

## Business of Courts

### Local Rule 76 Definitions.

**"Board of Judges"** shall mean all members of the Court, excluding Senior Judges.

**"Court"** shall mean all divisions of the Court of Common Pleas of Allegheny County.

**"Local Rule"** shall mean any rule regulating practice or procedure promulgated by the Court of Common Pleas of Allegheny County pursuant to Section 323 of the Judicial Code (42 Pa.C.S. § 323).

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

### Local Rule 105 Bonds.

(1) **Bonds — Property.**

All bonds, bail and security except those of approved surety companies, shall have endorsed or attached an affidavit showing the value of the property given as surety, and the liens upon it. The affidavit shall state whether the same property has been used as security for any other purpose and, if so, all details. The person liable for the debt shall not be qualified to act as surety for himself or herself.

(2) **Bonds — Corporate Surety.**

No corporation may act as sole surety or guarantor on bonds or undertakings in this Court unless it has been approved by the Orphans' Court Division of this Court.

(3) **Bonds — Prohibited Sureties.**

No attorney, Sheriff, Prothonotary, their deputies or Court personnel shall be admitted as surety in any action.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

### Local Rule 198 Actions Between Family Members.

- (1) All cases between spouses, former spouses, or persons living as spouses shall be filed in the Family Division. Cases between other family members shall be filed in the Civil Division.

- (2) The Administrative Judge of the Division in which a case is filed has the authority, in consultation with the other Administrative Judge, to transfer a case to the other Division.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 200 Representation by an Attorney.**

- (1) Individuals may represent themselves or be represented by an attorney.
- (2) Except as otherwise provided by subdivision (3), a corporation, partnership and unincorporated association must be represented by an attorney.
- (3) A corporation, partnership or unincorporated association may be represented by an officer or by a partner in the following actions:
  - (a) a civil action brought in or appealed to this Court in which the relief sought is monetary damages which do not exceed the jurisdictional limit for an action before a Magisterial District Judge.
  - (b) an appeal from a judgment entered in a Magisterial District Judge Court in an action for the recovery of the possession of real property.

**Note:** A corporation must be represented by an attorney regardless of the amount in controversy if the lawsuit involves a dispute between shareholders or officers of the same corporation.

**Note:** See the opinion of Strassburger, J. in Hammond Press, Inc. v. Verzinskie, AR02-000702 (C.P. Allegheny 5/6/03).

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 205.2(a) Requirements Governing the Physical Characteristics of Pleadings, Petitions, Motions, and Other Legal Papers. Cover Sheets.**

- (1) **Basic Requirements.**
  - (a) Footnotes shall be single-spaced.

**Note:** See Pa.R.C.P. 204.1 for other requirements.

  - (b) All attachments, supporting documents, and exhibits shall be on eight and one-half inches by eleven inches paper at the time of filing with the Prothonotary.

- (i) A smaller document shall be reproduced, if possible, on eight and one-half inches by eleven inches paper.
  - (ii) A larger document shall be reduced and reproduced to eight and one-half inches by eleven inches size, provided it will still be legible.
  - (iii) If it is not possible to obtain a legible photocopy of the document or exhibit because of unique characteristics or inherent limitations, e.g., maps, surveys, computer printouts, data processing cards, drafter's plans, tracing paper, red pencil marks, colored paper, tape recordings, cassettes, movies, etc., the filing party shall present the document or material to the Prothonotary to be stamped, docketed, and filed. Each such special filing shall be accompanied by one (1) cover sheet.
- (c) In any case where a reproduced document under subdivision (b) above has been included in the pleadings or where a filing has been made under subdivision (b), and such reproduced document is not legible, an exact recitation of the contents of the document or evidence or, by agreement of the parties, the material sections of the same, shall be typed on white paper, eight and one-half inches by eleven inches in size, in twelve point type with double-spacing and margins of one inch on each side and the top and bottom of the page. This retyped document shall bear a certification of accuracy by counsel for the filing party.

**Note:** Local Rule 205.2(a) does not affect the provisions of Pa.R.C.P. 1019(i), requiring that copies of certain writings be attached to pleadings.

**(2) Proposed Orders of Court.**

Every preliminary objection, petition and motion shall include a proposed order of court which shall be the last page of the preliminary objection, petition or motion.

**(3) Other Filing Requirements.**

- (a) Every document shall be attached only at the top left corner of the pages with one staple or, if the document is too thick for a staple, then at the top of the pages with a metal fastener (not a binder clip).
- (b) Cloth tape is prohibited and shall not be used to cover the staple or metal fastener.
- (c) "Bluebacks" shall not be used.

**Note:** It is recommended that the case number be entered at the top or bottom right corner on every page of every filing because of the possibility that pages of a filing may come apart.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 205.2(b) Cover Sheet.**

- (1) (a) The first page of any pleading, petition, motion or other legal paper shall be a cover sheet setting forth the items of information specified below, according to the format presented in Form of Cover Sheet (FORM 205.2(b)) (see subsection (3) below). If needed, a second page may be attached and numbered "Cover Sheet 2" at the bottom of the page.
  - (b) The lettering shall be in a font of no smaller than twelve point size or an equivalent, and shall substantially follow the format in Form of Cover Sheet (FORM 205.2(b)) (see subsection (3) below).
  - (c) The cover sheet on the document commencing the action (Praecipe or Complaint), shall have a margin at the top of three (3) inches, for the Prothonotary's stamp.
- (2) The information required includes:
    - (a) (In capital letters from left to right margins)

"IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA"

- (b) (In capital letters on left side of center) the complete names of all parties; if the party filing the attached pleading has made a previous filing, an appropriate and obvious shortened caption may be used.
- (c) (In appropriate upper and lower case, except where otherwise indicated, on the right side of center on separate lines):
  - (i) The specific DIVISION, i.e., CIVIL, FAMILY, CRIMINAL, or ORPHANS' COURT;
  - (ii) The docket number;
  - (iii) The issue number, if assigned and the date the case is listed for trial, if assigned;
  - (iv) The name of the pleading, in bold face and all capital letters;

- (v) For Civil Division cases, the docket code which most accurately characterizes the primary cause of action (see Local Rule 205.2(b)(4) below);
- (vi) If the action is filed as a class action, then "CLASS ACTION" shall be set forth on the line following the Civil Division docket code;
- (vii) If the action involves real estate, then the address, municipality, ward if applicable, lot and block number shall be set forth;
- (viii) The completed statement: "Filed on behalf of \_\_\_\_\_ (party's name, party's relationship to case)";
- (ix) The completed statement: "Counsel of Record: \_\_\_\_\_ (attorney's name and Pennsylvania Identification Number, firm name, firm number per the list in the Allegheny County Prothonotary's Office, address and telephone number)"; and
- (x) In cases in which a party is represented only by out-of-county counsel, the following notice shall appear: "Party Represented by Out-of-County Counsel Only."

**Note:** This notice is required to alert court personnel to the need to mail a notice of earliest trial date, pursuant to Local Rule 212.1(3). See also FORM 214, Praecipe to Place Case at Issue, paragraph 6, Local Rule 214(1)(b).

- (xi) Every pleading, petition and motion must include a Certificate of Service which sets forth the manner of service upon each party including the name of an attorney of record for each party that is represented and the address at which service was made.

(3)

**FORM 205.2(b) Cover Sheet**

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

JOHN DOE,

CIVIL DIVISION

Plaintiff,

GD No. \_\_\_\_\_  
 (Use AR or LT No. for Arbitration Cases and BV  
 No. for Assessment Appeals.)

vs.

**TITLE OF DOCUMENT**

BIG CORPORATION, INC.,

Code: (See Local Rule 205.2(b)(4).)

and JANE DOE,

Defendants.

CLASS ACTION (If applicable.)

Real Estate Involved:

600 Grant Street, Pittsburgh, PA 15219  
(Address, municipality, ward if applicable, lot and block number required in all cases involving real estate.)

Issue No. \_\_\_\_\_ (If assigned.) (Required after case is placed at issue. See Local Rule 214(1).)

Date on GD Trial List \_\_\_\_\_ (Required after case appears on a published trial list for GD cases.)

Filed on behalf of Plaintiff, JOHN DOE  
Counsel of Record for this Party:

Henry Smith, Esquire  
Pennsylvania I.D. #12345  
Smith & Jones  
Firm I.D. #5678  
667 Fort Pitt Boulevard, Suite 121  
Pittsburgh, Pennsylvania 15219-3456  
412-281-1234  
412-281-5678 (fax) (Optional. See Pa.R.C.P. 440(a)(1)(ii).)  
smtt@acba.org (Optional. See Pa.R.C.P. 205.4(g)(2).)

JURY TRIAL DEMANDED (Optional. See Pa.R.C.P. 1007.1.)

[New page] CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing [**Title of Document**] has been served upon all other parties at the address(es) below via \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

[Name and address of counsel]

[signature] \_\_\_\_\_

**(4) Civil Division Docket Codes.**

Code 001 - Trespass-Motor Vehicle  
 Code 002 - Trespass-Other Traffic  
 Code 003 - Trespass-Against Property Owner  
 Code 004 - Trespass-Products Liability  
 Code 005 - Trespass-F.E.L.A.  
 Code 006 - Trespass-Assault and Battery  
 Code 007 - Trespass-Medical/Hospital Negligence  
 Code 008 - Trespass-Defamation  
 Code 009 - Trespass-Other  
 Code 010 - Assumpsit  
 Code 011 - Assumpsit/Trespass  
 Code 020 - Equity  
 Code 030 - Appeal from Award of Viewers  
 Code 040 - Complaint in Ejectment  
 Code 060 - Mechanics Lien Complaint  
 Code 070 - Mandamus  
 Code 080 - Quiet Title  
 Code 090 - Quo Warranto  
 Code 100 - Replevin  
 Code 120 - Tax Assessment Appeal  
 Code 140 - Mortgage Foreclosure  
 Code 180 - Declaratory Judgment Petition  
 Code 200 - Execution (at issue only)

**Note.** If there is no code listing for a case or action, insert: “Code \_\_\_\_”.

Editor’s Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 205.4 Electronic Filing and Service of Legal Papers in Allegheny County.**

- (1) Except as otherwise provided by subsection (2) of this rule, parties may file legal papers, including original process, with the Prothonotary by means of electronic filing in any civil action or proceeding at law or in equity brought in or appealed to the court, including any action pursuant to the Eminent Domain Code of 1964 or the Municipal Claims Act of 1923. Parties may also file with the Prothonotary by means of electronic filing the following matters:

Allegheny County Bar Association Fee Dispute Judgment  
 Annual Audit  
 Appeal from Compulsory Arbitration Board  
 Assurance of Voluntary Compliance

Bond of Tax Collector  
 Cemetery Report  
 Commercial Broker Lien  
 Commonwealth Tax Lien  
 Condominium Lien  
 Declaration of Covenant Lien  
 Environmental Resources Lien  
 Federal Judgment Lien  
 Foreign Execution  
 Foreign Judgment  
 Foreign Judgment/Execution  
 Foreign State Tax Lien  
 Health Department Judgment  
 Housing Court Judgment  
 Judgment Roll  
 Liens/Scire Facias  
 Magisterial District Judge Transcript  
 Mechanics' Lien  
 Municipal Lien  
 No Lien Agreement  
 Oath of Office  
 Orphans' Court Judgment  
 Pennsylvania Agency Judgment  
 Pension Benefit Lien  
 PHEAA Judgment  
 Planned Community Lien  
 Scire Facias sur Municipal Lien  
 Scire Facias sur Tax Lien  
 Tax Collector Report  
 Unemployment Compensation Lien  
 Workers' Compensation Judgment

**Note:** A "legal paper" within the meaning of the first sentence of subsection (1) means a pleading or other paper filed in any civil action or proceeding at law or in equity.

**Note:** For electronic filing of legal papers relating to any action governed by Pa.R.C.P. 1901-1940.9, Family Law and Domestic Relations Matters, see Local Rule 1930.1.

- (2) The following legal papers may not be filed with the Prothonotary by means of electronic filing:
- (a) A notice of appeal or other legal paper, the filing of which is prescribed by the Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges.

**Note:** The legal papers described in subsection (2)(a) cannot be filed through electronic filing. See Pa.R.C.P. 205.4(a)(2).

- (b) In General Docket cases, (i) preliminary objections, (ii) motions for judgment on the pleadings, or (iii) motions for summary judgment.

**Note:** The matters described in subsection (2)(b) are excluded from electronic filing because at this time it is not feasible to alter the existing procedure under which these matters are presented to the Chief Motions Clerk or Calendar Control for scheduling prior to filing in the Office of the Prothonotary.

- (c) In compulsory arbitration cases, (i) preliminary objections, (ii) petitions, or (iii) motions.

**Note:** The matters described in subsection (2)(c) are excluded from electronic filing because of the practice of furnishing an argument date to the party filing the matter at the time of the filing.

- (d) The following matters:

Amicable Ejectments  
Confession of Judgments  
Exemplification of Records  
Petition for Name Change

**Note:** At this time, it is not feasible for the Prothonotary to receive through electronic filing the matters described in subsection (2)(d).

- (3) The filing party shall maintain the original hard copy of any legal paper that is electronically filed.
- (4) The Prothonotary shall provide electronic access at all times. The time and date of the filing and receipt shall be that registered by the Prothonotary's computer system.
- (5) The web site address of the Prothonotary is as follows:  
prothonotary.county.allegheny.pa.us (no www. and no .com).
- (6) Access to the web site shall be available to an attorney by use of the attorney's Supreme Court identification number issued by the Court Administrator of Pennsylvania. Access is also available to any other user by the user selecting any numbers or letters that the user wishes to use as an identification number.
- (7) The Prothonotary shall maintain an electronic and a hard copy file for the legal papers described in the first sentence of section (1). The Prothonotary is not required to maintain a hard copy file for the legal papers described in the second sentence of section (1).

- (8) The procedures for payment of the fees and costs of the Prothonotary shall be set forth on the Prothonotary's website.
- (9) The Prothonotary shall provide a filing status message to the filing party setting forth the date of and time of acceptance of the filing or the fact that the filing has not been accepted. A legal paper is not considered filed if the Prothonotary responds to the filing by notifying the filing party that the filing party has not (i) maintained sufficient funds to pay the fees and costs described in subsection (8) or (ii) authorized payment by credit or debit card of these fees and costs.

**Note:** A filing party accepts the risk that a document filed by means of electronic filing may not be properly or timely filed with the Prothonotary. See Pa.R.C.P. 205.4(e)(2). One of the risks is that the Prothonotary either correctly or incorrectly determines that the filing party has not met its obligation for payment of the necessary fees and costs.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

#### **Local Rule 206.4(c) Procedures for the Disposition of Petitions.**

(1) **Scope.**

This local rule describes the procedures for an application to open a default judgment or a judgment of non pros governed by Pa.R.C.P. 206.1 et seq.

**Note:** This court has not promulgated a local rule, numbered Local Rule 206.1(a)(2), which provides for any other application to be governed by Rule 206.1 et seq.

(2) **General Docket Cases - Opening a Default Judgment.**

- (a) A petition to open a default judgment shall be presented to the Motions Judge. It may be presented only after service of a copy of the petition and notice of the date of presentation on all other parties. Except in cases of emergency or with the consent of all other parties, the date of presentation shall be at least ten (10) days after service of a copy of the petition and notice of the date of presentation.

**Note:** The court does not schedule the date and time of presentation. The petitioner selects a date and time at which the Motions Judge is hearing motions and petitions. See Civil Division link on the Website of the Common Pleas Court of Allegheny County ([www.alleghenycourts.us](http://www.alleghenycourts.us)) for the name and courtroom of the judge who is sitting as the Motions Judge and the times that matters which have not been scheduled with the court may be presented. Ordinarily, unscheduled matters may be presented each day at 9:30 A.M. and 1:30 P.M.

If the case is on the trial list, the petition shall be presented to the Calendar Control Judge. See Local Rule 208.3(a)(3).

- (b) If, upon presentation of the petition, a rule to show cause is entered, the court order issuing the rule shall set the time within which the answer to the petition shall be filed and the time within which depositions shall be completed. If the court order does not set an argument date, at any time after the date by which the depositions were to be completed, any party may order the cause for argument before the Motions Judge by delivering to the Chief Motions Clerk a praecipe to set a date and time for the final argument. The party obtaining the time and date for the final argument shall promptly serve written notice thereof upon all other parties to the proceedings.

**Note:** The Chief Motions Clerk will be in the Courtroom of the Motions Judge.

- (c) Depositions and other evidence that a court may consider shall be filed at least fourteen (14) days before the argument date.
- (d) Briefs are required. The brief of the moving party shall be filed with the Prothonotary and served on all other parties at least fourteen (14) days prior to the argument. The brief of the party opposing the petition shall be filed at least seven (7) days prior to the argument.

(3) **General Docket Cases - Opening a Judgment of Non Pros.**

- (a) A petition to open a judgment of non pros shall be presented to the Special Motions Judge. It may be presented only after service of a copy of the petition and notice of the date of presentation on all other parties. Except in cases of emergency or with the consent of all other parties, the date of presentation shall be at least ten (10) days after service of a copy of the petition and notice of the date of presentation.

**Note:** See "Civil Division" on the Website of the Common Pleas Court of Allegheny County ([www.alleghenycountycourts.us](http://www.alleghenycountycourts.us)) for the name of the judge who is sitting as the Special Motions Judge and the times matters may be presented. Ordinarily, the Special Motions Judge will be available on Fridays.

The moving party may obtain an argument date and time for the presentation by contacting the Assignment Room (Room 700 of the City-County Building, 412-350-5463) on Mondays through Fridays between 1:30 P.M. and 4:30 P.M. Or the moving party may, after giving appropriate notice to all parties, place the matter on the 2:00 P.M. Add-On List, located in the Courtroom of the Special Motions Judge, at any time after 8:30 A.M. on the Friday on which it will be presented.

If the case is on the trial list, the petition shall be presented to the Calendar Control Judge. See Local Rule 208.3(a)(3).

- (b) If, upon presentation of the petition, a rule is issued, the court order issuing the rule shall set forth the time within which the answer to the petition shall be filed and within which depositions shall be completed, and the date of the final argument before the Special Motions Judge.
  - (c) Briefs are not required unless the court order issuing the rule provides for the filing of briefs.
- (4) **Arbitration Cases - Opening Default Judgments and Judgments of Non Pros.**
- (a) The original and a copy of the petition to open a default judgment or a judgment of non pros shall be taken to an Arbitration Department Clerk (Room 536, Allegheny County Courthouse). The clerk will place on the original and the copy of the petition a date and time (usually on a Friday at 10:00 A.M.) for an argument before the Special Motions Judge. The clerk will file the original with the Prothonotary and return the copy to the party filing the petition. This party shall promptly serve copies of the petition on all other parties with notice of the date and time of the argument.
  - (b) The petitioner shall notify an Arbitration Department Clerk (412-350-5625) if the petition scheduled for argument becomes moot. Otherwise, if the petitioner does not appear on the date of the argument, the court will enter an order dismissing the petition for failure of the moving party to appear.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 208.3(a) Procedures for the Disposition of Motions.**

- (1) **Scope.**
- (a) (i) As used in this rule, "motion" means any application to the court made in any civil action or proceeding except as provided by subdivisions (b)(1) and (2) of Pa.R.C.P. 208.1
- Note:** The term "motion" as used in Pa.R.C.P. 208.1 and in this local rule does not include preliminary objections (governed by Local Rule 1028(c)), motions for judgment on the pleadings (governed by Local Rule 1034(a)), motions for summary judgment (governed by Local Rule 1035.2(a)), or petitions to open a default judgment or a judgment of non pros (governed by Local Rule 206.4(c)).
- (ii) This court has not promulgated a local rule, numbered Local Rule 208.3(b), because this court has not imposed requirements for the filing of a response or a brief with respect to any motions.

- (iii) This local rule does not govern motions filed in eminent domain proceedings, asbestos litigation and cases otherwise designated by the Court for special management (Pa.R.C.P. 1041.1 and 1041.2), class actions, cases designated as complex, and any other cases specially assigned by an order of court to a single judge.

(2) **General Docket Cases - General Provisions.**

- (a) Motions described in Local Rule 208.3(a)(3) shall be presented to the Calendar Control Judge, motions described in Local Rule 208.3(a)(4) shall be presented to the Motions Judge, and motions described in Local Rule 208.3(a)(5) shall be presented to the Special Motions Judge. Litigants may contact the Chief Motions Clerk (412-350-5644) if they are uncertain as to which of the judges should hear a particular motion.
- (b) A motion may be presented only after service of the copy of the motion and notice of the date of presentation on all other parties. Except in cases of emergency or with the consent of all other parties, the date of presentation shall be at least ten (10) days after service of a copy of the motion and the notice of the date of presentation.

**Note:** The court does not schedule the date and time of presentation. The petitioner selects a date and time at which the appropriate judge is scheduled to hear motions. See "Civil Division" on the Website of the Common Pleas Court of Allegheny County ([www.alleghenycourts.us](http://www.alleghenycourts.us)) for the name and courtroom of the judge who is sitting as the Calendar Control Judge, Motions Judge, or Special Motions Judge and the times at which unscheduled matters may be presented. Ordinarily, motions may be presented each day to the Motions Judge at 9:30 A.M. and 1:30 P.M.; motions may be presented to the Calendar Control Judge at 1:30 P.M. on days on which there is a call of the list and at 9:30 A.M. on other days on which motions are being heard; and motions may be presented to the Special Motions Judge only on a Friday (see subsections (5)(c) and (6)(b) below).

- (c) There is no requirement for the filing of a response or the filing of briefs prior to presentation. However, the parties are encouraged to submit briefs when it is anticipated that the court will wish to consider briefs before deciding the issue.

(3) **Calendar Control Judge.**

- (a) Motions in any case that has been listed for trial on a published trial list shall be presented to the Calendar Control Judge. This includes all motions that would otherwise have been heard by the Motions Judge or the Special Motions Judge.

**Note:** The docket will show if a case has been listed for trial on a published trial list. For docket entries, go to [prothonotary.county.allegheny.pa.us](http://prothonotary.county.allegheny.pa.us) (no www. and no .com) and click on "Case Search" (in upper right corner).

(b) In any case, including a case that is not on a published trial list, all motions relating to the following matters shall be presented to the Calendar Control Judge:

(i) the compromise, settlement, and discontinuance of an action to which a minor is a party; and

**Note:** See Local Rule 2039 for the procedures governing a petition presented pursuant to Pa.R.C.P. 2039.

(ii) the compromise, settlement, and discontinuance of an action to which an incapacitated person is a party.

**Note:** See Local Rule 2064 for the procedures governing a petition presented pursuant to Pa.R.C.P. 2064.

(4) **Motions Judge.**

(a) For any General Docket case that is not on a published trial list, motions and petitions relating to the following matters shall be presented to the Motions Judge:

(i) opening or striking default and confessed judgments;

(ii) requests for preliminary or special injunctive relief;

**Note:** Enforcement of a court order providing preliminary or special injunctive relief shall be presented to the judge who issued the court order.

(iii) relief provided for in replevin actions under Pa.R.C.P. 1075.1 to 1086;

(iv) relief provided for in the Rules of Civil Procedure governing enforcement of money judgments (Pa.R.C.P. 3101 to 3291) except for discovery in aid of execution which is presented to the Special Motions Judge;

**Note:** These matters are presented to the Motions Judge for all General Docket cases, including cases that have appeared on a published trial list.

(v) requests to proceed in forma pauperis in General Docket and Arbitration proceedings; and

(vi) continuances of any arguments on the General Argument List.

- (b) In any General Docket case that is not on a published trial list, any motions that are not required to be presented to the Special Motions Judge (see subdivision (5)(a) of this Local Rule) or to the Motions Judge (see subdivision (4)(a) of this Local Rule) may be presented to either the Motions Judge or the Special Motions Judge.

**(5) Special Motions Judge.**

- (a) For any General Docket case that is not on a published trial list, motions relating to the following matters shall be presented to the Special Motions Judge:
- (i) discovery;
  - (ii) pleadings (other than preliminary objections) including amendments, joinder of parties, late joinder of additional defendants;
  - (iii) preliminary objections filed by an additional defendant if the Special Motions Judge entered an order permitting the late joinder;
  - (iv) withdrawal and disqualification of counsel;
  - (v) discontinuances, consolidation, severance, coordination of actions in different counties (Pa.R.C.P. 213.1), placing/striking cases at issue;
  - (vi) entry and opening of judgments of non pros;
  - (vii) transfers between Arbitration and General Docket;
  - (viii) certificates of merit (Pa.R.C.P. 1042.1 et seq.); and
  - (ix) dismissal upon affidavit of noninvolvement (Pa.R.C.P. 1036).
- (b) In any General Docket case that is not on a published trial list, any motions that are not required to be presented to the Motions Judge (see subdivision (4)(a) of this Local Rule) or to the Special Motions Judge (see subdivision (5)(a) of this Local Rule) may be presented to either the Motions Judge or the Special Motions Judge.
- (c) All uncontested matters may be presented to the Special Motions Judge on Fridays at 10:00 A.M., 12:00 Noon, and 2:00 P.M. For contested motions, the moving party may obtain a Friday argument date and time, in person or by telephone, from the Assignment Room (700 City-County Building, 412-350-5463) between 1:30 P.M. and 4:30 P.M.; or the moving party may place the matter on a 2:00 P.M. Add-On List any time after 8:30

A.M. on the Friday on which it will be argued. The Add-On List is located in the Courtroom of the Special Motions Judge.

**Note:** There is no limit on the number of cases that can be placed on the Add-On List. Consequently, a party may schedule an argument by giving at least ten (10) days notice to the other parties that a matter will be placed on the Add-On List.

(6) **Arbitration Cases.**

- (a) (i) Except as provided in the following subdivisions (a)(ii), (a)(iii), and (a)(iv), all motions involving arbitration cases shall be heard by the Special Motions Judge.
- (ii) In forma pauperis petitions will be presented to the Motions Judge.
- (iii) Requests for the continuance of an arbitration case will be presented to the Calendar Control Judge. The party seeking a continuance will present to the Calendar Control Judge an Adjournment of Hearing Form (FORM 208.3(a))(see subsection (6)(c) below), which may be obtained from an Arbitration Department Clerk in Room 536 of the Allegheny County Courthouse.

**Note:** If all parties agree to the continuance, the Chief Arbitration Clerk has the authority to sign the Adjournment of Hearing "Green Sheet" continuing the case (FORM 208.3(a)) (see subsection (6)(c) below)

- (iv) Motions filed after an arbitration award has been appealed shall be presented to the Special Motions Judge unless they affect the timing of the trial of the case, in which event they shall be presented to the Calendar Control Judge.
- (b) The original and a copy of any motion shall be taken to an Arbitration Department Clerk (room 536, Allegheny County Courthouse). The clerk will place on the original and the copy of the motion a time and date (usually on a Friday at 10:00 A.M.) for an argument before the Special Motions Judge. The clerk will file the original with the Prothonotary and return the copy to the party filing the motion. This party shall immediately serve copies of the motion on all other parties with notice of the date and time of the argument.

**Note:** The Arbitration Office's scheduling a motion for an argument on a date after the date of the arbitration hearing does not continue the arbitration hearing unless the moving party obtains a continuance pursuant to paragraph (6)(a)(iii) of this Local Rule.

(c)

**FORM 208.3(a) Adjournment of Hearing “Green Sheet”**

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

ARBITRATION SECTION

\_\_\_\_\_

\_\_\_\_\_

vs.

No. \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_

Presently listed \_\_\_\_\_

\_\_\_\_\_

No. of Times Continued \_\_\_\_\_

Landlord/Tenant Action \_\_\_\_\_

ADJOURNMENT OF HEARING

On \_\_\_\_\_, 20 \_\_\_\_, on order of court, the date of hearing  
herein is adjourned to \_\_\_\_\_, \_\_\_\_

Stipulation

\_\_\_\_\_

BY THE COURT

\_\_\_\_\_

\_\_\_\_\_

REASON FOR CONTINUANCE:

Editor’s Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 210 Requirements Governing the Form and Content of a Brief.**

All briefs in excess of ten (10) pages shall contain a table of contents and a table of citations.

**Note:** See Local Rule 1028(c)(1)(b)(iii) which imposes page limits for briefs addressing preliminary objections.

See Pa.R.C.P. 204.1 and Local Rules 205.2(a) and 205.2(b) for requirements governing the physical characteristics of pleadings and other legal papers (including briefs) and cover sheets.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 212.1 Pre-Trial Procedure for All Actions in the Civil Division of the Court of Common Pleas of Allegheny County. Notice of Earliest Trial Date. Time for Completing Discovery and Filing Pre-Trial Statement.**

(1) Pa.R.C.P. 212.1 through 212.3 and Local Rules 212.1 through 212.3 apply to all civil actions, both jury and non-jury, to be tried in the Civil Division, with the exception of appeals from Compulsory Arbitration.

(2) **Definitions.**

In these rules, the following words shall have the following meanings:

(a) **"pre-trial conference"** - a conference scheduled by the Court in accordance with Pa.R.C.P. 212.3 in which, in addition to matters set forth in Pa.R.C.P. 212.3, the Court shall:

(i) determine whether the parties have complied with this local rule; and

(ii) attempt an amicable settlement of the case.

(b) **"Conciliating Judge"** - the Judge assigned to conduct the pre-trial conference.

(3) **Notice of Earliest Trial Date. Time for Completing Discovery and Filing Pre-Trial Statement.**

Notices required by Pa.R.C.P. 212.1 shall be given by publication in the Pittsburgh Legal Journal, and notice shall be provided to unrepresented parties and to those out-of-county counsel identified in paragraph 6 of the Praecepto to Place the Case at Issue (see FORM 214, Local Rule 214(1)(b)).

**Note:** As soon as there is a published trial list, trial dates appear as docket entries in each individual case on the trial list. Docket entries are available online at: [prothonotary.county.allegheny.pa.us](http://prothonotary.county.allegheny.pa.us) (www. and no .com). Additionally, published trial lists are also available on the Civil Division's website at: [www.alleghenycourts.us](http://www.alleghenycourts.us).

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 212.2 Pre-Trial Statement**

(a) Each party shall file and serve upon all other parties a written pre-trial statement in conformity with the requirements of Pa.R.C.P. 212.2 , except as set forth in (b) below.

(b) For cases which will be tried by jury, each party or group of parties with joint representation by one counsel shall be entitled to make a voir dire statement and to propose no more than five additional voir dire questions which are not duplicative of the voir dire questions already covered in Local Rule 220.1 and the Juror Questionnaire. If the party or group of parties wishes to avail itself of this opportunity, the following shall be included in the pre-trial statement:

(i) verbatim text of the voir dire statement of 200 words or fewer, which will be given by counsel at the outset of voir dire; and

(ii) not more than five proposed additional voir dire questions, which shall be handled in accordance with Local Rule 220.1(c).

(c) Disputes as to the propriety of any party's proposed voir dire statement or proposed additional voir dire questions shall be raised with the Calendar Control Judge during the conciliation which is scheduled immediately after the Call of the List. Each party shall bring to the conciliation an extra set of copies of their proposed voir dire statement and proposed additional voir dire questions.

*updated April 20, 2009*

### **Local Rule 212.3 Conduct of Pre-Trial Conference.**

(1) The conduct of the pre-trial conference shall be in conformity with Pa.R.C.P. 212.3.

(2) Notice of the time, date and Conciliating Judge for the pre-trial conference shall be provided by publication in the Pittsburgh Legal Journal, and notice shall be provided to unrepresented parties and to those out-of-county counsel who submitted notice of their address to the Calendar Control section of the Civil Division at the time the case was placed at issue.

**Note:** The dates and times of pre-trial conciliations are also available on the Civil Division's website at: [www.alleghencourts.us](http://www.alleghencourts.us).

(3) Any application for rescheduling a pre-trial conference shall be addressed to the Conciliating Judge before whom the pre-trial conference is scheduled.

**Note:** See Local Rule 214(5)(f) regarding petitions to continue the trial of cases on the General Docket.

- (4) Unless excused by the Conciliating Judge, each party with a financial interest and each non-party with a financial interest (such as insurers) shall be present with full authority to settle the case. However, parties without a financial interest need not attend.
- (5) The Judge presiding at the pre-trial conference may impose such sanctions as are deemed appropriate against counsel and/or the party(ies) for failure to comply with this rule.

**Note:** Pre-trial conferences and other pre-trial procedures in cases assigned for trial to a particular Judge may be conducted according to the procedures directed by that Judge.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

### **Local Rule 213 Petitions for Consolidation. Survival Actions.**

- (1) Petitions for Consolidation shall bear the captions of each case as to which consolidation is requested, including all issue numbers.
- (2) At the time of presentation of a petition for consolidation of cases, counsel shall bring sufficient copies of the petition, so that there will be one copy of the petition for the Court file of every case as to which consolidation is requested.
- (3) Transfer and consolidation of survival actions and related wrongful death actions are governed by Pa.R.C.P. 213.

**Note:** As to settlement of survival actions, see Local Rule 2206 and Orphans' Court Local Rule 12.16F.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

### **Local Rule 214 Issue Docket, Trial Lists and Trials.**

- (1) **Issue Docket - General Docket ("GD") Cases.**
  - (a) After the expiration of sixty (60) days from the date of service of the original complaint upon each defendant, and after all of the pleadings in a case are closed, any of the parties may file a praecipe to place the case at issue, thereby signifying that the case is ready to be listed for trial. The Praecipe to Place the Case at Issue shall be in the same form as FORM 214 (see subsection (b) below). Cases placed at issue receive consecutive numbers ("issue numbers") which are used to track the placement of cases on a trial list. After an issue number is assigned to a case, it shall be included on the caption and cover sheet of all subsequent filings. The Prothonotary shall keep an issue docket of cases placed at issue. The

Calendar Control Office of the Court of Common Pleas shall create the civil trial lists from those cases which have been placed at issue.

**Note:** The Court has provided a mandatory form of Praecepto to Place Case at Issue, FORM 214 (see subsection (b) below), which requires that counsel provide the Court with certain information regarding the case, to facilitate the orderly assembly of trial lists.

**Note:** See Local Rule 4003.5(7)(a) regarding priority on trial lists for professional liability and product liability cases which meet certain criteria. The form to be used to obtain priority placement on trial lists for such cases is found at FORM 4003.5D at Local Rule 4003.5(10)(d). This form is filed, at the appropriate time, in addition to the Praecepto To Place Case At Issue.

(b)

**FORM 214 Form of Praecepto to Place Case at Issue**

**[CASE CAPTION, INCLUDING DOCKET NUMBER]**

**PRAECEPTO TO PLACE CASE AT ISSUE**

The undersigned party hereby certifies the accuracy of the following information to the Court, and requests that the Prothonotary assign an issue number to this case, list this case on the issue docket, and place it in order on the next available trial list:

1. At least sixty days have passed since the service of the original complaint on all defendants.
2. All pleadings have been filed.
3. All preliminary motions and objections have been disposed of.
4. There are \_\_\_\_\_ plaintiffs and \_\_\_\_\_ defendants remaining in the case. Plaintiffs remaining in the case, and their counsel, are: [list the parties and their counsel]. Defendants who have actually been served and who remain in the case, and their counsel, are: [list the parties and their counsel].
5. According to documents filed in the case, the following parties are not presently represented by counsel and should be provided with notice of earliest trial date pursuant to Local Rule 212.1(3) at the following addresses: [list unrepresented parties and their mailing addresses].

Alternative 5. According to documents filed in the case, there are no unrepresented parties in this case at this time.

6. According to documents filed in the case, the following parties are presently represented only by out-of-county counsel. Such counsel should be provided with notice of

earliest trial date pursuant to Local Rule 212.1(3): [list party, their out-of-county counsel, and counsel’s mailing address].

Alternative 6. According to documents filed in the case, there are no parties in this case who are represented only by out-of-county counsel.

7. I estimate that the following number of days will be required for the trial of this case, including the time required for jury selection, closing arguments and charge:

- No more than 1 trial day
- 2 to 3 trial days
- 4 to 6 trial days
- 7 to 10 trial days
- 11 to 15 trial days
- More than 15 trial days

8. A jury trial has/has not [circle one] been requested in this case.

9. If this is a civil action that raises only claims for equitable relief, see Local Rule 1001 and FORM 1001 at Local Rule 1001(3).

Respectfully submitted,

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
[Identification of pro se party or counsel]

[Address and telephone number of pro se party or counsel]

**(2) Exceptions to Issue Docket.**

The following types of cases need not be placed at issue or otherwise certified ready for trial:

- (a) cases pending on the Compulsory Arbitration docket (AR) and (LT);
- (b) appeals from Compulsory Arbitration;

- (c) cases originally filed in the general docket (GD) and transferred to Compulsory Arbitration; and
- (d) cases in which a new trial has been granted by either the court of original or appellate jurisdiction.

**Note:** In cases in which a new trial has been granted, prompt written notice of the granting of such relief should be given by plaintiff to the Calendar Control Office of the Civil Division.

(3) **Removal From The Issue Docket.**

Cases which have been stricken from the issue docket shall receive new issue numbers after full compliance with this local rule and the filing of a subsequent Praecipe to Place Case at Issue.

(4) **Trial Terms.**

Civil Division trial terms are generally scheduled for five or six week periods commencing each January, March, May, September and November.

(5) **Trial Lists. Call of The List. Date of Trial.**

- (a) **Initial Publication of Trial Lists.** The trial dates for each term and the cases scheduled to be tried during that term are published approximately one hundred and twenty (180) days prior to the beginning of each of the trial terms in the Pittsburgh Legal Journal. It shall be the responsibility of in-county counsel to monitor the Pittsburgh Legal Journal for the initial listing of a case on a trial list. Publication of trial lists in the Pittsburgh Legal Journal is the only form of notice given to in-county counsel of the listing of a case for trial. Unrepresented parties and out-of-county counsel who submit notice of their address to the Calendar Control Office of the Civil Division (see Local Rule 212.1(3)) are mailed a notice of earliest trial date.

**Note:** As soon as there is a published trial list, trial dates appear as docket entries in each individual case on the trial list. Docket entries are available online at: [prothonotary.county.allegheny.pa.us](http://prothonotary.county.allegheny.pa.us) (no www. and no .com). Additionally, published trial lists are also available on the Civil Division's website at: [www.alleghencourts.us](http://www.alleghencourts.us).

- (b) **Pre-trial Discovery Deadlines.** Deadlines for the completion of discovery are published with the trial list in the Pittsburgh Legal Journal. Any party initiating discovery must do so within such time as to permit the responding party the full time allowed for response by the Pennsylvania Rules of Civil Procedure, so that the response may be served on or before the date set for completion of discovery.

**Note:** Generally, discovery is required to be completed sixty (60) days prior to the commencement of the trial term in which the case is listed for trial.

(c) **Call of the List.** Each day during the trial term at 9:00 a.m., the Calendar Control Judge calls the daily trial list. Counsel for each party in each case listed for the first time on that date shall appear at said time, personally or through a representative, and shall advise the Court, when the case is called:

- whether counsel for each party is ready for trial (each party, in turn, advises the court);
- the expected time required to try the case; and/or
- of any settlements which have occurred.

Counsel shall be prepared to commence trial on and after the date of the Call of the List. Counsel shall be prepared to engage in conciliation immediately after the Call of the List, or at such other time as the Court may thereafter direct. Cases not commenced on the date listed will be called again the following day and each day thereafter, until the case is commenced, removed from the list by motion or settlement, or the trial term ends. Cases not commenced during the trial term are placed on a future trial list.

(d) **Daily Publication of Updated Trial List.** During each trial term, daily trial lists, updated to reflect settlements, continuances, cases called for trial, or other dispositions of cases, are published daily in the Pittsburgh Legal Journal. It is the responsibility of all parties to monitor the status of their cases on the updated trial list. Written notice of updates will not be sent.

**Note:** Updated trial lists are also available on the Civil Division website at: [www.alleghencourts.us](http://www.alleghencourts.us).

(e) **Date of Trial.** The dates for which cases are listed for trial are intended to serve as close estimates as to when each case will be reached for trial.

(f) **Trial Policy.**

- (i) When the list of cases is first published, trial counsel must ascertain the readiness of their cases as to bills, reports, etc. and the availability of witnesses, doctors, experts, etc. involved in the case.

- (ii) When it is ascertained that any person necessary for the trial of the case may not be available during the trial term, the deposition of that person for use at trial must be taken forthwith.
- (iii) Requests for continuances or adjustments of the trial date should be made as soon as possible after the initial publication of the trial list. Last-minute requests for continuances ordinarily will not be granted to accommodate counsel, clients or witnesses for business trips, vacations or any absence during trial terms or for failure to comply with any of the trial policy rules.
- (iv) Counsel, as listed for the case, must be available and ready to try the case at the time it is called.
- (v) If listed counsel are not available, absent compelling reasons, substitute counsel must be available.
- (vi) A law firm not having sufficient trial counsel may be required to obtain substitute trial counsel.
- (vii) If listed counsel is not available and no substitute counsel is provided, the case will proceed without counsel.
- (viii) When called to select a jury, unless excused by the Court, counsel must appear within fifteen (15) minutes; if not present when so called, a clerk will select the jury and the case will be ordered to trial notwithstanding the absence of counsel.
- (ix) The trial policy rules will be applied regardless of the directions or desires of clients.

**Note:** As to motions relating to cases appearing on a published trial list, see Local Rule 208.3(a)(3) regarding the Calendar Control Judge. As to pre-trial statements, see Local Rule 212.2.

- (6) **Exception to Trial Lists.** Cases which have been assigned to an individual judge do not appear on a trial list; rather, such cases proceed to trial as ordered by the individual assigned judge. Local Rule 220.1 Voir Dire.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

### **Local Rule 220.1 Voir Dire**

In all civil actions to be tried before a jury, the parties shall be provided with the responses to the "Juror Questionnaire" completed by the members of the panel at the time that they report for jury duty (see Form), and the members of the panel shall be asked the questions set forth in this Local

Rule (except those which all parties shall agree in advance to strike as inappropriate for the type of case involved). The questions shall be propounded by an Assignment Room Clerk, in the presence of all counsel. The voir dire process is open to the public.

(a) TO BE ADDRESSED TO THE GROUP:

- 1) This case is expected to last \_\_\_\_ days. Does that impose a serious hardship for anyone?
- 2) The attorneys in this lawsuit will now introduce themselves, their law firms, and the parties they represent.

*[Attorneys proceed in turn with introductions.]*

Have you had any social, business or professional contact with any of these attorneys or their law firms?

Do any of you know or have you had any social, business or professional contact or employment with any of the parties, or are any of you stockholders in \_\_\_\_\_[name of company(ies)]?

- 3) The attorneys are now permitted to give you a brief statement about the case.

*[Attorneys proceed in turn to deliver their approved voir dire statements.]*

Does anyone know anything about this case?

*[If no party elects to deliver a voir dire statement, then the Assignment Room Clerk proceeds as set forth below.]*

This lawsuit concerns \_\_\_\_\_.

(description which clues the jury panel to the type of case – products liability, medical, fall down, construction, contract, etc. – along with a time period or date and a place, if applicable).

Does anyone know anything about this case?

- 4) The attorneys will now identify for you all of their possible witnesses in this case.

*[Attorneys proceed in turn to identify the names and addresses of all of their potential witnesses, including expert witnesses. This list should include all non-party witnesses listed in each party's pretrial statement, unless all parties agree otherwise.]*

Do you know or have you had any association, either yourself or through any member of your family, with any of these individuals?

(b) TO BE ASKED INDIVIDUALLY:

We will begin interrogation. Juror #1, will you please step forward.

- 1) What have you read, seen or heard about civil damage lawsuits?
- 2) Based on anything you may have read, seen or heard, do you have any feelings or opinions about civil damage lawsuits?
  - a) If so, what are those feelings or opinions?
  - b) Would your feelings or opinions about civil damage lawsuits prevent you from being fair and impartial?
- 3) This case involves a claim for money damages and is the type commonly called a \_\_\_\_\_ (products liability; medical malpractice; auto accident; breach of contract; etc.) lawsuit.
  - a) Do you have any feelings about this kind of case, or parties involved in this kind of case, that would tend to make you favor one party or the other; that is, the person bringing the lawsuit or the person being sued?
  - b) If so, what are those feelings ?
  - c) Will that influence your judgment in this case so that you may not be able to be fair and impartial?
- 4) Do you have any opinion as to whether there should be a minimum or maximum amount of money that can be awarded to an injured party?
- 5) The following additional questions shall be asked in medical malpractice cases unless all parties agree in advance to strike them:
  - a) Have you been exposed to any information from the internet, newspapers, radio, TV or through contact with physicians, relatives or friends that has given you any feelings or opinions that relate to the effects of medical malpractice lawsuits on the costs or availability of medical services?
  - b) If so, what are those feelings or opinions?

- c) Do you feel it is wrong to sue a doctor, hospital or other healthcare provider under any circumstances?
  - d) Do you believe that simply because of a bad or sad outcome, a doctor or healthcare provider must have made a mistake and should be obligated to pay money?
- 6) The following additional questions shall be asked in asbestos cases unless all parties agree in advance to strike them:
- a) Have you or any member of your immediate family ever suffered from:
    - Any type of cancer?
    - Asbestosis?
    - Emphysema?
    - Silicosis?
    - Chronic bronchitis?
    - Black lung?
    - Any other lung or respiratory disease?
  - b) Have you or any member of your immediate family ever been employed by a business engaged in manufacturing, supplying or removing insulation products containing asbestos?
  - c) Have you or any member of your immediate family ever worked with or been exposed to products which you understood to contain asbestos or silica?
  - d) Have you been exposed to any information from the internet, newspapers, radio, television or from other people discussing alleged health problems with asbestos or silica?
  - e) Did you ever, during your lifetime thus far, smoke:
    - Cigarettes?
    - Cigars?
    - Pipe?

If yes, what year did you stop smoking:

- Cigarettes?

- Cigars?
- Pipe?

7) Is there any reason why you feel you cannot serve as a fair and impartial juror in this case?

(c) Up to five additional proposed voir dire questions may be submitted by each party or group of parties with joint representation by one counsel. Disputes as to the propriety of these questions shall be handled as set forth in Local Rule 212.2(c). At the time of voir dire, those proposed additional voir dire questions which were permitted by the Calendar Control Judge will be propounded by the Assignment Room Clerk, in the presence of all counsel, individually to each member of the panel.

(d) At the conclusion of individual questions to each member of the panel as set forth in parts (b) and (c) above, counsel will be permitted to ask reasonable follow-up questions regarding each panel member's responses to prior questions and responses to the Juror Questionnaire. In the absence of agreement by all parties to the contrary, the order of follow-up questioning shall proceed as the parties appear in the caption of the case.

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
CIVIL DIVISION  
JUROR QUESTIONNAIRE**

1. Full Name: \_\_\_\_\_

Any other names by which you are known: \_\_\_\_\_

2. Year of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

3. Neighborhood or Municipality in which you live:  
\_\_\_\_\_

Length of time at current address \_\_\_\_\_ Rent or Own \_\_\_\_\_

List other locations where you lived in the past ten (10) years:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Marital Status: \_\_\_\_\_ Spouse's Name: \_\_\_\_\_

If other than single, how long have you been married, divorced, etc.?

\_\_\_\_\_

5. Please provide the following information for your parents, spouse, children/stepchildren and any and all other adult members of your household:

Name	Age	Level of Education	Current Occupation & Employer	Reside w/you?

For any of your children, list all prior occupations and employers they have had:

\_\_\_\_\_  
\_\_\_\_\_

Do you have brothers and sisters? Yes \_\_\_\_\_ No \_\_\_\_\_

If so, what occupations and employers has each of them had?

\_\_\_\_\_  
\_\_\_\_\_

What occupations and employers has your spouse had?

\_\_\_\_\_  
\_\_\_\_\_

What are the current and prior occupations and employers of your parents?

\_\_\_\_\_



10. Do either you, your spouse or your parents, children, brothers or sisters or any member of your immediate family, or anyone with whom you reside, have a business relationship, friendship or association with any person who is a law enforcement officer, a judge, a lawyer or a person who works or is affiliated with the Court system? Yes \_\_\_\_\_ No \_\_\_\_\_

11. Have either you, your spouse or your parents, children, brothers or sisters ever worked for or done business with the insurance industry or have any of you owned stock in an insurance company? Yes \_\_\_\_\_ No \_\_\_\_\_

If so, please explain: \_\_\_\_\_

Will that influence your judgment in this case so that you may not be able to be fair and impartial? Yes \_\_\_\_\_ No \_\_\_\_\_

12. Have either you, your spouse or your parents, children, brothers or sisters ever worked for or done business with the medical or healthcare industry? Yes \_\_\_\_\_ No \_\_\_\_\_

If so, please explain: \_\_\_\_\_

Will that influence your judgment in this case so that you may not be able to be fair and impartial? Yes \_\_\_\_\_ No \_\_\_\_\_

13. Have you ever been involved in an automobile accident? Yes \_\_\_ No \_\_\_

14. Are you a licensed driver of a motor vehicle? Yes \_\_\_ No \_\_\_

15. Please list your family doctor and/or any other doctors that have treated you in the last two years.

\_\_\_\_\_

16. Do you have any physical or mental condition or other situation which will affect your ability to serve on a jury? Yes \_\_\_ No \_\_\_

**I VERIFY, SUBJECT TO THE PENALTIES OF SECTION 4904 OF THE CRIMES CODE (18 Pa.C.S. 4904) RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES, THAT THE FACTS SET FORTH IN THIS QUESTIONNAIRE ARE TRUE AND CORRECT.**

Dated \_\_\_\_\_

\_\_\_\_\_  
Signature*Updated June 11, 2009***Local Rule 227.1 Post-Trial Motions. Filing of Appeals. Request for Transcript,  
Certification and Waiver Forms.****(1) Post-Trial Motions.**

- (a) Post-Trial Motions shall be filed in the Office of the Prothonotary and a copy shall be delivered to the Trial Judge. Argument shall be scheduled by the Trial Judge without praecipe.
- (b) On all Motions for Post-Trial Relief, only those portions of the testimony relating to the questions raised need be transcribed. If counsel cannot agree on the evidence to be transcribed, the matter may be submitted to the Trial Judge. The reporter shall arrange the transcript so that omitted portions may be inserted in the event this becomes necessary. A moving party desiring to rely wholly or in part on a transcript of the testimony or on the charge of the Court shall file in the Office of the Prothonotary a certificate from the court reporter, stating that the testimony relied upon or the charge has been ordered and is being transcribed. Such certificate shall be filed within a period of ten days from the filing of the Motion for Post-Trial Relief. Upon failure to file such certificate within the time prescribed, it shall be conclusively presumed a transcript of said testimony is not necessary and is waived.
- (c) Unless accompanied by an affidavit stating the names of all witnesses expected to testify, and the substance of the testimony they are expected to offer, no Motion for a New Trial will be entertained on the grounds of after-discovered evidence.
- (d) Upon the filing of any Motion for Post-Trial Relief, the Court may, on its own motion or on the motion of any interested party, hold a post-trial hearing and/or conciliation.

**Note:** See Pa.R.C.P. 106 regarding computation of time and Local Rule 252 regarding video records.

**(2) Appeals.**

When filing documents necessary to effectuate an appeal of a Civil Division matter in accordance with the Pennsylvania Rules of Appellate Procedure and

specifically Pa.R.A.P. 905 and 906, filings with this Court are made in the appropriate office of the Clerk of Court of Common Pleas as follows:

- If appeal is being taken from a matter which is pending in the Civil Division, including General Docket ("GD") or Arbitration ("AR"), documents are filed with the Prothonotary;
- If appeal is being taken from a matter which is pending in the Family Division, documents are filed with the Prothonotary; and
- If appeal is being taken from a matter which is pending in the Orphan's Court Division, documents are filed with the Register of Wills.

**(a) Filing and Request for Transcript, Certification and Waiver Form.**

- (i) At the time of filing a Notice of Appeal in the Court of Common Pleas, and pursuant to Pa.R.A.P. 906, whether or not a transcript or waiver has already been filed, the appellant shall attach to all copies of the Notice of Appeal a copy of the completed and acknowledged Request for Transcript, Certification and Waiver, FORM 227.1A (see subsection (d)(i) below) (which is available at the office of the Manager of Court Reporters).
- (ii) The Request for Transcript, Certification and Waiver must be completed by the party placing the order, signed by a Judge, if required by Pa.R.A.P. 1922(b), and delivered to the Manager of the Court Reporters to place an order for a transcript for any purpose.
- (iii) FORM 227.1A also shall be prepared and filed to demonstrate waiver of a transcript or portion thereof in connection with an appeal.
- (iv) The Manager of Court Reporters shall insert the date the Request form is received and shall acknowledge said receipt by signature.
- (v) A copy of the form, as acknowledged by the Manager of Court Reporters, shall be satisfactory proof of a transcript order or waiver.
- (vi) When a transcript is ordered, the Manager of Court Reporters shall obtain the signature of the court reporter and distribute copies of the Request form to the designated persons.

**(b) Notice of Proof of Filing or Delivery of the Transcript.**

- (i) The Notice of Proof of Filing or Delivery of the Transcript (FORM 227.1B) (see subsection (d)(ii) below) shall be filed with the



Requested by: \_\_\_\_\_

Charge \_\_\_\_\_  
Closing Argument \_\_\_\_\_

Other \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_  
Signature of Judge if less than entire  
transcript is ordered.  
Pa. R. A. P. 1922(b)

Copies: Judge/Prothonotary/Manager of Court Reporters/Attorney/Other

DEPOSIT RECEIVED \_\_\_\_\_

CASH \_\_\_\_\_ CHECK # \_\_\_\_\_ AMOUNT \_\_\_\_\_

(ii)

**FORM 227.1B Notice of Proof of Filing or Delivery of the Transcript**

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Civil Division

Case No.: \_\_\_\_\_

**NOTICE OF PROOF OF FILING OR DELIVERY OF THE TRANSCRIPT**

Proceeding: \_\_\_\_\_

Complete Case \_\_\_\_\_

Plaintiff's Case \_\_\_\_\_

Date: \_\_\_\_\_

Defendant's Case \_\_\_\_\_

Judge: \_\_\_\_\_ Charge \_\_\_\_\_  
 \_\_\_\_\_ Closing Argument \_\_\_\_\_  
 \_\_\_\_\_ Other \_\_\_\_\_

I hereby certify that I have filed and/or delivered the above-described transcript with/to the following:

Date	Signature
Prothonotary _____	_____
Attorney _____	_____
	Court Reporter

If no objections are made to the text of the transcript within five (5) days after such notice, the transcript will become part of the record.

Copies: Judge/Prothonotary/Manager of Court Reporters/Attorney/Other

**Note:** See Local Rule 252 regarding video records.

Editor’s Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 234.1 Subpoena.**

- (1) The copy of any subpoena (the original of which issued from this Court) left with a witness who has been subpoenaed shall have endorsed on said copy the caption, the number and term of the case, and the name, office address and telephone number of the attorney causing the subpoena to be issued and served.
- (2) The original subpoena shall be filed in the Prothonotary's office with return of service.
- (3) Subpoenas requiring production of hospital records shall not be deemed to apply to x-rays or other data not strictly a part of a hospital record unless they are specifically requested in the subpoena.

Editor’s Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 237.1 Entry of Default Judgment, Military Service.**

In all cases in which a party to an action has appeared but subsequently defaults, before any decree or judgment shall be entered, the opposing party shall file an affidavit stating that the defaulting party is not in the military service of the United States, or if the information is not available, the affidavit shall state what efforts have been made to obtain the facts.

**Note:** This local rule is mandated by the "Servicemembers Civil Relief Act," Title 50 App. U.S.C. Section 501 et seq.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

### **Local Rule 239 Local Rules.**

#### **(1) Adoption of Local Rules.**

- (a) In the absence of special circumstances, the Administrative Judge of the Civil Division shall notify the Allegheny County Bar Association Court Rules Committee of any proposed local rule change, to solicit comments and input regarding the proposed local rule change.
- (b) No local rule shall be adopted, amended or repealed except by a majority vote of the members of the Court present at a regular or special meeting of the Board of Judges. Action on proposed local rule changes may be taken by the Board of Judges only if the members of the Board of Judges have received at least seventy-two hours' notice of the proposed rule change.
- (c) Every local rule shall be promulgated in accordance with these procedures.

#### **(2) Construction of Local Rules.**

All rules of construction adopted by the Supreme Court of Pennsylvania shall apply to local rules adopted by the Court of Common Pleas of Allegheny County, Pennsylvania. Without limiting the generality of the foregoing, definitions contained in Pa.R.C.P. 76 shall apply to all local rules heretofore and hereafter adopted which govern procedure in the Civil Division and in the Family Division.

#### **(3) Citation to Local Rules.**

These Rules may be known as the "Allegheny County Local Rules." Citations to these rules shall be: "Allegheny County Local Rule \_\_\_\_."

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 240 In Forma Pauperis.**

- (1) A party seeking in forma pauperis status shall apply to the Court for such status. The application shall include as an attachment the party's affidavit demonstrating inability to pay the costs of litigation.

**Note:** See affidavit form in Pa.R.C.P. 240. Application forms for pro se litigants are available in the office of the Prothonotary.

**Note:** For presentation to the Court, see Local Rule 208.3(a)(4).

**Note:** For indigent divorce cases, see Local Rule 1920.62.

- (2) Counsel employed by or affiliated with Neighborhood Legal Services are authorized to file a praecipe for in forma pauperis status.
- (3) The Prothonotary shall accept for filing by a party, a praecipe as provided by Pa.R.C.P. 240, or an application under this rule, without charge to the party.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 249 Special Assignments Among Judges. Commerce and Complex Litigation Center. Asbestos Judge. Class Action Judge. Elections Judge. Real Estate Tax Appeals Judge. Zoning.**

- (1) **Commerce and Complex Litigation Center.**
  - (a) Creation. Administrative Order No. 13 of 2007 (AD07-000013) established a Commerce and Complex Litigation Center. This Center is within the Civil Division of the Court.
  - (b) Assignment of Cases to the Center.
    - (i) A description of the type of cases handled by the Center and of the procedures for assignment of cases to the Center is set forth in a *Description of the Docket and Procedures of the Commerce and Complex Litigation Center* prepared by the judges assigned to the Center.
    - (ii) The *Description* may be obtained from the Allegheny County Court of Common Pleas website at [www.alleghecourts.us](http://www.alleghecourts.us) by selecting civil and then selecting commerce and complex litigation center.

Editor's Note: Effective February 4, 2008. This Local Rule 249(1) replaces Local Rule 249(1) that was adopted on October 4, 2006, effective December 4, 2006. There are no changes to Local Rule 249(2) - (8).

(2) **Asbestos Judge.**

Actions for personal injury or property damage caused by asbestos, upon filing shall be assigned to the Asbestos Judge, prior to the case being assigned to a general trial list.

(3) **Class Action Judge.**

Class action cases, upon filing, shall be assigned to the Class Action Judge in accordance with Pa.R.C.P. 1701 et seq.

(4) **Elections Judge.**

Except with respect to matters of an emergency nature arising on an election day, actions relating to elections, upon filing, shall be assigned to the Elections Judge.

**Note:** See Local Rule 501 regarding Election Day Judges.

(5) **Real Estate Tax Appeals Judge.**

Real estate tax assessment appeals and real estate tax exemption appeals shall be assigned to the Real Estate Tax Appeals Judge.

(6) **Zoning.**

Zoning appeals shall be assigned to the Zoning Appeals Judge.

(7) **Assignment of Certain Actions Seeking Equitable Relief to Individual Judge.**

The placing of a case at issue involving only claims for equitable relief, Quiet Title, Quo Warranto and Mandamus results in assignment to an individual judge.

(8) **Discretionary Assignment of Cases to An Individual Judge.**

At the discretion of the Administrative Judge or the Calendar Control Judge, in the interests of efficiency and justice, the Court may assign cases to individual judges for any purpose, including pre-trial proceedings and trial.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

**Local Rule 252 Rule Authorizing and Providing for the Use of Video Records.****(1) Use by Court.**

- (a) **Authorization:** The Judges of the Court of Common Pleas shall be authorized to use a Video Recording System to provide for the preservation of the official proceedings.
- (b) **Responsibilities:** Any Judge using a Video Recording System shall designate operational and functional responsibilities of the system to members of that Judge's staff. Policies and procedures for using the system shall be developed and adopted by the Court and shall provide for the integrity of the video record.
- (c) **Parties:** Parties taking part in proceedings where a Video Recording System is being used shall adhere to the policies and procedures authorized in section (1)(b) of this local rule and adopted by the Court.

**(2) Video Records.**

- (a) **Scope:** The provisions of this local rule shall apply to any proceedings presided over by a Court of Common Pleas Judge in which the official record is the video of the proceedings. The official video shall be produced, retained and distributed pursuant to the following sections:
  - (i) **Video Recordings:** Two video recordings shall be made of each Court proceedings unless otherwise directed by the Court. The records shall be made simultaneously, and the videos resulting from the records shall serve as the official record of the Court proceedings. These tapes shall be labeled and hereinafter referred to as the "A" and "B" recordings.
  - (ii) **Custody of Videos:** Both the "A" and "B" recordings shall be deemed the property of the Court and shall be retained in accordance with adopted storage guidelines. The "A" recording shall be filed with the Prothonotary of the Court of Common Pleas and maintained as the official record. The "B" recording shall be retained by Court staff designated with such responsibility and shall be used in the production of transcripts as set forth in "Transcription of the Video Record" section below.
  - (iii) **Identification:** For identification purposes, personnel assigned video responsibilities within the courtroom shall designate on each of the two video recordings the Judicial District, Judge's name, the case file number and caption, the date of the recording, a number that uniquely identifies the recording and either the letter "A" if the

video is recorded from the first video recording deck or the letter "B" if recorded from the second video deck.

In the event several short matters related to different cases are recorded on one video, Court personnel may modify this requirement according to procedures developed in consultation with the Prothonotary. A label designed and printed by the Administrative Office of the Allegheny County Courts for use with videos shall be used for tape identification purposes.

The tape recorded in the "A" recording deck shall be the tape on file with the Prothonotary. The tape recorded in the "B" recording deck shall be maintained by the Court.

- (iv) **Additional Original Recordings:** Two additional videos, designated "C" and "D," shall be made at the time the official recordings of all evidentiary proceedings are made, labeled as copies and certified by the operator to be true and complete copies of the official record. These tapes shall be available for purchase by parties to the case. Requesting parties shall be charged a fee to be established by Court policy for each tape purchased, except in cases where the requesting party has been declared indigent. All payments for certified copies of video records must be made prior to obtaining the videos.

If the "C" and "D" tapes have not been requested within thirty days of the recorded proceeding, the tapes shall be erased by the Court and subsequently used to make original "A" and "B" video records. In the event such occurs, parties may still obtain a reproduction of the original. Court personnel will reproduce the requested material using the "A" or "B" copies.

- (v) **Official Log:** Court personnel assigned video responsibility in the courtroom shall keep a written trial log or assure the video system produces an automatic trial log for all proceedings where the video is the official record. A manual trial log form shall be developed and authorized by the Court. One copy of the log shall be retained by the Court and one copy shall accompany the video filed with the Prothonotary. A copy of the trial log shall also be provided with each duplicated video made for requesting parties.
- (vi) **Certification:** As soon as practicable after the close of each day's Court proceedings, the Court shall certify that each "A" and "B" recording is the official record of the Court proceedings. Original recordings labeled "C" and "D" shall also be certified as true copies of the original record, or portions thereof.

- (b) **Transcription of the Video Record:** The following provisions govern the production and use of typewritten transcripts made from videos of Court proceedings:
- (i) **Tape Reference:** All transcripts produced from a video shall include, at the top or bottom of each typewritten page, a tape reference which includes a tape identification number, date, and hour, minute and second corresponding to the beginning or end of each page. For example, TAPE NO. 001; 1/2/94; 10:15:45.
  - (ii) **Requests for Transcripts:** Parties requesting transcripts of proceedings where video recording is the official record shall complete a Transcript Request Form as developed and authorized by the Court and forward it to the Court's designee. Upon receipt of the transcript request, an estimated cost of transcription shall be determined and provided to the requesting party. All costs must be paid prior to the transcription of the record.
  - (iii) **Authorized Transcription Services:** The Court shall establish an authorized transcription agency to provide the official transcripts of video proceedings, and upon completion of same, shall certify the transcript as a true and correct copy of the video record. Agencies must have and maintain the necessary equipment consistent with the Court's video system to produce transcripts upon demand. Parties choosing to produce the transcript without using the Court's authorized agency will not have the transcript certified.

**Note:** Local Rule 252 is intended to prescribe the general practice for requesting and securing the transcripts from the Video Record. The designated transcription service must have and maintain the proper transcription equipment compatible with the Court's system to produce daily, expedited, ordinary and hourly copies upon demand.

(3) **Post-Trial Relief. Transcript of Testimony.**

Parties filing Post-Trial Motions shall complete a Transcript Request Form setting forth the relevant portions of the record. If no portion is indicated, transcription of the record shall be deemed unnecessary to the disposition of the record.

(4) **Transcription of the Record on Appeal.**

- (a) **Record on Appeal:** Transcripts of proceedings in which the Video Recording System is used as the official record shall be filed and served in the same manner as other transcripts as required by the Pennsylvania Rules of Appellate Procedure relating to the provisions of the record.

- (b) **Transcripts:** All transcripts required to be part of the record on appeal where a video recording is the official record shall be provided pursuant to Local Rule 252(2)(b).

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

### **Local Rule 253 Taxation of Costs.**

(1) **Costs After Judgment.**

Costs shall be taxed by the Prothonotary. Objections shall be presented to the Motions Judge or, if the case was tried, to the Trial Judge.

(2) **Costs After Settlement.**

In Civil Division cases, absent an agreement to the contrary at the time of a settlement requiring the payment of monetary damages, the paying party or parties shall reimburse the recipient the record costs incurred by that party. Where there are multiple payors, the reimbursement of record costs shall be prorated.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

## **Habeas Corpus**

### **Local Rule 301 Formal Requirements.**

Any request for issuance of a writ of habeas corpus shall be in writing by petition and in accordance with the following:

- (1) The caption shall contain the name of the Commonwealth at the relation of the petitioner in whose behalf the relief is requested, and name as respondent the person who exercises the alleged unlawful restraint, as well as the capacity in which such restraint is asserted, if any.
- (2) The petition shall contain allegations of fact and shall be signed and verified by petitioner. If petitioner is unable to sign and verify the petition, the reason shall be set forth.
- (3) When the person restrained is an incapacitated person or a minor, the petition shall be brought on behalf of the person restrained by that person's next friend, parent or guardian.