

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA  
CIVIL DIVISION

IN RE:

NO.

2014 - 00001

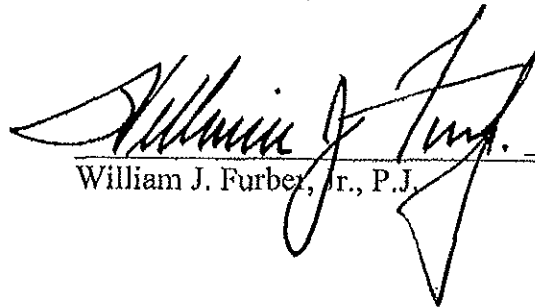
**ADOPTION OF MONTGOMERY COUNTY LOCAL RULE OF JUDICIAL  
ADMINISTRATION 1901\* - TERMINATION OF INACTIVE CASES.**

ORDER

AND NOW, this **10** day of **July**, 2014, the Court hereby adopts Montgomery County Local Rule of Judicial Administration 1901\* - Termination of Inactive Cases. This Local Rule shall become effective thirty days after publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the Montgomery County Law Reporter and in The Legal Intelligencer. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court.

BY THE COURT:

  
\_\_\_\_\_  
William J. Furber, Jr., P.J.

1111

'5ttf

-11 11 |

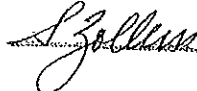
2014-00004-0041 7/10/2014 9:58 AM # 9869867

Order

Rept#Z2160158 Fee:\$0.00

Mark Levy - MontCo Prothonotary

CERTIFIED FROM THE RECORDS OF THE  
PROTHONOTARY, COURT OF COMMON PLEAS,  
MONTGOMERY COUNTY, PA.  
MARK LEVY, PROTHONOTARY

DATE: 7/10/14  CLERK

**Local Rule of Judicial Administration 1901\*. Termination of Inactive Cases.**

- (a) This Local Rule shall not apply to criminal, juvenile, orphans' court or zoning cases. This Local Rule shall be applicable to all remaining civil and family cases regardless of the nature or extent of the relief sought.
- (b) The Court may initiate proceedings to terminate a case in which there has been no activity of record for two years or more by serving a notice of proposed dismissal of court case.
- (c) The Court shall serve the notice on counsel of record, and on the parties if not represented, sixty days prior to the date of the proposed termination. The notice shall contain the date of the proposed termination and the procedure to avoid termination. The notice shall be served by mail pursuant to Rule 440 or by electronic transmission pursuant to Rule 205.4(g). If the mailed notice is returned, the notice shall be served by advertising it in the Montgomery Law Reporter.
- (d) The notice required by subdivision (c) shall be in substantially the following form:

<b>(Caption)</b>	
<b>Notice of Proposed Termination of Court Case</b>	
The Court intends to terminate this case without further notice because the docket shows no activity in the case for at least two years. You may stop the court from terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed should be filed with the Prothonotary of the Court at COUNTY OF MONTGOMERY, OFFICE OF THE PROTHONOTARY, P.O. BOX 311, COURTHOUSE, NORRISTOWN, PA 19404-0311, on or before	
_____	
Date	
IF YOU FAIL TO FILE THE REQUIRED STATEMENT OF INTENTION TO PROCEED THE CASE WILL BE TERMINATED.	
	BY THE COURT:
_____	_____
Date of this Notice	Prothonotary

(e) The Statement of Intention to Proceed shall be in the following form:

<p><b>(Caption)</b></p> <p><b>Statement of Intention to Proceed</b></p> <p>TO THE COURT:</p> <p>_____ intends to proceed with the above captioned matter.</p> <p>Date:    —    —                      _____</p> <p style="text-align: right;">Attorney for _____</p>
--

- (f) If no statement of intention to proceed has been filed in the required time period, the Prothonotary shall enter an order as of course terminating the matter with prejudice for failure to prosecute.
- (g) If an action has been terminated pursuant to this rule, an aggrieved party may petition the court to reinstate the action. All matters so terminated may not be reinstated except with leave of Court, for cause shown.
- (h) Following the filing of a statement of intention to proceed in civil cases only, the Court may schedule a Discovery Management Conference in the subject case as set forth in Montgomery County Local Rule of Civil Procedure 4019\*(5).

*Comment: the forms referenced in this rule are available online at [www.montcopa.org/prothonotary](http://www.montcopa.org/prothonotary).*