

# THE COURTS

## Title 255—LOCAL COURT RULES

### HUNTINGDON COUNTY

Adoption of Local Rule Hunt.Co.R.C.P. 205; No.  
CP-31-MD-214-2014; AO No. 6-2014

#### Administrative Order of Court

*And Now*, this 7th day of November, 2014, Local Civil Rule of Court 205 is hereby *Adopted* and shall be referenced as Hunt.Co.R.C.P. 205. It is *Ordered* that in compliance with Pa.R.C.P. 239:

1. The Huntingdon County District Court Administrator shall file one certified copy of the Rule with the Administrative Office of Pennsylvania Courts;

2. The Huntingdon County District Court Administrator shall distribute two certified copies and a computer diskette containing the text of the Rule to the Legislative Reference for publication in the *Pennsylvania Bulletin*.

3. The Huntingdon County District Court Administrator shall file one certified copy of the Rule with the Civil Procedural Rules Committee.

4. The Huntingdon County Prothonotary shall ensure that the Rule is continuously available for public inspection in the office of Prothonotary.

5. This rule shall become effective not less than 30 days after the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

GEORGE N. ZANIC,  
*President Judge*

#### Hunt.Co.R.C.P. 205. Civil Case Management.

1. *The Huntingdon County Civil Case Management Plan.*

(a) *Cases Subject to the Plan.*

The plan outlined in this rule will govern the progress of all civil cases from the initiation of the case until the termination of said case. Family Court cases are not covered by this plan.

(b) *Case Tracks.*

Utilizing the criteria set forth below, all civil cases shall be assigned to one of the following case tracks: Expedited, Standard or Complex. The case management rules that govern each track are as follows:

(i) *Expedited Case Track.*

A case will be assigned to the Expedited track, unless otherwise requested by counsel, if, by its nature, it appears it is a case that can be promptly tried. The following case types are examples: mortgage foreclosures; writ of replevin cases; and arbitration appeals. Except in extraordinary circumstances, the Court will schedule a trial of all Expedited cases within six (6) months after the initial Date of Service. The trial date shall be set by the Court at the first status conference.

(ii) *Standard Case Track.*

All cases not designated Expedited or Complex will be assigned to the Standard case track. Except in extraordinary circumstances, the Court will schedule a trial of all Standard cases within twelve (12) months after the initial Date of Service. The trial date shall be set at the first status conference.

(iii) *Complex Case Track.*

A case will be assigned to the Complex track, unless otherwise requested by counsel, if it appears likely to require a disproportionate expenditure of court and litigant resources before and during trial by reason of the number of parties involved, the number of claims and defenses raised, the legal difficulty of the issue(s) presented, the factual difficulty of the subject matter or a combination of these or other factors. Except in extraordinary circumstances, the Court shall schedule a trial date for all Complex cases within twenty-four (24) months after the initial Date of Service. The trial date shall be set at the initial status conference.

(c) *Initial Scheduling Order.*

(i) The Plaintiff/Plaintiff's attorney shall complete and file an Initial Case Monitoring Notice and Order, attached hereto as Exhibit Hunt.Co.R.C.P. 205, within five (5) days after service of the complaint. A copy shall be served on the DCA.

(ii) The case will be scheduled by the DCA for a status conference.

(d) *Status and Pre-Trial Conferences.*

(i) *Status Conferences.*

A Status Conference shall be scheduled in every case. The date on which the conference is scheduled will be dependent on the track the case is assigned. At a Status Conference, the Court will issue any Order that it deems necessary to address the following issues: status of the case; discovery; pre-trial motions; possible alternative dispute resolution; possible trial dates; any other relevant matters, and the date for a pre-trial Conference.

(ii) *Pre-trial Conferences.*

A pre-trial Conference shall be scheduled in every case. The purpose of the conference shall be to address the matters set forth in Pa.R.C.P. 212.3. The parties shall file not later than ten days before the conference a pre-trial statement in accord with Pa.R.C.P. 212.2. The order scheduling the conference shall indicate the parties who are to attend including an insurance or similar representative who has authority to negotiate and settle the case. At the conclusion of the conference the Court may enter an order that recites the action taken at conference, schedules a date for trial, or schedules a settlement conference in accord with Pa.R.C.P. 212.5.

(e) *Arbitration.*

(i) *Referral of Cases.*

If, after an initial review of the case, the case is identified as appropriate for compulsory arbitration, a panel of arbitrators shall be appointed.

(ii) *Arbitration Appeals.*

The Court Administrator shall monitor all Arbitration appeals, and shall report to the President Judge all cases pending for more than six (6) months.

(f) *Incarcerated Plaintiffs.*

Complaints initiated by pro se Plaintiffs who are incarcerated in a state correctional institution shall be exempt from Hunt.Co.R.C.P. 205.

2. *Inactive Cases.*

Cases that are eligible for dismissal under Rule of Judicial Administration No. 1901 as well as cases that have come to the termination date of their case track, shall be reviewed by the President Judge. The Court will take action to dismiss or schedule additional proceedings in an attempt to resolve the case.

\_\_\_\_\_  
Plaintiff

vs.

\_\_\_\_\_  
Defendant

: IN THE COURT OF COMMON PLEAS  
HUNTINGDON COUNTY, PENNSYLVANIA

: DOCKET NO:

: CIVIL ACTION—[LAW] [EQUITY]

**INITIAL CASE MONITORING NOTICE AND ORDER**

1. Plaintiff (s) by \_\_\_\_\_ hereby gives notice that this matter was commenced on the date of \_\_\_\_\_ by  complaint  writ of summons  other (specify): \_\_\_\_\_ .

Plaintiff further certifies that service was made on \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ .

2. Plaintiff requests the case be processed under the Court's civil case management rules as follows (choose one):

- \_\_\_\_\_ Arbitration (Damages of \$50,000 or less)
- \_\_\_\_\_ Standard Track
- \_\_\_\_\_ Complex Track
- \_\_\_\_\_ Expedited Track

**ORDER**

AND NOW this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ a Status conference is scheduled for \_\_\_\_\_ , at \_\_\_\_\_ (a.m./p.m.) in Courtroom No. \_\_\_\_ of the Huntingdon County Courthouse, 223 Penn Street, Huntingdon, PA. All parties shall attend. Items No. 1 and 2 shall be completed by Plaintiff. This document shall be presented to District Court Administrator within five (5) days after proof of service of the original process is received.

PLAINTIFF SHALL IMMEDIATELY SERVE A COPY OF THIS ORDER UPON ALL OTHER PARTIES OR THEIR ATTORNEYS AND FILE PROOF OF TIMELY SERVICE.

Date: \_\_\_\_\_  
\_\_\_\_\_ J.

cc: District Court Administrator  
\_\_\_\_\_, Esquire  
\_\_\_\_\_, Esquire

[Pa.B. Doc. No. 14-2456. Filed for public inspection November 26, 2014, 9:00 a.m.]

**HUNTINGDON COUNTY**

**Adoption of Local Rule Hunt.Co.R.C.P. 307; No. CP-31-MD-215-2014; AO No. 7-2014**

**Administrative Order of Court**

And Now, this 7th day of November, 2014, Local Civil Rule of Court 307 is hereby *Adopted* and shall be referenced as Hunt.Co.R.C.P. 307. It is *Ordered* that in compliance with Pa.R.C.P. 239:

1. The Huntingdon County District Court Administrator shall file one certified copy of the Rule with the Administrative Office of Pennsylvania Courts;
2. The Huntingdon County District Court Administrator shall distribute two certified copies and a computer diskette containing the text of the Rule to the Legislative Reference for publication in the *Pennsylvania Bulletin*.
3. The Huntingdon County District Court Administrator shall file one certified copy of the Rule with the Civil Procedural Rules Committee.

4. The Huntingdon County Prothonotary shall ensure that the Rule is continuously available for public inspection in the office of Prothonotary.

5. This rule shall become effective not less than 30 days after the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

GEORGE N. ZANIC,  
*President Judge*

**Hunt.Co.R.C.P. 307. Prothonotary.**

(a) The Prothonotary shall endorse all documents filed with the date of such filing, and shall enter into them into an appropriate document docket.

(b) The Prothonotary shall be responsible for the safe keeping of all records and papers belonging to the office. No paper may be taken from the files of the Prothonotary without the consent of the Prothonotary or one authorized by the Prothonotary to give such consent. A record shall be made of any paper removed from the Prothonotary's

office and the person who receipts for such paper shall be responsible for return of the same and for any financial loss occasioned by failure to return the paper.

(c) Only the Prothonotary, her clerks, attorneys registered in Huntingdon County and such other persons as the Prothonotary shall specially authorize shall be permitted direct access to the Prothonotary's files.

(d) No entries shall be made in any Prothonotary's docket except at the direction of the Prothonotary or by order of the Court.

(e) All papers filed with the Prothonotary shall be designated numerically starting with the number one for each calendar year and with the appropriate alphabetical symbols to differentiate between the various proceedings filed.

(f) The Prothonotary shall not provide legal assistance or give legal advice.

(g) The Prothonotary shall only provide copies of documents to litigants and or attorneys for litigants as required by the respective Pennsylvania Rules of Court. Requested documents in addition to those required by rule will not be provided without a search and copying fee of \$25.00 to be paid prior to the reproduction of said documents. The Prothonotary shall have the discretion to require additional payment if the reproduction costs are extensive.

(h) The Prothonotary shall not forward any matter to the Sheriff for service of original process unless service copies are received for each named Defendant.

[Pa.B. Doc. No. 14-2457. Filed for public inspection November 26, 2014, 9:00 a.m.]

### LEHIGH COUNTY

#### **Establishing Uniform Costs for the Batterers Intervention Education Program Administered by the Adult Probation Office of Lehigh County; No. AD-5-2014**

##### **Administrative Order**

*And Now*, this 7th day of November, 2014, *It Is Hereby Ordered* that the following procedures be put into place and become effective as of January 1, 2015:

1. Every person placed on probation, parole, accelerated rehabilitative disposition, probation without verdict, or intermediate punishment, and ordered to the Prevention Through Anti-Violence Education (PAVE) Program shall pay, in addition to the costs of prosecution, fines and restitution, and other costs, a fee of \$240.00 for completion of the Batterers Intervention Education Program administered by the Lehigh County Adult Probation Department.

*It Is Further Ordered* that one (1) certified copy of this Order shall be filed by the Court Administrator of Lehigh County with the Administrative Office of the Pennsylvania Courts; that two (2) certified copies and a CD-ROM copy that complies with the requirement of Pa. Code

§ 13.11(b) shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be file with the Criminal Procedure Rules Committee, which Committee has certified to this court that this Administrative Order is not inconsistent with any general rule of the Supreme Court. Finally, it is ordered that the Court Administrator of Lehigh County publish a copy of this Order on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

*By the Court*

KELLY L. BANACH,  
*Administrative Judge*

[Pa.B. Doc. No. 14-2458. Filed for public inspection November 26, 2014, 9:00 a.m.]

### WASHINGTON COUNTY

#### **Local Criminal Rule L-717—Substance Abuse Education and Demand Reduction Fund; No. 2014-1**

##### **Order**

*And Now*, this 10th day of November, 2014; *It Is Hereby Ordered* that the previously-stated Washington County Local Criminal Rule be adopted as follows.

These rules will become effective thirty days after publication in the *Pennsylvania Bulletin*.

*By the Court*

JOSEPH M. JAMES,  
*Administrative Judge*

#### **L-717. Substance Abuse Education and Demand Reduction Fund.**

(A) A substance abuse fee as set forth in Act 198 of 2002, as amended by Act 24 of 2003 and Act 36 of 2006, shall be assessed on any individual in Washington County convicted, adjudicated delinquent, or granted Accelerated Rehabilitative Disposition (ARD), or any individual who pleads guilty or nolo contendere for a violation of the Act of April 14, 1972 (P. L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or a violation of 75 Pa.C.S. § 3802 (relating to driving under the influence of alcohol or controlled substance).

(B) The Washington County Clerk of Courts shall assess and collect the fee, and the Washington County Treasurer shall establish and administer a County Substance Abuse Education and Demand Reduction Fund (County SAEDRF) consisting of the county portion of fees collected.

(C) Disbursements from the County SAEDRF shall be made only at the direction of the President Judge. Requests for funds from the County SAEDRF shall be made to the Criminal Justice Advisory Board Subcommittee established to review such requests. The subcommittee shall review requests for funds and make recommendations to the President Judge for disbursement.

[Pa.B. Doc. No. 14-2459. Filed for public inspection November 26, 2014, 9:00 a.m.]