

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
PENNSYLVANIA
CIVIL DIVISION -- LAW

FILED
2012 MAY 15 AM 10:10
NANCY HERVE
PROthonary
BEAVER COUNTY, PA

FILED OR ISSUED

In Re: Court of Common Pleas of
Beaver County Residential Mortgage
Foreclosure Conciliation Program

No. 10941 Misc. 2012

ADMINISTRATIVE ORDER

McBride, P.J.

May 15, 2012

AND NOW, this 15th day of May, 2012, recognizing that the number of residential Mortgage Foreclosure Actions filed in Beaver County has expanded, the Court of Common Pleas of Beaver County hereby establishes a Residential Mortgage Foreclosure Conciliation Program as follows:

1. Complaints in Mortgage Foreclosure presented for filing that seek foreclosure on a mortgage on a Beaver County owner-occupied residence shall be accompanied with an additional URGENT NOTICE, a copy of which is attached hereto as Exhibit "A".

Said URGENT NOTICE shall be affixed to the Complaint when presented for filing and shall also be affixed to the copy of the Complaint served upon the Defendant(s).

2. If the Defendant(s) call Housing Opportunities of Beaver County, and if the Defendant(s) attend a meeting with a Housing Opportunities Counselor, and if

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the Housing Opportunities Counselor makes a determination that the Defendant(s) is/are eligible to participate in this Beaver County Mortgage Foreclosure Conciliation Program, the Housing Opportunities Counselor will secure the signature(s) of the Defendant(s) on a "Certificate of Participation" and file the same with the Prothonotary of Beaver County, all within thirty (30) days following service of the Complaint and URGENT NOTICE upon the Defendant(s).

3. Upon receipt of a completed "Certificate of Participation" from Housing Opportunities of Beaver County to the Prothonotary of the Court of Common Pleas (a copy of which is attached hereto as Exhibit "B"), the case will proceed as follows:

The Court will issue the following Order in each case where the Certificate of Participation has been timely filed by Housing Opportunities of Beaver County on behalf of the Defendant(s):

ORDER

AND NOW, this _____ day of _____, 2012, a Certificate of Participation in the Beaver County Residential Mortgage Conciliation Program having been timely filed by the Defendant(s) in the above-captioned matter, no further action shall be taken in this case for at least sixty (60) days from the date of this Order, except upon Order of this Court.

It is hereby Ordered and Directed that a Court-Supervised Conciliation Conference is scheduled to be held on the _____ day of _____, 2012 at _____ .m. in Courtroom No. ___ of the Beaver County Courthouse, Third Street, Beaver, PA 15009.

It is further Ordered and Directed that unless an agreement in this case has been reached prior to the scheduled Conciliation Conference, a representative of the Plaintiff/Lender/Investor who has actual authority to modify mortgages, enter into alternate payment

agreements with the Defendant(s), or otherwise resolve the action, shall be present at the Conciliation Conference or shall be available telephonically. Failure of the Plaintiff, or of a representative of the Plaintiff with such authority to appear for the Conciliation Conference, may result in the rescheduling of the Conciliation Conference and further postponement of any action in this matter, including timely filing of an Answer, filing of Preliminary Objections, filing of Motions for Summary Judgment and/or Judgment on the Pleadings and taking of final Judgment in the action.

Failure of the Defendant(s) to attend the Conciliation Conference shall result in the lifting of any stay.

This Order is to be docketed by the Prothonotary of Beaver County and served upon the Defendant(s) at their address(es) as reflected on the Certificate of Participation, any attorney of record for any party at the address included on any pleading and/or Appearance, and upon Housing Opportunities of Beaver County at 282 East End Avenue, Beaver, PA 15009, all by First-Class Mail.

BY THE COURT,

J.

4. Limited Appearance and Withdrawal forms for Pro Bono Counsel/ Reduced-Fee Counsel are attached hereto as Exhibit "C" and Exhibit "D".

5. Failure of Defendant(s) to fully participate in conciliation or failure of the parties to reach an alternate settlement arrangement following conciliation shall result in entry of an Order, as attached hereto as Exhibit "E".

6. The District Court Administrator is directed to:

(a) file one (1) certified copy of this Order with the Administrative Office of Pennsylvania Courts;

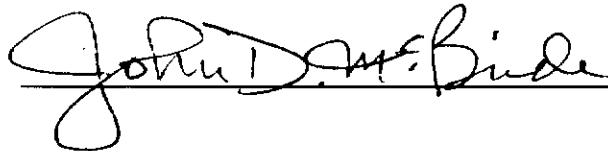
(b) submit two (2) certified copies of this Order and a copy on computer diskette to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) submit one (1) certified copy of this Order to the Civil Procedural Rules Committee of the Pennsylvania Supreme Court.

(d) keep a copy continuously available for public inspection and copying in the Office of the Prothonotary and in the Beaver County Law Library.

7. This Administrative Order shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

BY THE COURT,



P.J.

BY THE COURT

2012 MAY 15 P 2:35

JOHN D. MCBRIDE
PRESIDENT JUDGE

BEAVER COUNTY, PA
PROTHONOTARY
NANCY WERNE

2012 MAY 16 AM 10:10

FILED OR ISSUED

URGENT NOTICE

A Complaint in Mortgage Foreclosure has been filed with the Court of Common Pleas of Beaver County that may cause you to lose your home.

You may be able to participate in a Court-Supervised Conciliation Conference in an effort to resolve this matter with the Lender.

However, you must act now.

To secure an opportunity to participate in a Court-Supervised Conciliation Conference, you must call **Housing Opportunities of Beaver County at 724-728-7511 and attend a meeting with a Housing Opportunities Counselor.**

This must happen within the next thirty (30) days, or you will lose your eligibility to participate in the Beaver County Mortgage Foreclosure Conciliation Program. The Housing Opportunities Counselor will tell you what to do next and will schedule your Conference. Pro Bono Legal Assistance may be available to you at the Conciliation Conference.

Make This Call To Save Your Home!

This Program Is Free.

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY,
PENNSYLVANIA
CIVIL DIVISION -- LAW

Plaintiff :
vs. : No.
Defendant :

CERTIFICATE OF PARTICIPATION

I am the owner of the property listed below:

Premises Address: _____, Beaver County, PA.

This property is my primary residence. It is the subject of foreclosure, and I would like to try to save my residence from foreclosure.

I have contacted the Housing Counselor at Housing Opportunities of Beaver County. I am cooperating with the Housing Counselor and have already submitted, or at least fifteen (15) days before the Conciliation/Case Management Conference, will submit, a complete, written proposal to the Plaintiff to avoid foreclosure.

I understand the assistance of the Housing Counselor is free of charge to me, and I understand any Pro Bono assistance that I may receive from an attorney assigned to my case by the Beaver County Bar Association's Lawyer Referral Service shall be for the limited purpose of advising me of my rights and representing my interests for this case only, and said representation will terminate at the conclusion of the Conciliation Conference.

Signature

Signature

Printed Name

Printed Name

Full Mailing Address

Full Mailing Address

Must be returned and filed with the Prothonotary of Beaver County within thirty (30) days following service of the Complaint and URGENT NOTICE upon Defendant(s).

Exhibit "B"

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY,
PENNSYLVANIA
CIVIL DIVISION -- LAW

Plaintiff :
vs. : No.
Defendant :

PRAECIPE FOR ENTRY OF LIMITED APPEARANCE

To the Prothonotary:

Kindly enter my limited appearance for (Name of Defendant/Defendant(s), Defendant(s) in the above-captioned matter. This appearance is limited to providing representation and advice to the Defendant(s) at any Court-Supervised Conciliation Conference scheduled in this Mortgage Foreclosure proceeding, said limited appearance being authorized by Administrative Order No. _____ Misc. of 2012.

Name of Attorney
Attorney for Defendant(s)
Address
Telephone Number
Supreme Court ID #

Exhibit "C"

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY,
PENNSYLVANIA
CIVIL DIVISION -- LAW

Plaintiff :
vs. : No.
Defendant :

ORDER OF COURT

AND NOW, this _____ day of _____, 20____, as the (date of Conciliation Conference) Court-Supervised Conciliation Conference in this matter has not resulted in an alternate payment arrangement acceptable to both Plaintiff and Defendant(s), it is hereby Ordered and Directed as follows:

1. That the stay issued in this matter by the (date of Order) Order is lifted.
2. That Defendant(s) is/are advised that within twenty (20) days of the date of this Order of Court (he/she/they) must act as set forth in the Notice to Defend that was attached to the Complaint in Mortgage Foreclosure that was served on (him/her/them) by Plaintiff. A copy of the Notice to Defend is attached to this Order, and Defendant's(s') attention is directed to said Notice.
3. That in the event Defendant(s) fail(s) to act as set forth in the attached Notice to Defend within twenty (20) days of the date of this Order of Court, Plaintiff shall provide the appropriate ten (10) day notice as required by Pa.R.C.P. 237.5.

BY THE COURT,

J.