

**CHAPTER 5. ADMINISTRATIVE OFFICE OF
PENNSYLVANIA COURTS**

ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

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ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

Rule 501. Court Administrator of Pennsylvania.

(a) The Court Administrator of Pennsylvania shall serve at the pleasure of the Supreme Court. The Court Administrator shall be responsible for the prompt and proper disposition of the business of all courts and justices of the peace.

(b) The Court Administrator shall have a seal with the words “Court Administrator of Pennsylvania” on an outside circle surrounding the arms of the Commonwealth. A facsimile or pre-printed seal may be used for all purposes in lieu of the original seal.

Rule 502. Administrative Office of Pennsylvania Courts.

There shall be an Administrative Office of Pennsylvania Courts which shall be the office of the Court Administrator and shall be maintained at such place as directed by the Supreme Court. It shall be supervised by the Court Administrator of Pennsylvania who shall, either personally, by deputy, by other duly authorized personnel of the system, or by duly authorized agent, exercise the powers and perform the duties by law vested in and imposed upon the Administrative Office.

Rule 503. Staff.

(a) *Supreme Court appointments.* The Supreme Court may appoint and remove the executive personnel of the Administrative Office and such district court administrators and other personnel of the system as may be necessary and proper for the prompt and proper disposition of the business of all courts and justices of the peace.

(b) *Other appointments.* Subject to the approval of the Supreme Court, the Court Administrator may appoint and remove such personnel of the Administrative Office and such appellate and district court administrators, and their staffs, as are authorized for the system. After no more than a six-month probationary

period, no appellate court administrator, district court administrator, deputy court administrator or special courts administrator may be removed without the prior written approval of the Court Administrator. In the event of a vacancy in the position of appellate court administrator, district court administrator, deputy court administrator or special courts administrator in any of the Judicial Districts of the Commonwealth, the position shall be filled by the President Judge or, in such Districts where there are Administrative Judges, by the majority vote of the President Judge and Administrative Judges, only with the written approval of the Court Administrator of Pennsylvania. If no such approval is obtained, further candidates for the position(s) shall be presented until such approval is obtained. In no case shall an “acting” court administrator or “acting” deputy or special courts administrator be put in place for longer than six months without the written approval of the Court Administrator being sought and received.

Source

The provisions of this Rule 503 amended October 10, 1979, effective October 20, 1979, 9 Pa.B. 3509; amended June 7, 1996, effective September 1, 1996, 26 Pa.B. 2985. Immediately preceding text appears at serial pages (192783) to (192784).

Rule 504. Powers of the Court Administrator.

(a) *Purchasing and financial activities.* Under the direction of the Supreme Court, the Court Administrator shall have the power:

- (1) To purchase goods or services for the system from funds appropriated to the system, including the rental of space and requests for the construction or modification of Commonwealth facilities to be utilized by the system.
- (2) To approve or disapprove requests for the purchase of goods or services by other personnel of the system from funds appropriated to the system, including the rental of space and requests for the construction or modification of Commonwealth facilities to be utilized by the system.
- (3) To approve or disapprove transfers of unexpended funds from the purpose for which they were originally budgeted to any other lawful purpose of the system.

(b) *Other powers.* Subject to any inconsistent order or general rule of the Supreme Court, the Court Administrator shall have and exercise the powers necessary for the administration of the system and related personnel and the administration of the Judicial Branch and the unified judicial system.

(c) Until further order of the Supreme Court, the Court Administrator shall continue to have authority as heretofore with respect to matters within the scope of 42 Pa.C.S. § 1724(a)(3); all other powers conferred by said provision shall be exercised by or pursuant to order of the Supreme Court. The taking effect of the Judicial Code, as such, shall not affect the number, grade or compensation of authorized positions within the personnel of the system whose compensation is not fixed by statute.

(d) Until further order of the Supreme Court, authority under 42 Pa.C.S. § 1724(a)(7) shall be exercised by the Court Administrator, who shall prepare and submit to the Court recommendations for permanent standards under said provision.

Source

The provisions of this Rule 504 adopted October 10, 1979, effective October 20, 1979, 9 Pa.B. 3509.

Rule 505. General functions of the Administrative Office.

The Administrative Office shall have the power and its duties shall be:

(1) To review the operation and efficiency of the system and of all offices related to and serving the system and, when necessary, to report to the Supreme Court or the Judicial Council with respect thereto.

(2) To formulate and submit to the Supreme Court recommendations for the improvement of the system and offices related to and serving the system.

(3) To represent the system before the General Assembly and other legislative bodies with respect to matters affecting the system and offices related to and serving the system.

(4) To examine the administrative and business methods employed in the office of the prothonotaries and clerks of court and other offices within or related to and serving the system and make recommendations for necessary improvement.

(5) To collect and compile financial and other statistical data and other information on the business of the courts and the justices of the peace and on the work of all offices related to and serving the system, to publish periodic reports with respect thereto and to furnish to the Supreme Court such information as may be requested by it.

(6) To examine the state of the dockets and practices and procedures of the courts and of the district justices of the peace and make recommendations for the expedition of litigation.

(7) To prepare and submit to the Supreme Court for review and approval a tentative budget request for the system and to appear before the Secretary of the Budget and the General Assembly in support of the final budget request of the system as approved by the Supreme Court.

(8) To disburse and to approve or disapprove requests for permission to spend or encumber funds appropriated to the system within the limits established under Rule 504(a).

(9) To procure and to make available to the personnel of the system entitled thereto, accommodations, goods and services secured through funds appropriated to the system.

(10) To maintain central records relating to the qualifications, employment status, basis of compensation, and other personnel information of all personnel of the system compensated in whole or in part through funds appropriated to the system.

(11) To supervise all administrative matters relating to the offices of the prothonotaries and clerks of court and other system and related personnel engaged in clerical functions, including the institution of such uniform procedures, indexes and dockets as may be approved by the Supreme Court.

(12) To prepare educational and training materials for system and related personnel and to conduct educational and training sessions.

(13) To receive comments and complaints from the public relating to the system and offices relating to and serving the system.

(14) To prepare and publish an annual report on the work of the system and of the offices related to and serving the system and on the activities of the Court Administrator of Pennsylvania and the Administrative Office of Pennsylvania Courts.

(15) To provide to personnel of the system legal services and, when appropriate, representation by legal counsel.

(16) To perform such additional duties as may be assigned by law or by the Supreme Court.

Source

The provisions of this Rule 505 amended and effective Jan. 18, 1974, amended October 10, 1979, effective October 20, 1979, 9 Pa.B. 3509. Immediately preceding text appears at serial pages (21258) to (21259).

Rule 506. Cooperation with Administrative Office.

(a) *Cooperation required.* All system and related personnel shall comply with all standing and special requests or directives made by the Administrative Office for information and statistical data relative to the work of the system and of the offices related to and serving the system and relative to the expenditure of public monies for their maintenance and operation.

(b) *Enforcement.* The Court Administrator shall report any case of neglect or refusal to comply with requests or directives made under subdivision (a) of this rule to the Supreme Court at its first meeting following such neglect or refusal, giving full particulars, including the names of the personnel involved, the nature of the request or directive and the degree of neglect or refusal. The Chief Justice may require the attendance of the personnel involved at an appropriate hearing, held in accordance with the order of the Chief Justice. After opportunity for hearing, the Chief Justice may enter such order as may be appropriate to the circumstances of the case.

Source

The provisions of this Rule 506 amended October 10, 1979, effective October 20, 1979, 9 Pa.B. 3509. Immediately preceding text appears at serial page (21260).

Rule 507. Record Retention Schedules.

(a) *Offices Scheduled by the County Records Committee.* Counties of the First Class.

(1) *Offices Scheduled by the County Records Committee.* Common Pleas Court Prothonotaries, Clerks of Courts, Clerks of Orphans' Courts, Registers of Wills, District Attorneys, Sheriffs, Coroners, and Jury Commissioners or their Home-Rule equivalents when disposing of records shall do so in conformity with the applicable record retention schedules and the conditions stipulated therein promulgated from time to time by the County Records Committee under the act of August 14, 1963 (P. L. 839, No. 407) (16 P. S. § 13001 et seq.).

(2) *Counties of the First Class.* Prothonotaries, Clerks of Courts, Clerks of Orphans' Courts, Registers of Wills, and Jury Commissioners of counties of the first class when disposing of records shall do so in conformity with the record retention schedules and the conditions stipulated therein promulgated from time to time by the County Records Committee for counties of the second through eighth classes under the act of August 14, 1963 (P. L. 839, No. 407) (16 P. S. § 13001 et seq.), as amended.

(b) *Offices Scheduled by the Supreme Court.* System and related personnel engaged in clerical functions in offices which support the offices covered by general or specific record retention and disposition schedules promulgated from time to time by the Supreme Court when disposing of records shall do so in conformity with the record retention and disposition schedules and the conditions stipulated therein.

(c) *Non-scheduled offices.* System and related personnel in offices not covered under subdivisions (a) or (b) when disposing of records shall submit to the Administrative Office of Pennsylvania Courts and to the Pennsylvania Historical and Museum Commission duplicate copies of a record disposal certificate form and a written statement explaining the nature and the content of the records. After consultation with the Commission, the Administrative Office may authorize the destruction of such records, either with or without the retention of a permanent copy.

(d) *Disposal Certification Requests. Disposal Logs.* All requests for disposition of permanent records shall be made on forms adopted from time to time by the Administrative Office of Pennsylvania Courts. No permanent records may be disposed unless authorization is sought, and received, utilizing the appropriate disposal certification request form. All non-permanent records disposed upon expiration of the retention period provided in the applicable record retention and disposition schedules shall be listed on record disposal log forms adopted from

time to time by the Administrative Office of Pennsylvania Courts. The record disposal log forms shall be filed with the Administrative Office of Pennsylvania Courts on an annual basis, or as otherwise provided by the Administrative Office of Pennsylvania Courts.

Official Note: The record retention schedules promulgated by the County Records Committee are only applicable to county offices of counties of the second through eighth classes, since the County Records Act, as amended, is only applicable to counties of the second through eighth classes. Accordingly, none of the county offices of the counties of the first class are governed by the County Records Act. Nonetheless, many of the county offices of the counties of the first class which support the Unified Judicial System unofficially utilize the record retention schedules promulgated by the County Records Committee in disposing official records within their control. In order to foster uniformity among these offices, subsection (a)(2) was added, specifically listing the offices within the counties of the first class which must henceforth comply with the record retention schedules promulgated by the County Records Committee.

**UNIFIED JUDICIAL SYSTEM SCHEDULED COURT RECORDS
DISPOSAL CERTIFICATION REQUEST**

[Pursuant to PA RJA 507(b)]

COUNTY	JUDICIAL DISTRICT	IF APPLICABLE	
		MAGISTERIAL DISTRICT	DISTRICT JUSTICE NAME
OFFICE OF ORIGIN		PERSON MAKING DISPOSAL REQUEST (RECORD CUSTODIAN)	
ADDRESS			
Approval Requested For: <input type="checkbox"/> Records Destruction <input type="checkbox"/> Records Transfer to PHMC			
RECORD TITLE AND INCLUSIVE DATES <i>(one series per form)</i>			
DESCRIPTION OF RECORD <i>(include type of information contained and purpose of record)</i>			
RETENTION PERIOD IN SCHEDULE	PAGE AND SECTION IN SCHEDULE	HAVE ALL AUDIT REQUIREMENTS BEEN MET? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable	
QUANTITY _____ TOTAL CUBIC FEET			
No. of cartons _____	Length _____	Width _____	Height _____ OF AVERAGE CARTON
No. of volumes _____	Length _____	Width _____	Height _____ OF AVERAGE VOLUME
No. of file drawers _____	<input type="checkbox"/> Legal <input type="checkbox"/> Letter <input type="checkbox"/> Other _____		
HAVE RECORDS BEEN MICROFILMED? <input type="checkbox"/> Yes <input type="checkbox"/> No		ARCHIVAL MEDIUM UTILIZED	
Size: <input type="checkbox"/> 16mm <input type="checkbox"/> 35mm <input type="checkbox"/> Other _____			
Form: <input type="checkbox"/> Roll <input type="checkbox"/> Cartridge <input type="checkbox"/> Cassette <input type="checkbox"/> Fiche			
<input type="checkbox"/> Other _____			
LOCATION OF SECURITY COPY			
FOR USE BY RECORD CUSTODIAN			
_____ hereby requests that the Record Retention Officer seek approval from the Administrative Office of Pennsylvania Courts for permission to dispose of or transfer the records identified above.			
_____	_____	_____	_____
<i>Date</i>	<i>Signature</i>	<i>Phone Number</i>	
FOR USE BY DISTRICT RECORDS RETENTION OFFICER			
Authorization to dispose of or transfer the above-identified records is requested. If destruction of the records is requested, I certify that the records have been reproduced on a medium approved by the Administrative Office of Pennsylvania Courts.			
_____	_____	_____	
<i>Date</i>	<i>Signature</i>	<i>Judicial District</i>	
FOR USE BY THE ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS			
Review by the Pennsylvania Historical and Museum Commission <input type="checkbox"/> is <input type="checkbox"/> is not requested.			
_____	_____	_____	
<i>Date</i>	<i>Signature</i>	<i>Title</i>	
FOR USE BY THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION ONLY IF REVIEW REQUESTED BY AOPC			
<input type="checkbox"/> Concur With Request <input type="checkbox"/> Recommend Denial of Request <input type="checkbox"/> Recommend Disposal Request Be Amended As Follows:			
_____	_____	_____	
<i>Date</i>	<i>Signature</i>	<i>Title</i>	
FOR USE BY THE ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS			
Approval is given for: <input type="checkbox"/> Destruction <input type="checkbox"/> Destruction as Amended <input type="checkbox"/> Transfer to PHMC			
<input type="checkbox"/> Disapproved <input type="checkbox"/> Retain Pending Further Instructions			
Comments/Amendments:			
_____	_____	_____	
<i>Date</i>	<i>Signature</i>	<i>Title</i>	

*Original must be sent to the Administrative Office of Pennsylvania Courts, 1515 Market Street, Suite 1414, Philadelphia, PA 19102.
Keep a copy for your records.*

Source

The provisions of this Rule 507 adopted August 1, 1980, effective August 2, 1980, 10 Pa.B. 3164; amended July 19, 1990, effective immediately, 20 Pa.B. 4698; amended November 28, 2001, effective January 14, 2002, 31 Pa.B. 6780. Immediately preceding text appears at serial pages (216457) to (216458) and (256793) to (256794).

Rule 508. [Reserved].**Source**

The provisions of this Rule 508 adopted October 28, 1994, effective November 21, 1994, 24 Pa.B. 5835; reserved June 7, 1999, effective June 7, 1999, 29 Pa.B. 3189. Immediately preceding text appears at serial pages (216460) to (216461).

Rule 509. Access to Financial Records.

(a) *General policy.* Financial records of the Unified Judicial System are presumed to be open to any member of the public for inspection or copying during established business hours. The term “financial records” is defined as any account, contract, invoice or equivalent dealing with: 1) the receipt or disbursement of funds appropriated to the system; or 2) acquisition, use or disposal of services, supplies, materials, equipment or property secured through funds appropriated to the system.

(b) *Accessibility.* All financial records are accessible to the public except the following:

(1) any part of a record setting forth information to which access is otherwise restricted by federal law, state law, court rule, court order or court policy;

(2) any part of a record setting forth a person’s social security number, home address, home telephone number, date of birth, operator’s license number, e-mail address, or other personal information,

(3) any part of a record setting forth financial institution account numbers, credit card numbers, personal identification numbers (PINs) and passwords used to secure accounts;

(4) any part of a record setting forth information presenting a risk to personal security, personal privacy, or the fair, impartial and orderly administration of justice, as determined by the Court Administrator of Pennsylvania.

(c) *Procedure for requesting access.*

(1) A request to inspect or obtain copies of records accessible pursuant to this rule and in possession or control of the Administrative Office of Pennsylvania Courts shall be made in writing to the records manager, as designated by the Court Administrator of Pennsylvania. A request to inspect or obtain copies of records accessible pursuant to this rule and in possession or control of a court of a judicial district shall be made in writing to the records manager, as designated by the president judge. A written request may be submitted in person, by mail, by e-mail, by facsimile, or, to the extent provided, any other electronic means, on a form provided by the Administrative Office.

Official Note: Information related to procedures applicable to written requests to the AOPC may be found on the UJS web site, located at www.courts.state.pa.us. Information related to procedures applicable to requests for courts within a judicial district should be posted on the local court's web site.

(2) A request should identify or describe the records sought with sufficient specificity to enable the records manager to ascertain which records are being requested. A request need not include any explanation of the requester's reason for requesting or intended use of the records.

(3) The records manager shall not be required to create financial records which do not currently exist or to compile, maintain, format or organize such records in a manner in which the records are not currently compiled, maintained, formatted or organized.

(4) Within 10 business days of receipt of a written request, the records manager shall respond in one of the following manners:

(i) fulfill the request, or if there are applicable fees and costs that must be paid by the requester, notify requester that the information is available upon payment of same;

(ii) notify the requester in writing that the requester has not complied with provisions in this rule and specifically identify the reason(s) why;

(iii) notify the requester in writing that the information cannot be provided and specifically identify the reason(s) why;

(iv) notify the requester in writing that the request has been received and the expected date that the information will be available, not to exceed 30 business days.

Official Note: Subsection (c)(4)(iv) contemplates that bona fide reasons may impede the ability of the records manager to fulfill a request within 10 business days (e.g., extensive redaction required of personal identifiers; retrieval of a record(s) stored in a remote location may be required; timely response cannot be accomplished due to staffing limitations; or the extent or nature of the request precludes a response within the requisite time period).

(5) If the AOPC records manager denies a written request for access, the denial may be appealed in writing within 15 business days of the mailing date of the written response by the records manager to the Court Administrator of Pennsylvania or designee. Within 20 business days of receipt of the appeal, the Court Administrator or designee shall make a determination and forward it in writing to the requester. This remedy need not be exhausted before other relief is sought. Any further appeal shall be subject to Chapter 15, Judicial Review of Governmental Determinations, of the Pennsylvania Rules of Appellate Procedure.

If the records manager of a judicial district denies a written request for access, the denial may be appealed in writing within 15 business days of the mailing date of the written response by the records manager to the president judge or designee. Within 20 business days of receipt of the appeal, the president judge or designee shall make a determination and forward it in writing to the requester. This

remedy need not be exhausted before other relief is sought. Any further appeal shall be subject to Chapter 15, Judicial Review of Governmental Determinations, of the Pennsylvania Rules of Appellate Procedure.

(d) *Fees.*

(1) Reasonable costs incurred in providing public access to records may be charged pursuant to this rule. Such costs may include, but are not limited to, postage, photocopying, copying onto electronic media, transmission by facsimile or other electronic means, and other means of duplication.

(2) Prior to granting a request for access in accordance with this rule, the records manager may require a requester to prepay an estimate of the fees associated with the request, if the fees are expected to exceed \$100.

(e) *Publication of Contract Information.*

The Administrative Office shall make contract information available on the Unified Judicial System's web site.

Official Note: The Pennsylvania Judiciary's long-standing practice of providing open, public access to its records, both administrative and case-related, has been formalized in this rule and other policies adopted by the Supreme Court. The underlying premise for public access policies and practices in the Unified Judicial System is always the presumption of open records.

Initially promulgated by the Supreme Court on May 14, 2007, this rule furthers the Judiciary's commitment to establishing systematic processes for requesting and accessing state court system records. The rule took effect July 1, 2007.

The enactment of revisions to the Right-to-Know Law (Act 3 of 2008) occurred on February 14, 2008. Act 3 includes the judiciary only as it pertains to access of financial records, as defined by the Act, and regarding the Internet publication of judiciary contracts by the Commonwealth's Treasury Department. Section 304 of Act 3 of 2008 provides that a "*judicial agency shall provide financial records in accordance with this act or any rule or order of court providing equal or greater access to the records.*" [Emphasis added.]

This rule, as amended, is promulgated pursuant to the Pennsylvania Supreme Court's constitutional authority regarding the administration of the courts under Article V, Section 10 and Section 304 of Act 3 of 2008. The expansion of the scope of this rule is in accordance with the continuing effort to promote the Unified Judicial System's policy of the public's right of access to records that deal with the use of public funds.

Pursuant to the Supreme Court's Order of June 23, 2008, access to financial records and publication of contract information of the Unified Judicial System shall be provided in accordance with this rule.

(2) Prior to granting a request for access in accordance with this rule, the Administrative Office may require a requester to prepay an estimate of the fees associated with the request, if the fees are expected to exceed \$100.

201 Rule 509**RULES OF ADMINISTRATION****Source**

The provisions of this Rule 509 adopted May 14, 2007, effective July 1, 2007, 37 Pa.B. 2491; amended June 23, 2008, effective January 1, 2009, 38 Pa.B. 3613. Immediately preceding text appears at serial pages (327919) to (327921).

[Next page is 7-1.]