

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Eva Marie Gardner, :
Appellant :
v. : No. 715 C.D. 2025
: Submitted: March 3, 2026
Patrick W. Quinn, Jeffrey M. Cook, :
Tracy M. Sheffer, Ashley Reilly, :
Beverly Boyd, and Michael A. George :

BEFORE: HONORABLE RENÉE COHN JUBELIRER, President Judge
HONORABLE STACY WALLACE, Judge
HONORABLE BONNIE BRIGANCE LEADBETTER, Senior Judge

OPINION NOT REPORTED

MEMORANDUM OPINION BY
PRESIDENT JUDGE COHN JUBELIRER

FILED: September 1, 2026

Eva Marie Gardner (Gardner), pro se, appeals from two Orders of the Court of Common Pleas of Adams County (common pleas), entered on April 17, 2025 (together, the Orders),¹ wherein common pleas sustained, in part, the preliminary objections (POs) of Arbitrators Patrick W. Quinn, Esquire, Jeffrey M. Cook, Esquire, Tracy M. Sheffer, Esquire (collectively, Arbitrators), Beverly Boyd, the Adams County Prothonotary, Ashley Reilly, an Adams County Prothonotary's Office clerk (together, Prothonotary's Office), and the Honorable Michael A. George, common pleas' President Judge Emeritus and senior judge (Judge George

¹ In Gardner's Brief, she asserts the order under review is a singular order dated April 21, 2025, and cites Original Record Item Nos. 98 and 99 for this proposition. However, a review of the record indicates that Original Record Item Nos. 98 and 99 are the Orders filed April 17, 2025.

or then President Judge George)² (collectively, Appellees).³ After sustaining the POs, common pleas dismissed the case. Common pleas determined that Judge George and the Arbitrators were immune from Gardner’s allegations related to conduct arising from the discharge of judicial and quasi-judicial duties, respectively. Common pleas determined that the Prothonotary’s Office was immune because Gardner did not allege any facts supporting that actions of the Prothonotary’s Office fell outside its official duties. Because we conclude that Appellees are immune from suit, we affirm.

I. BACKGROUND

In 2024, Gardner commenced a civil action in common pleas against Jason Bair (Underlying Action), separate from the instant action against Appellees. (Arbitrators’ and Judge George’s Brief (Br.) at 5.)⁴ In response to a Motion for

² We note during the events relevant to this appeal, including the arbitration and his determination concerning the arbitration award timestamps, Judge George was President Judge of common pleas. However, by the time that common pleas sustained Appellees’ POs, his term as President Judge had ended. To reflect this change in title, we will use “then President Judge George” when discussing events during the time frame when he would have held this role, while using “Judge George” in all other instances.

³ Initially, Gardner filed her appeal with the Superior Court of Pennsylvania, which transferred the matter to this Court by order dated June 10, 2025.

⁴ In the Fourth Amended Complaint, Gardner asserted multiple claims. The state claims include causes of action brought under Sections 903 (Criminal Conspiracy, 18 Pa.C.S. § 903), 4902 (Perjury, 18 Pa.C.S. § 4902), 4911 (Tampering with Public Records or Information, 18 Pa.C.S. § 4911), 5101 (Obstructing Administration of Law or Other Government Function, 18 Pa.C.S. § 5101), and 5301 (Official Oppression, 18 Pa.C.S. § 5301), of the Pennsylvania Crimes Code. Gardner also appears to have asserted claims under article I, sections 1, 11, 26, of the Constitution of Pennsylvania, PA. CONST. art. I, §§ 1, 11, 26. In addition, Gardner in her Brief attempts to raise a claim under 42 U.S.C. § 1983, based on the allegations contained in paragraph 16 of the Fourth Amended Complaint. (Gardner’s Br. at 4, 11); *see Jones v. City of Phila.*, 890 A.2d 1188, 1216-17 (Pa. Cmwlth. 2006) (en banc) (“State[courts], as well as federal courts, have jurisdiction over claims brought pursuant to Section 1983[.]”) (citing *Howlett By and Through Howlett v. Rose*, 496 U.S. 356 (1990)).

Appointment of Arbitration Panel filed in the Underlying Action, then President Judge George issued an order appointing the Arbitrators and setting the arbitration hearing on December 13, 2024, at 2:15 p.m. (Original Record (O.R.) Item No. 82, Exhibit A.) The arbitration hearing was held, at which Gardner was represented by counsel, and the Arbitrators entered an award (arbitration award) against Gardner, which was docketed in the Prothonotary's Office at 3:04 p.m. the same day. (O.R. Item No. 96, Exhibit A; Prothonotary's Office Br. at 1.) The arbitration award contained two timestamps, a machine one and a corresponding handwritten one, both listing 2:03 p.m. as the filing time. (O.R. Item No. 96, Exhibit A.)

Although the arbitration award was appealable, Gardner did not appeal it; instead, she initiated the instant pro se action against Appellees. Specifically, as noted in common pleas' opinion filed pursuant to Pennsylvania Rule of Appellate Procedure 1925(a), Pa.R.A.P. 1925(a) (Common Pleas' 1925(a) Opinion (Op.)), Gardner took issue with the timing of the arbitration award because she believed the Arbitrators prematurely decided and filed the award at 2:03 p.m. before she and her counsel had an opportunity to present her case at the arbitration hearing which began at 2:15 p.m. (Common Pleas' 1925(a) Op. at 1.) Based on this, Gardner sent a letter addressed to the administrators of common pleas inquiring about the timestamp discrepancy. (O.R. Item No. 96, Exhibits A-B.) The timestamp discrepancy was investigated by then President Judge George, who determined that the 2:03 p.m. timestamps on the arbitration award were erroneous. (Common Pleas' 1925(a) Op. at 1; O.R. Item No. 96, Exhibits A-B.) Then President Judge George sent Gardner a response letter stating that the timestamp error was "not substantive" since the docket reflected that the arbitration award was docketed at 3:04 p.m., that he was satisfied the arbitration award was "properly entered after the receipt of evidence at

a hearing which [Gardner] apparently attended,” and that should Gardner wish to appeal the arbitration award, she would need to comply with the relevant procedural and filing requirements. (*Id.*)

Shortly after receipt of then President Judge George’s letter, Gardner initiated this separate action against Appellees.⁵ Through multiple amended complaints, Gardner claimed that because she previously filed a complaint with the Pennsylvania Disciplinary Board regarding a well-known Adams County attorney, Appellees engaged in a retaliatory conspiracy, culminating in the premature arbitration award against her. (*See* O.R. Item Nos. 1, 4, 35, 48, & 57.) Judge George and the Arbitrators filed a single set of POs to Gardner’s fourth and final amended complaint, as did the Prothonotary’s Office. (*Id.*, Items 79, 82.) On April 17, 2025, common pleas issued the Orders, one dismissing this action as against Judge George and the Arbitrators based on judicial and quasi-judicial immunity, respectively, and one dismissing this action as against the Prothonotary’s Office based on qualified immunity. (Common Pleas’ 1925(a) Op. at 2.) Common pleas subsequently filed its 1925(a) Opinion explaining its reasoning. Gardner timely appealed the Orders to this Court.

⁵ By order dated January 7, 2025, common pleas’ President Judge Thomas A. Campbell directed that all sitting common pleas judges were recused from this case given the allegations alleged in Gardner’s initial complaint, and that the Adams County Court Administrator (court administrator), in conjunction with the practices recognized by the Supreme Court of Pennsylvania’s Administrative Office of the Pennsylvania Courts (AOPC), have the matter assigned to another judge from one of the various courts of common pleas. (Original Record (O.R.), Item 3.) By order dated February 27, 2025, AOPC assigned President Judge Emeritus and senior judge Kevin A. Hess, of the Court of Common Pleas of Cumberland County, to adjudicate the instant case. (O.R., Item 56.)

II. DISCUSSION⁶

Gardner asserts multiple arguments on appeal.⁷ However, because common pleas dismissed this action based on immunity, we first address the immunity doctrines applicable to each Appellee because if the various Appellees are immune from suit, this Court need not decide the remaining issues.

A. Judicial Immunity

The judicial immunity doctrine has its origins in judicial independence and “arose because it was in the public interest to have judges . . . at liberty to exercise their independent judgment about the merits of a case without fear of being mulcted for damages should an unsatisfied litigant . . . [assert that a] judge acted not only

⁶ “An appellate court’s review of a trial court’s order sustaining [POs] and dismissing a complaint is limited to a determination of whether that court abused its discretion or committed an error of law.” *Petty v. Hosp. Serv. Ass’n of N.E. Pa.*, 967 A.2d 439, 443 n.7 (Pa. Cmwlth. 2009) (citation omitted).

⁷ Gardner’s Brief lists the following issues:

- Did [common pleas] violate due process by ruling on [POs] with less than one day’s notice, limiting argument on Motions to Deny Immunity, and ignoring responses to objections? Suggested Answer: Yes.
- Did [common pleas] err by applying immunity to dismiss § 1983 claims against defendants in their individual capacities for ultra vires acts? Suggested Answer: Yes.
- Did [common pleas] abuse its discretion by failing to rule on three Motions to Deny Immunity, four Motions to Amend, a Motion to Lift Stay of Discovery, and by ignoring responses to objections? Suggested Answer: Yes.
- Did systemic procedural irregularities, including a pre-assignment order, unfair hearing, discovery stay, defective transcript, and failure to consider responses, violate due process? Suggested Answer: Yes.

(Gardner’s Br. at 4.)

mistakenly but with malice and corruption.” *Dennis v. Sparks*, 449 U.S. 24, 31 (1980) (citation omitted). In *Chasan v. Platt*, we set forth the judicial immunity analysis, in relevant part, as follows:

“[J]udicial immunity requires a two-part analysis: first, whether the judge has performed a judicial act; and second, whether the judge has some jurisdiction over the subject matter before [him].” *Langella v. Cercone*, 34 A.3d 835, 838 (Pa. Super. 2011) (emphasis added). This Court reasoned: **“Judges are absolutely immune from liability for damages when performing judicial acts, even if their actions are in error or performed with malice, provided there is not a clear absence of all jurisdiction over subject matter and person.”** *Robinson v. Musmanno* (Pa. Cmwlth., No. 39 C.D. 2010, filed May 28, 2010), slip op. at 3 [] (per curiam) (citing *Beam v. Daihl*, 767 A.2d 585 (Pa. Super. 2001)).^[8]

This Court recognizes judicial immunity is not only immunity from damages, but also “immunity from suit.”[] *See Guarrasi v. Scott*, 25 A.3d 394, 405 n.11 (Pa. Cmwlth. 2011) (citing *Mireles v. Waco*, 502 U.S. 9 [] (1991)) (explaining judicial immunity applied to a common pleas court judge); *Logan[v. Lillie]*, 728 A.2d 995 (Pa. Cmwlth. 1999) (upholding dismissal of equitable claims seeking declaration that judicial officers’ acts were unconstitutional).

244 A.3d 73, 81-82 (Pa. Cmwlth. 2020) (first and second alterations in original) (emphasis added). “This means that judicial immunity will apply even if the actions are claimed to have been performed as a result of an alleged conspiracy with others, so long as the actions were performed in the judge’s judicial capacity.” *Ellington v.*

⁸ In general, “Superior Court decisions are not binding on this Court, but they offer persuasive precedent where they address analogous issues.” *Pa. State Police v. Madden*, 284 A.3d 272, 278 n.13 (Pa. Cmwlth. 2022) (citation and internal quotation marks omitted).

Sibum (Pa. Cmwlth., No. 1773 C.D. 2016, filed Oct. 11, 2017), slip op. at 7 (citing *Dennis*, 449 U.S. at 27-28).⁹

Here, then President Judge George satisfies both prongs of the judicial immunity analysis set forth in *Chasan*, as he performed both a judicial act and had jurisdiction over the Underlying Action. First, as to whether then President Judge George performed a judicial act, Gardner argues that then President Judge George, “acting administratively, issued a letter concluding the timestamp [on the arbitration award] was a ‘machine malfunction’” and cites to Original Record Item Nos. 3 and 72 for this proposition. (Gardner’s Br. at 5, 12). However, Original Record Item Nos. 3 and 72 do not appear relevant to Gardner’s arguments.¹⁰

To the extent Gardner instead intended to cite the letter issued by then President Judge George concerning his investigation of the timestamp discrepancy in the Underlying Action, we have located in the record a copy of this letter, the issuance of which was a judicial act. In this letter, then President Judge George stated that he investigated the timestamp discrepancy by speaking with the

⁹ Unreported opinions of this Court may be cited for their persuasive value in accordance with Rule 126(b) of the Pennsylvania Rules of Appellate Procedure, Pa.R.A.P 126(b), and Section 414(a) of the Commonwealth Court’s Internal Operating Procedures, 210 Pa. Code § 69.414(a).

¹⁰ We note Original Record Item No. 3 is the recusal order signed by President Judge Campbell directing the recusal of all sitting common pleas’ judges and further directing common pleas’ court administrator to have the matter assigned to an out-of-county judge. (O.R. Item No. 3.) Nowhere in the recusal order does President Judge Campbell make a finding about the timestamp on the arbitration award, nor is there any mention of a “machine malfunction.” (*Id.*) In addition, the recusal order contains no mention of Judge George. (*Id.*) To the extent Gardner challenges the recusal order and President Judge Campbell’s issuance of same, President Judge Campbell’s action of issuing the recusal order is clearly a judicial act to which judicial immunity applies. *See, generally Palamar v. Clifford* (Pa. Cmwlth., No. 300 M.D. 2024, filed June 23, 2025) (per curiam) (noting that judicial recusal decisions are purely judicial acts). As to Original Record Item No. 72, this docket entry is a motion filed by Gardner requesting that President Judge George be denied judicial immunity, which likewise offers no support for the proposition that then President Judge George’s determination of the erroneous timestamp was an administrative action and not a judicial act. (O.R. Item Nos. 3, 72.)

Prothonotary's Office, which responded that a machine malfunction caused the erroneous 2:03 p.m. timestamp. (O.R. Item No. 96, Exhibit B.) Then President Judge George determined the discrepancy was not substantive because the docket clock for the arbitration award reflected the correct time of 3:04 p.m. and stated he was satisfied the arbitration award was properly entered after the arbitrators received evidence at the hearing attended by Gardner. (*Id.*)

“Whether an act by a judge is a ‘judicial’ one [relates] to the nature of the act itself, i.e., whether it is a function normally performed by a judge, and to the expectations of the parties, i.e., whether they dealt with the judge in his judicial capacity[.]” *P.G.S. v. Hendricks*, 341 A.3d 844, 853 (Pa. Cmwlth. 2025), *appeal denied*, 355 A.3d 1266 (Pa. 2026) (quoting *Mireles v. Waco*, 502 U.S. 9, 11-12 (1991)) (brackets in original) (emphasis omitted). Pursuant to Section 325(e)(1) of the Judicial Code, 42 Pa.C.S. § 325(e)(1), which enumerates the powers of president judges, “the president judge of a court shall . . . [b]e the executive and administrative head of the court[and] supervise the judicial business of the court.” In addition, we have held that “[c]ourts . . . **have inherent power to correct their own judgments, even after expiration of the appeal period, and this power extends to the correction of obvious or patent mistakes, including those of a court officer, and to the amendment of court records.**” *DeMarco v. Borough of East McKeesport*, 556 A.2d 977, 979 (Pa. Cmwlth. 1989) (citations omitted) (emphasis added); *see also Commonwealth v. Borrin*, 80 A.3d 1219, 1227 (Pa. 2013) (“**The term ‘clerical error’ has been long used by our courts to describe an omission or a statement in the record or an order shown to be inconsistent with what in fact occurred in a case, and, thus, subject to repair.**”) (emphasis added); *Davis v. Com. Trust Co.*, 7

A.2d 3, 5 (Pa. 1939) (“The power of courts to correct their own judgment is inherent”).

Thus, by issuing the letter, in response to a letter from Gardner addressed to the administrators of common pleas, then President Judge George investigated the timestamp discrepancy to determine if a clerical error was made or might need corrected in the record by the Prothonotary’s Office, an officer of the court, over which then President Judge George had inherent authority. *DeMarco*, 556 A.2d at 979. Additionally, then President Judge George exercised his supervisory function as president judge, as the “executive and administrative head of the court,” to “supervise the judicial business of the court” 42 Pa.C.S. § 325(e)(1). As such, then President Judge George’s action of determining that one of the timestamps was erroneous constituted a “judicial act.” *See Palamar v. Clifford* (Pa. Cmwlth., No. 300 M.D. 2024, filed June 23, 2025) (per curiam), slip op. at 5 (“[A] judge’s decisions regarding whether to recuse, what to say in orders, how to handle procedural matters, and the like are distinctly judicial acts[.]”).¹¹ The first prong of the judicial immunity analysis is, therefore, satisfied.

Next, it is clear that then President Judge George had proper subject-matter jurisdiction over the Underlying Action. Section 931(a) of the Judicial Code, 42 Pa.C.S. § 931(a), which sets forth the jurisdiction of the Commonwealth’s trial courts, in relevant part, vests “the courts of common pleas . . . [with] unlimited original jurisdiction of all actions and proceedings, including all actions and proceedings heretofore cognizable by law or usage in the courts of common pleas.” Here, given the factual background of this case, the state and federal claims brought

¹¹ Per curiam memorandum opinions of this Court are not binding precedent but may be cited as persuasive authority. *In re Rogers*, 908 A.2d 942, 946 n.4 (Pa. Cmwlth. 2006), *abrogated on other grounds*, *In re Stevenson*, 40 A.3d 1212 (Pa. 2012).

by Gardner in the Underlying Action were within the jurisdiction of common pleas, and nowhere does Gardner argue otherwise. *See Wright v. Doyle* (Pa. Cmwlth., No. 405 M.D. 2019, filed March 7, 2023) (per curiam), slip op. at 5 (holding that Section 931(a) grants the various courts of common pleas unlimited original jurisdiction unless exclusive original jurisdiction of an action or proceeding is prescribed by statute or by general rule). In sum, then President Judge George’s determination that one of the timestamps in the arbitration award was erroneous constituted a judicial act issued within the jurisdiction vested by Section 931(a) of the Judicial Code and, therefore, pursuant to the judicial immunity doctrine, Judge George is judicially immune from suit and damages.

B. Quasi-Judicial Immunity

This Court has long held that “[t]he doctrine of judicial immunity is applicable **not only to judges but to those who perform judicial functions and act as an arm of the court.**” *Logan*, 728 A.2d at 998 (emphasis added). That is, we extend “quasi-judicial immunity” to those serving “quasi-judicial” functions. *P.G.S.*, 341 A.3d at 853. The quasi-judicial immunity doctrine “has been extended over time to protect a range of judicial actors,” as “[t]he fair administration of justice depends **not only on judges,**” but to “**certain others who perform functions closely associated with the judicial process.**” *Russell v. Richardson*, 905 F.3d 239, 247 (3d Cir. 2018) (emphasis added) (citing *Cleavinger v. Saxner*, 474 U.S. 193, 201 (1985)).¹² “In order to determine whether an individual is entitled to quasi-judicial immunity, we must first examine **the nature of the actions** complained of to

¹² “While the decisions of federal circuit and district courts are not binding on this Court, they may be cited for their persuasive value.” *Vasquez v. Berks County*, 279 A.3d 59, 76 n.19 (Pa. Cmwlth. 2022) (citation omitted).

ascertain whether they were performed within the **quasi-judicial adjudicatory function.**” *Pollina v. Dishong*, 98 A.3d 613, 621 (Pa. Super. 2014).

i. The Court-Appointed Arbitrators

Gardner’s allegations against the Arbitrators are that they intentionally rendered their judgment prior to the hearing as part of a conspiracy, based solely on a time-stamp on the arbitration award. Common pleas found that quasi-judicial immunity applies to the court-appointed Arbitrators in this action. We agree that the Arbitrators fall within the quasi-judicial immunity doctrine.

By Order dated October 1, 2024 (Appointment Order), in response to the parties’ Motion for Appointment of Arbitration Panel, then President Judge George appointed the Arbitrators to an arbitration panel and referred the case to compulsory arbitration in the Underlying Action. The Appointment Order further scheduled the arbitration hearing for December 13, 2024, at 2:15 p.m. The Appointment Order set forth specific instructions governing how the arbitration hearing would proceed and the bounds within which the Arbitrators could conduct the hearing, including by placing restrictions on the time to present evidence and testimony, requiring that the parties seek permission from common pleas if more time was needed, and directing that a trial judge might personally hear the case if a party did not appear at the hearing, as follows:

At the arbitration hearing before the arbitrators, each party shall be limited to one hour to present the party’s evidence to the board of arbitrators. The Plaintiff may reserve a period of time to present rebuttal testimony, however, a party’s total presentation shall not exceed one hour. If a party believes that it will require more than one hour to present the party’s case, a written motion to the matter specially set as a complex litigation must be filed within seven days of the date of this Order with [common pleas]. A party’s failure to request the

matter be specially set as a complex litigation shall be deemed as an agreement by the party to limit its presentation of evidence as set forth herein.

This matter will be heard by a board of arbitrators at the time, date, and place specified but, if one or more of the parties is not present at the hearing, **the matter may be heard at the same time and date before a Judge of the Court** without the absent party or parties. There is no right to trial de novo on appeal from a decision entered by a Judge.

(O.R. Item No. 82, Exhibit A (emphasis added).) Then President Judge George entered the Appointment Order pursuant to Adams County Local Rules of Civil Procedure (Local Rules of Civil Procedure) 1301(a) and 1302(a)-(b), Adams Cnty. Local Civ. Rules 1301(a) & 1302(a)-(b), made applicable by Section 7361 of the Judicial Code, 42 Pa.C.S. § 7361.¹³ (O.R. Item No. 82, Exhibit A.) As permitted by statute, the Local Rules of Civil Procedure set forth the scope of the compulsory arbitration program in Adams County. Specifically, Local Rule of Civil Procedure 1301(a), Adams Cnty. Local Civ. R. 1301(a), states that “[a]ll civil cases within the jurisdictional limits prescribed in Section 7361 . . . shall be subject to arbitration pursuant to Adams [Cnty. Local]Civ. R. 1302.” In turn, pursuant to Local Rule of Civil Procedure 1302(a)-(b), Adams Cnty. Local Civ. R. 1301(a)-(b), a party may move for the appointment of an arbitration panel and “[t]he President Judge shall appoint attorneys to serve as arbitrators and as chairpersons of the boards of arbitrators.”

¹³ Pennsylvania Rules of Civil Procedure 1301 through 1314, Pa.R.Civ.P. 1301-1314, “apply to actions which are submitted to compulsory arbitration pursuant to local rule under Section 7361.” Pursuant to Section 7361(a) of the Judicial Code, 42 Pa.C.S. § 7361(a), “when prescribed by general rule or rule of court such civil matters or issues therein as shall be specified by rule shall first be submitted to and heard by a board of three members of the bar of the court.”

Following the Appointment Order, the Arbitrators conducted the arbitration hearing and also transmitted¹⁴ the arbitration award to the Prothonotary's Office for filing.¹⁵ While Gardner contends that the 2:03 p.m. timestamp is evidence of her case being pre-judged by the Arbitrators and renders the arbitration hearing a sham, establishing a conspiracy against her, we cannot agree that the Arbitrators departed from their routine "quasi-judicial adjudicatory function" entitling them to quasi-judicial immunity. *Pollina*, 98 A.3d at 621.

Our Supreme Court has found that the following individuals "serv[e] clear adjudicative functions" such that quasi-judicial immunity would apply:

administrative law judges who preside over and adjudicate a regulatory matter **in the manner of a judge**; a judicial law clerk who works within the judicial chambers **directly assisting the judge in the judge's adjudicative role**; and a child custody officer **who directly assists the judge by presiding over a conference** and issuing a report and recommendation for the judge's use.

¹⁴ We note that the parties dispute whether the arbitrators rendered their decision and transmitted the arbitration award to the Prothonotary's Office before or after the 2:15 p.m. hearing. In review of the POs, however, we must accept all of Gardner's well-pleaded allegations of material fact as true. *See Phantom Fireworks Showrooms, LLC v. Wolf*, 198 A.3d 1205, 1214 n.6 (Pa. Cmwlth. 2018) (en banc).

¹⁵ We note that the discrepancy between the timestamps and the docketing clock, identified as a clerical error by then President Judge George here, is similar to the clerical error in *Sathianathan v. Pacific Exchange, Inc.*, 248 F. App'x 345, 346 (3d Cir. 2007), where the losing party in an arbitration, after unsuccessfully challenging the arbitration award, initiated a pro se action, in part, against an arbitration director, asserting the arbitration award was issued after the arbitrators' jurisdiction expired. It was further asserted that two of the arbitrators' signatures were missing from the arbitration award and this clerical error was not remedied until more than two months after the arbitration award issued. *Id.* at 347-48. The Third Circuit examined immunity applicable to arbitrators and determined, in part, that in correcting the arbitration award months later, which the district court accepted, the arbitrators "were simply rectifying a clerical error" and, thus, affirmed the underlying district court decision finding the arbitrators immune from suit. *Id.* at 348.

N.W.M. Through J.M. v. Langenbach, 316 A.3d 7, 27-28 (Pa. 2024) (emphasis added); *see also Feingold v. Hill*, 521 A.2d 33, 37 (Pa. Super. 1987) (extending quasi-judicial immunity to a trial court judge’s law clerk because “law clerks are appointed by judges, within the scope of their constitutional authority, as necessary attendants to the court, **to assist judges in the performance of their judicial functions.**”) (emphasis added). Likewise, this Court found in *Logan* that a duly-appointed domestic relations officer acting in a “**quasi-judicial role**” pursuant to Pa.R.Civ.P. 1915.4-2 would be entitled to quasi-judicial immunity. 728 A.2d at 998 (emphasis added).

We note that our federal sister courts have extended immunity to court-appointed officials in similar circumstances. For example, in *Prater v. City of Philadelphia Family Court*, the United States Court of Appeals for the Third Circuit held that “custody masters, **acting on a judicial matter in a capacity functionally equivalent to judges**, were immune from suit.” 569 Fed.App’x 76, 79 (3d Cir. 2014) (emphasis added). In addition, in *Cleavinger*, the United States Supreme Court recognized that “absolute immunity [has been extended] to **certain others who perform functions closely associated with the judicial process . . .** [including a] federal hearing examiner and administrative law judge.” 474 U.S. at 200 (emphasis added).

Here, the Arbitrators prepared and issued the arbitration award, performing an act akin to the judicial act of a court issuing a judicial decision, and presided over a hearing with defined parameters akin to how a trial judge conducts a bench trial. In doing so, the Arbitrators carried out their court-appointed duties in a manner prescribed by common pleas’ Appointment Order and in accordance with common pleas’ authority under state statute and state and local rules—in other words,

Arbitrators acted “as an arm of the court.” *Logan*, 728 A.2d at 998; *see also Robert Half Int’l Inc. v. Marlton Tech., Inc.*, 902 A.2d 519, 529 (Pa. Super. 2006) (stating “[t]he [c]ourt[s] of [c]ommon [p]leas [are] better equipped through [their] extensive pre-trial processes to determine whether [a] case truly belongs in the trial program or in arbitration”). By **directly assisting the common pleas judges** who would otherwise preside over these arbitrations (and in some circumstances defined by the Local Rules of Civil Procedure, do preside), the Arbitrators occupied a judicial or adjudicatory role similar to that of the administrative law judges, judicial law clerks, and child custody officers that our Supreme Court observed are entitled to quasi-judicial immunity for “directly assisting” a judge “in the judge’s adjudicative role” or by presiding over or adjudicating a matter “in the manner of a judge” *N.W.M.*, 316 A.3d at 27-28.

Moreover, by carrying out their duties as **court-appointed officers** undertaking a quasi-judicial role, the Arbitrators are no different than the court-appointed officers found to be entitled to quasi-judicial immunity in *Logan* (domestic relations officer) and *Prater* (custody master). 728 A.2d at 998; 569 Fed.App’x at 79. *See also Dressel Assocs., Inc. v. John A. Welch Real Est. Appraisers, Inc.*, 632 A.2d 906, 909 (Pa. Super. 1993) (stating that “[a]n arbitrator hired to assist in dispute resolution serves in a quasi-judicial role”). Thus, because the Arbitrators’ issuance of the arbitration award was a quasi-judicial adjudicatory function, comparable to a judicial act, and because the Arbitrators conducted the arbitration proceedings “as an arm of the court,” the quasi-judicial immunity doctrine applies, and the Arbitrators are immune from suit.

ii. Prothonotaries

This Court and our federal sister courts have extended quasi-judicial immunity to prothonotaries. For example, in *Brown v. Dreibelbis* (Pa. Cmwlth., No. 426 M.D. 2018, filed August 7, 2019), slip op. at 1, we extended quasi-judicial immunity to the Prothonotary of the Supreme Court of Pennsylvania, where a pro se litigant challenged the prothonotary's actions of dismissing two petitions for allowance of appeal for failure to perfect the appeals in accordance with Pennsylvania Rule of Appellate Procedure 3115, Pa.R.A.P. 3115. We reasoned the prothonotary acted pursuant to the Supreme Court's internal operating procedures and the Pennsylvania Rules of Appellate Procedure and in connection with its official duties as an officer of the court and, thus, concluded that quasi-judicial immunity attached. *Id.*, slip op. at 11-12. Likewise, in *Lockhart v. Hoenstine*, 411 F.2d 455, 457 (3d Cir. 1969), the United States Court of Appeals for the Third Circuit extended quasi-judicial immunity to the Prothonotary of the Superior Court of Pennsylvania where an appellant asserted constitutional violations because the prothonotary refused to accept certain papers for filing and did not present the papers to the Superior Court for approval before rejection. The Third Circuit reasoned the prothonotary was acting at the direction of the Superior Court, and given the "manifest unfairness of subjecting [a prothonotary] to suit as a consequence of action taken at the direction of officials over whom the [] actor ha[d] no power or control," the prothonotary's actions were, thus, "wrapped in the cloak of immunity." *Id.* at 460.

Gardner takes issue with the Prothonotary's Office's alleged premature acceptance of the arbitration award from the Arbitrators and then President Judge George's determination that the Prothonotary's Office's placement of a 2:03 p.m.

timestamp on the arbitration award was a clerical error, such that the 3:04 p.m. docketing time reflected on the docket governs. Gardner avers that by accepting and filing the arbitration award at 2:03 p.m., before the 2:15 p.m. hearing, the Prothonotary's Office participated in the conspiracy against her and engaged in actions outside the scope of its duties from which it is not immune.¹⁶ We disagree.¹⁷

Section 2731(a) of the Judicial Code, 42 Pa.C.S. § 2731(a), states, in part, that “[i]n each county of this Commonwealth there shall be one prothonotary for the court of common pleas,” and Section 2736 of the Judicial Code, 42 Pa.C.S. § 2736, states “[a]ll matters or documents required or authorized to be filed in the office of the clerk of the court of common pleas shall be filed in the office of the prothonotary”¹⁸ Section 2737 of the Judicial Code, 42 Pa.C.S. § 2737, which sets forth the powers and duties of prothonotaries, provides:

The office of the prothonotary shall have the power and duty to:

- (1) Administer oaths and affirmations and take acknowledgments pursuant to section 327 (relating to

¹⁶ We note that while the parties dispute whether the Prothonotary's Office accepted and filed the arbitration award before the 2:15 p.m. hearing, in review of the POs, we must accept all of Gardner's well-pleaded allegations of material fact as true. *See Phantom Fireworks*, 198 A.3d at 1214 n.6.

¹⁷ In the 1925(a) Opinion, common pleas conducted a qualified immunity analysis and concluded the Prothonotary's Office was immune from suit because “members of the Prothonotary's Office, when filing [a] document in the normal course of their employment, enjoy immunity as to lawsuits against them[and, a]dmittedly, this immunity is qualified.” (Common Pleas' 1925(a) Op. at 3.) However, because we conclude the Prothonotary's Office is immune under the quasi-judicial immunity doctrine, and we affirm on those grounds, we need not reach the issue of qualified immunity. *See Thorpe v. Commonwealth*, 214 A.3d 335, 339 n.8 (Pa. Cmwlth. 2019) (“It is well settled that this Court may affirm on other grounds where the grounds for affirmance exist.”) (citation omitted).

¹⁸ “Prothonotaries are public officers upon whom many duties may be imposed by the Legislature, and they may have control of documents [like] those filed with [other offices] But when a paper is directed to be filed in the prothonotary's office, the act may give the record a quasi[-]judicial character.” *Delco Ice Mfg., Co. v. Frick Co.*, 178 A. 135, 137 (Pa. 1935).

oaths and acknowledgments), but shall not be compelled to do so in any matters not pertaining to the proper business of the office.

(2) Affix and attest the seal of the court or courts to all the process thereof and to the certifications and exemplifications of all documents and records pertaining to the office of the prothonotary and the business of the court or courts of which it is the prothonotary.

(3) **Enter all civil judgments**, including judgments by confession.

(4) Enter all satisfactions of civil judgments.

(5) **Exercise the authority of the prothonotary as an officer of the court.**

(6) **Exercise such other powers and perform such other duties as may now or hereafter be vested in or imposed upon the office by law, home rule charter, order or rule of court**, or ordinance of a county governed by a home rule charter or optional plan of government.

42 Pa.C.S. § 2737 (emphasis added). In addition, the editorial note to Local Rule of Civil Procedure 205.2(a), Adams Cnty. Local Civ. Rule 205.2(a), states “[u]pon the filing of any paper, it is the duty of the Prothonotary to immediately docket the paper.” (emphasis added); *see also Se. Pa. Transp. Auth. v. DiAntonio*, 618 A.2d 1182, 1184 (Pa. Cmwlth. 1992) (concluding that a prothonotary’s action of time-stamping a copy of an answer “constitute[d] filing [and e]ven though the prothonotary’s office later discovered that the total [filing] fee was deficient, the prothonotary could not summarily return the answer after having accepted it”) (internal quotation marks and citation omitted).

Here, the Prothonotary’s Office routinely accepts and docketings filings for civil actions within Adams County as part of its official duties as the filing office for

common pleas in accordance with Local Rule of Civil Procedure 205.2(a). Given this, it is beyond dispute that the Prothonotary's Office "perform[ed] functions closely associated with the judicial process," *Russell*, 905 F.3d at 247, when it docketed and placed the timestamp on the arbitration award, and a "manifest unfairness" would result by "subjecting [the Prothonotary's Office] to suit as a consequence of action taken at the direction of officials [or court rules] over wh[ich] . . . [it] has no power or control," *Lockhart*, 411 F.2d at 460. *See also Schneller v. Prothy. of Montgomery Cnty.* (Pa. Cmwlt., No. 1316 C.D. 2016, filed Sept. 12, 2017) (per curiam), slip op. at 13 n.10 (finding Section 1983 claim and state intentional tort claims against county prothonotary barred by quasi-judicial immunity doctrine). Thus, once the Arbitrators transmitted the arbitration award to the Prothonotary's Office, **regardless of whether they rendered their decision before or after the hearing and whether the 2:03 p.m. timestamp was incorrect in light of the 3:04 p.m. docketing time**, the Prothonotary's Office was duty bound to docket same and, similar to *Brown* and *Lockhart*, the Prothonotary's Office was simply following the directives of common pleas. Therefore, the quasi-judicial immunity doctrine applies here, and pursuant to this doctrine, the Prothonotary's Office is immune from suit.¹⁹

¹⁹ In closing, we note that Gardner could have appealed the arbitration award in the Underlying Action and expressly chose not to do so. (March 25, 2025 Hearing Transcript at 17.) "A party has a right to appeal a compulsory arbitration award by requesting a trial *de novo*[, 42 Pa.C.S. § 7361(d), and, t]o do so, a party must 'file an appeal to the court of common pleas . . . under Pa.R.C[iv].P. 1308' within 30 days from the date the award is entered." *McNeal v. M&J Auto Repair*, 322 A.3d 236, 240 (Pa. Super. 2024) (citation omitted). In turn, because "[t]he timing of an appeal of an arbitration award is a jurisdictional question . . . [, w]here an arbitration award is not appealed, the judgment 'shall be enforced as any other judgment of the court.'" (*Id.* (citing 42 Pa.C.S. § 7361(d))). Thus, "[u]pon entry of the compulsory arbitration award on the docket and appropriate notice, the award took the force and effect of a final judgment." *Blucas v. Agiovlasitis*, 179 A.3d 520, 522 n.2 (Pa. Super. 2018) (citation omitted). Here, there is no dispute (Footnote continued on next page...)

III. CONCLUSION

For the foregoing reasons, Judge George and the Prothonotary's Office are judicially and quasi-judicially immune from suit, respectively. As to the Arbitrators, given their arbitral function of conducting the arbitration hearing and issuing the arbitration award as an arm of the court at the direction of common pleas, which is akin to a judicial act, the quasi-judicial immunity doctrine is applicable, and under that doctrine, the Arbitrators are immune from suit.²⁰ Accordingly, the Orders of common pleas are affirmed.

RENÉE COHN JUBELIRER, President Judge

Judge Covey did not participate in the consideration of this matter.

that Gardner did not appeal the arbitration award to common pleas and, as such, the arbitration award became final once docketed. To the extent Gardner seeks to challenge the arbitration award through these collateral proceedings, she is prohibited from asserting such a challenge.

²⁰ Based on our disposition, because Appellees are immune from suit, we do not reach any of Gardner's remaining issues.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Eva Marie Gardner,	:	
Appellant	:	
	:	
v.	:	No. 715 C.D. 2025
	:	
Patrick W. Quinn, Jeffrey M. Cook,	:	
Tracy M. Sheffer, Ashley Reilly,	:	
Beverly Boyd, and Michael A. George	:	

ORDER

NOW, September 1, 2026, the Orders of the Court of Court of Common Pleas of Adams County, entered on April 17, 2025, are hereby **AFFIRMED**.

RENÉE COHN JUBELIRER, President Judge