

IN THE COURT OF COMMON PLEAS OF VENANGO COUNTY, PENNSYLVANIA

RULES GOVERNING CENTRAL COURT PROCEDURE

1. Defendants or their attorney must notify the Central Court Administrator by 4 p.m. on the Monday immediately prior to their Central Court date as to the name of counsel representing the defendant or of the defendant's desire to act pro se. Failure to contact the Central Court Administrator prior to the cut-off time may result in the case being continued and it will be marked as a continuance requested by the defendant.
2. Defendants who have retained counsel, may with counsel present, waive their preliminary hearing in person at the Central Court office if they have had a preliminary arraignment before a District Justice, or if the Central Court Administrator arranges for bond to be set by the Issuing Authority. The Central Court Administrator should be contacted to arrange an appointment to facilitate the advance waiver.
3. Parties serving subpoenas upon witnesses shall submit a Service of Process form to the Issuing Authority to substantiate that service was made upon the witness.
4. The Central Court Administrator shall have the authority to grant continuances when a District Justice is not available at the Central Court office.
5. The Sheriff's Deputy assigned to each court room shall call the court room to order when necessary to maintain proper court room decorum. When a Sheriff's Deputy is not available, the District Justice or a member of the Central Court staff shall call court to order at 8:30 a.m. for cases scheduled to commence at that time, and at such other times as may be necessary to maintain order.

The Sheriff's Deputy assigned to Central Court shall not be responsible for guarding prisoners unless assigned that duty by the Sheriff of Venango County or his designee.

6. All defendants shall be present for roll call at 8:30 a.m. and 1:30 p.m. as scheduled, including defendants who are in pre-trial confinement.

All defendants who are in pre-trial confinement shall be removed from the Central Court Room to a designated secure area by the arresting officer or an officer from the arresting officer's department.

7. During roll call, all persons shall be quiet and shall remain seated until asked to respond by the presiding District Justice. When a defendant's name is called, the defendant shall stand and state the name of his/her attorney and whether they have decided to waive the preliminary hearing, enter a guilty plea or proceed to a preliminary hearing.
8. Attorneys representing defendants shall be present at roll call at 8:30 a.m. and 1:30 p.m. respectively.
9. All persons present in the Central Court Room shall act in a proper manner, which includes prohibition of the following: loud conversations, food or beverages, use of tobacco products or smoking, chewing gum, wearing hats, use of video games, cell phones or pagers with activated sound signals, or other disruptive behavior. Parties in violations of this Rule shall be asked to leave the court room.
10. The District Justice presiding over preliminary hearings shall begin calling cases for hearings at 9 a.m. for those cases scheduled for 8:30 a.m. and 2 p.m. for those cases scheduled for 1:30 p.m. Cases shall be called in the order of seniority of membership in the bar of the defendant's attorney, subject to modification at the discretion of the presiding District Justice for cause shown. Preference should be given to private counsel in the order of selection for calling cases.
11. If an attorney for the Commonwealth fails to appear within ten (10) minutes, the District Justice may continue the case for a period of one week, may dismiss the case, or ask the officer named on the Complaint if he or she wishes to prosecute the case. The presiding District Justice shall make the final determination as to whether a dismissal is granted. If the District Justice dismisses the case, a record of the reason for dismissal should be made either through use of a court reporter or some other device to

memorialize said decision. Said dismissal should then be reported to the President Judge of the Court of Common Pleas.

12. If an attorney for the defendant fails to appear within ten (10) minutes of being notified of the case being called, the District Justice shall ask the defendant whether they wish to proceed without an attorney or have their case continued. The presiding District Justice shall make the final determination as to whether a continuance is granted. If the District Justice continues the case, a record of the reason for continuance should be made either through use of a court reporter or some other device to memorialize said decision. Said continuance should then be reported to the President Judge of the Court of Common Pleas.
13. Prior to a District Justice dismissing or continuing a case under the provisions of Rules 7 and 8, a District Justice shall give due consideration to any inconvenience or hardship on the witnesses, victims, or parties to the action. Additionally, prior to any action being taken for dismissal or continuance, the attorney for the Commonwealth and/or the attorney for the defendant shall be notified of the commencement of the ten (10) minutes for their respective appearances.
14. Defendants who are not present by 8:30 a.m. or 1:30 p.m. as scheduled, may have a warrant issued for their arrest and the case shall be stricken from that day's docket.
15. There shall be no loitering in the Central Court Administrator's office or in the Central Court Room.
16. All bond forms shall be signed in the presence of a District Justice, unless defendant, with counsel present, waives the preliminary hearing, in which case the bond shall be executed in the presence of the Central Court Administrator.
17. Witnesses who have been subpoenaed and do not appear within ten (10) minutes of the actual start time for a preliminary hearing may be notified via First Class Mail and Certified Mail of Contempt of Court proceedings against them, if service of the subpoena can be substantiated.

It may be noted on the docket that the witness did not appear and a Contempt of Court proceeding may either be scheduled for the next Central Court date of the presiding District Justice, or the case may be initiated by warrant issued to either a constable or police officer, with the contempt of court proceeding occurring immediately upon the arrest of the individual.

18. Defendants who have not notified Central Court at or prior to roll call of their decision in regard to having a preliminary hearing, waiving the preliminary hearings or pleading guilty by 9:30 a.m., shall be treated as if they desire to have a preliminary hearing.
19. If a defendant chooses one of the options and the necessary paperwork has already been completed by the Central Court staff, and the defendant then changes his or her mind, they shall be treated as if they desire to have a preliminary hearing.
20. Motions for continuances shall be submitted in writing to the central Court Administrator on forms approved and provided by Central Court. **No defendants or witnesses shall be excused until the Motion has been reviewed and approved in writing by the presiding District Justice.** If the Motion is denied and defendant is not present, it shall result in a warrant for his or her arrest. If the Motion is denied and a witness is not present, the case will move forward without the witness.
21. All continuances notices shall be mailed to the last known address of all parties involved in a particular case.
22. If a member of the District Attorney's staff or a defense attorney ask for a sentencing hearing on a particular guilty plea case, the sentencing hearings shall be conducted in open court at a time set by the presiding District Justice.
23. Venango County Central Court shall be in recess from approximately 12 noon until 1:30 p.m., subject to change at the discretion of the presiding District Justice.

- 24.If it appears that a defendant or attorney is attempting to "District Justice shop", the case shall only be continued to a date at which that District Justice team is again presiding as a team.
- 25.Defendants shall remain in the court room until their case is processed. If a defendant needs to leave the court room for any reason, they shall first notify their attorney as to their whereabouts. Defendant who appear pro se shall notify the Central Court Administrator's staff as to their whereabouts.
- 26.Defendants who are in pre-trial confinement shall have no contact with anyone except the arresting police officer, their attorney and the attorney for the Commonwealth.
- 27.All persons entering the court room shall be subject to a reasonable search for weapons and contraband.
- 28.In the event that all charges are withdrawn, except for summary offenses, the police officer shall file the summary citation(s) with the appropriate magisterial district. If the other charges are withdrawn as part of a plea agreement, a copy of the plea agreement and the defendant's signed guilty plea shall be attached to the citation when it is filed.
- 29.Defendants arrested on warrants the day of Central Court shall not be brought to Central Court for arraignment without the prior consent of the presiding District Justice. Defendants brought to Central Court with the consent of the District Justice shall be arraigned at the conclusion of Central Court, or as scheduled by the Presiding District Justice.
- 30.All matters not addressed by the Central Court Rules shall be governed by Rules promulgated by either the Supreme Court of Pennsylvania or the President Judge of the Court of Common Pleas of Venango County, Pennsylvania.