

RULE 1303 – HEARING. NOTICE.

Notice of the appointment of arbitrators and the date, time and place of arbitration in accordance with Pa.R.C.P.1303 shall be made by the Prothonotary's Office. The Notice shall include the following language: "The matter will be heard by a board of arbitrators at the time, date, and place specified but, if one or more of the parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge."

All continuance requests must be filed no later than seven (7) days before the scheduled Arbitration hearing. The attorney/self-represented party must notify all other attorneys/self-represented parties and members of the panel of the granting of the continuance motion. In the event such notice is not provided and a panel member appears, the defaulting party shall be responsible for payment of that panel member's current arbitration fee, which is currently set at \$150.00, said payment to be made by the defaulting party to the Prothonotary of Carbon County. Any continuances requested within the seven (7) days of the scheduled Arbitration hearing shall require the personal appearance of the attorney/self-represented party before the Judge to explain the extenuating circumstances necessitating the late filing.

Except as qualified by the next sentence, any appointed arbitrator must notify Court Administration of their inability to serve within ten (10) days of the scheduled event so that a suitable replacement can be secured by Court Administration. An arbitrator who is unable to attend but for whom another member of the arbitrator's firm is able to attend should notify Court Administration no less than three (3) days before the arbitration hearing if an attorney within the same firm is going to appear for the Arbitration in place of the appointed arbitrator.

If a case is settled less than three (3) days before the Arbitration hearing, one of the attorneys/self-represented parties must appear before the Board of Arbitrators and have an Award entered by agreement. If the case is discontinued less than three (3) days before the arbitration hearing, one of the attorneys/self-represented parties must appear before the Board of Arbitrators and provide a copy of the filed Praeceptum to Discontinue. If the case is settled three (3) days or more before the Arbitration hearing, Plaintiff's attorney/Plaintiff must file at least three (3) days prior to the scheduled Arbitration, a praecipe to strike the case from the arbitration list because the case is settled and must notify all other attorneys/self-represented parties and the panel members. If the case is discontinued three (3) or more days before the Arbitration hearing, Plaintiff's attorney/Plaintiff must file at least three (3) days prior to the scheduled Arbitration a Praeceptum to Discontinue and provide a copy of the filed Praeceptum to Discontinue to all other attorneys/self-represented parties and the panel members. In the event counsel/self-represented party fails to appear

Effective July 26, 2004
Revision effective January 1, 2015

and advise the Board of the settlement award or discontinuance, or to provide such notice or copy, and a panel member appears, the defaulting party shall be responsible for payment of that panel member's current arbitration fee, which is currently set at \$150.00, said payment to be made by the defaulting party to the Prothonotary of Carbon County.

Effective July 26, 2004
Revision effective January 1, 2015