

RULE LJA1901. TERMINATION OF INACTIVE CASES

Rule LJA1901A Content of List.

The Prothonotary shall compile a list of inactive cases as of January 1 of each year comprised of all Civil Action matters in which no steps or proceedings have been taken for two (2) years or more prior thereto. A date for termination of these inactive cases shall be set forth each year on the Court Calendar.

Rule LJA1901B Notice to Counsel.

Counsel or the parties in each case listed shall be given at least thirty (30) days written notice of the termination date.

Rule LJA1901C Manner of Notice.

Said written notice shall be given in person or by mail to the last address of the counsel of record, or in the event there is no counsel of record, to the last address of the party. Where notice cannot be so given or has been returned undelivered, said notice shall be by publication in the Crawford County Legal Journal at least ten (10) days prior to such date, which publication may combine any number of such cases in such form as the Court Administrator shall determine.

Rule LJA1901D Content of Notice.

Said written notice shall identify the matter and shall state the date of the termination and that the matter will be terminated by Court Order for unreasonable inactivity unless the parties or counsel file objection to such termination stating reasons why such inactivity has not been unreasonable.

Rule LJA1901E Presentation of Objection and Content.

Objections to termination shall be in writing in the form of a motion in accordance with Rule L206 and presented to the Prothonotary no later than five (5) days before the scheduled termination date. Such objections shall state, in addition to the reasons therefore, whether the matter has previously been listed for termination due to unreasonable inactivity and if so, the date or dates of such listing. Such objections shall also certify that the notice required by sub-section F of this rule has been given.

Rule LJA1901F Service of Objections.

Any party or counsel filing objections to termination shall deliver, either personally or by U.S. Mail, to all other parties interested in such matter or their counsel of record, if any, a copy of the objections.

Rule LJA 1901G Response to Objection.

Any party or counsel who desires to respond to an objection to termination must file a response in writing with the Prothonotary on or before the termination date. If no response is filed the objection will be sustained.

Rule LJA1901H Disposition of Objections.

Where objections and a response to the objections have been filed, the Prothonotary will refer the case to the Court for disposition either on the pleadings, or after hearing or argument.

Rule LJA1901I Reinstatement.

Any matter terminated after notice by publication may be reinstated by the Court upon motion filed and served upon all other parties to the matter and upon good cause shown.