

## **RULE 215.1            JURY TRIALS**

### **(1)    LISTING**

- (a)    An original and one copy of a Certificate of Readiness shall be filed with the Prothonotary listing a case for a jury trial in accordance with the timelines published in the Annual Court Calendar. No case subject to compulsory arbitration shall be listed for trial, unless on appeal from a report and award of arbitrators. The Certificate of Readiness form is available in the Prothonotary's Office, 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 used. Failure to use the most current form shall result in the rejection of the Certificate of Readiness.
- (b)    The party filing the Certificate of Readiness shall communicate with all counsel and/or self-represented parties and confirm the availability of all counsel or the self-represented party, together with the availability of all witnesses and all parties for the particular trial term before the Certificate of Readiness is filed. The listing party shall attest that all discovery has been completed, serious settlement negotiations have been conducted, and that the case is **READY IN ALL RESPECTS** for trial. Absent extraordinary and compelling circumstances, the failure to complete videotaped testimony for use at trial shall not be a proper basis for a request for a continuance.
- (c)    A copy of the Certificate of Readiness shall be promptly served on all counsel and/or self-represented parties. If a party is not represented by counsel of record, such notice shall include the date of the first day of the applicable trial session. The Prothonotary shall forward the original Certificate of Readiness to the Court Administrator's Office and shall retain the copy in the file.
- (d)    If a party is unable to satisfy the requirements regarding the filing of a Certificate of Readiness due to the unavailability of counsel, parties or witnesses, such party shall immediately file an Administrative Application for Status Conference in accordance with Dauphin County Local Rule 215.3.

- (2)    **ATTACHMENT** – Listing a case for trial shall have the effect of attaching all counsel of record for the trial term specified. The attachment shall be effective as of the date of the filing of the certificate of readiness unless a prior scheduling order has been issued.

The Dauphin County Court will defer to a scheduling/attachment order from another court of equal or higher jurisdiction so long as

- (a) The foreign order is earlier in time; and
- (b) The party with the scheduling conflict timely moves for a continuance and attaches a copy of the foreign order.

(3) **OBJECTIONS TO THE CERTIFICATE OF READINESS FOR JURY TRIAL**

- (a) All Objections to the Certificate of Readiness shall be set forth in a pleading, in paragraph form, and filed promptly in accordance with the timelines found in the Annual Court Calendar. The Objection shall contain a procedural history of the case and a detailed statement as to why the objection is being made. The original and one copy of the Objection shall be filed with the Prothonotary. The Prothonotary shall forward the original to the Court Administrator's Office and retain the copy in the file. The Objection shall be promptly served on all other counsel and/or self-represented parties. Objections filed after the timelines established in the Annual Court Calendar will not be entertained, except in extraordinary circumstances for extremely good cause shown.
- (b) The judge assigned to the case shall rule on any objections filed to that case, however if a judge has not yet been assigned, the Civil Calendar Judge shall rule on the objections to the unassigned case.

(4) **COMPILATION OF TRIAL LIST**

- (a) After the objections have been disposed of by the Court, the Court Administrator's Office shall compile the final trial list for that session. Copies of the trial list shall be available in the Court Administrator's Office at least one (1) week prior to the first day of the session of jury trials.
- (b) All cases for trial shall be placed on the trial list in the order of their term and docket number, unless preference is required or appropriate.

(5) **CALENDAR JUDGE –** The Calendar Judge will have supervision of the cases on the Civil Jury Trial List, including the following:

- (a) Imposition of sanctions for the improper filing of a certificate of readiness.
- (b) Ruling on objections to the listing of cases in trials not yet assigned to a judge.
- (c) Assignment of cases.