

Rule 212.8. Case Intervention Program

(a) The Court will enter a Case Intervention Order on or about the date one year from the date of initial filing in all civil cases, excluding Family Court matters, which have not been:

- listed for trial or arbitration;
- made subject to a Case Management Order; or
- otherwise resolved of record.

Note: This rule does not apply to any action filed in the Criminal and Orphans' Court divisions. For the purpose of this rule, "Family Court matters" are actions before the Domestic Relations Section, including actions pursuant to the Protection from Abuse Act (Pa.R.C.P. No. 1901 et seq.), actions for Support (Pa.R.C.P. No. 1910.1 et seq.), actions for Custody (Pa.R.C.P. No. 1915.1 et seq.), and actions for Divorce (Pa.R.C.P. No. 1920.1 et seq).

(b) The Case Intervention Order will direct the parties, within seven months of entry of the order, to:

- (1) list the matter for trial or arbitration pursuant to B.C.R.C.P. No. *261;
- (2) submit to the Court an agreed Case Management Order in a required form promulgated by the Court; or
- (3) where the parties believe the case will require a date certain trial listing, take the appropriate steps for entry of a date certain Case Management Order.

Note: See <http://buckscounty.org/Courts/CourtAdministration/Calendar> for information regarding date certain listing.

(c) Should the parties fail to take one of the three actions enumerated by the Case Intervention Order within the given seven month time frame, the Court will enter a Case Management Order, *sua sponte*, which will authorize the Court Administrator to list the matter for trial or arbitration at any time after 22 months have passed from the date of initial filing.

(d) Amendment of any Case Management Order entered *sua sponte* will not be ordered by the Court absent agreement of all parties or extraordinary circumstances.

Explanatory Comment: The purpose of this rule is to create a procedure whereby all civil cases will be either subject to a Case Management Order or eligible to be listed for arbitration or trial prior to the passage of two years from the date of initial filing.

An agreed Case Management Order form has been promulgated by the Court, and any agreed Case Management Order must comply in substance with that form. See B.C.R.C.P. No. 212.7, Case Management Orders, for further information.

Where the parties fail to list the matter for trial or arbitration, or to agree to the terms of a Case Management Order within seven months of entry of the Case Intervention Order, it is the Court's intent that the *sua sponte* Case Management Order will be final and binding. As such, except by agreement among all parties, any *sua sponte* Case Management Order will not be amended absent truly extraordinary circumstances. Discovery disputes, outstanding motions and attorney/witness availability will not be considered "extraordinary circumstances" for the purposes of this rule.