 1850 Mulberry Lane, Warrington, PA 18976.


Weiman, Rosalinde – Karen Kamens, Executrix, c/o Dahlia Robinson, 822 Montgomery Avenue, Suite 204, Narberth, PA 19072; Dahlia Robinson, Attorney, 822 Montgomery Avenue, Suite 204, Narberth, PA 19072.


Wilson, Glen Aldred – Daina S. Wilson McLean, Esq., Administrator, P.O. Box 2410, Bala Cynwyd, PA 19004; Daina S. Wilson McLean, Attorney, P.O. Box 2410, Bala Cynwyd, PA 19004.

To place your ad today, call Jennifer McCullough at 215-557-2321. Email: jmccullough@alm.com

J & K Packaging, Incorporated has been incorporated under the provisions of Section 4129 of the Business Corporation Law of 1988.

RISE Philadelphia has been incorporated under the provisions of the PA Nonprofit Corporation Law of 1988.

Withdrawal Notice

Notice is hereby given that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, Harry F. Orlipp Company of Pennsylvania, a corporation of the State of Delaware, with principal office at c/o CT Corporation of the State of Delaware, 1209 Orange St., Wilmington, DE 19801, and having a registered office in the Commonwealth of Pennsylvania located at 1500 JFK Blvd., Ste. 1400, Philadelphia, PA 19102, which on 6/19/1961, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State SCHUBERT, GALLAGHER, TYLER & MULCAHEY, Solicitors, 121 S. Broad St., 26th Fl., Phila., PA 19107.

For more information, contact Jennifer McCullough at 215-557-2321.

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Legal Listings

Court Notices

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
PHILADELPHIA COURT OF COMMON PLEASES

TRIAL DIVISION – CIVIL
NOTICE TO THE BAR

NON-JURY AND ARBITRATION APPEAL PROGRAMS

Effective immediately, matters in the Non-Jury and Arbitration Appeal Programs will be scheduled for a Pre-Trial Settlement Conference in front of the Complex Litigation Center Settlement Conference Officer, Rebecca Grausam-Charamella, Esquire or designated Judge Pro Tempore. These conferences will be conducted remotely and are subject to the First Judicial District’s “Policies and Protocols for Use of Advanced Communication Technology for Court Proceedings in Civil Matters,” dated July 16, 2020 (available http://www.courts.phila.gov/covid-19).

The Notice of Pre-Trial Settlement Conference will contain the Zoom link, which may also be accessed via http://www.courts.phila.gov/livestreams/civil/hearings/ under “Pre-Trial Civil Matters,” dated July 16, 2020 (available http://www.courts.phila.gov/covid-19).

Effective December 1, 2021, Arbitration Appeals will be scheduled for a Pre-Trial Settlement Conference to take place approximately thirty (30) days following an appeal of the Report and Award of Arbitrators.

Please direct all inquiries concerning this notice to Stanley Thompson, Esquire, Director, Complex Litigation Center at (215) 686-5100.

BY THE COURT:

HONORABLE LISETTE SHIRDAN-HARRIS
ADMINISTRATIVE JUDGE
TRIAL DIVISION
HONORABLE DANIEL J. ANDERS
SUPERVISING JUDGE
TRIAL DIVISION – CIVIL
HONORABLE ABBE F. FLETMAN
TEAM LEADER JUDGE
COMPLEX LITIGATION CENTER

December 8, 2021

Mastering Medical Records
Webcast: 1:30 PM to 4:45 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 800-247-4PBI or go to: www.pbi.org

Elder Law Update
Webcast: 9:00 AM to 12:20 PM
Cost: $249.00 Standard, $125.00 Attorneys licensed 5 years or less, judicial law clerks & paralegals
2 substantive/1 ethics
For more information contact PBI Customer Service at 800-247-4PBI or go to: www.pbi.org

Deposition Control
Webcast: 9:00 AM to 4:00 PM
Cost: $149.00 Standard, $175.00 Attorneys licensed 5 years or less, judicial law clerks & paralegals
5 substantive
For more information contact PBI Customer Service at 800-247-4PBI or go to: www.pbi.org

Advanced Issues in Social Security Disability
Webcast: 1:30 PM to 4:45 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 800-247-4PBI or go to: www.pbi.org

Annual Contracts Workshop Part II – The Year in Review
Webcast: 9:00 AM to 12:20 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 800-247-4PBI or go to: www.pbi.org

Civil Practice and Procedure in the Philadelphia Court of Common Pleas
Webcast: 9:00 AM to 1:30 PM
Cost: $279.00 Standard, $140.00 Attorneys licensed 5 years or less, judicial law clerks & paralegals
4 substantive
For more information contact PBI Customer Service at 800-247-4PBI or go to: www.pbi.org

Year in Review for the General Practitioner
Webcast: 9:00 AM to 1:30 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 800-247-4PBI or go to: www.pbi.org

December 13

December 14

Department Of Records
As of September 21, 2020 all instruments left for record are ready for delivery

INSIDE
15 Coming Events
19 Common Pleas Court
22 Civil Trial List
16 Federal Court
23 Orphan’s Court

16 Register of Wills
23 U.S. Bankruptcy Court
23 Court of Appeals
23 District Court

COMING EVENTS

IN THE SUPREME COURT OF PENNSYLVANIA

ORDER APPROVING THE AMENDMENT OF THE COMMENTS TO RULES 113.1, 420, 513, AND 578 OF THE PENNSYLVANIA RULES OF CRIMINAL PROCEDURE

NO. 533
CRIMINAL PROCEDURAL RULES
DOCKET

PER CURIAM

AND NOW, this 1st Day of December, 2021, upon the recommendation of the Criminal Procedural Rules Committee, the proposal having been submitted without publication pursuant to Pa.R.J.A. 103(a)

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Comments to Rules 113.1, 420, 513, and 578 of the Pennsylvania Rules of Criminal Procedure are amended in the attached form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective on January 1, 2022.

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

Rule 113.1. Confidential Information and Confidential Documents. Certification.

Unless public access is otherwise constrained by applicable authority, any attorney, or any party if unrepresented, or any affiant who files a document pursuant to these rules with the issuing authority or clerk of court’s office shall comply with the requirements of Sections 7.0 and 8.0 of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania (Policy). In accordance with the Policy, the filing shall include a certification of compliance with the Policy and, as necessary, a Confidential Information Form, unless otherwise specified by rule or order of court, or a Confidential Document Form.

Comment

“Applicable authority,” as used in this rule, includes but is not limited to statute, procedural rule, or court order. The Case Records Public Access Policy of the Unified Judicial System of Pennsylvania (Policy) can be found on the website of the Supreme Court of Pennsylvania at: https://www.pacourts.us/public-records. The Policy is applicable to all filings by the parties or an affiant in any criminal court case.
THURSDAY, DECEMBER 16, 2021
Discovery Hearing
11:00 A.M.
19-cr-3624
T.G. et al v. WOODS SERVICES
Telephone Conference
02:00 P.M.
21-cv-1113
TRUSTEES OF THE UNIVERSITY OF
C.M. RUFFE, J.
Scheduling/Dep't Clerk: Kristen Pepin
Phone: (267) 299-7580
Fax: (267) 299-5277
ES/Courtroom Deputy: Erika Post
Phone: (267) 299-5899
THURSDAY, DECEMBER 9, 2021
Motion Hearing
10:30 A.M.
20-0424
USA v. DUNBAR
MONDAY, DECEMBER 13, 2021
Pretrial Conference/Hearing
03:00 P.M.
21-cv-1721
Arvey v. EQUIFAX INFORMATION S
G.E.K. PRATTER, J.
Scheduling/Dep't Clerk: Susan Filiberty
Phone: (267) 299-7580
Counsel/Deputy Clerk: Tom Wozniak
Phone: (267) 299-5077
THURSDAY, DECEMBER 9, 2021
Conference
04:00 P.M.
21-cv-5311
AXIVA HEALTH SOLUTIONS, INC. v.
Revocation Supers Rs-FinalHrg
01:30 P.M.
07-02371
USA v. BAKER
Sentencing
01:30 P.M.
19-0400
USA v. BAKER
FRIDAY, DECEMBER 10, 2021
Motion Hearing
11:00 P.M.
21-cv-0177
GALICIA BLANCO v. GURUS INDIAN
MONDAY, DECEMBER 13, 2021
Jury Trial
10:00 A.M.
20-01021
USA v. SEPULVEDA
21-cv-4041
USA v. CANALES
Sentencing
10:00 A.M.
18-cv-4764
SINGLETARY v. TRANSAM TRUCKING
Sentencing
02:00 P.M.
18-cv-0185
USA v. KHALID
TUESDAY, DECEMBER 14, 2021
Motion Hearing
11:30 A.M.
19-cr-0268
USA v. RAMSEY
Sentencing
02:00 P.M.
17-cv-0161
USA v. MCAFFERTY
Status Conference/Hearing
10:00 A.M.
18-cv-094
SCALIA v. EAST PENN MANUFACTUR
USA v. MCCAFFERTY
10:00 A.M.
18-cr-0041
USA v. TAYLOR
Pretrial Conference/Hearing
02:00 P.M.
18-cr-0108
USA v. NIBRIPAVAR-FARD
18-cr-0101
USA v. BROWN
18-cr-0101
USA v. WHITE
18-cr-0101
USA v. DILLINGER
18-cr-0101
USA v. CORTEZ
18-cr-0101
USA v. DEMEDIO
18-cr-0101
USA v. CUTLER
18-cr-0101
USA v. HOLLIS
P.S. DIAMOND, J.
Counsel/Deputy Clerk: Richard Thiere
Phone: (267) 299-7580
Counsel/Deputy Clerk: Lauren Kastner
Phone: (267) 299-7573
THURSDAY, DECEMBER 9, 2021
Conference
02:00 P.M.
21-09109
Meyer v. WALMART SUPERCENTER
MONDAY, DECEMBER 13, 2021
Revocation Supers Rs-FinalHrg
10:00 A.M.
20-01517
USA v. MALDONADO-ALICIA
Sentencing
02:00 P.M.
18-cr-0011
USA v. VINES
TUESDAY, DECEMBER 14, 2021
Change of Plea Hearing
02:00 P.M.
20-01117
USA v. RHOADES
Jury Trial
09:30 A.M.
20-01117
USA v. ASH福德
Sentencing
02:00 P.M.
18-cr-0069
USA v. WOOD
18-cr-0064
USA v. BERRIGOWITZ
18-cr-0165
USA v. BERRIGOWITZ
Status Conference/Hearing
10:30 A.M.
18-cr-0166
USA v. BERRIGOWITZ
WEDNESDAY, DECEMBER 15, 2021
Pretrial Conference
11:00 A.M.
21-cr-0277
USA v. DANGERFIELD-HILL
11:00 A.M.
21-cr-0013
USA v. DEMURO
M.S. GOLDBERG, J.
Counsel/Deputy Clerk: Shana Scott
Phone: 267-299-7500
Criminal Deputy: Steve Sonnie
Phone: 267-299-7300
THURSDAY, DECEMBER 9, 2021
Change of Plea Hearing
02:00 P.M.
20-cr-00112
USA v. DEMURO
M.S. GOLDBERG, J.
Counsel/Deputy Clerk: Shana Scott
Phone: 267-299-7500
Criminal Deputy: Steve Sonnie
Phone: 267-299-7300
MONDAY, DECEMBER 13, 2021
Jury Trial
09:30 A.M.

20-cr-0416
USA v. THOMAS

20-cr-0416
Motion Hearing
01:00 P.M.

THURSDAY, DECEMBER 16, 2021
Pretrial Conference/Hearing
10:30 A.M.

21-cv-4178
TRAIZ v. GEICO GENERAL INSURANCE
11:30 A.M.

21-cv-4120
ISHAR, INC v. AMERA GAS STATION

B. SCHILLER, S.J.
Courtroom 13B
Secretary/Criminal Deputy: June Pinner
Counsel/Criminal Deputy: Christopher Campak
267-299-7620

TUESDAY, DECEMBER 14, 2021
Change of Plea Hearing
10:00 A.M.

21-cr-0303
ROW v. DEVEREUX ADVANCED BEHAVIOR

USA v. GIDDINGS

FRIDAY, DECEMBER 10, 2021
Motion Hearing
10:30 A.M.

20-cr-0100
USA v. TUSUF

Motion Hearing
02:00 P.M.

Revocation Supers Rls-FinalHrg
11:00 A.M.

11-cr-0465
USA v. BASKERVILLE

TUESDAY, DECEMBER 14, 2021
Change of Plea Hearing
10:30 A.M.

21-cr-0100
USA v. TUSUF

11:00 A.M.

21-cr-0401
USA v. GIDDINGS

MISCELLANEOUS HEARING
02:00 P.M.

19-1111
HENRY et al v. SCHOOL DISTRICT

Revocation Supers Rls-FinalHrg
03:00 USA v. ROSS

WEDNESDAY, DECEMBER 15, 2021
Final Pretrial Conference
02:00 P.M.

20-1471
OCONNOR v. SPEEDWAY SUPERMARKET

Sentencing
02:30 P.M.

USA v. STEELE

THURSDAY, DECEMBER 16, 2021
Motion Hearing
02:00 P.M.

19-0061
USA v. CHARLES

Status Conference/Hearing
01:00 P.M.

20-cr-0405
DOE v. MÉTIZ et al

T. J. SAVAGE, S.J.
Courtroom 9A
Counsel/Deputy: Alex Eggert
267-299-7999
Jail Secretary: Joana Tour
267-299-7480

THURSDAY, DECEMBER 9, 2021
Settlement Conference
01:30 P.M.

20-cr-0405
DOE v. MÉTIZ et al

MOORE EYE CARE, P.C. v. KAKARL
16-cr-0109
USA v. CANN

THURSDAY, DECEMBER 9, 2021
Motion Hearing
09:00 A.M.

21-cr-0100
USA v. TUSUF

Motion Hearing
02:00 P.M.

Revocation Supers Rls-FinalHrg
11:00 A.M.

11-cr-0465
USA v. BASKERVILLE

TUESDAY, DECEMBER 14, 2021
Change of Plea Hearing
10:30 A.M.

21-cr-0100
USA v. TUSUF

08:30 A.M.
Sections 7.0(D) and 8.0(D) of the Policy provide that the certification shall be in substantially the following form:

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.

Filings may require further precautions, such as placing certain types of information in a “Confidential Information Form.” The Confidential Information Form and the Confidential Document Form can be found at: https://www.pacourts.us/public-records/public-records-forms. [In the event the Court's Order may provide for a court to adopt a rule or order permitting the filing of a document in two versions, a “Redacted Version” and an “Unredacted Version.”]

In addition to the restrictions above, a filing party should be cognizant of the potential impact that inclusion of personal information may have on an individual’s privacy rights and security. Therefore, inclusion of such information should be done only when necessary or required to effectuate the purpose of the filing. Consideration of the use of sealing or protective orders also should be given if inclusion of such information is necessary.

While the Public Access Policy is not applicable to orders or other documents filed by a court, judges should give consideration to the privacy interests addressed by the Policy when drafting an order that might include information considered confidential under the Policy.

[Official Note: New Rule 113.1 adopted January 5, 2018, effective January 6, 2018; amended June 1, 2018, effective July 1, 2018.]

Committee Explanatory Reports:

Final Report explaining the provisions of the new rule published with the Court's Order at 48 Pa.B. 490 (January 20, 2018). Amendments regarding the changes to the Court's public access policy published with the Court's Order at 48 Pa.B. 3575 (June 16, 2018).]

Rule 420. Filing of Complaint.

When the affiant is not a law enforcement officer, the affiant shall institute a criminal proceeding in a summary case by filing a complaint with the proper issuing authority.

Comment

With regard to the “proper” issuing authority as used in these rules, see Rule 130.

Complaints filed pursuant to this rule are public records. However, in addition to restrictions placed by law and rule on the disclosure of confidential information, the filings required by this rule are subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania and may require further precautions, such as placing certain types of information in a “Confidential Information Form” or providing both a redacted and unredacted version of the filing. See Rule 111.1.

[Official Note: Previous Rule 65 adopted September 18, 1973, effective January 1, 1974; redesignated July 12, 1985, effective January 1, 1986, and replaced by present Rules 409(B), 414(B), 424, 430(D), 431, and 456. Present Rule 65, adopted July 12, 1985, effective January 1, 1986. The January 1, 1986 effective dates are all extended to July 1, 1986, renumbered Rule 420 and Comment revised March 1, 2000, effective April 1, 2001; Comment revised June 1, 2018, effective July 1, 2018.]

Committee Explanatory Reports:

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000). Amendments regarding the Court's public access policy published with the Court's Order at 48 Pa.B. 3575 (June 16, 2018).]

Rule 513. Requirements for Issuance; Dissemination of Arrest Warrant Information.

(A) For purposes of this rule, "arrest warrant information" is defined as the criminal complaint in cases in which an arrest warrant is issued, the arrest warrant, any affidavit(s) of probable cause, and documents or information related to the case.

(B) ISSUANCE OF ARREST WARRANT

(1) In the discretion of the issuing authority, advanced communication technology may be used to submit a complaint and affidavit(s) for an arrest warrant and to issue an arrest warrant.

(2) No arrest warrant shall issue but upon probable cause supported by one or more affidavits sworn to before the issuing authority in person or using advanced communication technology. The issuing authority, in determining whether probable cause has been established, may not consider any evidence outside the affidavits.

(3) Immediately prior to submitting a complaint and affidavit to an issuing authority using advanced communication technology, the affidavit must personally communicate with the issuing authority in person, by telephone, or by any device which allows for simultaneous audio-visual communication. During the communication, the issuing authority shall verify the identity of the affiant, and orally administer an oath to the affiant. In any telephonic communication, if the issuing authority has a concern regarding the identity of the affiant, the issuing authority may require the affiant to communicate by a device allowing for two-way simultaneous audio-visual communication or may require the affiant to appear in person.

(4) At any hearing on a motion challenging an arrest warrant, no evidence shall be admissible to establish probable cause for the arrest warrant other than the affidavits provided for in paragraph (B)(2).

(C) DELAY IN DISSEMINATION OF ARREST WARRANT INFORMATION

The affiant or the attorney for the Commonwealth may request that the availability of the arrest warrant information for inspection and dissemination be delayed. The arrest warrant affidavit shall include the facts and circumstances that are alleged to establish good cause for delay in inspection and dissemination.

(1) Upon a finding of good cause, the issuing authority shall grant the request and order that the availability of the arrest warrant information for inspection and dissemination be delayed for a period of 72 hours or until receipt of notice by the issuing authority that the warrant has been executed, whichever occurs first. The 72-hour period of delay may be extended by an initial delay of more than 72 hours, when additional time is required to complete the administrative processing of the arrest warrant information before the arrest warrant is issued. The issuing authority shall complete the administrative processing of the arrest warrant information prior to the expiration of the initial 24-hour period.

(2) Upon the issuance of the warrant, the 72-hour period of delay provided in paragraph (C)(1) begins.

(3) In those counties in which the attorney for the Commonwealth requires that complaints and arrest warrant affidavits be approved prior to filing as provided in Rule 517, only the attorney for the Commonwealth may request a delay in the inspection and dissemination of the arrest warrant information.

Comment

This rule was amended in 2013 to add provisions concerning the delay in inspection and dissemination of arrest warrant information. Paragraph (A) provides a definition of the term “arrest warrant information” that is used throughout the rule. Paragraph (B) retains the existing requirements for the issuance of arrest warrants. Paragraph (C) establishes the procedures for a temporary delay in the inspection and dissemination of arrest warrant information prior to the execution of the warrant.

ISSUANCE OF ARREST WARRANTS

Paragraph (B)(1) recognizes that an issuing authority either may issue an arrest warrant using advanced communication technology or order that the law enforcement officer appear in person to apply for an arrest warrant.

This rule does not preclude oral testimony before the issuing authority, but it requires that such testimony be reduced to an affidavit prior to issuance of a warrant. All affidavits in support of an application for an arrest warrant must be sworn to before the issuing authority prior to the issuance of the warrant. The language “sworn to before the issuing authority” contemplates, when advanced communication technology is used, that the affiant would not be in the physical presence of the issuing authority. See paragraph (B)(2).

All affidavits and applications filed pursuant to this rule are public records. However, in addition to restrictions placed by law and rule on the disclosure of confidential information, the filings required by this rule are subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania and may require further precautions, such as placing certain types of information in a “Confidential Information Form,” or providing both a redacted and unredacted version of the filing. See Rule 111.1.

This rule carries over the arrest warrant requirement that the evidence presented to the issuing authority be reduced to writing and sworn to before the issuing authority. Ars. 201, for a discussion of the requirement of probable cause for the issuance of an arrest warrant, see Commonwealth v. Flowers, 369 A.2d 362 (Pa. Super. 1976).

The affidavit requirements of this rule are not intended to apply when an arrest warrant is to be issued for noncompliance with a citation, with a summonses, or with a court order.

An affiant seeking the issuance of an arrest warrant, when permitted by the issuing authority, may use advanced communication technology as defined in Rule 101.

When advanced communication technology is used, the issuing authority is required by this rule to (1) determine that the evidence contained in the affidavit(s) establishes probable cause, and (2) verify the identity of the affiant.

Verification methods include, but are not limited to, a “call back” system, in which the issuing authority would call the law enforcement agency or police department that the affiant indicates is the entity seeking the warrant, a “signature comparison” system whereby the issuing authority would keep a list of the signatures of the law enforcement officers whose departments have advanced communication technology systems in place, and compare the signature on the transmitted information with the signature on the list, or an established password system.

Under Rule 540, the defendant receives a copy of the warrant and supporting affidavit at the time of the preliminary arraignment.

See Rule 556.11 for the procedures for the issuance of an arrest warrant by the supervising judge of an indicting grand jury following indictment of an individual not previously arrested.

DELAY IN DISSEMINATION OF ARREST WARRANT INFORMATION

Paragraph (C) was added in 2013 to address the potential dangers to law enforcement and the general public and the risk of flight when arrest warrant information is disseminated prior to the execution of the arrest warrant. The paragraph provides that the affiant or the attorney for the Commonwealth may request, for good cause shown, the delay in the inspection and dissemination.
of the arrest warrant information for 72 hours or until receipt of notice by the issuing authority that the warrant has been executed, whichever occurs first. Upon a finding of good cause, the issuing authority must delay the inspection and dissemination.

The request for delay in inspection and dissemination is intended to provide a very limited delay in public access to arrest warrant information in those cases in which there is concern that pre-execution disclosure of the existence of the arrest warrant will endanger those serving the warrant or will impel the subject of the warrant to flee. This request is intended to be an expedited procedure with the request submitted to an issuing authority.

A request for the delay in dissemination of arrest warrant information made in accordance with this rule is not subject to the requirements of Rule 576.

Once the issuing authority receives notice that the arrest warrant is executed, or when 72 hours have elapsed from the issuance of the warrant and the warrant has not been executed, whichever occurs first, the information must be available for inspection or dissemination unless the information is sealed pursuant to Rule 513.1.

The provision in paragraph (C)(2) that provides up to 24 hours in the delay of dissemination and inspection prior to the issuance of the arrest warrant recognizes that, in some cases, there may be administrative processing of the arrest warrant request that results in a delay between when the request for the 72-hour period of delay permitted in paragraph (C)(1) is approved and when the warrant is issued. In no case may this additional period of delay exceed 24 hours and the issuing authority must issue the arrest warrant within the 24-hour period.

When determining whether good cause exists to delay inspection and dissemination of the arrest warrant information, the issuing authority must consider whether the presumption of openness is rebutted by other interests that include, but are not limited to, whether revealing the information would allow or enable flight or resistance, the need to protect the safety of police officers executing the warrant, the necessity of preserving the integrity of ongoing criminal investigations, and the availability of reasonable alternative means to protect the threat threatened by disclosure.

Nothing in this rule is intended to limit the dissemination of arrest warrant information to court personnel as needed to perform their duties. Nothing in this rule is intended to limit the dissemination of arrest warrant information to or by law enforcement as needed to perform their duties.

Pursuant to paragraph (C)(3), in those counties in which the district attorney’s approval is required only for certain specified offenses or grades of offenses, the approval of the district attorney is required for a request to delay inspection and dissemination only for cases involving those specified offenses.

(Official Note: Rule 119 adopted April 26, 1979, effective as to arrests warrants issued on or after July 1, 1979; Comment revised August 9, 1994, effective January 1, 1995; renumbered Rule 513 and amended March 1, 2000, effective April 1, 2001; amended May 10, 2002, effective September 1, 2002; amended December 23, 2013, effective March 1, 2014; amended November 9, 2017, effective January 1, 2018; Comment revised June 1, 2018, effective July 1, 2018; Comment revised November 27, 2018, effective March 1, 2019.

Committee Explanatory Reports:


Rule 578. Omnibus Pretrial Motion for Relief.

Unless otherwise required in the interests of justice, all pretrial requests for relief shall be included in one omnibus motion.

Comment

Types of relief appropriate for the omnibus pretrial motions include the following requests:

(1) for continuance;
(2) for severance or joinder or consolidation;
(3) for suppression of evidence;
(4) for psychiatric examination;
(5) to quash or dismiss an information;
(6) for change of venue or venue;
(7) to disqualify a judge;
(8) for appointment of investigator;
(9) for pretrial conferences;
(10) challenging the array of an indicting grand jury;
(11) for transfer from criminal proceedings to juvenile proceedings pursuant to 42 Pa.C.S. § 6322; and
(12) proposing or opposing the admissibility of scientific or expert evidence.

The omnibus pretrial motion rule is not intended to limit other types of motions, oral or written, made pretrial or during trial, including those traditionally called motions in limine, which may affect the admissibility of evidence or the resolution of other matters. The earliest feasible submissions and rulings on such motions are encouraged.

See Pa.R.E. 702 and 703 regarding the admissibility of scientific or expert testimony. Pa.R.E. 702 codifies Pennsylvania’s adherence to the test to determine the admissibility of expert evidence first established in Frye v. United States, 293 F. 1013 (D.C. Cir. 1921) and adopted by the Pennsylvania Supreme Court in Commonwealth v. Yps, 169 A.2d 1277 (Pa. 1957). Given the potential complexity when the admissibility of such evidence is challenged, such challenges should be raised in advance of trial as part of the omnibus pretrial motion if possible. However, nothing in this rule precludes such challenges from being raised in a motion in limine when circumstances necessitate it.

All motions filed pursuant to this rule are public records. However, in addition to restrictions placed by law and rule on the disclosure of confidential information, the motions are subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania and may require further precautions, such as placing certain types of information in a “Confidential Information Form,” or providing both a redacted and unredacted version of the filing. See Rule 113.1.

See Rule 113.1 regarding the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania and the requirements regarding filings and documents that contain confidential information.

See Rule 556.4 for challenges to the array of an indicting grand jury and for motions to dismiss an Information filed after a grand jury indicts a defendant.

The rulemaking process. An Adoption Report should not be confused with Comments to the rules. Among other things, Adoption Reports are required for new rules or for new parts of existing rules. An Adoption Report provides descriptive material that supplements the new rules. An Adoption Report is placed after the new rule and precedes the renumbering of the prior rule. See 2016 Case Records Policy of the Unified Judicial System of Pennsylvania.

Case Records Public Access Policy of the Unified Judicial System of Pennsylvania

On December 1, 2021, effective January 1, 2022, the Supreme Court amended the Case Rules Public Access Policy of the Unified Judicial System of Pennsylvania adopted on October 6, 2021. The Criminal Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See J.A. 101, Comment. The statements contained herein are those of the Committee, not the Court.

Section 7.0 of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania has been amended to remove subdivision (C). Prior to its deletion, subdivision (C) of Section 7.0 had provided for an alternative to filing a Confidential Information Form. That alternative allowed courts of common pleas to “adopt a rule or order permitting the filing of any document in two versions, a ‘Redacted Version’ and an ‘Unredacted Version.’” With the deletion of subdivision (C), filers will no longer be permitted to file a redacted version and an unredacted version of a document and will instead be required to use a Confidential Information Form. To reflect this change, the Comment to Rule 111.1 has been amended to remove the following language, “In lieu of the Confidential Information Form, Section 7.0(C) of the Policy provides for a court to order permitting the filing of a document in two versions, a ‘Redacted Version’ and an ‘Unredacted Version.’”

Additionally, the Comments to Rules 420, 511, and 578 have been similarly amended, with the language “providing both a redacted and unredacted version of the filing” being deleted. Each Comment, however, still informs the reader that documents filed pursuant to its rule are “subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania and may require further precautions, such as placing certain types of information in a ‘Confidential Information Form.’”

A new Section 9.0(I) has also been added to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. That section provides that “[t]he Unredacted Version of any document filed in accordance with prior versions of this policy shall not be accessible by the public.”

The following commentary has been removed from Rule 113.1:
Official Note: New Rule 113.1 adopted January 1, 2018, effective January 6, 2018; amended June 1, 2018, effective July 1, 2018.

Committee Explanatory Reports:

Final Report explaining the provisions of the new rule published with the Court’s Order at 48 Pa.B. 490 (January 20, 2018). Amendments regarding the Court’s public access policy published with the Court’s Order at 48 Pa.B. 3575 (June 16, 2018).

The following commentary has been removed from Rule 420:


Committee Explanatory Reports:


The following commentary has been removed from Rule 513:

Official Note: Rule 119 adopted April 26, 1979, effective as to arrest warrants issued on or after January 1, 1979, Comment revised August 9, 1994, effective January 1, 1995, renumbered Rule 513 and amended March 1, 2000, effective April 1, 2001; amended May 10, 2002, effective September 1, 2002; amended December 23, 2013, effective March 1, 2014; amended November 9, 2017, effective January 1, 2018; Comment revised June 1, 2018, effective July 1, 2018; Comment revised November 27, 2018, effective March 1, 2019.

Committee Explanatory Reports:


The following commentary has been removed from Rule 578:

Official Note: Formerly Rule 304, adopted June 30, 1964, effective January 1, 1965; amended and renumbered Rule 306 June 29, 1977 and November 22, 1977, effective as to cases in which the indictment or information is filed on or after January 1, 1978; amended October 21, 1983, effective January 1, 1984; Comment revised October 25, 1990, effective January 1, 1991; Comment revised August 12, 1993, effective September 1, 1993, renumbered Rule 578 and Comment revised March 1, 2000, effective April 1, 2001; Comment revised June 21, 2012, effective in 180 days. Comment revised July 31, 2012, effective January 1, 2013; Comment revised September 21, 2017, effective January 1, 2018; Comment revised January 5, 2018, effective January 6, 2018; Comment revised June 1, 2018, effective July 1, 2018.

Committee Explanatory Reports:

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1901.1 of the Pennsylvania Rules of Civil Procedure is amended in the attached form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective January 1, 2022.

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


(b) Unless public access is otherwise constrained by applicable authority, any attorney, or any party if unrepresented, who files a document pursuant to these rules with the prothonotary’s office shall comply with the requirements of Sections 7.0 and 8.0 of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania (Policy) including a certification of compliance with the Policy and, as necessary, a Confidential Information Form, unless otherwise specified by rule or order of court, or a Confidential Document Form in accordance with the Policy.

[Note] Comment: Applicable authority includes but is not limited to statute, procedural rule, or court order. The Case Records Public Access Policy of the Unified Judicial System of Pennsylvania (Policy) can be found on the website of the Supreme Court at http://www.pacourts.us/public-records. Sections 7.0(D) and 8.0(D) of the Policy provide that the certification shall be in substantially the following form:

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.

The Confidential Information Form and the Confidential Document Form can be found at http://www.pacourts.us/public-records. [In lieu of the Confidential Information Form, Section 7.0(C) of the Policy provides for a court to adopt a rule or order permitting the filing of a document in two versions, a “Redacted Version” and an “Unredacted Version.”]

DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE ADOPTION REPORT

Amendment of Pa.R.Civ.P. 1930.1

On December 1, 2021, the Supreme Court amended Pennsylvania Rule of Civil Procedure 1930.1 to conform the rule to recent amendments to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania (Policy) adopted on October 6, 2021. The Domestic Relations Procedural Rules Committee (Committee) has prepared this Adoption Report describing the rule-making process. The statements contained in this Adoption Report are those of the Committee, not the Court. An Adoption Report should not be confused with Comments included in the rules. See Pa.R.J.A. 103, Comment.

Effective January 1, 2022, the amendments to Section 7.0(A) and (C) of the Policy require filers to safeguard confidential information using a Confidential Information Form. Prior to these amendments, the Policy provided an option for a court to adopt a rule or an administrative order to permit the filing of a document in two versions, a “Redacted Version” and an “Unredacted Version” rather than require the use of the Confidential Information Form. In addition, Section 9.0(H) has been added to indicate that the amended Policy does not apply retroactively to documents filed with a court prior to the amendment’s effective date.

In Domestic Relations matters, Pa.R.Civ.P. 1930.1 governs confidential information and confidential documents, including the certification that a filing is compliant with the Policy. The conforming amendments delete references within the rule and comment relating to the option for a court to require redacted and unredacted versions of a document when safeguarding confidential information.

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