

# LICENSE / REGISTRATION SUSPENSION APPEALS PROCEDURE FOR SELF-REPRESENTED LITIGANTS

JANUARY 2019

1. Complete the appropriate forms and attach a copy of the Official Notice of Suspension from the Department of Transportation. The Court cannot accept an appeal without the Official Notice of Suspension.
2. These documents must be brought to Courtroom #1 on Tuesdays and Thursdays promptly at 9:00 a.m. during Motions Court. No appeal orders will be signed by the Judge outside of the time and days designated for Motions Court.
3. If appropriate, Judge Mancini will sign an Order scheduling the matter for a hearing. Failure to appear at that hearing will result in the appeal being dismissed.
4. Take all documents to the Prothonotary to be filed. There is a \$164.75 filing fee. The Prothonotary accepts cash and checks. No credit cards.
5. If you believe you qualify to have the filing fees waived, you must present a petition to proceed *in forma pauperis* along with the other forms. The *in forma pauperis* petition must be completed and signed and you **MUST** provide proof of income. Judge Mancini will review the documents and determine whether you qualify to have the filing fees waived. If the fees are not waived, you must pay the filing fee before the Prothonotary will accept and file the appeal.
6. After filing the papers with the Prothonotary you must send a certified copy of the Petition to the Department of Transportation via certified mail. The address is contained on the Official Notice of Suspension.
7. If you have additional questions, please contact Court Administration.

# LICENSE / REGISTRATION SUSPENSION APPEALS PROCEDURE FOR SELF-REPRESENTED LITIGANTS

## FINAL HEARING GUIDELINES

JANUARY 2018

*The following guidelines are general tips for common License or Registration Suspension Appeals and should not be considered legal advice. **There may be exceptions to the following that apply to your individual circumstances.** All appellants are advised to contact an attorney. The Beaver County Bar Association conducts a Lawyer Referral program that can arrange a low-cost consultation with an attorney knowledgeable in this field. Contact the Lawyer Referral program at (724)728-4888.*

### **Generally**

- Many cases are scheduled for the same hearing date and time. Appellants should be prepared to spend the entire morning at this hearing.
- Appellants should be prepared to litigate their appeal and possess all documentation necessary to do so. The Final Hearing is not a conference to conduct informal discussions. Appellants will be held to the same Rules of Court as an attorney would.
- If the Appellant is unable to attend the Final Hearing, he or she must present a written Motion to Continue in compliance with Beaver County's Local Rules. Telephone requests to continue the hearing will not be acknowledged or honored.
- Proper Courtroom attire (*e.g.*, no shorts or flip-flops) is required.

### **License Suspensions stemming from a conviction**

- Following the conviction of many traffic offenses, the Department of Transportation suspends the offender's driving privileges for a statutorily prescribed period of time. The License Suspension Appeal Hearing is not the proper forum to argue innocence of the underlying offense.

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY

PENNSYLVANIA

CIVIL ACTION – LAW

\_\_\_\_\_ :  
Appellant :  
vs. : No. \_\_\_\_\_  
COMMONWEALTH OF PENNSYLVANIA :  
DEPARTMENT OF TRANSPORTATION :

**PETITION FOR APPEAL FROM A SUSPENSION OF OPERATING  
PRIVILEGE/DENIAL OF DRIVER’S LICENSE / SUSPENSION OF MOTOR  
VEHICLE REGISTRATION**

1. Appellant herein is \_\_\_\_\_ residing at and  
having a mailing address of  
\_\_\_\_\_.

2. Appellee herein is the Department of Transportation of the Commonwealth of  
Pennsylvania having a mailing address of:

\_\_\_\_\_ Department of Transportation, Bureau of Driver Licensing, Harrisburg,  
Pennsylvania 17123.

\_\_\_\_\_ Department of Transportation, Bureau of Motor Vehicles, Harrisburg,  
Pennsylvania 17123.

3. By letter or notice dated \_\_\_\_\_, a copy of which is attached  
hereto as Exhibit A, the Department of Transportation

\_\_\_\_\_ ordered Appellant to surrender his/her operating license / motor vehicle  
registration for a period of \_\_\_\_\_.

\_\_\_\_\_ denied the issuance / renewal of a driver’s license.

4. Supersedeas:

\_\_\_\_\_ Pursuant to 75 Pa.C.S. § 1550 (b)(1)(i), Appellant is retaining driver's license until final determination of the suspension of operating privilege.

\_\_\_\_\_ Pursuant to 75 Pa.C.S. § 1550 (b)(1)(ii), a hearing attended by the Appellant must be held before the Court of Common Pleas before an order of supersedeas can be issued.

\_\_\_\_\_ Pursuant to 75 Pa.C.S. § 1377(a), Appellant is retaining motor vehicle registration until final determination of the suspension of registration.

5. The said suspension of Appellant's operating privileges / registration is improper or unlawful for the following reasons:

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Appellant respectfully requests that this matter be set down for a hearing and that the order of suspension / order of denial be set aside.

Respectfully submitted by,

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Appellant

I verify that the statements made in this Petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Appellant

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY  
PENNSYLVANIA  
CIVIL DIVISION

\_\_\_\_\_ :  
 :  
 Plaintiff, : No. \_\_\_\_\_  
 :  
 vs. :  
 :  
 COMMONWEALTH OF PENNSYLVANIA :  
 DEPARTMENT OF TRANSPORTATION :  
 Defendant. :

**ORDER FOR HEARING**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon consideration of the petition of \_\_\_\_\_ for review of an order of the Department of Transportation suspending petitioner's **operating privilege/registration**, a hearing de novo is granted to determine whether the action of the Department of Transportation in suspending petitioner's operating privilege or registration should be set aside.

HEARING on the above-captioned matter is set for \_\_\_\_\_  
at \_\_\_\_\_ .M. in Courtroom No. \_\_\_\_\_, Beaver County Courthouse, Beaver, Pennsylvania.

The petitioner is directed forthwith to serve a notice of the appeal and copies of the petition for review and order for hearing on the Department of Transportation at the address shown in the Department's notice or order, by certified mail, return receipt requested.

**It is further Ordered that this petition shall / shall not act as a supersedeas in the above-referenced matter pending final order of Court after Hearing.**

BY THE COURT,

\_\_\_\_\_

J.

**CERTIFICATE OF COMPLIANCE**

**RE: ACCESS TO COURT CASE RECORDS**

**CASE NO.** \_\_\_\_\_

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: \_\_\_\_\_

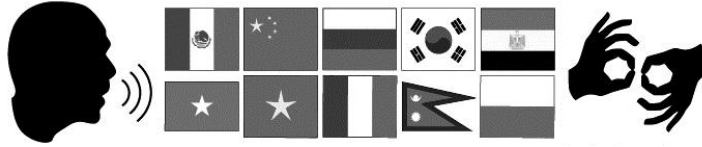
Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Attorney No. (if applicable): \_\_\_\_\_

Rev. 02/22/18

## Notice of Language Rights



Language Access Coordinator  
Beaver County Courthouse, 810 Third Street, Beaver, PA, 15009  
724-770-4770  
[languageaccess@beavercountypa.gov](mailto:languageaccess@beavercountypa.gov)

**English:** You have the right to an interpreter at no cost to you. To request an interpreter, please inform court staff using the contact information provided at the top of this notice.

**Spanish/Español:** Usted tiene derecho a un intérprete libre de costo. Para solicitar un intérprete favor de informárselo al personal judicial utilizando la información provista en la parte superior de este aviso.

**Mandarin/Cantonese Simplified Chinese/普通话/粤语简体中文:** 您有权获得免费的口译员服务。若需要口译员，请使用本通知上方提供的联系信息通知法院工作人员。

**Mandarin/Cantonese Traditional Chinese/普通話/廣東話繁體中文:** 您有權要求免費傳譯服務。如欲要求傳譯服務，請參閱本通知頂部的聯絡資料，通知法庭職員。

**العربية/Arabic:** يحق لك الحصول على مترجم دون دفع أي تكلفة من جانبك. لطلب مترجم، يُرجى إعلام موظفي المحكمة باستخدام معلومات الاتصال المقدمة في الجزء العلوي من هذا الإشعار.

**Russian/Русский:** У вас есть право на бесплатные услуги переводчика. Заявка на переводчика подается в суд по адресу, телефону или эл. почте, указанным выше в заголовке этого уведомления.

**Vietnamese/Tiếng Việt:** Quý vị có quyền được một thông dịch viên giúp mà không tốn chi phí nào cả, xin hãy báo cho nhân viên tòa án dùng thông tin liên lạc có ở trên đầu thông báo này.

**Nepali/नेपाली:** तपाईंको निःशुल्क रूपमा भाषा अनुवादक राख्न पाउने अधिकार छ। अनुवादकको लागि अनुरोध गर्न, यस सूचनाको माथि दिइएको सम्पर्क जानकारी भरेर अदालतका कर्मचारीहरूलाई जानकारी दिनुहोस्।

**Korean/한국어:** 귀하는 비용에 대한 부담 없이 통역 서비스를 받을 권리가 있습니다. 통역 서비스를 요청하려면 본 통지서의 상단에 기재된 연락처를 통해 법원 직원에게 알려주세요.

**Polish/Polski:** Ma Pan/Pani prawo do nieodpłatnego skorzystania z usług tłumacza ustnego. Aby zwrócić się o wsparcie ze strony tłumacza ustnego, proszę skontaktować się z pracownikami sądu, korzystając z danych znajdujących się w górnej części niniejszego dokumentu.

**Pakistan/پنجابی/Punjabi:** تہاڈے کول بغیر ادائیگی کیتیاں اک مترجم حاصل کرن دا حق اے۔ مترجم دی درخواست کرن لئی، میریانی کر کے ایس نوٹس دے اوتے فراہم کیتیاں رابطے دیاں معلومات نوں ورتدیاں عدالت دے عملے نوں اطلاع دوو۔

**Punjabi/ਪੰਜਾਬੀ/India:** ਤੁਹਾਨੂੰ ਇਕ ਦੁਭਾਸ਼ੀਆ ਹਾਸਲ ਕਰਨ ਦਾ ਹੱਕ ਹੈ, ਜਿਸ ਦੀ ਤੁਹਾਨੂੰ ਕੋਈ ਲਾਗਤ ਨਹੀਂ ਲੱਗੇਗੀ। ਦੁਭਾਸ਼ੀਏ ਲਈ ਬੇਨਤੀ ਕਰਨ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰ ਕੇ ਅਦਾਲਤ ਦੇ ਅਮਲੇ ਨੂੰ ਜਾਣੂ ਕਰਵਾਓ ਤੇ ਇਸ ਲਈ ਇਸ ਨੋਟਿਸ ਦੇ ਸਿਖਰ ਉਤੇ ਦਿੱਤੀ ਸੰਪਰਕ ਜਾਣਕਾਰੀ ਦਾ ਇਸਤੇਮਾਲ ਕਰੋ।

**Portuguese/Português:** Você tem direito a um intérprete gratuitamente. Para solicitar um intérprete, informe à nossa equipe usando os dados de contato mostrados na parte superior deste aviso.

**Somali/Somaali:** Waxaad xaq u leedahay in lagu turjumo lacag la'aan ah. Si aad u codsato turjumaanka, fadlan u sheeg maxkamadda shaqaalaha adiga oo isticmaala macluumaadka ciwaanka kor lagu siiyay ee ogeysiiskaan.

**Haitian Creole/Kreyòl Ayisyen:** Ou gen dwa resevwa sèvis yon entèprèt gratis. Pou mande pou yon entèprèt, tanpri fè manm pèsònèl tribinal la konnen lè ou sèvi avèk enfòmasyon an yo te bay ou nan tèt avi sa a.

**French/Français :** Vous avez le droit de bénéficier gratuitement de l'assistance d'un interprète. Pour en faire la demande, veuillez en informer le personnel du tribunal à l'aide des coordonnées indiquées en haut de page.