

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

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**President Judge Administrative Order**

**No. 2009-02**

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**In re: Compulsory Arbitration Motion Practice**

**ORDER**

AND NOW, this 3rd day of April, 2009, in order to streamline the filing and processing of motions and applications filed in connection with Compulsory Arbitration cases, IT IS HEREBY ORDERED, ADJUDGED and DECREED that effective April 13, 2009:

- 1) All Arbitration Applications shall be filed electronically with the Prothonotary's office through the Civil Trial Division Electronic Filing System as authorized by Pa.R.C.P. No. 205.4 and Philadelphia Civil Rule \*205.4;
- 2) At the time of filing, the Prothonotary shall assess and collect the applicable motion fees;
- 3) The Arbitration forms are amended as attached to this Order, and self-addressed stamped envelopes are no longer required to be submitted;
- 3) Notice of the entry of dispositive orders shall be sent as provided in Pa.R.C.P. No. 205.4(g)(2)(ii) or Pa.R.C.P. No. 236; and
- 4) The provisions of Philadelphia Civil Rule \*1303 which are in conflict with this order are hereby rescinded.

This Administrative Order shall be published in the *Pennsylvania Bulletin*. The original Administrative Order shall be filed with the Prothonotary in a docket maintained for Administrative Orders issued by the President Judge of the Court of Common Pleas, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Supreme Court's Civil Procedural Rules Committee. Copies of the Administrative Order shall be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Library and the Law Library for the First Judicial District, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://courts.phila.gov>.

**BY THE COURT:**

/s/ *Honorable Pamela Pryor Dembe*

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**HONORABLE PAMELA PRYOR DEMBE  
President Judge, Court of Common Pleas**

# COMPULSORY ARBITRATION MOTION PRACTICE

## Instructions

Philadelphia Civil Rule \* 1303 authorizes the filing of three types of Arbitration Applications:

- 1) A “One-Time Only” rescheduling Agreement;
- 2) A “Continuance and Deferral Application” and
- 3) A “Miscellaneous Application.”

Before any Application is filed with the Court, however, the moving party (“Applicant”) must first send the Application to all other parties as required by Philadelphia Civil Rule \* 1303 so that the non-moving parties may be made aware of the requested relief and provide their position by sending a Response to the Applicant or by signing the rescheduling Agreement. After the Response period, the Applicant must file the Application electronically through the Civil Trial Division’s Electronic Filing System (go to <http://courts.phila.gov>, click the “*On-Line Services*” tab, and click the “*FJD Electronic Filing*” link). A User Name and Password is needed to access the Electronic Filing System, and the requisite filing fee (\$52.68) must be paid as required.

As part of the electronic filing process, the Applicant must attach to the electronic submission a *pdf* version of the Arbitration Application and Response(s), if any. The Applicant must maintain the signed hard copy of the Application and Response(s) as required by Pa.R.C.P. No. 205.4 (b)(4).

After review of the Application and Response(s), if any, as required by Philadelphia Civil Rule \* 1303 a dispositive order will be issued and served either through the electronic filing system as authorized by Pa.R.C.P. No. 205.4(g)(2)(ii), by mail or a combination of both.

As provided in Philadelphia Civil Rule \* 205.4 (d)(3), any Application which is filed in a hard copy format and which must be converted by the Prothonotary to a *portable document format* will be subject to an additional charge of \$1.00 per page.

### **Important Notice**

- 1) Any Application or Response(s) filed directly with the Arbitration Center will be discarded.**
- 2) If an Application contains incorrect information, including information concerning service of the Application and Response(s), the Order entered upon reliance of the representations in the Application may be vacated and appropriate sanctions will be imposed.**
- 3) Self-addressed, stamped envelopes need not be submitted by the Applicant.**

# COMPULSORY ARBITRATION MOTION PRACTICE

## MISCELLANEOUS APPLICATION

MOTION MUST BE ELECTRONICALLY FILED AFTER EXPIRATION OF RESPONSE PERIOD (SEE INSTRUCTIONS).  LIST <u>ALL</u> COURT TERMS AND NUMBERS OF CONSOLIDATED CASES IN SPACE DIRECTLY BELOW.		<b>FIRST JUDICIAL DISTRICT OF PENNSYLVANIA</b> <b>COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY</b> <b>ARBITRATION CENTER</b> <b>1880 JOHN F. KENNEDY BLVD., 5TH FLOOR</b> <b>PHILADELPHIA, PA 19103</b>	
COURT TERM AND NUMBER	APPLICANT <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant	DATE AND TIME OF LISTED HEARING	
CAPTION			
PLAINTIFF'S COUNSEL AND PHONE NO.			
DEFENDANT'S COUNSEL AND PHONE NO.			
ADDITIONAL DEFENDANT'S COUNSEL AND PHONE NO.			
1. Set forth requested relief			
2. Set forth the specific basis for the request			
3. On or after _____, the within Application will be filed with the Arbitration Center.			
4. You must submit a Response to me by _____, for attachment to the Application (within ten (10) days of mailing of copy of Application).			
5. A copy of this Application was mailed/delivered/faxed to opposing counsel, _____, Esquire on _____. <input type="checkbox"/> A Response was received and is attached hereto <input type="checkbox"/> No Response was received.			
6. Other			

I hereby certify the above is true and correct.

\_\_\_\_\_  
*Signature of Counsel for Applicant*

\_\_\_\_\_  
*Filing Date*

### ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon consideration of the within Application, it is hereby ORDERED and DECREED that:

- the Application is denied.
- the within case is transferred to the Non-Jury List;
- the within case may be transferred to the Jury List provided the jury fee is paid within 10 days;
- the Applicant is granted leave to file a Motion \_\_\_\_\_ no later than \_\_\_\_\_;
- the Applicant's request to mold the award of the Arbitrators is denied;
- the Applicant's request to mold the award of the Arbitrators is granted. See detailed order attached hereto;
- the case is deferred \_\_\_\_\_;
- Other





# COMPULSORY ARBITRATION MOTION PRACTICE

## ONE-TIME ONLY RESCHEDULING AGREEMENT

*By Agreement of All Parties*

MUST BE ELECTRONICALLY FILED NO LATER THAN TWO DAYS BEFORE THE SCHEDULED HEARING DATE.  LIST <u>ALL</u> COURT TERMS AND NUMBERS OF CONSOLIDATED CASES IN SPACE DIRECTLY BELOW.		<b>FIRST JUDICIAL DISTRICT OF PENNSYLVANIA COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY ARBITRATION CENTER 1880 JOHN F. KENNEDY BLVD., 5TH FLOOR PHILADELPHIA, PA 19103</b>	
COURT TERM AND NUMBER	APPLICANT  <b>JOINT REQUEST</b>	LIST DATE OF ORIGINAL SCHEDULED HEARING	
CAPTION			

All parties and/or Counsel agree to reschedule the hearing to the following new date and time (*new date **must** be within 2 weeks before or after original scheduled hearing date*):

Name of Plaintiff _____		
PRINT NAME OF COUNSEL FOR PLAINTIFF AND PHONE NO.	SIGNATURE OF PARTY OR COUNSEL ( <i>Fax Signature Acceptable</i> )	DATE

Name of Defendant _____		
PRINT NAME OF COUNSEL FOR DEFENDANT AND PHONE NO.	SIGNATURE OF PARTY OR COUNSEL ( <i>Fax Signature Acceptable</i> )	DATE

Name of Defendant _____		
PRINT NAME OF COUNSEL FOR DEFENDANT AND PHONE NO.	SIGNATURE OF PARTY OR COUNSEL ( <i>Fax Signature Acceptable</i> )	DATE

Name of Defendant _____		
PRINT NAME OF COUNSEL FOR DEFENDANT AND PHONE NO.	SIGNATURE OF PARTY OR COUNSEL ( <i>Fax Signature Acceptable</i> )	DATE

Name of Additional Defendant _____		
PRINT NAME OF COUNSEL FOR ADDITIONAL DEFENDANT AND PHONE NO.	SIGNATURE OF PARTY OR COUNSEL ( <i>Fax Signature Acceptable</i> )	DATE

**NOTE:**

**THIS AGREEMENT MUST BE SIGNED BY ALL COUNSEL OF RECORD OR BY UNREPRESENTED PARTIES.  
THE SIGNED AGREEMENT IS TO BE RETAINED BY THE PARTIES.  
A SCANNED COPY OF THE AGREEMENT MUST BE ELECTRONICALLY FILED.**