

RULE 1. Title and Citation of Rules

These rules shall be known as the Lancaster County Rules of Civil Procedure and may be cited as “L.C.R.Civ.P. ”.

Revised 12-5-24 Effective 3-10-25

ADMINISTRATIVE APPEALS

RULE 27. Land Use Appeals

A. Appeal Notice

A land use appeal shall contain:

- 1. A caption in substantially the following form:

Name of Appellant

v.

NO. CI-_____

Name of municipality and name of body (i.e. zoning hearing board, governing body or or planning commission) which rendered decision

LAND USE APPEAL

- 2. When applicable, in separately numbered paragraphs and in the following order:

- a. Name and address of the appellant.

- b. Name and address of the zoning hearing board, governing body or planning commission (“local agency”) which rendered the decision.

- c. Name and address of the applicant to the local agency, if the applicant is not the appellant.

- d. Name and address of the owners, both real and equitable, of any real estate which was the subject of the decision and identification of the real estate.

- e. The chronology of the matter, including the following as applicable:

- i. Date of filing application or appeal with zoning officer or other official.
 - ii. Date of action of the zoning officer or other official.
 - iii. Date of appeal from action of zoning officer or other official to local agency or date of filing application with local agency.
 - iv. Dates of all hearings or meetings of the local agency.
 - v. Date of written decision or, if applicable, date of deemed decision from which the appeal has been taken.
 - vi. Date written decision served.
- f. The purpose for which the application was made.
 - g. The basis for appellant's standing to file the appeal.
 - h. All specific legal and factual grounds for the appeal.
 - i. Specific request for relief.

3. If a court reporter was present and if a transcript is not already in existence, appellant's certification that appellant has ordered a transcript of the proceedings and has made satisfactory arrangements with the court reporter for payment. Upon receipt of the transcript, appellant shall provide the original transcript to the solicitor of the local agency filing the return of the record. If appellant does not include a certification that appellant has ordered the transcript, any other party may file a petition requesting the Court dismiss the appeal.

B. Intervention

1. A notice of intervention under Section 1004-A of the Pennsylvania Municipalities Planning Code, 53 P.S. §11004-A, shall contain:
 - a. The caption and number of the appeal.
 - b. Name and address of intervenor.
 - c. Nature of the interest of intervenor in the appeal.
 - d. Legal and factual circumstances under which intervenor claims a right to intervene.
 - e. Summary of intervenor's position and grounds therefor.

2. Pa. R.Civ.P. 2326-2350 shall govern all other intervention.

C. Certiorari

1. The local agency shall submit its entire record within twenty days after receipt of the writ of certiorari or receipt of the transcript(s), whichever is later, including but not limited to:

a. All original papers filed in chronological order, commencing with the application.

b. Minutes of meetings of the local agency at which the application was considered.

c. The transcript of all hearings. The local agency shall not submit its record to the Prothonotary until appellant has provided the transcript of all hearings if the transcript is not in existence and available to the local agency prior to appellant's filing the appeal.

d. The complete ordinance under which the local agency rendered its decision, including maps.

e. The findings of fact and conclusions of law of the local agency, if any, and its written decision.

f. Names and addresses of all persons the local agency recognized as parties to the proceedings.

2. The chairperson or presiding officer shall certify the submission of the record.

3. The Prothonotary shall give notice of the return of the local agency's record to appellant who shall, within four days after receipt of the notice, notify the local agency, the applicant before the local agency (if appellant was not the applicant), the legal and equitable owner of the land which was the subject of the application and all other persons recognized as parties to the local agency's proceedings. Appellant shall file proof of service.

D. Disposition

1. Within ten days after the Prothonotary gives notice of the filing of the complete return of the record, any party who believes the appeal is not ready for disposition may file a motion for a conference and a praecipe requesting that the appeal be forwarded to the assigned judge. The motion for a conference shall state why the party believes that the appeal is not ready for disposition and shall

identify all actions that the party requests. At the conference, the Court may, inter alia:

- a. Require or approve supplementation of the record.
- b. Fix a time for a de novo hearing before the Court.
- c. Employ expert(s) to aid the Court to frame an appropriate order.
- d. Refer the appeal to a referee to receive additional evidence, with directions as to time deadlines and other matters the Court deems appropriate.
- e. If allowed by law, remand the appeal to the local agency with directions as to time deadlines and other matters, including mediation.

2. After the conference, the Court shall issue an appropriate order addressing the filing of briefs.

3. If no party has filed a request for a conference, **and there is no motion pending with the Court,** the appellant shall file a brief within forty days after the date the Prothonotary gives notice of the filing of the local agency's complete record. The appellant shall limit the brief to the issues appellant raised in the land use appeal. Each other party shall file a responsive brief within thirty days after service of appellant's brief. The appellant may file a reply brief within ten days after service of the responsive brief. Any party may thereafter file and serve a praecipe stating that the appeal is ready for disposition and requesting the Prothonotary to forward it to the assigned judge. **After the disposition of all pending motions, the Court shall issue an appropriate order addressing the filing of briefs.**

4. If appellant fails to file a brief within the time period established by Paragraph D.3 above or by the Court after a conference, any party may file and serve a praecipe stating that the appeal is ready for disposition together with a brief or may petition the Court for dismissal of the appeal. If a party files a praecipe requesting disposition due to the failure of the appellant to file a brief, the Court shall render a decision, without oral argument, on the record before it.

5. Any party may request oral argument when filing its brief. The Court shall hear oral argument at its discretion.

of intervention either as an appellant or appellee. After the forty day period, intervention shall be governed by Pa. R.Civ.P. 2326 through 2350.

D. Further Proceedings

Thereafter, the appeal shall proceed pursuant to L.C.R.Civ.P 208.3(a) and 208.3(b) or L.C.R.Civ.P. 212.1 through 212.3

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RULE 29. Local Agency and Administrative Agency Appeals other than Land Use Appeals

A. Appeals Governed by Rule

This Rule shall apply to all appeals allowed from adjudications under the Local Agency Law, 2 Pa.C.S.A. §501 et. seq., or the Administrative Agency Law, 2 Pa.C.S.A. §101 et. seq., and appeals which may be taken to the Court under the Judicial Code, 42 Pa.C.S.A. §933, other than appeals filed under Article X-A of the Pennsylvania Municipalities Planning Code, 53 P.S. §11001-A.

B. Notice of Appeal

The notice of appeal shall contain all information required by the statute which authorizes filing of the appeal. The notice of appeal shall also contain:

1. A caption in substantially the following form:

Name of Appellant

v.

NO. CI-_____

Name of local or administrative
agency which rendered decision

STATUTORY APPEAL

2. All relevant information required in Local Rule 27A.2.

3. If a court reporter was present and if a transcript is not already in existence, appellant's certification that appellant has ordered a transcript of the proceedings and has made satisfactory arrangements with the court reporter for payment if a transcript is not already in existence. Upon receipt of the transcript, appellant shall provide the original transcript to the solicitor of the agency filing the return of the record.

C. Intervention

Pa. R.Civ.P. 2326-2350 shall govern all intervention.

D. Certiorari

The agency shall submit its entire record within twenty days after receipt of the writ of certiorari in accordance with the procedure in Local Rule 27C. The Prothonotary shall give notice of the return of the agency's record to appellant who shall, within four days after receipt of the notice, notify the agency, the applicant before the agency (if appellant was not the applicant) and all other parties to the local agency's proceedings. Appellant shall file of proof of service.

E. Disposition

Disposition of the appeal shall be in accordance with the procedure in Local Rule 27D.

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RULE 205.4. Electronic Filing and Service of Legal Papers

A. "Electronic Filing" (E-Filing) means the electronic transmission of documents to the court under these rules. Electronic filing does not include service of any documents.

1. All Civil Actions (including Family Actions) filed in the Court of Common Pleas of Lancaster County may be filed by E-Filing.

2. Registration. Any person intending to use E-File must register with Teleosoft CountySuite Portal. All use of the CountySuite Portal shall be in accordance with the CountySuite Portal user manual. All registered users shall be individuals, not law firms, agencies, corporations or other groups.

3. Original document. A legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes.

B. Form of Documents Electronically Filed.

1. Format. To the extent practicable it shall be formatted in accordance with the applicable rules governing formatting of paper documents, and in such other and further format as the Court may require from time to time. All electronic filings shall be in PDF format. A document may exceed page limitation rules to a maximum of two (2) additional pages

when the additional pages are attributed to the electronic conversion of filing process. The e-File system will automatically convert any filing to PDF/A format.

2. Title of Documents. The title of each electronically filed document shall include:

- a. Descriptive title of the document
- b. Party or parties filing the document
- c. Party or parties against whom relief, if any, is sought; and
- d. Nature of the relief sought (e.g. Defendant ABC Corporation's Motion for Summary Judgement Against Plaintiff Jones).

3. Signature.

a. Each electronically filed document shall be deemed to have been signed by the attorney or party represented by an attorney authorizing such filing and shall bear a facsimile or typographical signature of such person, e.g. "/s/Adam Attorney". Each document e-Filed by an attorney shall also include the typed name, address, and telephone number of the attorney or unrepresented party filing such document. Attorneys shall include their Pennsylvania bar number. Each electronically filed declaration and affidavit shall be deemed to have been signed by the declarant or affiant if an attorney or party not represented by an attorney has authorized such filing. Documents containing signatures of third-parties (i.e., unopposed motions, affidavits, stipulations, etc.) may also be filed electronically by indicating in the original signatures are maintained by the filing party in paper format.

b. The electronic filing of a legal paper constitutes a certification by the filing party that the original hard copy was properly signed and, where applicable, verified; and a certification as provided by the signature to a legal paper under Pa.R.Civ.P. 1023.1(c), the violation of which shall be subject to the sanction provided in Pa.R.Civ.P. 1023.1(d). The filing party shall maintain the original hard copy of the document for two years after the later of: the disposition of the case; the entry of an order resolving the issue raised by the legal paper; or the disposition by an appellate court of the issue raised by the legal paper. Any other party at any time may serve upon the filing party a notice to produce for inspection the signed hard copy within fourteen days of the service of the notice. The court upon motion may grant appropriate sanctions for failure to produce the signed hard copy pursuant to the notice.

C. Public Access to the Docket.

1. Public Access to the Prothonotary's docket is available on the

Internet at www.lancastercountypa.gov/Prothonotary

2. The Prothonotary shall make a Public Access Terminal available to the general public to allow access to the Court's electronic case record in all E-Filed cases.

D. Filing Fees.

1. All filing fees and payments shall be made at the time of filing with an authorized credit card through the CountySuite Portal. Authorized cards shall include Visa, MasterCard, American Express and Discover. Filing fees and payments may not be deposited in advance with the Prothonotary.

2. Filing fees billed by CountySuite Portal shall include the Prothonotary's statutory filing fees.

3. The Prothonotary is authorized to charge a convenience fee for E-Filing as set forth in the Prothonotary's fee schedule.

E. Sealed Documents.

1. Documents intended to be filed under seal shall be designated by the filing party as "sealed" in the CountySuite Portal. However, designation of documents as "sealed" does not seal the document. The filing party must submit a proper request for sealing documents in addition to making the designation in the CountySuite Portal.

2. The filing details and document title will appear in the e-File system. The document can be viewed only by the Court, the Prothonotary staff, and case participants.

F. Time of E-Filing

1. The CountySuite Portal shall provide to the filer, using the email addressed registered by the filer, a courtesy email acknowledging that the E-filing was received. An official notification will be displayed in the CountySuite Portal, which includes the time and date, as a pending filing awaiting approval by the Prothonotary. The Prothonotary shall provide the filer with notification through the CountySuite Portal that the legal paper has been either accepted or rejected.

2. If a legal paper is accepted, it shall be deemed to have been filed as of the date and time it was received by the CountySuite Portal; however, if a legal paper is submitted without the requisite filing fee, the legal paper shall be deemed to have been accepted for filing as of the date payment is received

pursuant to 42 P.S. Section 21073(b). The Prothonotary may maintain an electronic file only and no paper file, with the approval from the Court.

(Comment: As required by PA.r.Civ.P. 205.4(c)(1) access to the countySuite Portal shall be available at all times, except for routine maintenance; however, legal documents can only be reviewed by the Prothonotary staff during normal office hours. Therefore, filers are cautioned to file required legal papers well in advance of any filing deadlines to enable timely correction and resubmission in the event a legal paper is not acceptable for filing.)

G. Service of Legal Papers

Once an E-Filing has been accepted by the Prothonotary it shall be the responsibility of the filing party to provide to the sheriff the proper service fee and documents for original service and writs. The CountySuite Portal does not include legal service.

H. Obligation of registered E-File Users to Maintain Proper Deliver Information

Parties or attorneys who register to use the CountySuite Portal system shall notify CountySuite Portal within ten days of any change in firm name, delivery address, fax number or e-mail address.

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RULE 206.1(a). Petition. Definition. Stipulation

A. Petition Defined.

A petition is a request which seeks relief ancillary to a given cause of action and which avers facts not of record. Petitions include, but are not limited to:

1. Petitions to open or strike judgment.
2. Petitions to transfer venue.
3. Preliminary objections filed pursuant to Pa.R.Civ.P. 1028(a)(1), (5) or (6).
4. Petitions which seek the issuance of a rule to serve the interests of justice.

B. Stipulated Matters.

If the parties agree to the relief sought, the petition shall be accompanied by a stipulation signed by all affected counsel or unrepresented parties and a proposed order.

RULE 206.4(c). Petition. Rule to Show Cause

A. The procedure of Pa.R.Civ.P. 206.6 is adopted, and a rule shall issue as a matter of course pursuant to that Rule.

B. The petitioner shall attach to the petition a proposed order substantially in the following form:

ORDER

Upon consideration of the attached petition, it is hereby ordered that:

1. A rule is issued upon the respondent to show cause why the petitioner is not entitled to the relief requested.
2. The respondent shall file an answer to the petition within twenty days of service.
3. The petition shall be decided under Pa.R.Civ.P. 206.7.
4. Discovery shall be completed within forty-five days of service of the answer.
5. The petitioner shall file a brief in support of the petition within twenty days after the discovery deadline. Any party opposing the petition shall file a responsive brief within ten days of service of the petitioner's brief. The petitioner may file a reply brief within five business days of service of a responsive brief. **[After all briefs have been filed, the Prothonotary shall notify the assigned Judge and forward the file to chambers for disposition.]** Any party may request oral argument by filing a praecipe requesting it when filing their brief. **When the petition is ready for disposition, any party may file a praecipe for disposition and the Prothonotary will then send the petition and briefs to Chambers. The praecipe shall include the filing dates of the petition, brief, responsive brief and reply brief (if any).**
6. The petitioner shall provide notice of the entry of this Order to all parties.

BY THE COURT:

J.

DATE

C. When the petitioner requests a hearing or argument date, the form of the order may be modified accordingly.

D. When the petitioner requests a stay, the form of the order may be modified accordingly.

E. All petitions, except as provided in F, shall be filed with the Prothonotary. The Prothonotary shall forward such petitions to the assigned judge for entry of the Order.

F. A petition which requests a stay, the filing of an answer in fewer than twenty days or other substantive relief shall be presented in person to the assigned judge. For such petitions, the Court shall not issue the rule to show cause unless:

1. It appears from the petition that reasonable notice has been given to all affected parties of the date, time and place of the presentation; or
2. It appears from the petition that there is an agreement of all affected parties; or
3. The Court in its discretion shall determine that there are extraordinary circumstances justifying immediate relief.

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RULE 206.7. Procedure after Issuance of Rule to Show Cause

If an answer is not filed, the petitioner may submit a proposed order and file a praecipe to forward the petition to the assigned judge for disposition.

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Effective 3-20-17

RULE 208.1. Motion. Definition. Scope

A. Motion means any application to Court for an order made in any action or proceeding that is not excluded by Pa.R.Civ.P. 208.1.

B. If the parties agree to the relief sought a motion shall be accompanied by a stipulation signed by all affected counsel or unrepresented parties, a prepared order and a praecipe to assign the stipulated matter for disposition.

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RULE 208.2(c). Motion. Form. Content

A motion shall be in the form required by Pa.R.Civ.P. 208.2.

Revised 12-5-24 Effective 3-10-25

RULE 208.2(e). Motion. Form. Content

Every motion relating to discovery shall contain a certification that the parties, after reasonable effort, are unable to resolve the dispute.

RULE 208.3(a). Procedure for Disposition of Motion

A. Praecipe for Disposition. Motions will be sent to the assigned judge for disposition upon completion of the briefing schedule pursuant to L.C.R.C.P. 208.3(b) below or by praecipe of any party, unless the parties agree to extend the briefing schedule. If the parties agreed to extend the briefing schedule, the parties shall file a Notice of Extension of Briefing Schedule setting forth the agreed upon extension. The motion(s) at issue will be sent to the assigned judge for disposition upon **[completion of the agreed upon briefing schedule or by] the filing of a praecipe for disposition** of any party. **The praecipe shall include the filing dates of the motion, brief, responsive brief and reply brief (if any).**

B. Oral Argument. Any party may request oral argument by filing a praecipe at the time a brief is filed pursuant to Local Rule 208.3(b)A., B., or C.

C. Emergency Motions. Emergency motions must be presented to the assigned judge, or in the assigned judge's absence the business judge who will advise the parties how to proceed.

Revised 12-5-24 Effective 3-10-25

RULE 208.3(b). Briefing Schedule

A. Motion and Brief. The moving party shall file a motion, proposed order and supporting brief concurrently. If a brief is not filed with the motion, the motion shall

be deemed withdrawn, without prejudice, upon praecipe of an opposing party.

B. Responsive Brief. Within twenty days after service of the moving party's motion and brief, any party opposing the motion shall file a responsive brief, together with any opposing affidavits, depositions, transcripts or other documents. Any party who fails to file a responsive brief shall be deemed not to oppose the motion.

C. Reply Brief. The moving party may file a brief in reply to the responsive brief within five days after service of a responsive brief.

D. **When all briefs have been filed, either party may file praecipe for disposition. The prothonotary shall then forward the motion, brief, responsive brief and reply brief (if any) to chambers.**

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RULE 208.3(c). Discovery Motions Court

A. Purpose of Rule. It is the intention of this Rule that discovery motion practice be expedited and that discovery motions and responses be concise.

B. Discovery Motions Judge. Every discovery motion shall be presented to the Discovery Motions Judge. Discovery Motions Court shall be held at 1:30 p.m. on Friday afternoons **or** as scheduled by the Discovery Motions Judge. **[The District Court Administrator shall publish notice of the location, dates, times, and cases listed for Discovery Motions Court on the Court Case Schedule (<http://courtcas.co.lancaster.pa.us/CourtAdmin.Public/>).]**

C. Contents of Motion. Every discovery motion shall contain the following:

1. A concise statement describing the nature of the case.
2. A concise statement of the status of any discovery procedure involved.
3. A copy of the **specific** discovery request and response, if any, in dispute.
4. A statement of the relief requested and a citation to the statute, procedural rule or other authority for the relief requested.
5. A statement identifying all other parties and their counsel, with mailing addresses, telephone numbers and email addresses.

6. If necessary, a request for the suspension of discovery until the dispute is resolved.

7. A certification that the parties, after reasonable effort, are unable to resolve the dispute.

8. A proposed rule or order.

D. Notice and Service.

1. A copy of the discovery motion, along with notice of when it will be presented, shall be served upon all parties no later than 5:00 p.m. on the Tuesday preceding the scheduled court date. Discovery motions shall not be filed or presented to the Court in any fashion other than to the Discovery Motions Judge. The moving party shall present an original and one copy of the motion to the Court.

2. If service of the motion is made by first class mail, the mailing must be postmarked no later than Friday preceding the scheduled court date. In the event of a Monday holiday, service, if sent by mail, shall be postmarked by the preceding Thursday. Hand delivery of the motion may be made until 5:00 p.m. on the Tuesday preceding the scheduled court date. The parties may serve discovery motions by email, provided that receipt of the email by all other parties is confirmed by the serving party. The serving party shall attach proof of service to the discovery motion. Failure to serve the motion and notice shall be grounds for dismissal.

E. Briefs. Briefs are not permitted unless directed by the Court.

F. Responses. Any party may submit a response to the discovery motion. The response shall not exceed five pages. The response **shall be provided to Chambers by 5:00 p.m. on the Thursday preceding the scheduled court date.** [shall be presented to the Court and served on all parties or their counsel on the scheduled court date.] Affidavits, discovery responses, references to depositions, transcripts or other documents responsive to the discovery motion shall not be included in the response but may be referenced during oral argument.

G. Scheduling. Arguments on discovery motions shall be scheduled at ten minute intervals. Counsel seeking to list a motion for argument shall contact the Discovery Motions Judge chambers no later than noon on the Tuesday immediately preceding the requested court date by telephone or email to dmc@lanastercountypa.gov. The assignment of all discovery motions to an argument date and time will be made by the Discovery Motions Judge. A list of cases scheduled for argument may be viewed on the Court's online Case Scheduling Calendar (<http://courtcal.lanastercountypa.gov/CourtAdmin.Public/>).

H. Filing. All orders signed in the courtroom shall be returned to counsel for filing with the Prothonotary. It shall be the responsibility of the attorney receiving the order to promptly file the order and receive a date stamped copy. Orders shall not be effective and enforceable until they are clocked in and docketed by the Prothonotary. If the discovery motions court does not rule on a matter in the courtroom but instead chooses to take the

matter under advisement, chambers shall ensure the filing of any subsequent order.

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RULE 210. Form of Briefs

A. Briefs shall contain complete and accurate citations of all authorities.

B. The brief of the moving party shall contain: all relevant facts; a procedural history; the questions involved; the argument; and a conclusion.

C. The brief of the opposition need contain only an argument and a conclusion. If a counter statement of the case or the questions involved is not filed, the statement of the moving party shall be deemed adopted.

D. Briefs shall be submitted on 8 ½ x 11 inch paper and shall be double-spaced.

E. Any brief more than fifteen pages shall contain a table of contents and a table of citations.

F. A party shall file a brief with the Prothonotary and shall serve copies pursuant to Pa.R.Civ.P. 440 and Local Rule 440.1.

Rule 212.1. When an Action is at Issue.

A. When an action is at issue the Prothonotary shall notify the assigned judge and forward the file to chambers.

An action is at issue as follows:

1. Expedited track: All Magisterial Judges and Arbitration appeals. Any case in the expedited track will be deemed at issue 120 days after the close of the pleadings.

2. Standard track: All other cases that are not in the expedited track or complex track. Any case in the standard track will be deemed at issue 180 days after the close of the pleadings.

3. Complex track: Cases will be considered complex if all parties agree or by order of Court.

a. If all parties agree that the case is complex, they shall file with the Prothonotary a certification signed by all parties.

b. If the assigned judge deems that the case is complex an appropriate order shall be filed.

c. Any case in the complex track will be deemed at issue 365 days after the close of pleadings.

B. Absent compelling reasons, an action that is at issue must have all discovery completed, except for the exchange of expert reports.

C. When an action is at issue the trial judge shall give notice to the parties in conformance with Pa.R.Civ.P. 212.1 (a). Thereafter, the parties shall proceed in accordance with the time periods of Pa.R.Civ.P. 212.1 (b).

Revised 12-5-24 Effective 3-10-25

Rule 212.2. Pre-Trial Statement

The pre-trial statement shall be in the form prescribed by Pa.R.Civ.P. 212.2.

Revised 12-5-24 Effective 3-10-25

Rule 212.3. Pre-Trial Conference

A pre-trial conference may be scheduled at the discretion of the assigned judge.

Adopted 2-10-16 Effective 4-4-16

Rule 212.4. Conferences

Upon the conclusion of the pleadings, any party may file a praecipe for a status conference, a case management conference or a settlement conference.

Adopted 12-5-24

Effective 3-10-25

RULE 225.1. Opening and Closing Statements

Plaintiff shall open first and close last, and Defendant shall open second and close first.

Revised 2-10-16

Effective 4-4-16

RULE 226. Points for Charge

Points for charge shall be submitted to the trial judge as directed by the certification order.

Revised 2-10-16

Effective 4-4-16

RULE 227.1. Post Trial Relief

The party filing a post-trial motion shall serve a copy of the motion on the trial judge on the same day the motion is filed. That party shall also deliver to the trial judge the original and necessary copies of a proposed order for the transcription of the record. The trial judge shall enter an order addressing the transcription of the record and a briefing schedule.

RULE 236. Notice by Prothonotary of Entry of Order, Decree or Judgment

The moving party shall provide sufficient copies of all orders, decrees or judgments, together with addressed, stamped envelopes, necessary for the Prothonotary to comply with Pa.R.Civ.P. 236.

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RULE 257. Money Paid Into Court

Unless otherwise provided by the Pennsylvania Rules of Civil Procedure, a local rule or order of Court, a party seeking to pay money into Court shall file a petition which conforms to Pa. R.Civ.P. 2303(a)(1)-(4). Service shall be pursuant to Pa. R.Civ.P. 440, and proof of service shall be pursuant to Local Rule 440.1. A petition shall be governed by Pa. R.Civ.P. 206.6 and 206.7.

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RULE 260. Trial List

When an action has been certified by the assigned judge as ready for trial the District Court Administrator shall place it on the trial list.

Revised 2-10-16

Effective 4-4-16

RULE 280. Costs

A. Items of Allowable Costs

Costs may include: fees of Court appointed examiners, masters, auditors, accountants or other experts; statutorily permitted costs for the attendance of witnesses; and such other costs permitted by statute or allowed by the Court.

B. Security for Costs

The Court may require a party to post security for costs.

C. Interlocutory Orders for Costs

A party directed by an interlocutory order to pay costs may not take any further action until such costs are paid.

D. Liability for Costs

Costs shall follow the entry of judgment or decree unless the Court directs otherwise.

E. Time of Filing and Service

Bills of costs must be filed and served within ten days after the entry of a judgment

or decree.

F. Exceptions

Exceptions may be filed within five business days of the date of service or shall be deemed waived.

RULE 285. Accounts and Inventories

A. Accounts

When an account is required in a civil action, the account shall proceed in accordance with the Lancaster County Rules of Orphans' Court, except that filings shall be with the Prothonotary.

B. Inventories

Any fiduciary required to file an account shall file a signed and verified inventory within sixty days of appointment.

RULE 286. Sureties

A. General Requirements

Where security is required, a bond shall be filed and approved by the Prothonotary before any action is taken. One corporate surety or two individual securities shall be required.

B. Corporate Requirements

A corporate surety, except as identified in Pa.R.Civ.P. 105, shall file with the Prothonotary evidence that it is authorized to do business in Pennsylvania and its current financial statement, sworn to by an officer or authorized agent. A new financial statement must be filed at least annually by the third Monday of January. No corporation will be accepted as sole security for an amount greater than half its paid-in capital and surplus. The Prothonotary shall keep a list of qualified companies.

C. Individual Requirements

No bond shall be approved until each surety has filed an affidavit which states that the surety is the owner of real estate having a value in excess of the penalty of the bond

and which lists the surety's debts, liabilities and all legal exemptions. The affidavit shall state whether the surety is also a surety on any other obligations, and, if so, what they are. Tenants by the entireties shall be considered a single surety. No person concerned in the execution of process shall become a surety.

D. Objections

Any party in interest may object to the security in accordance with Pa.R.Civ.P. 1535.

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RULE 430. Service Pursuant to Special Order of Court. Publication

The Lancaster Law Review is designated as the legal publication for the publication of legal notices.

RULE 440.1. Proof of Service

A proof of service shall conform to Pa. R.A.P. 122.

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RULE 1018.1. Notice to Defend

The following is designated to be named in the Notice to Defend as the organization from which information can be obtained:

Lancaster Bar Association
Lawyer Referral Service
Telephone: 717-393-0737

RULE 1028(c). Preliminary Objections

A. Preliminary Objections Pursuant to Pa. R.Civ.P. 1028(a)(2), (3) or (4).

1. Proposed Order. All preliminary objections shall be accompanied by a proposed order.

2. Stipulated Matters. If the parties agree to the relief sought, the

preliminary objections shall be accompanied by a stipulation signed by all affected counsel or unrepresented parties, a proposed order and a praecipe to assign the stipulated matter for disposition.

3. Brief. The party filing preliminary objections shall file a supporting brief within ten days of the date of filing of the preliminary objections. If a supporting brief is not filed within ten days of the filing of the preliminary objections, the preliminary objections shall be deemed withdrawn upon praecipe of the respondent. In that event, the objecting party shall file an answer to the complaint within twenty days of the date the praecipe is filed.

4. Responsive Brief. If a supporting brief is filed, the respondent shall file a responsive brief within twenty days after service of the supporting brief.

5. Reply Brief. The moving party may file a reply brief within five days after service of the responsive brief.

6. Assignment. After all briefs are filed **any party may make a request to Chambers for disposition by filing a praecipe for disposition. The praecipe shall include the filing dates of the preliminary objections and brief, the responsive brief and the reply brief (if any).The prothonotary shall then forward the preliminary objections, brief, responsive brief and reply brief (if any) to chambers for disposition. [the Prothonotary shall deliver the file to the assigned judge for disposition.]**

7. Oral Argument. Any party may request oral argument by filing a praecipe at the time of the filing of their brief. Oral argument shall be at the discretion of the judge.

B. Preliminary Objections Pursuant to Pa. R.Civ.P. 1028(a)(1), (5) or (6).

C. If the parties agree to extend the briefing schedule, the parties shall file a Notice of Extension of Briefing Schedule setting forth the agreed upon extension. The Objection(s) at issue will be sent to the assigned judge for disposition **[upon completion of the agreed upon briefing schedule or] by the filing of a praecipe for disposition** of any party.

Any party filing preliminary objections pursuant to Pa. R.Civ.P. 1028(a)(1), (5) or (6) shall attach a notice to plead. Such objections are governed by Local Rules 206.1(a), 206.4(c) and 206.7.

RULE 1034(a). Motion for Judgment on the Pleadings

A. Proposed Order. All motions shall be accompanied by a proposed order.

B. Stipulated Matters. If the parties agree to the relief sought, the motion shall be accompanied by a stipulation signed by all affected counsel or unrepresented parties, a proposed order and a praecipe to assign the stipulated matter for disposition.

C. Motion and Brief. The moving party shall file the motion, proposed order and a supporting brief concurrently. If a brief is not filed with the motion, the motion shall be deemed withdrawn, without prejudice, upon praecipe of an opposing party.

D. Responsive Brief. Within twenty days after service of the moving party's motion and brief, any party opposing the motion shall file a responsive brief.

E. Reply Brief. The moving party may file a brief in reply to the responsive brief within five days after service of the responsive brief.

F. Disposition. After all briefs are filed **any party may make a request to Chambers for disposition by filing a praecipe for disposition. The praecipe shall include the filing dates of the motion and brief, the responsive brief, and the reply brief (if any).** The Prothonotary shall deliver **the motion and brief, the responsive brief, the reply brief (if any) [the file]** to the assigned judge for disposition.

G. Oral Argument. Any party may request oral argument by filing a praecipe, at the time of the filing of their brief. Oral argument shall be at the discretion of the judge.

Revised 12-5-24

Effective 3-10-25

RULE 1035.2(a). Motion for Summary Judgment

A. Proposed Order. All motions shall be accompanied by a proposed order.

B. Stipulated Matters. If the parties agree to the relief sought, the motion shall be accompanied by a stipulation signed by all affected counsel or unrepresented parties, a proposed order and a praecipe to assign the stipulated matter for disposition.

C. Motion and Brief. The moving party shall file the motion, a proposed order and a supporting brief concurrently. If a brief is not filed with the motion, the motion shall be deemed withdrawn, without prejudice, upon praecipe of an opposing party.

D. Responsive Brief. Within thirty days after service of the moving party's motion and brief, any party opposing the motion shall file a responsive brief, together with any opposing affidavits, depositions, transcripts or other documents. Any party who fails to file a responsive brief shall be deemed not to oppose the motion.

E. Reply Brief. The moving party may file a brief in reply to the responsive brief within five days after service of the responsive brief.

F. Disposition. After all briefs are filed **any party may make a request to Chambers for disposition by praecipe. The praecipe shall include the filing dates of the motion and brief, the responsive brief and the reply brief (if any).** The Prothonotary shall deliver the [file] **motion and brief, the responsive brief and the reply brief (if any)** to the assigned judge for disposition.

G..Oral Argument. Any party may request oral argument by filing a praecipe, at the time of the filing of their brief. Oral argument shall be at the discretion of the judge.

Revised 12-5-24

Effective 3-10-25

RULE 1301. Compulsory Arbitration. Scope

A. All civil suits or actions and landlord tenant disputes, where the amount in controversy is \$50,000.00 or less, when at issue, shall first be submitted to arbitration. In all landlord tenant disputes where the amount of alleged damages in controversy is \$50,000 or less, the arbitrators may award possession of the property in addition to any damages proven.

B. This Rule shall not apply to cases involving title to real estate, cases which have been consolidated for trial with cases involving more than \$50,000.00 or cases requiring equitable or declaratory relief.

C. A case is at issue 120 days after the filing of the answer.

D. When the case is at issue, the Prothonotary shall notify the District Court Administrator.

Revised 7-12-17

Effective 10-30-17

RULE 1302. List of Arbitrators. Appointment to Board

The President Judge shall appoint attorneys to serve as arbitrators and as chairpersons of boards of arbitrators. The District Court Administrator shall maintain the lists of attorneys so appointed and shall assign the attorneys to serve from those lists.

RULE 1303. Hearing. Notice

The District Court Administrator shall fix the date, time and place of the hearing, assign the arbitrators and give notice to the parties not less than sixty days before the hearing.

RULE 1308. Arbitrators' Compensation

Arbitrators and chairpersons shall be compensated at rates established by the President Judge.

RULE 1507. Notice Pursuant to Pa. R.Civ.P. 1507

When notice is required pursuant to Pa. R.Civ.P. 1507:

- A. The notice shall be given by publication pursuant to Pa. R.Civ.P. 430 and Local Rule 430.
- B. The notice shall state:
 1. That an action has been filed.
 2. The caption of the case as defined in Pa. R.Civ.P. 1018.
 3. The nature of the action and the relief sought.
 4. The nature of the noticed party's interest in the property.

C. The notice shall also state that the noticed party may appear in the action and that, if the party fails to do so within thirty days of the publication, a

decree which may bind the party's interests may be entered.

Revised 12-5-24

Effective 3-10-25

RULE 2039. Compromise, Settlement, Discontinuance and Distribution

A. Contents of Petition

A petition for leave to compromise, settle or discontinue an action in which a minor is a party or an action for wrongful death in which a minor is interested shall set forth:

1.The amount of the proposed settlement

2.The facts of the case

3.The damages sustained.

4. All expenses incurred or to be incurred, including counsel fees.

5.Any other relevant information.

B. Hearing

The Court may require a hearing to determine whether the proposed compromise, settlement or discontinuance should be approved.

C. Appearance at Hearing

Necessary parties and witnesses shall appear at the hearing unless excused for cause shown.

Revised 12-5-24

Effective 3-10-25

RULE 2064. Compromise, Settlement, Discontinuance and Distribution

A petition for leave to compromise, settle or discontinue an action in which an incapacitated person is a party shall be governed by Local Rule 2039.

RULE 2206. Settlement, Compromise, Discontinuance and Judgment

A petition filed pursuant to Pa. R.Civ.P. 2206 shall be governed by Local Rule 2039.

Revised 12-5-24 Effective 3-10-25

RULE 3252. Writ of Execution

The following is designated to be named in the Writ of Execution Notice as the organization from which information can be obtained:

Lancaster Bar Association
Lawyer Referral Service
Telephone: 717-393-0737

RULE 4007.1. Procedure in Deposition by Oral Examination

A. A period of at least ten days is deemed reasonable notice as required by Pa.R.Civ.P. 4007.1(a).

B. Depositions shall be taken in Lancaster County unless the Court directs otherwise.

Revised 12-5-24 Effective 3-10-25