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Standard Operating Procedures for Judge Nicola Henry-Taylor

(Effective 3/27/2024)

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

The following Standard Operating Procedures (SOPs) 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 completely as possible and will work to find answers for you if necessary.

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.

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SOPs AT A GLANCE	
I.	Everyone entering Judge Henry-Taylor’s Courtroom will be treated with dignity and respect and Judge Henry-Taylor expects anyone who enters the Courtroom to be respectful .
II.	Last names and titles such as Mr., Ms., Dr., Principal, etc. shall be used to address all parties, witnesses, attorneys, and court personnel rather than first names.
III.	The Court requires in-person appearance in all matters and will not accept virtual participation unless the matter is scheduled by the Court on Microsoft TEAMS or special arrangements have been made with the Court in advance.
IV.	Use of electronics in the courtroom is not acceptable unless permission from the Court is requested and granted.
V.	Neither colloquy nor argument between counsel and/or self-represented litigants is appropriate. All argument should be directed to the Court.
VI.	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 or Order of Court. If you are represented by an attorney, your attorney shall handle all communications with the Court. The best way to contact chambers is by utilizing the chamber’s email rather than leaving a voicemail.
VII.	All motions and consent orders must be sent to Judge Henry-Taylor’s motions address (henry-taylormotions@allegheycourts.us) and all other emails must be directed to the chambers address (henry-taylorchambers@allegheycourts.us) unless otherwise specified. Emails sent to the improper address will not be received.
VIII.	Until the Court signs an Order granting you leave to withdraw, you are counsel of record and must attend all proceedings.
IX.	If you are ordered to do an updated narrative for a Conciliation, the Court will accept an Addendum stating the compliance with the most recent Order(s) of Court or lack thereof.
X.	If the parties agree to extend deadlines for a Pre-Trial Statement or Brief, the new deadline must be communicated to, and approved by, the Court as soon as reasonably possible.
XI.	Judge Henry-Taylor prefers a response that is in a “motion” format , instead of a traditional “civil” answer format (i.e.: only stating “admitted” or “denied” to the averments in the Motion).
XII.	Orders will not be handed back to the Petitioner/Counsel in Court, except for <i>In Forma Pauperis</i> (IFP) Orders (Order waiving filing fees and costs). All other Orders will be sent via e-mail after they are filed with the Department of Court Records. It is the responsibility of the party presenting the pleading to file that pleading with the Department of Court Records.
XIII.	Being unavailable when this Court is scheduled to hear Motions does not constitute an emergency for the purposes of how your motion is titled and the amount of Notice that you are required to provide opposing counsel/party. If you are withdrawing your motion, or do not oppose a motion, please communicate with chambers so that the motion can be removed from the list or handled accordingly.
XIV.	Plan to have your collateral witnesses/clients testify in-person unless leave of court is given to allow them to testify on TEAMS.

XV. Communication with the Court (while keeping opposing party/counsel informed) is key when difficulties arise in regard to complying with the requirements of the Court.

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 the Department of Court Records (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. The caption listed on pleadings should match what is on the docket, with the Department of Court Records. Do not make changes to the captions without proper leave of court.
- e. When matters are scheduled to occur in the City-County Building, it is ideal to use the Grant Street elevators since these are closest to our courtroom/chambers.
- f. If you need the assistance of the Judicial Secretary, please call the main telephone number or email the Chambers email. This includes when dropping off QDROs, Consent Order, and Exhibit Binders. The Secretary is not seated next to the drop off location outside of chambers and will need to be made aware that you need assistance.
- g. Childcare/Children's Room
 - i. **Litigants are responsible for making appropriate arrangements for childcare.**
 - ii. If litigants need childcare for any in-person proceedings, they may use the Children's Room located on the first floor of the Family Law Center (440 Ross Street), regardless if the proceeding is located in the Family Law Center or the City-County Building.
 - iii. Litigants must follow all requirements for utilizing the Children's room.
 - iv. If a child cannot be admitted to the Children's room for any reason (age, vaccination status, etc.), it is the litigant's responsibility to make

alternative arrangements for childcare, such as having another adult sit with the child in the waiting area.

- v. **Children will not be permitted in the courtroom unless the Judge specifically requests or allows it.**
- vi. Parties can and should bring their children up to thirty (30) minutes before a proceeding is scheduled to begin and should tell the Children's room where they will be.
- vii. The Children's Room **cannot** change diapers, cannot accept children who are not up-to-date on their vaccinations and cannot accept children exhibiting symptoms of illness.

I. ENTRY OF APPEARANCE

- i. It is imperative that counsel officially enters a Praecipe 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.
- iv. Pro Se/ Self-Represented Litigants must file a Self-Represented Party Entry of Appearance regardless of when the litigant became self-represented during the proceedings. This form can be found at <https://www.pacourts.us/Storage/media/pdfs/20210224/170843-selfrepresentedpartyentryofappearance-003923.pdf>

II. COURT SCHEDULE

- i. It is the Court's expectation that counsel and self-represented parties 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, Pre-Trial Statements, Proposed Orders, etc., may result in a continuance of the Conciliation.
- 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 via email to henry-taylormotions@allegheycourts.us.

III. ADULT FAMILY SCHEDULING PROCEDURES

- i. This applies to all scheduling matters, whether your court documents are signed Orders or Praecipis:
 - 1. Scan signed Order/Praeipce 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.) iPhone users may utilize the Notes application in your phone.
 - 2. Send the PDF of the signed Order or Praeipce to the Docket Clerk, Patricia Harpur, at the following email address:
adultjudicialscheduling@allegheycourts.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/Praeipce 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 Praeipce 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 to reschedule matters.

IV. 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 chambers of any client, counsel, 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, opposing counsel, or opposing 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 ALWAYS do the same.
- v. At trial or during 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.¹

- vi. In all cases, but particularly in custody cases, counsel should be mindful of the time allotted for trial and should plan their presentation accordingly. Additional trial time may not be available for several months, if additional time is granted.
- vii. **If witnesses are testifying via Microsoft Teams, witnesses are expected to be in a quiet, private location with no other people present.**
- 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.**

V. **TRAUMA-INFORMED PROCEEDINGS, LANGUAGE ACCESS, AND ACCESS TO JUSTICE**

- 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.

¹ The Court will be considerate of the fact that not everyone has the means or ability to obtain proper court attire due to extenuating circumstances.

- 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 or other accommodation, please notify the Court by emailing chambers and courtaccess@alleghenycourts.us.
 - 1. Counsel should request an interpreter or other accommodation 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 is 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 (i.e.: English to Spanish, then Spanish to an indigenous language) to be used in the courtroom.
 - 3. It is counsel’s responsibility to make the initial motion regarding whether a litigant needs an interpreter and what language is needed. If counsel is unsure of their client or witness’s English or hearing ability, err on the side of caution and request an interpreter or accommodation.
 - 4. If a case with an interpreter is rescheduled or canceled, it is counsels’ responsibility to notify Court Administration as soon as possible and request the interpreter for the next court date.
- iii. If you have a request to have the Allegheny County Sherriff Office (ACSO) facility dog join us for Court to meet the needs of the participants, you may complete the request form or notify Chambers. Please let the ACSO and Chambers know if you are aware of any pet allergies or other concerns regarding having the facility dog join us for court.

CONSIDERATIONS FOR SPECIFIC TYPES OF CASES

I. DIVORCE/EQUITABLE DISTRIBUTION (ED) MATTERS

- i. Pa.R.C.P. 1920.42 requires that there must be an Order establishing that there are grounds for divorce before the matter can move to equitable distribution or 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 to a DHO for a hearing.
- iii. Before going to a DHO for a substantive ED Hearing, 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. The date and manner of service of the Divorce Complaint;
 - 3. The date of signing and filing Affidavit of Consents (if under 3301(c));
 - 4. The date of signing and filing of Affidavit and Counter-Affidavit (if under 3301(d));
 - 5. Any ancillary claims that are pending; and
 - 6. The 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 website to determine if all 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. The Order Approving Grounds for Divorce is not required for a Discovery Hearing.
- ix. Parties must obtain an Order Approving Grounds for Divorce if the Court is hearing a Conciliation and:
 - 1. it does not settle; and
 - 2. a ED hearing/trial is necessary; and

3. the parties decide to keep the matter for ED before the Judge or send it to trial before the DHO.

II. 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. If you have a Guardian *ad Litem* (GAL), Best Interest Attorney (BIA), or Court Appointed Special Advocate (CASA) on your case, you must copy them on all emails and correspondence to the Court. They must also be consulted, and their position noted, on all Motions and Consent Orders of Court. The Consent Order must contain the signature and position of the GAL or BIA.
- iii. 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 always provide appropriate supervision for the Child(ren). The parties should inform one another of the name and address of any third person providing childcare.
 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 video contact with the Child(ren) while the Child(ren) is in the other party's custody. The Child(ren) is entitled to call or message the other parent without restriction or interference by the custodial parent, if 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(ren). If the Child(ren) must take medication, the medication and instructions

shall be exchanged between the parties and administered properly.

7. Each party shall ensure that the Child(ren) 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(ren) is with them and shall provide the other party with the location of the hospital or facility where Child(ren) is being treated.
9. Each party shall inform the other party immediately if they are the custodial parent and become ill, injured, or otherwise incapable of caring for the Child(ren).
10. Neither party shall make any negative comments about the other party when the Child(ren) is with them, nor should they allow anyone else within their control to make negative comments.
11. Neither party shall discuss any outstanding legal issues between them with the Child(ren).
12. Neither party shall travel outside of the United States with the Child(ren) without either the written consent of the other party or leave of Court.
13. Serious and/or continued violations of these policies may be weighed against the offending party in Court.

III. PROTECTION FROM ABUSE (PFA) MATTERS

- i. For information regarding how to obtain a PFA please visit the website at <https://www.alleghecourts.us/family/departments/protection-from-abuse/general-information/>.
- ii. The Court will electronically sign all PFA Orders and email the Order to the Domestic Relations Officer (DRO).
- iii. The Court is happy to conciliate the matter if the parties are at an impasse.

- iv. Counsel is expected to have a proposed Order of Court prepared for matters which proceed to a final hearing.
- v. In matters relating to a bond modification or an ICC, counsel should be prepared to have recommendations for housing, mental health, drug and alcohol evaluations or treatment, and any other services required to effectuate the release of the Defendant.
- vi. If the Defendant's native/primary language is not English, counsel may contact Court Administration to ensure that documents are translated.

IV. 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 to the Domestic Relations Office.
- 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.).

V. 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 SIJ 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@alleghecourts.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 SIJ Status hearing.
- v. The Court will promptly address SIJ 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.

SUBMISSION OF DOCUMENTS

- i. 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.
- ii. In all documents submitted to the Court, use of terms such as Husband, Father, Wife, Mother are preferred over Plaintiff/Defendant, Petitioner/Respondent, Witnesses etc. In cases involving same sex, transgender, or nonbinary parties in parental roles, the litigants may address the parties by their first names.
- iii. 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 name on the birth certificate, the new name can be utilized in the body of pleadings if adequately explained and identified.

- iv. Captions on original pleadings should contain the parties' legal names, but may contain the designation "now known as" (n/k/a) or "formerly known as" (f/k/a). If you wish to amend the caption to reflect a name change/different name, you must make an oral or written motion to amend the caption.

DEADLINES

- i. When a deadline is set in an Order of Court, the time-period will start running from the date of the Order.

CONSENT ORDERS

- i. For Custody Matters:
 1. If a global settlement is reached, Consent Orders MUST include the following language:
 - a. Any parties seeking relocation shall comply with the requirements of 23 Pa.C.S. § 5337.
 - b. This is a FINAL Order. Rule 236 Notice to be sent to all parties.
 - c. Pending related proceedings are cancelled.
 2. 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 can be included if the Order is not detailed and thorough. Pending claims shall be specified and noted as resolved. Any pending hearing or trial dates will be CANCELLED.
- ii. All support Consent Orders and non-support Consent Orders (e.g., custody, ED, QDROs, etc.) must be emailed to henry-taylormotions@alleghencourts.us.
- iii. 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.**

MOTIONS

- i. 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.**
- ii. **ALL MOTIONS IN FRONT OF JUDGE HENRY-TAYLOR WILL BE IN PERSON UNLESS SPECIAL ARRANGEMENTS ARE REQUESTED AND GRANTED TO PARTICIPATE REMOTELY AND MUST BE EMAILED TO CHAMBERS WITH A WORD ATTACHMENT OF THE PROPOSED ORDER.**
 1. THERE IS NO NEED TO DROP OFF ORIGINAL MOTIONS TO CHAMBERS.
 2. THERE WILL NOT BE A SIGN UP SHEET FOR MOTIONS AT CHAMBERS.
- iii. Alternatively, should the parties prefer that the Court rule on the Motion WITHOUT oral argument, they MUST check the appropriate box on the Attorney Motion Submission Form stating that the parties/counsel agree to having the Motion decided on the pleadings alone. **If all parties waive oral argument, the court will remove the Motion from the list and will decide the Motion on the pleadings submitted.**
- iv. 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.
- v. Some motions may be disposed of before the Motions Court 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.**
- vi. Generally
 1. Attorneys should submit their motions, with the required Motions Admission Form (available on the Fifth Judicial District Website), to henry-taylormotions@alleghencourts.us. If your email was successfully received, then you will receive an email response of “Received” or an automatic response noting that your email has been received.
 2. **The Court will not act on any motion that has not been served or given proper notice to the opposing party.**

3. The Court will not act on any motion where the parties and/or counsel did not follow Allegheny County Local Rule 1930 to meet and confer. Sending an e-mail with the motion is not sufficient to satisfy the rule.
4. **The fact that the opposing party or the moving party is self-represented does not excuse the requirement to meet and confer.**
 - i. In the event that any party is self-represented in a matter where any party involved in the matter is either a protected party in a PFA, or has been the subject of domestic violence allegedly perpetrated by the opposing party at any time within the past twenty-four (24) months, the party must state so in their certification and said reason shall be sufficient for purposes of this rule in excusing the requirement to confer in advance.
5. 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.
6. 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.
7. The party presenting the Motion must use the Court's Motion Form which is located on the website to indicate the following information:
 - i. Have you contacted and/or spoken to the other side and if so, on what date?
 - ii. 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.
 - e. To be decided on the pleadings by consent of the parties.

8. 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.
9. If the Motion includes a request for counsel's fees, documentation of these fees **MUST** be included as an Exhibit in the Motion.
10. Motions that do not have sufficient facts plead, supporting documentation, or law may be sent back to the moving party to be supplemented, listed for Argument, Conciliation, and/or a Briefing Schedule.
11. 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.
12. The opposing party/counsel should notify the Court at henry-taylormotions@allegheycourts.us as to whether they consent to or oppose the Motion, even if they do not submit a formal response.
13. ****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@allegheycourts.us. If you have an existing case with the Court, you will be contacted through your provided information to determine the next steps.
14. 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 p.m. to meet with staff in the Client Service Center. All questions for the Client Services Center will be addressed in-person.
15. New matters will only be addressed by the Court if they are raised in a Response.
16. Parties will not be handed an Order in Motions Court. You must file your Pleadings and you will be emailed an Order.

I. Regular/Non-Emergency Motions

Motion	Seven (7) days prior to Motions Court date
Response and New Matter	One (1) business day prior to Motion Court date by 12:00 p.m.
Reply to New Matter <u>only</u>	On the 7 th day by 12:00 p.m.

- i. The party submitting the motion must serve the motion on the opposing party **at least seven (7) calendar 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. It is **expected** that counsel will serve the Court on the same day that counsel serves on opposing counsel/party. **All Motions must be submitted to henry-taylormotions@allegheycourts.us no later than seven (7) calendar days prior to the scheduled Motions Court date. All Responses shall be due no later than 12:00 p.m. one (1) business day prior to the Motions Court date. New Matters may be raised in responses.** The Court will not review Motions/Responses on weekends or holidays.
 - a. New Matters cannot be raised verbally in Motions Court if not properly raised in a written response.

- iii. Any response must be served on the opposing party by 12:00 p.m. one (1) business day prior to Motions Court. 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.
 - a. Any reply to a response is limited to New Matters only, unless leave of Court is granted.

- 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 712, City-County Building, 414 Grant Street, Pittsburgh, PA 15219. If you wish to contest or respond to the Motion, you are directed to submit your response within seven (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@allegheycourts.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 (i.e.: 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.

II. 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 at the Court’s discretion. Emergency Motions submitted after noon are not eligible for same-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 to avoid **irreparable harm**. An Emergency Motion provides immediate relief as the response is delivered more quickly than a non-Emergency Motion by the Court. Common emergency issues in family court include, but are not limited to the following:
 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 exists (such as taking the child across state lines or outside of the United States);
 3. A party is putting a Child in danger;

4. A custodial parent is experiencing a drug relapse; or mental health crisis;
 5. A parent is 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 is taking action to dissipate or destroy a marital asset.
- iii. The Court will email the parties a Microsoft TEAMS link for oral argument if argument is required. The Court may request that the parties join the TEAMS proceeding.
 - 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@allegheycourts.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 (i.e.: 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.

III. 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 is scheduled to occur.
- ii. Expedited Motions will ONLY be considered for procedural matters (i.e.: scheduling, witness testimony, etc.), NOT for substantive matters (i.e.: 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 three (3) days prior to presentation of the Motion, as well as on the cover sheet of the Motion, and the Attorney Electronic Submission Form.
- iv. Attorneys seeking to present **an Expedited 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 712, City-County Building, 414 Grant Street, Pittsburgh, PA 15219. If you wish to contest or respond to the Motion, you are directed to submit your response within three (3) days of the date set forth herein. Your failure to file a response may result in the proposed Order of Court being signed.

- v. The opposing counsel/party has **three (2) calendar days** to respond to an expedited Motion.
- vi. Answers/Responses
 1. **Self-represented respondents MUST submit their responses to henry-taylormotions@alleghecourts.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 (i.e.: 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.

IV. 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. **If a motion is withdrawn, or consented to after submission, please notify the Court via the Motions Email 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 to present the Motion in Court without reaching out to the Court beforehand, then the Motion may be denied.
- iii. The Motions Court schedule is available on the Fifth Judicial District’s website, alleghenycourts.us.
 1. Non-Emergency Attorney Motions Court is usually scheduled for 2:00 p.m. Monday through Thursday.
 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 on 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/party of presentation.
 3. Except for IFP cases, 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.
- 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 on regular motions to opposing counsel, two (2) days for Expedited, and twenty-four (24) hours notice for Emergency 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. A Petition for Civil Contempt and Order shall include language substantially the same as Rule 1915.12 as follows: "IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST. If the court finds that you have willfully failed to comply with its order, you may be found to be in contempt of court and committed to jail, fined or both."
- x. The Court will consider signing a Consent Order if it is submitted to Chambers and the Judge is available to sign it upon review of the terms of the Order.
- xi. The Court WILL NOT entertain Discovery Motions that do not comply with the requirements of the Standard Operating Procedures for Divorce Hearing Officers (DHO). This includes a completed discovery

matrix/questions and responses. Failure to comply may result in the Court's refusal to hear the matter.

- xii. E.D. Discovery Motions will be referred to the DHO for resolution if they can't be ruled on based on the pleadings. Submit an Order directing the case to the DHO and, upon receipt of the signed Order, follow the DHO's directions to get a date. The Court will split the cost of the DHO's hearing unless otherwise requested/determined

- xiii. 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' 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.

 - 2. Counsel and parties should not wait until the Motion is being argued to submit pertinent documents. If the documents are not available at the time of Motions Court, the Court may ask counsel/parties to supplement their Motion with appropriate documentation.

- xiv. If you are aware of any disabilities, behavioral health impairments, or trauma that may be helpful if the Sheriff's Deputy needs to approach individuals, please advise the Court.

- xv. 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.

- xvi. Counsel should immediately provide the Judge'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.

- xvii. 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.

V. **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 Court via email to henry-taylormotions@alleghencourts.us.
- ii. The Court will hear motions from self-represented litigants at 1:00 p.m. when attorney-presented motions are scheduled for 2:00 p.m., and 9:30 a.m. when attorney-presented motions are scheduled for 10:30 a.m.
- 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 it is presented at a future Motions Court date.
- v. Self-represented litigants are expected to follow all rules of court and 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. In-person appearance is required at the Client Services Center between 8:00 a.m. and 12:00 p.m. Monday-Friday.

- vii. Once a motion is prepared, the litigant should take the motion to the first floor of the City-County Building and file the finalized motion with the Department of Court Records.
- viii. Following filing the motion the litigant should return to the Client Services Center with a time-stamped copy of the filed motion;
- ix. The Client Services Center will schedule the argument before the assigned judge in motions court and provide the assigned judge a copy of the motion via email;
- x. The Judge's chambers will take care of filing the Order of Court, scheduling hearings and providing a copy of all orders to the Client Services Center.
- xi. **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.**
- xii. **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. All business with the Client Services Center must be conducted in person. Responses to an attorney-prepared motion should be submitted to henry-taylormotions@allegheycourts.us. All other pleadings should be submitted to henry-taylorchambers@allegheycourts.us.

CONTEMPTS

- i. Contempt proceedings will be in person.
- ii. Petitions for Contempt of Custody may be heard either by the Judge or by a Custody Hearing Officer, depending on availability and the circumstances of the Petition.
 - 1. If there is a final Order in place, Petitions for Civil Contempt can be submitted directly to the Custody Department.

2. If there is an interim (temporary) Order in place, a Petition for Contempt must be filed in Motions Court.
- iii. If the Petition is for enforcement of a Marital Settlement Agreement (MSA), the Court will split the cost of the Divorce Hearing Officer's hearing on ED matters, subject to possible re-allocation, unless otherwise requested/determined.
- iv. 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.

CONCILIATIONS

- i. **All Conciliations will remain virtual unless otherwise ordered or consented to by the parties.** You may receive an Order from Chambers clarifying any Order that schedules the Conciliation in person.
- ii. All parties should be on time for Conciliations and should have their cameras ON whenever possible. **The Court may cancel a conciliation and reschedule the same to be in person if an attorney and/or party is not able to participate in a meaningful way due to technical issues.**
- iii. You may wish to take a moment to familiarize yourself with Microsoft TEAMS. It is a video/teleconferencing 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 Conciliation unless Ordered or directed to do so.** The Conciliation may not be recorded in any way. Judge Henry-Taylor will allot time during the Conciliation for counsel to consult with their client. Please have your client prepared to receive your communication. If counsel requests that the parties attend the conciliation, the request must be made no later than twenty-four (24) hours in advance.
- iv. Conciliations are court proceedings, and all parties and counsel are expected to conduct themselves in a manner consistent with physically appearing in Court.
- v. If you believe that we do not have your email address, please provide it to the Law Clerk or Judicial Secretary.

- vi. If you believe that it would be helpful to have the client/parties participate in the Conciliation from the outset, please notify Chambers in your Narrative or by e-mail seven (7) days prior to the Conciliation.
- vii. **Attorneys need to look at the scheduling order for each individual case in order to ascertain if their client's appearance is required.**

I. Special Considerations for Custody Conciliations

- i. The parties should be prepared for the Court to enter an Interim Order following Conciliation. As such, strict compliance with the scheduling order is necessary.
- ii. The parties shall submit a Case Synopsis Form 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.
- iii. **Failure of parties to complete and send the Case Synopsis Form to chambers may result in the Conciliation being cancelled and rescheduled by chambers.**
- iv. Parties should submit with their Case Synopsis Form any documentation that supports the requirements that the Court may have implemented in previous Orders or may need to implement going forward. These supporting documents include:
 - a. Reports from professionals regarding supervised visitation;
 - b. Evaluations/Reports regarding drug & alcohol and/or mental health treatment;
 - c. Documents that show completion of Batterer's Intervention Program or a similar type of program;
 - d. Evaluations/Reports from Justice Related Services, IMPACT, or any other court-ordered services, and;
 - e. Letters from therapists concerning the progress of therapy (not including personal or confidential notes or information).
- v. Supporting documents DO NOT include text messages between parties, videos, and photographs. Therefore, they should NOT be submitted with your Narrative and Proposed Order.

- vi. The Court staff and Judge will prepare the file and request reports from providers, such as IMPACT, as time permits.
- vii. Interim Orders addressing issues such as co-parenting, counseling, and other tangential issues will be generated, regardless of consent of the parties.
- viii. Criminal Record/Abuse History Verification forms may be requested to be updated after a Conciliation.
- ix. 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.
- x. If a psychological evaluation is pending, counsel may jointly inquire regarding the status of the evaluation so that the discussion at the Conciliation is up to date.

II. Special Considerations for Equitable Distribution (ED) Conciliations and Hearings

- i. Both parties **must consent** to having a Conciliation before the DHO. If there is no consent, one party must present a motion to the Court to appoint a DHO and schedule a hearing.
 - a. If a hearing is being requested by way of motion, you **MUST** demonstrate that the matter is ripe for conciliation and grounds must be established (see II.a.).
- 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 DHO.
- iv. Upon receipt of the signed Order, follow the DHO's directions to get a date. The Court will split the cost of the DHO'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.

- vi. The Order Approving Grounds for Divorce is not required for a Conciliation either before the Judge or a DHO.
- vii. 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. All Praecipes for Orders Approving Grounds for Divorce must be emailed to henry-taylorchambers@alleghencourts.us.

DISCOVERY & OTHER PRE-TRIAL DOCUMENTS

- i. **You must submit Pretrials, Proposed Orders and the like pursuant to the deadlines outlined in the table below.** Counsel and Self-Represented (*Pro Se*) parties must seek leave of Court in the form of a written motion to extend pre-trial deadlines. Please email documents to henry-taylorchambers@alleghencourts.us.

EVENT	DEADLINE	COMMENT
Court Appointed Expert Witness	Thirty (30) days prior to first day of trial.	In the event either party intends to call the evaluator, the parties should communicate this to the Court at the Conciliation or Pre-Trial Conference, but no later than thirty (30) days prior to trial.

Non-Court Appointed Expert Witnesses	Thirty (30) days prior to first day of trial.	Non-Court Appointed Expert Witnesses used to evaluate Court Appointed Witnesses' testimony cannot be a provider contracted with Allegheny County (e.g. Allegheny Forensics Associates) or one who is contracted with the Family Division as a Court Appointed Evaluator. Notice of this witness must be given to the Court and opposing counsel.
Guardian <i>ad Litem's</i> (GAL)/Best Interest Attorney's report	Twenty (20) days prior to first day of trial.	The report should include specific recommendations regarding custody.
Objections to Court Appointed Expert Witnesses/Motions <i>In Limine</i> to Exclude Expert Witnesses	Fifteen (15) days prior to first day of trial.	Objections/Motions must be in writing and provide a basis for the request which includes authority and case law.
Objections to Non-Court Appointed Expert Witnesses/Motions <i>In Limine</i> to Exclude Expert Witnesses	Fifteen (15) days prior to first day of trial.	Objections/Motions must be in writing and provide a basis for the request which includes authority and case law.
Objections to Guardian <i>ad Litem</i> /Best Interest Attorney's report	Ten (10) days prior to first day of trial.	Objections must be in writing and provide a basis for the request which includes authority and case law.

EVENT	DEADLINE	COMMENT
Joint Stipulations of Fact, Evidence, and/or Expert Qualifications	Seven (7) days prior to first day of trial.	If the parties cannot reach a joint stipulation, then each party shall submit Proposed Stipulations to the Court.
Pre-Trial Statements	Seven (7) days prior to first day of trial.	<u>MUST FILE AND SERVE PRE-TRIAL STATEMENTS IN ORDER TO ADMIT ANY EVIDENCE.</u> A brief Offer of Proof and description of witness testimony must be included.

Children's testimony that has not already been heard in an <i>In Camera</i> Interview	Seven (7) days prior to first day of trial.	Counsel/self-represented (<i>Pro Se</i>) parties must notify the Court seven (7) days prior to first day of trial whether the child(ren)'s testimony is required.
Trial brief on any unusual legal issues	Seven (7) days prior to the first day of trial. Any response brief shall be filed no later than one (1) day prior to the first day of trial.	
Court Appointed Special Advocate's (CASA) Report	Seven (7) days prior to first day of trial.	Unless otherwise ordered, the report should include specific recommendations regarding custody.
Motions <i>In Limine</i> (any issue not relating to an Expert Witness)	Seven (7) calendar days prior to the first day of trial. Any response to motions shall be filed no later than one (1) business day prior to the first day of trial.	<i>Note, this deadline applies to Motions in Limine on issues unrelated to a Motion In Limine regarding exclusion of an Expert Witness regardless of if you are objecting to Expert Witnesses or not.</i>

EVENT	DEADLINE	COMMENT
Service Providers Practitioner's Summary of Relevant Facts	Three (3) business days prior to first day of trial.	Practitioners who are testifying as lay witnesses as to matters such as dates of attendance, tardiness, and absences from school, therapeutic visits, drug test results, and the dates of any tests, shall provide a summary to counsel and the Court. This summary should be included in the counsel/party's Exhibit List and binder, as detailed below.
Trial Exhibits	Three (3) business days prior to first day of trial.	All exhibits to be provided at trial MUST be hand- delivered or mailed to the Court in an exhibit binder, separated by dividers or tabs for each individual exhibit. An Exhibit List MUST be included in the Judge's binder. An Exhibit Sample List will be attached to the trial Order. Binders can be provided for those who cannot afford to purchase them.
Request for witness testimony by TEAMS	Twenty-four (24) hours in advance of trial.	Plan to have your witnesses/clients testify in- person unless leave of court is given to allow them to testify on TEAMS. All requests should be submitted to <u>henry- taylorchambers@alleghe ny courts.us</u> .

- ii. 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.
- iii. If there are any financial or time constraints which are burdens or barriers to you and/or your client complying with the deadlines, please notify the Court at the Pre-Trial Conference or as soon as reasonably possible.
- iv. If you are close to settlement and the deadlines are impending, please notify the Court as soon as reasonably possible.

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, their counsel and witnesses shall be present in the courtroom for hearings and trials.** Only witnesses who have been granted leave to participate by Microsoft TEAMS may appear remotely.
- c. Criminal Record/Abuse History Verification forms may be requested to be updated before a hearing or trial.

I. EXHIBITS

1. Judge Henry-Taylor **requires** trial binders which include Exhibits and Exhibit Lists. Trial binders shall be dropped off to chambers no later than three (3) business days prior to the first day of trial. **Please email or call the Secretary to let her know in advance that you will be dropping off the binders.**
2. If a Petition to Proceed In Forma Pauperis (IFP) has been granted because you demonstrated you cannot afford court fees, the Court waives the trial binder expectation and will accept exhibits via email at henry-taylorchambers@alleghecourts.us no later than three (3) business days prior to the first day of trial. Alternatively, Judge Henry-Taylor will also provide physical binders if requested at least fourteen (14) days prior to the first day of trial. Paper copies of exhibits are still required for the opposing party/counsel if they request the same.
 - a. Exhibit Lists must contain a description of each Exhibit the party plans to present. The Exhibit List included in the binder may be utilized in

the Pre-Trial Statement so long as it is detailed in description and not vague such as “any and all correspondents.”

- b. For electronically submitted 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.
 - c. If an expert or lay witness is appearing by TEAMS, it is the responsibility of the attorney who is proffering the witness to ensure that the exhibits were sent in advance of the proceeding.
 - d. Exhibits for cross/impeachment purposes may be e-mailed during the proceeding and do not need to be included in the Exhibit List and Binder.
 - e. The moving party should mark their exhibits with numbers, and the non-moving party should mark their exhibits with letters.
 - f. 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.
 - g. Any exhibits that are printed **in color** (such as photographs) should be mailed or dropped off to chambers.
 - h. Exhibits must be copied for opposing party/counsel and the witness.
3. If a hearing or trial has witnesses who will be testify via Microsoft TEAMS, an electronic copy of exhibits must be submitted to the witness. 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.
4. The Court may request that counsel/parties file their Exhibits with the Department of Court Records.
5. **ALL EXHIBITS MUST BE PRINTED OUT FOR USE IN THE COURTROOM IN ALL PROCEEDINGS. IF YOU HAVE AN IFP, THE COURT WILL PRINT YOUR ELECTRONICALLY SUBMITTED EXHIBITS FOR THE COURT’S USE. THE COURT WILL NOT ALLOW LITIGANTS TO PULL UP PHOTOS, TEXTS, ETC. ON THEIR PHONES TO PRESENT AS EVIDENCE.**

II. WITNESSES

1. If witnesses are only available to testify at a certain date and time, please coordinate with the opposing party/counsel and chambers at least twenty-four (24) hours before the witness is available, so that witnesses can be scheduled to testify accordingly. Counsel should prepare a list of all witnesses that need to testify at a certain date and time and submit it to henry-taylorchambers@alleghencourts.us.
2. Plan to have your collateral witnesses/clients **testify in-person** unless leave of court is given to allow them to testify on TEAMS. All requests should be submitted to henry-taylorchambers@alleghencourts.us at least twenty-four (24) hours before the start of trial. Collateral witnesses/clients testifying in-person should be on standby for you to notify them to come in.
3. Plan to have collateral witnesses/clients who have been provided leave of court to testify by TEAMS join the trial by forwarding the TEAMS invite to them. They should have the free TEAMS app downloaded in advance and know how to work it.
4. **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 email list, and they may have trouble finding the invite.
5. Parties should be prepared to proffer (summarize) witness testimony if asked to do so by the Court.
6. Do not expect judicial staff to manage your trial for you.

III. IN-CAMERA INTERVIEWS WITH CHILDREN

1. The Court is inclined to speak with the Child(ren) when it is appropriate.
2. The Court intends to speak with the Child(ren) prior to the commencement of trial if it can help with settlement.
3. 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@alleghencourts.us.
4. 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.

5. If a Court Appointed Special Advocated (CASA) is assigned to the family, the CASA may be present for the In-Camera Interview.
6. The In-Camera Interview will be recorded either by a court reporter, a courtroom recording, or a Microsoft TEAMS recording. The Court will endeavor to conduct In-Camera interviews in a place that is comfortable and child friendly.
7. Unless otherwise agreed to, the testimony of the Child(ren) will be incorporated at trial and made part of the record.
8. 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.**
9. After the In-Camera Interview, the Court will schedule a brief follow-up status conference with counsel/parties to discuss the In-Camera Interview.

IV. SETTLEMENT

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

EXCEPTIONS/PRELIMINARY OBJECTIONS

- i. ALL EXCEPTIONS AND PRELIMINARY OBJECTIONS WILL BE SCHEDULED FOR ORAL ARGUMENT ON THE NEXT AVAILABLE EXCEPTIONS DATE. Arguments will be IN PERSON unless otherwise specified by the Court.
- ii. Alternatively, should the parties prefer that the Court rule on the exceptions or preliminary objections on the pleadings and briefs only, they may execute a Consent Order reflecting the same.
 1. Chambers will send a template Order to the parties and/or their counsel.
 2. Both parties will be responsible for affixing original signatures on the Order and submitting it to Chambers via email to exceptionshenry-taylor@alleghencourts.us.

JUVENILE COURT MATTERS (INCLUDING TERMINATION OF PARENTAL RIGHTS)

I. GENERAL CONSIDERATIONS

- a. All hearings and trials will be conducted IN PERSON, unless otherwise specified by Order of Court.
- b. **It is expected** that the Court, GAL, CASA, and the parents will receive copies of any orders and reports prior to hearings.
- c. The following reports must be submitted to Judge Henry-Taylor prior to hearings and trials:
 - i. Reports from professionals regarding supervised visitations;
 - ii. Evaluations/Reports regarding drug & alcohol and/or mental health treatment;
 - iii. Documents that show completion of Batterer's Intervention Program or a similar type of program;
 - iv. Evaluations/Reports from Justice Related Services, IMPACT, or any other court-ordered services, and;
 - v. Letters from therapists concerning the progress of therapy (not including personal or confidential notes or information).
- d. Counsel, parties, and witnesses must be prepared to testify as to particular dates and specific occurrences in question.
- e. Counsel and parties must be prepared to engage in family group decision making following hearings.

II. BEST PRACTICES

- a. All professionals involved in the case including the lawyers, caseworkers, service providers, and others are expected to be prepared.
- b. Attorneys for parents, counsel for the Agency and GALs should contact their clients regularly and should establish a system that enables two-way communication between client and Attorney to be regular, timely, and adequate.
- c. Attorneys should be prepared to both present their own expert witnesses and challenge other parties' expert witnesses as to their qualification, scientific methodology, factual determinations, conclusions and recommendations.

- i. Attorneys should make efforts to speak with and obtain reports from all expert witnesses in advance of their testimony. The Attorney should subpoena the experts, giving them as much advanced notice of the court as possible.
- d. The Attorney should spend as much time as possible preparing witnesses for the hearing.
- e. Attorneys must maintain regular communication with all counsel of record as well as the child welfare agency and other child welfare professionals in the case.
 - i. Attorneys should regularly communicate with the child welfare agency and other child welfare professionals in the case to obtain updates about the client's progress and to ensure court-ordered referrals are made, services are provided, and any other case related matters are addressed.
 - ii. Attorneys should collaborate with child welfare professionals to try and reach agreement about appropriate goals, determine appropriate measures for assessing progress and determine appropriate services and providers. Attorneys should attempt to work with them to overcome any barriers to obtaining appropriate services.
 - iii. Attorneys should understand the client's and family's progress with services and know what suggestions service providers have about the ongoing need for and effectiveness of service.
 - iv. Service providers such as visitation supervisors and in-home services should prepare a report/summary in advance of the hearing that can be reviewed by the attorneys with their clients.

III. COURT SCHEDULING

- a. The Court may need to schedule hearings outside of crossover days. If counsel is unable to attend, the Court would prefer they have someone cover for them if feasible.

IV. JUVENILE MOTIONS

- a. All motions shall be conducted IN PERSON, unless otherwise specified by Order of Court.
- b. These motions and petitions shall be noticed for presentation at 8:30 a.m. on a day when the applicable judge is sitting in juvenile court. It is the responsibility of the moving party to ensure that the judge is sitting on the day and time scheduled for presentation in dependency matters.
- c. **If all parties consent and the issue is time-sensitive**, the Motion may be addressed during the Judge's regularly scheduled adult Motions Court.

- d. It is also the responsibility of the moving party to ascertain through consultation with the Judicial Service Department, the judge to whom the case is assigned or will be assigned.
- e. Motions shall be presented electronically by sending a copy of the motion to the court at Judge Henry-Taylor's email address. The Motion shall include a proposed order. A copy of the motion shall be emailed to all counsel. All motions shall be filed electronically through PACFile. A copy of the motion shall also be emailed to the Court's Law Clerk at SDorn@allegheycourts.us and the Court's Tipstaff at JFriday@allegheycourts.us
- f. If a Court-Appointed Special Advocate (CASA) has been appointed, a copy of the motion shall be sent to CASA via e-mail.

APPEALS IN ALL MATTERS

- a. For fast track appeals, the Notice of Appeal and Concise Statement of Errors must be filed with the Department of Court Records **at the same time**. For non-fast track appeals, the Concise Statement of Errors must be filed within twenty-one (21) days of filing the Notice of Appeal.
- b. Counsel must serve a hard copy of the Notice of Appeal and Concise Statement of Errors to Judge Henry-Taylor's Chambers within twenty-four (24) hours of filing, regardless of if filed together or separately.
 - i. The hard copy of the Concise Statement of Errors may be hand-delivered or sent via mail.
 - ii. The Concise Statement of Errors may also be served by email in addition to serving the hard copy.
- c. Service on other parties/counsel shall be by any means specified under Pa.R.A.P. 121(c).
- d. Any issue that is not properly raised in the Concise Statement of Errors is deemed WAIVED.

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.
 - i. 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.
 - ii. 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.
 - iii. 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.
 - iv. 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.
 - v. 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. 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.
8. A computer will generally be preferred to a tablet or a phone.

TECHNICAL TIPS

1. How to Scan a Document on iPhone

- i. Open Notes and select a note or create a new one.
- ii. Tap the Camera button, then tap Scan Documents.
- iii. Place your document in view of the camera.
- iv. If your device is in Auto mode, your document will automatically scan. If you need to manually capture a scan, tap the Shutter button or press one of the Volume buttons. Then drag the corners to adjust the scan to fit the page, then tap Keep Scan.
- v. Tap Save or add additional scans to the document.

APPENDIX “A”

Case Summary Form

The Honorable Nicola Henry-Taylor

City-County Building, Room 712
414 Grant Street, Pittsburgh, PA 15219
(412) 350-1670
Henry-TaylorChambers@AlleghenyCourts.us

CUSTODY CASE SUMMARY

CAPTION	DOCKET NUMBER	NECESSARY TO AMEND CAPTION DUE TO MISSING PARTY OR NAME CHANGE?	LAST CONCILIATION DATE

JUDICIAL CONCILIATION

DATE	TIME	LOCATION	PERSONS EXPECTED TO BE IN ATTENDANCE (PER SCHEDULING ORDER)

MATTERS PENDING:

Custody, Relocation, School Choice, Protection From Abuse (PFA), Civil Contempt, Indirect Criminal Contempt (ICC), Cross-Complaints, Motions/Petitions – for Special Relief, to Intervene, etc.

MATTER	FILED	MOVING PARTY	UPCOMING PROCEEDINGS (TYPE/DATE)

INVOLVED PARTIES

	PARENT / GUARDIAN COMPLETING FORM	LEGAL COUNSEL OR SELF-REPRESENTED	<input type="checkbox"/> CASA <input type="checkbox"/> GUARDIAN AD LITEM <input type="checkbox"/> BEST INTEREST ATTORNEY
Name			
Mailing Address			
Telephone			
Email			

MINOR CHILD(REN)

NAME	PRONOUNS	DOB	AGE	GRADE	SCHOOL DISTRICT	SPECIAL EDUCATION / SPECIAL NEEDS

OTHER PERSONS OF SIGNIFICANCE TO THE CASE:

Siblings (include age), Co-habitants (included on Criminal History Abuse Verification?), People with significant relationships to Child or Party on either side of case

NAME	RELATIONSHIP	CONVICTIONS FOR ENUMERATED OFFENSES Pursuant to 23 Pa.C.S. §5329	NOTES

SERVICE PROVIDERS:

Medical / Mental / Behavioral Health Provider, Evaluator, Supervisor

NAME & CONTACT	ROLE	SERVICE BEING PROVIDED

CURRENT CUSTODY SCHEDULE

DATE OF CUSTODY ORDER	LEGAL CUSTODY (SOLE / SHARED / LIMITED)

PHYSICAL CUSTODY

WK	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1							
2							
3							
4							

RELEVANT PROVISIONS

Transportation, Exchanges, Supervision, Restrictions, Requirements

COMPLIANCE WITH ORDER OF COURT, DATED: _____

PARAGRAPH	PROVISION	COMPLIANCE	DOCUMENTATION

UPDATES SINCE LAST PROCEEDING

DATE	EVENT

PROPOSED CUSTODY SCHEDULE

REALISTICALLY FORMULATED TO RESOLVE THE CUSTODY MATTER

WK	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1							
2							
3							
4							

OTHER PROPOSED PROVISIONS

ADDITIONAL INFORMATION TO NOTE

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APPENDIX “B”

Exhibit List

