

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

CIVIL DIVISION

IN RE: ADOPTION OF LOCAL )  
RULES OF ORPHANS' ) No. 2022-1  
COURT PROCEDURE )  
L-O.C. RULE 1.41 and )  
L-O.C. RULE 15.21 )

**FILED**  
NOV 01 2022  
L. H. HOUGH  
PROTHONOTARY

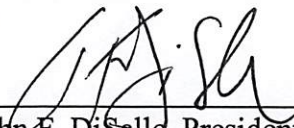
**ADMINISTRATIVE ORDER**

AND NOW, this 31<sup>ST</sup> day of October, 2022, having received approval from the appropriate Rules Committee pursuant to Pa. R. J. A. 103(d)(4), it is hereby ORDERED, ADJUDGED, and DECREED that Washington County Local Rules of Orphans' Court Procedure L-O.C. 1.41 and L-O.C. 15.21 (attached) are hereby adopted, effective thirty (30) days after publication of this ORDER in the *Pennsylvania Bulletin*.


This ORDER shall be processed in accordance with Pa. R. J. A. 103(d)(5) and (6). The District Court Administrator is directed to:

1. Distribute copies of the adopted local rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
2. File one (1) copy with the Administrative Office of Pennsylvania Courts;
3. Publish the local rules on the Court's website within thirty (30) days of the effective date; and
4. Cause a copy hereof to be published in the *Washington County Reports* once a week for two (2) successive weeks at the expense of the County of Washington.

BY THE COURT:

  
\_\_\_\_\_, P.J.  
John F. DiSalle, President Judge

ATTEST:

  
\_\_\_\_\_  
PROTHONOTARY  
LAURA H. HOUGH, PROTHONOTARY  
My Term Expires First Monday in January, 2024

from the record

## L-O.C. Rule 1.41. PAPERS AND RECORDS

(a) The Court, which shall for purposes of this subsection include a Judge, staff of a judge, the District Court Administrator, and court administration staff, may remove original papers, records, exhibits, or transcripts (“case records”), from the Office of the Register of Wills/Clerk of the Orphans’ Court (“Register/Clerk”) for official court business, unless access is otherwise restricted by law or order of court.

(b) If appointed by the Court, the following individuals shall have the authority to remove case records from the Office of the Register/Clerk:

(1) Auditors;

(2) Hearing officers;

(3) Mediators; and

(4) Other court staff or any person(s) specifically authorized by the President Judge or order of court.

*Note:* If there is a question concerning an individual’s authority to access records under this subsection, the Register/Clerk is to seek guidance from the President Judge, District Court Administrator, or the judge to whom the case is assigned.

(c) Except as provided in the preceding subsections or applicable rule of procedure, no case records shall be removed from the Office of the Register/Clerk except upon subpoena *duces tecum* or order of court.

(d) This rule is not applicable to matters filed pursuant to the Adoption Act.

(e) Access to case records, docketing information, digital records, and/or images of case filings that are or can be made available or otherwise accessed through computer software or digital case management systems, shall be determined by the Court through rule, order, policy, or regulation, except as otherwise provided by law.

*Comment:* Access to case records by the public is governed by the *Case Records Public Access Policy of the Unified Judicial System*. See also Local Rule of Judicial Administration 3000 and 3001. The Policy in no way alters the ability and authority of the Court, upon application of a party or acting *sua sponte*, to seal a record or any portion of a record for reasons not inconsistent with the Policy, or other applicable governing authority.

**L-O.C. Rule 15.21. COURT FILE**

**(a) The court file is defined as those court records and other documents identified in Pa. R. O. C. P. 15.21.**

**(b) The court file is confidential pursuant to the Act, and may only be inspected or removed by a Judge or staff of the assigned judge, District Court Administrator, or court administration staff for official court business prior to the conclusion of the adoption.**

**(1) Upon conclusion of any such proceeding, all documents therewith shall be impounded and sealed in an appropriate packet; with a restriction noted thereon that the packet shall not be opened except as authorized by an order of court, and thereafter shall be retained in the custody of the Register/Clerk.**

**(i) To the extent that any part of the docket or court file is maintained digitally or otherwise accessed through software or electronic case management system, the Court shall exercise authority over the system and ensure that access to the court file is restricted consistent with these rules.**

**(ii) This rule is not intended to restrict removal and/or transmittal of the court file pursuant to any rule of appellate procedure, including Pa. R. A. P. 1931.**

**(2) An individual seeking release of non-identifying or identifying information in the court file does not need an order of court if the requirements of 23 Pa. Con. Stat. Ann. §§ 2932-2933 and Pa. R. O. C. P. 15.22 are satisfied.**

***Note:* The Adoption Act sets forth that the court records of an adoption are to be maintained as a permanent record and the Act governs inspection and access once an adoption is finalized. See 23 Pa. Con. Stat. Ann. §§ 2915, 2932, and 2933.**