

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

CODE ENFORCEMENT CASE MANAGEMENT CONFERENCE

ADVICE TO COUNSEL and SELF-REPRESENTED LITIGANTS

1. Be sure to fully complete the Code Enforcement Case Management Conference memorandum and to submit it at least 5 days prior to the Case Management Conference. Consult clients well in advance of the conference to obtain all relevant information required to prepare the memorandum. When supplying information on the violations, fines, and equitable relief sought, it is insufficient to state “unknown,” “to be supplied,” or “under investigation.” A fillable PDF version of the form can found at www.courts.phila.gov/forms labeled *Code Enforcement Case Management Memorandum* under the *Case Management Filing Forms* category in the *Court of Common Pleas Trial Division – Civil* section.
2. Be fully prepared to discuss issues relating to service of original process, pleadings, discovery, joinder of additional parties, theories of liabilities, damages, equitable relief, fines, additional inspections, remedial efforts and repairs, and applicable defenses. Participation from fully prepared and cooperative parties leads to a more productive and meaningful conference.
3. Failure to effectuate service of original process of the complaint or to file a responsive pleading prior to the Case Management Conference may result in dismissal of the complaint or the issuance of a default judgment against a defendant, which may include monetary or equitable relief.
4. Discovery deadlines, if required, will be issued at the Conference. The pendency of preliminary objections or motions for judgment on the pleadings does not stay discovery. If a formal stay is necessary, the parties should petition the Court accordingly.
5. Be mindful that the Case Management Conference is a Court proceeding. The Case Manager is empowered by the Judge to issue appropriate Orders to enforce compliance with program procedures and applicable Rules of Civil Procedure.
6. Prior to the Case Management Conference adjourning, defendants should ensure they have contact information of Licenses and Inspections’ personnel and departments necessary for the correction of the subject Code violations.
7. Motions for Extraordinary Relief seeking extension of case management deadlines must be filed before the expiration of the deadlines at issue.
8. If the case settles, is withdrawn, or a stipulation is agreed to by the parties prior to the Conference, a Settlement Letter must be filed through the Electronic Filing System (EFS). In the EFS, access the “Existing Case” section, then select “Conference

Submissions” as the filing category, then select “Settlement Letter” as the filing type. The conference may result in cancellation if this matter is resolved prior to the conference date.

9. Any request for continuance of the Conference must be made in writing and filed at least 72 hours prior to the scheduled Conference. Counsel must e-file letter requests electronically through the EFS. Access the “Existing Case” section. Then choose “Case Management Conference Continuance Request” as the filing type. Self-represented litigants may send requests for continuance via the EFS or e-mail to johannes.dutoit@courts.phila.gov and jr.deiley@courts.phila.gov, and must send a copy of the request to all opposing parties or their attorney of record. If any litigant does not have access to the EFS or e-mail, they must call 215.686.7917 to request a continuance.
10. All questions regarding Code Enforcement Case Management Conferences should be sent by e-mail to johannes.dutoit@courts.phila.gov and jr.deiley@courts.phila.gov.

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TRIAL DIVISION – CIVIL

CODE ENFORCEMENT CASE MANAGEMENT CONFERENCE MEMORANDUM

Case Caption: _____

Case No.: _____

Filing Party: _____ By: _____ (Esq./SRL)

Counsel's or Self-Represented Litigant's address, telephone number and email address:

1. Identity each violation including the date of violation(s) and the application Philadelphia Code Section: _____

2. Location of violation(s): _____

a. Identify the owner(s) of the property: _____

b. For residential properties:

i. Is the property occupied? _____ Occupied by owner? _____

ii. If the property is used as rental property list # of units _____

c. For commercial properties:

i. What type of commercial activity? _____

ii. Is the property currently in operation? _____

iii. List the number of units _____

d. For mixed-use (commercial & residential) properties:

i. Please identify the commercial activity: _____

ii. Approximately what percentage of the property is commercial space? _____

iii. Is the commercial part of the property currently in operation? _____

iv. Is the residential part of the property occupied? _____ Occupied by owner? _____

e. Identify any prior Code Enforcement cases involving the property

3. Name(s) of inspector: _____

4. Monetary fines and/or inspection fees or other fees requested: _____

5. Equitable Relief requested: _____

a. Set forth a summary of facts giving rise to alleged violation(s)/relief requested:

b. Defense position as to the violation(s)/relief requested alleged:

6. Is the property unsafe or imminently dangerous as defined by Sections PM-108 and PM-110 the Code? If so, explain:

a. If yes: specify the repair required to render the structure safe: _____

b. Has notice to vacate/cease operations been provided? _____ Date of notice provided: _____

c. Is the property scheduled for demolition? _____ Date scheduled: _____

7. Do you anticipate joining additional parties? _____

8. Does the relief requested or right asserted by defendant affect the rights of a third party? Explain: _____

9. Are there any pending motions or praecipes? _____

10. List the dates the following were issued/completed:

a. Initial Inspection: _____

b. Initial NOV: _____

c. Final NOV: _____

d. Most recent re-inspection: _____

11. Actions taken by defendant to remedy or repair the alleged violation(s) including the status of any permit applications: _____

12. Set forth any circumstances that prevent defendant from correcting the violation(s) :

13. Estimated time to fully correct the violation(s): _____

14. Proposed discovery deadlines: _____

15. List of proposed witnesses and role in trial (e.g., inspector, custodian of records, owner):

16. Identify anticipated areas of expert testimony: _____

17. Categories of proposed exhibits proposed (e.g. notices of violations, inspection records/photos, ownership records):

18. Stipulations/Agreements proposed: _____

19. Estimated time for trial: _____

20. Is a translator needed? _____ Language: _____

21. Any other matters that counsel and/or self-represented litigant believe may be relevant to settlement discussions:

Submitted by:

On behalf of _____