

Local Rules of Civil Procedure—Venango County

Rule 205.2. Filing Papers with the Prothonotary. Cover Sheet

(b) All motions must be accompanied by a cover sheet substantially in the following form:

NOTICE TO OPPOSING COUNSEL

YOU ARE HEREBY NOTIFIED THAT THE ATTACHED MOTION/PETITION WILL BE FILED WITH THE PROTHONOTARY/CLERK OF COURTS ON _____.

CERTIFICATION OF NOTICE AND SERVICE

A copy of this Motion/Petition and proposed Order have been served on: _____
by:

☐ Fax

☐ Mail

☐ E-Mail

☐ Personal Service

on the _____ day of _____, 20____.

INFORMATION FOR COURT ADMINISTRATOR

Is this an original filing in this case?

☐ Yes

☐ No

Has a Judge heard any matter previously on this case?

☐ Yes

☐ No

If yes, which Judge(s): _____

Known Judicial conflicts: _____

Estimated court time **(REQUIRED)**: _____

Counsel/Client is **unavailable** on the following dates:

Name of opposing counsel, if known: _____

Telephone number: _____

Fax number: _____

- ☐ Consents of all parties or counsel are attached
- ☐ Opposing counsel/party consents
- ☐ Order seeks hearing/conference
- ☐ Order seeks argument
- ☐ Order seeks relief

Signature of Attorney

Rule 205.5. Providing Pleadings and Other Legal Papers to the Court.

In addition to properly filing all pleadings and other legal papers with the Prothonotary, parties are encouraged, but not required, to submit any and all pleadings and other legal papers to the court via email or floppy disk.

Rule 206.4. Rule to Show Cause

(c) The issuance of a rule to show cause shall be discretionary with the court and shall be in accordance with Pa.R.C.P. 206.5.

(d) The petition seeking the issuance of a rule shall be supported with an appropriate statement of authority citing a statute, rule of court, or case law in support of the requested relief. The statement may be in the form of a brief filed contemporaneously with the petition, or in a petition that does not raise complex legal and/or factual issues, the statement may be in the body of the petition itself.

(e) Attached to the petition shall be a proposed order in the form prescribed in Pa.R.C.P. 205.6(d). The court in its discretion may delete paragraphs (4) and (5) of the form order (regarding discovery and argument) and provide instead that the matter will proceed before the court on an evidentiary hearing to resolve disputed issues of fact. The court may also enter an order to require the filing of briefs or to authorize discovery to proceed other than by deposition.

(f) Any request for stay of execution pending disposition of a petition to open judgment shall be filed by separate motion.

(g) The petition and any motion seeking a stay of execution shall be scheduled for argument and/or hearing by the District Court Administrator and it is not necessary for the moving party to request a hearing and/or argument.

Rule 208.2. Motion. Form. Content.

(h) Every motion shall be supported by a brief statement of the applicable authority citing a statute, rule of court, or case law. The statement may be in the form of a brief filed contemporaneously with the motion, or where the motion does not raise complex legal and/or factual issues, the statement may be in the body of the motion itself.

(i) The moving party is required to certify, by checking the appropriate box on the cover sheet required by Local Rule 205.2(b), whether the motion is contested or uncontested.

(j) The moving party is required to certify, by checking the appropriate box on the cover sheet required by Local Rule 205.2(b), whether he or she has conferred or attempted to confer with all interested parties regarding the motion.

Rule 208.3. Motions Practice and Procedure.

(a) There will be no set Motions Court. The moving party will file the motion with the Prothonotary for docketing, and the Prothonotary will transmit the motion to the District Court Administrator for consideration by a Judge. If the moving party wants oral argument on the motion or to meet with the Judge about the motion, he or she should contact the District Court Administrator to schedule a time. The lawyer shall be prepared to accurately estimate the amount of time required. The motion will have appended to it a Proposed Show Cause Order where indicated and a Proposed Final Order on the Motion.

(b) In all cases the responding party shall file a response and a brief, if appropriate, within twenty (20) days after service of the motion.

RULE 212.1 – Civil Case Management.

This rule shall apply to all civil actions, both jury and non-jury, with the exception of custody matters, appeals from compulsory arbitration, actions in divorce, and other issues permitted by law relating to the termination or validity of marriages.

- (a) Case Tracks and Case Events:** Upon the filing of a civil action, the District Court Administrator shall assign a Judge to the case. Within four months of filing a case, the Court will issue a Case Management Order providing notice of the earliest date the case may be tried, pursuant to Pa.R.C.P. 212.1. The Order will set forth a Case Track and
- (b)** establish timelines for Case Events, in accordance with the following schedules:

CASE TYPE	MANAGEMENT TRACK	DISPOSITION WITHIN
• Cases involving damages of less than \$50,000 • Landlord/Tenant actions and appeals • Residential Assessment appeals • Contract • Debt Collection • Employment Dispute • Replevin • Mechanic's Lien • Tax/Judicial sale petitions	Fast	12 Months
• Cases involving damages in excess of \$50,000 • Actions to Quiet Title • Ejectment (other than residential lease) • Ejectment/Eminent Domain/Condemnation • Declaratory Judgment • Mortgage Foreclosure • Commercial assessment appeals • Partition • Right to Know • Tort • Civil appeals/Administrative Agencies	Standard	18 Months
• Class Action • Medical/Professional Liability • Product Liability • Mass Tort: Asbestos, Tobacco • Toxic Tort/Waste • Personal Injury • Injunctions • Actions in Equity	Complex	24 months
Any case type not listed will be allocated to a Case Track by the Court in its own discretion.		

CASE EVENT	FAST TRACK	STANDARD TRACK	COMPLEX TRACK
Case Management Conference/ Management Order	4 Months after the date of filing	4 Months after the date of filing	4 Months after the date of filing
Discovery Complete; Motion to Compel Filed	6 Months	9 Months	12 Months
Plaintiff Expert Reports	6 Months	9 Months	16 Months
Defense Expert Reports	8 Months	12 Months	18 Months
Dispositive Motions	8 Months	12 Months	18 Months
Praecipe for Arbitration Filed	9 Months		
Pre-Trial Statement Due		60 days prior to trial	60 days prior to trial
Pre-Trial Conference		14 Months	18 Months
Trial Date		within 18 months of filing	within 24 months of filing

- (1) The case track and/or deadlines established by the case management order may be modified by the Court in its own discretion or for good cause shown. A party seeking modification shall seek the written concurrence of all parties and make the request for modification by written motion.
- (2) Pursuant to Local Rule 2, arbitration is compulsory for all cases where the amount in controversy is fifty thousand dollars (\$50,000.00) or less, except those involving the title to real property. Cases involving more than fifty thousand dollars (\$50,000.00) may be heard by the Arbitration Board upon agreement. See 42 Pa. C.S.A. §§ 7361-7362.

(c) Case Management, Status, and Pre-Trial Conferences:

- (1) Trial counsel shall attend all case management, status, and pre-trial conferences. If counsel is not present for these conferences, the Court may sanction as it deems appropriate. Attendance at scheduled conferences shall be in person unless appearance by remote means is approved by the Court prior to the hearing or conference.
- (2) A Motion to the Court to participate in the conferences via telephone or videoconference must be submitted no later than seven (7) days prior to the pre-trial conference date, which the Court may grant in its discretion. The party requesting remote appearance is responsible for coordinating the appearance with the Court Administrator. All arrangements shall be made by counsel.
- (3) Counsel attending any conference shall have full authority to settle the case, schedule all hearings and trial, and make stipulations and admissions where appropriate. The Court may require attendance of a party, its representative, or any other individual deemed necessary to the litigation, or require other reasonable availability to consider settlement.

(d) Pre-Trial Statements:

- (1) Pre-Trial Statements shall be filed no later than seven (7) days before the pre-trial conference and shall contain:
 - (i) Name of client, name and telephone number of the attorney who will try the case;
 - (ii) In jury cases, the demand and offer of settlement which shall be binding upon the parties for purposes of Pa.R.C.P. 212.1(b), unless otherwise scheduled by the Court;
 - (iii) The name and coverage limits of any insurance carrier;
 - (iv) The names and addresses of all witnesses to be called at trial with a description of their purpose, e.g. liability, damages, etc.;
 - (v) A list of exhibits to be introduced at trial. Counsel shall certify in the pre-trial memorandum that all exhibits were furnished to opposing counsel;

- (vi) A list of voir dire questions;
 - (vii) A statement of damages with a detailed analysis of the claim, including the manner of calculating damages;
 - (viii) The estimated length of trial time necessary for counsel to present a party's evidence;
 - (ix) A statement of the status of discovery, which shall include whether any further discovery is required and a proposed schedule for completing discovery;
 - (x) A statement of the status of the scheduling of an independent medical examination;
 - (xi) A statement of the status of any depositions for use at trial;
 - (xii) A statement of novel questions of law, including whether any motions in limine will be filed; **Motions in limine must be in writing and shall be filed with the Prothonotary no later than the pre-trial conference.** The trial judge will schedule opposing party responses and argument as required;
- (2) At trial, the parties will be limited to those witnesses and exhibits disclosed in the pre-trial memoranda, unless opposing counsel waives such restrictions or the Court finds such a limitation to be unjust. If a party has indicated a witness will be called, three (3) days' notice shall be given to opposing counsel if the witness will not be called for any reason.
- (3) Pre-trial Statements shall be filed with the office of the Prothonotary/Clerk of Courts.

(e) Sanctions:

- (1) Upon motion of a party, or sua sponte, the Court may issue any just orders or sanctions, included but not limited to precluding witness testimony evidence, the imposition of reasonable expenses and/or attorney's fees, if a party or its attorney:
- (i) Fails to appear at an initial case management conference, a status conference, or a pre-trial conference;
 - (ii) Is substantially unprepared to participate, or does not participate in good faith; or
 - (iii) Fails to obey an order issued by the Court.
- (2) Unrepresented parties are subject to the same obligations as those imposed upon attorneys representing a party. This includes sufficient knowledge of the

claim(s) asserted, potential defenses, damages and/or other relief sought, and legal issues raised in the pleadings.

- (3) Failure of any party or attorney to appear for any scheduled conference or to comply with the requirements set forth in this Rule may result in dismissal of the case or other sanctions.