

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

IN RE: THE ASSIGNMENT AND CALENDARING      COURT OF COMMON PLEAS  
OF HOMICIDE CASES FROM THE HOMICIDE      PHILADELPHIA COUNTY  
PRETRIAL JUDGE AND SECTION LEADERS      TRIAL DIVISION - CRIMINAL SECTION

NO: MR

**ORDER**

AND NOW, TO WIT, this 3rd day of July 2006, it is hereby ORDERED that:

1.      Instead of being assigned "off the wheel" to individual judges, cases will be assigned to the Section Leaders of Sections A or B in accordance with a formula to be worked out by Court Administration and will be listed by the Homicide Pretrial Room to a date certain for a scheduling conference before the respective Section Leader;
  
2.      The Section Leaders in consultation with the members of their respective Sections will list the cases for trial;
  
3.      The Section Leaders will hold scheduling conferences with the attorneys assigned to the case, then schedule the trial with the judge who has the earliest availability corresponding to the earliest availability of the attorneys;
  
4.      The cases assigned to a Section will be considered as a Section Docket and changes and adjustments of particular assignments can be made by the Section Leaders at their discretion. (Where the assignment has been made by agreement of counsel, no change will be made in the assigned Judge.) Also, at the discretion of the Section Leaders, a case assigned to one Section can be

transferred to a judge in another Section where that will insure an earlier trial date or more efficient disposition of the case; <sup>1</sup>

5. All requests for continuance made by counsel must be referred by the assigned trial judge to the Section Leader;

6. The Homicide Pretrial Judge will keep a list made up of homicide-by-vehicle cases where the defendant is on bail and the witnesses are either only police officers or witnesses who are readily available to be called in. At the discretion of the Homicide Pretrial Judge other types of cases may also be placed on this list;

7. The case will then be placed "on call" for a week to be agreed upon by counsel. No more than two (2) such cases will be listed for any one week;

8. The case will then be assigned out of the Homicide Pretrial Room to any Judge in the program who is "down". If no Judge is available to try the case that week, the case will be sent to the appropriate Section for immediate scheduling.

BY THE COURT:

---

JAMES J. FITZGERALD, III  
ADMINISTRATIVE JUDGE, TRIAL DIVISION

---

<sup>1</sup> *Assignments of non-jury trials presently made by the Homicide Pretrial Judge with agreement of counsel are not affected by these changes except that such assignments shall be sent to the respective Section Leader for calendaring purposes.*