

Rule 304*(f). Pretrial Applications for Relief to be Heard by Judge Assigned to Case.

With the exception of applications to fix or modify bail, for bench warrants or for arraignments, all miscellaneous pretrial applications which do not require action by a Court en banc, shall be submitted to and decided by the judge to whom the case has been assigned or, if none, the motion judge, pursuant to Bucks County Civil Rule 266, provided, however, that Bucks County Rule 4003(B)(1) shall not apply to petitions and rules or other similar applications in criminal cases. Factual questions properly at issue in such proceedings shall be resolved by evidence at a hearing before the judge to whom the case has been assigned, or the motion judge, as the case may be. If the application shall properly involve matters of fact not of record, it shall be in the form of a petition with a form or order awarding a rule to show cause attached thereto. The answer shall have affixed thereto a form of order fixing a hearing date to be scheduled by the judge to whom the case has been assigned. Upon the filing of the application or upon the return day if a rule to show cause has been awarded, the clerk shall deliver the whole file to the judge to whom the case has been assigned, and the matter shall proceed as he/she may thereupon require for disposition.