

LOCAL RULES OF JUDICIAL ADMINISTRATION
COURT OF COMMON PLEAS
43RD JUDICIAL DISTRICT
MONROE COUNTY

Rule 477. 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, 204 Pa. Code § 213.7, 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, in order 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. A copy of the Policy and forms shall be available in each filing office, on this Court's website at www.monroepacourts.us and on the Public Records page of the UJS website at <http://www.pacourts.us/public-records>.

Rule 478. Assignment of Recordkeeping Requirements of 18 Pa.C.S. § 6105.2(f), and 23 Pa.C.S. § 6108(a)(7)(v).

The filing offices shall insure compliance with the recordkeeping requirements / public inspection limitations pursuant to 18 Pa.C.S. § 6105.2(f) and 23 Pa.C.S. § 6108(a)(7)(v).

Rule 1901. Termination of Inactive Cases.

(a) *General Policy.* It is the policy of the Monroe County Court of Common Pleas to bring each pending civil action to a final conclusion as promptly as possible consistent with the interests of justice. When no docket activity has occurred in a civil case for a

period of more than two years, the court will commence proceedings under this rule to terminate the action, pursuant to Pa.R.J.A. No. 1901.

(b) *Procedures for termination of a civil case for inactivity.*

(1) *Call of the list.* The Prothonotary shall prepare a list each year on or about July 1 of civil cases in which there has been no docket activity for more than two years. The Court will schedule a call of that list to give the parties an opportunity to be heard on the termination of a case. The call of the list will be scheduled for the third Monday of October at 9:00 a.m. or at such other date and time for which notice shall be given pursuant to this rule.

(2) *Published notice.* The Prothonotary shall publish notice of the moribund cases scheduled for the call of the termination list one time in the Monroe Legal Reporter at least thirty days before the scheduled call. The notice shall state a) the caption of each case and the names of the attorneys of record or pro se litigants, if any; b) the date, time and location of the call of the list; and c) the requirements of filing written objections and appearing at the call of the list in order to oppose termination, as stated below.

(3) *Written objections* and the call of the list. Any party wishing to oppose the termination of a matter must file written objections with the Prothonotary a minimum of one week prior to the call of the termination list and serve opposing counsel or pro se parties in accordance with the Rules of Civil Procedure. A certificate of service shall be filed with the Prothonotary. If no written objection to dismissal is timely filed, the Prothonotary shall enter an order terminating the case pursuant to Pa.R.J.A. 1901(c)(2), and that matter will not be heard at the call.

If an objection is timely filed and served, the Court will hold argument on that case at the time of the call of the termination list. The party opposing termination must attend the call of the termination list in person or by counsel to argue against the termination of the case. Opposing counsel or parties who wish to be heard may also present argument. The court will then enter an appropriate order.

(c) *Reinstatement.* Any matter terminated under this rule may be reinstated by the Court upon written petition for good cause shown.

(d) *Other remedies not affected.* This rule shall not prevent a party from seeking dismissal of an action due to inactivity through other procedures authorized by law or rule of Court.

Rule 4007. Requests for Transcripts.

(A) General

- a. These rules shall be read in conjunction with the Pennsylvania Rules of Judicial Administration 4001 *et seq.*
- b. Rough draft transcripts shall not be available in this Court.

(B) Deposit or Partial Payment Amounts

- a. For transcript requests filed prior to a notice of appeal, deposit or partial payment amounts shall be 95% of the total transcript cost estimated by the Office of Court Administration and ordered by the Judge of record. Such deposit or partial payment amounts shall be made within fourteen (14) days of the date of the court order directing deposit or partial payment amount or at the time a notice of appeal is filed, whichever is first.
- b. For transcript requests filed concurrent with a notice of appeal, the requesting party shall pay a deposit of \$250.00, unless the appellant is requesting a waiver of cost because of economic hardship.
- c. Orders directing deposit payments and ordering transcription will be vacated if deposit or partial payment amounts are not remitted within the stated timeframe.

(C) Upon completion of the transcript, the Court Reporter, Recorder or Transcriptionist shall file of record Form A – Notice of Completion of Transcript and serve a copy on the requesting party by electronic mail, if available, or regular mail and the District Court Administrator.

- a. For transcript requests where a balance is due, the Form A shall include the amount of the balance owed by the requesting party. Any balance shall be paid within 30 days of the filing of the Form A or at the time a notice of appeal is filed, whichever is first.
- b. For transcript requests that are filed concurrent with a notice of appeal, the requesting party shall comply with Pa.R.A.P. 1922(a) for payment of any balance.

(D) All payments, including deposit and final payment, shall be made payable to the **43rd Judicial District – name of filing office** (*insert appropriate filing office: **Prothonotary, Clerk of Courts or Clerk of Orphans' Court***), remitted at the appropriate filing office and accompanied by Form B – Notice of Payment. All payments shall be nonrefundable. Requesting parties shall file of record Form B – Notice of Payment and serve a copy on the District Court Administrator by hand delivery, by mail, by facsimile transmission or by email to transcripts@monroepacourts.us. The filing office shall place all payments in escrow on the case until such time as the District Court Administrator files of record Form C – Praecipe to Disburse Funds.

(E) The District Court Administrator shall file of record Form C – Praeceptum to Disburse Funds, notifying the appropriate filing office to disburse funds deposited in escrow in accordance with these rules to the Controller’s Office for payment to the transcriptionist, in the following instances:

a. Within thirty (30) days of delivery of the final transcript to the requesting party;
and

b. When payment of the balance owed is not made within thirty (30) days from the date of filing of Form A – Notice of Complete Transcript.

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

(A) The reasonable surcharge in cases such as mass tort, medical malpractice or other unusually complex litigation, where there is a need for Court Reporters or Recorders to significantly expand their dictionary shall be the following:

- a. For an ordinary transcript, \$4.25 per page;
- b. For an expedited transcript, \$5.25 per page;
- c. For a daily transcript, \$6.25 per page;
- d. For same day delivery, \$8.25 per page; and
- e. In bound paper format, additional \$0.25 per page.

Rule 4009. Fees and Procedures.

(A) The fees to be paid for all court reporting products are as follows:

- a. Transcripts requested in accordance with Pa.R.J.A. 4008(A) shall have costs assessed as noted therein.
- b. Transcripts requested in accordance with Pa.R.J.A. 4008(B)(1) shall have costs waived for the requesting party and imputed to the Court for payment to the Transcriptionist. In accordance with Pa.R.J.A. 4007(F), no deposit shall be required.
- c. Transcripts requested in accordance with Pa.R.J.A. 4008(B)(2) shall have costs assessed as follows:
 - i. For an ordinary transcript, \$1.25 per page;
 - ii. For an expedited transcript, \$1.75 per page;
 - iii. For a daily transcript, \$2.25 per page;
 - iv. For same day delivery, \$3.25 per page; and
 - v. In bound paper format, additional \$0.13 per page.
- d. Transcripts requested in accordance with Monroe Co.R.J.A. 4008(A) shall have costs assessed as noted therein.
- e. Transcript costs payable by the Commonwealth or subdivision thereof shall have costs assessed as follows:
 - i. For an ordinary transcript, \$2.00 per page;
 - ii. For an expedited transcript, \$3.00 per page;
 - iii. For a daily transcript, \$4.00 per page;
 - iv. For same day delivery, \$6.00 per page; and

- v. In bound paper format, additional \$0.25 per page.
 - f. The fee for a Real-time feed shall be \$4.25 per page for the duration of the proceedings.
 - g. The fee for court orders shall be \$1.50 per order.
 - h. Transcripts prepared at the initiation of the Court shall have costs assessed in accordance with subsection (e) of this rule.
- (B) All requests for transcripts shall be filed of record in the appropriate filing office. Requests shall be in the form of a motion and shall include the case caption, the standardized form provided by the State Court Administrator in accordance with Pa.R.J.A. 4007(A) and verification. Service of the request shall be made in accordance with Pa.R.J.A. 4007(B).
- (C) Requests for waiver or reduction of costs shall be made by motion to the Judge of record, filed of record in the appropriate filing office, and served in accordance with Pa.R.J.A. 4007(B).

Rule 4011. Deadline for Delivery of Transcript.

Transcription shall commence for cases under appeal upon remittance of the required deposit in accordance with Pa.R.A.P. 1911(a) and 1922(a) and in the manner prescribed in Monroe Co. R.J.A. 4007.

Rule 5101. Custody of Exhibits in Court Proceedings.

- (a) Matters regarding exhibits not addressed in these Local Rules shall be governed by Pa.R.J.A. 5101–5105.

Rule 5102. Custody of Exhibits. General Provisions.

- (a) **During Court Proceedings.** The Court Reporter/Recorder/Monitor shall be the Custodian of all exhibits admitted or rejected during a Court Proceeding, including breaks and recesses, except:
 - (1) The Proponent shall secure all non-documentary exhibits that are bulky, oversized, or physically impractical for the Court Reporter/Recorder/Monitor to maintain, or evidence that is weapons, cash, items of value, drugs, or dangerous materials, while the Court Proceeding is in session, and during all

breaks and recesses.

- (2) In advance of a Court Proceeding, the Proponent shall prepare a photographic copy of all potential non-documentary exhibits pursuant to Pa.R.J.A. 5103(b) for submission to the Court Reporter/Recorder/Monitor at the conclusion of the Court Proceeding in accordance with all applicable Local Rules.
- (3) 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 Court Reporter/Recorder/Monitor at the time the evidence is introduced.

(b) After Court Proceedings.

(1) Custodian. After the close of Court Proceedings:

- (i) **Documentary Exhibits**—The Court Reporter/Recorder/Monitor shall be the Custodian of all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected. The Court Reporter/Recorder/Monitor shall take custody of, secure, and maintain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the Court proceeding in a format approved by the Court;
- (ii) **Non-Documentary Exhibits**—The Proponent of all non-documentary exhibits, including but not limited to bulky or oversized exhibits, weapons, cash, items of value, drugs, or dangerous materials shall secure said exhibits after Court Proceedings and maintain same as required by all applicable retention schedules, statutes, rules, regulations, and policies, or until further order of the Court. The Proponent shall not modify, tamper with or otherwise permit the degradation of any non-documentary exhibit.

- (2) **Index of Exhibits.** Within five days of the conclusion of a Court Proceeding, the Court Reporter/Recorder/Monitor shall file with the appropriate filing office an index of exhibits, which shall include for each exhibit the proponent, whether the exhibit was admitted into evidence, and a textual description or identification of the exhibit. The Court Reporter/Recorder/Monitor shall use the Index of Exhibits Template included below.

Rule 5103. Custody of Exhibits. Special Provisions.

(a) — (d) **Reserved.**

(e) **Use of Digital Media.** The Proponent of any exhibit shall ensure such exhibit, or photographic substitution thereof, is submitted to the Court Reporter/Recorder/Monitor on a Universal Serial Bus (USB) flash drive (or other storage device if expressly approved by the Court), which shall contain an index of all exhibits on said device, in one of the following acceptable formats:

- (1) For documents and photographs, all files shall be in PDF-A format;
- (2) For audio, all files shall be in .mp3 format;
- (3) For video, all files shall be in .mp4 format or, in the event that a Proponent receives from a third party a video file that is not convertible (e.g. Motor Vehicle Recordings (“MVRs”)), the Proponent shall include on the USB with the video file, the appropriate software required to view the video.

Comment: This provision shall be phased in over time but no later than July 1, 2025 to enable counsel to meet the requirements of this provision.

Rule 5104. Local Rule. Prohibition.

(a) **Reserved.**

(b) **Optional Provision.** Support, Divorce, Juvenile, and Dependency Hearing Officer hearings, being proceedings of record upon which exceptions or objections can be filed, are specifically excepted from the provisions of this chapter.