

MEMORANDUM TO: VENANGO COUNTY BAR ASSOCIATION

FROM: CAROL E. HUTCHISON, District Court Administrator

DATE: October 7, 2002

RE: Pa. R.C.P. 236. Notice by Prothonotary of Entry of Order,
Decree, or Judgment

It has been called to our attention by the president judge of the Superior Court of Pennsylvania that the Venango County Court of Common Pleas is not complying with the requirements of Pa. R.C.P. 236 - Notice by Prothonotary of Entry of Order, Decree, or Judgment.

Subsection (d) provides: "The prothonotary may give the notice required by subdivision (a) or notice of other matters by facsimile transmission or other electronic means if the party to whom the notice is to be given or the party's attorney has filed a written request for such method of notification or has included a facsimile or other electronic address on a prior legal paper filed in the action." (Emphasis added.)

As you know, it is the custom of this court for the staff of the Judges' Office to provide Orders of Court by facsimile transmission to all counsel of record subsequent to being signed by a judge. Such service is not noted on the docket by the Prothonotary, however, receipts verifying the facsimile transmission are attached to the Order before it is filed with the Prothonotary/Clerk of Courts.

EFFECTIVE DECEMBER 1, 2002, this Court will provide copies of orders via facsimile transmission only if the Prothonotary/Clerk of Courts has on file an executed Consent Form that contains the fax number for an attorney or if a prior legal paper filed in the action contains the fax number. The Judges' Office will continue to fax orders and the Prothonotary/Clerk of Courts will file of record the fax receipt and note such service on the docket.

Please be reminded that documents sent directly to the judge or Judges' Chambers by fax or ordinary mail are not technically filed -- filing occurs when the document is time-stamped by the Prothonotary/Clerk of Courts or the Clerk of the Orphans' Court.

Please complete the enclosed Consent and return it to: Peggy L. Miller, Prothonotary/Clerk of Courts, Venango County Court House, Franklin, Pennsylvania 16323.

CONSENT TO RECEIVE NOTIFICATION OF HEARINGS AND COPIES OF
COURT ORDERS BY FACSIMILE TRANSMISSION

I CONSENT TO THE COURT OF COMMON PLEAS OF VENANGO COUNTY
PROVIDING NOTICE REQUIRED BY Pa. RCP RULE 236 (NOTICE BY
PROTHONOTARY OF ENTRY OF ORDER, DECREE, OR JUDGEMENT) BY
FASCIMILE TRANSMISSION OR OTHER ELECTRONIC MEANS.

FAX NO. () _____

IN THE COURT OF COMMON PLEAS OF
VENANGO COUNTY, PENNSYLVANIA

NOTICE TO OPPOSING COUNSEL

YOU ARE HEREBY NOTIFIED THAT THE ATTACHED MOTION WILL BE FILED
WITH THE PROTHONOTARY/CLERK OF COURTS ON _____.

CERTIFICATION OF NOTICE AND SERVICE

THE UNDERSIGNED CERTIFIES THAT A COPY OF THE MOTION/PETITION
AND PROPOSED ORDER HAVE BEEN SERVED ON ALL PARTIES OR THEIR
COUNSEL OF RECORD BY: () first class mail () telefax () hand delivery ON
THE ____ day of _____, _____.

INFORMATION FOR COURT ADMINISTRATOR

- 1) Is this the original filing in this case? () yes () no
- 2) Has a judge heard any matter previously on this case? () yes () no
- 3) If yes, which Judge? () Judge White () Judge Lobaugh () Judge _____
- 4) Estimated court time required? () minutes () hours () days
- 5) Is Motion/Petition opposed by other party? () yes () no
- 6) Name of opposing counsel, if known: _____
- 7) We agree to receive notification by facsimile transmission. () yes () no
- 8) Fax No. () _____ Fax No. of opposing counsel () _____
- 9) Attorney is unavailable on the following dates and times:

MOTION CERTIFICATION

- | | |
|--|--|
| 1) () All parties or counsel have consented. | 1) () All parties or counsel have consented. |
| 2) () Consents of all parties or counsel are attached. | 2) () Consents of all parties or counsel are attached. |
| 3) () Order seeks hearing or argument date and no other relief. | 3) () Order seeks hearing or argument date and no other relief. |
| 4) () Order seeks appointment of Mediator/Master and no other relief. | 4) () Order seeks appointment of Mediator/Master and no other relief. |

Signature of Attorney

cc: _____

