



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

Thursday, September 16, 2021

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

CASE ACCELERATED RESOLUTION PROGRAM (CARP) UPDATE

General Statement

The Case Accelerated Resolution Program (“CARP”) is a pilot program that will run from July 6, 2021, to December 31, 2021. The program is designed to accelerate the resolution of cases in the Major Felony Program (“Major Program”). CARP may be extended based on the needs of the Criminal Trial Division. Please see the attached Frequently Asked Questions guide and sample scheduling order.

Status Conference Schedule

As the Criminal Trial Division did for custody cases beginning in June 2021, all non-custody (i.e., bail and house arrest) cases currently listed for trial in a Major Program room will be relisted for status between September 27 and October 29, 2021, to determine whether the matter is a jury or non-jury trial. Please see the attached schedule of status conferences. All parties will receive notice of the dates and assigned courtrooms for these status conferences via email. Parties are strongly encouraged to work toward a non-trial resolution and cases may be conferenced with the calendar room judge for potential open pleas.

Honorable Lisette Shirdan-Harris
Administrative Judge
Trial Division

Honorable Lucretia C. Clemons
Supervising Judge
Trial Division – Criminal

First Judicial District of Pennsylvania Court of Common Pleas of Philadelphia Trial Division - Criminal

UPDATED CARP STATUS CONFERENCE SCHEDULE

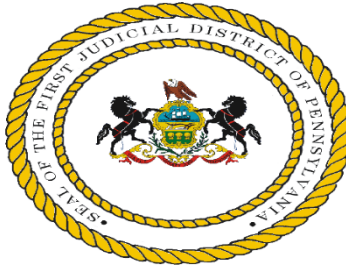
All non-custody cases (i.e., bail and house arrest) currently listed for trial in a Major Program room will be relisted for status between September 27, 2021, and October 29, 2021, to determine whether the matter is a jury trial or non-jury trial. Please see the schedule below of status conferences by courtroom. Parties are strongly encouraged to work toward a non-trial resolution and cases may be conferenced with the calendar room judge for potential open pleas.

DATE OF HEARING	CALENDAR ROOM	ROOM WHERE CASE ORIGINATED	COUNSEL TYPE
Monday, September 27, 2021	801	801 – Perez, 905 – Shaffer	Defender Association
Tuesday, September 28, 2021	801	702 – Moore	Defender Association
Wednesday, September 29, 2021	801	801 – Perez, 702 – Moore, 905 – Shaffer	Private/CAC
Thursday, September 30, 2021	801	801 – Perez, 702 – Moore, 905 – Shaffer	Private/CAC
Friday, October 1, 2021	801	801 – Perez, 702 – Moore, 905 – Shaffer	Private/CAC
Monday, October 4, 2021	1008	701 – V. Johnson, 708 – Campbell, 1001 – DiClaudio, 1008 – Covington	Defender Association
Tuesday, October 5, 2021	1008	1008 – Covington	Private/CAC
Wednesday, October 6, 2021	1008	1001 – DiClaudio, 1008 – Covington	Private/CAC
Thursday, October 7, 2021	1008	701 – V. Johnson	Private/CAC
Friday, October 8, 2021	1008	708 – Campbell	Private/CAC

Tuesday, October 12, 2021	1005	908 – Brandeis-Roman, 1101 – S. Johnson, 1102 – Brinkley, 1105 – Ehrlich	Defender Association
Wednesday, October 13, 2021	1005	1105 – Ehrlich	Private/CAC
Thursday, October 14, 2021	1005	908 – Brandeis-Roman, 1102 – Brinkley	Private/CAC
Friday, October 15, 2021	1005	1101 – S. Johnson	Private/CAC
Monday, October 18, 2021	902	802 – Lane, 902 – Woelpper	Defender Association
Tuesday, October 19, 2021	902	902 – Woelpper	Private/CAC
Wednesday, October 20, 2021	902	802 – Lane	Private/CAC
Thursday, October 21, 2021	902	802 – Lane	Private/CAC
Friday, October 22, 2021	902	802 – Lane	Private/CAC
Monday, October 25, 2021	808	808 – Scott, 1002 – Coyle	Defender Association
Tuesday, October 26, 2021	808	802 – Lane	Private/CAC
Wednesday, October 27, 2021	808	1002 – Coyle	Private/CAC
Thursday, October 28, 2021	808	808 – Scott	Private/CAC
Friday, October 29, 2021	808	808 – Scott	Private/CAC

First Judicial District of Pennsylvania Court of Common Pleas of Philadelphia Trial Division – Criminal

CASE ACCELERATED RESOLUTION PROGRAM (CARP) UPDATED FREQUENTLY ASKED QUESTIONS



WHAT IS THE CASE ACCELERATED RESOLUTION PROGRAM?

The Case Accelerated Resolution Program (“CARP”) is a pilot program that will run from July 6, 2021, to December 31, 2021. The program is designed to accelerate the resolution of cases in the Major Felony Program (“Major Program”). CARP may be extended based on the needs of the Criminal Trial Division.

WHY WAS IT CREATED?

The Pandemic Working Group of the Criminal Trial Division was formed in April 2021 to make recommendations for the creation and/or revision of pandemic related protocols. One of the recommendations of the Pandemic Working Group was to create a streamlined process for the resolution of cases in the Major Program.

HOW DOES IT WORK?

In an effort to expedite cases, starting on July 6, 2021, the judges assigned to the Major Felony Program were reassigned to jury and non-jury rooms. As the Criminal Trial Division did for custody cases beginning in June 2021, all non-custody (i.e., bail and house arrest) cases currently listed for trial in a Major Program room (excluding those cases already listed in Courtroom 905) will be relisted for status between September 27 and October 29, 2021, to determine whether the matter is a jury or non-jury trial. Please see the attached schedule of status conferences by courtroom. Parties are strongly encouraged to work toward a non-trial resolution.

WHAT IS THE PROCESS FOR A NON-JURY TRIAL?

If a case cannot be resolved and it is a non-jury trial, then it will be scheduled for trial if discovery is complete and both sides are ready.

MY BAIL NON-JURY TRIAL ALREADY HAS A DATE CERTAIN. WILL IT BE MOVED?

Non-jury trials already scheduled in front of Major Program judges will keep their scheduled trial dates before one of the non-jury judges. Non-jury trials are guaranteed a date but not a specific presiding judge.

WHAT IS THE PROCESS FOR A JURY TRIAL?

If a case cannot be resolved and it is a jury trial, then it will be spun to Room 905 for a scheduling conference. At the scheduling conference, the case will be given a Wednesday trial readiness conference and a Monday trial date consistent with the previously scheduled trial date. If all parties are ready at the Wednesday conference, then jury selection will begin the next week. If there are motions, they will be spun to a jury judge to be heard before jury selection. Parties should be prepared to pick a jury any day of the week that the case is listed for jury trial. Please see the attached sample scheduling order for jury trials.

MY BAIL JURY TRIAL ALREADY HAS A DATE CERTAIN IN ROOM 905. WILL IT BE MOVED?

We will not reschedule bail jury trial dates without consulting counsel. Jury trials are guaranteed a date but not a specific presiding judge.

DO I NEED TO APPEAR IN PERSON FOR THE STATUS LISTING?

Zoom is encouraged for status listings in the Major calendar rooms. Guilty plea hearings over Zoom are encouraged when amenable to all parties. The courts can connect with every local jail, multiple county correctional facilities, and state prisons.

WILL I BE ABLE TO TALK TO MY CLIENT BEFORE THE STATUS CONFERENCE?

Yes. Please discuss the CARP program with your clients prior to the status conference.

HOW WILL I KNOW WHEN MY CASE IS SCHEDULED?

You will receive notice from the Court, and the calendar judge's staff will email and call you.

HOW MANY JURY TRIALS ARE BEING HELD EACH WEEK?

We currently have the capacity to conduct four (4) jury trials per week in the building. We can only select one (1) jury per day due to CDC guidance for social distancing. If the CDC guidance is updated, the number of jury trials per week may be adjusted based on the updated guidance.

HOW MANY JURY TRIALS WILL BE SCHEDULED WITH THIS NEW PROGRAM?

At least twelve (12) potential juries per week will be scheduled for a trial readiness conference on a Wednesday. The jury program, so far, has shown that many of these cases are resolved before trial. The remaining cases will be heard the following week.

WHICH JURY TRIALS GET PRIORITY?

Homicide cases have first priority. The Major Program jury judges will then be assigned ready cases with priority generally given to the oldest custody cases. If a case has special circumstances, such as an ill witness, child complainant, or witness about to leave for military duty, the case may be prioritized. Counsel must notify the calendar judge at the status conference if the case has special circumstances.

HOW WILL I KNOW MY CLIENT HAS BEEN SERVED FOR THE STATUS CONFERENCE?

Defendants will not receive service for the status conference. Defendants are not required to attend so long as counsel is agreeable to accepting service on behalf of their client. Counsel should contact their client in advance of the hearing to provide notice of the hearing date. If counsel has lost contact with his/her client, counsel must notify the calendar judge at least three (3) business days before the conference.

ARE CO-DEFENDANT CASES BEING TRIED?

Co-defendant custody cases can be heard in Courtrooms 304 and 305.

WHEN WILL BAIL JURY CASES BE TRIED?

Custody cases remain our top priority. As a result, bail jury trials in the Major Program will be continued until 2022 with very limited exceptions. As such, if counsel believes that a bail jury trial has special circumstances, an application may be made to the calendar judge to have the matter scheduled for trial in 2021. All such applications must be approved by the Supervising Judge of the Criminal Trial Division, Judge Lucretia Clemons. We will keep you updated on our plans related to bail matters.

**IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CRIMINAL TRIAL DIVISION**

COMMONWEALTH OF PENNSYLVANIA :
 :
 :
 v. :
 :
 :

NON-JURY SCHEDULING ORDER

AND NOW, this __ day of __, 2021, it is hereby ORDERED and DECREED that each attorney of record shall comply with the following schedule for the above-captioned case:

This case is scheduled for a **Non-Jury Trial** on _____ in Courtroom _____.

Discovery. All discovery should be complete. If any discovery is missing, it is hereby ordered that all discovery, including any requested reciprocal discovery, shall be completed on or before _____. If discovery is not completed by the Court ordered date certain, the party seeking the discovery is required to file a motion seeking sanctions, specifically stating what efforts were made to obtain the requested discovery and the requested remedy. The discovery sanctions motion shall be filed no later than two (2) weeks prior to the trial date and the opposing shall respond within one (1) week either agreeing to the sanctions or opposing the requested relief and shall therein detail all efforts made to comply with the discovery order.

Motions. Any pretrial motions, except motions pursuant to Pa. R. Crim. P. 600 and motions in *limine*, must be filed by _____. Responses to any pretrial motions must be filed by _____. All motions in *limine*, must be filed no later than two (2) weeks prior to the trial date. Responses to motions in *limine* are due no later than one (1) week prior to the trial date. Motions in *limine* will be resolved in front of another judge from the Major Non-Jury program on or before the scheduled trial date. All unanticipated motions should be made as soon as the need arises, but at least two (2) days prior to the time of the necessity for the ruling thereon. Any requests for continuances regarding the pretrial motions hearings or deadlines outlined above must be made as soon as possible.

Witnesses. All writs, bring-down submissions, and necessary witness petitions should be prepared at least eight (8) weeks in advance. The names of civilian witnesses must be provided to the court at least one (1) week in advance. Advanced communication technology is not being used for non-

jury trials. Interpreters for the defendant must be requested at the calendar room listing. The Commonwealth is responsible for its own witness interpreters.

Trial Observation. Trial observation is in the judge's regular courtroom.

Continuances. Requests for trial continuances will not be entertained unless the request is made in writing no less than two (2) weeks prior to the trial date. Continuances at the bar of the court will not be granted absent extraordinary circumstances.

Motions to Withdraw. Motions to withdraw as counsel will not be entertained absent extraordinary circumstances.

Attachment. Counsel is hereby attached for trial and advised to arrive promptly at **9:00 a.m.** for all of the above hearing and trial dates.

BY THE COURT,

, J.