

THE COURTS

Title 255—LOCAL COURT RULES

CARBON COUNTY

Adoption of Local Rule L2101.1—Pre-Hearing Statement and Conference; No. 00-0313

Administrative Order No. 6-2000

And Now, this 16th day of February, 2000, it is hereby *Ordered and Decreed* that, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Carbon County Court of Common Pleas hereby *Adopts* Local Rule of Civil Procedure L2101.1 governing the Pre-Hearing Statement and Conference in Board of Assessment Appeals.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following:

1. File seven (7) certified copies of this Administrative Order with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Pennsylvania Civil Procedural Rules Committee.

4. Forward one (1) copy for publication in the Carbon County Law Journal.

5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of the Order in the Prothonotary's Office.

By the Court:

JOHN R. LAVELLE,
President Judge

Rule L2101.1. Pre-hearing Statement and Conference.

A. Within forty-five (45) days after required service of the petition and preliminary decree, all parties of record shall submit a pre-hearing statement to the assigned Judge and serve a copy on all other parties of record. The pre-hearing statement shall include:

- 1) A summary of the facts which will be offered by oral and documentary evidence at the hearing;
- 2) A list of exhibits to be offered;
- 3) A list of the names and addresses of all witnesses to be called;
- 4) Copies of any appraisal reports, or if no report is available, a summary of the testimony of any expert who will be called as a witness;
- 5) A statement of the current valuation which is the basis for the appeal;
- 6) A statement setting forth the appellant's position as to the correct valuation which shall include appellant's position as to correct market value, assessment ratio, and assessment;
- 7) A statement that there have been negotiations between the parties and a good faith attempt to settle the case;
- 8) The statement shall be signed by the parties or their counsel; and

B. Upon receipt of the pre-hearing statement of the parties of record, the Deputy Court Administrator/Case Manager shall schedule a pre-hearing conference at which the parties of record and their counsel shall be present. Notice of the pre-hearing conference shall be given by the Scheduling Office to all affected taxing authorities whether or not parties of record.

C. At the pre-hearing conference, the parties of record shall consider:

- 1) Possible stipulations as to evidence and facts;
- 2) Simplification of the issue; and
- 3) Settlement.

D. At the pre-hearing conference, each party of record shall either be personally present, or shall be represented by counsel authorized to act on behalf of the absent party of record with respect to the trial of the case or its settlement.

E. Following the pre-hearing conference, the Court shall enter an appropriate order which may include the scheduling of a hearing.

[Pa.B. Doc. No. 00-370. Filed for public inspection March 3, 2000, 9:00 a.m.]