

**Orphans'  
Court  
Procedural  
Rules  
Committee**

**1998 Membership:**

Honorable Robert A. Kelly, *Chair*  
Honorable Jane Cutler Greenspan, *Chair\*\**  
Honorable I. Martin Wekselman\*  
Honorable Kathryn Streeter Lewis\*  
Honorable John M. Cleland  
Henry G. Beamer, III, Esq.  
Samuel Y. Stroh, Esq.  
Honorable Judith Jamison\*  
Mark S. Blaskey, Esq.  
Lawrence Barth, Esq.

**Staff:**

Dean R. Phillips, Esq., *Counsel*  
Tricia W. Nagel

\* Resigned early 1998

\*\* Appointed chair effective 1-4-99

**Legal Authorization:**

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

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## History/Background

**T**he 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.

## 1998 Activities

The committee met twice in 1998, in July and December.

The committee continued its review and preparation with the Appellate Court Procedural Rules Committee of a joint recommendation revising Rules 7.1 and 7.2 (pertaining to "**exceptions**" practice) and Pa.R.A.P. 341 (Final Orders). It had previously submitted to the Supreme Court amendments Rule 5.6 (**Notice to Beneficiaries and Intestate Heirs**) and proposed Rule 5.7 (**Form of Notice and Certification**) and Rule 14 (**Incapacitated Persons**). The Supreme Court adopted the committee's amendments to Rule 5.6, 5.7 and 14.1 through 14.4 by order dated December 23, 1998, which became effective January 1, 1999.

## 1999 Plans

In 1999 the committee plans to review uniform probate forms. It will also review existing rules and statutes governing adoption,

guardianship, standby guardianship and termination of parental rights to determine if the existing rules are sufficient to assure judicious, orderly and swift determination of such matters. Notarization of disclaimers will also be addressed.

The committee looks forward to finalizing its joint recommendation with the Appellate Court Procedural Rules Committee governing finality and appealability of orphans' court orders. It also intends to review several questions arising from the recent amendments to Rule 5.6 (Notice to Beneficiaries and Intestate Heirs).

## Contact Persons

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

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