

RULE NCV-206.4(c). ISSUANCE OF A RULE TO SHOW CAUSE (DISCRETIONARY ISSUANCE)

- (1) A petitioner seeking the issuance of a rule to show cause shall follow Pa.R.C.P. 206.5 (discretionary issuance), including the requirement of notice to all other parties of the intention to request the court to issue the rule, by filing a certificate of service of such notice.
- (2) The petition shall set forth a citation to applicable legal authority being asserted as the basis for requested relief.
- (3) The request for the issuance of the rule shall be reviewed by the court as to whether it is properly pleaded, and states prima facie grounds for relief.
- (4) Every petition under Pa.R.C.P. 206.1(a) shall include as the first page after any cover sheet required by 205.2(b) a proposed rule to show cause in the following form:

ORDER

AND NOW, this _____ day of _____, 20____, upon consideration of the foregoing petition, it is hereby ordered that:

- (1) a rule is issued upon the respondent to show cause why the petitioner is not entitled to the relief requested;
- (2) the respondent shall file an answer to the petition within _____ days of this date;
- (3) an evidentiary hearing on disputed issues of material facts shall be held on the _____ day of _____, 20____, at _____ o'clock, _____.m., in Courtroom No. _____ of the Northumberland County Court house, 201 Market Street, Sunbury, Pennsylvania.
- (4) Notice of the entry of this order shall be provided to all parties by the petitioner, and a certificate of service filed.

BY THE COURT:

J.

(5) All petitions addressed to the Court shall be filed with the Prothonotary, who shall promptly file-stamp same and make a brief docket entry. At least one (1) copy of the proposed order shall be presented to the Prothonotary with the original, which shall be retained by the Prothonotary while the original proposed order and copy of the petition is forwarded to the Court Administrator for consideration by the Court. Any such papers needing prompt court attention, after filing as noted above, may be forwarded immediately to the Court Administrator by the attorney filing such papers.

(6) The petition must be accompanied at the time of filing with stamped, addressed envelopes for each attorney of record and any unrepresented party along with sufficient copies of the petition and proposed rule to show cause or other proposed order for each of them.

(7) A party may request oral argument as to any petition and answer by promptly filing a praecipe for argument.