

MEMORANDUM

To: LLA Membership
From: Gary Weber
Date: January 1, 2005
Subject: Customs and Rules Committee Report

The Customs and Rules Committee has met on a number of occasions in 2004 to attempt to hammer out substantial revisions to the local rules of civil procedure. A final draft is now pending and approval by the Court will occur within weeks.

The draft makes significant changes to the forms and procedures used in the Court of Common Pleas, particularly in the area of motions and petitions. The changes are complicated and will be contained in new local rules that will be complex and difficult to navigate.

The changes are mandated by the Supreme Court, through a series of rules issued beginning in 2003. Essentially, the Supreme Court has, in the name of simplification, required all county courts to issue a series of local rules detailing local procedures. The required numbering scheme is convoluted. Distinctions between petitions and motions, and the need for a rule to show cause continues to be a difficult area to understand, while the definitions of these documents are massaged by the Supreme Court, but not really simplified or clarified.

The current draft of the revisions is posted at:

www.lycolaw.org/rules/proposed/draft_changes3.pdf

Send comments to Gary Weber.