

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

CIVIL TRIAL DIVISION
ADMINISTRATIVE DOCKET NO.1 OF 1998
Protocol for Trial Pools in the
Day Backward and Day Forward Programs
O R D E R

AND NOW, this 10th day of March, 1998, to assure the expeditious scheduling of trials for Day Backward and Day Forward cases, the Court adopts the following protocol for the assignment of certain cases to trial pools.

1. Type of Case Appropriate for Placement in a Trial Pool - Cases that require relatively short trials and that involve straightforward issues are eligible for assignment to the trial pool. Cases involving Medical Malpractice, Products Liability, Out of State Experts or Pro Se Parties would not be appropriate for assignment to a trial pool.

2. Length of Trial and Placement in a Trial Pool - Trials with an expected duration of 1 to 4 days are eligible for assignment to a trial pool. Cases involving trials that would last more than 5 days are inappropriate for a trial pool.

3. Continuances - All continuances of trials for cases in the pool may be granted only by the assigning Team Leader. Requests for a continuance should be submitted in writing to the appropriate Team Leader prior to the start of the trial pool. A continuance request will be granted only for a sufficient reason such as a prepaid vacation or a prior scheduled date certain trial. Competing trial pool assignments will not be a sufficient reason for a continuance unless the attorney is actually on trial.

If a Team Leader sends a case to another team, the assigned Judge is expected to complete the trial within the week or five days assigned. If the assigned Judge concludes that the trial cannot be completed within a week or five days, the assigned Judge is expected to notify the assigning Judge.

4. Publication - The trial pool list will not be published.

5. Notice - Cases will be assigned on a "next day minimum" notice basis. Cases will not be assigned later than 3:00 p.m. on the day prior to Jury Selection. Cases in the monthly pool may be called in any order. Counsel are expected to be trial ready for the duration of the monthly pool.

This General Court Regulation is promulgated in accordance with the April 11, 1986 Order of the Supreme Court of Pennsylvania, Eastern District, No. 55, Judicial Administration No. 1, Phila.Civ.R. *51 and Pa.R.C.P. 239, and shall become effective immediately. As required by Pa.R.C.P. 239, the original regulation shall be filed with the Prothonotary in a docket maintained for General Court Regulations issued by the Administrative Judge of the Trial Division; and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Civil Procedural Rules Committee. Copies of the regulation shall also be submitted to Legal Communications, Ltd., The Legal Intelligencer, Jenkins Memorial Law Library and the Law Library for the First Judicial District.

DATE: March 10, 1998

JOHN W. HERRON
ADMINISTRATIVE JUDGE,
TRIAL DIVISION