



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

NOTICE TO THE BAR

NON-JURY PROGRAM

POSSESSION OF PROPERTY MATTERS

NON-LANDLORD/TENANT

To promote efficiency and to continue its dedication to the just, speedy and inexpensive determination of every proceeding, the Philadelphia Court of Common Pleas, Trial Division, Civil Section is implementing a new protocol for the case management of Non-Landlord Tenant Possession of Property matters.

Effective immediately, matters filed under the Possession of Property case type or actions seeking possession of property relief, except in a Landlord/Tenant case, shall be scheduled for a Case Management Conference approximately ninety (90) days after commencement. Notice of the Case Management Conference will be made by way of a Scheduling Order which will be served on all parties. The Case Management Conference will be conducted by a Civil Case Manager to take place in Room 613 City Hall.

Plaintiff shall serve a copy of the Order scheduling the Case Management Conference on all parties of record.

- a. **Presiding Officer:** the Case Management Conference shall be conducted by a Civil Case Manager designated by the Court, acting on behalf of the Program Team Leader Judge.
- b. **Issues to be addressed:** counsel shall be fully prepared to discuss all relevant issues, including issues relating to service of process, venue, and pleadings.
- c. **Failure to Proceed:** if it appears, from the information obtained at the Case Management Conference, that any party has shown a lack of due diligence by failing to proceed with reasonable promptitude, the Civil Case Manager may schedule the matter for a Rule Returnable Hearing before the Program Team Leader Judge. The Civil Case Manager may, by Rule to Show Cause, direct any party to proceed with pleadings in accordance with applicable Rules of Civil Procedure, including requiring Plaintiff to serve the initial pleading, to file a Complaint and serve same, or to file a Motion for Alternative Service. Attendance at the Case Management Conference is mandatory. If a party fails to appear, monetary sanctions may be imposed or a Rule to Show Cause entered.

- d. **Case Management Order:** at the conclusion of the Case Management Conference, a Case Management Order shall be issued assigning the matter to a Trial Ready Pool month approximately **three (3) months** after the Conference.
- e. **Writs of Possession:** the Office of Judicial Records may not issue a Writ of Possession upon *praecipe* for default. A Writ of Possession shall be issued only upon Court Order granting possession.
- f. **Effect of New Protocol:** This new protocol does not alter the right of any party to seek relief by way of dispositive motion.

Counsel are reminded to electronically file required conference submissions, including Civil Case Management Conference Memoranda and correspondence, with the Court within the existing case section of the Civil Electronic Filing System under filing category “Conference Submissions.”

Counsel are also reminded to provide to the Civil Case Manager a courtesy hardcopy of filed and stamped memoranda at the time of the conference. For additional information, please see Pennsylvania Rule of Civil Procedure 205.4 and Philadelphia Local Rule *205.4, governing electronic filing in Philadelphia County.

Jacqueline F. Allen
Administrative Judge
Trial Division

Idee C. Fox
Supervising Judge
Trial Division – Civil Section

Date: October 25, 2016