

**RULE 1035.2(a) – MOTION FOR SUMMARY JUDGMENT—PROCEDURES
FOR DISPOSITION**

- (1) A Motion for Summary Judgment shall be filed with the Prothonotary and served on all other parties.
- (2) A response to the Motion for Summary Judgment shall be filed within thirty days after service of the Motion for Summary Judgment.
- (3) A brief in support shall be filed within twenty days after service of the response to the Motion for Summary Judgment.
- (4) A brief in opposition shall be filed within twenty days after service of the brief in support of the Motion for Summary Judgment.
- (5) Oral argument may be requested as set forth in Local Rule 211.
- (6) The Motion for Summary Judgment is ready for assignment to a judge when the briefing requirements set forth above are met or the time permitted for the filing of briefs has elapsed. When said requirements are met, either party may file an original and one copy of a Certificate of Readiness with the Prothonotary.
- (7) The Prothonotary shall forward the original Certificate of Readiness to the Court Administrator's Office and retain a copy in the file.
- (8) The Court Administrator's Office shall promptly assign the Motion for Summary Judgment to a judge who has had prior significant involvement with the case or, if no judge has had prior significant involvement, to a judge on a rotating basis.
- (9) The Assigned Judge shall issue a scheduling order, which will include any additional briefing requirements and an argument date (if necessary). If the Assigned Judge determines that argument is advisable before a three-judge panel, the Assigned Judge and the Court Administrator's Office will make the necessary scheduling arrangements for such panel argument. Parties shall provide a copy of all subsequent pleadings, filings, briefs and memoranda related to the Motion for Summary Judgment to the Court Administrator's Office for distribution to the assigned judge. No cover letter is required.
- (10) The Certificate of Readiness form is available in the Prothonotary's Office, in the Court Administrator's Office and online at the Dauphin County website (www.dauphincounty.org). Parties filing a Certificate of Readiness form must ensure that the most current form is utilized. Failure

to utilize the most current form shall result in the rejection of the Certificate of Readiness.

COMMENT: Rule 1035.2(a) was amended to provide time frames for response(s) and briefs. A Certificate of Readiness may be filed after the response(s) and briefs have been filed or at the expiration of the time lines contained in this rule. The purpose of the amendment is to provide for the assignment of the matter to a judge when the matter is ready for disposition.