

Below is the Block Scheduling Order used by the York County Master-in-Equity. The Lexington County Master-in-Equity Court has adopted this Order effective April 1, 2011.

RE: "BLOCK" SCHEDULING OF DEFAULT MORTGAGE FORECLOSURE HEARINGS

With the recent effort on the part of foreclosure Plaintiffs to insure accuracy in their documents and accountings in default mortgage foreclosure cases, we have had significant scheduling problems. Specifically, firms may schedule a large number of specific cases to be heard during a one to two hour block of time many weeks in advance. On the date of the hearing, not having received the necessary documentation, or other wise being advised by their client to "put the case on hold", a hearing on many of the cases previously scheduled will not be possible, and a postponement is necessary, sometimes as to all scheduled cases.

This is an inefficient use of the court's time and the law firm's time. The law firm sends an attorney to complete maybe only two or three hearings, when ten or fifteen were originally scheduled. The result is that the court has a substantial block of time that could have been filled with other cases that are ready for a hearing, and pending case files unnecessarily accrue.

In an effort to minimize this problem, we will implement the following procedure for scheduling default mortgage cases. First, the law firm will schedule with the court's staff a "block" of time in the future sufficient to hear as many as ten to fifteen default foreclosure cases. One to two hours, depending on the number of cases is sufficient. No specific cases will be identified to that block of time initially. At least seven work days prior to the date of the block of time set for the firm's hearings, the law firm will email to us a list of specific cases to be heard in the block of time. Those cases so identified will be **only** those that have all necessary documentation, and are ready to be heard.

This should eliminate firms having to set specific cases, hoping that the client will provide the needed documentation or other material in time for the hearing. It should also minimize the need for continuances. In order not to schedule blocks of time unnecessarily, this procedure will require that law firms assess their time needs reasonably based on case loads. Where time needs are underestimated, we will work with you to

get the cases heard.

In order to process efficiently cases referred to the court, will require that cases be heard within ninety days after referral to the court. Cases not completed within 120 days of referral will be dismissed, unless good cause is shown for the delay. In general, the client's failure to provide a law firm with the necessary documentation within the specified time will not constitute "good cause."

This scheduling procedure will apply to default mortgage foreclosure cases only. Contested cases, cases to be adjudicated based on a dispositive motion, post-judgment writs of assistance, or other motions, will be dealt with on a case by case basis.

This procedure will be effective immediately. If you have any questions concerning the proposed procedure, please contact the court staff or me, and we will be happy to discuss it with you.

