

**INTERNAL OPERATING PROCEDURES  
OF THE  
COMMONWEALTH COURT OF PENNSYLVANIA**

**§ 126. Emergency Applications [ NEW ]**

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1. An emergency application is defined as an application filed during non-business hours, including holidays and weekends. Filing of emergency applications outside of normal business hours will be allowed only when both of the following conditions are present:

(a). The application will be moot unless a ruling is obtained prior to noon of the next business day; and

(b). The application is being filed within two business days of the filing of the order sought to be reviewed.

2. Contents of emergency applications - An emergency application shall include the following:

(a). An explanation of why an order of this Court is necessary, time sensitive and satisfies the threshold requirements set forth in 1(a)-(b);

(b). An explanation of how service has been perfected upon the opposing party or, if service has not been made, a summary of the efforts to perfect service or explanation of why service is impossible or impracticable;

(c). Unless already docketed with this Court, a stamped "filed" copy of the relevant common pleas court order being appealed, as well as a copy of the notice of appeal that will be filed with this Court;

(d). Unless already docketed with this Court, a copy of the relevant petition for review, whether addressed to this Court's appellate or original jurisdiction;

(e). The appropriate filing fee or a sufficient pauper's affidavit.

3. Each duty judge shall be available from 12:01 a.m. on the Monday commencing his or her duty week and remain available until 12:00 midnight on the Sunday concluding the duty week. The duty judge shall be available in Harrisburg Monday through Friday or shall advise the executive administrator, prothonotary or chief clerk of a telephone number at which he or she may be reached when not present in the Court's Harrisburg offices. The assigned duty judge shall make decisions in all emergency applications.

4. The filing of an emergency application should be made by contacting this Court's prothonotary, the chief clerk, the executive administrator or a deputy prothonotary who will accept the papers by the most expeditious means available, including fax or e-mail attachment, and assign the matter a docket number, if needed.

(a). The Court officer accepting the filing shall contact the emergency judge to make arrangements for consideration and disposition of the emergency application.

(b). If the duty week judge is not available, the emergency application shall be referred to the president judge and then to the associate judges in descending order of seniority, if the president judge is not available.

(c). The telephone number of the court officer accepting the filing of emergency applications shall be made available through the Court's after hours telephone message system (717-255-1600 or 717-649-5153).

Dated: November 14, 2006