

**YORK COUNTY LOCAL RULES OF JUDICIAL ADMINISTRATION**  
(including amendments adopted through January 1, 2024)

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## **GENERAL PROVISIONS**

### **Rule 100. Prohibited Items in Judicial Center and Magisterial District Courts**

(A) All persons are prohibited from bringing the following items into the York County Judicial Center, into any courtroom in which a court proceeding is taking place, and into any Magisterial District Court:

(1) Food or beverages of any kind, including water in any container.

(a) Employee Exception: The prohibition in Section (1) above shall not apply to those individuals employed in the Judicial Center, Magisterial District Court, or employed by the County of York, who clearly display an identification badge issued by the County of York, provided, however, that no food or beverages, other than water supplied by court employees, shall be permitted in a courtroom, hearing room, or grand jury room.

(b) Juror Exception: The prohibition in Section (1) above shall not apply to those individuals who are serving as jurors summoned by the Court Administrator, who clearly display an identification badge issued by the County of York, provided, however, that no food or beverages shall be permitted in a courtroom, hearing room, or grand jury room.

(2) Weapons of any kind. This prohibition shall not apply to those individuals or groups expressly authorized by sealed administrative order of the President Judge, subject to reasonable and necessary policies and procedures adopted by the York County Sheriff. As to Magisterial District Courts, this prohibition shall not apply to those individuals specifically permitted by the Magisterial District Judge of that district to possess weapons.

(B) Any prohibited items confiscated by officers in charge of security are subject to being retained and disposed of by such officers.

### **Rule 101. Title and Citation of Rules**

These Rules shall be known as the York County Rules of Judicial Administration, and may be cited as "York R.J.A. \_\_\_\_".

**Rule 102. Definitions**

(A) As a general rule unless expressly stated otherwise, all words and phrases, when used in any York County order or local rule, shall have the same meaning as defined in the relevant Pennsylvania rule of appellate procedure, civil procedure, criminal procedure, evidence, judicial administration, juvenile court procedure, or orphans' court procedure.

(B) In addition to any definition supplied by the Pennsylvania rules of court, the following words, and phrases, when used in any York County order or local rule, shall have the following meanings unless expressly stated otherwise:

*Action* is any action or proceeding of any nature pending before the Court of Common Pleas of York County or any Magisterial District Court in the 19th Judicial District.

*Administrative Office of York County Courts* (abbreviated AOYCC) is the Office of District Court Administrator, all court-appointed departments subject to the direction and supervision of the court administrator, and all employees of the office and departments.

*Application* is any motion, petition, request, or other document requesting or requiring the signature of a judge or action by the court.

*Clerk of Courts* is the elected or appointed Clerk of the Court of Common Pleas of York County, the Office of the Clerk of Courts, and all employees of the office.

*Counsel* is an attorney at law, in good standing, admitted to practice to the bar of this Commonwealth. In any action where a defendant proceeds as a self-represented litigant, reference to a defendant's attorney or counsel shall mean the defendant. It shall not refer to a court-appointed guardian ad litem.

*County* is York County.

*Court* is the Court of Common Pleas of York County, and Magisterial District Courts of the 19th Judicial District, or a judge of the court.

*Courtroom* is any courtroom, hearing room, grand jury room, or other rooms in which judicial proceedings are conducted, whether located in the York County Judicial Center, in a magisterial district court building, or any other location within the 19th Judicial District.

*Court Administrator* is the appointed District Court Administrator for the Court of Common Pleas of York County, the Office of the District Court Administrator, the Administrative Office of York County Courts (AOYCC), and all employees of the office.

*District Attorney* is the elected or appointed District Attorney of York County, the elected or appointed Attorney General of the Commonwealth of Pennsylvania, any solicitor of any municipality, any special prosecutor, any other entity or individual authorized and assigned to prosecute any matter before the criminal division of this court, and all employees of all the foregoing.

*Judge* is the elected or appointed Judge of the Court of Common Pleas or Magisterial District Judge of any Magisterial District Court of the 19th Judicial District to whom the case is assigned, or in the absence of the assigned judge, any other judge of the court as assigned by the court administrator.

*Motion* is any application to the court for an order.

*Party* is the party or parties appearing in the action as self-represented litigants, or the attorney or attorneys of record for such party or parties.

*President Judge* is the elected President Judge or acting President Judge of the Court of Common Pleas of York County, the Chambers of the President Judge, and all chambers staff.

*Probation Department* is the York County Department of Probation Services, and all employees of the department.

*Prothonotary* is the elected or appointed Prothonotary of the Court of Common Pleas of York County, the Office of the Prothonotary, and all employees of the office.

*Public Defender* is the appointed Public Defender of York County, the Office of the Public Defender, and all employees of the office.

*Sheriff* is the elected or appointed Sheriff of York County, the Office of the Sheriff, and all employees of the office.

*Solicitor* is the appointed Solicitor of York County, the Office of the Solicitor, and all employees of the office.

*Warden* is the appointed Warden of the York County Prison, the Office of the Warden, and all employees of the office.

(C) The singular shall include the plural, and the plural shall include the singular.

**Rule 112. Photography, Recording, Broadcasting and Electronic Equipment**

(A) The taking of photographs, including video pictures and recording, and the use of audio and video broadcast and audio recording equipment and any other device capable of capturing or transmitting sound or images, in a courtroom or hearing room or its environs during the progress of or in connection with any action, whether or not court is actually in session, is prohibited.

(B) **Environs Defined:** Environs of a courtroom or hearing room shall include the entire floor on which is located any courtroom, hearing room, jury room, grand jury room, sheriff's office or station, Prothonotary's or Clerk of Courts' office, office of the District Attorney, or any lockup or prisoner holding area. Environs also includes the corridor or lobby on the main floor or street floor, any elevator area and any area constituting an interior entrance area to the building of any courtroom, hearing room or grand jury room. Environs includes the York County Judicial Center and all York County Magisterial District Court buildings.

(C) **Cellular Telephones Prohibited:** Cameras, cellular telephones, portable electronic data devices and any other device capable of capturing or transmitting images or sound are prohibited inside of the York County Judicial Center and all York County Magisterial District Court buildings.

(1) **Employee Exception:** The prohibition in Section (C) above shall not apply to those individuals employed in the Judicial Center, a Magisterial District Court or employed by the County of York, who clearly display an identification badge issued by the County of York, provided, however, that the device shall be in a "silent" or "vibrate only" mode when the employee enters a courtroom, hearing room, or grand jury room.

(2) **Attorney Exception:** The prohibition in Section (C) above shall not apply to an attorney at law who enters the Judicial Center or a Magisterial District Court on business related to the representation of a client, provided, however, that the device shall have the power switched "off" when the attorney enters a courtroom, hearing room, or grand jury room.

(3) **Emergency Responder Exception:** The prohibition in Section (C) above shall not apply to emergency medical or other personnel responding to a call within the Judicial Center or Magisterial District Court.

(4) **Other Exceptions:** The prohibition in Section (C) above may be waived by a judge, Court Administrator, or the Sheriff or his designee, in special circumstances.

(D) Special Proceedings: In the discretion of any judge, photographing, making video or audio recordings, or televising or broadcasting any special proceedings, such as investiture, naturalization, or ceremonial proceedings, in a courtroom or its environs may be permitted under such conditions as the judge may prescribe, consistent with the proscriptions of Pa. R.J.A. No. 1910.

(E) Stenographic Recordings: Except as permitted by law or rule of court, the recording by any means of any judicial proceedings by anyone other than the official court stenographer in a court case, for any purpose, is prohibited.

(F) Special Permission: The President Judge may, upon application, make exception to the prohibitions contained in this Rule under such circumstances and subject to such conditions as the President Judge may prescribe.

(1) The application shall include the reason for the request, the type of electronic medium intended to be used, the locations at which the electronic medium is to be used, and the date and times of the day for which the exception is being sought.

(2) If the exception is being sought in connection with any judicial proceeding, the caption and case number of the proceeding shall be included in the application.

(G) Special Cases: The court may make such orders as may be necessary in connection with any specific case to protect the rights of all parties and the public.

## **ATTORNEYS**

### **Rule 200. Admission to Practice**

(A) An attorney at law admitted to practice to the bar of this Commonwealth, and who is in good standing, may practice before the Court.

(B) An attorney who is not admitted to practice to the bar of this Commonwealth and who seeks special admission to practice before this Court shall cause to be filed a motion for admission *pro hac vice* pursuant to Pa.R.C.P. 1012.1, Pa.B.A.R. 301 and York R.C.P. 208.3(a).

(1) A motion for admission *pro hac vice* shall be in the form required by York R.C.P. 205.2.

(2) A motion for admission *pro hac vice* shall contain all information required by Pa. R.C.P. 1012.1, Pa.B.A.R. 301, and the information required in 204 Pa.Code Sec. 81.503.

(C) An attorney who is not admitted to practice to the bar of this Commonwealth and who seeks special admission to practice before a Magisterial District Justice shall cause to be filed a motion for admission *pro hac vice* pursuant to 204 Pa.Code 81.501 et seq. and applicable rules of civil and criminal procedure.

**Rule 210. Court Appointed Counsel, Fees, and Fee Petitions**

(A) The Court Administrator shall maintain lists of counsel available for appointment by the court to represent individuals in various matters. Separate lists of available counsel shall be maintained for criminal cases, civil cases, juvenile dependency cases, and juvenile delinquency cases.

(1) At least annually, by the last day of June, the Court Administrator shall solicit requests for attorneys, with a principal office located in York County, who will accept cases by court appointment.

(2) Those attorneys responding to the solicitation shall warrant that they have experience in the areas for which they seek appointment, and shall include a copy of their professional liability insurance declarations page, or other proof of professional liability insurance, now in effect, with the response.

(3) An attorney who has previously been on a list for appointments shall also respond to the solicitation with updated information, or the attorney shall be removed from all lists for court appointments.

(B) Appointment to represent an individual in a particular matter is limited to representation in that matter only to its conclusion, including proceedings on direct appeal, absent further order of court.

(C) Fee petitions in cases in which an attorney has been appointed by the court shall be submitted, with supporting documentation and an original proposed order with sufficient copies to conform, to the Court Administrator for assignment to a judge. In criminal cases, the fee petition shall be assigned to the judge to whom the case was assigned.

(D) General Requirements for All Fee Petitions:

(1) Unless otherwise stated, all fee petitions must be presented to the Court Administrator for assignment to a judge within thirty (30) days of the date of last service rendered at the trial level, and within (30) days of final decision for any appeal.



(2) The fee petition shall set forth the caption of the case, the manner of disposition of the case, and if disposed of by trial, the number of days spent in trial.

(3) An itemized billing reflecting the dates, time spent, and nature of the services shall be included in or attached to the petition.

(4) An appropriate hourly rate consistent with administrative orders in effect at the time the service was rendered shall be displayed, along with a subtotal of the dollar amounts for the services, and a final dollar total being requested.

(5) Time spent by administrative assistants, paralegals, employees, or agents other than the appointed attorney may not be billed without leave of court.

(6) Reimbursement may be sought, without leave of court, for travel time, except to and from the Judicial Center, long distance phone charges, printing, and extraordinary copying costs for preparation of exhibits and documents for appeals, extraordinary postage, extraordinary travel mileage, and, with prior court approval, expert fees for investigators and other experts. Routine expenses such as mileage, to the York County Prison, the Judicial Center, or to preliminary hearings, photocopying, telephone bills, postage, and other such expenses, may not be claimed for reimbursement.

(E) Criminal Cases: Counsel appointed to represent individuals in criminal cases shall not represent the individual in any probation or parole proceedings unless re-appointed by the Court to do so.

(F) Complex Criminal Cases: All homicide cases, and other cases which will likely take a year or more or will require an inordinate amount of attorney time to resolve may be subject to interim fee petitions.

(1) The petition shall set forth a brief statement asserting the grounds for considering the case for interim billing, and shall request that interim billing be permitted.

(2) Interim fee petitions shall contain, in addition to the matters set forth in York R.C.P. 210(C) above, a recitation of the total of the preceding fee petition, the date when the preceding fee petition was submitted, the amount approved, and shall indicate whether the amount approved has been paid and the date paid.

(G) Juvenile Dependency Proceedings: Fee petitions in juvenile dependency cases shall be submitted at least quarterly, and may be submitted monthly, and shall be for services rendered only in the preceding period.

(1) The petitions may include requests for reimbursement in multiple cases, so long as each case is clearly identified by caption and number, and the supporting billing information only pertains to each individual case.

(2) Such petitions, along with an original proposed order and sufficient copies to conform, shall be submitted to the Court Administrator for assignment to a judge.

(3) The fee petitions shall contain, in addition to the matters set forth in York R.C.P. 210(C) above, a recitation of the total of the preceding fee petition, the date when the preceding fee petition was submitted, the amount approved, and shall indicate whether the amount approved has been paid and the date paid.

(4) An additional appointment must be sought and approved before taking an appeal to any federal court, or undertaking representation before any governmental agency.

**Rule 211. Applications for Court Appointed Counsel; In Forma Pauperis**

(A) Applications for court appointed counsel, or to proceed in forma pauperis, shall be verified by the individual seeking to proceed or to be represented by court appointed counsel, and shall be submitted to the Court Administrator for assignment to a judge for consideration.

(1) The judge to whom the matter has been assigned shall initially evaluate the applicant's eligibility for counsel using guidelines to be determined by reference to 125% of the poverty level for a family of a particular size as determined by the U.S. Department of Health and Human Services and duly published from time to time.

(2) Should the judge determine that the applicant is eligible for court appointed counsel, because of the application of the guidelines set forth above, or because the individual is otherwise unable to employ counsel, the judge shall promptly notify the applicant and appointed counsel.

(B) The judge assigned to consider the application may request the Solicitor for the County of York to respond to any application, and may schedule a hearing before an assigned judge to consider the merits of any application.

**Rule 250. Appointments**

(A) The President Judge shall, from time to time, and as required by law or rule of court, appoint the following to serve the following terms at rates of pay, if any, which shall be set from time to time by administrative action or order, or other process:

(1) Viewers to serve on boards of view for a term of five years, pursuant to conduct proceedings pursuant to the Eminent Domain Code, the Private Road Act, and otherwise pursuant to law;

(2) Visitors to serve on a board of visitors pursuant to 16 P.S. Sec. 1980, for a term of one year;

(3) Custody conciliators; who shall serve at will;

(4) Custody mediators, who shall have met the requirements of Pa. R.C.P. 1940.4, and who shall serve at will;

(5) Divorce mediators pursuant to York R.C.P. 1971, and who shall serve at will;

(6) Adult and juvenile probation officers;

(7) Domestic Relations enforcement officers;

(8) Mental Health Review Officers to serve a one-year term pursuant to 42 Pa.C.S. Sec. 3152(c);

(9) The Administrative Judge of the Orphans' Court Division;

(10) A representative to the Prison Board;

(11) A representative to the Criminal Justice Advisory Board;

(12) A representative to the County of York Salary Board;

(13) Judges to supervise various aspects of court operations.

(B) The President Judge shall, from time to time, appoint others to positions as required or permitted by law or rule of court, upon motion presented.

## **COURT PERSONNEL**

### **Rule 300. District Court Administrator**

(A) The District Court Administrator shall have the following duties, in addition to those established in law or by rule of court, and in consultation with the President Judge:

(1) To make schedules and assign magisterial district judges, including senior magisterial district judges, to districts and to duty schedules;

(2) To make schedules, assign judges of the Court of Common Pleas to schedules, cases, and courtrooms;

(3) To manage the flow of cases through the various court divisions;

(4) To establish and oversee a system of management of court-employed and court-related personnel; and

(5) To hire and terminate court-employed personnel pursuant to established policies.

(B) The District Court Administrator shall, in consultation with the President Judge, annually prepare an appropriate budget for the courts so that the courts are sufficiently funded to carry out their judicial duties.

## **INSPECTION OF RECORDS**

### **Rule 509. Requests to Inspect Records and Records Manager**

(A) A request to inspect or obtain copies of records accessible pursuant to Pa. R.J.A. 509 or any other public law, which are in the possession or control of a court of this Judicial District, and which are not otherwise privileged or protected from disclosure by law, rule of procedure, or court order, shall be made in writing and addressed to the District Court Administrator, who is designated as the Records Manager for the 19th Judicial District. A request to inspect records maintained by a Magisterial District Judge may be referred by the District Court Administrator to the judge whose court is subject to the request.

(1) The request shall identify the person making the request, the person's address and telephone number, and whether the request is to copy records and if so, in what format, and shall identify or describe the records with sufficient specificity to enable the Court Administrator to ascertain which records are being requested.

(2) The Court Administrator shall charge reasonable fees for granting access to the records requested, including but not limited to, photocopying or printing from electronic media at the rate of \$.25 per page, costs of postage, copying onto electronic media, or other means of duplication.

(B) Upon receipt of a written request for access to records pursuant to section (A) above, the Court Administrator shall send a copy of the request to the President Judge and to the solicitor for the County of York.

(C) If the Court Administrator denies a written request for access to records, the denial may be appealed in writing to the President Judge within 15 business days of the mailing date of the response or within 15 days of the deemed denial.

(D) A final decision on the appeal shall be mailed to all interested parties within twenty (20) business days from the receipt of the appeal or as otherwise provided by law.

#### **Rule 510. Confidential Information Form**

Pursuant to Section 7 of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*, persons who file documents that contain confidential information as defined by the Policy shall use and file a Confidential Information Form (CIF) or a Confidential Document Form (CDF), as applicable, to comply with the Policy. Parties are expressly prohibited from filing two versions of any document, *i.e.*, a redacted version and an unredacted version. The forms shall be available in each filing office as well as on the Public Records page of the UJS website at <http://www.pacourts.us/public-record-policies>.

#### **Rule 513. Fees for Access to Magisterial District Court Records**

(A) A Magisterial District Court may charge reasonable fees for providing public access to official case records of the Court pursuant to 204 Pa.Code Sec. 213.1 *et seq.* The fees to be charged are set forth below. Changes to the fee structure may be made, from time to time, by the President Judge by administrative order.

(1) For copying records or transmitting records by facsimile or other electronic means: \$0.25 per page

(2) For processing complex or voluminous requests, in addition to the costs of copying set forth in (1) above: \$8.00 per quarter hour of staff time spent, in excess of the first quarter hour. What constitutes a complex or voluminous request may vary from court to court depending on factors such as court resources and caseload.

(B) Fees may be waived in full or in part in the discretion of the Magisterial District Judge if the Judge determines that the requester is indigent.

(C) Prepayment of fees incurred in processing a request is at the discretion of the Magisterial District Judge.

(D) Fees paid for services provided pursuant to this Rule are not refundable.

(E) Fees collected pursuant to this Rule shall be identified as revenue to the magisterial district court, but shall be timely remitted to the County of York.

(F) Any appeal from the application of this Rule or pursuant to 204 Pa.Code Section 213 *et seq.*, or the Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts shall be made to the District Court Administrator.

## **JUDGES and MAGISTERIAL DISTRICT JUDGES**

### **Rule 702. Assignments of Judges of the Court of Common Pleas**

(A) Assignment of judicial duties:

(1) Judicial assignments shall become effective each year on January 2, or at such time preceding that date as is necessary to ensure a smooth transition of judicial duties.

(2) The President Judge or the President Judge's designee shall assign judicial duties annually prior to July 1 of the year preceding the year that judicial assignments shall become effective.

(3) Judicial assignments shall be made with due regard for the following:

(a) The need for proper allocation of judicial resources to cover all necessary judicial duties;

(b) The experience of a judge with a particular judicial assignment. A judge shall serve a minimum of two (2) years in a particular judicial assignment;

(c) Due deference to a judge's seniority;

(d) The desirability of having periodic changes of judicial assignments;

(e) The desirability of maintaining continuity of judicial experience within various areas of judicial duties; and

(f) The desires of individual judges.

(B) Procedure for periodic rotation of judicial assignments:

(1) Prior to July 1 of the year preceding the year that judicial assignments become effective, rotation of various judicial duties and assignments among the judges shall take place as follows:

(a) Each judge shall have the ability to designate whether he or she wishes to keep that judge's current assignments or switch assignments to another judicial position.

(b) The designation shall be made first by the most senior judge, and then by each judge in succession, according to seniority.

(c) In the event there is more than one judicial position with substantially similar judicial assignments, positions with judges occupying a judicial position the longest shall be filled first, and thereafter, in inverse order of seniority.

(2) Should a judge elect to stay in his or her current assignment area, that judge will be subject to being displaced from those assignments by a judge making a subsequent designation of assignments.

(a) Once a judge has made a designation of assignments different than those currently held by that judge, that judge is not subject to being displaced from those assignments so designated.

(b) A judge who has been displaced from his or her assignments by a judge making a subsequent designation of assignments shall take over the assignments of the judge who displaced him or her, and shall be subject to further displacement by a judge making a subsequent designation of assignments.

(3) A judge may not designate a judicial assignment substantially similar to an assignment which that judge previously held unless no other judge has designated that judicial assignment.

(4) No more than 50% of the judges in the following assignments shall be displaced in any one year: criminal court; juvenile dependencies; juvenile delinquencies; and child support.

(5) Regardless of the assignments noted above, a judge who has been assigned to a complex matter, including PCRA matters, appeals of complex civil matters, and complex juvenile matters, shall retain assignment to that matter until the conclusion of all proceedings associated with that matter

(C) The above scheme for rotation of assignments is subject to modification or change by the President Judge or the President Judge's designee to provide appropriate judicial resources for judicial assignments, to fill vacancies in the event of the disability of a judge to perform judicial functions, or for other necessary reasons.

#### **Rule 706. Procedure for Succession of Judicial Authority**

(A) In the event of the inability of the President Judge to perform the functions of that office because of absence, death, extended illness, or other disability, or in the event of a vacancy in the office of President Judge for any reason, the duties of President Judge shall devolve to the judge who last served as President Judge, and if such previous President Judge is no longer an active commissioned judge, or is otherwise unable to serve, then, in the following order: to the Supervising Judge of the Criminal Division, the Supervising Judge of the Family Division, the Orphans Court Administrative Judge, then to each judge in order of seniority, until such time as the President Judge is able to resume those duties, or until such time as a new President Judge is selected pursuant to Pa. Rule of Judicial Administration 706(f).

(B) Pursuant to Pa. Rule of Judicial Administration 706(e)(2)(ii), should the disability of the President Judge or vacancy of that position extend longer than thirty (30) consecutive calendar days, then the Court shall select a new President Judge pursuant to the procedures set forth in Pa. Rule of Judicial Administration 706(f).

(C) The President Judge may, from time to time, designate in writing, a judge to temporarily act as president judge during brief absences, with due regard to the succession of authority set forth in section (A) above.

#### **Rule 710. Duty Judges, Bench Warrants**

(A) A judge shall be available twenty-four hours a day, each day of the year, for the purpose of considering judicial matters pursuant to law, court order or rule of procedure.



(B) The District Court Administrator shall maintain a list of “duty” judges which shall be updated from time to time and circulated among the Judges of the Court of Common Pleas of York County. The District Court Administrator shall assign such hearings and matters to the appropriate judge from that list if the judge assigned to a matter is not available.

(C) Judges who are “on duty” for the designated time period shall insure their availability or the availability of another common pleas judge, during normal Court business hours, for the purpose of conducting hearings and for addressing other matters which may need the attention of the Court and for which the judge who would ordinarily be assigned to a matter may not be available.

(D) Individuals arrested on bench warrants of any kind issued by a Judge of the Court of Common Pleas shall promptly, and in any event, within 72 hours of their apprehension or by the close of the next business day, if the 72 hours expires on a non-business day, be brought before the Judge who issued the bench warrant, who shall conduct such hearing and take such action with regard to the bench warrant as the law requires.

(1) In the event that an individual has been arrested on more than one bench warrant issued by different judges of the court of common pleas, the individual may be taken before any judge who issued a warrant, who shall conduct a hearing on all the bench warrants pursuant to which the individual was arrested.

(2) In the event that the judge or judges who issued a bench warrant are unavailable to conduct a hearing within the time limits set forth in applicable rules and law, then the hearing shall be conducted by the designated “duty” judge.

(3) At the conclusion of the bench warrant hearing following the disposition of the matter, the judge immediately shall dispose of the status of the bench warrant, using an appropriate order.

#### **Rule 800. Magisterial District Judges, Offices and Bench Warrants**

(A) Regular Business Hours of Magisterial District Judges:

(1) The offices of a Magisterial District Judge shall be open throughout the year, excluding any court holidays, for at least a total of 35 hours per week and on at least four weekdays, shall be open between the hours of 8:30 a.m. and 4:00 p.m., unless a different schedule is specifically approved by the President Judge.

(2) Magisterial District Judges shall submit their proposed yearly schedule of office hours to the President Judge for approval prior to December 1 of the preceding year, unless there are no changes from the preceding year, and shall post the schedule at least annually in a conspicuous place at the office, pursuant to Rule 103 of the Pennsylvania Rules of Conduct for Magisterial District Justices. Schedules of office hours of all Magisterial District Judges shall also be maintained in the office of the District Court Administrator.

(3) Applications for a change in office hours from those previously approved shall be made to the President Judge, through the District Court Administrator, prior to any change being instituted. Any changes in office hours, whether temporary or permanent, shall be maintained in the District Court Administrator's office and shall be conspicuously posted at the Magisterial District Court to be visible from the outside.

(B) Availability of Magisterial District Judges During Regular Business Hours:

(1) Magisterial District Judges shall be available to conduct judicial business during regular business hours, without unnecessary delay.

(2) Should a Magisterial District Judge for a particular district not be available during regular business hours, any matter requiring immediate judicial attention shall be referred to the nearest available Magisterial District Judge.

(3) A Magisterial District Judge may designate the personnel in that office to make a referral and designate the manner of referring matters to the nearest available Magisterial District Judge.

(4) A Magisterial District Judge shall inform the District Court Administrator, and York County E-911, as soon as reasonably practical, of that Magisterial District Judge's scheduled or unscheduled unavailability during regular business hours.

(C) Availability of Magisterial District Judges After Regular Business Hours:

(1) A Magisterial District Judge, known as the "Duty MDJ" shall be on continuous duty after regular business hours for the purpose of conducting judicial business requiring immediate attention, without unnecessary delay.

(a) The District Court Administrator shall designate and publish the annual schedule of Duty MDJs prior to November 1 of the preceding year.

(b) A Duty MDJ who is scheduled for a particular time may exchange duty times with another Magisterial District Judge, and shall make such change known to the District Court Administrator and York County E-911 as soon as is reasonably practical.

(2) An office, known as a "Duty Office" shall be maintained for the Duty MDJ to conduct judicial business after regular business hours.

(a) Such office may be at a "central booking" facility, or another office suitable for the conduct of judicial business after hours.

(b) Such office shall be equipped with suitable electronic communications to enable simultaneous visual and audio communication with the York County Prison and a Duty MDJ.

(3) The Duty MDJ shall be available at all times when assigned after regular business hours to conduct judicial business without unnecessary delay.

(a) At a minimum, the Duty MDJ shall convene court at 8:00 a.m. and 8:00 p.m. each day to preside over preliminary arraignments and other matters for individuals detained in the central booking facility.

(b) If the Duty MDJ consents to the electronic application of his or her signature by central arraignment court staff on all required documents, such judicial business, including but not limited to preliminary arraignments, setting and posting of bail, and processing individuals arrested or otherwise detained, may be conducted by the Duty MDJ from a remote location by suitable electronic communication which provides for document preparation and exchange, as well as simultaneous audio and visual contact between the Duty MDJ and the Duty Office or central booking facility. If the Duty MDJ does not consent to the electronic application of his or her signature by central arraignment court staff on all required documents, the Duty MDJ shall physically appear at the Duty Office or central booking facility to preside and sign documents.

(D) Bench Warrants Issued by Magisterial District Judges:

(1) Hearings for individuals arrested on bench warrants issued by a Magisterial District Judge shall be heard by the Magisterial District Judge who issued the bench warrant.

(2) In the event that an individual has been arrested on more than one bench warrant issued by different Magisterial District Judges, the individual may be taken before any Magisterial District Judge who issued a warrant, who may conduct a hearing on all the bench warrants pursuant to which the individual was arrested.

(3) Individuals arrested on bench warrants for "failure to pay" issued by one or more Magisterial District Judges after normal business hours may be released at any time upon full payment.

## **ASSESSMENT OF FEES AND PAYMENT OF MONEY TO COURT**

### **Rule 1100. Countywide Booking Center**

(A) The County of York shall maintain the countywide Booking Center established pursuant to 42 Pa.C.S. Sec. 1725.6.

(B) The President Judge shall, from time to time, establish by administrative order the amount of fees to be charged to individuals processed through the Booking Center who meet the requirements set forth in 42 Pa.C.S. Sec. 1725.5.

(C) Fees collected pursuant to section (B) above shall be maintained and used pursuant to 42 Pa.C.S. Sec. 1725.5(b) and other applicable laws or rules of court.

### **Rule 1200. Disposition of Fines, Costs, Restitution and Other Fees Collected**

(A) The Clerk of Courts and the York County Department of Probation shall be the designated entities responsible for the collection and allocation of all costs, fines, reparation, restitution, penalties, and other remittances imposed and collected as a result of criminal cases in the Court of Common Pleas of York County.

(B) All criminal cases requiring payment of costs, fines, reparation, restitution, penalties, and other remittances by a single defendant shall be placed into a single individualized payment plan within the Common Pleas Criminal Court Case Management System (CPCMS), unless directed otherwise by court order.

(1) Such payment plans shall be created by the Office of the Clerk of Courts or the Department of Adult Probation.

(2) Any criminal cases requiring payment of costs, fines, reparation, restitution, penalties, and other remittances by a defendant who has a pre-existing payment plan, shall be incorporated into the defendant's pre-existing payment plan, whereby one payment plan may include multiple cases, unless otherwise ordered by the Court.

(3) Each payment of costs, fines, reparation, restitution, penalties and other remittances made by a defendant or by the PA Department of Corrections or the York County Prison as per Act 84 of 1998 on behalf of the defendant to the Office of the Clerk of Courts or the Department of Probation shall be distributed according to the defendant's individualized payment plan within CPCMS, whereby each payment shall be applied to the defendant's individual payment plan and shall then be divided and applied equally among each of the cases within the payment plan.

(4) In accordance with the CPCMS Uniform Disbursement Schedule (UDS) for the Criminal Division of the Courts of Common Pleas Using the Common Pleas Criminal Court Case Management System (CPCMS) found in 204 Pa. Code § 29.405, the Clerk of Courts and the Department of Probation shall distribute all fines costs, reparations, restitution, penalties, and other remittances imposed and collected in the prioritized order as set forth in the above-mentioned schedule.

(5) Each payment of costs, fines, reparation, restitution, penalties, and other remittances made by a defendant that is equally distributed among all the defendant's cases within that defendant's individualized CPCMS payment plan, shall be allocated in the order proscribed by the CPCMS UDS.

#### **Rule 1300.           Taxation of Costs in Civil Matters**

(A) Bill of Costs. Form:

(1) A bill of costs as to attendance of witnesses shall include the names of the witnesses, the date of their attendance in court, the number of miles actually traveled by them and the place from which mileage is claimed.

(2) The bill shall be verified by the party filing it or his attorney. The verification shall state that the bill of costs is correct, that the witnesses named were actually present in court and that in the opinion of the affiant they were material witnesses.

(B) A bill of costs shall be filed with the Prothonotary within five (5) days after the action has been tried or an appeal has been taken from an award of arbitrators or a report of viewers.

(C) Upon presentation of the bill of costs by the party entitled thereto, the Prothonotary shall tax the costs in accordance with the bill, unless manifest error of law or fact is apparent on the face of the bill.

(D) Within five (5) days after the taxation of costs, any party may file exceptions thereto with the Prothonotary, with copies to all other parties. The Prothonotary shall then re-tax the costs within five (5) days of the receipt of exceptions.

(1) Within three (3) days after the re-taxation of costs, any party may file an appeal therefrom, by filing a motion which specifies the items objected to. The motion shall be filed and served on all parties pursuant to York R.C.P. 205.1 and shall be resolved pursuant to York R.C.P. 208.3(b).

(2) The taking of an appeal shall not stay execution on the judgment, but any sum collected on execution which represents the items of costs which are the subject of the appeal shall be paid to the Prothonotary to be held by the Prothonotary pending the determination of the appeal.

**Rule 1400. Other Money Paid into Court**

(A) When appropriate, the court, on its own motion or on the petition of any party, may direct the payment of money into court.

(1) The Prothonotary, Clerk of Court, or Clerk of the Orphans' Court shall have custody of all money paid into court until withdrawn.

(2) The Prothonotary, Clerk of Court, or Clerk of the Orphans' Court shall deposit the funds specially to the credit of the court in a bank or banks in which deposits are insured by the Federal Deposit Insurance Corporation, in such accounts as may earn interest at prevailing rates.

(a) The party or parties to benefit shall provide the Prothonotary with a fully completed IRS W-9 form or other similar form required by the bank where the money is to be deposited.

(b) The Prothonotary shall not deposit such moneys into an account which earns interest until the parties have complied with this provision.

(3) Upon the petition of a person who appears from the record to be prima facie entitled to money paid into court, the court may direct the Prothonotary, Clerk of Court, or Clerk of the Orphans' Court to invest the fund in such manner and upon such terms as the court may specify.

(B) Money paid into court may be withdrawn only on order of the court or by written stipulation signed by all parties to a matter and filed with the Prothonotary, Clerk of Courts, or Clerk of the Orphans' Court, as the case may be.

## **CONSTABLES**

### **Rule 1907.2. Policies, Procedures and Standards of Conduct - Constable Review Board**

(A) Pursuant to the Pennsylvania Unified Judicial System Constable Policies, Procedures and Standards of Conduct, the district court administrator shall establish a York County Constable Review Board to assist in resolving any disputes related to a constable's performance of judicial duties.

(1) The board shall receive complaints by or against constables regarding the performance of judicial duties, financial/payment disputes, or other matters relevant to a constable's services to the courts.

(2) The board shall make recommendations to the president judge regarding the judiciary's continued use of the constable's services, or to the county controller if the dispute concerns financial or other matters within the county's control.

(3) The board shall forward any findings of suspected criminal activity to the district attorney.

(B) The board shall consist, as a minimum, of the following members periodically appointed by the president judge:

(1) the district court administrator, who shall co-chair the board;

(2) two magisterial district judges, one of whom shall be the president MDJ who shall co-chair the board;

(3) a deputy district court administrator;

(4) two constables, one of whom shall be the president of the constables' association;

(5) the county controller; and

(6) the sheriff.

(C) The board shall establish and publicize procedures and guidelines for filing complaints.

**CONTINUITY OF OPERATIONS, EMERGENCY ACTIONS,  
EMREGENCY UNITS AND JUDICIAL SECURITY**

**Rule 1954.            Judicial Security**

(A) Pursuant to Pa. R.J.A. No. 1954, the district court administrator shall establish a York County Court Security Committee that shall meet at least twice per year to:

(1) develop, review, and make recommendations to the president judge on protocols, policies, and procedures necessary to protect the public, court personnel and court facilities in the event of an emergency, including the continuity of operations plan and emergency action plans;

(2) communicate the approved protocols, policies, and procedures;

(3) review and assess this judicial district's security incident reports filed in the PAJIRS system and recommend to the president judge appropriate actions;

(4) develop and recommend to the president judge training programs for court employees on safety and security awareness; and

(5) ensure the completion of court facility security assessments as identified in the Unified Judicial System Court Safety and Security Manual and as prescribed by the state court administrator;

(B) The board shall consist, as a minimum, of the following members periodically appointed by the president judge:

(1) the district court administrator, who shall co-chair the board;

(2) a commissioned common pleas court judge, who shall co-chair the board;

(3) a magisterial district judge;

(4) the sheriff;

(5) a commissioner;

(6) the director of facilities management; and

(7) a constable.



## COURT REPORTING AND TRANSCRIPTS

### Rule 4002. Definitions

All terms in these rules shall have the same meaning as defined in Pa. R.J.A. No. 4002. As further clarification:

(A) *Commonwealth or subdivision thereof* includes any Pennsylvania state, county, regional, or municipal government entity, including any department, board, attorney, employee, or agent acting on behalf of that entity.

(B) *Transcript* includes any electronic or paper record, including orders, prepared by a court reporter of any proceeding presided over by a judge, magisterial district judge, hearing officer, or master.

(C) All transcripts fall into one of two categories regarding need and purpose:

(1) an *ordinary* transcript is either:

(a) required by rule because notice of appeal has been filed; or

(b) required by order or rule to advance litigation in a matter currently before the court.

(2) a *non-ordinary* transcript is any transcript requested or prepared for any reason other than *ordinary* as defined in section (C)(1).

(D) The terms *rough draft* and *same-day delivery* refer to variations in the delivery deadline and cost for *non-ordinary* transcripts.

(1) This court does not provide *expedited* or *daily* transcripts.

(2) *Rough drafts* are the retention by the requestor of the realtime stream capture after the conclusion of the proceeding. *Rough drafts* are not certified; the court and litigants shall not cite to them.

(3) *Same-day* transcripts, previously known in this court as *daily copy*, are delivered as follows:

(a) for morning sessions of a proceeding, no later than 6:00 p.m. the same day as the proceeding; and

(b) for afternoon sessions of a proceeding, no later than 10:30 p.m. the same day as the proceeding or no later than 6 hours after completion of the day's proceeding, whichever occurs later.

(E) *Presiding Judge* is the common pleas judge, magisterial district judge, master, or hearing officer who presided over the hearing for which the transcript is sought. It is not necessarily the judge to whom the case is currently assigned.

## **Rule 4007                      Requests for Transcripts**

(A) All requests for transcripts shall be submitted to the appropriate filing office utilizing a form prescribed by this court's district court administrator. Filing offices shall reject any transcript request that is not submitted on this court's form. Parties seeking to submit the request form approved by the state court administrator, or any other form, shall be required to also submit this court's request form. The district court administrator may adopt an alternative procedure for use by the district attorney, public defender and court-appointed counsel since no costs will be charged to those parties.

(1) For all transcript types, requestors satisfy the requirements of Pa. R.J.A. No. 4007(B) to serve the presiding judge, court reporter and district court administrator by filing the request with the filing office; requestors shall serve copies of their request only upon opposing counsel and self-represented litigants.

(2) Requests for rough drafts or same-day delivery transcripts must be filed at least 10 calendar days *prior* to the proceeding.

(3) This court does not provide expedited or daily transcripts.

(B) Any request for hardship reduction or waiver of costs for any ordinary transcript shall be filed contemporaneously with the request for transcript on a form to be prescribed by the district court administrator. No reduction or waiver of costs shall be requested or granted for any non-appeal / non-ordinary transcript.

(C) Any required costs for transcripts, including deposits, shall be paid by or on behalf of the requestor to the appropriate filing office. All checks, money orders and other non-cash conveyances shall be made payable as directed by the appropriate filing office in accordance with their standard business procedures for collecting other costs and fees. All collected costs shall become the property of the County of York for deposit to the county's general fund.

(D) Any required costs shall be estimated by the court reporter prior to preparation of the transcript. The court reporter shall notify the filing office of the estimated costs based upon transcript type and format, and whether the court has granted the requestor hardship reduction or waiver of costs. The filing office shall notify the requestor if costs are due.

(1) The requestor shall be required to pay a deposit in the amount of 100% of the estimated required costs prior to preparation of the transcript by the court reporter.

(2) If the requestor has not paid the deposit upon the expiration of 10 calendar days following notice to the requestor of the deposit amount due, a request shall be deemed abandoned by the requestor and shall be closed by the filing office.

(3) The deposit amount required for all rough drafts shall be \$500 for each anticipated day and partial day of proceedings. The deposit amount required for all same-day delivery transcripts shall be \$1000 for each anticipated day and partial day of proceedings.

(4) For any transcript type, when two or more requestors file requests for the same transcript, each requestor shall independently pay the full deposit for the transcript.

(E) Upon completion of the transcript, the court reporter shall calculate final total costs and notify the filing office of the amount.

(1) If no balance is due from the requestor, the court reporter shall provide the transcript to the filing office. The filing office shall provide copies of the transcript to the requestor and shall return to the requestor any refund due from deposit.

(2) If a balance is due from the requestor, the filing office shall notify the requestor. Upon receipt of payment from the requestor, the filing office shall notify the court reporter, who shall provide the transcript to the filing office. The filing office shall provide copies of the transcript to the requestor. If the requestor fails to pay any remaining balance due within 10 calendar days of receiving notice, the request shall be deemed abandoned by the requestor and shall be closed by the filing office, the court reporter shall not file the transcript and the filing office shall not refund any deposit.

(3) Due to the mandated time limits for delivery, the court reporter may transmit an electronic copy of a rough draft or same-day delivery transcript directly to the requestor. For all other transcript types, the court reporter shall not deliver transcripts to requestors, but rather to the filing office for service to the requestor.

(F) There is no need or reason for involvement of the court reporter in subsequent requests for copies of transcripts that have already been filed with the filing office and distributed to the parties to the case.

(G) Except when notice of appeal has been filed, prior to requesting a transcript of testimony by a child under the age of 18 years, the requestor shall first file a petition with the presiding judge requesting such transcription. If the court grants transcription of the child's testimony, the requestor shall attach a copy of the order to the transcript request form. The court reporter shall automatically exclude the child's testimony from any non-appeal transcript if the request form does not include a judge's order authorizing the transcription.

**Rule 4008                      Transcript Costs Payable by a Requesting Party Other Than  
the Commonwealth or a Subdivision Thereof**

(A) The court establishes the following per-page fee schedule for transcripts delivered in electronic format:

- (1) appeal / ordinary: \$2.50;
- (2) basic / non-appeal / non-ordinary: \$2.50;
- (3) rough draft retention of realtime stream / non-ordinary: \$2.50;
- (4) this court does not provide expedited transcripts;
- (5) this court does not provide daily transcripts;
- (6) same-day delivery non-ordinary: \$6.50 (must be requested at least 10 calendar days prior to the proceeding); and
- (7) subsequent copy of any transcript previously filed with the filing office: \$0.50.

(B) Except when specifically requested by an incarcerated defendant in a criminal matter, or when specifically requested by any other requestor and specifically ordered by the presiding judge, no paper format transcripts will be provided. A \$0.25 per-page surcharge shall be added to the costs specified in section (A) for any paper transcript.

(C) In cases such as mass tort, medical malpractice, or other unusually complex litigation, where there is a need for court reporters to significantly expand their dictionary, the presiding judge may, at his or her discretion, impose a \$2.00 per-page surcharge in addition to the costs specified in section (A).

(D) Court reporters shall provide to the court realtime transcription of all proceedings presided over by a judge of the court of common pleas, without additional cost or fee. If any party to the case wishes to be provided access to a wireless broadcast stream of that realtime transcription, the party must notify the district court administrator at least ten (10) calendar days in advance of the proceeding. If any party other than the court wishes to retain a digital copy of the realtime transcript beyond conclusion of that day's proceeding, the party shall execute a request for a non-ordinary rough draft and shall pay any required costs prior to the proceeding. Access to realtime transcription shall not be provided to any third party.

**Rule 4009. Fees Payable to the Court Reporter or Transcriptionist**

(A) Court reporters shall be paid by the county a fee of \$1.50 per page for all notes written in court, including proceedings presided over by a judge, a magisterial district judge, or a master. Effective for notes written on or after January 1, 2021, the page rate shall increase to \$1.65, and the page rate shall increase an additional \$0.10 for notes written on or after January 1 of each successive year thereafter.

(B) Court reporters shall be paid by the county a fee of \$0.50 per page for every transcript or order filed with the court for which the reporter has or will be paid the fee in section (A). Effective for transcripts filed on or after January 1, 2021, the page rate shall increase to \$0.55, and the page rate shall increase an additional \$0.05 for transcripts filed on or after January 1 of each successive year thereafter.

(C) Court reporters shall be paid by the county a fee of \$2.00 per page for every transcript or order filed for which the reporter has not and will not be paid the fee in section (A). Effective for transcripts or orders filed on or after January 1, 2021, the page rate shall increase to \$2.20, and the page rate shall increase an additional \$0.15 for transcripts or orders filed on or after January 1 of each successive year thereafter.

(D) In addition to all fees outlined in sections (A), (B), and (C), court reporters shall be paid by the county the following additional per-page fees for every transcript filed of the following type:

(1) rough draft non-ordinary: \$0.50;

(2) same-day delivery non-ordinary: \$2.50 for the writer. The editor shall be paid \$2.50 per page edited, but shall not be paid the per page rate defined in section (A). Effective for notes written on or after January 1, 2021, the page rate shall increase to \$2.75, and the page rate shall increase an additional \$0.15 for notes written on or after January 1 of each successive year thereafter.

**Rule 4010                    Format of Transcript**

All transcripts with an estimated length of 50 pages or more shall include a word list index, which shall be billed at the same page rate as the principal portion of the transcript.

**COURT INTERPRETERS**

**Rule 4800.                    Court Interpreters:**

(A) The Court Administrator shall employ interpreters, or shall have interpreters readily available, upon reasonable notice, for parties and witnesses with limited English proficiency in judicial proceedings, pursuant to 42 Pa.C.S. Sec. 4401, *et seq.*

(1) If the person with limited English proficiency is a principal party in interest in a judicial proceeding for a criminal matter, juvenile proceeding, or other matter in which the right to counsel applies to the individual needing an interpreter, then the payment of the cost of providing the interpreter shall be the responsibility of the County of York.

(2) If the person with limited English proficiency is compelled to appear as a witness in a judicial proceeding for a criminal matter, or a juvenile proceeding, then the payment of the cost of providing the interpreter shall be the responsibility of the County of York.

(3) In any other civil case or other proceeding, responsibility for payment of interpreter services is upon the party requesting the services. Final allocation of all or part of the cost of providing interpreter services shall be in the discretion of the presiding judicial officer unless the principal party in interest requesting the services is indigent. If the principal party in interest requesting the services is indigent, then some or all the cost of providing interpreter services shall be the responsibility of the County of York. The presiding judicial officer may order reimbursement to the County for its responsibilities under this section.

(B) The Court Administrator shall employ interpreters, or shall have interpreters readily available, upon reasonable notice, for parties and witnesses who may be deaf or hard of hearing, pursuant to 42 Pa.C.S. Sec. 4431, *et seq.*

(1) Disposition of all or part of the cost of providing an interpreter appointed shall be in the discretion of the court that has jurisdiction over the judicial proceeding. In no event shall the cost of providing interpreter services be the responsibility of the person who is deaf or hard of hearing.

(2) If the principal party in interest is indigent, then the cost of providing interpreter services shall be the responsibility of the County of York. The presiding judicial officer may order reimbursement to the County for its responsibilities under this section.

(C) The party requesting interpreter services shall provide reasonable notice to the Court Administrator of the need for such services. Any party or witness may use an interpreter secured by that individual so long as the interpreter is on the approved list maintained by the Administrative Office of Pennsylvania Courts or otherwise meets the requirements of 42 Pa.C.S. Sec. 4401 *et seq.*

## **MISCELLANEOUS PROVISIONS**

### **Rule 7010.           Restriction on Removal of Files and Documents**

(A) No file containing original documents, nor any original document contained therein, may be removed from the Offices of the Prothonotary, Clerk of Courts, or Clerk of the Orphans' Court, except by special written permission of the Court, by anyone other than the following:

- (1) A judge of the court or a judge's authorized representative;
- (2) The District Court Administrator;
- (3) The Prothonotary, Clerk of Courts, and Clerk of the Orphans' Court and regularly employed and duly authorized employees of that office;
- (4) A master in divorce or conciliator in child custody cases for use in connection with official duties;
- (5) A chairperson of a board of arbitrators for use in connection with official duties;
- (6) A chairman of a Board of View appointed by the Court in connection with official duties;

(B) Every person authorized to remove a file or document shall at the time of removal give to the Prothonotary, Clerk of Courts, or Clerk of the Orphans' Court, a written receipt for the same identifying the person by whom, or on whose behalf, the item is removed, and such person shall be personally responsible for the custody and return of the item.

**Rule 7020. Designation of Legal Newspaper**

The York Legal Record is designated as the legal newspaper for the publication of court and legal notices.

**Rule 7030. Date and Time of Filing**

The Prothonotary, Clerk of Courts, and Clerk of the Orphans' Court shall endorse the date and time of filing upon all papers filed in their respective offices and shall note the date and fact of filing on the case docket.

**Rule 7040. Digital Media as Evidence** *(new rule, effective 01/01/2024)*

(A) "Electronic evidence" refers to media created, transmitted, or stored in digital format including, but not limited to, all documents, photographs, audio files, video files, text messages, and/or social media excerpts proposed to be submitted as evidence or exchanged in discovery which is transmitted in any form other than paper

(B) All electronic evidence to be presented in a court proceeding or submitted into the record for the York County Court of Common Pleas shall comply with the requirements of this Rule. Any electronic evidence that does not comply with this rule will not become a part of the record of the case.

(C) When electronic evidence is used during a court proceeding, the party submitting electronic evidence shall:

(1) provide a device by which the electronic evidence may be viewed or played which shall have an output which is compatible with the technology in the courtroom;

(2) be familiar with how to operate the device so that the electronic evidence can be viewed;

(3) make the electronic evidence available for use by the opposing parties during cross-examination of the same witness for which it was originally used;

(4) provide the clerk with the electronic evidence, as amended through trial, on its submitted storage device with data preserved in its native format that shall:

(a) have files formatted to a file type, whenever possible, consistent with the acceptable file types periodically published by the court. When a file type is unique or proprietary, the party must provide the appropriate codex or other software to be able to open and view the file on any computer;



(b) have individual files with each file name consistent with how the file will be referenced on the record (e.g., “Commonwealth’s Exhibit 1”);

(c) be provided on a secure and protected media storage device (see (D), below); and

(d) be identified with a label that shall be affixed to each storage device legibly identifying the case caption (which may be abbreviated), docket number(s), and disk number (1 of 2, etc.) if there is more than one media storage device per case. If it is impractical to affix such label directly on the media storage device, the media storage device shall be submitted in an 8½” by 11” envelope which shall be labeled with all the above information.

(D) The court only accepts the media storage device and file types as periodically published by the court on its public website. The court shall periodically seek input from the York County Bar Association regarding device and file types commonly in use by practitioners. Such storage devices shall be for the exclusive use of the courts and authorized court personnel, unless otherwise ordered.

(E) The clerk shall retain electronic evidence for the same time frame as it would retain any other form of evidence.