

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) Cases before the Court of Common Pleas.

The Prothonotary, Register of Wills/Clerk of Orphans Court, and Clerk of Courts shall prepare and forward to the District Court Administrator a list of all cases in which no steps or proceedings have been taken for two years or more before the 15th day of August each year for call on the following first Monday of December, or on such other date as the Court by special order may direct. Notice of the proposed termination as provided by Pa.R.J.A. 1901(c), and as provided by Pa.R.Civ.P. 230.2 for actions governed by the Pennsylvania Rules of Civil Procedure, shall be given by the Prothonotary, Register of Wills, Clerk of Orphans Court, and Clerk of Courts, as applicable, to all parties and/or attorneys before the call, including, where required, by publication in the Monroe Legal Reporter. If no written objection or statement of intention to proceed is filed before the call, or if good cause for continuing the matter is not shown at the call, the Court shall enter an order dismissing the proceedings.

(2) Cases before the Magisterial District Courts.

- (i) On or before the 15th day of November each year, each Magisterial District Court shall:
 - (A) identify all summary citations or tickets issued, including those for violation of any local ordinance, where no plea has been entered or other disposition rendered, and there is no evidence of activity for the immediately preceding three-year period;
 - (B) compile a list for all cases identified in subparagraph (b)(2)(i)(A) above and attach a secure docket sheet that indicates the name of the affiant, the name of the defendant, the docket number, and the charge(s) associated with the docket number; and
 - (C) forward this list with attachments to the District Court Administrator.
- (ii) Upon receipt of the list provided under subsection (b)(2), the District Court Administrator shall:
 - (A) publish the list in the Monroe County Legal Reporter; and
 - (B) provide a copy of the list to the Monroe County District Attorney.
- (iii) The publication required in subparagraph (b)(2)(ii)(A) shall include a notice that the matters listed shall be terminated thirty (30) days after

publication unless a party to the proceeding requests a hearing from the appropriate Magisterial District Court.

- (A) If the defendant requests a hearing, the matter shall promptly be scheduled for such hearing or other disposition pursuant to the Rules of Criminal Procedure.
 - (B) If the Commonwealth requests a hearing to oppose termination, the matter shall promptly be scheduled to determine if termination is appropriate.
 - (C) Disposition of any hearing, including hearings where a citation or ticket is dismissed over the objection of the Commonwealth, shall be filed of record in the MDJS.
 - (D) The Commonwealth shall have the right to appeal any determination to the Court of Common Pleas within the time period for Summary Appeals pursuant to the Rules of Criminal Procedure.
- (iv) In the event a hearing is not requested within thirty (30) days of publication, the Magisterial District Judge shall:
- (A) dismiss any summary traffic and non-traffic citation or parking violation filed which was issued three years before November 15th of each respective year;
 - (B) vacate any active warrant issued for the dismissed summary citation or ticket and promptly remove the warrant from MDJS;
 - (C) forward notice to the Pennsylvania Department of Transportation that the citation or ticket has been dismissed and request withdrawal of the defendant's license suspension, if applicable, pursuant to Pa.R.Crim.P. 470; and
 - (D) promptly forward to the District Court Administrator a list of all cases which have been dismissed.

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 comply with all of the following:

- (1) The maximum file size of any individual file on a USB flash drive shall be 50 MB.
- (2) Each separately numbered exhibit must be saved as a separate file on the Proponent's USB flash drive. All files shall be named in accordance with the following naming convention: "[Case Name] [Docket Number] [Proponent Title] Exhibit [#]".
- (3) If one exhibit will exceed the maximum file size, it must be split into as many parts as are necessary to comply with the maximum file size and named in the following, or a substantially similar, format: "[Case Name] [Docket Number] [Proponent Title] Exhibit [#] Part 1 of [total # parts]," and so on.
- (4) Each USB flash drive shall contain an additional file labeled "[Case Name] [Docket Number] [Proponent Title] Index of Exhibits" which shall list all exhibits offered into evidence by the Proponent, and associated information, in the format provided for by the Index of Exhibit Template in Monroe Co. R.J.A. 5102(b)(2).
- (5) For documents and photographs, all files shall be in PDF-A format;
- (6) For audio, all files shall be in .mp3 format;
- (7) 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.
- (8) If any exhibit requires a Confidential Information or Confidential Document Form pursuant to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania, the Proponent shall ensure the first page of any exhibit file is the appropriate form. For any video or audio exhibit that requires a Confidential Information Form, the Proponent shall include on the Storage Device with the video or audio file a PDF-A file containing the appropriate form.
 - i. All files associated with one of these forms must include in the file name the word "CONFIDENTIAL."

(e.1) Upon request of the Proponent, and for good cause shown, the presiding Judge may waive any requirement under subsection (e) of this Rule only.

(f) **Reserved.**

(g) **Requests for Reproduction of Exhibits.** Reproduction of any exhibits governed by these rules may be requested by a party or member of the public by written motion filed with the Prothonotary in civil matters and the Clerk of Court in criminal matters. Such requests for reproduction may be granted where:

- (1) The exhibit(s) requested are not confidential, sealed, or otherwise restricted from public access and the requestor files of record the appropriate request form as designated by the District Court Administrator.
- (2) Upon receipt of an order for reproduction of exhibits, Court Administration will forward the requestor an invoice for the flash drive(s) and postage required to reproduce the exhibits, which must be paid in full before the requestor will receive the reproduced exhibit(s), unless the requestor receives a waiver of costs pursuant to Monroe County Local Rule of Judicial Administration 4009(C).
- (3) All reproduced exhibits will be provided to the requestor on a flash drive, unless the Court orders otherwise for good cause shown by the requestor. All reproduced exhibits will be sent to the requestor by certified mail.
- (4) Fees for flash drive(s) plus postage will be invoiced based on the following:

Required Flash Drive Size	Cost per Flash Drive
1 GB	\$10.00
2 GB	\$18.00
4 GB	\$26.00
8 GB	\$34.00

PLUS

Number of Flash Drives	Postage Cost
1	\$7.50
2	\$9.50
3	\$11.50
4 or more	\$5.50 + \$2.00 per ounce

Accordingly, there will be a minimum charge of \$17.50 per request. If the reproduced exhibits requested exceeds 8 MB of data, the requestor will be invoiced for each size of flash drive required to reproduce all requested exhibits and the associated postage.

- (5) All fees must be paid to the appropriate filing office in accordance with Monroe County Local Rule of Judicial Administration 4007(D).

Comment: As of July 1, 2025, compliance with this Rule will be mandatory for all exhibit submissions, except as altered by the presiding judge pursuant to subsection (e.1).

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.