

Rule 39-214. Preferences on Trial List

39-214.1. A cause of action shall be listed for trial by filing a Praeceptum in the office of the Prothonotary with a copy of the Praeceptum to be sent by ordinary mail to opposing counsel of record, and to all parties not represented by counsel, which shall constitute sufficient notice of the listing of the cause. **The Praeceptum shall contain a certification that mediation was pursued or, if not, was the subject of good faith consideration by counsel and all parties.**

A cause must be listed for trial at least five (5) full calendar weeks prior to the day on which trial commences.

The Prothonotary shall list the causes for trial in a docket to be provided for that purpose.

39-214.2. In the Franklin County Branch, the Prothonotary shall post a list of causes set down for trial and shall cause the list to be published once a week for three (3) successive weeks immediately following the closing of the trial list in the Franklin County Legal Journal and in newspapers of the County of general circulation, one of which shall be published in Chambersburg, one in Waynesboro, one in Greencastle, and one in Mercersburg, if such there shall be.

39-214.3. In the Fulton County Branch, the Prothonotary shall post a list of causes set down for trial and shall cause the list to be published once a week for three (3) successive weeks immediately following the closing of the trial list in a newspaper of the County of general circulation and published in McConnellsburg.

39-214.4. A list containing the names of the jurors summoned for each term of Court, with their exact place of residence and occupation, and a list of the causes for trial in the Court of Common Pleas for that term, giving the names of the parties, number and term, form of action and names of counsel, shall be prepared by the Court Administrator and supplied by him in sufficient numbers to furnish one copy thereof to any party who requests it.

39-214.5. The parties to a cause at issue may, by mutual consent and with approval of the Court, add it to the trial list at any time.

Any party may apply to the Court for an Order to strike from the trial list any cause which has been irregularly placed on it.

39-214.6. All cases shall be ready for trial on the date set for the selection of juries in each trial term, unless otherwise ordered by the Court. If a case is called and is not ready for trial, the Court may make an appropriate Order pertaining thereto.