

Note:

The following rules appear in the Criminal Section of the Chester County Court Rules. These Criminal rules are also used as District Justice Rules when they apply. They are as follows:

- 6.1 Interpreters
- 141.1 Sharing Costs of Transcript
- 141.2 Motions Challenging Preliminary Hearing (Habeas Corpus)
- 141.3 Providing Transcript to Court
- 141.4 Transcripts from Tape Recordings
- 141.5 Stipulations in Absence of Record
- 303(a).1 Notice from Issuing Authority
- 4006(a) Posting Real Estate Bail
- 4006(b).2 Establishing Value of Real Estate Bail
- 4006(c).3 Reviewing of Documents by Clerk of Courts
- 4006(d).4 Posting for More Than One Defendant Prohibited
- 4006(e).5 Justification of Surety

Rule 5000. Rent Escrow Payments in Lieu of Bond in Landlord Tenant Appeals from District Justice Decisions.

- (a) Where a tenant in possession of residential real property appeals from a judgement for the possession of the real property entered by a district justice as required by Pa.R.C.P.D.J. 1008(B) a supersedeas shall operate if such tenant:
 - (1) at the time of filing the appeal, files with the prothonotary a verified statement of his intentions of depositing monthly rental payments required by the lease which will become due during the pendency of the court of common pleas proceedings listing the amount of rental payments to become due per month and the dates when said payments are due, a copy of which shall be served upon the appellee by certified mail within five (5) days; and

- (2) deposits with the prothonotary the rental payments for the current month (if not already paid) and the subsequent rental payments as they become due according to the said verified statement.
- (b) Upon motion and order and certification of two days notice to tenant or his counsel by the landlord, accompanied by a copy of the escrow account from the prothonotary's office, the court may terminate the supersedeas if a monthly rental payment was not deposited in escrow within five (5) days after the date the rental payment became due.
- (c) No withdrawals shall be permitted from any such escrow account except upon court order.

Rule 5001. Writs of Certiorari From Actions Before District Justices.

- (a) Within thirty (30) days of filing a praecipe for writ of certiorari under the provisions of Pa.R.C.P.D.J. 1009 the appellant shall file a praecipe for determination and a brief in support of issuance of the writ and appellee shall have fifteen (15) days to file a reply brief. The court, in its discretion, may extend the time for filing of briefs.
- (b) If appellant fails to file a brief and praecipe for determination within the time set forth in subsection (a), or within the time extended by the court, then appellee may, without filing a brief, file a praecipe for determination and the court may consider appellant to have abandoned his position.

Comment: See C.C.R.C.P. 206.2 for form of praecipe for determination.