

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

IN RE:

NO. 06-00001

**ADOPTION OF LOCAL RULE OF CRIMINAL PROCEDURE 117*.
COVERAGE: ISSUING WARRANTS; PRELIMINARY ARRAIGNMENTS AND
SUMMARY TRIALS; AND SETTING AND ACCEPTING BAIL.**

OFFICE OF THE
PROTHONOTARY
MONTGOMERY COUNTY, PA
06 SEP 26 PM 2:45

ORDER


AND NOW, this 19th day of September, 2006, the Court approves and adopts the attached Montgomery County Local Rule of Criminal Procedure 117* - Coverage: *Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail*. The 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 shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) certified copy shall be filed with the Criminal Procedural Rules Committee. One (1) copy shall be filed with the Prothonotary, one (1) copy with the Clerk of Courts, and (1) copy with the Court Administrator of Montgomery County, one (1) copy with the Law Library of Montgomery County and one (1) copy with each Judge of this Court.

BY THE COURT:



S. GERALD CORSO, P.J.

CERTIFIED FROM THE RECORDS OF THE
PROTHONOTARY COURT OF COMMON PLEAS,
MONTGOMERY COUNTY, PA
WILLIAM E. GOSWELLY, PROTHONOTARY
DATE:  CLERK


William T. Nicholas, J.


Kent H. Albright, J.

Paul W. Tressler, J.


Emanuel A. Bertin, J.

Joseph A. Smyth, J.

Thomas M. DelRicci, J.

Stanley R. Ott, J.

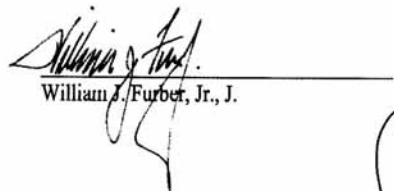

Calvin S. Drayer, Jr., J.

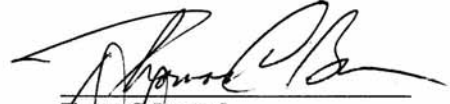

Maurino J. Rossanese, Jr., J.


R. Stephen Barrett, J.


Bernard A. Moore, J.


Arthur R. Tilson, J.


William J. Furbet, Jr., J.

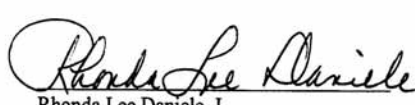

Thomas C. Branca, J.

William R. Carpenter, J.


Toby Lynn Dickman, J.


Richard J. Hodgson, J.


Steven T. O'Neill, J.


Rhonda Lee Daniele, J.


Thomas P. Rogers, J.

Rule 117*. Coverage: Issuing Warrants; Preliminary Arraignment and Summary Trials; and Setting and Accepting Bail.

1. In order to comply with the specific coverage requirements of Pa.R.Crim.P. 117, the following schedule for coverage is adopted:
 - a. All Magisterial District Courts in the 38th Judicial District shall be open to conduct public business during hours approved by the Court and posted in each Magisterial District Court as well as in a conspicuous place within the Montgomery County Courthouse designated by the President Judge.
 - b. Continuous Twenty-Four (24) hour coverage shall be in accordance with a rotating schedule of on-call Magisterial District Judges filed annually with the Montgomery County Clerk of Courts together with any amendments thereto.
 - c. During normal office hours, each Magisterial District Judge shall be primarily responsible to conduct all business relating to civil or criminal matters within his or her Magisterial District. Also, each Judge shall provide services pursuant to Pa.R.Crim.P. 117(A)(2)(a). The Magisterial District Judge on Twenty-Four (24) hour duty shall be available if coverage has been prearranged or in the event of an emergency.
 - d. After normal office hours, during the week, the on-call Magisterial District Judge shall be available to conduct arraignments until 10:00 p.m. and to provide services pursuant to Pa.R.Crim.P. 117(A)(2)(a). Between the hours of 10:00 p.m. and 8:00 a.m., the on-call Judge may defer the performance of Rule 117(A)(2)(a) services until after 8:00 a.m.
 - e. On weekends and holiday, the on-call Magisterial District Judge shall be available to conduct arraignments from 8:00 a.m. to 10:00 p.m. and provide services pursuant to Pa.R.Crim.P. 117(A)(2)(a). Between the hours of 10:00 p.m. and 8:00 a.m., the on-call Judge may defer the performance of Rule 117(A)(2)(a) services until after 8:00 a.m.
 - f. The on-call Magisterial District Judge shall be available at all times during the week after normal business hours and at all times during weekends and holidays to issue search warrants, arrest warrants and emergency orders under the Protection From Abuse Act.
2. Bail Before Verdict:
 - a. During normal office hours, bail may be posted at the Magisterial District Court from which the transcript shall issue.
 - b. Bail may also be posted, prior to the return of the transcript, on any day and at any time at the Montgomery County Correctional Facility with a correctional officer approved by the Warden of the facility and deputized by the Montgomery County Clerk of Courts.