

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
TRIAL DIVISION – CIVIL**

**NOTICE TO THE BAR**

**RE: MORTGAGE FORECLOSURE CASE MANAGEMENT**

Effective July 2, 2012, the start of the July 2012 Term, all matters filed thereafter designated as Mortgage Foreclosure shall be subject to the issuance of a Case Management Order (CMO) setting forth appropriate time standards establishing a trial track.

Pursuant to Joint General Court Regulation 2008-1, plaintiff shall indicate upon filing of the complaint whether the subject mortgage relates to a residential property which is owner-occupied. Matters deemed “residential/owner-occupied” shall continue to be listed for a conciliation conference within 45 days of commencement of the action with the issuance of the established CMO (Ex. A). In actions commenced on or after July 2, 2012 the conciliation period will conclude after a maximum of four scheduled conferences within 150 days after the commencement of the action. Alternatively, failure to appear at a scheduled conference or by agreement of all parties, conciliation may be concluded before 150 days from commencement. Upon conclusion of the conciliation process, the Court shall issue a CMO (Ex. B) scheduling the matter into a trial pool no more than 180 days from the conclusion of the last conciliation conference.

All matters not deemed “residential/owner occupied” shall continue to be accompanied by the notice to homeowner (Ex. C) and certification that the premises are residential and owner occupied (Ex. D). In such actions commenced on or after July 2, 2012, the Court, upon commencement, shall issue a CMO (Ex. E) scheduling the matter into a trial pool no more than 180 days from the commencement of the action.

The Court solicits and welcomes written comment, with a limitation of one page in length and no more than one submission per law firm, on the described case management structure and attached orders. All comments should be submitted no later than April 27, 2012 to The Honorable John W. Herron, Administrative Judge, Room 300 City Hall, Philadelphia PA 19107.

**JOHN W. HERRON  
ADMINISTRATIVE JUDGE  
TRIAL DIVISION**

**ALLAN L. TERESHKO  
SUPERVISING JUDGE  
TRIAL DIVISION – CIVIL**

**Dated: March 29, 2012**

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
TRIAL DIVISION – CIVIL

«CASEDESCFMT»

«CASEIDFMT»

**CASE MANAGEMENT ORDER**  
**RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM**

**AND NOW**, this «MAIL\_DATE2», pursuant to the terms of the **Residential Mortgage Foreclosure Diversion Program** adopted by Joint General Court Regulation 2008-01, it is hereby ORDERED and DECREED as follows:

1) **SCHEDULING OF CONCILIATION CONFERENCE:** A Conciliation Conference is scheduled for «SDATE» at «SAMPMTIME», in Courtroom 676, City Hall, Philadelphia, PA 19107.

2) **SERVICE:** Plaintiff shall serve a copy of this order on Defendant(s) together with the Complaint as required by P.R.C.P. No. 400.1.

3) **JUDGMENT BY DEFAULT.** As provided by Section 4 (f) of Joint General Court Regulation No. 2008-01, if the Complaint is served on defendant(s) as required by rules of court but a responsive pleading or preliminary objections are not filed as required by Pa.R.C.P. No. 1026 and 1028, the Plaintiff may, as appropriate, serve a “ten-day notice” as authorized by Pa.R.C.P. No. 237.1 on defendant(s) but may not obtain judgment by default until after the Conciliation Conference is held. Plaintiff may seek relief from this provision, as may be appropriate, by filing a motion.

4) **MEETING WITH HOUSING COUNSELOR:** The Homeowner-Defendant shall immediately call the **SAVE YOUR HOME PHILLY HOTLINE** at 215-334-HOME (215-334-4663), schedule an appointment and meet with a housing counselor to explore available options for resolution of the Mortgage Foreclosure action. The housing counselor shall prepare a proposal and submit it to Plaintiff’s attorney at least ten (10) days before the date of the Conciliation Conference.

5) **CONCILIATION CONFERENCE:** All parties shall attend the Conciliation Conference. A representative of the Plaintiff or investor who has actual authority to modify mortgages, to enter into alternate payment agreements with the defendant, or to otherwise resolve the action shall be present at the Conciliation Conference or shall be available telephonically. A Conference shall be conducted as provided by Joint General Court Regulation 2008-01 and a status order will be issued after the Conference is concluded.

6) **DEFENDANT(S)’ FAILURE TO MEET WITH A HOUSING COUNSELOR OR TO ATTEND THE CONCILIATION CONFERENCE:** The defendant(s)’ failure to meet with a housing counselor or attend the Conciliation Conference may result in the entry of an order authorizing the plaintiff to proceed with the action and the ultimate sale of the premises at Sheriff Sale.

**BY THE COURT:**

**HONORABLE PAMELA PRYOR DEMBE**  
President Judge  
Court of Common Pleas

**HONORABLE JOHN W. HERRON**  
Administrative Judge, Trial Division  
Court of Common Pleas



First Judicial District Of Pennsylvania

Court Of Common Pleas Of Philadelphia County

Under a Court Program of the Court of Common Pleas:

**You may be able to get help  
with Your Mortgage.**

**YOU MUST Call the  
Save Your Home Philly Hotline  
at 215-334-HOME  
(215-334- 4663)**

1) You will be put in touch with a non-profit Housing Counselor who will help you try to work out arrangements with your mortgage company.

2) You will have the right to go to a conference under the court's supervision where a reasonable work out can be arranged.

To get this help you must call the Hotline and go to a Housing Counselor. They will tell you what to do next.

Call the Hotline immediately. **Call 215-334-HOME (215-334-4663).**

**Make this call to save your home!**

For Additional Information about the *Residential Mortgage Foreclosure Diversion Program* go to: <http://fjd.phila.gov/regs/> and select General Court Regulation No. 2008-01



IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
TRIAL DIVISION – CIVIL

«CASEDESCFMT»

«CASEIDFMT»

**CASE MANAGEMENT ORDER**  
**RESIDENTIAL OWNER-OCCUPIED MORTGAGE FORECLOSURE**  
**NON-JURY EXPEDITED TRACK**

AND NOW, this «MAIL\_DATE»

Having completed the Conciliation Process, it is **ORDERED** that:

1. The above captioned matter is hereby assigned to the \_\_\_\_\_ Pool, and counsel should anticipate trial to begin expeditiously thereafter. *(6 months after Conciliation concludes)*
2. All *Discovery* shall be completed not later than \_\_\_\_\_. *(4 months after Conciliation concludes)*
3. All *Pre-Trial Motions* (other than Motions in Limine) shall be filed not later than \_\_\_\_\_. *(5 months after Conciliation concludes)* All Motions in Limine shall be filed in accordance with electronic filing procedures not later than fifteen (15) days prior to the start of trial. Responding counsel shall have ten (10) days thereafter to file any response. The start of trial is defined as the first day of the trial pool month.
4. Either party may request a *Pre-Trial Settlement Conference* with the Court prior to the scheduled trial pool. Such a request must be made in writing to the Mortgage Foreclosure Program Administrative Officer via facsimile at (215)686-2607.

At the conclusion of the pre-trial settlement conference parties may be required to file and also serve all opposing counsel or pro se parties the following documents by the due dates determined at the time of conference:

1. *Development of Joint Statement of Uncontested and Contested Facts.*

(a) Plaintiff shall file Proposed Findings of Fact and Conclusions of Law. Plaintiff shall provide the Court with a narrative statement listing all facts proposed to be proved by him or her at trial in support of his or her claim(s). Additionally, plaintiff shall provide the Court with all relevant conclusions of law based upon his or her proposed findings of fact and any and all legal issues presented thereto.

(b) Defendant shall file Proposed Findings of Fact and Conclusions of Law. Defendant shall provide the Court with a statement: (1) indicating the extent to which defendant contests or does not contest the plaintiff's proposed facts; (2) listing all additional facts proposed to be proven by defendant at trial as to liability and damages; (3) listing all facts proposed to be proven by defendant at trial in support of any counterclaim(s), and/or third-party claim(s) if such claims exist.

2. **Sanctions.** Unjustified refusal to admit a proposed fact or to limit the extent of disagreement with a proposed fact shall be subject to sanctions. Excessive listing of proposed facts (or of the evidence to be submitted in support of or denial of such facts) which imposes obvious burdens on opposing parties shall also be subject to sanctions.

3. **Length of Trial.** Each counsel shall provide an estimate of the anticipated length of trial.

All counsel are under a continuing obligation and are hereby **Ordered** to serve a copy of this Order upon all unrepresented parties and upon all counsel entering an appearance subsequent to the entry of this Order.

A Motion for Extraordinary Relief may be filed by either party, should it become necessary to extend the above mentioned deadlines.

**BY THE COURT:**

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**J.**



IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
TRIAL DIVISION – CIVIL

«CASEDESCFMT»

«CASEIDFMT»

**CASE MANAGEMENT ORDER  
MORTGAGE FORECLOSURE  
NON-JURY EXPEDITED TRACK**

AND NOW, this «MAIL\_DATE» it is **ORDERED** that:

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(b) Defendant shall file Proposed Findings of Fact and Conclusions of Law. Defendant shall provide the Court with a statement: (1) indicating the extent to which defendant contests or does not contest the plaintiff's proposed facts; (2) listing all additional facts proposed to be proven by defendant at trial as to liability and damages; (3) listing all facts proposed to be proven by defendant at trial in support of any counterclaim(s), and/or third-party claim(s) if such claims exist.

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**BY THE COURT:**

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**J.**

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
TRIAL DIVISION - CIVIL

[REDACTED]

[REDACTED] TERM [REDACTED]

No. [REDACTED]

**IMPORTANT NOTICE**

**Call the Save Your Home Philly Hotline at  
215-334-HOME (4663)**

A Mortgage Foreclosure Action has been filed against you. The Plaintiff has alleged that this action does NOT involve an owner-occupied residential property subject to execution to enforce a residential mortgage.

If you believe that this action does involve an owner-occupied residential property subject to execution to enforce a residential mortgage, you may be able to participate in a conference that may let you save your home.

To be eligible for a conference, you must own and live in the property (and it must have four or fewer residential units) and the Mortgage Foreclosure Action must have been filed to enforce a residential mortgage.

If the Mortgage Foreclosure Complaint does involve an owner-occupied residential property subject to execution to enforce a residential mortgage, you may be able to participate in a conference if you file the form attached to this notice, *Certification That Premises Are Residential and Owner Occupied and Request For Conciliation Conference* as soon as possible, but no later than 10 days before the date of the Sheriff Sale.

The form must be filed in **Room 278 City Hall**, Philadelphia, PA 19107, or can be filed electronically through the Civil Electronic Filing System at <http://courts.phila.gov>.

For help, or if you have questions, call:

**Save Your Home Philly Hotline at 215-334-HOME (4663)**



**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
TRIAL DIVISION - CIVIL**

[REDACTED]

[REDACTED] TERM [REDACTED]

No. [REDACTED]

**Joint General Court Regulation No. 2008-01: Residential Mortgage Foreclosure Diversion Pilot Program**

**DEFENDANT'S CERTIFICATION THAT PREMISES ARE  
RESIDENTIAL and OWNER OCCUPIED  
and  
REQUEST FOR CONCILIATION CONFERENCE  
(Prothonotary Code: CERDO)**

Pursuant to the Order issued by President Judge C. Darnell Jones II and Administrative Judge D. Webster Keogh on July 17, 2008, I hereby certify as follows:

1. I am the owner or an owner or an heir to a deceased owner of the property known as:

Premises Address: \_\_\_\_\_  
Philadelphia, PA \_\_\_\_\_

2. I live in the property identified above;

3. This property is my principal residential property;

4. The judgment entered against me in this case was entered against me to collect a mortgage debt on my home;

5. I request that the Court schedule a Conciliation Conference pursuant to Joint General Court Regulation No. 2008-01.

The undersigned verifies that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Defendant(s)

Phone Number:

Mobile Number:

Fax Number:

Email Address: