

RULE 1303 – LISTING OF A CASE. NOTICE. LOCATION. CONTINUANCES.

- (a) (1) When a case is **READY IN ALL RESPECTS** for arbitration, a party may file an original and one copy of a Certificate of Readiness with the Prothonotary in accordance with the timelines established in the Annual Court Calendar. The Prothonotary shall forward all original Certificate of Readiness forms to the Court Administrator's Office. The Chair of the arbitration panel shall prepare the list of cases and send the list of cases to all attorneys and pro se parties involved in the cases. The Certificate of Readiness shall contain the following statement:

This matter will be heard by a Board of Arbitrators at the time, date, and place specified by the Chair of the panel but, if one or more of the parties is not present at the hearing, the matter may be heard at the same time and date before a Judge of the Court without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a Judge.

A hearing under the provisions of this notice shall be heard by the Arbitration Judge if his/her schedule so permits.

- (2) At least thirty days prior to filing a Certificate of Readiness, a party or attorney must notify all other parties or attorneys of the intention to list.
- (3) All hearings shall be in the Dauphin County Courthouse unless otherwise agreed to in writing by the parties or attorneys and the Court Administrator.
- (4) 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](http://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.
- (b) Continuances
- (1) The original and one copy of a pleading designated as an Application for Continuance shall be filed with the Prothonotary. The Prothonotary shall immediately forward the original to the Court Administrator's Office and retain the copy in the file. The Court Administrator's Office shall forward the Application to the Arbitration Chair if the case is less than two years old. If the case is more than two years old, the Court Administrator's Office shall forward the Application to the Arbitration Judge. Applications for Continuance shall be served concurrently upon all other parties. No continuance shall be granted if filed less than ten days prior to the

beginning of the arbitration term except in the most extraordinary circumstances. A courtesy copy of the Application shall be sent to the Arbitration Chair.

- (2) The Application for Continuance shall certify that all other parties do or do not concur in the request.
- (3) If all parties concur, and the case is less than two years old, the panel Chair shall approve the Application for Continuance and file an order continuing the matter and directing the parties to file a Certificate of Readiness for a subsequent term.
- (4) If a party does not concur, and the case is less than two years old, the panel Chair shall convene a telephone conference among all parties, and shall make a decision on the Application for Continuance. The Chair shall then inquire if any aggrieved party wishes to appeal the matter to the Arbitration Judge.
  - (a) If a party indicates an intention to contest the decision of the panel Chair, an Application for Continuance shall thereafter be presented to the Arbitration Judge, reciting the date the Application for Continuance was presented to the panel Chair, the date of the conference call, the names of the attorneys and parties who participated in the call, and the panel Chair's decision.
  - (b) If no party indicates an intention to contest the decision of the panel Chair, the panel Chair shall file an order with the Prothonotary indicating the decision.
- (5) Only one request for continuance will be granted for cases less than two years old, and none shall be granted for those over two years old, except with leave of court for cause shown.