

York Legal Record

A Record of Cases Argued and Determined in the Various Courts of York County

Vol. 130

YORK, PA, THURSDAY, APRIL 28, 2016

No. 4



Dated Material Do Not Delay

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Legal notices must be received by York Legal Record, 137 E. Market St., before four o'clock on Friday afternoon. Telephone 854-8755 ext. 202.

Subscription: \$45.00 per year to non-members.
Published Weekly, Periodicals Postage Paid, York, PA 17402
U.S.P.S. No. 696140

POSTMASTER: Send address changes to
York Legal Record, 137 E. Market St., York, PA 17401

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ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are required to make known the same, and all persons indebted to said estate are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION

ESTATE OF ESTHER E. ARNOLD,
DECEASED

Late of Windsor Twp., York County, PA.
Co-Executrices: Nancy A. Arnold and Janet E. Eaton, c/o Eveler & DeArment LLP, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356
Attorney: Eveler & DeArment LLP, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356 04.28-3t

ESTATE OF JEANNINE Y. BARNHART,
DECEASED

Late of York Twp., York County, PA.
Co-Executors: Scott D. Barnhart and Ann C. Duncan, c/o Robert M. Strickler, Esquire,

110 South Northern Way, York, PA 17402
Attorney: Robert M. Strickler, Esquire, 110 South Northern Way, York, PA 17402 04.28-3t

ESTATE OF MICHAEL B. BIXLER,
DECEASED

Late of Manchester Twp., York County, PA.
Administrator: Michelle L. Cunningham, c/o Gettle & Veltri, 13 East Market, Street, York, PA 17401
Attorney: Jeffrey A. Gettle, Esquire, Gettle & Veltri, 13 East Market Street, York, PA 17401 04.28-3t

ESTATE OF ELAINE G. BROWN,
DECEASED

Late of West Manchester Twp., York County, PA.
Executor: George Kenneth Schollenberger, c/o John M. Hamme, Esq., 1946 Carlisle Road, York, PA 17408
Attorney: John M. Hamme, Esquire, 1946 Carlisle Road, York, PA 17408 04.28-3t

ESTATE OF CAROLINE R. FRANTZ,
DECEASED

Late of York Twp., York County, PA.
Executrix: Deborah J. Smith, c/o Stock and Leader, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2994
Attorney: Timothy P. Ruth, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite E600, York, PA 17401-2994 04.28-3t

ESTATE OF WILLIAM P. GASPAROVIC,
DECEASED

Late of Newberry Twp., York County, PA.
Administrators: Christine Glowacki, 73 Strout Street, Lakeland, FL 33813 and Lea Ann Ibaugh, 385 Windsor Road, York, PA 17402
Attorney: P. Daniel Altland, Esquire, 350 S. Sporting Hill Road, Mechanicsburg, PA 17050 04.28-3t

ESTATE OF FAIRY R. HECK,
DECEASED

Late of Penn Twp., York County, PA.
Executor: Byron F. Heck, 3 South Vail Dr., Hanover, PA 17331
Attorney: Matthew L. Guthrie, Esquire, Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331 04.28-3t

ESTATE OF JUDITH O. INFANTE,
DECEASED

Late of Hanover, York County, PA.
Administrator-Executor: Howard W. Stein, III, 1700 Utz Terrace, Hanover, PA 17331 04.28-3t

ESTATE OF FRANK BEAUREGARD
JENKINS, III, DECEASED

Late of Manheim Twp., York County, PA.
Administrator-Executor: Candy M. Gilley and Pamela N. Gerke, c/o Jennifer A. Galloway, Esquire, 2002 South Queen Street, York, PA 17403

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- Attorney: Jennifer A. Galloway, Esquire,
2002 South Queen Street, York, PA
17403 04.28-3t
- ESTATE OF ELLEN D. KESSELMAN,
DECEASED
Late of York Twp., York County, PA.
Administrator-Executor: Jennifer A.
Galloway, Esquire, c/o 2002 South Queen
Street, York, PA 17403
Attorney: Jennifer A. Galloway, Esquire,
2002 South Queen Street, York, PA 17403
04.28-3t
- ESTATE OF SYLVIA KUCHTIK,
DECEASED
Late of Manheim Twp., York County, PA.
Executor: John Michael Kuchtiak, c/o Elinor
Albright Rebert, Esquire, 515 Carlisle
Street, Hanover, PA 17331
Attorney: Elinor Albright Rebert, Esquire,
515 Carlisle Street, Hanover, PA 17331
04.28-3t
- ESTATE OF PATRICIA A. MARKEL,
DECEASED
Late of York Twp., York County, PA.
Executor: Randi L. Reisinger and Richard
H. Mylin, III, c/o 2025 E. Market Street,
York, PA 17402
Attorney: Richard H. Mylin, III, Esquire,
2025 E. Market Street, York, PA 17402
04.28-3t
- ESTATE OF ROBERT E. MILLER,
DECEASED
Late of Paradise Twp., York County, PA.
Administrator-Executor: Darlene Sterner, c/o
2002 South Queen Street, York, PA 17403
Attorney: Jennifer A. Galloway, Esquire,
2002 South Queen Street, York, PA 17403
04.28-3t
- ESTATE OF DELORES J. NAYLOR,
DECEASED
Late of Springettsbury Twp., York County,
PA.
Administrator-Executor: Carol A. Hartman,
c/o Michael J. Krout, Esquire, 236 N.
George Street, Suite 105, York, PA 17401
Attorney: Michael J. Krout, Esquire, 236 N.
George Street, Suite 105, York, PA 17401
04.28-3t
- ESTATE OF JAMES A.P. MULLIGAN,
DECEASED
Late of Newberry Twp., York County, PA.
Executor: John Mulligan, c/o Linda A.
Clotfelter, Esquire, 4076 Market Street,
Suite 100, Camp Hill, PA 17011
Attorney: Linda A. Clotfelter, Esquire, 4076
Market Street, Suite 100, Camp Hill, PA
17011 04.28-3t
- ESTATE OF KAREN L. OLIVER a/k/a
KAREN LESLIE OLIVER, DECEASED
Late of Penn Twp., York County, PA.
Executor: Mr. and Mrs. John L. Hilker, Jr.,
977 Hilltop Drive, Spring Grove, PA
17362
Attorney: Scott J. Strausbaugh, Esquire,
Becker & Strausbaugh, P.C., 544 Carlisle
Street, Hanover, PA 17331 04.28-3t
- ESTATE OF SHIRLEY M. SMITH,
DECEASED
Late of York Twp., York County, PA.
Administrator-Executor: Scott R. Smith, c/o
3198 East Market Street, York, PA 17402
Attorney: William H. Poole, Jr., Esquire, c/o
3198 East Market Street, York, PA 17402
04.28-3t
- ESTATE OF JUDITH A. STEVENS,
DECEASED
Late of City of York, York County, PA.
Executrix: Katera Stevens, c/o 135 North
George Street, York, PA 17401
Attorney: Richard K. Konkel, Esquire, CGA
Law Firm, PC, 135 North George Street,
York, PA 17401 04.28-3t
- SECOND PUBLICATION**
- ESTATE OF GLEASON H. CRUMLING,
DECEASED
Late of Hallam Borough, York County, PA.
Executor: Deanna L. Graham, c/o 25 North
Duke Street, Suite 202, York, Pa 17401
Attorney: Charles J. Long, Esquire, SMITH,
ANDERSON, BAKER & LONG,
25 North Duke Street, Suite 202,
York, Pa 17401 04.21-3t
- ESTATE OF RENATE W. DECKMAN,
DECEASED
Late of Mount Wolf Borough, York County, PA.
Executrices: Lisa Margot Deckman (a/k/a
Lisa Deckman Johnson) and Ingrid Christa
Deckman (a/k/a Ingrid Deckman), c/o
Eveler & DeArment LLP, 2997 Cape Horn
Rd., Suite A-6, Red Lion, PA 17356
Attorney: Eveler & DeArment LLP,
2997 Cape Horn Rd., Suite A-6,
Red Lion, PA 17356 04.21-3t
- ESTATE OF MICHAEL FETCH, DECEASED
Late of Red Lion, York County, PA.
Executor: Michael S. Fetch, c/o Deirdre
Sullivan, Esquire, at The Law Office
of Deirdre Sullivan & Ass., P.C., 601
Butterfly Circle, Dallastown, PA 17313
Attorney: Deirdre Sullivan, Esquire,
The Law Office of Deirdre Sullivan
& Ass., P.C., 601 Butterfly Circle,
Dallastown, PA 17313 04.21-3t
- ESTATE OF RICHARD E. FINK SR., a/k/a
RICHARD E. FINK, a/k/a RICHARD FINK,
DECEASED
Late of Newberry Twp., York County, PA.
Executors: Beverly Wharton and Douglas
Fink, c/o Blake Law Firm, LLC, 29 East
Philadelphia Street, York, PA 17401
Attorney: Kurt A. Blake, Esquire, Blake Law
Firm, LLC, 29 East Philadelphia Street,
York, PA 17401 04.21-3t
- ESTATE OF MELVIN R. GELTZ, DECEASED
Late of Newberry Twp., York County, PA.
Executrix: Pamela M. Duncan, c/o 340 Pine
Grove Commons, York, PA 17403
Attorney: Robert Clofine, Esquire, Elder Law
Firm of Robert Clofine, 340 Pine Grove
Commons, York, PA 17403 04.21-3t
- ESTATE OF HILDA M. GISE, DECEASED
Late of York, York County, PA.
Executrix: Karen S. Beck, c/o Genevieve
E. Barr, 11 Carlisle Street, Suite 301,
Hanover, PA 17331
Attorney: Genevieve E. Barr, Esquire,
11 Carlisle Street, Suite 301,
Hanover, PA 17331 04.21-3t
- ESTATE OF ROBERT L. GRUBE a/k/a
ROBERT LEE GRUBE, DECEASED
Late of Manchester Twp., York County, PA.
Administrator-Executor: Jean Louise Grube,
c/o 3198 East Market Street, York, PA
17402
Attorney: William H. Poole, Jr., Esquire, c/o
3198 East Market Street, York, PA 17402
04.21-3t
- ESTATE OF LILLIE M. HAVERSTOCK,
DECEASED
Late of Hanover Borough, York County, PA.
Executrix: Deborah K. Rhodes, c/o Alex
E. Snyder, Esquire, 14 Center Square,
Hanover, PA 17331
Attorney: Alex E. Snyder, Esquire, Barley
Snyder LLP, 14 Center Square, Hanover,
PA 17331 04.21-3t
- ESTATE OF DREW W. HIESTAND,
DECEASED
Late of York County, PA.
Executor: Nathan E. Hauck, 598 School
Road, Jacobus, PA 17407
Attorney: William F. Hoffmeyer, Esquire,
HOFFMEYER & SEMMELMAN, LLP
04.21-3t
- ESTATE OF ELINOR JOANN KUMP,
DECEASED
Late of West Manchester Twp., York County, PA.
Executor: Kevin P. Summerson, 1742
Country Manor Dr., York, PA 17408
Attorney: John W. Stitt, Esquire, 1434 W.
Market Street, York, PA 17404 04.21-3t
- ESTATE OF RAYMOND B. LEVINSKY,
DECEASED
Late of York Twp., York County, PA.
Executrix: Linda L. Clement, c/o Eveler &
DeArment LLP, 2997 Cape Horn Rd.,
Suite A-6, Red Lion, PA 17356
Attorney: Eveler & DeArment LLP,
2997 Cape Horn Rd., Suite A-6,
Red Lion, PA 17356 04.21-3t
- ESTATE OF ALLAN JEFFREY MILLER,
DECEASED
Late of Penn Twp., York County, PA.
Co-Administrators: Christopher M. Miller,
652 Broadway, Apt. C, Hanover, PA
17331 and Sarah E. Miller, 25 Grace St.,
Hanover, PA 17331
Attorney: Keith R. Nonemaker, Esquire,
Guthrie, Nonemaker, Yingst & Hart, LLP,
40 York Street, Hanover, PA 17331
04.21-3t
- ESTATE OF MELVIN L. MILLER,
DECEASED
Late of Penn Twp., York County, PA.
Executrix: Martha E. Miller, c/o Elinor
Albright Rebert, Esquire, 515 Carlisle
Street, Hanover, PA 17331
Attorney: Elinor Albright Rebert, Esquire,
515 Carlisle Street, Hanover, PA 17331
04.21-3t
- ESTATE OF JOHN NESS, JR. a/k/a REV.
JOHN NESS, JR., DECEASED
Late of Fawn Twp., York County, PA.
Administratrix: Denise Lynn Ness, c/o D.

Keith Brown, Esq., Two N. State St.,
Newtown, PA 18940
Attorney: D. Keith Brown, Esquire, Stuckert
and Yates, Two N. State St., P.O. Box 70,
Newtown, PA 18940 04.21-3t

ESTATE OF PAUL J. PUCILLO, DECEASED
Late of Penn Twp., York County, PA.
Executrix: Carolyn J. Stinson, c/o 100 East
Market Street, York, PA 17401
Attorney: Alex E. Snyder, Esquire,
Barley Snyder, LLP, 100 East Market
Street, York, PA 17401 04.21-3t

ESTATE OF KAREN ROSE SHEELY, a/k/a
KAREN R. SHEELY, DECEASED
Late of Springettsbury, York County, PA.
Executor: Jonathan Carl Sheeley, c/o MPL
LAW FIRM, LLP, 137 East Philadelphia
Street, York, PA 17401-2424
Attorney: Edward A. Stankoski, Jr., Esquire,
MPL LAW FIRM, LLP, 137 East
Philadelphia Street, York, PA 17401-2424
04.21-3t

ESTATE OF STUART L. SMITH, DECEASED
Late of York Twp., York County, PA.
Executors: Andrew M. Smith, 4794 Bentz
Road, Spring Grove, PA 17362 and
Melissa A. Ruth, 2490 Meetinghouse
Road, Spring Grove, PA 17362
Attorney: Thomas E. Miller, Esquire, LAW
OFFICE OF THOMAS E. MILLER,
ESQUIRE, LLC, 249 York Street,
Hanover, PA 17331 04.21-3t

ESTATE OF RAY L. SNELBAKER,
DECEASED
Late of East Manchester Twp., York County, PA.
Executor: Donald T. Layton, c/o Eveler &
DeArment LLP, 2997 Cape Horn Rd.,
Suite A-6, Red Lion, PA 17356
Attorney: Eveler & DeArment LLP,
2997 Cape Horn Rd., Suite A-6,
Red Lion, PA 17356 04.21-3t

ESTATE OF MARLYN E. YOHE, DECEASED
Late of Jackson Twp., York County, PA.
Executrix: Damita L. Hoover, 2901 Solar
Drive, Dover, PA 17315 04.21-3t

ESTATE OF NORMA J. YOUNKER,
DECEASED
Late of West Manchester Twp., York County, PA.
Executors: Julie L. Zimmerman and Mark R.
Yunker, c/o John M. Hamme, Esq., 1946
Carlisle Road, York, PA 17408
Attorney: John M. Hamme, Esquire, 1946
Carlisle Road, York, PA 17408 04.21-3t

THIRD PUBLICATION

ESTATE OF KENNETH B. BAKER, DECEASED
Late of Shrewsbury Twp., York County, PA.
Executor: Norma Baker, c/o Stock and
Leader, Susquehanna Commerce Center
East, 221 West Philadelphia Street, Suite
600, York, PA 17401-2994
Attorney: MacGregor J. Brillhart, Esquire,
STOCK AND LEADER, Susquehanna
Commerce Center East, 221 West
Philadelphia Street, Suite E600,
York, PA 17401-2994 04.14-3t

ESTATE OF RICHARD H. BENNIE,
DECEASED

Late of York Haven, York County, PA.
Executors: Ronald L. Bennie, 3090
Lewisberry Road, York Haven, PA 17370
and Rhet A. Bennie, 250 East Lauer Lane,
Camp Hill, PA 17011
Attorney: Susan E. Lederer, Esquire, 5011
Locust Lane, Harrisburg, PA 17109
04.14-3t

ESTATE OF WALLACE L. BRENNEMAN,
DECEASED
Late of York Twp., York County, PA.
Executor: Counsel Trust Group, c/o 100 East
Market Street, York, PA 17401
Attorney: Alex E. Snyder, Esquire,
Barley Snyder, LLP, 100 East Market
Street, York, PA 17401 04.14-3t

ESTATE OF H. RICHARD BROTHERS a/k/a
HENRY RICHARD BROTHERS, DECEASED
Late of West Manchester Twp., York County, PA.
Executrices: Jean E. Lippy and Joan
E. Klinke, c/o Stock and Leader,
Susquehanna Commerce Center East, 221
West Philadelphia Street, Suite 600, York,
PA 17401-2994
Attorney: Thomas M. Shorb, Esquire,
STOCK AND LEADER, Susquehanna
Commerce Center East, 221 West
Philadelphia Street, Suite E600,
York, PA 17401-2994 04.14-3t

ESTATE OF DARLENE F. BURNUM,
DECEASED
Late of Stewartstown Borough, York County, PA.
Co-Executors: Sheila A. Hernandez and
Jerry W. Writer, c/o Stock and Leader,
Susquehanna Commerce Center East, 221
West Philadelphia Street, Suite 600, York,
PA 17401-2994
Attorney: Jody A. Leighty, Esquire, STOCK
AND LEADER, Susquehanna Commerce
Center East, 221 West Philadelphia Street,
Suite E600, York, PA 17401-2994
04.14-3t

ESTATE OF JEANNETTE G. DORWART,
DECEASED
Late of York Twp., York County, PA.
Executor: Jeffrey G. Neupauer, c/o MPL
LAW FIRM, LLP, 137 East Philadelphia
Street, York, PA 17401-2424
Attorney: Edward A. Stankoski, Jr., Esquire,
MPL LAW FIRM, LLP, 137 East
Philadelphia Street, York, PA 17401-2424
04.14-3t

ESTATE OF CLARA B. GRIM a/k/a
CLARA BELLE GRIM, DECEASED
Late of York Twp., York County, PA.
Co-Executors: Amy L. Fasick and William D.
Fasick Jr., c/o Eveler & DeArment LLP,
2997 Cape Horn Rd., Suite A-6, Red Lion,
PA 17356
Attorney: Eveler & DeArment LLP,
2997 Cape Horn Rd., Suite A-6,
Red Lion, PA 17356 04.14-3t

ESTATE OF RUTH M. HASH, DECEASED
Late of York Twp., York County, PA.
Executrix: Mary M. Wright, c/o Stock and
Leader, Susquehanna Commerce Center
East, 221 West Philadelphia Street, Suite
600, York, PA 17401-2994
Attorney: Jody A. Leighty, Esquire, STOCK
AND LEADER, Susquehanna Commerce

Center East, 221 West Philadelphia Street,
Suite E600, York, PA 17401-2994
04.14-3t

ESTATE OF LAURA R. HESS, DECEASED
Late of West Manchester Twp., York County, PA.
Administrator-Executor: Joshua J. Emig, c/o
Robert D. Glessner, Esquire, 45 N. Duke
St., York, PA 17401
Attorney: Robert D. Glessner, Esquire, 45 N.
Duke St., York, PA 17401 04.14-3t

ESTATE OF WALTER F. KRAUS, III,
DECEASED
Late of West Manchester Twp., York County, PA.
Administratrix: Sharon Kraus, c/o Stock and
Leader, Susquehanna Commerce Center
East, 221 West Philadelphia Street, Suite
600, York, PA 17401-2994
Attorney: MacGregor J. Brillhart, Esquire,
STOCK AND LEADER, Susquehanna
Commerce Center East, 221 West
Philadelphia Street, Suite E600,
York, PA 17401-2994 04.14-3t

ESTATE OF RICHARD LEVAN, JR.,
DECEASED
Late of Springettsbury Twp., York County, PA.
Administrator-Executor: Catherine M.
Turner, c/o Estate of Richard Levan, Jr.,
189 Cocolamus Creek Road, Millerstown,
PA 17062 04.14-3t

ESTATE OF MILLARD R. LEWIS, JR.,
DECEASED
Late of Shrewsbury Twp., York County, PA.
Executrix: Dori L. Chrest, 60 Cyra Ct.,
Fuquay Varina, NC 27526
Attorney: James T. Yingst, Esquire, Guthrie,
Nonemaker, Yingst & Hart, LLP, 40 York
Street, Hanover, PA 17331 04.14-3t

ESTATE OF LISA DARLENE MOODY,
DECEASED
Late of Red Lion Borough, York County, PA.
Administrator: Robert H. Rothrock, IV, c/o
LAUCKS & LAUCKS, P.C., 105 W.
Broadway, Red Lion, PA 17356
Attorney: David M. Laucks, Esquire,
LAUCKS & LAUCKS, P.C., 105 W.
Broadway, Red Lion, PA 17356 04.14-3t

ESTATE OF M. JEAN WRIGHT, DECEASED
Late of Manheim Twp., York County, PA.
Co-Executors: Cynthia S. Miller, 24495 Blue
Boulevard, Millsboro, Delaware 19966
and Kenneth E. Nye, 4 Kevin Drive, New
Oxford, PA 17350
Attorney: Stonesifer and Kelley, P.C., 209
Broadway, Hanover, PA 17331 04.14-3t

ESTATE OF BETTY YANDRASITZ,
DECEASED
Late of Hanover Borough, York County, PA.
Administrator: Barbara A. Yandrasitz, c/o
Mark E. Halbruner, Esq., 2109 Market
Street, Camp Hill, PA 17011
Attorney: Mark E. Halbruner, Esquire, 2109
Market Street, Camp Hill, PA 17011
04.14-3t

**ORPHAN'S COURT DIVISION
AUDITING NOTICE**

To All legatees creditors and person interested: Notice is hereby given that the following accounts have been filed in the office of the Clerk of Orphans' Court Division for confirmation and distribution of the balance therein shown to the creditors, legatees next to kin, heirs and others legally entitled thereto on **May 18, 2016 at 11:00 a.m** and will be called in the order named for audit and distribution by said Court, in **Courtroom No. 6003, on the 6th floor of the York County Judicial Center at 45 North George St. in the City of York, Pennsylvania.**

1. GROSS – The First and Final Account of MacGregor J. Brillhart, Administrator d.b.n.c.t.a. of the Last Will and Testament of J. Rutter Gross a/k/a Jay Rutter Gross a/k/a Jay R. Gross, Late of Dover Township, York County, Pennsylvania, deceased, 6710-1224. (MacGregor J. Brillhart, Esq.)

2. EBERLY – The First and Final Account of Reba L. Nolin, Administratrix of the Estate of Thelma P. Eberly a/k/a Thelma Patricia Eberly, Late of York Township, York County, Pennsylvania, deceased, 6715-1547. (Rand A. Feber, Esq.)

3. BEAN – The First and Final Account of Joan E. Bean, Administratrix of the Estate of Cobie Lynn Bean a/k/a Cobie L. Bean, Late of York City, York County, Pennsylvania, deceased, 6714-0628. (John W. Stitt, Esq.)

4. HOUSER – The First and Final Account of Edward L. Houser, Executor of the Last Will and Testament of Ruth M. Houser a/k/a Ruth Minnie Houser, Late of York Township, York County, Pennsylvania, deceased, 6715-1368. (David M. Laucks, Esq.)

5. PIORO – The First and Final Account of Leslie B. Pioro, Administratrix of the Estate of John Richard Pioro, Late of Penn Township, York County, Pennsylvania, deceased, 6714-1972. (Samuel A. Gates, Esq.)

6. CRAWFORD – The First and Final Account of Manufacturers and Traders Trust Company, Trustee for Trust Under Agreement dated 12/17/07 with John L. Crawford a/k/a John Lamb Crawford f/b/o Emilie F. Crawford, 6709-1381. (Sean M. Shultz, Esq.)

7. BAHN – The First and Final Account of Betsy B. Page, Executrix of the Last Will and Testament of Dolores H. Bahn, Late of Springettsbury Township, York County, Pennsylvania, deceased, 6715-1894. (David M. Laucks, Esq.)

8. CRIST – The First and Final Account of Mary Beth Crist, Administratrix of the Estate of Robert K. Crist, Late of Monaghan Township, York County, Pennsylvania, deceased, 6711-1248. (Vicky Ann Trimmer, Esq.)

9. WILSON – The First and Final Account

of Jane C. Wilson n/k/a Jane C. Siegel, Executrix of the Last Will and Testament of Carolyn E. Wilson, Late of Penn Township, York County, Pennsylvania, deceased, 6715-0833. (Joseph E. Erb, Jr., Esq.)

10. WILSON – The First and Final Account of Jane Wilson Siegel, Trustee of the Carolyn E. Wilson Revocable Joint Trust U/A dated 09/02/1994, 6715-0833. (Joseph E. Erb, Jr., Esq.)

11. JONES – The First and Final Account of Laura J. Weyant, Executrix of the Last Will and Testament of Marian E. Jones, Late of West Manchester Township, York County, Pennsylvania, deceased, 6715-1871. (Donald L. Reihart, Esq.)

FILED IN THE OFFICE OF THE CLERK OF ORPHANS' COURT DIVISION OF THE COMMON PLEAS COURT, YORK COUNTY, PENNSYLVANIA ON OR BEFORE APRIL 20, 2016.

**BRADLEY C. JACOBS
COURT OF COMMON PLEAS OF
YORK COUNTY, PENNSYLVANIA,
ORPHANS' COURT DIVISION**

04.28-2t

CIVIL NOTICES

**ACTION IN MORTGAGE
FORECLOSURE**

In The Court of Common Pleas
Of York County, Pennsylvania
Civil Action-Law
No. 2015-SU-003540-06

Notice of Action in Mortgage Foreclosure
JPMorgan Chase Bank, National Association,
Plaintiff vs. Unknown Heirs, Successors,
Assigns and All Persons, Firms or Associations
Claiming Right, Title or Interest From or Under
Carol Selak a/k/a Carol Sue Selak, deceased,
Susan Selak, Known Heir of Carol Selak a/k/a
Carol Sue Selak, deceased and Sharon
Selak Bettinger, Known Heir of Carol Selak
a/k/a Carol Sue Selak, Defendants

**NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY**

TO: Unknown Heirs, Successors, Assigns and
All Persons, Firms or Associations Claiming
Right, Title or Interest From or Under Carol
Selak a/k/a Carol Sue Selak, deceased,
Defendant(s), whose last known address is 951
South Kershaw Street, York, PA 17402.

Your house (real estate) at: 951 South Kershaw
Street, York, PA 17402, 46000310139, is
scheduled to be sold at Sheriff's Sale on August
15, 2016, at 2:00 PM, at York County Judicial
Center, 45 N. George St., York, PA 17401, to
enforce the court judgment of \$176,095.94,
obtained by JPMorgan Chase Bank, National
Association (the mortgagee) against you. -
NOTICE OF OWNER'S RIGHTS - YOU MAY
BE ABLE TO PREVENT THIS SHERIFF'S
SALE - To prevent this Sheriff's Sale you must
take immediate action: 1. The sale will be
cancelled if you pay back to JPMorgan Chase
Bank, National Association, the amount of the
judgment plus costs or the back payments, late
charges, costs, and reasonable attorneys fees
due. To find out how much you must pay, you
may call :(610)278-6800. 2. You may be able to
stop the sale by filing a petition asking the Court
to strike or open the judgment, if the judgment
was improperly entered. You may also ask the
Court to postpone the sale for good cause. 3.
You may be able to stop the sale through other
legal proceedings. 4. You may need an attorney
to assert your rights. The sooner you contact
one, the more chance you will have of stopping
the sale. (See notice below on how to obtain an
attorney.) - YOU MAY STILL BE ABLE TO
SAVE YOUR PROPERTY AND YOU HAVE
OTHER RIGHTS EVEN IF THE SHERIFF'S
SALE DOES TAKE PLACE - 5. If the Sheriff's
Sale is not stopped, your property will be sold
to the highest bidder. You may find out the
price bid by calling (610)278-6800. 6. You
may be able to petition the Court to set aside
the sale if the bid price was grossly inadequate
compared to the value of your property. 7. The
sale will go through only if the buyer pays the
Sheriff the full amount due in the sale. To find
out if this has happened you may call 717-771-
9601. 8. If the amount due from the buyer is not
paid to the Sheriff, you will remain the owner
of the property as if the sale never happened. 9.
You have a right to remain in the property until
the full amount due is paid to the Sheriff and
the Sheriff gives a deed to the buyer. At that

time, the buyer may bring legal proceedings to evict you. 10. You may be entitled to a share of the money, which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff no later than thirty days after the Sheriff Sale. This schedule will state who will be receiving the money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the date of filing of said schedule. 11. You may also have other rights and defenses or ways of getting your house back, if you act immediately after the sale. **YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.** York County Lawyer Referral Service, 137 E. Market St., York, PA 17401, 717.854.8755. PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT YOU ARE ADVISED THAT THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Christopher A. DeNardo, Kristen D. Little, Kevin S. Frankel, Regina O. Holloway, Sarah K. McCaffery, Leslie J. Rase, Alison H. Tulio & Katherine M. Wolf, Attys. for Plaintiff
SHAPIRO & DeNARDO, LLC
 3600 Horizon Dr., Ste. 150
 King of Prussia, PA 19406
 610.278.6800

04.28-1t Solicitor

NOTICE OF ACTION IN MORTGAGE FORECLOSURE IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA CIVIL ACTION – LAW

COURT OF COMMON PLEAS

CIVIL DIVISION

YORK COUNTY

No. 2016-SU-000285-06

JPMORGAN CHASE BANK, N.A. S/B/M CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION
 Plaintiff

vs.

WILLIAM C. STRAW
 Defendant

NOTICE

To WILLIAM C. STRAW

You are hereby notified that on February 2, 2016, Plaintiff, JPMORGAN CHASE BANK, N.A. S/B/M CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN

MORTGAGE CORPORATION, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of YORK County Pennsylvania, docketed to No. 2016-SU-000285-06. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 62 CLOVER TRAIL, DELTA, PA 17314 whereupon your property would be sold by the Sheriff of YORK County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Notice to Defend:
 Lawyer Referral Service
 York Legal Referral
 137 East Market Street
 York, PA 17401
 Telephone (717) 854-8755 x201

04.28-1t Solicitor

York County
 Court of Common Pleas
 Number: 2016-SU-000210-06
 Notice of Action in Mortgage Foreclosure

Reverse Mortgage Funding, LLC, Plaintiff v. Doug Dzubinski, Known Surviving Heir of Charles Rohrbaugh, Cory Rohrbaugh, Known Surviving Heir of Charles Rohrbaugh, Chad Rohrbaugh, Known Surviving Heir of Charles Rohrbaugh and Unknown Surviving Heirs of Charles Rohrbaugh, Defendants

TO: Chad Rohrbaugh, Known Surviving Heir of Charles Rohrbaugh . Premises subject to foreclosure: 429 East Prospect Street, York, Pennsylvania 17403. **NOTICE:** If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important

to you. You should take this notice to your lawyer at once. If you do not have a lawyer, go to or telephone the office set forth below. This office can provide you with information about hiring a lawyer. If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee. **Lawyer Referral Service, 137 East Market Street, York, Pennsylvania 17401, (717) 854-8755.** McCabe, Weisberg & Conway, P.C., Attorneys for Plaintiff, 123 S. Broad St., Ste. 1400, Phila., PA 19109, 215-790-1010

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NOTICE OF ACTION IN MORTGAGE FORECLOSURE IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA CIVIL ACTION – LAW

COURT OF COMMON PLEAS

CIVIL DIVISION

YORK COUNTY

No. 2016-SU-000739-06

WELLS FARGO BANK, NA
 Plaintiff

vs.

UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER LARRY E. CRINNION, DECEASED
 Defendant

NOTICE

To UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER LARRY E. CRINNION, DECEASED

You are hereby notified that on March 14, 2016, Plaintiff, WELLS FARGO BANK, NA, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of YORK County Pennsylvania, docketed to No. 2016-SU-000739-06. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 538 PACIFIC AVENUE, YORK, PA 17404-2619 whereupon your property would be sold by the Sheriff of YORK County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing

with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Notice to Defend:
Lawyer Referral Service
York Legal Referral
137 East Market Street
York, PA 17401
Telephone (717) 854-8755 x201

04.28-1t Solicitor

ARTICLES OF INCORPORATION

Notice is hereby given that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania on or about April 6, 2016, for LAGUNA STEEL, INC., 721 North Hartley Street, York, PA 17404. This corporation is incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended.

Alexis K. Sipe, Esquire.

04.28-1t Solicitor

CHANGE OF NAME

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

NOTICE is hereby given that on April 8th, 2016 a petition for change of name was filed in the Court of Common Pleas, requesting a decree to change the name of: Haley Nicole Reeves to: Haley Nicole Himelright. The Court has fixed the day of June 1, 2016 at 1:30 pm in Courtroom #6003 at the York County Judicial Center, as the time and place for the hearing on said petition when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

04.28-1t Solicitor

SHERIFF'S SALE

NOTICE OF SHERIFF SALE OF REAL ESTATE PURSUANT TO Pa.R.C.P. 3129

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW
NO.: 2013-SU-000710-06

LSF9 Master Participation Trust, Plaintiff,

vs.

Lena L. Goodley, Defendants

TO: Lena L. Goodley

Take Notice that by virtue of the Writ of Execution issued out of the Court of Common Pleas of York County, Pennsylvania, and directed to the Sheriff of York County, there will be exposed to Public Sale in York County Courthouse, 45 North George Street, York, Pennsylvania 17401 on June 13, 2016 at 2:00 p.m., prevailing local time, your real property described herein.

The Real Property To Be Sold is delineated in detail in a legal description consisting of a statement of the measured boundaries of the property, together with a brief mention of the buildings and any other major improvements erected on the land.

The Location of your property to be sold is: 412 Holly Drive, Red Lion, Pennsylvania, 17356

The Judgment under or pursuant to which your property is being sold is docketed to: No. 2013-SU-000710-06

A complete copy of the Notice of Sheriff Sale will be sent to you upon request to the Attorney for the Plaintiff, Kimberly A. Bonner, Manley Deas Kochalski, P.O. Box 165028, Columbus, OH 43216, (614) 220-5611.

This Paper Is A Notice of the Time and Place of the Sale of Your Property. It has been issued because there is a Judgment Against You. It May Cause Your Property to be Held, to be Sold Or Taken to Pay the Judgment. You may have legal rights to prevent your property from being taken away. A lawyer can advise you more specifically of those rights. If you wish to exercise your rights, You Must Act Promptly.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET FREE LEGAL ADVICE:

York County Lawyer Referral Services
137 East Market Street
York, PA 17401
(717) 854-8755

04.28-1t Solicitor

NOTICE OF SHERIFF SALE OF REAL ESTATE PURSUANT TO Pa.R.C.P. 3129

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW
NO.: 2014-SU-000036-06

Wells Fargo Bank, N.A., Plaintiff,

vs.

Jeffrey R. Mason; Danielle Marie Spencer, AKA Danielle M. Spencer, Defendants

TO: Jeffrey R. Mason; Danielle Marie Spencer, AKA Danielle M. Spencer

Take Notice that by virtue of the Writ of Execution issued out of the Court of Common Pleas of York County, Pennsylvania, and directed to the Sheriff of York County, there will be exposed to Public Sale at 45 North George Street, York, PA 17401 on June 13, 2016 at 2:00 p.m., prevailing local time, your real property described herein.

The Real Property To Be Sold is delineated in detail in a legal description consisting of a statement of the measured boundaries of the property, together with a brief mention of the buildings and any other major improvements erected on the land.

The Location of your property to be sold is: 351 Mineral Drive, York, Pennsylvania, 17408

The Judgment under or pursuant to which your property is being sold is docketed to: No. 2014-SU-000036-06

A complete copy of the Notice of Sheriff Sale will be sent to you upon request to the Attorney for the Plaintiff, Kimberly A. Bonner, Manley Deas Kochalski, P.O. Box 165028, Columbus, OH 43216, (614) 220-5611.

This Paper Is A Notice of the Time and Place of the Sale of Your Property. It has been issued because there is a Judgment Against You. It May Cause Your Property to be Held, to be Sold Or Taken to Pay the Judgment. You may have legal rights to prevent your property from being taken away. A lawyer can advise you more specifically of those rights. If you wish to exercise your rights, You Must Act Promptly.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET FREE LEGAL ADVICE:

Lawyer Referral Service
137 E. Market Street
York, PA 17401
Phone (717) 854-8755

04.28-1t Solicitor

EDITORIAL ANNOUNCEMENT

Please join us in congratulating Sara Austin, President Elect of the PA Bar Association. It is anticipated that Sara will be elected as PBA President at the PBA Annual Meeting, May 11-13, at the Hershey Lodge. As such, Sara will be the second individual in the history of the York County Bar Association to take on this significant role! Members who are unable to attend the annual meeting are welcome to register for the celebration dinner only. The dinner will take place on May 12, 2016. Reception from 6:30-7:15 pm, dinner 7:30 – 11:00 pm. The dinner-only option must be done by mailing in the form with payment; all registration options are available on-line at www.pabar.org. See PBA Annual Meeting under Meetings, Events. Inquiries may be directed to Audrey.Perez@pabar.org PBA Meetings Department, 800-932-0311, ext. 2234

04.21-2t

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Interested candidates should send their resume and a brief (no more than 3 pages) writing sample to:

Hiring Coordinator
Nauman, Smith, Shissler & Hall, LLP
P.O. Box 840
Harrisburg, PA 17108-0840

Selected candidates will be notified of next steps.

YORK COUNTY TAX CLAIM BUREAU

NOTICE OF JUDICIAL TAX SALE

To owners of properties identified in this notice and to all persons having tax liens, tax judgments, municipal claims, mortgages, liens, charges or estates of whatsoever kind, except ground rents separately taxed, against such properties.

The following conditions shall govern the sale of properties by the York County Tax Claim Bureau for Judicial Sale as scheduled on June 2, 2016 at 9:00 AM. The sale will be held in Court Room #1 in the York County Administrative Center at 28 East Market Street, York, Pennsylvania. **All prospective bidders must register with the York County Tax Claim Bureau at 28 East Market St York PA starting on May 6, 2016 but no later than May 20, 2016. This registration requires a photo I.D. such as a valid driver's license or other method of identification acceptable to the Tax Claim Bureau. In order to be a registered or eligible bidder, neither the bidder, nor the bidder in association with any other person or entity, shall be delinquent in paying any real estate taxes in York County, as well as have no municipal utility bills that are more than one year outstanding. You must be present to bid. There shall be no assignment of bids.**

1. **SAID PROPERTIES**, will be sold **FREE** and **CLEAR** of all tax and municipal claims, mortgages, liens, charges, and estates of whatsoever kind, except ground rents, separately taxed, Motor Vehicle or Uniform Commercial Code encumbrances on mobile homes to the highest bidder. **A condition of this sale shall be that no sale shall be made except to the County unless there is a minimum bid equal to the costs incurred of such sale as designated in The Pennsylvania Real Estate Tax Sale Law 542 of 1947, as amended, Section 612(a).**
2. **Acknowledgment, Recording Fee and Preparation of the Deed.** These items will be computed after the property has been knocked down to the successful bidder. The sale price, the transfer tax, and the recording fee, acknowledgment and preparation of the deed must all be paid at the time of the sale. In the case of all properties, **NO CASH** will be accepted, a certified check on a local bank or other satisfactory payment and must be paid in full.
3. Deeds for the premises will be prepared by the Tax Claim Bureau and recorded. The Tax Claim Bureau will mail the deeds to the address given by the buyer at the sale after the deed has been photographed and returned. (Approximately 6 months)
4. Please note the properties were exposed for Sale on September 24, 2015. The respective properties were advertised for Upset Sale in accordance with the requirements of the Real Estate Tax Sale Law in effect at the time of the sale.
5. It is strongly recommended that prospective purchasers have examination made of the title to any property in which they may be interested. Every reasonable effort has been made to keep the proceedings free from error. However, in every case, **THE PROPERTY IS OFFERED FOR SALE BY THE TAX CLAIM BUREAU WITHOUT ANY GUARANTEE OR WARRANTY WHATSOEVER EITHER AS TO EXISTENCE, CORRECTNESS OR OWNERSHIP, SIZE BOUNDARIES, LOCATION STRUCTURES OR LACK OF STRUCTURES UPON THE LAND, LIENS, TITLES OR ANY OTHER MATTER OR THING WHATSOEVER.**
6. Notice is further given to any person who may have claims against any properties identified and to all other parties in interest that a schedule of proposed distribution of the proceed of sale will be posted in the office of the Tax Claim Bureau following such sale and distribution will be made in accordance with the schedule, unless exceptions are filed thereto within ten (10) days thereafter. All claims must be filed with the Tax Claim Bureau. **ALL SALES WILL BE MADE UNDER THESE CONDITIONS AND WILL BE FINAL. NO ADJUSTMENT WILL BE MADE AFTER THE PROPERTY IS STRUCK DOWN. MAKE SURE OF WHAT YOU ARE BUYING BEFORE BIDDING.**
7. Purchase by owner – The owners shall have no right to purchase their own property at the Judicial Sale conducted under the provision of the Act (618 added July 3, 1986, P.L. 351, No. 81).
8. Mobile home purchasers – will only receive a proof of purchase from the Tax Claim Bureau after the sale. The Department of Transportation will issue titles for the properties purchased at the tax sale only upon receipt of a proper order of court.
9. The properties subject to the Judicial Tax Sale can be identified by reference to the prior advertisement for the Tax Claim Bureau Upset Sale as set forth in the York Newspaper on August 24, 2015. The properties offered for sale may also be identified by purchasing a list of the properties exposed to the sale from the York County Tax Claim Bureau.
10. Unsold properties will be placed on the Repository List within six (6) months following the Judicial Sale. Any bids to purchase properties from the Repository List shall be placed with the Tax Claim Bureau in accordance with the Bureau's applicable procedures. Bids will only be accepted upon written consent of all taxing authorities.

It is the policy of the County of York to ensure services are meaningfully accessible to qualified individuals with disabilities in accordance with the Americans with Disability Act. Upon request, auxiliary aids and accommodations are available to individuals with disabilities. Persons seeking accommodations should call the County at (717) 771-9214. For individuals with hearing impairment, contact the Deaf Center, (717) 845-2585, OR (717) 848-6765. (TDD)

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IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

IN RE:	:	CP-67-AD-0000012-2016
	:	
AMENDMENT OF	:	
YORK COUNTY LOCAL RULES	:	
OF CRIMINAL PROCEDURE	:	

**ADMINISTRATIVE ORDER AMENDING
YORK COUNTY LOCAL RULES OF CRIMINAL PROCEDURE**

AND NOW, this 19th day of April, 2016, it is **ORDERED** that York County Local Rules of Criminal Procedure are hereby amended as follows, effective July 1, 2016:

New rules 100, 120, 528, 530, 575, 576, 619, 700, and 706 are *adopted*. Rule 528 is immediately *suspended* until further order.

Existing rules 102, 103, 114, 117, 150, 462, 570, 571, 578, and 579 are *amended* as indicated.

Existing rules 111, 111.1, 135, 461, 520, 526, 531, 571.1, 580, 642, and 647 are *revoked*.

The District Court Administrator shall publish this order as may be required.

BY THE COURT,

/S/

Joseph C. Adams, President Judge
19th Judicial District of Pennsylvania

Material to be added is bolded and underlined.
Material to be deleted is bolded and in brackets.

York R.Crim.P. 100. Scope of Rules

These rules shall govern criminal proceedings, including summary offense proceedings, pending before all courts of the Nineteenth Judicial District of York County, including the Court of Common Pleas and Magisterial District Courts. Unless otherwise specifically provided, these rules shall not apply to juvenile or domestic relations proceedings.

(New rule effective 07/01/2016.)

York R.Crim.P. 102. [Citation and Application] Citing the Criminal Procedure Rules

[(A) These Rules may be cited and referred to as "York Rules of Criminal Procedure", or abbreviated as "York R.Crim.P."]

(B) These Rules shall apply to all proceedings of a criminal nature, including summary proceedings and court cases, pending before the Court of Common Pleas of York County.]

These Rules shall be known as the "York County Rules of Criminal Procedure" and shall be cited as "York R.Crim.P. ".

(Amended effective 07/01/2016.)

York R.Crim.P. 103. Definitions.

[(A) Unless otherwise indicated, reference to "Judge" shall mean the Judge of the Court of Common Pleas of York County to whom the case is assigned, or in his absence, any other Judge of the Court.

(B) Unless otherwise indicated, reference to the "District Attorney" shall also mean an assistant district attorney, deputy district attorney or prosecutor, assistant district attorney general, or other special attorney assigned to prosecute a case.

(C) In the cases where a defendant proceeds *pro se*, a reference to a defendant's attorney shall mean the defendant.

(D) The singular shall include the plural, and the plural singular. Words used in their masculine gender shall include the feminine and neuter. Words used in the past or present tense shall include the future.]

(A) Unless otherwise expressly stated, all words and phrases, when used in any York County Rule of Criminal Procedure or order, shall have the same meaning as defined in the Pennsylvania Rules of Criminal Procedure.

(B) In addition to any definition supplied by the Pennsylvania Rules of Criminal Procedure, the following words and phrases, when used in any York County Rule of Criminal Procedure or order, shall have the following meanings unless otherwise expressly stated:

Action is any action or proceeding of any nature pending before the Court of Common Pleas of York County or any Magisterial District Court in the 19th Judicial District.

Administrative Office of York County Courts (abbreviated AOYCC) is the Office of District Court Administrator, all court-appointed departments subject to the direction and supervision of the court administrator, and all employees of the office and departments.

Application is any motion, petition, request, or other document requesting or requiring the signature of a judge or action by the court. The term does not include a complaint as set forth in Pa.R.Civ.P. 1017.

Clerk of Courts is the elected or appointed Clerk of the Court of Common Pleas of York County, the Office of the Clerk of Courts, and all employees of the office.

Counsel is an attorney at law, in good standing, admitted to practice to the bar of this Commonwealth. In any action where a defendant proceeds as a self-represented litigant, reference to a defendant's attorney or counsel shall mean the defendant.

County is York County.

Court is the Court of Common Pleas of York County, and Magisterial District Courts of the 19th Judicial District, or a judge of the court.

Courtroom is any courtroom, hearing room, grand jury room, or other rooms in which judicial proceedings are conducted, whether located in the York County Judicial Center, in a magisterial district court building, or any other location within the 19th Judicial District.

Court Administrator is the appointed District Court Administrator for the Court of Common Pleas of York County, the Office of the District Court Administrator, the Administrative Office of York County Courts (AOYCC), and all employees of the office.

District Attorney is the elected or appointed District Attorney of York County, the elected or appointed Attorney General of the Commonwealth of Pennsylvania, any solicitor of any municipality, any special prosecutor, any other entity or individual

authorized and assigned to prosecute any mater before the criminal division of this court, and all employees of all of the foregoing.

Judge is the elected or appointed Judge of the Court of Common Pleas or Magisterial District Judge of any Magisterial District Court of the 19th Judicial District to whom the case is assigned, or in the absence of the assigned judge, any other judge of the court as assigned by the court administrator.

Party is the party or parties appearing in the action as self-represented litigants, or the attorney or attorneys of record for such party or parties.

President Judge is the elected President Judge or acting President Judge of the Court of Common Pleas of York County, the Chambers of the President Judge, and all chambers staff.

Probation Department is the York County Department of Probation Services, and all employees of the department.

Prothonotary is the elected or appointed Prothonotary of the Court of Common Pleas of York County, the Office of the Prothonotary, and all employees of the office.

Public Defender is the appointed Public Defender of York County, the Office of the Public Defender, and all employees of the office.

Sheriff is the elected or appointed Sheriff of York County, the Office of the Sheriff, and all employees of the office.

Solicitor is the appointed Solicitor of York County, the Office of the Solicitor, and all employees of the office.

Warden is the appointed Warden of the York County Prison, the Office of the Warden, and all employees of the office.

(C) The singular shall include the plural, and the plural shall include the singular.

(Amended effective 07/01/2016.)

[York R.Crim.P. 111. Release of Information

All Court House personnel, including, among others, Sheriffs, Sheriff's deputies, court clerks, law clerks, tipstaves, court reporters, secretaries and other support staff, are prohibited from disclosing any information relating to a pending criminal case that is not part of the public record of the case, unless authorized by the Court. This rule also

precludes disclosure of any information whether acquired at a formal or informal judicial proceeding.]

(Rule revoked effective 07/01/2016)

[York R.Crim.P. 111.1. Restriction on Removal of Records and Files

(A) No file containing original documents, nor any original documents contained therein, may be removed from the Office of the Clerk of Courts, except by special order of the Court, by anyone other than the following:

- (1) A Judge of the Court or his authorized representative;**
- (2) The District Court Administrator;**
- (3) The Clerk of Courts and regularly employed and duly authorized employees of that office.**

(B) Every person authorized to remove a file or document shall, at the time of removal, give to the Clerk of Courts a written receipt for same, identifying the person by whom, or in whose behalf, the same is removed, and such person shall be personally responsible for the custody and return of the same file or document.]

(Rule revoked effective 07/01/2016)

York R.Crim.P. 114. [Service of Court Orders or Court Notices Orders] Orders and Court Notices: Filing; Service; and Docket Entries

[A. Documents Required to be Served by Clerk of Courts.

1. The Clerk of Courts shall record the service of all orders, court notices, and any other document required by law or applicable rule of procedure to be served on a party or counsel.

2. The service of an order, court notice, or any other document required to be served by the Clerk of Courts shall be recorded on a form prescribed by the District Court Administrator.

a. The form shall include, at a minimum, the information required by Pa.R.Crim.P. 114(C), and shall also include the manner of service and the name of the individual recording the information.

b. The form shall be filed in the criminal case file maintained by the Clerk of Courts, and docket entries shall be made pursuant to the requirements of Pa.R.Crim.P. 113 and 114.

B. Documents May be Served by District Court Administrator.

1. Any order or court notice produced by stenographic transcription and required to be served on an attorney or an office located within the York County Judicial Center may be served by the District Court Administrator, or the District Court Administrator's designee.

2. If service of an order or court notice is made pursuant to Section B1 above, the District Court Administrator, or designee, shall cause to be filed in the Clerk of Court's office, proof of service on the form prescribed in Section A2 above.]

Pursuant to Pa.R.Crim.P. 114(B), the court, court chambers staff, the clerk of courts, and the court administrator are all authorized to perform service of any document upon any party.

(Amended effective 07/01/2016.)

York R.Crim.P. 117. **[Magisterial District Judge Coverage and After Hours Coverage for Judicial Business] Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail**

[A. Regular Business Hours of Magisterial District Judges.

1. The offices of the Magisterial District Judges shall be open for at least a total of 30 hours per week, Monday through Friday, excluding any Court holidays and a reasonable time for lunch.

2. Offices of the Magisterial District Judges shall be open at least four days per week, excluding any Court holidays and a reasonable time for lunch, between the hours of 8:30 a.m. and 4:00 p.m.

3. Magisterial District Judges shall submit their proposed yearly schedule of office hours to the President Judge for approval prior to December 1 of the preceding year, unless there are no changes from the preceding year, and shall post the schedule at least annually in a conspicuous place at the office, pursuant to Rule 103 of the Pennsylvania Rules of Conduct for Magisterial District justices. Schedules of office hours of all Magisterial District Judges shall also be maintained in the office of the District Court Administrator.

4. Applications for a change in office hours shall be made to the President Judge, through the District Court Administrator, prior to any change being instituted.

B. Availability of Magisterial District Judges During Regular Business Hours.

1. Magisterial District Judges shall be available to conduct judicial business during regular business hours, without unnecessary delay.

2. Should a Magisterial District Judge for a particular district not be available during regular business hours, any matter requiring immediate judicial attention shall be referred to the nearest available Magisterial District Judge.

3. A Magisterial District Judge may designate the personnel in that office to make a referral and designate the manner of referring matters to the nearest available Magisterial District Judge.

4. A Magisterial District Judge shall inform the District Court Administrator and York County E-911, as soon as reasonably practical, of that Magisterial District Judge's scheduled or unscheduled unavailability during regular business hours.

C. Availability of Magisterial District Judges After Regular Business Hours.

1. A Magisterial District Judge, known as the "Duty MDJ" shall be on continuous duty after regular business hours for the purpose of conducting judicial business requiring immediate attention, without unnecessary delay.

(a) The District Court Administrator shall designate and publish the annual schedule of Duty MDJs prior to November 1 of the preceding year.

(b) A Duty MDJ who is scheduled for a particular time may exchange duty times with another Magisterial District Judge, and shall make such change known to the District Court Administrator and York County E-911 as soon as is reasonably practical.

2. An office, known as a "Duty Office" shall be maintained for the Duty MDJ to conduct judicial business after regular business hours.

(a) Such office may be a "central booking" facility, or another office suitable for the conduct of judicial business after hours.

(b) Such office shall be equipped with suitable electronic communications to enable simultaneous visual and audio communication with the York County Prison and a Duty MDJ.

3. The Duty MDJ shall be available at all times when assigned after regular business hours to conduct judicial business without unnecessary delay.

(a) Such judicial business, including preliminary arraignments, setting of bail, and processing individuals arrested or otherwise detained, may be conducted by suitable electronic communications which provides simultaneous audio and visual contact between the Duty MDJ and the Duty Office.

(b) In the event such business is conducted remotely by electronic communications, suitable electronic methods of transmitting required paperwork without unnecessary delay may be utilized, including computer or facsimile transmittal.]

(A) A magisterial district judge, known as the "Duty MDJ" shall be on duty after regular business hours for the purpose of conducting judicial business requiring attention without unnecessary delay.

(1) The court administrator shall designate and publish the annual schedule of Duty MDJs prior to November 1 of the preceding year.

(2) A Duty MDJ who is scheduled for a particular time may exchange duty times with another magisterial district judge, and shall make such change known to the court administrator and York County E-911 as soon as is reasonably practical.

(B) The Duty MDJ may perform his or her duties in the Central Booking facility of the Judicial Center, in any magisterial district court office facility, or from any other location equipped to enable sufficient communication and information exchange between the Duty MDJ, defendant, and other court personnel.

(C) The sheriff, clerk of courts, MDJ and other officials operating the Central Booking facility are authorized, pursuant to Pa. R.Crim.P. 535(A), to accept cash bail, deposits, and bail program fees from defendants, sureties and others acting on behalf of the defendants or sureties, to provide receipts and documentation for the same, and to deliver all funds, bail bonds and documentation to the clerk of courts or issuing authority.

(Amended effective 07/01/2016.)

York R.Crim.P. 120. Attorneys - Appearances and Withdrawals: Limited Entry of Appearance for ARD Application Process

(A) An attorney may, at the time of the entry of appearance in a case, indicate a desire to limit the appearance to the representation of a defendant through the application process and acceptance into the ARD program.

(B) Upon the defendant's rejection from or placement onto the ARD program, the attorney may seek leave of court pursuant to Pa.R.Crim.P. 120(B) to withdraw from any further representation of the defendant in the case.

(C) The attorney shall not terminate representation of the defendant unless and until leave to withdraw the appearance is granted by the court.

(New rule effective 07/01/2016.)

[York R.Crim.P. 135. Transmittal of Records to the District Attorney

Upon receipt and filing of the records from District Justices, the Clerk of Courts shall forthwith cause to be made a copy of each complaint, citation, transcript, and other documents relevant and material to the cause of action, and shall forthwith transmit copies to the District Attorney, and, if an appeal is taken from a violation of a municipal ordinance, then also to the solicitor of the municipality or municipal agency involved.]

(Rule revoked effective 07/01/2016)

York R.Crim.P. 150. [Hearings on] Bench Warrants.

[A. Bench Warrants to be Heard by Judge Issuing Warrant. Hearings for individuals arrested on bench warrants shall be heard by the judicial officer who issued the bench warrant, within the time periods and pursuant to the procedures set forth in Pa.R.Crim.P. 150.

B.] (A) Bench Warrants Issued by Judge of Court of Common Pleas.

[1.] (1) Hearings for individuals arrested on bench warrants issued by a Judge of the Court of Common Pleas shall be heard by the Judge who issued the bench warrant, if that Judge is available and is still assigned to the criminal division.

[2.] (2) In the event that an individual has been arrested on more than one bench warrant issued by different Judges of the Court of Common Pleas, the individual may be taken before any Judge who issued a warrant, who shall conduct a hearing on all of the bench warrants pursuant to which the individual was arrested.

[3.] (3) In the event the Judge or Judges who issued a bench warrant are unavailable to conduct a hearing within the time limits set forth in Pa.R.Crim.P. 150, then the hearing shall be conducted by the designated "Duty Judge." [.]

[a.] (a) The District Court Administrator shall maintain a list of "Duty Judges" which shall be updated from time to time and circulated among the Judges of the Court of Common Pleas of York County. The District Court Administrator shall assign such hearings to the appropriate Judge from that list if the issuing Judge is not available.

[b.] (b) A Judge who is "on duty" for the designed time period shall **[insure]** **ensure** his or her availability or the availability of another Common Pleas Judge, during normal Court business hours, for the purpose of conducting these hearings and for addressing other matters which may need the attention of the Court and for which the Judge ordinarily assigned to a matter may not be available.

[4.] (4) At the conclusion of the bench warrant hearing following the disposition of the matter, the Judge shall immediately vacate the bench warrant, using an ORDER which shall be substantially in the form as prescribed by the President Judge or designee.

[C.] (B) Bench Warrants Issued by Magisterial District Judges.

[1.] (1) Hearings for individuals arrested on bench warrants issued by a Magisterial District Judge shall be heard by the Magisterial District Judge who issued the bench warrant, **or the Magisterial District Judge currently presiding in the magisterial district.**

[2.] (2) In the event that an individual has been arrested on more than one bench warrant issued by different Magisterial District Judges, the individual may be taken before any Magisterial District Judge who issued a warrant, who may conduct a hearing on all of the bench warrants pursuant to which the individual was arrested.

[3.] (3) In the event that the Magisterial District Judge or Judges who issued a bench warrant are unavailable to conduct a hearing within the time limits set forth in Pa.R.Crim.P. 150, or if an individual is arrested after normal business hours on a bench warrant, then the matter or matters shall proceed pursuant to **[YC-Crim-117] York R.Crim.P. 117.**

[D.] (C) Release of Individual Not Applicable to Warrants Issued in Parole/Probation Proceedings. An individual arrested as a result of a bench warrant issued in connection with a parole or probation proceeding shall not be released upon the expiration of seventy-two (72) hours without further court order, regardless of whether that individual had a hearing on the bench warrant.

(Amended effective 07/01/2016.)

[York R.Crim.P. 461. Appeal as Supersedeas

An appeal filed with the Clerk of Courts shall operate as a supersedeas to the sentence imposed by the District Justice.]

(Rule revoked effective 07/01/2016)

York R.Crim.P. 462. **[Pre-Trial Summary Motions] Trial De Novo**

[(A) The Court shall hear and dispose of all pre-trial motions directly prior to the summary appeal trial.

(B) Only motions to dismiss a case for technical defects that are evident from an inspection of the record, or motions upon a stipulated set of facts may be considered prior to the summary appeal trial.

(C) The motions shall be made, in writing, and filed with the Clerk of Courts at least five (5) days prior to the date set for trial. The motions shall contain a specific averment of the defect, with reference to the record and a citation to any authorities relied upon. A brief need not accompany any motion.

(D) A copy of all motions shall be forthwith served upon the District Attorney, or if applicable, the opposing attorney or the solicitor of the municipality or municipal agency involved. An answer is not required.

(E) No case will be continued unless application, by motion or on a form approved by the Court, is made to the Court at the time set for the summary appeal trial, except for cause arising subsequent to that date.]

(A) Upon receipt of a notice of appeal and the filing of the transcript and other papers by the issuing authority, the court administrator shall assign the case to the next available term of Summary Appeals Court.

(B) Should a party wish to file any pretrial motion for consideration by the trial judge, such motion shall be filed at least ten (10) days prior to the date scheduled for trial, unless grounds for the motion did not previously exist. Motions shall be filed and served in the same manner as provided in York R.Crim.P. 575 and 576.

(C) Any application for a continuance of the trial date shall be filed at least ten (10) days in advance of the date for trial, unless grounds for the motion did not exist prior to that time.

(1) The party applying for a continuance shall contact the opposing party to determine whether there is any opposition for the requested continuance.

(2) The application for continuance shall state specifically the reasons for the continuance, and shall further state whether there is concurrence with the request or whether the request is opposed.

(3) The application for continuance shall be filed and served in the same manner as provided in York R.Crim.P. 575 and 576.

(4) The proposed order shall include space for the setting of an alternate date and time for the rescheduled *de novo* trial.

(D) The court administrator shall maintain a list of days and times during which summary *de novo* trials will be held, and shall publish such dates and times in the Court Calendar at least annually.

(Amended effective 07/01/2016.)

[York R.Crim.P. 520. Posting of Bail.

A. Posting of Bail During Normal Business Hours.

1. Bail in any acceptable form may be posted during normal business hours at the office of the Clerk of Courts and shall be accepted by the Clerk of Courts or the Clerk's designees.

2. Bail in any acceptable form, except real property, may be posed during normal business hours at the office of the issuing authority.

B. Posting of Bail After Normal Business Hours.

1. Bail in any acceptable form, except real property, may be posted after normal business hours with the Duty MDJ, at such location as the Duty MDJ may designate. The Duty MDJ may make such arrangements for security of the facility, staff and the Duty MDJ as is reasonably necessary to facilitate the acceptance of bail.

2. Bail in any acceptable form, except real property and currency, may be posted after normal business hours with the Duty MDJ at the Duty Office, or at the York County Prison.

(a) The Warden of the York County Prison, or the Warden's designees, are authorized to do all things necessary to accept bail at the York County Prison after normal business hours.

(b) The Sheriff of York County, or the Sheriff's designees, are authorized to do all things necessary to accept bail at the Duty Office.]

(Rule revoked effective 07/01/2016)

[York R.Crim.P. 526. Notification to Bondsmen.

(A) During the period of time that any defendant shall be released from custody by the posting of bail, notices of the requirement of the defendant's appearance before the Court, pursuant to the terms and conditions of said bail, shall be given by the District Attorney and/or Clerk of Courts, both to the defendant and to his surety. Such notice shall be sufficient if the same shall be placed in the mail, post-paid, ordinary mail, and addressed to the address given in the bail documents for the defendant and the surety, unless a newer address is provided.]

(Rule revoked effective 07/01/2016)

York R.Crim.P. 528. Monetary Condition of Release on Bail: Percentage Cash Bail Program

(A) Unless specifically prohibited by order of the bail authority when setting bail in the case, any defendant or the defendant's surety may satisfy the monetary condition of release on bail by depositing with the court a sum of money equal to 10% of the full amount required.

(B) If the defendant is released upon the posting of a 10% deposit and subsequently is found by the court to have violated the conditions of release, the defendant or the defendant's surety shall forfeit to the court the 10% deposit and shall also pay to the court the remaining 90%.

(C) The court shall, by separate administrative order, periodically set a percentage cash bail processing fee that reasonably relates to the cost of administering the percentage cash bail program.

(D) The clerk of courts, controller, treasurer and all other court and county agencies shall ensure that funds collected as the percentage cash bail processing fee are separately accounted for and applied solely to offset the costs associated with administration of the percentage cash bail program.

(E) Upon final disposition of the case, the court shall permanently retain from the 10% deposit the percentage cash bail processing fee, plus an amount equal to the costs associated with the issuance and service of any bench warrants resulting from the defendant's failure to appear for any proceedings in the case, which total amount shall constitute costs associated with administering the percentage cash bail program. Any remaining balance of the 10% deposit shall be disposed of in accordance with Pa.R.Crim.P. 528 and 535.

(New rule effective 07/01/2016, immediately suspended until further order.)

York R.Crim.P. 530. Duties and Powers of a Bail Agency

(A) The Administrative Office of York County Courts (AOYCC) is authorized to establish and maintain a bail agency to monitor and assist defendants released on bail pursuant to Pa.R.Crim.P 530 and to assist and advise the court with issues relating to bail.

(B) The AOYCC is authorized to promulgate policies and procedures necessary for the effective and efficient operation of the bail agency.

(C) The AOYCC may establish the bail agency as a subdivision within the York County Department of Probation Services, or as a new and separate department under the jurisdiction of the AOYCC.

(D) Included among the duties and responsibilities of the bail agency is the administration of the percentage cash bail program authorized by York. R.Crim.P. 528.

(New rule effective 07/01/2016.)

[York R.Crim.P. 531. Supervision of Bondsmen.]

(A) Subject to the approval of the Court, the District Attorney shall supervise the professional bondsmen. A list of all duly licensed bondsmen shall be maintained by the District Attorney, who shall provide copies to the District Justices. The District Attorney may promulgate such regulations as are deemed reasonably necessary to insure that the bondsmen are financially responsible and able to meet all bail bonding requirements.]

(Rule revoked effective 07/01/2016)

York R.Crim.P. 570. [Pre-Trial] Pretrial Conference.

(A) Notice of Judge assignment and a [pre-trial] pretrial conference date shall be [handed] provided to the defendant or defense counsel at arraignment. Notice may be mailed in the case of a written waiver by mail of formal arraignment.

(B) Defendant and defense counsel shall attend a [pre-trial] pretrial status conference with the intention of discussing the disposition of the case with the Judge and the assigned [District Attorney] prosecutor.

(Amended effective 07/01/2016.)

York R.Crim.P. 571. Arraignment[s]

[(A) Arraignments shall be conducted at such time and place as shall be determined by Order of Court. The Court shall provide notice of such times and places with as much advance notice as is practical, to allow adequate notice of arraignment to be given to the defendant.

(B) Unless otherwise provided, a defendant may waive, in writing, formal arraignment by the Court, provided, however, that:

(1) The defendant shall be advised of the charges against him and shall receive a copy of any information filed against him.

(2) The defendant shall be advised, in writing, of the following rights:

(a) The right to pre-trial discovery and to file pre-trial motions, and the time periods to initiate pre-trial discovery and requests for particulars, and the time within which to file pre-trial motions;

(b) The earliest date that the case could be called for trial;

(c) That the defendant is entering a plea of not guilty and requesting a trial by jury.

(C) A waiver of formal arraignment can be made by a defendant without appearing in court provided:

(1) The waiver is in writing, on a form prescribed by the District Attorney which contains the disclosures set forth in subsection (B)(2) of this rule, and which is signed by the defendants; and

(2) The waiver is accompanied by a written entry of appearance by counsel for the defendant; and

(3) The waiver form and appearance form specifically identify the case to which the waiver and appearance apply, either by case number or other unique identifier; and

(4) The completed waiver form and entry of appearance form is received in the Office of the District Attorney at least three (3) business days prior to the date scheduled for arraignment. The District Attorney shall forthwith file the completed waiver form with the Office of the Clerk of Courts. In the event it is not so completed and received, the defendant shall appear in Court as scheduled; and

(5) For purposes of time limitations for pre-trial matters, the date of arraignment shall be deemed the date on which the defendant was originally scheduled to appear in Court for arraignment or waiver of arraignment; and

(6) In cases in which the defendant waives arraignment without appearing, it shall be the responsibility of the defendant or his counsel to obtain a copy of the information or indictment; and

(7) A waiver of formal arraignment is not available to defendants who are without counsel.]

(A) The court administrator shall establish periodic dates for arraignment of defendants and shall publish the dates and times in the Court Calendar at least annually.

(B) A defendant shall be advised orally and in writing, by court order, of the date and time for the arraignment at the defendant's preliminary hearing, or at the time the preliminary hearing is waived. The arraignment date shall normally be set as the fifth (5th) Friday following the date that the preliminary hearing is held or waived, or the next available Friday thereafter in the event of a court holiday.

(C) A waiver of formal arraignment by defendants represented by counsel pursuant to Pa.R.Crim.P. 571(D) may be made without the appearance of the defendant or counsel in Court, provided such waiver is received by the district attorney at least three (3) business days prior to the date scheduled for arraignment.

(1) A waiver of formal arraignment shall be on such form as prescribed by the court, and shall contain at least the information set forth in Pa.R.Crim.P 571(C).

(2) A waiver of formal arraignment is not available to a defendant not represented by counsel.

(D) In the event a defendant scheduled for arraignment is not represented by counsel, formal arraignment shall be conducted in open court by a judge assigned, at the date and time scheduled for arraignment.

(Amended effective 07/01/2016.)

[York R.Crim.P. 571.1. Arraignment of *Pro Se* Defendant

(A) If a defendant appears without counsel at the time set for arraignment or waiver of arraignment, and the defendant indicates a desire to proceed without counsel, the defendant shall not be permitted to waive arraignment, but shall be given a return with counsel date. At that date, if the defendant is again without counsel, he shall be informed

of his right to secure counsel by the presiding Judge. That Judge shall formally arraign the defendant.

(B) If the defendant appears without counsel at the time set for arraignment or waiver of arraignment, and the defendant indicates a desire to proceed without counsel, and chooses to proceed with a disposition such as a plea of guilt at that time, the defendant shall be scheduled for disposition forthwith, formally arraigned, and informed of his right to counsel. A plea may be taken at that time.

(C) If the defendant appears on the return of counsel date and indicates his desire to proceed without counsel, and chooses a disposition such as a plea of guilt at that time, the defendant shall be formally arraigned and a plea may be taken at that time.]

(Rule revoked effective 07/01/2016)

York R.Crim.P. 575. Motions and Answers.

If a proposed order is submitted by the applicant with a motion for consideration by the court, the original of such order shall not be stapled to the original motion filed by a party. Such proposed order, if suggesting that a hearing should be held, shall include space for the day, date, time and courtroom assigned for the proposed hearing.

(New rule effective 07/01/2016.)

York R.Crim.P. 576. Filing and Service by Parties.

(A) Parties shall satisfy the requirements of Pa.R.Crim.P. 576(B) to serve copies of filings upon the court administrator by delivering the court administrator's copy to the clerk of courts, concurrent with filing of the original with the clerk of courts. The clerk of courts shall promptly place the copy into the court administrator's drop box. No other copies of any filing subject to Pa.R.Crim.P. 576 shall be delivered to the court administrator by any party by any other means.

(B) No party shall file or submit for consideration by a judge any application or other document by facsimile or by electronic mail without prior leave of court, except however that the clerk of courts is authorized to establish a formal e-filing system for the court.

(New rule effective 07/01/2016.)

York R.Crim.P. 578. **[Content of Pre-Trial Motions] Omnibus Pretrial Motion for Relief**

[All pre-trial motions for pre-trial discovery and inspection under Pa.R.Crim.P. 305, and all omnibus pre-trial motions for relief under Pa.R.Crim.P. 306, shall set forth the specific date on which the defendant was arraigned, or waived arraignment, or if the defendant has not yet been arraigned, or waived arraignment, the motion shall so state. Any such motion not complying with this requirement shall be summarily refused without prejudice.]

(A) An omnibus pretrial motion for relief shall state the date on which the defendant was arraigned or the date on which a waiver of arraignment was filed, or if not yet arraigned, shall so state.

(B) An omnibus pretrial motion for relief shall state whether the defendant is incarcerated, the place of incarceration, if applicable, and whether any special court service, such as the assistance of an interpreter, is needed.

(Amended effective 07/01/2016.)

York R.Crim.P. 579. **[Filing of Pre-Trial Motions] Time for Omnibus Pretrial Motion and Service**

[(A) The original of any pre-trial motion requiring a Court order, rule, or other Court action, shall first be filed with the Clerk of Courts, who shall time-stamp the original and any copies which may also be presented.

(1) A party shall, concurrently with filing the motion, serve the attorney for the Commonwealth and all parties, or their counsel, with a copy of the motion.

(2) The Clerk of Courts shall note the filing of the motion on the docket, and cause to be transmitted to the appropriate Judge any original motion which requests or requires Court action. A courtesy copy shall be served on the assigned Judge by the moving party.

(B) When action by the Court is taken on the motion, or the action requested in the motion is denied, the Clerk of Courts shall time-stamp the order, rule, or other Court action, and shall note the filing upon the docket. The Clerk of Courts shall forthwith furnish a copy of the order, rule or other Court action to all parties, or their counsel, by personal delivery, first class mail, or any other means authorized by the Court.

(C) A motion is deemed filed when the original motion is filed with the Clerk of Courts.]

(A) In cases in which a defendant has made an initial application for acceptance to the ARD program, specialty treatment court, or other pretrial diversionary program within thirty (30) days of arraignment or waiver of arraignment filed of record, the time for filing and service of the omnibus pretrial motions shall be extended to a time not to exceed thirty (30) days after initial rejection of the defendant's application to the pretrial program. The original application for relief shall be filed in the office of the clerk of courts in the manner set forth in Pa.R.Crim.P. 576(A).

(B) In cases in which a defendant has been removed from the ARD program or other pretrial diversionary program, any omnibus pretrial motion for relief must be filed within thirty (30) days of the date of the filing of the order for removal.

(Amended effective 07/01/2016.)

[York R.Crim.P. 580. Assignment of Pre-Trial Motions

All pre-trial motions requiring court action prior to trial shall be assigned to the Judge assigned to the case. Notice of such assignment shall be given at the time of the arraignment. Early assignment shall be made through the District Court Administrator.]

(Rule revoked effective 07/01/2016)

York R.Crim.P. 619. Admission, Custody and Substitution of Tangible Exhibits

(A) Counsel for the respective parties shall retain possession, and shall be responsible for the care and custody, of all tangible exhibits used at trial, whether or not the same have been presented, marked, identified and used, until such time as they have been formally offered into evidence and the court has made a specific order directing their admission into evidence.

(B) From and after the making of such formal court order of admission, the clerk of courts shall take possession, and shall be responsible for the care and custody, of all such tangible exhibits during the remainder of the trial and thereafter until further order of the court.

(C) Immediately upon the termination of the trial, the clerk of courts shall assemble and identify all such exhibits to the particular case and shall be responsible for their secure care, custody and maintenance, and no such exhibits shall thereafter be removed or destroyed except upon order of the court.

(D) A party who introduces an exhibit which is not readily stored in a standard letter-sized folder shall cause the exhibit to be reduced in size, photographed, or otherwise

reproduced so that the exhibit may be readily stored in such folder without impairment of its visual quality.

(E) A party who introduces an exhibit which is not readily stored in a standard letter-sized folder or easily reduced to such size shall take sufficient photographs of the exhibit, or otherwise reproduce it, to accurately capture its likeness, using either film or digital medium and may be expected to substitute the photographs or other reproduction of the actual exhibit in the trial record.

(F) Parties are expected to reduce large quantities of paper records or exhibits to commonly used electronic formats for use at trial and for inclusion in the record.

(G) In the event that an exhibit is substituted by one of the means set forth in this Rule, the offering party shall maintain the original exhibit in safe keeping until the conclusion of the case in which the exhibit was admitted into evidence or made a part of the record.

(H) In the event special software is needed to view electronically stored exhibits, the party offering the exhibits may be required to provide such software to the court for use during trial.

(New rule effective 07/01/2016.)

[York R.Crim.P. 642. Contact With Jurors

Before or during the trial of a case, no attorney, party or witness, shall communicate, or cause another to communicate, with any member of the jury, or anyone known to be a member of the venire from which the jury is selected for the trial of the case.]

(Rule revoked effective 07/01/2016)

[York R.Crim.P. 647. Admission and Custody of Tangible Exhibits

(A) Counsel for the respective parties shall retain possession, and shall be responsible for, the care and custody of all tangible exhibits used at hearings and trials, whether or not they have been presented, marked, identified and used, until such time as they have been formally offered into evidence.

(B) From and after an order of admission, or if admission is denied, if the Court should so order, the Clerk of Courts shall take possession, and shall be responsible for the care and custody of all such tangible exhibits during the remainder of the hearing or trial, and thereafter, until further order of the Court. Immediately upon the termination of the

hearing or trial, the Clerk of Courts shall assemble and identify all such exhibits to the particular case, and shall be responsible for their secure care, custody and maintenance, and no such exhibits shall thereafter be removed or destroyed except upon order of the Court.

(C) At any time after final disposition of the case, including the expiration of any applicable appeal period, the Clerk of Court may, after notice to counsel for all parties, petition the Court for an order authorizing the removal and disposition by destruction, or otherwise, of any tangible exhibit of a size or weight precluding its enclosure in a regular case file.]

(Rule revoked effective 07/01/2016)

York R.Crim.P. 700. Sentencing Judge

Pursuant to Pa.R.Crim.P. 700(B), sentence in any case arising from a plea of guilty or nolo contendere, including probation violation or parole violation sanction or sentence, may be imposed by any judge as assigned by the District Court Administrator. All defendants shall be notified of this provision at the time they enter their plea.

(New rule effective 07/01/2016.)

York R.Crim.P. 706. Fines or Costs

(A) A defendant's responsibility for payment of fines and costs imposed by the court pursuant to law (see Pa.R.Crim.P. 706 and 42 Pa.C.S. § 1726) may be modified in particular cases to the extent permitted by law, which modification may include directing a defendant to perform on a work detail or other community service to defray some or all of the fines and costs imposed.

(B) Performance on a work detail or other community service shall defray fines and costs imposed at an hourly rate to be periodically set by separate administrative order of the court.

(New rule effective 07/01/2016.)

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YORK COUNTY RULES OF CRIMINAL PROCEDURE
Including Amendments Adopted Through July 1, 2016

Table of Local Rules

**CHAPTER 1. SCOPE OF RULES, CONSTRUCTION
AND DEFINITIONS**

Rule

100. Scope of Rules
102. Citing the Criminal Procedure Rules.

PART A. BUSINESS OF THE COURTS

103. Definitions.
114. Orders and Court Notices: Filing; Service; and Docket Entries.
117. Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail.

PART B. COUNSEL

120. Attorneys - Appearances and Withdrawals: Limited Entry of Appearance for ARD Application Process.

PART E. MISCELLANEOUS WARRANTS

150. Bench Warrants.

CHAPTER 4. PROCEDURES IN SUMMARY CASES

**PART F. PROCEDURES IN SUMMARY CASES FOR APPEALING TO
COURT OF COMMON PLEAS FOR A TRIAL DE NOVO**

462. Trial De Novo.

CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART C. BAIL

PART C(1). RELEASE PROCEDURES

528. Monetary Condition of Release on Bail: Percentage Cash Bail Program.
(Rule 528 is suspended until further order of the court.)

PART C(2). GENERAL PROCEDURES IN ALL BAIL CASES**Rule**

530. Duties and Powers of a Bail Agency.

PART G. PROCEDURES FOLLOWING FILING OF INFORMATION

570. Pretrial Conference.

571. Arraignment.

PART G(1). MOTION PROCEDURES

575. Motions and Answers.

576. Filing and Service by Parties.

578. Omnibus Pretrial Motion for Relief.

579. Time for Omnibus Pretrial Motion and Service.

CHAPTER 6. TRIAL PROCEDURES IN COURT CASES**PART A. GENERAL PROVISIONS**

619. Admission, Custody and Substitution of Tangible Exhibits.

CHAPTER 7. POST-TRIAL PROCEDURES IN COURT CASES**PART A. SENTENCING PROCEDURES**

700. Sentencing Judge.

706. Fines or Costs.

PART B. POST-SENTENCE PROCEDURES

720. Post-Sentence Procedures; Appeal.

CHAPTER 1
SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

York R.Crim.P. 100. Scope of Rules

These rules shall govern criminal proceedings, including summary offense proceedings, pending before all courts of the Nineteenth Judicial District of York County, including the Court of Common Pleas and Magisterial District Courts. Unless otherwise specifically provided, these rules shall not apply to juvenile or domestic relations proceedings.

York R.Crim.P. 102. Citing the Criminal Procedure Rules

These Rules shall be known as the "York County Rules of Criminal Procedure" and shall be cited as "York R.Crim.P. ___".

PART A. BUSINESS OF THE COURTS

York R.Crim.P. 103. Definitions.

(A) Unless otherwise expressly stated, all words and phrases, when used in any York County Rule of Criminal Procedure or order, shall have the same meaning as defined in the Pennsylvania Rules of Criminal Procedure.

(B) In addition to any definition supplied by the Pennsylvania Rules of Criminal Procedure, the following words and phrases, when used in any York County Rule of Criminal Procedure or order, shall have the following meanings unless otherwise expressly stated:

Action is any action or proceeding of any nature pending before the Court of Common Pleas of York County or any Magisterial District Court in the 19th Judicial District.

Administrative Office of York County Courts (abbreviated AOYCC) is the Office of District Court Administrator, all court-appointed departments subject to the direction and supervision of the court administrator, and all employees of the office and departments.

Application is any motion, petition, request, or other document requesting or requiring the signature of a judge or action by the court. The term does not include a complaint as set forth in Pa.R.Civ.P. 1017.

Clerk of Courts is the elected or appointed Clerk of the Court of Common Pleas of York County, the Office of the Clerk of Courts, and all employees of the office.

Counsel is an attorney at law, in good standing, admitted to practice to the bar of this Commonwealth. In any action where a defendant proceeds as a self-represented litigant, reference to a defendant's attorney or counsel shall mean the defendant.

County is York County.

Court is the Court of Common Pleas of York County, and Magisterial District Courts of the 19th Judicial District, or a judge of the court.

Courtroom is any courtroom, hearing room, grand jury room, or other rooms in which judicial proceedings are conducted, whether located in the York County Judicial Center, in a magisterial district court building, or any other location within the 19th Judicial District.

Court Administrator is the appointed District Court Administrator for the Court of Common Pleas of York County, the Office of the District Court Administrator, the Administrative Office of York County Courts (AOYCC), and all employees of the office.

District Attorney is the elected or appointed District Attorney of York County, the elected or appointed Attorney General of the Commonwealth of Pennsylvania, any solicitor of any municipality, any special prosecutor, any other entity or individual authorized and assigned to prosecute any matter before the criminal division of this court, and all employees of all of the foregoing.

Judge is the elected or appointed Judge of the Court of Common Pleas or Magisterial District Judge of any Magisterial District Court of the 19th Judicial District to whom the case is assigned, or in the absence of the assigned judge, any other judge of the court as assigned by the court administrator.

Party is the party or parties appearing in the action as self-represented litigants, or the attorney or attorneys of record for such party or parties.

President Judge is the elected President Judge or acting President Judge of the Court of Common Pleas of York County, the Chambers of the President Judge, and all chambers staff.

Probation Department is the York County Department of Probation Services, and all employees of the department.

Prothonotary is the elected or appointed Prothonotary of the Court of Common Pleas of York County, the Office of the Prothonotary, and all employees of the office.

Public Defender is the appointed Public Defender of York County, the Office of the Public Defender, and all employees of the office.

Sheriff is the elected or appointed Sheriff of York County, the Office of the Sheriff, and all employees of the office.

Solicitor is the appointed Solicitor of York County, the Office of the Solicitor, and all employees of the office.

Warden is the appointed Warden of the York County Prison, the Office of the Warden, and all employees of the office.

(C) The singular shall include the plural, and the plural shall include the singular.

York R.Crim.P. 114. Orders and Court Notices: Filing; Service; and Docket Entries

Pursuant to Pa.R.Crim.P. 114(B), the court, court chambers staff, the clerk of courts, and the court administrator are all authorized to perform service of any document upon any party.

York R.Crim.P. 117. Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail

(A) A magisterial district judge, known as the "Duty MDJ" shall be on duty after regular business hours for the purpose of conducting judicial business requiring attention without unnecessary delay.

(1) The court administrator shall designate and publish the annual schedule of Duty MDJs prior to November 1 of the preceding year.

(2) A Duty MDJ who is scheduled for a particular time may exchange duty times with another magisterial district judge, and shall make such change known to the court administrator and York County E-911 as soon as is reasonably practical.

(B) The Duty MDJ may perform his or her duties in the Central Booking facility of the Judicial Center, in any magisterial district court office facility, or from any other location equipped to enable sufficient communication and information exchange between the Duty MDJ, defendant, and other court personnel.

(C) The sheriff, clerk of courts, MDJ and other officials operating the Central Booking facility are authorized, pursuant to Pa. R.Crim.P. 535(A), to accept cash bail, deposits, and bail program fees from defendants, sureties and others acting on behalf of the defendants or sureties, to provide receipts and documentation for the same, and to deliver all funds, bail bonds and documentation to the clerk of courts or issuing authority.

PART B. COUNSEL

York R.Crim.P. 120. Attorneys - Appearances and Withdrawals: Limited Entry of Appearance for ARD Application Process

(A) An attorney may, at the time of the entry of appearance in a case, indicate a desire to limit the appearance to the representation of a defendant through the application process and acceptance into the ARD program.

(B) Upon the defendant's rejection from or placement onto the ARD program, the attorney may seek leave of court pursuant to Pa.R.Crim.P. 120(B) to withdraw from any further representation of the defendant in the case.

(C) The attorney shall not terminate representation of the defendant unless and until leave to withdraw the appearance is granted by the court.

PART E. MISCELLANEOUS WARRANTS

York R.Crim.P. 150. Bench Warrants.

(A) Bench Warrants Issued by Judge of Court of Common Pleas.

(1) Hearings for individuals arrested on bench warrants issued by a Judge of the Court of Common Pleas shall be heard by the Judge who issued the bench warrant, if that Judge is available and is still assigned to the criminal division.

(2) In the event that an individual has been arrested on more than one bench warrant issued by different Judges of the Court of Common Pleas, the individual may be taken before any Judge who issued a warrant, who shall conduct a hearing on all of the bench warrants pursuant to which the individual was arrested.

(3) In the event the Judge or Judges who issued a bench warrant are unavailable to conduct a hearing within the time limits set forth in Pa.R.Crim.P. 150, then the hearing shall be conducted by the designated "Duty Judge."

(a) The District Court Administrator shall maintain a list of "Duty Judges" which shall be updated from time to time and circulated among the Judges of the Court of Common Pleas of York County. The District Court Administrator shall assign such hearings to the appropriate Judge from that list if the issuing Judge is not available.

(b) A Judge who is "on duty" for the designed time period shall ensure his or her availability or the availability of another Common Pleas Judge, during normal Court business hours, for the purpose of conducting these hearings and for addressing other matters which may need the attention of the Court and for which the Judge ordinarily assigned to a matter may not be available.

(4) At the conclusion of the bench warrant hearing following the disposition of the matter, the Judge shall immediately vacate the bench warrant, using an ORDER which shall be substantially in the form as prescribed by the President Judge or designee.

(B) Bench Warrants Issued by Magisterial District Judges.

(1) Hearings for individuals arrested on bench warrants issued by a Magisterial District Judge shall be heard by the Magisterial District Judge who issued the bench warrant, or the Magisterial District Judge currently presiding in the magisterial district.

(2) In the event that an individual has been arrested on more than one bench warrant issued by different Magisterial District Judges, the individual may be taken before any Magisterial District Judge who issued a warrant, who may conduct a hearing on all of the bench warrants pursuant to which the individual was arrested.

(3) In the event that the Magisterial District Judge or Judges who issued a bench warrant are unavailable to conduct a hearing within the time limits set forth in Pa.R.Crim.P. 150, or if an individual is arrested after normal business hours on a bench warrant, then the matter or matters shall proceed pursuant to York R.Crim.P. 117.

(C) Release of Individual Not Applicable to Warrants Issued in Parole/Probation Proceedings. An individual arrested as a result of a bench warrant issued in connection with a parole or probation proceeding shall not be released upon the expiration of seventy-two (72) hours without further court order, regardless of whether that individual had a hearing on the bench warrant.

CHAPTER 4. PROCEDURES IN SUMMARY CASES

PART F. PROCEDURES IN SUMMARY CASES FOR APPEALING TO COURT OF COMMON PLEAS FOR A TRIAL DE NOVO

York R.Crim.P. 462. Trial De Novo

(A) Upon receipt of a notice of appeal and the filing of the transcript and other papers by the issuing authority, the court administrator shall assign the case to the next available term of Summary Appeals Court.

(B) Should a party wish to file any pretrial motion for consideration by the trial judge, such motion shall be filed at least ten (10) days prior to the date scheduled for trial, unless grounds for the motion did not previously exist. Motions shall be filed and served in the same manner as provided in York R.Crim.P. 575 and 576.

(C) Any application for a continuance of the trial date shall be filed at least ten (10) days in advance of the date for trial, unless grounds for the motion did not exist prior to that time.

(1) The party applying for a continuance shall contact the opposing party to determine whether there is any opposition for the requested continuance.

(2) The application for continuance shall state specifically the reasons for the continuance, and shall further state whether there is concurrence with the request or whether the request is opposed.

(3) The application for continuance shall be filed and served in the same manner as provided in York R.Crim.P. 575 and 576.

(4) The proposed order shall include space for the setting of an alternate date and time for the rescheduled *de novo* trial.

(D) The court administrator shall maintain a list of days and times during which summary *de novo* trials will be held, and shall publish such dates and times in the Court Calendar at least annually.

CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART C. BAIL

PART C(1). RELEASE PROCEDURES

York R.Crim.P. 528. Monetary Condition of Release on Bail: Percentage Cash Bail Program

{This rule is suspended until further order of the court.}

(A) Unless specifically prohibited by order of the bail authority when setting bail in the case, any defendant or the defendant's surety may satisfy the monetary condition of release on bail by depositing with the court a sum of money equal to 10% of the full amount required.

(B) If the defendant is released upon the posting of a 10% deposit and subsequently is found by the court to have violated the conditions of release, the defendant or the defendant's surety shall forfeit to the court the 10% deposit and shall also pay to the court the remaining 90%.

(C) The court shall, by separate administrative order, periodically set a percentage cash bail processing fee that reasonably relates to the cost of administering the percentage cash bail program.

(D) The clerk of courts, controller, treasurer and all other court and county agencies shall ensure that funds collected as the percentage cash bail processing fee are separately accounted for and applied solely to offset the costs associated with administration of the percentage cash bail program.

(E) Upon final disposition of the case, the court shall permanently retain from the 10% deposit the percentage cash bail processing fee, plus an amount equal to the costs associated with the issuance and service of any bench warrants resulting from the defendant's failure to appear for any proceedings in the case, which total amount shall constitute costs associated with administering the percentage cash bail program. Any remaining balance of the 10% deposit shall be disposed of in accordance with Pa.R.Crim.P. 528 and 535.

PART C(2). GENERAL PROCEDURES IN ALL BAIL CASES**York R.Crim.P. 530. Duties and Powers of a Bail Agency**

(A) The Administrative Office of York County Courts (AOYCC) is authorized to establish and maintain a bail agency to monitor and assist defendants released on bail pursuant to Pa.R.Crim.P 530 and to assist and advise the court with issues relating to bail.

(B) The AOYCC is authorized to promulgate policies and procedures necessary for the effective and efficient operation of the bail agency.

(C) The AOYCC may establish the bail agency as a subdivision within the York County Department of Probation Services, or as a new and separate department under the jurisdiction of the AOYCC.

(D) Included among the duties and responsibilities of the bail agency is the administration of the percentage cash bail program authorized by York. R.Crim.P. 528.

PART G. PROCEDURES FOLLOWING FILING OF INFORMATION**York R.Crim.P. 570. Pretrial Conference.**

(A) Notice of Judge assignment and a pretrial conference date shall be provided to the defendant or defense counsel at arraignment. Notice may be mailed in the case of a written waiver by mail of formal arraignment.

(B) Defendant and defense counsel shall attend a pretrial status conference with the intention of discussing the disposition of the case with the Judge and the assigned prosecutor.

York R.Crim.P. 571. Arraignment

(A) The court administrator shall establish periodic dates for arraignment of defendants and shall publish the dates and times in the Court Calendar at least annually.

(B) A defendant shall be advised orally and in writing, by court order, of the date and time for the arraignment at the defendant's preliminary hearing, or at the time the preliminary hearing is waived. The arraignment date shall normally be set as the fifth (5th) Friday following the date that the preliminary hearing is held or waived, or the next available Friday thereafter in the event of a court holiday.

(C) A waiver of formal arraignment by defendants represented by counsel pursuant to Pa.R.Crim.P. 571(D) may be made without the appearance of the defendant or counsel in Court, provided such waiver is received by the district attorney at least three (3) business days prior to the date scheduled for arraignment.

(1) A waiver of formal arraignment shall be on such form as prescribed by the court, and shall contain at least the information set forth in Pa.R.Crim.P 571(C).

(2) A waiver of formal arraignment is not available to a defendant not represented by counsel.

(D) In the event a defendant scheduled for arraignment is not represented by counsel, formal arraignment shall be conducted in open court by a judge assigned, at the date and time scheduled for arraignment.

PART G(1). MOTION PROCEDURES

York R.Crim.P. 575. Motions and Answers.

If a proposed order is submitted by the applicant with a motion for consideration by the court, the original of such order shall not be stapled to the original motion filed by a party. Such proposed order, if suggesting that a hearing should be held, shall include space for the day, date, time and courtroom assigned for the proposed hearing.

York R.Crim.P. 576. Filing and Service by Parties.

(A) Parties shall satisfy the requirements of Pa.R.Crim.P. 576(B) to serve copies of filings upon the court administrator by delivering the court administrator's copy to the clerk of courts, concurrent with filing of the original with the clerk of courts. The clerk of courts shall promptly place the copy into the court administrator's drop box. No other copies of any filing subject to Pa.R.Crim.P. 576 shall be delivered to the court administrator by any party by any other means.

(B) No party shall file or submit for consideration by a judge any application or other document by facsimile or by electronic mail without prior leave of court, except however that the clerk of courts is authorized to establish a formal e-filing system for the court.

York R.Crim.P. 578. Omnibus Pretrial Motion for Relief

(A) An omnibus pretrial motion for relief shall state the date on which the defendant was arraigned or the date on which a waiver of arraignment was filed, or if not yet arraigned, shall so state.

(B) An omnibus pretrial motion for relief shall state whether the defendant is incarcerated, the place of incarceration, if applicable, and whether any special court service, such as the assistance of an interpreter, is needed.

York R.Crim.P. 579. Time for Omnibus Pretrial Motion and Service

(A) In cases in which a defendant has made an initial application for acceptance to the ARD program, specialty treatment court, or other pretrial diversionary program within thirty (30) days of arraignment or waiver of arraignment filed of record, the time for filing and service of

the omnibus pretrial motions shall be extended to a time not to exceed thirty (30) days after initial rejection of the defendant's application to the pretrial program. The original application for relief shall be filed in the office of the clerk of courts in the manner set forth in Pa.R.Crim.P. 576(A).

(B) In cases in which a defendant has been removed from the ARD program or other pretrial diversionary program, any omnibus pretrial motion for relief must be filed within thirty (30) days of the date of the filing of the order for removal.

CHAPTER 6. TRIAL PROCEDURES IN COURT CASES

PART A. GENERAL PROVISIONS

York R.Crim.P. 619. Admission, Custody and Substitution of Tangible Exhibits

(A) Counsel for the respective parties shall retain possession, and shall be responsible for the care and custody, of all tangible exhibits used at trial, whether or not the same have been presented, marked, identified and used, until such time as they have been formally offered into evidence and the court has made a specific order directing their admission into evidence.

(B) From and after the making of such formal court order of admission, the clerk of courts shall take possession, and shall be responsible for the care and custody, of all such tangible exhibits during the remainder of the trial and thereafter until further order of the court.

(C) Immediately upon the termination of the trial, the clerk of courts shall assemble and identify all such exhibits to the particular case and shall be responsible for their secure care, custody and maintenance, and no such exhibits shall thereafter be removed or destroyed except upon order of the court.

(D) A party who introduces an exhibit which is not readily stored in a standard letter-sized folder shall cause the exhibit to be reduced in size, photographed, or otherwise reproduced so that the exhibit may be readily stored in such folder without impairment of its visual quality.

(E) A party who introduces an exhibit which is not readily stored in a standard letter-sized folder or easily reduced to such size shall take sufficient photographs of the exhibit, or otherwise reproduce it, to accurately capture its likeness, using either film or digital medium and may be expected to substitute the photographs or other reproduction of the actual exhibit in the trial record.

(F) Parties are expected to reduce large quantities of paper records or exhibits to commonly used electronic formats for use at trial and for inclusion in the record.

(G) In the event that an exhibit is substituted by one of the means set forth in this Rule, the offering party shall maintain the original exhibit in safe keeping until the conclusion of the case in which the exhibit was admitted into evidence or made a part of the record.

(H) In the event special software is needed to view electronically stored exhibits, the party offering the exhibits may be required to provide such software to the court for use during trial.

CHAPTER 7. POST-TRIAL PROCEDURES IN COURT CASES

PART A. SENTENCING PROCEDURES

York R.Crim.P. 700. Sentencing Judge

Pursuant to Pa.R.Crim.P. 700(B), sentence in any case arising from a plea of guilty or *nolo contendere*, including probation violation or parole violation sanction or sentence, may be imposed by any judge as assigned by the District Court Administrator. All defendants shall be notified of this provision at the time they enter their plea.

York R.Crim.P. 706. Fines or Costs

(A) A defendant's responsibility for payment of fines and costs imposed by the court pursuant to law (see Pa.R.Crim.P. 706 and 42 Pa.C.S. § 1726) may be modified in particular cases to the extent permitted by law, which modification may include directing a defendant to perform on a work detail or other community service to defray some or all of the fines and costs imposed.

(B) Performance on a work detail or other community service shall defray fines and costs imposed at an hourly rate to be periodically set by separate administrative order of the court.

PART B. POST-SENTENCE PROCEDURES

York R.Crim.P. 720. Post-Sentence Procedures; Appeal.

(A) Filing.

(1) Post-sentence motions shall be filed with the Clerk of Courts in accordance with Pennsylvania Rule of Criminal Procedure No. 720, and copies thereof shall forthwith be served upon the District Attorney.

(B) Procedure.

(1) Briefing Schedule.

(a) Within ten (10) days after a post-sentence motion is filed, if the Judge determines that briefs or memoranda of law are required for a resolution of the motion, the Judge shall schedule a date certain for the submission of briefs or memoranda of law by the defendant and the Commonwealth.

(2) Hearing; Argument.

(a) If the judge determines that a hearing is required, seven (7) days before the date fixed for argument of any post-sentence motions, the defendant and counsel shall file with the Clerk of Courts two (2) copies of a brief in support of all issues raised, and shall forthwith serve a copy thereof upon the District Attorney.

(3) Three (3) days before the date fixed for argument of any post-sentence motions, the District Attorney shall file with the Clerk of Courts two (2) copies of a brief in opposition, and at the same time shall serve a copy of thereof on the defendant or counsel, who may at or before the case is called for argument, file and serve a reply brief. No brief may be filed thereafter without leave of Court.

(4) Failure of either party or counsel to file a brief in support of, or in opposition to, any issue in the case may be considered by the Court to constitute a waiver of the position of such party as to such issue.

(C) Briefs.

(1) All briefs shall be typewritten, and shall contain complete and accurate citations of all authorities. Briefs shall contain a procedural history of the case, a statement of the questions involved, and argument. All briefs more than ten (10) pages in length shall contain an index.

(D) Trial Transcripts.

(1) Argument on and briefing of such motion shall be had without a transcript of the trial or other proceedings, unless grounds for the necessity of such transcription are detailed in the motion.



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