

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY

IN RE: Amendments to the Lycoming County

Rules of Civil Procedure

ORDER

AND NOW, this 1st day of April, 2003, it is hereby ORDERED AND DIRECTED as follows:

1. The forms provided for by Lycoming County Rules of Civil Procedure L1007D, L212 B(2) and L1007E are revised as indicated in **bold** on the attachments.
2. Lycoming County Rule of Civil Procedure L1035 is rescinded.
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 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 Lycoming Reporter for publication therein.
 - e. Forward one (1) copy to the chairman of the Lycoming County Customs and Rules Committee.

- f. Keep continuously available for public inspection copies of this order.
4. The rule revisions approved by this order shall become effective 30 days after publication in the Pennsylvania Bulletin.

BY THE COURT,

s\Clinton W. Smith
Clinton W. Smith, P.J.

s\K. D. Brown
Kenneth D. Brown, J.

s\William S. Kieser
William S. Kieser, J.

s\Nancy L. Butts
Nancy L. Butts, J.

s\ Dudley N. Anderson
Dudley N. Anderson, J.

L212B(2). The form of the pretrial statement shall be substantially as follows:

(Caption)

CASE NO. _____
NAME OF PARTY _____
ATTORNEY'S NAME _____
JUDGE _____
DATE OF PRE-TRIAL _____

LYCOMING COUNTY CIVIL PRE-TRIAL STATEMENT

1. List all parties and counsel to the action.
2. Brief narrative statement of the submitting party's version of the case. Attach any helpful diagram.
3. Legal theory of liability. List those theories upon which you will rely, as each party may be limited to those theories at trial.
4. If there is a counterclaim, set forth the theory of liability and contentions on damages.
5. If an agreement is involved in this action, is it written or oral? _____. Quote the provisions of the agreement which are central to this dispute.
6. Damages - List types and amounts of damages claimed.
7. Names of witnesses:
 - a. Definite witnesses and scope of testimony (liability, damages or both).
 - b. Possible witnesses and scope of testimony (liability, damages or both).
8. Expert witnesses - List name and specialty and attach all expert reports.
9. Exhibits - list all exhibits and indicate whether or not they have been shown to opposing counsel. Each party may be limited to the use of the listed exhibits at trial.
10. Scheduling - List any unusual scheduling problems which are anticipated.
11. Requested stipulations (Qualifications of experts, admissibility of documents without custodian, special damages, etc.)
12. Unusual legal issues - issues on which trial briefs should be required.
13. Has there been a timely demand for a jury trial? Yes ___ No ___.
Number of jurors demanded? ___ 8 ___ 12.
Jurors may take notes in accordance with procedures and instructions agreed upon by the court and counsel. Yes ___ No _____. (See www.lycolaw.org for procedures and instructions.)
14. Estimated time to try.
15. Outstanding motions:
16. Counsel are required to be prepared to inform the court of the demand and offer and to discuss settlement. (Party must be available in person or by phone at the time of pretrial conference for purpose of settlement discussions).
17. Miscellaneous - List any matter which you feel is important but which has not been covered.

Attorney's signature

L1007D. The form of the initial case monitoring notice and order shall be substantially as follows:

Plaintiff : IN THE COURT OF COMMON PLEAS
vs. : LYCOMING COUNTY, PENNSYLVANIA
Defendant : DOCKET NO:
: CIVIL ACTION - [LAW] [EQUITY]

INITIAL CASE MONITORING NOTICE AND ORDER

1. Plaintiff(s) by _____ hereby gives notice that this matter was
(Attorney)
commenced on the date of _____ by ___ complaint___ writ of summons ____ other (specify):

2. Plaintiff requests the case be processed under the Court's civil case management rules as follows
(check one):

- _____ ARBITRATION (Damages of \$25,000 or less; hearing in 6-12 months)
- _____ NORMAL TRACK (Trial in 12-18 months)
- _____ COMPLEX TRACK (Trial in 18-24 months)
- _____ ADMINISTRATIVE TRACK - (List for first trial term after 90 days; qualifying under Rule L1007B.)

ORDER

- 1.(a) _____ A case scheduling conference is scheduled for _____,
at _____, _____.M., in courtroom no. _____; the parties or their counsel shall attend.
Plaintiff shall initiate discussions on a case scheduling order, in compliance with Lyc. Co.
R.C.P. L1007A. **(Please contact the Lycoming County Court Administrator or refer
to www.lycolaw.org for list of trial term dates.)** An agreed-upon proposed case
scheduling order may be filed as soon as possible, but must be filed before the date of the
scheduled conference.
- (b) _____ The court administrator is directed to place this case on the next trial list occurring more
than 90 days after the date of this order pursuant to Lyc. Co. R.C.P. L1007B.

2. PLAINTIFF SHALL IMMEDIATELY SERVE A COPY OF THIS ORDER UPON ALL OTHER PARTIES
OR THEIR ATTORNEYS AND FILE PROOF OF TIMELY SERVICE.

Judge Date

cc: Eileen A. Grimes, CST

_____, Esquire
_____, Esquire

E. The form of the scheduling order shall be substantially as follows:

Plaintiff; : IN THE COURT OF COMMON PLEAS
 : LYCOMING COUNTY, PENNSYLVANIA
vs. :
 : NO.
Defendant; :
 : CIVIL ACTION - LAW

SCHEDULING ORDER

AND NOW, upon agreement of the parties, it is ORDERED AND DIRECTED as follows:

1. This is a ____ JURY ____ NON-JURY ____ ARBITRATION LIMITS case.
2. Case monitoring tracks: ____ NORMAL, ____ COMPLEX, ____ ADMINISTRATIVE
3. (a) Trial for this case will be in the term of _____. **Counsel are attached and shall immediately notify witnesses to be available.**

(b) Pre-trial conference dates are: _____.
The Deputy Court Administrator will schedule the exact date and time by future notice.
4. The case will be listed for arbitration on or after _____.
5. The cut-off date for discovery will be _____.
6. Expert reports shall be furnished as follows:

(a) By plaintiff(s) _____.
(b) By defendant(s) _____.
7. The cut-off date for filing dispositive motions, **including motions to exclude expert testimony under Pa. R. C. P No. 207.1**, will be _____.
8. (a) The parties agree to use an alternative dispute resolution ____ YES ____ NO.
(b) If yes, ADR will be completed by _____.
9. This order cancels the case scheduling conference which had previously been scheduled for the date of _____.
10. Other _____.

Judge

Date

cc: Eileen A. Grimes, Court Scheduling Technician
_____, Esquire
_____, Esquire
Pro se party's name and address