



CAPTION

Ivy Hill Congregation of Jehovah's Witnesses, Appellant

v.

Commonwealth of Pennsylvania, Department of Human Services, Appellee

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Closed

Journal Number: J-47-2023 September 14, 2023

Case Category: Administrative Agency

Case Type(s):

Human Services, Department of
Declaratory Judgment

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

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Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 65 MAP 2022

Page 3 of 8

April 18, 2026

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SUPREME COURT INFORMATION

Appeal From: the Order of the Commonwealth Court at No. 316 MD 2020 dated May 10, 2022.
 Appeal Filed Below: 6/3/2022 12:00:00AM
 Probable Jurisdiction Noted: August 2, 2022 Docketed Date: June 3, 2022
 Allocatur/Miscellaneous Granted: Allocatur/Miscellaneous Docket No.:
 Allocatur/Miscellaneous Grant Order:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
06/03/2022	Notice of Appeal	90.25	06/08/2022	2022-SUP-M-001318	90.25

INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Docket Number:
 Date of Order: Rearg/Recon Disp Date:
 Rearg/Recon Disposition:
 Judge(s):
 Intermediate Appellate Court Action:
 Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Commonwealth Court of Pennsylvania
 County: Division: Commonwealth Court of Pennsylvania
 Date of Agency/Trial Court Order: May 10, 2022
 Docket Number: 316 MD 2020
 Judge(s): Ceisler, Ellen OTN:
 Cohn Jubelirer, Renee
 Covey, Anne E.
 Dumas, Lori A.
 McCullough, Patricia
 Wallace, Stacy
 Wojcik, Michael H.
 Order Type: Order

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
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ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Part(s)	August 03, 2022	35
Record Remittal:	March 5, 2024	

BRIEFING SCHEDULE

Appellant		Appellee	
Ivy Hill Congregation of Jehovah's Witnesses		Department of Human Services	
Brief		Brief	
Due: September 26, 2022	Filed: September 26, 2022	Due: November 30, 2022	Filed: November 30, 2022
Reply Brief			
Due: January 3, 2023	Filed: January 3, 2023		
Reproduced Record			
Due: September 26, 2022	Filed: September 26, 2022		

SESSION INFORMATION

Journal Number:	J-47-2023
Listed/Submitted Date:	September 14, 2023
Consideration Type:	Oral Argument Supreme Ct.

DISPOSITION INFORMATION

Related Journal No:	J-47-2023	Judgment Date:	February 13, 2024
Category:	Decided	Disposition Author:	Todd, Debra
Disposition:	Vacated/Remanded	Disposition Date:	February 13, 2024
Dispositional Filing:	Majority Opinion	Author:	Todd, Debra
Filed Date:	February 13, 2024		
Justice:	Donohue, Christine	Vote:	Joins
Justice:	Dougherty, Kevin M.	Vote:	Joins
Justice:	Wecht, David N.	Vote:	Joins
Justice:	Mundy, Sallie U.	Vote:	Joins
Justice:	Brobson, P. Kevin	Vote:	Did Not Participate in Consid/Decision of Case

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
June 3, 2022	Notice of Appeal	Appellant	Ivy Hill Congregation of Jehovah's Witnesses



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
June 3, 2022	Jurisdictional Statement	Appellant	Ivy Hill Congregation of Jehovah's Witnesses
June 8, 2022	Praecipe for Appearance Department of Human Services	Appellee	Scarinci, Michael John
August 2, 2022	Probable Jurisdiction Noted		Dreibelbis, Amy
Comments: AND NOW, this 2nd day of August, 2022, probable jurisdiction is noted. Justice Brobson did not participate in the consideration or decision of this matter.			
August 2, 2022	Order Exited		Office of the Prothonotary
August 3, 2022	Commonwealth Court Record Received		Commonwealth Court of Pennsylvania
August 12, 2022	Designation of Contents of Reproduced Record	Appellant	Ivy Hill Congregation of Jehovah's Witnesses
September 7, 2022	Application for Extension of Time to File Brief - First Request	Appellant	Ivy Hill Congregation of Jehovah's Witnesses
September 7, 2022	Application for Leave to File Over-Length Brief	Appellant	Ivy Hill Congregation of Jehovah's Witnesses
September 8, 2022	No Answer Letter to Application for Leave to File Over-Length Brief	Appellee	Department of Human Services
September 8, 2022	Order Granting Application for Extension of Time to File Brief and Reproduced Record		Dreibelbis, Amy
Comments: AND NOW, this 8th day of September 2022, Appellant's application for extension of time is granted. Appellant's Brief and Reproduced Record shall be filed on or before September 26, 2022.			
September 8, 2022	Order Exited		Office of the Prothonotary
September 20, 2022	Order Denying Application for Leave to File Over-Length Brief		Per Curiam
Comments: AND NOW, this 20th day of September, 2022, the Application for Leave to File Over-length Brief is DENIED. Justice Brobson did not participate in the consideration or decision of this matter.			
September 20, 2022	Order Exited		Office of the Prothonotary



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
September 26, 2022	Appellant's Brief	Appellant	Ivy Hill Congregation of Jehovah's Witnesses
September 26, 2022	Appellant's Reproduced Record Filed	Appellant	Ivy Hill Congregation of Jehovah's Witnesses
October 13, 2022	Application for Extension of Time to File Brief - First Request	Appellee	Department of Human Services
October 13, 2022	Order Granting Application for Extension of Time to File Appellee Brief		Dreibelbis, Amy
Comments: AND NOW, this 13th day of October, 2022, Appellee's application for extension of time is granted. Appellee's Brief shall be filed on or before November 30, 2022.			
October 13, 2022	Order Exited		Office of the Prothonotary
November 30, 2022	Appellee's Brief	Appellee	Department of Human Services
December 12, 2022	Application for Extension of Time to File Reply Brief	Appellant	Ivy Hill Congregation of Jehovah's Witnesses
December 12, 2022	No Answer Letter to Application for Extension of Time	Appellee	Department of Human Services
December 14, 2022	Order Granting Application for Extension of Time to File Brief		Dreibelbis, Amy
Comments: AND NOW, this 14th day of December, 2022, Appellant's application for extension of time is granted. Appellant's Reply Brief shall be filed on or before January 3, 2023.			
December 14, 2022	Order Exited		Office of the Prothonotary
January 3, 2023	Appellant's Reply Brief	Appellant	Ivy Hill Congregation of Jehovah's Witnesses



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 19, 2023	Dispositional Memo Order		Per Curiam

Comments:

AND NOW, this 19th day of April, 2023, oral argument is GRANTED, LIMITED to the following issue as phrased by Appellant:

Does the Commonwealth Court's opinion dismissing this matter violate the coordinate jurisdiction and law of the case doctrines, where a previous en banc panel in the action presented with identical legal questions reached a contrary conclusion and the only intervening change was that the allegations in the underlying pleading were established as undisputed facts?

The remaining issue in the appeal is submitted on the briefs, and the Court will not entertain it at oral argument.

Justice Brobson did not participate in the consideration or decision of this matter.

April 19, 2023	Order Exited		Office of the Prothonotary
July 13, 2023	Acknowledgement of Argument Notice Ivy Hill Congregation of Jehovah's Witnesses	Appellant	Haverstick, Matthew Hermann
July 14, 2023	Acknowledgement of Argument Notice Department of Human Services	Appellee	Scarinci, Michael John
September 14, 2023	Argued Ivy Hill Congregation of Jehovah's Witnesses Department of Human Services	Appellant Appellee	Haverstick, Matthew Hermann Scarinci, Michael John
February 13, 2024	Vacated/Remanded		Todd, Debra

Comments:

To reiterate, we vacate the lower court's order dismissing Appellant's Petition and its Motion for Summary Relief, as we conclude the court's determinations that Appellant does not have standing, and that a grant of declaratory relief would not terminate the controversy, violated the coordinate jurisdiction rule. Accordingly, we remand the case for further proceedings.

Order reversed. Case remanded.

Justices Donohue, Dougherty, Wecht and Mundy join the opinion.

Justice Brobson did not participate in the consideration or decision of this matter.

February 13, 2024	Judgment Entered		Office of the Prothonotary
March 5, 2024	Original Record Remitted to Commonwealth Court		Office of the Prothonotary
March 6, 2024	Acknowledgement of Record Remittal		Commonwealth Court of Pennsylvania

6:51 A.M.

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 65 MAP 2022

Page 8 of 8

April 18, 2026

CROSS COURT ACTIONS

Docket Number:

316 MD 2020