

Standard Judicial Operating Procedures

Revised as of March 11, 2022

Honorable Chelsa Wagner
Adult Section, Family Division
Court of Common Pleas, Allegheny County
Room 505, 440 Ross Street
Pittsburgh, PA 15219
412-350-0390
Email: wagnerchambers@alleghenycourts.us

Judicial Secretary:
Nichole Remmert
412.350.0390
nremmert@alleghenycourts.us

Law Clerk:
Brad Korinski
412.350.0392
bkorinski@alleghenycourts.us

Tip Staff:
Inde Barber
412.350.0391
ibarber@alleghenycourts.us

**** Effective February 1, 2022: All cases assigned to Judge Jennifer Satler are re-assigned to Judge Chelsa Wagner. On any Family Division calendar, where Judge Satler is listed, please substitute Judge Wagner.**

**** Beginning March 7, 2022, many court matters will return to being held in-person in the Family Law Center. To confirm whether your matter is remote or in-person, please refer to the information below or contact Judge Wagner's chambers. As a general principle, Judge Wagner will be conducting all Judicial Conciliations and Motions in a remote environment via Microsoft TEAMS.**

I. COMMUNICATION WITH THE COURT

- Communications with Judge Wagner's staff may address scheduling and administrative matters only. For questions about court procedure, you may speak to the Judge's Law Clerk. The best way to do this is to e-mail bkorinski@alleghenycourts.us. You may also call chambers at 412.350.0392.
- The Court cannot give legal advice about your case. If you do not have an attorney, you should speak with the Client Services Center (CSC). Currently, the CSC is operating remotely. For more information about the court's self-help services, visit www.alleghenycourts.us/family/selfhelpcenter.aspx.
- Information about all court procedures can be found at www.alleghenycourts.us.

II. GENERAL CONDUCT AND INFORMATION FOR ALL CASES

- Under no circumstances is the recording of any proceeding or matter before the Court permitted. This includes all proceedings conducted via the TEAMS application. Only court personnel are authorized to generate an official recording/transcript of judicial proceedings.
- It is imperative that all lawyers enter a praecipe of appearance in each case before the appear in Court. Failure to officially withdraw your appearance may result in disciplinary action. In other words, once you are in, you are in the case until given permission to withdraw and you are not “in” until you enter your appearance.
- It is imperative for the court to have email addresses and phone numbers of parties and lawyers. In the event of a technology failure, you need to be contacted.
- Name **EACH file and document** you send to the court with the **case name listed first**. I.E.: Smith, Mom’s Motion for Special Relief. The Court has numerous cases and must be able to efficiently find, address and keep track of case filings. You do not need to put the entire case name and/or FD # in the name of the doc. Failure to follow this rule will result in your emails being returned for correction.
- **Use the case name in the subject line of any email. I.E.: Smith, Mom’s Motion for Special Relief.**
- All persons present in the court proceeding (whether remote or in person) must be identified and visible.

III. SELF-REPRESENTED PERSONS WITH EXISTING CASES

All self-represented parties (litigants without an attorney) must go through the Pro Se Department to ensure proper form and proper service of all filings, including the submission of motions. This Court will not act on any motion that has not been served or given proper notice to the opposing party.

The pro se department can provide litigants with assistance in preparing and submitting their motions. Litigants are encouraged to communicate with the department by email prior to submitting a motion, to answer any questions and obtain forms for motions specific to their situation. Motions may be submitted by email to proseinfo@alleghenycourts.us or in person from 8:00 a.m. until Noon, Monday through Friday.

Please ensure that the Court has your cell phone number and email address by emailing your name, docket number and cell phone number to proseinfo@alleghenycourts.us.

IV. REGULAR MOTIONS (Presentation by an Attorney)

It is the desire of Judge Wagner to establish a remote system for motions that replicates pre-Covid “in person” motions days. As this Court continues to develop a process for this and the transition is made, below are the current procedures, effective as of **April 1, 2022** for submitting contested, emergency and consented to motions to Judge Wagner. ***Please note that for the Court’s March 24, 2022 Motions Date, motions will still be decided on the papers. After April 1st, the Court will provide oral argument to anyone who requests it on Motions Date via Teams.***

A. CONTESTED MOTIONS: All contested motions will be considered by this Court (whether on the paperwork alone or after an argument on this Court’s designated motions days as listed on the motions calendar published at www.alleghencycourts.us. You should list the designated date in your notice of presentation.

- All motions **must** include the Motion Admission Form that can be found on the Fifth Judicial District website at www.alleghencycourts.us.
- Motions must be saved with (a) the case name; (b) the FD number; and (c) the title of the Motion (i.e. Smith v. Smith FD 22-0000-017 Petition for Special Relief).
- All motions must be served upon all other parties at least seven days prior to the scheduled motions day; the motion must notify the other parties of the scheduled date when the motion will be considered by this Court. The motion must also be emailed to other parties at least seven days prior to this Court’s scheduled motions date. **This Court will not act on any motion that has not been served or given proper notice to the opposing party.**
- A copy of the motion shall be emailed to the Court at: motionswagner@alleghencycourts.us AND bkorinski@alleghencycourts.us. Your email must include (1) the complete motion; (2) your proposed order of court with requested relief, which you must attach separately in Word format; (3) the telephone number of all parties and counsel; (4) the email addresses of all parties and counsel; and (5) the request for oral argument form (found at www.alleghencycourts.us) if you are requesting an argument. If your email was successfully received, then you will receive an email response of “Received.”
- If you do not oppose the requested relief in the motion, you can and should email the Court to say “I do not oppose this Motion.”
- If you are opposing the motion, you must submit a written response explaining your position and the request for oral argument form (if requesting one) and send it to motionswagner@alleghencycourts.us AND bkorinski@alleghencycourts.us. All responses must be saved with (1) the case name; (2) the FD number; and (3) the title of the Response (i.e. Smith v. Smith FD 22-0000-017 Response to Petition for Special Relief).
- **All Responses will be accepted by email until Noon the business day prior to the scheduled motions date.** When this Court’s scheduled motions date falls on a Monday, the submission cut off will be Noon on the Friday prior to that Monday.

- Once a Motion and a Response are submitted, further Replies/Responses are not permitted absent leave of court. Any additional emails beyond the original submission email, “not contested” email, or the reply submission email will not be considered.
- If an argument is requested and approved, or this Court determines that an argument would aid the Court in making a decision, a Microsoft Teams Link will be sent to all counsel to appear remotely on the scheduled motions date and the designated time – this Teams Link will be provided by the end of business day prior to the scheduled motions day.
- This Court’s decisions will be made by Order of Court. Uncontested Motions and/or Motions where no Response is submitted by the designated submission deadline may be ruled upon prior to the scheduled motions date/time. All Orders of Court entered by this Court will be emailed to all counsel following consideration of the Motion. Once emailed (unless otherwise noted), this Court will file the original order of court with the Department of Court Records; Attorneys are responsible for filing the original Motion and Responses.
- Any Orders that require further scheduling by the attorneys and/or the docket clerk will not be filed with the Department of Court Records.

B. EMERGENCY MOTIONS

- Emergency Motions requesting a decision by the end of business today shall be emailed to the Court at the following email address: emergencywagner@alleghenycourts.us AND bkorinski@alleghenycourts.us. You should only do this for submissions regarding **true emergencies** only. This Court has discretion to determine the nature of any motion designated as an “emergency.”
- Emergency Motions submitted weekdays before noon are eligible for same-day decision, with Responses being due by 3 p.m. that day. Emergency Motions submitted after noon are not eligible for same-day decision and will be not be ruled on prior to the end of the next business day, with responses being due by noon on the next business day.
- Concurrent with the submission of an Emergency Motion, counsel must notify chambers by telephone 412.350.0390 of the emergency submission.

C. CONSENT MOTIONS. This Court will address any Consent Motions as soon as possible. A copy of the Motion with signatures reflecting consents shall be emailed to the Court at motionswagner@alleghenycourts.us AND bkorinski@alleghenycourts.us.

V. CONCILIATIONS

- Any conciliations (custody and equitable distribution) will continue to be conducted remotely via Microsoft TEAMS unless an order expressly provides otherwise. Chambers will send a TEAMS invitation for participation to counsel/the parties.
- Any necessary documents, such as stipulations, offers, pre-trials, proposed orders, Marital Asset Summaries, etc., **MUST** be filed electronically seven (7) days prior to the conciliation. If neither party files the proper documentation, the conciliation may be cancelled and will only be rescheduled upon

Motion. If one party fails to provide the necessary documentation, the conciliation will proceed. However, the Court may impose sanctions upon the non-compliant party.

- In the event a matter is settled prior to the conciliation, a consent Order of Court (signed by all the parties or their counsel) shall be presented to the Court. A copy shall also be provided to the docketing clerk, Patricia Harpur at patricia.harpur@alleghenycourts.us so that the matter can be removed from the Court's calendar.
- Motions may also be presented at a scheduled Judicial Conciliation, but only upon proper notice to the opposing party.

VI. TRIALS/HEARINGS

- **Exhibits.** Develop a plan to be able to electronically provide this Court with one PDF file which is tabbed or bookmarked for each exhibit. You will most likely have to subscribe to Adobe Acrobat to access the features that allow this. If the matter is in person, you may submit rebuttal exhibits in person. If the matter is remote, you should plan to hold your rebuttal and impeachment exhibits in a folder so that you can email them to the Court and opposing counsel during the proceeding, when and if you need to offer them. The Court will not file exhibits. You are to file them separately.

Alternatively, if you are unable to make a tabbed PDF with Adobe, you may offer one PDF with all of your exhibits. Each exhibit must have a clear label at the top of the exhibit so that scrolling down to find that exhibit can be easily accomplished.

Alternatively, while the Court would appreciate electronic submissions of exhibits, if you cannot do either of the above, you then shall provide the Court with a binder of exhibits so that the Court can identify and see your exhibits during the trial/hearing.

Note: This Court will not view any exhibits including text messages and videos on mobile phones. Text messages, emails, and photos if being submitted as exhibits **MUST** be printed and submitted as outlined above. Videos may be submitted electronically prior to the proceeding.

- **Witnesses.** Generally, non-party witnesses will be permitted to appear remotely by TEAMS during a trial/hearing. Plan to have your non-party witnesses join the trial by forwarding them the TEAMS invite or have them on standby so that you can notify them when to come in. They should have the free TEAMS app downloaded in advance and know how to work it. It is counsel's responsibility to forward the TEAMS invitation. You must retain the email with the invitation so that it can be forwarded to your witnesses. Do not expect judicial staff to manage your trial for you.
- **Settlement.** Do not use your trial date as a placeholder for you and your opponent to reach settlement. The Court is facing a backlog and it is wasteful to take up a day of judicial resources when another case could be scheduled for that day. In the event a matter is settled prior to trial or hearing, counsel shall be responsible for notifying the docket clerk and the Court so that the matter can be removed from the Court's calendar.

VII. EXCEPTIONS

- Refer to the Fifth Judicial District's Website for the new procedures for Exceptions. The Court will decide all exceptions on the filings and transcripts, unless the Court determines that oral argument is needed. In that case, counsel will be notified of a remote TEAMS argument date.

These Standard Operating Procedures will continue to be updated and adapted as needed. It is the responsibility of all counsel and parties to review the above for any changes.