

**APPELLATE COURT PROCEDURAL RULES COMMITTEE
ADOPTION REPORT**

**Amendment of Pa.R.A.P. 1101, 1112, 1123, 1311, 1514,
1602, 1925, 2542, 3307, 3309, 3781, and 4002**

On September 11, 2023, the Supreme Court of Pennsylvania adopted amendments to Rules of Appellate Procedure 1101, 1112, 1123, 1311, 1514, 1602, 1925, 2542, 3307, 3309, 3781, and 4002. The Appellate Court Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

The Committee proposed the amendment of these rules to update and reference the forms used by the United States Postal Service and commonly accepted by the prothonotaries of the appellate courts as proof of mailing to satisfy Pa.R.A.P. 121. In addition to USPS form 3817 Certificate of Mailing, each rule now specifies that two commonly used forms, USPS Form 3800 Receipt for Certified Mail and Form 3806 Receipt for Registered Mail, may be used to confirm the date of deposit in the USPS mail. Stylistic revisions to the text of each rule were also made.

The Committee did not previously publish these amendments for comment because they are technical in nature and do not affect current practice or procedure.

The amendments become effective on January 1, 2024.

The following commentary from Pa.R.A.P. 2542 has been removed by this rulemaking:

Official Note:

Former Supreme Court Rule 64, former Superior Court Rules 55 and 58 and former Commonwealth Court Rule 113A required the application for reargument to be filed within ten days of the entry of the order.

* * *

The 1986 amendment provided that an application shall be deemed received on the date deposited in the United States mail as shown on a United States Postal Service Form 3817 Certificate of Mailing.

The 2008 amendment provides that an application shall be deemed received on the date deposited in the United States mail as shown on a

United States Postal Service Form 3817 Certificate of Mailing or other similar United States Postal Service form from which the date of deposit can be verified.