

COURT OF COMMON PLEAS OF MONROE COUNTY
FORTY-THIRD JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA

In re: Amendment of Local Orphans' Court : ___61___ AD 2019
Rules :
 :
 :
 :

ORDER

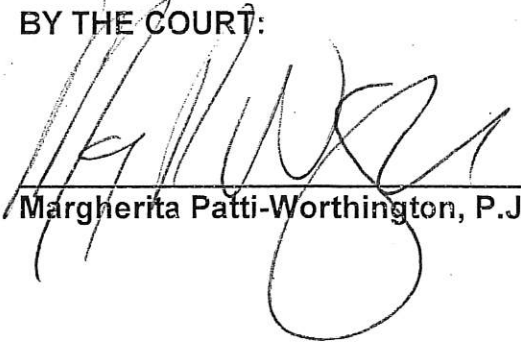
And Now, this 12th day of June, 2019, it is ORDERED that the Orphans' Court Rules of the Court of Common Pleas of the 43rd Judicial District of Pennsylvania, Monroe County, are amended to include 14.3 and 14.8, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

It Is Further Ordered that the District Court Administrator shall:

1. File one copy of these Rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two paper copies and one electronic copy of these Rules in a Microsoft Word format only on a CD-ROM to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Arrange to have these Rules published on the Monroe County Bar Association website at www.monroebar.org.
4. Arrange to have these Rules, as well as all local rules, published on the 43rd Judicial District website at www.monroepacourts.us.

5. Keep these Rules, as well as all local rules of this Court, continuously available for public inspection and copying in the respective Monroe County filing office
- a. Upon request and payment of reasonable cost of reproduction and mailing, the respective filing office shall furnish to any person a copy of any local rule.

BY THE COURT:



Margherita Patti-Worthington, P.J.

cc: John J. Goldner, District Court Administrator

PROthonotary
2019 JUN 13 A 8:40
MONROE COUNTY, PA

CHAPTER XIV – GUARDIANSHIP OF INCAPACITATED PERSONS

RULE 14.3 – Alternative Proof of Incapacity; Expert Report in Lieu of In-Person or Deposition Testimony of Expert.

- (a)(1) In a contested matter where no demand has been made for the testimony of the expert, the court may still require in-person or deposition testimony which shall be determined at time of hearing.
- (a)(2) In an emergency guardianship proceeding, where a temporary guardian is sought pending a final hearing, an expert report may be offered in lieu of testimony, provided the petitioner(s) have attached a copy of the expert report concerning incapacity to the petition for guardianship.

RULE 14.8 – Guardianship Reporting, Monitoring, Review and Compliance.

- (a) Reporting.
 - 6. In addition to the requirements of the Pa. O.C. Rules for Guardianship Reporting, the guardian shall, within ten (10) days of the appointment as guardian, file a “List of Interested Parties Requiring Notice,” using Form G-14.8(a)(6) provided in the Appendix to these rules, which shall include the names and addresses of all interested parties entitled to copies of the inventory, the annual reports of the guardian, and court orders. The interested parties shall be as determined by the court at the guardianship hearing. The Clerk of Orphans’ Court shall mail a copy of all court orders to everyone set forth in the “List of Interested Parties Requiring Notice.” The guardian shall send a copy of the inventory and the annual reports of the guardian to everyone set forth in the “List of Interested Parties Requiring Notice.”
 - 7. The guardian shall notify the Clerk of Orphans’ Court of any change in address for the guardian and/or incapacitated person within thirty (30) days of the change.
 - 8. Upon the death of the incapacitated person, the guardian shall file a notice of death within sixty (60) days of the date of death, and otherwise comply with the requirements of Pa. O.C. Rule 14.8(a)(4).

APPENDIX – GUARDIANSHIPS

Form G-14.8(a)(6)

IN RE: _____, : NO. _____ O.C. _____
: _____
: _____
An Alleged Incapacitated Person : _____
: _____
: _____

LIST OF INTERESTED PARTIES REQUIRING NOTICE

The following parties were determined by the court to be interested parties and shall receive a copy of the inventory, annual reports and all court orders in this matter:

| <u>NAME</u> | <u>ADDRESS</u> |
|-------------|----------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

GUARDIAN NAME

ADDRESS

TELEPHONE #