



**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
PHILADELPHIA COURT OF COMMON PLEAS**

Friday, March 12, 2021

**TRIAL DIVISION – CIVIL
NOTICE TO THE BAR**

**UPDATED PROTOCOL FOR THE
COMPULSORY ARBITRATION PROGRAM**

General Statement

The conduct of Virtual Arbitration hearings is governed by the *Notice of Policies and Protocols for use of Advanced Communication Technology for Court Proceedings in Civil Matters* issued on July 16, 2020. The Order and Notice can be found at <http://www.courts.phila.gov/covid-19/>. This updated Protocol supplements the Protocol previously issued on December 3, 2020 and will take effect on **April 1, 2021**.

Protocol for Arbitration Hearings

1. Until further Order of the Court, all Compulsory Arbitration matters will be conducted remotely via Zoom. Unless parties have received a notice of a Virtual Hearing date, a case's current hearing date will serve as a "place holder." This allows the Arbitration Center's staff to keep track of the inventory and review each case for its eligibility to be scheduled for a Virtual Arbitration hearing.
2. If the parties wish to have a matter scheduled for a remote hearing before the Court has had an opportunity to do so, they should email the Director of the Arbitration Center, Maureen Eagen, Esquire, with a copy to all parties, requesting a virtual hearing and providing a time frame or available date for such scheduling: maureen.eagen@courts.phila.gov.
3. Notice of a virtual hearing date will continue to be generated by the FJD's electronic filing system 25 days prior to the hearing. Accordingly, all e-filers will receive notice of the virtual hearing date electronically through the e-filing system. Additionally, the parties will receive an email with the Zoom Link and Scheduling Order five to seven days before the hearing date. The Scheduling Order has been updated. Parties are now directed to submit

their packets directly to the Arbitration panel by email no later than 5:00 pm the day before the hearing. **Effective April 1, 2021, arbitration packets are not to be sent to the Arbitration Center.**

4. The admissibility of documents will continue to be governed by the Pennsylvania Rules of Evidence, Rules of Civil Procedure and corresponding Philadelphia County Local Rules of Civil Procedure.
5. Remote Arbitration hearings are conducted by a panel of three arbitrators. The chair of the panel is the co-host of the proceedings, and the litigants, counsel, the other arbitrators participate remotely by Zoom.
6. If a party or self-represented litigant does not have the ability to appear remotely and a continuance of the matter until in-person proceedings resume would severely prejudice a party, an exception to appearing remotely may be granted. To do so, the party or self-represented litigant will be required to appear at the Arbitration Center in person and follow all CDC and Philadelphia Health Department guidelines, including the wearing of a face covering over the mouth and nose while at the Arbitration Center. The party will be connected to the hearing remotely from a workstation at the Arbitration Center. Such a request should be directed to Maureen Eagen, Esquire, Director of the Arbitration Center, at maureen.eagen@courts.phila.gov. All other counsel and self-represented litigants are to be copied on the email.
7. Parties must review their cases once they receive Notice of a virtual hearing date and immediately advise the Arbitration Center if the case settled or file a Continuance/Deferral Application for a matter not ready to proceed with a Virtual Hearing. An untimely filed Continuance Application can be denied on that basis alone.
8. In addition to conducting Zoom Arbitration Hearings, the Arbitration Center will continue the AJPT program, which is akin to the Judge Pro Tempore program used in the Major Jury program. AJPTs are attorneys volunteering their time to assist the Court in hosting settlement conferences in Arbitration level cases. A joint request for an assignment to an AJPT should be sent to the Director, Maureen Eagen, Esquire, at maureen.eagen@courts.phila.gov. The email shall copy all counsel and self-represented litigants. Thereafter, the case will be assigned to an AJPT for the scheduling of a settlement conference. A case that cannot be settled through the AJPT program will be rescheduled for Arbitration consistent with the Court's calendar. **If attorneys are either able to serve as, or continue service as, an AJPT please email ArbitrationFJD@courts.phila.gov.**

9. The AJPT conferences will be conducted pursuant to the Notices to the Bar that were announced on May 11, 2020 and on June 11, 2020. Those Notices can be found at www.courts.phila.gov/covid-19.
10. This Protocol, as well as any updated Protocols, regarding the Compulsory Arbitration Program will be published as Notices to the Bar and made available on the First Judicial District's website at www.courts.phila.gov/covid-19 and at @PhilaCourts on Twitter.
11. A list of cases currently scheduled for a Virtual hearing will be published in *The Legal Intelligencer*.

Honorable Lisette Shirdan-Harris
Administrative Judge
Trial Division

Honorable Daniel J. Anders
Supervising Judge
Trial Division – Civil