Delaware County
Court of Common Pleas

Local Rules of

CIVIL PROCEDURE

Rule *27 - Zoning and Other Local Administrative Appeals

1. Zoning Appeals

(a) Whenever a zoning hearing board or the governing body of a municipality is required under the Pennsylvania Municipalities Planning Code to certify its record to the court in response to a writ of certiorari in a zoning appeal case, said record shall contain a copy of the entire zoning ordinance, building code or other ordinance, with the relevant portions indicated therein, and a copy of the zoning map of the municipality. After the zoning hearing board or the governing body of the municipality has made its return, the appeal shall be at issue and any party may certify the appeal ready for hearing by filing a certificate of readiness pursuant to Rule *241(b).

(b) When the court deems it necessary it may remand the case to the zoning hearing board for the taking of additional testimony and the filing of a supplemental or additional opinion. Unless specifically relinquished, jurisdiction shall be retained by the court. In cases where jurisdiction is relinquished, the procedure on appeal shall be as prescribed for the original appeal.

(c) Briefs shall be filed as the court shall direct. After argument or upon briefs submitted, or upon failure to submit briefs, the court shall enter such final decision as may be appropriate.

(d) Appeals from decisions of a zoning hearing board or a governing body of a municipality shall be heard by the court upon the record. No questions shall be heard or considered by the court which were not raised at the hearing before the zoning hearing board or the governing body of the municipality , except:

(1) Questions involving the validity of a statute or the procedure before the zoning hearing board or the governing body of the municipality;

(2) Questions involving the jurisdiction of the zoning hearing board or the governing body of the municipality over the subject matter;

(3) Questions involving the timeliness of the decision rendered by the zoning hearing board or the governing body of the municipality;

(4) Questions which the court is satisfied that the appellant could not, by the exercise of due diligence, have raised before the zoning hearing board or the governing body of the municipality at the time of the hearing. If, upon argument, the court is satisfied that any such additional questions should be raised, further testimony shall be obtained as provided in section (b) hereof.

2. Other Administrative Appeals

All administrative agency appeals other than zoning appeals shall be heard by the court de novo. After the administrative officer of the municipality or hearing agency has made its return, whether or not additional evidence is required, the case shall be placed upon the appropriate list. Briefs shall be filed as the court shall direct.

Comment: In any appeal from the decision of the governing body of a municipality brought pursuant to section 1004 or 1005 of the Pennsylvania Municipalities Planning Code (53 P.S. §11044 and 11005) challenging the validity of a municipal ordinance or map or any provision thereof, the court will follow the procedure detailed in section 1010 of the Pennsylvania Municipalities Planning Code (53 P.S. §11044) and receive such additional evidence as may be required, or may refer the case to a referee.

Rule *29 - Appeals from Denial of Driver's License or Suspension, of Operating Privilege (75 Pa. C.S.A.§ 1550)

(a) Petitions appealing from the denial of a driver's license or the cancellation, suspension, recall or revocation of one's operating privilege shall have a face sheet in the form of a notice for the Court Administrator's use in setting the hearing date.

Petitions appealing a suspension imposed pursuant to 75 Pa. C.S.A. §1547(b)(refusal to submit to chemical testing after arrest) must identify the municipality in Delaware County where petitioner's arrest for driving under the influence of alcohol and/or controlled substance took place.

(b) All such petitions and orders shall first be filed with the Office of Judicial Support to be time-stamped and assigned a number.

(c) The petitioner shall promptly deliver a conformed copy of the petition to the Court Administrator to obtain a hearing date.

(d) Requests for continuance shall be governed by the provisions of Rule *208.3(a).

Comment: Adopted March 29, 1990, Effective April 30, 1990; further amended October 25, 1990. Sections (a) and (c) amended November 17 1998. Section (d) amended January 28th, 2016 effective upon publication in the UJS portal.

ORIGINAL

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

In Re: Rule *30 – Appeals from Real Estate Assessment : No. 2022-003777

ADMINISTRATIVE ORDER

AND NOW, this 17th day of Oct., 2025, it is hereby ORDERED and DECREED that Rule *30 is hereby RESCINDED and the attached Rule *30 regarding Hearing Notices, is hereby adopted and effective immediately upon publication in the Pennsylvania Bulletin.

IT IS FUTHER ORDERED that in accordance with 201 Pa. Code Rule 103, the Solicitor for Internal Management shall:

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

(b) File two (2) certified copies of this Order with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin;

(c) Publish a copy of this Order on the website of the Delaware County Court of Common Pleas;

(d) File one (1) certified copy of this Order with the Office of Judicial Support of the Court of Common Pleas of Delaware County; and

(e) Forward one (1) copy of this Order for publication in the Delaware County Legal Journal.

BY THE COURT:

Linda A. Cartisano

Linda A. Cartisano
President Judge

Pursuant to Rule *30 the Rule is hereby amended as follows:

CERTIFIED A TRUE AND CORRECT COPY FROM THE RECORD
THIS 17th DAY OF Oct A.D. 25
MARY J. WALK, ESQUIRE, DIRECTOR
OFFICE OF JUDICIAL SUPPORT

Uploaded into CMS
Oct 17 2025
Judge Cartisano's Chambers

Rule *30 - Appeals from Real Estate Assessment

(a) Except as provided herein, the procedure for appeals from real estate assessments shall be governed by the provisions of Rule* 206.1(a).

(b) All appeals shall be filed with the Office of Judicial Support and assigned a docket number. A separate appeal shall be filed for each separately assessed property tax folio number. The caption shall designate the named party taking the appeal as the Appellant/Plaintiff and the Delaware County Board of Assessment & Appeals as the Appellee/Defendant. Each appeal shall include the following:

1. A copy of the Delaware County Board of Assessment & Appeals' decision to be appealed shall be attached as an exhibit.
2. A statement of the amount claimed to be the fair market value of the property as of the date the appeal was filed to the Delaware County Board of Assessment & Appeals.
3. If the Appellant is a taxing authority, it shall designate the named owner of the real estate in the caption as an additional Appellee/Defendant.
4. All taxing authorities shall be named as parties in the appeal. The caption shall also identify the subject real estate including street address and the property tax folio number along with the municipality and school district where the real estate is located.

(c) The Appellant shall serve a copy of the appeal containing the docket number for said appeal along with a copy of Local Rule 30 on the Delaware County Board of Assessment & Appeals, all taxing authorities and property owners affected by the appeal in conformity with Pa.R.Civ.P. 440.

(d) The Appellant shall also file with the Office of Judicial Support a certification that service in conformity with Pa.R.Civ.P. 440 has been made upon the Delaware County Board of Assessments & Appeals, all taxing authorities and property owners affected by the appeal. The taxing authorities contact information may be found at the Delaware County Board of Assessment & Appeals website: https://www.delcopa.gov/treasurer/boa or by visiting the offices of the Delaware County Board of Assessment & Appeals at 201 W. Front Street, Media, Pennsylvania 19063.

(e) The Appellee shall have twenty (20) days from the date of service as required herein within which to file an answer or enter an appearance. The entry of an appearance shall be deemed to constitute an answer denying the substantive averments in the appeal challenging the propriety of the assessment.

(f) Where the amount of taxes in controversy for the first calendar year is $50,000 or less (as determined by applying the millages for all three taxing authorities to the difference between the present assessment and the implied assessment as calculated by multiplying the value claimed by the Appellant in the Petition for Tax Assessment Appeal by the applicable Common Level Ratio) the appeal shall be arbitrated in accordance with the provisions of Rule *1301(f). All other appeals will receive a Case Management Order (FORM 30(k)) and shall thereafter be processed pursuant to Rule *206.1(a)(2).

(g) Arbitration shall be before one (1) arbitrator to be appointed by the Court. The Office of the Court Administrator shall coordinate scheduling the appeals for arbitration consistent with the Pa.R.Civ.P. 1305 and Delaware County Local Rules 1301 through 1305.

(h) Notwithstanding the general rule that the Rules of Civil Procedure do not apply to tax assessment appeals, the property owner shall provide to the Board of Assessment and the taxing authorities, within ninety (90) days from the date the appeal is filed, the following information, where applicable:

(1) Income and expense statements for three (3) years immediately preceding the year in which the appeal was filed;

(2) A complete and current rent roll, to include a list of all tenants and their annual rent, the term of each lease (including any extension or renewal options), any special provisions and a sample lease; and

(3) Any appraisals prepared of the property appealed within the prior three (3) years;

(4) Any agreements of sale within the prior three (3) years; and

(5) Contact information of an individual who shall provide access to the property for a site visit by an appraiser.

(6) Any property building plans, floor plans or building layouts.

(i) Appellant shall provide a copy of their appraisal prepared for purposes of the assessment appeal to the taxing authorities and the Board of Assessment within ninety (90) days from the date the appeal is filed. In cases where a taxing authority is the Appellant, the Appellant's appraisal report must be provided to Appellee and intervening parties within ninety (90) days of the property owner's production of

the information set forth in subsection (h). The parties shall exchange appraisals to be used at trial or arbitration following the exchange of discovery, where permitted by this Rule *30 or upon Leave of Court, not less than thirty (30) days prior to the date of trial. Appraisals not produced in accordance with this Rule may, upon motion and for good cause shown, be excluded from use at trial.

(j) In all cases involving exemptions, the taxing authority shall serve a copy of Exemption Appeal Discovery Requests, (FORM 30(j)) on the property owner. The property owner shall respond to the Exemption Appeal Discovery Requests within sixty (60) days after service thereof. Service is complete upon mailing.

(k) All motions, including but not limited to, Motions for Discovery, Motions to Compel and Motions for Protective Orders shall be filed with the Office of Judicial Support.

(l) The parties may, at any time, in writing request a conference with the Court Administrator.

FORM 30(J) – Exemption Appeal Discovery Requests

[CASE CAPTION, INCLUDING DOCKET NUMBER, REAL ESTATE STREET ADDRESS, PROPERTY TAX FOLIO NUMBER, MUNICIPALITY AND SCHOOL DISTRICT WHERE THE REAL ESTATE IS LOCATED].

REQUEST FOR PRODUCTION OF DOCUMENTS

AND NOW, comes [NAME], and serves the within Exemption Appeal Discovery Requests upon [NAME]. Responses to said Requests must be provided within sixty (60) days of notice of these Requests. Please produce the following:

1. Any and all information and documentation submitted to the Delaware County Board of Assessment in support of this appeal.

2. All written leases for occupancy of any portions of the subject real property in effect during the calendar year of this appeal, and the two calendar years prior to the calendar year of this appeal.

3. The property owner's state organizing documentation and all amendments, Articles of Incorporation, Operating Agreement or Partnership Agreement.

4. The property owner's annual reports filed with the Pennsylvania Bureau of Corporations and Charitable Organizations for each of the three calendar years prior to the calendar year of this appeal.

5. The name, address and telephone number of the contact person to schedule an inspection of the subject real property.

FORM 30 (k) – Case Management Order

[CASE CAPTION, INCLUDING DOCKET NUMBER, REAL ESTATE STREET ADDRESS, PROPERTY TAX FOLIO NUMBER, MUNICIPALITY AND SCHOOL DISTRICT WHERE THE REAL ESTATE IS LOCATED].

CASE MANAGEMENT ORDER

AND NOW, this day of , 202 the following Case Management Order is entered pursuant to Delaware County Local Rule *30 :

1. Appellant, if the property owner, shall provide a copy of any appraisal prepared for purposes of their assessment appeal to all other parties within ninety (90) days from the date the appeal was filed;
2. In all appeals, the property owner shall provide to the taxing authorities and the Board of Assessment, the following information (as applicable for income-producing properties) within ninety (90) days from the appeal was filed with the court:
    a. Income and Expense Statements for the preceding three years;
    b. A current rent roll, including all lease terms and any extension or renewal options, any special provisions and a sample lease or leases;
    c. Any appraisals prepared of the property within the prior three (3) years;

d. Any agreements of sale within the prior three (3) years' and

e. Contact information of an individual who shall provide access to the property for a site visit by an appraiser;

f. Any property building plans, floor plans or building layouts

3. The parties shall exchange appraisals to be used at trial following the exchange of discovery, where permitted by Rule 4030 or upon Leave of Court, not less than thirty (30) days prior to the date of trial.

4. Any party may, at any time, in writing request a conference with the Court Administrator.

BY THE COURT:

_____

J.

FILED
10-17-2025 02:04 PM
OFFICE OF JUDICIAL SUPPORT
DELAWARE COUNTY, PA

Rule *34. Termination of Inactive Cases

Annually, all cases in which the dockets of the Office of Judicial Support indicate that there has been no activity for two years or more, and where no active status certificate has been filed, shall be marked "Terminated under Pa.R.J.A. 1901". Any case so terminated shall not be reinstated except upon application to the court and for cause shown. Prior to the termination of any case under this Rule, notice shall be given pursuant to Pa.R.J.A. 1901(c).

Rule *76 - Definitions

Attorney of record. See the definition in Pa.R.C.P. 76.
Party shall mean a litigant's attorney of record or an unrepresented litigant.
Plaintiff or Defendant shall mean a party's attorney of record or the party where the litigant is unrepresented.

Comment: Amended April 6, 1993, effective June 1, 1993; further amended December 4, 1997

Rule *107 – Automation Program for Case Management.

The District Attorney's Office and the Office of the Public Defender have adopted an automation program for case management which will create and track subpoenas. Subpoenas which contain an electronic signature of the Director of the Office of Judicial Support and blue ink seal shall have the same force and effect as subpoenas containing an original ink signature and pressed seal.

Comment: Adopted June 18, 2002, effective 30 days after publication in the Pennsylvania Bulletin.

Local Rule 117. – Monetary Bail Acceptance at Correction Facility.

1. Magisterial District Judges shall provide continuous coverage for issuance of search warrants pursuant to Pa. R. Crim. P 203, arrest warrants pursuant to Pa. R. Crim. P. 513 and for the acceptance of deposits of bail.

2. Magisterial District Judges shall also provide coverage to conduct preliminary arraignments, conduct summary trials or set collateral in summary case following arrest with a warrant issued pursuant to Pa. R. Crim. P 430(A), set bail whenever an out-of-county warrant of arrest is executed within the Judicial District accept complaints and provide such other services as may be required by Pa. R. Crim. P. 117 (A) (2) (a), (b), (c) and (d).

3. In order to provide after hours coverage for the services set forth in paragraphs 1 and 2, Magisterial District Judges shall rotate evenings, weekends and holidays according to the provisions of the previous Orders of this Court establishing the Duty Groups within the Judicial District.

4. The Duty Magisterial District Judge shall provide after hours coverage in accordance with the long-standing hearing schedules set forth in the previous Orders of this Court establishing the Duty Groups within this Judicial District.

5. The Duty Magisterial District Judge shall be continuously available during his or her regular after hours coverage for the issuance of search warrants pursuant to Pa. R. Crim. P. 203, arrest warrants pursuant to Pa. R. Crim P. 513 and to accept deposits of bail as further provided for in paragraph 8 of this Order

6. In the event a Magisterial District Judge is needed for the issuance of a search or arrest warrant or other emergency matter when the court is not scheduled for after hours coverage, the Duty Magisterial District Judge will be contacted as provided for in paragraph 7 of this Order.

7. The Duty Magisterial District Judge Shall be contacted by either the Delaware County Emergency Services Center (911), the local law enforcement agency or the Pennsylvania State Constable when it becomes necessary to hold a preliminary arraignment or summary trial, issue a search warrant or warrant of arrest, set or accept bail or provide the other services set forth in paragraphs 1 and 2 of this Order.

8. All Magisterial District Court offices shall be open for normal business on Monday through Friday between the hours of 8:30 A.M. to 4:30 P.M. except that Magisterial District Court 32-2-40 shall be open between the hours of 2:00 P.M. and 10:00 P.M. on Monday through Thursday and between the hours of 11:00 A.M. and 7:00 P.M. on Friday for the purpose of conducting normal business and to act as the Duty Court for the Folcroft Duty Group on Monday through Thursday.

9. Monetary bail may be accepted by the issuing authority between the hours of 8:30 A.M. and 4:30 P.M. on Monday through Friday, by the Duty Magisterial District Judge during his or her regular after hours coverage and by the Warden of the George Hill Correctional Facility (or his designee) between the hours of 8:00 P.M. and 8:30 A.M. daily. If the issuing authority is unavailable to accept deposits of bail due to illness, vacation, or continuing education, the Magisterial District Judge covering for the issuing authority may accept the bail.

Comment: Adopted July 26, 2006, effective 30 days after publication in the Pennsylvania Bulletin

Rule 205.2 – Filing Legal Papers with the Office of Judicial Support (Rescinded)

Comment: Rule 205.2 was rescinded and renumbered rule 205(a).

Rule *205.2(a) - Filing Legal Papers With the Office of Judicial Support

All papers filed with the Office of Judicial Support shall include the following:

1. The facing page of all pleadings, petitions, and motions, and all other matters filed in the Office of Judicial Support shall provide a space three (3") inches in height, on the top right under the docket number for use of The Office of Judicial Support in affixing the date and time of filing.

2. Attorneys of record shall indicate their identification number and their business telephone number on all papers filed with the Office of Judicial Support.

Comment: Renumbered January 28, 2016. Effective upon publication on the UJS Portal.

Rule *205.2(b) - Cover Sheets

A cover sheet is to be completed and attached to the following,

The moving party is to check the appropriate box on the form.

I. Petitions filed pursuant to Rule 206.l(a)

2. Motions filed pursuant to Rule 208.l

3. Responses to Motions or Petitions

4. Motions for Judgment on the Pleadings pursuant to Rule 1034(a)

5. Summary Judgment Motions pursuant to Rule 1035.2 (a)

6. Family Law Petitions and Motions pursuant to Rule 206.8

See Cover Sheet for Motions/Petitions Notice below:

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

COVER SHEET- NOTICE OF FILING OF MOTION OR PETITION UNDER
LOCAL RULES OF CIVIL PROCEDURE

Case Caption:_____ Civil Case No._____

NATURE OF MATTER FILED: (please check one)

[J Petition Pursuant to Rule 206.1 [ ] Response to Petition [J Motion for Judgment or Pleadings Pursuant to Rule 1034(a)

[J Motion Pursuant to Rule 208. 1 [J Response to Motion [J Summary Judgment Pursuant to 1035.2

[J Family Law Petition/Motion Pursuant to Rule 206.8

A motion or petition was filed in the above captioned matter on the _ day of_____ _____,which:

[J Requires you, Respondent, to file an Answer within twenty (20) days of the above date to this notice, or risk the entry of an Order in favor of the Petitioner. Answers must be filed and time stamped by the Office of Judicial Supp01t by 4:30 PM on the following date_____

[J Requires you, Respondent, to appear at a hearing/conference on the ____ day of _____ ,_____,at ____ in Courtroom _ , Delaware County Comthouse, Media, Pennsylvania. At this hearing/conference you must be prepared to present all testimony and/or argument, and must ensure that your witnesses will be present.

[J Was timely answered, thus requiring the scheduling of the following hearing in the above captioned matter on: ----------at 10:00 AM in Courtroom_ _

You, Petitioner/Movant, are responsible for notifying all interested responding parties of this hearing date at least ten (10) days prior thereto.

At this hearing, all patties must be prepared to present all testimony and/or argument and must ensure that their witnesses will be present.

[J Qualifies as an Uncontested Motion or Petition, and as such requires neither an answer from the Respondent nor the scheduling of a hearing in this matter.

[J Has been assigned to Judge----------

FOR OFFICE USE ONLY

Mailing Date:_____ Processed by:_____

7. Preliminary Objections pursuant to Rule 1028 (c)

See Notice Form for Rule 1028 (c) below

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL ACTION- LAW

_____ No._____
Plaintiff

vs.

_____ Civil Action- Law
Defendant

NOTICE PURSUANT TO RULE 1028(c)

To: PLAINTIFF AND DEFENDANT

The Filing date of the Preliminary Objections of_____to_____
Complaint is_____

You are advised that a Reply Memorandum of law must be filed within twenty (20) days of that date, on or by _
_____

_____
Attorney of Record or Party

EXPLANATORY COMMENT -2010

On February 5th, 2010, the Pennsylvania Supreme Court adopted Pa.R.C.P. 205.5 which requires submission Statewide of a uniform cover sheet on each new civil filing. In the interest of efficiency, it was decided that the state-mandated from replace, rather than be filed in addition to, the "Civil Cover sheet and Entry of Appearance Form" formerly required by Delaware County Local Rule 241(a)

Comment: Amended May 14, 2010, effective immediately. Renumbered and amended January 28th, 2016 effective upon publication on the UJS Portal.

ORIGINAL

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

IN RE:	**ADOPTION OF RULE 205.4**	:	
		:	
	ELECTRONIC FILING AND SERVICE OF LEGAL PAPERS IN DELAWARE COUNTY	:	**CV-2022-003777**

ADMINISTRATIVE ORDER

AND NOW, to wit, this 22nd day of Sept., 2025, it is hereby **ORDERED** that Delaware County Local Rule 205.4 for the Electronic Filing and Service of Legal Papers is **AMENDED.** This rule shall be effective upon publication on the UJS Web Portal at https://ujsportal.pacourts.us/. Use of the Delaware County Electronic Filing System for Family Law cases shall commence on October 15, 2025, at 8:30 AM as provided by Local Rule 205.4 unless otherwise ordered by this court.

IT IS FUTHER ORDERED that in accordance with 201 Pa. Code Rule 103, the Solicitor for Internal Management shall:

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

(b) File two (2) certified copies of this Order with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin;

(c) Publish a copy of this Order on the website of the Delaware County Court of Common Pleas;

(d) File one (1) certified copy of this Order with the Office of Judicial Support of the Court of Common Pleas of Delaware County; and

(e) Forward one (1) copy of this Order for publication in the Delaware County Legal Journal.

CERTIFIED A TRUE AND CORRECT
COPY FROM THE RECORD
THIS 23 DAY OF Sept A.D. 2025
MARY J. WALK, ESQUIRE, DIRECTOR
OFFICE OF JUDICIAL SUPPORT

BY THE COURT:

Linda A. Cartisano
President Judge

Note: This rule is adopted as required by Pa.R.C.P. No. 239.9.

DELAWARE COUNTY LOCAL RULE 205.4

(a) (1) **Commencement**

(i) On the commencement date, all parties may electronically file all "legal papers" as defined in Pa.R.C.P. No. 205.4 (a)(2), with the Office of Judicial Support through Delaware County's Electronic Filing system as more specifically provided in Pennsylvania Rule of Civil Procedure No. 205.4 and Delaware County Civil Rule 205.4,

(ii) Ninety (90) days from the commencement date, parties shall electronically file all "legal papers" as defined in Pa.R.C.P. No. 205.4 (a)(2), with the Office of Judicial Support through Delaware County's Electronic Filing system as more specifically provided in Pennsylvania Rule of Civil Procedure No. 205.4 and Delaware County Civil Rule 205.4.

(iii) On the commencement date, all parties in Family Law cases (i.e. custody, divorce , special relief, equitable distribution) may electronically file all "legal papers" as defined in Pa.R.C.P. No. 205.4 (a)(2), with the Office of Judicial Support through Delaware County's Electronic Filing system as more specifically provided in Pennsylvania Rule of Civil Procedure No. 205.4 and Delaware County Civil Rule 205.4, For purposes of filing legal papers electronically, Family Law cases are considered to be Custody, Partial Custody and Visitation of Minor Children under Pa.R.C.P. 1951.1; Special Relief under Pa.R.C.P.1913.13 ; Actions for Divorce or for Annulments of Marriage under Pa.R.C.P. 1920.1.

(iv) Ninety (90) days from the commencement date, parties in Family Law cases shall electronically file all "legal papers" as defined in Pa.R.C.P. No. 205.4 (a)(2), with the Office of Judicial Support through Delaware County's Electronic Filing system as more specifically provided in Pennsylvania Rule of Civil Procedure No. 205.4 and Delaware County Civil Rule 205.4.

Explanatory Note: The term "legal paper" as defined in Pa.R.C.P. No. 205.4(a)(2) encompasses all pleadings and all other papers filed with the Office of Judicial Support – including exhibits and attachments -even if the legal papers are not adversarial in nature and do not require the non-filing party or parties to respond.

(2) As used in this rule the following words shall have the following meanings:

CMS (*Case Management System*): A Court case management system manages the receipt, processing, storage and retrieval of data associated with a case and performs actions on the data.

Electronic Filing (*E-Filing*): The electronic transmission, acceptance and processing of a filing. A submission consists of data, one or more documents, and/or images. The definition of electronic filing does not apply to facsimile or e-mail.

Electronic Service (*E-Service*): The electronic transmission of an original document to all other electronically-registered case participants via the electronic filing system. Upon the completion of any transmission to the electronic filing system, an electronic receipt shall be issued to the sender acknowledging receipt by the electronic filing system.

EFS : Delaware County Electronic Filing System.

(b) (1) **Authorized Electronic Format of Legal Papers Electronically Filed**
All legal papers shall be filed in a portable document format ("pdf"). A legal paper presented for filing in hard copy or in a format other than portable document format shall be converted to a portable document format and maintained by the Office of Judicial Support pursuant to Pa. R.C.P. 205.4 (b)(1)

(2) This Rule shall not apply to legal papers related to actions in Support as defined in Pa.R.C.P. 1910.1 through 1910.50 and 1930.1 through 1940.9, ; Protection from Abuse under Pa. R. C. P. 1901.3; Protection of Victims of Sexual Violence or Intimidation under Pa. R.C.P 1951; Petition for Writ of Seizure pursuant to Pa. R. C. P. 1075; Petition to Postpone Sheriff's Sale Pa.R.C.P. 3132; Petition to Appoint a Constable. ; Claim of Exemption pursuant to Pa.R.C.P. 3123.1; Appeal from Denial of Right to Know Request under Pa.R.J. A. 509. Registration of Foreign Divorce Decree; Registration of Foreign Custody Order and Notice of Intention to Resume Prior Name. This rule shall also not apply to certified zoning records which include blueprints and/or plot plans under Delaware County Local Rule 27.

(3) This Rule shall not apply to legal papers submitted by a party in response to the Court's notice and Divorce Decree checklist requiring corrections to existing or not yet filed documents for the Court to complete the processing of a divorce action and final adoption of a divorce decree, QDRO or other orders specifically requested to be corrected by the Divorce Decree checklist. The legal papers/corrections shall be filed in the Office of Judicial Support. The filing party shall provide a time stamped copy of the papers to the Court Administrator's Office pursuant to the Divorce Decree checklist instructions. The copies shall include corrections or amendments to existing filings previously docketed.

Explanatory Note: Legal papers submitted in response to the Court's Notice and Divorce Decree checklist and motions or petitions seeking relief in emergency situations, injunctive relief or stay of proceedings shall not be filed through the EFS system but shall be taken to the Office of Judicial Support to be time –stamped, processed, and docketed and then brought by the party seeking the decree, QDRO, order or emergency relief or the stay of proceedings to the Court Administrator's Office for reference to the appropriate judge.

(c) (1)**Website. Access to the Website**

(i) Website. All legal papers shall be filed electronically through Delaware County's Electronic Filing system Electronic Filing system "EFS" which shall

be accessible through the County of Delaware website https://delcoefile.co.delaware.pa.us/login or at such other website as may be designated from time to time.

(ii) Use of the EFS shall be in accordance with the local rule and instructions contained on the website.

(iii) Access to the Website. To obtain access to the Delaware County Electronic Filing System, counsel and self- represented litigant must apply for and receive a User Name and Password.

(iv) Registered users shall be individuals, and not law firms, agencies, corporations nor other groups.

(v) User access may be suspended to prevent fraud, to maintain security of the system and network, to prevent an unacceptable level of congestion, or to prevent a disruption to the EFS or another user.

(d) (1) **Payment of Filing Fees under the EFS system.**

(i) The Office of Judicial Support will accept for payment of all filing fees through PayPal.

(ii) The Office of Judicial Support will not accept advance deposits for future filings.

(e) Reserved

(f) (1) **Filing Status Messages**

(i) Upon receipt of the electronic document, the Office of Judicial Support shall provide the filing party with an acknowledgment, which includes the date and time the document was received by the Delaware County Electronic Filing system.

(ii) After review of the electronic document , the Office of Judicial Support shall provide the filing party with e-mail notification, or notification on the Delaware County Electronic Filing System, that the document has been accepted for filing ("filed") or refused and not accepted for filing.

(2) **Official Record**

(i) When an electronic document is accepted, the document is the official record.

(ii) In custody and equitable distribution cases before a hearing officer, parties shall NOT E-file exhibits to be presented to the hearing officer prior to or at

the time of the hearing. The parties shall bring a copy of all exhibits to the hearing. The hearing officer, as is practicable , shall either return the copy to the parties who presented the exhibits or give to court staff to shred the documents.

(iii) In arbitration cases before a panel of arbitrators or sole arbitrator, parties shall NOT E-file exhibits to be presented to the arbitrators prior to or at the time of the hearing. The parties shall bring a copy of all exhibits to the hearing. The panel or sole arbitrator after hearing the matter, shall either return the copy to the parties who submitted the exhibits or give to court staff to shred the documents.

Explanatory Note: This subsection (ii) to (iv) is designed to alleviate the necessity of court staff printing copies of the pleadings and voluminous exhibits used in de novo hearings. Parties may bring a copy of pleadings and/or exhibits to the hearing with the expectation the copies shall be returned or destroyed.

(3)Signatures and Verifications

(i) The electronic filing of documents utilizing the issued User Name and Password as provided by this rule and Pa.R.C.P. No. 205.4, constitutes the party's signature on electronic documents as provided by Pa.R.C.P. No. 1023.1 and, if the filing party is an attorney, constitutes a certification of authorization to file it as provided in Pa.R.C.P. No. 205.1.

(ii) The electronic document filed by a party must include a signature block, and the name of the filer under whose User Name and Password the document is submitted. The document may be submitted with the filers scanned signature or "/s/" and the filer's named typed in the space where the signature would otherwise appear on the document.

(iii) If an attorney is the filing party, the Pennsylvania Supreme Court Attorney Identification number must be included under the signature line. The correct format for an attorney signature is as follows:

/s/ Attorney name
Pa Supreme Court ID#
Attorney for (Plaintiff/Defendant) XYZ Corporation
ABC Law Firm
ADDRESS
TELEPHONE NUMBER
FAX NUMBER - (FAX)
E-MAIL ADDRESS

(iv) An authorized electronic filer must not allow their user name and password to be used by anyone other than an agent who is authorized by the electronic filer.

(v) Electronic filers shall notify the Office of Judicial Support's Help Desk immediately if there has been any unauthorized use of their EFS user name and password.

(vi) The Verification required by Pa.R.C.P. Nos. 206.1 and 1024 and the signature page(s) of any document or legal paper executed by a client or other persons other than the filing party must be scanned and attached to the electronic filing in a portable document format at the time the legal paper is submitted.

(vii) Documents requiring signatures of more than one party must be scanned and attached to the electronic filing in a portable document format at the time the legal paper is submitted.

(viii) The original of a sworn or verified document that is electronically filed (e.g. affidavit) or is contained with an electronic filing (e.g. verification) shall be maintained by the electronic filer and made available upon direction of the court or reasonable request of the signatory or opposing party.

Explanatory Note: This subsection is designed to address issues which may arise regarding signatures on legal documents. A filer's use of the User Name and Password issued through the Delaware County Electronic Filing System is the filer's "electronic signature". However, legal documents often require verifications executed by non-filers. In addition, many legal documents require multiple signatures. Deficiencies in content and execution could be subject to preliminary objections. In order to avoid prejudicial delay, this section requires the filing party to scan such legal documents or signature pages and include them as part of the electronic filing at the time of submission. Original copies should be kept as provided for in Pa.R.C.P. No. 205.4 (b)(4).

(4) **Electronic Filing Fees and Costs.**

(i) The Office of Judicial Support shall collect an electronic filing user fee for each legal paper or exhibit filed as established by the Office of Judicial Support with the approval of the President Judge of the Delaware County Court of Common Pleas.

(ii) In addition to such electronic filing user fee, the Office of Judicial Support is authorized to charge a fee as set forth from time to time for each page of a legal paper or exhibit which is filed in hard copy format and which must be converted by the Office of Judicial Support to a portable document format.

(iii) Electronic filers shall alert the EFS to any payment errors within forty-five (45) days of the payment date by notifying the Office of Judicial Support's Help Desk.

(5) **Other Procedures Necessary to the Operation of a System of Electronic Filing:** authorized by Pa.R.C.P. No. 205.4 (f), the following administrative procedures are adopted:

(i) If a document is accepted, it shall be deemed to have been filed as of the date and time it was received by the Delaware County Electronic Filing System; provided, however, that if a document is submitted without the requisite fee, the document shall be deemed to have been accepted for filing as of the date payment was received. The Office of Judicial Support is authorized to refuse for filing a document submitted without the requisite payment. If the electronic document other than original process is accepted for filing, it will be electronically served as authorized by Pa.R.C.P. No. 205.4(g)(1)(ii) and service shall be effectuated as provided in Pa.R.C.P. No. 205.4(g)(2)(ii).

(ii) *Termination Notice.* In addition to the procedures set forth in Pa.R.C.P. No. 230.2, in cases where a party is a registered user of the Delaware County Electronic Filing System, notice of proposed termination may also be electronic.

(iii) An electronic filer is not required to file any paper copies unless specifically required by the court.

Note: In addition to the electronic paper, a Judge may request counsel or a self-represented litigant to provide a courtesy copy of a pleading(s) or other such material including but not limited to a memorandum of law, a pre-trial binder for the Court including relevant pleadings, a pre-trial memo, if any, stipulations and pre-labeled exhibits which may be useful to a Judge in preparation for trial. The Court may also request courtesy motions, petitions and answers to such pleadings from time to time.

(iv) An electronic filer is not required to file multiple copies of documents unless requested by the Court, or as specified elsewhere in these local rules. If documents are to be served electronically, the electronic filer is not required to provide envelopes, unless requested by the Court or as specified elsewhere in the local rules, except for those parties who are to receive the document by regular mail or other means of service as required by other rules.

(v) Electronic filing is permitted at all times when the EFS is available. If the EFS is unavailable at the time a registered user attempts to file a document, the registered user shall make reasonable efforts to file the document as soon as the unavailability ends.

(vi) If a registered user believes the unavailability of the EFS prevented a timely filing to the party's prejudice, the registered user may submit a motion to the court within ten (10) days of the registered user's unsuccessful attempt to file the document. The

motion shall state the date and time of the first unsuccessful attempt to file the document electronically, the date(s) and time(s) of any subsequent attempts to file the document electronically, and why the delay was prejudicial.

(vii) The filing deadline for any document filed electronically is 11:59:59PM EST/EDT.

(viii) *Documents with Attachments.* Attachments, including exhibits, that are part of any filing, shall be filed electronically at the same time as the document.

(ix) An attachment or exhibit that exceeds the technical standards for the EFS or is unable to be electronically filed must be filed as ordered by the court. A Notice of Exhibit Attachment shall be filed in the EFS referencing such an exhibit with specifically and stating the reason why the exhibit was not filed electronically.

(x) The Court may, on its own motion or for good cause shown, order a filing be made under seal. Filings requested to be made under seal shall be submitted to the Office of Judicial Support over the counter rather than through EFS.

(xi) Sealed or confidential documents may be submitted for electronic filing in a manner that maintains confidentiality under applicable law.

(xii) Filings not under seal are public and parties shall comply with the Public Access policy related to case records of the Appellate and Trial Courts of the Unified Judicial System of Pennsylvania under 204 Pa. Code 213.81 and Delaware County Administrative Rule No. 17-5120 .

Note: As required by Pa.R.C.P. No. 205.4(c)(1), access to the Delaware County Electronic Filing System shall be available at all times, except for required maintenance. However, legal papers can only be reviewed during normal court hours. Therefore, parties are cautioned to file required legal papers in advance of any filing deadline to enable timely correction and re-submission in the event a legal paper is not accepted or is refused for filing. The Office of Judicial Support may refuse for filing any legal paper submitted without the required filing fees as provided by 42 Pa.C.S. § 1725(c)(2)(xix), or, at the Office of Judicial Support's discretion, may authorize the filer to submit the required filing fees within a stated time period after which the Office of Judicial Support may refuse the legal paper for filing if payment is not received.

(6) If a legal paper is refused for filing, the Office of Judicial Support shall specify the reason. Subject to the provisions of subsection Rule 205.4(e)(1)(i), a legal paper refused for filing shall be deemed as not having been filed.

(7) Neither the Court nor the Office of Judicial Support are required to maintain a hard copy of any legal paper or exhibit, notice, or order filed or maintained electronically under this rule.

(8) If a legal paper is electronically filed, the Delaware County Civil Electronic Filing System will automatically serve all persons who have previously submitted electronic filings in the same case, pursuant to Delaware County Civil Rule *205.4 and Pa. R.C.P. No. 205.4 (g) but the filing party must serve all others as required by rules of Court. All legal papers filed in a hard-copy format must be served by the filing party as required by rules of court.

Note: A party has the responsibility of providing legal papers and other correspondence to the Delaware County Sheriff's Office for service of original process pursuant to Pa. R.C.P. 400-425 The Delaware County Electronic Filing Service or CMS program does not encompass the Delaware County Sheriff's Office.

(9) Documents shall use the universal PDF standard and shall be no more than 25 megabytes (mb). Files that exceed this limit must be split into multiple files so that each individual file is less than 25 megabytes (mb).

(10) Color shall be Black and White, resolution of 300 dpi. If a filer has a document that is color or greystroke, the document shall not be filed electronically but must be submitted to the Office of Judicial Support.

(11) All pleadings must conform to Pennsylvania Rule of Civil Procedure 204.1 (1) so that the size of the document be 8 ½ inch by 11 inch paper.

(12) Any font that is not part of the Microsoft default font list must be embedded in the PDF document

(13) PDF properties (Title, Author, Subject, and Keywords) should be removed from the document. Documents cannot be password protected or encrypted. Documents names shall not include any special characters such / : * ? " < >

(g) (1) ***Service by Electronic Transmission***

(i) Service shall be made to registered users through the EFS and to all others as otherwise provided in the Pennsylvania Rules of Civil Procedure. Service by the EFS is complete upon transmission on a Saturday, a Sunday, a holiday recognized by Delaware County, or after 5:00PM EST/EDT, shall be considered complete on the next day that is not a Saturday, Sunday or recognized Delaware County holiday.

(ii) Other than original service, the electronic filer shall not be required to serve a paper copy of the electronic filing on the opposing party if the opposing party is a registered user on the EFS and the electronic filing has been served on them through the EFS.

(h) An AOPC Civil Court Cover Sheet pursuant to Pa.R.C.P No. 205.5 shall be required and must be scanned separately from the original pleading

Note: The following documents may be filed through the EFS system. The Office of Judicial Support, once accepted, will forward the document to Court Administration for review and processing:

(1) Certificate of Readiness pursuant to Local Rule 241; (2) Debtor's Exemption under Local Rule 3123; (3) Application for Continuance in arbitration cases pursuant to Delaware County Local Rule 1303 (f) or for a hearing related to a petition or motion (Local Rule 206.1 (a)(1) and 208.3 (b) (1)); (4) License Suspension Appeal(Local Rule 29); (5) Tax Assessment Appeal(Local Rule 30); (6) Board of View (Local Rule 622 (k));and (8) Request for Extension pursuant to Local Rule 1028.

Once filed through the EFS system, the document will be processed by the Court Administrator and notice of the outcome and/or a hearing date , if any, will be sent electronically to the filing party. The party requesting a continuance shall provide advance notice to all parties in a case, state if the continuance is opposed or unopposed, and be responsible to notify all parties of the outcome of the request prior to a listed hearing or event.

Applications for Continuance in assigned cases may be filed electronically at the Court's discretion subject to the assigned judge's guidelines.

Motions or petitions seeking relief in emergency situations or stay of proceedings shall not be filed through the EFS system but shall be taken to the Office of Judicial Support to be time –stamped, processed, and docketed and then brought by the party seeking the emergency relief or the stay of proceedings to the Court Administrator for reference to the appropriate judge.

Note: This rule is adopted as required by Pa.R.C.P. No. 239.9.

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OFFICE OF JUDICIAL SUPPORT
DELAWARE COUNTY, PA

Rule 206 A. - Petitions, Rules, Answers and Motions. (Rescinded)

Comment: Rule 206A was rescinded on June 28, 2004 and adopted as Rule 206.8.

Rule 206B.- Related to Non-Family Matters -----Motion Hearing, and Trial Divisions. (Rescinded)

Comment: Rule 206B was rescinded June 28, 2004

Rule 206.1(a)(c). Petition. Definition. Form. Content.

The following applications are defined as "petitions" and are to be governed by Rule 206.1, et seq.

The following petitions are scheduled for a hearing upon filing

(1) Petition for adjudication of local agency
(2) Petition for appointment of CPA as auditor
(3) Petition for appointment of private police officer
(4) Petition for appointment of a receiver
(5) Petition for approval of bond
(6) Petition to approve increase in municipal tax levy
(7) Petition for attachment of bank accounts
(8) Petition for change of name pursuant to 54 Pa.C.S.A. § 701 et seq.
(9) Petition to change school district election districts
(10) Petition to compromise, settle, or discontinue minor's action pursuant to Pa.R.Civ.P. 2039
(11) Petition to disapprove a private sale by the Tax Claim Bureau
(12) Petition to evict
(13) Petition for expunction
(14) Petition to fix fair market value of real property sold pursuant to Pa.R.Civ.P. 3282
(15) Petition to issue certificate of title
(16) Petition for judicial review of revocation of firearms license
(17) Petition to levy taxes exceeding 30 mills for general municipal purposes
(18) Petition nunc pro tunc - license suspension appeal
(19) Petition for objection and exception to upset tax sale
(20) Petition for private detective license
(21) Petition for release of property from levy pursuant to Pa.R.Civ.P. 3119
(22) Petition for return of firearms
(23) Petition for sale of school district real estate
(24) Petition to sell real estate at private sale
(25) Petition to set aside tax sale of real estate
(26) Petition to set tax millage for police benefits
(27) Petition to stay tax sale
(28) Petition to strike off nomination petition
(29) Petition for supplemental relief in aid of execution pursuant to Pa.R.Civ.P. 3118
(30) Petition to transfer liquor license
(31) Petition for vehicle registration suspension

The following petitions are referred directly to a Judge.

(32) Petition to direct the Sheriff to relist Sheriffs sale
(33) Petition for emergency relief - stay all proceedings
(34) Petition for emergency relief- stay public sale of real property
(35) Petition for emergency relief - set aside Sheriffs sale
(36) Petition for ex parte writ of seizure
(37) Petition for liquor license appeal
(38) Petition nunc pro tunc - liquor license appeal
(39) Petition to postpone Sheriffs sale
(40) Petition to proceed in forma pauperis
(41) Petition to set aside Sheriffs sale
(42) Petition to stay Sheriffs sale
(43) Petition to stay suspension
(44) Petition for zoning hearing - remand to Hearing Board

The following petitions require an answer within twenty (20) days.

(45) Petition to amend answer
(46) Petition to amend caption
(47) Petition to amend complaint
(48) Petition to amend new matter
(49) Petition to appoint arbitrator
(50) Petition to appoint Board of View pursuant to 56 P.S. §1-504
(51) Petition to approve settlement of wrongful death and survival action
(52) Petition to approve disbursement of funds
(53) Petition to approve settlement
(54) Petition for change of venue
(55) Petition to confirm arbitration award
(56) Petition for confirmation of the sale of real property
(57) Petition for contempt
(58) Petition for counsel fees
(59) Petition for counsel fees and costs
(60) Petition to disburse proceeds of escrow fund
(61) Petition to disqualify attorney from representing client
(62) Petition to disqualify the Board of Judges of Delaware County
(63) Petition to dissolve or terminate supersedeas
(64) Petition to enforce settlement
(65) Petition for interpleader pursuant to Pa.R.Civ.P. 2302
(66) Petition to intervene pursuant to Pa.R.Civ.P. 2328
(67) Petition to issue order of possession
(68) Petition to issue subpoena
(69) Petition to join additional defendant
(70) Petition for leave to join third party
(71) Petition to mark judgment satisfied
(72) Petition to merge judgments
(73) Petition nunc pro tunc - appeal from district justice judgment
(74) Petition nunc pro tunc - join additional defendant
(75) Petition to open confessed judgment
(76) Petition to open judgment of non pros
(77) Petition to open order to settle, discontinue and end
(78) Petition to open safe deposit box
(79) Petition to open sealed record
(80) Petition to open and/or strike judgment
(81) Petition to pay judgment in installments
(82) Petition to quash appeal and vacate supersedeas
(83) Petition to quash writ to join additional defendant
(84) Petition for reassessment of damages
(85) Petition to reduce order to judgment
(86) Petition to reinstate appeal
(87) Petition to remand to arbitration modify judgment
(88) Petition to remand for clarification of arbitrator's award
(89) Petition to remove satisfaction and reinstate judgment
(90) Petition to return writ of execution
(91) Petition for settlement of survival action
(92) Petition for stay of execution
(93) Petition to stay mortgage foreclosure
(94) Petition to strike appeal
(95) Petition to strike lis pendens

(96) Petition to strike mechanic's lien
(97) Petition to strike non pros
(98) Petition to strike and/or set aside garnishment
(99) Petition to strike writ of certiorari
(100) Petition to substitute party
(101) Petition to take depositions
(102) Petition to take depositions for preparation of pleadings
(103) Petition to transfer to major case status
(104) Petition to vacate arbitration award
(105) Petition to vacate judgment
(106) Petition to vacate, set aside and/or modify arbitrator's award
(107) Petition to vacate and strike off order to settle, discontinue and end
(108) Petition to withdraw appearance
(109) Petition for writ of habeas corpus

(a) Petitions filed pursuant to Rule 206.1 shall be processed as follows:

(1) Cases not yet assigned to a judge

(a) The originals of all petitions shall be filed with the Office of Judicial Support.

(b) Service shall be contemporaneously made by the moving party in conformity with Pa.R.C.P. 440, or in the case of petitions that constitute initial process, in conformity with the Pennsylvania rules of Civil Procedure governing the manner of service of original process (see Pa.R.C.P. 400ff)

(c) Each petition shall be accompanied by the following:

i. A cover sheet pursuant to Rule 205.2(b) clearly indicating the filing date and advising that an answer to the petition must be filed within twenty (20) days from that date.

ii. A certification that service in conformity with Pa.R.C.P. 440 or, in the case of original process, in conformity with the Pennsylvania Rules of Civil Procedure governing the service of original process is being contemporaneously made.

iii. A form of proposed order fairly encompassing the relief requested.

(d) Each answer to petitions filed pursuant to this Rule shall be accompanied by the following:

i. A cover sheet pursuant to Rule 205.2(b) clearly indicating that they are being filed pursuant to Rule 206.1; and

ii. A form or proposed Order fairly encompassing the relief requested.

(i) On the 21st day after filing the Office of Judicial Support shall send the record papers to the Court Administrator for reference by the Court Administrator to the appropriate judge.

(ii) The moving party shall promptly advise the Court Administrator in writing if a matter has been resolved or withdrawn.

(iii) Requests for an extension of the 20-day period in which to respond to a motion must be made in writing to the Court Administrator. The request shall indicate whether or not it is opposed by all other parties. No agreement entered into by the parties to extend the 20 day period shall be honored by the court without written notice to and the consent of the Court Administrator.

(2) Cases assigned to a judge

(i) All applications that would otherwise be the subject of a petition will be processed by the assigned judge and should be directed to his or her chambers. The moving party shall contemporaneously notify all parties affected by the application.

(ii) The form of all such applications and the time in which to respond thereto shall be determined by the judge on an ad hoc basis as circumstances and the exercise of his or her sound discretion shall warrant.

(iii) Where the application takes the form of a formal petition, the original shall be filed with the Office of Judicial Support. The face sheet shall clearly indicate that a copy of the motion or petition has contemporaneously been submitted to the assigned judge, who shall be identified on the notice.

(iv) The original of a formal response to a petition shall also be filed with the Office of Judicial Support, and a copy shall be contemporaneously submitted to the assigned judge.

(3) Emergency Matters or Stays of Proceedings in Non-Family Matters

(i) Petitions seeking relief in emergency situations or stay of proceedings shall first be taken to the Office of Judicial Support to be time-stamped and docketed and then immediately brought by the party seeking the emergency relief or the stay of proceedings to the Court Administrator for reference to the appropriate judge.

(ii) After the request for emergency relief or stay of proceedings has been either granted or denied by the court, the motion shall be returned to the Office of Judicial Support for filing of the Order.

(iii) Hearing dates, where required, shall be set by the judge to whom the matter has been referred, or, where that judge will not also be the hearing judge, by the Court Administrator.

(iv) The moving party shall make a good faith effort to give all parties affected by the application as much advance notice as reasonably possible of the date and time he/she intends to present his/her application and shall attach to the application a certification of the good faith effort that has been made. This certification shall provide the specific details of the moving party's efforts to comply with the advance notice requirement of this section, including, but not limited to, the method(s) by which notice was sought to be given, the date(s) and time(s) when notice was sought to be given, the address(es) and/or phone number(s) and/or fax number(s) at which notice was sought to be given and the identity(ies) of the party(ies) to whom notice was sought to be given. When the court fixes a hearing date following the submission of an application under this Rule, a second certification shall be filed by the moving party providing similar specific information setting forth the efforts that have been made to give to all affected parties as much notice as possible of the date, time and place set by the court for the hearing.

(V) Except in emergency situations, no stay of proceedings shall be granted without actual prior notice to all parties affected thereby.

Comment: Adopted June 28, 2004

Rule 206.4(c)- Rule to **Show Cause Alternative Procedures**

Rules to show cause shall issue as of course with the filing of any Petition or Motion requiring a response in family and non-family matters.

Explanatory Comment: In non-family matters governed by Rule 206.l(a), the notice requirement serves the identical purpose of a rule to show cause, and no paper formally designated "Rule to Show Cause" shall be necessary.

In family matters, governed by Rule 206.8, present practice shall continue with rules issuing as of course pursuant to Rule 206.4(c)

Comment: Former Rule 206.6 was rescinded and renumbered 206.4(c) on June 28, 2004.

Rule 206.6 Rules to show Cause. (Rescinded)

Comment: Rescinded June 28, 2004 and renumbered Rule 206.4(c)

Rule 206.8 - Petitions, Rules, Answers, Motions in Family Matters

I. Cases not yet Assigned to a Judge

(a) The original of all family law motions or petitions, including divorce, custody, or equitable distribution shall be filed in the Office of Judicial Support, which shall docket the pleading and forward to the Court Administrator by either the moving party or the Office of Judicial Support to obtain a hearing or conference date. All matters involving support are to be filed directly with the Domestic Relations Office pursuant to Pa.R.C.P. 1910.4. All family law motions or petitions are initially listed for a hearing and/or conference.

(b) Service shall be contemporaneously be made by the moving party in conformity with Pa.R.C.P. 440, or in the case of motions or petitions that constitute initial process, in conformity with the Pennsylvania Rules of Civil Procedure governing the matter of service of original process. (See Pa.R.C.P. 400 ff.)

(c) All motions or petitions shall be accompanied by the following:

i. A cover sheet, pursuant to Local Rule 205.2(b), plainly appearing on the face thereof indicating the filing date and the nature of the matter listed.

ii. A proposed order page encompassing the relief requested.

iii. A certification that service of the hearing/conference date in conformity with Pa.R.C.P. 440 or, in the case of original process, in conformity with the Pennsylvania Rules of Civil Procedure governing the service of original process is being contemporaneously made.

If one of the above items is not included in the motion or petition, the Court Administrator shall send notice to the moving party to refile the original motion or petition.

(d) Answers to a motion or petition filed prior to the hearing pursuant to this Rule shall be accompanied by the following:

i. A cover sheet, pursuant to Rule 205.2(b), clearly indicating that they are being filed pursuant to Rule 206.8 and

ii. A proposed order fairly encompassing the relief requested.

(e) Upon receipt of the motion or petition, the Court Administrator shall promptly schedule a hearing. The moving party shall promptly notify all parties affected of the hearing date. In the event that the moving party does not appear to file the motion or petition and obtain a hearing date, the moving party shall file an original and include a copy of the motion or petition with a self addressed stamped envelope with sufficient postage for return of the hearing date, which upon receipt by the moving party shall notify all affected parties of the hearing date.

(f) The moving party shall file a certificate setting forth that notice was given to all affected parties of the date, time and place set by the court for the hearing/conference.

(g) Matters that are uncontested at the time of filing shall be so certified by the moving party and shall follow the procedure set forth in Rule 208.2(d). The Office of Judicial Support shall promptly refer them to the Court Administrator.

(h) Where a matter is to be withdrawn, a Praecipe to Withdraw Motion or Petition must be filed with the Office of Judicial Support, which shall promptly forward it to the Court Administrator. If the case has been referred to a Judge, the Court Administrator shall promptly forward the Praecipe to the judge.

(i) After a hearing date has been assigned, requests for a continuance must be made on a continuance application form (available in the Court Administrator's Office) and submitted along with a stamped envelope preaddressed to the party requesting the continuance. Requests for a continuance may be referred to the appropriate Judge for review. After review of the continuance, the Court Administrator shall forward the result of the request of the continuance to the party who applied for the continuance. The requesting party must notify all parties affected of the result of the continuance request and the new hearing date, if applicable.

II. Emergency Matters or Stays of Proceedings in Cases not yet Assigned to a Judge

(a) Motions or petitions seeking relief in emergency situations or stay of proceedings shall be brought first to the Office of Judicial Support to be docketed and time-stamped and then immediately brought by the party seeking the emergency relief or the stay of proceedings to the Court Administrator for reference to the appropriate Judge. The motion or petition shall be accompanied by the items required in 206.8(1)(c).

(b) The motion or petition shall be accompanied by a certification that the moving party has made a good faith effort to give all parties affected by the application as much advance notice as reasonably possible of the date and time that the application will be presented to the Court. This certification shall provide the specific details of the moving party's efforts to comply with the advance notice requirement of this section including, but not limited to, the method(s) by which notice was sought to be given, the address(s) and/or phone number(s) and/or fax number(s) at which notice was sought to be given, and the identity(s) of the party(s) to whom notice was sought to be given.

(c) Hearing dates, where required, shall be set by the Judge to whom the matter has been referred by the Court Administrator or, where that Judge will not also be the hearing Judge, by the Court administrator. The moving party shall promptly notify all parties affected of the hearing date and shall file a certification providing specific information setting forth the efforts that have been made to give to all affected parties as much notice as possible of the date, time and place set by the Court for the hearing. Such specific information includes, but not limited to, the method(s) by which notice was sought to be given, the address(s) and/or phone number(s) and/or fax numbers(s) which notice was sought to be given and the identity(s) of the party(s) to whom notice was sought to be given.

(d) After the Court has decided the request for emergency relief or stay of proceedings, the motion or petition shall be returned to the Court Administrator who shall then forward it to the Office of Judicial Support for filing of the Order.

(e) Except in emergency situations, no stay of proceedings shall be granted without actual prior notice to all parties affected thereby.

III. Cases Assigned to a Judge

(a) All applications, to include emergency matters, that would otherwise be subject of a motion or petition will be processed by the assigned Judge and should be directed to his/her chambers. The moving party shall contemporaneously notify all parties affected by his or her application.

(b) The form of all such applications and the time in which to respond thereto shall be determined by the Judge on an ad hoc basis as circumstances and the exercise of the Judge's sound discretion shall warrant.

(c) Where the application takes the form of a formal motion or petition, the original shall be filed with the Office of Judicial Support. The cover sheet, pursuant to Rule 205.2(b) shall clearly indicate that a copy of the motion or petition has contemporaneously been submitted to the assigned Judge, who shall be identified on the notice.

(d) The original of a formal response to a motion or petition shall also be filed with the Office of Judicial Support, and a copy shall be contemporaneously submitted to the assigned Judge.

Comment: The following applications are <u>not</u> governed by Rule 206.8, et seq. but rather are governed by the provisions of the general rule(s) governing the particular matter: Protection From Abuse Petitions pursuant to 23 Pa.C.S.A. 6101 et seq.

***Adopted June 28, 2004**

Rule 207. - Petition to Change Name. (Rescinded)

Rule 208. - Medical Malpractice. Health Care Provider. Affidavit of Noninvolvement. (Rescinded)

Comment: Rule 208 was rescinded June 29, 2004

Rule *208.1 - Motions. Non-Family Matters

(a) The originals of all Motions shall be filed with the Office of Judicial Support.

(b) Service shall be contemporaneously made by the moving party in conformity with Pa. R.C.P. 440.

Comment: Adopted June 28, 2004

Rule *208.2 - Motions. Form. Content

(a) All Motions shall be:

(1) In conformity with Pa.R.C.P. 208.2 and

(2) Include a cover sheet pursuant to Local Rule 205.2(b) clearly indicating the filing date advising that any response to the Motion must be filed within twenty (20) days from that date.

All responses to Motions filed under Rule 208.1 shall be accompanied by a cover sheet pursuant to Local Rule 205.2(b) and shall include a form of proposed Order.

Comment: Adopted June 29, 2004

Rule 208.2(d). Uncontested Motions. Certifications

If counsel for the moving party determines that a motion is uncontested by all parties involved in the case, counsel shall file a certification that the motion is uncontested. The moving party must complete the cover sheet pursuant to 205.2 and check the appropriate box, and include the certification with the motion.

Comment: Adopted June 28, 2004

Rule 208.2(e) - Motion. Certification.

(a) All motions relating to discovery shall include a certificate signed by counsel for the moving party that counsel for that party has conferred or attempted to confer with all interested parties in order to resolve the matter without Court action, and shall set forth the nature of the efforts made to resolve the matter. Failure to comply with the foregoing shall result in the refusal of the Court to hear the motion.

(1) All motions relating to discovery shall include a certificate signed by counsel for the moving party that counsel for that party has conferred or attempted to confer with all interested parties in order to resolve the matter without Court action, and shall set forth the nature of the efforts made to resolve the matter. Failure to comply with the foregoing shall result in the refusal of the Court to hear the motion.

(2) The moving party shall attach a Certification of Good Faith, substantially in the following form, to his or her motion.

Comment: Adopted June 28, 2004; amended August 10, 2004.

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

ATTORNEY CERTIFICATION OF GOOD FAITH
Pursuant to Delaware County Local R.C.P. 208.2(e)

The undersigned counsel for movant hereby certifies and attests that:

a. He or she has had the contacts described below with opposing counsel or unrepresented party regarding discovery matter contained in the foregoing discovery motion in an effort to resolve the specific discovery dispute(s) at issue and, further, that despite counsel's good faith attempts to resolve the dispute(s), counsel have been unable to do so without Court intervention.

Description of effort to resolve discovery motion:

b. He or she was unsuccessful in actually contacting opposing counsel or unrepresented party in an attempt to resolve the discovery dispute(s) despite his or her good faith efforts to do so.

Description of effort to resolve discovery motion:

CERTIFIED TO THE COURT BY:

_____ _____

DATE Attorney for Movant (name of party)

Note: The signature of respondent's counsel or party is not required.

Rule *208.3(a)- Simplified Procedure

The following "Motions" may be submitted for consideration by the Court without written responses or briefs.

1. Motion to compel discovery in aid of execution
2. Motion to break and enter
3. Motion requiring a supersedeas appeal board
4. Motion for writ of seizure
5. Motion for return of personal property
6. Motion for reconsideration
7. Motion for peremptory judgment

The foregoing motions, after filing with the Office of Judicial Support shall be presented to the Court Administrator's Office, which shall promptly deliver the motion to the appropriate Judge or schedule the case for a hearing before the Court. The moving party shall include a cover sheet pursuant to Rule 205.2(b) and shall promptly notify all parties affected of the hearing date, if so advised by the Court.

If a hearing date has been assigned, requests for a continuance shall be made on a fully completed continuance application form, available in the Court Administrator's Office and then submitted to the Court Administrator. Stamped envelopes, pre-addressed to all parties in interest, shall accompany the continuance application form. Requests for continuance received by the Court Administrator within one (1) week of the hearing date may be referred to the appropriate Judge for review.

Comment: Adopted June 28, 2004

Rule 208.3(b) Alternative Procedures.

(a) Motions filed pursuant to Rule 208.1 and 208.2 shall be processed as follows:

(1) In cases that are not assigned to a judge,

(i) On the 21st day after filing the Office of Judicial Support shall send the record papers to the Court Administrator for reference by the Court Administrator to the appropriate judge.

(ii) The moving party shall promptly advise the Court Administrator in writing if a matter has been resolved or withdrawn.

(iii) Requests for an extension of the 20-day period in which to respond to a motion must be made in writing to the Court Administrator. The request shall indicate whether or not it is opposed by all other parties. No agreement entered into by the parties to extend the 20-day period shall be honored by the court without written notice to and the consent of the Court Administrator

(2) In cases that are assigned to a judge,

(i) All applications that would otherwise be the subject of a motion or petition will be processed by the assigned judge and should be directed to his or her chambers. The moving party shall contemporaneously notify all parties affected by the application.

(ii) The form of all such applications and the time in which to respond thereto shall be determined by the judge on an ad hoc basis as circumstances and the exercise of his or her sound discretion shall warrant.

(iii) Where the application takes the form of a formal motion or petition, the original shall be filed with the Office of Judicial Support. The face sheet shall clearly indicate that a copy of the motion or petition has contemporaneously been submitted to the assigned judge, who shall be identified on the notice.

(iv) The original of a formal response to a motion or petition shall also be filed with the Office of Judicial Support, and a copy shall be contemporaneously submitted to the assigned judge.

(3) Emergency Matters or Stays of Proceedings in Non-Family Matters.

(i) Motions seeking relief in emergency situations or stay of proceedings shall first be taken to the Office of Judicial Support to be time-stamped and docketed and then immediately brought by the party seeking the emergency relief or the stay of proceedings to the Court Administrator for reference to the appropriate judge.

(ii) After the request for emergency relief or stay of proceedings has been either granted or denied by the court, the motion shall be returned to the Office of Judicial Support for filing.

(iii) Hearing dates, where required, shall be set by the judge to whom the matter has been referred, or, where that judge will not also be the hearing judge, by the Court Administrator.

(iv) The moving party shall make a good faith effort to give all parties affected by the application as much advance notice as reasonably possible of the date and time he/she intends to present his/her application and shall attach to the application a certification of the good faith effort that has been made. This certification shall provide the specific

details of the moving party's efforts to comply with the advance notice requirement of this section to include, but not limited to, the method(s) by which notice was sought to be given, the date(s) and time(s) when notice was sought to be given, the address(es) and/or phone number(s) and/or fax number(s) at which notice was sought to be given and the identity(ies) of the party(ies) to whom notice was sought to be given. When the court fixes a hearing date following the submission of an application under this Rule, a second certification shall be filed by the moving party providing similar specific information setting forth the efforts that have been made to give to all affected parties as much notice as possible of the date, time and place set by the court for the hearing.

(v) Except in emergency situations, no stay of proceedings shall be granted without actual prior notice to all parties affected thereby.

Comment: Adopted June 28, 2004

Rule *208.3(c)- Return of Weapons and Ammunition

The Sheriff of Delaware County, police department or other law enforcement agency, which maintains possession, control or custody of the firearms, other weapons or ammunition seized from a Defendant or owner pursuant to the provisions the Protection From Abuse Act (23 Pa. C.S.A. §6101 et seq.), shall, upon receipt of an Order of Court having jurisdiction, which dismisses a temporary or final Protection From Abuse Order and which has been certified by the Director of the Delaware County Office of Judicial Support, return to the Defendant or owner, such firearms, other weapons or ammunition seized, provided that all of the following conditions are satisfied:

1. The Defendant or the owner provides reasonable proof of ownership or of rightful possession of the firearms, other weapons or ammunitions seized;
2. The firearms, other weapons or ammunition seized are not evidence of a crime;
3. The Defendant or owner is not otherwise prohibited by applicable federal or state law from taking possession of the firearms, other weapons or ammunition seized,
4. The Defendant or owner has been given a clearance by the Pennsylvania State Police Instant Check System (PICS) Unit, as requested by the Sheriff of Delaware County.

In the event that a Defendant or owner fails to satisfy one or more of the above-stated conditions, the firearms, other weapons or ammunition seized shall remain in the possession, control, and custody of the Sheriff of Delaware County, the police department or the other law enforcement agency.

Defendant or owner who, for any reason, objects to the retention of the firearms, other weapons or ammunition seized may file a Petition seeking their return. The petitioning Defendant or owner shall serve a copy of the Petition on the Sheriff of Delaware County, police Department or other law enforcement agency returning possession of the same. The Court, after receipt of said Petition, shall promptly schedule a hearing on said Petition.

Comment: Adopted March 16, 2009, effective immediately.

Rule *223. - Conduct of the Jury Trial

(a)

(5) The trial judge or any master appointed to take testimony may, sua sponte or upon application of any party, require that prospective witnesses remain outside the room where testimony is being taken until they are called to testify, subject to the provisions of Pa. Rule of Evidence 615.

(6) Before trial no attorney, party or witness shall communicate or cause another to communicate with anyone he knows to be a member of the venire from which the jury will be selected for the trial.

(7) During trial no involved attorney, party or witness shall communicate with or cause another to communicate with any member of the jury.

(8) After trial no attorney, party or witness shall initiate communications with or cause another to initiate communications with any member of the jury without first receiving permission from the trial judge.

Comment: Former Rule *223(a)(4) renumbered as (a)(5) to conform to the numbering of Pa.R.C.P 223(a) on May 4, 1998. Former Rule *228(a), (b) & (c) renumbered as Rule *223(a)(6), (7) & (8) to conform to the subject matter of Pa.R.C.P. 223(a) on May 4, 1998. Section (a)(5) amended November 17, 1998.

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

IN RE: CUSTODY OF EXHIBITS :
:
: **No.: CV-2022-3777**
:

Administrative Order

AND NOW, this 22nd day of March, 2024, it is hereby **ORDERED** and **DECREED** that Delaware County Local Rule of Civil Procedure 223.1 is hereby **RECSINDED** and **SUBSTITUTED** with Local Rules of Judicial Administration 5103, 5104, and 5105 as set forth below.

The Solicitor for Internal Management is hereby **ORDERED** to:

1. Distribute one copy of each Rule to the Administrative Office of Pennsylvania Courts via email at adminrules@pa.courts.us.

2. Distribute two paper copies of the local Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin.*

3. Distribute one copy of each of the local Rules to the Legislative Reference Bureau via email at bulletin@palrb.us in a Microsoft Word format.

4. Publish the local Rules on the Delaware County Court's website.

5. Incorporate the local Rules into the set of local Rules on this Court's website within 30 days after the publication of the Rules in the *Pennsylvania Bulletin.*

6. File one copy of each of the local Rules in the following filing offices of Delaware County: Office of Judicial Support, Office of the District Attorney, Juvenile Court, Orphans' Court, Domestic Relations, and Children and Youth Services.

BY THE COURT:

Linda A. Cartisano

LINDA A. CARTISANO,
President Judge

CERTIFIED A TRUE AND CORRECT
COPY FROM THE RECORD
THIS 22 DAY OF March A.D. 2024
MARY J. WALK, ESQUIRE, DIRECTOR
OFFICE OF JUDICIAL SUPPORT

Lisa F. Malloy

Rule 5103 Custody of Exhibits. General Provisions.

(A) *Court Proceedings before Common Pleas Court.*

(1) A "custodian" will either be a member of court staff, *e.g.*, court reporter, Judicial Support Information Officer, Office of Judicial Support (hereinafter "OJS"), Court Information Officer, District Attorney Evidence Custodian, Domestic Relations Court Unit, the Register of Wills/Orphans' Court, or the proponent of the exhibit. *See* Pa.R.J.A. 5101(a)(2) (definition of custodian). When the proponent is designated as the custodian, the proponent will fulfill all the responsibilities of a custodian in accordance with Pa.R.J.A. 5102.

(2) A local court security committee shall make recommendations to the President Judge on protocols, policies, and procedures that should be implemented to protect the public, court personnel, and court facilities in the event of an emergency as deemed necessary. *See* Pa.R.J.A. 1954 (Court Security).

(3) The appropriate entity, as designated below, shall be the custodian of all documentary exhibits and photographs of non-documentary exhibits accepted or rejected during and after court proceedings.

(B) *Custody of Documents before and after Common Pleas Court Proceedings.*

(1) Civil and Criminal Proceedings before the Court of Common Pleas.

(a) Unless directed otherwise herein, the Judicial Support Information Officer on behalf of OJS shall:

(i) retain or take custody of all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceedings.

(ii) formally designate all documentary exhibits, photographs, and photographs of non-documentary exhibits with the Office of Judicial Support Public Access System within five (5) business days of the conclusion of the court proceedings; and

(iii) secure and maintain all other non-documentary exhibits as directed by the Court or agreed to by the parties.

(b) Unless directed otherwise herein, OJS shall be designated as the custodian of all documentary exhibits and photographs of non-documentary exhibits after court proceedings have concluded.

(2) Civil Arbitration Proceedings.

(a) In Civil Arbitration proceedings, neither OJS nor the arbitrators are required to retain any exhibits. The documentary and non-documentary exhibits shall not be a matter of record.

(3) Juvenile Criminal Matters before a Hearing Officer or Judge.

(a) If an exhibit is admitted into evidence, the Hearing Officer or Judge, in conjunction with the Juvenile Court Information Officer, shall file the documents in an envelope marked with the appropriate case ID. The envelope shall be placed in the Juvenile Court file.

(b) The Hearing Officer or Judge, in conjunction with the Juvenile Court Information Officer, shall retain all documentary exhibits, photographs, and photographs of non-documentary

exhibits accepted or rejected during the court proceedings, such shall be a matter of record.

(c) The Juvenile Court Information Office shall act as the custodian of all documentary and non-documentary exhibits unless otherwise directed herein.

(4) Domestic Relations Proceedings before a Judge.

(a) During Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit shall be the custodian of the documentary exhibits, and such shall be a matter of record.

(b) In Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit shall retain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceedings unless otherwise directed herein.

(c) In Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit, shall prepare the Index of Exhibits and file the Index of Exhibits within the court file.

(d) After Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit shall secure and maintain all exhibits and shall act as the custodian of records.

(e) The Domestic Relations Court Unit shall comply with any and all requirements of the PACSES systems.

(5) Proceedings before Divorce/Custody/Support/Mental Health Hearing Officers.

(a) In proceedings before the Divorce/Custody/Support/Mental Health Hearing Officer, neither OJS nor the Hearing Officer are required to retain any exhibits. The documentary and non-documentary exhibits shall not be a matter of record.

(6) Proceedings before Orphans' Court.

(a) During proceedings before the Orphans' Court, the Register of Wills, in conjunction with the Judicial Support Information Officer on behalf of OJS, shall be the custodian of the documentary exhibits, and such shall be a matter of record.

(b) In proceedings before the Orphans' Court, the Register of Wills, in conjunction with the Judicial Support Information Officer on behalf of OJS, shall retain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceedings unless otherwise directed herein.

(c) In proceedings before the Orphans' Court, the Judicial Support Information Officer on behalf of OJS shall prepare the Index of Exhibits and file the Index of Exhibits with the exhibits in the Register of Wills File.

(d) After proceedings before the Orphans' Court, the Register of Wills shall secure and maintain all exhibits and shall act as the custodian of records.

(e) After proceedings before the Orphans' Court relating to Termination of Parental Rights, OJS shall secure and maintain all exhibits and shall act as the custodian of records.

(7) Children and Youth Services ("CYS")/Dependency Proceedings before a Hearing Officer or a Judge

(a) In proceedings involving CYS or Dependency before a Hearing Officer or a Judge, the Judicial Support Information Officer on behalf of OJS shall maintain all exhibits and records.

Rule 5104 Custody of Exhibits. Special Provisions.

(a) Any custodian accepting exhibits shall maintain the Index of Exhibits during court proceedings. Such custodian shall use the form supplied by Court Administration which shall be in the following format:

Index of Exhibits

Exhibit Number/Description/Title	Proponent	Admitted	Rejected	Sealed by Court	Confidential Information Sheet (If required)

(b) If statutorily required, the proponent shall include a Confidential Information Form or Confidential Document Form for any exhibit offered into evidence that contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. These forms shall be given by the proponent to the applicable custodian at the time the evidence is introduced and maintained by the custodian in the file.

(c) *Documentary Exhibits: Generally*

(1) If a document is larger than 8-1/2 x 11 inches, the Judicial Support Information Officer on behalf of the Office of Judicial Support (hereinafter "OJS") shall be provided with a copy of the same sized 8-1/2 x 11 inches. Items larger than 8-1/2 x 11 may be used for illustration during the court proceedings.

(2) Media depositions presented at trial shall remain in the proponent's possession. The proponent shall simultaneously submit a transcript of the deposition as an exhibit in the form of a zip drive, flash drive, or compacted disc.

(3) Any digital exhibit that cannot be printed (i.e., audio or video recording) shall be entered into the record in OJS public access system, flash drive, or other format if expressly approved by the court. If one party has multiple digital exhibits, they may be submitted together on one USB flash drive.

(d) *Non-documentary Exhibits: Generally*

(1) If the exhibit is bulky, oversized, or contains contraband including but not limited to controlled substances, narcotics, or weapons, either OJS, the District Attorney Evidence Custodian, Court Information Office for Juvenile matters, Orphans' Court and Domestic Relations Unit, or the proponent shall retain custody of the exhibit as directed by the Court.

(2) If any Exhibits are weapons, narcotics, controlled substances, or other contraband, it shall be placed in the evidence room where the District Attorney Evidence Custodian signs an evidence log form acknowledging receipt of same. Thereafter, the form shall remain in the file.

(3) Bulky, oversized Exhibits that do not require the services of the District Attorney Evidence Custodian shall be retained by the Judicial Support Information Officer on behalf of OJS, or Court Information Office for Juvenile matters. Thereafter, such evidence shall be identified on an evidence log form and placed in the file.

Rule 5105 Confidentiality. Exhibits Under Seal.

(a) The Proponent of an exhibit containing confidential information or confidential documents, as defined in the Case Records Access Policy of the Unified Judicial System of Pennsylvania (Policy), shall include a confidential document form, prepared in compliance with the Policy, so the exhibit may be sealed by the Records Office.

(b) Exhibits sealed by the Court during the Court proceedings shall not be accessible by the public.

(c) The Custodian or Records/filing Office, as may be applicable, shall maintain all non-documentary evidence

(1) in a Civil, Orphans' Court or Domestic Relations matter until the later of the expiration of the appeal period from the final disposition of the case, as otherwise required by any applicable retention schedule, law, rule, regulation or policy, or as directed by the Court;

(2) in Criminal and Juvenile Court proceedings until the later of the expiration of any applicable retention schedule, law, rule, regulation or policy, or as otherwise directed by the Court.

Effective Date: This Rule shall be effective April 1, 2024.

Rule *223.1 - Custody and Storage of Trial Exhibits

(a) The moving party shall keep custody of and be responsible for all non-documentary material submitted into evidence at trial. That material shall not be left in the courtroom after the conclusion of the trial of the case.

(b) All trial exhibits which are larger than 8.5 x 11 shall remain in the custody of and be the responsible of the moving party. The moving party shall submit an original or copy of the trial exhibit no larger than 8.5 x 11 to the Court Clerk, which copy shall be marked and filed of record.

(c) Notwithstanding the above-provisions, any party may petition the Court to retain custody of the Exhibit.

Comment: Adopted May 3, 2000.

Rule 227.l(g). - Appeal from objections to Tax Sale.

A Motion for post-trial relief may not be filed in an Adjudication or determination by the Court upon any Petition seeking to set aside a Tax Sale pursuant to the Pennsylvania Real State Tax Sale Law, 72 P.S. §5860.101 et seq.

Comment: Adopted December 18, 2001

Rule *227.3. Payment for Transcript.

The party requesting transcription of the record or any portion thereof in a motion for post-trial relief, or where the transcript is needed to advance the litigation, shall pay the cost thereof. Where any other party files an objection requesting that an additional portion of the record be transcribed, the trial judge, in the absence of agreement by the parties, shall in his discretion and to the extent this matter is not covered in the Pennsylvania Rules of Judicial Administration 4000, et seq., assign the cost of such additional transcription to any or all parties or to the county.

The designation of the portion of the record to be transcribed required by Pa.R.J.A. 4000, et seq. shall include the date the trial started and the courtroom where the trial was held utilizing the state standardized form. A copy of this designation shall be submitted contemporaneously with the filing of the motion for post-trial relief to the Office of the Director of the Recording Center.

Comment: Amended and entirely replaced December 29, 2016, effective January 1, 2017

Rule *237 - Notice of Praecipe for Final Judgment or Decree.

The certification of notice required by Pa.R.C.P. 237 shall include the name and mailing address of all other parties for the use of the Office of Judicial Support in giving the notice required by Pa.R.C.P. 236 (a)(2).

Comment: Amended February 7, 1995

Rule *237.1 - Notice of Praecipe for Entry of Default Judgment

(a) The certification of notice required by Pa.R.C.P. 237.1 (a) shall include the name and mailing address of all other parties for the use of the Office of Judicial Support in giving the notice required by Pa.R.C.P. 236 (a)(2).

Comment: Amended February 7, 1995

Rule *241- Commencement of Action, Assignment of Cases, and Assessment of Damages Cases.

(a) When suit is commenced, the Plaintiff shall complete and file with the Office of Judicial Support, in duplicate, the Court of Common Pleas Civil Cover Sheet in accordance with Pa.R.C.P. 205.5. In asbestos cases, a Special Case Information Form shall be filed in addition to the Civil Cover Sheet.

(b) The Court Administrator shall assign the case to a trial judge, who shall thereafter dispose of all further matters in connection therewith, to include scheduling of the case for trial.

(c) Assessment of damage cases may be certified as ready for trial at any time by sending a Certificate of Readiness to all other parties and filing two (2) copies of the Certificate and one (1) copy of a Certification of Service with the Court Administrator.

Comment: Rule 241 originally adopted March 11, 1991 rescinded May 3, 2000. Current Rule 241 adopted May 3, 2000, effective June 1, 2000; amended May 14, 2010, effective Immediately.

Rule *400 - Person to Make Service

(a) A party filing a complaint or any other pleading that constitutes original process which is to be served by the Sheriff's Office shall deliver to that office a copy of the complaint or pleading for each party to be served together with instructions for service on a form available from the Sheriff's Office. Payment for the requested service must be made to the Sheriff's Office before service will be made or attempted.

Comment: Adopted November 1, 1994

Rule *400.1- Service of Original Process and Other Legal Papers

Original process shall be served within Delaware County

(a) by the Sheriff or a competent adult in the actions in equity, partition, prevent waste and declaratory judgment when declaratory judgment is the only relief sought; and

(b) by the sheriff in all other actions, or such other means, as provided in the Pennsylvania Rules of Civil Procedure.

Comment: Amended July 27, 1999, effective September 1, 1999; further amended November 23, 1999

Rule *425. - Service of Process and Pleadings, Additional Defendants

(a) No copies of pleadings previously filed with the Office of Judicial Support shall be filed with a complaint against an additional defendant. However, pursuant to Pa.R.C.P. 425(a), copies of previously filed pleading shall be served with the complaint against the additional defendant.

Comment: Amended December 4, 1997.

Rule *430(b)(l) - Service Pursuant to Special Order of Court. Publication - Approved Newspapers of General Circulation - Legal Newspaper.

(i) All legal advertisements required to be published in a newspaper of general circulation, except as otherwise provided by act of assembly, specific procedural rule or order of Court, shall appear only in such newspapers which shall be kept on file at all times in the Office of Judicial Support, arranged in alphabetical order according to the communities covered thereby. The Director of the Office of Judicial Support, the Court Administrator and a duly appointed representative, selected by the presiding President Judge on an annual basis, are hereby appointed as a newspaper examining board, hereinafter in this rule called "board". Before any newspaper is placed upon such approved list, there shall be presented to the board the information required by a directive on file in the Office of Judicial Support.

(ii) After a newspaper has been approved by the board, it shall remain upon the approved list of newspapers, unless there should be a failure of compliance with any of the conditions set forth in the Newspaper Advertising Act, its supplements and amendments; the board requests that a renewal application be filed; or an amended directive signed by the President Judge establishes other procedures.

(iii) The Delaware County Legal Journal shall be the legal newspaper for the publication of legal advertisements and notices required by law, rule, order or decree of court.

(iv) Except as otherwise provided by law, service by publication shall be made in the Delaware County Legal Journal and in one newspaper, approved and selected in accordance with this rule. Such publication shall appear once a week for two successive weeks. The second of these advertisements shall appear at least five days prior to the date upon which action may be required.

(V) In any matter requiring legal advertisement in a newspaper of general circulation, the newspaper selected shall have a circulation in the municipality wherein or near which the person to be served or notified lives or last lived while a resident of the county, or wherein or near which the real estate, if such be involved, is located.

Comment: The provisions of former Rules *431, *432 and *440 have been incorporated into Rule *430(b)(1)

Adopted February 7, 1995; amended June 22, 2001.

Rule *621 - Eminent Domain.

In an eminent domain proceeding, a petition for appointment of a Board of Viewers shall be in full compliance with the express provisions of the Eminent Domain Code, section 502 (26 P .S. §1-502).

Rule *622- Board of View Procedure

(a) The Court Administrator shall act as the clerk for the Board of View.

(b) The petitioner for the appointment of a board of view shall present his petition to the Court Administrator, with a copy for each viewer. A separate petition shall be filed for each location or premises to be viewed.

(c) The Court Administrator shall secure the signature of a judge to the order appointing the Board of View and notify the viewers of their appointment.

(d) Upon receipt of the order of appointment of the Board of View, the petitioner shall serve a copy of the order upon the adverse party or parties (condemner or condemnee).

(e) The Court Administrator shall arrange a time for viewing and for hearing with the viewers and parties in interest and send notice to all parties. Certified mail shall be used for notice to unrepresented litigants. Whenever possible, the Court Administrator will fix the time for the first hearing to immediately follow the viewing.

(f) All hearings shall be held in the Delaware County Courthouse complex unless otherwise authorized by the court and arrangements for the use of said facilities shall be made with the Court Administrator.

(g) At or before the view the condemner shall furnish each member of the Board of View with a plan of the property affected by the taking, comprehensive enough to show the property taken, and the "before" and "after" quantities or areas of the real estate involved.

(h) The petitioner shall present to the viewers at the first hearing a title report of the property involved issued by a reputable title company showing the status of the title at the time of the taking.

(i) Whenever possible, prior to the hearing before the viewers, attorneys for all parties involved should stipulate in writing to all of the undisputed facts including:

(1) The names and addresses of the owners and leaseholders of the real estate involved with abstracts of the last deeds of record and a metes and bounds description of the real estate involved.

(2) A list of liens and claims against the real estate involved including an itemization of all delinquent taxes, sewer rents and other municipal claims.

(3) A description of all easements, rights-of-way, uses, franchises and other matters affecting the land involved.

(4) The date of the taking and a reference to the condemning resolution, ordinance or other authority.

(j) Attorneys should be prepared to submit to the Board of View at the first hearing a brief, concise statement of any legal principles in issue.

(k) Any request for a continuance or substitution of viewer shall be made to the Court Administrator in writing, accompanied by a proposed order. There shall be no continuance of a view or hearing or substitution without an order of court on cause shown.

(1) In the case of settlement or discontinuance or withdrawal of action, attorneys shall notify the court administrator promptly.

(m) The Court Administrator shall prepare and keep a record showing the case involved and the names of the viewers. A full history of the proceedings shall be kept by the Court Administrator as a supplement to the Office of Judicial Support's records.

(n) The final report of a jury of view shall be sent to the Court Administrator, who in turn will promptly file said report with the Office of Judicial Support.

Comment: Amended November 21, 1995

Rule *623- Appeals from Award of Board of View

(a) The original of the notice of appeal from the award of a Board of View shall be filed with the Office of Judicial Support. The Office of Judicial Support shall promptly forward a copy to the Court Administrator.

(b) At trial on the appeal the condemnee's title shall be taken as admitted unless at least 10 days prior to trial the condemner has served on the condemnee an affidavit denying the condemnee's title and setting forth the basis therefor.

Comment: Amended March 11, 1991

Rule *624- Voluntary Procedure Before a Board of View

(a) In any eminent domain case where a Board of View has been appointed, all parties in interest, by written stipulation filed of record, may waive a view and hearing before the viewers, and secure a report from the Board of View, by following the procedure outlined below.

The information summary must contain the following:

(1) Date of declaration of taking;
(2) Location of property involved;
(3) Plan showing size of the area before the take, the relation of the take to the whole area, and the amount of the take.
(4) Zoning of tract or area.
(5) Parties in interest: owners; mortgagees; tenants; judgment creditors; others (If any party has not joined in the stipulation, explain why not.);
(6) Damages sought: general; severance; business dislocation; removal, moving; consequential.
(7) Statute: sections applicable to the case.
(8) Contentions: zoning; value; imminence of condemnation; other.
(9) Appraisals: one or more (attach).

(b) Upon receipt of the information summary, the Board of View shall visit the site, either individually or together. The board shall study the information supplied, meet and render an award.

Rule *903- Bill of Costs

(a) A bill of costs may be filed within 10 days after final decree, judgment or award, or within 10 days after the final decision on appeal. A copy shall be served in accordance with the provisions of Pa.R.C.P. 440 upon a party or parties against whom the bill is filed, and the bill shall be accompanied by a certification setting forth the date and manner of service.

(b) Every bill of costs after trial shall contain the names of the witnesses, the dates of their attendances, the number of miles actually traveled by them, the places between which mileage is claimed, cost of any subpoenas, service of subpoenas and affidavit. Such bill shall be verified by the affidavit of the party filing it or his agent or attorney, setting forth that the witnesses named were actually present in court, and that, in his opinion, they were material witnesses.

Every bill of costs on an appeal from a judgment, order or decree of this court shall contain an itemized statement of the cost of the printing of the paper books and the affidavit and shall be verified by the affidavit of the attorney of record.

(c) Exceptions to a bill of costs may be filed within 10 days after service of the bill of costs; otherwise the party so served shall be deemed to have waived all objections to the bill filed. Upon the filing of exceptions, the Office of Judicial Support shall fix a date, time and place for taxation no less than 10 days after the filing of the exceptions. The exceptant shall serve a copy of the exceptions and a notice of the date, time and place of taxation upon the adverse party.

(d) Any appeal from the taxation of costs shall be taken within 10 days and shall be accompanied with a specification of the items to which the appellant excepts and the reasons for his exceptions. Notice of the taking of the appeal and a copy of the specifications shall be served promptly upon all other parties of record. Said appeals shall be submitted to the appropriate judge for decision.

Comment: Amended March 11, 1991.

Rule *917.- ***Sureties***

(a) No attorney, director of the Office of Support, Clerk of Court, Sheriff or their personnel shall become bail or surety in any action.

(b) The qualifications and sufficiency of all sureties, require at the commencement of all actions, shall be determined and approved by the Office of Judicial Support. Exceptions to the decision of the Office of Judicial Support shall be filed within 10 days. A hearing shall be held as directed by the court.

(c) No individual surety shall be accepted unless the application is accompanied by the affidavit of the individual offered as surety, setting forth:

(1) His or her name, residence and occupation.
(2) The location of the real estate owned by the proposed surety, or so much as may be sufficient, with a reference to the record of the deed, the nature and amount of all liens, if any, the assessed value, and whether title is held by the proposed surety in fee.
(3) That after the payment of his or her debts, engagements and liabilities, the proposed surety believes that he or she is worth not less than $_____.

(d) Any surety company desiring to qualify as surety shall file with the Office of Judicial Support a certificate of the insurance commissioner, as required by law, accompanied by a financial statement as of December 31 of the last preceding year. Any corporation whose home office is outside of the County of Delaware shall also file a stipulation agreeing that services of process, in any proceeding arising out of its acting as surety, or fiduciary pursuant to approval under this rule, may be made upon it serving such process upon the Office of Judicial Support and that such service shall be equivalent to actual services upon such corporation. If the company desires to continue to offer itself as surety, it shall file annually with the Office of Judicial Support on or before the first Monday of June of each year a similar certificate and statement and failure to do so within such time shall bar it from acting until such certificate and statement shall have been filed. A surety company which shall have complied with the requirements of this rule shall be approved by the Office of Judicial Support, unless otherwise provided by law; subject to the right of exceptions and hearing by court.

(e) In all cases where the sufficiency of a corporate surety is before the court, there shall be presented to the court:

(1) A certificate of the Office of Judicial Support that the surety has complied with this rule.
(2) A copy of the power of attorney from the surety to the attorney.
(3) A certificate by an officer, under the seal of the surety, that the power of attorney is still in force and effect.
(4) A certificate of the recorder of deeds that the power of attorney is recorded and unrevoked.

Rule *922- Money or Property Paid into Court

(a) In any action (excluding eminent domain) the defendant may at any time before trial pay into court the amount he admits to be due and accrued costs. He shall give notice to the opposite party or his attorney within 10 days. The plaintiff may receive the amount so paid, and either enter a discontinuance or proceed to trial. In the latter case, he shall pay all costs subsequently accruing, unless he is awarded judgment for a sum greater than that admitted to be due and paid in to court.

(b) All money paid or property delivered into court shall be delivered to the Office of Judicial Support, who shall give a receipt. Money paid or property delivered into court shall be disbursed or redelivered by the Office of Judicial Support only upon order of the court.

Rule *955- Vacancies in Municipal Offices.

(a) Petitions for appointments to fill vacancies in municipal offices shall set forth:

(1) The act of assembly authorizing the appointment;

(2) The manner in which the vacancy occurred;

(3) The name and residence, and the name of the political party, if any, under whose nomination he was elected, of the prior incumbent, whose death, removal, resignation, etc., created the vacancy.

(4) The date of the commencement and expiration of the term of the office to be filed.

(5) The name, residence, age, occupation, citizenship and political party, if any, of the proposed office holder.

(6) A full statement of the facts which petitioners believe qualify the proposed office holder.

The residence (street number, municipality) of each petitioner shall be set forth opposite his signature.

Rule *1006(d)(1)(3)(a).- ***Change of Venue***

Upon transfer, unless otherwise ordered by the court, the successful petitioner for the change of venue shall pay such fees and costs to the Office of Judicial Support as though the transferred case had initially been filed in this court. These costs shall be part of the transfer costs. Payment of these fees and costs shall be made upon receipt by the Office of Judicial Support of the record papers, to include a certified copy of the docket entries from the transferring court.

Comment: Adopted September 7, 1990; amended December 4 1997. Renumbered January 28, 2016. Effective upon publication on the UJS Portal.

Rule 1007. - Commencement of Action, Automatic Certification Form. (Rescinded)

Comment: Rescinded August 10, 2004

Rule *1007.1- Jury Trial, Demand and Waiver

(e) Except as provided in section (f) juries in civil cases shall consist, initially, of eight members. Trial in such cases shall continue so long as at least six jurors remain in service. If the number of jurors falls below six, a mistrial may be declared upon prompt application by any party then on the record.

(f) Trial by a jury consisting of 12 members may be had if demand is made in accordance with the provisions of Pa.R.C.P. 1007.1(a). If a demand for jury trial does not specifically request (12) members, the jury shall consist of eight members.

(g) Where the right to jury trial has not been previously waived as provided in Pa.R.C.P. 1007.1(a), any subsequent waiver of trial by jury shall be by written stipulation of the parties filed of record with the Office of Judicial Support. This stipulation shall be in substantially the following form:

AND NOW, this day of_____,20_ it is agreed by and between the parties that trial by jury be waived, and that this case be tried before a judge of this court.

Counsel for Plaintiff

Counsel for Defendant

Rule *1012- ***Limited Entry of Appearance. Withdrawal of Appearance. Notice.***

(a)(l) An attorney whose representation is pro bono and through Legal Aid of Southeastern Pennsylvania shall be permitted to enter a written limited entry of appearance which shall state an address at which pleadings and other legal papers may be served in the manner provided by Rule Pa.R.C.P. 440(a)(l), a telephone number and clearly express the limitation of the attorney's representation. This written notice of limited entry of appearance shall be given forthwith to all parties. This limited entry of appearance shall also be accompanied by a Praecipe to proceed In Forma Pauperis including an appropriate certification under rule Pa.R.C.P. 240(d)(l) and any fee for the limited entry of appearance or any filing made at the same time as the limited entry of appearance shall be waived.

(a)(2) The limited entry of appearance under subsection (a)(l) shall be substantially in the following form:

CAPTION

PRAECIPE FOR ENTRY OF LIMITED APPEARANCE

To the Office of Judicial Support:

Kindly enter my appearance on behalf of _____, in the above-captioned matter. I hereby certify that I have accepted the representation of _____ through Legal Aid of Southeastern Pennsylvania, I am accepting no fee for my services and my appearance is limited to the performance of the following responsibilities:

___ Representation through _____ custody Master's conferences.
___ Representation through all custody Master's conferences in the ____ months following the filing of this entry of limited appearance.
___ Representation through one custody trial before a judge in the court of Common Pleas.

Other: _____

Upon completion of the above delineated duties and consistent with rule 1012(a)(3), I may withdraw my appearance without further petition or order of this court.

_____
Signature

(a)(3) An attorney may withdraw his or her appearance without leave of court if the attorney has previously entered his or her appearance under subsection (a)(l) and has completed all of his or her responsibilities as enumerated in the form completed under subsection (a)(2). This written notice of withdrawal of appearance shall be given forthwith to all parties and the court (assigned Judge) and any fee for the withdrawal of the limited entry of appearance shall be waived.

(a)(4) The withdrawal of appearance under subsection (a)(3) shall be substantially in the following form:

CAPTION

PRAECIPE FOR THE WITHDRAWAL OF LIMITED APPEARANCE

To the Office of Judicial Support:

Kindly withdraw my appearance on behalf of_____., in the above-captioned matter. I hereby certify that I have completed all duties as delineated in my limited entry of appearance filed on_____

I further ce1tify that I notified the Plaintiff/Defendant and the court (assigned judge) on _____ of my withdrawal.

(Date)

Consistent with local rule 1012(a)(3), I am authorized to withdraw my appearance without further petition or order of this Court.

All further notices or communications shall be sent directly to the Plaintiff/Defendant at the following address.

Name:_____
Address:_____
Phone:_____

Respectfully submitted:

---------- Esquire

Former Counsel for (Plaintiff/Defendant)

Comment: Amended and replaced June 21, 2016, effective 30 days after publication in the Pennsylvania Bulletin.

Rule* 1018.1- Notice to Defend, Form

(c) Pursuant to Pa. R.C.P. 1018.1(c), the Lawyers' Reference Service, Front & Lemon Streets, Media, Pennsylvania 19063, (610) 566-6625, is designated as the agency to be named in the notice from whom legal help can be obtained.

Comment: Amended June 28, 2004

Rule *1019- Pleadings, Foreign Statutes

(i)(a) When either party relies on an Act of Congress or the statute of another state or country, or any part thereof, he shall so aver in his pleadings and set forth a copy of the statute and refer to the date of its enactment and place of digest.

Comment: Renumbered January 28, 2016 effective 30 days after publications in the Pennsylvania Bulletin.

Rule 1025. - Use of Backers, Endorsement of Pleading (Rescinded)

Comment: Rule 1025 was rescinded June 28, 2004.

Rule* 1028 - Disposition of Preliminary Objections, Motions for Summary Judgment and Motions for Judgment on the Pleadings(Rescinded)

Comment: Rule 1028 rescinded on June 28, 2004 and renumbered Rule 1028 (c).

Rule* 1028(c)- Disposition of Preliminary Objections, Motions for Summary Judgment and Motions for Judgment on the Pleadings

1. ***Procedure Defined***

(a) Preliminary objections, motions for summary judgment and motions for judgment on the pleadings shall be accompanied by a memorandum of law in support thereof.

(b) Service shall be made in conformity with Pa.R.C.P. 440.

(c) All such motions shall be accompanied by a notice, plainly appearing on the face thereof, of the date the motion was filed with the Office of Judicial Support and advising that a reply memorandum of law must be filed within twenty (20) days from that date, except that in the case of summary judgment motions the notice shall advise that a reply memorandum must be filed within thirty (30) days from that date. The moving party shall also file with his motion a certification of service in conformity with Pa.R.C.P. 405(b). This certification shall state that the notice required by this Rule has been given.

(d) If any motion subject to this Rule is filed without an accompanying memorandum, the Office of Judicial Support shall send the record papers to the Court Administrator. Otherwise, the Office of Judicial Support shall not send the record papers to the Court Administrator until the opposing party has filed his reply memorandum or until twenty (20) days after the motion was filed (or in the case of summary judgment motions, thirty (30) days), whichever occurs first. Upon receiving the record papers from the Office of Judicial Support the Court Administrator shall then refer the matter to the appropriate judge. All requests for an extension of the prescribed time in which to answer such motions must be approved by the Court. Such approval shall be sought by a letter addressed to the Court Administrator. No agreement entered into solely by the parties will be honored by the Court.

(e) Any motion subject to this rule which is filed without accompanying memorandum may be dismissed. If a reply memorandum has not been filed pursuant to the notice required by section (c) of this rule, the Court may dispose of the matter without such memorandum.

(f) If any matter is settled or withdrawn prior to disposition, the Court Administrator shall be promptly advised, and the moving party shall file an appropriate praecipe with the Office of Judicial Support.

(g) The Court in its discretion may grant additional time in which to file a reply memorandum, request additional memoranda, or call for oral argument, or advance the time for filing.

2. ***Matters Requiring Factual Supplement to the Record***

(a) In the case of preliminary objections based on facts not presently a part of the record, a memorandum of law and notice to opposing parties to file a reply memorandum of law within twenty (20) days need not be filed contemporaneously with the preliminary objections. Instead, the face sheet notice shall indicate the date the preliminary objections were filed with the Office of Judicial Support and shall be endorsed with a notice to plead pursuant to Pa.R.C.P. 1361.

(b) If an answer is filed and served, the moving party shall undertake to supplement the record with the necessary facts by affidavit, deposition or testimony, as the case may require, within sixty (60) days from the filing of the answer.

(c) Within two (2) weeks from the completion of the supplementation of the record, whether by the adverse party's failure to file an answer to the preliminary objections or by affidavit, deposition or testimony, the moving party shall file a memorandum of law. This memorandum shall be processed in accordance with Section 1 of this Rule.

Comment: Rule 1028 rescinded and renumbered as Rule 1028 (c) on June 28, 2004

Rule* 1034. - Motion for Judgment on the Pleadings. (Rescinded)

Comment: Rule 1034 rescinded and renumbered as Rule 1034(a) on June 28, 2004.

Rule* 1034(a) - Motion for Judgment on the Pleadings

(a) The procedure for Motion for judgment on the pleadings shall be set forth in Rule 1028(c).

Comment: Rule 1034 was rescinded and renumbered Rule 1034(a) on June 28, 2004

Rule* 1035.2 - Motion for Summary Judgment (Rescinded)

Comment: Rule 1035.2 was rescinded and renumbered as Rule 1035.2(a) on June 28, 2004.

Rule* 1035.2(a) - Motion for Judgment

(a) The procedure for summary judgment motions shall be set forth in Rule 1028(c) except that respondent shall have thirty (30) days from the filing date of the motion in which to file a reply memorandum.

Comment: Rule 1035.2 was rescinded and renumbered Rule 1035.2(a) on June 28, 2004.

Rule* 1037- Assessment of Damages for Cost of Repairs to Property, Opening Judgment by Default

(b)(3) In all actions in which the only damages to be assessed are the costs of repairs that have been made to property, damages may be assessed in accordance with the provisions of Pa.R.C.P. 1037(b). The Praecipe, affidavit of repairman, and affidavit of notice shall be substantially the following form:

(i) Form of Praecipe

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

Plaintiff No. _ of20

v.

Defendant Civil Action

PRAECIPE FOR ASSESSMENT OF DAMAGES
UNDERPA.R.C.P. 1037 (b) (2)

To the Office of Judicial Support:

Plaintiff(s) hereby waive(s) any other damages under the judgment entered except the cost of repairs made to his (her, their) property, and he (she, they) request that damages be assessed as follows:

Costof repairs:_____

Interest from_____plus costs.

TOTAL

TO Office of Judicial Support
Courthouse Media, Pennsylvania

(ii) Assessment of Damages

And now, this day of_ AD. 20 _ plaintiff(s) having waived any other damages under the judgment entered except the cost of repairs made to his (her, their) property, and having filed an affidavit of the repairman containing an itemized repair bill, and having filed an affidavit of mailing of notice of this assessment to the defendant(s), and the defendant(s) not having filed by written Praecipe a request for trial on the issue of such

damages, plaintiffs damages are assessed as above in the sum of:

Office of Judicial Support

The Praecipe shall be accompanied by an affidavit of the repairman. The affidavit of the repairman shall contain an itemized repair bill setting forth the charges for labor and material used in the repair of the property. It shall also state the qualifications of the person who made or supervised the repairs, that the repairs were necessary, and that the prices for labor and material were fair and reasonable and those customarily charged.

(iii) Form of Affidavit of Repairman

_____being duly sworn according to law deposes and says that he has been engaged in the business of motor vehicle repair work and/or the estimating of motor vehicle repair work for years; that he made and/or supervised the repairs set forth in the attached repair bill, the contents of which are incorporated by reference; that the said repairs were necessary and the prices for labor and material set forth were fair and reasonable and those customarily charged.

Sworn to and subscribed
before me this ____ day
of A.D.20
Notary Public
My Commission Expires:

The plaintiff shall send a copy of the affidavit and repair bill to the defendant by registered or certified mail directed to his last known address, together with a notice setting forth the date of the intended assessment of damages, which shall be not less than 10 days from the mailing of the notice and a statement that damages will be assessed in the amount of the repair bill unless prior to the date of assessment the defendant by written praecipe files with the Office of Judicial Support a request for trial on the issue of such damages. An affidavit of mailing notice shall be filed.

(iv) Form of Affidavit of Mailing Notice

Commonwealth of Pennsylvania

County of Delaware

_____being duly sworn according to law, deposes and says that he is the attorney for the plaintiff(s); that on (date) he sent by registered or certified mail to the defendant(s) at his (her, their) last known address(es) a copy of the affidavit of the repairman and a copy of the repair bill, together with a notice that damages would be assessed on or after (a date at least ten days after the date on which the notice was sent) in the amount of the rep air bill unless prior to (the last mentioned date) the defendant had filed a written Praecipe with the Office of Judicial Support requesting a trial on the issue of the damages.

(d)(l) A petition for relief from judgment entered for want of an appropriate pleading shall be accompanied by the properly executed pleading in question.

Comment: Renumbered from former Rule *2959 October 29, 1988, effective immediately.
Renumbered January 28, 2016, effective 30 days after publication in the Pennsylvania Bulletin.

Rule *1038 - Custody and Storage of Trial Exhibits

(a) The custody and storage of trial exhibits in a trial without a jury shall be dealt with in the same manner as in a jury trial, pursuant to Local Rule *223.1.

Comment: Adopted May 3, 2000.

Rule 1042.21 - Professional Liability Actions; Motions For Mediation

(A) The ADR Committee of the Delaware County Bar Association shall prepare a list of available co-mediators it deems appropriate for mediation in professional liability actions subject to approval by the Court. The list shall be updated annually by the Committee and resubmitted to the Court for approval.

(B) The Court Administrator shall designate the assigned co-mediators upon request by the Court.

(C) In the event the Court approves a motion for mediation and only if the parties have not agreed to a private mediator(s), the Court shall request the Civil Court Administrator to designate co-mediators. The Court shall thereafter order mediation, including in its Order the name, address, and telephone number of the co-mediators. A copy of the Court order shall be forwarded to the Civil Court Administrator, and to the selected co-mediators. If a co-mediator has a conflict of interest, or is unable to serve for any reason, then the co- mediator shall immediately notify the Civil Court Administrator for purposes of further assignment.

(D) The co-mediators shall confer with each other and all counsel to establish the date, time, and place of the mediation session pursuant to the Court's Order. Unless specifically requested by the co-mediators, the parties shall not contact or forward documents to the co-mediators. Counsel who are primarily responsible for the case and any unrepresented party shall attend the mediation session. All parties, insurers and principals of parties of decision-making authority must attend the mediation session in person, unless their attendance is excused by the co-mediators for good cause shown; in such an event, they must be available by telephone during all mediation sessions. All parties, insurers, principals, and counsel must be prepared to fully discuss all liability and damage issues and to participate in meaningful settlement negotiations.

(E) The co-mediators, (generally comprised of an experienced member of the Plaintiffs Bar and an experienced member of the Defense Bar), will jointly conference the case, attempting to facilitate settlement (utilizing standard mediation practices, including shuttle diplomacy, caucusing, etc.), or they may give a neutral evaluation. The co-mediators cannot be called as a witness as to the mediation of any issue arising therefrom. All communications among the co-mediators, the parties, and/or their counsel shall remain confidential. Any comments and/or opinions expressed by the co-mediators are advisory only. All counsel, parties, their agents and/or representatives shall comply with these directives, including the foregoing terms and conditions contained in this local Rule.

(F) No mediation proceedings, including any statement made or writing submitted by a participant, shall be disclosed to any person who is not directly involved with the mediation session. The parties' settlement positions and/or statements shall not be disclosed to the trial Judge unless mutually agreed to by the parties; and, in the event the case involves a non jury trial, under no circumstances shall the parties' settlement positions and statements be disclosed to the assigned Judge. No transcript or other recording may be made of the mediation session, and the mediation proceeding shall not be used by any adverse party for any reason including the litigation at issue.

(G) The moving party who sought mediation shall notify the Court and the Civil Court Administrator in writing at the conclusion of the mediation process indicating whether or not a settlement has been reached.

(H) The moving party shall pay the cost of the co-mediators and shall pay each co-mediator directly. The rate of compensation for each co-mediator is $150.00 per hour. The party who initially filed the motion for mediation shall also pay a $50.00 non-refundable administrative fee paid to the Delaware County Bar Association upon assignment of the co-mediators by the Court.

Comment: All motions filed pursuant to this Rule are subject to the procedural requirements set forth in Rules *205.2(a)(b); 208.1 and 208.2

Comment: Adopted December 20, 2004, filed for public inspection January 7, 2005.

Rule *1147- Complaint in Mortgage Foreclosure

The plaintiff shall attach to his complaint a copy of the notice required by §403 of the Loan Interest & Protection Law (41 P .S. §403).

Rule *1301- Scope, Stipulations Amending Amount in Controversy

(a) In accordance with §7361 of the Judicial Code (42 Pa. C.S.A.), as amended, all civil cases, to include assessments of damages, where the amount in controversy, exclusive of interest and costs, does not exceed $50,000.00 shall first be tried before a board of arbitrators. This rule does not apply to cases involving title to real estate nor to other cases prohibited from reference to a board of arbitrators under existing law.

(b) The amount in controversy originally pleaded cannot be reduced to a sum not in excess of $50,000.00 except by stipulation of the parties or by order of court. If the case has already been assigned to a judge, the stipulation must be approved by that judge. All such stipulations, whether requiring court approval or not, shall be filed with the Office of Judicial Support and the Court Administrator.

Comment: Adopted October 25, 1990. Further amended April 6, 1993, effective June 1, 1993.

Rule *1302.- List of Arbitrators, Appointment to Board

(a) The Delaware County Arbitration Committee shall prepare a list of available arbitrators subject to the requirements of Pa.R.C.P. 1302(a) for approval by the court. This list shall be updated annually by the Committee and resubmitted to the court for approval.

(b) The Court Administrator shall appoint arbitrators from this list who have been approved by the court.

Comment: Readopted and amended April 13, 1993.

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

In Re: Rule *1303.- Hearing Notice :
: No. 2022-003777
:

ADMINISTRATIVE ORDER

AND NOW, this 28th day of May, 2025, it is hereby **ORDERED** and **DECREED** that Rule *1303. is hereby **RESCINDED** and the attached Rule *1303. regarding Hearing Notices, is hereby adopted and effective immediately upon publication in the Pennsylvania Bulletin.

IT IS FUTHER ORDERED that in accordance with 201 Pa. Code Rule 103, the Solicitor for Internal Management shall:

(a) File one (1) certified copy of this Order with the Administrative Office of the Pennsylvania Courts;
(b) File two (2) certified copies of this Order with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin;
(c) Publish a copy of this Order on the website of the Delaware County Court of Common Pleas;
(d) File one (1) certified copy of this Order with the Office of Judicial Support of the Court of Common Pleas of Delaware County; and
(e) Forward one (1) copy of this Order for publication in the Delaware County Legal Journal.

BY THE COURT:

Linda A. Cartisano
Linda A. Cartisano
President Judge

CERTIFIED A TRUE AND CORRECT
COPY FROM THE RECORD
THIS 1st DAY OF July A.D. 2025
MARY J. WALK, ESQUIRE, DIRECTOR
OFFICE OF JUDICIAL SUPPORT

Pursuant to Rule *1303., the Rule is hereby amended as follows:

Rule *1303.- Hearing, Notice

(A)(l)

(i) All arbitration cases will be assigned a date and time for hearing at the time of the initial filing by the plaintiff or appellant from a judgment by a District Justice. In non-Landlord/Tenant matters, the hearing date shall be the first available date no less than 270 days from the date of initial filing. In all cases involving Landlord/Tenant disputes, the hearing date shall be the first available date no more than 120 days from the date of the initial filing.

(ii) A notice prepared and attached by the Office of Judicial Support shall indicate the hearing time and date, which notice shall be attached at the time of initial filing. The aforementioned notice shall be affixed both to the original and all service copies of the complaint or praecipe for writ of summons or, in the case of appeal from District Justice judgments, the notice of appeal.

(iii) The notice attached by the Office of Judicial Support to the original filing shall also include the following statement:

> "This matter will be heard by a board of arbitrators at the time, date and place specified but, if one or more of the parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge."

(iv) In the case of a joinder complaint, the moving party shall provide to the parties being joined a copy of the original notice setting forth the time, place and location of the arbitration hearing, as well as a copy of the notice referred to in (a)(l)(iii).

(v) In no event shall less than thirty (30) days' written notice of the date, time and place of hearing be given to the parties or their attorneys of record.

(b)(2) Should the court decide to hear the matter pursuant to Pa.R.C.P. 1303(b)(2), the trial court may choose to

(i) enter a judgment of nonsuit if the plaintiff is not ready or fails to appear; or

(ii) enter a judgment of non pros if neither party is ready or appears; or

(iii) hear the matter and make a decision, if the defendant is not ready or fails to appear.

(b)(3) Should a nonsuit be entered under this Rule, it is subject to the filing of a motion under Rule *227. l(a)(3) for post-trial relief to remove the nonsuit.

(b)(4) Should a judgment of non pros be entered under this Rule, it is subject to the filing of a petition under Rule 3051 for relief from a judgment of non pros.

(b)(5) Should an adverse decision be entered under this Rule against a Defendant who failed to appear, The Defendant may file a motion for post-trial relief which may include a request for a new trial on the ground of a satisfactory excuse for the defendant's failure to appear.

Comment: Amended January 9, 2007

(c) When the amount in controversy, exclusive of interest, costs and delay damages; is reduced to a sum not in excess of Fifty Thousand Dollars ($50,000.00) in accordance with the provisions of Rule *1301(b), the case shall forthwith be assigned a hearing date no less than 60 days from the date on which the stipulation is filed or the date of the court's order. The plaintiff shall promptly notify all other parties of the hearing date and time assigned by the Court Administrator.

(d) The plaintiff may apply to the court to have a case originally filed as an arbitration matter certified as a non-arbitration matter. Such application shall be by motion filed in accordance with the provision of Rule *206(B)1.

(e) In the event a case is settled or otherwise concluded it shall be plaintiff's responsibility to give prompt written notification thereof to the Court Administrator in the form of an order to settle, discontinue and end or an application for continuance pending consummation of the settlement.

(f) All motions, with the exception of applications for continuance, must be filed no later than thirty (30) days before the hearing date.

Comment: Adopted February 9, 1999, clarified May 3, 1999.

FILED
05-28-2025 11:50 AM
OFFICE OF JUDICIAL SUPPORT
DELAWARE COUNTY, PA

Rule *1303.- Hearing, Notice

(A)(l)

(i) All arbitration cases will be assigned a date and time for hearing at the time of the initial filing by the plaintiff or appellant from a judgment by a District Justice. The hearing date shall be the first available date no less than 270 days from the date of initial filing.

(ii) A notice prepared and attached by the Office of Judicial Support shall indicate the hearing time and date, which notice shall be attached at the time of initial filing. The aforementioned notice shall be affixed both to the original and all service copies of the complaint or praecipe for writ of summons or, in the case of appeal from District Justice judgments, the notice of appeal.

(iii) The notice attached by the Office of Judicial Support to the original filing shall also include the following statement:

"This matter will be heard by a board of arbitrators at the time, date and place specified but, if one or more of the parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge."

(iv) In the case of a joinder complaint, the moving party shall provide to the parties being joined a copy of the original notice setting forth the time, place and location of the arbitration hearing, as well as a copy of the notice referred to in (a)(l)(iii).

(v) In no event shall less than thirty (30) days' written notice of the date, time and place of hearing be given to the parties or their attorneys of record.

(b)(2) Should the court decide to hear the matter pursuant to Pa.R.C.P. 1303(b)(2), the trial court may choose to

(i) enter a judgment of nonsuit if the plaintiff is not ready or fails to appear; or

(ii) enter a judgment of non pros if neither party is ready or appears; or

(iii) hear the matter and make a decision, if the defendant is not ready or fails to appear.

(b)(3) Should a nonsuit be entered under this Rule, it is subject to the filing of a motion under Rule *227. l(a)(3) for post-trial relief to remove the nonsuit.

(b)(4) Should a judgment of non pros be entered under this Rule, it is subject to the filing of a petition under Rule 3051 for relief from a judgment of non pros.

(b)(5) Should an adverse decision be entered under this Rule against a Defendant who failed to appear, The Defendant may file a motion for post-trial relief which may include a request for a new trial on the ground of a satisfactory excuse for the defendant's failure to appear.

Comment: Amended January 9, 2007

(c) When the amount in controversy, exclusive of interest, costs and delay damages, is reduced to a sum not in excess of Fifty Thousand Dollars ($50,000.00) in accordance with the provisions of Rule *130l(b), the case shall forthwith be assigned a hearing date no less than 60 days from the date on which the stipulation is filed or the date of the court's order. The plaintiff shall promptly notify all other parties of the hearing date and time assigned by the Court Administrator.

(d) The plaintiff may apply to the court to have a case originally filed as an arbitration matter certified as a non-arbitration matter. Such application shall be by motion filed in accordance with the provision of Rule *206(B)l.

(e) In the event a case is settled or otherwise concluded it shall be plaintiff's responsibility to give prompt written notification thereof to the Court Administrator in the form of an order to settle, discontinue and end or an application for continuance pending consummation of the settlement.

(f) All motions, with the exception of applications for continuance, must be filed no later than thirty (30) days before the hearing date.

Comment: Adopted February 9, 1999, clarified May 3, 1999.

Rule *1305 - Conduct of Hearing. Evidence

(b)(1) In addition to the items described in Pa.R.C.P. 1305(b)(1), and subject to all the provisions thereof, a party may offer in evidence without further proof the following items:

(vii) photographs, models and other non-documentary exhibits. Where the nature of these exhibits is such that it is not feasible to send a copy to the adverse party, an accurate description of the exhibits shall be provided, and they shall be made available for reasonable inspection by the adverse party. If the moving party receives no written objection thereto not less than 10 days prior to the trial date, this physical evidence shall be admitted. If objection is made, the moving party may submit a written request to the Court Administrator for reference to the appropriate judge.

Comment: Rule *1305 amended April 6, 1993, effective June 1, 1993; and February 1, 1996. [Amendment of December 4, 1997 was rescinded as partially duplicative of Pa.R.C.P. 1305(b)(1) on January 23, 1998.] Former Rule *1305 renumbered *1305(b)(1)(vii) and amended January 23, 1998.

Rule *1308(a)(2)- Appeal, Arbitrator's Compensation

Subject to the provisions of PA. R.C.P. 1308(a)(2) the Appellant shall pay to the Office of Judicial Support a fee, said fee to be established by Order of the President Judge. Checks shall be made payable to the Treasurer of Delaware County.

Comment: Amended April 6, 1993, effective June 1, 1993. Further amended December 4, 1997; amended February 13, 2007

Rule *1531- Special Relief, Injunctions

(a) In non-emergency cases already assigned to a judge, applications for preliminary injunctions shall be governed by the provisions of Rule *206(B)(3).

(b) In non-emergency cases not yet assigned to a judge, applications for preliminary injunctions shall be by petition, in conformity with Rule *206(B)(3), which shall be filed with the Office of Judicial Support to be time-stamped and docketed and then brought to the Court Administrator by the applicant to obtain a hearing date. Thereafter, the applicant will be notified of the scheduled hearing date by the Court. The applicant, once notified, will thereafter notify all interested parties of the scheduled hearing date and time.

(c) Where petitioner seeks a preliminary or special injunction prior to notice or hearing, his petition shall have an appropriate order attached thereto. The Court Administrator will determine the appropriate judge to whom the petitioner shall promptly present the matter.

(d) Where a party against whom a preliminary injunction has been granted prior to notice or hearing shall move to dissolve it prior to the date set by the court for hearing, either for insufficient security or for any other cause, he shall give such notice of the hearing on his application to the petitioner as the court may direct. This notice shall set forth the grounds for the applications to dissolve.

Comment: Adopted October 25, 1990; amended May 5, 2000.

Rule *1534- Filing an Account and Exception to Accounts.

(a) All trustees, committees, guardians, receivers, assignees for the benefit of creditors and all persons and fiduciaries who shall be under obligation to file an account shall give notice of the filing and the time at which the account will be called for confirmation to all persons in interest of whom the accountant shall have knowledge. Unless otherwise provided by law, the Office of Judicial Support shall give notice once a week for three successive weeks in the Delaware County Legal Journal and one approved newspaper that the account will be presented to the court for confirmation and for an order of distribution at the time stated in the notice, unless exceptions are filed with the Office of Judicial Support before that date. Upon due proof being made of said publication, the accountant or his attorney of record shall present the account in open court on the day fixed in said notice at which time, unless the account is marked "for information only," the court may refer the account to an auditor, who shall proceed in manner similar to that prescribed by Rule 1530(3) et seq, or the court may confirm the account nisi, subject to exceptions which may be filed at or before the time of presentation of the account for confirmation. If no exceptions have been filed, the account shall be confirmed as of course without further actions by the court.

If an account is marked "for information only" and no exceptions are filed, it shall not be confirmed but shall remain on file.

Where the court shall sit to make distribution without appointing an auditor, a petition for distribution shall be filed similar in form to petitions for distribution required by the Orphan's Court Division.

Whenever the court shall sit to pass on exceptions to an account or make distribution of any fund, where there has been no auditor appointed, the accountant shall give notice at least 10 days prior to the time fixed for the hearing to all parties in interest, including creditors, by registered mail to their last known address, stating that all persons must prove their claims at such hearing or be barred from participating in the distribution of the fund, and he shall certify to the court that such notice has been given.

Comment: Amended January 28th, 2016. Effective upon publication on the UJS portal.

Rule *1558.- Masters in Partition

(b) Masters in partition shall be members of the bar of this court who maintain their principal offices in this county.

ORIGINAL

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

In Re: 1901.3 (e) – Protection from Abuse : **No. 2022-003777**

ADMINISTRATIVE ORDER

AND NOW, this 7th day of November 2025, it is hereby **ORDERED** and **DECREED** that Rule 1901.3 (e) is hereby **ADOPTED** and effective immediately upon publication in the Pennsylvania Bulletin.

IT IS FUTHER ORDERED that in accordance with 201 Pa. Code Rule 103, the Solicitor for Internal Management shall:

(a) File one (1) certified copy of this Order with the Administrative Office of the Pennsylvania Courts;
(b) File two (2) certified copies of this Order with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin;
(c) Publish a copy of this Order on the website of the Delaware County Court of Common Pleas;
(d) File one (1) certified copy of this Order with the Office of Judicial Support of the Court of Common Pleas of Delaware County; and
(e) Forward one (1) copy of this Order for publication in the Delaware County Legal Journal.

BY THE COURT:

Linda A. Cartisano
Linda A. Cartisano
President Judge

CERTIFIED A TRUE AND CORRECT COPY FROM THE RECORD
THIS 12th DAY OF Nov A.D. 2025
MARY J. WALK, ESQUIRE, DIRECTOR
OFFICE OF JUDICIAL SUPPORT

Rule 1901.3 (e) is hereby attached hereto:

1901.3 (e) Protection from Abuse

1. General rule - Protection from Abuse. Filing.

a. Petitions filed pursuant to Pa.C.S. Chapter 61 (Protection from Abuse) shall be brought first to the Office of Judicial Support to be docketed and time-stamped and then immediately transferred to the Court Administrator for reference to the appropriate Judge.

b. Assistance and advice to plaintiff.--The Office of Judicial Support shall:

i. Provide simplified forms and clerical assistance in English and Spanish to help with the writing and filing of the petition for a protection order for an individual not represented by counsel.

ii. Provide the plaintiff with written and oral referrals, in English and Spanish, to the local domestic violence program, to the local legal services office and to the county bar association's lawyer referral service.

2. Protection from Abuse. Temporary orders. Service

a. If a plaintiff petitions for temporary order for protection from abuse and alleges immediate and present danger of abuse to the plaintiff or minor children, the court shall conduct an *ex parte* proceeding.

I. The court may enter such a temporary order as it deems necessary to protect the plaintiff and/or minor children when it finds they are in immediate and present danger of abuse. The order shall remain in effect until modified or terminated by the court after notice and hearing.

ii. The sheriff or other designated agency, in accordance with 23 Pa.C.S. § 6106 (d), shall promptly serve the petition, order and hearing notice on the defendant, and same serving agency shall promptly file an Affidavit of Service in the Court Administrator's Office. Court Administrator shall ensure that the Affidavit of Service is docketed and time stamped in the Office of Judicial Support with original to be maintained in the docketed file.

iii. The hearing shall not proceed without proof of docketed Affidavit of Service or waiver of service by the defendant or

counsel for the defendant. It shall be within the discretion of the assigned Judge to determine adequate waiver of service.

3. **Protection from Abuse. Final orders.**

    a. Court Administration shall schedule a hearing before the court within ten business days of the filing of a petition pursuant to (a), at which the plaintiff must prove the allegation of abuse by a preponderance of the evidence. The court shall, at the time the defendant is given notice of the hearing, advise the defendant of the right to be represented by counsel, of the right to present evidence, of the right to compel attendance of witnesses, of the method by which witnesses may be compelled, and other necessary notices regarding firearm possession and relinquishment by applicable state and federal law.

4. **Hearing Officer: A PFA Hearing Officer may be appointed by and at the discretion of the President Judge and shall be a licensed attorney.**

    a. The Hearing Officer may hear non-record matters as designated by the Court and shall submit recommended orders for review and signature by the Court.

5. **Continuances of Hearing for a final order. Withdrawals of Petitions.**

    a. After a hearing date has been assigned, requests for continuance must be made on a continuance application form available in the Court Administrator's Office. Requests for a continuance shall be referred to the appropriate Judge or hearing officer for review. After review of the continuance, the Court Administrator shall forward the result of the request of the continuance to the party who applied for the continuance or advise the requesting party that the request has been scheduled for hearing before the judge.

    b. After a hearing date has been assigned pursuant to (c), the plaintiff may file a Petition to Withdraw Petition with the Office of Judicial Support which shall be promptly forwarded to the Court Administrator for scheduling before the assigned judge.

FILED
11-10-2025 03:01 PM
OFFICE OF JUDICIAL SUPPORT
DELAWARE COUNTY, PA

Rule *1910.3(4).- *Parties*

(i) In connection with any complaint for support or petition to modify or terminate a support order, affecting a competent child over 18 years of age, the parent representing the interests of the child shall attach to said complaint or petition the child's written consent in the form of an affidavit.

(ii) The affidavit shall take the following form:

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

Plaintiff
v.
Defendant

No._____of20

Civil Action - Support

AFFIDAVIT OF CONSENT TO
PETITION FOR SUPPORT

I,_____,being of_ years of age, consent to having _____ ,my ____ , (relationship) act in my place and stead in a certain support action as filed at No. _____

I further authorize_____to appear in any proceeding on

my behalf related to the petition for my support. IN WITNESS,

_____

I set my hand and seal this_ day of20_____

Petitioner

Sworn to and subscribed before me this _____ day of_____,20_

_____
Notary Public

I,_____ ,agree to act for and on behalf of_____ as above authorized.

Attorney

Rule *1910.9(c)- *Discovery*

(1) When the income and assets of a party are not sufficiently ascertainable from the information supplied pursuant to Pa.R.C.P. 1910.9(b), 1910.16(b) and 1910.27, or when there are other compelling reasons, discovery may he requested by motion, setting forth reasons and the specific discovery requested.

(2) Discovery shall be requested only by written motion filed in the Office of Judicial Support with a copy to the Domestic Relations Office. Upon its filing, said motion for discovery shall be scheduled for hearing by the Domestic Relations Office not sooner than seven days from the service thereof pursuant to Pa.R.C.P. 440. Notice of the time for hearing shall be served with the motion.

(3) The hearing officer shall hear these requests and make a recommendation. The procedure shall then follow that provided in Pa.R.C.P. 1910.11 (f) et seq.

Rule *1910.ll(a)- Intake Conference, Hearing Conference, Guidelines

(1) Upon commencement of an action (Pa.R.C.P. 1910.4), but prior to the conference referred to in Pa.R.C.P. 1910.11 (herein designated "hearing conference"), the Domestic Relations Officer or his designee shall provide for service of the complaint in conformance with Pa.R.C.P. 411, and shall conduct an intake conference. A notice in the following form shall be attached to the complaint.

Form of Notice of Office

Conference Notice: To_____(name of defendant)

You are directed to appear for an intake conference in the Domestic Relations Office at the Media Courthouse on the _ day of_____20 at ____ o'clock .M.

By:

Domestic Relations Officer

You have the right to a lawyer, who may attend the conference and represent you. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you may get legal help.

Lawyer's Reference Service
Front and Lemon Streets
Media, Pennsylvania 19063
(610) 566-6625

Comment: See Pa.R.C.P. 411 for service particulars

(2) At the intake conference, the Domestic Relations Officer shall obtain information from the parties with respect to family history, income, expenses, and other pertinent information, as may be necessary to reach an agreement between the parties, or to prepare for a hearing conference before the hearing officer. At the intake conference the Domestic Relations Officer will make use of the court-approved guidelines for assistance in determining an appropriate recommendation with respect to the amount of support. Copies of the guidelines materials are available at the Domestic Relations Office.

(3) If no agreement is reached at the intake conference, or the defendant fails to appear, the Domestic Relations Officer shall schedule a hearing conference and serve the defendant pursuant to Pa.R.C.P. 440 with an order in form as required by Pa.R.C.P. 1910.2 6(b). At the hearing conference each party shall produce a completed guidelines worksheet.

Comment: Amended September 27, 1988, effective immediately.

Rule *1910.13- *Contempt*

(a) If the alleged disobedience constitutes failure to appear or to produce records at a hearing, an application for a bench warrant or to hold the person in contempt may be made upon oral motion in open court prior to the call of the case or upon commencement of the hearing.

(b) Except as provided in section (a), proceedings shall be by way of petition and rule to show cause. The petition shall aver the terms of the order which the person is alleged to have disobeyed and the facts alleged to constitute the disobedience.

Comment: The power of the court to exercise its contempt power sua sponte is unaffected by this Rule.

Rule *1910.15. - *Paternity*

(a) The Domestic Relations Division shall conduct an intake conference. If the defendant acknowledges paternity, the action shall then proceed under Pa.R.C.P. 1910.11. If the defendant denies paternity, the intake officer shall provide both parties with a notice of their right to a blood test and trial by jury in the form provided by Rule *1910.28(b).

(b) If a party requests a blood test as authorized by the Judicial Code, 42 Pa. C.S. §6131 *et seq.,* and the parties agree on this issue and the payment of the expense, they shall enter into a stipulation to this effect. An order shall then be entered for the testing in the form provided in Rule *1910.28(c).

Comment: Regardless of the agreement of the parties as to who initially will bear the expense of the blood test, the court has the authority to tax the expense as costs upon conclusion of the action. (Judicial Code 42 Pa.C.S. §6135).

(c) If the parties are unable to stipulate to paternity the matter shall be listed by the Domestic Relations Division for a hearing before a judge. The judge shall enter an appropriate order in the form provided in Rule *1910.28(c).

(d) The results of the blood test shall be returned to the Domestic Relations Division which will forward them to the parties or their counsel. The matter shall then be listed for a hearing before a judge by the Domestic Relations Division, unless the putative father has not been excluded by the blood test and demands a trial by jury, in which event the action shall be transferred to the Court Administrator's Office for jury trial assignment.

(e) Should the defendant deny paternity and neither party request a blood test, the case shall be listed for a hearing before a judge by the Domestic Relations Division, unless the putative father demands a trial by jury, in which event the action shall be transferred to the Court Administrator's Office for jury trial assignment.

Rule *1910.19- Modification of Existing Orders

(b) The petition shall proceed directly to hearing before a hearing officer unless a request for a conference is made in the petition.

Rule *1910.21 - ***Civil Contempt***

(a)

(3) The Lawyers' Reference Service, Front & Lemon Streets, Media, Pennsylvania 19063, (610) 566-6625, is designated as the agency to be named in the notice.

(4) The petition shall have attached a rule together with the notice. The rule shall be substantially in the following form:

RULE

Effective (date), upon consideration of the within petition, it is hereby ordered that a rule is issued upon the respondent to show cause why he/she should not be held in contempt of court.

Rule returnable and hearing in accordance with the attached notice.

By the Court:

_____
J.

(b) In lieu of attaching a copy of the support order or official statement of arrearages the petition may aver the terms of the order and the amount of arrearages. At the hearing the official records shall be available.

Comment: Amended June 28, 2004.

Rule *1910.28(b)- Form of Notice of Right to Trial on Issue of Paternity

The following notice and order shall be used in lieu of the form of notice provided in Pa.R.C.P. 1910.28(b).

Form of Notice for Blood Tests:

IN THE COURT OF COMMON PLEAS OF
DELAWARE COUNTY, PENNSYLVANIA

Plaintiff
v.
Defendant

No._____of 20

Civil Action - Support

NOTICE OF RIGHTS TO BLOOD TEST AND TO
TRIAL ON ISSUE OF PATERNITY

The defendant has not acknowledged paternity of the child,_____born on in _____ (City and State), to_____(Mother).

(a) The parties are advised of their right to blood testing pursuant to the Judicial Code, 42 Pa. C.S.A. 6131, *et seq.*
(b) The parties are advised of their right to a trial by jury to determine the issue of paternity, and to have an attorney represent them on the issue of paternity.
(c) The parties further are advised that the trial on the issue of paternity shall be without a jury unless a party demands a trial by jury, in writing, within ten (10) days from the date of this notice on the separate form attached.

Domestic Relations Officer

Date:

I acknowledge receipt of a copy of this notice this _____day of_____,20

Plaintiff:,_____ Defendant:_____

Form of Order for Blood Tests:

IN THE COURT OF COMMON PLEAS OF
DELAWARE COUNTY, PENNSYLVANIA

_____
Petitioner

vs.

_____
Respondent _• _

No. __ __ __ __ __ __ __of20

Civil Action - Support

ORDER

AND NOW, this ____ day of _____,20_ , upon denial of paternity by the respondent, and upon petition by _____,the court makes the following ORDER:

The petitioner and respondent and the minor child whose paternity is in question, are hereby ordered to submit to blood grouping tests, red cell typing and human leucocyte antigen testing (42 Pa. C.S.A. 6131 *et seq.)* .such blood tests to be performed by qualified experts.

The blood tests are to be taken by and made under the auspices of_____and at _____ on the_____day of ,20_, at__ AM/PM.

By the Court:

_____

J.

Form of Order for Blood Tests:

IN THE COURT OF COMMON PLEAS OF
DELAWARE COUNTY, PENNSYLVANIA

_____
Petitioner

No. __ __ __ __ __ __ __of20

vs.

_____
Respondent _• _

Civil Action - Support

ORDER

AND NOW, this ____ day of _____,20_ , upon denial of paternity by the respondent, and upon petition by _____,the court makes the following ORDER:

The petitioner and respondent and the minor child whose paternity is in question, are hereby ordered to submit to blood grouping tests, red cell typing and human leucocyte antigen testing (42 Pa. C.S.A. 6131 *et seq.)* .such blood tests to be performed by qualified experts.

The blood tests are to be taken by and made under the auspices of_____and at _____ on the_____day of ,20_, at__ AM/PM.

By the Court:

_____

J.

Rule *1910.29(b) - Notice to Obligor Concerning Disclosure of Arrearages

Notice to an obligor that the amount of his arrearages is to be made available to a consumer credit bureau organization requesting this information pursuant to 23 Pa. C.S. §4303, shall be sent by first class mail to the obligor at his last known address by the Domestic Relations Division. This notice shall be in substantially the following form:

> We have received an inquiry concerning your arrearages from a consumer credit bureau organization. Our records show that as of (date) your arrearages amount to $____ . You have twenty (20) days from date of this notice in which to notify the Domestic Relations Division, in writing or in person, that you contest the accuracy of this information before it is provided to the requesting organization.
>
> If you pay your arrearages in full within this period, no information concerning them will be provided to the requesting organization.

Actions for Custody, Partial Custody and Visitation of Minor Children

Comment: The following changes in procedure for Custody cases in Delaware County Court of Common Pleas were approved by President Judge A. Leo Sereni on June 18, 1996 to be effective July 1, 1996:

(I) The following cases will scheduled before the custody conciliators:
- A. New Cases.
- B. Older cases that have been in the inventory for a significant amount if time.
- C. Evaluation issues.
- D. Enforcement Issues.
- E. Emergency cases – (with the understanding that the Family Court Judges will initially screen the case to determine if it is an emergency.)

(II) If there is an agreement of the parties and counsel at the initial conciliation, a triplicated agreement will be completed by counsel at this conference and will be immediately sent to a Family Court Judge for signature.

(III) If there is no agreement, the parties will be given notice of the date, time and place for a second conciliation conference/hearing. At the hearing, testimony may be taken if requested by counsel/parties, so as to conform with the Pennsylvania Rules of Civil Procedure. If an agreement is reached, the procedure set forth above will occur; if no agreement is reached, the Custody Conciliator shall prepare a Recommendation - (in triplicate form) which will become a Temporary Order of Court immediately. Any party may, within 10 days, file a Demand for Hearing.

Rule *1915.4-1 Custody Proceedings, Appointment of Conciliator

(d) A Custody Conciliator shall be appointed by the Board of Judges. All custody proceedings shall be listed for a conference before the Conciliator prior to being assigned to a judge. The parties to the case and if represented, their counsel, shall attend.

(e) Agreements reached as a result of the conference shall be submitted in form of stipulation and proposed order to the Custody Conciliator, who will present the stipulation and order to the court with a recommendation.

(f) Cases not resolved at the initial conciliation conference may be continued and relisted by the Custody Conciliator for further conferencing, or may be forwarded to the court for hearing on the merits. When cases are forwarded for court hearing the Conciliator will submit a brief synopsis of he case as part of a letter of transmittal.

(g) If, after proper service and/or notification, a party fails to appear at a conciliation conference, the Conciliator will report to the court and may recommend that the court impose appropriate sanctions.

(h) A party may offer into evidence without further proof the following items:

(1) Reports and correspondence and records from physical health providers, educators, law enforcement departments and related officials if said documents are provided to opposing counsel or pro se party at least twenty (20) days before the scheduled hearing. If the moving party receives no written objection thereto not less than ten (10) days prior to the trial date, this evidence shall be admitted without the necessity of testimony from the scrivener. If objection is made, the party requesting the admission of said evidence may submit a specific written request for an evidentiary ruling to the Court Administrator for referral to the appropriate Judge. In no event shall the scheduled hearing be delayed as a result of the application of this rule.

(2) Reports and correspondence from mental health providers and custody evaluators if said documents are provided to opposing counsel or pro se party at least twenty (20) days before the scheduled hearing. If the moving party receives no written objection thereto, not less than ten (10) days prior to the trial date, this evidence shall be admitted without the necessity of testimony from the scrivener. If objection is made, the party requesting the admission of said evidence must be prepared to present the person whose testimony is waived by this Rule. In no event shall the scheduled hearing be delayed as a result of the application of this Rule.

Comment: Local Rule 1915.3 rescinded and entirely replaced with Local Rule 1915.4-1 June 30, 2016. Effective 30 days after publication in the Pennsylvania

RULE 1915.11. Appointment Of Attorney For Child, Interrogation Of Child, Attendance Of Child At Hearing Or Conference

(d) Unless the party is directed by the court, the party wishing to bring a child or children to the hearing or conference shall provide at least seven (7) days written notice to all involved parties, or, if represented, their counsel.

Note:

This data is incomplete.

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

In Re: Rule 1915.11-1 Parenting Coordination	:	**No. 2026-** 2022-003777

ADMINISTRATIVE ORDER

AND NOW, this 12th day of Nov, 2026 it is hereby **ORDERED** and **DECREED** that, effective November 1, 2026, until such time as the pending revisions to Delaware County Local Rule 1915.11-1 are enacted, the following shall apply to all cases involving domestic violence in which Parent Coordination is requested:

1. Pursuant to Pa.R.Civ.P. 1915.11-1(b)(2), in cases that involve domestic violence, the Family Section Trial Judge shall hold a hearing to determine if the appointment of a Parenting Coordinator is appropriate.
2. Domestic violence includes those circumstances specifically set forth in Pa.R.Civ.P. 1915.11-1(b)(2)(i).
3. The hearing shall be held within thirty (30) days from the filing of a party's petition or the court's own request, and the court may consider abuse occurring beyond the 36 months as provided in Pa.R.Civ.P. 1915.11-1(b)(2)(ii).
4. After the hearing, the Family Section Trial Judge may enter an Order appointing a Parent Coordinator with appropriate safety measures to protect the parties, the parent coordinator, and any applicable third parties.
5. The parties' consent to Parent Coordination in cases involving domestic violence is not required if the court finds that Parent Coordination is appropriate with such safety measures.

6. Until such time as the pending revisions to Delaware County Local Rule 1915.11-1 are enacted, this Administrative Order shall supersede the language currently set forth in Delaware County Local Rule 1915.11-1.V.C.

BY THE COURT

Linda A. Cartisano,
President Judge

cc: Family Section Liaison Judge
Delaware County Court of Common Pleas Court Administrator

CERTIFIED A TRUE AND CORRECT
COPY FROM THE RECORD
THIS 17 DAY OF NOV A.D. 2026
MARY J. WALK, ESQUIRE, DIRECTOR
OFFICE OF JUDICIAL SUPPORT

FILED
11-17-2026 11:41 AM
OFFICE OF JUDICIAL SUPPORT
DELAWARE COUNTY, PA

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

In Re: Rule 1915.11-1 Parenting Coordination	:	**No. 2022-003777**

ADMINISTRATIVE ORDER

AND NOW, this 25th day of August, 2025, it is hereby **ORDERED** and **DECREED** that the Administrative Order entered on June 14, 2023, regarding Rule 1915.11-1 is hereby **RESCINDED** and the attached Rule 1915.11-1 regarding Appointment of Parenting Coordination is hereby adopted and effective immediately upon publication in the Pennsylvania Bulletin.

IT IS FUTHER ORDERED that in accordance with 201 Pa. Code Rule 103, the Solicitor for Internal Management shall:

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

(b) File two (2) certified copies of this Order with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin;

(c) Publish a copy of this Order on the website of the Delaware County Court of Common Pleas;

(d) File one (1) certified copy of this Order with the Clerk of Judicial Records Civil Division of the Court of Common Pleas of Delaware County; and

(e) Forward one (1) copy of this Order for publication in the Delaware County Legal Journal.

BY THE COURT:

Linda A. Cartisano

Linda A. Cartisano
President Judge

CERTIFIED A TRUE AND CORRECT
COPY FROM THE RECORD
THIS 26 DAY OF AUG A.D. 2025
MARY J. WALK, ESQUIRE, DIRECTOR
OFFICE OF JUDICIAL SUPPORT

Pursuant to Rule 1915.11-1, the Rule is hereby amended as follows:

I. Appointment of a Parenting Coordinator

A. Parties may make a request to the assigned Family Section Trial Judge for the appointment of a Parenting Coordinator.

B. Said request may be made by written Petition for Special Relief or by oral motion.

C. Except in cases involving domestic violence, the parties may submit a written agreement with regard to the appointment of a Parenting Coordinator, including an agreed upon Parenting Coordinator. The agreed upon Parenting Coordinator must be on the roster of approved parent coordinators. The agreement shall include the terms of the form Order for Parenting Coordination as set forth in this rule. Upon agreement, the Family Section Trial Judge may appoint the Parenting Coordinator without a hearing.

D. The Family Section Liaison Judge shall maintain a roster of approved parent coordinators from which the Family Section Trial Judge shall select the Parenting Coordinator, except in case of agreement between the parties.

i. The Roster shall be provided to the Delaware County Bar Association for website publication and should also be made available to members of the bar upon request.

ii. An updated roster shall be provided as determined by the Family Section Liaison Judge.

E. In matters that involve domestic violence, the Family Section Trial Judge shall hold a hearing to determine if the appointment of a Parenting Coordinator is appropriate pursuant to Pa.R.Civ.P. 1915.11-1(b)(2) and Section V.C. stated herein.

F. Upon approval, the Family Section Trial Judge shall issue an Order for Parenting Coordinator pursuant to Pa.R.C.P 1915.22 which shall be distributed to all parties and made an Order of the Court.

G. The Family Section Liaison Judge shall assign one (1) *pro-bono* appointment to each Parenting Coordinator for every two (2) fee-generating appointments in Delaware County.

H. The appointment of a Parenting Coordinator shall be for a specified period not to exceed 12 months; however, a party may petition the Family Section Trial Judge for an extension of the appointment, or the Court in its discretion may extend the appointment for an additional period.

II. Approved Parent Coordinators

A. An attorney or mental health professional seeking to be included on Delaware County Court's roster of qualified individuals to serve as a

Parenting Coordinator shall submit an affidavit to the Family Section Liaison Judge or his/her designee together with the following:

i. An affidavit attesting the applicant has the qualifications found in Pa.R.C.P. 1915.11-1;
ii. An acknowledgment that the applicant has read the Association of Family and Conciliation Courts (AFCC) Parenting Coordinator guidelines and the American Psychological Association (APA) Parenting Guidelines respectively found at www.afccnet.org and www.apa.org.; and
iii. An acknowledgment that for every two (2) fee generating Parenting Coordination assignments, each Parent Coordinator must accept one (1) pro bono assignment, up to 12 hours per *pro bono* case.

B. An applicant who has been qualified in another Pennsylvania county within the preceding twelve (12) months shall be automatically certified as qualified in Delaware County upon submission of affidavit and supporting documentation from the qualifying county.

III. Parenting Coordinator Recommendations

A. Parenting Coordinators shall file their Summary and Recommendations pursuant to Pa.R.C.P. 1915.23 with the Office of Judicial Support within two (2) business days after the last communication with the parties on the issues in accordance with Pa.R.C.P. 1915.11-1 (f)(2) and promptly forward a copy of same via regular mail and email to the parties and the Family Section Trial Judge. Service shall be considered complete as of the date the email is sent to the Family Section Trial Judge and the parties.
B. Parenting Coordinator shall state the manner of service of the Summary and Recommendations to the parties.
C. Parenting Coordinator shall include the rationale for their Recommendations in the Summary, and the Parenting Coordinator shall indicate whether the Recommendation is based upon an agreement of the parties.
D. Parenting Coordinator Recommendations, regardless of whether objections are filed, are binding on the parties pending the court's disposition pursuant to Pa.R.Civ.P. 1915.11-1(g)(2)(iii).
E. Objections to Parenting Coordinator's Recommendation(s) and Petition for a Record Hearing
    i. A party objecting to the Recommendations must file with the Office of Judicial Support 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 Proof of Service upon all parties and the Parenting Coordinator.

F. The Office of Judicial Support shall promptly forward the original Objections and Petition to the Court Administrator's Office for assignment to the parties' Family Section Trial Judge to promptly schedule a record hearing.

G. Court Review of Parenting Coordinator's Recommendations

i. If no objections to the Parenting Coordinator's Recommendations are filed with the Office of Judicial Support within five (5) days of service of the Summary and Recommendation, the Family Section Trial Judge assigned to the case shall review the Recommendation in accordance with the time set forth in Pa.R.C.P. 1915.11-1(f)(4) and pursuant to PaR.C.P. 1915.23

IV. Fees

A. 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:

i. His or her hourly rate which may be up to $300 per hour.

ii. Absent good cause, parties shall pay the initial retainer which shall not exceed the equivalent of five (5) hours at the parenting Coordinator's hourly rate.

iii. If a party has previously filed and been 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.

iv. A Parenting Coordinator must accept one *pro bono* appointment for every two fee generating appointments.

v. Parent Coordinators are not funded by the County.

vi. If one or both parties fail to pay according to the Parenting Coordinator's agreement, the Parenting Coordinator may file a recommendation with the Family Section Trial Judge to order the parties to pay.

V. Miscellaneous

A. A Parenting Coordinator shall not be required to make a Recommendation to the Court, at their discretion, on every disputed issue raised by the parties.

B. The appointing Family Section Trial Judge may reject a Recommendation from a Parenting Coordinator without a proceeding, at their discretion, if the disputed issue exceeds the authority set forth in Pa.R.C.P. 1915.11-1(f)(4).

C. Unless the parties consent and appropriate safety measures are in place to protect the participants, including the parenting coordinator and other third parties, a parenting coordinator shall not be appointed if:
    i. The parties to the custody action have a protection from abuse order in effect;
    ii. The court makes a finding that a party has been a victim of domestic violence perpetrated by a party to the custody action, either during the pendency of the custody action or within 36 months preceding the filing of the custody action; or
    iii. The court makes a finding that a party to the custody action has been the victim of a personal injury crime, as defined in 23 Pa.C.S. 3103, which was perpetrated by a party to the custody action.

D. The Family Section Trial Judge shall have a hearing on the issue and may consider abuse occurring beyond the 36 months provided in subdivision (a)(2)(ii).

E. Procedures and forms can be found on the County of Delaware and Delaware County Bar Association websites.

FILED
08-26-2025 09:58 AM
OFFICE OF JUDICIAL SUPPORT
DELAWARE COUNTY, PA

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

FAMILY SECTION

_____ **NO:**

PLAINTIFF

vs.

_____

DEFENDANT

ORDER FOR PARENTING COORDINATION

AND NOW, this ___ day of _____ __,20 __ _, it is hereby ordered as follows:

1. APPOINTMENT AND TERM:

Pursuant to Pa.R.C.P. No. 1915.11-1, _____

is appointed as the parties' parenting coordinator for a term of _____months (not exceeding 12 months).

Legal counsel for, _____, or either party, if unrepresented, shall provide copies of all orders, pleadings and custody evaluations in this case to the parenting coordinator within ten (10) days of the date of this order.

2. ROLE OF THE PARENTING COORDINATOR:

(a) The parenting coordinator shall attempt to resolve issues arising out of the custody order by facilitating an agreement between the parties and, if unable to reach an agreement, recommend a resolution to the court.

(b) The parenting coordinator shall not function as the attorney, advocate, counselor, or psychotherapist for the parties, the parties' child(ren), or family. However, the parenting coordinator is permitted and encouraged to facilitate communication and agreement between the parties when conflicts arise and shall always act in a manner conducive to the best interests of the child(ren).

3. PARENTING COORDINATOR'S SCOPE OF AUTHORITY:

To implement the custodial arrangement set forth in the custody order and resolve related parenting issues about which the parties cannot agree, the parenting coordinator is authorized to recommend resolutions to the court about issues that include, but are not limited to:

(a) places and conditions for transitions between households;

(b) temporary variation from the schedule for a special event or particular circumstance;

(c) school issues, apart from school selection;

(d) the child(ren)'s participation in recreation, enrichment, and extracurricular activities, including travel;

(e) child-care arrangements;

(f) clothing, equipment, toys, and personal possessions of the child(ren);

(g) information exchanges (e.g., school, health, social) and communication with or about the child(ren);

(h) coordination of existing or court-ordered services for the child(ren) (e.g., psychological testing, alcohol or drug monitoring/testing, psychotherapy, anger management);

(i) behavioral management of the child(ren); and

(j) other related custody issues that the parties mutually have agreed in writing to submit to the parenting coordinator, which are not excluded in Paragraph 4.

4. EXCLUSIONS FROM PARENTING COORDINATOR'S AUTHORITY:

(a) The following specific issues are excluded from the parenting coordinator's scope of authority:

(1) a change in legal custody as set forth in the custody order;

(2) a change in primary physical custody set forth in the custody order;

(3) other than as set forth in Paragraph 3(b), a change in the court-ordered custody schedule that reduces or expands the child(ren)'s time with a party;

(4) a change in the residence (relocation) of the child(ren);

(5) determination of financial issues, other than allocation of the parenting coordinator's fees as set forth in Pa.R.C.P. 1915.11-l(g)(l);

(6) major decisions affecting the health, education, or religion of the child(ren);

(7) Other: _____

(b) Unless the parties consent, the parenting coordinator shall not contact collateral sources or speak with the child(ren). The parties shall execute releases, as necessary, authorizing the parenting coordinator to communicate with the appropriate individuals. Any communication with the collateral sources or child(ren) shall be limited to the issue(s) currently before the parenting coordinator.

5. COMMUNICATIONS:

(a) The parenting coordinator shall determine the protocol of all communications, interviews, and sessions, including who shall attend the sessions (including the children), and whether the sessions will be conducted in person or by other means. The protocols should include measures addressing the safety of all participants.

(b) Communication between the parties or their attorneys and the parenting coordinator is not confidential.

(c) The parties and their attorneys shall have the right to receive, but not initiate, oral *ex parte* communication with the parenting coordinator. The parenting coordinator shall promptly advise the other party or the other party's attorney of the communication. A party or a party's attorney may communicate in writing with the parenting coordinator, but shall contemporaneously send a copy of the written communication to the other party or the other party's attorney. Documents, recordings, or other material that one party gives to the parenting coordinator must be promptly made available to the other party or the other party's attorney for inspection and copying.

(d) Communication between the parenting coordinator and the court shall be in writing and copies of the written communication shall be sent contemporaneously to the parties or the parties' attorneys.

(e) A party cannot compel the testimony of a parenting coordinator without an order of court.

6. PARENTING COORDINATION PROCESS:

(a) The parenting coordinator shall provide to the parties notice and an opportunity to be heard on the issues.

(b) The parenting coordinator's recommendation shall be in writing on the Summary and Recommendation of the Parenting Coordinator form set forth in Pa.R.C.P. No. 1915.23

and sent to the court for review within two days after hearing from the parties on the issues. The parenting coordinator shall serve a copy of the Summary and Recommendation on the parties or the parties' attorneys.

(c) A party objecting to the recommendation shall file a petition for a record hearing before the court within five days of service of the Summary and Recommendation of the Parenting Coordinator form. The petition must specifically state the issues to be reviewed and include a demand for a record hearing. A copy of the recommendation shall be attached to the petition. In accordance with Pa.R.C.P. No. 440, the objecting party shall serve the petition upon the other party or the party's attorney and the parenting coordinator.

7. RECORD HEARING:

(a) If the parties do not file an objection within five days of service of the parenting coordinator's recommendation, the court shall:

(1) approve the recommendation;

(2) approve the recommendation in part and conduct a record hearing on issues not approved;

(3) remand the recommendation to the parenting coordinator for more specific information; or

(4) not approve the recommendation and conduct a record hearing on the issues.

(b) As soon as practical, the court shall conduct a record hearing on the issues specifically set forth in the petition. The court shall render a decision within the time set forth in Pa.R.C.P. No. 1915.4(d).

(c) If a party makes a timely objection, the recommendation shall become an interim order of court pending further disposition by the court.

8. ALLOCATION OF FEES:

(a) The parties will share the obligation to pay the fees of the parenting coordinator as follows:

_____% Mother _____% Father,

_____% Third party

_____% Third party

Fees may be reallocated by the court or the parenting coordinator if a party has disproportionately caused the need for the services of the parenting coordinator.

(b) The judicial district's established hourly rate for parenting coordinators shall be set forth in a separate written agreement entered into between the parties and the parenting coordinator.

(c) The parties will pay a joint retainer to the parenting coordinator in the percentages set forth above in an amount to be set forth in a separate agreement between the parties and the parenting coordinator. After each session, or at least once monthly, the parenting coordinator shall provide the parties with an invoice of charges incurred. The retainer may be replenished as services are rendered. Funds remaining at the conclusion of the parenting coordinator's appointment shall be returned to the parties.

9. TERMINATION/WITHDRAWAL OF PARENTING COORDINATOR:

(a) The parties may not terminate the parenting coordinator's services without court approval.

(b) A party seeking the termination of the parenting coordinator's services shall serve the other party or the party's attorney and parenting coordinator with a copy of the petition for termination.

(c) If the parenting coordinator seeks to withdraw from service in a case, the parenting coordinator shall petition the court and provide a copy of the petition to the parties or the parties' attorneys.

10.APPEAL:

If there is an appeal of the underlying custody order or this order, then this order shall be stayed during the pendency of the appeal.

BY THE COURT:

DATE: .....

_____

J.

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
FAMILY SECTION

_____ **NO:**

PLAINTIFF

vs.

_____

DEFENDANT

SUMMARY AND RECOMMENDATION OF THE PARENTING COORDINATOR

The undersigned, the duly appointed Parenting Coordinator in the above-captioned matter, pursuant to the Order of Court dated _____, after submission of the issue(s) described below, and after providing the parties with an opportunity to be heard on the issue(s), the Parenting Coordinator sets forth the following:

SUMMARY OF THE ISSUES

1. **Description of the issue(s):**

_____

2. **The respective parties' position on the issue(s):**

PLAINTIFF:

_____

_____

DEFENDANT:

_____

_____

RECOMMENDATION/RATIONALE

_____

_____

_____

_____

_____

Within five days of the date set forth below, a party may object to this Recommendation by filing a Objections with the Court and requesting a record hearing before the judge as set forth in Pa.R.C.P. No. 1915.11-l(t)(3) and Local Rule _____ (Form provided).

The undersigned Parenting Coordinator certifies that this Summary and Recommendation of the Parenting Coordinator has been served on the Court and the parties or the parties' attorneys on the date set forth above. The date and manner of services was as follows: _____.

_____ _____

Date Parenting Coordinator

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY
FAMILY SECTION

No. _____

V.

OBJECTIONS TO RECOMMENDATION OF PARENTING COORDINATOR AND REQUEST FOR RECORD HEARING

Date of Recommendation: _____

Parenting Coordinator: _____

Copy of the Recommendation is attached.

Attorney for Plaintiff or Pro Se Party	Attorney for Defendant or Pro Se Party
Name	Name
Address	Address
Phone No.	Phone No.
Email	Email

Name of Party filing Objections:

Circle one: Plaintiff Defendant

NOTICE:

YOU MUST FILE THE ATTACHED AFFIDAVIT OF SERVICE WITH THESE OBJECTIONS VERIFYING THAT THIS DOCUMENT WAS SERVED ON ALL PARTIES/COUNSEL AND THE PARENTING COORDNATOR. THE FILING PARTY MUST SERVE A FULL COPY OF THIS DOCUMENT UPON THE OPPOSING PARTY, ATTORNEYS (IF ANY) AND THE PARENTING COORDINATOR.

I object to the Recommendation of the Parenting Coordinator for the following reasons:

(Failure to cite a valid reason as to the Recommendation may result in a dismissal of the Objections).

_____

_____

_____

_____

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_____

_____

I verify that the statements made in these Objections to Recommendation of the Parenting Coordinator are true and correct to the best of my knowledge and belief. I understand that false statements made herein are subject to the penalties of 18 Pa. C.S., Subsection 4904, relating to unsworn falsification to authorities.

Date: _____ *Signature:* _____

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
FAMILY SECTION

_____ No. _____

v.

_____

CERTIFICATE OF SERVICE OF
OBJECTIONS TO RECOMMENDATION OF THE PARENTING COORDINATOR
AND REQUEST FOR RECORD HEARING

I certify that on_____, 20____, a true and complete copy of the foregoing Objections to Recommendation of the Parenting Coordinator and Request for Record Hearing has been served upon:

_____
Name

_____
Address

_____
City/State/Zip

_____
Telephone Number and Email Address

AND

_____
Parenting Coordinator

_____
Address

_____

_____
Telephone Number and Email Address

Manner of Service: Reg. First Class Mail ☐ Certified Mail ☐ Other _____

Signed: _____

Dated: _____

PLEASE MAIL THIS COMPLETED FORM TO:

Delaware County Court of
Common Pleas
Office of Judicial Support
201 West Front Street
Media, PA 19063

PARENTING COORDINATION PROGRAM DELAWARE COUNTY INTERNAL OPERATING PROCEDURES

Qualifications of Parenting Coordinator

An attorney or mental health professional seeking to be included on the roster of qualified individuals to serve as a Parenting Coordinator in Delaware County shall submit a letter to the Liaison Judge of the Family Section 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 one (1) pro bono assignment for every two (2) paid assignments;

    F. 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/AFCCGuidelinesforParentingcoordinationn ew.pdf
https:/www.apa.org/pubs/journals/features/parenting-coordination.pdf

H. Acknowledgment that for every two (2) fee generating Parenting Coordination assignments, the applicant shall accept one pro bono assignment, up to 12 hours per *pro bono* case.

3. Completed Parenting Coordinator application packets shall be submitted to the Family Section Liaison Judge who will notify applicant of his or her approval and, upon approval, list applicant's name on Delaware County Parenting Coordinator Roster.
4. A Parenting Coordinator who is on the roster of Philadelphia, Chester or Bucks County (hereinafter, "Associated Counties**") may be added to the roster of Delaware County by submitting a letter requesting same with a copy of the approval that was obtained from the other county.

Parenting Coordinator Appointments

1. Parenting Coordinator appointments requests may be made by written Petition for Special Relief, oral motion by parties or by written request by a Family Section Liaison Judge.

2. All Parenting Coordinator appointment requests shall be referred to the Liaison Judge who, upon approval, will make assignments. Whenever appropriate, the Family Section Liaison Judge will select Parenting Coordinator assignments on a rotating basis. The Liaison Judge may honor specific Parenting Coordinator requests made by the Court, the attorneys or the parties if requests recommend three specific Parenting Coordinators, in the order of their preference.

3. Upon approval and assignment, the Liaison Judge shall issue an Order for Parenting Coordinator pursuant to Pa.R.C.P 1915.22 which shall be distributed to all parties and made an Order of the Court.

4. The Liaison Judge shall maintain a roster of Parent Coordinator assignments.

5. The Liaison Judge shall assign *pro-bono* appointments on a rotating basis and may do so following every two (2) fee-generating appointments.

6. Each *pro bono* assignment shall be limited to (12) hours.

7. The failure to by a Parenting Coordinator 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 ember County for this purpose, they shall share this information with the other associated counties.

Parenting Coordinator Written Agreement with Parties:

Upon assignment to a case, the Parenting Coordinator shall set forth in a separate written agreement with the parties:

1. The amount of any retainer, the hourly rate to be charged, the process for invoices and payments for services;

2. Information about the Parenting Coordination process including the scope of authority of the Parenting Coordinator, the process for requesting a Parenting Coordinator Recommendation, and the process for court review and appeal of the Parenting Coordinator Recommendation; and

3. Information about communication between parties, their attorneys, the court and any other involved parties, including the child(ren).

Parenting Coordinator Fees

A. The hourly rate of the Parent Coordinator shall not exceed $300.00 per 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; or

   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.
C. Parent Coordinators are not funded by the County.

Parenting Coordinator Recommendations and Procedures

a. Parenting Coordinators shall follow all procedures outlined in Local Rule 1915

11-1 and the summary and recommendation forms shall be written pursuant to Pa.R.C.P. 1915.23.

b. Sample forms shall be available on the Delaware County Court of Common Pleas Website.
c. A roster of approved Parent Coordinators shall be updated regularly and shall be available on the Delaware County Court of Common Pleas Website.

Miscellaneous

A. A Parenting Coordinator shall not be required to make a Recommendation to the Court, at their discretion, on every disputed issue raised by the parties.
B. The appointing Judge may reject a Recommendation from a Parenting Coordinator without a proceeding, at their discretion, if the disputed issue exceeds the authority set forth in Pa.R.C.P. 1915.11-1(f)(4).
C. Unless the parties consent and appropriate safety measures are in place to protect the participants, including the Parenting Coordinator and other third parties, a Parenting Coordinator shall not be appointed if:
    i. The parties to the custody action have a protection from abuse order in effect;
    ii. The court makes a finding that a party has been a victim of domestic violence perpetrated by a party to the custody action, either during the pendency of the custody action or within 36 months preceding the filing of the custody action; or
    iii. The court makes a finding that a party to the custody action has been the victim of a personal injury crime, as defined in 23 Pa.C.S. 3103, which was perpetrated by a party to the custody action.
D. If a party objects to the appointment of a Parenting Coordinator based on an allegation that the party has been the victim of domestic violence perpetrated by a party to the custody action, the court shall have a hearing on the issue and may consider abuse occurring beyond the 36 months provided in subdivision (a)(2)(ii).

Parenting Coordinator Complaints

All complaints received about a Parent Coordinator shall be reviewed and considered by the Family Court Liaison Judge who may recommend removal of a Parenting Coordinator from a specific case or from the roster or for good cause. All complaints

received resulting in removal of a Parenting Coordinator from the roster shall be shared with the other associated Counties.

*Associated Counties: Bucks, Chester, Delaware and Philadelphia

7/13/23

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

FAMILY SECTION

_____ **NO:**

PLAINTIFF

vs.

_____

DEFENDANT

ORDER-PARENTING COORDINATOR RECOMMENDATION

And now, this _____ day of _____, 20_____,

Upon review of the Recommendation submitted by the Parenting Coordinator in the above Captioned matter dated _____, the Recommendation is hereby:

_____ Approved.

_____ Approved in part. A hearing is scheduled on: _____

_____ Remanded to the Parenting Coordinator for additional information on the following issue:

_____

_____ Not approved and a hearing is scheduled on:_____

BY THE COURT:

_____**J.**

7/13/23

APPLICATION TO BE CONSIDERED FOR APPOINTMENT AS A PARENTING COORDINATOR FOR DELAWARE 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) 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 Pennsylvania Parenting Coordination process.

Date of training:_____
Provider:_____

____hours of Family mediation training.

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.___ My hourly rate for Parenting Coordination is: $_____.

6.___ I understand that Parenting Coordinators are encouraged to provide reduced rates for low income families in accordance with Rule 1911.11-1 (g).

7.___ I may change my hourly rate upon 60 days written notice to the Administrative Judge. A change in rate shall be prospective and shall not apply to existing assignments.

8. _____ I understand that my initial retainer shall not exceed the equivalent of five (5) hours of my hourly rate.

_____ I do not require an initial retainer.

9. _____ I acknowledge that I must accept one *pro bono* PC appointment for every two paid appointments, up to 12 hours.

10. _____ 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.

11. _____ 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/PublicDocuments/AFCCGuidelinesforParenting Coordinationnew.pdf.

I swear or affirm that the foregoing statements are true and correct.
APPLICANT:
Name (printed)_____
Signature_____
Date:_____

FOR OFFICIAL USE ONLY

Recommendation to Place Application on Roster: _____ Yes _____ No

If No, state reasons:

_____

_____

_____
L. J.

Approved: _____
LIAISON J.

Denied: _____
LIAISON J.

APPLICATION TO BE CONSIDERED FOR APPOINTMENT AS A PARENTING COORDINATOR FOR DELAWARE 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) 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 Pennsylvania Parenting Coordination process.

Date of training:_____
Provider:_____

____hours of Family mediation training.

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.___ My hourly rate for Parenting Coordination is: $_____.

7.___ I understand that Parenting Coordinators are encouraged to provide reduced rates for low income families in accordance with Rule 1911.11-1 (g).

8.___ I may change my hourly rate upon 60 days written notice to the Administrative Judge. A change in rate shall be prospective and shall not apply to existing assignments.

9. _____ I understand that my initial retainer shall not exceed the equivalent of five (5) hours of my hourly rate.

_____ I do not require an initial retainer.

10. _____ I acknowledge that I must accept one *pro bono* PC appointment for every two PC appointments, up to 12 hours.

11. _____ 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.

12. _____ 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/PublicDocuments/AFCCGuidelinesforParenting Coordinationnew.pdf.

I swear or affirm that the foregoing statements are true and correct.
APPLICANT:
Name (printed)_____
Signature_____
Date:_____

FOR OFFICIAL USE ONLY

Recommendation to Place Application on Roster: _____ Yes _____ No

If No, state reasons:

_____

_____

_____
L. J.

Approved: _____
LIAISON J.

Denied: _____
LIAISON J.

Close Window

THE COURTS

Title 255—LOCAL COURT RULES

DELAWARE COUNTY

Rule 1915.11-1 Parenting Coordination; No. 2022-003777

[53 Pa.B. 3572]
[Saturday, July 8, 2023]

Administrative Order

And Now, this 14th day of June, 2023, it is hereby *Ordered* and *Decreed* that the following Rule 1915.11-1 regarding Appointment of Parenting Coordination is hereby adopted and effective 20 days after publication in the *Pennsylvania Bulletin*.

By the Court

LINDA A. CARTISANO,
President Judge

Rule 1915.11-1. Parenting Coordination.

I. *Appointment of a Parenting Coordinator*

A. Parties may make a request to the Family Section Trial Judge for the appointment of a Parenting Coordinator.

B. Said request may be made by written Petition for Special Relief or by oral motion.

C. The Family Section Trial Judge may on its motion make a request to the Family Section Liaison Judge for the appointment of a Parenting Coordinator.

D. The Family Section Liaison Judge shall maintain a roster of approved parent coordinators and shall select a Parenting Coordinator from same. Whenever appropriate, selection will be on a rotating basis.

E. All Parenting Coordinator appointment requests shall be referred in writing by the Family Section Trial Judge to the Family Section Liaison Judge through form as set forth by the Family Section Liaison Judge.

i. Both the parties and the Family Section Trial Judge may recommend three specific Parenting Coordinators, in the order of their preference, however selection shall be at the discretion of the Family Section Liaison Judge.

F. Upon assignment, the Family Section Liaison Judge shall issue an Order for Parenting Coordinator pursuant to Pa.R.C.P. 1915.22 which shall be distributed to all parties and made an Order of the Court.

G. The Family Section Liaison Judge shall assign one (1) pro-bono appointment to each Parenting Coordinator for every two (2) fee-generating appointments in Delaware County.

II. *Approved Parent Coordinators*

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

i. An affidavit attesting the applicant has qualifications found in Pa.R.C.P. 1915.11-1;

ii. An acknowledgment that the applicant has read the Association of Family and Conciliation Courts (AFCC) Parenting Coordinator guidelines and the American Psychological Association (APA) Parenting Guidelines respectively found at www.afccnet.org and www.apa.org.

iii. An acknowledgment that for every two (2) fee generating Parenting Coordination assignments, each Parent Coordinator must accept one pro bono assignment, up to 12 hours per pro bono case.

III. *Parenting Coordinator Recommendations*

A. Parenting Coordinators shall file their Summary and Recommendations pursuant to Pa.R.C.P. 1915.23 with the Office of Judicial Support within two (2) business days after the last communication with the parties on the issues in accordance with Pa.R.C.P. 1915.11-1(f)(2) and promptly forward a copy of same via regular mail and email to the parties and the Family Section Trial Judge.

B. Parenting Coordinator shall state the manner of service of the Summary and Recommendations to the parties.

C. Parenting Coordinator shall include the rationale for their Recommendations in the Summary.

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

i. A party objecting to the Recommendations must file with the Office of Judicial Support 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 Proof of Service upon all parties and the Parenting Coordinator.

E. The Office of Judicial Support shall promptly forward the original Objections and Petition to the Court Administrator's Office for assignment to the parties' Family Section Trial Judge to promptly schedule a record hearing.

F. *Court Review of Parenting Coordinator's Recommendations*

i. If no objections to the Parenting Coordinator's Recommendations are filed with the Office of Judicial Support within five (5) days of service of the Summary and Recommendation, the Family Section Trial Judge assigned to the case shall review the Recommendation in accordance with the time set forth in Pa.R.C.P. 1915.11-1(f)(4) and pursuant to Pa.R.C.P. 1915.23.

IV. *Fees*

A. 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:

i. His or her hourly rate which may be up to $300 per hour.

ii. Absent good cause, parties shall pay the initial retainer which shall not exceed the equivalent of five (5) hours at the parenting Coordinator's hourly rate.

iii. If a party has previously filed and been 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.

iv. A Parenting Coordinator must accept one pro bono appointment for every two fee generating appointments.

v. Parent Coordinators are not funded by the County.

V. *Miscellaneous*

A. A Parenting Coordinator shall not be required to make a Recommendation to the Court, at their discretion, on every disputed issue raised by the parties.

B. The appointing Judge may reject a Recommendation from a Parenting Coordinator without a proceeding, at their discretion, if the disputed issue exceeds the authority set forth in Pa.R.C.P. 1915.11-1(f)(4).

C. Unless the parties consent and appropriate safety measures are in place to protect the participants, including the parenting coordinator and other third parties, a parenting coordinator shall not be appointed if:

i. The parties to the custody action have a protection from abuse order in effect;

ii. The court makes a finding that a party has been a victim of domestic violence perpetrated by a party to the custody action, either during the pendency of the custody action or within 36 months preceding the filing of the custody action; or

iii. The court makes a finding that a party to the custody action has been the victim of a personal injury crime, as defined in 23 Pa.C.S. 3103, which was perpetrated by a party to the custody action.

D. If a party objects to the appointment of a parenting coordinator based on an allegation that the party has been the victim of domestic violence perpetrated by a party to the custody action, the court shall have a hearing on the issue and may consider abuse occurring beyond the 36 months provided in subdivision (a)(2)(ii).

E. The length of appointment of a Parenting Coordinator shall be pursuant to Pa.R.C.P. 1915.11-1(a)(3) and Pa.R.C.P. 1915.11-1(a)(4).

F. Procedures and forms can be found on the County of Delaware and Delaware County Bar Association websites.

[Pa.B. Doc. No. 23-885. Filed for public inspection July 7, 2023, 9:00 a.m.]

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RULE 1915.19. Seminar For Separated And Divorced Parents

(a) If a case is not resolved at the first conciliation conference, the court may order the parties to attend an educational seminar. The court may also order such attendance at any time sua sponte or by stipulation of the parties.

(b) This seminar shall be conducted in the courthouse complex or at such other location approved by the court.

(c) Each party shall be responsible for payment of his/her share of the seminar costs prior to the seminar. The provider shall waive for any party who has been qualified by the court to proceed in forma pauperis that party's share of the costs.

(d) A certificate of compliance shall be given to the attendees and filed by the provider with the Office of Judicial Support.

(e) Any party who fails to comply with the court's order directing completion of this educational seminar may be subject to a finding of contempt; and the court may impose whatever sanctions it deems appropriate including, but not limited to, an order imposing the payment of counsel fees. A hearing on a custody petition shall not be delayed by a party's refusal or delay in complying with this order.

RULE 1920.11. Pleadings Allowed

An original and one copy of all pleadings shall be filed with the Office of Judicial Support.

RULE 1920.12. Caption Of The Complaint And Marriage Certificate

(e) The original marriage certificate or a photocopy thereof shall be attached to the complaint.

Note:

This data is incomplete.

RULE 1920.31(f). Hearings For Alimony Pendente Lite, Counsel Fees And/Or Costs

Any party may seek Alimony Pendente Lite by completing and filing with the Office of Judicial Support an application for Alimony pendent Lite. The office of Judicial Support shall promptly forward the application to the Domestic Relations Office which shall assign a PASCES identifying number and list the matter for hearing before the Master. The domestic Relations Office will notify the parties of the haring date and time. Applications for continuances shall be directed to the Domestic Relations Office.

At the conclusion of the hearing, the Master shall file with the Court findings of fact, with recommendations and a proposed Order. The order shall state that any party may request a hearing before a Judge by filing within ten (10) days after mailing of the Notice of Entry of the Order, a written Notice of Demand for hearing with the Office of Judicial Support. The party requesting a hearing before a Judge shall file the Notice of Demand with the Office of Judicial Support and serve a copy of the Notice of Demand on all parties and the Court Administrator's Office for assignment to a Judge in conformity with Pa. R.C.P. 440. If neither party requests a hearing before a Judge within the ten-day period, the Master's recommended Order shall constitute the final Order.

The Domestic Relations Office will close the case unless ordered by the Court to collect the Alimony Pendente Lite. A request for a haring before a Judge shall not stay the recommended Order. The hearing before the Judge shall be de novo.

The alimony Pendente Lite Application shall be in substantially the following form: *(see form next page).*

Domestic Relations Section of Delaware County

P. O. Box 543

Media, PA 19063

Phone: 610-891-4314

Fax: 610-891-1959

Application for Alimony Pendente Lite

(Please print clearly)

RULE 1920.53. Hearing By Master, Report

(a) Masters shall be appointed by the court to determine the issue of marital status. The court may appoint masters from a list of masters prepared and maintained by the Delaware County Bar Association, and supervised by the court. The master's fee shall be set by order of the court, from which shall be retained such administrative costs and deductions as the court shall set from time to time, with any additional fee for additional time or services to be set by the court on a case by case basis. Such masters shall have jurisdiction only for the deteimination of the issue of marital status.

(d) The master shall fix a day for a hearing which shall not be more than forty-five (45) days after his appointment, unless the court, for cause shown, shall extend the time. At least ten (10) days prior to the hearing date, the master shall give the parties the required notice.

(e) Both the motion and the order for the appointment of a master shall be filed with the Office of Judicial Support in substantially the forms set forth below. The motion shall contain a separate certification by counsel for the moving party listing the names of the partners and associates of all attorneys representing either party.

(f) Unless otherwise directed in writing by the court, all hearings before masters in divorce actions shall be held in the courthouse complex, or other court authorized facilities.

(CAPTION)

MOTION FOR THE APPOINTMENT OF A MASTER

AND NOW, to wit, this___day of_____20__,_____moves your honorable court, as hereinafter provided, the complaint having been duly served upon the defendant, as required by law, (an answer) or (no answer) having been filed within the time fixed by law, all requested discovery on the issue of marital status having being completed, and (no attorney on defendant's behalf having entered an appearance) or (_____having entered his/her appearance for defendant).

Motion is made for the appointment of a master whose function shall be to make a recommendation as to the dissolution of marital status only.

There are no other members of the Delaware County Bar Association known to be representing or to have represented either party in any domestic

matter except_____. A certification of counsel regarding partners and associates, pursuant to Rule * 1920.53(e), is attached hereto.

_____jEsquire, attorney for moving party (File original plus one (1) copy .)

(CAPTION)

ORDER

AND NOW, to wit this____day of_____20____upon consideration of the foregoing motion of_____ Esquire, attorney for_____the court appoints_____Esquire, as master in the above captioned action, to hear testimony and to make a recommendation with regard to the dissolution of marital status only.

By the Court:

_____J,

(File original plus two (2) copies.)

Note:

This data is incomplete.

RULE 1920.54. Hearing By Master. Report. Related Claims

(d) Once the ancillary claims for property division, alimony and counsel fees/expenses are ripe for determination, either party may file a motion for a case management conference with the Office of Judicial Support which will then be forwarded to the Court Administrator. This motion should be in substantially the following form:

(CAPTION)

MOTION FOR CASE MANAGEMENT CONFERENCE

1. The moving party is,the (plaintiff or defendant) in the above matter.

2. Respondent is,the (plaintiff or defendant) in the above matter.

3. Moving party represents that both parties have filed affidavits of consent; or one party has filed an affidavit of consent under 23 Pa. C. S. 3 3 01 (c)(2); or that plaintiff has filed and served a 3 3 01 (d) affidavit to which no counter-affidavit has been filed; or that a fault divorce master has recommended that a divorce be granted and no exceptions have been filed, and therefore the case is ripe for equitable distribution.

4. Moving party represents that an Inventory has been filed in compliance with Pa. R.C.P 1920.33.

5. Moving party respectfully requests that the matter be scheduled for a case management conference.

Respectfully submitted,

As a condition precedent to the scheduling of a case management conference for the disposition of the outstanding ancillary claims, the moving party must have filed an Inventory Pursuant to Pa. R.C.P. 1920.33 and certify in the motion for case management conference that an Inventory has been filed. Additionally, one of the following must have occurred:

(1) both parties have executed and filed affidavits of consent pursuant to 3301(c) of the Divorce Code;

(2) one party has filed an affidavit of consent under 23 Pa.C.S. §3301(c)(2);

(3) one party has filed and served a 3301(d) affidavit and all accompanying materials pursuant to the Pennsylvania Rules of Civil Procedure, and twenty (20) days have passed from service thereof without a counter-affidavit

having been filed refuting either the allegation of a two-year separation or the allegation of an irretrievable breakdown of the marriage;

(4) a recommendation for a fault divorce has been issued by a divorce master and no exceptions have been taken thereto; or, if exceptions have been taken, those exceptions have been resolved by the court in favor of upholding the master's recommendation.

(e) The Court Administrator shall then schedule a case management conference before a hearing officer. At the conclusion of the case management conference, a case management order shall be issued which shall include:

(1) a listing of document production or other discovery requried;

(2) a schedule for such discovery/document production;

(3) a due date for the parties' pre-trial statements;

(4) a date for a pre-trial conference;

(5) such other matters necessary to prepare the case for the pre-trial conference as the hearing officer shall deem appropriate.

Failure to comply with the requirements of a case management order may result in the imposition of sanctions under Pa. R.C.P. 4019 and/or Pa. R.C.P. 1920.33(c)(d). Sanctions may include but are not limited to an award of attorney's fees and/or precluding the introduction of evidence in support of or in opposition to claims.

(f) At the pre-trial conference, the hearing officer will discuss the issues applicable to the case as well as potential settlement. The hearing officer will also resolve any outstanding discovery issues. At the conclusion of the pre-trial conference, in the discretion of the hearing officer, the case will be assigned either a date for another pre-trial conference or a hearing date.

(g) The parties must be present at the hearing and prepared to present testimony and/or documentary evidence. The hearing will be a non-record hearing. However, on application of a party, and in the sole discretion of the hearing officer, the hearing or portions thereof may be reported (and transcribed). It shall be the obligation of the party requesting reporting (and transcription) to make the necessary arrangements therefore.

(h) All case management conferences, pre-trial conferences and hearings shall be held in the courthouse complex or other authorized facilities.

(i) Hearings shall be conducted in accordance with the Pennsylvania Rules of Evidence. A party may, however, offer into evidence in the nature of real estate and personal property appraisals, estimates of value or worth, listings of fees and costs, actuarial and other economic reports, as well as the official or certified record of any governmental or judicial body, provided that true and correct copies of all such documentary evidence have been provided to the adverse party no later than the date for pre-trial conference, unless the time has been extended by the hearing officer.

(j)

(i) In cases assigned to the Equitable Distribution Masters for disposition, petitions filed by counsel seeking Leave to Withdraw as Counsel shall be filed pursuant to Local 206.8. All Petitions filed by Counsel seeking Leave to Withdraw as Counsel, and the Certification required in connection therewith, shall be filed at least ten (10) days prior to any scheduled proceeding before the Equitable Distribution Master.

(ii) At the time of the filing of the Petition, or prior to the Hearing Date assigned thereto, petitioning counsel, when appropriate, may file a Certification reporting that all parties and counsel have been notified of the filing of the Petition, and that there is no opposition thereto. Upon the filing of such a Certification, the matter shall be removed from the Hearing List, and the Order, submitted with the Petition shall be entered as a matter of course,

(k)

(i) The parties to a Decision of an Equitable Distribution Master shall have the right to seek Reconsideration of the Decision by the filing of a detailed Petition within fourteen (14) days of the date of entry of the Decision. Grounds for Reconsideration shall be limited to miscalculation, failure of the Master to consider specific assets or liabilities, and other or similar errors. Reconsideration shall not lie in order to permit re-litigation by the parties of an award or denial of Alimony or Counsel-Fees or Costs, the percentage of division, or other issues related to the dispositive plan decided upon by the Master.

The Petition for Reconsideration shall be referred immediately to the Master making the Decision for disposition. Filing of the Petition shall not, in and of itself, serve to stay the time for Appeal. Grant of the Petition for Reconsideration shall act as a Supersedeas of all matters.

(ii) The parties to a decision of an Equitable Distribution Master shall have the right of Appeal from the Decision of the Equitable Distiibution Master by

the filing of a Request for Hearing De Novo within twenty (20) days of the date of entry of the Decision.

(iii) A party filing an Appeal of a Decision of the Equitable Distribution Master shall pay a fee to the Office of Judicial Support in the amount of Three Hundred Dollars ($300.00) in consideration thereof

Note:

This data is incomplete.

RULE 1920.76. Form Of Divorce Decree, Property Settlement Agreement

(c) If the parties enter into a written agreement concerning ancillary issues and further agree that it may be incorporated into the decree of divorce or any subsequent order of court regarding ancillary relief, a true and correct copy of the agreement, duly executed and dated by the parties, shall be submitted to the court with a decree in substantially the following form:

(CAPTION)

DECREE

AND NOW, this___day of_____20___, it is hereby decreed that_____, Plaintiff, and_____, Defendant, are divorced from the bonds of matrimony.

The Property Settlement Agreement dated _____20___is hereby incorporated but not merged into this Decree for enforcement purposes only.

By the Court:

J.

Note:

This data is incomplete.

RULE 1920.88. Dismissal Of Actions

Any divorce matter or ancillary matter that has not progressed by the filing of some petition or other proceeding within two years shall be disposed of by the Office of Judicial Support in accordance with Pa. R.J. A. 1901 and shall not be reinstated except by petition and rule showing good cause.

RULE 1920.90. Divorce Files Impounded

In all divorce actions filed after December 31, 1939, the file shall be open to inspection by the parties or their attorneys of record without order of court. Inspection by others shall be only upon order of court for good cause shown.

In all divorce actions filed before January 1, 1940, the file shall be open to the general public for inspection.

RULE 1925.23. Attorney Eligibility

No attorney associated with the District Attorney's Office in any capacity shall represent a party or co-respondent in a divorce action or a party in a custody proceeding unless such attorney shall file a written certification that such retention as counsel in no way arises from any association with the District Attorney's Office, and that said attorney has not represented and does not presently represent any of the parties, the co-respondent or the Commonwealth in any support or criminal proceeding on behalf of the District Attorney's Office.

RULE 1930.4. Service Of Original Process In Domestic Relations Matters

(d) *Acceptance of Service*. In lieu of service pursuant to this rule, the defendant or the defendant's authorized agent may accept service of original process by filing with the prothonotary a separate notarized document which shall be in substantially the following form:

Case Caption

ACCEPTANCE OF SERVICE

I _____ (Defendant or Authorized agent) accept service of the Divorce complaint or / _____(Name of the document). I certify that I am authorized to accept service on behalf of the defendant.

Date Defendant or Authorized Agent

Mailing Address

On this _____ day of _____, before me a notary public personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledge that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal._____

Notary Public

Note: If the defendant accepts service personally, the second sentence of the affidavit should be deleted.

In all Divorce actions in which Defendant is a Self-Represented Party, and hi which the only proof of service/method of service of the complaint is the Defendant's acceptance of service, the Defendant's (or Authorized Agent's) acceptance of service of the complaint shall be notarized (or) Counsel for Plaintiff may file a certification of service of the complaint noting Defendant's/Authorized Agent's acceptance of service (or) the plaintiff, if represented by counsel, may file an Affidavit/erification of Signature attesting to the Defendant's signature on the Acceptance of Service of the Divorce Complaint.

Note:

This data is incomplete.

ORIGINAL

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

In Re: *2039	:	
Compromise, Settlement, Discontinuance of	:	No. 2022-003777
Minor's Action and Distribution	:	

ADMINISTRATIVE ORDER

AND NOW, this 8th day of January, 2026 it is hereby **ORDERED** and **DECREED** that the Administrative Order adopting Rule *2039 is hereby **RESCINDED** and the attached Rule *2039 **Compromise, Settlement, Discontinuance of Minor's Action and Distribution** is hereby adopted and effective immediately upon publication in the Pennsylvania Bulletin.

IT IS FUTHER ORDERED that in accordance with 201 Pa. Code Rule 103, the Solicitor for Internal Management shall:

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

(b) File two (2) certified copies of this Order with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin;

(c) Publish a copy of this Order on the website of the Delaware County Court of Common Pleas;

(d) File one (1) certified copy of this Order with the Clerk of Judicial Records Civil Division of the Court of Common Pleas of Delaware County; and

(e) Forward one (1) copy of this Order for publication in the Delaware County Legal Journal.

BY THE COURT:

Linda A. Cartisano
President Judge

CERTIFIED A TRUE AND CORRECT
COPY FROM THE RECORD
THIS 8th DAY OF Jan A.D. 2026
MARY J. WALK, ESQUIRE, DIRECTOR
OFFICE OF JUDICIAL SUPPORT

Proposed Delaware County Local Rule

Rule *2039.
Compromise, Settlement, Discontinuance of Minor's Action and Distribution

(a) Filing a Petition

1. In any action where a civil suit has been initiated by writ of summons or complaint, the petition shall be filed with the Office of Judicial Support under the caption of civil suit.
2. In any other action, the petition shall be file in the Orphans' Court division.

(b) The petition to compromise, settle or discontinue a minor's action shall include at least the following items:

1. A verified statement by minor's guardian:
   a. Describing the minor's physical and/or mental condition;
   b. Certifying the guardian's approval of the proposed settlement (or discontinuance) and;
2. A summary of the claims by the minor's attorney, including issues concerning liability

(c)

1. If the proposed distribution includes a claim for counsel fees in excess of 25 percent of the net settlement (i.e., after expense incurred by counsel), the Court shall hold a hearing, at which time evidence shall be presented as to the nature and extent of services rendered.
2. Within 60 days of the order approving the proposed settlement and distribution counsel for the minor shall file with the Office of Judicial Support a certification that the funds awarded to the minor were deposited in accordance with the provisions of Pa.R.C.P. 2039(b)(2).

(d) Petitions to compromise, settle or discontinue a minor's action may be approved without a hearing, unless the Court, in its discretion, determines that a hearing is necessary. The Court may require the presence of the minor at the hearing. The Court may also, in its discretion, waive or modify any of the specific requirements of this rule, if it believes that such a waiver or modification is necessary in the interests of justice, or the best interests of justice, or the best interests of the minor.

FILED
01-08-2026 01:46 PM
OFFICE OF JUDICIAL SUPPORT
DELAWARE COUNTY, PA

ORIGINAL

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

In Re: Rule 1920.53	:	
Hearing by Master, Report.	:	**No. 2022-003777**
	:	

ADMINISTRATIVE ORDER

AND NOW, this 4th day of February, 2026, it is hereby **ORDERED** and **DECREED** that the **Rule 1920.53 Hearing by Master, Report** is hereby **RESCINDED** and effective immediately.

BY THE COURT:

Linda A. Cartisano
President Judge