

Commonwealth Docket Sheet**Commonwealth Court of Pennsylvania****Docket Number: 1059 CD 2018****Page 1 of 13****June 6, 2023****CAPTION**

D. G. A., R.D.A.M., G. C. G., R. N. and
Aldea-The People's Justice Center,
Petitioners

v.

Department of Human Services,
Respondent

CASE INFORMATION

Initiating Document: Petition for Review

Case Status: Closed

Case Processing Status: January 21, 2020 Completed

Journal Number: 15-11-2019

Case Category: Administrative Agency Case Type(s): Human Services, Department of

CONSOLIDATED CASES**RELATED CASES**

Docket No / Reason	Type
8 MD 2017 Similar Issue(s)	Related
465 CD 2018 Similar Issue(s)	Related
13 MD 2018 Similar Issue(s)	Related
100 MD 2018 Similar Issue(s)	Related

COUNSEL INFORMATION

Petitioner **R.D.A.M**
Pro Se: No
IFP Status:

Attorney: Bennion, David Colin
Law Firm: Free Migration Project
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 Philadelphia, PA 19122
Phone No: (646) 441-0741 Fax No:

Attorney: Kline, Jacquelyn Marie
Law Firm: Cambria & Kline, P.C.
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COUNSEL INFORMATION

Petitioner R.D.A.M

Pro Se: No

IFP Status:

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COUNSEL INFORMATION

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COUNSEL INFORMATION

Petitioner **G., G. C.**

Pro Se: No

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COUNSEL INFORMATION

Petitioner Aldea-The People's Justice Center

Pro Se: No

IFP Status:

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COUNSEL INFORMATION

Petitioner **A., D. G.**

Pro Se: No

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Attorney: Donohoe, Carol Anne
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Intervenor **Berks County Residential Center**

Pro Se: No

IFP Status:

Attorney: Ambrose, Tricia Marie
 Law Firm: MacMain Law Group, LLC
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 433 W Market St Ste 200
 West Chester, PA 19382
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Attorney: Connell, Matthew John
 Law Firm: The MacMain Law Group, LLC
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COUNSEL INFORMATION

Respondent	Department Of Human Services	
Pro Se:	No	
IFP Status:		
Attorney:	Leisch, Doris M.	
Law Firm:	Pennsylvania Department of Human Services	
Address:	Pa Dept Of Human Services Ogc 7TH Forster Sts Harrisburg, PA 17120	
Phone No:	(717) 783-2800	Fax No:

Attorney:	Fellin, Daniel M.	
Law Firm:	Pennsylvania Department of Human Services	
Address:	Pa Dept Of Human Services 7TH Forster Sts 3rd Fl W Harrisburg, PA 17120-0001	
Phone No:	(717) 783-2800	Fax No:

Attorney:	Rubenstein, Megan Ann	
Law Firm:	Pennsylvania Department of Human Services	
Address:	Pa Dept Of Human Services 205 S Washington St Wilkes-Barre, PA 18711	
Phone No:	(570) 820-4851	Fax No:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
08/02/2018	Petition for Review - Appellate	90.25	08/02/2018	2018-CMW-H-001764	90.25
11/29/2018	2nd Motion for Extension of Time	10.00	11/30/2018	2018-CMW-H-002637	10.00
02/22/2019	2nd Motion for Extension of Time	10.00	02/22/2019	2019-CMW-H-000400	10.00

AGENCY/TRIAL COURT INFORMATION

Order Appealed From:	July 3, 2018	Notice of Appeal Filed:	
Order Type:	Decision		
Documents Received:	August 2, 2018		

Court Below:	Department of Human Services, Bureau of Hearings and Appeals		
County:		Division:	Department of Human Services, Bureau of Hearings and Appeals
Judge:		OTN:	
Docket Number:	061-16-0003	Judicial District:	

Court Below:		Division:	
County:		OTN:	
Judge:		Judicial District:	
Docket Number:	BHA ID No. 9999		

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
Agency Record	September 19, 2018	
Supplemental Record	September 19, 2018	

Date of Remand of Record: October 28, 2020

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BRIEFING SCHEDULE

Petitioner A., D. G. Brief Due: October 29, 2018	Intervenor Berks County Residential Center Brief Due: March 1, 2019
Filed: December 28, 2018	Filed: March 1, 2019
Reply Brief Due:	Supplemental Reproduced Record Due:
Filed: March 15, 2019	Filed: March 1, 2019
Reproduced Record Due: December 31, 2018	Respondent Department Of Human Services Brief
Filed: December 28, 2018	

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
August 2, 2018	Petition for Review Filed A., D. G. N., R. G., G. C. R.D.A.M Aldea-The People's Justice Center		Petitioner Petitioner Petitioner Petitioner Petitioner	
August 20, 2018	Order Filed Fizzano Cannon, Christine Document Name: Upon review of the above-captioned action, the parties shall address the appealability of the Comment: underlying order in their principla briefs on the merits. See Pa. R.A.P. 313(a).			08/21/2018
August 21, 2018	Notice Exited Commonwealth Court Filing Office			08/21/2018
August 28, 2018	Notice of Intervention Connell, Matthew John	Berks County Residential Center	Intervenor	
August 31, 2018	Docketing Statement Filed Donohoe, Carol Anne Donohoe, Carol Anne Donohoe, Carol Anne Donohoe, Carol Anne Donohoe, Carol Anne	N., R. A., D. G. G., G. C. R.D.A.M Aldea-The People's Justice Center	Petitioner Petitioner Petitioner Petitioner Petitioner	
September 19, 2018	Agency Record Received - Sensitive Documents Department of Human Services, Bureau of Hearings and Appeals			
September 19, 2018	Supplemental Record Department of Human Services, Bureau of Hearings and Appeals Document Name: Agency documents.			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
September 21, 2018	Briefing Schedule Issued Commonwealth Court Filing Office			
October 12, 2018	Entry of Appearance Fellin, Daniel M.	Department Of Human Services	Respondent	
October 18, 2018	Stipulation A., D. G. N., R. G., G. C. R.D.A.M Aldea-The People's Justice Center Department Of Human Services Berks County Residential Center		Petitioner Petitioner Petitioner Petitioner Petitioner Respondent Intervenor	
	Document Name: Stipulation of the parties to supplement the record.			
October 31, 2018	Application for Extension of Time to File Brief - First Request Hoffmann, Karen Louise Hoffmann, Karen Louise Hoffmann, Karen Louise Hoffmann, Karen Louise Hoffmann, Karen Louise	N., R. A., D. G. G., G. C. R.D.A.M Aldea-The People's Justice Center	Petitioner Petitioner Petitioner Petitioner Petitioner	
November 1, 2018	Order Granting Application for Extension of Time to File Petitioner Brief Krimmel, Michael			11/02/2018
	Document Name: Upon consideration of petitioners' request for extension of time to file briefs and reproduced Comment: record, and it appearing that said request is not opposed, said request is granted and petitioners' brief (4 copies) and reproduced record (4 copies) shall be filed on or before November 30, 2018.			
November 5, 2018	Order Filed Leadbetter, Bonnie Brigance			11/06/2018
	Document Name: The Stipulation is approved. The certified record in this matter shall include the documents Comment: attached to the parties' Stipulation.			
November 29, 2018	Application for Extension of Time to File Brief - Second Request Hoffmann, Karen Louise Hoffmann, Karen Louise Hoffmann, Karen Louise Hoffmann, Karen Louise Hoffmann, Karen Louise Bennion, David Colin Cambria, Bridget Donohoe, Carol Anne Kline, Jacquelyn Marie	N., R. A., D. G. G., G. C. R.D.A.M Aldea-The People's Justice Center A., D. G. A., D. G. A., D. G. A., D. G.	Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner	

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 3, 2018	Order Granting Application for Extension of Time to File Petitioner Brief Simpson, Robert E.			12/04/2018
	Document Name: Upon consideration of petitioners' unopposed motion for extension of time to file brief and Comment: reproduced record, the motion is granted. It appearing that with this extension, petitioners will have had more than 100 days within which to prepare their brief and reproduced record, no further extensions will be granted. Petitioners shall file and serve their briefs (4 copies) and reproduced record (4 copies) on or before December 31, 2018, or the Chief Clerk shall dismiss the appeal as of course.			
December 28, 2018	Petitioner's Brief Filed A., D. G.		Petitioner	
December 28, 2018	Petitioner's Reproduced Record Filed Hoffmann, Karen Louise Hoffmann, Karen Louise Hoffmann, Karen Louise Hoffmann, Karen Louise Hoffmann, Karen Louise	N., R. A., D. G. G., G. C. R.D.A.M Aldea-The People's Justice Center	Petitioner Petitioner Petitioner Petitioner Petitioner	
January 17, 2019	Application for Extension of Time to File Brief - First Request Connell, Matthew John	Berks County Residential Center	Intervenor	
January 18, 2019	Order Granting Application for Extension of Time to File Brief Krimmel, Michael			01/18/2019
	Document Name: Upon consideration of intervenor's request for extension of time to file briefs, and it appearing Comment: that said request is not opposed, said request is granted and intervenor's brief (4 copies) shall be filed on or before March 1, 2019.			
January 25, 2019	Application for Extension of Time to File Brief - First Request Fellin, Daniel M.	Department Of Human Services	Respondent	
January 28, 2019	Order Granting Application for Extension of Time to File Respondent Brief Krimmel, Michael			01/29/2019
	Document Name: Resp.'s brief is due by March 1, 2019.			
February 22, 2019	Application for Extension of Time to File Brief - Second Request Fellin, Daniel M.	Department Of Human Services	Respondent	
February 25, 2019	Order Granting Application for Extension of Time to File Respondent Brief Brobson, P. Kevin			02/26/2019
	Document Name: upon consideration of respondent's unopposed second application for extension of time to file Comment: a brief, the application is granted. It appearing that with this extension, respondent will have had more than 3 months within which to prepare a brief, no further extensions will be granted absent exigent circumstances. Respondent's brief (4 copies) shall be filed by April 1, 2019, or respondent shall be precluded from oral argument, if oral argument is scheduled and from filing a brief, unless otherwise ordered.			
March 1, 2019	Intervenor's Brief Berks County Residential Center		Intervenor	

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 1, 2019	Supplemental Reproduced Record Filed Berks County Residential Center		Intervenor	
March 15, 2019	Petitioner's Reply Brief Filed A., D. G.		Petitioner	
March 19, 2019	Entry of Appearance Rubenstein, Megan Ann	Department Of Human Services	Respondent	
April 1, 2019	No Brief to be Filed by Respondent Rubenstein, Megan Ann	Department Of Human Services	Respondent	
April 3, 2019	No Brief to be Filed Department Of Human Services		Respondent	
	Document Name: Amended to include "will not participate in oral argument if scheduled"			
April 30, 2019	Tentative Session Date Krimmel, Michael			
	Document Name: November 2019 (Philadelphia)			
September 25, 2019	Argument Scheduled Krimmel, Michael			09/25/2019
	Document Name: For Tuesday, November 12, 2019 at 9:30 a.m. Before a Panel of Judges sitting in Court Room 1 Comment: Ninth Floor, Widener Building, 1339 Chestnut Street, One South Penn Square, Philadelphia, PA 19107...Case No. 15			
September 25, 2019	Order Filed Per Curiam			09/25/2019
	Document Name: it appearing from the Petition for Review and Petitioners' Brief that the individually named Comment: petitioners no longer reside at the Berks County Residential Center, the parties shall file memoranda of law (4 copies) addressing whether Petitioners' claims are moot. The memoranda of law shall be filed and served on or before October 21, 2019.			
	No extensions of this filing deadline shall be granted absent extraordinary circumstances.			
October 21, 2019	Memorandum of Law Filed Connell, Matthew John Ambrose, Tricia Marie	Berks County Residential Center Berks County Residential Center	Intervenor Intervenor	
	Document Name: Postition of Respondent/Intervenor the Berks County Residential Center that the Petitioners' Claims Comment: are moot			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
October 21, 2019	Memorandum of Law Filed			
	Hoffmann, Karen Louise	N., R.	Petitioner	
	Hoffmann, Karen Louise	A., D. G.	Petitioner	
	Hoffmann, Karen Louise	G., G. C.	Petitioner	
	Hoffmann, Karen Louise	R.D.A.M	Petitioner	
	Hoffmann, Karen Louise	Aldea-The People's Justice Center	Petitioner	
	Bennion, David Colin	A., D. G.	Petitioner	
	Cambria, Bridget	A., D. G.	Petitioner	
	Donohoe, Carol Anne	A., D. G.	Petitioner	
	Kline, Jacquelyn Marie	A., D. G.	Petitioner	
	Bennion, David Colin	N., R.	Petitioner	
	Bennion, David Colin	R.D.A.M	Petitioner	
	Bennion, David Colin	G., G. C.	Petitioner	
	Bennion, David Colin	Aldea-The People's Justice Center	Petitioner	
	Cambria, Bridget	N., R.	Petitioner	
	Cambria, Bridget	R.D.A.M	Petitioner	
	Cambria, Bridget	G., G. C.	Petitioner	
	Cambria, Bridget	Aldea-The People's Justice Center	Petitioner	
	Donohoe, Carol Anne	N., R.	Petitioner	
	Donohoe, Carol Anne	R.D.A.M	Petitioner	
	Donohoe, Carol Anne	G., G. C.	Petitioner	
	Donohoe, Carol Anne	Aldea-The People's Justice Center	Petitioner	
	Kline, Jacquelyn Marie	N., R.	Petitioner	
	Kline, Jacquelyn Marie	R.D.A.M	Petitioner	
	Kline, Jacquelyn Marie	G., G. C.	Petitioner	
	Kline, Jacquelyn Marie	Aldea-The People's Justice Center	Petitioner	
	Document Name: Petitioners' Memorandum of Law			

January 21, 2020	Reversed/Remanded			01/21/2020
	Leadbetter, Bonnie Brigance			
	Document Name: Memorandum Opinion (17 pages)			
	Comment: We REVERSE the order of the DHS and REMAND this matter to the Bureau with directions to permit Petitioners to intervene within the parameters described in the foregoing opinion. Jurisdiction relinquished.			

October 28, 2020	Remitted			
	Commonwealth Court Filing Office			
	Document Name: PACFiled Record. No acknowledgement needed.			

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SESSION INFORMATION

Journal Number: 15-11-2019
 Consideration Type: Oral Argument - Panel
 Listed/Submitted Date: November 12, 2019

Panel Composition:

The Honorable Mary Hannah Leavitt	President Judge
The Honorable Christine Fizzano Cannon	Judge
The Honorable Bonnie Brigance Leadbetter	Senior Judge

DISPOSITION INFORMATION

Final Disposition:	Yes	Judgment Date:	
Related Journal No:		Disposition Author:	Leadbetter, Bonnie Brigance
Category:	Decided	Disposition Date:	January 21, 2020
Disposition:	Reversed/Remanded		
Disposition Comment:	We REVERSE the order of the DHS and REMAND this matter to the Bureau with directions to permit Petitioners to intervene within the parameters described in the foregoing opinion. Jurisdiction relinquished.		
Dispositional Filing:	Memorandum Opinion	Filing Author:	Leadbetter, Bonnie Brigance
Filed Date:	1/21/2020 12:00:00AM		