

MINUTES
BENCH BAR COMMITTEE

Monday, May 2, 2022

By C. Edward S. Mitchell, Chairman

Attendance

Participants were: Judge Butts, Judge Linhardt, Judge Tira, Brian Bluth, Robert Cronin, Bob Elion, Michele Frey, Skip Greevy, Tom Heap, Jennifer Heverly, Brad Hillman, April McDonald, Ed Mitchell, Corey Mowrey, Nicole Spring, Adrienne Stahl and Tom Waffenschmidt

Method: the meeting was conducted by conference call.

Prior to the meeting, notice was sent to all members of the committee that topics of discussion would include efforts to increase the numbers of attorneys accepting assignments to represent indigent PFA plaintiffs in second hearings and availability of names of potential jurors to be called for jury selection and jury questionnaires in advance of jury selections.

The meeting began with a discussion of reasons why the numbers of attorneys willing to accept assignments for pro bono representation of indigent PFA plaintiffs has been declining. The reasons stated included concerns that PFAs are being pursued in cases which have questionable merit and the consequences to the defendants are severe, scheduling issues, failures of plaintiffs to appear for scheduled second hearings, and use of PFAs to improve negotiating positions in other issues.

Suggestions for improving participation included a CLE training session, scheduling availability several weeks in advance of potential hearing dates and an application to the Lycoming Law Foundation for funding for use in making partial payments to participating attorneys. A funding application is being prepared but it is for use in cases involving children as protected parties and/or custody orders. It was also suggested that Penn State Law School be contacted for possible participation in a clinical program for law students.

Jury questionnaires are no longer available prior to the dates of jury selection. Lycoming County changed its system from a two questionnaire system to a one questionnaire system and the one questionnaire is not returned until the date the prospective jurors are summoned for participation in selection panels. The Court Administrator will attempt to provide to attorneys involved in jury selections lists of names of potential jurors who will be called for individual panels a reasonable time prior to the dates scheduled for selection.

Visiting Senior Judges continue to provide coverage while the two vacancies exist on the Lycoming County bench. Senior Judge Kenneth Brown is providing

assistance in criminal cases. Senior Judge Dudley Anderson is providing coverage in family court matters. Senior Judge Jeffrey Smith and Senior Judge David Klementik are providing coverage in civil cases. An additional Senior Judge from Lehigh County will be providing coverage. Senior Judge Leete will stop providing coverage in June.

The meeting began at 12:00 noon and was adjourned at 1:15 p.m.

The next meeting will be August 1, 2022.

Respectfully submitted,

C. Edward S. Mitchell
Chairman