
LOCAL COURT RULES
AND
HISTORY



COURT OF COMMON PLEAS
of
Greene County, Pennsylvania

GREENE COUNTY RULES – 2000

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APPLICABLE TO ALL DIVISIONS OF THE COURT

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RULE G1: Local Rules.

- a. These are local rules for the Court of Common Pleas of Greene County, Pennsylvania, 13th Judicial District, promulgated in accordance with Pa.R.C.P. 239, 42 Pa.C.S.A. They shall apply to all offices within the Greene County Court system unless specifically indicated otherwise.
- b. These rules shall be cited as “Gr.Co.R. _____.”
- c. Effect:
 - 1. These rules will become effective thirty (30) days following publication in the “Pennsylvania Bulletin.”
 - 2. Unless otherwise ordered, for cause shown, these rules shall apply to actions pending on the effective date.
 - 3. These rules are supplemental to the Pennsylvania Rules of Court and any inconsistency shall defer to the Pennsylvania Rules of Court.
 - 4. These rules are applicable to all divisions of Court except where designated to the contrary.
- d. Exceptions to local rules must be by Order of Court which will be entered only in the interest of justice.

RULE G4: Presentation of Motions and Petitions.

- a. Motions shall be presented at 9:00 o’clock a.m. on the first and last working day of each week and such other times as may be designated by the Court. Emergency motions shall be heard as needed.
- b. All motions presented shall comply with the following requirements:
 - 1. Motions shall be personally presented to the Court by the attorney of record, an attorney acting on behalf of the attorney of record, or a party to the proceeding if unrepresented by an attorney except as set forth in subparagraph 5 below.
 - 2. All motions shall be in writing and shall include a proposed order accompanied by a certificate of service and notice of motion substantially in the form as follows:

Certificate of Service and Notice of Motion. I hereby certify that I am this date serving the foregoing document and giving notice of its presentation to the Court on the _____ day of _____, _____, at _____ o'clock upon the person and in the manner indicated below.

DATED: _____

Attorney for _____

3. Notice of the presentation of the motion shall be in writing and a copy of the motion received by opposing counsel or an unrepresented party at least 24 hours in advance of its presentation to the Court.
4. All agreed upon motions shall contain the consenting signatures or attached consents of all attorneys or unrepresented parties of interest.
5. Motions for routine scheduling of hearings and rule returnable/citations may be mailed or otherwise presented to the Court Administrator.

RULE G211: Argument Court.

- a. The Prothonotary, Clerk of Court, and Clerk of Orphans' Court shall immediately place on the next available argument list any case where preliminary objections, exceptions, motions for summary judgment, or any other request for determination of law has been filed.
- b. The legal brief or memorandum of the moving party shall be filed with the appropriate Court office and served upon opposing counsel or unrepresented parties not less than fifteen (15) days prior to the date of argument. The reply legal brief or memorandum shall be filed with the appropriate court office and served upon opposing counsel or unrepresented parties not less than five (5) days prior to the date of argument. Failure to strictly comply with the briefing schedule shall constitute a default authorizing the Court to grant or deny the relief at issue, prohibit the failing party

to make oral argument, and to take such other action as the Court deems necessary for the proper administration of justice.

RULE G212: Pre-trial Conferences.

- a. There shall be a pre-trial conference in accordance with Pa.R.C.P. 212, 42 Pa.C.S.A., for each case placed on the civil or orphans' court trial lists.
- b. The attorney of record or an unrepresented party shall file a praecipe with the Prothonotary for a pre-trial conference no later than 45 days prior to the start of the civil session.
- c. The Court, on its own motion, may direct a case, which has been at issue and for which no praecipe has been filed, to be placed on the list for pre-trial conferences.
- d. The Prothonotary shall place all cases on the next available trial list where an Answer in response to a Complaint has been filed.
- e. In any event, the Prothonotary shall place all cases, exclusive of divorce cases, which have been filed for at least 90 days on the next available pre-trial conference list.
- f. The Prothonotary shall place all divorce cases which have been filed for at least 180 days on the next available pre-trial conference list.
- g. The parties and attorneys who will actively try the case at trial shall attend the pre-trial conference. If a party, by contract or otherwise, has relinquished the right to settle and to control the conduct of the case, the person with such authority must be present or immediately available by the phone at the time of the conference. Any failure to comply with the foregoing may result in the imposition of sanctions.

RULE G212.1: Pre-Trial Statements.

Where the court has ordered that a pre-trial statement be filed, each party shall file with the Prothonotary and serve upon opposing counsel, or unrepresented parties, a pre-trial statement containing the following:

- a. A brief narrative statement of all relevant facts which will be offered at trial;
- b. A summary of all legal and factual issues;
- c. The names and addresses of all witnesses to be called at trial with a notation of their purpose, with a specific notation for expert witnesses;
- d. A list of all exhibits to be offered at trial;
- e. A list of specific items and amounts of injury or damage which the plaintiff claims and expect to prove at trial;
- f. A statement of stipulations of face and/or authenticity/admissibility of documents;
- g. The most recent demand/offer of settlement; and
- h. The estimated length of trial.

RULE G216: Continuances.

- a. A filing fee of twenty-five (\$25.00) dollars shall be paid to the Prothonotary upon filing of the motion for continuance and receipt received prior to the Prothonotary's time stamp and prior to presentment to this Court.
- b. The Prothonotary shall remit said filing fee on a monthly basis to the Court Administrator for expenditure on the Greene County Law Library.
- c. Motions for continuance shall contain the following information:
 1. A statement of the number of prior continuances, if any;
 2. A clear, concise and certain reason for the request, and;
 3. In the event the reason for requesting a continuance is a prior commitment to another Court appearance of administrative agency, a copy of the notice of the conflicting hearing shall be attached as an exhibit.
- d. If the continuance is by consent, all counsel and all parties must sign the application.

- e. Granting of a continuance pursuant to this Rule and Pa.R.C.P. 216 shall be at the discretion of the Court.

RULE G223: Motions in limine.

All motions in limine as to proof of facts, admissible evidence, and statements and proposed testimony of witnesses shall be presented at the pre-trial conference as provided in Rule G212.

RULE G226: Proposed Jury Instructions.

- a. In all trials the attorneys of record trying the case and any unrepresented parties shall submit in writing to the Court all proposed points for charge or jury instructions, if any, not later than the beginning of opening statements.
- b. Once the trial commences, points for charge or jury instructions shall be accepted only by leave of Court as justice shall require.

RULE G400.1: Service of Process.

Original process shall be served with the Commonwealth:

- a. By the sheriff or a competent adult in the actions of equity, partition, prevent waste, and declaratory judgment when declaratory relief is the only relief sought; and
- b. By the sheriff in all other actions.

RULE G430: Legal Publication.

The “Greene Reports,” owned and operated by the Greene County Bar Association, is designated the official legal publication for Greene County.

RULE G1012: Attorney's Appearance.

- a. Each attorney, to include the public defender, who accepts the representation of a party to an action filed in Court shall immediately enter his or her appearance on record.
- b. Any attorney wishing to withdraw their appearance shall petition the Court and cause a Rule to Show Cause to be issued upon their client and opposing counsel or unrepresented party, provided however, that withdrawal may be by praecipe where successor counsel has entered an appearance.

RULE G1018: Notice to Defendant Agency to be Contacted.

- a. The agency to be contacted for legal help as provided in Pa.R.C.P. 1018.1 for Notice to Defend is:

Court Administrator
Law Library
Greene County Courthouse
Waynesburg, PA 15370
(724-852-5237)

Southwestern Pennsylvania Legal Aid Society
63 South Washington Street
Waynesburg, PA 15370
(724-627-3127)

RULE G1301: Arbitration.

- a. Pursuant to Section 7361 of the Judicial Code, 42 Pa.C.S.A. and Pa.R.C.P. 1301, 42 Pa.C.S.A., all civil suits or actions where the amount in controversy is \$25,000.00 or less, shall first be tried by a Board of Arbitrators, except for actions involving:
 1. Title to real estate
 2. A demand for an accounting
 3. Replevin
 4. Actions requiring equitable or declaratory relief

5. Actions in mandamus quo warranto and mortgage foreclosures.
- b. Matters may be place at arbitration by consent of the parties even if the amount in controversy is in excess of \$25,000.00.

RULE G1302: Arbitrators.

- a. The Prothonotary shall appoint a Board of Arbitrators by seeking consensual appointment, and if unable to obtain a Board in that manner within fourteen (14) days, the Court shall appoint arbitrators for the unfilled vacancies. Each member of this Bar who is practicing law full-time is expected to accept appointment.
- b. The panel of arbitrators shall be appointed insofar as is possible on a rotating basis by the Office of the Prothonotary.
- c. The chairperson of any Board of Arbitration must be an attorney with at least three (3) years experience.
- d. Not more than one member or associate of a law firm or association of attorneys shall be appointed to serve on same Board of Arbitration.
- e. Attorneys should disqualify themselves from serving on a Board of Arbitration if serving would present a conflict of interest or if a judge in a similar situation would disqualify himself or herself.
- f. Arbitrators shall be compensated per case at the rate of \$75.00 for the Chairperson and \$70.00 for the two remaining panel members.

RULE G1308: Appeal from Arbitration.

- a. An appeal from an award shall be taken in conformity with Pa.R.C.P. 1313 within thirty (30) days after the entry of the award on the docket.
- b. The appealing party shall pay to the Prothonotary the sum of \$215.00 or fifty percent (50%) of the amount in controversy, whichever is less, as compensation for the Arbitrators which shall not be taxed as costs or be recoverable in any proceeding.

- c. The Court, for cause shown, may permit an appeal to proceed in forma pauperis.
- d. The appellant shall provide the Prothonotary an extra copy of the notice of appeal and a stamped envelope addressed to each opposing party pursuant to Pa. R.C.P. 1308(b).
- e. An appeal by any party shall be deemed an appeal by all parties to all issues unless all parties stipulate in writing otherwise.

RULE G1901: Protection from Abuse (23 Pa.C.S.A. 6101): Procedure.

- a. All police and detention authorities shall familiarize themselves with this rule so as to provide efficient enforcement of protection from abuse law and to ensure speedy relief for the parties.
- b. Commencement and Referral. The Prothonotary and the District Justice shall provide written and oral referrals to any person wishing to file a petition under the Protection From Abuse Act, 23 Pa.C.S.A §6101, et seq., to Greene County Women’s Center, the Southwestern Pennsylvania Legal Aid Society, or the Court Administrator of Greene County. The Prothonotary shall accept petitions without requiring prepayment of the filing fee and the Sheriff shall serve copies of any temporary order upon the defendant unless the Court orders otherwise.

RULE G1902: Protection from Abuse (23 Pa.C.S.A. 6101): Enforcement.

- a. When an arrest is made for violation of an order, a complaint for indirect criminal contempt shall be completed and signed by either a police officer or the plaintiff and filed with the Prothonotary. When the complaint is filed by a police officer, neither the plaintiff’s presence nor signature is required.
- b. When an arrest is not effected, a complaint for indirect criminal contempt may be completed and signed by the plaintiff pursuant to 23 Pa.C.S.A. §6113.1.
- c. Defendants arrested for violation of an order shall be brought before the Court at the first business hour following the arrest. If the Court is

unavailable, the defendant shall be taken to the District Justice for preliminary arraignment and instruction on rights and procedure. The defendant shall be given the right to post bail which may be subject to conditions such as eviction or abstaining from all contact with the plaintiff.

- d. In the event of an arrest, the complaining party shall be present at the time the defendant is brought before the Court.
- e. Defendants are entitled to be represented by an attorney at the contempt proceeding, and if a defendant qualifies by reason of indigency, an attorney will be appointed to represent him or her. The Magisterial District Judge will, upon request, provide a defendant with an application for Court-appointed counsel.
- f. Immediately upon the arrest and detention of a defendant for a violation of an order, or at the first opportunity thereafter, the arresting authority and/or the authorities at the detention center shall be responsible for notifying the Court Administrator, the defendant's attorney, or the Public Defender's Office if the defendant does not have an attorney.
- g. In any case, the plaintiff may proceed by petition and rule to show cause why the defendant should not be found in civil contempt for violation of any provision of an order. Upon the presentation of a petition, the Court Administrator shall schedule a hearing date.

RULE 1910.11: Restriction of Request for de novo Support Hearing.

- a. A party who did not attend a support hearing held by the Support Hearing Officer shall not be entitled to a de novo hearing before the Court, exclusive of claimants in URESA cases.
- b. A party who did not attend the hearing before the Support Hearing Officer may, for good cause shown, request a rehearing and if denied by the Domestic Relations Section, may petition the Court for a rehearing before the Support Hearing Officer.
- c. A non-appearing party may request a modification of the order six (6) months after the effective date of the present order, provided how-ever, that the Domestic Relations Section may, at its discretion, waive the six

(6) month waiting period where both parties agree to a modification hearing and/or where the petitioning party alleges a substantial change in circumstances since the original hearing.

RULE G1910.18: Support Order. Subsequent Proceedings.

- a. Reconciliation. The Domestic Relations Section shall suspend an order when it is verified that the claimant and defendant have reunited, and further, in the event the parties should once again separate, the Domestic Relations Section shall reinstate the previous support order, provided however, that in the event of a suspension of reinstatement of a court order, the parties shall be made aware of their right to request a modification hearing.
- b. Unemployment. In the event a payor is suspended from his or her employment and is entitled to receive unemployment benefits, the Domestic Relations Section shall adjust the support due and owing under an order consistent with the amount of unemployment compensation and other income as set forth in the support guidelines, Pa.R.C.P. 1910.16-2, and further, upon the payor returning to his or her employment, the Domestic Relations Section shall reinstate the support order, without a hearing being required for action pursuant to this rule, provided however, that the parties shall be made aware of their right to request a hearing.

RULE G1915: Custody.

- a. When a claim for custody, partial custody or visitation is made in a complaint, petition, or counterclaim, such pleading shall comply with Pa.R.C.P. 1915.15(1) and shall have attached an Order of the Court referring the claim to the Child Custody Hearing Officer. The moving party shall file the original and a copy of such pleading with the Prothonotary who shall then forward the copy to the Court Administrator for scheduling.

- b. Prior to the hearing, the Child Custody Hearing Officer shall ensure that the litigants view the Pennsylvania Bar Association Custody Tape, and further, shall maintain a roster to ensure viewing is not repetitious.
- c. The Child Custody Hearing Officer will hold a hearing which the parties shall attend. The parties and their attorneys, with the hearing officer as a mediator, shall make a good-faith effort to resolve the issues and reach an agreement on custody, partial custody or visitation. The Child Custody Hearing Officer shall conduct the hearing as an informational and conciliatory proceeding rather than adversarial.
- d. If an agreement is obtained, the Child Custody Hearing Officer shall review the agreement with the parties and their counsel to ensure agreement, and thereafter prepare a proposed order and present to the Court for review and acceptance.
- e. If an agreement is not obtained, the Child Custody Hearing Officer shall proceed to conduct a hearing on the merits of the case and submit a proposed and recommended Order to the Court. Upon the Order being entered by the Court, the Prothonotary will promptly provide a copy thereof to the parties and their counsel, if any. The said Order shall become final unless exceptions or an appeal for a hearing de novo is filed with the Prothonotary by either party within ten (10) days of the date of Order.
- f. In the event that a party, after proper notice, fails to appear for the hearing, the Child Custody Hearing Officer shall proceed with the testimony of the appearing party and shall report the failure of one party to appear to the Court when presenting the proposed Order.
- g. A party who does not appear for a hearing is not eligible to appeal for a hearing de novo but may petition the Court for rehearing before the Child Custody Hearing Officer for good cause shown.
- h. Exceptions or an appeal of the Order shall be in writing. The original shall be filed with the Prothonotary and a copy thereof forthwith delivered to the Court Administrator, Child Custody Hearing Officer, the opposing party, and opposing counsel. The Order shall remain effective as a temporary order until further Order of the Court.

- i. Upon receipt of exceptions or an appeal, the Court Administrator shall cause the case to be scheduled for a hearing de novo as expeditiously as possible. Upon motion of the parties or the Court, a pre-hearing conference may be scheduled.
- j. Any party intending to apply for special relief is referred to Pa.R.C.P. 1915.13.
- k. All petitions for civil contempt under Pa.R.C.P. 1915.12 shall be presented to the Court Administrator who shall set a hearing date thereon.
- l. Any party filing preliminary objections raising a question of jurisdiction or venue shall promptly deliver a copy thereof to the Court Administrator so that such issues may be given priority and disposed of as expeditiously as possible.
- m. In order to facilitate compliance with the requirements of the Uniform Child Custody Jurisdiction Act, a party shall provide the Court in writing all known information concerning any custody proceedings pending in another state or county which involves the same parties and/or children. In particular, the Court should be informed of the following: (1) the name and address of the court in which such case is pending; (2) the caption of such case; (3) the name, address and telephone number of the judge to whom the case might have been assigned; and (4) any orders entered in such case. Information provided under this rule should be submitted in writing.
- n. All parties and their counsel, if any, shall be responsible for providing a responsible adult to care for all children who are brought to hearings before either the Child Custody Hearing Officer or the Court.

RULE 1920.51 Master in Divorce.

- a. Filing fees for Divorce cases shall be increased by \$50.00. This fee shall be deposited into an account in the Office of the Prothonotary designed for the payment of Court Stenographer's fees with the Master to be responsible for seeking an Order from the Court for payment to the Court Stenographer. Upon receipt of the Order, the Prothonotary shall issued the check to the Court Stenographer.

- b. The charge for each Court beyond the initial Court for Divorce shall be increased from \$5.00 to \$15.00 per Court, with the additional amount of \$10.00 per Court paid pursuant to this rule to be deposited into an account in the Office of the Prothonotary designated for the payment of Court Stenographer's fees. These fees shall be deposited and distributed as set forth in Rule 1920.51(a) above.
- c. An initial Master's fee deposit of \$400.00 shall be paid to the Prothonotary at the time the Request for Appointment of a Master is filed, with the payment of the deposit to be the responsibility of the moving party unless the Court shall direct otherwise.
- d. Immediately after appointment, the Master shall schedule a Conciliation Conference to be attended by the parties and their respective counsel.
- e. If hearings are required before the Master beyond the Conciliation Conference, an additional fee of \$1,000.00 per day shall be deposited in advance of the schedule hearing. The Master is authorized to recommend how this fee shall be allocated between the parties.
- f. The Master in Divorce shall be entitled to compensation of \$75.00 per hour for the first five (5) hours and \$60.00 per hour thereafter, upon approval by the Court of a reasonable number of hours.
- g. Any unused portion of the funds deposited for the Master's fees shall be returned to the depositor upon direction of the Master or the Court.

RULE G2206: Settlement, Compromise, Discontinuance and Judgment – Notice to the Department of Revenue. Contents of the Petition. Department's Response.

- a. When a petition is presented seeking an order permitting a compromise of a claim, whether in suit or not, by an estate or when a petition is presented pursuant to Pa.R.C.P. 2206, the Court shall set a date for hearing. Petitioner shall provide a copy of the petition and notice of the hearing date to the Office of Chief Counsel, Department of Revenue, Commonwealth of Pennsylvania, at least twenty-one (21) days prior to the hearing date.
- b. Said petition shall contain the following information:

1. The extent, if any, of the decedent's conscious pain and suffering resulting from the incident giving rise to the decedent's claim;
 2. A copy of an accident report, if available;
 3. The medical expenses incurred resulting from the incident giving rise to the decedent's claim;
 4. Name, age, relationship to decedent, and the extent of financial dependence upon decedent of wrongful death beneficiaries of decedent;
 5. Non-minor decedent's probable future earned income less cost of maintenance discounted to present worth (attach supporting economist's report, if available).
- c. Counsel for the Department of Revenue shall notify the petitioner's counsel at least seven (7) days prior to the hearing date whether or not the Department agrees with the proposed apportionment.

RULE G5000: Appeals to Superior Court of Pennsylvania, Commonwealth Court of Pennsylvania and/or Supreme Court of Pennsylvania.

- a. The Prothonotary, Clerk of Court, Clerk of Orphans' Court, and Domestic Relations Section shall forward to the Prothonotary of the appropriate appellate court all "Notices of Appeal" within two (2) working days of the filing of any such notice by a party to an action.
- b. The above-mentioned official shall transmit to the Prothonotary of the appropriate appellate court the entire record within thirty (30) days of the notice of appeal being filed. The absence of a transcript and/or judicial opinion is not cause for delay of the forwarding of the record.
- c. In the event the transcript and opinion of the Court is not forwarded with the record to the appropriate appellate court, such transcript and/or opinion of the Court shall be forwarded to the Prothonotary of the appropriate appellate court within two (2) working days of filing.

RULE G5001: Courtroom Decorum.

- a. In the absence of extraordinary circumstances, all persons shall be dressed appropriately when observing or participating in any proceeding in the Greene County Courthouse, including but not limited to the prohibition of hats, caps, shorts, tank tops, unbuttoned shirts, the absence of shirts, and the absence of shoes.
- b. All persons shall behave in a socially acceptable manner, treating other persons with dignity. Profanity and obscenities are specifically prohibited.
- c. Each attorney practicing before the Court shall be responsible for the behavior of his or her client(s) and witnesses, and shall ensure that his or her client(s) are witnesses are dressed in an appropriate manner.

RULE G5002: Health Conditions in the Courthouse.

All persons are prohibited from smoking or otherwise using tobacco products in the Greene County Courthouse, and are prohibited from use, possession, or influence of alcoholic beverages or other drugs in the Greene County Courthouse. Attorneys are responsible for informing and enforcing this prohibition as to their client(s) and witnesses.

RULE G5003: Monitoring of Cases.

Attorneys shall be responsible for monitoring all cases which are before the Court for determination and shall, by letter to the Court Administrator, inquire as to the status of any case that has been pending before the Court for a period in excess of thirty (30) days, a copy of such letter of inquiry to be sent to opposing counsel and unrepresented parties.

RULE G5004: Administrative Orders.

- a. All previous Administrative Orders entered by the Greene County Court of Common Pleas are rescinded with the exception of the following Orders which shall remain in full force and effect:

<u>Date of Order</u>	<u>Docket Number</u>	<u>Subject of Order</u>
June 17, 1983	No. 7, Administrative Docket, 1983	Report of Case Filings
June 17, 1983	No. 96, Miscellaneous Docket, 1983	Report of Case Filings
March 1, 1988	No. 12, Miscellaneous Docket, 1988	Greene County Bail Agency
March 30, 1988	No. 24, Miscellaneous Docket, 1988	Collection of Restitution and Allocation of Payments
May 5, 1989	No. 25, Miscellaneous Docket, 1989	Court Appointed Adoption Counselor
August 11, 1989	No. 103, Miscellaneous Docket, 1989	ARD Program
October 1, 1991	No. 112, Miscellaneous Docket, 1991	Probation and Parole Fees
October 16, 1992	No. 137, Miscellaneous Docket, 1992	Intermediate Punishment

RULE G261-CRIM: Continuances.

- a. Motions for continuance shall contain the following information:
 1. A statement of the number of prior continuances, if any,
 2. A clear, concise and certain reason for the request, and
 3. In the event the reason for requesting a continuance is a prior commitment to another Court appearance of administrative agency, a copy of the notice of the conflicting hearing shall be attached to the exhibit.
- b. If the continuance is by consent, all counsel and all parties must sign the application.

- c. Granting of a continuance pursuant to this Rules and Pa.R.Crim.P.301 shall be at the discretion of the Court.
- d. A filing fee of twenty-five dollars (\$25.00) shall be paid to the Clerk of Courts upon filing of the motion of continuance and receipt received prior to the Clerk of Courts' time stamp and prior to presentment to this Court.
- e. The Clerk of Courts shall remit said filing fee on a monthly basis to the Court Administrator for expenditure on the Greene County Law Library.

RULE G319-CRIM: Criminal Pre-Trial Procedures.

- a. Plea Court. The Court shall designate two (2) days to be scheduled within two (2) weeks prior to the beginning of the criminal trial term as plea court. The District Attorney shall be responsible for determining the cases to be included and the order in which the cases are to be called.
- b. Plea may be scheduled for hearings at times other than the two (2) scheduled plea court days as scheduled by the Court.
- c. Plea agreements will not be considered by the Court after the date of plea court although open pleas will be accepted at any time prior to the return of the jury.

RULE G1100-CRIM: Criminal Trial List.

The office of the District Attorney of Greene County shall ensure that each criminal case is placed on a criminal trial list in sufficient time for the trial to be conducted consistent with Pennsylvania Rule of Criminal Procedure 1100.

RULE G1406-CRIM: Sentencing Guideline Forms.

The office of the District Attorney of Greene County shall prepare the sentencing guideline form for each applicable case, present the same to the Court for review and signature, and file with the Clerk of Court no later than twenty (20) days after the date of each sentencing, pursuant to 204 Pa. Code §303.1.

RULE G1407-CRIM: Payment of Fines, Costs and Restitution.

- a. All fines, costs, and restitution assessed at the time of sentencing shall be payable within fifteen (15) days of sentencing, except in cases where the defendant can show a hardship the Greene County Probation and Parole Department may arrange a payment schedule with the defendant in order to provide that all such fines, costs and restitution are paid in full at least one (1) month prior to the maximum term of the sentence.
- b. The Greene County Probation and Parole Department shall ensure that all cases where the defendant has not paid the fines, costs and restitution pursuant to the foregoing are scheduled for a violation hearing consistent with Pa.R.Crim.P.1409 when a defendant unjustifiably is not making payments agreed upon, but in any event, such hearing shall be scheduled not later than one (1) month prior to the termination of the maximum sentence of the defendant.

RULE G6.1-O.C: Final Accounts.

- a. The Clerk of Orphans' Court shall prepare and have on hand the forms necessary for filing a final account.
- b. All final accounts shall be in a form substantially the same as the form prepared by the Clerk.
- c. All final accounts, petition for settlement, or agreement of heirs of a decedent's estate shall have attached a copy of the Inventory and Appraisal, if applicable, and a copy of the inheritance tax return, to include tax returns of insolvency, and the closing letter by the Pennsylvania Department of Revenue, or if the closing letter has not been received, a copy of the receipt of payment. In the event that the closing letter has not been received at the time of filing, a copy of the same shall be a supplemental filing upon receipt, with no additional fee for the supplemental filing of the closing letter.

RULE G6.12-O.C.: Filing Dates.

- a. Final accounts or petitions for settlement of small estate for all decedent's estates shall be filed within one (1) year of the date of death unless an extension is granted by Court Order.
- b. If the pleading has not been filed within ten (10) months of the date of death, the Register of Wills shall notify counsel for the estate, or if no counsel is representing the estate, then the personal representative that the account must be filed pursuant to this rule.
- c. The Register of Wills shall submit to the Court on the first working day following the expiration of one (1) year from the date of death a list of all counsel of record, if any, and the personal representative where the account, etc. has not been filed within one (1) year of the date of death.
- d. In the event that the attorney for the estate, if any, and the personal representative do not strictly comply with this rule and Pa.O.C. Rule 6.12, sanctions shall be imposed unless good cause acceptable to the Court is shown.

RULE G7.1-O.C.: Exceptions.

All exceptions concerning Orphans' Court proceedings shall be filed within ten (10) days of the filing of the subject Order or Decree with the Clerk of Orphans' Court, with copies to be served upon all attorneys of record and parties of interest by personal service or certified mail, return receipt request as well as by regular first-class mail, with an affidavit of service to be filed with the Clerk of Orphans' Court.

RULE G14-O.C.: Guardianship Proceedings.

All proceedings for the appointment of guardians shall strictly comply with the statute, Act 24 of 1992, effective June 15, 1992 (20 Pa.C.S.A. 5501 et. seq.).

RULE G1901-JA: Termination of Inactive Cases.

- a. On or before October 15th of each year, the Clerk of Court, Clerk of Orphans' Court, Prothonotary, Domestic Relations Section, and all Magisterial District Judges shall submit to the Court a list of all matters before them and/or filed on their respective dockets for which no action has been taken for two (2) years or more prior thereto in accordance with Pennsylvania Rule of Judicial Administration 1901, such list to contain no less than the caption, docket number, and in the case of a private prosecutor, the affiant's name.
- b. On or before October 15th of each year, each office shall present a copy of the list to the Court, and in criminal cases, a copy to the District Attorney.
- c. On or before the first Monday of November of each year, each of the above-mentioned offices shall serve notice upon the parties in interest pursuant to Pennsylvania Rule of Judicial Administration 1901(c).
- d. The Court shall, on the first Monday of each December at 9:00 a.m., call each of the lists presented by the various offices, and the case shall be dismissed with prejudice, unless cause is shown that dismissal would not best service the interest of justice.
- e. The costs for all cases dismissed shall be borne by the plaintiff and/or complainant, except in criminal cases where the Commonwealth has instituted such case, the costs shall be borne by the County.

GREENE COUNTY LOCAL RULES

RULE G4 is hereby rescinded.

RULE G205.2(a): Form of Papers

All pleadings and other legal papers shall be printed or typed on white paper 8½ x 11 inches with a minimum margin of at least 1 inch on all four sides. The papers shall be secured by an appropriate metal or plastic fastener. Exhibits shall be tabbed and labeled.

RULE G206.1(a): Definition of Petition

Where all persons affected by the request for relief have not consented thereto, the following applications for relief are included in the definition of “Petition” and shall be governed by Pa. R.C.P. No. 206.1, et. seq.:

1. an application to reinstate an action terminated by reason of inactivity which is presented pursuant to Pa.R.C.P. 230.2(d)(3);
2. application for sanctions under Pa.R.C.P. 1023.2 or 1042.7;
3. applications for attorney’s fees under 42 Pa.C.S.A §2503;
4. applications to intervene.

RULE G206.4(c): Disposition of Petitions

1. The procedure adopted in Pa.R.C.P. 206.5 is hereby adopted to govern petition practice in the Court of Common Pleas of Greene County. If a rule to show cause is issued, procedure is then governed by Pa.R.C.P. 206.7.
2. The petitioning party shall give notice to all other parties of intention to request the Court to issue a rule, pursuant to Local Rule G208.3(a). The petition shall be presented at motion’s court as provided in Local Rule 208.3(a).
3. Upon execution of the order issuing the rule, the original order shall be filed in the Prothonotary’s office. Notice of entry of the order shall be provided to all parties and counsel, if known, by the Prothonotary and the petitioner.
4. A request for stay of proceedings pending disposition of the petition shall be included in the text of the petition, to be considered and processed in accordance with the above procedures. If a need for emergency relief is sought, the request shall be presented to the motions judge, with notice to opposing counsel, if known, and unrepresented parties of the date and time of presentation in accordance with Local Rule G208.3(a).

RULE G208.3(a): Disposition of Motions

1. As using as a rule, “Motion” means any application to the Court made in any civil action or proceeding except as provided in Pa.R.C.P 208.1(b)(1)(2) and Local Rule G206.1(a).
2. Motions shall be presented at 9:00 a.m. on the first and last working day of each week and at such other times as may be designated by Court. Emergency motions shall be heard as needed.

(b) All motions presented shall comply with the following requirements:

- 1) Motions shall be personally presented to the Court by the attorney of record, an attorney acting on behalf of an attorney of record, or a party to the proceeding if unrepresented by an attorney except as set forth in subparagraph 5 below.
- 2) All motions shall be in writing and shall include a proposed order accompanied by a certificate of service and notice of motion substantially in the form as follows:

Certificate of Service and Notice of Motion

I hereby certify that I am this date serving the foregoing document and giving notice of its presentation to the Court on the _____ day of _____, 20____, at _____ o'clock upon the person and in the manner indicated below:

Dated: _____

Attorney for _____

- 3) Notice of the presentation of motion shall be in writing and a copy of the motion received by opposing counsel or an unrepresented party at least 24 hours in advance of presentation to the Court.

- 4) All agreed upon motions shall contain the consenting signatures or attached consents of all attorneys or unrepresented parties of interest.
- 5) Motions for a routine scheduling of hearing may be mailed or otherwise presented to the Court Administrator after notice as required.
- 6) All motions shall include a brief statement of the applicable authority.
- 7) All motions shall clearly state whether they are contested or uncontested.

RULE G1028(c): Disposition of Preliminary Objections

1. Preliminary objections shall be placed upon the next available argument list by the Prothonotary as soon as they are filed.
2. The briefing schedule shall be governed by G211(b) unless otherwise ordered by the Court.

RULE G1035.2(a): Disposition of Motions for Summary Judgment

1. Motions for summary judgment shall be placed on the argument list by the Prothonotary when they are filed.
2. The briefing schedule shall be governed by G211(b) unless otherwise ordered by the Court.

LOCAL RULE G1915.1: Seminar for Separating or Divorcing Parents

All parties to Custody Actions filed on or after September 1, 2003, where the interests of children under the age of eighteen (18) years are involved, shall, unless excused by the Court, complete a program entitled the Seminar for Separating or Divorcing Parents (the "Seminar").

All parties shall register for the first available Seminar after the date the defendant has been served with process. Counsel for the plaintiff shall require the plaintiff to register for the Seminar and shall have a copy of the attached Notice and Registration Form served on the defendant at the same time as the Complaint.

Failure of a party to successfully complete the Seminar will result in sanctions by the Court, including contempt.

Every Complaint in Custody shall set forth in a separate attached statement, the names, addresses and telephone numbers of the parties, and the names and ages of all children under the age of eighteen (18) years.

NOTICE TO ATTEND

All parents of children under 18 years of age and who are involved in child custody or divorce litigation are required by the Greene County Court to attend an educational seminar. The seminar deals with the subject of how children cope with separation and divorce. Failure to complete the seminar will result in appropriate sanctions by the Court.

This seminar is a four (4) hour program presented by qualified counselors under a contract with the Court. Catholic Charities is licensed to conduct this seminar which is a copyrighted program and which has not religious content and is not in any way controlled by the Catholic Church. It is held in the

Catholic Charities Office, 95 East High Street, Room 107, Waynesburg, Pennsylvania. Parents need not attend the same session and children are NOT to be brought.

Please call Catholic Charities at 724-627-6410 to determine the next available seminar date.. Return the registration form below and your \$45.00 check, payable to “Catholic Charities” within 10 days to:

Catholic Charities
95 East High Street, Room 107
Waynesburg, PA 15370

**SEMINAR FOR SEPARATED PARENTS
REGISTRATION FORM**

Please PRINT

Names on Complaint or Petition:

Case Number:

vs.

No. _____ of 20 _____

Your Name: _____

Your Address: _____

Home Phone: _____ Work Phone: _____ Ext. _____

Please schedule me for the following session:

Date: _____ Time: _____

_____ DO NOT schedule me for the same session as the other parent

(_____)

Name of other parent

Your Signature

A BRIEF HISTORY OF GREENE COUNTY AND ITS COURTS

“A STRUGGLE FOR POSSESSION”

Long before King Charles II granted William Penn the colony of Pennsylvania on March 4, 1681, the Native Americans had their own claim of title and councils of government upon this land. Indian Sachem of the Six Nations ruled the lands, including Greene County, made the laws, chose the trails, settled their disputes, and determined the battle sites.

Later, due to ambiguities in the Royal Charters, both Pennsylvania and Virginia claimed the land which included what would later become Greene County. The earliest settlers within our boundaries arrived in the later 1750's, after Christopher Gist had scouted the area. Settlers arrived in reasonably large numbers between 1760 and 1770. Due to the Indian peril, the area was characterized by Bates as “A dark and bloody ground.”

The colony of Virginia was divided into sixteen districts of which West Augusta was one, comprising all the territory drained by the Monongahela, Youghiogheny, and Kiskeminitas and the streams falling into the Ohio. In 1776 the Virginia assembly passed an Act, Patrick Henry being Governor at the time, further dividing the limits of West Augusta into three counties: Ohio, Yohogania and Monongalia. Ohio County included all the territory drained by the streams falling into the Ohio River as far north as Cross Creek and included what would be the western one-third of the present Greene County. Monongalia County laid east and south of the other two Counties, embracing all the land drained by the Monongahela River including what is now the eastern two-thirds of Green County. Yohogania, the northern county, did not contain any part of what would eventually become Greene County.

The same Act provided that after the 8th day of November 1776, court shall be held every month by the Justices of the respective counties; the first Monday in Ohio County at Black's Cabin, now West Liberty; the second Monday of the month at the plantation of Theophilus Phillips, near New Geneva in Monongalia County, now Fayette County, and the fourth Monday of the month at the plantation of Andrew Heath for Yohogania County, the northern county.

William Penn claimed in his grant, issued by King Charles II as signed March 4, 1681, “all the lands lying west of a south line to be drawn from Dixon's and Mason's line as it is commonly called at the western most part of the province of Maryland to the beginning of the fortieth degree of north latitude to the extend of five degrees of longitude from the River Delaware.” Under his claim this territory belonged to Pennsylvania. Initially, the hardy settlers who ventured west of the Allegheny Mountains were served under Pennsylvania jurisdiction a great distance away, being

successively located as follows: at Lancaster from 1729 to 1750, at Carlisle from 1750 to 1771, at Bedford from 1771 to 1773, at Hannastown (Westmoreland County) from 1773 to 1781, at Washington from 1781 to *February 9, 1796, the date that Greene County was created*. After moving from Lancaster in 1750, all county business was transacted by the settlers in all the western portion of the province at Carlisle, the present county seat of Cumberland County. On March 9, 1771, Bedford County was erected out of a portion of Cumberland County and included the vast tract of western Pennsylvania, which, of course, included the area comprising Greene County, and for a time, all county business was transacted at Bedford in the new county. The first Court held at Bedford was opened April 16, 1771, over which George Wilson of Georges Creek, Fayette County, presided as Judge for the southwestern portion of the state. In the division of the new County of Bedford into townships, two were created, Pitt and Springhill, the latter including what is now Greene County. IN 1772 the township of Springhill had 308 hand holders, 89 tenants and 48 single freemen.

Therefore, Westmoreland County was formed from the lands west of the Alleghenies on February 26, 1773, and included the area now know as Greene, Washington, Westmoreland, and a part of Allegheny Counties. The courts of this new county were first held at the home of Robert Hanna, at Hannastown near Greensburg. Judge William Crawford, who was land agent for George Washington, presided. Court was last held there in April 1776, being discontinued until January 6, 1778, because of the intervention of the Revolutionary War. By then the Continental Congress was in existence.

A Council of Safety for the territory of Pennsylvania was organized and met in Carpenter Hall in Philadelphia on July 15, 1776, and immediately assumed the powers of government which had been wrested from the King of Great Britain, George III. It paid off the proprietors, Richard and Thomas Penn, two of the three sons of William Penn, whose other son John was deceased, leaving his share to Thomas. President of the Council, Thomas Warton, was elected August 6, 1766, and the free government of the state, divested of crown and propriety control, was launched.

Not only did Pennsylvania have to contend with Virginia for title to the lands lying in the western reaches of its colony, but also with the claim of title by the Indians. In a grand concave of Indians, who had their own governmental structure, held at Fort Stanwix, near Rome, New York, with Governors John Penn of Pennsylvania and William Franklin of New Jersey, as well as representative of Virginia and New York, the chiefs of the Six Nations (Seneca, Delaware, Shawnee, Miami, Wyandot and Mingo) signed the Treaty of Fort Stanwix in 1778. Two of the Six Nations did not sign, the Shawnee and the Delaware. The treaty gave title of a large tract of land including Washington, Greene, and Fayette County to Pennsylvania so far as Indian control was concerned. On the question of Indian title to land, Chief Justice John Marshall of the United States Supreme Court said later "the Indian title to the

soil is not of such a character of validity as to interfere with the possession in fee, and disposal of the land as the State may see fit.”

After the treaty with the Indians, the settlers were called upon for taxes. The settlers, being largely natives of Virginia and not relishing the support of a court so far distant, petitioned the colony of Pennsylvania for closer county organizations. This precipitated the long standing quarrel between Virginia and Pennsylvania over which should possess and govern this land. Governor Dunmore, having been appointed in 1773 was insistent, and became almost militant in establishing Virginia’s claim, directing Captain John Connolly, of the Militia of Pittsburg, to organize the territory and to form a militia for this purpose. Justice Arthur St. Clair of the Westmoreland Court at Hannastown had Connolly arrested but later released. Connolly returned, as he had promised he would when released, not for trial, but with a militia force and marched away to Pittsburgh. When the Westmoreland Court adjourned for the term, three of the justices, MacKay, Smith and McFarlane, returned to their homes in Pittsburgh and were arrested on King’s Warrants and imprisoned at Staunton, Virginia. Governor Dunmore, after a personal interview with Justice MacKay, granted them leave to go back home. By order of Governor Dunmore, the Augusta County Court at Staunton adjourned for its next term on February 21, 1775, to Pittsburgh, Augusta County. Upon doing so, they ordered the arrest of Robert Hanna and James Caveat who were jailed in the Fort Dunmore Jail at Pittsburgh, until forcibly released by a posse which also arrested John Connolly.

The Revolutionary War had diverted the attention of both provinces from their land quarrel. Following the successful military campaigns by the colonists, commissioners were appointed by the governors of both states in 1779 to resolve the land dispute. They met at Baltimore and agreed to “extend the Mason and Dixon’s line due west five degrees of longitude to be computed from the River Delaware, fro the southern boundary of Pennsylvania; and that a meridian drawn from the western extremity thereof to the northern limit of the state be the western boundary of Pennsylvania forever.” The Assembly of Pennsylvania adopted the report of the commissioners November 19, 1779, and the Virginia General Assembly, after the matter was presented to the attention of the Continental Congress, ratified the report on June 23, 1780, on certain conditions, one of which was that the inhabitants of the area not be subject to Pennsylvania tax for that year or any taxes then in arrears. John Lukins and Archibald McLean for Pennsylvania, and James Madison and Robert Andrews for Virginia were designated to make the surveys. Finally, on March 26, 1783, with Benjamin Harrison as Governor of Pennsylvania, the southern boundary line was finally settled, determined by sixty observations from the Wilmington observatory of the eclipses on Jupiter’s satellites. The western line of the state was completed on August 23, 1785.

Even before the lines had been finally run, on March 28, 1781, an Act was passed in Pennsylvania erecting Washington County, which included all the territory comprising what are now Washington, Greene, and parts of Allegheny and Beaver Counties. Provisions were made to transfer the authority of the courts from Westmoreland to Washington County. Henry Taylor, the first commissioned justice, was president of the courts, followed by the appointment of Alexander Addison, under the first Pennsylvania Constitution of 1790.

THE CREATION OF A COUNTY

After the long struggle of nations and states for her territory, and the grueling exposure of the people to the savagery of the Indians and the elements of nature, all of which fostered an intense spirit of local unity among the citizenry, Greene County was created by Act of the General Assembly of the Commonwealth of Pennsylvania on February 9, 1796. It contained 577 square miles in area and was named for General Nathanael Greene, one of General Washington's most distinguished and revered Revolutionary War aides. The county took its place with understandable pride among the constellation of counties in the Commonwealth.

The Act named David Gray, Stephen Gapin, Isaac Jenkinson, William Meetkerke, and James Seals to be the commissioners to select a site not exceeding five hundred acres for the county seat, and directed that the court be held at the tavern home of Jacob Kline on Muddy Creek until a courthouse was erected. The commissioners selected a tract of land called "Eden" containing 158 ½ acres owned by Thomas Slater. The land for the county seat was purchased from Mr. Slater on October 28, 1796, approximately nine months after the formation of the county. The county seat was named "Waynesburg" for "Mad Anthony" Wayne, another heroic Revolutionary War general, who later was called upon to quell the Indian uprisings in the Northwest Territory. Characterized by the Indians as a "man who never sleeps," he finally negotiated a lasting peace treaty with them at Greenville, Ohio in 1795, more as a result of military vigilance and prowess than diplomatic skills. Fitting indeed the use of his name for the county seat of a county in which the population, sparse as it was, hand lived hard against the Indian peril.

John Minor was commissioned the first Associate Justice, or lay judge, on July 13, 1796, and John Boreman the Recorder of Deeds, Prothonotary and Clerk of Courts, all in one.

THE FIRST COURT

Greene County was a part of the Fifth Judicial District of the Commonwealth and the President Judge was Alexander Addison of Pittsburgh who continued to hold court here, with the help of associate justices. It is interesting to note that Judge Addison was impeached and removed from office in 1803 because in a jury trial for slander he directed the jury to disregard the remarks of Judge Lucas, and associate lay judge. The first court was held, as directed, as the tavern home of Jacob Kline on Muddy Creak. It was a modest log cabin and the first case placed on the docket was that of Neal Gillespie v. Luke Wapole, a confession of judgment in the amount of 457 pounds. At that time, four attorneys were admitted to practice, they being Joseph Penecost, Esquire; Parker Campbell, Esquire; John Siminton, Esquire; and James Allison, Esquire. The second court was held at the same place. Jacob Kline is listed on the tax roll of the county as having been a tavern keeper. On April 3, 1797, by unanimous consent of the court and county commissioners, the Court was moved to Waynesburg, to a two story log structure build by George Ullom and George Graham. This original courthouse still stands on its original site on the southwest corner of Greene Street and Whiskey Alley, adjacent to the Waynesburg Volunteer Fire Company. This building was used until about 1800 as the courthouse. The early records of the construction of the first courthouse on the present site are incomplete and very meager, but it appears that a brick courthouse of a very modest dimension was first erected around 1800, to which the business of the county, including the courts, was moved. It was built by Robert Milliken, a native of Ireland, who was then a resident of Morris Township. He was also the first Justice of the Peace of that township. It was about the same time that a stone jail was constructed to the south of the alley.

The next President Judge, succeeding Judge Addison, was Samuel Roberts, commissioned on June 2, 1803. In 1818 the judicial districts were realigned and Greene County became a part of the Fourteenth Judicial District which included Washington, Greene Fayette and Somerset Counties, while the Fifth Judicial District continued to include Allegheny, Beaver and Butler. On October 19, 1818, Thomas H. Baird was appointed President Judge of the Fourteenth Judicial District. Judge Nathaniel Ewing was next appointed after the resignation of Judge Baird on February 22, 1838, at which time the term of a law judge, as distinguished from a lay judge, was fixed at ten years. At the expiration of Judge Ewing's term, Judge Samuel A. Gilmore was appointed to preside over the Fourteenth Judicial District, the last of the appointed judges. In 1850 an Act was passed requiring the judges to be elected by the people. Consequently, Judge Gilmore, who had been appointed, succeeded himself by election on November 6, 1851.

James Lindsey, the first judge of the judicial district born in Greene County, was elected in 1861, the son of John Lindsey and Annie Collins Lindsey, having been educated at Greene Academy in Carmichaels, Greene County. His father was once a

sheriff and twice a prothonotary in the county, and James, at the age of thirty-four, came to the bench well prepared politically and professionally. His good fortune was short lived, however. He took ill presiding over court in Washington in August of 1864 and died September 1, the same year. Former judge Nathaniel Ewing was appointed to serve until the election of 1865, at which time Samuel A. Gilmore was re-elected and presided over a judicial district consisting of only Fayette and Greene Counties, since the legislature created a new judicial district consisting of Beaver and Washington Counties, but still identified as the Fourteenth Judicial District.

Alpheus Wilson, following the adoption of the Constitution of 1874, was elected, and served until Judge James Inghram was elected in 1883. The Judicial District was allocated a new judge in 1887, with Judge Nathaniel Ewing being first appointed and later elected to the newly established vacancy.

Greene County became a separate Judicial District, known as the 13th, in 1895 and newly elected judge R.L. Crawford took office in January 1896.

ROLL OF THE JUDGES

1796 – 1803	Alexander Addison
1803 – 1818	Samuel Roberts
1818 – 1838	Thomas H. Baird
1838 – 1848	Nathaniel Ewing
1848 – 1861	Samuel A. Gilmore
1861 – 1864	James Lindsey
1864 – 1865	Nathaniel Ewing
1865 – 1874	Samuel A. Gilmore
1874 – 1883	Alpheus Wilson
1883 – 1887	James Inghram
1887 – 1893	Nathaniel Ewing
1893 - 1896	Stephen Leslie Mestrezat

JUDICIAL DISTRICT No. 13

Greene County Court of Common Pleas

1896 - 1906	R. L. Crawford
1906 - 1916	James Inghram
1916 - 1926	J. Warren Ray
1926 - 1936	A. H. Sayers
1936 - 1946	Challen W. Waychoff
1946 - 1966	John Inghram Hook
1966 - 1986	Glenn R. Toothman, Jr.
1986 -2009	H. Terry Grimes
1998 -	William R. Nalitz
2009 -	Farley Toothman

A NEW HOUSE FOR THE COURT

The present courthouse was built in 1850 after the November 1849, and February 1850, grand juries had recommended the same to the county commissioners. The foremen of those grand juries were Simon Fuller and William Gillespie respectively. The old courthouse was removed by George Zimmerman in the winter of 1849-50. The cornerstone of the new courthouse was laid by the Free Masons of the County on June 24, 1850, in which a niche was cut encasing a copper box, which contained certain relics and souvenirs placed therein together with copies of the *Waynesburg Messenger* and *Greene County Democrat* newspapers. The contractors for the courthouse construction were Samuel and John Bryan of Uniontown and the contract provided that it was to conform to the plan, style and materials of the Fayette County Courthouse as it existed at that time and total contract cost was \$16,000. It was completed and occupied by the Court in September of 1851, with Judge Samuel A. Gilmore presiding, and associate judges, Thomas Burson, Esquire, and Mark Gordon, Esquire, assisting. The High Sheriff was Rufus Campbell, the District Attorney was William H. Babbitt, Esquire, and the Prothonotary and Clerk of Courts was Harry Pennock. It is worthy of note that the bell in the present courthouse was taken from the first courthouse, it having been remolded in 1926. The building is considered a classic specimen of colonial architecture.

The former jail and sheriff's residence, annexed to the south side of the courthouse was constructed 1880-1881, to replace the sheriff's house and the old stone jail (circa 1800) at a cost of \$29,000. The jail consisted of ten cells constructed of iron and four of brick as well as two cells for females adjacent to the lobby, jailor's room and bathroom. The jail was in service until 1980 when the new county prison on Rolling Meadows Road in Franklin Township was occupied.

MINOR CHANGES

In 1939, a third story was added to the jail and sheriff's residence to the rear of the courthouse to accommodate the grand jury and serve as the jury deliberation room. Around 1935, the courthouse was painted white over the red brick. It was thereafter completely restored and renovated in 1952-53 on the outside, all the paint having been removed, and the original brick, the handmade product of county clay, exposed and cleaned. The courtroom remained very much the same in basic form as when the courthouse was originally constructed, having been redecorated in 1968, with only routine maintenance since that time. A stainless steel roof replaced the tin roof in 1988, with renovations to the front portico, columns, windows, soffit, and fascia completed in 1992.

As the twenty-first century approached, it was evident that the court facilities must be expanded significantly to accommodate efficiency of service to the public, record preservation, accessibility, and facilities for a second judge. In 1997 a project costing approximately \$4 million was undertaken to raze the old jail and a portion of the old sheriff's residence annexed to the courthouse of the purpose of housing an elevator, public restrooms, a second courtroom, judge's chambers, law library, and other necessary facilities and offices. The project also included renovation to the original courthouse with an attempt to maintain the historical integrity of that building to the extent possible while complying with current regulations.

Following approximately 15 months of temporarily being housed in the former Fort Jackson Hotel Building, the courts and the related offices moved into the new and renovated facilities. The formal dedication took place on October 28, 1988 with the Honorable Thomas Ridge, Governor of Pennsylvania, providing the keynote address.

October 28, 1998: GREENE COUNTY COURTHOUSE

One of the biggest progress stores of the year was the renovations of the Greene County Courthouse. On Wednesday, October 28, 1998, numerous local dignitaries and officials joined state officials, including Senator J. Barry Stout, Rep. H. William

DeWeese, and the Honorable Governor Tom Ridge, in celebrating the official rededication of the county courthouse.

The courthouse was rededicated following a 14-month, \$4.1 million renovation project that began in September 1997. The total cost of the project was estimated to be around \$4.1 million, and was funded using part of the county's 1997 refinanced \$6,935,000 bond issue.

Renovations to the courthouse included a new courtroom, a new roof and a 4th floor on the Church Street side of the building, two new elevators, a new wall around the courthouse grounds, and a police and handicapped entrance from Church Street.

August 2007: COURTHOUSE INSTALLS METAL-DETECTOR, X-RAY MACHINE

Out-of-county lawyers used to marvel over how easy it was to just walk into the Greene County Courthouse. Those days are about over, because county workers installed a magnetometer, or walk-through metal detector, as well as an X-ray machine at the building's Church Street entrance Monday. The security equipment has been commonplace for years at other county courthouses; but, those entering the Greene County Courthouse have experienced an almost *old-fashioned convenience* of coming and going unhampered by any visible security.

The county received a grant from Pennsylvania State Commission on Crime and Delinquency to pay for the equipment. The X-ray machine cost \$21,210; the magnetometer, \$3,800; and it will cost \$13,093 for several panic buttons to be installed in various offices throughout the courthouse. It was probable that added security measures would eventually be mandated at Government facilities, so the grant money allowed it to happen.

After a few instances occurred in our county courthouse (a criminal defendant lost his temper and had a outburst at a sentencing hearing before Judge; the cursing at the judge and violently slammed a door damaging it, on his way to prison; probation workers had also voiced some concerns about being approached by victims on probation, etc). So a committee composed of the County Commissioners (Pam Snyder, Dave Coder, and Judy Gardner), the Judges (Honorable Terry Grimes and Honorable William Nalitz), Sheriff Richard Ketchum, and Magisterial District Judge Lou Dayich, researched ways to increase security at the courthouse. The committee applied for the state grant for the equipment in February 2007.

The machines will not be used all the time. Sheriff's deputies man the equipment only when a high profile trial or sensitive domestic hearing takes place. It will be up to

the judge to determine when the added security is needed. On those days, doors to the main entrance on High Street, as well as the door at the side entrance on Washington Street, will be locked, requiring everyone to use the Church Street entrance and pass a security check.

During previous high profile court proceedings, sheriff's deputies beefed up security by using handheld metal detectors to check people as they enter the courtroom.

On most days, the security will continue with the "open-door" policy and no security devices will be used. The metal detectors will be turned off and people will be able to come and go at any entrance, unencumbered by any additional security.

The committee chose the Church Street entrance to host the security equipment because it is the only one that is handicapped accessible. The committee decided not to have security checks at all the doors because it would require additional equipment and too many workers. Assuming that the fewer entrances available, the fewer problems will exist. People will walk through the magnetometer and any bags will pass through the X-ray machine.

The deputies will complete training classes to learn how to use the new equipment. Deputies will confiscate any weapons, which include firearms, pocket knives and other objects considered dangerous. For a person who has a permit to carry a gun, the weapon will be taken from him and kept in a lockbox at the sheriff's office. The confiscated items will be returned when the person leaves the courthouse.

AN ODE
THE COUNTY OF GREENE
by James D. Randolph

“Dedicated to all those who love and preserve Greene County’s history”

Refrain: ON THE COUNTY OF GREENE WITH ITS HIGH ROLLING HILLS
DO YOU LOVE IT ENOUGH TO SHARE ALL OF ITS THRILLS
LOOK TO THE SUNSET, WHEREVER YOU ARE,
YOU’LL TAKE GREENE COUNTY WITH YOU, NO MATTER HOW FAR.

Verses:

1. When the first settlers came it was love at first sight,
Marking their trees from morn until night;
They began a new life with a tomahawk claim
Their shelter was logs and their food was wild game.
2. The hardships they suffered for family and land,
And hostile Indians, they had to withstand;
But the old Fort Jackson sheltered them from the foe.
And eventually guns were replaced by the hoe;
3. Well, its miners and farmers that made this land great,
There was pride in their labors and food on each plate;
Using the land above and below,
Just enough to allow for the future to grow.
4. As you go through the County, there’s places renown,
There’s the old stone house at Jefferson town;
There’s the Jacktown Fair on the top of Wind Ridge,
Guarantees you’ll die happy when you’ve crossed life’s bridge.
5. The winding Mon River gives border and shore,
To the County of Greene with its own river lore;

New Geneva and Greensboro, with its glassworks and clay,
The results of their labors are antiques today.

6. Carmichaels has a festival, dedicated to coal.

Have you heard now they “salted” the famous “Gold Hole”?
Have you been to the Courthouse without being in jail?
Seen the old “W&W” with its narrow gauge rail?

7. When was the last that you’ve uttered the name,

Of the place where you’re from with pride and no shame;
Our founding fathers had plenty of spine,
And I hope there’s enough to continue the line!

*Composed in 1976 for our National Bicentennial ~ Dedicated to Greene County in 1996
for our County Bicentennial.*

* * * * *

REFERENCE SOURCES:

Bates, History of Greene County (1888); Inventory of County Archives of Pennsylvania (Greene County) No. 30; Local History, Andrew J. Waychoff; Caldwell's Atlas; Graham-Grimes Genealogy, Frances Grimes Sitherwood (1926); Greene County Courthouses Have Interesting History, Mrs. Kenneth W. Scott, Greene County Historical Society, (Waynesburg Republican); Court Records; A Capsule History of the Court and Courthouse of Greene County, Pennsylvania, Glenn R. Toothman, P.J.; Waynesburg Republican; Democrat Messenger; Observer-Reporter, Greene County Messenger; a paper by G. Wayne Smith; and an Ode by James D. Randolph.



**PROCLAMATION
JAMES "FUZZY" RANDOLPH**

WHEREAS, the Greene County Board of Commissioners proclaim a Greene County Song.

WHEREAS, on behalf of the Greene County Board of Commissioners we would like to thank and congratulate you on your distinguished service to Greene County.

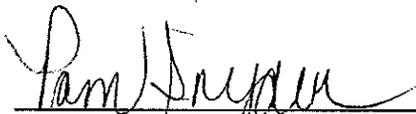
WHEREAS, you have represented Greene County admirably and your many accomplishments serve as a genuine example for others.

WHEREAS, you have presented and brought to life a song composed in 1976 for the National Bicentennial and dedicated to all those who love and preserve Greene County's history.

WHEREAS, sincerest congratulations, Fuzzy, for a job well done.

NOW THEREFORE, on this 5th day of June, 2008, we, the Greene County Board of Commissioners, do hereby proclaim and accept the Greene County Song and Congratulate James "Fuzzy" Randolph on his distinguished service to Greene County and acknowledge the commitment and dedication he has shown to the people of Greene County for the past years and will continue to show for many more to come.

GREENE COUNTY BOARD OF COMMISSIONERS



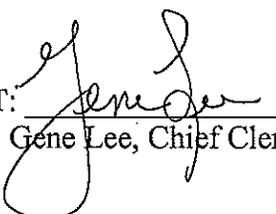
Pam Snyder, Chairman



Dave Coder, Commissioner



Archie Trader, Commissioner

ATTEST: 

Gene Lee, Chief Clerk

The County Of Greene by James "Fuzzy" Randolph

(Composed in 1976 for the National Bicentennial and dedicated to all those who love
and preserve Greene County's history.)

Chorus: OH THE COUNTY OF GREENE WITH ITS HIGH ROLLING HILLS
DO YOU LOVE IT ENOUGH TO SHARE ALL OF ITS THRILLS:
LOOK TO THE SUNSET, WHEREVER YOU ARE
YOU'LL TAKE GREENE COUNTY WITH YOU, NO MATTER HOW FAR.

1. When the first settlers came, it was love at first sight,
Marking their trees from morn until night;
They began a new life with a tomahawk claim,
Their shelter was logs and their food was wild game.
2. The hardships they suffered for family and land
And hostile Indians they had to withstand
But the old Fort Jackson sheltered them from the foe
And eventually guns were replaced by the hoe.
3. Well, it's farmers and miners that made this land great
There was pride in their labors and food on each plate
Using the land ABOVE AND BELOW
Just enough to allow for the future to grow.
4. As you go through the County, there's places renown
There's the old stone house at Jefferson town
There's the Jacktown Fair on the top of Wind Ridge
Guarantees you'll die happy when you've crossed life's bridge.
5. The winding Mon river gives water and shore
To the County of Greene, with its own river lore
New Geneva and Greensboro, with its glassworks and clay
The results of their labors are antiques today.
6. Carmichaels has a festival dedicated to coal
Have you heard how they salted the infamous 'Gold Hole'?
Have you been to the Courthouse without being in jail?
Seen the old 'W & W', with its narrow rail?
7. There's a log house on Greene Street of judicial import
Where early cases were heard in the first County Court
Naughty people were placed in a very small jail
When they paid their two dollars, they were out on bail.
8. WHEN WAS THE LAST THAT YOU'VE UTTERED THE NAME
OF THE PLACE WHERE YOU'RE FROM WITH PRIDE AND NO SHAME
OUR FOUNDING FATHERS HAD PLENTY OF SPINE
AND I HOPE THERE'S ENOUGH TO CONTINUE THE LINE.

The County of Green

by James Fuzzy Randolph

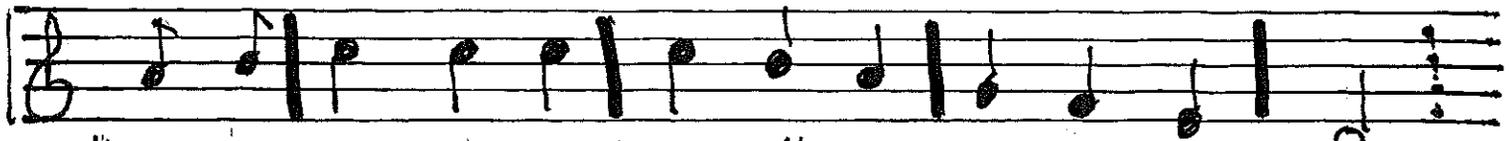
1st Verse:



When the first sett-les came it was love at first sight.



mark-ing their trees - from morn un - til night.



they be-gan a new life with a tom-a-hawk claim;



their shel-ter was logs and their food was wild game.

Chorus:



Oh the Coun-ty of Greene with its high roll-ing hills,



Do you love it e-nough to share all of its thrills?



look to the sun-set where - ev - er you are,



You'll take Greene Coun-ty with you, no-mat-ter how far.