

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

IN RE:

NO. 2253-08

**ADOPTION OF LOCAL RULE OF CRIMINAL PROCEDURE 202\* -  
APPROVAL OF SEARCH WARRANT APPLICATIONS BY ATTORNEY FOR  
THE COMMONWEALTH.**

ORDER

AND NOW, this 9 day of December, 2008, the Court approves and adopts the attached Montgomery County Local Rule of Criminal Procedure 202\* – *Approval of Search Warrant Applications by Attorney for the Commonwealth*. This Rule shall become effective thirty days after publication in the Pennsylvania Bulletin.

The Court Administrator is directed to publish this Order once in the Montgomery County Law Reporter and in the Legal Intelligencer. In further conformity with Pa.R.Crim.P. 105, seven (7) certified copies of the within Order shall be filed by the Court Administrator with the Administrative Office of Pennsylvania Courts. Two (2) certified copies and a computer diskette complying with 1 Pa. Code § 13.11(b) shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Prothonotary, one (1) copy with the Clerk of Courts, and one (1) copy with the Law Library of Montgomery County and one (1) copy with each Judge of this Court.

BY THE COURT:

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RICHARD J. HODGSON, P.J.

**Rule 202\*. Approval of Search Warrant Applications by Attorney for the Commonwealth.**

The District Attorney of Montgomery County having filed a certification pursuant to Pennsylvania Rule of Criminal Procedure 202, search warrants in the following circumstances:

- 1) Criminal homicide in violation of 18 Pa.C.S.A. § 2501;
- 2) Murder in any degree in violation of 18 Pa.C.S.A. § 2502;
- 3) Voluntary manslaughter in violation of 18 Pa.C.S.A. § 2503;
- 4) Involuntary manslaughter in violation of 18 Pa.C.S.A. § 2504;
- 5) Causing or aiding suicide in violation of 18 Pa.C.S.A. § 2502;
- 6) Drug delivery resulting in death in violation of 18 Pa.C.S.A. § 2506;
- 7) Criminal homicide of unborn child in violation of 18 Pa.C.S.A. § 2603;
- 8) Murder of unborn child in violation of 18 Pa.C.S.A. § 2604;
- 9) Voluntary manslaughter of unborn child in violation of 18 Pa.C.S.A. § 2605;
- 10) Homicide by vehicle in violation of 18 Pa.C.S.A. § 3732; and
- 11) Homicide by vehicle while driving under the influence in violation of 18 Pa. C.S.A. § 3735.
- 12) Rape in violation of 18 Pa.C.S.A. § 3121;
- 13) Involuntary Deviate Sexual Intercourse in violation of 18 Pa.C.S.A. § 3123;
- 14) Sexual Assault in violation of 18 Pa.C.S.A. § 3124.1;
- 15) Institutional Sexual Assault in violation of 18 Pa.C.S.A. § 3124.2;
- 16) Aggravated Indecent Assault in violation of 18 Pa.C.S.A. § 3125;
- 17) Indecent Assault in violation of 18 Pa.C.S.A. § 3126 when the victim is less than 16 years of age;
- 18) Incest in violation of 18 Pa.C.S.A. § 4302;
- 19) Sexual Abuse of Children in violation of 18 Pa.C.S.A. § 6312;
- 20) Unlawful Contact with a Minor in violation of 18 Pa.C.S.A. § 6318; and
- 21) Attempt, Conspiracy or Solicitation to Commit any of the Above Offenses.

shall not hereafter be issued by any judicial officer unless the search warrant application has the approval of an attorney for the Commonwealth prior to filing.