

MINUTES
BENCH BAR COMMITTEE
Monday, November 7, 2022
By C. Edward S. Mitchell, Chairman

Attendance

Participants were: Judge Butts, Judge Tira, Judge Carlucci, Brian Bluth, Ed Mitchell, Cliff Rieders, Nicole Spring, Adrienne Stahl, Dave Wilk, Tom Heaps and Michele Frey

Method: the meeting was conducted by conference call.

The 2023 Court Calendar has been published.

There is a change in the scheduling of jury selection days. Jury selection days in both civil cases and criminal cases will be the first two days of the trial term. The intent of this change is to reduce the number of jury selections which take place but then become unnecessary as a result of settlements between jury selection and trial.

A topic of discussion at the criminal bag lunch conference was court decorum including dress code and references by counsel to the Court and other counsel.

There will be an Admissions ceremony for new members of the bar on December 1, 2022.

The trial terms for 2023 are each nine or fewer days. Trials anticipated to take longer than five days will be specially set. Counsel involved in cases where the trial is anticipated to take more than five days are to notify the Court Administrator and the presiding Judge. Special jury selection panels may be summoned and trials will be scheduled for specific days.

There continues to be a need for additional attorneys to participate in pro bono representation of indigent clients in PFA matters. A grant of \$20,000 has been approved by Lycoming Law Foundation for use for payment of attorneys involved in PFAs involving requests for protective orders for children. It was suggested that the Judges make calls to attorneys who are not presently accepting pro bono representation of indigent PFA plaintiffs to urge those attorneys to accept such representations.

When Judge time becomes available as a result of settlements of matters scheduled for hearings or arguments, new assignments are scheduled for the newly available Judge time. This results in some matters being scheduled on short notice.

There was discussion about the length of time between the deadlines for motions in limine and the trial date. The deadlines are set to allow for responses and briefs in

opposition and argument and decisions before trial. Evidentiary issues which may be appropriate for motions for limine are not waived by not raising the issue by motions in limine. The evidentiary objections may still be made at trial. The benefit of raising the issues by motion in limine is to allow the Court time to make an informed decision and to allow counsel to know the ruling prior to trial.

There was a discussion concerning the method for conducting future meetings. The people who spoke preferred to continue the meetings by conference call or Zoom rather than in person meetings.

The meeting began at 12:00 noon and was adjourned at 12:40 p.m.

The next meeting will be February 6, 2023.

The meetings in 2023 are as follows: February 6, May 1, August 7 and November 6.

Respectfully submitted,

C. Edward S. Mitchell
Chairman