

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
MISCELLANEOUS

IN RE:)
LOCAL RULE 1035.2(a))

No. AD- 1103

CYNTHIA A LOVE
CLINTON COUNTY, PA
PROTHONOTARY & CLERK

2023 SEP 18 2023
PM 4:47

FILED

ADMINISTRATIVE ORDER OF COURT

AND NOW, this 18th day of September, 2023, the Court hereby vacates the current Local Rule 1035.2(a) and adopts the attached Local Rule 1035.2(a), effective thirty (30) days after the publication of same in the Pennsylvania Bulletin.

Erin Karmen, Judicial Law Clerk, is Ordered and Directed to do the following:

1. File one (1) copy of this Order and the attached Local Rule 1035.2(a) with the Administrative Office of Pennsylvania (AOPC) via email to adminrules@pacourts.us.
2. File one (1) copy of this Order and the attached Local Rule 1035.2(a) with the Legislative Bureau for publication in The Pennsylvania Bulletin.
3. Publish a copy of this Order and the attached Local Rule 1035.2(a) on the Clinton County Court website.
4. Publish a copy of this Administrative Order and Local Rule 1035.2(a) on the Clinton County Court website.

BY THE COURT:



P.J.

cc: Office of District Attorney
President Judge Craig P. Miller
Judge Michael F. Salisbury

Magisterial District Judge John W. Maggs
Magisterial District Judge Frank P. Mills
Magisterial District Judge Keith G. Kibler
— Erin Karmen, Judicial Law Clerk
Members of the Clinton County Bar Association
Clinton County Adult Probation Services
Court Administrator

CRAIG P. MILLER
PRESIDENT JUDGE

—
COURT OF COMMON PLEAS
25TH JUDICIAL DISTRICT
OF PENNSYLVANIA
COURTHOUSE
— LOCK HAVEN, PA 17745

**Rule 1035.2(a). Procedures Concerning Disposition of Motions
for Summary Judgment.**

(A) Procedure Defined.

- (1) Motions for Summary Judgment shall be accompanied by a memorandum of law and must be filed in the Office of the Prothonotary.
- (2) Service shall be made in conformity with Pa.R.C.P. No. 440.
- (3) All motions shall be accompanied by a notice plainly appearing on the fact thereof of the date the motion was filed with the Prothonotary and advising that a reply memorandum of law must be filed within thirty (30) days from that date. The moving party shall also file with the motion an affidavit of service which shall state that the notice required by this rule has been given.
- (4) The Prothonotary shall immediately send the Motion for Summary Judgment to the Court Administrator who shall refer the matter to the appropriate Judge. All requests for an extension of the thirty (30) day period to answer such motions must be approved by the Court by a motion addressed to the Court Administrator; no agreement entered into solely by the parties will be honored by the Court.
- (5) Any motion subject to this rule which is filed without an accompanying memorandum may be dismissed. If a reply memorandum has not been filed pursuant to the notice required by subsection (3) of this rule, the Court may dispose of the matter without such memorandum.
- (6) If any matter is settled or withdrawn prior to disposition, the Court Administrator shall be promptly advised, and the moving party shall file an appropriate praecipe with the Prothonotary.
- (7) The Court in its discretion may grant additional time in which to file a reply memorandum, request additional memoranda, call for oral argument, advance the time for filing, or enter an order prior to the expiration of the thirty (30) day period.

(B) Matters Requiring Factual Supplement to the Record.

- (1) In the case of motions based on facts not presently a part of the record, a memorandum of law and notice to opposing parties to file a reply

memorandum of law within thirty (30) days need not be filed contemporaneously with the motion. Instead, the moving party shall indicate that additional testimony is required.

- (2) In all such cases, the moving party shall undertake to supplement the record with the necessary facts by affidavit, deposition or testimony, as the case may require, within sixty (60) days from the filing of the motion.
- (3) If the Court requires, the moving party shall file a memorandum of law within two (2) weeks from the completion of the supplementation of the record. This memorandum shall be processed as stated above.