

IN RE: ADOPTION OF LOCAL RULE: IN THE COURT OF COMMON PLEAS
OF CIVIL PROCEDURE FOR: OF LAWRENCE COUNTY, PENNSYLVANIA
ESTABLISHMENT OF THE :
COURT OF COMMON PLEAS :
OF LAWRENCE COUNTY : NO. 90053 OF 2018, A.D.
RESIDENTIAL MORTGAGE :
FORECLOSURE :
CONCILIATION PROGRAM :

ADMINISTRATIVE ORDER OF COURT

AND NOW, this // ¹³ day of April, 2018, recognizing that the number of residential mortgage foreclosure actions filed in Lawrence County has expanded, the Court of Common Pleas of Lawrence County hereby establishes by Local Rule of Civil Procedure a Residential Mortgage Foreclosure Conciliation Program as follows:

RULE L1147: COURT OF COMMON PLEAS OF LAWRENCE COUNTY
RESIDENTIAL MORTGAGE FORECLOSURE CONCILIATION
PROGRAM

1. Complaints in Mortgage Foreclosure presented for filing seeking foreclosure on a mortgage of a Lawrence County owner-occupied residence shall be accompanied with an additional URGENT NOTICE, a copy of which is attached hereto as Exhibit "A". Said URGENT NOTICE shall be affixed to the Complaint when presented for filing and shall also be affixed to the copy of the Complaint served upon the Defendant(s).

2. If the Defendant(s) call Housing Opportunities of Beaver County, and if the Defendant(s) attend a meeting with a Housing Opportunities Counselor, and if the Housing Opportunities Counselor makes a determination that the Defendant(s) is/are eligible to participate in the Lawrence County Mortgage Foreclosure Conciliation Program, the Housing

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Opportunities Counselor will secure the signature(s) of the Defendant(s) on a "Certificate of Participation"; file the same with the Prothonotary of Lawrence County; and serve a copy thereof in the Court Administration Office of Lawrence County, all within thirty (30) days following service of the Complaint and URGENT NOTICE upon the Defendant(s).

3. Upon timely filing of a completed "Certificate of Participation" from Housing Opportunities of Beaver County with the Prothonotary of the Court of Common Pleas of Lawrence County (a copy of which is attached hereto as Exhibit "B"), the case will proceed as follows:

The Court will issue the following Order in each case where the Certificate of Participation has been timely filed by Housing Opportunities of Beaver County on behalf of the Defendant(s):

ORDER OF COURT

AND NOW, this ____ day of _____, 201__, a Certificate of Participation in the Lawrence County Residential Mortgage Conciliation Program having been timely filed by the Defendant(s) in the above-captioned matter, no further action shall be taken in this case for at least sixty (60) days from the date of this Order, except upon order of this Court.

It is hereby ORDERED and DIRECTED that a Court-supervised Conciliation Conference is scheduled to be held on the ____ day of _____, 201__ at ____ o'clock ____m., in Courtroom No. ____ of the Lawrence County Courthouse, 430 Court Street, New Castle, PA, 16101.

It is further ORDERED and DIRECTED that, unless an agreement in this case has been reached prior to the scheduled Conciliation Conference, a representative of the Plaintiff/Lender/Investor who has actual authority to modify mortgages and/or enter into alternate payment agreements with the Defendant(s) or otherwise resolve the action, shall be available

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PRO AND CLERK

telephonically. Failure of the Plaintiff, or of a representative of the Plaintiff with such authority, to appear for the Conciliation Conference may result in the rescheduling of the Conciliation Conference and further postponement of any action in this matter, including timely filing of an Answer, filing of Preliminary Objections, filing of Motions for Summary Judgment and/or Judgment on the Pleadings and taking of final Judgment in the action.

Failure of the Defendant(s) to attend the Conciliation Conference shall result in the lifting of any stay.

This Order is to be docketed by the Prothonotary of Lawrence County and served upon the Defendant(s) at their address(es) as reflected on the Certificate of Participation, any attorney of record for any party at the address included on any pleading and/or appearance, and upon Housing Opportunities of Beaver County at 282 East End Avenue, Beaver, PA, 15009, all by First-Class Mail.

4. If the "Certificate of Participation" is not filed within the thirty (30) day time period set forth in Paragraph 2, the filing of an untimely "Certificate of Participation" and participation in the Residential Mortgage Foreclosure Conciliation Program shall be allowed upon leave of Court only.

5. Limited Appearance and Withdrawal forms for Pro Bono Counsel/Reduced-Fee Counsel are attached hereto as Exhibit "C" and Exhibit "D".

6. Failure of Defendant(s) to fully participate in conciliation or failure of the parties to reach an alternate settlement arrangement following conciliation shall result in entry of an Order, as attached hereto as Exhibit "E".

7. The Lawrence County District Court Administrator is directed to:

(a) File one (1) copy of this Order and the Local Rule with the Administrative Office of Pennsylvania

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PRO AND CLERK

Courts via e-mail to adminrules@pacourts.us.

- (b) File two (2) paper copies of this Order and the Local Rule and one (1) electronic copy in a Microsoft word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- (c) Publish a copy of this Local Rule on the Lawrence County Court website at co.lawrence.pa.us and thereafter compile this Local Rule of Civil Procedure within the complete set of Local Rules no later than thirty (30) days after the Local Rule becomes effective.
- (d) File one (1) copy of the Local Rule in the Office of the Prothonotary of Lawrence County and in the Lawrence County Law Library for public inspection and copying.

8. This Local Rule established by Administrative Order shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

BY THE COURT:

 P.J.
Dominick Motto
President Judge

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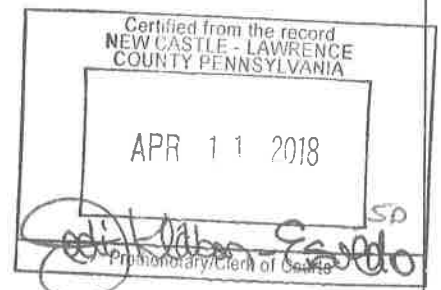
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PROTHONOTARY



URGENT NOTICE

A Complaint in Mortgage Foreclosure has been filed with the Court of Common Pleas of Lawrence County that may cause you to lose your home.

You may be able to participate in a Court-Supervised Conciliation Conference in an effort to resolve this matter with the Lender.

However, you must act now.

To secure an opportunity to participate in a Court-Supervised Conciliation Conference, you must call Housing Opportunities of Beaver County at (724) 728-7511 and attend a meeting with a Housing Opportunities Counselor. This must happen within the next thirty (30) days of receiving this Notice or you will lose your eligibility to participate in the Lawrence County Mortgage Foreclosure Conciliation Program. The Housing Opportunities Counselor will inform you what to do next and will schedule your Conference. Pro Bono Legal Assistance may be available to you at the Conciliation Conference.

MAKE THIS CALL TO SAVE YOUR HOME!

THIS PROGRAM IS FREE!

Plaintiff
VS.
Defendant

: IN THE COURT OF COMMON PLEAS
: LAWRENCE COUNTY, PENNSYLVANIA
: NO.
:

CERTIFICATE OF PARTICIPATION

I am the owner of the property listed below:

Premises Address: _____

Lawrence County, Pennsylvania

This property is my primary residence . It is the subject of foreclosure, and I would like to try to save my residence from foreclosure.

I have contacted the Housing Counselor at Housing Opportunities of Beaver County. I am cooperating with the Housing Counselor and have already submitted, or will submit at least fifteen (15) days before the Conciliation/Case Management Conference, a complete written proposal to the Plaintiff to avoid foreclosure.

I understand the assistance of the Housing Counselor is free of charge to me and I understand any Pro Bono assistance that I may receive from an attorney assigned to my case by the Lawrence County Bar Association's Lawyer Referral Service shall be for the limited purpose of advising me of my rights and representing my interests for this case only and said representation will terminate at the conclusion of the Conciliation Conference.

I certify that this filing complies with the provision of the *Public Access Policy of the Unified Judicial System of Pennsylvania Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Signature

Signature

Printed Name

Printed Name

Full Mailing Address

Full Mailing Address

Must be returned and filed with the Prothonotary of Lawrence County within thirty (30) days following service of the Complaint and URGENT NOTICE upon Defendant(s).

	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	LAWRENCE COUNTY, PENNSYLVANIA
VS.	:	NO.
	:	
Defendant	:	

PRAECIPE FOR ENTRY OF LIMITED APPEARANCE

To the Prothonotary:

Kindly enter my limited appearance for (Name of Defendant(s)), Defendant(s) in the above-captioned matter. This appearance is limited to providing representation and advice to the Defendant(s) at any Court-Supervised Conciliation Conference scheduled in this Mortgage Foreclosure proceeding, said limited appearance being authorized by Administrative Order No. _____ of 2018, M.D.

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Name of Attorney
Attorney for Defendant(s)

Address _____

Telephone No. _____

Supreme Court ID# _____

Exhibit "C"

Plaintiff

VS.

Defendant

: IN THE COURT OF COMMON PLEAS
: LAWRENCE COUNTY, PENNSYLVANIA
: NO.

PRAECIPE FOR WITHDRAWAL OF LIMITED APPEARANCE

To the Prothonotary:

Kindly withdraw my limited appearance for (Name of Defendant(s)), Defendant(s) in the above-captioned matter. Withdrawal of this limited appearance is permitted pursuant to Administrative Order No. _____ of 2018, M.D. All further notices should be sent directly to (Name of Defendant(s)), Defendant(s), at (last known address set for this party).

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Name of Attorney
Attorney for Defendant(s)

Address _____

Telephone No. _____

Supreme Court ID# _____

Exhibit "D"

Plaintiff
VS.
Defendant

IN THE COURT OF COMMON PLEAS
LAWRENCE COUNTY, PENNSYLVANIA
NO.

ORDER OF COURT

AND NOW, this _____ day of _____, 20__, as the (date of Conciliation Conference) Court-Supervised Conciliation Conference in this matter has not resulted in an alternate payment arrangement acceptable to both Plaintiff and Defendant(s), it is hereby ORDERED and DIRECTED as follows:

1. The stay issued in this matter by the (date of Order) Order is lifted.
2. Defendant(s) is/are advised that within twenty (20) days of the date of this Order (he/she/they) must act as set forth in the Notice to Defend that was attached to the Complaint in Mortgage Foreclosure that was served on (him/her/them) by Plaintiff. A copy of the Notice to Defend is attached to this Order, and Defendant's(s') attention is directed to said Notice.
3. In the event Defendant(s) fail(s) to act as set forth in the attached Notice to Defend within twenty (20) days of the date of this Order, Plaintiff shall provide the appropriate ten (10) day notice as required by Pa.R.C.P. 237.5.

BY THE COURT:
_____, P.J.
Dominick Motto
President Judge

Exhibit "E"