

Criminal Local Rule 117.1

**(A) Magisterial District Judges—Coverage**

All Magisterial District Judge Offices shall be open for regular business hours from 8:30 a.m. to 4:30 p.m. Monday through Friday, except for county holidays. A Magisterial District Judge shall be available twenty-four hours per day, every day to provide continuous coverage pursuant to a schedule of specified times for after-hours coverage, approved by the Court, when the “on duty” issuing authority will be available to conduct business. Any addition or amendments to the schedule shall be requested in writing, on forms prescribed by the Court.

**(B) Officials Designated to Accept Bail**

In addition to those persons who are authorized by statute or the Pennsylvania Rules of Criminal Procedure to admit an arrestee to bail, the Warden or [sic] the Wayne County Prison or the designee of the Warden shall have the authority to do the same in accordance with and subject to the limitations of the Pennsylvania Rules of Criminal Procedure.

During regular business hours, payment of Bail shall be posted at the appropriate Magisterial District Judge’s Office or at the Clerk of Court’s Office. Monetary bail and surety bonds may be posted outside of regularly scheduled work hours at the Wayne County Prison. The Warden or his designee is authorized to accept such bail and to witness a defendant’s signature on the bail bond at any time. The defendant and surety shall be given a copy of the bail bond. The Warden shall then forward the appropriate bail information any money posted to the Clerk of Courts office on the next business day.

**WAYNE COUNTY CIVIL LOCAL RULES**

**LOCAL RULE 76.1**

- A. This Court hereby designates the LEGAL JOURNAL OF WAYNE COUNTY as the legal publication for Wayne County. All notices and special service required to be published in a legal journal of the County as required by Rule or Statute shall be published in the LEGAL JOURNAL OF WAYNE COUNTY.
- B. The rates to be charge[d] for advertising in the LEGAL JOURNAL OF WAYNE COUNTY shall be established from time to time by the Executive Committee of the Wayne County Bar Association, as approved by the President Judge.

**LOCAL RULE 208.2(d) Certification Regarding Contested Motions**

All motions shall include a certification, signed by counsel for the moving party, stating whether or not said motion is contested or uncontested.

**LOCAL RULE 208.3 (a) Motions**

Except for motions made orally during a trial or hearing, all motions shall be written, shall contain a caption setting forth the name of the court, the number of the action, nature of the proceeding, names of the parties, and the name of counsel, or if no counsel of record, the name of the party making the motion. All motions shall include a proposed Order.

All motions shall be filed in the Wayne County Prothonotary's Office. Any motion which does not seek scheduling of a Rule to Show Cause or Appointment of a Master shall be presented in Motions Court.

If the Motion, Petition or Application is of such nature that opposing parties have the right to be heard, the moving party shall give each opposing party at least forty-eight (48) hours notice of the time when the moving party will appear and present such motion, petition or application, unless the emergency nature of the matter presents such notice. In that situation, the moving party shall give as much notice as is reasonably possible.

**Wayne County Local Rules of Judicial Administration**

**Rule 1000. Public Access— Confidential Information.**

A. Pursuant to Section 7 of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*, the following information is confidential and shall be not included in any document filed with a court or custodian, except on a Confidential Information Form filed contemporaneously with the document:

1. Social Security Numbers;
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified;
3. Driver's License Numbers;
4. State Identification (SID) Numbers;

5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355); and

6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. 1931(a), except for victim's name.

B. In order to comply with this Rule, all confidential information, as defined by Section A, shall be documented on a Confidential Information Form. The form shall be available in each filing office as well as on the court website at: [www.waynecountypa.gov/court-of-common-pleas](http://www.waynecountypa.gov/court-of-common-pleas).

C. This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority, such as juvenile cases or adoptions.

D. Attorneys and self-represented parties shall be solely responsible for complying with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* and the applicable state and local rules and shall certify their compliance to the Court. This certification shall accompany each filing and shall be substantially in the following form: "I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents."

E. The court or appropriate filing office is not required to review or redact any filed document for compliance with the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*. A party's or attorney's failure to comply with this rule shall not affect access to case records that are otherwise accessible.

F. If a filed document fails to comply with the requirements of this section, a court may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended, or any combination thereof. A court may also impose appropriate sanctions for failing to comply with this section.

### **Rule 1001. Public Access— Confidential Documents.**

A. Pursuant to Section 8 of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*, the following documents are confidential and shall be filed with the appropriate filing office under a cover sheet designated "Confidential Document Form":

1. Financial Source Documents;
2. Minors' educational records;
3. Medical/Psychological records;
4. Children and Youth Services' records;
5. Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. 1920.33;

6. Income and Expense Statements as provided in Pa.R.C.P. 1910.27(c); and

7. Agreements between parties as used in 23 Pa.C.S. § 3105.

B. The Confidential Document Form shall be available in each filing office as well as on the court website at: [www.waynecountypa.gov/court-of-common-pleas](http://www.waynecountypa.gov/court-of-common-pleas). Confidential documents submitted with the Confidential Document Form shall not be accessible to the public. The Confidential Document Form shall be accessible to the public.

C. This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority, such as juvenile cases or adoptions.

D. Parties and their attorneys shall be solely responsible for complying with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* and the applicable state and local rules and shall certify their compliance to the Court. This certification shall accompany each filing and shall be substantially in the following form: "I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents."

E. The court or appropriate filing office is not required to review or redact any filed document for compliance with the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

F. If confidential documents are not submitted with the Confidential Document Form, a court may, upon motion or its own initiative, with or without a hearing, order that any such documents be sealed. A court may also impose appropriate sanctions for failing to comply with this section.

#### **Rule 4007.1. Requests for Transcripts.**

(A) All requests for transcripts shall be submitted on a form provided by the district court administrator. The form shall include the current rates charged for transcripts.

(B) For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the district court administrator. The requesting party shall also serve copies of the formal request to:

- (1) the judge presiding over the matter;
- (2) the court recorder or transcriptionist;
- (3) opposing counsel, but if not represented, the opposing party.

(C) Daily, expedited, same day or rough draft transcripts are not available.

(D) When a litigant requests a transcript,

(1) the litigant ordering a transcript shall make payment of the estimated transcript cost. Deposit payments are to be made payable to Wayne County and shall be delivered to the Prothonotary's Office. Payment may be made by cash, check, or money order. Deposit payments are non-refundable, and proof of deposit shall be provided to the district court administrator.

(2) the court recorder or transcriptionist shall prepare the transcript upon direction of the district court administrator.

(3) the court recorder or transcriptionist shall notify the ordering party and the district court administrator of the completion of the transcript.

(4) upon payment of any balance owed, the court recorder or transcriptionist shall deliver the original transcript to the appropriate filing office for distribution. Payment of the final balance shall be made payable to Wayne County and shall be delivered to the Prothonotary's Office. Proof of payment shall be provided to the district court administrator. Copies of the transcript may be requested upon payment in full.

(E) When a litigant requests a transcript, but cannot pay for the transcript because of alleged economic hardship, the court shall determine economic hardship pursuant to the procedure set forth in Rule 4008(B). In cases of economic hardship, where the matter is under appeal or a transcript is necessary to advance the litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the court. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the transcript to advance the litigation, the requesting party must demonstrate reasonable need before the court shall waive or adjust the cost of obtaining the transcript.

(F) When a transcript is requested for which the court or county is responsible for the cost, the court recorder or transcriptionist shall prepare the transcript at the direction of the district court administrator without the necessity of a deposit.

### **Rule 4008.1. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.**

#### **(A) Costs**

(1) The costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, for a transcript in an electronic format shall be:

(a) for an ordinary transcript, \$2.50 per page.

(2) When the transcript is prepared in bound paper format, the costs shall be in accordance with paragraph (1) relating to electronic format plus a surcharge of \$0.25 per page.

#### **(B) Economic hardship—minimum standards**

(1) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be waived for a litigant who has been permitted by the court to proceed *in forma pauperis* or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

(2) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

(3) Transcript costs for ordinary transcripts in matters that are not subject to an appeal, where the transcript is not necessary to advance the litigation, may be waived at the court's discretion for parties who qualify for economic hardship under subdivision (B)(1) or (B)(2) and upon good cause shown.

(4) The application to waive all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure and shall be served with the form requesting a transcript.

(C) Assignment and allocation of transcripts costs

(1) *Assignment of costs.* The requesting party, or party required by general rule to file a transcript, shall be responsible for the cost of the transcript. Costs shall not be assessed against any party for transcripts prepared at the initiation of the court.

(2) *Allocation of costs.* When more than one party requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

(D) Copies of transcript

A request for a copy of any transcript previously ordered, transcribed and filed of record shall be provided according to the following schedule:

(1) \$0.75 per page bound, paper format; and,

(2) \$0.50 per page electronic copy.