

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

**GENERAL COURT REGULATION No. 2010-02**

**In Re:**     *Rescission of Philadelphia Civil Rule \* 229.1 and Amendment of  
Philadelphia Civil Rule \*212.3*

**ORDER**

AND NOW, this 7th day of December, 2010, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on November 18, 2010 to rescind *Philadelphia Civil Rule \* 229.1 Settlement Recommendations, Demands and Offers* and to amend *Philadelphia Civil Rule \* 212.3*, IT IS HEREBY ORDERED that *Philadelphia Civil Rule \* 229.1 Settlement Recommendations, Demands and Offers* is rescinded and that *Philadelphia Civil Rule \* 212.3* is amended as attached.

This General Court Regulation is issued in accordance with Pa.R.C.P. No. 239 and the above-referenced rule changes shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. The original General Court Regulation shall be filed with the Prothonotary in a Docket maintained for General Court Regulations issued by the President Judge of the Court of Common Pleas of Philadelphia County, shall be published in the *Pennsylvania Bulletin*, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, and the Civil Procedural Rules Committee. Copies of the General Court Regulation shall also be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://courts.phila.gov/regs>.

BY THE COURT:

/s/ *Honorable Pamela Pryor Dembe*

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HONORABLE PAMELA PRYOR DEMBE  
President Judge, Court of Common Pleas

## **Rescission of Philadelphia Civil Rule \*229.1 and Amendment of Philadelphia Local Rule \* 212.3**

### ***Philadelphia Civil Rule 229.1 Settlement Recommendations, Demands and Offers.***

[From time to time, a judge may recommend a settlement amount, and a party may make a settlement demand or offer. Any settlement amount, demand or offer made shall be communicated forthwith to the client by his, her or its counsel.]

### **Rescinded.**

*Explanatory Note: This rule has been moved in its entirety to Philadelphia Civil Rule \* 212.3, titled Pretrial and Settlement Conferences, as Subsection (C).*

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### **Philadelphia Civil Rule \* 212. 3. Pre-Trial and Settlement Conferences**

- (A) The court, in its Program Case Management Orders scheduling pre-trial or settlement conferences pursuant to Pa.R.Civ.P. No. 212.3, may order anyone with a financial interest in the outcome of a case to be personally present at the pre-trial or settlement conference. Failure of anyone with a financial interest in the outcome of a case to appear may result in the imposition of sanctions against such party, or other entity. The court, upon appropriate request of counsel, may for good cause permit a party or representative to appear by telephone rather than in person.
- (B) In non-jury cases, the Trial Judge shall not enter into settlement negotiations without the consent of the parties and may refuse to enter into settlement negotiations even if the parties consent to such participation. In such a case, if the parties wish to pursue settlement negotiations with a judge, arrangements [shall] **may** be made to find a judge agreeable to all parties to serve as a settlement conference judge.
- (C) From time to time, a judge may recommend a settlement amount, and a party may make a settlement demand or offer. Any settlement amount, demand or offer made shall be communicated forthwith to the client by his, her or its counsel.**

*Explanatory Note: Former Philadelphia Civil Rule \* 229.1 titled “Settlement Recommendations, Demands and Offers” has been added in its entirety to this rule as Subsection (C).*

*Amended by the Board of Judges of the Court of Common Pleas on November 18, 2010 and effective on*

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*Note: Deletions are bracketed []; additions are **highlighted** and **underlined***

*Adopted by the Board of Judges November 18, 2010; effective 30 days after publication in the Pennsylvania Bulletin.*