

INSTRUCTIONS ON FILING EXCEPTIONS TO A MASTER'S REPORT AND RECOMMENDATION

In the event that a party wishes to file exceptions to a Master's Report and Recommendation, the party shall do so within twenty (20) days from the date the report and recommendation is filed with the Department of Court Records, Civil/Family Division **AND** the following procedure must be followed:

1. **MASTER'S EXCEPTIONS THAT DO CONTAIN A SUPPORT EXCEPTION:**

If any of the exceptions being filed address an issue of child support and/or spousal support/alimony pendente lite, then the party filing the exceptions must follow the procedures entitled: INSTRUCTIONS FOR FILING SUPPORT EXCEPTIONS, which can be found here:

<https://www.alleghecourts.us/downloads/family/SUPPORT%20Exceptions%20handout-%20INSTRUCTIONS%20FOR%20FILING%20EXCEPTIONS%2010.23.20%20Update.pdf>

2. **MASTER'S EXCEPTIONS THAT DO NOT CONTAIN A SUPPORT COMPONENT:**

a. **TIMING AND FILING OF EXCEPTIONS AND CROSS-EXCEPTIONS:**

Within 20 days after the notice of the filing of the report has been mailed, exceptions may be filed by any party to the report, or any part thereof, in accordance with the procedures set forth in Pennsylvania Rule of Civil Procedure 1920.55-2. The original exceptions shall be filed with the Department of Court Records, Civil/Family Division and a copy shall be served on the judge assigned to the case, the assigned Master and on the opposing party, if unrepresented, or his/her counsel, if represented. If any party files exceptions, any other party may file cross-exceptions within 20 days of the date of service of the original exceptions.

b. **CONTENTS:** Each exception shall set forth a separate objection precisely and without discussion. Matters not covered by exceptions or cross-exceptions are deemed waived, unless prior to the entry of the final decree, leave is granted to file exceptions raising such matters.

c. **TRANSCRIPT:** To the extent that transcription of the hearing before the master has not been requested, the party taking the initial exceptions ("exceptant") shall immediately request and pay the deposit required for transcription of the complete record of all proceedings before the master, unless the parties stipulate in writing that it is unnecessary to transcribe all

of the record for adjudication of the exceptions, or the Court upon motion orders that less than all of the record shall be transcribed. Should a written stipulation be entered providing for transcription of less than all of the record, the parties shall also set forth with specificity what portion, if any, of the record is to be transcribed. If any portion of the record is to be transcribed, the exceptant shall immediately order and pay the deposit for that portion. A copy of any stipulation and/or request for transcription entered in accordance with this paragraph shall be filed with the Department of Court Records, Civil/Family Division and served upon the judge assigned to the case and the opposing party or her/his counsel. Upon completion of the transcription of the record, the exceptant shall pay the balance due. The exceptant may seek reimbursement for the costs of the record as part of exceptions.

- d. **BRIEFS:** Exceptant shall file a brief in support of exceptions within 20 days after the filing of the record, or, if the parties have stipulated that no record is necessary for adjudication of the exceptions, within 20 days after the filing of such stipulation. The respondent and/or cross-exceptant shall file a brief in response to exceptant's brief and, if applicable, in support of the cross-exceptions, within 20 days after the date of service of exceptant's brief. If cross-exceptions have been filed, exceptant may file a reply brief within ten days of the date of service of cross-exceptant's brief. Such reply brief shall be limited to issues raised pursuant to cross-exceptions. No brief may exceed 25 pages in length, unless leave of court is obtained for good cause shown. All briefs shall be filed with the Department of Court Records, Civil/Family Division and served upon all parties and the judge assigned to the case.
- e. **SCHEDULING AN ARGUMENT DATE, FILING AND SERVICE OF ARGUMENT DATE:** As soon as all briefs have been filed, either party may Praeceive for an argument date. The Praeceive, along with a copy, shall be delivered to the Judicial Docket Clerk in Room 3020. Parties can follow the procedures located on the Fifth Judicial District of Pennsylvania, County of Allegheny Website: Court Outreach and Assistance - Scheduling Adult Matters Remotely. After the argument date is assigned, the original shall be filed with the Department of Court Records, Civil Division, 1st Floor, City-County Building, 414 Grant Building, Pittsburgh, PA and the copy retained by the Court. Absent unusual and compelling reasons, the case shall be listed for argument within two months of the Praeceive. The party obtaining the argument date shall serve the other party and the judge assigned to the case with notice of the scheduled date.

Note: Failure to comply with the procedure set forth above will result in the automatic termination of the exceptions or cross-exceptions because of either unreasonable inactivity or failure to comply with rules of court. Any exceptions terminated on such grounds shall not be reinstated except upon petition to the Court for good cause shown.