

**MINUTES**  
**BENCH BAR COMMITTEE**  
Monday, November 4, 2024  
By C. Edward S. Mitchell, Chairman

**Attendance**

Participants were: Judge Carlucci, Robert Cronin, Ed Mitchell, Kathleen Raker, Cliff Rieders, Kyle Rude, Nicole Spring, Liz White, Court Administrator Adrienne Stahl, Court Scheduling Technician April McDonald, Register & Recorder Dave Huffman, LLA Executive Director Michele Frey

Method: the meeting was conducted in person at the LLA Office.

All LLA Committee Chairpersons were advised of the meeting and given the opportunity to present topics for reporting or discussion. No responses were received.

The criminal defense attorneys reported that the criminal trial list is growing. Both the DA's office and the Public Defender's office are understaffed. Private practitioners are being hired to assist the Public Defender's office.

The Estate Planning and Administration, Real Estate and Elder Law Committees of the LLA have been combined into one Committee.

There are two new Federal Court judges in the Middle District which brings the court to full strength.

There was a discussion of how motions to compel responses to discovery requests are handled by the judges in Lycoming County. There was a report of a recent case in which Judge Linhardt awarded counsel fees for the time involved in preparing and pursuing a motion to compel.

There are new standard suggested jury instructions with comments for both civil and criminal cases.

The U.S. Supreme Court Decision in ***Loper Bright Enterprises v. Raimondo***, **144 S. Ct. 2244, 219 L. Ed. 2d 832, 2024 US Lexis 2882 (2024)** was discussed. The Opinion reverses the previous decision in ***Chevron, USA, Inc. v. Nat. Res. Def. Counsel, Inc.***, **467 US 837 (1984)** which gave deference to the interpretation by an administrative agency of statutory ambiguities. The Decision held that courts must exercise their independent judgment in deciding whether an agency has acted within its statutory authority.

PA DEP is now filing enforcement actions in Commonwealth Court.

The Bar History Committee is developing a museum display on the evolution of the practice of law in Lycoming County for use at the Taber Museum.

The Court Calendar for 2025 has been drafted and is being reviewed by the Court.

Judge Gardner will now be handling new criminal cases along with Judge Butts. Judge Gardner will continue to handle Domestic Relations cases along with Judge Linhardt. Judge Gardner will also preside in Veteran's Court.

Register and Record Dave Huffman discussed his decision in the dispute with the County Commissioners over their decision to move the Register and Records office to the Third Street Plaza and the determination of the amount of space which is needed for the office.

The Court session for admission of new attorneys is scheduled for December 5, 2024 at 4:00 p.m. in Courtroom No. 1.

There being no further business, the meeting was adjourned at 12:55 p.m.

The next meeting will be February 3, 2025 at noon in the LLA Office.

Respectfully submitted,

C. Edward S. Mitchell  
Chairman