

From: Judge William P. Carlucci

To: Counsel practicing civil law in Lycoming County

Re: Civil Motions Court

During my many years of civil practice in Lycoming County, I was frequently frustrated by the long delay in getting to oral argument on routine, non-dispositive civil motions (amend pleadings, compel responses to discovery, add necessary parties to litigation, motions seeking a more detailed complaint, etc.). I was similarly frustrated when, after oral argument, I waited weeks for a written decision which, in my view, should have been entered on the day of oral argument.

Justice delayed is often justice denied. For that reason, I have long championed the approach taken by Allegheny County, and others, to have a civil motions "call of the list" for the management of routine, non-evidentiary, non-dispositive civil motions. Some judges are reluctant to consider this approach, either because they are concerned about any "call of the list" approach, or because they are concerned about the management of multiple cases in one time frame. In my view, these concerns can be managed.

For those attorneys who have matters scheduled for a civil motion call of the list, I offer the following suggestions:

1. Where all parties are represented and counsel execute a written stipulation to resolve a pending motion, the signed stipulation can be emailed to my chambers for approval as an Order of Court.
2. Where all parties are present at civil motions court and agree to a resolution, advise my chambers of the agreement. I will place it on the record early, and approve it in open Court.
3. Where all parties are present at civil motions court and seek to have the hearing continued to the next scheduled date for civil motions court, I am likely to agree.
4. After I dispose of matters subject to agreement, I will invest the remaining time in matters that are subject to dispute.

Please understand that this approach is not intended to waste the time of any party or counsel. On the contrary, I am undertaking this approach in order to achieve (in the language of Pa.R.C.P 126) "the just, speedy, and inexpensive determination of every action or proceeding."

William P. Carlucci
Judge
Court of Common Pleas 29th Judicial District