



**First Judicial District of Pennsylvania
Court of Common Pleas of Philadelphia County
Trial Division - Civil**

**EXPEDITED EVICTION OF DRUG TRAFFICKERS ACT
35 P.S. § 780-176 (2004)**

Introduction

In 1995, the General Assembly of the Commonwealth of Pennsylvania enacted the Expedited Eviction of Drug Traffickers Act, 35 P.S. §780-176. All citizens, regardless of their income or economic status, have the right to be safe and secure in their residences. All citizens further have the right to live and raise their children in apartment complexes, neighborhoods and communities, which are free from the destructive influence of drug dealers and drug-related crime and violence.

It is the policy of the Commonwealth of Pennsylvania to ensure the swift eviction and removal of persons who engage in certain drug related criminal activity on or in the immediate vicinity of leased residential premises or who permit or tolerate such offenses to be committed, violate the rights and jeopardize the health and safety of the other tenants, residents and onsite employees of the premises.

Expedited Hearing

Pursuant to the Expedited Eviction of Drug Traffickers Act, landlords may seek immediate eviction of all persons who engage in drug-related criminal activity on or in the immediate vicinity of the leased residential premises or who allow such criminal activity to occur. The statute authorizes the court to hear these cases on an expedited and priority basis and requires that a hearing be held within 15 days following the filing of the complaint.

Section 7, Document 6

Notification to Person to be Removed

The court, prior to the removal of any person under this act, shall provide to that person outreach information and referral materials on how to obtain alcohol and drug treatment.

Notification to Social Services Agencies

The court, no less than ten (10) days prior to the removal of any person under this act, shall notify the Department of Health and the Department of Public Welfare, if applicable, and other appropriate social service agencies of the removal.

Preparation and Dissemination of Treatment Resource Information

The Department of Health shall prepare the outreach information and referral materials and shall disseminate the information and materials to the Administrative Office of the Pennsylvania Courts.

Standard Operating Procedures

Effective, Tuesday, April 19, 2005, the Trial Division - Civil has incorporated the following standard operating procedures to comply with the Expedited Eviction of Drug Traffickers Act 35 §780 – 176.

The following instructions have been established to accommodate the revised commencement, injunction assignment and disposition processes.

Office of the Prothonotary - Civil Commencement Unit: At the time of commencement the initial filing clerk will, by pre-established procedures, enter the case from start to finish identifying the action as a Common Pleas (CP) court type and Equity Drug Trafficking TRO (E-6) case type with a case status of Waiting to List Injunction Hearing (CLWIH). In addition to identifying all parties named on the complaint the following party must be added to the instant action as Agency

(AGCY) party types: I13499 (Department of Health – Bureau of Drug & Alcohol Programs) and I13500 (Pennsylvania Department of Public Welfare). Upon completion of the initial filing process the Commencement Unit will forward the file and motion package to the Office of Civil Administration, Room 296 City Hall for further processing.

Office of Civil Administration: The motion intake clerk will assign the appropriate control number and forward the file and motion package to the Manager or her designee for pre-determination. After review, the docket entry clerk will docket the motion using the PRINJ (Preliminary Injunction Filed) code including the control number. The clerk will then schedule a preliminary injunction hearing (IJHR) within fourteen (14) days of the original motion filing date. On the day of the hearing, the court record and motion package, along with any answers filed, will be assigned to the appropriate motion judge for disposition. At the conclusion of the injunction hearing, if possession is granted in favor of plaintiff, the motion clerk must dispose of this action using the ORDTF – Order Eviction Granted code. If the injunction hearing outcome is otherwise, (e.g. the complaint withdrawn or hearing rescheduled), the motion clerk should use the pre-established existing docketing procedures accordingly. As with all orders entered by the Court it is then this clerk's responsibility to mail copies of the signed order to all parties in compliance with Rule 236.

Additionally, upon disposing of the action with docket code ORDTF, a Notice of Eviction, generated through the court's letter generation process, will be mailed to all parties of record along with outreach information and referral materials, provided by the Commonwealth of Pennsylvania's Department of Health, Bureau of Drug and Alcohol Programs, as required by the Act.



**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
TRIAL DIVISION - CIVIL**

NOTICE OF EVICTION

(Expedited Eviction of Drug Traffickers Act - 35 P.S. §780-176)

Please take notice that the Court has entered an order granting the plaintiff's petition for immediate possession of its property and has permitted the plaintiff to immediately evict all individuals residing or staying in the subject property.

In compliance with the Expedited Eviction of Drug Traffickers Act, 35 P.S. §780-176, attached please find outreach information and referral materials, provided by the Commonwealth of Pennsylvania's Department of Health, Bureau of Drug and Alcohol Programs, on how to obtain alcohol and drug treatment.

BY THE COURT:

JAMES J. FITZGERALD, III
ADMINISTRATIVE JUDGE
TRIAL DIVISION

*Process for Obtaining Services from
Single County Authority (SCA).*

- Referral of client to SCA office
- SCA office schedules assessment
- SCA office conducts assessment with client.
- SCA office makes recommendation for appropriate level of care utilizing the Pennsylvania Client Placement Criteria.
- SCA office refers client to treatment provider based on level of care recommendation.
- SCA office authorizes funding.
- Client begins treatment process. SCA office monitors progress.
- SCA office, client, and treatment provider coordinate next level of care.
- SCA office authorizes funding for next level of care.
- SCA monitors client progress as client follows through with continuing care until discharge from treatment.

Please refer question to:
Pennsylvania Department of Health
Bureau of Drug and Alcohol Programs
02 Kline Plaza
Harrisburg, Pa. 17104
(717) 787-2712
<http://www.state.pa.us/bdap>

Pennsylvania's Client Placement Criteria

Levels of Care

Outpatient

Intensive Outpatient

Partial Hospitalization

Halfway House

Medically Monitored Inpatient Detox

Medically Monitored Short-Term Residential

Medically Monitored Long-Term Residential

Medically Managed Inpatient Detox

Medically Managed Inpatient Residential

PENNSYLVANIA DRUG AND ALCOHOL TREATMENT SERVICES AND FUNDING INFORMATION



**DEPARTMENT OF
HEALTH**

*Edward G. Rendell, Governor
Calvin B. Johnson, M.D., M.P.H., Secretary of Health*

All counties throughout the Commonwealth of Pennsylvania designate a Single County Authority (SCA) thus qualifying the counties to receive state and federal funding for drug and alcohol services. This funding makes it possible for Pennsylvania to offer treatment, prevention, and intervention services through our SCA offices to those individuals requiring public funding. We encourage you to contact the SCA closest to you for further assistance.

Allegheny County	(412) 350-3328
Armstrong-Indiana	(724) 354-2746
Beaver County	(724) 847-6220
Bedford County	(814) 623-5009
Berks County	(610) 376-8669
Blair County	(814) 693-3023
Bradford/Sullivan	(570) 265-1760
Bucks County	(215) 773-9313
Butler County	(724) 284-5114
Cambria County	(814) 536-5388
Cameron/Elk/McLean	(814) 642-9541
Carbon/Monroe/Pike	(570) 421-3669
Centre County	(814) 355-6744

Chester County	(610) 344-6620
Clarion County	(814) 226-1080
Clearfield/Jefferson	(814) 371-9002
Columbia/Montour/Snyder/ Union	(570) 275-5422
Crawford County	(814) 724-4100
Cumberland/Perry	(717) 240-6300
Dauphin County	(717) 635-2254
Delaware County	(610) 713-2365
Erie County	(814) 451-6870
Fayette County	(724) 438-3576
Forest/Warren	(814) 726-2100
Franklin/Fulton	(717) 263-1256
Greene County	(724) 852-5276
Huntingdon/Mifflin/Juniata	(717) 242-1446
Lackawanna County	(570) 963-6820
Lancaster County	(717) 299-8023
Lawrence County	(724) 658-5580
Lebanon County	(717) 274-0427
Lehigh County	(610) 782-3556

Luzerne/Wyoming	(570) 826-8790
Lycoming/Clinton	(570) 323-8543
Mercer County	(724) 662-1550
Montgomery County	(610) 278-3642
Northampton County	(610) 997-5800
Northumberland County	(570) 495-2154
Philadelphia County	(215) 546-1200
Potter County	(814) 544-7315
Schuylkill County	(570) 621-2890
Somerset County	(814) 445-1530
Susquehanna County	(570) 278-1000
Tioga County	(570) 724-5766
Venango County	(814) 432-9744
Washington County	(724) 223-1181
Wayne County	(570) 253-6022

