

### 2003 Membership:

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### Legal Authorization:

Pa. Constitution Article V, § 10(c)  
42 Pa. C.S., § 1722

### About the Committee

The principle function of the Appellate Court Procedural Rules Committee is to make recommendations to the Supreme Court for refining and updating the Rules of Appellate Procedure in light of experience, developing case law and new legislation.

**Appellate**

**Court**

**Procedural**

**Rules**

**Committee**

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## 2003 Activities

As a result of committee and subcommittee meetings and work sessions in 2003, the following recommendations were submitted to the Supreme Court and adopted:

**Internal Recommendation 36:** Adoption of Pa.R.A.P. 120 (**Entry of Appearance**) and 1703 (**Contents of Application for Stay**) and amendments to the Notes to Pa.R.A.P. 121, 907, 1112, 1311 and 1514.

**Internal Recommendation 48:** Amendments to Pa.R.A.P. 124 (**Form of Papers; Number of Copies**), 2135 (**Length of Briefs**) and 2171 (**Method of Reproduction. Separate Brief and Record**).

**Internal Recommendation 49:** Amendment to Pa.R.A.P. 2111 (**Brief of the Appellant**).

**Internal Recommendation 50:** Amendments to Pa.R.A.P. 1501-1561 (Chapter 15. **Judicial Review of Governmental Determinations**).

**Internal Recommendation 52:** Amendments to Pa.R.A.P. 762 (**Release in Criminal Matters**) and 3331 (**Review of Special Prosecutions or Investigations**).

**Internal Recommendation 53:** Proposed amendment to Pa.R.A.P. 1931 (**Transmission of the Record**).

**Internal Recommendation 54:** Proposed amendment to Pa.R.A.P. 2117 (**Statement of the Case**).

The following recommendation remained pending with the Court at the end of 2003:

**Internal Recommendation 29:** Proposed amendment to amend to Pa.R.A.P. 1925(b) (**Opinion in Support of Order**).

The following recommendations were returned to the committee for further study:

**Internal Recommendation 46:** Proposed adoption of Pa.R.A.P. 1702(d) (**Stay Ancillary to Appeal**) and 3316 (**Review of Stay of Execution Orders in Capital Cases**).

**Internal Recommendation 47:** Proposed adoption of Pa.R.A.P. 1316 (**Incorrect Use of Petition for Permission to Appeal or Petition for Review**).

The following recommendation was denied:

**Internal Recommendation 51:** Proposed amendment to Pa.R.A.P. 1115 (**Content of the Petition for Allowance of Appeal**).

In addition, allocatur was granted in three cases dealing with Rule 1925 (**Opinion in Support of Order**).

## 2004 Plans

Among the subjects on the committee's agenda for 2004 are the following:

- a proposed amendment to the Note to Pa.R.A.P. 311 referencing the potential "waiver trap" appeal problem that exists in declaratory judgment actions
- a joint recommendation with the Orphans' Court Procedural Rules Committee seeking to amend Pa.R.A.P. 342 and 313 concerning the appealability of removing a trustee
- an amendment to the rules to address the discrepancy between Pa.R.A.P. 2111 and 2115. AOPC