

**Orphans'
Court
Procedural
Rules
Committee**

1997 Membership:

Honorable Robert A. Kelly, *Chairman*
Honorable I. Martin Wekselman
Honorable Kathryn Streeter Lewis
Honorable John M. Cleland
Henry G. Beamer, III, Esq.
Samuel Y. Stroh, Esq.
Honorable Judith Jamison

Staff:

Dean R. Phillips, Esq., *Counsel*

Legal Authorization:

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

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History/Background

The Orphans' Court Rules Committee was established under Article V, § 10(c) of the 1968 Pennsylvania Constitution and 42 Pa. C.S., § 1772. It responds to developments in orphans' court procedure and reviews current rules governing statewide practice and procedure in the orphans' court, recommending new rules as necessary. The committee also responds to questions and comments received from the Judiciary, lawyers, the public and various agencies.

1997 Activities

The committee met two times in 1997, in July and December.

Among the action taken in 1997, the committee reviewed and prepared with the Appellate Court Procedural Rules Committee a joint recommendation revising Rules 7.1 and 7.3 together with Pa.R.A.P. 341. The committee had previously submitted to the Supreme Court rule amendments regarding intestate heirs, Rule 5.6 and proposed Rule 5.7, and incapacitated persons, Rule 14.

1998 Plans

The committee continues to review informal caveat procedures and the advisability

of retaining this practice. In addition, the issue of the docketing and service of orphans' court orders will be reviewed. Also of interest is the concept of uniform probate forms. Notarization of disclaimers will also be addressed. Notice will be taken of the Adoption Safe Families Act, 42 Pa.C.S., § 6302, 6351(a)(2)(iii). The committee looks forward to finalizing its joint recommendation with the Appellate Court Procedural Rules Committee governing finality and appealability of orphans' court orders.

Contact Persons

Questions about the committee and its work may be directed to either of the following individuals:

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