

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY PENNSYLVANIA

CIVIL DIVISION

IN RE:

AMENDED)
ADMINISTRATIVE) No. 2021-1
REGULATIONS) 2022-1
)

FILED
DEC 27 2021
L. H. HOUGH
PROTHONOTARY

ADMINISTRATIVE ORDER

AND NOW, this 27th day of December, 2021, it is ORDERED, ADJUDGED, and DECREED that the Administrative Regulations for calendar year 2022 are AMENDED as set forth below. The Administrative Regulations shall be effective January 3, 2022.

I. CALENDAR 2022

The following Court Calendar and judicial assignments are made for calendar year 2022. 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 follows:

Civil Jury Selection

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

Criminal Jury Selection

Zone 1	Zone 2
January 10	January 24
February 7	February 14
March 14	March 21
April 4	April 25
May 9	May 16
June 6	June 13
July 11	July 18
August 15	August 22
September 12	September 19
October 17	October 24
November 7	November 14
December 5	December 12

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 use of 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 14	July 15
March 18	September 16
May 13	November 18

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. 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, Special Courts, who will review the requests and present such requests, as necessary, to the judge assigned to DUI cases 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 judge assigned to DUI cases for a bail revocation hearing, or other appropriate sanction.

The following schedule is established for DUI Central Court:

January 7	July 8
January 14	July 15

January 21 January 28	July 22
February 4 February 11 February 25	August 5 August 19 August 26
March 4 March 18 March 25	September 9 September 16 September 23
April 8 April 22 April 29	October 14 October 21 October 28
May 6 May 13 May 20	November 4 November 18
June 3 June 17 June 24	December 2 December 9 December 16

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 January 16-31	Judge Lucas Judge Gilman
February 1-15 February 16-28	Judge Lucas 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 2022, 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 Costanzo
February	-	Judge Neuman
March	-	Judge Costanzo
April	-	Judge Neuman
May	-	Judge Costanzo
June	-	Judge Neuman
July	-	Judge Costanzo
August	-	Judge Neuman
September	-	Judge Costanzo
October	-	Judge Neuman
November	-	Judge Costanzo
December	-	Judge Neuman

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). No bond shall be modified unless the defendant has been assessed by pre-trial 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, 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.

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 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 (excepting Private Adoptions/Terminations of Parental Rights)
3. Administrative Duties

- B. JUDGE GILMAN
 - 1. Civil Jury and Non-Jury Trials
 - 2. Criminal – DUI cases (excluding jury trials)
- C. JUDGE COSTANZO
 - 1. Criminal Jury and Non-Jury Trials
 - 2. Pretrial Services (Zone 1)
 - 3. Juvenile Delinquency
 - 4. 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. Mental Health (Civil) Procedures and Appeals
- E. JUDGE NEUMAN
 - 1. Criminal Jury and Non-Jury Trials
 - 2. Pretrial Services (Zone 2)
 - 3. Summary Appeals
 - 4. License Suspension Appeals
 - 5. Fines, costs, and restitution (if the sentencing judge is no longer on the bench)
 - 6. Back-up for Juvenile Dependency
 - 7. Back-up for Family Law
- F. JUDGE McDONALD
 - 1. Juvenile Dependency
 - 2. Termination of Parental Rights and Adoptions (Dependency)
 - 3. Back-up for Protection from Abuse Act Actions
 - 4. Back-up for Juvenile Delinquency
- G. JUDGE-ELECT PETTIT
 - 1. Family Law – Custody, Divorce, and Support Actions
 - 2. Protection from Abuse Act Actions (Temporary and Final)

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.

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 2022 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 26 – September 27) and Yom Kippur (October 4 – October 5).

Monday	January 17	Martin Luther King, Jr. Day
Monday	February 21	Presidents' Day
Friday	April 15	Good Friday
Monday	May 30	Memorial Day
Monday	June 20	Juneteenth
Monday	July 4	Independence Day
Monday	September 5	Labor Day
Monday	October 10	Columbus Day
Friday	November 11	Veterans' Day
Thursday	November 24	Thanksgiving
Friday	November 25	Day after Thanksgiving
Friday	December 23	Christmas Eve Observed

Monday December 26 Christmas Observed

B. CONFERENCES

Pennsylvania Conference of State Trial Judges

February 23-25

July 27-29

Washington County Bar Association Bench/Bar Conferences

March 11

August 12

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 2022:

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

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. On-Call/Night Duty and DUI Central Court. The assignments for on-call/night duty and DUI Central Court availability are established as follows:

BEGINNING	MDJ	HOLIDAY
JANUARY 3	HAVELKA	
JANUARY 10	WILSON	
JANUARY 17	SAIEVA	MARTIN LUTHER KING
JANUARY 24	KANALIS	
JANUARY 31	MANFREDI	
FEBRUARY 7	BRUNER	
FEBRUARY 14	MCQUILLAN	
FEBRUARY 21	THOMPSON	PRESIDENTS' DAY
FEBRUARY 28	PORTER	
MARCH 7	STEWART	
MARCH 14	SAIEVA	
MARCH 21	BRUNER	
MARCH 28	MCQUILLAN	
APRIL 4	HAVELKA	
APRIL 11	WILSON	GOOD FRIDAY
APRIL 18	KANALIS	
APRIL 25	PORTER	
MAY 2	THOMPSON	
MAY 9	BRUNER	
MAY 16	STEWART	
MAY 23	HAVELKA	
MAY 30	MANFREDI	MEMORIAL DAY

JUNE 6	WILSON	
JUNE 13	SAIEVA	
JUNE 20	THOMPSON	JUNETEENTH
JUNE 27	KANALIS	
JULY 4	PORTER	INDEPENDENCE DAY
JULY 11	MCQUILLAN	
JULY 18	MANFREDI	
JULY 25	BRUNER	
AUGUST 1	SAIEVA	
AUGUST 8	WILSON	
AUGUST 15	STEWART	
AUGUST 22	THOMPSON	
AUGUST 29	PORTER	
SEPTEMBER 5	KANALIS	LABOR DAY
SEPTEMBER 12	MANFREDI	
SEPTEMBER 19	MCQUILLAN	
SEPTEMBER 26	STEWART	
OCTOBER 3	WILSON	
OCTOBER 10	HAVELKA	COLUMBUS DAY
OCTOBER 17	BRUNER	
OCTOBER 24	PORTER	
OCTOBER 31	MANFREDI	
NOVEMBER 7	THOMPSON	VETERANS' DAY
NOVEMBER 14	SAIEVA	
NOVEMBER 21	MCQUILLAN	THANKSGIVING
NOVEMBER 28	HAVELKA	
DECEMBER 5	KANALIS	
DECEMBER 12	WILSON	
DECEMBER 19	STEWART	CHRISTMAS
DECEMBER 26	BRUNER	NEW YEARS DAY

B. Office Operations. All current hours of operation are to remain in effect for each magisterial district court. Proposed changes to hours of operation 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.

C. 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	27-2-01	27-3-01
	27-3-06	27-3-07	27-3-10
DISTRICTS	27-1-02	27-1-03	27-3-02
	27-3-03	27-3-05	

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

During the ongoing coronavirus (COVID-19) pandemic, all judges shall, to the extent permitted, 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.

BY THE COURT:


_____, P.J.
John F. DiSalle, President Judge