### THE COURTS

# Title 255—LOCAL COURT RULES

### **FAYETTE COUNTY**

Local Rule 1303—Compulsory Arbitration Initiation, Scheduling, Hearings and Continuances; Civil Division; No. 1216 of 2002

#### **Order**

And Now, this 30th day of May, 2002, pursuant to Rule 239 of the Pennsylvania Rules of Civil Procedure, it is hereby ordered that the previously-stated Local Rule be amended as follows.

The Prothonotary is directed as follows:

- (1) Seven certified copies of the Local Rule shall be filed with the Administrative Office of Pennsylvania Courts.
- (2) Two certified copies of the Local Rule shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- (3) One certified copy of the Local Rule shall be sent to the State Civil Procedural Rules Committee.
- (4) One certified copy shall be sent to the Fayette County Law Library.

(5) One certified copy shall be sent to the Editor of the Fayette Legal Journal.

This Local Rule shall be continuously available for public inspection and copying in the Office of the Prothonotary. Upon request and payment of reasonable costs of reproduction and mailing, the Prothonotary shall furnish to any person a copy of any local rule.

This Local Rule shall be effective 30 days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

WILLIAM J. FRANKS, President Judge

## Rule 1303. Compulsory Arbitration: Initiation, Scheduling, Hearings and Continuances.

- (a)(1) After the pleadings have been closed for thirty (30) days, any party may initiate arbitration by filing with the Prothonotary a praecipe for reference to a board of arbitration. The form set forth in Rule 1303(a)(3) shall be used. Such party shall notify all other parties of his intent to file such praecipe at least ten (10) days prior to the filing.
- (2) The Prothonotary shall furnish to the Court Administrator a copy of each such praecipe with a notation of the date of filing.
- (3) The praecipe for reference to a board of arbitration shall be substantially in the following form:

## IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA CIVIL ACTION—LAW

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I WALCH E FO	R ARDITRATION	
	No	
	Type of Case:	
Plaintiff	CIVIL COMPLAINTS	
	OTHER (Indicate)	
	APPROXIMATE LENGTH OF HEARING:	
	HOURS	
Defendant		
	NOTE: All opposing counsel shall notify the	
	Court Administrator's Office by letter within 10	
Additional Defendant	days of the estimated length of their case.	

### TO THE PROTHONOTARY:

Please place the captioned case on the next available Arbitration List. I hereby certify that 10 days notice of the filing of this praecipe has been given to all parties to this action.

Plaintiff's Attorney	Address	Phone Number
Defendant's Attorney	Address	Phone Number

Additional Defendant's Attorney

Address

Phone Number

Attorney filing Preacipe
Plaintiff Counsel
Defendant Counsel
Additional Defendant Counsel

A COPY OF THIS PRAECIPE MUST BE SERVED ON ALL PARTIES BY THE ATTORNEY FILING PRAECIPE. PLEASE NOTIFY THE COURT ADMINISTRATOR OF ANY SPECIAL PROBLEMS IN SCHEDULING HEARING.

- (4) The Court Administrator shall designate one day of each calendar month as arbitration day. A day will be selected which does not conflict with criminal or civil trial schedules or other regular business of the Court. The Court Administrator will endeavor to standardize the selection of arbitration days so that all concerned will become accustomed to the schedule.
- (5) For each arbitration day, the Court Administrator shall appoint a board of arbitration. The Court Administrator shall appoint an additional board or boards if the Court Administrator determines that the number of pending cases so requires. The Court Administrator shall notify all arbitrators of their appointment at least thirty (30) days before the arbitration day involved.
- (6) When arbitration is initiated in any case, the Court Administrator shall schedule that case to be heard on the next arbitration day, which is at least forty-five (45) days thereafter.
- (7) The Court Administrator shall prepare a list of cases scheduled to be heard on each arbitration day. Cases shall be listed in chronological order according to the date on which arbitration was initiated. The list shall include the name of the attorney for each party. A copy of the list will be posted in the Prothonotary's office. At least thirty (30) days before the arbitration day, the Court Administrator shall furnish to each arbitrator appointed to serve on that day, to each attorney involved, and to any party not represented by counsel a copy of the list as well as a roster of each board appointed to sit on that day and notice of the place each board will sit.
- (8) All arbitration hearings shall be held in a courtroom or some other suitable space in the courthouse. The Court Administrator shall reserve the space for each hoard
- (9) The senior arbitrator from the chair list shall chair a board of arbitration.
- (10) The arbitration procedure is intended to be economical for the parties and, therefore, the proceedings are abbreviated and somewhat less formal. The consequences to the litigants are nevertheless of great significance. To assure that all present understand the seriousness of the proceedings, the arbitrators will conduct their proceedings with appropriate dignity and decorum at all times.
- (11) Each board of arbitration shall hear cases in the order in which they appear on the list for the day. If more than one board is sitting on the same day, when a board completes one case, it will take the next case remaining on the list.
- (12) Each board of arbitration will convene at 9.30 o'clock A.M. and will remain in session until 4:00 o'clock

- P.M., or such earlier time as all cases on the list have been heard. The lunch recess will ordinarily be from noon until 1:30 o'clock P. M. and, unless the parties consent, no case will be called to start during that period.
- (13) If an arbitrator is unable to hear a particular case because of a conflict of interest, the case will be heard by another board of arbitration sitting on the same day. If no other board is sitting on that day, the case will be continued to the next arbitration day.
- (14) Each board of arbitration shall file its award in each case with the Prothonotary not later than noon of the next business day after the hearing is concluded.
- (15) When it is not possible to conclude a hearing on the day on which it commences, the board of arbitration will fix the time to resume the hearing. Each hearing will be completed within ten (10) days after the arbitration day unless the Court allows a longer time.
- (16) The Court Administrator will coordinate the hearings on each arbitration day. At the conclusion of its hearings on any day, each board will report to the Court Administrator its disposition of the cases heard by it.
- (b) If a party is not prepared to proceed when the case is called to be heard, the board of arbitration shall hear the parties who are present and decide the case on the basis of their evidence. If none of the parties is prepared to proceed when a case is called to be heard, the board of arbitration shall enter an award for the defending parties on each count.
- (c) Continuances shall be granted by the Court upon cause shown. There shall be no continuances granted on the date of the hearing except for emergencies.
- (d) A \$25.00 fee shall be charged for continuances. No continuance shall be granted without payment of the required fee unless waived by the Court. Proof of payment shall be attached to the Motion when presented in accordance with Fayette County Rule 211.

 $[Pa.B.\ Doc.\ No.\ 02\text{-}1093.\ Filed\ for\ public\ inspection\ June\ 21,\ 2002,\ 9\text{:}00\ a.m.]$ 

# DISCIPLINARY BOARD OF THE SUPREME COURT

### **Notice of Disbarment**

Notice is hereby given that Renita Reynolds having been disbarred from the practice of law in the State of Illinois by Order dated November 28, 2001, the Supreme Court of Pennsylvania issued an Order on June 6, 2002, disbarring Renita Reynolds from the Bar of this Commonwealth. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the

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Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,

Executive Director and Secretary The Disciplinary Board of the Supreme Court of Pennsylvania

 $[Pa.B.\ Doc.\ No.\ 02\text{-}1094.\ Filed\ for\ public\ inspection\ June\ 21,\ 2002,\ 9\text{:}00\ a.m.]$ 

### **Notice of Suspension**

Notice is hereby given that Edward Bissau Mendy having been suspended from the practice of law in the State of Louisiana for a period of six months, the Supreme Court of Pennsylvania issued an Order dated June 6, 2002 suspending Edward Bissau Mendy from the practice of law in this Commonwealth for a period of six months. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER, Executive Director and Secretary The Disciplinary Board of the Supreme Court of Pennsylvania

[Pa.B. Doc. No. 02-1095. Filed for public inspection June 21, 2002, 9:00~a.m.]