

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: : No. 426 CRIMINAL PROCEDURAL
: RULES DOCKET
ORDER SPECIFYING THE FORM AND :
CONTENT OF PETITIONS FOR :
APPROVAL OF INDICTING GRAND :
JURY PURSUANT TO RULES 556 :
THROUGH 556.12 AND ORDER NO. 414 :
OF THE CRIMINAL PROCEDURAL :
RULES DOCKET :
:
:
:

ORDER

PER CURIAM

AND NOW, this 12th day of March, 2013, in order to implement Rule 556 through 556.12 of the Rules of Criminal Procedure and the order dated June 21, 2012 entered at No. 414 of the Criminal Procedural Rules Docket:

IT IS ORDERED pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the form and content of petitions requesting permission to summon an indicting grand jury shall be as follows:

(1) The petition shall identify the petitioner, who shall be either the President Judge or a designee, and the judicial district. If the petition is seeking permission to summon an indicting grand jury in a two-county judicial district, and the indicting grand jury is sought for only one county, that county shall be identified in the petition. The President Judge's designee shall be a member of the Court of Common Pleas of the judicial district.

(2) The petition shall aver that the petitioner has reviewed the District Attorney's certificate (see paragraphs 4 and 5) and the petitioner agrees with the averments contained therein.

(3) An original and 2 copies of the petition shall be filed, and shall bear an original signature of the petitioner.

(4) There shall be appended to the petition a certificate from the district attorney for the judicial district or, in the case of a two-county judicial district, a certificate from the District Attorney or District Attorneys for the county or counties within the judicial district.

(5) The District Attorney's certificate shall contain:

(a) The name and county of the District Attorney;

(b) An averment that witness intimidation has occurred, is occurring, or is likely to occur in the judicial district or, in the case of a two-county district where an indicting grand jury is only sought for one county, the county;

(c) An averment that the District Attorney believes that an indicting grand jury will remedy the problem of witness intimidation.

(d) The original signature of the District Attorney.

This **ORDER** shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective immediately.