

SUPREME COURT OF PENNSYLVANIA

Order Adopting Rule 205.6 and Amending Rules 229.2, 240, 1018, 2028 of PA RCP

Supreme Court of Pennsylvania (January 5, 2018)

SUMMARY

This Pennsylvania Supreme Court order adopts Pennsylvania Rule of Civil Procedure 205.6 concerning confidential information, confidential documents, and required certifications under the Unified Judicial System Public Access Policy. It also amends Rules 229.2, 240, 1018, and 2028 concerning structured settlement transfers, in forma pauperis proceedings, captions, and actions involving minors.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
JURISDICTION	Pennsylvania
DECIDED	January 5, 2018
DISPOSITION	other
PROCEDURAL POSTURE	The Supreme Court of Pennsylvania promulgated a new Pennsylvania Rule of Civil Procedure 205.6 and amended Rules 229.2, 240, 1018, and 2028.
PRECEDENTIAL VALUE	Rulemaking order with binding procedural rules; not an adversarial precedential opinion.

TOPICS

[civil procedure](#) [pleadings](#) [guardianships](#) [family law procedure](#) [consumer protection](#)

PRACTICE AREAS

[civil procedure](#) [guardianships](#) [family law](#) [consumer protection](#)

QUESTIONS PRESENTED

1. What requirements should govern the filing and certification of confidential information and confidential documents in Pennsylvania civil proceedings?
2. How should the required affidavit for a petition to transfer structured-settlement payment rights be revised?

3. How should in forma pauperis procedures apply to civil actions, proceedings, appeals, and domestic-relations matters?
4. How should pleadings be captioned when minors are parties?
5. What averments and designations are required in actions brought by or against minors?

HOLDINGS

1. A person filing a document under the Pennsylvania Rules of Civil Procedure must comply with Sections 7.0 and 8.0 of the Public Access Policy, including the required certification and, when applicable, a Confidential Information Form or Confidential Document Form, unless otherwise provided by rule or court order.
2. A party without financial resources to pay litigation costs is entitled to proceed in forma pauperis subject to the procedures, certifications, continuing obligations, fee consequences, and exceptions specified in amended Rule 240.
3. Pennsylvania pleadings must use the captioning and party-designation requirements in Rules 1018 and 2028, including designating a minor by the initials of the minor's first and last names and identifying the guardian in an action brought by a minor.
4. A petition to transfer structured-settlement payment rights must include a payee affidavit substantially in the form prescribed by amended Rule 229.2, including information concerning marital status, dependents, income, prior transfers, reasons for the proposed transfer, and debts.

KEY QUOTATIONS

“[This is an entirely new rule.] Rule 205.6. Confidential Information and Confidential Documents. Certification.”

“A party who is without financial resources to pay the costs of litigation is entitled to proceed [in forma pauperis] in forma pauperis.”

FACTUAL BACKGROUND

No underlying litigant-specific facts are presented. The order addresses statewide civil-procedure filing, captioning, indigency, structured-settlement, and minor-party procedures, including compliance with Pennsylvania's Public Access Policy for court records.

PROCEDURAL HISTORY

The document is a per curiam rulemaking order rather than an adversarial case opinion. It adopts requirements concerning confidential information and documents and revises civil-procedure provisions governing structured-settlement transfers, in forma pauperis proceedings, captions, and actions involving minors.

DISPOSITION

other

CASES CITED

- Neitzke v. Williams, 490 U.S. 319, 109 S. Ct. 1827, 104 L. Ed. 2d 338 (1989)

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