

**RULES OF CIVIL PROCEDURE FOR THE COURT OF COMMON
PLEAS OF LEBANON COUNTY, PENNSYLVANIA**

RULE 52-51: TITLE AND CITATION OF RULES.

All Civil procedural rules adopted by the Court of Common Pleas of Lebanon County shall be known as the Lebanon County Rules of Civil Procedure and shall be cited as “Leb.Co.R.Civ.P. ___”.

RULE 52-52: EFFECTIVE DATE.

(A) A rule or amendment to a rule shall be effective upon the date specified therein.

(B) If no effective date is specified, the rule or amendment shall be effective on the first day of July or January following the thirtieth day after its adoption, whichever is earlier.

(C) Unless otherwise specified, a rule or an amendment to a rule shall apply to actions pending on the effective date.

RULE 52-53: INTENT OF RULES.

These Rules are intended to implement and supplement the Pennsylvania Rules of Civil Procedure, and shall govern Civil practice and procedure in the Court of Common Pleas of Lebanon County.

RULE 52-76: DEFINITIONS.

Unless the context clearly indicates otherwise, the words and phrases used in any Rule promulgated by the Court of Common Pleas of Lebanon County shall be given the same meanings as those words and phrases are given in Pa.R.Civ.P. 76, except:

- (1) "Court" or "The Court" shall mean the Court of Common Pleas of Lebanon County.
- (2) "Rule" shall mean any rule of court promulgated by the Court of Common Pleas of Lebanon County.

RULE 52-205.2(a): PAPERS AND DOCUMENTS; FILING.

- (A) All papers and documents desired to be made part of the Court record shall be filed in the office of the Prothonotary. Once filed, all record documents shall be in the custody of the Prothonotary, who shall be responsible for their safekeeping.
- (B) Two copies of all Briefs and/or Memoranda of Law shall be provided to Court Administration simultaneously with their filing in the Prothonotary's Office.
- (C) Copies of all Appeals, Exceptions or Post-Trial Motions are to be provided directly to the Chambers of the Judge whose decision is being challenged.
- (D) Arbitrators, Auditors or other officials appointed by the Court shall have authority to remove documents from the Prothonotary's Office as may be necessary for the purposes of their appointment.
- (E) All papers, pleadings, and documents filed with the Court shall be on 8 ½ by 11 inch paper.

- (F) All petitions or motions setting forth allegations of fact shall be accompanied by a verification signed by a person having knowledge of the facts contained therein.

RULE 52-205.4: ELECTRONIC FILING AND SERVICE OF LEGAL PAPERS.

(A) General Provisions.

- (1) All legal papers may be filed electronically with the Prothonotary through CountySuite.

- (2) As used in this Rule, electronic filing (e-filing) shall mean the electronic transmission of legal papers by means other than facsimile transmission or e-mail using the system made available by the Prothonotary.

- (3) Registration.

- (a) Electronic filers must register with CountySuite in accordance with the CountySuite User Manual.

- (b) All registered users must be individuals and not entities, including but not limited to law firms, agencies, corporations, or government entities.

- (c) Registered users shall change their address or other contact information with CountySuite within ten (10) days of any change.

(B) Form of Documents Electronically Filed.

- (1) Format. Legal papers shall be presented for filing in a Portable Document Format (PDF).

- (2) Title of Documents. The title of each electronically filed document shall include:
 - (a) Descriptive title of the document;
 - (b) [Identity of the] Party or parties filing the document;
 - (c) [Identity of the] Party or parties against whom relief, if any, is sought; and
 - (d) Nature of the relief sought (e.g., Motion for Summary Judgment of Defendant ABC Corp. against Plaintiff Miller).

- (3) Signature and Verification.
 - (a) The electronic filing of legal papers utilizing the username and password [assigned by CountySuite] constitutes the party's signature. The legal paper must include a signature block and the name of the filer under whose username and password the legal paper is submitted. The legal paper may be submitted with the filer's scanned signature or /s/ and the filer's name typed in the space where the signature would otherwise appear on the legal paper. The Pennsylvania Supreme Court Attorney Identification Number must be included under the signature line. The correct format of the attorney signature is:

/s/ Attorney Name
PA Supreme Court ID #
Attorney for [Party]
Law Firm
Address
Telephone Number
E-Mail Address
Fax Number

(b) The verification required by Pa.R.Civ.P. 206.3 and Pa.R.Civ.P. 1024 and the signature page(s) of any document or legal paper executed by any party other than the filing party must be included in the electronic filing in PDF format at the time the legal paper is submitted.

(C) Public Access to Docket.

- (1) Public access to the Prothonotary's docket and CountySuite are available on the internet at the Prothonotary's website.
- (2) The Prothonotary shall also make a public access terminal available to the general public to allow access to the Court's electronic case record in all electronically filed cases in the Prothonotary's office. The public access terminals will provide the same level of access to cases that is provided to the public excluding any cases sealed by court order, statute or rule of court.

(D) Fees.

- (1) The Prothonotary will accept credit cards for payment of all e-filing fees. The Prothonotary will not accept advance deposits for payment of future filing fees. Electronic filers shall alert the Prothonotary's office of any payment errors as soon as possible and not later than forty-five (45) days after the payment date.
- (2) The Prothonotary is authorized to charge a convenience fee for credit card payments. The convenience fee will be as stated in the current Prothonotary fee schedule.

(E) Filings Under Seal.

- (1) Documents intended to be filed under seal shall be designated as "sealed" in CountySuite. However, designation of documents as "sealed" does not seal the documents. In addition to making the designation in CountySuite, the filing party must also submit a proper Motion for sealing documents to the Court.
- (2) Confidential Information Forms and documents properly filed with a Confidential Document Form pursuant to Case Records Policy of the United Judicial System of Pennsylvania will be sealed without motion.
- (3) The filing details and document title will appear in CountySuite. The sealed documents and Confidential

Information Forms can be viewed only by the Court, Court staff, Court Administration, Prothonotary staff, and case participants.

(F) Filing.

- (1) The Prothonotary shall provide access to CountySuite at all times except during periods of required maintenance.
- (2) The date and time of filing of a legal paper shall be recorded by CountySuite. CountySuite shall provide the filing party with an electronic mail acknowledgment which includes the date and time the legal paper was received by CountySuite.
- (3) Once filed, the legal paper shall be reviewed by the Prothonotary, and the filing party will receive notification that the legal paper was either accepted or rejected. Legal documents will only be reviewed by the Prothonotary staff during normal business hours. The date of filing shall be the date the document was received by CountySuite, not the date of acceptance.
- (4) When the legal paper is accepted by the Prothonotary, the electronic document is the official record. An electronic filer is not required to file any paper copies unless specifically required by the Court or the Lebanon County Rules of Civil Procedure.

- (5) If a legal paper is accepted for filing by the Prothonotary, it shall be deemed to have been filed the date and time it was received by CountySuite. If a legal paper is submitted without the requisite fees, the legal paper shall be deemed to have been accepted for filing as of the date payment is received, pursuant to 42 P.S. §21073(b).
 - (6) A legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes.
 - (7) A legal paper filed electronically which requires action by the Court, shall be printed and provided to Court Administration through the normal course of business.
- (G) Service.
- (1) The filing party is responsible for service of the filed documents in accordance with the applicable rules of court. CountySuite does not have a service component.
 - (2) Once an electronic filing has been accepted by the Prothonotary, it shall be the responsibility of the filing party to provide to the Sheriff the proper service fee and documents for original service and writs.

(H) Miscellaneous.

- (1) The filing deadline for any document filed electronically shall be 11:59:59 p.m. EST/EDT on the date it is due.
- (2) If a registered user believes the unavailability of CountySuite prevented a timely filing, the registered user may file a motion within ten (10) days of the registered user's attempt to file the document. The motion shall state the date and time of the first unsuccessful attempt to file the document electronically and why the delay was prejudicial.

RULE 52-205.6: CONFIDENTIAL INFORMATION

(A) Confidential Information Form.

Any party filing a legal document containing confidential information, as that term is defined in Lebanon County Rule of Judicial Administration Rule 101, should do so by filing a redacted copy of the document together with a Confidential Information Form containing such confidential information pursuant to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. Confidential Information Forms shall be available in the Prothonotary's office and on the Court's website.

(B) Confidential Document Form.

Any party filing a document deemed to be confidential, as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania, should do so by filing the confidential document together with a Confidential Document Form. Confidential Document Forms shall be available in the Prothonotary's office and on the Court's website.

RULE 52-206.1(a): PETITIONS

- (A) All uncontested motions shall be treated as Petitions as that term is defined in Pa.R.Civ.P. 206.1.
- (B) All petitions must be filed in accordance with Rule 52-205.2.
- (C) All petitions must be served upon all opposing parties in accordance with Rule 52-440.
- (D) All uncontested petitions shall be processed in accordance with Rule 52-206.7 and Rule 52-208.2.
- (E) Unless a petition is certified as uncontested, it must be accompanied by an Order or Rule to Show Cause that is substantially in compliance with Pa.R.Civ.P. 206.6.
- (F) Whenever a responding party files an answer to a petition, it shall be deemed a contested matter. Contested matters will be handled in accordance with Pa.R.Civ.P. 206.7.
 - (1) Praeceptum for Disposition

(a) For all contested matters where no disputed issues of material fact exist, any party may file a Praecipe for Disposition substantially in the following form:

Plaintiff : IN THE COURT OF COMMON PLEAS
vs. : LEBANON COUNTY, PENNSYLVANIA
Defendant : CIVIL DIVISION
: NO.

PRAECIPE FOR DISPOSITION

TO THE PROTHONOTARY:

Please transmit the accompanying _____
(List Motion or Petition)

to the Court for disposition pursuant to Leb.R.Civ.P. 205.5.

Judge Previously Assigned to this matter:

Oral Argument [is] [is not] requested.

The names and addresses of all opposing counsel/unrepresented litigants are as follows:

By:
Name
I.D. #
Address
Phone Number
Attorney for

(b) Once a Praeceptum for Disposition has been filed, the Court will establish a schedule for filing of briefs and/or argument and notify all parties of that schedule.

(2) Praeceptum for Hearing.

(a) For all contested matters in which there are disputed issues of fact, discovery may be conducted by leave of Court pursuant to Pa.R.Civ.P. 206.7. Following the completion of any permitted discovery, any party may file a Praeceptum for hearing substantially in the following form:

Plaintiff : IN THE COURT OF COMMON PLEAS
 : LEBANON COUNTY, PENNSYLVANIA
vs. : CIVIL DIVISION
 :
Defendant : NO.

PRAECEPTUM FOR HEARING

TO THE PROTHONOTARY:

Please transmit the _____ to the Court
(List Motion)

for a hearing pursuant to Leb.R.Civ.P. 205.5.

Length of Anticipated Hearing: _____
Judge Previously Assigned to Matter: _____
Names and addresses of all opposing counsel or unrepresented litigants: _____

By:
Name
I.D. #
Address
Phone Number
Attorney for

- (b) Once a Praeceptum for Hearing has been filed, the Court will notify all parties of the date and time assigned for that hearing.

RULE 52-206.4(c): PETITIONS - RULE TO SHOW CAUSE - STAY OF EXECUTION PENDING DISPOSITION OF A PETITION TO OPEN DEFAULT JUDGMENT

- (A) Upon filing of the petition, a rule to show cause shall issue as of course pursuant to Rule 52-206.6, provided petitioner has complied with requirements of Rule 52-206.6.
- (B) A request for stay of execution pending disposition of a petition to open a default judgment shall be submitted to the court at Motion's Court pursuant to Rule 52-208.3

RULE 52-206.6: RULE TO SHOW CAUSE - ISSUANCE AS OF COURSE

- (A) A Rule to Show Cause shall be issued as of course upon the filing of the petition.
- (B) The Court may grant a stay of the proceedings.
- (C) The petitioner shall attach to the petition a proposed order substantially in the following form:

Plaintiff : IN THE COURT OF COMMON PLEAS
vs. : LEBANON COUNTY, PENNSYLVANIA
: CIVIL DIVISION

deemed uncontested. The moving party may obtain an Order granting final relief by filing a Motion for Rule Absolute. All Motions for Rule Absolute shall append copies of all Certificates of Service averring that all opposing parties had been served with copies of the original petition and any Rule to Show Cause issued by the Court. A Motion for Rule Absolute must be accompanied by a proposed Order setting forth the relief that was uncontested.

(B) Praeceptum for Disposition.

When the Court has issued a Rule to Show Cause and a party files a response with no disputed issues of material fact, either party may file a Praeceptum for Disposition substantially in the form set for in Rule 52-206.1(E)(1). Once a Praeceptum for Disposition has been filed, the Court will establish a schedule for filing of briefs and/or argument and notify all parties of that schedule.

(C) Praeceptum for Hearing.

When the Court has issued a Rule to Show Cause and a party files a response raising disputed issues of material fact, either party may file a Praeceptum for Hearing substantially in the form set forth in Rule 52-206.1(E)(2). Once a Praeceptum for Hearing has been filed, the Court will notify all parties of the date and time assigned for that hearing.

RULE 52-208.2(C): MOTION – STATEMENT OF APPLICABLE AUTHORITY

All Motions filed shall contain a brief statement of the applicable authority.

RULE 52-208.2(D): UNCONTESTED MOTIONS

(A) A party seeking relief via a motion or petition shall certify the matter as uncontested if all opposing parties have consented to the requested relief. All uncontested requests for relief must be accompanied by one of the following:

- (1) An agreement signed by all parties to the dispute;
- (2) A stipulation signed by all counsel and/or parties; or
- (3) A verification signed by counsel indicating that counsel has personally communicated with all opposing counsel/parties and has received the concurrence of all opposing counsel/parties with respect to the requested relief.

(B) Any motion certified as uncontested shall be accompanied by a proposed Order incorporating the relief agreed upon by all parties.

RULE 52-208.2(E): DISCOVERY MOTIONS

No party will be permitted to file any motion pertaining to discovery unless that party files a certificate verifying that efforts have been made to resolve the discovery dispute with opposing counsel. Such certificate shall be appended to any discovery motion that is filed.

RULE 52.208.3: MOTIONS AND MOTIONS COURT

Except in emergency circumstances, any party seeking relief from the Court by way of motion shall contact all opposing counsel to seek concurrence with respect to that motion. A statement of concurrence or non-concurrence shall be set forth in all motions. It shall not be necessary for a moving party to seek concurrence from a unrepresented litigant.

(A) Scope of Rule.

- (1) All civil applications to the Court requiring action by a Judge, except those hereafter excluded or otherwise excluded by Pa.R.Civ.P. 208.1, shall be presented to the Court at a session of Motions Court.
- (2) The following motions need not be presented in a session of Motions Court:
 - (a) Motions made orally at trial or hearing.
 - (b) Uncontested motions – All uncontested motions are to be filed with the Lebanon County Prothonotary together with a certificate signed by counsel indicating that the motion is uncontested. All uncontested motions will proceed in accordance with Leb.Co.R.Civ.P. 52-208.2(D)

- (c) Motions for Summary Judgment – Motions for Summary Judgment will proceed in accordance with Leb.Co.R.Civ.P. 52-1035.2
- (d) Post-Trial Motions – Post-Trial Motions will proceed in accordance with Leb.Co.R.Civ.P. 227.1.
- (e) Motions in Limine, Discovery Motions and other Pre-trial Motions where a case has already been assigned to a Judge shall be filed with the Prothonotary and served on all other counsel/unrepresented litigants. Thereafter, the presiding Judge will decide how the motion is to be resolved.
- (f) Motions for Preliminary Injunction seeking immediate ex parte relief – These motions are to be filed with the Prothonotary and a copy shall be given immediately to the Court Administrator's Office. These matters shall thereafter proceed as directed by the assigned Judge.

(4) All Preliminary Objections shall be presented in Motions Court in accordance with this Rule.

(B) Filing and Form

- (1) All motions shall be in writing with each allegation set forth in a separate numbered paragraph. All motions must be accompanied by a proposed Order.

- (2) Motions setting forth factual averments must be accompanied by a verification or affidavit signed by a person having knowledge of the facts contained therein.
- (3) The original motion shall be filed with the Lebanon County Prothonotary's Office. Two copies of each motion shall be provided at the time of filing to the Lebanon County Court Administration Office.
- (4) Motions may, but are not required to, be accompanied by a concise brief setting forth argument and/or legal citations.
(See Rule 52-210)

(C) Service

- (1) It shall be the responsibility of the moving party to serve a copy of the Motion and proposed Order on all other parties in accordance with Leb.Co.R.Civ.P. 52-440.
- (2) Service must include notice of the date and time at which the matter will be presented in Motions Court.
- (3) When service is effectuated, the moving party shall file a Certificate of Service setting forth the date and method of service and the name of the individual who effectuated service.

(D) Time for Motions Court

- (1) Motions Court shall be conducted as set forth on the annual Court Calendar commencing at 1:30 p.m.

- (2) To be considered at Motions Court, motions must be filed with the Prothonotary no later than 4:30 p.m. on the Tuesday prior to Motions Court and must be served upon all opposing counsel and/or parties and the Court Administration Office no later than 4:30 p.m. on the Wednesday preceding Motions Court.
- (3) When a Motion is sought to be presented for the first time, a responding party shall be entitled to a continuance upon written request submitted to the Lebanon County Court Administration Office. Any party may request subsequent continuances via a written request to the Court Administration Office, which shall be granted or denied at the discretion of the presiding Judge. In cases involving relief impacting children, no continuance request will be granted as of course and such continuance request shall be granted or denied at the discretion of the presiding judge.

(E) Motions Court

- (1) The Judge assigned to Motions Court shall determine the order in which each case is called.
- (2) The Judge assigned to Motions Court will determine the length of time to be devoted to each motion.

- (3) After each case is addressed, the Judge may enter any Order that is deemed appropriate, including any of the following:
 - (a) An Order disposing of the motion. No Order disposing of a Motion will be made unless all pertinent parties and/or their counsel are present or unless a Certificate of Service exists establishing service of the Motion no later than 4:30 p.m. on the Wednesday preceding Motions Court;
 - (b) An Order continuing the matter until a future Motions Court date;
 - (c) An Order scheduling a factual hearing;
 - (d) An Order listing the matter for Argument Court; or
 - (e) An Order directing that mediation and/or alternative dispute resolution procedures be utilized.
- (4) A Court Reporter shall be present at each session of Motions Court and shall record all matters as directed by the presiding Judge.

RULE 52-210: FORM OF BRIEFS

Briefs, as required, shall be in the form prescribed by Pa.R.Civ.P. No. 210. Content thereof shall be as set forth in Pa.R.A.P. No. 2111. Briefs shall be filed in the office of the Prothonotary. Two (2) copies of

any brief shall be delivered to Court Administration simultaneously with the filing of the brief with the Prothonotary.

RULE 52-211: ORAL ARGUMENT

Oral argument may be requested by any party. A party filing a Praecipe for Disposition substantially in the form indicated in Rule 52-206.1(E)(1) may include a request for oral argument within the Praecipe for Disposition. Any other party may request oral argument by filing a Praecipe within five (5) days following the filing of the Praecipe for Disposition. If no request for oral argument is submitted, the Court will decide the issue based upon the record and briefs filed by the parties. If a request for oral argument is granted, the Court will notify the parties of the date and time set forth for argument upon notification to the parties of the briefing schedule. Unless otherwise ordered by the Court, oral argument shall be conducted in accordance with the schedule set forth on the Court's annual calendar.

RULE 52-212: CASE MANAGEMENT

(A) All civil cases filed with the Prothonotary of Lebanon County will be assigned a case designation based upon the type of filing indicated on the Civil Cover sheet. The case designation will assign the case to one of the following tracks:

- (1) Fast Track – cases within this designation are expected to be tried within twelve (12) month.

- (2) Standard Track - cases within this designation are expected to be tried within eighteen (18) months.
 - (3) Complex Track - cases within this designation are expected to be tried within twenty-four (24) months.
- (B) Once service has been effectuated, civil cases will be assigned to a presiding judge and a Case Management Conference will be scheduled.
 - (C) All counsel and unrepresented parties are expected to appear in person at the date and time indicated for the Case Management Conference.
 - (D) Parties who disagree with the case designation assigned may raise that issue at the Case Management Conference.
 - (E) At the Case Management Conference, the Court will set deadlines for arbitration, discovery, exchange of expert reports and pretrial motions. In addition the dates for a pretrial conference and trial (jury or non-jury) will be established (Notice of Earliest Trial Date).
 - (F) Failure to appear for Case Management Conferences may result in dismissal of actions, sanctions or other remedies deemed appropriate by the Court.
 - (G) Status Conference.
 - (1) Any party may request a status conference by filing a praecipe substantially in the following form:

Plaintiff : IN THE COURT OF COMMON PLEAS
 : LEBANON COUNTY, PENNSYLVANIA
 vs. : CIVIL DIVISION
 :
 Defendant : NO.

PRAECIPE FOR STATUS CONFERENCE

TO THE PROTHONOTARY:

Please transmit a request for a status conference to the Court,
pursuant to Leb.R.Civ.P. 212.

(1) Judge Previously Assigned to Matter:

(2) Plaintiff's Counsel will be participating [in person] [by
telephone]. The telephone number at which Plaintiff's counsel
can be reached is _____.

Defendant's counsel will be participating [in person] [by
telephone]. The telephone number at which Defendant's counsel
can be reached is _____.

(3) [Repeat a statement as set forth in (1) or (2) for all other
parties.]

By:
Name
I.D. #
Address
Phone Number
Attorney for

(2) Following the filing of a Praecipe for Status Conference,
the Court will notify all counsel and/or unrepresented litigants as
to the date and time set for the status conference.

Judge Previously Assigned: _____

Names and Address of all opposing counsel or unrepresented litigants:

By:
Name
I.D. #
Address
Phone Number
Attorney for

(2) If any counsel wishes to object to the certification of the matter for trial, that party shall file such objection within ten (10) days following receipt of the Certificate of Readiness for Trial. The objections shall include the following information:

- (a) A statement setting forth the status of the proceeding;
- (b) A statement of all reasons why counsel believes the matter is not ready for trial;

The objection shall be accompanied by a Praecipe for Status Conference as set forth in Rule 52-212(G).

(3) Following receipt of the Certificate of Readiness for Trial and any Objections, the Court will enter an appropriate order that may include:

- (a) An order scheduling a status conference;

- (b) An order scheduling a pre-trial conference and setting forth the date on which pre-trial statements are to be filed pursuant to Pa.R.Civ.P. 212.1.

RULE 52-212.2: PRE-TRIAL STATEMENTS

(A) In addition to the information required by Pa.R.Civ.P. 212.2, the pre-trial statements of counsel shall also include:

- (1) A statement of all proposed amendments to the pleadings;
- (2) A statement of admissions from the pleadings;
- (3) A statement of any special scheduling requests;
- (4) A list of all deposition objections that will have to be resolved by the Court prior to trial;
- (5) A statement of all witnesses (with addresses) intended to be called at trial;
- (6) An itemization of all exhibits intended for utilization at trial;
- (7) An estimate of the time necessary for trial;
- (8) A statement of the issues to be determined at trial; and
- (9) A statement of any additional special requests.

(B) Pretrial statements shall be filed:

- (1) by Plaintiff no less than sixty (60) days prior to the date of the scheduled pretrial conference.
- (2) by Defendant no less than thirty (30) days prior to the scheduled pretrial conference.

- (3) by Additional defendant no less than fifteen (15) days prior to the scheduled pretrial conference.

RULE 52-212.3: PRE-TRIAL CONFERENCE

- (A) Except for good cause shown, the attorneys who will try the case shall attend the pre-trial conference. Unexcused failure of trial counsel to appear or to file a pre-trial statement may result in the imposition of costs, counsel fees or other sanctions as determined by the Court.
- (B) A pretrial conference will be scheduled by the Court pursuant to Lebanon County's Case Management Plan.

RULE 52-223: EXHIBITS

(A) DEFINITIONS

- (1) Custodian – for purposes of this Rule, the term “Custodian” shall mean the Court’s Official Court Reporter recording the proceeding.
- (2) Digital Media – for purposes of this Rule, “digital media” shall mean either a dvd or thumb drive.
- (3) Trial – for purposes of this Rule, “trial” shall apply equally to jury and non-jury trials.

(B) Exhibits – During Court Proceedings

- (1) At the conclusion of a trial or hearing, all exhibits larger than 8½ x 11 inches, which are part of the record, shall be reduced to that size, and all tangible objects which are part

of the record, shall be photographed in color by the party originally proffering the evidence. The 8½ x 11 inch reductions and color photographs shall be substituted in the record for the original exhibits and tangible objects unless the trial judge, upon motion or sua sponte, or an appellate court, shall direct otherwise.

- (2) All exhibits which are bulky, oversized or otherwise physically impractical for the custodian to maintain (including, but not limited to, weapons, contraband and hazardous materials), shall be photographed in color by the party originally proffering the evidence. The original exhibit shall be maintained by the party originally proffering the evidence and the photograph of the exhibit (no larger in size than 8½ x 11 inches) shall be entered into the record in lieu of the non-documentary exhibit.
- (3) Whenever a video deposition of a witness or other video evidence is presented at trial or hearing, the video shall be marked as an exhibit. At the conclusion of the trial or hearing, the video shall be submitted to the custodian for inclusion in the record of the case, unless the trial judge, upon motion or sua sponte, shall direct otherwise.
 - (a) Whenever a video deposition of a witness is presented at trial or hearing, it shall be accompanied by a

transcript of the deposition as required by Pa.R.Civ.P. 4017.1(a)(2). The accompanying transcript shall be marked as an exhibit and retained in the record of the proceedings. In the event the record of the trial or hearing is transcribed for appellate or other purposes, the exhibit of the transcript accompanying the deposition shall be considered the official transcript of the testimony of the deponent. It shall not be necessary for the trial court reporter to also transcribe the audio portion of the videotape deposition which was presented at trial or hearing, so long as the record clearly reflects which part of the audio portion of the video deposition was offered into evidence and admitted.

(b) Whenever evidence is presented at trial or hearing in digital format, it shall be accompanied by a transcript of any dialogue contained within the video. The accompanying transcript shall be marked as an exhibit and retained in the record of the proceedings. In the event the record of the trial or hearing is transcribed for appellate or other purposes, the exhibit of the transcript accompanying the digital media shall be considered the official transcript of the video. It shall not be necessary for the trial court reporter to also transcribe the audio portion of the video

which was presented at trial or hearing, so long as the record clearly reflects which part of the audio portion of the video was offered into evidence and admitted.

(C) Exhibits - After Court Proceedings

- (1) After trial or hearing, exhibits admitted into evidence, as well as photographs of oversized, bulky and other non-documentary evidence shall be submitted to the custodian for filing pursuant to Pa.R.J.A. 5102.
- (2) At the conclusion of the trial or hearing, the original documentary exhibits larger than 8½ x 11 and non-documentary exhibits shall be returned for safekeeping to the party who presented it and that party shall maintain custody of the exhibit until conclusion of all appellate proceedings in the case, unless the trial judge, upon motion or sua sponte, shall direct otherwise.
- (3) Notwithstanding the above, any person who has a possessory or legal interest in any exhibit which has been introduced into evidence may file a claim for such exhibit within thirty (30) days after trial. The presiding judge shall determine the validity of such claim and determine the manner and timing of disposition.

RULE 52-223.1: CONTACT WITH JURORS

No attorney or party may initiate any contact with any member of the jury panel either before, during or after a jury trial unless specifically authorized by the Court.

RULE 52-227.1: POST-TRIAL MOTIONS

Post-Trial Motions shall be accompanied by a Praeceptum for Disposition substantially in the form set forth in Rule 52-206.1(E)(1)

RULE 52-430: SERVICE BY PUBLICATION

Service by publication, when appropriate, shall be made by publishing the appropriate notice one (1) time in the Lebanon County Legal Journal and one (1) time in a newspaper of general circulation in Lebanon County. The address on the notice required by Pa.R.Civ.P. 430 shall be the same office designated by the Court in Leb.R.Civ.P. 1018. For purposes of this Rule, the Lebanon County Legal Journal is designated as the legal publication for the Court of Common Pleas of Lebanon County unless otherwise specified by Order of Court.

RULE 52-440: SERVICE ON OPPOSING PARTIES

- (A) It shall be the responsibility of a party filing a document to insure that the document is served upon all other parties or their counsel.
- (B) Service under this rule may be effectuated by any method permitted by the Pennsylvania Rules of Civil Procedure, including

by facsimile transmission or email transmission, to the address set forth on counsel's latest Entry of Appearance.

(C) A Certificate of Service must be filed by the person effecting service setting forth the following:

- (1) the names of all persons served;
- (2) the method of service;
- (3) the date of service;
- (4) the address, fax number or email location to which service was made; and
- (5) the name and signature of the person who personally effectuated service.

(D) Service shall be accomplished by either of the following methods:

- (1) By leaving at the Prothonotary's Office a copy of all filed documents and proposed Orders together with stamped envelopes addressed for each opposing counsel and/or unrepresented litigant(s). The Prothonotary shall use the envelopes provided to serve all filed documents and accompanying Orders of Court by mail. Thereafter, the Prothonotary shall complete and file a Certificate of Service in compliance with sub-section (C). Such certificate shall constitute prima facie proof that service was accomplished;
- or

- (2) By directly serving copies of all filed documents upon all opposing parties or their counsel in accordance with sub-section (B) of this rule. The party serving such documents shall be required to file a Certificate of Service in compliance with sub-section (C) above. Once the court issues any Order or Rule to Show Cause, the Prothonotary shall serve a copy of that document on all parties or their counsel by any method permitted in sub-section (B). Thereafter, the Prothonotary shall file a Certificate of Service in compliance with sub-section (C). Such certificate shall constitute prima facie proof that service was accomplished.

RULE 52-1012: ENTRY OF APPEARANCE

Upon the filing of the initial document on behalf of a party in any proceeding, the attorney filing the same may simultaneously file his/her written appearance in the manner prescribed by Pa.R.Civ.P. 1012. Counsel who have the ability to receive information by email and/or facsimile number shall also include that information within their Entry of Appearance. A change of address notice shall be filed should the address or other contact information of counsel change.

RULE 52-1018.1: ADDRESS IN NOTICE TO DEFEND

The address to be included in the Notice to Defend required by Pa.R.Civ.P. 1018.1 shall be as follows:

Mid-Penn Legal Services
1150 Chestnut Street, Suite 1
Lebanon, PA 17042
(717) 274-2834

RULE 52-1025: ENDORSEMENT

The Endorsement by an attorney or unrepresented litigant as required by Pa.R.Civ.P. 1025 shall act as an entry of appearance for any attorney or unrepresented litigant for the action in which the document containing such endorsement was filed.

RULE 52-1028(c): PRELIMINARY OBJECTIONS

(A) Preliminary Objections must be filed in accordance with Rule 52-208.3

(B) All Preliminary Objections must be accompanied by a Brief In Support Thereof and in compliance with Rule 52-210.

RULE 52-1034(a): MOTION FOR JUDGMENT ON THE PLEADINGS

The procedure for any Motion for Judgment on the Pleadings shall be governed by Rule 52-208.3.

RULE 52-1035.2(a): MOTIONS FOR SUMMARY JUDGMENT

The procedure for Motions for Summary Judgment shall be as follows:

- (1) All motions shall be in writing with each allegation set forth in a separate numbered paragraph.
- (2) The original motion shall be filed with the Lebanon County Prothonotary's Office.

- (3) Motions for Summary Judgment shall be accompanied by a Brief in Support Thereof and in compliance with Rule 52-210.
- (4) Motions for Summary Judgment shall be accompanied by a Praeceptum for Disposition substantially in the form set forth in Rule 52-206.1(E)(1).

RULE 52-1301: COMPULSORY ARBITRATION

All civil cases seeking money damages as relief, except cases involving title to real estate, where the amount of relief sought (exclusive of interest and costs) is the statutory limit authorized by § 7361 of the Judicial Code (42 Pa.C.S.A. § 101 et seq.) or less, shall be submitted to arbitration for consideration and award by a Board of Arbitrators. No case shall be submitted for arbitration where an inconsistent procedure is prescribed by statute or rule of court. In addition, any other case, whether or not at issue and without regard to the amount in controversy, may be referred to a Board of Arbitrators by agreement of all parties.

RULE 52-1302: ARBITRATORS

- (A) A Board of Arbitrators shall be appointed on the praecipe of any party or by Order of Court.
- (B) A list of available arbitrators shall be maintained by the Court, consisting of members of the Bar actively engaged in the practice of law in Lebanon County.

- (C) The Court shall appoint from the aforesaid list three (3) members to each board of arbitrators, at least one of whom shall have been admitted to practice before the Supreme Court of Pennsylvania for more than three (3) years prior to his or her own appointment. The Chairman of the board shall be that attorney appointed with the longest period of practice in Lebanon County.
- (D) Compensation for arbitrators shall be set by Administrative Order of the Court as follows:
- (1) Each member of the Board of Arbitrators who has signed the report or filed a minority report;
 - (2) Additional compensation for the Chairman of the Board of Arbitrators;
 - (3) Additional compensation in the event of the filing of a counterclaim filed and heard by the arbitrators;
 - (4) In matters requiring hearings of unusual duration or involving questions of unusual complexity, the Court, on motion of the members of the board, may allow additional compensation. Such motion shall be filed and ruled on prior to the filing of the report of arbitrators.
- (E) Arbitration panels. The Court may establish a panel of three (3) arbitrators to sit for specially scheduled arbitrations pursuant to any Lebanon County Case Management Plan.

RULE 52-1303: HEARING AND NOTICE

- (A) The chairman of the Board of Arbitrators shall fix the time and place for a hearing and shall give at least thirty (30) days written notice to all parties, their counsel and the other arbitrators.
- (B) The hearing shall be held within ninety (90) days after appointment of the board, unless extended by Order of Court. The board shall file its report and award within twenty (20) days after the conclusion of the hearing.
- (C) For specially scheduled Arbitration panels established pursuant to Rule 52-1302(E), Court Administration shall fix the time and place for a hearing and shall give at least thirty (30) days written notice to all parties, their counsel and the arbitrators.

RULE 52-4007.1: DEPOSITIONS

Unless otherwise ordered by the Court or agreed to by all parties, all depositions by oral examinations of fact witnesses shall be conducted within Lebanon County.

All previously enacted rules are specifically repealed and the foregoing substituted in their place. These rules shall be effective as of September 1, 2025.