

MINUTES
BENCH BAR COMMITTEE

Monday, May 3, 2021

By C. Edward S. Mitchell, Chairman

Attendance

Participants were: Judge Butts, Judge Lovecchio, Judge McCoy, Judge Tira, Skip Greevy, Jessica Harlow, Ed Mitchell, Cliff Rieders, Nicole Spring, Tom Waffenschmidt, Dave Wilk, Michele Frey and Adrienne Stahl.

Method: Because of the continued limitations on inside gatherings and the requirements for social distancing and masking due to the Covid-19 pandemic, the meeting was again conducted by conference call.

Judge Butts advised that the judicial emergency in the 29th Judicial District will be extended through May 31, 2021. Even after the expiration of the judicial emergency, Judge Butts indicated the Court will continue to schedule jury selections in the same manner, utilizing the juror's lounge and another courtroom for overflow, and calling in jurors at staggered times.

Judge Lovecchio advised he has had a few jury selections and jury trials and they have gone well. He has not received any complaints from jurors about the system.

Ed Mitchell questioned whether the offices of the Prothonotary and Clerk of Courts and Register and Recorder would remain by appointment only following the expiration of the judicial emergency. Judge Butts indicated she would check with these offices and advise Michele Frey of the response, so that members of the Bar could be notified.

Michele Frey indicated that member Henry Mitchell passed away last week. She reminded members of the upcoming memorial service this week for Richard Callahan, and indicated that memorial services would be continued to be held virtually. Michele also advised of a wellness event being put on by the LLA–Yoga in the Park on May 19, 2021.

Judge Lovecchio sought some direction on the memorial service for member Jim Cendoma, as multiple attempts to reach the family have been unsuccessful. Judge Butts mentioned a conversation she had with Skip Greevy and Ed Mitchell when we resumed memorial services, noting that the goal was primarily to serve the members of the Bar, for those who worked with the former member and to educate other members who may not have interacted with the former member. With that rationale, Judge Butts suggested a memorial service should be held, regardless of the participation of the family. Ed Mitchell and Skip Greevy echoed these sentiments.

Skip Greevy is looking for help finding appropriate members to serve on the resolutions committee for Henry Mitchell. Nicole Spring volunteered to be on the committee. Judge Butts also suggested Judge Brown as a possible resource.

Cliff Rieders had two items to address with the committee. The first was a suggestion that status conferences be scheduled this summer in cases that have been pushed to the 2022-2023 trial terms due to Covid-19. His second suggestion related to a recent case in Allegheny County [I.L. v. Allegheny Health Network, decided March 30, 2021] which addresses disruptiveness in depositions. He is in favor of a local rule on the subject. There was no further discussion on either of these issues.

Ed Mitchell mentioned that with the delays in the mail, service of paperwork is not guaranteed within 20 days. There was some discussion as to whether the local rules could be amended to permit service by electronic means to alleviate this issue. Ed is going to raise this issue with the Pennsylvania Supreme Court Civil Rules committee. Judge McCoy noted that other rules committees may also be interested in any discussions on this issue, as the same issues may be present in those areas of law as well.

The next meeting will be Monday, August 2, 2021 at noon.

Respectfully submitted,

C. Edward S. Mitchell
Chairman