

Rule 101. Title and citation of rules.

These rules shall be known as the Pennsylvania Rules of Judicial Administration and may be cited as “Pa.R.J.A. **[No.]** ___.”

Rule 103. Procedure for adopti[on]ng, filing, and publishing rules.

- (a) Notice of proposed rulemaking.
- (1) Except as provided in subdivision (a)(3), the initial **[recommendation of a proposed rule, or proposed amendment] proposal of a new or amended rule**, including **[the explanatory note] any commentary** that is to accompany the rule **text**, shall be distributed by the proposing Rules Committee to the Pennsylvania Bulletin for publication therein. The **proposal shall include a publication [notification] notice [shall] containing** a statement to the effect that **[comments] written responses** regarding the proposed rule or amendment are invited and should be sent directly to the proposing Rules Committee within a specified period of time, **and a publication report from the Rules Committee containing the rationale for the proposed rulemaking.**
 - (2) Written **[comments, suggestions or objections] responses** relating to the **[proposed rule or amendment] proposal** shall be sent directly to the proposing Rules Committee within a specified number of days after the publication of the rule or amendment in the Pennsylvania Bulletin, and any **[such commentary] written responses** shall be reviewed by the said Committee prior to action on the proposal by the Supreme Court. Any further proposals which are based upon the **[commentary] written responses** so received need not be, but may be, published in the manner prescribed in subdivision (a)(1).
 - (3) A proposed rule or amendment may be promulgated even though it has not been previously distributed and published in the manner required by subdivisions (a)(1) and (a)(2), where exigent circumstances require the immediate adoption of the proposal; or where the proposed amendment is of a typographical or perfunctory nature; or where in the discretion of the Supreme Court such action is otherwise required in the interests of justice or efficient administration.
- (b) Rules adopted **or amended** by the Supreme Court.
- (1) Rules adopted **or amended** by the Supreme Court, **and any adoption report of the Rules Committee**, shall be filed in the office of the Prothonotary of the Supreme Court.

(2) After an order adopting a rule or amendment has been filed with the Prothonotary of the Supreme Court, the Prothonotary shall forward a certified copy of the order, **[and]** rule or amendment, **and any adoption report** to:

(i) The publisher of the official version of Supreme Court decisions and opinions who shall cause it to be printed in the first available volume of the State Reports.

[(ii) The prothonotaries or clerks of all courts, which may be affected thereby, and thereupon the order and rule or amendment shall be published by such prothonotaries or clerks in the same manner as local rules adopted by such courts.]

[(iii)](ii) The Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

[(iv)](iii) The Administrative Office.

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[Official Note:] Comment: Effective October 1, 2021, “rule” includes the rule text and any accompanying commentary such as a note or comment. Such commentary, while not binding, may be used to construe or apply the rule text. Pursuant to subdivision (a), rulemaking proposals published seeking written responses shall be accompanied by a publication report from the Rules Committee. A Rules Committee may also submit a report pursuant to subdivision (b) when the Supreme Court adopts a rulemaking proposal. Any statements contained in Rules Committees’ publication or adoption reports permitted by either subdivision (a) or (b) are neither part of the rule nor adopted by the Supreme Court.

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