SUPREME COURT OF PENNSYLVANIA
APPELLATE COURT PROCEDURAL RULES COMMITTEE
CIVIL PROCEDURAL RULES COMMITTEE
DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE
ORPHANS' COURT PROCEDURAL RULES COMMITTEE
CRIMINAL PROCEDURAL RULES COMMITTEE
JUVENILE COURT PROCEDURAL RULES COMMITTEE
MINOR COURT RULES COMMITTEE

ADOPTION REPORT

Adoption of Pa.R.J.A. 1990

Adoption of Pa.R.A.P. 550 and 1614
Amendment of Pa.R.A.P. 551, 552, 553, 554, 905, 1612, 1701, 2151, 2187, 2189, 2521, 2701, 3707, and 3804
Recission of Pa.R.A.P. 555, 556, and 561

Amendment of Pa.R.Civ.P. 240, 1308, 1313, 1920.62, and 1940.5

Amendment of Pa.R.O.C.P. 1.40

Amendment of Pa.R.Crim.P. 124, 704, 708, 720, 900, 902, 903, 904, 906, and 907

Adoption of Pa.R.J.C.P. 142 and 1142

Adoption of Pa.R.Civ.P.M.D.J. 206.1
Amendment of Pa.R.Civ.P.M.D.J. 206, 350, 514, 515, 516, 1007, 1008, 1013, 1014, 1016, 1018, 1019, and 1020

On April 21, 2026, the Supreme Court approved the adoption of Pennsylvania Rule of Judicial Administration 1990; the adoption of Pennsylvania Rules of Appellate Procedure 550 and 1614; the amendment of Pennsylvania Rules of Appellate Procedure 551 – 554, 905, 907, 1612, 1701, 2151, 2185, 2186, 2187, 2189, 2521, 2701, 3707, and 3804; the recission of Pennsylvania Rules of Appellate Procedure 555, 556, and 561; the amendment of Pennsylvania Rules of Civil Procedure 240, 1308, 1313, 1920.62, and 1940.5; the amendment of Pennsylvania Rule of Orphans' Court Procedure 1.40; the amendment of Pennsylvania Rules of Criminal Procedure 124, 704, 708, 720, 900, 902, 903, 904, 906, and 907; the adoption of Pennsylvania Rules of Juvenile Court Procedure 142 and 1142; the adoption of Pennsylvania Rule of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges 206.1; and the amendment of Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before

Magisterial District Judges 206, 350, 514, 515, 516, 1007, 1008, 1013, 1014, 1016, 1018, 1019, and 1020.

This rulemaking governs the procedures, eligibility, and forms to seek and determine a waiver of filing fees and costs associated with a legal action, *i.e*., *in forma pauperis* (IFP). The Rules Committees have prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. *See* Pa.R.J.A. 103, cmt. The statements contained herein are those of the Rules Committees, not the Court.

For the pertinent background on this rulemaking, readers are advised to consult the Publication Reports accompanying prior proposals. The Civil Procedural Rules Committee initially publish a proposed new Pa.R.J.A. 1990 and amendments to Pa.R.Civ.P. 240. *See* 50 Pa.B. 4023 (August 8, 2020). Thereafter, the Rules Committees coordinated a joint publication of a substantially revised Pa.R.J.A. 1990 with proposed amendments to the Pennsylvania Rules of Civil Procedure, the Pennsylvania Rules of Civil Procedure Before Magisterial District Judges, the Pennsylvania Rules of Orphans' Court Procedure, the Pennsylvania Rules of Criminal Procedure, the Pennsylvania Rules of Juvenile Court Procedure, and the Pennsylvania Rules of Appellate Procedure. *See* 52 Pa.B. 2561 (April 30, 2022). The proposed amendment of Pa.R.Crim.P. 124 (Waiver of Fees and Costs) was republished for further comment. *See* 53 Pa.B. 1790 (April 1, 2023).

The goal was to develop a single statewide procedure located in the Rules of Judicial Administration with each body of rules referencing the primary rule, as well as set forth any proceeding type restrictions or modifications to the primary rule. The location of the primary rule was intended to reflect that the IFP procedure is largely an administrative, *ex parte* matter and not an adversarial proceeding. Indeed, there may be no underlying action if IFP status cannot be obtained.

Upon republication of Pa.R.J.A. 1990, commenters were generally appreciative that their prior input was accepted and many of their suggestions were incorporated into the revised proposal. None of the comments criticized the categorical eligibility criteria or suggested the criteria was too low or too high. Much of the republished proposal was viewed favorably with several recurring suggestions for additional refinements. The remainder of this Adoption Report is intended to address suggestions and identify subsequent revisions.

Pa.R.J.A. 1990

It was suggested that self-represented litigants will not know of the option to proceed IFP unless they are informed. Therefore, a requirement should be added that the first time a filing office informs a party that a fee has to be paid, the clerk must also

explain (whether orally or in writing) that if the party cannot afford to pay, the party may petition to proceed IFP. Further, it was suggested that the party be informed of their appellate rights when an application is denied.

The Rules Committees did not believe there should be a "notice" requirement every time a fee is charged. Rather, the person or entity collecting the fee should inform the filer only when the filer is unable to pay the fee, *i.e.*, the filing is rejected for nonpayment. Accordingly, a new subdivision (b) (Information) was added to require a "payee" to provide information about the waiver procedure and form to a party who is unable to pay a fee covered by the rule. The Comment expounds on "payee." In addition, a one-page, plain language information document has been prepared and will be posted on the UJS website under "forms" and made available to the "payees."

It was suggested that subdivision (c) be revised to make clear that an applicant can be eligible for a waiver for any of the three bases, *i.e.*, without financial resources, substantial financial hardship, or representation of counsel. In response, subdivision (c) (Eligibility) was revised to clarify that a waiver may be granted on any of the three bases contained in the subdivision.

It was suggested that the rule should clarify that counsel's *praecipe* to proceed IFP does not require judicial action. The Rules Committees did not believe that judicial review of counsel's *praecipe* was warranted because it is expected that counsel's *praecipe*, pursuant to the Pennsylvania Rule of Professional Conduct 3.3 (Candor Toward the Tribunal), would not contain misrepresentations. In response, subdivision (c)(3) was revised to clarify that a waiver would be received from the filing office upon the *praecipe* of counsel.

It was suggested that the rule should clarify that an applicant can seek a waiver after commencing an action. Subdivision (d)(1) was revised to clarify that a waiver may be sought after the commencement of an action in addition to the same time an action is commenced, but not before. This is intended to include a defendant or respondent who may have to pay a fee to file a responsive document or an appeal.

It was suggested that the meaning of "substantial financial hardship" in subdivision (c)(2) be defined to provide a standard for appellate review and to reduce the risk of arbitrary results. Without a definition, the rule would not instruct judges on "how" to evaluate the financial information on the application. The commenters contended this will lead to inconsistent decisions among the judges and throughout Pennsylvania. Further, without a definition, appellate courts will be unable to determine whether there was an abuse of discretion by the judge in denying an application. A suggested definition of "substantial financial hardship" was a substantial risk that, without the fee waiver, the party is or will be unable to fully meet their basic human needs or obligations including, but not limited to, nutrition, housing, utilities, health, transportation, care of dependents,

or other areas of essential need. *See also Gerlitzki v. Feldser*, 307 A.2d 307, 308 (Pa. Super. 1973) ("'Poverty' does not refer solely to a petitioner's 'net worth' but to whether he is able to obtain the necessities of life."). The requested definition of "substantial financial hardship" was included in subdivision (c)(2).

It was suggested by comments that subdivision (e) permit a judge to deny an application without a record hearing when the application is deficient in content and supplementation was directed by the court, but the applicant did not respond. This would account for the alleged large number of incomplete applications without clogging a judge's schedule. Further, the rule should permit a judge to deny an application that is clearly ineligible based upon the information provided without holding a hearing.

The requirement in subdivision (e) for a hearing prior to the denial of every application was reconsidered. Such a requirement did not appear to be an efficient use of judicial resources. Instead, the requirement was modified to provide the court with discretion to hold a hearing if the petition presents some arguable merit or the court wishes to solicit further information.

Accordingly, subdivision (e) has been revised to add subdivision (e)(3), stating "[t]he court may deny an application without argument or a hearing." Further, renumbered subdivision (e)(4) has been revised to state: "The court may hold an *ex parte* record hearing if the application is of arguable merit or the court wishes to solicit further information." The bases for denying an application, formerly located in subdivision (e)(3)(i)-(e)(3)(iv), have been removed. Subdivisions (e)(3)(i)-(e)(3)(iii) referred to "supplemental information," but ostensibly frivolous applications may be denied without supplementation. Therefore, those bases appeared too restrictive. As for the "materially inaccurate information" basis in former subdivision (e)(3)(iii), that also appears too restrictive if an application may be denied as frivolous without a hearing. Similarly, the basis in former subdivision (e)(3)(iv) may be too restrictive. Instead, the courts will exercise discretion as to whether an application is denied on the basis of ineligibility, procedural default, noncompliance with court directives, or frivolity.

It was suggested that the rule categorically grant a waiver for criminal defendants who qualify for a public defender based on indigency. Additionally, the rule should also categorically grant a waiver when the applicant is under 18 years of age. For this latter category, parental income was believed to be irrelevant.

Public defenders do not charge defendants for legal representation. Therefore, the Rules Committees concluded that representation by a public defender, as well as other court-appointed counsel, *see*, *e.g.*, 42 Pa.C.S. § 6337 (right to counsel for parties other than the child under Juvenile Act), would be synonymous with counsel providing a party with free legal services. Accordingly, the Comment to Pa.R.J.A. 1990 was revised to state that "counsel" in subdivision (c)(3) is intended to include public defenders and

court-appointed counsel. Public defenders and court-appointed counsel would still need to complete the *praecipe*, including that portion requiring counsel to reasonably believe that the party is unable to pay the fees and costs.

A categorical grant for minors seemed overly broad and unnecessary in instances where the minor is represented by counsel providing free legal services. There may be civil actions for monetary judgments or confirmation of settlement where a minor is a party. Rather than provide a categorical exemption for minors, those minors can still seek a waiver through subdivision (c)(1) (without financial resources) or subdivision (c)(2) (substantial financial hardship). Equating age with indigence in all circumstances may not be good policy especially if an adult or guardian may have a duty to support the minor.

It was suggested that the Comment mention that appellate review is by petition for specialized review so that denied applicants do not file Notices of Appeal. The Comment was revised to specify that appellate review of a denied application is through a petition for specialized review pursuant to Pa.R.A.P. 1614.

It was suggested that the rules address the appellate process for denied applications by a magisterial district judge because the magisterial district courts are not "courts of record." Therefore, there would be no "*ex parte* record hearing" pursuant to subdivision (e)(4).

Pa.R.Civ.P.M.D.J. 205B (pertaining to record of proceedings and transcript of record), provides:

> A copy of any such record appearing on such a form certified to be a true copy by the magisterial district judge in whose office the record is on file or by any other official custodian of the record shall for all purposes be considered to be a sufficient transcript of the record, including any judgment, order or other disposition contained therein.

Similarly, Pa.R.Civ.P.M.D.J. 205A references "[a] record of any proceedings before a magisterial district judge, including proof of service, returns, entry of judgment and other matters, appearing on a form prescribed by the State Court Administrator shall for all purposes be considered to be a sufficient record of those proceedings." Therefore, it appeared that the decision of the magisterial district court appearing on a certified court form would be a sufficient transcript of record and could satisfy the requirement of a record hearing. Accordingly, the Comment to Pa.R.J.A. 1990 was revised to include:

> "Record hearing," as used in subdivision (e)(4), is intended to include a record of proceedings or a certified copy of a record of proceedings in magisterial district court pursuant to Pa.R.Civ.P.M.D.J. 205 (pertaining to record of proceedings and transcript of records). This includes an order

entered by a magisterial district judge following a hearing to determine a party's eligibility to have fees and costs waived.

It was suggested that a provision be added permitting the continuation of a waiver granted by a magisterial district judge similar to Pa.R.A.P. 551 to provide greater judicial economy and consistency between the bodies of procedural rules. Currently, an appellant from the magisterial district court is required to seek IFP status from the court of common pleas when appealing. Reasons for requiring reapplication were: 1) the court being deprived of the filing fee should decide IFP status; and 2) an appeal from a magisterial district court to a court of common pleas is an entirely new action because of the need to file a complaint and *de novo* review.

Yet, cases proceed to judgment relatively quickly in the magisterial district courts, so little is expected to change in a party's financial condition from the time of the application in the magisterial district court and the application in the court of common pleas. Given this short duration, it seemed that a second application would burden the applicant but likely not contain any changed circumstances with regard to financial wherewithal. However, once the application has been completed, there should not be much of a burden in producing a copy for the court of common pleas. Further, requiring reapplication could result in inconsistent determinations if the court of common pleas denies IFP status to a party previously granted IFP status by a magisterial district judge upon the same information. Finally, reapplication would be inconsistent with how IFP status continues from the court of common pleas through the appellate process. By analogy, parties are not required to reapply for appointed counsel from one to the next on the same case.

Ultimately, subdivision (h)(2) was revised to provide that IFP status obtained as a result of a party being without financial resources or as a substantial financial hardship shall continue unless the duration of the waiver is limited or the order is modified or vacated. Clarification was also sought whether a waiver by *praecipe* pursuant to Pa.R.J.A. 1990(c)(3) continues after counsel's withdrawal and, if not, what steps must be taken either by new counsel or the party to continue the waiver.

Subdivision (h)(4) was revised to state:

> Subject to subdivision (h)(1), a waiver obtained on the basis of subdivision (c)(3) shall continue throughout the litigation of the legal action regardless of whether counsel withdraws.

This revision was believed to provide for greater continuity and, with reference to subdivision (h)(1), new counsel or the party, if now self-represented, would be required to report any improvement in the party's financial circumstances that would enable the party to pay any waived fees and costs.

Subdivision (h) was revised to set forth the continuing obligation to inform the court of any changes in financial circumstances and the continuing waiver as litigation proceeds. The continuing obligation in subdivision (h)(1), which primarily entailed the relocation of language from subdivision (g)(1), includes counsel.

Subdivision (h)(2) enables a previously granted waiver to continue subject to any limitation on duration, or subsequent modification or vacatur. Subdivision (h)(3) is an explicit grant of authority to the courts to order a party to reapply and to modify or vacate an existing waiver. Thus, rather than permitting a percentage of waiver or limiting the waiver to certain costs, subdivision (h)(2) permits limits on the duration of a waiver and greater judicial authority to reconsider the waiver.

It was suggested by comments that the "Assets" section of the form differentiate between "primary vehicle" and "other vehicles" to reflect subdivision (b)(1)(ii)(II), which excludes a party's home and one vehicle as assets. Also, it was questioned how assets should be valued.

Subdivision (i) sets forth the application form. The "Asset" category on the form is being used for two purposes: 1) to calculate assets under subdivision (c)(1)(ii)(II), which excludes the party's home and one car; and 2) to calculate assets under subdivision (c)(2)(i), which contains no such exclusion. To make the form function for both purposes, the items under "assets" were revised to separately prompt for the value of the primary vehicle, other vehicles, the house, and other real estate.

As for valuation, the title "assets" was revised to state "Assets (Current Value)." If the court needs to know more, then the court could ask for supplemental information or conduct a hearing. The title for "Monthly Expenses" was revised to add "You Pay" to indicate that the expense should not be reported if someone else has paid it.

Post-publication, the form in subdivision (i), which states "I support __ adults (not counting myself) who live with me" and "I support __ children under 18 who live with me," was revised to more closely align with subdivision (c)(2)(ii), which states "the number of minor children or adult children, who are incapable of self-support due to a physical or mental disability, that the party is supporting, including a child support obligation."

It was suggested by comments that the phrase "Supplemental Security Income (SSI) (Not Social Security)" contained in the form was likely to confuse applicants because many applicants will believe that SSI is "Social Security." Instead, the phrase should state: "Supplemental Security Income (SSI) (Not Social Security Disability Insurance (SSDI))." With deference to the commenters, who presumably have a greater understanding of the audience and the potential for confusion, the suggested revision was made to the form.

It was suggested by comments that the phrase, “skip this next section and sign,” is inaccurate because the applicant actually needs to skip three sections. Instead, the form should indicate that the applicant is to “skip the remainder of the form and sign.” In response, the form was revised to indicate that the remainder of the form can be skipped with the applicant signing and dating the verification.

Pennsylvania Rules of Appellate Procedure

Pa.R.A.P. 1614(a) was proposed to provide a 10-day window to file a petition for specialized review from a denial of a waiver application. The reason for the 10-day window was to keep the cases flowing and because the issues were relatively uncomplicated. Commenters suggested that applicants receive 30 days to appeal a denial rather than 10 days. Additionally, 10 days may be too short if the denial is mailed. Finally, it was suggested that time to appeal a denial and the time to pay the filing fee after a denial should be the same. *See* Pa.R.J.A. 1990(f)(2) (providing 30 days to pay fee after denial of application).

Accordingly, Pa.R.A.P. 1614(a) was revised to provide for 30 days to seek appellate review of a denied application. This revision would also be consistent with Pa.R.A.P. 1602 (generally requiring a petition for specialized review to be filed within 30 days after the entry of the order sought to be reviewed). However, an aggrieved party could always file a petition for specialized review sooner than 30 days to initiate an earlier appellate review process.

As proposed, if a party has not already received a waiver in the trial court, then Pa.R.A.P. 552 would require the party to file a waiver application with the appellate court. If the appellate court does not grant the application, then it can remand the application to the trial court for a hearing. However, appellants would be unable to file an appeal in the trial court without having to first pay or obtain a waiver. Further, any remand to the trial court for a hearing would delay appellate relief. Instead, the application should be initially filed with the trial court. A commenter suggested that applications to waive fees and costs on appeal should be filed first with the trial court, as is current practice, rather than with the appellate court, as proposed.

The appeals process from a trial court requires a party to file a notice of appeal with the trial court clerk/prothonotary and pay a filing fee. *See* Pa.R.A.P. 902. The notice of appeal and fee is then transmitted to the appellate court prothonotary by the trial court clerk/prothonotary. *See* Pa.R.A.P. 902, cmt. Currently, if a party does not already have a waiver at the time of filing, then the party can file an application with the trial court clerk/prothonotary, together with the notice of appeal. *See* Pa.R.A.P. 552(a).

Pa.R.A.P. 552(a) was revised to specify that, for a notice of appeal, an appellant not previously granted a waiver by the trial court may seek a waiver by filing an application or *praecipe* in the trial court at the same time as the notice of appeal. For a petition, a petitioner may file an application or *praecipe* with the appellate court at the same time as the petition.

Pa.R.A.P. 552(a)(1)-(a)(2) were revised to indicate that a waiver application should be filed at the same time as the filing of the notice of appeal or at any time thereafter during the pendency of the appeal.

Pa.R.A.P. 552(b) and its Comment were revised to indicate that the judicial determination of a waiver application is *ex parte*. This revision was believed to be necessary to emphasize that the process concerns a party's access to justice and is not the subject of an adversarial proceeding.

To ensure access to the courts, Pa.R.A.P. 1614(a) was revised to permit an appeal without an initial fee payment. Additionally, a cross reference to Pa.R.A.P. 1701(e) was added to the Comment to Pa.R.A.P. 1614 to inform readers of the interplay between petitions for specialized review and the availability of relief via Chapter 17.

Pennsylvania Rules of Civil Procedure

Aside from rules governing appeals of a magisterial district judge's denial of a fee waiver application, discussed *infra*, no further substantive revisions were made post-publication to Pa.R.Civ.P. 240. The corollary amendments to Pa.R.Civ.P. 1920.62 and 1940.5 would refer directly to Pa.R.J.A. 1990 rather than Pa.R.Civ.P. 240. This direct reference would also eliminate the ability to dismiss family court actions as frivolous pursuant to proposed Pa.R.Civ.P. 240(c), which the Domestic Relations Procedural Rules Committee was not inclined to endorse for family law matters that often involve the best interest of a child.

Pennsylvania Rules of Orphans' Court Procedure

Multiple comments were received suggesting that the IFP process be expanded to include proceedings before the Register of Wills. Commenters cited issues with "tangled titles," *i.e.*, inherited properties whose ownership may be held in fractional shares among multiple heirs without recordation. It was alleged that filing fees charged by the Registers of Wills may prevent low-income heirs from raising estates or seeking letters testamentary or letters of administration.

The Orphans' Court Procedural Rules Committee will consider this matter separately but acknowledges that the authority for the Register of Wills to waive fees and

whether such authority may be governed by a judicial rule of procedure remains uncertain.

Post-publication, subdivision (b) was added to Pa.R.O.C.P. 1.40 to permit dismissal for a false allegation of poverty or a frivolous action. This addition was intended to parallel that provided by Pa.R.Civ.P. 240(c).

Pennsylvania Rules of Criminal Procedure

With the proposed amendment of Pa.R.Crim.P. 124 (Waiver of Fees and Costs), it became evident that many commenters were concerned that readers would not be able to discern the scope of Pa.R.Crim.P. 124 without additional commentary. Several commenters also sought to include references in the commentary to the Act of November 3, 2022, P.L. 2175, No. 163, which substantially amended 42 Pa.C.S. § 9730 (payment of court costs, restitution, and fines). Other commenters sought specific exclusion of restitution from any form of waiver.

The Comment to Pa.R.Crim.P. 124 was revised to state that fees, costs, or other financial assessments imposed as a result of conviction are not addressed by the rule but may be reduced or waived pursuant to 42 Pa.C.S. §§ 9721, 9730, Pa.R.Crim.P. 706, or other authority. Statements were also added to the rule text and commentary indicating that restitution is not subject to the rule.

Concerns were raised about whether Pa.R.J.A. 1990 would apply to the payment of costs and restitution as a condition of an Accelerated Rehabilitative Disposition (ARD) program. The rule was revised to emphasize that the intent of the rule is to establish a procedure to seek a waiver of fees and costs for indigent parties that would otherwise operate to impede access to the courts. *See* Pa. Const. art. I, § 11.

A question arose whether readers may conflate the application/admission/administrative fees for admission into an ARD program with the conditions of ARD. Accordingly, language was added to the first paragraph of the Comment stating: "The administrative costs and expenses for admission into an accelerated rehabilitative disposition program are subject to subdivision (a). *See* Pa.R.Crim.P. 300(D)(2)(a), Pa.R.Crim.P. 316(A)(2)." To isolate the costs and administrative expenses within Pa.R.Crim.P. 316, subdivision (a) was further segregated into subdivisions (a)(1), (a)(2), and (a)(3). This was intended to parallel Pa.R.Crim.P. 300(D)(2).

Aside from stylistic revisions, the following commentary has been removed:

Pa.R.Crim.P. 316

Official Note: Rule 182 approved May 24, 1972, effective immediately; amended January 28, 1983, effective February 1, 1983; Comment revised April 10, 1989, effective July 1, 1989; Comment revised September 26, 1996, effective immediately; renumbered Rule 316 and amended March 1, 2000, effective April 1, 2001; Comment revised September 21, 2012, effective November 1, 2012.

Committee Explanatory Reports: Report explaining the September 26, 1996 Comment revision published with the Court's Order at 26 Pa.B. 4894 (October 12, 1996). Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000). Final Report explaining the September 21, 2012 correction of the reference to the Vehicle Code in the last paragraph of the Comment published with the Court's Order at 42 Pa.B. 6251 (October 6, 2012).

Pa.R.Crim.P. 904

Official Note: Previous Rule 1504 adopted January 24, 1968, effective August 1, 1968; rescinded December 11, 1981, effective June 27, 1982; rescission vacated June 4, 1982; rescinded February 1, 1989, effective July 1, 1989, and replaced by Rule 1507. Present Rule 1504 adopted February 1, 1989, effective July 1, 1989; amended August 11, 1997, effective immediately; amended January 21, 2000, effective July 1, 2000; renumbered Rule 904 and amended March 1, 2000, effective April 1, 2001; amended February 26, 2002, effective July 1, 2002; Comment revised March 12, 2004, effective July 1, 2004; Comment revised June 4, 2004, effective November 1, 2004; amended April 28, 2005, effective August 1, 2005; Comment revised March 29, 2011, effective May 1, 2011.

Committee Explanatory Reports: Final Report explaining the August 11, 1997 amendments published with the Court's Order at 27 Pa.B. 4305 (August 23, 1997). Final Report explaining the January 21, 2000 amendments adding paragraph (F) concerning appointment of counsel published with the Court's Order at 30 Pa.B. 624 (February 5, 2000). Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000). Final Report explaining the February 26, 2002 amendments concerning entry of appearance by counsel published with the Court's Order at 32 Pa.B. 1393 (March 16, 2002). Final Report explaining the Comment revision concerning duration of counsel's obligation published with the Court's Order

at 34 Pa.B. 1672 (March 27, 2004). Final Report explaining the April 28, 2005 amendments concerning entry of appearance and content of appointment order published with the Court's Order at 35 Pa.B. 2859 (May 14, 2005). Final Report explaining the March 29, 2011 revision of the Comment concerning right to counsel published with the Court's Order at 41 Pa.B. 2000 (April 16, 2011).

Pennsylvania Rules of Juvenile Court Procedure

Proposed Pa.R.J.C.P. 174 was renumbered as Pa.R.J.C.P. 142 so it is no longer grouped with the "expungement rules." Pa.R.J.C.P. 1174 was likewise renumbered as Pa.R.J.C.P. 1142 within the "business of court" rules. The title of Pa.R.J.C.P. 142 was also revised to state: "Waiver of Fees and Costs" to omit specific mention of motions to expunge or destroy records.

Similar to the approach taken with Pa.R.Crim.P. 124, Pa.R.J.C.P. 142 has been revised as a rule of general applicability to delinquency proceedings with specific exceptions for financial obligations imposed as a condition of an informal adjustment, a condition of a consent decree, or through a disposition of delinquency. This revision would make Pa.R.J.C.P. 142 consistent with Pa.R.J.C.P. 1142 so that both rules would address unknown local fees that may be imposed in juvenile court proceedings.

Pennsylvania Rules of Civil Procedure Before Magisterial District Judges

Further discussed were rules governing appeals of a magisterial district judge's denial of a fee waiver application to the court of common pleas. It was believed to be more appropriate to add such challenges to the statement of objection procedures in Pa.R.Civ.P.M.D.J. 1016–1020. These rules address statements of objection brought before a court of common pleas in response to levies and determinations of manufactured home abandonment by a magisterial district judge. Pa.R.Civ.P.M.D.J. 1016, 1018, 1019, and 1020 were amended to add procedures for challenges to a denial of an IFP application by a magisterial district judge. Among other things, the amendments add provisions specific to an IFP denial challenge, such as prohibiting assessment of fees or costs against a party seeking review of an IFP denial, a prohibition against service on other parties of interest, and citing Pa.R.J.A. 1990 as the standard for review.

In addition, corollary amendments to Pa.R.Civ.P.M.D.J. 1008 and 1013 were made to update the reference to the "*in forma pauperis* (IFP) affidavit" to "application to waive fees and costs." The amendments also contain an updated reference to a federal housing assistance program from "Section 8" to "Housing Choice Voucher Program."

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This rulemaking becomes effective November 1, 2026.