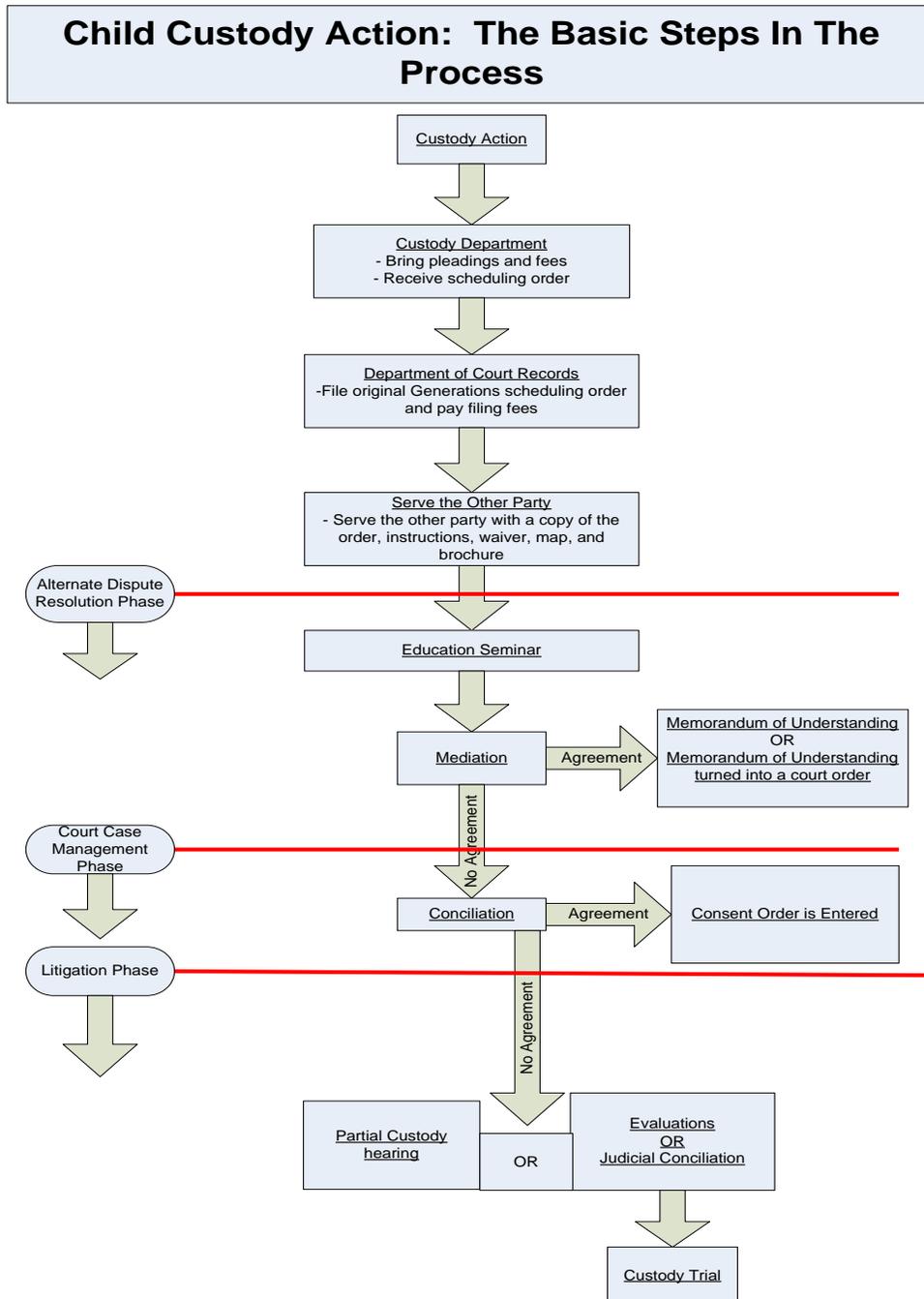


SECTION I – CHILD CUSTODY

A. Child Custody Flow Chart

This portion of the manual is organized to take litigants through the chronological steps from start to finish of how a custody case generally proceeds through the Court. A litigant can also refer to specific sections that may only apply to their case. The following flow-chart details the basic steps in the process when a custody complaint is filed in Allegheny County.

Child custody action: The basic steps in the process



B. Complaints for Custody or Divorce Complaints that Include a Count for Custody

All parties to custody actions are required by Allegheny County Local Rules 1915.1 through 1915.16 to participate in the Generations program prior to seeking judicial involvement in resolving their custody dispute. All custody actions shall first be filed at the Child Custody Department on the 1st Floor of the Family Law Center, 440 Ross Street, Pittsburgh, PA, in order to receive a scheduling order on their case.

C. Schedule of Fees and Fee Waivers

Custody filing fees must be paid to the Allegheny County Department of Court Records at the time the action is filed. The fee schedule can be found at <http://www.alleghenycounty.us/civil/profees1.aspx>. Failure to pay these fees in full within three days of the date of the scheduling order will result in the order being vacated and the release of dates from the docket and/or dismissal of the complaint. All fees will be paid by the petitioner in the custody action. A complaint or petition cannot be filed without payment of fees or a fee waiver. Acceptable forms of payment include: cash, cashier's check, certified check, attorney law firm check, or money order made payable to the Allegheny County Department of Court Records. All filing fees are non-refundable pursuant to order of court filed at AD-14-000006.

1. *Fee Waivers*

- a.) Requests for a waiver of a custody filing fee must be presented in the form of a motion through motions court.
- b.) The motion must include a verified affidavit of indigence or other proof of economic hardship in the form required by the Pennsylvania Rule of Civil Procedure 240 and 1920.62.
- c.) The motion must be presented at least ten days in advance of the date of the program for which the waiver of fee is requested.
- f.) If a fee waiver is granted, the litigant is required to inform the Court of any changes in his or her financial circumstances.
- g.) A fee waiver that is granted by the Court expires within 45 days, or at the time the custody complaint or petition is withdrawn or dismissed.
- h.) Litigants who are requesting waiver of custody filing fees and assistance with the process may access the Family Division Client Services Center, Monday through Friday, from 8:00am until 2:00pm, with proof of their household income. For those litigants who meet certain financial guidelines, fees may be waived on the same day.

D. Filing and Service

1. Adult parties in custody cases are required to attend the Generations program. The Generations program consists of an adult educational seminar and children between the ages of 6 and 15 are required to participate in an interactive children's group program. In addition, the parties are required to participate in a 2 to 2-1/2 hour mediation session at the Child Custody Department.

2. To initiate a custody proceeding, or to modify and/or enforce a custody order, the moving party must bring his/her completed complaint or petition to the Child Custody Department, which must include all biological parents named as parties to the action as well as any person acting as the child (ren)'s primary caretaker and current, valid addresses for all parties. The custody pleadings are as follows: Complaint for Custody (**Form I-1**), Petition for Modification of a Custody Order (**Form I-2**), Petition for Civil Contempt for Disobedience of a Custody Order (**Form I-3**) or divorce complaint containing a custody count. The moving party will obtain an order scheduling the education sessions, the mediation orientation, and will pay all filing fees. The moving party must also submit the Generations Client Information Sheet (**Form I-4**) to the Child Custody Department with the pleadings, as well as the Criminal Record/Abuse History Verification form (**Form I-12**). The scheduling order is then attached to the complaint or petition.
3. A party who has been the victim of domestic violence perpetrated by the opposing party will not be required to participate in mediation if he/she files a Domestic Violence Waiver form (**Form I-5**) and requests cancellation of the mediation session. (Note, however, that all parties are required to attend the education portion of the program and may request to attend the seminar on a date other than the date when the opposing party is scheduled to attend.) If the mediation session is waived, a custody conciliation or a partial custody hearing will be scheduled in its place, depending on the petition filed. The opposing party may contest the cancellation of the mediation session by filing a motion in motions court. The domestic violence waiver form is available from the Child Custody Department and **MUST BE SUBMITTED NO LATER THAN 7 DAYS BEFORE THE SCHEDULED MEDIATION SESSION.**
4. The moving party must then file all original paperwork (the complaint or petition and scheduling order) with the Allegheny County Department of Court Records, 1st Floor, City-County Building, 414 Grant Street, Pittsburgh, PA 15219 and pay the required filing fees in full, on the same business day, but no later than three days from the date of the scheduling order. Failure to do so may result in the scheduling order being vacated and the dates being released from the docket.
5. The moving party is encouraged to provide the responding party with as much notice as possible for scheduled court events. The other party must have sufficient notice, or the case may be delayed. The moving party must serve the other side in accordance with the Pennsylvania Rules of Civil Procedure for service of a custody complaint, which may include service by original process in Domestic Relations matters, with all of the following: a) complaint or petition, time-stamped by the Department of Court Records; b) scheduling order for educational seminar and mediation orientation session; c) Domestic Violence Waiver (**Form I-5**); d) a copy of the Generations program instructions and brochure. If this is the first custody action filed in the case and service by original process is necessary, but the petitioner is not aware of the respondent's address, the petitioner shall conduct a diligent search and may file a petition before the assigned Judge requesting permission to serve by alternative means. Any party in a custody case, upon certification that he or she is a victim of domestic violence, sexual assault, and/or stalking, may complete and file an

Affidavit of Confidential Address (**Form I-19**) with the Department of Court Records. Said Affidavit requires the party to both name a designee and alternative address for purposes of service OR for the party to be eligible and register with the Office of the Victim Advocate, who will receive service on their behalf.

6. Within 6 days of filing the pleading at the Department of Court Records, the moving party must supply a time stamped copy of the pleading to the Child Custody Department.
7. The moving party must file a Certificate of Service (**Form I-6**) with the Department of Court Records and deliver a copy to the Child Custody Department, promptly, and as soon as service is achieved. If the parties are scheduled for a mediation session, this form must be filed at least fifteen days in advance of the scheduled mediation date and a copy delivered to the Child Custody Department. The certificate of service must indicate the date, time and manner of such service. If the moving party is sending court papers by restricted certified mail, a copy of the green card indicating proof of service must be attached to the certificate. The responding party may also complete and file an Acceptance of Service (**Form I-24**) with the Department of Court Records and deliver a copy to the Child Custody Department.
8. If the moving party does not wish to proceed on the custody action after the scheduling order is issued but before they have made service, they may file a Praecipe for Discontinuance of a Custody Action (**Form I-17**) with the Department of Court Records. A copy of this form must also be provided to the Child Custody Department.
9. If a Certificate of Service (**Form I-6**) has not been filed, or service is improper, or the responding party has not filed an Acceptance of Service (**Form I-24**) at least fifteen days in advance of the scheduled mediation date, an order will be issued cancelling the mediation session and providing the moving party with thirty days to successfully prove service or the custody action will be dismissed. If the moving party is unable to successfully serve the other party within this time period, they may file an Affidavit Requesting an Extension for Service (**Form I-25**) with the Child Custody Department. This Affidavit must be filed within 90 days of the original complaint filing date. The moving party, within that time period, must successfully prove service or the custody action will be dismissed.
10. If the custody action has been dismissed due to the moving party's failure to appear or comply with the process, or due to the moving party's failure to make/file proof of service not by original process, and the party wishes to request to restart the action, they may file a Petition to Reinstate through motions court before the assigned Judge. If a custody complaint was dismissed due to the moving party's failure to make/file proof of service by original process within the required time frame, the moving party may file a Praecipe to Reinstate Custody Action (**Form I-27**) at the Department of Court Records. In order to reschedule the custody case, the moving party must then file the Petition to Reinstate Custody Scheduling Order (**Form I-28**) and attach a copy of the time-stamped Praecipe (**Form I-27**) from the Department of Court

Records. Please note: A filing fee is required and will be collected when the petition to reinstate the custody action is filed at the DCR.

11. After filing the custody petition and/or complaint and making service, the first step in the custody process is to attend the Generations program education seminar.

E. Generations Program

1. *Education Seminar*

- a.) All adult parties to the case and children between the ages of 6 and 15 must complete the Generations program education seminar and the children's interactive group before the parties may participate in the mediation session. The scheduling order will provide a specific date and time for these programs. The children's program is scheduled on the same date and time as the adult portion of the seminar. Parties may reschedule the education seminar by contacting the Child Custody Department, but the education seminar must be completed prior to the mediation date.
- b.) Any party who has been the victim of domestic violence perpetrated by the other party may attend a separate education session by contacting the Child Custody Department at 412-350-4311 or appearing in person to reschedule in advance of the scheduled date.
- c.) Upon completion of the education seminar (by both adults and child (ren)), the parties will be given a certificate of attendance. Parties and children only need to attend the education seminar once, unless otherwise ordered by the Judge.
- d.) After the education seminar, parties proceed to the second step in the process, the scheduled mediation session.

2. *Mediation Session*

- a.) Only the parties and the mediator (no attorneys, spouses, children, or third parties) participate in the mediation session. The mediation session lasts approximately 2 to 2 ½ hours. Upon completion of this session, the parties will receive a certificate of completion. Additionally, if the parties can reach an agreement, a Memorandum of Understanding (MOU) will be prepared. If they so choose, parties will have the option to finalize this MOU into a custody consent order of court the same day as their mediation session by meeting with a child custody officer, if available.
- b.) If the parties are unable to agree on a custody arrangement after the mediation, they proceed to the next step, which is for the parties is to attend a custody conciliation or a hearing.
- c.) The Child Custody Department will not reschedule a mediation session without an order of court. Mediations are not subject to the Court's continuance policy, nor can requests for continuances be honored without an order of court. Participation in mediation will be excused only if the party asking to be excused obtains an order of court through

motions court, or if one of the parties submits a Domestic Violence Waiver (**Form I-5**) to the Child Custody Department.

- d.) Parties who wish to modify and/or enforce a final order of court for custody or visitation, as well as parties to an action deemed to be new, must complete mediation again. Parties can only be excused from additional mediation by an order signed by a Judge through motions court.

3. *Exemption from Generations Program*

Requests to be excused from participating in any part of the Generations program, for any reason other than domestic violence, must be presented in the form of a motion through motions court.

F. Custody Conciliations

1. Parties may be scheduled for a conciliation in the Child Custody Department with a child custody officer after an unsuccessful mediation or by order of court. Parties are required to present a praecipe to schedule a conciliation (**Form I-7**) with a professional custody conciliator, who is an Officer of the Court. This praecipe shall be presented to the Child Custody Department following the mediation, if requested. When this praecipe is presented, it must include a copy of the Certificate of Completion of Mediation, at which time a conciliation may be scheduled. Parties may praecipe for conciliation within 120 days of their mediation date. After 120 days, if a praecipe has not been filed, the custody complaint or petition may be dismissed. Please also note that, although the form contains signature lines for both parties and their attorneys, only one party or their attorney needs to sign the praecipe.
2. The party requesting the conciliation date is responsible for filing the original order with the Department of Court Records, for making appropriate service on the opposing party, and for filing a certificate of service with the Court.
3. All parties to the custody case **MUST** be present at the scheduled custody conciliation regardless of whether they have an attorney present, unless they have obtained an order of court via motions court excusing them from appearing or allowing their participation by telephone. Parties who are indigent, and meet certain financial qualifications, may be eligible for free legal representation at the conciliation if available, through the Pittsburgh Pro Bono Partnership Custody Conciliation Project. At the custody conciliation, if one or both of the parties do not appear, any of the following may occur: the petition may be dismissed, the case may be scheduled for a judicial conciliation or hearing or a partial custody hearing, a bench warrant may be issued, an interim order may be entered which may alter the current custodial arrangement and/or substantially affect the litigant's custodial rights, and/or counsel fees may be imposed.
4. Consent orders agreed to by the parties prior to a scheduled conciliation date must be signed by the assigned judge and a copy delivered to the Child

Custody Department. Said consent must include language that the parties have agreed to cancel the scheduled conciliation date. If a consent is reached on the day of the scheduling proceeding before the child custody officer, it may be presented at the scheduled conciliation time. The child custody officer will review, and if acceptable, will process the consent order.

5. If the parties are unable to reach an agreement at the conciliation, the parties may be scheduled for a hearing before the Custody Hearing Officer (“CHO”). If the case is referred to the Custody Hearing Officer and if either party wishes to challenge the authority of the Hearing Officer to hear the case, they must file a motion before the assigned Judge prior to the court date pursuant to Rule 1915.4-1. Should the party fail to do so, but later raise exceptions in this regard, they shall be deemed waived. The child custody officer will schedule a hearing date and a pretrial order is mailed to the parties and counsel, if represented. The pretrial statement is due 10 days prior to the scheduled hearing date and may be dropped off or mailed to the Child Custody Department, 1st Floor, Family Law Facility.
6. If the parties are unable to reach an agreement at the conciliation and the action filed is a request for sole, primary, or shared custody, they may be referred by the child custody officer for a psychological evaluation and/or a home study.
7. After the evaluations are completed, the parties may praecipe for a judicial conciliation before the judge assigned to their case, by taking a praecipe to the docket clerk to schedule a conciliation with the assigned judge (**Form I-8**). Parties must file this within thirty days of receipt of the evaluation report or the request for court action may be dismissed. With this praecipe, parties are also required to present the order assigning psychological evaluations in their case. The party requesting the conciliation date is responsible for filing the original order with the Department of Court Records, making appropriate service on the other side, and filing a certificate of service with the Court.
8. If the child custody officer does not refer the case for an evaluation, a judicial conciliation may be scheduled. The child custody officer will schedule a judicial conciliation date and a scheduling order is mailed to the parties and counsel, if represented.
9. In accordance with Pennsylvania Rule of Civil Procedure 1915.4 relating to prompt disposition of custody cases, parties must complete a praecipe for conciliation/request for trial, or face dismissal of the current request for court action. Extensions may be granted by consent; if consent is withheld, a party may seek relief via motions court (**Form I-9**).

G. Custody Hearing before the Hearing Officer

1. *Scheduling Matters before the Custody Hearing Officer*
 - a.) Parties may be scheduled for a custody hearing before the Custody Hearing Officer (CHO) after an unsuccessful mediation or conciliation in

- accordance with Section F. Item 5. or by order of court for a determination on the custody pleading.
- b.) A pretrial order will be issued which directs parties to submit a pretrial statement. The pretrial statement is due 10 days prior to the scheduled hearing date and may be dropped off or mailed to the Child Custody Department, 1st Floor, Family Law Facility. The party requesting the custody hearing date is responsible for filing the original order with the Department of Court Records, making appropriate service on the other side, and filing a certificate of service with the Court.
 - c.) In limited circumstances, following a judicial conciliation, the judge may decide to schedule the case before the CHO. The parties and/or attorneys may be given the order to schedule the hearing at the time of the conciliation. In this situation, they must take the order to the Child Custody Department, 1st Floor, Family Law Facility to receive the next available hearing date. Parties and/or counsel are responsible for filing the original order with the Department of Court Records and serving the opposing side.
 - d.) A judge may enter an order to refer the matter to the CHO for an expedited conciliation to determine the status quo. The scheduling of the conciliation follows the same procedure as noted in Section F 1. An expedited conciliation shall not be conducted concurrently with a Generations mediation session or custody conciliation.
 - e.) Continuance requests for custody hearings follow the same policy that currently exists for all Domestic Relations matters.
 - f.) Consent orders agreed to by the parties prior to a scheduled hearing or conciliation date must be signed by the assigned judge and a copy delivered to the CHO at the Child Custody Department. The order must include language canceling the hearing or conciliation. If a consent is reached on the day of the scheduled proceeding with the CHO, it may be presented at the scheduled hearing time. The CHO will review and, if acceptable, will process the consent order.

2. Exceptions

Exceptions may be filed to the CHO proposed order pursuant to Pennsylvania Rule of Civil Procedure 1915.4-2, by following the procedures set forth below. It may be beneficial to obtain the assistance of an attorney to help you with filing exceptions; however, pro se litigants may obtain a packet regarding the filing of exceptions from the Custody Department. If no exceptions are filed within the required time period, the Custody Hearing Officer's proposed order becomes final. If filing exceptions, in addition to those requirements contained in Rule 1915.4-2, Allegheny County requires the following:

- a.) If exceptions are filed, the interim order shall continue in effect.
- b.) Time for filing: Exceptions must be filed within twenty days of the date the hearing officer's report and recommendation was mailed to you. If the last day to file exceptions falls on a date the Court is closed (a weekend or a Court holiday), the exceptions may be filed the next day that the Court is open for business.
- c.) Form of Exceptions: Each exception shall set forth a separate objection precisely and without discussion. Matters not covered by exceptions are deemed waived.

- d.) Hearing Officer's Recommendation: A copy of the hearing officer's recommendation from which the exceptions are filed must be attached to the exceptions.
- e.) Transcript of testimony: When filing exceptions, a transcript must be ordered from the Court Reporter's Office, Room 415, County Office Building, 524 Forbes Avenue, Pittsburgh, PA. A \$50.00 deposit is required at the time the transcript is ordered. The original request form should be attached to the original exceptions pleading, as well as the deposit receipt. The only time a transcript is not necessary is if the exceptions are not based on testimony contained in the record. If you are unable to afford the cost of a transcript, you may seek a waiver of transcript costs by filing a Petition to Proceed *In Forma Pauperis* (IFP). Assistance is available in the Self-Help Center, 1st Floor, Family Law Center, 440 Ross Street, Pittsburgh, PA. In addition, to make sure your exceptions are timely filed, you will need to file a "Certification of Intent to Seek Transcript Fee Waiver", which is available at the Family Division Custody Department, 440 Ross Street, Suite 1030, Pittsburgh, Pennsylvania. If you fail to pay for the transcript or obtain a waiver of the cost of the transcript, your Exceptions may be dismissed by the judge if the transcript was needed for determining the Exceptions.
- f.) Filing Exceptions: The original exceptions shall be filed, and time stamped with the Department of Court Records, 1st floor City-County Building, 414 Grant Street, Pittsburgh, PA 15219. The filing party should have several additional copies of the exceptions, which should also be time stamped. One of the time-stamped copies **MUST** be delivered to the Custody Department on the 1st floor of the Family Law Center, along with the documents associated with transcript of testimony discussed above.
- g.) Service of Exceptions: The party filing exceptions must also serve a time-stamped copy on the opposing party or that party's counsel of record.
- h.) Briefs and other pleadings: All original pleadings pertaining to the exceptions, such as briefs in support, briefs in opposition, transcripts, etc. shall be filed and time stamped at the Department of Court Records. A copy of these pleadings shall also be delivered to the Child Custody Department, 1st Floor, Family Law Center.
- i.) Scheduling the argument: Exceptions shall be placed on the next available exceptions argument list for the assigned judge, once filed with the Department of Court Records and a copy is provided to the Custody Department. The Court will issue a Scheduling Order and shall serve notice on all parties of the date and place of argument. If the respondent files a brief, the original must be filed with the Office of Court Records at least seven calendar days prior to argument. If Cross-Exceptions are filed, the cross-exceptant may file a brief at least seven calendar days prior to the argument, which may respond to the first exceptant's brief. The party filing the first exceptant's brief may file a second brief, in response to the cross-exceptant's brief, at least four calendar days prior to argument. No brief for either party shall exceed 10 pages. All original briefs must be filed with the Department of Court Records. A time-stamped copy of any brief filed must also be delivered to the Child Custody Department, 1st Floor, Family Law Center, and served on the opposing party if unrepresented, or the opposing party's counsel of record if any.

- j.) Motions/Orders on Exceptions: If subsequent to the filing of Exceptions, either party obtains an order about pending Exceptions, a copy of the order must be provided to the Custody Department in the Family Law Center.
- k.) Interim Recommendations: No exceptions may be filed to a recommendation of a hearing officer which is temporary in nature pending future proceedings to issue a final recommendation and custody order. Anyone wishing to file exceptions to an interim custody order must obtain leave to do so through motions court. If permission is granted, a copy of the order must be affixed to the exceptions. If no order is obtained, the exceptions may be dismissed by the Court.

3. *Interim Relief Hearings*

- a.) In custody cases in which the parties have completed a Generations mediation session without an agreement or in cases where the responding party has failed to attend the Generations mediation session after sufficient notice **AND** there is not currently an order for custody on the case, the parties will be scheduled for an Interim Relief Hearing with the Custody Hearing Officer. Parties will be scheduled automatically in these circumstances immediately following mediation at the Custody Department on the first floor of the Family Law Center.
- b.) The matter shall be a one (1) hour on the record proceeding.
- c.) Parties shall be scheduled for the next available date with the Custody Hearing Officer.
- d.) If both parties are not present to be personally served with notice of the hearing by the Custody Department, the Petitioner is required to serve the Respondent with a copy of the scheduling order and shall provide a sufficient Proof of Service at the hearing.
- e.) Both parties shall provide a draft Interim Custody Order at the hearing.
- f.) In the event that the parties are residing together at the time of the hearing, any order entered shall only become effective the date either party leaves the shared residence.
- g.) Any interim order entered shall not establish a status quo for the case moving forward as parties litigate to finality the pending custody action.
- h.) If the parties can reach a consent interim order or a consent final order at the hearing, the Hearing Officer may approve and enter the same.
- i.) If the parties reach a consent interim order or a consent final order prior to the hearing which has been signed by the Judge of record, they shall provide a courtesy copy to the Hearing Officer in advance and said order shall indicate that the Interim Relief hearing is cancelled.
- j.) Neither party may file exceptions to the interim order entered by the Hearing Officer.
- k.) On the Court's own motion or upon motion of either party, the Judge may issue an order to schedule the matter for an Interim Relief Hearing in any custody case.

H. Requests to Modify Custody Orders

1. If a party wishes to modify (change) the terms of an existing custody order, they may file a petition to modify custody (**Form I-2**), along with the Criminal Record/Abuse History Verification form (**Form I-12**). The existing custody order that the party wishes to modify must be attached to the petition. A Custody Supplement (**Form I-21**) shall also be completed and submitted to the Child Custody Department.
2. Once the petition is completed and a copy of the current custody order is attached, the party shall file with the Child Custody Department, receive a scheduling order, and file all originals and pay the filing fees at the Department of Court Records.
3. If the parties have never been through the Generations Program, they will be scheduled for the same. If the parties have been through the Generations Program, they will be scheduled for a mediation session again to address the new action filed.

I. Continuances

Continuance requests for a custody conciliation follow the same policy that currently exists for all Domestic Relations matters. No order of court continuing a conference/hearing, at the request of an attorney or party, will be accepted by the Department of Court Records, for docketing and filing without payment of the required filing fee. Pursuant to Administrative Order 444 of 1999, the following is the continuance policy for Family Division cases:

1. Continuances **more than 30 days before the scheduled date** where the parties agree (“consent continuance”): For all conferences, conciliations, or hearings before domestic relations officers, hearing officers or judges of fewer than two hours duration, a consent order may be submitted directly to the docket clerk in Room 2033 (if the matter is scheduled before a Judge) or to the Child Custody Department (all other matters), for rescheduling. Such requests need not be presented in motions court. Consent continuances shall be in the form of a consent order signed by both counsel and/or parties or shall contain verification by the attorney requesting the continuance that both parties consent to the continuance. Pro se consent continuances must contain both parties’ signatures. If a case is continued for any reason, settled or discontinued, and the hearing becomes unnecessary, the parties and/or attorneys must indicate the date of the hearing in the order and provide a copy to the docket clerk and the Child Custody Department.

The individual requesting the continuance must be prepared to advise the docket clerk or the Child Custody Department of dates inconvenient for the other party, to avoid further continuances. The docket clerk will reschedule the case to the next available date. The consent order may only contain language regarding the continuance of the court date. No additional issues may be addressed. If the parties and/or counsel wish to include issues other than the continuance, they must present a petition to motions court.

2. **Where the parties do not agree** to the continuance: A request for continuance where both parties do not agree must be presented through motions court to the

judge assigned to the case. The opponent of the continuance must establish good cause for refusing to agree to the continuance.

3. **Continuances less than 30 days** before the scheduled date: A request for a continuance made less than 30 days before the scheduled date, whether consented or not, must be made pursuant to a motion presented to the judge assigned to the case. Even if the parties agree, continuances will not be granted by the Court without good cause.

J. Failure to Comply with an Order of Court

1. If the parties have an existing custody order of court and the other side has failed to comply with the provisions contained therein by willfully disobeying the court order, then a petition for civil contempt for disobedience of a custody order may be filed (**Form I-3**), along with the Criminal Record/Abuse History Verification form (**Form I-12**). The filing party must attach to the petition a copy of the current custody order that they wish to enforce. A Custody Supplement (**Form I-21**) shall also be completed and submitted to the Child Custody Department.
2. When a party fails to appear at the education seminar and/or the mediation session or fails to pay and/or comply with an order of court for psychological and/or home evaluations, the Child Custody Department will issue a Rule to Show Cause Why a Party Should Not be Held in Contempt of Court. The responding party will be required to appear and explain why he/she should not be held in contempt for failing to appear and/or comply and/or pay fees as required. Parties may be scheduled directly before a Judge or hearing officer, or if scheduled before a custody officer, may be ordered to appear before the sitting contempt Judge that day at 1:30 p.m. at the child custody officer's discretion.
3. A bench warrant may be issued for any party who fails to come to Court as directed by the Rule to Show Cause, and he/she will be arrested and brought before the Court. Additionally, if the respondent does not appear as ordered, the Court may in its discretion grant the relief requested by the petitioner, including entering an order that may address and/or change custody.

K. Agreements

If the parties have filed a custody complaint and have reached an agreement regarding custody, have the agreement in writing, and are willing to sign a consent order, a child custody officer, if available, may process these agreements at the Child Custody Department Tuesday and Thursday from 8:30am until 12:00pm only. The child custody officer may not process the agreement if the family has an active dependency action in the juvenile section of the Court and/or the information contained in the Criminal Record/Abuse History Verification form (**Form I-12**) may constitute a risk of harm to the child (ren). If the family has not been assigned a docket number or have never initiated a custody action, the parties will be required to file a custody complaint, the consent order, and the Custody Consent Verification (**Form I-26**) and pay the applicable fee, at the Department of Court Records, 1st Floor, City-County Building, 414 Grant Street, Pittsburgh, PA 15219.

If the parties reach an agreement regarding custody after their mediation session, they may formalize said agreement into a custody consent order of court with a child custody officer on the same day, if available, subject to the same provisions described above.

L. Motions Practice

1. *General information*

- a.) Motions in custody matters must be presented to the judge assigned to the case barring exigent circumstances.
- b.) The Court will not consider letter requests from the parties or counsel to resolve issues that should be presented at motions court. The Pittsburgh Legal Journal publishes a monthly schedule of the dates, times and courtrooms in which each judge assigned. The monthly schedule can also be found on the court website. Counsel should refer to the monthly schedule to determine when the assigned judge on a case is hearing motions and schedule presentation of the motion accordingly. Unless there are unusual circumstances, counsel must present a motion to the judge to whom the case is assigned, or if no judge is assigned, to the judge most familiar with the case. Note, however, that by presenting an unassigned case to a particular judge will not necessarily mean that the case will be assigned to that judge.
- c.) Every motion must contain a notice of presentation and a certificate of service OR include the written consent of opposing counsel or the opposing party if unrepresented, that the notice of service requirement was waived. The notice of presentation and certificate of service shall appear on a separate page, immediately following the cover sheet. In addition, each motion shall include a proposed order of court, which should be affixed as the last page of the motion or petition. Seven (7) days notice of presentation of any motion is required absent an emergency or consent by the opposing party to a shorter notice period. Motions which have not been properly served on the other party or attorney will not be heard.
- d.) If a motion is granted which allows a hearing or conciliation date to be scheduled, the party who presented the motion shall obtain the date from the Child Custody Department or the docket clerk the same day the order is signed by the judge, barring exigent circumstances. The party who presented the motion shall then file the motion and the signed order with the Department of Court Records, 1st floor, City-County Building, Pittsburgh, PA. If a party fails to present the motion to the Child Custody Department or docket clerk on the same day the order is signed, the clerk may refuse to give a hearing or conciliation date. If the signed order requires that a date be scheduled, the original and a copy of the pleading and order must be left with the docket clerk at the time the date is obtained. Counsel is responsible for serving a copy of the order on the opposing party or his/her counsel.

2. *Pro Se Motions*

- a.) Family Division has set aside a special time to hear motions presented by individuals who are not represented by an attorney, so that the Court will have adequate time to properly consider these motions.
- b.) Pro se motions court is held daily. The notice of presentation, which is served on the other party, must state that the motion will be presented before the pro se motions judge assigned to the case on a specific date.

- c.) The Court will not consider a motion or petition presented by an unrepresented individual in “regular” motions court unless there is, within the sole discretion of the motions judge, a compelling emergency.
- d.) Motions presented in Court must be properly prepared and meet all legal requirements. Every motion or petition must have a cover sheet, followed by a separate page that contains a notice of presentation and certificate of service, followed by a completed petition, a copy of the current court order (if any), and a proposed order, which should be affixed as the last page of the motion or petition.
Seven (7) days’ notice of presentation of any motion is required absent an emergency or consent by the opposing party to a shorter notice period. Should you prepare a motion/petition yourself, the motion/petition must be taken to the Pro Se Clerk on the first floor of the Family Law Facility to obtain a date and time for the presentation of said motion/petition. This must be done at least seven (7) days before you will be presenting the same to the judge. Under no circumstances will any motion/petition be considered by a judge unless they receive said motion/petition in advance of the presentation date. Motions which have not been properly served on the other party, attorney or court will not be heard.
- e.) If a respondent to a pro se motion is represented by counsel, counsel may appear at pro se motions court to contest the motion.
- f.) If the person presenting the motion obtains counsel after having given notice of the presentation of the motion, counsel may appear at pro se motions court to present the motion or, if all parties agree, may reschedule the motion to regular motions court.
- g.) The Court shall retain the original of all denied motions and shall file the original motion and order with the Department of Court Records. Copies of the order will be provided to the parties after the motion/petition is denied, if requested by the parties.
- h.) If the order allows for a hearing or conciliation date, the party must obtain the date from the docket clerk in Room 2033, or the Child Custody Department the same day the order is signed.
- i.) Individuals must file the original documents with the Department of Court records, 1st floor, City-County Building, Pittsburgh, PA immediately after leaving the pro se courtroom or obtaining a date from the Child Custody Department or docketing clerk, (unless the documents are retained by the Court).
- j.) Custody filing fees must be paid at the time of filing of documents, unless a fee waiver has been granted by the Court. A schedule of court costs and fees is available from the Child Custody Department or by accessing the Department of Court Records webpage at www.alleghenycounty.us/civil/profees1.aspx

3. *Assistance for Self-Represented Litigants*

The Family Division has created a Client Services Center to provide procedural information to self-represented litigants. The Client Services Center can be accessed any day Court is in session, Monday through Friday, from 8:00am until 2:00pm. When a litigant accesses the Client Services Center, he or she will have the ability to do the following:

- a. Ask procedural questions regarding his or her case,
- b. Meet with an options counselor who can explain the options available to the litigant through the court process,
- c. Determine whether he or she is financially eligible to acquire legal advice through the Legal Advice Clinic, which is staffed by volunteer attorneys from the Family Law Section of the Allegheny County Bar Association as well as certified legal interns from the University of Pittsburgh School of Law and Duquesne School of Law.

Family Division staff will not provide legal advice to any of the self-represented litigants. Family Division staff may provide procedural information.

To be eligible for the host of services available to a litigant at the Client Services Center, litigants should be prepared to provide the following:

- d. Proof of their household income (pay stub, bank statement, statement of public assistance benefits, tax return, W-2, or any other income documentation available),
- e. All relevant court documents and court orders regarding their case, and
- f. The address of the other party or parties.
- g. Any information and documentation regarding involvement, if any, with Allegheny County's Office of Children, Youth and Families (CYF).

4. *Confirming Custody*

On June 3, 1997, Family Division adopted a procedure for obtaining a court order formalizing an actual custody arrangement to which there is no contest or opposition. The procedure is as follows:

- a.) Any party, who is currently the caretaker of the child(ren), may seek confirmation of his/her legal and/or physical custody of any child through motions court, providing the following are true: the plaintiff is the main custodian of the child(ren) and the child(ren) is/are in the plaintiff's care, there is no current custody order, the other party agrees with this request OR is not involved in the child(ren)'s daily life/lives, decision-making, and does not see the child(ren) regularly AND/OR the other party is incarcerated or incapacitated. The person seeking to confirm custody is called the plaintiff.
- b.) A Complaint to Confirm Custody must be properly prepared, in accordance with Pennsylvania Rule of Civil Procedure 1915.3. All the information required on the form MUST be provided.
- c.) All persons having or claiming any right to custody of the child(ren) must either consent in writing to the complaint or be given appropriate advance notice that the complaint will be presented through motions court.
- d.) The complaint is deemed filed when notice of presentation is given.
- e.) The complaint must be served in accordance with Pennsylvania Rule of Civil Procedure 1930.4, relating to service of original process.
- f.) If none of the individuals/parties who have been given notice appear to oppose the complaint, the Court may confirm custody for the plaintiff

and/or may reconsider the issue of custody if requested by the opposing party.

- g.) The Department of Court Records will accept for filing the Complaint for Confirmation of Custody once the signed order is attached, even though a scheduling order for the Generations program is not included. All required filing fees must be paid.

5. Emergency Custody Matters

If an emergency matter is presented to the motions judge, where no judge has yet been assigned to the case:

- a.) If the judge determines that no emergency exists, the parties will be directed to file with the Department of Court Records, obtain a judicial assignment based on Unified Family Court protocols, and re-present the motion to the assigned judge within 10 days, after notice to the respondent.
- b.) If the judge determines that there is a need to address the matter immediately, the judge may rule on the matter at hand and direct the parties to file with the Department of Court Records and obtain a judicial assignment based on the regular rotation. Alternatively, at the judge's discretion, the judge may direct that the case be assigned to himself/herself.

M. Psychological and Home Evaluations

1. *Psychological Evaluations*

- a.) In custody cases, a psychological evaluation may be ordered by a child custody officer, hearing officer, or judge who will determine and allocate fees. Requests to reallocate fees will be addressed in motions court before the assigned judge. The evaluator will be appointed by the Court.
- b.) A flat fee of \$4000.00 is assessed for a full psychological evaluation. An updated, issue-focused, or person-focused evaluation may be ordered in appropriate matters for an adjusted fee. Other fees may be ordered and assessed in connection with the evaluation.
- c.) After the evaluations are completed the parties may praecipe for a judicial conciliation before the judge assigned to their case, by taking a praecipe to the docket clerk to schedule a conciliation before the assigned judge (**Form I-8**). Parties are required to file this praecipe within thirty days of receipt of the report or the request for court action may be dismissed. With this praecipe parties are also required to provide a copy of the order scheduling evaluations in their case. The party requesting the conciliation date is responsible for filing the original order with the Department of Court Records, making appropriate service on the other side, and filing a certificate of service with the court.
- d.) If the moving party does not comply with the evaluation process, the complaint may be dismissed. If the non-complying party is the respondent in the custody action, a Rule to Show Cause may issue.

2. *Home Evaluations*

- a.) In custody matters, if requested by either party or if ordered by a child custody officer, hearing officer or judge, parties may be referred for a home evaluation. The officer or judge will determine and allocate the total fee. Requests to reallocate fees will only be addressed in motions court by the assigned judge.
- b.) Home evaluations are conducted by qualified individuals who have experience in these matters.

N. Drug Screening

The drug-screening department is administered by the Allegheny County Health Department and is in the Family Law Center.

In custody matters, a judge may order a party to complete a drug test. The court staff or an Allegheny County Sheriff's deputy will escort the client to the screening area, along with a copy of the court order. The litigant must show photo identification.

The screener will supervise the test. The results will be recorded and distributed to the judge who ordered the test.

Contact information for the drug-screening department is as follows:

Allegheny County Court of Common Pleas, Children's Court
440 Ross Street
Pittsburgh, PA 15219
412-350-5808
412-350-0230 (fax)

O. Grandparents and Third Parties in Custody Actions

A grandparent or other third party who wishes to pursue custody should consult with an attorney, or carefully review the law.

Custody claims by grandparents or third parties (people who are neither parents nor grandparents of the child (ren)) will be required to plead facts that support standing within the custody complaint. Please note: If the information contained in the complaint appears to be unclear and/or insufficient regarding standing, scheduled court events may be stayed. The case may then be listed for a proceeding before the assigned Judge to determine if the complaint should proceed or be dismissed for lack of standing.

P. Parties who have Lived Outside of Allegheny County

If any of the parties to a custody matter have recently lived or now live outside of Allegheny County, or if the most recent order is from another county or state, the parties involved in that action are encouraged to consult an attorney or review the provisions of the Uniform Child Custody Jurisdiction and Enforcement Act ("UCCJEA"), 23 Pa.C.S.A. §5401 *et seq.*, and the Parental Kidnapping Prevention Act, 28 U.S.C. §1738. The Child Custody Department may direct the parties to motions court to request leave to proceed, since these situations involve complex and difficult issues of jurisdiction, which will determine whether a custody action can be pursued in Allegheny County. Please note: If the information contained in the complaint appears to be unclear and/or insufficient regarding jurisdiction/venue, scheduled court events may be stayed. The case may then be listed for a

proceeding before the assigned Judge to determine if the complaint should proceed or be dismissed for lack of appropriate jurisdiction.

Q. Pre-Trial Motions; Preliminary Objections; Matters for Argument; Pre-Trial Statements

1. All pre-trial motions and matters for argument shall be presented before the judge assigned to the case, except in a compelling emergency.
2. Procedure for Preliminary Objections in Custody Matters: Preliminary Objections must be filed within 20 days of service of the pleading to which the objections are made, or at the time of the hearing, whichever is first. Preliminary Objections will be heard by the judge assigned to the case, in accordance with the "one judge/one family" rule. The original preliminary objections and brief, along with one copy of each, must be taken to the docket clerk for scheduling of the argument on the next available exceptions argument list. The docket clerk will not schedule argument on the preliminary objections unless the preliminary objections are accompanied by a brief. The person filing the preliminary objections must then file the original with the argument date noted, with the Department of Court Records, deliver a copy to the Child Custody Department, 1st Floor, Family Law Facility, and serve notice on all parties of the time and place of argument. The Generations program will be stayed pending results of the argument. If respondent (the person responding to the preliminary objections) chooses to file a brief, it must be filed with the exceptions clerk, Room 4056, no less than seven days before the scheduled argument.
3. In all actions for full or shared custody, the parties shall file a pre-trial statement which provides all the information required by the pretrial order issued by the judge. The pre-trial statement should contain the names and addresses of all persons who may be called as witnesses, and all copies of records and reports that may be offered into evidence should be attached to the statement. If any expert witness is expected to testify, a written report setting forth the expert's findings and conclusions must be attached to the pre-trial statement.
4. Failure to file a pre-trial statement, serve it as required, or include all the information required by the pretrial order, may result in the Court refusing to allow evidence or testimony to be presented at the hearing.

R. Modification/Enforcement of a Permanent Legal Custodianship Order

1. Parties seeking to modify or enforce an order entered pursuant to the Juvenile Act, 42 Pa. C.S.A. §6351(g) (1) (iii), and registered with the Department of Court Records responsible for child custody matters, must present a Petition for Modification/Enforcement of Permanent Legal Custodianship Order on Wednesdays from 1:30 p.m. until 3:30 p.m. and Fridays from 9:30 a.m. until 11:30 a.m. to the Child Protection and Permanency Department, Family Court Facility.
2. The Child Protection and Permanency Department may schedule a hearing, as appropriate. Parties represented by counsel must provide notice to all involved

parties, including the Allegheny County Office of Children, Youth and Families (“CYF”), County Law Department, KidsVoice/GAL (guardian *ad litem*), and/or parent advocates. Juvenile Court intake staff will provide notice for all parties who do not have counsel.

3. If the Permanent Legal Custodian has a custodianship subsidy agreement with CYF, and the subsidy has been reduced, changed, terminated or is otherwise unavailable, the dependency matter may be re-opened after the custodian has exhausted all administrative remedies.

S. Assignment/Reassignment of Judicial Suffix

1. For all divorce complaints which include a count for custody and all other custody actions which first are filed at the Child Custody Department in order to obtain a scheduling order for the Generations program, a judicial suffix will be assigned in accordance with Unified Family Court protocols by the Unified Court Department not on the same day that the action is filed but in a timely manner.
2. For all new custody actions that are originated by way of an attorney motion where the parties do not have a case with the Family Division and/or a judicial suffix already assigned to the case, the party filing the motion shall obtain the suffix from the Unified Court Department.
3. In cases where parties in a custody action already have a judicial suffix, the case may be reassigned to a different judge in the Family Division at any point in accordance with Unified Family Court protocols, especially in cases where the family has previously been or is currently involved in a dependency or delinquency matter.

T. Criminal Record/Abuse History Verification

1. Whenever a custody action is filed (either with the Child Custody Department as part of a complaint for custody/divorce or with the Court by way of a motion), the filing party shall be required to submit and file the Criminal Record/Abuse History Verification. **(Form I-12)**.
2. The filing party shall serve on the responding party the Criminal Record/Abuse History Verification **(Form I-12)** and the responding party must complete and file the form with the court on or before the initial in-person contact with the court, but not later than 30 days after service of the complaint or petition.
3. Both parties shall file and serve updated Criminal Record/Abuse Verifications **(Form I-12)** five days prior to trial.

U. Relocation

1. Any party or parent seeking relocation shall adhere to the requirements of title 23 PaCSA § 5337.
2. In cases where a party wishes to relocate, the party requesting relocation must notify every other person who has custodial rights to the child by completing a Notice

of Proposed Relocation (**Form I-13**) and providing a counter-affidavit by which a person may agree or object (**Form I-14**). The notice shall be sent by certified mail, return receipt requested, addressee only or pursuant to Pa.R.C.P. No. 1930.4. This must be filed within 60 days prior to the proposed relocation date OR within 10 days of becoming aware that you plan to relocate. The party requesting relocation may also simultaneously file with this notice a complaint in custody (**Form I-1**) where no custody order exists or a petition to modify custody (**Form I-2**) where there is an existing custody order with the Department of Court Records. The parties will not be scheduled for the Generations program at the time of filing a custody complaint or petition to modify with a Notice of Proposed Relocation.

3. If the other party objects to the proposed change in the child's residence, that party must serve the Counter-Affidavit (**Form I-14**) on the party proposing the change by certified mail, return receipt requested, addressee only, or pursuant to Pa.R.C.P. No. 1930.4 within 30 days of receipt of the notice. If there is an existing child custody case, the objecting party also shall file the Counter-Affidavit (**Form I-14**) with the court. The objecting party will first secure an expedited date before the assigned Judge with the Family Division docket clerk and then will file the original document and a copy of the notice of proposed relocation (**Form I-13**) with the Department of Court Records.

4. If a Counter-Affidavit to a proposed change of a child's residence is not timely served after notice, the proposing party may change the residence of the child. If a Counter-Affidavit is not filed and the proposing party seeks an order of court and confirmation of the relocation, they may file a complaint for custody (**Form I-1**) and petition to confirm relocation (**Form I-15**) when no custody order exists or a petition to confirm relocation when there is an existing custody case and a proposed order.

5. If the party proposing the relocation has received notice of the Counter-Affidavit to the proposed move after serving the notice, the party proposing relocation shall file: a complaint for custody (**Form I-1**) when no custody order exists or petition for modification (**Form I-2**) when there is an existing custody order, a copy of the notice of proposed relocation (**Form I-13**), and a copy of the counter-affidavit indicating objection to the relocation (**Form I-14**).

6. If the non-relocating party has been served with a notice of proposed relocation and the party proposing relocation has not complied with the above, the non-relocating party may file: a copy of the notice of proposed relocation (**Form I-13**) and a complaint for custody (**Form I-1**) when no custody order exists or a petition to modify (**Form I-2**) when a custody order exists and a counter-affidavit (**Form I-14**).

7. If a non-relocating party has not been served with a notice of proposed relocation and seeks an order of court preventing relocation, the non-relocating party shall file: a complaint for custody (**Form I-1**) when no custody order exists or a petition for modification (**Form I-2**) when a custody order exists. The party may also request special relief by way of the filing of a motion before the assigned Judge.

V. Entry of Appearance as a Self-Represented Party

A party who is representing themselves in a custody action is required to file an Entry of Appearance as a Self-Represented Party (**Form I-16**) with the Department of Court

Records. This form requires the self-represented party to provide an address for the purpose of receiving all future pleadings and legal notices. A new form must be filed every time the self-represented party has a change in address.

W. Registration of a Foreign Custody Order

1. Pursuant to Title 23 Pa.C.S. §5445 a party may register a child custody determination from a court outside of Allegheny County or the Commonwealth of Pennsylvania with the Allegheny County Department of Court Records (DCR) by filing a certified copy of said foreign order and completing and filing the Affidavit and Notice of Registration of Foreign Custody Order (**Form I-22**) and paying the required fee.
2. The Allegheny County Department of Court Records will serve the Affidavit and Notice on the other party identified in the Affidavit. The party requesting the registration shall provide a self-addressed stamped envelope and a copy of the foreign custody order to the DCR for each party identified in the Affidavit.
3. If a party wishes to contest the registration of the foreign custody order, they must do so within twenty days of service of the notice, by filing a motion before the assigned Judge.
4. If a party does not timely contest to the registration, the party who registered the foreign custody order shall file a Confirmation of Registration of Foreign Custody Order (**Form I-23**).
5. If the party who has registered the foreign order is seeking enforcement prior to the end of the period to contest, they may file a motion before the assigned Judge. If the period to contest has elapsed, the registering party is not required by the Court to request an order of enforcement, but law enforcement may require it.
6. If the party who has registered the foreign order is requesting an order of enforcement after the period to contest has elapsed, they may file a motion before the assigned Judge. A petition for civil contempt of the custody order (**Form I-3**) may not be filed at the Custody Department to proceed through the Generations program in cases where the party is requesting to enforce a foreign order.

X. Respondent or Third Party Filing for Custody after Original Action

1. If the respondent to the custody matter or a party who was not listed as a respondent to the original action wishes to file their own action for custody, modification of custody, or petition for civil contempt, it shall be brought to the Custody Department. The respondent's filing shall be consolidated with the petitioner's pending scheduled custody matter for all stages of the litigation, unless otherwise ordered by the court.
2. If any party objects to the consolidation, they may do so via motions court before the assigned Judge. Failure to appear at scheduled court events regarding the custody claims raised by all parties may result in dismissal of the action and/or issuance of a rule to show cause for why a party should not be held in contempt. An action brought by a third party in response to the original filing may result in cancellation of dates due to a failure to sufficiently prove standing, but the parties to the original action may proceed as scheduled.

3. There shall be no filing fees assessed at the time of the respondent's filing, unless the pleading is a petition to modify in response to a petition to enforce. If the original party's action is dismissed or withdrawn, payment of fee may be required before proceeding.
4. If there is less than seven days notice of the respondent's action, it will not be scheduled. Upon agreement of the parties, the mediator/conciliator/hearing officer/judge shall address the issue at the currently scheduled proceeding. If there is no agreement to address the issue at the currently scheduled proceeding and the currently scheduled matter does not result in a final order, the new matter shall be consolidated and addressed at the next stage of the litigation in conjunction with the currently scheduled proceeding. If there is no agreement to address the issue at the currently scheduled proceeding and the currently scheduled matter results in a final order, then any party may praecipe for the scheduling of further proceedings (**Form I-29**) and the case shall be scheduled as a new action, subject to payment. If no praecipe is filed within twenty days of the date of the final order, the new matter shall be deemed withdrawn.

Y. Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts

1. The statewide Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts is effective as of January 6, 2018. The Policy requires filers to take certain measures to protect both "Confidential Documents" as defined in Section 8.0 of the Policy and "Confidential Information" as defined in Section 7.0 of the Policy. A one-page diagram outlining the filing requirements in Allegheny County under the Public Access policy and additional related documents can be found on the webpage of the Fifth Judicial District of Pennsylvania. Further information regarding the Policy can also be found at the Unified Judicial System of Pennsylvania's website.
2. The Fifth Judicial District has adopted Allegheny County Local Rule of Judicial Administration 6001.7. Under the local rule, a person filing a document in Allegheny County containing "Confidential Information" as defined in Section 7.0 of the Policy must file that document in duplicate with an unredacted original and a copy with all "Confidential Information" redacted.
3. The unredacted original must be filed with a Fifth Judicial District Unredacted Original Cover Sheet, which can be found on the webpage of the Fifth Judicial District of Pennsylvania and is also available at the Department of Court Records.

Z. Parenting Coordination

1. Pursuant to Allegheny County Local Rule 1915.11.-1, a Parenting Coordinator may be appointed by order of court and fees assessed in accordance with Pa.R.Civ.P. 1915.22 (**Form I-30**).
2. A roster of Parenting Coordinators is available at the Child Custody Department on the first floor of the Family Law Center.

3. If a party wishes to pursue a waiver of fees for the Parenting Coordinator, they shall do so by filing an *In Forma Pauperis* (IFP) petition at the Client Services Department in the Family Law Center.
4. In addition to providing the same to the parties and the assigned Judge, A Parenting Coordinator shall file their Summary and Recommendations (**Form I-31**) with the Allegheny County Department of Court Records within two (2) days after the last communication with the parties on the issue in accordance with Pa.R.Civ.P. 1915.11-1(f)(2). A proof of service shall also be filed.
5. A party objecting to the Recommendations must file with the Allegheny County Department of Court Records an original and copy of their Objections and a Petition for a Record Hearing before the Court within five days of service of the Summary and Recommendations together with a Proof of Service upon all parties and the Parenting Coordinator. A copy shall also be provided to the Judge of record in accordance with their Standard Operating Procedures. The Judge shall schedule a record hearing as soon as practical on the objections. If timely objections are filed, the Parenting Coordinator's recommendation may be entered as an interim order by the Judge pending final disposition.
6. If no objections to the Parenting Coordinator's Recommendation are filed with the Allegheny County Department of Court Records and a copy to the Judge of record within five days of service of the Summary and Recommendation, the Family Court Judge will review the Recommendation in accordance with Pa.R.C.P. 1915.11-1(f)(4).