

THE COURTS

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Order Promulgating Rule of Civil Procedure 1915.11-1.1 Parenting Coordination; Administrative Order No. 93

Order

And Now, this 15th day of April 2019, pursuant to Pa.R.C.P. No. 239, Bucks County Rule of Civil Procedure 1915.11-1.1, Parenting Coordination, is promulgated as follows:

B.C.R.C.P. No. 1915.11-1.1. Parenting Coordination.

(a) *Appointment of a Parenting Coordinator*

(1) If the parties agree on a Parenting Coordinator or if the Court deems one necessary, an order will be entered in accordance with Pa.R.Civ.P. 1915.22.

(2) If the parties cannot agree on the selection of a Parenting Coordinator, the Court shall require each party to identify their choice(s) along with the hourly rate of each to all parties. If the parties cannot agree, the Court will select a Parenting Coordinator. The roster of the Court's approved Parenting Coordinators and their stated hourly rates shall be posted at <http://www.buckscounty.org>.

(3) Any party seeking a pro bono appointment under section (d) below must file with the Prothonotary a Petition to Proceed In Forma Pauperis for the appointment of a Parenting Coordinator within three (3) days of the appointment order absent good cause shown. The In Forma Pauperis form can be found at <http://www.buckscounty.org>.

(b) *Roster of Approved Parenting Coordinators*

An attorney or mental health professional seeking to be included on the Bucks County Court's roster of qualified individuals to serve as a Parenting Coordinator shall submit an affidavit to the Administrative Family Court Judge or her/his designee together with the following:

(1) An affidavit attesting the applicant has qualifications found in Pa.R.Civ.P. 1915.11-1;

(2) An acknowledgment the applicant will follow the Association of Family and Conciliation Courts (AFCC) Parenting Coordinator guidelines and has read the American Psychological Association (APA) Parenting Coordinator Guidelines; AFCC Parenting Coordinator guidelines are posted at <https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf> and the APA Parenting Coordinator Guidelines are posted at <https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>; and

(3) An acknowledgment that for every two (2) fee generating Parenting Coordination assignments, he or she must accept one (1) pro bono assignment (up to 12 hours per pro bono case).

(c) *Parenting Coordinator Recommendations*

(1) Parenting Coordinator shall file their Summary and Recommendations with the Prothonotary within two (2) days after the last communication with the parties on the issues in accordance with Pa.R.Civ.P. 1915.11-1(f)(2).

(2) *Objections to Parenting Coordinator's Recommendation(s) and Petition for a Record Hearing.*

a. A party objecting to the Recommendations must file with the Prothonotary an original and copy of their Objections and a Petition for a Record Hearing before the Court within five (5) days of service of the Summary and Recommendations together with a Proof of Service upon all parties and the Parenting Coordinator.

b. The Prothonotary shall promptly forward the original Objections and Petition to the Family Master's Office for assignment to the parties' Family Court Judge to promptly schedule a record hearing. If the matter is an emergency or time-sensitive, and the assigned Family Court Judge is not available, the matter will be assigned to the Emergency Custody Judge to conduct a record hearing.

(3) *Court Review of Parenting Coordinator's Recommendations.*

If no objections to the Parenting Coordinator's Recommendation are filed with the Prothonotary within five days (5) of service of the Summary and Recommendation, the Prothonotary shall transmit the file to the Family Master's Office to be assigned to the appointing Judge, if available, within a reasonable time, otherwise to any Family Court Judge for review of the Recommendation in accordance with Pa.R.C.P. 1915.11-1(f)(4).

(d) *Fees*

Parties who request the appointment of a Parenting Coordinator or who are identified by the Court as benefiting from the appointment of a Parenting Coordinator shall pay the Parenting Coordinator as follows:

(1) His or her hourly rate, which may be up to \$300.00 an hour;

(2) Absent good cause, each party shall pay up to \$500 as an initial retainer which may be reallocated as deemed appropriate by the Parenting Coordinator or the Court. See Pa.R.C.P. 1915.22(8).

(3) If a party is granted In Forma Pauperis status by the Court specifically for the appointment of a Parenting Coordinator, the Parenting Coordinator so appointed shall serve on a pro bono (no fee) basis, up to 12 hours.

(4) A Parenting Coordinator must accept one pro bono appointment for every two (2) fee generating appointments.

(e) Bucks County, through its Administrative Family Court Judge, has entered into a 4 County Compact on Parenting Coordination with Philadelphia County, Delaware County and Chester County. The terms of that Compact are incorporated herein, and a copy is annexed hereto. Bucks County's participation in the Compact shall not be affected should any Compact County decline to participate.

This Rule shall take effect thirty (30) days from the date of publication in the *Pennsylvania Bulletin*.

By the Court

WALLACE H. BATEMAN, Jr.,
President Judge

PARENTING COORDINATION PROGRAM**FOUR COUNTY COMPACT****BUCKS, CHESTER, DELAWARE & PHILADELPHIA**

An attorney or mental health professional seeking to be included on the roster of qualified individuals to serve as a Parenting Coordinator in a member County shall submit a letter to the Administrative Judge of the Family Division of one of the member Counties together with the following:

1. Completion of the approved Form Affidavit attesting the applicant has the qualifications as set forth in Pa.R.Civ.P. 1915.11-1(b) "Qualifications of the Parenting Coordinator".

2. The following criteria shall apply to the qualifications:

A. Five hours in the parenting coordination process since August 9, 2018; provided that at least 2 of the 5 hours must be specific to Pennsylvania parenting coordination practice and procedure;

B. Ten hours of family mediation training within the last 10 years (an applicant with 40 hours of mediation training beyond 10 years may satisfy this requirement by verifying the 40 hours of training and significant family mediation practice within the last 10 years);

C. Five hours of training in domestic violence within the past 2 years;

D. Verification of current professional liability insurance via copy of said policy's coversheet/declaration page (which includes the provision of parenting coordination services);

E. Acknowledgement of responsibility to accept pro bono assignments for every 2 paid assignments;

F. Verification of Pennsylvania Act 33 child abuse and Act 34 criminal history clearances within the past two (2) years via copies of same;

G. Acknowledgement that the applicant has read the Association of Family and Conciliation Courts (AFCC) Parenting Coordination Guidelines and the American Psychological Association (APA) Parenting Coordination Guidelines.

AFCC and APA Parenting Coordinator Guidelines are posted at:

<https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf>

<https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>

3. Appointments for pro bono assignments shall be made on a rotating basis by each Court on the list

maintained by that County. Each parenting coordinator must accept one (1) pro bono appointment for every two (2) fee-generating appointments in a county.

4. There shall be a twelve (12) hour maximum per year on each pro bono case assigned to a parenting coordinator.

5. Each Parenting Coordinator on the roster shall be required to notify the Court Administration of the applicable County, after they have received two fee generating cases in that County, in order to facilitate the appointment of a pro bono case. The failure to affirmatively report this information by a Parenting Coordinator or to accept a pro bono assignment may subject them to removal from the roster. If a Parenting Coordinator is removed from the roster of a member County for this purpose, they shall share this information with the other member counties.

6. *Fees:*

A. The hourly rate shall not exceed \$300.00 an hour subject to the following exceptions:

a. If the parties combined monthly net income exceeds the mandatory minimum set forth in the Support Guidelines at 1910/16-2(e)(2) (currently \$30,000 per month), the Court may adjust the hourly rate;

b. If a party is granted In Forma Pauperis (IFP) status by the Court for the parenting coordination process.

B. The maximum initial retainer that may be requested shall be \$1,000.

7. Upon being added to the roster of one member County, a parenting coordinator may be added to the roster of another member County by submitting a letter requesting same with a copy of the approval that was obtained from another member County.

8. A Judge appointing a parenting coordinator may be guided by the parties/counsel in the selection of a specific parenting coordinator from the County roster (and/or shall otherwise select one from the roster).

9. Each member County shall establish a Committee to review and consider complaints received about a parenting coordinator and shall recommend removal of a parenting coordinator from the roster of that County for good cause. All complaints received and dispositions of same shall be shared with the other member Counties.

10. The aforementioned review Committee shall consist of the following: Family Court Administrative Judge (or their designee); the Judge who appointed the parent coordinator at issue (or their designee); Court Administrator representative, one family law attorney (from the roster of parenting coordinators) and one mental health professional (from the roster of parenting coordinators).

FORM AFFIDAVIT ATTACHED

APPLICATION TO BE CONSIDERED FOR APPOINTMENT AS A PARENTING
COORDINATOR FOR BUCKS COUNTY

AFFIDAVIT—MENTAL HEALTH PROFESSIONAL

I, _____, the undersigned applicant, hereby certify that I possess the minimum qualifications to serve as a Parenting Coordinator as established by Pa.R.C.P. 1915.11-1(b) and the 4 County Compact entered into by Philadelphia, Bucks, Delaware and Chester Counties, as follows:

1. _____ I have the following professional degree: _____
From (institution and date granted): _____
2. _____ I am licensed to practice in the Commonwealth of Pennsylvania as a _____. My license number is _____.

- _____ My license is in good standing.
- _____ I have never been subject to professional discipline. (If Applicant has been subject to discipline, provide details on separate sheet).
- _____ I have _____ years of experience in dealing with families involved in child custody matters, as follows (or attach CV):

- 3. _____ I have obtained the special training required by the Rule, and have attached verification for each training:
 _____ hours in the Parenting Coordination process, of which 2 or more hours were specific to Pennsylvania PC practice.
 Date of training: _____
 Provider: _____
 _____ hours of Family mediation (or hours of non-specific mediation training and hours of Family Mediation conducted).
 Date of training: _____
 Provider: _____
 _____ hours of Domestic Violence training.
 Date of training: _____
 Provider: _____
- 4. _____ I understand that to remain qualified as a Parenting Coordinator in each 2 year period after March 1, 2019, I must take a minimum of 10 additional continuing education credits, of which at least 2 must be on domestic violence.
- 5. _____ I maintain Professional Liability insurance of \$ _____, which coverage expressly covers me for serving as a Parenting Coordinator. The Declaration page showing the foregoing is attached.
- 6. _____ I acknowledge that I may not charge more than \$300 per hour (although I may charge less), nor require more than a \$1000 initial retainer. My hourly rate for Parenting Coordination is: \$ _____.
- 7. _____ I acknowledge that I must accept one pro bono PC appointment for every 2 fee-generating appointments in this judicial district/county, up to 12 hours per pro bono case. I understand that it is my responsibility to advise the court upon acceptance of the second appointment. I further understand that failing to accept a pro bono assignment or to notify the court is grounds for removal from the roster maintained by this county, and that any removal shall be communicated to the member counties enrolled in the 4 County Compact.
- 8. _____ I have read Pa.R.C.P 1915.11-1 and understand the scope (and limits) of my authority and the procedures which I must follow when appointed as a Parenting Coordinator.
- 9. _____ I acknowledge that I have read the Guidelines for Parenting Coordination promulgated by the American Psychological Association and Association of Family and Conciliation Courts.
<https://www.apa.org/practice/guidelines/parenting-coordination>
<https://www.afcnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf>
- 10. _____ I have read the 4 County Compact and understand the procedure for dealing with complaints and reporting among the member counties.

I swear or affirm that the foregoing statements are true and correct.

APPLICANT:

Name (printed) _____

Signature _____

Date: _____

FOR OFFICIAL USE ONLY

Qualifications Reviewed by: _____ (initials)

Place Application on Roster: _____
Yes No

If No, state reasons:

J.

APPLICATION TO BE CONSIDERED FOR APPOINTMENT AS A PARENTING
COORDINATOR FOR BUCKS COUNTY

AFFIDAVIT—ATTORNEY

I, _____, the undersigned applicant, hereby certify that I possess the minimum qualifications to serve as a Parenting Coordinator as established by Pa.R.C.P. 1915.11-1(b) and the 4 County Compact entered into by Philadelphia, Bucks, Delaware and Chester Counties, as follows:

1. _____ I am licensed to practice in the Commonwealth of Pennsylvania. My Attorney ID number is _____ .
 _____ My license is in good standing.
 _____ I have never been subject to attorney discipline. (If Applicant has been subject to discipline, provide details on separate sheet).
 _____ I have practiced family law for _____ years, as follows (or attach CV):

2. _____ I have obtained the special training required by the Rule, and have attached verification for each training:
 _____ hours in the Parenting Coordination process, of which 2 or more hours were specific to Pennsylvania PC practice.
 Date of training: _____
 Provider: _____
 _____ hours of Family mediation (or hours of non-specific mediation training and hours of Family Mediation conducted).
 Date of training: _____
 Provider: _____
 _____ hours of Domestic Violence training.
 Date of training: _____
 Provider: _____
3. _____ I understand that to remain qualified as a Parenting Coordinator in each 2 year period after March 1, 2019, I must take a minimum of 10 additional continuing education credits, of which at least 2 must be on domestic violence.
4. _____ I maintain Professional Liability insurance of \$ _____, which coverage expressly covers me for serving as a Parenting Coordinator. The Declaration page showing the foregoing is attached.
5. _____ I acknowledge that I may not charge more than \$300 per hour (although I may charge less), nor require more than a \$1000 initial retainer. My hourly rate for Parenting Coordination is: \$ _____ .
6. _____ I acknowledge that I must accept one pro bono PC appointment for every 2 fee-generating appointments in this judicial district/county, up to 12 hours per pro bono case. I understand that it is my responsibility to advise the court upon acceptance of the second appointment. I further understand that failing to accept a pro bono assignment or to notify the Court is grounds for removal from the roster maintained by this county, and that any removal shall be communicated to the member counties enrolled in the 4 County Compact.
7. _____ I have read Pa.R.C.P 1915.11-1 and understand the scope (and limits) of my authority and the procedures which I must follow when appointed as a Parenting Coordinator.
8. _____ I acknowledge that I have read the Guidelines for Parenting Coordination promulgated by the American Psychological Association and Association of Family and Conciliation Courts.
<https://www.apa.org/practice/guidelines/parenting-coordination>
<https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf>
9. _____ I have read the 4 County Compact and understand the procedure for dealing with complaints and reporting among the member counties.

I swear or affirm that the foregoing statements are true and correct.

APPLICANT:

Name (printed) _____

Signature _____

Date: _____

FOR OFFICIAL USE ONLY

Qualifications Reviewed by: _____ (initials)

Place Application on Roster: Yes No

If No, state reasons:

J.

[Pa.B. Doc. No. 19-685. Filed for public inspection May 10, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Order Rescinding Orphans' Court Rules 14.2A through 14.5I and Promulgating Orphans' Court Rules 14.2A through 14.9A

Order

And Now, this 18th day of April 2019, pursuant to Pennsylvania Orphans' Court Rule 1.5, the Bucks County Orphans' Court Rules 14.2A through 14.5I are hereby vacated and replaced by Bucks County Orphans' Court Rules 14.2A through 14.9A.

These rules shall take effect on June 1, 2019, after publication in the Pennsylvania Bulletin.

By the Court

WALLACE H. BATEMAN, Jr.,
President Judge

Rule 14.2A. Notice of Mental Health Commitment.

In addition to the requirements of 20 Pa.C.S.A. § 5511, the petitioner shall file with the Petition for Adjudication of Incapacity and Appointment of a Guardian of the Person and Estate of an Incapacitated Person, a duly completed Notice of Mental Health Commitment, as prescribed by the Administrative Office of Pennsylvania Courts and the Pennsylvania State Police.

Rule 14.2B. Withdrawal of Petition.

A Petition for Adjudication of Incapacity and Appointment of a Guardian of the Person and Estate of an Incapacitated Person, once filed with the court, may not be withdrawn without court approval unless a praecipe to withdraw is accompanied by a death certificate or a timely affidavit from a physician that the individual does have capacity.

Rule 14.9A. Allowances.

1. Petition Contents

When approval of the court is necessary under 20 Pa.C.S.A. § 5536 for an allowance from an incapacitated person's estate, the petition shall set forth:

- a. the name of the guardian and the date of the appointment;
b. a summary of the inventory or last report of the guardian;
c. the age, residence and the occupation, if any, of the incapacitated person;
d. salary, income or benefits to which the incapacitated person is entitled;
e. the names and addresses of all interested persons;
f. an itemized statement of all claims of the incapacitated person's creditors;
g. an itemized statement of the requested allowance and the reasons therefor.

2. Exhibits

- a. a copy of the decree appointing guardian;
b. statements and/or invoices evidencing requested allowance(s);
c. a copy of the inventory or last report of the guardian.

3. Notice to Veterans' Administration

If any portion of the incapacitated person's estate is or has been received from the United States Veterans' Administration, written notice of the requested allowance shall be given to said agency.

4. Petition Practice

In addition to providing an order for hearing, all requirements set forth in Chapter III of the Pennsylvania Orphans' Court Rules shall be applicable, including the submission of a verification by the petitioner, a certificate of service and a proposed final decree.

[Pa.B. Doc. No. 19-686. Filed for public inspection May 10, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LYCOMING COUNTY

Amendments to the Rules of Civil Procedure; Doc. No. MD-2019-00009

Order

And Now, this 16th day of April 2019, it is hereby Ordered and Directed as follows:

1. Lycoming County Rule of Civil Procedure L205.2(b)A6 is amended to replace the case monitoring notice in its entirety with the following case monitoring notice form.

2. Lycoming County Rule of Civil Procedure L229 is added, as follows:

L229. Discontinuance. When a praecipe to withdraw, discontinue, or mark as settled is filed, it shall be accompanied by one copy. The prothonotary shall forward the copy to the court scheduling technician.

3. The Prothonotary is directed to do the following:

a. File one (1) certified copy of this order with the Administrative Office of Pennsylvania Courts;

b. Forward two (2) certified copies of this order and a computer disk containing the text of the local rules to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin; and

c. Forward one (1) copy of this order to the Lycoming Law Association for publication in the local rules section of the Lycolaw.org website and to compile the rule revisions within the complete set of local rules no later than 30 days following publication in the Pennsylvania Bulletin.

4. The new rules shall become effective 30 days after the publication of this order in the Pennsylvania Bulletin.

By the Court

NANCY L. BUTTS,
President Judge

COURT OF COMMON PLEAS, LYCOMING COUNTY, PENNSYLVANIA
CASE MONITORING NOTICE

Plaintiff :
: DOCKET NO:
vs. :
: CIVIL ACTION
Defendant :

I. This matter is:

- Mortgage Foreclosure (file once an Answer has been filed).
Time needed for trial (1 day) (1/2 day).
Credit Card Collection Case (file once an Answer has been filed)
a) Arbitration. (\$50,000 or less) Time needed for discovery? months
b) Trial. Time needed for discovery? months
Forfeiture (file once an Answer has been filed)
Administrative Agency Appeal (file with Notice of Appeal)
General Civil Case (file with Complaint):
a) Arbitration. (\$50,000 or less) Time needed for discovery? months
b) Fast track (4 month discovery period)
c) Normal track (9 month discovery period)
d) Complex track (12 month discovery period)
e) Medical Malpractice (14 month discovery period)

Other. Action requested:

II. Jury trial demanded? YES NO

III. Please note any special scheduling concerns:

Name of filing counsel or pro se party: for

Address:

Telephone number:

Email address:

Opposing counsel or pro se party: _____ for _____
 Address: _____
 Telephone number: _____
 Email address: _____

[Pa.B. Doc. No. 19-687. Filed for public inspection May 10, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WESTMORELAND COUNTY

Rule WJ4008 Transcript Costs; No. 3 of 2019

Administrative Order of Court

And Now, this 22nd day of April, 2019, *It Is Hereby Ordered* that Westmoreland County Rule WJ4008 is hereby amended. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

RITA DONOVAN HATHAWAY,
President Judge

Rule WJ4008. Transcript Costs.

(A) *Costs*. Costs payable by a requesting party other than the Westmoreland County District Attorney's office, the Westmoreland County Public Defender's office, Westmoreland County Conflict Counsel or court-appointed counsel, or any other County office or agency, for a transcript in an electronic format shall be as follows:

Private Pay Rates:

Ordinary	\$2.50 per page
Expedited	\$3.50 per page
Daily	\$4.50 per page
Same day delivery	\$6.50 per page

Transcripts in bound paper format are subject to a surcharge of \$0.25 per page, and copy rates apply.

In the event a condensed transcript is delivered, the page rates above apply regardless of the number of pages of transcript on the sheet.

(B) *Economic Hardship*. Reduction based on economic hardship shall be in accordance with Pa.R.J.A 4008(B).

(C) *Allocation of Costs*. Allocation of costs shall be as set forth Pa.R.J.A. 4008(C).

(D) *Copies of Transcript*. A request for a copy of any transcript previously ordered, transcribed and filed of record shall be provided at the rate of \$0.75 per page bound, paper format; and \$0.50 per page electronic copy.

(E) *Additional Costs*. Pursuant to Pa.R.J.A. 4008(E), the presiding judge may impose a reasonable surcharge in cases such as mass tort, medical malpractice or other unusually complex litigation.

A reasonable fee for a secure electronic feed may be imposed by the court reporter.

[Pa.B. Doc. No. 19-688. Filed for public inspection May 10, 2019, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Michael Orji-Nwosu (# 92140), having been disbarred in Texas, the Supreme Court of Pennsylvania issued an Order on April 17, 2019, disbaring Michael Orji-Nwosu from the Bar of this Commonwealth, effective May 17, 2019. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 19-689. Filed for public inspection May 10, 2019, 9:00 a.m.]