

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY PENNSYLVANIA

CIVIL DIVISION

IN RE:

ADMINISTRATIVE
REGULATIONS

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No. 2020-1
2021-1

FILED

DEC 23 2020

L. H. HOUGH
PROTHONOTARY

ORDER

AND NOW, this 23rd day of Dec, 2020, it is ORDERED, ADJUDGED, and DECREED that the Administrative Regulations for calendar year 2021 are set forth below. The Administrative Regulations shall be effective January 4, 2021.

I. CALENDAR 2021

The following Court Calendar and judicial assignments are made for calendar year 2021. While this Administrative Order attempts to set forth a pattern designed to expedite the business of the Court, the members of the Court 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.

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 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 set forth below; provided, however, that dates may be altered due to the ongoing coronavirus (COVID-19)

pandemic.

Civil Jury Selection

January 4, 5, and 6	July 1 and 2
February 3 and 4	August 3, 4, and 5
March 2, 3, 4, and 31	September 1 and 2
April 1	October 1, 4, and 29
May 5 and 6	November 30
June 1 and 2	December 1

Criminal Jury Selection

Zone 1	Zone 2
January 11	January 25
February 1	February 8
March 15	March 22
April 12	April 19
May 10	May 24
June 14	June 21
July 12	July 19
August 9	August 16
September 13	September 20
October 12	October 18
November 1	November 15
December 6	December 13

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 be 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 other resources should be coordinated well in advance of jury selection.

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 15	July 23
March 19	September 17
May 21	November 5

The Motions Court schedule for Orphans' Court can be found on the Court's website at 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.

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.

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 Special Courts Administrator, who will review the requests and present such requests, as necessary, to the Pretrial Services Judge for review and determination. Any continuance requested the day of the hearing shall be decided on 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 Pretrial Services Judge for a bail revocation hearing or other sanction.

The following schedule is established for DUI Central Court; provided, however, that such dates may be altered due to the ongoing coronavirus (COVID-19) pandemic:

January 4	July 16
January 8	July 23
January 11	July 30

January 15
January 19
January 25
January 29

February 1
February 5
February 8
February 18
February 19

March 1
March 8
March 12
March 15
March 22
March 26

April 5
April 9
April 12
April 19
April 23
April 26

May 7
May 21
May 28

June 11
June 18
June 25

August 6
August 20
August 27

September 17
September 24

October 1
October 8
October 29

November 5
November 19

December 3
December 10
December 17

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.

For calendar year 2021, Judge Michael Lucas will be the Judge of the Term for the 1st -21st of every month, and Senior Judge Emery will be the Judge of the Term for the 22nd – the end of the month. Emergency civil matters involving unassigned cases will only be handled after first contacting judicial chambers for instructions.

B. Criminal. For the year 2021, Criminal Trial responsibility has been primarily assigned to Judge Gary Gilman and Judge Valarie Costanzo. 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 Gilman
February	-	Judge Costanzo
March	-	Judge Gilman
April	-	Judge Costanzo
May	-	Judge Gilman
June	-	Judge Costanzo
July	-	Judge Gilman
August	-	Judge Costanzo
September	-	Judge Gilman
October	-	Judge Costanzo
November	-	Judge Gilman
December	-	Judge Costanzo

Initial bond modification hearings brought by Pretrial Services, or a party's petition for

modification of bond shall be presented to the Pretrial Services Judge. No bond shall be modified unless the defendant has been assessed by Pretrial Services, absent exigent circumstances.

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, 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, 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 shall be the point of contact, as well as any other after-hours contact necessary for matters concerning conditions of bail and pretrial services.

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 and in the *Washington County Reports*; internal operating procedures are located on the Court's website.

D. Abuse Act Actions. The following schedule shall set forth the Judge of Term for Abuse Act Actions. The Judge assigned to hear temporary, *ex parte* Abuse Act Actions shall be available until 4:00 p.m. daily, 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.

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

III. JUDICIAL DUTIES AND ASSIGNMENTS

A. PRESIDENT JUDGE DISALLE

1. Criminal Specialty Courts
2. Pretrial Services
3. Orphans' Court (excepting Adoptions/Terminations of Parental Rights filed by Children and Youth Services, which shall be heard by the Dependency Judge)
4. Administrative Duties

B. JUDGE GILMAN

1. Criminal Jury and Non-Jury Trials
2. Mental Health (Civil) Procedures and Appeals
3. License Suspension Appeals

C. JUDGE COSTANZO

1. Criminal Jury and Non-Jury Trials
 2. Fines, Costs, and Restitution Enforcement
- D. JUDGE LUCAS
1. Civil Jury and Non-Jury Trials, including Asbestos Litigation
 2. Back-up for Mental Health (Civil) Procedures and Appeals
 3. Back-up for Criminal Specialty Courts and Pretrial Services
- E. JUDGE NEUMAN
1. Family Law – Custody, Divorce, and Support Actions
 2. Abuse Act Actions (Temporary and Final)
 3. Back-up for Juvenile Court
 4. Back-up for License Suspension Appeals
 5. Back-up for Summary Appeals
- F. JUDGE McDONALD
1. Juvenile Court Dependency
 2. Juvenile Court Delinquency
 3. Termination of Parental Rights and Adoptions (Dependency)
 4. Abuse Act Actions (Temporary and Final)
 5. Back-up in Family Law
- G. SENIOR JUDGES
1. Criminal – DUI Pleadings
 2. Civil Jury and Non-Jury cases as currently assigned (Senior Judge Emery)
 3. Summary Appeals
 4. Back-up for Orphans’ Court (Senior Judge Emery)
 5. Other matters as assigned

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, especially during the ongoing coronavirus (COVID-19) pandemic. The Court Administrator shall have the authority to reassign cases among the

members of the Bench.

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 2021 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 7 – September 8) and Yom Kippur (September 16 – September 17).

Friday	January 1	New Year’s Day
Monday	January 18	Martin Luther King, Jr. Day
Monday	February 15	Presidents' Day
Friday	April 2	Good Friday
Tuesday	May 18	Primary Election Day
Monday	May 31	Memorial Day
Friday	July 5	Independence Day
Monday	September 6	Labor Day
Monday	October 11	Columbus Day
Thursday	November 11	Veterans’ Day
Thursday	November 25	Thanksgiving
Friday	November 26	Day after Thanksgiving
Friday	December 24	Christmas Observed
Friday	December 31	New Year’s Day Observed

B. CONFERENCES

Pennsylvania Conference of State Trial Judges

~~February 24-26~~

July 28-30

Washington County Bar Association Bench/Bar Conferences

March 12

August 20

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 2021:

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

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. ADVANCED COMMUNICATION TECHNOLOGY

During the ongoing coronavirus (COVID-19) pandemic, all judges shall continue to utilize advanced communication technology to conduct proceedings through Microsoft Teams, Polycom, or 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.

VIII. COVERAGE

With respect to all of the foregoing assignments, when a Judge is unavailable due to vacation, illness, conferences, etc., he/she shall be responsible for ensuring coverage and shall notify the President Judge and the Court Administrator.


_____, P.J.
PRESIDENT JUDGE KATHERINE B. EMERY


_____, J.
JUDGE JOHN F. DISALLE