



Standard Operating Procedures for Judge Nicola Henry-Taylor

Family Law Center
Room 525, 440 Ross Street
Pittsburgh, PA 15219
Telephone: 412-350-1670

(Effective 9/7/2022)

COURT STAFF

Judicial Secretary	Law Clerk	Tipstaff
Taylor Bowman tbowman@alleghenycourts.us (412) 350-1670	Samantha Dorn, Esq. sdorn@alleghenycourts.us (412) 350-1672	Mallory Friday mfriday@alleghenycourts.us (412) 350-1673

All relevant orders and policies relating to the general operations of the Fifth Judicial District are available on the website at <https://www.alleghenycourts.us>.

The following constitute Judge Henry-Taylor's procedures for both in-person and remote work, which we ask you to review in their entirety. Please email the Law Clerk or Tipstaff with any procedural questions or requests for additional information. We will answer your questions as quickly and as completely as possible and we will work to find answers for you if none are readily available.

All opposing parties/counsel MUST be copied on any email sent to the Court. The Court cannot and will not consider other documents or communications, unless otherwise permitted in these Standard Operating Procedures. If you are a litigant who is represented by an attorney, your attorney should handle all communications with the Court.

NOTICE: IT IS A CRIME TO RECORD A VIRTUAL MEETING WITHOUT PERMISSION- NEVER RECORD WITHOUT PERMISSION. A VIOLATION WILL BE REFERRED TO THE DISTRICT ATTORNEY FOR PROSECUTION.

I. GENERAL CONSIDERATIONS FOR ALL CASES

- a. **All pleadings that are submitted to Judge Henry-Taylor MUST contain the - 007 suffix at the end of the docket number.**

- b. **If you have any motions, pleadings, or other documents on cases reassigned to Judge Henry-Taylor from another judge that have NOT been filed, please file them with DCR as soon as possible.**
- c. It is counsel's responsibility to be aware of and follow these procedures. Counsel should keep in mind that resources are limited at this time and that the Court has a full docket. Accordingly, cooperation and civility between counsel and the opposing party/counsel is more important than ever.
- d. ENTRY OF APPEARANCE
 - i. It is imperative that Counsel officially enters a Praeceptum of Appearance in each case before they appear in Court. In Juvenile Court, this must be done electronically through PACFile.
 - ii. Failure to officially withdraw your appearance may result in disciplinary action. In other words, once you are in, you are in until given permission to withdraw and you are not "in" until you enter your appearance.
 - iii. Counsel is expected to confer with the opposing party/counsel, meet deadlines, and appear for court until you have leave of court to withdraw.
- e. COURT SCHEDULE
 - i. It is the Court's expectation that counsel shall comply with all Orders of Court prior to attendance at a conciliation. Failure to file documents according to the deadlines below, such as Proposed Resolutions, Pretrials, Proposed Orders, etc., may result in a continuance of the conciliation and/or the imposition of fines and counsel fees.
 - ii. Court, including conciliations and arguments, shall begin at the appointed time. Unreasonable lateness may result in proceedings beginning without counsel, and in extreme cases, imposition of fines and/or counsel fees. Promptness is also expected of parties and witnesses. The Court will endeavor to begin in a timely fashion.
 - iii. In the event a matter is settled prior to a proceeding, including conciliation, the Court will expect an appropriate Consent Order to be presented to the Law Clerk.
 - iv. In the event a matter is settled prior to trial, counsel shall be responsible for notifying the Docket Clerk and the Court so that the matter can be

removed from the Court's calendar. A Consent Order shall be presented to the Law Clerk.

f. ADULT FAMILY SCHEDULING PROCEDURES

- i. This applies to all scheduling matters, whether your court documents are signed Orders or Praecipes:
 1. Scan signed Order/Praecipe to save the document as a PDF file. (If you don't have access to a scanner, but have access to a smart phone, a free app called "Tiny Scanner" or similar app, allows you to take a picture of documents and turn them into a PDF file.)
 2. Send the PDF of the signed Order or Praecipe to the Docket Clerk, Patricia Harpur, at the following email address:
adultjudicialscheduling@alleghenycourts.us.
 3. The Docket Clerk will assign the date. If you would like to speak to the Docket Clerk about possible dates for the court case being scheduled, please call (412) 350-0144 to speak directly to the Docket Clerk. The Docket Clerk is only available by phone 8:30 – 4:00 p.m.
 4. **Parties should coordinate dates of availability with opposing counsel/party as much as possible.**
 5. The Docket Clerk will send back the Order/Praecipe with the date through the email address you provide. If the scheduling matter requires an attached Order, the Docket Clerk will also send those completed Orders via the same email.
 6. The Court will file the Order or Praecipe with the date at the Department of Court Records in the City-County Building.
 7. You are not responsible for serving the Judge of Record with the Order/Praecipe. The Docket Clerk will serve the Judge of Record.
- ii. Judge Henry-Taylor's chambers may reach out to parties or counsel directly to schedule certain matters, such as conciliations or pre-trial conferences. If this is the case, the Court will send the scheduling Order to the Docket Clerk as well as the Department of Court records for filing.

- iii. We understand that there may be requests to reschedule matters. Judge Henry-Taylor will accommodate reasonable scheduling changes due to illness, family emergencies, school closures, difficulty accessing remote conferencing, conflicts with previously scheduled court appearances, or the like. Formal Motions and/or Consent Orders of Court may be required in order to reschedule matters.

g. COURTROOM DECORUM

- i. **Any party or participant, including an attorney, who is experiencing symptoms of illness or is in quarantine should remain at home and participate remotely. Attorneys should inform the Judge of any client or witness requesting to appear remotely due to illness/quarantine.**
- ii. No ringing cell phones or audible devices are permitted in the Courtroom.
- iii. All proceedings shall be conducted in a dignified and formal manner.
- iv. This Court maintains a zero-tolerance policy toward incivility. Colloquy between counsel is only permitted to expedite matters. **Argument between counsel is strictly prohibited. All remarks should be addressed to the Court.** Counsel should never act or speak disrespectfully to the Court, the Court's staff or opposing counsel or party in any manner.
 - 1. The Court will endeavor to follow the Code of Civility (see 204 Pa. Code § 99.1-99.3), and it is expected that counsel, parties, and witnesses will do the same AT ALL TIMES.
- v. At trial or at hearings, witnesses and parties should be instructed to wear clean, neat, and appropriate attire. In addition, witnesses and parties should be instructed as to proper behavior when Court is in session.
- vi. In all cases, but particularly in custody cases, counsel should be mindful of the time allotted for trial and should plan his or her presentation accordingly. Additional trial time may not be available for several months.
- vii. **Witnesses are expected to be in a quiet, private location and able to participate by video.**

- viii. Witnesses, including the opposing party, should be treated with fairness and consideration. Witnesses should not be shouted at, ridiculed, or abused in any manner.
- ix. Although most proceedings are of an emotional nature, counsel is expected to allow opposing counsel to finish their statements without interfering (other than objections) or talking at the same time.
- x. Objections should be simple and succinct raising a rule or point of evidence, not a speech denouncing the merits of the opposing party's claim or testimony.
- xi. Counsel should cooperate in the scheduling of an expert's testimony. The Court will always consider taking expert testimony out of order.
- xii. These procedures are expected to be followed at all times, by all parties and counsel, including on Microsoft Teams. **EVEN IF YOU ARE PARTICIPATING THROUGH MICROSOFT TEAMS, YOU SHOULD CONDUCT YOURSELF AS IF YOU WERE PHYSICALLY IN THE COURTROOM.**

h. TRAUMA-INFORMED PROCEEDINGS & LANGUAGE ACCESS

- i. Judge Henry-Taylor strives to maintain a courtroom that is trauma-informed and sensitive to the needs of the litigants that come before the Court. If there are physical, mental, or behavioral health needs that the Court and/or Sheriff should be aware of, please let chambers know.
- ii. If a party or witness's primary language is one other than English and requires a language interpreter, OR if the party/witness is deaf or hard of hearing and requires a sign language interpreter, please notify the Court by emailing chambers and courtaccess@alleghencourts.us.
 - 1. Counsel should request an interpreter for the party/witness even if (a) the individual can speak some English but does not have an excellent grasp of the English language, or (b) has some deafness or are somewhat hard of hearing.
 - 2. It is strongly preferable that counsel request an interpreter in the litigant's first/native language, even if that language is a "less common" language. If an interpreter for a "less common" language is needed, parties and counsel should be prepared for relay translation (ie: English to Spanish, then Spanish to an

indigenous language) to be used in the courtroom and act accordingly.

3. It is counsel's responsibility to determine whether a litigant needs an interpreter and what language is needed. If counsel is unsure of their client or witness's English ability, err on the side of caution and request an interpreter.

II. CONSIDERATIONS FOR SPECIFIC TYPES OF CASES

a. DIVORCE/EQUITABLE DISTRIBUTION (ED) MATTERS

- i. Pa.R.C.P. 1920.42 requires that there be an Order establishing that there are grounds for divorce before the matter can move to an equitable determination divorce or an actual divorce.
- ii. Parties will not be able to schedule an ED hearing before a Divorce Hearing Officer (DHO) without this Order. Grounds for Divorce MUST be established before an ED matter can go the DHO for a hearing.
- iii. Before going to a DHO, parties must submit a Praecipe for an Order Approving Grounds for Divorce. The Praecipe must substantially include the following:
 1. The section of the Divorce Code under which the parties are filing;
 2. Date and manner of service of the Divorce Complaint;
 3. Date of signing and filing Affidavit of Consents (if under 3301(c));
 4. Date of signing and filing of Affidavit and Counter-Affidavit (if under 3301(d));
 5. Any ancillary claims that are pending; and
 6. Date and manner of service of the Notice of Intention to File a Praecipe for an Order Approving Grounds for Divorce (or the date of filing a Waiver of the same).
- iv. After a Praecipe is received; the Tipstaff will review the docket on the Department of Court Records to determine if all of the above documents have been filed.
- v. If grounds for divorce have been properly established, the Court will issue an Order Approving Grounds for Divorce and will provide the Order to counsel/parties.

- vi. If grounds for divorce are **not** established, the Order will Deny the Grounds for Divorce and give a reason for the denial. The Order will be sent to counsel/parties.
- vii. The Order Approving Grounds for Divorce is not required for a conciliation either before the judge or a DHO.
- viii. If the Court is hearing a conciliation and it does not settle, and the parties decide to keep the matter for ED or send it to trial before the DHO, parties must obtain an Order Approving Grounds for Divorce.

b. CUSTODY MATTERS

- i. When a Consent Agreement is entered into, or an Order is issued by the Court, it is expected that the parties will strictly follow the terms of that Order at all times (unless both parties mutually agree).
- ii. Unless otherwise specified by the Court (or the parties, by consent), the following policies are presumed to be in effect, **regardless of whether they appear on the Order or not:**
 - 1. Holidays and exclusive time (including vacations and court ordered make-up time) take precedence of any custody or partial custody.
 - 2. Each party must provide appropriate supervision for the children at all times. The parties should inform one another of the name and address of any third person providing child care.
 - 3. Transportation may be done by the parties personally, or by a responsible adult known to both parties.
 - 4. Each party is entitled to equal access to medical and school records.
 - 5. Each party is entitled to reasonable telephone or FaceTime video contact with the Child while the Child is in the other party's custody. The Child is entitled to call or message either the other parent without restriction or interference by the custodial parent, as long as it does not unduly interfere with the other party's custodial time or is not otherwise prohibited by Court Order.
 - 6. During their custodial time, each party shall provide proper nutrition, hygiene, clothing, etc. for the Child. If the Child must

take medication, the medication and instructions shall be exchanged between the parties and administered properly.

7. Each party shall ensure that the Child gets to school on time and attends school and his or her regularly scheduled activities during their custodial time. Activities should NOT unduly interfere with either party's parenting time.
8. Each party shall inform the other **immediately** if any medical emergency occurs when the Child is with them, and shall provide the other party with the location of the hospital or facility where Child is being treated.
9. **Neither party shall make any negative comments about the other party when the Child is with them, nor should they allow anyone else within their control to make negative comments.**
10. **Neither party shall discuss any outstanding legal issues between them with the Child.**
11. Serious and/or continued violations of these policies may be weighed against the offending party in Court.

c. PFA MATTERS

- i. Please view President Judge Clark's Order available on the website at <https://www.alleghenycourts.us>.
- ii. The Court is happy to conciliate the matter if the parties are at an impasse.

d. SUPPORT MATTERS

- i. If you are requesting a support related conference or hearing in an email, putting the word "Support" in the subject line will assist the Court in prioritizing processing. This could apply to Motions or Exceptions decisions.
- ii. The Court will electronically sign the Order and email the Order (along with the electronic motion to: alleghenyjudgessupportorders@pacs.com)
- iii. When the pleading/Order is received, Family Division docketing staff will:

1. Fill in any dates needed if the Order involves obtaining a conference / hearing date such as continuances etc.;
 2. Docket the Order;
 3. Serve all parties with a copy of the Order (please include home addresses /email addresses of other parties so we may serve them with the Order);
 4. Schedule the matter if it involves scheduling; and
 5. Update PACSES / modify wage attachments etc. if necessary (particularly involving Exceptions decisions)
- iv. Support Conferences **will not** be telephonic unless it is established that one or both parties have extenuating circumstances that prevent them from coming in person (unable to travel due to illness/injury, residing outside of Allegheny County, childcare issues, etc.).

e. SPECIAL IMMIGRANT JUVENILE (“SIJ”) STATUS MATTERS

- i. Judge Henry-Taylor will only hear SIJ matters that arise from a **custody** matter. Judge Bush will continue to hear all SIJ matters arising from dependency matters.
- ii. **All NEW Special Immigrant Juvenile requests will continue to go to Judge Bush first.** Her Standard Operating Procedures should be followed for submitting a new request.
- iii. **The Preliminary Order that is sent by Kelly Boland (kboland@alleghenycourts.us) will state if the matter will be scheduled and heard by Judge Henry-Taylor.** If the Order does not state that it will be heard by Judge Henry-Taylor, then all questions concerning procedure should be sent to Judge Bush’s chambers.
- iv. Counsel/Parties should follow Judge Bush’s Standard Operating Procedures with regards to submitting Emergency Confirmation of Custody Motions involving youth that will require a Special Immigrant Juvenile Status hearing.
- v. The Court will promptly address Special Immigrant Juvenile matters on a case by case basis after being notified in the above manner.

- vi. The docket suffix may begin as -001, but will be changed to -007 if the case is being handled by Judge Henry-Taylor. If your case is assigned to Judge Henry-Taylor, please check the suffix and update pleadings accordingly.

III. SUBMISSION OF DOCUMENTS

- a. Name EACH file and document you send to the court with the case name listed first. I.E.: Doe v. Doe - Mother's Motion for Special Relief. The Court has numerous cases and must be able to efficiently find, address and keep track of case filings. Failure to do this will result in your emails being returned for correction
- b. When submitting documents via email, please ensure that the case name (ie: both sides of the "v"), docket number, and type of document are listed in the subject line. For example: Doe v. Doe (FD-21-012345-000): Father's Pre-Trial Statement.
- c. In all documents submitted to the Court, use of terms such as Husband, Father, Wife, Mother are preferred over plaintiff/defendant, petitioner/respondent, etc. In cases involving parties of the same sex, transgender, or nonbinary, in parental roles, the litigants may address the parties by their first names.
- d. The Court will endeavor to utilize the preferred pronouns for parents and children. In cases involving a parent or child who's preferred name is different from the ones in the birth certificate, the new name can be utilized in pleadings if adequately explained and identified.

IV. DEADLINES

- a. When a deadline is set in an Order of Court, the time period will start running from the date of the Order OR the date that it was served upon the party/counsel, WHICHEVER IS LATER.

V. CONSENT ORDERS

- a. For Custody Matters:
 - i. If a global settlement is reached, Consent Orders MUST include the following language:
 - 1. Any parties seeking relocation shall comply with the requirements of 23 Pa.C.S. § 5337.

2. This is a FINAL Order. Rule 236 Notice to be sent to all parties.
- ii. If the Order is settling a custody matter, please be sure that the Order is **detailed and thorough**. A Consent Order may be rejected or sent back to the parties so that additional provisions may be included if the Order is not detailed and thorough.
- b. All non-support Consent Orders (e.g. custody, ED, QDROs, etc.) are to be mailed to or dropped off at chambers. All support Consent Orders are to be emailed to the Law Clerk.
- c. For QDROs: For an original signature, QDROs can be dropped off at chambers with a self-addressed stamped envelope. The Court will sign it and mail it back to you. **If you do not require a live signature, you may email the document to the Law Clerk for a signature.**

VI. MOTIONS

- a. The procedure for motions varies depending on (1) whether the moving party is represented by counsel or self-represented (*pro se*), and (2) whether the motion is an emergency, expedited, or regular motion. **Please review the following procedures carefully depending on your case.**
- b. BEGINNING ON APRIL 1, 2022, **ALL** MOTIONS IN FRONT OF JUDGE HENRY-TAYLOR WILL BE **IN PERSON** AND MUST BE EMAILED TO CHAMBERS WITH A WORD ATTACHMENT OF THE PROPOSED ORDER.
- c. If you have Motions on a case that currently has the -007 suffix, which were previously ruled on but NOT filed, please file them with the Department of Court Records AS SOON AS POSSIBLE.
- d. **Some Motions may be disposed of before the Motions date.** The Court will advise the parties if this is the case so that they do not have to appear to present their Motion. **If you do not hear anything from the Court, then you should appear for Motions Court.**
- e. Generally
 - i. Judge Henry-Taylor is deciding non-emergency Motions on the days she is scheduled to do so on the Motions Calendar. **Please refer to the Motions Calendar located on the Fifth Judicial District website for Judge Henry-Taylor's motions dates.** Non-emergency Motions should be noticed for the next available Motions date on her calendar. Emergency Motions will be decided on a rolling basis.

- ii. Attorneys should submit their motions, with the required Motions Admission Form (available on the Fifth Judicial District Website), to henry-taylormotions@allegheycourts.us. If your email was successfully received, then you will receive an email response of “Received.”
- iii. **The Court will not act on any motion that has not been served or given proper notice to the opposing party.**
- iv. Motions **MUST** include a Notice of Presentation and Certificate of Service unless presented by consent. The Notice of Presentation and Certificate of Service should be on a separate page of the Motion or Petition following the cover sheet.
- v. All deadlines and rules, including the requirement to meet and confer, must be followed. All Motions should be signed where appropriate, and should contain a Certificate of Compliance at the end.
- vi. The party presenting the Motion must use the Court’s motion form which is located on the website to indicate the following information:
 - 1. Have you contacted and/or spoken to the other side and if so, on what date?
 - 2. Is the motion:
 - a. An emergency and why?
 - b. Consented to by the other side.
 - c. Opposed by the other side.
 - d. Unopposed by the other side.
- vii. The Motion **must** contain the -007 suffix at the end of the docket number, and **must** have Judge Henry-Taylor’s name under the “BY THE COURT” signature line.
- viii. If the Motion includes a request for counsel’s fees, documentation of these fees **MUST** be included as an Exhibit in the Motion.
- ix. Motions that do not have sufficient supporting documentation or law may be sent back to the moving party to be supplemented, listed for argument, conciliation, and/or a briefing schedule.

- x. The Motion shall include a Proposed Order. The Proposed Order should be submitted as a word document. Make every effort to email the other side unless there is an immediate safety concern. Emergency motions are not intended to give you a pass on the meet and confer rule.
- xi. The opposing party/counsel should notify the Court at henry-taylormotions@alleghenycourts.us as to whether they consent to or oppose the motion, even if they do not submit a formal response.
- xii. ****FOR SELF-REPRESENTED/PRO SE LITIGANTS****: Judge Henry-Taylor will not accept motions directly from self-represented litigants. All self-represented litigants must go through the Client Services Center to ensure proper form and proper service. Ensure that the Court has your cell phone number and email address by emailing your name, docket number (FD-XX-XXXXXX), and cell phone number to henry-taylorchambers@alleghenycourts.us. If you have an existing case with the Court, you will be contacted through your provided information to determine the next steps.
- xiii. Non-emergency motions will be held for seven (7) days to allow for response.
 - 1. Any self-represented litigant who has an existing case in the Family Division and is seeking to file a Motion with the Court should appear at the Information Desk, Family Law Center, 440 Ross Street, Pittsburgh, PA 15219, between the hours of 8:00 a.m. and 12:00 noon to meet with staff in the Client Service Center.
 - 2. In addition, self-represented litigants may call (412) 350-5600 or email 1stFOP@PACSES.com with questions about court procedures. **NO LEGAL ADVICE WILL BE GIVEN.**
 - 3. If your Motion is ruled on in advance, you will be advised by the Client Services Center in advance of the hearing regarding the need to appear in person.

c. Emergency Motions

- i. The Court has discretion to challenge the nature of any motion designated as an “emergency.” Motions deemed to be **true emergencies** submitted weekdays before noon are eligible for same-day decision. Emergency motions submitted after noon are not eligible for next-day decision and will not be ruled on prior to the end of the next business

day. This procedure applies to both attorney-represented and self-represented litigants.

- ii. An Emergency Motion is a special Motion used for considering a decision quickly in order to avoid irreparable harm. An Emergency Motion provides immediate relief as the response is delivered more quickly than a normal one by the Court. Common emergency issues in family court include:
 - 1. A Child is suffering a serious or life-threatening injury or condition which requires immediate medical treatment;
 - 2. A threat that a party will leave the jurisdiction with a Child (such as taking the child across state lines);
 - 3. A party is putting a Child in danger;
 - 4. A custodial parent having a drug relapse;
 - 5. A parent being charged or convicted of a violent crime, such as homicide, aggravated assault, terroristic threats, stalking, false imprisonment, arson, or child abuse; or
 - 6. A party taking action to dissipate or destroy a marital asset.
- iii. EMERGENCY MOTIONS WILL BE DECIDED ON THE PLEADINGS ONLY, UNLESS OTHERWISE SPECIFIED OR DIRECTED BY COURT STAFF.
- iv. Where possible, counsel is urged to serve the respondent via email. The Court has discretion to permit same-day decisions on emergency motions involving self-represented respondents.
- v. Attorneys seeking to present an **emergency** motion involving a self-represented respondent **MUST** include the following language in the Notice of Presentation:

Please take notice that the within motion will be submitted electronically to the Honorable Nicola Henry-Taylor on the [date] of [month], [year]. If you wish to contest or respond to the motion, you are directed to submit your response by 12:00 the next business day. Your failure to file a response may result in the proposed Order of Court being signed.

vi. Answers/Responses

1. **Self-represented respondents MUST submit their responses to henry-taylormotions@alleghencourts.us. Responses should be sent in a pleading format; NOT just in the body of an email. Orders will be sent through the above email. Respondents must file their Responses with the Department of Court Records after receiving the Order.**
2. Judge Henry-Taylor prefers a response that is in a “motion” format, instead of a traditional “civil” answer format (ie: only stating “admitted” or “denied” to the averments in the Motion). Be specific in your response.
3. The Court will file the original Order with the Department of Court Records and will email copies of the Order to counsel and/or the parties, unless it is a scheduling matter. The moving party/counsel is responsible for filing their motion with the Department of Court Records in a timely fashion.

d. Expedited Motions

- i. Expedited Motions are motions that are not considered an “emergency,” but need to be decided quickly before a hearing, conciliation, or trial.
- ii. Expedited Motions will ONLY be considered for procedural matters (ie: scheduling, witness testimony, etc.), NOT for substantive matters (ie: the facts of the case, requesting special relief from the court, etc.).
- iii. If a motion is expedited, the moving party should state so in the email sent to Chambers, as well as on the cover sheet of the Motion.
- iv. The opposing counsel/party has **three (3) business days** to respond to an expedited Motion.

e. Regular Motions

- i. The party submitting the motion must serve the motion on the opposing party **at least seven (7) days** before Judge Henry-Taylor's scheduled motions date. The Court will not review or act on a motion that has not been served on the opposing party.
- ii. The motion must be submitted to Judge Henry-Taylor's chambers **no later than 12:00 p.m. the business day before the scheduled motions**

date. Nonemergency motions submitted weekdays after 4:00 p.m., on weekends, or holidays will be considered received on the next business day.

- iii. Any response must be served on the opposing party by **12:00 noon** on the seventh (7th) day. Any further responses are limited to New Matters only, unless leave of Court is granted. The Court will review the pleading(s) and will enter appropriate Order(s) and send copies to counsel. The Law Clerk will instruct the parties regarding whether they need to file pleading(s) and Order(s) with the Department of Court Records.
- iv. Attorneys seeking to present a **non-emergency** motion involving a self-represented respondent **MUST** include the following language in the Notice of Presentation:

Please take notice that the within motion will be presented before the Honorable Nicola Henry-Taylor on the [date] of [month], [year] at [time], in Courtroom [#], Allegheny County Court of Common Pleas – Family Division, 440 Ross Street, Pittsburgh, PA 15219. If you wish to contest or respond to the motion, you are directed to submit your response within 7 days of the date set forth herein. Your failure to file a response may result in the proposed Order of Court being signed.

- v. Answers/Responses
 - 1. **Self-represented respondents MUST submit their responses to henry-taylormotions@alleghencourts.us. Responses should be sent in a pleading format; NOT just in the body of an email. Orders will be sent through the above email. Respondents must file their Responses with the Department of Court Records after receiving the Order.**
 - 2. Judge Henry-Taylor prefers a response that is in a “motion” format, instead of a traditional “civil” answer format (ie: only stating “admitted” or “denied” to the averments in the Motion). Be specific in your response.
 - 3. The Court will file the original Order with the Department of Court Records and will email copies of the Order to counsel and/or the parties, unless it is a scheduling matter. The moving party/counsel is responsible for filing their motion with the Department of Court Records in a timely fashion.

f. Procedure for Motions Court

- i. It is expected that counsel will be present in the courtroom for any Motions in their case. If an extenuating circumstance exists where you cannot be physically present in the courtroom (unable to travel due to illness/injury, conflicting hearing outside of Allegheny County, childcare issues, etc.), please contact Chambers **as soon as possible** to make alternative arrangements.
- ii. The Motions Court schedule is available on the Fifth Judicial District's website, alleghenycourts.us.
 1. Regular Motions Court is usually scheduled for 2:00 p.m. Monday through Thursday, and 10:00 a.m. on Fridays.
 2. On rare occasions, Motions may be moved to another date and/or may be scheduled at a different time. This change will be reflected in the Pittsburgh Legal Journal and the Court website. The change will always be made at least seven (7) days in advance, except in the case of an extreme emergency. If this occurs, the Court will also attempt to post any changes around the Family Division and at the elevators. Counsel should check the schedule prior to notifying opposing counsel of presentation.
 3. Orders will not be handed back to the Petitioner/Counsel in court. The Orders will be sent via e-mail after they are filed with the Department of Court Records.
- iii. If a motion is withdrawn or consented to after submission, please notify the Law Clerk or Tipstaff immediately so that the Court does not waste time reviewing those motions prior to the 2:00 p.m. start time. If no one appears in Court for the motion without reaching out to the Court beforehand, then the motion will be denied.
- iv. If a motion is being presented on a case which has been newly assigned to Judge Henry-Taylor or has had limited contact with the Court, counsel should notify the Law Clerk or Tipstaff so that the Judge's file may be brought to Motions Court.
- v. Motions may be presented at a scheduled conciliation, but only upon proper seven (7) days' notice to opposing counsel or with the consent of opposing counsel.
- vi. ALL motions should be clearly marked with the appropriate numerical suffix indicating which Judge the case has been assigned to OR should

contain an explanation (in the cover email, etc.) as to why no suffix has been added (case started by PFA, pre-1997 case, etc.). **Failure to follow this procedure may result in your motion being heard last.**

- vii. The Court WILL NOT entertain motions without a docket number. Counsel and parties should ALWAYS require a docket number prior to presentation.
- viii. The Court WILL NOT entertain motions or a matter assigned to another Judge unless that matter is a consent motion and does not involve enforcement or calendar control issues. The Court may, at its discretion, hear emergency matters involving cases assigned to another Judge; however, Counsel is forewarned that the matter must be a **true emergency** and it will be this Court's policy to enter ONLY a temporary Order until such time as the matter can be heard by the Judge assigned to the case. **It is not an emergency if counsel simply isn't available when the assigned Judge is scheduled.**
- ix. This Court's assigned cases may be presented to another Judge in cases of **true emergency**. When doing so, a copy of the motion should be provided to this Court so it can be discussed with the Motions Judge. **It is not an emergency because counsel is (or was) unavailable when this Court is scheduled to be on Motions.**
- x. The Court, if time permits, will sign Consent Orders prior to the beginning of Motions Court. In the event there is any concern with the consent motion or Proposed Order, it will be dealt with in Motions. Counsel should not assume that the Order will be signed and should be available in the event the Court has questions. The Court may add additional language as deemed necessary. The Court may contact the parties to request supplemental information or language.
- xi. The Court will consider signing a Consent Order if it is brought or submitted to Chambers and the Judge is available to sign it.
- xii. Proposed Orders scheduling a conference and/or hearing of any kind should include proper notification language, such as "If party fails to appear at a conference and/or hearing as directed by Order of Court, the Court may issue a bench warrant for the arrest of said party."

- xiii. The Court WILL NOT entertain discovery motions that do not comply with the requirements of the Court Manual. This includes a completed chart of the questions and responses. Failure to comply may result in the Court's refusal to hear the matter.
- xiv. When presenting motions, counsel should be cognizant that once the motion is filed, all pages of the motion, including the attachments and exhibits, will be scanned and published on the Department of Court Records's website in accordance with the Public Access Policy. Accordingly, counsel should be particularly careful about attaching documents of a sensitive nature and/or documents with social security numbers or financial information.
 - 1. In the event such information is pertinent to the matters contained in the motion, counsel should submit a Confidential Information Form and/or Confidential Document Form simultaneously with the motion. In no circumstances should counsel or the party wait until the motion is being argued to submit pertinent documents.
- xv. The Court does not routinely request to have a Sheriff present during Exceptions or regular Motions Court. If you feel that a Sheriff's presence might be advisable, please notify the Tipstaff in advance. Err on the side of caution. If you are aware of any disabilities, behavioral health impairments, or trauma that may be helpful if the Sheriff needs to approach individuals, please advise the Court.
- xvi. Counsel should be familiar with all Administrative Orders and local rules, including, but not limited to, the rule concerning continuance within thirty (30) days of a scheduled date. Continuances, even if consented to, will not be granted within the thirty (30) day period, except for good cause, appropriately pled in the motion for continuance
- xvii. Counsel should immediately provide the Court's Secretary with a courtesy copy of any Orders scheduling or changing a date which has been scheduled directly before the Court. This rule is particularly true with regard to emergency matters, but it covers all scheduling matters before the Court – conciliations, hearings, and trials.
- xviii. After the Motion has been presented, ALL Motions and Responses must be filed with the Department of Court Records (1st Floor of the City-County Building).

1. DO NOT delay in filing your pleadings with the Department of Court Records. **If it does not appear on the docket, it does not exist in the eyes of the Court.** It is best practice to file your Motion/Response immediately after you are excused from Motions Court.

g. Special Considerations for Motions Brought by a Self-Represented (*Pro Se*) Litigant

- i. It is expected that parties will be present in the courtroom for any Motions in their case. If an extenuating circumstance exists where you cannot be physically present in the courtroom (unable to travel due to illness/injury, residing outside of Allegheny County, childcare issues, etc.) , please contact Chambers **as soon as possible** to make alternative arrangements. Should you need language access or any special physical or mental health accommodations in the courtroom, please advise the Tipstaff.
- ii. The Court will hear motions from self-represented litigants at 1:00 p.m. when Motions are scheduled for 2:00 p.m., and 9:30 a.m. when Motions are scheduled for 10:30 a.m. The Court will hear these motions in the following order:
 1. Fee Waiver Requests;
 2. Motions to amend or vacate PFAs;
 3. Motions with private counsel opposing the motion;
 4. Motions involving the County Solicitor;
 5. All other Motions.
- iii. The Court will only entertain motions from self-represented litigants on cases which are assigned to Judge Henry-Taylor.
- iv. The Court starts motions court promptly at the scheduled time. **Failure to appear at the time scheduled may result in the motion being denied or granted without a party being present.** In the event both parties fail to timely attend, the Court may refuse to hear a motion until the next motions court date.
- v. Self-represented litigants are expected to follow all rules of court and also shall comply with the Court's Standard Operating Procedures.

- vi. Motions from self-represented litigants MUST be submitted through the Client Services Center, even if the litigant did not use the assistance of the department in preparing the motion.
- vii. **Self-represented litigants are NOT permitted to call and discuss substantive matters with the Court's Staff. Staff is NOT permitted to give legal advice of any kind.**
- viii. **Self-represented litigants are NOT permitted to come directly to chambers to serve motions, responses, and/or other documents.** All self-represented litigants should go through the Client Services Center to ensure that their Motions are served properly. Responses to an attorney-prepared Motion should be submitted to henry-taylormotions@allegheencourts.us. All other pleadings should be submitted to henry-taylorchambers@allegheencourts.us.

VI. CONTEMPTS

- a. Contempts will be in person.
- b. Submit an Order to the Law Clerk directing the case to the Hearing Officer (HO) if it is contempt of custody or enforcement of a Marital Settlement Agreement (MSA). The Court will split the cost of the Hearing Officer's hearing, subject to possible re-allocation, unless otherwise requested/determined. Unless the motion is a consent, it will be held for seven (7) days to allow for response.
- c. Upon receipt of the signed Order, follow the Hearing Officer's directions to get a date.
- d. Please submit an Order directing the case to the Hearing Officer and, upon receipt of the signed Order, follow the Hearing Officer's directions to get a date.

VII. CONCILIATIONS

- a. **All conciliations will remain virtual unless otherwise ordered or consented to by the parties.**
- b. All parties should be on time for conciliations, and should have their cameras ON whenever possible.
- c. You may wish to take a moment to familiarize yourself with Microsoft TEAMS. It is a video/tele-conferencing application available for use on any device. You will need to download the application on your computer or install it on your phone to take part in conciliations and conferences. **Represented litigants may not**

attend, listen or participate in the conference. The conference may not be recorded in any way. Judge Henry-Taylor will allot time during the conference for counsel to consult with their client. Please have your client prepared to receive your communication.

- d. Conciliations are court proceedings, and all parties and counsel are expected to conduct themselves in a manner consistent with physically appearing in Court.
- e. If you have a conciliation scheduled before Judge Henry-Taylor, an email will be sent to you with specific instructions, including how to access the Microsoft TEAMS conference.
- f. If you believe that we do not have your email address, please provide the same to the Law Clerk or Judicial Secretary.
- g. Special Considerations for Custody Conciliations
 - i. The parties shall submit a Written Narrative and Proposed Custody Order seven (7) days prior to custody conciliations. This will help the Court to understand the background of the case and why the proposed custody arrangement is in the best interest of the Child.
 - ii. If you have a Judicial Conciliation, and there are no updates since your last Narrative and Proposed Order, let chambers know and submit your last Proposed Order, rather than not submitting anything at all.
 - iii. Parties should submit with their Narrative any documentation that supports the requirements that the Court may have implemented in previous Orders. These supporting documents include:
 - 1. Reports from professionals regarding supervised visitation;
 - 2. Evaluations/Reports regarding drug & alcohol and/or mental health treatment;
 - 3. Documents that show completion of Batterer's Intervention Program or similar type of program;
 - 4. Evaluations/Reports from Justice Related Services, IMPACT, or any other court-ordered services, and;
 - 5. Letters from therapists concerning the progress of therapy (not including personal or confidential notes or information).

6. Supporting documents DO NOT include text messages between parties, videos, and photographs. Therefore, they should NOT be submitted with your Narrative and Proposed Order.
- iv. The Court staff and Judge will prepare the file and request reports from providers, such as IMPACT, as time permits.
 - v. Interim Orders addressing issues such as co-parenting, counseling, and other tangential issues will be generated, regardless of consent of the parties.
 - vi. Criminal Record/Abuse History Verification forms may be requested to be updated after a conciliation.
 - vii. If parties are working on a consent agreement following the conciliation, an Order will be generated reflecting the same and a back-up conciliation may be scheduled.
- h. Special Considerations for Equitable Distribution (ED) Conciliations
- i. Both parties **must consent** to having a conciliation before the DHO. If there is no consent, one party must present a Motion to Appoint a Hearing Officer and Schedule a Hearing to the Court.
 1. In your Motion, you MUST demonstrate that the matter is ripe for conciliation.
 - ii. If you believe a case is ripe for ED, you may (1) submit a Praecipe to the Docket Clerk, or (2) present a Consent Order for a DHO Conciliation.
 - iii. The Court will send to all parties who are scheduled for a judicial conciliation a form Consent Order which permits the parties to bypass the Judge and go directly to the Divorce Hearing Officer.
 - iv. Upon receipt of the signed Order, follow the Hearing Officer's directions to get a date. The Court will split the cost of the Hearing Officer's hearing unless otherwise requested/determined.
 - v. If need be, request a judicial conciliation. The Court will determine if it is appropriate and schedule conciliations according to the Court's schedule and you will receive instructions for the teleconference.
 - xiv. The Order Approving Grounds for Divorce is not required for a conciliation either before the judge or a DHO.

- xv. If the Court is hearing a conciliation and it does not settle, and the parties decide to keep the matter for ED or send it to trial before the DHO, parties must obtain an Order Approving Grounds for Divorce.

VIII. DISCOVERY & OTHER PRE-TRIAL DOCUMENTS

- a. **You must submit Pretrials, Proposed Orders and the like at least seven (7) days before your scheduled hearing or trial.** Please email any such documents to henry-taylorchambers@allegheycourts.us at least seven (7) days prior to your hearing or trial so that Judge Henry-Taylor has sufficient time to prepare.
- b. Counsel should work out the issue of authenticating evidence such as videos, text messages, or emails PRIOR to trial. If the issue of authentication remains disputed, counsel should make the Court aware of it in their Pre-Trial Statement.
- c. Discovery Motions will be referred to the Hearing Officer for resolution if they can't be ruled on based on the pleadings. Submit an Order directing the case to the Hearing Officer and, upon receipt of the signed Order, follow the Hearing Officer's directions to get a date. The Court will split the cost of the Hearing Officer's hearing unless otherwise requested/determined.

IX. HEARINGS AND TRIALS

- a. All hearings and trials will be conducted IN PERSON, unless otherwise specified by Order of Court.
- b. Unless otherwise specified by a Court Order or leave of Court, **all parties and their counsel shall be present in the courtroom for hearings and trials.** All witnesses shall be present via Microsoft Teams.
- c. Criminal Record/Abuse History Verification forms may be requested to be updated before a hearing or trial.
- d. EXHIBITS
 - i. Judge Henry-Taylor **strongly prefers** trial binders which include Exhibits and Exhibit Lists which can be dropped off to chambers prior to trial.
 - 1. Exhibit Lists must contain a description of each Exhibit the party plans to present.

2. 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.
 3. The moving party should mark their exhibits with numbers, and the non-moving party should mark their exhibits with letters.
 4. Collective exhibits (such as a series of photographs) should be delineated as sub-exhibits (1-A, 1-B, etc.) so that they can be objected to and ruled on separately.
 5. Any exhibits that are printed **in color** (such as photographs) should be mailed or dropped off to Chambers.
- ii. Each exhibit must have a clear label at the **top** of the exhibit so that locating them can be accomplished.
 - iii. If a hearing or trial has witnesses who will be testify via Microsoft Teams, an electronic copy of exhibits must be submitted to the Court. If exhibits are submitted electronically, they must be submitted in a PDF format. Each exhibit must be tabbed or bookmarked within one PDF when possible.
 - iv. The Court will not file exhibits. File them separately ONLY if required by the pre-trial Order.
 - v. **ALL EXHIBITS MUST BE PRINTED OUT FOR USE IN THE COURTROOM IN ALL PROCEEDINGS. THE COURT WILL NOT ALLOW LITIGANTS TO PULL UP PHOTOS, TEXTS, ETC. ON THEIR PHONES TO PRESENT AS EVIDENCE.**

e. WITNESSES

- i. Plan to have your tangential witnesses/clients join the trial by forwarding the TEAMS invite to them or have them on standby for you to notify them to come in. They should have the free TEAMS app downloaded in advance and know how to work it.
- ii. **It is counsel's responsibility to forward the TEAMS invitation.** You MUST retain the email with the invitation so it can be forwarded to your witnesses. Explain to them that if they "accept" the invite it will disappear from their emails list and they may have trouble finding the invite.

- iii. Parties should be prepared to proffer (summarize) witness testimony if asked to do so by the Court.
- iv. Do not expect judicial staff to manage your trial for you.

f. IN-CAMERA INTERVIEWS WITH CHILDREN

- i. The Court is inclined to speak with children when it is appropriate.
- ii. The Court intends to speak with the Children prior to the commencement of trial, if it can help with settlement.
- iii. Parties (both attorney-represented and self-represented) may submit no more than five (5) questions per Child for the Court to consider when interviewing the Child/ren. All proposed questions should be submitted to henry-taylorchambers@alleghecourts.us.
- iv. The Court will inquire regarding the consent of the parents and/or attorneys as to whether counsel for the parties and/or GAL should be present during the in-camera interview or not.
- v. The in-camera interview will be recorded either by a court reporter, a courtroom recording, or a Microsoft Teams recording.
- vi. Unless otherwise agreed to, the testimony of the Child/ren will be incorporated at trial and made part of the record.
- vii. Unless otherwise agreed to, the Child/ren shall NOT be recalled as a witness (brought back on to the stand and subject to cross-examination). The Court **may** consider recalling the Child/ren **only if good cause is shown by one or both parties.**
- viii. After the in-camera interview, the Court will schedule a brief follow-up status conference with counsel/parties to discuss the in-camera interview.

g. SETTLEMENT

- i. Do not use your trial date as a place holder for you and your opponent to reach settlement, as other attorneys and litigants may be in need of judicial resources.

X. EXCEPTIONS/PRELIMINARY OBJECTIONS

- a. Exceptions decisions will be made on the briefs and transcripts, without argument, unless determined otherwise.
- b. If Judge Henry-Taylor determines that argument is necessary for exceptions, argument will be scheduled for her next exceptions date. Arguments will be IN PERSON unless otherwise specified by the Court.
- c. Judge Henry-Taylor will decide all exceptions/preliminary objections on the pleadings, unless otherwise specified.

TEAMS TIPS

1. If you keep ‘losing’ your TEAMS invite, get in the habit of forwarding the email to yourself when you first get it. Once you ‘accept’ an invite, the email goes away. This way you will have a copy of the invite in your email.
2. When you receive a TEAMS invite, you can open it and right-click on “join the meeting”. This will allow you to select the link and copy it. You can then paste it wherever you want to save it. The Court recommends that you paste it into your calendar appointment that you most likely have set up to remind you of the conciliation or hearing.
3. Ideally when you ‘accept’ an invite, you should have your technology set up so that the TEAMS conference and all the info contained within, ‘drop’ into your calendar as an appointment. You would want the invite to drop into your work calendar and not a google or personal calendar on your computer, which is the default.
4. If you receive an error message that the ‘administrator has disabled video’ It could be a couple of things.
 - a. If you don’t have TEAMS downloaded and are using an old browser or Internet Explorer on a Windows computer, that could be it. You should use Firefox, Chrome, or Microsoft Edge, as these browsers seem to work well. It is ALMOST ALWAYS better to download TEAMS from the Appstore as opposed to going into TEAMS with the web browser.
 - b. You can try this workaround: open the email invite to join the TEAMS meeting. A screen will pop up that will say "join with the app" or "join on the web." Select "join on the web." Then, make sure you exit out of the app because there will be an echo if both TEAMS on the web and the app are open at the same time.

- c. If the privacy settings under your control panel/system preferences has video or the TEAMS app disabled, TEAMS may be blocked from accessing the camera and might show that message.
 - d. If you work for a law firm that has an IT department that manages your computer (as opposed to you having downloaded the App to your personal computer), your IT Department could have a license for TEAMS, and video might be disabled on your end. The Court has it enabled for anyone who wants to use it, so it's not coming from our end.
 - e. Last, if you can't get it working, you can download TEAMS for free to your Phone; although it's a little smaller of a screen, it will let you get in on your Phone (even without a TEAMS account—as a guest) with the “remote hearing invite” that the Court sends.
- 5. If you have a cell phone, get help to set it up as a hotspot. This will provide backup in case you are kicked out of TEAMS due to high Internet traffic in or around your household or office.
 - 6. If you can't “hear” people on a TEAMS call, check to see that TEAMS is using your computer's ‘internal speakers’. This is a setting in the TEAMS App. If at some point you tried to use ear buds or headphone in the past, TEAMS may recognize and switch to those devices speaker by default without you knowing. When on your computer without other devices, you want TEAMS to use the computer's internal speakers.
 - 7. When TEAMS says, “video has been disabled by the administrator”, and the user is in the TEAMS app, exit the call and go back to the TEAMS invitation. Once you click "join conversation" on the invitation, there is an option to join through the web. Select "join on the web instead", rather than the app, and the video should be enabled through the web browser if it has been disabled through the app for some reason.
 - 8. Another workaround when you can't ‘hear’ or when we can't ‘hear’ you is to join the call with your cell phone and we will use that audio and the video will be from the computer with the computer's sound muted to avoid reverb.
 - 9. A computer will generally be preferred to an iPad or a phone.