



**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
PHILADELPHIA COURT OF COMMON PLEAS**

Monday, June 21, 2021

TRIAL DIVISION – CIVIL

NOTICE TO THE BAR

**UPDATED PROTOCOL FOR THE
COMPULSORY ARBITRATION PROGRAM**

General Statement

The conduct of Virtual Arbitration hearings is governed by the *Notice of Policies and Protocols for use of Advanced Communication Technology for Court Proceedings in Civil Matters* issued on July 16, 2020. The Order and Notice can be found at <http://www.courts.phila.gov/covid-19/>. This updated Protocol supplements the Protocols previously issued on March 12, 2021 and May 3, 2021 and will take effect on **Tuesday, July 6, 2021**.

Protocol for Arbitration Hearings

1. Until further Order of the Court, all Compulsory Arbitration matters will be conducted remotely via Zoom. Unless parties have received a notice of a Virtual hearing date, a case's current hearing date will serve as a "place holder". The docket will read "**ARB REMOTE HEARING SCHEDULED**" if the matter has been listed for a Virtual hearing.
2. If the parties wish to have a matter scheduled for a remote hearing before the Court has had an opportunity to do so, an email should be sent to the Director of the Arbitration Center, Maureen Eagen, Esquire, with a copy to all parties, requesting a Virtual hearing and provide a time frame or available dates for such scheduling; maureen.eagen@courts.phila.gov.
3. Notice of a Virtual hearing date will be generated by the FJD's electronic filing system at least 10 days prior to the hearing date. Accordingly, all e-filers will receive notice electronically through the e-filing system. The Virtual Hearing Notice will include a link for all participants to access on the day of the hearing, as well as, a link to the Compulsory

Arbitration Center's Scheduling Order. Counsel and self-represented litigants are required to review and abide by the directives set forth in the Order.

4. Cases currently listed for Virtual hearings will be issued a new Virtual Hearing Notice for the same date; this is being done so that the parties will have the Zoom link needed to join on the day of the hearing.
5. Prior to joining the hearing, it is imperative that all attorneys, parties and witnesses be properly identified. All participants should ensure that the name on the device they are using on the date of the hearing clearly identifies themselves; for example, "Jane Doe, Esquire – counsel for plaintiff Bob Roberts" and not simply "Jane's iPad". If the Arbitration Center staff does not recognize the participants in the waiting room, there may be a delay in the case being assigned to a hearing room.
6. The admissibility of documents will continue to be governed by the Pennsylvania Rules of Evidence, Rules of Civil Procedure and corresponding Philadelphia County Local Rules of Civil Procedure.
7. The Virtual Arbitration hearings will be conducted by a panel of three arbitrators, who will also participate remotely by Zoom. On the day of the hearing, parties will be assigned to a Break-out Room with their assigned panel. The participants will be able use the "Share Screen" function of Zoom during the hearing and will be directed to email any Arbitration Packets/Memorandums of Law directly to the Arbitrators on the day of the hearing.
8. If a party or self-represented litigant does not have the ability to appear remotely and to continue the matter until in-person proceedings resume would severely prejudice a party, an exception to appearing remotely may be granted. To do so, the party or self-represented litigant will be required to appear at the Arbitration Center in person and follow all current CDC, Philadelphia Health Department and First Judicial District Covid guidelines, which may require the wearing of a face covering over the mouth and nose while at the Arbitration Center. The party will be connected to the hearing remotely from a workstation at the Arbitration Center. Such a request should be directed to Maureen Eagen, Esquire, Director of the Arbitration Center, at maureen.eagen@courts.phila.gov. All other counsel and self-represented litigants are to be copied on the email.
9. Parties are required to review their cases once they receive notice of a Virtual hearing date and advise the Arbitration Center immediately if the case settled or file a Continuance/Deferral Application for a matter not ready to proceed with a Virtual hearing. An untimely filed Continuance Application can be denied on that basis alone.

10. In addition to conducting Zoom Arbitration Hearings, the Arbitration Center will continue the Arbitration Judge Pro Tempore (AJPT) Program. The Protocol remains the same for the AJPT Program as announced in the March 12, 2021 and May 3, 2021 Protocols for the Compulsory Arbitration Program, which can be found at:
<http://www.courts.phila.gov/covid-19/>.
11. This Protocol, as well as, any updated Protocols regarding the Compulsory Arbitration Program will be published as Notices to the Bar and available on the First Judicial District's website at www.courts.phila.gov/covid-19 and @PhilaCourts on Twitter.
12. A list of cases scheduled for a Virtual hearing will be published in The Legal Intelligencer.

Honorable Lisette Shirdan-Harris
Administrative Judge
Trial Division

Honorable Daniel J. Anders
Supervising Judge
Trial Division – Civil