



## 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: Decided/Active

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

Attorney: Haverstick, Matthew Hermann

None/Not Applicable

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Pro Se:

No

IFP Status:

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IFP Status:




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**COUNSEL INFORMATION**


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 Pro Se: No  
 IFP Status:

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## Supreme Court of Pennsylvania



## Appeal Docket Sheet

Docket Number: 65 MAP 2022

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February 19, 2024

## 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  
 Cohn Jubelirer, Renee  
 Covey, Anne E.  
 Dumas, Lori A.  
 McCullough, Patricia A.  
 Wallace, Stacy  
 Wojcik, Michael H.

OTN:

Order Type:

Order

## ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Part(s)	August 03, 2022	35

Record Remittal:

## BRIEFING SCHEDULE

Appellant

Ivy Hill Congregation of Jehovah's Witnesses

Brief

Due: September 26, 2022

Filed: September 26, 2022

Appellee

Department of Human Services

Brief

Due: November 30, 2022

Filed: November 30, 2022

Reply Brief

Due: January 3, 2023

Filed: January 3, 2023



## BRIEFING SCHEDULE

## Appellant

Ivy Hill Congregation of Jehovah's Witnesses

## 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:	<b>Majority Opinion</b>	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
<b>June 3, 2022</b>	<b>Notice of Appeal</b>	Appellant	Ivy Hill Congregation of Jehovah's Witnesses
<b>June 3, 2022</b>	<b>Jurisdictional Statement</b>	Appellant	Ivy Hill Congregation of Jehovah's Witnesses
<b>June 8, 2022</b>	<b>Praecipe for Appearance</b> Department of Human Services	Appellee	Scarinci, Michael John
<b>August 2, 2022</b>	<b>Probable Jurisdiction Noted</b>		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



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
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
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.



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
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
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



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>September 14, 2023</b>	<b>Argued</b>		
	Ivy Hill Congregation of Jehovah's Witnesses	Appellant	Haverstick, Matthew Hermann
	Department of Human Services	Appellee	Scarinci, Michael John
<b>February 13, 2024</b>	<b>Vacated/Remanded</b>		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.

<b>February 13, 2024</b>	<b>Judgment Entered</b>	Office of the Prothonotary
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## CROSS COURT ACTIONS

Docket Number: 316 MD 2020