

Local Rule 1 ***Structure of the Court of Common Pleas of Allegheny County.***

- (1) The Court of Common Pleas of Allegheny County (Fifth Judicial District) consists of the following divisions:
 - (a) Civil Division: which includes General Docket (“GD”), Arbitration (“AR”), Landlord-Tenant (“LT”), Property Assessment Appeals to the Board of Viewers (“BV”), Mortgage Foreclosure (“MG”) and Statutory Appeal (“SA”) cases.
 - (b) Family Division, which includes the Adult and Juvenile Court sections;
 - (c) Orphans’ Court Division; and
 - (d) Criminal Division.
- (2) Each Division of the Court is managed by an Administrative Judge, who is appointed by the Supreme Court of Pennsylvania.
- (3) The Office of the Clerk of the Court of Common Pleas (as defined at 42 Pa.C.S. § 2701 et seq.) is the Department of Court Records, which has three divisions: (a) the Civil/Family Division; (b) the Wills/Orphans’ Court Division; and (c) the Criminal Division. Documents filed with the court shall be filed in the appropriate division of the Department of Court Records.

Editor’s note: Amended November 20, 2014, effective 30 days after publication in the *Pennsylvania Bulletin*.

Local Rule 2 ***Notice by Publication.***

- (1) In all actions where notice is required to be given by advertisement in a newspaper, proof of publication shall be made by the affidavit of the owner, publisher or the designated agent thereof and filed of record before the entering of any final order, decree or judgment.
- (2) The *Pittsburgh Legal Journal* is designated as the newspaper of this Court for the publication of legal notices. All notices which are required to be advertised in a newspaper shall also be advertised in the *Pittsburgh Legal Journal*.

Local Rule 3 ***Money Deposited in Court.***

- (1) Any officer or person distributing money in proceedings in this Court shall have the docket in the proper office receipted, or shall

have received an acknowledged receipt and release for such sums paid.

- (2) Except as hereinafter provided, all money deposited with the Department of Court Records shall be deposited by the Department of Court Records in an institution insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. All deposits with the Department of Court Records in excess of Five Thousand Dollars shall be deposited by the Department of Court Records in interest-bearing accounts, or may be invested in United States Government obligations or United States Government guaranteed obligations.
- (3) All interest accrued on deposits, other than deposits of costs, made for a period of three (3) months or more in excess of Five Thousand Dollars (\$5,000.00) shall be paid to the party or parties ultimately determined to be entitled to the fund.
- (4) All accrued interest not distributed pursuant to subdivision (3) of this local rule shall be paid to the county treasurer.
- (5) The Department of Court Records shall charge for the benefit of the county a commission equal to one-half of one percent on all deposits of less than One Thousand Dollars and one-fourth of one percent on all deposits and interest accrued on deposits of One Thousand Dollars or more.
- (6) The Department of Court Records shall maintain a record of all moneys deposited, and paid out, setting forth the names of the parties from whom the money was received and to whom the money was paid, and the commissions charged pursuant to subdivision (5) of this rule.

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Local Rule 76

Definitions.

“Board of Judges” shall mean all members of the Court, excluding Senior Judges.

“Court” shall mean all divisions of the Court of Common Pleas of Allegheny County.

“Local Rule” shall mean any rule regulating practice or procedure promulgated by the Court of Common Pleas of Allegheny County pursuant to Section 323 of the Judicial Code (42 Pa.C.S. §323).

Local Rule 105 *Bonds.*

- (1) **Bonds—Property.** All bonds, bail and security except those of approved surety companies, shall have endorsed or attached an affidavit showing the value of the property given as surety, and the liens upon it. The affidavit shall state whether the same property has been used as security for any other purpose and, if so, all details. The person liable for the debt shall not be qualified to act as surety for himself or herself.
- (2) **Bonds—Corporate Surety.** No corporation may act as sole surety or guarantor on bonds or undertakings in this Court unless it has been approved by the Orphans’ Court Division of this Court.
- (3) **Bonds—Prohibited Sureties.** No attorney, sheriff, Department of Court Records, their deputies or Court personnel shall be admitted as surety in any action.

Editor’s note: Amended November 20, 2014, effective 30 days after publication in the *Pennsylvania Bulletin*.

Local Rule 198 *Actions Between Family Members.*

- (1) All cases between spouses, former spouses, or persons living as spouses shall be filed in the Family Division. Cases between other family members shall be filed in the Civil Division.
- (2) The Administrative Judge of the Division in which a case is filed has the authority, in consultation with the other Administrative Judge, to transfer a case to the other Division.

Local Rule 200 *Representation by an Attorney.*

- (1) Individuals may represent themselves or be represented by an attorney.
- (2) Except as otherwise provided by subdivision (3), a corporation, partnership and unincorporated association must be represented by an attorney.
- (3) A corporation, partnership or unincorporated association may be represented by an officer or by a partner in the following actions:
 - (a) a civil action brought in or appealed to this Court in which the relief sought is monetary damages which do not exceed the jurisdictional limit for an action before a Magisterial District Judge.

- (b) an appeal from a judgment entered in a Magisterial District Judge Court in an action for the recovery of the possession of real property.

Note: A corporation must be represented by an attorney regardless of the amount in controversy if the lawsuit involves a dispute between shareholders or officers of the same corporation.

Note: See the opinion of Strassburger, J. in *Hammond Press, Inc. v. Verzinskie*, AR02-000702 (C.P. Allegheny 5/6/03).

Local Rule 205.2(a). *Requirements Governing the Physical Characteristics of Pleadings, Petitions, Motions, and other Legal Papers.*

(1) Basic Requirements.

- (a) Footnotes shall be single-spaced.

Note: See Pa.R.C.P. 204.1 for other requirements.

- (b) All attachments, supporting documents, and exhibits shall be on eight and one-half inches by eleven inches paper at the time of filing with the Department of Court Records.
- (i) A smaller document shall be reproduced, if possible, on eight and one-half inches by eleven inches paper.
- (ii) A larger document shall be reduced and reproduced to eight and one-half inches by eleven inches size, provided it will still be legible.
- (iii) If it is not possible to obtain a legible photocopy of the document or exhibit because of unique characteristics or inherent limitations, e.g., maps, surveys, computer printouts, data processing cards, drafter's plans, tracing paper, red pencil marks, colored paper, tape recordings, cassettes, movies, etc., the filing party shall present the document or material to the Department of Court Records to be stamped, docketed, and filed. Each such special filing shall be accompanied by one (1) cover sheet.
- (c) In any case where a reproduced document under subdivision (b) above has been included in the pleadings or where a filing has been made under subdivision (b), and such reproduced document is not legible, an exact recitation of the contents of the document or evidence or, by agreement of the parties, the material sections of the same, shall be typed on white paper, eight and one-half inches by eleven inches in size, in twelve point type with double-spacing and margins of one inch on

each side and the top and bottom of the page. This retyped document shall bear a certification of accuracy by counsel for the filing party.

Note: Local Rule 205.2(a) does not affect the provisions of Pa.R.C.P. 1019(i), requiring that copies of certain writings be attached to pleadings.

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(2) Proposed Orders of Court.

Every preliminary objection, petition and motion shall include a proposed order of court which shall be the last page of the preliminary objection, petition or motion.

(3) Other Filing Requirements.

(a) Every document shall be attached only at the top left corner of the pages with one staple or, if the document is too thick for a staple, then at the top of the pages with a metal fastener (not a binder clip).

(b) Cloth tape is prohibited and shall not be used to cover the staple or metal fastener.

(c) “Bluebacks” shall not be used.

Note: It is recommended that the case number be entered at the top or bottom right corner on every page of every filing because of the possibility that pages of a filing may come apart.

Local Rule 205.2(b). Cover Sheet.

(1) (a) The first page of any pleading, petition, motion or other legal paper shall be a cover sheet setting forth the items of information specified below, according to the format presented in Form of Cover Sheet (FORM 205.2(b)) (see subsection (3) below). If needed, a second page may be attached and numbered “Cover Sheet 2” at the bottom of the page.

(b) The lettering shall be in a font of no smaller than twelve point size or an equivalent, and shall substantially follow the format in Form of Cover Sheet (FORM 205.2(b)) (see subsection (3) below).

(c) The cover sheet on the document commencing the action (Praecipe or Complaint), shall have a margin at the top of three (3) inches, for the Department of Court Records’ stamp.

(2) The information required includes:

(a) (In capital letters from left to right margins)

“IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA”

- (b) (In capital letters on left side of center) the complete names of all parties; if the party filing the attached pleading has made a previous filing, an appropriate and obvious shortened caption may be used.
- (c) (In appropriate upper and lower case, except where otherwise indicated, on the right side of center on separate lines):
- (i) The specific DIVISION, i.e., CIVIL, FAMILY, CRIMINAL, or ORPHANS’ COURT;
 - (ii) The docket number;
 - (iii) The issue number, if assigned and the date the case is listed for trial, if assigned;
 - (iv) The name of the pleading, in bold face and all capital letters;
 - (v) For Civil Division cases, the docket code which most accurately characterizes the primary cause of action (see Local Rule 205.2(b)(4) below);
 - (vi) If the action is filed as a class action, then “CLASS ACTION” shall be set forth on the line following the Civil Division docket code;
 - (vii) If the action involves real estate, then the address, municipality, ward if applicable, lot and block number shall be set forth;
 - (viii) The completed statement: “Filed on behalf of _____ (party’s name, party’s relationship to case)”;
 - (ix) The completed statement: ‘’Counsel of Record: _____ (attorney’s name and Pennsylvania Identification Number, firm name, firm number per the list in the Allegheny County Department of Court Records, address and telephone number)’’; and
 - (x) In cases in which a party is represented only by out-of-county counsel, the following notice shall appear; “Party Represented by Out-of-County Counsel Only.”

Note: This notice is required to alert court personnel to the need to mail a notice of earliest trial date, pursuant to Local Rule 212.1(3). See also FORM 214, Praecepto to Place Case at Issue, paragraph 6, Local Rule 214(1)(b).

- (xi) Every pleading, petition and motion must include a Certificate of Service which sets forth the manner of service upon each party including the name of an attorney of record for each party that is represented and the address at which service was made.

(3) FORM 205.2(b) Cover Sheet

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<i>See Forms Index</i>

(4) Civil Division Docket Codes.

- Code 001 - Trespass-Motor Vehicle
- Code 002 - Trespass-Other Traffic
- Code 003 - Trespass-Against Property Owner
- Code 004 - Trespass-Products Liability
- Code 005 - Trespass-F.E.L.A.
- Code 006 - Trespass-Assault and Battery
- Code 007 - Trespass-Medical/Hospital Negligence
- Code 008 - Trespass-Defamation
- Code 009 - Trespass-Other
- Code 010 - Assumpsit
- Code 011 - Assumpsit/Trespass
- Code 020 - Equity
- Code 030 - Appeal from Award of Viewers
- Code 040 - Complaint in Ejectment
- Code 060 - Mechanics Lien Complaint
- Code 070 - Mandamus
- Code 080 - Quiet Title
- Code 090 - Quo Warranto
- Code 100 - Replevin
- Code 120 - Tax Assessment Appeal
- Code 140 - Mortgage Foreclosure
- Code 180 - Declaratory Judgment Petition
- Code 200 - Execution (at issue only)

Note: If there is no code listing for a case or action, insert: "Code ____".

Local Rule 205.4 ***Electronic Filing and Service of
Legal Papers in Allegheny County.***

Note: This Local Rule has been promulgated in compliance with Pa.R.Civ.P. 239.9(a) which provides, "If a court permits or requires the electronic filing of legal papers with the prothonotary, the court must promulgate a local rule designated Local Rule 205.4 which sets forth in detail the practice and procedure to file a legal paper electronically and includes the matters set forth in this rule."

(a)(1) Except as noted in the subsections below, use of the Allegheny County Department of Court Records Civil/Family Division (hereinafter "DCR") electronic filing system is permissive for the filing of all legal papers, including original process, in all actions and proceedings brought in or appealed to the court.

Note: A "legal paper" is defined in Pa.R.C.P. 205.4(2) as "a pleading or other paper filed in an action, including exhibits and attachments."

A. Use of the DCR's electronic filing system is mandatory for all actions and proceedings involving personal injury or death allegedly caused by asbestos.

B. Use of the DCR's electronic filing system is not permitted for the following Civil Division Filings:

1. Initial filings in Petitions for Name Change;

Note: Secondary filings in Petitions for Name Change may be filed electronically.

2. Initial filings for Exemplification of Records;

Note: Secondary filings involving Exemplification of Records may be filed electronically.

3. The following secondary filings in General Docket Cases:
(i) preliminary objections, (ii) motions for judgment on the pleadings, or (iii) motions for summary judgment.

Note: The matters described in subsection (a)(1)(B)(3) are excluded from electronic filing because of the existing procedure under which these matters are presented to the Chief Motions Clerk or Calendar Control for scheduling prior to filing in the Office of the DCR.

4. The following secondary filings in compulsory arbitration cases: (i) preliminary objections, (ii) petitions, or (iii) motions.

Note: The matters described in subsection (a)(1)(B)(4) are excluded from electronic filing because of the practice of furnishing an argument date to the party filing the matter at the time of filing.

5. Filings under seal.

- 6. Praecipes for writ of execution in a mortgage foreclosure proceeding.
- C. Use of the DCR’s electronic filing system is not permitted for the following Family Division Filings:
 - 1. Legal papers relating to Protection From Abuse matters which must be processed with the PFA Office in Family Division before they can be filed.
 - 2. Legal papers relating to custody, partial custody or visitation matters which must be processed through the Generations office before they can be filed.
 - 3. Legal papers relating to spousal or child support must be processed through Family Division before they can be filed.
 - 4. Legal papers relating to divorce which contain or address counts or counterclaims for support, alimony pendente lite, alimony or custody, partial custody and visitation, must be processed through the offices to which reference is made in (C)(1), (2) or (3) of this subsection.

Note: Divorce pleadings which do not include or address any of the counts enumerated above may be filed electronically, including but not limited to, § 3301(c) or § 3301(d) affidavits of consent, counter-affidavits, waiver of notice of intention to request entry of a decree, notice of intention to request a divorce decree, and praecipe to transmit the record.

- 5. Any and all legal papers which must be presented to a Family Division Judge in motions before filing with the Office of the DCR.
- (b)(1) Legal papers may be filed using the DCR’s electronic filing system in the following file formats only: Portable Document Format (.pdf), Microsoft Word (.doc or .docx), WordPerfect for Windows, version 6.0 or higher (.wpd), TIF (.tif), GIF (.gif), JPEG (.jpg), or PCX (.pcx).

[(c)(1) There is no Section (c)(1).]

(c)(2) The DCR’s electronic filing website is dcr.alleghenycounty.us (“www” does not appear before and “.com” does not appear after this web address). Persons may access the DCR’s electronic filing system by first registering and establishing a User ID and password using the “Register” link at the DCR’s electronic filing website. The User ID for Pennsylvania licensed attorneys is their Supreme Court of Pennsylvania identification number issued by the Court. Non-attorney users may, at the time of registration,

designate any combination of letters or numbers they may wish to use as a User ID.

(d)(1) The following credit and debit cards may be used on the DCR's electronic filing website to pay filing-related fees: Visa, MasterCard, Discover, and American Express. Such fees may also be paid by depositing in advance sufficient funds with the DCR. The DCR may also accept payments by electronic checking/ACH (Automatic Clearing House). See the DCR website for additional information.

[(d)(2) There is no Section (d)(2).]

[(d)(3) Intentionally omitted as Allegheny County has not designated a third party to operate the electronic filing system.]

(f)(1) When a legal paper has been successfully transmitted electronically, the DCR's electronic filing website shall generate a printable acknowledgement page and shall transmit to the filer an initial e-mail confirming the electronic receipt of the legal paper and the date and time thereof. Subsequently, after the DCR has processed the electronic filing, the DCR shall transmit, to the filer, an e-mail stating the date and time of acceptance of the filing or stating that the filing has not been accepted and the reasons for non-acceptance. A legal paper will not be considered filed if the DCR responds to the filing by notifying the filer that the filer has not (i) maintained with the DCR sufficient funds to pay the fees and costs of the filing or (ii) authorized payment by credit or debit card of such fees and costs.

(f)(2) The DCR shall maintain an electronic and a hard copy file for the legal papers, including original process, in any civil action or proceeding at law or in equity brought in or appealed to the court, including any action pursuant to the Eminent Domain Code of 1964 or the Municipal Claims Act of 1923. The DCR is not required to maintain a hard copy file for the following legal papers when filed electronically:

Allegheny County Bar Association Fee Dispute Judgment

Annual Audit

Assurance of Voluntary Compliance

Bond of Tax Collector

Cemetery Report

Commercial Broker Lien

Commonwealth Tax Lien

- Condominium Lien
 - Declaration of Covenant Lien
 - Environmental Resources Lien
 - Federal Judgment Lien
 - Foreign Execution
 - Foreign Judgment
 - Foreign Judgment/Execution
 - Foreign State Tax Lien
 - Health Department Judgment
 - Housing Court Judgment
 - Judgment Roll
 - Liens/Scire Facias
 - Mechanics' Lien
 - Municipal Lien
 - No Lien Agreement
 - Oath of Office
 - Orphans' Court Judgment
 - Pennsylvania Agency Judgment
 - Pension Benefit Lien
 - PHEAA Judgment
 - Planned Community Lien
 - Scire Facias sur Municipal Lien
 - Scire Facias sur Tax Lien
 - Tax Collector Report
 - Unemployment Compensation Lien
 - Workers' Compensation Judgment
- [(f)(3) There is no Section (f)(3).]
- (f)(4) The procedures for payment of the fees and costs of the DCR shall be set forth on the DCR website: [website: dcr.allegheny-county.us](http://www.dcr.allegheny-county.us) (www. does not appear before and “.com” does not appear after this web address).
- [(f)(5) There is no Section (f)(5).]

Editor's note: Amended April 20, 2012, effective upon publication on the US web portal. Adopted April 5, 2012, effective February 22, 2013. [Local Rule

1930.1 Electronic Filing in Family Division Matters rescinded. See Local Rule 205.4 for information regarding efilng of Family Division Matters.]

Local Rule 206.4(c). *Procedures for the Disposition of Petitions.*

(1) Scope.

This local rule describes the procedures for an application to open a default judgment or a judgment of non pros governed by Pa.R.C.P. 206.1 et seq.

Note: This court has not promulgated a local rule, numbered Local Rule 206.1(a)(2), which provides for any other application to be governed by Rule 206.1 et seq.

(2) General Docket Cases – Opening a Default Judgment.

- (a) A petition to open a default judgment shall be presented to the Motions Judge. It may be presented only after service of a copy of the petition and notice of the date of presentation on all other parties. Except in cases of emergency or with the consent of all other parties, the date of presentation shall be at least ten (10) days after service of a copy of the petition and notice of the date of presentation.

Note: The court does not schedule the date and time of presentation. The petitioner selects a date and time at which the Motions Judge is hearing motions and petitions. See Civil Division link on the Website of the Common Pleas Court of Allegheny County (www.allegheycourts.us) for the name and courtroom of the judge who is sitting as the Motions Judge and the times that matters which have not been scheduled with the court may be presented. Ordinarily, unscheduled matters may be presented each day at 9:30 A.M. and 1:30 P.M.

If the case is on the trial list, the petition shall be presented to the Calendar Control Judge. See Local Rule 208.3(a)(3).

- (b) If, upon presentation of the petition, a rule to show cause is entered, the court order issuing the rule shall set the time within which the answer to the petition shall be filed and the time within which depositions shall be completed. If the court order does not set an argument date, at any time after the date by which the depositions were to be completed, any party may order the cause for argument before the Motions Judge by delivering to the Chief Motions Clerk a praecipe to set a date and time for the final argument. The party obtaining the time and date for the final argument shall promptly serve written notice thereof upon all other parties to the proceedings.

Note: The Chief Motions Clerk will be in the Courtroom of the Motions Judge.

- (c) Depositions and other evidence that a court may consider shall be filed at least fourteen (14) days before the argument date.
- (d) Briefs are required. The brief of the moving party shall be filed with the Department of Court Records and served on all other parties at least fourteen (14) days prior to the argument. The brief of the party opposing the petition shall be filed at least seven (7) days prior to the argument.

(3) General Docket Cases – Opening a Judgment of Non Pros.

- (a) A petition to open a judgment of non pros shall be presented to the Special Motions Judge. It may be presented only after service of a copy of the petition and notice of the date of presentation on all other parties. Except in cases of emergency or with the consent of all other parties, the date of presentation shall be at least ten (10) days after service of a copy of the petition and notice of the date of presentation.

Note: See “Civil Division” on the Website of the Common Pleas Court of Allegheny County (www.alleghenycourts.us) for the name of the judge who is sitting as the Special Motions Judge and the times matters may be presented. Ordinarily, the Special Motions Judge will be available on Fridays.

The moving party may obtain an argument date and time for the presentation by contacting the Assignment Room (Room 700 of the City-County Building, 412-350-5463) on Mondays through Fridays between 1:30 P.M. and 4:30 P.M. Or the moving party may, after giving appropriate notice to all parties, place the matter on the 2:00 P.M. Add-On List, located in the Courtroom of the Special Motions Judge, at any time after 8:30 A.M. on the Friday on which it will be presented.

If the case is on the trial list, the petition shall be presented to the Calendar Control Judge. See Local Rule 208.3(a)(3).

- (b) If, upon presentation of the petition, a rule is issued, the court order issuing the rule shall set forth the time within which the answer to the petition shall be filed and within which depositions shall be completed, and the date of the final argument before the Special Motions Judge.
- (c) Briefs are not required unless the court order issuing the rule provides for the filing of briefs.

(4) Arbitration Cases – Opening Default Judgments and Judgments of Non Pros.

- (a) The original and a copy of the petition to open a default judgment or a judgment of non pros shall be taken to an Arbitration Department Clerk, Courtroom Two, Seventh Floor, City-County Building, 414 Grant Street, Pittsburgh, Penn-

sylvania 15219. The clerk will place on the original and the copy of the petition a date and time (usually on a Friday at 10:00 A.M.) for an argument before the Special Motions Judge. The clerk will file the original with the Department of Court Records and return the copy to the party filing the petition. This party shall promptly serve copies of the petition on all other parties with notice of the date and time of the argument.

- (b) The petitioner shall notify an Arbitration Department Clerk (412-350-5625) if the petition scheduled for argument becomes moot. Otherwise, if the petitioner does not appear on the date of the argument, the court will enter an order dismissing the petition for failure of the moving party to appear.

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Local Rule 208.3(a). *Procedures for the Disposition of Motions.*

(1) Scope.

- (a) (i) As used in this rule, “motion” means any application to the court made in any civil action or proceeding except as provided by subdivisions (b)(1) and (2) of Pa.R.C.P. No. 208.1.

Note: The term “motion” as used in Pa.R.C.P. No. 208.1 and in this local rule does not include preliminary objections (governed by Local Rule 1028(c)), motions for judgment on the pleadings (governed by Local Rule 1034), motions for summary judgment (governed by Local Rule 1035), or petitions to open a default judgment or a judgment of non pros (governed by Local Rule 206.4(c)).

- (ii) This court has not promulgated a local rule, numbered Local Rule 208.3(b), because this court has not imposed requirements for the filing of a response or a brief with respect to any motions.
- (iii) This local rule does not govern motions filed in asbestos litigation and cases otherwise designated by the court for special management (Pa.R.C.P. Nos. 1041.1 and 1041.2), class actions, and any other cases which, by court order, have been assigned to a judge where the order provides for this judge to consider any motions which the parties file.

(2) General Docket Cases – General Provisions.

- (a) Motions described in Local Rule 208.3(a)(3) shall be presented to the Calendar Control Judge, motions described in Local Rule 208.3(a)(4) shall be presented to the Motions Judge, and motions described in Local Rule 208.3(a)(5) shall be presented to the Special Motions Judge. Litigants may contact the Chief Motions Clerk (412-350-5644) if they are uncertain as to which of the judges should hear a particular motion.
- (b) A motion may be presented only after service of the copy of the motion and notice of the date of presentation on all other parties. Except in cases of emergency or with the consent of all other parties, the date of presentation shall be at least ten (10) days after service of a copy of the motion and the notice of the date of presentation.

Note: The court does not schedule the date and time of presentation. The petitioner selects a date and time at which the appropriate judge is scheduled to hear motions. See "Civil Division" on the Website of the Common Pleas Court of Allegheny County (www.alleghenycourts.us) for the name and courtroom of the judge who is sitting as the Calendar Control Judge, Motions Judge, or Special Motions Judge and the times at which unscheduled matters may be presented. Ordinarily, motions may be presented each day to the Motions Judge at 9:30 A.M. and 1:30 P.M.; motions may be presented to the Calendar Control Judge at 1:30 P.M. on days on which there is a call of the list and at 9:30 A.M. on other days on which motions are being heard; and motions may be presented to the Special Motions Judge only on a Friday (see subsections (5)(c) and (6)(b) below).

- (c) There is no requirement for the filing of a response or the filing of briefs prior to presentation. However, the parties are encouraged to submit briefs when it is anticipated that the court will wish to consider briefs before deciding the issue.

(3) Calendar Control Judge.

- (a) Motions in any case that has been listed for trial on a published trial list shall be presented to the Calendar Control Judge. This includes all motions that would otherwise have been heard by the Motions Judge or the Special Motions Judge.

Note: The docket will show if a case has been listed for trial on a published trial list. For docket entries, go to <https://dcr.alleghenycounty.us/> and click on Civil/Family Division, then "Search" and enter the docket number.

- (b) In any case, including a case that is not on a published trial list, all motions relating to the following matters shall be presented to the Calendar Control Judge:

- (i) the compromise, settlement, and discontinuance of an action to which a minor is a party; and

Note: See Local Rule 2039 for the procedures governing a petition presented pursuant to Pa.R.C.P. 2039.

- (ii) the compromise, settlement, and discontinuance of an action to which an incapacitated person is a party.

Note: See Local Rule 2064 for the procedures governing a petition presented pursuant to Pa.R.C.P. 2064.

(4) Motions Judge.

- (a) For any General Docket case that is not on a published trial list, motions and petitions relating to the following matters shall be presented to the Motions Judge:

- (i) opening or striking default and confessed judgments;
- (ii) requests for preliminary or special injunctive relief;

Note: Enforcement of a court order providing preliminary or special injunctive relief shall be presented to the judge who issued the court order.

- (iii) relief provided for in replevin actions under Pa.R.C.P. 1075.1 to 1086;

- (iv) relief provided for in the Rules of Civil Procedure governing enforcement of money judgments (Pa.R.C.P. 3101 to 3291) except for discovery in aid of execution which is presented to the Special Motions Judge;

Note: These matters are presented to the Motions Judge for all General Docket cases, including cases that have appeared on a published trial list.

- (v) requests to proceed in forma pauperis in General Docket and Arbitration proceedings; and
- (vi) continuances of any arguments on the General Argument List.

- (b) In any General Docket case that is not on a published trial list, any motions that are not required to be presented to the Special Motions Judge (see subdivision (5)(a) of this Local Rule) or to the Motions Judge (see subdivision (4)(a) of this Local Rule) may be presented to either the Motions Judge or the Special Motions Judge.

(5) Special Motions Judge.

- (a) For any General Docket case that is not on a published trial list, motions relating to the following matters shall be presented to the Special Motions Judge:

- (i) discovery;

- (ii) pleadings (other than preliminary objections) including amendments, joinder of parties, late joinder of additional defendants;
 - (iii) preliminary objections filed by an additional defendant if the Special Motions Judge entered an order permitting the late joinder;
 - (iv) withdrawal and disqualification of counsel;
 - (v) discontinuances, consolidation, severance, coordination of actions in different counties (Pa.R.C.P. 213.1), placing/striking cases at issue;
 - (vi) entry and opening of judgments of non pros;
 - (vii) transfers between Arbitration and General Docket;
 - (viii) certificates of merit (Pa.R.C.P. 1042.1 et seq.); and
 - (ix) dismissal upon affidavit of noninvolvement (Pa.R.C.P. 1036).
- (b) In any General Docket case that is not on a published trial list, any motions that are not required to be presented to the Motions Judge (see subdivision (4)(a) of this Local Rule) or to the Special Motions Judge (see subdivision (5)(a) of this Local Rule) may be presented to either the Motions Judge or the Special Motions Judge.
- (c) All uncontested matters may be presented to the Special Motions Judge on Fridays at 10:00 A.M., 12:00 Noon, and 2:00 P.M. For contested motions, the moving party may obtain a Friday argument date and time, in person or by telephone, from the Assignment Room (700 City-County Building, 412-350-5463) between 1:30 P.M. and 4:30 P.M.; or the moving party may place the matter on a 2:00 P.M. Add-On List any time after 8:30 A.M. on the Friday on which it will be argued. The Add-On List is located in the Courtroom of the Special Motions Judge.

Note: There is no limit on the number of cases that can be placed on the Add-On List. Consequently, a party may schedule an argument by giving at least ten (10) days notice to the other parties that a matter will be placed on the Add-On List.

(6) Arbitration Cases.

- (a) (i) Except as provided in the following subdivisions (a)(ii), (a)(iii), and (a)(iv), all motions involving arbitration cases shall be heard by the Special Motions Judge.

- (ii) In forma pauperis petitions will be presented to the Motions Judge.
- (iii) Requests for the continuance of an arbitration case will be presented to the Calendar Control Judge. The party seeking a continuance will present to the Calendar Control Judge an Adjournment of Hearing Form which may be obtained from an Arbitration Clerk in the Arbitration Assembly Room, Courtroom Two, Seventh Floor, City-County Building, 414 Grant Street, Pittsburgh, Pennsylvania 15219.

Note: If all parties agree to the continuance, the Chief Arbitration Clerk has the authority to sign the Adjournment of Hearing “Green Sheet” continuing the case (FORM 208.3(a)) (see subsection (6)(c) below).

- (iv) Motions filed after an arbitration award has been appealed shall be presented to the Special Motions Judge unless they affect the timing of the trial of the case, in which event they shall be presented to the Calendar Control Judge.
- (b) The original and a copy of any motion shall be taken to an Arbitration Department Clerk (room 536, Allegheny County Courthouse). The clerk will place on the original and the copy of the motion a time and date (usually on a Friday at 10:00 A.M.) for an argument before the Special Motions Judge. The clerk will file the original with the Prothonotary and return the copy to the party filing the motion. This party shall immediately serve copies of the motion on all other parties with notice of the date and time of the argument.

Note: The Arbitration Office’s scheduling a motion for an argument on a date after the date of the arbitration hearing does not continue the arbitration hearing unless the moving party obtains a continuance pursuant to paragraph (6)(a)(iii) of this Local Rule.

- (c) FORM 208.3(a) Adjournment of Hearing “Green Sheet.”

Editor’s note: Amended November 20, 2014, effective 30 days after publication in the *Pennsylvania Bulletin*.

See Forms Index

Local Rule 210.

Requirements Governing the Form and Content of a Brief.

All briefs in excess of ten (10) pages shall contain a table of contents and a table of citations.

Note: See Local Rule 1028(c)(1)(b)(iii) which imposes page limits for briefs addressing preliminary objections.

See Pa.R.C.P. 204.1 and Local Rules 205.2(a) and 205.2(b) for requirements governing the physical characteristics of pleadings and other legal papers (including briefs) and cover sheets.

Local Rule 212.1 *Pre-Trial Procedure for All Actions in the Civil Division of the Court of Common Pleas of Allegheny County. Notice of Earliest Trial Date. Time for Completing Discovery and Filing Pre-Trial Statement.*

- (1) Pa.R.C.P. 212.1 through 212.3 and Local Rules 212.1 through 212.3 apply to all civil actions, both jury and non-jury, to be tried in the Civil Division; appeals from Compulsory Arbitration shall be exempt unless such cases include a demand for a jury trial, and under such circumstances parties involved in such a case must comply with Local Rules 212.1 through 212.3.
- (2) **Definitions.** In these rules, the following words shall have the following meanings:
 - (a) **“pre-trial conference”**—a conference scheduled by the Court in accordance with Pa.R.C.P. 212.3 in which, in addition to matters set forth in Pa.R.C.P. 212.3, the Court shall:
 - (i) determine whether the parties have complied with this local rule; and
 - (ii) attempt an amicable settlement of the case.
 - (b) **“Conciliating Judge”**—the Judge assigned to conduct the pre-trial conference.
- (3) **Notice of Earliest Trial Date. Time for Completing Discovery and Filing Pre-Trial Statement.** Notices required by Pa.R.C.P. 212.1 shall be given by publication in the Pittsburgh Legal Journal, and notice shall be provided to unrepresented parties and to those out-of-county counsel identified in paragraph 6 of the Praecipe to Place the Case at Issue (see FORM 214w).

Note: As soon as there is a published trial list, trial dates appear as docket entries in each individual case on the trial list. Docket entries are available online at: <https://dcr.alleghenycounty.us/> and click on Civil/Family Division, then “Case Search” (in upper right corner) and enter the docket number. Additionally, published trial lists are also available on the Civil Division’s website at: www.alleghencycourts.us.

Trial lists are generally published in the *Pittsburgh Legal Journal* 6 months prior to commencement of the trial term. Pre-trial deadlines are generally as follows: 16 weeks prior to commencement of the trial term for the close of discovery; 14 weeks prior to commencement of the trial term for plaintiffs' pre-trial statements; 12 weeks prior to commencement of the trial term for all other parties' pre-trial statements; and 45 days prior to the commencement of the trial term for completion of mediation pursuant to Local Rule 212.7. The general schedule set forth in this Note is only advisory and may vary from the controlling dates and deadlines published in the *Pittsburgh Legal Journal*.

Editor's note: Amended November 20, 2014, effective 30 days after publication in the *Pennsylvania Bulletin*; amended August 3, 2022, effective 30 days after publication in the *Pennsylvania Bulletin*.

Local Rule 212.2 ***Pre-Trial Statement.***

- (a) Each party shall file and serve upon all other parties a written pre-trial statement in conformity with the requirements of Pa.R.C.P. 212.2, except as set forth in (b) below.
- (b) For cases which will be tried by the jury, each party or group of parties with joint representation by one counsel shall be entitled to make a voir dire statement and to propose no more than five additional voir dire questions which are not duplicative of the voir dire questions already covered in Local Rule 220.1 and the Juror Questionnaire. If the party or group of parties wishes to avail itself of this opportunity, the following shall be included in the pre-trial statement:
 - (i) verbatim text of the voir dire statement of 200 words or fewer, which will be given by counsel at the outset of voir dire; and
 - (ii) not more than five proposed additional voir dire questions, which shall be handled in accordance with Local Rule 220.1(c).
- (c) Disputes as to the propriety of any party's proposed voir dire statement or proposed additional voir dire questions shall be raised with the Calendar Control Judge during the conciliation which is scheduled immediately after the Call of the List. Each party shall bring to the conciliation an extra set of copies of their proposed voir dire statement and proposed additional voir dire questions.

Editor's note: Amended October 14, 2008, effective 30 days after publication in the *Pennsylvania Bulletin*.