

**PART III**  
**LOCAL ORPHANS' COURT RULES**

(cited as L.O.C. Rule \_\_\_\_)

**CHAPTER I. PRELIMINARY RULES**

**Rule 1.1.1            Short Title and Citation**

These Rules shall be known as the Local Orphans' Court Rules, shall be referred to individually as "Rule," and cited as "L.O.C. Rule \_\_\_\_\_."

Adopted 7/21/16.    Effective 9/5/16

**Rule 1.5                Service of Orders, Decrees, etc.**

The Clerk shall be responsible for serving a certified copy of each order, decree, memorandum and opinion, or the like, entered by the Court, upon all lawyers who have appeared in the matter and upon all interested parties for whom no lawyer has appeared. In connection therewith, the Clerk shall refer to the cover sheet required by Rule 1.8(c), below.

Adopted                Effective

**Rule 1.6.1            Court-Ordered Mediation**

The Court, upon motion of an interested party or upon its own motion, may order parties in a particular matter to participate in private mediation or in court-supervised mediation. The Court shall determine who shall bear the costs thereof, either prior to such mediation or afterwards. The Court may direct an interested party to advance the costs of such mediation and direct reimbursement to such interested party as may be appropriate under the circumstances.

Adopted 7/21/16.    Effective 9/5/16

**Rule 1.8(c)            Cover Sheet.**

A cover sheet in the following form shall be attached to every petition filed pursuant to Chapter III of the Pennsylvania Orphans' Court Rules; every set of objections to an account filed pursuant to Pa.O.C. Rule 2.7; and every set of objections to an inventory filed pursuant to 20 Pa.C.S. §3305:

IN THE COURT OF COMMON PLEAS OF ARMSTRONG COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

COVER SHEET

for a Petition, for an Objection to an Account, or for an Objection to an Inventory

Basis of Orphans' Court Jurisdiction (Check One)

- Decedent's Estate       Trust       TPR or Adoption       Incapacitated Person  
 Minor       Power of Attorney       Non-Profit Corporation  
 Other (specify) \_\_\_\_\_

Filing Party's Relationship to Entity or Person checked above

- Personal Representative       Parent or Guardian       Trustee  
 Heir       Adopting Parent       Trust Beneficiary  
 Creditor       Corporate Officer       Agent (POA)  
 Other: \_\_\_\_\_

Court Paper Being Filed

Name of Filing Party

Address of Filing Party

**To the Clerk of Orphans' Court Division:**

Please enter my appearance on behalf of the Filing Party

\_\_\_\_\_  
Signature of Filing Attorney or Party

Date:

Name of Filing Attorney

Address of Filing Attorney

Telephone Number/Fax Number

On the reverse side, indicate the name and address of each interested party in this proceeding, as well as the name and address of each such party's attorney of record, if any.

Has any proceeding connected to this estate been heard by a judge of this Court?

Yes       No

If yes, which judge: \_\_\_\_\_

Is there any proceeding connected to this estate now pending before a judge of this Court?

Yes       No

If yes, which judge: \_\_\_\_\_


Adopted 7/21/16. Effective 9/5/16

**CHAPTER II. ACCOUNTS, OBJECTIONS AND DISTRUBTIONS**

**Rule 2.4.1 Decree Confirming Account and Petition, and Approving Proposed Distribution, if any. Form**

(a) A decree which will confirm the account and approve the petition for adjudication/statement of proposed distribution shall accompany the papers filed pursuant to Pa.O.C. Rule 2.4.

(b) The decree shall be in the following form, but it shall be modified appropriately if no distribution is being proposed:

[CAPTION]

**DECREE CONFIRMING ACCOUNT  
AND  
APPROVING AND DIRECTING DISTRIBUTION**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_,  
2\_\_\_\_, it appearing to the Court that no objection has been filed to the Account or Petition for Adjudication/Statement of Proposed Distribution; NOW, THEREFORE, the Account is confirmed, the Petition and Statement are approved, and the accountant is hereby directed to make distribution in accordance therewith.

BY THE COURT,

\_\_\_\_\_ J.

Adopted 7/21/16. Effective 9/5/16

**Rule 2.5.1 Time for Filing Account**

(a) An account must be filed with the Clerk of the Orphans' Court Division no later than thirty (30) days before the regularly scheduled confirmation date published in the annual Court calendar upon which the accountant desires to have the account presented to the Court for confirmation.

(b) Notice of the filing with the Clerk shall be given by the accountant to all interested parties at least twenty (20) days prior to the date when the same will be presented to the Court for confirmation and approval.

Adopted 7/21/16. Effective 9/5/16

**Rule 2.5.2 Notice of Filing. Form**

Notice of the filing of an account, a petition for adjudication/statement of proposed distribution, and a proposed decree shall be substantially in the following form:

[CAPTION]

**NOTICE**

Attached is a true and correct copy of the account of

\_\_\_\_\_ and a proposed decree, which was filed in the Office of the Clerk of the Orphans' Court Division on \_\_\_\_\_, 2\_\_\_\_.

Also filed on the same date and attached hereto is the following (check one):

a Petition for Adjudication

a Petition for Adjudication including Statement of Proposed Distribution

All these legal papers will be presented to the Court for approval and confirmation on \_\_\_\_\_, 2\_\_\_\_, unless written objections to one or more of them is filed before such date with the Clerk of the Orphans' Court Division.

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney

Address:  
\_\_\_\_\_  
\_\_\_\_\_

Adopted 7/21/16. Effective 9/5/16

**Rule 2.9.1 Distribution Determined by Auditor**

After confirmation of an account when no distribution has been proposed, an accountant may petition the Court for the appointment of an auditor to determine distribution.

Adopted 7/21/16. Effective 9/5/16

**CHAPTER III. PETITION PRACTICE AND PLEADING**

**Rule 3.2.1 Headings; Captions**

(a) Pleadings shall be captioned "Court of Common Pleas of Armstrong County, Orphans' Court Division".

(b) The heading of any petition, pleading or other court paper shall identify with particularity the nature of the paper being filed.

(c) The caption and heading shall be substantially in the following form:

**IN THE COURT OF COMMON PLEAS OF ARMSTRONG COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**

ESTATE OF JANE SMITH : No. \_\_\_\_\_  
(Petition for Removal of :  
Co-Executors, filed by John Doe) :

**ANSWER OF CO-EXECUTORS TO  
PETITION FOR THEIR REMOVAL**

As noted in the parenthetical material set forth in the required format, the caption must identify the petition which commenced the proceeding.

Comment

"Petition for Citation", "Answer", "Preliminary Objections", and "Exceptions" are examples of headings that will not be in compliance with this Rule.

Adopted 7/21/16. Effective 9/5/16

**Rule 3.4.1 Preliminary Decree Where Citation is Sought**

In the case of a petition requiring a citation under Pa.O.C. Rule 3.5(a), the petition shall have attached thereto a proposed preliminary decree substantially in the following form:

[CAPTION]

**PRELIMINARY DECREE AWARDING CITATION**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_,  
2\_\_\_\_\_, upon presentation and consideration of the  
foregoing Petition (for) (to) \_\_\_\_\_,  
it is hereby **ORDERED** that a citation be awarded, directed

to \_\_\_\_\_, to show cause why the relief prayed for therein should not be granted.

The citation shall be returnable within twenty (20) days of the date of its service upon the person cited.

BY THE COURT,

\_\_\_\_\_ J.

Comment

In the Orphans' Court, a citation is the proper process by which initial personal jurisdiction over the person is obtained. *In re: Hicks' Estate*, 414 Pa. 131, 199 A.2d 283 (1964).

Adopted 7/21/16. Effective 9/5/16

**Rule 3.5.1 Mode of Proceeding on Petition When No Answer is Filed**

(a) If a respondent fails to file an answer to a petition, the averments of fact set forth in the petition shall be deemed to have been admitted and the Court may enter a decree granting the prayer of the petition, subject to the provisions of subsection (c), below.

(b) In any proceeding in which an answer to a petition is not filed, after the passing of the return date or notice period, as applicable, a petitioner may file a praecipe with the Clerk directing the Clerk forthwith to transmit the file to the Court for review and possible adjudication. The praecipe shall be in the following form:

[CAPTION]

**PRAECIPE TO TRANSMIT RECORD**

**TO THE CLERK OF THE ORPHANS' COURT DIVISION:**

I, the undersigned, hereby direct the Clerk of the Orphans' Court Division forthwith to transmit the record of this matter, including this praecipe, to the Court for review and action. I certify that notice of (type of petition) was served upon all parties in interest and that the required proofs of service have been filed. The date of service of the last notice to be served was \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Attorney for Petitioner

(c) After receipt of the record transmitted to the Court pursuant to subsection (b), above, the Court will review the record to determine its adequacy and will review the proposed prayer for relief to determine its appropriateness. The Court may enter an appropriate order thereafter or it may cause a pre-hearing conference or hearing to be scheduled.

(d) This Rule applies both to proceedings requiring personal jurisdiction and those that do not.

Adopted 7/21/16. Effective 9/5/16

## **CHAPTER V. RULES GOVERNING SPECIFIC TYPES OF PETITIONS**

### **Rule 5.1.1 Declaratory Judgment**

#### **Comment**

The declaratory judgment action is the preferred way to resolve disputes involving interpretation of wills, trusts, or other instruments.

Adopted 7/21/16. Effective 9/5/16

### **Rule 5.6.1 Appointment of a Guardian for the Estate or**

(a) A hearing shall be held upon every petition filed for the appointment of a guardian of the person or the estate of a minor, even if the consents of all parties in interest are attached and even if no objection to the petition is filed by any party in interest.

(b) The petitioner shall proceed by notice as set forth in subsection (c) of the Rule.

(c) If a living parent of the minor is not one of the petitioners in the petition for appointment, the petitioner shall serve notice of the hearing upon such parent. The notice shall also be served on any adult who has had physical custody of the minor within the one-year period immediately prior to the filing of the petition. The notice must be served at least twenty (20) days prior to the hearing.

(d) The proposed guardian and any minor age six (6) or older shall appear at the hearing.

(e) All bonds shall be filed with the Clerk within thirty (30) days of the date of appointment. Failure to file the bond may be deemed to be a refusal of the appointment.

(f) The notice required by subsection (b) of this Rule shall be in the following form:



[CAPTION]

**NOTICE OF HEARING FOR APPOINTMENT  
OF GUARDIAN OF MINOR**

TO:       Name of Person      

TAKE NOTICE that a Petition for the Appointment of a Guardian of \_\_\_\_\_ (the person, the estate or both) has been filed by \_\_\_\_\_ (name of petitioner) seeking the appointment of \_\_\_\_\_ (name of proposed appointee). A hearing will be held on \_\_\_\_\_ (day of week), \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_M. in Courtroom No. \_\_\_\_ of the Armstrong County Courthouse in Kittanning, Pennsylvania.

You may file written objections to the Petition with the Clerk of the Orphans' Court Division at any time before the hearing is held. Even if you do not file written objections, you may appear at the hearing and be heard if you wish.

\_\_\_\_\_  
Attorney  
Address  
Telephone Number

Adopted 7/21/16. Effective 9/5/16

**Rule 5.16.1 Form of Petition - Settlement of Small Estate**

(a) This Rule applies to all petitions filed pursuant to 20 Pa.C.S. §3102, pertaining to settlement of small estates upon petition.

(b) A petition for settlement of a small estate shall include the following:

- (1) the name and address of each petitioner;
- (2) the decedent's date of death and domicile at the time of death, together with a statement that an original death certificate is attached;
- (3) a statement whether the decedent died testate or intestate and, if testate, that the original copy of the will is attached; or that it cannot be produced and the reason therefor and that a photocopy of it is attached.
- (4) the name and address of each testate or intestate heir, as applicable.
- (5) the name and addresses of all claimants known by the petitioner, including creditors of the decedent on the date of death, providers of funeral services, providers of goods and services to the petitioner arising from settlement of the estate, together with

the amounts claimed by each, even if the claims have been satisfied before the filing of the petition, together with a notation of which such claims remain unsatisfied;

(6) all assets of decedent's estate, other than real estate, and the value of each;

(7) in the event that it appears that all claimants cannot be paid in full, all assets in which the decedent had an interest as a joint tenant with right of survivorship, together with the value of each such asset and decedent's fractional interest therein;

(8) a statement that a Pennsylvania inheritance tax return need not be filed and the reason therefor; or, in the alternative, that one has been filed, that all taxes due thereon have been paid, and that proof of such payment is attached to the petition; or, in the alternative, the reason why the same has not occurred;

(9) the name of each proposed distributee and their respective proposed distributions;

(10) the name of each person who has consented to or joined in the prayer of the petition, together with a statement that the consent is attached; and

(11) any other relevant information.

(c) The following items shall be attached to a petition for settlement of a small estate:

(1) an original death certificate;

(2) the decedent's will, if any;

(3) proof of payment of the Pennsylvania inheritance due under the return actually filed;

(4) original copies of consents, joinders, and statements of no objection signed by interested parties; and

(5) a proposed decree of distribution.

Adopted 7/21/16. Effective 9/5/16

## **CHAPTER IX. AUDITORS AND MASTERS**

### **Rule 9.1.1 Notice of Hearings**

(a) The auditor or master shall fix a date, time and place for hearing and shall give written notice of the hearing to the accountant, objector or petitioner and to all interested parties or their counsel of record by first class mail at least twenty

(20) days prior thereto. In the event notice cannot be given in such manner, notice shall be given by advertisement one time in the Armstrong County Legal Journal and one time in a newspaper of general circulation in the county where the decedent resided. The date of publication shall be at least twenty (20) days prior to the hearing.

(b) the notice shall include the following:

- (i) the caption and number of the case;
- (ii) the fact and date of appointment;
- (iii) the name of the personal representative of the estate
- (iv) the time and place of hearing;
- (v) a general statement of the matters to be determined; and
- (vi) the signature and the typewritten name, address and telephone number of the auditor or master.

Adopted 7/21/16. Effective 9/5/16

#### **Rule 9.1.2 Conduct of Hearing**

a) All hearings before an auditor or master shall be conducted in accordance with the Pennsylvania Rules of Evidence.

(b) The hearings may be continued or adjourned from time to time by the auditor or master for cause shown or upon agreement of all parties present, but each continuance or adjournment shall be to a day certain not more than thirty days distant.

(c) Auditors and masters shall have the authority to administer oaths to witnesses.

(d) Auditors and masters shall have the authority to issue subpoenas, including subpoenas duces tecum.

(e) With leave of court, the auditor or master may retain experts as an aid in the performance of appointed duties. Leave may be obtained by motion presented in Motions Court pursuant to the Local Rules of Civil Procedure. All parties in interest shall receive notice of the presentation of such a motion.

(f) Evidentiary hearings before an auditor or master shall be recorded by stenographic and not electronic means.

Adopted 7/21/16. Effective 9/5/16

**Rule 9.6.1 Notice of Filing of Report. Form of Notice**

(a) An auditor or master shall timely file the report with the Clerk and simultaneously serve notice thereof upon the accountant or objector and all other interested parties who appeared at the hearing. The notice shall be given by first class mail. A copy of the report shall be attached to the notice. Proof of service of the notice shall be filed immediately after mailing of the same. A copy of the notice shall be attached to the proof.

(b) The notice shall be in the following form:

[CAPTION]

**NOTICE OF FILING AUDITOR'S (MASTER'S) REPORT**

TAKE NOTICE, that the undersigned, the duly appointed auditor, (master,) filed his (her) Report with the Clerk of the Orphans' Court Division on \_\_\_\_\_, 2\_\_\_\_. A copy of the Report is attached.

Under the Local Orphans' Court Rules, you have twenty (20) days from the date the Report was filed to file written exceptions to it with the Clerk of the Orphans' Court Division. If you fail to do so, the Court may confirm the Report (may adopt the recommendations of the Report).

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Auditor (Master)

Adopted 7/21/16. Effective 9/5/16

**Rule 9.7.1 Confirmation of Auditor's Report**

Unless exceptions to an auditor's report are timely filed, the report will be confirmed by the Court. The Clerk shall transmit the report as of course so it may be so confirmed.

Adopted 7/21/16. Effective 9/5/16

**Rule 9.7.2 Confirmation of Master's Report**

Unless exceptions to a master's report are timely filed, the Court will adopt its recommendations. The Clerk shall transmit the report to the Court as of course so its recommendations may be so adopted.

Adopted 7/21/16. Effective 9/5/16

**Rule 9.7.3            Exceptions to Auditor's Report or Master's Report.    Time**

(a) Exceptions to an auditor's report or a master's report, must be filed within twenty (20) days after its date of filing. If a party files timely exceptions, any other party may file cross exceptions within twenty (20) days after the filing of exceptions.

Adopted 7/21/16.    Effective 9/5/16

**Rule 9.7.4            Form of Exceptions.    Place of Filing**

(a) Exceptions to an auditor's report, or master's report, shall be in writing filed with the Clerk.

(b) Exceptions shall be set forth in consecutively numbered paragraphs, each paragraph raising but one issue, and stating the ground or grounds therefor. Exceptions shall be signed by the exceptant or the exceptant's attorney.

Adopted 7/21/16.    Effective 9/5/16

**Rule 9.8.1            Security for Expenses and Fees**

An auditor or master, the accountant, or any interested party may apply to the Court at any time for leave to require security for the payment of the auditor's or master's expenses and fees, and, when such leave is granted, the auditor or master may decline to proceed until security is entered.

Adopted 7/21/16.    Effective 9/5/16

**CHAPTER X.    REGISTER OF WILLS**

**Rule 10.3.1            Hearings**

Evidentiary hearings before the Register shall be recorded by stenographic means and not by electronic means.

Adopted 7/21/16.    Effective 9/5/16

**Rule 10.4.1            Appeals from the Register of Wills.    Petition. Citation.**

(a) Appeals from a judicial act or decision of the Register of Wills shall be by petition directed to the Court.

(b) When a petition for appeal has been filed with the Court, the Register of Wills shall cause the record to be certified to the Court and properly docketed in the Orphans' Court Division dockets.

(c) After the record has been certified and docketed as required in subparagraph (c) of this rule, the Court will award a citation directed to all parties in interest.

Adopted 7/21/16. Effective 9/5/16

**Rule 10.7 Filing of Inventory. Notice. Petition to Compel Filing of Inventory. Objections to Inventory**

(a) Inventories shall be filed with the Register of Wills, and not with the Clerk of the Orphans' Court Division.

(b) A copy of the inventory shall be served upon all interested parties in the same manner as an account is served. A notice substantially in the following form shall accompany the copy as its front page:

[CAPTION]  
**NOTICE**

Attached is a true and correct copy of the Inventory/Supplement Inventory which was filed by the personal representative in the Office of the Register of Wills on \_\_\_\_\_, 20\_\_\_\_.

Specific written objections, if any, may be filed with the Clerk of Orphans' Court Division in accordance with Local Orphans' Court Rule 10.7(d).

\_\_\_\_\_  
Personal Representative or Attorney

(c) All petitions to compel the filing of an inventory or a supplemental inventory required by 20 Pa.C.S. §3301 and §3303, respectively, shall be filed with the Clerk of the Orphans' Court Division, and not with the Register of Wills.

(d) All objections to an inventory or supplemental inventory filed pursuant to 20 Pa.C.S. §3305 shall be filed with the Clerk of Orphans' Court Division, and not with the Register of Wills. All such objections shall be in writing with consecutively numbered paragraphs, signed by counsel, or if not represented by counsel, then by all the objectors. Objections must be verified by at least one of the objectors. Each objection shall be specific. The pleadings allowed after the filing of such objections shall be governed by Pa.O.C. Rule 2.8(a) and (b).

Adopted 1/20/17. Effective March 18, 2017

CHAPTER XIV. GUARDIANSHIPS OF INCAPACITATED PERSONS

Rule 14.2.1 Petition for Appointment of Guardian of Incapacitated Person. Preliminary Order

The petition for appointment of guardian of incapacitated person shall have attached thereto a preliminary order of Court in the following form:

[CAPTION]

**PRELIMINARY ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the foregoing Petition for Appointment of Guardian having been presented to the Court, upon consideration thereof, it is **ORDERED** that a Citation be awarded, directed to the above-named alleged incapacitated person, to show cause why he/she should not be adjudged an incapacitated person and a plenary/limited guardian of his/her person and estate be appointed.

The time and place of hearing on the petition are fixed for \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_M. in Courtroom No. \_\_\_\_ of the Armstrong County Courthouse, Kittanning, Pennsylvania.

The petitioner shall give notice to all persons who are residing within the Commonwealth of Pennsylvania who are *sui juris* and would be entitled to share in the estate of the alleged incapacitated person if he died intestate at that time; to the person or institution providing residential services to the alleged incapacitated person.

In addition, the petitioner shall also give notice to the following persons: \_\_\_\_\_  
\_\_\_\_\_.

BY THE COURT,

\_\_\_\_\_  
J.

**Rule 14.2.2 Service of Notice of Filing of Petition and Hearing Upon Persons Other than the Alleged Incapacitated. Proof of Service. Form**

(a) Notice of the petition for appointment of guardian and hearing shall be served upon all persons who are residing within the Commonwealth of Pennsylvania who are sui juris and would be entitled to share in the estate of the alleged incapacitated person if he died intestate at that time; to the person or institution providing residential services to the alleged incapacitated person; and to such other parties as the Court may direct, including services providers. Service of such notice must be given at least twenty (20) days in advance of the hearing.

(b) Proof of service of the notice shall be presented to the Court at time of hearing.

(c) The notice required by this Rule shall be in the following form:

[CAPTION]

**NOTICE OF PETITION FOR APPOINTMENT OF GUARDIAN AND HEARING**

TO: \_\_\_\_\_ (Name of Person)

TAKE NOTICE that a Petition for Appointment of Guardian of the Person and/or the Estate has been filed by (name of petitioner) in connection with this matter. A copy of the petition is attached.

The Court will hold a hearing upon the petition on \_\_\_\_\_ (day of week), \_\_\_\_\_, 2\_\_\_\_ at \_\_\_\_\_.M. in Courtroom No. \_\_\_\_\_ of the Armstrong County Courthouse, Kittanning, Pennsylvania. You may appear at that time and be heard if you wish.

\_\_\_\_\_  
Attorney  
Address  
Telephone Number



**Rule 14.2.3 Appointment of Counsel. Application**

The petitioner shall notify the Court at least seven (7) days prior to the final hearing upon the petition if counsel has not been retained by or on behalf of the alleged incapacitated person. Such notification shall consist of an application alleging the same and requesting the appointment of an attorney. Notice in advance of the presentation of such application is not required.

Adopted 7/21/16. Effective 9/5/16

**Rule 14.2.4 Emergency Guardian**

(a) A separate petition for appointment of an emergency guardian shall be filed.

(b) After a petition for the appointment of an emergency guardian has been filed, the matter shall proceed on citation and hearing. The provisions of 20 Pa.C.S. §5511, including those relating to counsel, shall be applicable, except when the Court has found that such provisions are not feasible under the circumstances. If a petitioner believes that one or more provisions of 20 Pa.C.S. §5511 are not feasible under the circumstances, the petitioner shall state the factual basis for the same, and the Court may, in its discretion, dispense with compliance in the order awarding the citation. If not all required provisions have been complied with by the time of the hearing upon the petition, the Court may, in its discretion at the hearing, further dispense with compliance, if compliance is shown to have been unfeasible.

(c) The citation issued in connection with a petition for appointment of emergency guardian shall be modeled after the citation prescribed by Pa.O.C. Rule 14.5, with appropriate changes. A proposed citation shall be presented to the Court for review at the time the petition is presented.

(d) The petition shall have attached to it a preliminary order of court (emergency guardian) in following form:

[CAPTION]  
**PRELIMINARY ORDER**  
**(Emergency Guardian)**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, the foregoing Petition for Appointment of Emergency

Guardian having been presented in open Court, upon consideration thereof, it is **ORDERED** that a Citation be awarded, directed to the above-named alleged incapacitated person, to show cause why an emergency plenary/limited guardian of his/her person and estate should not be appointed.

The time and place of hearing on the petition are fixed for \_\_\_\_\_, \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_M. in Courtroom No. \_\_\_\_ of the Armstrong County Courthouse, Kittanning, Pennsylvania.

The Court finds that

Service of notice of the hearing on the petition for emergency guardian is not feasible under the circumstances and is waived.

Notice of the hearing to the following persons is feasible under the circumstances and directs that the same be given as indicated:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Strict compliance with 20 Pa.C.S. §5511(e); relating to contents of the petition, is not feasible under the circumstances and is waived.

Strict compliance with 20 Pa.C.S. §5511(a), pertaining to the right to counsel, is not feasible under the circumstances and is waived in connection with the petition for appointment of emergency guardian only.

BY THE COURT,

\_\_\_\_\_J.

Adopted 7/21/16. Effective 9/5/16

### **Rule 14.2.5 Telephone Testimony**

If all parties or their attorneys of record agree, the Court will receive the testimony of a physician or other expert witness by telephone. In the event there is no such agreement, the Court will nonetheless consider permitting the same upon motion of any party presented at Motions Court in accordance with the Local Rules of Civil Procedure.

Adopted 7/21/16. Effective 9/5/16

**CHAPTER XV. ADOPTION**

**Rule 15                    Petitions Filed Pursuant to Chapter XV of the  
                              Pennsylvania Orphans' Court Rules**

No more than one child may be the subject of a petition for voluntary relinquishment to an agency; for voluntary relinquishment to adult intending to adopt child; to confirm consents for an adoption; or for adoption.

Adopted 7/21/16. Effective 9/5/16

**Rule 15.4.1            Petition for Involuntary Termination of Parental  
                              Rights. Form of Notice**

The notice required by 23 Pa.C.S. §3513(b) shall designate the "Prothonotary of Armstrong County, Room 103, Armstrong County Courthouse, Kittanning, PA 16201 (telephone: 724-548-3252)" as the person from whom information can be obtained about legal help.

Adopted 7/21/16. Effective 9/5/16