

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY

IN RE: Amendments to the Lycoming :  
County Rules of Civil Procedure : Docket number

ORDER


AND NOW, this 5<sup>th</sup> day of March, 2009, it is hereby ORDERED AND

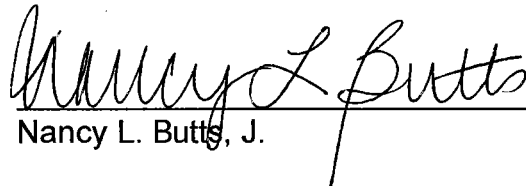
DIRECTED as follows:

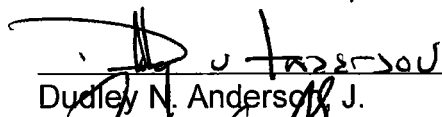
1. The text of existing Lycoming County Rule of Civil Procedure L205.2(b)A shall be replaced by the text set forth on the attachment.
2. Lycoming County Rule of Civil Procedure L1007 is rescinded, and shall be replaced with new Rule L1007, which is set forth on the attachment.
3. The Prothonotary is directed to:
  - a. File seven (7) certified copies of this order with the Administrative Office of the Pennsylvania Courts.
  - b. Forward two (2) certified copies of this order and a computer disk containing the text of the local rule to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.
  - c. Forward one (1) certified copy of this order to the Pennsylvania Civil Procedural Rules Committee.
  - d. Forward one (1) copy of this order to the chairman of the Lycoming County Customs and Rules Committee.

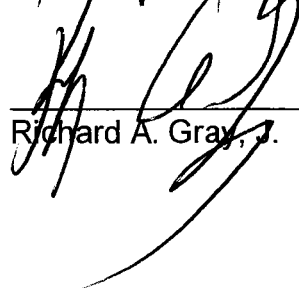
4. Revised Rule L1007 shall become effective 30 days after its publication in the Pennsylvania Bulletin.
5. Revised Rule L205.2(b)A shall become effective immediately after its publication on the Pennsylvania Judiciary's Web Application Portal.

BY THE COURT,

  
\_\_\_\_\_  
Kenneth D. Brown, P.J.

  
\_\_\_\_\_  
Nancy L. Butts, J.

  
\_\_\_\_\_  
Dudley N. Anderson, J.

  
\_\_\_\_\_  
Richard A. Gray, J.

**L205.2. Filing Legal Papers with the Prothonotary.**

**(a) Size of paper. . . . .**

**(b) Required cover sheets.**

**A. Case monitoring notice.** This requirement applies to civil actions, statutory appeals and appeals from judgments of magisterial district judges, and any other civil matter requiring court action, except a matter filed under the Domestic Relations Code.

1. An original and one copy of a case monitoring notice shall be filed and served by the plaintiff or appellant:
  - i. Within ten days after an answer has been filed in a mortgage foreclosure action, a credit card collection case or a forfeiture action,
  - ii. With the filing of a notice of appeal in an administrative agency appeal, or
  - iii. With the filing of a complaint in a general civil case.
2. When a case is commenced by a writ of summons, the case monitoring notice shall be filed only with the filing of the complaint and not with the filing of the writ of summons.
3. In the event that no case monitoring notice is filed as required by this rule, any party may file a case monitoring notice.
4. The case monitoring notice shall not exceed one page. If necessary, the caption may be abbreviated to accommodate this requirement.
5. After the case monitoring notice is filed, the procedures set forth in rule L1007 shall apply.
6. The form of the case monitoring notice shall be substantially as follows:

**COURT OF COMMON PLEAS, LYCOMING COUNTY, PENNSYLVANIA  
CASE MONITORING NOTICE**

\_\_\_\_\_  
Plaintiff  
vs.  
\_\_\_\_\_  
Defendant

: DOCKET NO:  
:  
: CIVIL ACTION  
:  
DATE:

I. This matter is:

\_\_\_\_\_ **Mortgage Foreclosure** (file once an **Answer** has been filed). Time needed for trial \_\_\_\_\_.

\_\_\_\_\_ **Credit Card Collection Case** (file once an **Answer** has been filed)

a) \_\_\_\_ Arbitration. (\$50,000 or less) Time needed for discovery? \_\_\_\_ months

b) \_\_\_\_ Trial. Fast track (6–12 months) \_\_\_\_ Normal track (12–18 months) \_\_\_\_

\_\_\_\_\_ **Forfeiture** (file once an **Answer** has been filed)

\_\_\_\_\_ **Administrative Agency Appeal** (file with **Notice of Appeal**)

\_\_\_\_\_ **General Civil Case** (file with **Complaint**):

a) \_\_\_\_ Arbitration. (\$50,000 or less) Time needed for discovery? \_\_\_\_ months

b) \_\_\_\_ Fast track (6–12 months)

c) \_\_\_\_ Normal track (12–18 months)

d) \_\_\_\_ Complex track (18-24 months)

\_\_\_\_\_ **Other.** Action requested: \_\_\_\_\_

II. Jury trial demanded? \_\_\_\_ YES \_\_\_\_ NO

III. Please note any special scheduling concerns: \_\_\_\_\_

Name of filing counsel or pro se party: \_\_\_\_\_ for \_\_\_\_\_

Address:

Opposing counsel or pro se party: \_\_\_\_\_ for \_\_\_\_\_

Address:

**B. Motion Cover Sheet. . . . .**

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**L1007. Case Monitoring Notice. Scheduling Order. Trial/Hearing Scheduling.**

**A.** This rule applies to all matters requiring a case monitoring notice pursuant to rule L205.2(b)A. When the case monitoring notice is filed, the prothonotary shall file stamp and docket the notice and immediately forward a copy to the court administrator who shall assign a judge to the case and forward the notice to that judge for further action, as follows:

**(1) Mortgage foreclosure** – trial will be scheduled at the next available time, but no sooner than thirty (30) days from the date of the notice.

**(2) Credit card collection case** – a scheduling order will be entered based on the track requested and any special scheduling concerns noted.

**(3) Forfeiture** – a pre-trial conference will be scheduled at the next available time but no sooner than thirty (30) days from the date of the notice.

**(4) Administrative agency appeal** – a conference with the court will be scheduled at the next available time but no sooner than thirty (30) days from the date of the notice.

**(5) General civil complaint** – a scheduling order will be entered based on the track requested and any special scheduling concerns noted.

**(6) Other** – as required by particular action filed.

**B.** A request for a revision of the scheduling order may be made by filing a motion that sets forth the reason for the request, along with a rule L205.2(b)B. motion cover sheet. The motion shall be accompanied by a proposed amended scheduling order. The motion shall indicate whether or not all other parties concur with the request. If the motion is uncontested, the parties shall so indicate on the motion cover sheet. If the motion is contested, the court may schedule a conference which may, upon prior arrangement, be conducted by telephone. If the *only* relief requested is a continuance of trial, the procedure to be followed is that required by rule L216.

**C.** A proposed amended scheduling order submitted under this rule shall be in the following form:

**COURT OF COMMON PLEAS, LYCOMING COUNTY, PENNSYLVANIA  
AMENDED SCHEDULING ORDER**

\_\_\_\_\_  
Plaintiff  
vs.  
\_\_\_\_\_  
Defendant

~~XXXXXXXXXX~~ DOCKET NO:  
:  
: CIVIL ACTION  
:  
:

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the scheduling order entered  
\_\_\_\_\_ is hereby amended as follows:

1. This is a \_\_\_\_\_ JURY \_\_\_\_\_ NON-JURY \_\_\_\_\_ ARBITRATION LIMITS case.
- 2(a). Trial term dates: \_\_\_\_\_  
Jury selection dates: \_\_\_\_\_  
Pretrial conference dates: \_\_\_\_\_  
(The deputy court administrator will schedule the exact date and time by future notice.)  
Settlement conference dates, if needed: \_\_\_\_\_  
Counsel shall immediately notify parties and witnesses of the above dates.
- 2(b). (or) List for arbitration on or after: \_\_\_\_\_.
3. Cut-off date for completion of discovery: \_\_\_\_\_.
4. Cut-off dates for providing expert reports:  
(a) By plaintiff(s) \_\_\_\_\_  
(b) By defendant(s) \_\_\_\_\_.
5. Cut-off date for filing dispositive motions, including motions to exclude expert testimony under PA.  
R.C.P. 207.1: \_\_\_\_\_.
6. Other: \_\_\_\_\_.

\_\_\_\_\_  
Judge

cc: Deputy Court Administrator  
  
Counsel for plaintiff: \_\_\_\_\_  
Address:  
  
Counsel for defendant:: \_\_\_\_\_  
Address: