

MINUTES
BENCH BAR COMMITTEE
Monday, May 6, 2024
By C. Edward S. Mitchell, Chairman

Attendance

Participants were: Judge Butts, Judge Tira, Judge Carlucci, Brian Bluth, Mike Dinges, Thomas Marshall, Joy McCoy, Ed Mitchell, Kyle Rude, Nicole Spring, Adrienne Stahl, Elizabeth White, Judge Carlucci's Clerk Adrian Lee, Prothonotary Tom Heap, Court Scheduling Technician April McDonald and 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 discussion. The Rules Committee responded. New Rules on custody of trial exhibits during and after trial have been recommended and approved by the Court and will be effective sometime in May. A copy of the report of the Rules Committee and the new local rules is attached.

Judge Butts reported there will be changes in the Rules pertaining to bail procedures.

Judge Tira discussed the restrictions on use of computers by attorneys in the courtroom.

Judge Carlucci discussed court days lost as a result of continuances to discuss settlement. He urged attorneys to engage in settlement negotiations prior to the stated dates of scheduled court proceedings. He advised that he will be reluctant to grant requested continuances for the purpose of engaging in settlement negotiations.

Tom Marshall reported in the area of business and commercial litigation. He discussed the following three developments:

1. The Federal Trade Commission on April 23 adopted a regulation banning covenants not to compete to become effective in 120 days. This regulation is being challenged by the Chamber of Commerce.
2. The Corporate Transparency Act (CTA). The Act requires the reporting of small businesses and non-employer entities.
3. Settlement of litigation involving National Association of Realtors pertaining beneficial ownership of sharing of sales commissions between sellers and buyers agents.

Kyle Rude reported for criminal defense attorneys. Kyle discussed the procedure being adopted by the District Attorney's office to refuse to engage in plea offers after designated drop dead dates before jury selection.

Liz White reported for orphans court. The new guardianship rules become effective June 1, 2024.

President Joy McCoy announced the LLA picnic will be June 12, 2024 and there will be an outing of the LLA during the Little League World Series on August 21, 2024.

Mike Dinges reported for delinquency. Mike is experiencing conflicts in his representation of juveniles. Frequently juvenile clients being represented in separate incidents end up being potential witnesses in other juvenile proceedings in which Mike represents another juvenile defendant. The suggested remedy is to attempt to get more thorough information from the probation officers at the time the assignments are made.

Nicole Spring reported for the Public Defenders. Nicole also discussed the concern for last minute pleading in criminal cases.

There being no further business, the meeting was adjourned at 12:50 p.m.

The next meeting will be August 5, 2024. The Notice will include the method and location.

Respectfully submitted,

C. Edward S. Mitchell
Chairman