# PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

Chap.		Sec.
201.	UNIFIED JUDICIAL SYSTEM	201.1
205.	ELECTRODATA PROCESSING OPERATIONS	205.1
207.	TRANSMITTING REMITTANCES	207.1
209.	PENNSYLVANIA APPELLATE COURTS RECORDS	
	RETENTION SCHEDULE	209.1
211.	CONSUMER PRICE INDEX AND JUDICIAL SALARIES	211.1
213.	COURT RECORDS POLICIES	213.1
215.	SPECIAL INDEPENDENT PROSECUTOR'S PANEL	215.1
217.	SEARCH WARRANT	217.1
219.	CLERK OF COURTS; WAIVER	219.1
221.	COURT INTERPRETERS FOR PERSONS WITH LIMITED	
	ENGLISH PROFICIENCY AND FOR PERSONS WHO ARE	
	DEAF OR HARD OF HEARING	221.1

### CHAPTER 201. UNIFIED JUDICIAL SYSTEM

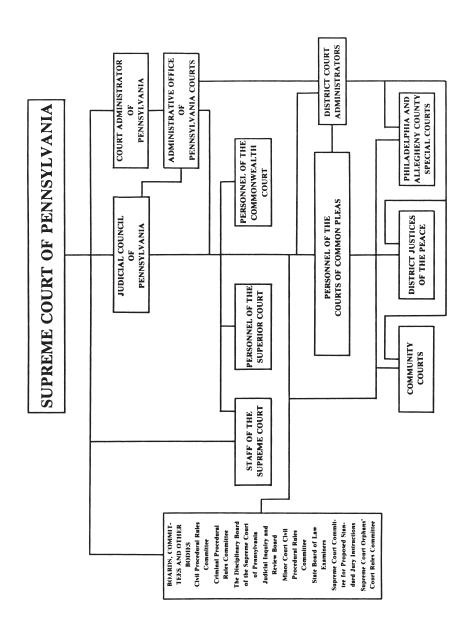
Sec.	
201.1.	Organization of the Unified Judicial System.
201.2.	Appellate jurisdiction within the Unified Judicial System.
201.3.	Status of indicting grand juries; initiation of criminal proceedings by
	information.
201.4.	Office of the Clerk of the Court of Common Pleas generally.
201.5.	Civil Functions transferred from the office of the clerk of the courts.
201.6.	Jury selection commissions.
201.7.	Sheriffs.
201.8.	Register of wills.

### Source

The provisions of this Chapter 201 adopted June 3, 1971, 1 Pa.B. 1370, amended through January 4, 1974, 4 Pa.B. 7, unless otherwise noted.

## § 201.1. Organization of the Unified Judicial System.

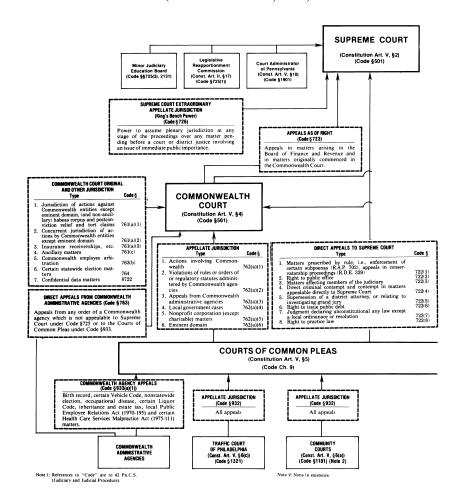
The following is an unofficial chart of the administrative organization of the Unified Judicial system of the Commonwealth of Pennsylvania:



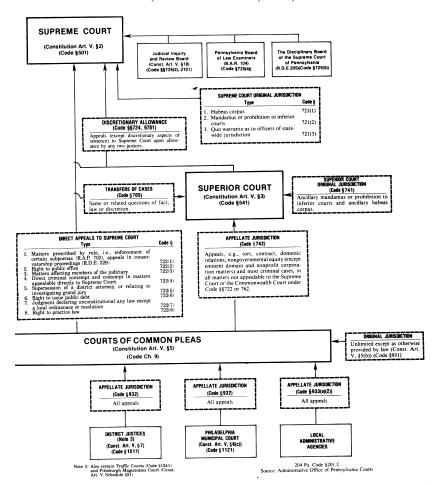
# § 201.2. Appellate jurisdiction within the Unified Judicial System.

The following is an unofficial chart of the appellate jurisdiction of the Unified Judicial system of the Commonwealth of Pennsylvania:

# COMMONWEALTH OF PENNSYLVANIA— (As of December 4, 1980)



# UNIFIED JUDICIAL SYSTEM (As of December 4, 1980)



### Source

The provisions of this § 201.2 amended through December 26, 1980, effective December 27, 1980, 10 Pa.B. 4956. Immediately preceding text appears at serial pages (35721) and (39533).

# § 201.3. Status of indicting grand juries; initiation of criminal proceedings by information.

(a) General rule. The Supreme Court of Pennsylvania pursuant to Section 10 of Article 1 of the Constitution of Pennsylvania has approved the initiation of criminal proceedings by information in the following courts of common pleas:

County	Judicial District	Docket Page	Reference Docket No.	Effective Date
Adams	51	179	21	May 1, 1976
Allegheny	5	178	21	June 1, 1976
Armstrong	33	83	21	January 1, 1976
Beaver	36	150	21	March 1, 1976
Bedford	57	31	E.D. 1990	November 19, 1991
Berks	23	53	21	January 1, 1976
Blair	24	54	21	January 1, 1976
Bradford	42	340	21	March 1, 1977
Bucks	7	46	21	January 1, 1976
Butler	50	62	21	January 1, 1976
Cambria	47	77	21	January 1, 1976
Cameron	59	88	21	January 1, 1976
Carbon	56	74	21	January 1, 1976
Centre	49	309	20	January 6, 1975
Chester	15	50	21	January 1, 1976
Clarion	18	187	E.D. 1980	February 21, 1980
Clearfield	46	43	21	January 1, 1976
Clinton	25	308	21	December 9, 1976
Columbia	26	89	21	January 1, 1976
Crawford	30	70	21	January 1, 1976
Cumberland	9	293	21	December 1, 1976

County	Judicial District	Docket Page	Reference Docket No.	Effective Date
Dauphin	12	49	21	January 1, 1976
Delaware	32	56	21	January 1, 1976
Elk	59	88	21	January 1, 1976
Erie	6	42	21	January 1, 1976
Fayette	14	223	21	June 7, 1976
Forest	37	51	E.D. 1978	April 5, 1978
Franklin	39	291	21	January 1, 1977
Fulton	39	291	21	January 1, 1977
Greene	13	176	E.D. 1978	October 31, 1978
Huntingdon	20	87	21	January 1, 1976
Indiana	40	175	E.D. 1978	October 31, 1978
Jefferson	54	451	21	October 14, 1977
Juniata	41	58	21	January 1, 1976
Lackawanna	45	188	E.D. 1983	December 12, 1983
Lancaster	2	69	21	January 1, 1976
Lawrence	53	572	E.D. 1980	August 28, 1980
Lebanon	52	44	21	January 1, 1976
Lehigh	31	55	21	January 1, 1976
Luzerne	11	48	21	January 1, 1976
Lycoming	29	59	21	January 1, 1976
McKean	48	61	21	January 1, 1976
Mercer	35	309	21	December 9, 1976
Mifflin	58	64	21	January 1, 1976
Monroe	43	60	21	January 1, 1976
Montgomery	38	57	21	January 1, 1976
Montour	26	90	21	January 1, 1976

County	Judicial District	Docket Page	Reference Docket No.	Effective Date
Northampton	3	45	21	January 1, 1976
Northumberland	8	67	21	January 1, 1976
Perry	41	58	21	January 1, 1976
Philadelphia	1	504	19	January 1, 1976
Pike	60	60	21	January 1, 1976
Potter	55	63	21	January 1, 1976
Schuylkill	21	41	E.D. 1978	March 27, 1978
Snyder	17	87	E.D. 1984	June 29, 1984
Somerset	16	51	21	January 1, 1976
Sullivan	44	71	21	January 1, 1976
Susquehanna	34	129	E.D. 1979	December 31, 1979
Tioga	4	180	21	May 1, 1976
Union	17	87	E.D. 1984	June 29, 1984
Venango	28	68	21	January 1, 1976
Warren	37	51	E.D. 1978	April 5, 1978
Washington	27	249	21	August 2, 1976
Wayne*	22			
Westmoreland	10	47	21	January 1, 1976
Wyoming	44	71	21	January 1, 1976
York	19	52	21	January 1, 1976

\*By order of the Supreme Court, the statewide rules of criminal procedure governing indicting grand juries and indictments were rescinded effective September 1, 1993. *See also*, Pa.R.Crim.P. 103 (defining "information" as replacing the indictment in all counties "since the use of the indicting grand jury has been abolished.").

(b) Status of grand jury. 42 Pa.C.S. § 8931(f) provides that no grand jury shall be impaneled in any judicial district where the Supreme Court has approved the initiation of criminal proceedings by information, for the purpose of considering bills of indictment, and that such provision shall not prohibit the impanel-

ing of grand juries under and with the powers provided in Subchapter 45D of the Judicial Code (42 Pa.C.S. § 4541 et seq.) or for any other purpose as provided or prescribed by law.

#### Source

The provisions of this § 201.3 adopted June 30, 1978, 8 Pa.B. 1747, amended May 1, 1981, effective May 2, 1981, 11 Pa.B. 1435; amended December 2, 2011, effective December 3, 2011, 41 Pa.B. 6377. Immediately preceding text appears at serial pages (250502) and (236525) to (236526).

# § 201.4. Office of the Clerk of the Court of Common Pleas generally.

- (a) General rule. Except as provided in subsection (b) of this section the functions of the Office of the Clerk of the Court of Common Pleas are performed by the county officers and other personnel specified in 42 Pa.C.S. Ch. 27 (relating to Office of the Clerk of the Court of Common Pleas).
- (b) *Home rule counties*. As provided by 42 Pa.C.S. § 2701(b) (relating to scope and purpose of chapter), a county home rule charter may supersede the provisions of 42 Pa.C.S. Ch. 27. The following unofficial summary of local law is provided for the general information of the public and system and related personnel, and shall not be construed as an authoritative interpretation of any provision of law:
  - (1) Delaware County. Section 801 of the charter provides that the elected Register of Wills shall be the Clerk of the Orphans' Court Division, and section 802 provides for the appointment by the Register, subject to the budgetary approval of the County Council, of a deputy or deputies and such other assistants as may be required. All other functions of the Office of the Clerk of the Court of Common Pleas are vested in an Office of Judicial Support, which the County Council is required by section 425 of the charter to establish by combining the offices of the Clerk of the Courts and Prothonotary. Section 1213 of the charter provides that the separate office of Clerk of the Courts was abolished on the first Monday of January 1978 and that the separate office of Prothonotary shall be abolished effective the first Monday of January 1980. The Office of Judicial Support is headed by a Director, and its operations are governed by section 10.16 of the County Administrative Code. Section 422 of the charter provides in effect that the County Solicitor and Assistant Solicitors shall provide legal advice and assistance to the Office of Judicial Support.
  - (2) Erie County. Section 1 of Article IV of the charter provides for an elected Clerk of Records, who has and exercises all powers and duties conferred by law upon the Prothonotary, the Clerk of the Courts and the Clerk of the Orphans' Court Division (and also the Recorder of Deeds) and any additional duties and powers conferred by the County Council. Article II, section 3B, of the County Administrative Code prescribes the organization of the Office of the Clerk of Records and establishes four divisions: Prothonotary (Civil), Clerk of Courts (Criminal), Recorder of Deeds and Register of Wills

and Clerk of Orphans' Court. Section 3 of Article V of the charter provides that the County Solicitor is the chief legal officer and attorney for the County government and that no other legal counsel may be employed without the approval of the County Council. Section 4 of Article VII of the charter provides that the

Clerk of Records may hire the employes of the Department of Records, but only from lists of eligibles certified by the Director of Personnel.

- (3) Lackawanna County. Article X of the charter provides that an elected Register of Wills shall exercise the powers granted by law to registers of wills in counties of its class. Section 1302(a) of The County Code (16 P. S. § 1302(a)) provides in effect that in counties of such class the offices of Register of Wills and Clerk of the Orphans' Court Division are combined. Article VIII of the charter provides for an elected Clerk of Judicial Records, who has all powers, functions and duties previously assigned by law to the office of Prothonotary and office of Clerk of the Courts. Section 2.16 of the County Administrative Code sets forth the structure, organization, manner and operational procedures whereby the office of the Clerk of Judicial Records operates and functions.
- (4) Lehigh County. Section 501(a) of the charter, as amended, provides that the judicial power in Lehigh County is vested in the Court of Common Pleas of the 31st Judicial District of the Commonwealth of Pennsylvania, presently composed of Lehigh County, and the district justices in such district, all of which, the charter provides, are part of the Unified Judicial System of the Commonwealth of Pennsylvania and not a part of the County government, and such courts and other judicial officers as may be established by law. Section 501(c) of the charter provides for the appointment by the Court of Common Pleas en banc of a Clerk of the Orphans' Court Division who has and exercises the powers and duties conferred by law on the Clerks of the Orphans' Court Division by applicable law. Section 508 of the charter provides for an elected Clerk of Courts who, on and after the first Monday of January 1980, shall have and exercise all powers and duties conferred by law upon the Prothonotary and the Clerk of the Courts.
- (5) Northampton County. Article I of the charter provides for an elected County Executive. Section 1303 of the charter abolished the offices of Prothonotary (and Recorder of Deeds) and, effective the first Monday of January 1980, Clerk of the Courts and Clerk of the Orphans' Court Division. Section 1304(b)(2) of the charter transfers the duties, functions and powers of such offices to the County Executive or to his subordinate as provided by law. Article V of the County Administrative Code provides for the establishment of a Department of Court Services, headed by a Director of Court Services who is responsible to the County Executive. The Department of Court Services is organized into the following divisions: Clerk of Courtsz, Criminal Division, Clerk of Courts, Civil Division (Prothonotary), Recorder of Deeds, Register of Wills and Clerk of Courts, Orphans' Court Division.

#### Source

The provision of this § 201.4 adopted September 19, 1979, effective September 29, 1979, 9 Pa.B. 3304, amended February 8, 1980, effective February 9, 1980, 10 Pa.B. 644. Immediately preceding text appears at serial page (45714).

# § 201.5. Civil functions transferred from the office of the clerk of the courts.

- (a) General rule. Except as provided in subsections (b) and (c) of this section, under certain existing statutes papers with respect to certain road, liquor, municipal and other miscellaneous civil matters formerly within the jurisdiction of the Court of Oyer and Terminer and General Jail Delivery or the Court of Quarter Sessions of the Peace are required to be filed in the Office of the Clerk of the Courts.
- (b) Allegheny County. 42 Pa.C.S. § 2756(b)(1) (relating to matters or documents filed in the office of the clerk of the courts) provides that only applications for relief or other documents relating to criminal matters shall be filed in the Office of the Clerk of the Courts of Allegheny County.
- (c) Other counties. 42 Pa.C.S. § 2756(b)(2) provides that the Clerk of the Courts of any county may file in the Office of the Prothonotary of the county and in the Administrative Office a written waiver of all or any part of any noncriminal filing functions and duties, and 42 Pa.C.S. § 2703 (relating to notice of transfer of functions and duties) provides for official publication by the Administrative Office of the orders of court appointing another officer or other person to perform such functions and duties. No such written waivers have been filed as of July 1, 1979.

#### Source

The provisions of this § 201.5 adopted September 19, 1979, effective September 29, 1979, 9 Pa.B. 3304.

### § 201.6. Jury selection commissions.

- (a) General rule. Except as provided in subsection (b) of this section, the jury selection commission in each county of this Commonwealth consists of three or more persons selected as provided by 42 Pa.C.S. § 2122 (relating to composition of jury selection commissions).
- (b) *Home rule counties*. As provided by 42 Pa.C.S. § 2121(b) (relating to jury selection commissions) a county home rule charter may supersede 42 Pa.C.S. § 2122. The following unofficial summary of local law is provided for the general information of the public system and and related personnel and shall not be construed as an authoritative interpretation of any provision of law:
  - (1) Delaware County. Sections 408 and 416 of the charter provide that a majority and minority jury commissioner shall be appointed by the County Council. The jury commissioners have all the powers and duties granted by applicable law, the charter or ordinance of County Council.

- (2) Erie County. Section 3 of Article VI of the charter provides that there shall be a Jury Board which shall consist of the President Judge of the Court of Common Pleas, one other judge of the court appointed by the President Judge and a clerk appointed by the President Judge from among the clerks employed by the Department of Records; that the Jury Board shall have and exercise all powers and duties imposed upon it by applicable law pertaining to the selection of jurors; and that certain procedures shall be followed in the selection of jurors.
- (3) Lackawanna County. Section 1706 of the charter abolishes the office of elected jury commissioner. Section 702(a) of the charter provides that the elected Sheriff shall have power relating to administration of jury service in the county.
- (4) Lehigh County. Section 1105 of the charter, as amended, abolishes the office of elected jury commissioner. Section 501(d) of the charter, as amended, provides that jury selection and management shall be the responsibility of the Judiciary and grants plenary power and authority to carry out that responsibility. The 'Judiciary' is defined by Section 1009(m) of the charter to include the Court of Common Pleas; the Judicial Magisterial System within the 31st Judicial District; the offices of the Court Administrator and Clerk of the Orphans' Court Division of the Court of Common Pleas; the Domestic Relations Section; the Probation Department; and such other offices sections, departments and/or agencies which do now or shall hereafter constitute part of the Judicial System within the County of Lehigh.
- (5) Northampton County. Section 1303(a) of the charter abolishes the office of elected jury commissioner. Section 1304(b)(3) of the charter transfers the duties, powers and functions of the jury commissioners to the Court of Common Pleas.

#### Source

The provisions of this § 201.6 adopted September 19, 1979, effective September 29, 1979, 9 Pa.B. 3304, amended February 8, 1980, effective February 9, 1980, 10 Pa.B. 644. Immediately preceding text appears at serial page (45716).

### § 201.7. Sheriffs.

- (a) General rule. Except as provided in subsection (b) of this section, the functions of sheriff under 42 Pa.C.S. § 2921 (relating to powers and duties of the sheriff) are performed by the Sheriff of the county elected as provided by statute.
- (b) *Home rule counties*. Under Article IX of the Constitution of Pennsylvania the elected office of sheriff may be abolished. The following unofficial summary of local law is provided for the general information of the public and system and related personnel and shall not be construed as an authoritative interpretation of any provision of law:

Northampton County. Article III of the charter provides for an elected County Executive. Section 1303 of the charter abolishes the elected office of Sheriff effective the first Monday of January 1980. Section 1304(b)(3) of the charter transfers the duties, functions and powers of such office to the County Executive or to his subordinate as provided by law. Article X of the County Administrative Code provides for an Office of the Sheriff headed by a Sheriff who is responsible to the County Executive and sets forth the duties of the Sheriff.

#### Source

The provisions of this § 201.7 adopted September 19, 1979, effective September 29, 1979, 9 Pa.B. 3304

## § 201.8. Register of wills.

- (a) General rule. Except as provided in subsection (b) of this section, the functions and duties of register of wills under the Probate, Estates and Fiduciaries Code (20 Pa.C.S.) are performed by the Register of Wills of the county elected as provided by statute.
- (b) *Home rule counties*. Under Article IX of the Constitution of Pennsylvania the elected office of Register of Wills may be abolished. The following unofficial summary of local law is provided for the general information of the public and system and related personnel and shall not be construed as an authoritative interpretation of any provision of law:
  - (1) *Erie County*. Section 1 of Article IV of the charter provides for an elected Clerk of Records, who has and exercises all powers and duties conferred by law upon the Register of Wills.
  - (2) Northampton County. Article III of the charter provides for an elected County Executive. Section 1303 of the charter abolishes the elected office of Register of Wills effective the first Monday of January 1980. Section 1304(b)(3) of the charter transfers the duties, functions and powers of such office to the County Executive or to his subordinate as provided by law. Article X of the County Administrative Code provides that the Department of Court Services will perform all functions formerly performed by the Register of Wills.

#### Source

The provisions of this § 201.8 adopted September 19, 1979, effective September 29, 1979, 9 Pa.B. 3304.

[Next page is 205-1.]