

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
SECOND JUDICIAL DISTRICT

In re:
Lancaster County Consumer
Credit Card Collection Diversion
Program

No. CI-21-08116

ENTERED AND FILED
2021 DEC -1 PM 1:37
PROTHONOTARY'S OFFICE
LANCASTER, PA

ADMINISTRATIVE ORDER

AND NOW, this 1st day of December, 2021, recognizing that credit card debt collection actions filed within the Second Judicial District continue to grow at an exponential rate and will increase significantly as a result of the current economic downturn from the COVID-19 pandemic, and that this increase will strain the Court system and impose an increased burden upon judicial resources, and that the Court finds it prudent and consistent with sound public policy and due process to adopt and implement standardized procedural guidelines in credit card debt collection actions to ensure fairness to all litigants and to improve efficiency in the administration of justice, the Court hereby establishes the Lancaster County Consumer Credit Card Collection Diversion Program as follows:

1. All actions filed on or after January 1, 2022, for consumer credit card debt collection shall be automatically enrolled in the Diversion Program, subject to the "opt-out" procedure set forth below in Paragraph 9. Certain other consumer credit card cases may be referred to conciliation as contemplated by this Administrative Order, at the discretion of the presiding judge, as specified in the paragraphs below.

2. On or after January 1, 2022, the paper filing of all complaints for consumer credit card collection shall be mandatory. Thereafter, the parties may use electronic filing through the Prothonotary's Office.

3. On or after January 1, 2022, in all consumer credit card collection actions, the caption of the complaint shall include the words "Consumer Credit Card Collection Action," and the complaint shall be accompanied by the following:

- a. one copy of the complaint for the plaintiff and one copy for each defendant
- b. one check made payable to the Lancaster County Prothonotary for the applicable filing fee, and one check made payable to the Lancaster County Sheriff's Office for the civil process fee;
- c. two self-addressed, stamped envelopes;
- d. the "Sheriff Service Process Receipt and Affidavit of Return" form; and
- e. a "Notice of Consumer Credit Card Collection Diversion Program," in the form attached hereto as Exhibit "1," or such later court-approved form.

4. Within one business day after the complaint is filed with the Prothonotary, counsel for the plaintiff shall submit a copy of the complaint to the Diversion Program Coordinator and include contact information for each named defendant. The contact information must include, at a minimum, the last known physical mailing address, telephone number and e-mail, if any, for each defendant.

5. Upon the filing of a consumer credit card collection complaint, the Court shall issue a "Case Management Order," substantially in the form attached hereto as Exhibit "2," or such later court-approved form. The Prothonotary shall serve a copy of said filed and docketed Order on the plaintiff's attorney and on the defendant. The Prothonotary is hereby authorized to effect service of the Order on the defendant via the Sheriff's Office and shall ensure that said Order is served along with original process. Said Order shall:

- a. schedule a conciliation conference for no sooner than 90 days and no later than 120 days from the date of the Order;
- b. direct the plaintiff to file with the Court, within 30 days of the service of the Case Management Order, the four documents identified in paragraph 8 below;
- c. notify the defendant that, upon the submission of the four documents identified in paragraph 8 below, a further Court order will issue directing the defendant to either:
 - (i) call the Diversion Program Coordinator for a referral to a certified credit counseling agency to assist the defendant in preparing for the conciliation conference; or
 - (ii) opt out of the Consumer Credit Card Collection Diversion Program by filing with the Court "Defendant's Election of Nonparticipation," in the form attached hereto as Exhibit "3," or such later court-approved form;
- d. require the attendance at the conciliation conference of the defendant and a representative of the plaintiff who has actual authority to resolve the action;
- e. provide that further proceedings in the action will be stayed pending the conclusion of the conciliation process, unless the defendant or the Diversion Program Coordinator files a Notice of Defendant Nonparticipation, or the case is removed from the Diversion Program by further order of Court;

- f. advise the defendant of the right to consult with an attorney at any time and to bring an attorney to the conciliation conference, as well as provide contact information for local legal services and *pro bono* attorney programs; and
- g. provide such other terms as may be necessary and appropriate.

6. The sheriff shall file a return of service which shall indicate the service of the Notice and the Case Management Order along with the service of the complaint. The Notice and Case Management Order shall accompany any complaint to be served by deputized service. If service of the complaint is to be effectuated by alternate service as provided by Pa.R.C.P. No. 430, and if such service of the complaint is authorized by the court order authorizing alternate service, the Notice and Case Management Order shall be served via certified mail.

7. Service of the complaint, Notice, and Case Management Order upon the defendant shall result in an automatic stay of any further proceedings to afford the parties an opportunity to participate in the court-supervised conciliation process. No answer shall be required, and no judgment may be entered by default or otherwise prior to the completion of the conciliation process, unless the Diversion Program Coordinator files a Notice of Defendant Nonparticipation, in the form attached hereto as Exhibit "4," or such later court-approved form, or the case is removed from the Diversion Program by further order of Court. Within ten days of the filing of Defendant's Election of Nonparticipation or the Program Coordinator's Notice of Defendant Nonparticipation, the Court shall issue an Order canceling the conciliation conference, lifting the stay on the action, and directing the defendant to file a response to the plaintiff's complaint.

8. Within 30 days of service of the Case Management Order, the plaintiff shall file with the Court, with a copy to the Diversion Program Coordinator:

- a. an "Affidavit of Address Verification," in the form attached hereto as Exhibit "5," or such later court-approved form;
- b. a "Certification Regarding Statute of Limitations" in the form attached hereto as Exhibit "6," or such later court-approved form;
- c. an "Affidavit Regarding Identification and Nature of Debt" in the form attached hereto as Exhibit "7," or such later court-approved form; and
- d. an "Affidavit Providing Documentation of Debt," in the form attached hereto as Exhibit "8," or such later court-approved form.

The Diversion Program Coordinator will review the documents submitted to the Court to determine whether the appropriate supporting documentation and information has been filed.

If the documents are not submitted or lack the required information, the Diversion Program Coordinator shall file with the Court, and serve the parties with, a "Notice of Noncompliance by Plaintiff," in the form attached hereto as Exhibit "9," or such later court-approved form, advising the plaintiff of the need to comply with this Program requirement within 20 days and that sanctions may be imposed, if appropriate, for continued noncompliance. After the required action is taken, the plaintiff shall timely submit an "Affidavit of Compliance," in the form attached hereto as Exhibit "10," or such later-approved form, with the Diversion Program Coordinator. If the plaintiff fails to comply with the Notice, the Court shall enter an order dismissing the complaint without prejudice and imposing sanctions, if appropriate, for noncompliance with the Diversion Program requirements.

9. Upon compliance by the plaintiff with the requirements of paragraph 8 above, the Court shall issue an order directing the defendant to either: (a) call the Diversion Program Coordinator for a referral to a certified credit counseling agency to assist the defendant in preparing for the conciliation conference; or (b) opt out of the Diversion Program by filing with the Court a Notice of Defendant's Election of Nonparticipation, in the form attached hereto as Exhibit "3." The credit counseling services and the assistance of the counseling agency are FREE OF CHARGE to the defendant.

10. If the defendant is represented by counsel in the credit card collection action, the defendant need not contact the Diversion Program Coordinator for a credit counseling referral but, instead, counsel for the defendant must file a praecipe for entry of appearance and submit a copy to the Program Coordinator.

11. If the defendant elects not to participate in the Diversion Program, or if the defendant fails or refuses to cooperate with the Diversion Program Coordinator, or if the Program Coordinator is unable to contact the defendant, the Program Coordinator shall file and serve a Notice of Defendant Nonparticipation, in the form attached hereto as Exhibit "4," and remove the consumer credit card debt collection action from the Program.

12. The scheduled conciliation conference will be held before the Diversion Program Coordinator, or a court-appointed representative, who will facilitate the settlement negotiations.

13. Any unrepresented defendant will be advised by the Court, the Diversion Program Coordinator, and the credit counseling agency of the right to consult with an attorney at any time during the conciliation process and to bring an attorney to the conciliation conference. The defendant will also be advised that the defendant may apply for an attorney

through programs run by the lawyer referral, legal services, and legal aid programs as may exist within the Second Judicial District.

If a defendant secures the paid legal services of an attorney, counsel of record must file a praecipe for entry of appearance and submit a copy to the Diversion Program Coordinator and shall attend the conciliation conference in lieu of the credit counselor.

14. If an agreement is reached through negotiations prior to the scheduled conciliation conference, the plaintiff shall (a) immediately notify the Diversion Program Coordinator of the agreement so the conciliation conference may be canceled, (b) confirm the agreement in writing with the defendant and the Program Coordinator within five business days, (c) prepare any documents necessary to implement the agreement, and (d) file a praecipe with the Prothonotary, pursuant to Pa.R.Civ.P. No. 229, to mark the action settled, discontinued, and ended with prejudice. If no agreement is reached through negotiations, the case shall proceed to the scheduled conciliation conference.

15. If, at any time prior to the date on which a conciliation conference is scheduled, the plaintiff becomes aware that it will be unable to proceed to the conference, then the plaintiff must contact the defendant, the defendant's attorney, if any, and the Diversion Program Coordinator, in writing, to request a continuance of the conciliation conference. Any failure of the plaintiff to comply with the specific terms of this paragraph may result in the imposition of sanctions.

16. Unless an agreement is reached prior to the scheduled conciliation conference, the plaintiff's attorney, the defendant, and the defendant's credit counselor or attorney, if the defendant is represented, shall appear in person at the conciliation conference. A representative of the plaintiff who has actual authority to reach a mutually acceptable

resolution of the action must be present at the conciliation conference, or may be available by telephone or by use of advanced communication technology if the plaintiff files and serves at least five days prior to the scheduled conciliation conference a "Notice that Plaintiff's Representative Will Appear through the Use of Advanced Communication Technology and Designation of Authority to Sign Settlement Agreement," in the form attached hereto as Exhibit "11," or such later court-approved form.

FOR ANY CONCILIATION CONFERENCE THAT IS UTILIZING APPEARANCE VIA TELEPHONIC MEANS OR ADVANCED COMMUNICATION TECHNOLOGY, THE RIGHT TO APPEAR VIA TELEPHONIC MEANS OR ADVANCED COMMUNICATION TECHNOLOGY WILL BE TERMINATED AS TO ANY AND ALL PLAINTIFFS WHO FAIL TO SECURE PARTICIPATION BY A REPRESENTATIVE WITH FULL AUTHORITY TO NEGOTIATE.

The authorization by this Order for the plaintiff's representative to appear via telephonic means or advanced communication technology is in recognition of the emergency situation created by the number of credit card collection cases anticipated to be filed in this Judicial District as a result of the COVID-19 pandemic, and the impracticality of requiring physical attendance of a plaintiff's representative at every conciliation conference. Additional reasons for authorizing appearance by telephonic means or advanced communication technology for debt collection conciliation include several protective factors that do not exist in other civil cases, namely the administration of the program by a court-appointed program coordinator and the required disclosure of information prior to the conciliation conference.

If the plaintiff's representative attends the conciliation conference by telephonic means or advanced communication technology, the person authorized by the plaintiff to sign a settlement agreement must be physically present at the conference. If the plaintiff's

representative attends the conciliation conference by telephonic means or advanced communication technology, the plaintiff's representative must remain on the communication equipment at all times during the entire conciliation conference. If the plaintiff's representative attending via telephonic means or advanced communication technology does not participate in the conciliation conference for the entire duration of the conference once he or she has been reached, the Diversion Program Coordinator may report the conciliation conference as a "no show" conference as to the plaintiff's representative's attendance and the failure to fully participate shall be grounds to impose sanctions against the plaintiff including requiring the physical appearance of the plaintiff's representative at a second conference, taxation of the costs of a second conference to the plaintiff, and dismissal of the action.

The plaintiff may name its counsel as the party authorized to sign the settlement agreement. Determination of the plaintiff's representative's full authority to settle shall be verified through completion of a certificate affirming said representative has full authority to settle. The Diversion Program Coordinator shall provide a "Certificate of Settlement Authority" document, in the form attached hereto as Exhibit "12," or such later court-approved form, at the conciliation conference for execution by the plaintiff's counsel in consultation with the representative appearing via telephonic means or advanced communication technology, or in person. By signing the Certificate of Settlement Authority, the plaintiff's representative, or plaintiff's counsel in the event that the plaintiff has designated its counsel as the person with full authority to sign the settlement agreement, represents that he or she (a) has full settlement authority to negotiate a settlement with the defendant without further consultation, and (b) has fully reviewed all documents for the case. If said signing party cannot ensure the plaintiff's representative's full settlement authority, then the Diversion Program Coordinator must not

allow the conciliation conference to begin and will reschedule the conference at the plaintiff's expense in the amount of \$200.00, which penalty may not later be assessed against the defendant should a judgment result, or the Court may dismiss the action without prejudice.

17. Failure of the plaintiff's counsel or the plaintiff's representative to attend the conciliation conference, absent good cause shown, or failure to participate in the conciliation in good faith may result in the dismissal of the action with prejudice, the rescheduling of the conciliation conference and/or further postponement of any action in the matter, the award of attorney's fees and costs, and any lost wages or other related expenses for the defendant, or the imposition of such other sanctions as the Court deems appropriate.

18. Failure of the defendant or defendant's counsel of record to attend the conciliation conference, absent good cause shown, may result in the lifting of the automatic stay and in the matter proceeding to judicial disposition, and may further result in the imposition of sanctions as the Court deems appropriate, including, but not limited to, attorney's fees and costs.

19. If an agreement is reached at the conciliation conference, the plaintiff shall prepare any documents necessary to implement the agreement within five business days of the date of the conciliation conference, and shall file a praecipe with the Prothonotary, pursuant to Pa.R.Civ.P. No. 229, to mark the action settled, discontinued, and ended with prejudice. After reaching an agreement in principle, if either party fails to execute documents reflecting that agreement, or if the material terms of the agreement are not fully met, then either party may petition the Court to open the case and to request a new conciliation conference. The Diversion Program Coordinator will schedule a new conciliation conference as soon as reasonably practicable.

20. At the conclusion of each conciliation conference, the Diversion Program Coordinator, or designee, shall complete a "Conciliation Conference Report," substantially in the form attached hereto as Exhibit "13," or such later court-approved form, and shall provide copies to those parties present at the conciliation conference. The Diversion Program Coordinator, or designee, as well as each party present at the conciliation conference, shall sign the Conciliation Conference Report. If one or more of the parties present at the conciliation conference does not sign the Conciliation Conference Report, the Diversion Program Coordinator shall note on the Conciliation Conference Report that the conciliation process was unsuccessful or such other recommendations as the Program Coordinator deems appropriate.

21. After review by the Court of the Conciliation Conference Report with recommendations, an appropriate order shall issue, which may include (a) lifting the automatic stay if the parties are unable to come to an agreement, requiring a responsive pleading by the defendant and scheduling the matter for arbitration, (b) continuing the stay for a reasonable time to allow for further negotiations and the preparation and execution of documents to implement any agreement, (c) scheduling one additional conciliation conference, (d) imposing sanctions for a violation of the Case Management Order or as deemed appropriate by the Diversion Program Coordinator if a party does not act in good faith during the conciliation conference, or (e) any other action the Court deems appropriate.

22. Conciliation must be completed within 30 days of the conciliation conference, unless extended by order of the Court or by stipulation of the parties. /

23. Absent good cause, as determined by the Court, conciliation must be completed within 160 days after suit is filed. If conciliation fails to be completed within 160 days after suit

is filed, and the Court makes the determination that such failure is attributable to either party, and that party is unable to show good cause as to why conciliation could not be completed within the specified time, the Court may dismiss the action with or without prejudice or impose such other sanctions as the Court deems appropriate.

24. In any consumer credit card debt collection action that was commenced on or before December 31, 2021, in which no default judgment has been entered or in which an Important Notice (the ten-day notice required by Pa.R.C.P. No. 237.1(a)(2)) has not yet been sent to the defendant, the Important Notice shall be accompanied by: (a) the "Notice of Consumer Credit Card Collection Diversion Program and Certification Regarding Eligibility of Action," in the form attached hereto as Exhibit "14," or such later court-approved form, giving the defendant in that pending action notice of the availability of the Diversion Program; and (b) an "Application for Entry," substantially in the form attached hereto as Exhibit "15," or such later court-approved form, allowing the defendant to request placement in the Program and a stay of proceedings. A subsequent praecipe for default judgment in such cases shall include a statement of compliance with this requirement, as further specified in paragraph 25 below. The defendant may seek participation in the Diversion Program by filing with the Court, within 20 days of receipt of the Notice, an Application for Entry.

25. In any consumer credit card collection action that was commenced on or before December 31, 2021, in which the plaintiff seeks a default judgment, the plaintiff must first file with the Court, with a copy to the Diversion Program Coordinator, an Affidavit of Address Verification, a Certification Regarding Statute of Limitations, an Affidavit Regarding Identification and Nature of Debt, and an Affidavit Providing Documentation of Debt, in the forms attached hereto as Exhibits "5" through "8," respectively. The plaintiff shall attach to the

praecipe for default judgment an "Affidavit of Compliance and Entitlement to Default Judgment," substantially in the form attached hereto as Exhibit "16," or such later court-approved form, and shall provide a copy to the Program Coordinator. Said Affidavit, signed, served, and filed by counsel for plaintiff, shall state that (a) counsel has personally reviewed the documents filed and served pursuant to this Administrative Order, (b) the documentation meets all requirements of this Administrative Order (with any exceptions specifically stated), and (c) the documentation establishes the plaintiff's entitlement to judgment in the amount claimed by the plaintiff. In entering a default judgment, the Prothonotary may rely upon the Affidavit of Compliance.

If the plaintiff has not complied with the requirements of this Administrative Order and fails to file the Affidavit of Compliance set forth above with the praecipe for judgment by default, the Prothonotary shall not automatically enter a default judgment against the defendant and shall forward the filing to the Diversion Program Coordinator. No default judgment against the defendant shall enter unless the Court determines the documentation filed and served by the plaintiff pursuant to this Administrative Order establishes the plaintiff's entitlement to judgment in the amount claimed by the plaintiff.

The plaintiff's praecipe for entry of default judgment must be served on the defendant. If service is to be made by mailing the praecipe to the defendant's residential address, the plaintiff shall, within one month prior to the request, reverify the defendant's current residential address and shall file a new address verification affidavit in the form attached hereto as Exhibit "5," or such later court-approved form. The plaintiff must file proof of service with the Court.

26. Any plaintiff who files a motion for summary judgment or a motion for judgment on the pleadings in any consumer credit card collection case that was commenced on or

before December 31, 2021, must also serve on the defendant: (a) a copy of the Notice of Consumer Credit Card Collection Diversion Program and Certification Regarding Eligibility of Action, in the form attached hereto as Exhibit "14," giving the defendant in that pending action notice of the availability of the Diversion Program; and (b) an Application for Entry, in the form attached hereto as Exhibit "15," allowing the defendant to request placement in the Program and a stay of proceedings. The defendant may seek participation in the Diversion Program by filing with the Court, within 20 days of receipt of the Notice, an Application for Entry.

The motion for summary judgment or motion for judgment on the pleadings shall have attached to it an Affidavit of Address Verification, a Certification Regarding Statute of Limitations, an Affidavit Regarding Identification and Nature of Debt, and an Affidavit Providing Documentation of Debt, in the forms attached hereto as Exhibits "5" through "8," respectively. The Court may deny the motion for failure to comply with the requirements of this paragraph.

27. In any consumer credit card collection case that was commenced on or before December 31, 2021, in which there are outstanding preliminary objections, the Court, in its discretion, may refer the case to the Diversion Program.

28. Any plaintiff who files a praecipe for judgment by default in any consumer credit card collection case that was commenced on or after January 1, 2022, and that is governed by this Administrative Order, must attach an Affidavit of Service indicating the manner and date of service of the Notice of Consumer Credit Card Collection Diversion Program, in the form attached hereto as Exhibit "1," upon the defendant.

If the plaintiff has not complied with the requirements of this Administrative Order and fails to file the Affidavit of Service set forth above with the praecipe for judgment by default, the Prothonotary shall not automatically enter a default judgment against the defendant and shall

forward the filing to the Diversion Program Coordinator. No default judgment against the defendant shall enter unless the Court determines the documentation filed and served by the plaintiff pursuant to this Administrative Order establishes the plaintiff's entitlement to judgment in the amount claimed by the plaintiff.

The plaintiff's praecipe for entry of default judgment must be served on the defendant. If service is to be made by mailing the praecipe to the defendant's residential address, the plaintiff shall, within one month prior to the request, reverify the defendant's current residential address and shall file a new address verification affidavit in the form attached hereto as Exhibit "5," or such later court-approved form. The plaintiff must file proof of service with the Court.

29. Any plaintiff who files a motion for summary judgment or a motion for judgment on the pleadings in any consumer credit card collection case that was commenced on or after January 1, 2022, must attach an Affidavit of Service indicating the manner and date of service of the Notice of Consumer Credit Card Collection Diversion Program, in the form attached hereto as Exhibit "1," upon the defendant.

30. At the discretion of the presiding judge, a defendant who has previously participated in, and been removed from, the Diversion Program may request the Court to re-admit the case to the Program for good cause shown by presenting an "Application for Re-Entry," substantially in the form attached hereto as Exhibit "17," or such later court-approved form. After a case is reinstated, the defendant shall have ten days to contact the Diversion Program Coordinator, who will schedule a conciliation conference. The defendant will have 90 days from the date of the reinstatement to complete conciliation.

31. Sanctions may be imposed by the Court at any time for lack of good faith participation and/or noncompliance with any aspect of the Diversion Program.

32. All information submitted to the Diversion Program Coordinator that is not filed with the Court shall be confidential and inadmissible in any subsequent legal proceeding, unless otherwise provided by law.

33. The Diversion Program Coordinator may assist with enforcing compliance with this Administrative Order.

34. This Order is effective for all civil actions filed on or after January 1, 2022, for consumer credit card debt collection.

35. This Administrative Order shall remain in effect until further order of the Court.

BY THE COURT:

DAVID L. ASHWORTH
PRESIDENT JUDGE



ATTEST:

Judith Conrad
Deputy

Copies to:

Lancaster County Board of Judges
Lancaster County Magisterial District Judges
Lancaster County District Court Administrator
Lancaster County Prothonotary
Lancaster County Sheriff
Lancaster County Board of Commissioners
Lancaster County Solicitor
Lancaster County Administrator & Chief Clerk

ALL TO BE
SERVED BY
CATHERINE
HECKER ESQ.

NOTICE OF ENTRY OF ORDER OR DECREE
PURSUANT TO PA. R.C.P. NO: 236
NOTIFICATION - THE ATTACHED DOCUMENT
HAS BEEN FILED IN THIS CASE
PROTHONOTARY OF LANCASTER CO., PA
DATE: 12-1-21

EXHIBIT LIST

1. Notice of Consumer Credit Card Collection Diversion Program
2. Case Management Order (with attached Exhibits A-E)
3. Defendant's Election of Nonparticipation
4. Notice of Defendant Nonparticipation
5. Affidavit of Address Verification
6. Certification Regarding Statute of Limitations
7. Affidavit Regarding Identification and Nature of Debt
8. Affidavit Providing Documentation of Debt
9. Notice of Noncompliance by Plaintiff
10. Affidavit of Compliance
11. Notice that Plaintiff's Representative Will Appear Through the Use of A.C.T.
12. Certificate of Settlement Authority
13. Conciliation Conference Report
14. Notice of Consumer Credit Card Collection Diversion Program and Certification
Regarding Eligibility of Action
15. Application for Entry
16. Affidavit of Compliance and Entitlement to Default Judgment
17. Application for Re-Entry

EXHIBIT 1

NOTICE

Under the Consumer Credit Card Collection Diversion Program of the Lancaster County Court of Common Pleas, You may be able to get help with Your Credit Card Debt

A credit card debt collection action has been filed against you. This new Court program will allow you to participate in a court-supervised conciliation conference to resolve this matter with your debt holder.

As a result of your eligibility for this FREE Program:

- The Court will pause the action while you participate in the Program
- A Court Order is attached outlining the Program requirements and what you must do to remain in the program and save your assets
- You will be put in touch with a credit counselor who will work with you FREE OF CHARGE to review your finances and help you resolve the claims in this lawsuit
- You MUST attend the Conciliation Conference, as scheduled in the attached Court Order, where under the Court's supervision a reasonable payment arrangement can be arranged ~~ *If you do not appear at the conference, a judgment could be entered against you!*

Once entered, a judgment may create a lien on real estate, and your personal property and assets, including a portion of your paycheck and/or bank account, may be taken from you. Also, a judgment will affect your credit score and can affect your ability to rent a home, find a job, or take out a loan. You cannot be arrested or sent to jail for owing a debt.

**For additional information about this FREE Program
call 717-209-3290 Mon-Fri 8:30 am to 4:00 pm
or email ConsumerDebtDiversionPrograms@co.lancaster.pa.us
or go to the Court's website at
<https://court.co.lancaster.pa.us/CCCDP>**

EXHIBIT 2

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

CASE MANAGEMENT ORDER

AND NOW, this day of , 202x, a complaint having been filed to collect on a consumer credit card debt, and the case being eligible for participation in the Lancaster County Consumer Credit Card Collection Diversion Program, it is hereby ORDERED as follows:

1. Pending further order of Court, all proceedings and further pleading deadlines in this matter are suspended until completion of the conciliation process, and no judgment in foreclosure may be entered by default or otherwise until and unless the case is removed from the Diversion Program by further order of Court.

2. A court-supervised conciliation conference is scheduled on _____ at the Lancaster County Courthouse, 50 North Duke Street, Lancaster. **ALL PARTIES AND THEIR COUNSEL OR REPRESENTATIVES ARE DIRECTED TO APPEAR.** Notice of the exact time and place of the hearing will be provided approximately two weeks prior to the conference date. Continuances will NOT be granted, absent good cause shown.

3. Within 30 days of service of the Case Management Order, Plaintiff shall file with the Court an "Affidavit of Address Verification," in the form attached hereto as Exhibit "A," a "Statute of Limitations Certification" in the form attached hereto as Exhibit "B," an "Affidavit Regarding Identification and Nature of Debt" in the form attached hereto as Exhibit "C," and an "Affidavit Providing Documentation of Debt," in the form attached hereto as Exhibit "D."

4. Upon compliance by Plaintiff with the requirements of paragraph 3 above, the Court shall issue an order directing Defendant to either: (a) telephone the Diversion Program Coordinator at 717-209-3290 for a referral to a certified credit counseling agency to assist Defendant in preparing for the conciliation conference; or (b) opt out of the Diversion Program by filing with the Court "Defendant's Election of Nonparticipation," in the form attached hereto as Exhibit "E." The credit counseling services and the assistance of the counseling agency are FREE OF CHARGE to Defendant.

5. If Defendant is represented by counsel in the credit card collection action, Defendant need not contact the Diversion Program Coordinator but, instead, counsel for Defendant shall notify the Program Coordinator of the legal representation.

6. If an agreement is reached through negotiations prior to the scheduled conciliation conference, Plaintiff shall (a) prepare any documents necessary to implement the agreement, (b) immediately notify the Diversion Program Coordinator of the agreement so the conciliation conference may be canceled, and (c) file a praecipe with the Prothonotary, pursuant to Pa.R.Civ.P. No. 229, to mark the action settled, discontinued, and ended with prejudice. If no agreement is reached through negotiations, the case shall proceed to the scheduled court-supervised conciliation conference.

7. Unless an agreement has been reached prior to the conciliation conference, a representative of Plaintiff who has actual authority to modify the debt, enter into an alternative payment agreement or otherwise resolve the action must be present at the conciliation conference, or available by telephone or by use of advanced communication technology, if Plaintiff notifies the parties at least five days prior to the conciliation conference. The failure of a duly authorized representative of Plaintiff to be available in person or by telephone or by use

of advanced communication technology during the conciliation conference, absent good cause shown, may result in the dismissal of the action without prejudice, the rescheduling of the conciliation conference and further postponement of any action in this matter, the imposition of attorney's fees for counsel for Defendant, or the imposition of such other sanctions as the Court deems appropriate.

8. The failure of Defendant to attend the conciliation conference, absent good cause shown, shall result in the lifting of the stay, and in the matter proceeding to judicial disposition and may further result in the imposition of sanctions as the Court deems appropriate.

9. Although an attorney is not required, Defendant may work with an attorney to prepare the case for conciliation. If Defendant does not have an attorney, Defendant may contact MidPenn Legal Services by calling 717-299-0971 or the Lancaster Bar Association Lawyer Referral by calling 717-393-0737.

10. Defendant shall have the option to withdraw from the Diversion Program at any time by filing with the Court an Election of Nonparticipation, in the form attached hereto as Exhibit "E."

BY THE COURT:

_____, J.

ATTEST:

Encls: Exhibit "A" -- Affidavit of Address Verification
 Exhibit "B" -- Statute of Limitations Certification
 Exhibit "C" -- Affidavit Regarding Identification and Nature of Debt
 Exhibit "D" -- Affidavit Providing Documentation of Debt
 Exhibit "E" -- Defendant's Election of Nonparticipation

Copies to: [Plaintiff/Counsel for Plaintiff]
 [Defendant/Counsel for Defendant]
 [Program Coordinator]

EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

AFFIDAVIT OF ADDRESS VERIFICATION

The affiant in this action states that the defendant's residential address has been verified within *three* months prior to the commencement of the action by at least one of the following methods:

- ☐ Receipt of correspondence from the defendant with that return address OR other verification from the defendant within the three-month period that such address is current. Such other verification from defendant was obtained as follows:

Date of this verification: _____

- ☐ Certified mail receipt signed by the defendant with that address within the three-month period. Date of this verification: _____

- ☐ Letter sent by first-class mail to that address for the defendant which has not been returned to sender by the United States Postal Service, AND verifying the same address as current using a paid subscriber-based commercial online database AND:

- ☐ a municipal record, such as a street list or tax records, namely:

OR

- ☐ A state motor vehicle registry, namely:

- ☐ Neither a municipal record nor a state motor vehicle registry record is available.

If any database or municipal or state record used shows more than one address for the defendant during the last 12 months, the basis for selecting the address(es) to be for service is:

Date of this verification: _____

The affiant also states that the documents reflecting the verification method(s) indicated above are attached to this affidavit.

Name, position, and employer of the affiant:

I verify that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Signature of Affiant

Date

EXHIBIT B

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
CERTIFICATION REGARDING STATUTE OF LIMITATIONS**

As required by Administrative Order No. CI-21-08116, the undersigned CERTIFIES that:

1. The terms and conditions applicable to the debt that is the subject of this action:

☐ DO NOT include a choice of law or limitations provision.

☐ DO include a choice of law or limitations provision, which states as follows:

2. The limitations period for the action is established by the following statute or other law:

3. The applicable limitations period is: _____

4. Based on the plaintiff's reasonable inquiry, the applicable limitations period has not expired as of the date indicated below.

I verify that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Signature of Plaintiff or Plaintiff's Counsel

Date

EXHIBIT C

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
AFFIDAVIT REGARDING IDENTIFICATION AND NATURE OF DEBT**

The affiant states that, to the best of the affiant's knowledge, the information provided below is accurate and complete:

1. The name of the current owner of the debt: _____
2. The name of the original creditor, including the name under which the original creditor did business with the defendant, if different: _____
3. For debt arising from a credit card sponsored or co-sponsored by a retailer, the name of the sponsoring or co-sponsoring retailer: _____
4. The full name of the defendant as it appears on the original account: _____
5. The last four digits of the social security number for the defendant appearing on the original account: _____
6. The last four digits of the original credit card number assigned by the original creditor and, if applicable, a history of account numbers: _____
7. The date the original credit agreement was entered into by the defendant: _____
8. The last date of purchase or cash advance: _____
9. The amount and date of the defendant's last payment, if any, or a representation by the affiant that no payment has been made: _____
10. The outstanding balance at the last payment date: _____
11. The date the defendant defaulted and the basis for the default: _____
12. The date of charge-off, if applicable: _____
13. The amount of the debt on the date of charge-off: _____
14. An itemization of all post-charge-off payments received: _____
15. An itemization of the total amount currently due by principal, finance charges, fees charged by the original creditor, collection costs, attorney's fees, interest, and any other fees or charges: _____

The affiant has personally reviewed records sufficient to establish the information provided above.

Name, position, and employer of the affiant: _____

I verify that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Signature of Affiant

Date

EXHIBIT D

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
AFFIDAVIT PROVIDING DOCUMENTATION OF DEBT**

The affiant states that the following authenticated legible photocopied business records are attached to this affidavit:

1. Documents establishing the existence, amount, and terms and conditions applicable to the debt that is the subject of this action, including:
 - ☐ A. A copy of the credit card agreement in effect at the time the credit card was issued establishing the original terms and conditions applicable to the debt or the original credit card application, *and* applicable subsequent amendments; but if the writing(s) is/are not accessible to the plaintiff, it is sufficient so to state, together with the reason, and to set forth the substance of the writing(s)
 - ☐ B. Sufficient documentation to permit the defendant to calculate the total amount of damages that are allegedly due
2. Documents regarding ownership of the debt:
 - ☐ A. Each bill of sale, assignment, or other document evidencing the transfer of ownership of the debt, beginning with the original creditor. If the debt has been assigned more than once, then each assignment or other writing evidencing transfer of ownership must be attached to establish an unbroken chain of ownership. Such documentation must contain at least the last four digits of the original account number of the debt purchased or other identifying information uniquely associated with the account and must clearly show the debtor's name associated with that account number
 - ☐ B. Not applicable – the plaintiff is the original creditor

The affiant has personally reviewed records sufficient to establish the information provided above.

Name, position and employer of the affiant: _____

I verify that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Signature of Affiant

Date

EXHIBIT E

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**DEFENDANT'S ELECTION OF NONPARTICIPATION IN THE
CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM**

After receiving notice of the above-captioned credit card debt collection action, after being served with a "Notice of Consumer Credit Card Collection Diversion Program" and Case Management Order, and understanding that the above-captioned action is eligible to participate in said Consumer Credit Card Collection Diversion Program:

- [] Defendant elects not to participate in the Diversion Program with the knowledge and understanding that the stay of proceedings will be lifted, the action will go forward, and the plaintiff may be permitted to seek judgment against the defendant if he/she does not file a responsive pleading with the Court, such as an answer to the complaint
- [] Defendant elects not to participate in the Diversion Program with the knowledge and understanding that the stay of proceedings will be lifted, and the action will go forward, to allow Defendant to raise a legal defense(s) in response to Plaintiff's complaint

Defendant/Defendant's Counsel

Date

EXHIBIT 3

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**DEFENDANT'S ELECTION OF NONPARTICIPATION IN THE
CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM**

After receiving notice of the above-captioned credit card debt collection action, after being served with a "Notice of Consumer Credit Card Collection Diversion Program" and Case Management Order, and understanding that the above-captioned action is eligible to participate in said Consumer Credit Card Collection Diversion Program:

- [] Defendant elects not to participate in the Diversion Program with the knowledge and understanding that the stay of proceedings will be lifted, the action will go forward, and the plaintiff may be permitted to seek judgment against the defendant if he/she does not file a responsive pleading with the Court, such as an answer to the complaint
- [] Defendant elects not to participate in the Diversion Program with the knowledge and understanding that the stay of proceedings will be lifted, and the action will go forward, to allow Defendant to raise a legal defense(s) in response to Plaintiff's complaint

Defendant/Defendant's Counsel

Date

EXHIBIT 4

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**NOTICE OF DEFENDANT NONPARTICIPATION IN THE
CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM**

The Program Coordinator for the Lancaster County Consumer Credit Card Collection Diversion Program hereby gives notice to the Court and the parties that this case will not be participating and/or is removed from the Diversion Program for the following reason(s):

- ☐ Defendant elects not to participate in the Diversion Program with the knowledge and understanding that the stay of proceedings will be lifted, the action will go forward, and the plaintiff may be permitted to seek judgment against the defendant if he/she does not file a responsive pleading with the Court, such as an answer to the complaint
- ☐ Defendant elects not to participate in the Diversion Program with the knowledge and understanding that the stay of proceedings will be lifted, and the action will go forward, to allow Defendant to raise legal defenses in response to Plaintiff's complaint
- ☐ Defendant has failed or refuses to comply with the Diversion Program requirements
- ☐ The Diversion Program Coordinator has been unable to contact Defendant. *Prior to the entry of judgment, Defendant will have the right to request that the Program Coordinator reinstate conciliation.* To make such a request, Defendant must contact the Program Coordinator at 717-209-3290 or ConsumerDebtDiversionPrograms@co.lancaster.pa.us.

Program Coordinator

Date

[certificate of service]

EXHIBIT 5

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

AFFIDAVIT OF ADDRESS VERIFICATION

The affiant in this action states that the defendant's residential address has been verified within *three* months prior to the commencement of the action by at least one of the following methods:

- [] Receipt of correspondence from the defendant with that return address OR other verification from the defendant within the three-month period that such address is current. Such other verification from defendant was obtained as follows:

Date of this verification: _____

- [] Certified mail receipt signed by the defendant with that address within the three-month period.
Date of this verification: _____

- [] Letter sent by first-class mail to that address for the defendant which has not been returned to sender by the United States Postal Service, AND verifying the same address as current using a paid subscriber-based commercial online database AND:

- [] a municipal record, such as a street list or tax records, namely:

OR

- [] A state motor vehicle registry, namely:

- [] Neither a municipal record nor a state motor vehicle registry record is available.

If any database or municipal or state record used shows more than one address for the defendant during the last 12 months, the basis for selecting the address(es) to be for service is:

Date of this verification: _____

The affiant also states that the documents reflecting the verification method(s) indicated above are attached to this affidavit.

Name, position, and employer of the affiant:

I verify that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Signature of Affiant

Date

EXHIBIT 6

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
CERTIFICATION REGARDING STATUTE OF LIMITATIONS**

As required by Administrative Order No. CI-21-08116, the undersigned CERTIFIES that:

5. The terms and conditions applicable to the debt that is the subject of this action:

☐ DO NOT include a choice of law or limitations provision.

☐ DO include a choice of law or limitations provision, which states as follows:

6. The limitations period for the action is established by the following statute or other law:

7. The applicable limitations period is: _____

8. Based on the plaintiff's reasonable inquiry, the applicable limitations period has not expired as of the date indicated below.

I verify that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Signature of Plaintiff or Plaintiff's Counsel

Date

EXHIBIT 7

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
AFFIDAVIT REGARDING IDENTIFICATION AND NATURE OF DEBT**

The affiant states that, to the best of the affiant's knowledge, the information provided below is accurate and complete:

1. The name of the current owner of the debt: _____
2. The name of the original creditor, including the name under which the original creditor did business with the defendant, if different: _____
3. For debt arising from a credit card sponsored or co-sponsored by a retailer, the name of the sponsoring or co-sponsoring retailer: _____
4. The full name of the defendant as it appears on the original account: _____
5. The last four digits of the social security number for the defendant appearing on the original account: _____
6. The last four digits of the original credit card number assigned by the original creditor and, if applicable, a history of account numbers: _____
7. The date the original credit agreement was entered into by the defendant: _____
8. The last date of purchase or cash advance: _____
9. The amount and date of the defendant's last payment, if any, or a representation by the affiant that no payment has been made: _____
10. The outstanding balance at the last payment date: _____
11. The date the defendant defaulted and the basis for the default: _____
12. The date of charge-off, if applicable: _____
13. The amount of the debt on the date of charge-off: _____
14. An itemization of all post-charge-off payments received: _____
15. An itemization of the total amount currently due by principal, finance charges, fees charged by the original creditor, collection costs, attorney's fees, interest, and any other fees or charges: _____

The affiant has personally reviewed records sufficient to establish the information provided above.

Name, position, and employer of the affiant: _____

I verify that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Signature of Affiant

Date

EXHIBIT 8

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
AFFIDAVIT PROVIDING DOCUMENTATION OF DEBT**

The affiant states that the following authenticated legible photocopied business records are attached to this affidavit:

1. Documents establishing the existence, amount, and terms and conditions applicable to the debt that is the subject of this action, including:
 - ☐ A. A copy of the credit card agreement in effect at the time the credit card was issued establishing the original terms and conditions applicable to the debt or the original credit card application, *and* applicable subsequent amendments; but if the writing(s) is/are not accessible to the plaintiff, it is sufficient so to state, together with the reason, and to set forth the substance of the writing(s)
 - ☐ B. Sufficient documentation to permit the defendant to calculate the total amount of damages that are allegedly due
2. Documents regarding ownership of the debt:
 - ☐ A. Each bill of sale, assignment, or other document evidencing the transfer of ownership of the debt, beginning with the original creditor. If the debt has been assigned more than once, then each assignment or other writing evidencing transfer of ownership must be attached to establish an unbroken chain of ownership. Such documentation must contain at least the last four digits of the original account number of the debt purchased or other identifying information uniquely associated with the account and must clearly show the debtor's name associated with that account number
 - ☐ B. Not applicable – the plaintiff is the original creditor

The affiant has personally reviewed records sufficient to establish the information provided above.

Name, position and employer of the affiant: _____

I verify that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Signature of Affiant

Date

EXHIBIT 9

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
NOTICE OF NONCOMPLIANCE BY PLAINTIFF**

The Diversion Program Coordinator for the Lancaster County Consumer Credit Card Collection Diversion Program hereby gives notice to the Court and the parties that the plaintiff was served with a copy of the Case Management Order and that more than 30 days have elapsed since the service of that Order and the plaintiff has failed to provide to the defendant and the Program Coordinator

- ☐ the Affidavit of Address Verification
- ☐ the Certification Regarding Statute of Limitations
- ☐ the Affidavit Regarding Identification and Nature of Debt
- ☐ the Affidavit Providing Documentation of Debt

as required by the Program to resolve this matter.

The plaintiff shall have 20 days from the date of this Notice to comply with this Program requirement. Continued noncompliance shall result in dismissal of the complaint without prejudice and with the imposition of sanctions, if appropriate.

The plaintiff shall timely file an Affidavit of Compliance with the Program Coordinator after the required action is taken.

Program Coordinator

Date

EXHIBIT 10

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
AFFIDAVIT OF COMPLIANCE BY PLAINTIFF**

The undersigned hereby states that:

- ☐ the Affidavit of Address Verification
- ☐ the Certification Regarding Statute of Limitations
- ☐ the Affidavit Regarding Identification and Nature of Debt
- ☐ the Affidavit Providing Documentation of Debt

was/were submitted to the Diversion Program Coordinator on _____ and
the documentation meets all requirements of Administrative Order No. CI-21-08116 (as may
be amended), with any exceptions specifically stated here:

_____ / _____

Counsel for Plaintiff

[Address, Telephone Number]

Date

EXHIBIT 11

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**NOTICE THAT PLAINTIFF'S REPRESENTATIVE WILL APPEAR
THROUGH THE USE OF ADVANCED COMMUNICATION TECHNOLOGY AND
DESIGNATION OF AUTHORITY TO SIGN SETTLEMENT AGREEMENT**

Plaintiff gives notice of exercising the option to allow Plaintiff's representative to attend the conciliation conference through the use of advanced communication technology, and designates *[name of person]* as the person who will be physically present at the conciliation conference with full authority on behalf of Plaintiff to sign any settlement agreement reached at the conference. Plaintiff's full authority to settle shall include the ability to negotiate and agree to disposition options. On the date of the conciliation conference, Plaintiff's representative can be reached by calling the following telephone number: *[telephone number, including area code and extension]*.

[Name of Plaintiff]

Signature

Date

Printed Name

[Certificate of Service by Plaintiff's Counsel]

EXHIBIT 12

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
CERTIFICATE OF SETTLEMENT AUTHORITY**

THE UNDERSIGNED COUNSEL, as counsel of record in this case and as an officer of the Court, pursuant to Administrative Order No. CI-21-08116 (as may be amended), does hereby certify as follows:

1. The name of the plaintiff representative is _____.
2. The job title of the plaintiff representative is _____.
3. The plaintiff representative is appearing for this conciliation conference:
_____ by personal appearance
_____ by telephone at _____ [number]
_____ by LifeSize Video Conferencing
4. The undersigned attorney for the plaintiff has personally spoken today with the above designated representative and has confirmed that the representative has full settlement authority to negotiate a settlement with the defendant without further consultation.
5. The undersigned attorney for the plaintiff has personally spoken today with the above designated representative and has confirmed that the representative has fully reviewed all documents for the above case.

Signature: _____

Attorney for Plaintiff (Print Name): _____

PA Supreme Court ID No.: _____

Address: _____

Phone No.: _____

EXHIBIT 13

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
CONCILIATION CONFERENCE REPORT**

Pursuant to the Court's Order, a Conciliation Conference in the above-referenced case, subject to the Consumer Credit Card Collection Diversion Program, was conducted on _____, 202x.

The following were physically present at the Conciliation Conference:

Plaintiff's Attorney

Plaintiff's Representative

Defendant

Defendant's Representative/Attorney

Others physically present: _____

Plaintiff's Representative present by advanced communication technology: _____

The Conciliation Conference Officer hereby finds and recommends that (check all that apply):

- ☐ Defendant failed to appear and the conciliation process is complete. The action may proceed.
☐ Plaintiff failed to appear. The case may be dismissed without prejudice.
☐ The conciliation process was unsuccessful because the parties failed to come to agreement. The action may proceed. This failure was because: _____
☐ An additional conference should be scheduled and the process concluded within the next _____ days.
☐ The parties have agreed to arbitration within the next _____ days.
☐ The parties agree that Plaintiff shall not seek default judgment before: _____, 202__.
☐ Plaintiff's Counsel's Comments: _____

[Check to continue on Reverse: ☐

☐ The Conciliation Conference Officer makes the following additional recommendations:

[Check to continue on Reverse: ☐

☐ __Defendant / __Plaintiff has refused to sign this Conciliation Conference Record. The stated reason for not signing is: _____

Signatures:

Plaintiff: _____ Defendant: _____

The following result is expected _____ as a result of this conciliation conference _____ as a result of the parties' efforts outside the conciliation conference:

☐ Ongoing Conciliation ☐ Repayment Plan ☐ Full Payment ☐ Other: _____

Conciliation Conference Officer

Date

EXHIBIT 14

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**NOTICE OF CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
AND CERTIFICATION REGARDING ELIGIBILITY OF ACTION**

CERTIFICATION

Pursuant to the Administrative Order No. CI-21-08116, and all related Orders entered thereafter, I hereby certify that:

1. This action was commenced on _____.
2. Had this action been commenced on or after January 1, 2022, the effective date of the Administrative Order, the action would have been eligible for the Diversion Program.
3. This Certification and Notice are being served upon the defendant along with the
 ☐ Important Notice (the ten-day notice required by Pa.R.C.P. No. 237.1(a)(2))
 ☐ Motion for Summary Judgment or Motion for Judgment on the Pleadings

NOTICE TO THE DEFENDANT

The Defendant in this action may apply for entry into the Diversion Program by filing with the Court, within the next 20 days, the "Application for Entry," that is attached to this document.

If your application is granted by the Court

- Legal proceedings will be paused
- You will receive a Court Order outlining the Program requirements and what you must do to participate
- You will be put in touch with a credit counselor who will help you **FREE OF CHARGE** prepare a proposal to resolve your debt
- You **MUST** attend the Conciliation Conference as scheduled in the Court Order you will be receiving

*****If you do not appear at the conference, a judgment may be entered against you*****

**For Additional Information about the Consumer Credit Card Collection Diversion Program
go to: <http://court.co.lancaster.pa.us/CCCDP>
or call 717-209-3290 or email ConsumerDebtDiversionPrograms@co.lancaster.pa.us**

The undersigned verifies that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: _____

Signature of Plaintiff/Counsel _____

Address of Plaintiff/Counsel _____

Tel. No. of Plaintiff/Counsel _____

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**APPLICATION FOR ENTRY INTO THE LANCASTER COUNTY
CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM**

I, _____, wish to participate in the Lancaster County Consumer Credit Card Collection Diversion Program.

I understand the following:

1. If I am accepted into the Program, a stay of this action will be entered, and a conciliation conference will be scheduled;
2. I may have an attorney assist me in defending this action and, if I do not have an attorney, I may contact MidPenn Legal Services by calling 717-299-0971 or the Lancaster Bar Association Lawyer Referral by calling 717-393-0737, to determine eligibility;
3. If I do not obtain legal representation, I will be required to meet with a credit counselor from one of the approved credit counseling agencies in Lancaster, who will assist me through the conciliation process. I understand that these services are FREE; and
4. I must appear at the conciliation conference and participate in good faith, or a judgment may be entered against me.

The undersigned verifies that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: _____ Name [Printed]: _____

Signature: _____

Mailing Address: _____

Telephone Number: _____ Email Address: _____

EXHIBIT 15

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**APPLICATION FOR ENTRY INTO THE LANCASTER COUNTY
CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM**

I, _____, wish to participate in the Lancaster County Consumer Credit Card Collection Diversion Program.

I understand the following:

1. If I am accepted into the Program, a stay of this action will be entered, and a conciliation conference will be scheduled;
2. I may have an attorney assist me in defending this action and, if I do not have an attorney, I may contact MidPenn Legal Services by calling 717-299-0971 or the Lancaster Bar Association Lawyer Referral by calling 717-393-0737, to determine eligibility;
3. If I do not obtain legal representation, I will be required to meet with a credit counselor from one of the approved credit counseling agencies in Lancaster, who will assist me, through the conciliation process. I understand that these services are FREE; and
4. I must appear at the conciliation conference and participate in good faith, or a judgment may be entered against me.

The undersigned verifies that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: _____ Name [Printed]: _____

Signature: _____

Mailing Address: _____

Telephone Number: _____ Email Address: _____

EXHIBIT 16

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM
AFFIDAVIT OF COMPLIANCE AND ENTITLEMENT TO DEFAULT JUDGMENT**

Please check one:

☐ I am an unrepresented plaintiff

☐ I am counsel for the plaintiff

The undersigned hereby states that:

1. I have personally reviewed the documentation filed and served in this action pursuant to Administrative Order No. CI-21-08116 (as may be amended).
2. The documentation meets all requirements of Administrative Order No. CI-21-08116 (as may be amended), with any exceptions specifically stated here:

3. The documentation establishes the plaintiff's entitlement to judgment in the amount claimed.

CERTIFICATE OF SERVICE

I, _____, attorney for the above-named plaintiff or unrepresented plaintiff, certify that on _____, I gave notice of the foregoing document to the defendant in the following manner:

at the following address: _____

I verify that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Signature of Affiant

Date

EXHIBIT 17

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

[CAPTION]

**APPLICATION FOR RE-ENTRY INTO THE LANCASTER COUNTY
CONSUMER CREDIT CARD COLLECTION DIVERSION PROGRAM**

1. Plaintiff filed a debt collection action against Defendant on _____.
2. Defendant participated in the Consumer Credit Card Collection Diversion Program and was removed from the Program on _____ for the following reason(s):

_____.
3. Defendant desires to be readmitted into the Diversion Program.
4. No judgment has been entered against Defendant.
5. Defendant is requesting re-entry into the Diversion Program due to:

_____.
6. Defendant was not removed from the Diversion Program as a result of failure to participate in the Program.
7. Defendant agrees that if the Court permits Defendant to re-enter the Diversion Program, Defendant will comply with all aspects of the Program, attend the scheduled conciliation conference and participate in good-faith negotiations with Plaintiff.

Respectfully submitted:

Date

Defendant