IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA ORPHANS' COURT DIVISION

NO. 2021-X2110

IN RE: JANE T. HERRING, AN ALLEGED INCAPACITATED PERSON

ORDER

AND NOW, this 10th day of November, 2022 upon consideration of the November 3,

2022 Petition for Recusal, it is hereby ORDERED and DECREED that said Petition is DENIED.

BY THE COURT:

GAIL A. WEILHEIMER

Order e-filed on November 10, 2022: Brittany J. Camp, Esquire David A. Jaskowiak, Esquire Victor Meitner, Esquire Diane Zabowski, Esquire William Blumer, Esquire Ronald Fenstermacher, Jr., Esquire

Lown Comment

1	IN RE: UNNE 1. HERRING
2	for that reason, in addition to the reasons placed in
3	the Court's previous order, that request is denied.
4	So the last matter that the Court is
5	going to address is now the second petition for me to
6	recuse myself in this matter. The issue that
7	Mr. Herring complains of in this petition is that
8	because the Court stated previously stated on many
9	occasions that Jane Herring will never be permitted
10	to return to her residence while Arthur Herring is at
11	the residence exhibited a fixed substantial bias
12	against Arthur Herring in matters pending before this
13	Court and that the Court subsequently evicted Arthur
14	Herring.
15	Simply because the Court makes a ruling
16	against an individual does not justify a basis for
17	recusal. Quite frankly, my life would be much easier
18	if I recused myself from this case. But the Code of
19	Judicial Conduct does not permit me to recuse myself
20	simply because it makes my life easier; it's if there
21	is a bias that exists that would make it impossible for
22	me to be impartial in this matter. And that is not the
23	case.
24	Regarding the statement that Jane
25	Herring will never be permitted to return to her

No. 2021-X2110

IN RE: JANE HERRING, AN INCAPACITATED PERSON

ORDER

AND NOW, this 21st day of December, 2022, after a hearing on the 11/28/22 Petition for Contempt it is hereby ORDERED that the Petition is GRANTED and Arthur Herring is hereby held in contempt for continuing violations of this Court's 8/6/21, 8/27/21, 10/7/21, and 12/19/21 Orders.

Arthur Herring is hereby SENTENCED to 7 days incarceration with a turn in date of Tuesday, December 27, 2022, at 9:00AM, release date of January 3, 2023. Arthur Herring shall turn himself in to the Montgomery County Correctional Facility, 60 Eagleville Rd, Eagleville, PA, 19403.

It is **FURTHER ORDERED** that <u>no one</u> is to inform Jane Herring of this court proceeding or of Arthur's incarceration.



Order E-filed on 12/21/2022 to:
David Jaskowiak, Esq.
Victor Meitner, Jr., Esq.
Brittany Camp, Esq.
William Blumer, Esq.
Hahnmie Lee
Judicial Court Clerk

A NOTICE, AS REQUIRED UNDER RULE 4.6, SENT ON 12/22/2022

so# 2021-X2110-54.6 Received at Montgomery County Register of Wills Office. on 1221/2022 4.28 PM, Fee = \$0.00. The fliér certifies that this filing complies with the provisions of the Public Access Policy the Unified Judicial System of Pennsylvenie: Case Records of the Appeliate and Trial Courts that require filing confidential information and documents differently than non-confidential information and

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA ORPHANS' COURT DIVISION

NO. 2021-X2110

IN RE: JANE T. HERRING, AN ALLEGED INCAPACITATED PERSON

ORDER

AND NOW, this 2 day of July, 2023, upon consideration of the June, 2023 visitation recommendation of Dr. Ledakis, the response of each party to this Court's June 27, 2023 Order and Arthur Herring's Petition for Unsupervised Visitation, the following is hereby ORDERED and DECREED:

- 1. Arthur Herring is permitted to visit Jane Herring two times per month on the first and third Mondays of the month. If the scheduled visitation falls on a holiday, the visit shall be rescheduled for later that same week and the Guardian of the Person shall advise Arthur of the makeup date.
- 2. Each visit shall be for one hour from 11:00 am -12:00 pm.
- 3. Each visit shall be monitored by a supervisor to be selected by the Guardian of the Person.
- 4. The supervisor may take notes of her observations of the visitation.
 - a. Any notes taken by the supervisor shall be provided to the Guardian of the Person who will in turn distribute the notes to all parties.
- 5. The supervisor shall be retained for a total of two hours for each visit; including thirty minutes before and after each visit.
 - a. The Guardian of the Person may request to extend the supervisors time if additional time is needed at the conclusion of the visit to comfort or reorient Jane Herring.
- 6. Arthur shall not record via cell phone, or any other electronic device, the supervisor of the visits.
 - a. Arthur may take photos of or with Jane as a memento of their visits.

- 7. As these visits are for the benefit of Jane Herting, the costs of this supervision shall be paid by the Guardian of the Estate.
- 8. Arthur Herring may not discuss the legal proceedings in this matter, Arthur Herring's prior incarceration or Jane's residence, past or present, with Jane Herring.
- All previous Court Orders remain in full force and effect. Should Arthur Herring fail to comply with the Orders of this Court, he may be subject to additional contempt proceedings.
- 10. Arthur Herring's Petition for Unsupervised Visitation shall be scheduled for October, 2023. The Court will consider the supervisor's observations and notes of the visits at the time of the hearing.
 - a. The Court may schedule this petition prior to October, 2023 should Arthur Herring choose to be evaluated prior to the scheduled hearing.
 - b. Parameters of this evaluation shall be addressed in a separate Order.
- 11. Compliance with this Court's Orders and evidence of positive interactions by with Jane Herring shall result in an expansion of visitation time.

GAIL A. WEILHEIMER J.

Order e-filed July 14 2023: Brittany J. Camp, Esquire David A. Jaskowiak, Esquire Thad Gelsinger, Esquire Ronald Fenstermacher, Jr., Esquire Arthur Herring, Pro Se