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LEGAL LISTINGS

COURT NOTICES

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:
ORDER AMENDING RULE
1033 OF THE PENNSYLVANIA RULES OF CIVIL PROCEDURE
NO. 756
CIVIL PROCEDURAL RULES
DOCKET
ORDER

PER CURIAM

AND NOW, this 6th day of September, 2024, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been published for public comment at 52 Pa.B. 5118 (August 20, 2022):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1033 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, 2025.

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

Rule 1033. Amendment.

(a) General Rule. A party, either by filed consent of the adverse party or by leave of court, may at any time change the form of action, add a person as a party, correct the name of a party, or otherwise amend the pleading. The amended pleading may aver transactions or occurrences which have happened before or after the filing of the original pleading, even though they give rise to a new cause of action or defense. An amendment may be made to conform the pleading to the evidence offered or admitted.

(b) Relation Back. An amendment correcting the name of a party against whom a claim has been asserted in the original pleading relates back to the date of the commencement of the action if, within 90 days after the period provided by law for commencing the action, the party received notice of the institution of the action such that it will not be prejudiced in maintaining a defense on the merits and the party knew or should have known that the action would have been brought against the party but for a mistake concerning the identity of the proper party.

(c) John Doe Defendants. An amendment substituting the actual name of a defendant for a Doe designation as provided in Rule 2005 relates back to the date of the commencement of the action if, within the time provided by Rule 401 for service, the defendant named by the amendment has received actual or constructive notice of the commencement of the action such that it will not be prejudiced in maintaining a defense on the merits and the defendant knew or should have known that the action would have been brought against it but for lack of knowledge of the defendant's actual name.

(d) Highlighting of Amendments.

(1) A party filing a motion to amend a pleading shall attach:

- (i) a clean copy of the proposed amended pleading; and**
- (ii) a comparison copy of the proposed amended pleading identifying the changes by striking through the material to be deleted and underlining the material to be added.**

(2) If there is a discrepancy between the clean copy and the comparison copy of the proposed amended pleading, the clean copy shall be the controlling document.

Historical Commentary

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

Explanatory Comment—2013

Rule 1033 has been amended to specifically state that an amendment may add a person as a party. It is the practice of litigants and trial courts to refer to Rule 1033 when a party seeks to amend a pleading to add another party. The purpose of this amendment is to eliminate any uncertainty as to whether a motion to amend a pleading to add an additional party is governed by Rule 1033. There is no conflict between this proposed amendment and Rule 2232(c) because the latter addresses the question of when a court may order the joinder of any additional person.

Subdivision (b) of Rule 2232 addressing the joinder of an additional party is being rescinded. The provision is unnecessary because if a party has been misjoined or no claim for relief is asserted, a dismissal should be sought through the rules governing preliminary objections, judgment on the pleadings, and summary judgment. If a plaintiff wants to drop a defendant, he or she should use the rules governing the discontinuance of an action.

Explanatory Comment—2017

Currently, the Rules of Civil Procedure do not expressly permit an amendment correcting the name of a party against whom a claim is asserted to relate back without a showing of concealment when the statute of limitations has expired and the effect of that correction operates to add another party. However, case law has interpreted the Rules to permit such an amendment within the statute of limitations. Rule 1033 has been amended to expressly permit amendments correcting the name of the party against whom a claim is asserted to relate back to the date of the commencement of the action if within ninety days after the period provided by law for commencing the action, the party to be brought in by the amendment has received notice of the commencement of the action such that it will not be prejudiced in obtaining a defense on the merits, and the party knew or should have known that the action would have been brought against the party but for a mistake concerning the identity of the proper party.

Consider the following example: Harry Roberts, who resides at 949 Alcoma Street, Pittsburgh, PA, was the driver of an automobile which struck the plaintiff when he was crossing the intersection at Grant and Forbes Street, Pittsburgh, PA, at approximately 11:00 a.m. on October 11, 2013. The plaintiff's complaint, filed on October 2, 2015, mistakenly identifies the driver as Henry Rosen. He is the only named defendant in the complaint.

On October 7, 2015, the Sheriff made service by serving Mary Roberts at 949 Alcoma Street, Pittsburgh, PA. She is described in the Sheriff's Return as the wife of the defendant. On January 2, 2016, the complaint is amended to correct "Henry Rosen" to "Harry Roberts."

The amendment of Rule 1033 expressly permits the plaintiff to amend the complaint to correct the name of the defendant to Harry Roberts, because it is clear from the body of the complaint that the plaintiff was suing the driver of the automobile which struck the plaintiff and service of the complaint furnished sufficient notice to Harry Roberts that a lawsuit has been initiated against him for actions he is liable for even though the defendant is identified on the complaint as Henry Rosen. This is consistent with existing case law and codifies current practice.

The Federal Rules of Civil Procedure and a majority of states have rules of procedure governing the relation back of amendments, which are similar to this amendment. The interests of justice are served by a rule of civil procedure permitting a party to correct a complaint that provides an incorrect name of a party when there is no prejudice to the party brought in by the amendment.

The amendment of Rule 1033 does not alter the concealment doctrine and the discovery rule. The amendment is intended to cover situations in which neither the concealment doctrine nor the discovery rule apply.

SUPREME COURT OF PENNSYLVANIA CIVIL PROCEDURAL RULES COMMITTEE

ADOPTION REPORT

Amendment of Pa.R.Civ.P. 1033

On September 6, 2024, the Supreme Court of Pennsylvania amended to Pennsylvania Rule of Civil Procedure 1033 relating to the amendment of pleadings. The Civil Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

Court Notices continues on 7

I N S I D E

Common Pleas Court:
3 Civil Listings
4 Criminal Listings
4 Family Court
5 Municipal Court
6 Orphans' Court

10 Public Notices
6 U.S. Bankruptcy Court
6 U.S. Court of Appeals
2 Hearing List
6 U.S. District Court
2 Trial List

Court Notices

continued from 1

The Committee received a request to consider amending Pa.R.Civ.P. 1033 to require the attachment of the proposed amended pleading to a motion to amend. The requester suggested such a requirement would curb a problem encountered with opposing counsel, who had asked for the requester's consent to an amendment of a complaint, but refused to provide any substantive information about the amendment. In turn, the attorney seeking the amendment would file a motion to amend that likewise did not provide any information on the specific amendment nor was the proposed amended pleading attached to the motion because Pa.R.Civ.P. 1033 does not expressly so require.

The Committee initially observed that Pa.R.Civ.P. 1033 does not address the content for a motion to amend a pleading. Pa.R.Civ.P. 208.2 generally governs the content of motions, but does not specifically require the attachment of documents in support of the motion.

Noting the silence of requirements in the Rules of Civil Procedure, the Committee then examined local rules addressing the amendment of pleadings. Research revealed a handful of local rules governing amendments. These rules focused on the filing of amended pleadings, rather than the content of the motion to amend. McKean County Local Rule 1033 and Potter County Local Rule 1033 both require "[t]he amendment pleading [to] clearly indicate that it is an amended pleading, the paragraphs [to] be renumbered, and the new portion [to] be underlined." Clarion County Local Rule 1033, Franklin/Fulton Counties Local Rule 39-1033.1, Jefferson County Local Rule 1033, Mercer County Local Rule 1033, and Schuylkill County Local Rule 1033 are similar to the McKean and Potter County Local Rules except they do not require the underlining of the new portion of the pleading.

The Committee also examined procedural rules from other jurisdictions. Research revealed a relative dearth of procedural rules governing the requirements for the content of a motion to amend. New Jersey, Utah, and Puerto Rico all require the proposed amended pleading to be attached to the motion to amend. See N.J.R. 4:9-1 ("A motion for leave to amend shall have annexed thereto a copy of the proposed amended pleading."); U.R.C.P. Rule 15(a)(2) ("The party must attach its proposed amended pleading to the motion to permit an amended pleading."); P.R.R.C.P. 13.1 ("The entire amended pleading shall be attached to the motion for leave to amend the pleadings."). New York is the most comprehensive in that it requires the proposed amended pleading to accompany the motion to amend and to show the changes to be made to the pleading. See N.Y.C.P.L.R. 3025(b) ("Any motion to amend ... pleadings shall be accompanied by the proposed amended ... pleading clearly showing the changes or additions to be made to the pleading.")

The Committee also examined rules from Delaware and Maryland. Del. Sup. Ct. R. 15(aa) is similar to the McKean and Potter County Local Rules described above in that it applies to the filing of amended pleadings and requires the amended pleading to indicate how it differs from the original pleading. Md.R.C.P. 2-341(e) also applies to the filing of amended pleadings and requires the filing of the amended pleading together with a comparison copy showing through specified textual indicators the text to be deleted and the text to be added.

In developing the amendment to Pa.R.Civ.P. 1033, the Committee favored the approach taken by New York to require the attachment of the proposed amended pleading the motion to amend and for the proposed amended pleading to explicitly show the changes to be made. This will ensure that both parties and the court will be certain of the exact text being amended in a pleading. In addition, the Committee modified this language slightly to include explicit provisions, as found in the Maryland rule, to specify that the proposed amended pleading show through textual indicators, either by striking through or bracketing deletions, or by underlining or bolding additions, the text to be amended.

The Committee published the proposal for comment, see 52 Pa.B. 5118 (August 20, 2022), and received two comments in support of the proposal as drafted.

Subsequent to publication, the amendment to Pa.R.Civ.P. 1033 was further refined. First, it was reconsidered whether a party filing the motion to amend should also file a copy of the proposed amended pleading without textual indicators, i.e., a "clean" copy. The requirement of a clean copy would remove any burden on the trial court and the opposing party from having to resolve the amended notations to determine the final version of the text.

In developing this requirement, it was recognized that requiring both the attachment of a clean copy and a comparison copy may lead to discrepancies between those two documents, and that the rule would benefit with an express requirement establishing the controlling document. It was reasoned that the clean copy is the document formally replacing the prior pleading, whereas the comparison copy is operating as an aid to the parties and the court in determining the motion to amend. As a result, the rule was modified to provide that the clean copy is the controlling document in the event there are discrepancies between the two documents.

Second, the requirement in the proposed rule permitting various format options to show additions and deletions in the comparison copy of the amended pleading was reconsidered. A single, uniform format would provide consistency in practice and procedure throughout the Commonwealth. As a result, the amendment was modified to require a single, uniform format for showing additions and deletions in the comparison copy: deletions must be shown by striking through the material to be deleted and additions must be shown by underlining the material to be added. The amendment becomes effective January 1, 2025.

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA PHILADELPHIA MUNICIPAL COURT

NOTICE TO THE BAR

Effective Monday, August 12, 2024, the Landlord Tenant Officer ("LTO") will no longer be accepting new writs of possession. Following that date, all writs will be directed to the Philadelphia Sheriff's Office.

Beginning Tuesday, August 13, 2024, the LTO will accept alias writs of possession on matters where the writs of possession had previously been filed with the LTO and paid for until the close of business Monday, September 9, 2024.

After Monday, September 9, 2024, if a writ has already been filed with the LTO and no alias writ is filed, litigants will be required to re-start the process with the Sheriff's Office.

DATE: July 31, 2024
Honorable T. Francis Shields
President Judge
Philadelphia Municipal Court
First Judicial District of Pennsylvania

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA PHILADELPHIA MUNICIPAL COURT

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Honorable T. Francis Shields
President Judge
Philadelphia Municipal Court
First Judicial District of Pennsylvania

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA PHILADELPHIA MUNICIPAL COURT

President Judge Administrative Order No. 10 of 2024

In re: Emergency Appointment of Substitute Court Magistrate

ORDER

AND NOW, this 22nd day of August 2024, this Court finds that due to the increase of volume in search warrant applications and arraignments, as well as a temporary reduction of legal staff attorneys stemming from attrition, vacations and medical issues, along with magisterial attendance at mandatory seminars, an emergency exists which requires the appointment of qualified attorneys who are court employees to act as emergency substitute court magistrates, as provided in 42 Pa.C.S.A. § 1125, and therefore, it is hereby ORDERED and DECREED that the following court employee shall act as a substitute Court Magistrate, when called upon, with all duties and powers vested in the duty appointed Philadelphia Magistrates, as requested by the President Judge from time to time.

MATTHEW ALLEN, ESQUIRE

BY THE COURT:
/s/ T. Francis Shields
T. Francis Shields, President Judge
Philadelphia Municipal Court

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA PHILADELPHIA MUNICIPAL COURT

NOTICE TO THE BAR

Effective November 4, 2024, Municipal Court Courtroom 5, Widener Building, 1339 Chestnut St 10th Floor, Philadelphia, PA 19107 will no longer have a 10:00 a.m. hearing list.

Beginning November 4, 2024, there will be two lists: a morning list at 9:00 a.m. and an afternoon list at 1:00 p.m. The Courtroom will continue to schedule sixty-five cases per list.

DATE: August 27, 2024

Honorable Gregory O. Yorgey-Girby
Supervising Judge
Philadelphia Municipal Court-Civil
First Judicial District of Pennsylvania

COURT NOTICE

REAPPOINTMENT OF ARRAIGNMENT COURT MAGISTRATES PHILADELPHIA MUNICIPAL COURT

The Philadelphia Municipal Court is required by Rule to establish an Arraignment Court Magistrate Selection Panel to consider the reappointment of its incumbent Arraignment Court Magistrate(s) to a new term of office. This Panel has been established and may be contacted through Roseanne Unger, Deputy Court Administrator, Municipal Court Criminal Division at Roseanne.Unger@courts.phila.gov.

An Arraignment Court Magistrate's powers and duties include administering Oaths and Affirmations, presiding at Preliminary Arraignments, assigning counsel in certain cases, issuing Criminal Complaints, setting bail, scheduling Municipal Court Trials and Preliminary Hearings, and issuing Arrest Warrants and Search and Seizure Warrants.

On September 21st, 2024, the current term of Lauren Connor, Esquire, and Debra

Court Notices

continued from 7

Rainey, Esquire, Arraignment Court Magistrates, will expire. Public comment is invited concerning their reappointments. The deadline for submission of comments is August 23rd, 2024.

Honorable T. Francis Shields
President Judge, Municipal Court

Honorable Frank T. Brady
Chair, Arraignment Court Magistrate
Selection Panel

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA PHILADELPHIA MUNICIPAL COURT

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DATE: July 31, 2024
Honorable T. Francis Shields
President Judge
Philadelphia Municipal Court
First Judicial District of Pennsylvania

COURT NOTICE

REAPPOINTMENT OF ARRAIGNMENT COURT MAGISTRATES PHILADELPHIA MUNICIPAL COURT

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On September 21st, 2024, the current term of Lauren Connor, Esquire, and Debra Rainey, Esquire, Arraignment Court Magistrates, will expire. Public comment is invited concerning their reappointments. The deadline for submission of comments is August 23rd, 2024.

Honorable T. Francis Shields
President Judge, Municipal Court

Honorable Frank T. Brady
Chair, Arraignment Court Magistrate Selection Panel

IN THE SUPREME COURT OF PENNSYLVANIA IN RE: TRANSFER OF DUTIES OF THE OFFICE OF JUDICIAL RECORDS, : FIRST JUDICIAL DISTRICT OF No. 619 JUDICIAL ADMINISTRATION DOCKET PENNSYLVANIA :

ORDER

AND NOW, this 20th day of June, 2024, pursuant to Article V, Section 10(a) of the Constitution of the Commonwealth of Pennsylvania, it is hereby ORDERED AND DECREED that all powers and duties of the Prothonotary of Philadelphia and Clerk of Quarter Sessions of Philadelphia, currently vested in the Office of Judicial Records of the First Judicial District of Pennsylvania by Orders of this Court, be transferred from the Trial Division to the Office of Court Administration. This Order and Caption supersede the Order dated September 30, 2013 entered on this docket.

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:
ORDER AMENDING RULE 509 OF THE RULES OF JUDICIAL ADMINISTRATION
NO. 618
JUDICIAL ADMINISTRATION DOCKET
ORDER

PER CURIAM

AND NOW, this 4th day of June, 2024, pursuant to Article V, Section 10 of the Constitution of Pennsylvania, and in the interests justice and efficient administration pursuant to Pa.R.J.A. No. 103(a)(3),

IT IS ORDERED that Rule 509 of the Rules of Judicial Administration is amended in the attached form.

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

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

Deletions from the rule are shown in bold and brackets.

Rule 509. Access to Financial Records.

(a) General policy. Financial records of the Unified Judicial System are presumed to be open to any member of the public for inspection or copying during established business hours. The term “financial records” is defined as any account, contract, invoice or equivalent dealing with: 1) the receipt or disbursement of funds appropriated to the system; or 2) acquisition, use or disposal of services, supplies, materials, equipment or property secured through funds appropriated to the system.

(b) Accessibility. All financial records are accessible to the public except the following:

(1) any part of a record setting forth information to which access is otherwise restricted by federal law, state law, court rule, court order or court policy;

(2) any part of a record setting forth a person’s social security number, home address, home telephone number, date of birth, operator’s license number, e-mail address, or other personal information;

(3) **any part of a record setting forth the address of a judge’s chambers or office located outside a judicial facility;**

([3]4) any part of a record setting forth financial institution account numbers, credit card numbers, personal identification numbers (PINs) and passwords used to secure accounts;

([4]5) any part of a record setting forth information presenting a risk to personal security, personal privacy, or the fair, impartial and orderly administration of justice, as determined by the Court Administrator of Pennsylvania.

Note: For purposes of Rule 509(b)(3), a “judicial facility” is a facility, such as a courthouse, that includes a courtroom, hearing room, or other rooms used by the court to conduct trials, hearings, or other public proceedings.

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

No. 6 of 2024

President Judge General Court Regulation

*In re: Adoption of Philadelphia Rule of Judicial Administration *5101, and Rescission of Philadelphia Rule of Judicial Administration *1900*

ORDER

AND NOW, this 10th day of June, 2024, the Board of Judges of Philadelphia County having voted at the Board of Judges’ meeting held on May 16, 2024, to adopt Philadelphia Rule of Judicial Administration *5101, and rescind *1900 as attached to this Order, and, as required by Pa.R.J.A. 103, the Supreme Court Civil Procedural Rules Committee has reviewed the attached local rules, has determined that Rule *5101 is consistent with applicable statewide rules, and has authorized their promulgation.

NOW, therefore, it is hereby ORDERED and DECREED that Philadelphia Local Rule of Judicial Administration *5101 is adopted, as attached, effective thirty days after publication in the *Pennsylvania Bulletin*.

As required by Pa.R.J.A. 103(d), the local rule which follows this Order was submitted to the Supreme Court of Pennsylvania Procedural Rules Committee for review, and written notification has been received from the Rules Committee certifying that the local rule is consistent with any general rule of the Supreme Court. This Order and the attached local rule shall be filed with the Office of Judicial Records 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 paper 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 <https://www.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:
Nina Wright Padilla
President Judge, Court of Common Pleas Philadelphia County

Phila.R.J.A. No. *5101

Philadelphia Rule of Judicial Administration No. *5101

Rule *5101. Protocols to Mark, Inventory, Store and Retain Exhibits, Physical Evidence and Electronic Evidence Offered During Trials and Evidentiary Hearings in the Philadelphia Court of Common Pleas.

(a) **General Rule.** In accordance with Pa.R.J.A. 5101, counsel and unrepresented parties shall present all exhibits, physical evidence and electronic evidence used and offered during trials or evidentiary hearings, which shall be inventoried, filed, and retained as provided in this rule.

(b) **Custody of Exhibits During Court Proceedings. The tipstaff or other court staff designated by the presiding judge shall be the custodian of exhibits pursuant to Pa.R.J.A. 5102. The custodian shall secure and maintain all exhibits presented to the court during the proceedings, including during breaks and recesses.**

(c) **Documentary Evidence. Counsel and unrepresented parties may pre-mark exhibits. When possible, all documentary exhibits such as letters and reports should be 8-1/2 x 11 size. For oversized documentary evidence, see subsection (d)**

(d) **Physical evidence.** Physical evidence and oversized exhibits must be photographed by the proponent, converted to letter sized pdf and appropriately marked and produced during the trial or evidentiary hearing. Unless otherwise provided by the presiding judge, at the conclusion of the trial or evidentiary hearing, physical evidence shall be returned to the police in criminal cases and to counsel in civil cases for safekeeping as required by any applicable retention schedule, statute, rule, regulation, or policy, or until further order of court.

(e) **Electronic Evidence.** Electronic evidence, including audio or video exhibits, must be produced by the proponent on a USB drive, CD/DVD, or other medium specified by the presiding judge or Office of Judicial Records.

Court Notices

continued from 8

(f) Confidential Documents. Confidential documents offered as exhibits shall be produced with a *Confidential Document* form as provided by the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* (UJS Case Records Policy) as provided in Phila.R.J.A. No. *401. Confidential Documents are not accessible by the public.

(g) Confidential Information. Documents offered as exhibits which contain confidential information listed in the UJS Case Records Policy shall be produced in a *Redacted Format*. All confidential information will be contained on the confidential information sheet which is not accessible by the public.

(h) Sealed Documents. Any documents the presiding judge deems necessary to seal will not be accessible by the public. Exhibits that are ordered sealed cannot be electronically filed. They can be given to the tipstaff or other court staff designated by the presiding judge and will be manually uploaded or kept and sealed from the public view.

(i) Exhibit List. At the conclusion of the trial or evidentiary hearing, designated court staff shall inventory all exhibits and evidence, whether documentary, physical, electronic, audio, video or otherwise, and whether admitted or marked for identification. Any oversized exhibit, physical evidence or visual evidence not previously converted to letter size pdf format as provided in subsection (d) shall be photographed and/or converted to pdf letter size and marked. Each Exhibit and piece of evidence shall be clearly marked and placed on the Exhibit List which shall be reviewed and approved by the presiding judge, filed of record and copies provided to all parties no later than five days following the conclusion of the trial or evidentiary hearing. When submitting or uploading Exhibit Lists and Exhibits, Counsel and unrepresented parties shall certify compliance with this rule by including the following language:

I certify that this filing is in compliance with Philadelphia Rule of Judicial Administration No. *5101 and all files submitted with this transaction were introduced as evidence during trial or other evidentiary hearing.

(1) After Court Proceedings. Exhibits and evidence shall be made part of the record as follows:

(1) Trial Division:

a. Civil Section: within five (5) days of the conclusion of the trial or evidentiary hearing, counsel for each proponent of the exhibits and evidence shall upload their documentary exhibits through the Electronic Filing System and, if not already done, provide to the Office of Judicial Records a USB drive, or CD/DVD with audio or video evidence, as provided in this rule. The Office of Judicial Records shall either upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program, or retain any USB drive, or CD/DVD as required by Pa.R.J.A. 5101-5103 until further order of court.

b. Criminal Section: within five (5) days of the conclusion of the trial or evidentiary hearing, counsel for each proponent of the exhibits and evidence shall upload their documentary exhibits through the Electronic Filing System and, if not already done, provide to the Office of Judicial Records a USB drive, or CD/DVD with audio or video evidence, as provided in this rule. The Office of Judicial Records shall either upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program, or retain any USB drive, or CD/DVD as required by Pa.R.J.A. 5101-5103 until further order of court.

c. Self-represented Parties: at the conclusion of the trial or evidentiary hearing, the tipstaff or other designated court staff pursuant to subsection (b) shall take possession of all exhibits and any USB drive or CD/DVD proffered by self-represented Parties and shall deliver them to the Office of Judicial Records which shall convert all documentary evidence to PDF format and stored in a documentary-evidentiary program as required by Pa.R.J.A. 5101-5103, or upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program and/or retain any USB drive or CD/DVD as required by required by Pa.R.J.A. 5101-5103 until further order of court.

(2) Family Court: Pursuant to 5104(b), proceedings before hearing officers in divorce, custody, support, delinquency, and dependency matters are excluded from this Rule.

a. Dependency matters: at the conclusion of the trial or evidentiary hearing, the tipstaff or other designated court staff pursuant to subsection (b) shall take possession of the exhibits and evidence and upload the documentary exhibits through the electronic filing system and provide to the Clerk of Family Court any USB drive, or CD/DVD with audio or video evidence, as provided in this rule. The Clerk of Family Court shall either upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program, or retain any USB drive, or CD/DVD as required by Pa.R.J.A. 5101-5103 until further order of court.

b. Adoption matters: at the conclusion of the trial or evidentiary hearing, the tipstaff or other designated court staff pursuant to subsection (b) shall take possession of the exhibits and evidence and upload the documentary exhibits through the electronic filing system and provide to the Clerk of Family Court any USB drive, or CD/DVD with audio or video evidence, as provided in this rule. The Clerk of Family Court shall either upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program, or retain any USB drive, or CD/DVD as required by Pa.R.J.A. 5101-5103 until further order of court.

c. Delinquency Matters: at the conclusion of the trial or evidentiary hearing, the Office

of Judicial Records shall take possession of all exhibits and any USB drive or CD/DVD, shall upload the documentary exhibits through the electronic filing system and shall either upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program, or retain any USB drive, or CD/DVD as required by Pa.R.I.A. 5101-5103 until further order of court.

d. Adult Criminal matters in Family Court: See section (j)(1)b.

e. Domestic Relations matters: at the conclusion of the trial or evidentiary hearing, the tipstaff or other designated court staff pursuant to subsection (b) shall take possession of all exhibits and any USB drive or CD/DVD proffered, and shall deliver them to the Clerk of Family Court, which shall convert all documentary evidence to PDF format and stored in a documentary-evidentiary program as required by Pa.R.J.A. 5101-5103, or upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program and/or retain any USB drive or CD/DVD as required by required by Pa.R.J.A. 5101-5103 until further order of court.

(3) Orphans' Court: within five (5) days of the conclusion of the trial or evidentiary hearing, counsel for each proponent of the exhibits and evidence shall send their Exhibit List and exhibits to the electronic mail address instructed by the presiding judge to be attached to an Order and Decree entered by court. Orphans' Court Administration shall retain all evidence as required by Pa.R.J.A. 5101-5103 until further order of court.

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:

PRELIMINARY MINIMUM STANDARDS FOR DELIVERY OF EFFECTIVE INDIGENT DEFENSE SERVICES PURSUANT TO ACT 34 OF 2023, ARTICLE II-F, INDIGENT DEFENSE

NO. 617

JUDICIAL ADMINISTRATION DOCKET

ORDER

PER CURIAM

AND NOW, this 29th day of May, 2024, pursuant to Article V, Section 10 of the Constitution of Pennsylvania and in the interests of justice and efficient administration pursuant to Pa.R.J.A. 103(a)(3),

IT IS ORDERED that, in accordance with Section 203-F(i)(3) of Act 34 of 2023, and in response to the submission of the Indigent Defense Advisory Committee (IDAC) as approved by the Pennsylvania Commission on Crime and Delinquency (PCCD), preliminary standards for the delivery of effective indigent defense services in the Commonwealth of Pennsylvania are adopted in the attached form.

These preliminary standards are adopted solely for the purpose of providing guidance to IDAC and PCCD regarding Indigent Defense Grant Program applications submitted in fiscal year 2023-24.

These preliminary standards are aspirational in nature. Adoption of these preliminary standards is not a determination of the constitutionality of Act 34, or any of its provisions, under the Pennsylvania Constitution or the Constitution of the United States, and does not create or determine any legal rights.

This **ORDER** shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective immediately.

STANDARD 1: Funding, Structure, and Oversight

Where county case volume allows, indigent defense should be a mixed system: primarily dedicated public defender offices, augmented by additional Court Appointed/Conflict Counsel to handle overflow and conflict of interest cases. The compensation for lawyers working for Public Defender Offices should be appropriate for and comparable to other publicly funded lawyers. Court Appointed/Conflict Counsel should be paid a reasonable fee, in a timely manner, that reflects the cost of overhead and other office expenses, as well as payment for work. Investigators, social workers, experts, and other staff and service providers necessary to indigent defense for all Indigent Defense Providers should also be compensated in a manner consistent with this Principle.

STANDARD 2: Essential Components of Effective Representation

Indigent Defense Providers should adopt a client-centered approach to representation based around a client's needs and working with them to achieve their goals. Indigent Defense Providers should have the assistance of investigators, social workers, mitigation specialists, experts, and other specialized professionals necessary to meet indigent defense needs. Funding for such services should be provided to and controlled by Indigent Defense Providers. Indigent Defense Providers should address collateral issues that are relevant to their clients' cases. Indigent Defense Providers can offer direct assistance with such issues or establish collaborations with, or provide referrals to civil legal services organizations, social services providers, and other lawyers and non-lawyer professionals.

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PUBLIC NOTICES

The Legal Intelligencer

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ESTATE NOTICES

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

ORPHANS' COURT OF PHILADELPHIA COUNTY

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

JORDAN, EARNEST -- Debra A. Washington DeLain, Executrix, P.O. Box 507, Columbus, NJ 08022; Debra A. Washington DeLain, Attorney, Law Office of Debra A. Washington, 1 Liberty Pl., 1650 Market St., Suite 3600, Philadelphia, PA 19103.

9-5-3*

MATTIO, MARY -- Karen A. Maddio, Administratrix, c/o Stephen M. Asbel, Esquire, 2929 Arch Street, 13th Floor, Philadelphia, PA 19104; Stephen M. Asbel, Attorney, 2929 Arch Street, 13th Floor, Philadelphia, PA 19104.

9-5-3*

NORK, CAROL M. (a/k/a CAROLE M. NORK) -- William J. Nork, Jr., Executor, 11109 Templeton Drive, Philadelphia, PA 19154; Anne Scheetz Damon, Atty., 935 Second Street Pike, Richboro, PA 18954.

9-12-3*

ORTIZ, JIMMY -- Jimmy Moises Ortiz Santos, Administrator, c/o Robert R. Atkins, Esquire, 1617 John F. Kennedy Blvd., Suite 825, Philadelphia, PA 19103; Robert R. Atkins, Attorney, Leonard Sciolla, 1617 John F. Kennedy Blvd., Suite 825, Philadelphia, PA 19103.

8-29-3*

WEILER, ROBERT WILLIAM (a/k/a ROBERT WEILER) -- Mary Raupp, Executrix, 193 Butterworth Lane, Langhorne, PA 19067; Anne Scheetz Damon, Attorney, 935 Second Street Pike, Richboro, PA 18954.

9-5-3*

WRIGHT, JAMES -- Anita Wright, Administratrix, 2628 Broad Street, York, PA 17408; Mark A. Berenato, Attorney, 391 Wilmington Pike, Glen Mills, PA 19342.

8-29-3*

COMPLAINTS

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA CIVIL DIVISION

NO: 240602383

U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS OWNER TRUSTEE FOR GS MORTGAGE-BACKED SECURITIES TRUST 2021-RPL2 vs. UNKNOWN SURVIVING HEIRS OF LUCILLE MOOREHEAD, DECEASED, WILLIAM J. MOOREHEAD, JR, AS SURVIVING HEIR OF LUCILLE MOOREHEAD, DECEASED,

NOTICE

TO THE DEFENDANTS:

You are hereby notified U.S. Bank Trust National Association, not in its individual capacity, but solely as Owner Trustee for GS Mortgage-Backed Securities Trust 2021-RPL2, has filed a Complaint in Mortgage Foreclosure with regard to **1509 South Newkirk Street, Philadelphia, PA 19146**, endorsed with a Notice to Defend, against you at No. 240602383 in the Civil Division of the Court of Common Pleas of Philadelphia County, Pennsylvania, wherein plaintiff seeks to foreclose on the mortgage encumbering said property, which foreclosure would lead to a public sale by the Philadelphia County Sheriff.

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

**Philadelphia County Lawyer Referral Service
Lawyer Referral and Information Service
Philadelphia Bar Association
1101 Market Street, 10th Floor
Philadelphia, PA 19107
(215) 238-6333**

PLAINTIFF'S ATTORNEY:

STEPHEN M. HLADIK, ESQUIRE
HLADIK, ONORATO & FEDERMAN, LLP
298 WISSAHICKON AVENUE
NORTH WALES, PA 19454, (215) 855-9521

9-12-1*

MISCELLANEOUS GENERAL NOTICES

Court of Common Pleas – Phila. County - Orphans' Court Div. - Estate of Rosemary T. Bush, Deceased - O.C. #202301164DE - Notice is hereby given that on 7/11/24, a Preliminary Decree Pursuant to 20 Pa.C.S.A. §3546 was entered to adjudge title to the interest of Rosemary T. Bush, deceased, in the real estate located at 5404 Whitby Ave., Phila., PA 19143, is in Petitioner, Lesli Sharpe. If no objections are filed by 9/20/24, then the relief requested may be granted.

9-5-2

NON-PROFIT CHARTER

NOTICE IS HEREBY GIVEN that an application will be made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pa., on or after September 1, 2024 for the purpose of obtaining a charter of a proposed nonprofit corporation to be organized under the 1988 Non-profit Corporation Law of the Commonwealth of Pennsylvania, effective October 1, 1989, as amended. The name of the corporation is **Lightbox Film Center**. The purposes for which it is to be organized are: Lightbox is a cinema project presenting unparalleled slate of repertory, nonfiction, experimental and international cinema not to be screened theatrically in the city of Philadelphia.

9-12-1*