

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY,
PENNSYLVANIA

AD
CP-10-MB- 2 -20 06

In re: LOCAL RULES OF COURT

~~CP-10-MB-~~

ADMINISTRATIVE ORDER OF COURT

AND NOW, this 1st day of August, 2006, it is hereby ordered and decreed that the Butler County local rules of criminal procedure (L117 & L520) are hereby approved and adopted and are herewith made a part of the Butler County Local Rules of Criminal Procedure for use in the Court of Common Pleas of Butler County, Pennsylvania, the 50th Judicial District of Pennsylvania, effective thirty (30) days after the publication of the rule in the *Pennsylvania Bulletin*.

It is further ordered and decreed that the Court Administrators Office of Butler County shall:

1. File seven (7) certified copies of this Administrative Order & Local Rule with the Administrative Office of the Pennsylvania Courts.
2. File two (2) certified copies of this Administrative Order & Local Rule and one (1) diskette in the required format with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy of this Administrative Order & Local Rule with the Pennsylvania Criminal Procedural Rules Committee.
4. Forward one (1) copy of this Administrative Order to the administrative office of the *Butler County Legal Journal* for publication.
5. Keep continuously available for public inspection copies of this Administrative Order in the Office of the Butler County Clerk of Courts, in the Office of the Court Administrator and the Butler County Law Library.

Copies 8/1/06
Clerk Admin (10 cert)
ccc
Clerk of Cts

By the Court


Thomas J. Operr, President Judge

LISA WELAND LOTZ
CLERK OF COURTS
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COURT OF COMMON PLEAS

Rule L117 Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail.

(a) After hours coverage shall be provided via a traditional "on-call system" wherein each Magisterial District Judge, who has county-wide jurisdiction, will operate between the hours of 4:30 P.M. to 8:30 A.M. Monday through Friday, including holidays and weekends on a rotational schedule as adopted by Administrative Order on an annual basis. Said Administrative Order shall be filed with the Prothonotary of Butler County and shall be posted on the Butler County website at www.co.butler.pa.us; on each of the bulletin boards located in the Butler County Courthouse, maintained by the Court Administrator's office; at the Butler County Communications Center; with each Magisterial District Judge and the Butler County Court Administrator's Office

- (1) The "on call" Magisterial District Judge may hold court by any approved advanced communication technology as provided by Butler County. The Magisterial District court office will remain closed to the public during after hours coverage except at the discretion of the Magisterial District Judge.
- (2) In the event a Magisterial District Judge is needed when the court is not scheduled for after hours coverage for issuance of a search or arrest warrant, a Protection From Abuse Petition or other emergency matter, the "on call" Magisterial District Judge will be contacted through the Butler County Communications Center.
- (3) Procedures for executed summary warrants shall be pursuant to Pa.R.Crim.P.431.

(b) Monetary bond may be posted outside of normal business hours with the Magisterial District Judge, the Clerk of Courts or the Warden of the Butler County Prison with the following provisions:

(1) Summary Bonds required prior to the verdict or other case disposition in the amount of FIVE HUNDRED (\$500.00) DOLLARS and NO CENTS or less shall be posted with the Warden at the Butler County Prison.

(2) Summary Bonds required prior to verdict or other case disposition in the amount of FIVE HUNDRED (\$500.00) DOLLARS and NO CENTS or more shall be posted with "on -call" Magisterial District Judge.

(3) All Property Bonds must be posted during regular business hours with the Clerk of Courts of Butler County.

Rule L520 Bail Before Verdict

Monetary bond may be posted outside of regularly scheduled work hours with the Magisterial District Judge, the Clerk of Courts or the Warden of the Butler County Prison with the following provisions:

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(1) Summary Bonds required prior to the verdict or other case disposition in the amount of FIVE HUNDRED (\$500.00) DOLLARS and NO CENTS or less shall be posted with the Warden at the Butler County Prison.

(2) Summary Bonds required prior to verdict or other case disposition in the amount of FIVE HUNDRED (\$500.00) DOLLARS and NO CENTS or more shall be posted with "on -call" Magisterial District Judge.

(3) All Property Bonds must be posted during regular business hours with the Clerk of Courts of Butler County.

Comment: This rule is intended to ensure compliance with the statewide Rules of Criminal Procedure to prevent the violation of the rights of defendants caused by the lack of availability of the issuing authority. Police officers, constables and other law enforcement personnel who are obtaining and serving said warrants should do so during normal business hours and, if not, should provide written statements indicating good cause for not being able to do so upon request of the issuing authority.

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