

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY PENNSYLVANIA

CIVIL DIVISION

IN RE:

ADMINISTRATIVE  
REGULATIONS

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No. 2022-1  
2023-1

**FILED**

DEC 16 2022

LAURA H. HOUGH  
PROTHONOTARY

**ADMINISTRATIVE ORDER**

AND NOW, this 16<sup>th</sup> day of December, 2022, it is ORDERED, ADJUDGED, and DECREED that the Administrative Regulations for calendar year 2023 are set forth below. The Administrative Regulations shall be effective January 2, 2023.

I. CALENDAR 2023

The following Court Calendar and judicial assignments are made for calendar year 2023. While this Administrative Order attempts to set forth a pattern designed to expedite the business of the Court, the members of the Bench shall remain flexible so that adjustments may be made if required to fulfill both our obligation and that of the practitioner to the administration of justice.

In the event of a recusal, that Judge shall complete a recusal form and forward same to the President Judge for reassignment. In the event a magisterial district judge seeks to recuse from a case, he or she must complete a recusal form and forward same to the Deputy Court Administrator for Special Courts for review by the President Judge.

The Court Administrator shall publish a Court Calendar incorporating the dates set forth herein and any other pertinent information for the benefit of the Bar and the public. The Court Calendar shall be available on the Court's website at [www.washingtoncourts.us](http://www.washingtoncourts.us) and in hard copy at the Court Administrator's office.

A. TRIAL TERMS

Selection dates for jury trials for the calendar year are established as follows:

Civil Jury Selection

|                  |                  |
|------------------|------------------|
| January 3 and 30 | July 3           |
| March 1          | August 1 and 31  |
| April 3          | October 2 and 30 |
| May 1            | December 1       |
| June 1           |                  |

Criminal Jury Selection

| Zone 1       | Zone 2       |
|--------------|--------------|
| January 9    | January 23   |
| February 6   | February 13  |
| March 20     | March 27     |
| April 17     | April 24     |
| May 8        | May 15       |
| June 5       | June 12      |
| July 10      | July 17      |
| August 7     | August 21    |
| September 11 | September 18 |
| October 16   | October 23   |
| November 6   | November 13  |
| December 4   | December 11  |

Jury selection shall commence on the dates noted above for civil and criminal cases. Judges hearing criminal cases shall make requests for jurors in writing at least one (1) week in advance of the jury selection date to the Court Administrator's Office, as it is presumed that such cases will begin after selection. Judges in civil cases shall coordinate with the Court Administrator's office at least six (6) weeks in advance of the jury selection date. The civil and criminal trial lists shall be managed by the individual judge to whom the cases have been assigned with the understanding that any case involving special circumstances in terms of length or use of resources should be coordinated well in advance of jury selection. This includes requests for jury selection involving a larger than typical panel size, which must be made a minimum of six (6) weeks in advance of the jury selection date.

B. ARGUMENT COURT

The Court Administrator shall set sessions for argument court in the Court Calendar, and shall assign cases to the argument list pursuant to Local Rule of Civil Procedure 302.

C. ORPHANS' COURT

Accounts shall be scheduled for audit on the following dates at 9:30 A.M. before the Judge assigned to Orphans' Court:

|            |              |
|------------|--------------|
| January 13 | July 14      |
| March 17   | September 15 |
| May 12     | November 17  |

The Motions Court schedule for Orphans' Court can be found on the Court's website at [www.washingtoncourts.us](http://www.washingtoncourts.us) and in the *Washington County Reports*. Copies of all Accounts

scheduled for Audit and a copy of every motion shall be provided prior to presentation to the Audit and Guardianship Clerk in the Court Administrator's office and to the Audit Attorney.

D. DUI CENTRAL COURT

All preliminary hearings in cases where driving under the influence is the highest graded offense, or no accompanying charges are graded above a misdemeanor, shall be scheduled for DUI Central Court. The assignment of cases in which the charges are graded equally, or other exceptional circumstances exist, shall be determined by the Court Administrator.

All continuance requests pertaining to DUI Central Court hearings shall be in writing and include the position of the other party. Continuance requests shall be submitted to the Deputy Court Administrator for Special Courts, who will review the requests and present such requests, as appropriate, to the President Judge for review and determination. Any continuance requested the day of the hearing shall be decided by the presiding magisterial district judge.

Defendants who have a second offense or greater DUI conviction in ten years, or defendants who have multiple lifetime DUI convictions shall be considered for placement into the Washington County DUI Repeat Offender Program (D.R.O.P) as a condition of bail. The D.R.O.P. conditions shall require the defendant to submit to and maintain compliance with: (1) a Secure Continuous Remote Alcohol Monitor (SCRAM); (2) an approved Remote Breath Monitoring device; and/or (3) be required to be screened for drug use via urine or oral fluid testing through the Washington County Adult Probation Office or as otherwise directed. Alleged violations of these monitoring/testing modalities will be sent to the District Attorney's Office for review, which may be brought before the judge(s) assigned to DUI cases for a bail revocation hearing, or other appropriate sanction.

The following schedule is established for DUI Central Court:

|             |              |
|-------------|--------------|
| January 13  | July 7       |
| January 20  | July 14      |
| January 27  | July 21      |
| February 3  | August 4     |
| February 17 | August 25    |
| February 24 |              |
| March 10    | September 1  |
| March 24    | September 8  |
| March 31    | September 22 |
| April 14    | October 13   |
| April 21    | October 20   |
| April 28    | October 27   |
| May 5       | November 3   |
| May 19      | November 17  |
| May 26      |              |
| June 2      | December 1   |
| June 16     | December 15  |
| June 30     |              |

The Court Administrator shall assign cases that are held for court among the designated Judges at the conclusion of the preliminary hearing.

## II. JUDGE OF TERM

A. Civil. The Judge of the Term shall preside over Motions Court for unassigned cases. He/she shall decide unassigned civil matters brought before him/her and schedule any proceedings, if necessary, to dispose of issues involving those cases. The Motions Courts schedule for the Judge of Term shall be posted on the website for the Court and in the *Washington County Reports*. If the Judge of the Term is changed or unavailable to hear motions, the regularly assigned Judge of the Term shall notify the President Judge, the Court Administrator, and the Washington

County Bar Association. The following schedule is established for the Judge of Term:

|                 |              |
|-----------------|--------------|
| January 1-15    | Judge Lucas  |
| January 16-31   | Judge Gilman |
| February 1-15   | Judge Lucas  |
| February 16-28  | Judge Gilman |
| March 1-15      | Judge Lucas  |
| March 16-31     | Judge Gilman |
| April 1-15      | Judge Lucas  |
| April 16-30     | Judge Gilman |
| May 1-15        | Judge Lucas  |
| May 16-31       | Judge Gilman |
| June 1-15       | Judge Lucas  |
| June 16-30      | Judge Gilman |
| July 1-15       | Judge Lucas  |
| July 16-31      | Judge Gilman |
| August 1-15     | Judge Lucas  |
| August 16-31    | Judge Gilman |
| September 1-15  | Judge Lucas  |
| September 16-30 | Judge Gilman |
| October 1-15    | Judge Lucas  |
| October 16-31   | Judge Gilman |
| November 1-15   | Judge Lucas  |
| November 16-30  | Judge Gilman |
| December 1-15   | Judge Lucas  |
| December 16-31  | Judge Gilman |

B. Criminal. For the year 2023, Criminal Trial responsibility has been primarily assigned to Judge Valarie Costanzo (Zone 1) and Judge Brandon Neuman (Zone 2). Preliminary matters on criminal cases shall be brought to the assigned Judge for disposition. Miscellaneous

matters that have not been assigned, such as extradition proceedings and assignment of defense counsel, should be presented to the Criminal Motions Judge unless specifically exempted below or provided otherwise. The Criminal Motions Judge schedule is as follows:

|           |   |                |
|-----------|---|----------------|
| January   | - | Judge Neuman   |
| February  | - | Judge Costanzo |
| March     | - | Judge Neuman   |
| April     | - | Judge Costanzo |
| May       | - | Judge Neuman   |
| June      | - | Judge Costanzo |
| July      | - | Judge Neuman   |
| August    | - | Judge Costanzo |
| September | - | Judge Neuman   |
| October   | - | Judge Costanzo |
| November  | - | Judge Neuman   |
| December  | - | Judge Costanzo |

Initial bond modification hearings brought by the Pretrial Services Unit of the Adult Probation Office, or a party's petition for modification of bond shall be presented to the Pretrial Services Judge(s). In the absence of exigent circumstances, no bond shall be modified unless the defendant has been assessed by pre-trial services.

All cases involving bail conditions for alleged crimes concerning domestic violence and abuse, violent acts including but not limited to homicide, rape, robbery, first degree burglary, involuntary deviate sexual intercourse, drug delivery resulting in death, or kidnapping, as defined within the Washington County Adult Probation and Parole Departmental on-call policy as Tier III, or serious potential public safety risks, shall be reviewed by the Pretrial Services Judge(s), including review of violations committed after-hours and judicial permission regarding any

potential detainment of an offender for violations of bail conditions. The Pretrial Services Judge(s) shall be the point of contact, including any other after-hours contact, necessary for matters concerning conditions of bail and pretrial services.

Initial Interest of Justice (“IOJ”) determinations for direct file cases involving juveniles shall be heard by a single assigned judge. Thereafter, the IOJ reviews are to be scheduled before and heard by the assigned criminal zone judge.

Fines, costs, fees, and restitution enforcement shall be assigned to the sentencing judge who originally assessed the same, and in the event that the original judge is no longer sitting, the enforcement proceedings shall be assigned to the criminal judge of term.

C. Motions Court. Motions relating to assigned cases must be presented to the Judge to whom the case has been assigned at his/her regularly scheduled Motions Court. The Motions Court schedules for the individual Judges can be found on the Court’s website at [www.washingtoncourts.us](http://www.washingtoncourts.us) and in the *Washington County Reports*; internal operating procedures are located on the Court’s website.

D. Abuse Act Actions. Judges assigned to hear Abuse Act Actions shall be available daily until the time set forth by local rule to hear temporary, *ex parte* petitions requesting an order of protection, and shall be available, if administrative procedures permit, to perform a preliminary arraignment of any defendant arrested for alleged contempt of a protection from abuse order pursuant to 23 Pa. Con. Stat. § 6113. The Court Administrator will develop an internal operating calendar for the hearing of temporary, *ex parte* Abuse Act Actions and proceedings related to the issuance of a decision/final order in accordance with Pennsylvania Rule of Civil Procedure 1901.7 for use among the assigned Judges.



III. JUDICIAL DUTIES AND ASSIGNMENTS

- A. PRESIDENT JUDGE DISALLE
  1. Problem-Solving Courts
  2. Orphans' Court (excluding Private Adoptions/Termination of Parental Rights)
  3. Criminal – DUI cases (Felony-grade)
  4. Capital Cases as assigned
  5. Administrative Duties
- B. JUDGE GILMAN
  1. Civil Jury and Non-Jury Trials
  2. Summary Appeals and License Suspension Appeals
  3. Back-up for Mental Health (Civil) Procedures and Appeals
- C. JUDGE COSTANZO
  1. Criminal Jury and Non-Jury Trials
  2. Criminal – DUI cases (Alcohol)
  3. Pretrial Services (Zone 1)
  4. Initial IOJ determinations/ Back-up for Juvenile Delinquency
  5. Fines, costs, and restitution (if the sentencing judge is no longer on the bench)
- D. JUDGE LUCAS
  1. Civil Jury and Non-Jury Trials
  2. Orphans' Court – Private Adoptions/Termination of Parental Rights
  3. Orphans' Court – Complex cases as assigned
  4. Mental Health (Civil) Procedures and Appeals
- E. JUDGE NEUMAN
  1. Criminal Jury and Non-Jury Trials
  2. Criminal – DUI (Non-alcohol)
  3. Pretrial Services (Zone 2)
  4. Fines, costs, and restitution (if the sentencing judge is no longer on the bench)
  5. Back-up Summary Appeals and License Suspension Appeals
- F. JUDGE McDONALD

1. Juvenile Dependency
  2. Termination of Parental Rights and Adoptions (Dependency)
  3. Juvenile Delinquency
  3. Back-up for Protection from Abuse Act Actions
  4. Back-up for Family Law
- G. **JUDGE PETTIT**
1. Family Law – Custody, Divorce, and Support Actions
  2. Protection from Abuse Act Actions (Temporary and Final)
  3. Back-up for Juvenile Dependency

These assignments designate areas of primary responsibility. All members of the Bench shall be available for assignment in every area of the Court as it may become necessary to effectuate the efficient operation of the Court. The Court Administrator shall have the authority to reassign cases among the members of the Bench.

Certain assignments noted herein, being DUI cases, summary appeals, license suspensions, and juvenile delinquency shall transition from the previously assigned judge over the course of the first four months of the year.

IV. APPOINTMENTS

- A. Prison Board – President Judge DiSalle
- B. Children’s Roundtable – Judge McDonald
- C. Constable Review Board – Judge Costanzo
- D. Local Court Security Committee – Judge Gilman

V. HOLIDAYS

A. The Court shall observe the holidays listed below during the 2023 calendar year, as established for county employees. In addition, the Court shall excuse lawyers of the Jewish Faith

from appearing in Court on Rosh Hashanah (September 15 – September 17) and Yom Kippur (September 24 – September 25).

|          |             |                             |
|----------|-------------|-----------------------------|
| Monday   | January 2   | New Year's Day              |
| Monday   | January 16  | Martin Luther King, Jr. Day |
| Monday   | February 20 | Presidents' Day             |
| Friday   | April 7     | Good Friday                 |
| Monday   | May 29      | Memorial Day                |
| Monday   | June 19     | Juneteenth                  |
| Tuesday  | July 4      | Independence Day            |
| Monday   | September 4 | Labor Day                   |
| Monday   | October 9   | Columbus Day                |
| Friday   | November 10 | Veterans' Day               |
| Thursday | November 23 | Thanksgiving                |
| Friday   | November 24 | Day after Thanksgiving      |
| Monday   | December 25 | Christmas Observed          |
| Tuesday  | December 26 | *Christmas Eve Observed     |

**B. CONFERENCES**

**Pennsylvania Conference of State Trial Judges**

February 22-24

July 26-28

**Washington County Bar Association Bench/Bar Conferences**

January 20

August 11

The Washington County Board of Judges is invited to attend the conferences for educational purposes and participation with the Washington County Bar Association. In the event a judge does not attend, he/she shall be available for Motions Court and any emergencies in the

judicial district.

VI. PUBLIC SCHOOL DISTRICTS

For the purpose of expediting this area of court business, matters affecting a public school district shall be brought to the judge assigned to hear those matters, except as follows:

1. Civil matters in which a jury trial is requested;
2. Tax Assessment Appeals; and
3. Eminent Domain.

The following assignments are made for the calendar year 2023:

|                         |                                       |
|-------------------------|---------------------------------------|
| President Judge DiSalle | Fort Cherry; McGuffey                 |
| Judge Gilman            | Ringgold; Washington                  |
| Judge Costanzo          | Bentworth; Peters                     |
| Judge Lucas             | Trinity; Intermediate Unit & Vo-Tech  |
| Judge Neuman            | Charleroi; Avella                     |
| Judge McDonald          | Beth-Center; Burgettstown; California |
| Judge Pettit            | Canon-McMillan; Chartiers-Houston     |

Tax assessment appeals shall be assigned as necessary by the Court Administrator. Eminent Domain and civil jury trial matters shall be assigned at random to the judges assigned to hear civil cases.

VII. MAGISTERIAL DISTRICT COURTS

A. Office Operations. Office hours for all magisterial district courts shall be 9:00 a.m. to 4:30 p.m., closed for the lunch hour from noon to 1:00 p.m. Any request for the establishment of evening hours for a district court are to be submitted to the Deputy Court Administrator for Special Courts for review and approval by the President Judge. Bank accounts are to be established in the name of the magisterial district court, and authorized signatories shall be the magisterial

district judge, the Deputy Court Administrator for Special Courts, and any other individual as approved by the President Judge.

B. Zone Prosecution. The criminal zones are set forth as follows:

|        |                    |                    |                    |
|--------|--------------------|--------------------|--------------------|
| Zone 1 | 27-1-01<br>27-3-06 | 27-2-01<br>27-3-07 | 27-3-01<br>27-3-10 |
| Zone 2 | 27-1-02<br>27-3-03 | 27-1-03<br>27-3-05 | 27-3-02            |

Zones are subject to revision by the President Judge, and individual cases may be reassigned as necessary irrespective of the originating zone.

C. Rule 117 Availability of Issuing Authorities. The schedule for “after-hours coverage” pursuant to Pa. R. Crim. P. 117(B)(4) is set forth below. A magisterial district judge shall be available in each criminal zone for matters set forth in Rule 117(A)(2) and for the issuance of emergency Abuse Act orders. The on-call/night duty magisterial district judge shall also be available during business hours in their district court office to provide back-up coverage for search and arrest warrants within their respective zones. Magisterial district judges are not permitted to change and/or “switch” their Rule 117 assignments without providing a written request to the Deputy Court Administrator for Special Courts and receiving approval from either the President Judge or the Administrator. It is the responsibility of the magisterial district judge changing assignment (if permitted) to notify Public Safety/911 Center and the District Attorney’s Office of the revision to the duty schedule.

| BEGINNING  | ZONE 1 MDJ | ZONE 2 MDJ | HOLIDAY            |
|------------|------------|------------|--------------------|
| JANUARY 2  | MELOGRANE  | KANALIS    | NEW YEAR’S DAY     |
| JANUARY 9  | HAVELKA*   | MANFREDI   |                    |
| JANUARY 16 | SAIEVA     | THOMPSON*  | MARTIN LUTHER KING |
| JANUARY 23 | STEWART*   | PORTER     |                    |

|              |            |           |                  |
|--------------|------------|-----------|------------------|
| JANUARY 30   | BRUNER     | WILSON*   |                  |
| FEBRUARY 6   | MCQUILLAN  | MANFREDI  |                  |
| FEBRUARY 13  | HAVELKA    | KANALIS*  |                  |
| FEBRUARY 20  | MELOGRANE* | PORTER    | PRESIDENTS' DAY  |
| FEBRUARY 27  | SAIEVA     | THOMPSON  |                  |
| MARCH 6      | STEWART    | MANFREDI* |                  |
| MARCH 13     | BRUNER     | KANALIS   |                  |
| MARCH 20     | MELOGRANE* | WILSON    |                  |
| MARCH 27     | HAVELKA    | PORTER*   |                  |
| APRIL 3      | SAIEVA     | THOMPSON  |                  |
| APRIL 10     | BRUNER*    | KANALIS   | GOOD FRIDAY      |
| APRIL 17     | STEWART    | WILSON*   |                  |
| APRIL 24     | MCQUILLAN* | PORTER    |                  |
| MAY 1        | MELOGRANE  | THOMPSON* |                  |
| MAY 8        | HAVELKA    | MANFREDI  |                  |
| MAY 15       | STEWART*   | KANALIS   |                  |
| MAY 22       | MCQUILLAN  | PORTER*   |                  |
| MAY 29       | SAIEVA*    | WILSON    | MEMORIAL DAY     |
| JUNE 5       | BRUNER     | MANFREDI  |                  |
| JUNE 12      | MELOGRANE* | PORTER    |                  |
| JUNE 19      | HAVELKA    | THOMPSON  | JUNETEENTH       |
| JUNE 26      | STEWART*   | WILSON    |                  |
| JULY 3       | MCQUILLAN  | KANALIS*  | INDEPENDENCE DAY |
| JULY 10      | SAIEVA*    | MANFREDI  |                  |
| JULY 17      | MELOGRANE  | PORTER*   |                  |
| JULY 24      | STEWART    | WILSON    |                  |
| JULY 31      | BRUNER*    | THOMPSON  |                  |
| AUGUST 7     | HAVELKA    | KANALIS   |                  |
| AUGUST 14    | SAIEVA     | PORTER    |                  |
| AUGUST 21    | MCQUILLAN* | WILSON    |                  |
| AUGUST 28    | STEWART    | THOMPSON* |                  |
| SEPTEMBER 4  | MELOGRANE  | MANFREDI* | LABOR DAY        |
| SEPTEMBER 11 | BRUNER     | KANALIS   |                  |
| SEPTEMBER 18 | MCQUILLAN* | WILSON    |                  |
| SEPTEMBER 25 | SAIEVA     | MANFREDI  |                  |

|             |            |           |               |
|-------------|------------|-----------|---------------|
| OCTOBER 2   | HAVELKA    | KANALIS   |               |
| OCTOBER 9   | STEWART*   | PORTER    | COLUMBUS DAY  |
| OCTOBER 16  | MCQUILLAN  | WILSON*   |               |
| OCTOBER 23  | MELOGRANE* | THOMPSON  |               |
| OCTOBER 30  | SAIEVA     | MANFREDI* |               |
| NOVEMBER 6  | HAVELKA    | WILSON    | VETERANS' DAY |
| NOVEMBER 13 | BRUNER*    | THOMPSON  |               |
| NOVEMBER 20 | STEWART    | MANFREDI  | THANKSGIVING  |
| NOVEMBER 27 | MCQUILLAN* | PORTER    |               |
| DECEMBER 4  | MELOGRANE  | KANALIS   |               |
| DECEMBER 11 | SAIEVA*    | THOMPSON  |               |
| DECEMBER 18 | BRUNER     | MANFREDI  |               |
| DECEMBER 25 | MCQUILLAN  | PORTER    | CHRISTMAS/EVE |

\* denotes DUI Central Court assignment on Friday of the on-call week

After-hours/on-call coverage assignments commence at 7 a.m. on the above-listed dates and end one week later at 6:59 a.m. the following Monday.

D. Central Court. Preliminary hearings for the below-identified categories of cases are to be heard in Central Court. The Court Administrator shall be responsible for the scheduling of Central Court as to the time and location, the assignment of necessary staff, and will determine the assignment of magisterial district judges to preside over Central Court cases. Except for DUI Central Court cases, all requests for a continuance prior to the preliminary hearing shall be made to the President Judge. DUI Central Court continuances are addressed above in Section I, D.

1. All preliminary hearings for criminal defendants charged with Criminal Homicide pursuant to 18 Pa. C. S. A. §§ 2501, 2502, 2503, 2505, 2506, 2507, 2603, 2604, and 2605, shall be scheduled for Central Court at the Courthouse.

2. The President Judge or the Court Administrator may transfer a particular case to Central Court in the interest of the efficient administration of justice, emergency, or due to size or safety concerns.

3. The Commonwealth or defense counsel may petition the President Judge to approve holding the preliminary hearing for a case at Central Court. Said petition must be presented at least three (3) business days before the date of the preliminary hearing and the articulate the reason(s) for the request.

E. Temporary Assignment of Issuing Authorities. Pursuant to Pa. R. Crim. P. 132, the assignment of temporary issuing authority is established among the magisterial district courts as follows:

|           |                    |                    |                    |
|-----------|--------------------|--------------------|--------------------|
| DISTRICTS | 27-1-01<br>27-3-06 | 27-2-01<br>27-3-07 | 27-3-01<br>27-3-10 |
| DISTRICTS | 27-1-02<br>27-3-03 | 27-1-03<br>27-3-05 | 27-3-02            |

These assignments are available for coverage in certain situations, including, but not limited to, illness, vacation, scheduling conflicts, attendance at centralized preliminary hearings, and participation in continuing education classes.

#### VIII. ADVANCED COMMUNICATION TECHNOLOGY

All judges are encouraged to continue to utilize advanced communication technology to conduct proceedings through Microsoft Teams, Polycom, audio device, or other forms of secure internet-based video conferencing and communication, and shall encourage members of the Bar and litigants to utilize such technology as well. Inmate transfers for court proceedings and other matters shall be limited to fullest extent possible.

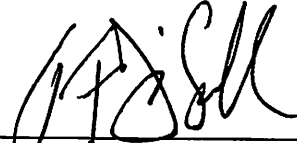
#### IX. COVERAGE

With respect to all of the foregoing assignments, when a Common Pleas Judge is unavailable due to vacation, illness, conference, etc., he or she shall be responsible for ensuring



coverage and shall notify the President Judge and the Court Administrator. Magisterial district judges who are unavailable due to vacation, illness, conference, etc., shall notify the Deputy Court Administrator for Special Courts, subject to any policy adopted pursuant to Pa. R.J. A. 605(B)(2).

BY THE COURT:



\_\_\_\_\_, P.J.  
John F. DiSalle, President Judge