

April 2024

STANDARD OPERATING PROCEDURES

**For the courtroom of
The Honorable Arnold I. Klein
708 City-County Building
414 Grant Street
Pittsburgh, PA 15219
Phone: (412) 350-4373 Facsimile: (412) 350-4521**

Effective as of April 2024

Please note that the below operating procedures are in addition to and supplement the applicable Rules of Civil Procedures and Local Rules, which should also be reviewed.

Introduction. This document contains the standard operating procedures for the courtroom of the Honorable Arnold I. Klein in the Civil Division of the Allegheny County Court of Common Pleas. Counsel, litigants, and all other interested persons should use this document as a guide for proceedings before the court.

GENERAL INFORMATION

Unless otherwise notified by the Court, all matters and proceedings are being conducted in person. Counsel/the parties shall appear in person for arguments, trials, conciliations, conferences, etc. in Courtroom 708, City-County Building.

When communicating with the Court via email about a particular case, ALL parties must be included on the email unless directed otherwise.

The email address of the other parties/ opposing counsel must be included either in the "To" or the "CC" boxes so that they are visible to the Court. Do NOT "BCC" any clients/parties/ opposing counsel on your communications. **Please note that communications through the Court's email addresses shall be limited to transmission of petitions/ motions/ other filed submissions and inquiry regarding administrative (scheduling) matters. Please do not copy the court on other forms of communication, such as disagreements amongst the parties/counsels. Unless the Court has specifically authorized transmission of the communication, it shall be treated as *ex parte* and will not be considered.**

Unrepresented Parties. Individual (*i.e.*, non-corporate) parties are usually permitted to represent themselves before the court. However, such parties must litigate their cases according to all applicable rules, including the Pennsylvania Rules of Evidence, the Pennsylvania Rules of Civil Procedure, and the Allegheny County Rules of Civil Procedure. Because following the applicable rules can be difficult for those not trained in the law, unrepresented parties should consider obtaining an attorney. The Allegheny County Bar Association Lawyer Referral Service at (412) 261-5555 may be helpful to litigants seeking counsel.

Requests for Relief. Except as otherwise provided herein or except as otherwise directed by the court, parties requesting any type of relief or other action by the court must present their requests via motion or petition. Motions and petitions are to be filed with the Department of Court Records and served on all parties and the court consistent with applicable Pennsylvania and Allegheny County rules. All motions and petitions shall contain a proposed court order.

Pretrial Conciliations. Before any scheduled conciliation, all parties must timely file and serve their respective pretrial statements in compliance with the Pennsylvania and Allegheny County Rules of Civil Procedure. Failure to comply fully with filing and service requirements may result in sanctions. Counsel, their respective clients, and the insurance representative or representatives who possess settlement authority must attend all pretrial conciliations. Only with prior approval of the court will the physical attendance of a party or the party's authorized representative(s) be excused. If the case settles before the conciliation date, the parties must notify the judicial secretary and/ or tipstaff by either phone call, email, U.S. mail or by facsimile confirming settlement to this court.

Jury Trials. As soon as counsel learns that the case has been assigned to this court for trial, counsel must deliver to the court's chambers hard copies of all pretrial motions and briefs whether or not

those motions and/or briefs were previously filed with the Department of Court Records. The court will normally hold a hearing on pretrial motions.

Counsel must report to the courtroom upon completion of jury selection so that the court may hold a pretrial conference.

The court will normally require the parties to seek agreement on, and submit, joint final jury instructions and a joint verdict slip.

Non-Jury Trials. No later than 15 minutes before the time scheduled for the start of trial, counsel and *pro se* litigants shall have appeared in the courtroom, shall have executed all necessary waivers to proceed with a non-jury trial, shall have addressed their envelopes (provided by the court's tipstaff) for receipt of the verdict, shall have given the foregoing items to the court's tipstaff, and shall be prepared to meet with the court at a pretrial conference to address the possibility of settlement, to determine stipulations, and to consider any unusual question of law or procedure that is anticipated to arise during the course of the trial.

Post-Trial Motions. The filing party must serve a copy of its post-trial motion on the opposing party and on the court. The filing party is reminded to consult the Allegheny County Rules of Civil Procedure regarding the party's obligations to order the needed portions of the trial and/or related transcripts. If the trial and/or

related transcripts are not necessary in order to prepare a brief, the moving party must file a brief at the time the party files its post-trial motion. If one or more transcripts are needed to prepare a brief, the court will allow the moving party time to file a brief after the party receives the required transcript(s). The non-moving party may file a response no more than fourteen days after the moving party has filed its motion and brief. Depending on the circumstances of the case, the court may decide the motion with or without a hearing.

CIVIL CONTESTED MOTIONS

Pursuant to Local Rule 208.3(a)(6)(b)(v), the moving party is required to provide Judge Klein with notice of all CONTESTED Motions in advance of a scheduled argument when Judge Klein is sitting as the General Motions Judge. To do this please email your motion as a PDF document and your proposed order as a separate WORD document to **kleinchambers@allegheycourts.us**. Responses and any replies can also be emailed in PDF format. Opposing parties must be copied on this email. Please include in the subject line of the email CONTESTED with the case name and docket number, please also include the date and time of presentation of your motion in the body of the email.

GENERAL ASBESTOS MOTIONS

General Asbestos Motion dates are scheduled before each asbestos judge once monthly, with the dates and times listed in the PLJ. These motions include all discovery motions, preliminary objections and any motion related to an asbestos case.

Contested General Asbestos Motions signed up with Judge Klein are to be emailed to the Judges staff at **motionsklein@alleghecourts.us** prior to the motion date.

Contested motions will be argued and the orders will be signed and filed with the Department of Court Records.

Uncontested General Asbestos Motions can be forwarded to either Judge Klein's staff for Judge Klein's signature and filing with the Department of Court Records. No need for presentation.

ASBESTOS MOTIONS FOR SUMMARY JUDGMENT

Asbestos MSJ argument schedule will be circulated via email from the court.

MSJs for cases assigned to Judge Klein that anticipate an argument must be submitted through Judge Klein's online form. The link for the online form can be found on the argument schedule email

that is forwarded to the asbestos attorneys or you may contact Judge Klein's chambers for that information.

All responses and replies to MSJ arguments should be sent directly to the tipstaff, Dan Cuneen, at dcuneen@allegheycourts.us at least two (2) business days prior to the scheduled argument date.

Asbestos trial cases are listed on the general trial list and may be assigned to any Civil Division Judge for trial.

For additional information on Asbestos matters please refer to the Allegheny County court's website under the Departments of Civil Division – Asbestos. [Asbestos - Fifth Judicial District of Pennsylvania \(allegheycourts.us\)](http://www.allegheycourts.us)

CONTACT INFORMATION

You may contact Chambers through the following contact information for judicial staff:

Monica Dawkins – Judicial Secretary – mdawkins@allegheycourts.us

Dan Cuneen – Tipstaff – dcuneen@allegheycourts.us

Paul DaChille – Law Clerk – pdachille@allegheycourts.us
