



# 17 avoidable pain points when authoring and electronically publishing local court rules (and orders)

*Considerations and examples*

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## **Introduction:**

- Premise 1: Local court rules and administrative orders advance due process and judicial transparency when prepared with care.
- Premise 2: Poorly constructed rules and orders either complicate a court's work or are ignored.

Courts naturally fall into practices and rhythms with how they handle cases and what they expect from court users. Plainly written rules and administrative orders are consequential opportunities to connect with court stakeholders and explain what's expected.

After studying hundreds of local rule compilations, NCSC has observed common pain points that local courts can avoid when they adopt new—or revise existing—local court rules and administrative orders.

The National Center for State Courts' [annual public surveys](#) remind that the judiciary's only currency is public trust and confidence. Understandable, accessible, and consistently applied local court rules and administrative orders are part of this public-trust covenant.

Approaching the judiciary's administrative work from this vantage point, one quickly can appreciate how word choice—and order—matters. So does document design. And digital file format. Accessibility for those who have low vision and use assistive devices. Plus, understandability for those with a limited vocabulary or limited-English proficiency.

In this resource, each theme is identified, the problem is explained, and a corrective solution is shared. Any demonstrative examples are included only in the spirit of aiding those who better understand with a visual reference.

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## Problem condition 1: Local court rules are not posted on the court website



*Pain point:* The bar and public—particularly self-represented parties—cannot learn, understand, and meet the court's expectations.



*Solution:* Post the local rules and administrative orders on the court's website. Visit your website and make sure they are easy to find.

### Court rules on website examples:

- ✓ 1.1 <https://perma.cc/X2KR-85AN> (Dayton Municipal Court, Ohio)
- ✓ 1.2 <https://perma.cc/KN3D-Z2BA> (Lehigh Cty. Ct. of Common Pleas, Civil Div., PA)

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## Problem condition 2: Each rule is published online as a separate .html or .pdf file



*Pain point:* Individual clicks to get to each rule is **user-hostile design**. Individual files are cumbersome to navigate and impossible to search against.



*Solution:* No matter the online presentation, also make the collective rules available in a single (combined) .pdf file that can be downloaded and printed.

### Individually posted .html file examples:

- 2.1 <https://bit.ly/3JOW27y> (Hamilton County Municipal Court, Ohio)
- 2.2 <https://bit.ly/3BUuQBU> (Third Judicial District Court, Kansas)

### Individually posted .pdf file examples:

- 2.3 <https://bit.ly/3LXuNK2> (Franklin County Municipal Court, Ohio)
- 2.4 <https://bit.ly/33ODmWe> (Bucks County Courts, Pennsylvania)

### Problem condition 3: Hard-printed and (poorly) scanned copy



*Pain point #1:* Creating a .pdf from a Word (or WordPerfect) file should only be a one-step process. It never needs the multiple steps requiring a physical printer, some type of scanner, and optical character recognition (OCR) technology.



*Pain point #2:* Low-vision users may be unable to use speak aloud or other screen-reader technology to "read" the scanned-only .pdf file if it has not been separately OCR'd. This is because the software will only "see" a scanned image.



*Pain point #3:* Users will be unable to "search" or Ctrl+F through the document if the scanned .pdf file has not been separately OCR'd. Even then, poor-quality scans erode the OCR's **reliability**.



*Pain point #4:* Users cannot highlight any text because the page appears as an "image."



*Solution:* Print to .pdf. Do not hard print and then scan. Simply click "Print" and then choose to save it as a .pdf file from the print dialog box. "Save as" or "Export" to .pdf are also options.

#### Poorly scanned, non-OCR'd rule examples:

- 3.1 <https://perma.cc/W9UF-47LF> (Portage County Municipal Court, Ohio)
- 3.2 <https://perma.cc/2NW3-EQ84> (Columbiana County Municipal Court, Ohio)
- 3.3 <https://perma.cc/N9W3-PWVY> (Ashtabula Municipal Court, Ohio)
- 3.4 <https://perma.cc/PTU6-SXBM> (Douglas County District Court, Washington)

#### Light-toner print, poor scan, non-OCR'd rule example:

- 3.5 <https://perma.cc/R9WL-TEMK> (Cambria Ct. of Common Pleas, Pennsylvania)

#### Clean print-to-pdf example:

- ✓ 3.6 <https://perma.cc/E899-SRVV> (Lehigh Cty. Ct. of Common Pleas, Civil Div., PA)

## Problem condition 4: Handwritten or typed-over changes



*Pain point:* Handwritten or typed [typed-over] changes reflect poorly on the court and, often, cannot be processed by OCR technology or audible readers.



*Solution:* Post a clean, typed copy of the rules after they have been amended.

### Examples:

- 4.1 <https://perma.cc/6K9J-62NH> (13th Judicial District Court, Kansas)
- 4.2 <https://perma.cc/W6LD-AF47> (Napoleon Municipal Court, Ohio)

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## Problem condition 5: Legal jargon and word-salad writing



*Pain point:* One out of seven adults living in the United States is functionally illiterate, and nearly one out of three can read and understand only common phrases. Legalese and complicated writing leads to confusion, public mistrust, and mistranslated instructions for non-English users.



*Solution:* Embrace and commit to plain-language writing. Joseph Kimble's 19 *Lessons in Drafting from the New Federal Rules of Civil Procedure* are instructive and easy to understand. Consider this local-rule hypothetical:

Original	Plain language
(1) Discovery shall be permitted pursuant to Rule 26 without further order of the court. All discovery pursuant to Rule 26 shall be completed by the date of the settlement conference if a jury has been demanded, or, in the case of a non-jury trial, sixty (60) days prior to the non-jury trial date. <span style="color:red;">[54 words]</span>	(1) Rule 26 allows discovery. All discovery must be completed by the settlement conference when a jury is demanded, or 60 days before the non-jury trial. <span style="color:green;">[26 words]</span>

***Simplified, Kimble's drafting lessons are:***

- (1) Put the parts in logical order. *Lessons*, p. 26
- (2) Use lists to the best advantage. *Lessons*, p. 29
- (3) Break up long sentences. *Lessons*, p. 34
- (4) Avoid needless repetition. *Lessons*, p. 39
- (5) Don't state the obvious. *Lessons*, p. 44
- (6) Be clear; say what you mean in normal English. *Lessons*, p. 46
- (7) Keep the subject and verb—and the parts of the verb itself—close together. *Lessons*, p. 49
- (8) Normally, don't put the main clause late in the sentence. *Lessons*, p. 52
- (9) Try to put statements in positive form. *Lessons*, p. 54
- (10) Minimize cross-references. *Lessons*, p. 57
- (11) Root out unnecessary prepositional phrases. Question every *of*. *Lessons*, p. 59
- (12) Replace multiword prepositions. *Lessons*, p. 63
- (13) Collapse clauses into a word or two when possible. *Lessons*, p. 65
- (14) Use informative headings and subheadings. *Lessons*, p. 72
- (15) Be wary of intensifiers. *Lessons*, p. 74
- (16) Hunt down nouners. *Lessons*, p. 75
- (17) Simplify inflated diction. *Lessons*, p. 77
- (18) Banish *shall*. *Lessons*, p. 78
- (19) Avoid hardcore legalese. *Lessons*, p. 85

## Problem condition 6: Manually typed table of contents; ugly .pdf bookmarks



*Pain points #1 and #2:* No one needs to manually re-type and list page numbers into a table of contents because Microsoft Word's capabilities—using Styles—can build, populate, and update the table of contents.

Failing to maximize the Styles' features risks time-consuming and poorly formatted table of contents, or wonky/incomplete .pdf bookmarks.



*Solution:* Configure and use [Microsoft Word Styles](#) headings. Those settings automatically populate the table of contents and .pdf bookmarks. An [online tutorial](#) may be helpful.

### Manually prepared and typed table of contents examples:

- 6.1 <https://bit.ly/35gJ3gI> (25th Judicial District, Pennsylvania, track changes)
- 6.2 <https://perma.cc/J9HD-3CX5> (East Cleveland Municipal Court, Ohio)

LOCAL CRIMINAL RULES.....	11	Deleted: 3
Rule 101 Title, Citation, and Scope of Rules.....	12	Deleted: 4
Rule 202 Approval of Search Warrant Applications by Attorney for the Commonwealth.....	13	Deleted: 5
Rule 301 Procedures for Accelerated Rehabilitative Disposition in Summary Cases before the Minor Judiciary.....	14	Deleted: 18
<u>Rule 301A Diversionary Programs Cyber Harassment of Child and Transmission Of Sexually Explicit Images by Minor.....</u>	18	Deleted: 19
Rule 302 Procedures for Accelerated Rehabilitative Disposition in Summary Cases in the Court of Common Pleas.....	21	Deleted: 0
Rule 319 Procedures for Accelerated Rehabilitative Disposition Expungement.....	22	Deleted: 1
Rule 506.1 Private Criminal Complaint for violation of Order or Agreement Entered Pursuant to the Protection From Abuse Act (23 Pa.C.S.A. §6101, et seq.) or the Protection of Victims of Sexual Violence or Intimidation Act (42 Pa.C.S.A. § 62A01, et seq.).....	23	Deleted: 2
Rule 507 Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth.....	24	Deleted: 3
		Deleted: 4
		Deleted: 5

**Figure 1** Example of manual edits to a local court rules' table of contents because the file did not use Style headings.

### Wonky .pdf bookmarks examples (because the author did not realize some Word Styles were being used):

- 6.3 <https://perma.cc/BH8L-Z5HP> (Fremont Municipal Court, Ohio)
- 6.4 <https://perma.cc/9VR9-3EP8> (Hardin County Municipal Court, Ohio)

## Problem condition 7: A written court internal operating procedure disguised as a local court rule



*Pain point:* Court rules outline the practice and procedure for filed cases. The rulemaking process—including amendments—usually takes considerable time, often involves a public-comment process, and usually requires higher-authority approval (such as a state supreme court).

Written *internal operating procedures* (IOPs), on the other hand, focus more on how court employees are expected to get the job done. Usually, local court managers can quickly change IOPs as necessary.

Local court management flexibility in changing how a task will be done—particularly important during an emergency—is impaired if the local court rule amendment process must be followed first.



*Solution:* If a written directive is more focused on what a court employee is supposed to do, add it to the court's local IOPs. Leave the administrative details out of the local court rules.

### Examples:

- 7.1 <https://perma.cc/JVZ2-F5YY> (Niles Municipal Court, Ohio)
- 7.2 <https://perma.cc/76JQ-SYZ8> (Fairfield Municipal Court, Ohio)
- 7.3 <https://perma.cc/H8FP-ZP7C> (Sylvania Municipal Court, Ohio, failed faxes)

### Separate internal operating procedures example:

- ✓ 7.4 <https://perma.cc/5U8V-EKFX> (Michigan Court of Appeals, clerk IOPs)

## Problem condition 8: Court forms codified in rules



*Pain point:* Court managers lose the flexibility to quickly update court forms if a rule mandates the contents.

Consider the extra administrative burden if a court needs to first amend a local rule before it can add an email address field to its local form, or if it wants to add information about how to request an interpreter or ADA accommodation.

Or imagine that a court wants to give a plain-language makeover to its forms but must first update local rules that mandate content like:

Whereas, in a certain action for the forcible entry and detention (or the forcible detention, as the case may be), of the following described premises, to wit: ...., lately tried before this court, wherein ..... was plaintiff, and ..... was defendant, ..... judgment was rendered on the ..... day of ....., ..... that the plaintiff have restitution of those premises; and also that the plaintiff recover costs in the sum of .....

You therefore are hereby commanded to cause the defendant to be forthwith removed from those premises, and the plaintiff to have restitution of them; also, that you levy of the goods and chattels of the defendant, and make the costs previously mentioned and all accruing costs, and of this writ make legal service and due return.

Witness my hand, this ..... day of ....., ..... Judge



*Solution:* Modify court rules to instead instruct counsel and litigants to use the “court-approved form.” List the local court rule number on the local form. Make the form available at the courthouse and online.

### Example of rule referring to a separate court form, not mandating content:

- ✓ 8.1 <https://perma.cc/BS4X-BG49> (North Carolina Supreme Court order)
- ✓ 8.2 <https://perma.cc/85QJ-MVLC> (North Carolina Supreme Court form)

## Problem condition 9: Too-hard-to-read font



*Pain point:* Millions in the United States have impaired vision because of uncorrected refractive error, and many suffer vision impairment even after correction. A great many people cannot read small font or "the fine print."



*Solution:* At least 12 points (or 16 pixels) font is recommended by the U.S. Department of Health and Human Services. It's important to remember your audience like counsel did in this [federal filing](#): "This Complaint is submitted in 14-point type to assist Plaintiff and Co-counsel \*\*\* who is legally blind."

Font type is also important. Lawyer and professional typographer Matthew Butterick groups fonts in [different favorability categories](#). Visually complex fonts, like [Old English Text Alt](#), land on the F-list: Fatal.

### Small-font examples:

- 9.1 <https://perma.cc/DM7K-3R75> (Lewis County District Court, Washington)
- 9.2 <https://perma.cc/P2CZ-7JPZ> (Bellevue Municipal Court, Ohio)
- 9.3 <https://perma.cc/N32D-UFAM> (Hillsboro Municipal Court, Ohio)

### User-friendly font example:

- ✓ 9.4 <https://perma.cc/57DL-Z52F> (24th Judicial District Court, Kansas)

## Problem condition 10: No—or poor—spacing between items and lists



*Pain point:* Reading speed and understanding plummet when a page lacks white space. Writing expert Roy Peter Clark shares how “white space is a form of punctuation, glowing lights that reveal the parts. It also ventilates the page and releases the pressure of concentration, leading to a more inviting response from the user.”



*Solution:* Adding (white) space between list items and sections helps create “visual chunking” and makes a document more readable. Law Professor Ruth Anne Robbins explains how and shares other formatting tips in *Painting with print: Incorporating concepts of typographic and layout design into the text of legal writing documents*.

### No—or poor—spacing examples:

- 10.1 <https://perma.cc/B6QS-SRKH> (Perry County Municipal Court, Ohio)
- 10.2 <https://perma.cc/67HH-YSM4> (Champaign County Municipal Court, Ohio)

### User-friendly spacing examples:

- ✓ 10.3 <https://perma.cc/E899-SRVV> (Lehigh Cty. Ct. of Common Pleas, Civil Div., PA)
- ✓ 10.4 <https://perma.cc/B6PE-VQKR> (Dayton Municipal Court, Ohio)

## Problem condition 11: ALL-CAP topical headings or paragraphs



*Pain point:* ALL-CAP TEXT IS HARDER TO READ. Ruth Anne Robbins shares the data from studies proving that all-caps lengthen reading time by 9.5% to 19%. And she devotes a section to "Stop screaming at me in rectangle: Why all capital letters just don't work" in *Painting with print: Incorporating concepts of typographic and layout design into the text of legal writing documents*.

Bryan Garner details more in *The Winning Brief*:

What's the problem with using all capitals? Because all the characters are uniform in size, letters and even words tend to blend together.

The text letters don't have what typographers call "ascenders" and "descenders," the parts of letters that go above (b) and below (p) the line of type.

Words set in all-caps lack distinctive shapes—they're all just boxcars. Those shapes contribute to our comprehension.

So the consequent difficulties in reading all-caps are largely a physiological matter, not merely a question of taste.



*Solution:* There's seldom a need for all-cap headings unless a court rule requires. Matthew Butterick counsels all-caps to be used judiciously (if at all) for headings shorter than one line (such as "Table of Authorities"), headers, footers, captions, or other labels.

### ALL-CAP examples:

- 11.1 <https://perma.cc/DCA9-DGR9> (Creek County District Court, Oklahoma)
- 11.2 <https://perma.cc/7AQT-NCZZ> (Bryan Municipal Court, Ohio)
- 11.3 <https://perma.cc/H6M4-BBRT> (Cleveland Municipal Court—Housing, Ohio)
- 11.4 <https://perma.cc/H896-QAC6> (Steubenville Municipal Court, Ohio)

## Problem condition 12: Distracting and unnecessary font emphasis



*Pain point:* Matthew Butterick explains: “[L]et’s call them **overemphasizers**—just can’t get enough bold and italic. If they feel strongly about a point, they won’t hesitate to run the whole paragraph in bold type. Don’t be one of these people. This habit wears down your readers’ retinas and their patience. It also gives you nowhere to go when you need to emphasize a word. That’s no problem for overemphasizers, who resort to underlining bold text or using a lot of bold italic. **These are both terrible ideas.**”



*Solution:* Bryan Garner shares three rules-of-thumb in *The Winning Brief*:

- (1) Never boldface a word or phrase within a paragraph.
- (2) Italicize the fewest possible words—the smallest semantic unit that deserves emphasis, as gauged by what word or phrase would be most heavily stressed if you were reading aloud.
- (3) Never forget that the emphasis is best achieved by smart phrasing, especially by making the “emphasis-worthy” term the sentence’s caboose—put it at the end.

### Examples:

- 12.1 <https://perma.cc/5BWG-PX7W> (Bedford Municipal Court, Ohio)
- 12.2 <https://perma.cc/7AQT-NCZZ> (Bryan Municipal Court, Ohio)
- 12.3 <https://perma.cc/H896-QAC6> (Steubenville Municipal Court, Ohio)

## Problem condition 13: Full-justified text



*Pain point:* Contract-drafting expert [Ken Adams](#) labels full-justified text as a phony appearance of professionalism that "comes at the expense of readability, which should be the first priority of any kind of typesetting, including word processing."

*Blame Microsoft Word* damns [Ellen Lupton](#), the director of the MFA program in graphic design at the Maryland Institute College of Art in Baltimore and the curator of contemporary design at the Cooper-Hewitt National Design Museum in New York City. She pins down Word's shortcoming:

The reason that text with justified margins looks bad in a single-column Word document is that subtle word-spacing and letter-spacing algorithms are needed to make justified text look "good," and Word's aren't up to the job.

So it's not really the column width that's the problem, but rather limitations in the software.

Many beautiful books are set in single-column justified pages, but they have been properly typeset.

Word documents simply should not be justified.



*Solution:* "Left-aligning is more reliable," [Matthew Butterick](#) explains because "word-processor justification can often look clunky and coarse."

### Full-justified text example

- 13.1 <https://perma.cc/DCA9-DGR9> (Creek County District Court, Oklahoma)

### Left-justified text examples:

- ✓ 13.2 <https://perma.cc/E899-SRVV> (Lehigh Cty. Ct. of Common Pleas, Civil Div., PA)
- ✓ 13.3 <https://perma.cc/B6PE-VQKR> (Dayton Municipal Court, Ohio)

## Problem condition 14: Alt-text tags missing from images



*Pain point:* Images, like a court seal, photograph, scanned signature, or a manual time-date stamp, that are not tagged with alternative-text descriptions (alt-text) cannot be read by those who rely on assistive technology for reading the court's rules and orders.



*Solution:* Add alt-text descriptions when including informative images—or mark them as decorative. Microsoft hosts an informative page on “[Everything you need to know to write effective alt text](#).”

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## Problem condition 15: The .pdf file is “secured” or “RESTRICTED”



*Pain point:* Those who download and use the .pdf file **cannot highlight important text** or **add notes/comments**. It's the digital-misery equal to being unable to annotate or add sticky notes to your print court rule book.



*Solution:* Do not adjust the document property security settings after the .pdf file has been created. Instead, confirm that “No security” is the setting.

**Example** (when separately downloaded and opened)

- 15.1 <https://perma.cc/JP26-AT29> (Kettering Municipal Court, Ohio)

## **Problem condition 16:** Beautiful bookmarks are hidden when the .pdf file is opened



*Pain point:* Most users assume that no bookmarks were created if the "Bookmarks Panel" does not display automatically when the .pdf file is opened. That assumption is particularly dispiriting when navigating large .pdf files.



*Solution:* Using Adobe Acrobat Pro DC, go to File → Properties [or simply select Ctrl+D] and then go to the "Initial View" tab and configure the file to display, by default, the "Bookmarks Panel and Page." While in this feature, it helps also to adjust the "Magnification" setting to "Fit Page."

## Problem condition 17: The online version is a Word download that still has track changes



*Pain point:* Posting local court rules or administrative orders as a .pdf file is the best practice. Alternatively linking a Word file that can only be downloaded is not practical. And it is an especially poor look if the posted Word file still includes track-change edits.



*Solution:* Clean up any Word track changes and simply print to, save as, or export to .pdf like mentioned in item three.

### Example

- 17.1 <https://bit.ly/35gJ3gl> (25th Judicial District, Pennsylvania)

Rule 200 Confidential Documents.....	5	
Rule 1901 Termination of Inactive Cases at Magisterial District Courts.....	6	
Rule 4007 Court Reporters and Transcripts.....	7	
<b>LOCAL CRIMINAL RULES.....</b>	<b>11</b>	<b>Deleted: 2</b>
Rule 101 Title, Citation, and Scope of Rules.....	12	Deleted: 3
Rule 202 Approval of Search Warrant Applications by Attorney for the Commonwealth.....	13	Deleted: 4
Rule 301 Procedures for Accelerated Rehabilitative Disposition in Summary Cases before the Minor Judiciary.....	14	Deleted: 5
<b>Rule 301A Diversionary Programs Cyber Harassment of Child and Transmission Of Sexually Explicit Images by Minor.....</b>	<b>18</b>	<b>Deleted:</b>
Rule 302 Procedures for Accelerated Rehabilitative Disposition in Summary Cases in the Court of Common Pleas.....	21	Deleted: 18
Rule 319 Procedures for Accelerated Rehabilitative Disposition Expungement.....	22	Deleted: 19
Rule 506.1 Private Criminal Complaint for violation of Order or Agreement Entered Pursuant to the Protection From Abuse Act (23 Pa.C.S.A. §6101, et seq.) or the Protection of Victims of Sexual Violence or Intimidation Act (42 Pa.C.S.A. § 62A01, et seq.).	23	Deleted: 0
Rule 507 Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth.....	24	Deleted: 1
		Deleted: 2
		Deleted: 3
		Deleted: 4
		Deleted: 5

**Figure 2** Example of a local court rules' .docx file with outstanding track changes.

# Appendix

## Example 1.1 court rules on home page

# DAYTON MUNICIPAL COURT

301 WEST THIRD STREET • DAYTON OHIO • 45402

### ▲ COVID-19 Procedures ▲



Select Language  
Powered by Google Translate

#### Hours

8:00 am to 4:30 pm, Monday through Friday, excluding holidays, for the acceptance of case filings and payments.

Visit [clerkofcourt.daytonohio.gov](http://clerkofcourt.daytonohio.gov) to make payments and get information on Jury, Criminal, Traffic, and Civil court cases and tickets.

Dayton Municipal Court  
P.O. Box 10700  
301 West Third Street  
Dayton, OH 45402



#### Employment

The Dayton Municipal Court is currently seeking qualified applicants for the following position(s):

- [Electronic Home Detention Officer](#)
- [Paralegal/Record Keeper](#)
- [Pretrial Secretary](#)
- [Probation Officer I](#)

#### Jurisdiction and Organization

The Dayton Municipal Court is a limited jurisdiction court of record whose judicial function is to apply the law to specific controversies brought before it and to resolve disputes between people and other legal entities. The court operates under the rule of law to assure that the protections of law are available to all people.

The Dayton Municipal Court was created in 1913 by the Ohio State Legislature and began its judicial operation in 1914. The court has boundaries of the City of Dayton. The court has subject matter jurisdiction over a violation of any ordinance of the City of Dayton; any state of Ohio statutory misdemeanor or traffic violation committed in Dayton; and jurisdiction to preside over preliminary hearings for felony cases that occur in the City of Dayton. Jurisdiction also includes civil cases when the amount in dispute is \$15,000 or less and for small claims cases when the amount in dispute is \$6,000 or less.

Five full-time judges serve on the Dayton Municipal Court. Each judge is elected on a nonpartisan ballot to serve a six-year term of office. Judges must be attorneys, required to have practiced law for a minimum of six years and be residents of the City of Dayton. All judges are sworn to administer justice in every case and to ensure that the cases before them are conducted in an impartial and equitable manner. Annually, the judges elect a Presiding Judge and an Administrative Judge. These judges meet regularly with the Court Administrator to review the operations and policies of the court.

Two full-time magistrates are appointed by the court to hear certain civil cases, small claims cases, eviction procedures and initial appearances for defendants summoned in for arraignment. They also preside over minor traffic and criminal cases.

The administrative, professional, technical and clerical functions of the court are provided by 55 court employees. Support positions include a court administrator, magistrates, legal assistant, court technology manager and IT technical support coordinator, probation officers, assignment coordinators, bailiffs, marshal, secretaries, paralegals, and electronic home detention officers.

#### Documents

- [Annual Report](#)
- [Civil Forms](#)
- [Court Rules](#)
- [Court Rules \(Proposed\)](#)
- [Dayton Municipal Court FAQ](#)
- [Fax Filing Cover Page](#)
- [Motion and Entry for Continuance](#)
- [Photo Enforcement FAQ](#)
- [Schedule of Fees and Costs](#)
- [Written Plea of Not Guilty](#)

#### Links

- [City of Dayton](#)
- [Dayton Clerk of Court](#)
- [Dayton Mediation Center](#)
- [Dayton Revised Code](#)
- [Montgomery County Common Pleas Court](#)
- [Montgomery County Persons In Custody](#)
- [Ohio Court Web Sites](#)
- [Ohio Revised Code](#)
- [Ohio 2nd District Court of Appeals](#)
- [Ohio Supreme Court](#)



# Lehigh County Court Of Common Pleas

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**Civil Court**

Civil Court Division

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Civil Court Fee Schedule

**Civil Court Rules**

**Court Divisions**

FAQs

Forms & Applications

Rules & Procedures

Self Help

Rule 509

Jury Service

## Civil Court Division

Lehigh County Court of Common Pleas

The Judges of the Civil Division are responsible for handling all civil matters, as well as family and orphans' court matters. The judges work within the framework of an individual calendar system. This system provides the judges with the needed flexibility to schedule matters tailored to the specific requirements of the case. A key focus of the Court is to adhere to the standard of timely justice for the citizens of Lehigh County and to ensure the best use of court resources. Each judge is responsible for his or her inventory of cases from the filing of the complaint through disposition of the case.

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- Lawyer Mediation Program
- Compulsory Arbitration Program

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The screenshot shows a website for "MUNICIPAL COURT LOCAL RULES". At the top, there is a navigation bar with links: Home, Common Pleas, Municipal, Jury Commission, Probation, Parking and Map, Employment and Appointments. Below the navigation bar, there is a yellow banner with the text "MUNICIPAL COURT LOCAL RULES". The main content area lists various rules: RULE 1. ADMINISTRATIVE AND PRESIDING JUDGE, RULE 2. DUTIES OF TRIAL COUNSEL, RULE 3. COURT APPOINTMENTS, RULE 4. COURT SECURITY PLAN, RULE 5. RECORDING OF PROCEEDINGS, RULE 6. MEDIA COVERAGE OF PROCEEDINGS, RULE 7. ASSIGNMENT OF CASES, RULE 8. CASE DESIGNATORS, RULE 9. MISCELLANEOUS RULES, RULE 10. COST AND FEE SCHEDULES, RULE 11. STANDARD BOND SCHEDULE, RULE 12. PRETRIAL MONITOR VIOLATION PROCEDURE, RULE 13. FRIVOLOUS ACTIONS; VEXATIOUS LITIGANTS; SANCTIONS, RULE 14. CONCURRENT SUPERVISION WITH THE [REDACTED], RULE 15. MEDIATION, MUNICIPAL LOCAL CIVIL RULES, and PROPOSED AMENDMENTS TO LOCAL RULE(S). The footer contains a logo and the text "Courts. All Rights Reserved."

**MUNICIPAL COURT LOCAL RULES**

[Home](#) | [Common Pleas](#) | [Municipal](#) | [Jury Commission](#) | [Probation](#) | [Parking and Map](#) | [Employment and Appointments](#)

**RULE 1. ADMINISTRATIVE AND PRESIDING JUDGE**

**RULE 2. DUTIES OF TRIAL COUNSEL**

**RULE 3. COURT APPOINTMENTS**

**RULE 4. COURT SECURITY PLAN**

**RULE 5. RECORDING OF PROCEEDINGS**

**RULE 6. MEDIA COVERAGE OF PROCEEDINGS**

**RULE 7. ASSIGNMENT OF CASES**

**RULE 8. CASE DESIGNATORS**

**RULE 9. MISCELLANEOUS RULES**

**RULE 10. COST AND FEE SCHEDULES**

**RULE 11. STANDARD BOND SCHEDULE**

**RULE 12. PRETRIAL MONITOR VIOLATION PROCEDURE**

**RULE 13. FRIVOLOUS ACTIONS; VEXATIOUS LITIGANTS; SANCTIONS**

**RULE 14. CONCURRENT SUPERVISION WITH THE [REDACTED]**

**RULE 15. MEDIATION**

**MUNICIPAL LOCAL CIVIL RULES**

**PROPOSED AMENDMENTS TO LOCAL RULE(S)**

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**COVID-19** CORONAVIRUS

ALERTS  
Courts are open (Updated 08/27/21)

What can we help you find? 

SELF-HELP/FORMS/RULES JURY DUTY COURT INFO NEWS/MEDIA ADMINISTRATION MY VISIT

Example 2.2 .html files

General

Civil

Criminal

Domestic Relations

Juvenile

Probate

[Home](#) > [Court Info](#) > [Agencies & Attorneys](#) > [Attorneys](#) > [Court Rules and Guidelines](#) > [District Court Rules](#) > [Civil](#)

**Civil**

[DCR 3.201 Civil Case Management](#)  
[DCR 3.202 Motions in Civil Cases](#)  
[DCR 3.203 Depositions](#)  
[DCR 3.204 Sanctions](#)  
[DCR 3.205 Consolidations and Dismissals](#)  
[DCR 3.206 Duty to Confer](#)  
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[DCR 3.210 Business Records Subpoenas](#)  
[DCR 3.211 Expert Witnesses](#)  
[DCR 3.212 Interviewing Health Care Providers](#)  
[DCR 3.213 Limited Actions Practice](#)  
[DCR 3.214 Limited Actions Bench Warrants in Collection Cases](#)  
[DCR 3.215 Investment of Funds in Special Accounts](#)  
[DCR 3.216 Pretrial Conference/Hearings of Condemnation Cases](#)  
[DCR 3.217 Application for Aid in Execution for E-Filed Aids](#)  
[DCR 3.218 Alternative Dispute Resolution](#)  
[DCR 3.219 Chambers Copies in Civil Cases](#)  
[DCR 3.220 Chambers Copies in Probate Cases](#)

 Jury Duty  Self-Help/Forms

 E-File  Daily Docket

 News/Media  Pay Online

 Search Court Records  Secured Portal

#### CONTACT US

Hours  
Monday through Friday  
8 am to 5 pm

#### STAY INFORMED

Signup For Alerts 

#### QUICK LINKS

Daily Jury Update  
Public Court Records  
Court Records Search

Search Records    Clerk    Court    Documents    More

## Local Rules

### # Rules 1 through 12

Rule	Title	Link
Rule 1	Individual Assignment	View
Rule 2	The Judiciary	View
Rule 3	Duties of Counsel	View
Rule 4	Criminal Practice	View
Rule 5	Traffic Practice	View
Rule 6	Civil Practice	View
Rule 7	Magistrates	View
Rule 8	Assignment & Jury Commissioners	View
Rule 9	Duties of Clerk	View
Rule 10	Court Reporters	View
Rule 11	Small Claims Practices	View
Rule 12	Termination of Cases	View

# Rules 1 through 12  
# Rule 13  
# Rules 14 through 17

### Legal Research

# Rule 13

Schedule	Title	Link
Schedule 4.01	Misdemeanor Bail Schedule -	View
Schedule 4.02	Misdemeanor Bail Schedule -	View
Schedule 4.03	Misdemeanor Bail Schedule -	View
Schedule 4.04	OMVI Bail Exception	View
Schedule 4.041	Domestic Violence Bail Exception	View
Schedule 4.05	Fines in Misdemeanor Cases -	View
Schedule 5.04	Fines in Traffic Cases-  ; Fines in Traffic Cases - Ohio Revised Code	View
Schedule 6.00	Home Incarceration Program	View
Schedule 7.00	PUCO Fine Schedule - Ohio Revised Code	View
Schedule 8.01	Fines in Misdemeanor Cases -	View
Schedule 9.00	Costs and Fees	View

## Example 2.4 .pdf files

The screenshot shows a website interface. At the top, there is a navigation bar with links for Administration, Civil, Criminal, Family, and How Do I... On the right side of the top bar is a search bar containing the placeholder "I'm Looking For..." and a magnifying glass icon. To the right of the search bar is a "Back To County Home Page" link with a small icon.

The main content area has a blue sidebar on the left containing various links such as Administrative Duties, Common Pleas, Court Reporters, Courts Right to Know, Court Services, Date Certain Trials, Emergency Orders, Interpreter Services, Jury Duty, Law Library, Local Rules, and Public Access Policy. The main content area displays a page titled "Local Rules" under "Civil Division Rules". This page includes sections for Appeals From Certain Administrative Agencies, The Business of Courts, and several numbered rules (e.g., Rule 27, Rule 28, Rule 200, Rule 205.2(a), Rule 205.2(b), Rule 205.4(f), Rule 206.3(a), Rule 206.4(c), Rule 206.7(e-g), Rule 208.2(c), Rule 208.2(e), Rule 208.3(a), Rule 208.3(b)). Each rule section contains a list of sub-points.

At the bottom of the page, there are six circular icons with corresponding labels: Jury Duty, Payments, Local Rules, Emergency Orders, Forms, and Docket Lookup.

The footer of the website includes a "Contact The Courts" section with a phone icon, a "Quick Links" section with links to Court of Common Pleas Page, Americans with Disabilities Act, How to Order a Transcript of a Court Proceeding, Court Reporters, Court Forms for use by Parties Receiving a Preliminary Termination Order, and Common Pleas Forms. It also includes a "FAQs" section with questions about jury selection and service.

The footer features social media icons for Facebook, Twitter, Instagram, and YouTube. There is an "Email Us" link and a "Select Language" dropdown. A live chat window is open in the bottom right corner, displaying a message from a user named "Hello :)" asking for help finding an answer to their question.

The footer also includes links for Home, Site Map, Contact Us, Accessibility, Copyright Notices, Privacy Policy, and a CivicPlus logo.

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4. Evictions
5. Other civil trials
6. Motions

#### RULE 5. REASSIGNMENT OF CASES

The Presiding Judge may reassign any case in the furtherance of justice. A Judge appointed or elected to succeed another shall handle the cases assigned to said Judge's predecessor. When a case is transferred, the case file and all records shall be changed to reflect the reassignment to the receiving Judge.

#### RULE 6. WITHDRAWAL OF COUNSEL

Only attorneys of record shall be considered as representatives of any party in a case. Withdrawal of such counsel shall be only upon application to the Judge no later than ten (10) days before trial, with a statement or affidavit explaining the reason for withdrawal and a journal entry approved by the Court. Upon allowance of withdrawal by the Court, such withdrawn counsel shall serve a copy of said journal entry upon the client.

#### RULE 7. PLEADINGS AND CORRESPONDENCE

Any pleading or correspondence filed with the Court by an attorney must have the attorney's name, address, telephone number and Supreme Court registration number. Letters of representation must be filed with the clerk's office and become part of the file. If a letter of representation is not filed in a timely manner, the Court is not responsible for any lack of notification of hearings.

#### RULE 8. COURT COSTS

All court costs shall be set by journal entry. A copy of the journal entry setting forth the current court costs is attached hereto.

#### RULE 9. TRANSCRIPT OF PROCEEDINGS

All requests for transcripts shall be made in writing and directed to the court reporter or to the bailiff if the court reporter is not available. The court reporter shall determine the order of preparation and the rate. The court reporter may require an advance deposit based on the estimated cost of the transcript. Priority shall be given to appeals and preliminary hearings.

#### RULE 10. RETENTION OF COURT RECORDS

Audio tapes shall be erased three (3) years after the last day recorded on that tape. Exhibits, transcripts and depositions may be destroyed at the conclusion of litigation, including times for direct appeal, providing all conditions of Rule 26.05 of the Rules of Superintendence are met.

time within which said case must be tried under Section 2945.71 of the Ohio Revised Code.

**15. Plea Agreements.**

Negotiated pleas, where a charge is reduced or dismissed, will be accepted by the Court only where the prosecuting attorney or Village Solicitor provides to the court in writing or on the record a statement that the complaining party, victim, and/or the arresting officer was consulted or given the opportunity to express an opinion concerning the proposed plea agreement and he or she approved the proposed plea agreement or that his or her approval was unreasonably withheld together with the Prosecutor's or Solicitor's reasons why the withheld approval was unreasonable. The arresting officer, victim, and/or the complaining party may also personally appear at the time of disposition and state his or her approval or disapproval along with any reasons therefore before the Court accepts or rejects the proposed agreement.

**16. Personal Appearance.**

Defendant shall appear at all hearings, except as otherwise provided in these rules. All cases resolved at pre-trial shall proceed immediately to disposition, unless otherwise ordered by the Court.

**17. Exceptional Circumstances.**

For purposes of Traffic Rule 12, the following shall be considered "exceptional circumstances" in all traffic cases where the defendant has previously appeared personally or through counsel.

- A. The defendant is not a resident of [REDACTED]
- B. The defendant is a resident of [REDACTED] but defendant's personal appearance in court would cause the defendant to lose one half (1/2) day or more of gainful employment.

**18. Written Appearance.** If defendant meets either of these "exceptional circumstances", defendant may submit, through his or her attorney of record, a written motion pursuant to Traffic Rule 12 and an agreed judgment entry evidencing defendant's pleas of guilty or no contest to the original charge or to an amended charge. The judgment entry shall contain the agreed disposition of the case, a waiver of personal appearance and consent that judgment and sentencing may be pronounced against the defendant in his or her absence. The defendant, the defendant's counsel, and the assistant prosecuting attorney must approve the agreed judgment entry. Before the Court will accept the agreed judgment entry it must be accompanied by the following:

- A. An attorney's trust check, money order, certified check or bank check covering the total amount of the unsuspended portion of the fine and the court costs.

the Court's review and consideration.

### B. Motion for Summary Judgment

Unless otherwise ordered by the Court, Motions for Summary Judgment shall be heard on briefs and supporting documentation authorized by Civil Rule 56(C) without oral hearing no less than fifteen (15) days after the service and filing of the Motion. Adverse parties shall serve and file opposing briefs and documentation within fourteen (14) days of the filing of the Motion.

### C. Motions for Default Judgment

Unless otherwise ordered by the Court, Motions for Default Judgment which are accompanied by an Affidavit on personal knowledge, showing affirmatively that the Affiant is competent to testify to the matters stated therein and setting forth such facts as would be admissible in evidence in support of the allegations contained in plaintiff's Complaint, shall be considered by the Court without oral hearing.

**The Court will not accept affidavits of the plaintiff's attorney in support of a Motion for Default Judgment unless the attorney is also the plaintiff.**

### Rule No. 6 – Magistrates

Unless otherwise ordered by the Court, automatic reference shall be made pursuant to Civil Rule 53, Criminal Procedure Rule 19, Traffic Rule 14, and the Rules of Superintendence for Municipal and County Courts to a duly appointed Magistrate of the Court of the following types of cases and the reference of each such case shall be deemed to be journalized:

- 1) Civil matters in which the parties are not entitled to, or have waived their right to a trial by jury.
- 2) Small Claims.
- 3) Judgment Debtor and Garnishment Proceedings.
- 4) All criminal and traffic matters as set forth in Criminal Rule 19(C)(1) and Traffic Rule 14.
- 5) Any other matter in which the parties agree in written agreement, to hearing or trial by a Magistrate.

### Rule No. 7 – Small Claims Filings

[REDACTED] LJ 4.2

## DEFERRED PROSECUTION

A petition for deferred prosecution pursuant to RCW 10.05 must be filed with the court no later than seven (7) days prior to readiness hearing unless good cause exists for delay. The petition and the accompanying declarations shall be in a form set forth in CrRLJ 4.2. A complete copy of the police report of the defendant's conduct giving rise to the charge shall be attached to the petition. The Order for Deferred Prosecution shall provide supervision for 60 months, completion of a treatment plan, payment of costs, abstinence from consumption of alcohol and non-prescription drugs, no traffic offenses, a requirement that all vehicles driven by the defendant be equipped with an ignition interlock device as required by statute and no driving without a proper license and insurance. Other conditions of supervision may be imposed in the court's discretion.

(Amended effective September 1, 2020)

[REDACTED] LJ 4.8

## WITNESSES-PROCESS-SUBPOENAS

When application is made for a subpoena for a witness residing outside of [REDACTED] and the [REDACTED] area, such application shall be accompanied by an affidavit showing to the satisfaction of the court the materiality of the testimony which is expected to be obtained from such witness. The court in its discretion may waive this requirement.

Preparation of subpoenas shall be the responsibility of the applicant and shall be submitted with the application requesting issuance of the subpoena. Service of the subpoenas shall be the responsibility of the applicant.

(Effective September 1, 2008)

[REDACTED] LJ 6.1

## PRE-JURY TRIAL CONFERENCE/READINESS HEARING

### 6.1(a) Pre-Jury Trial Conference

In every criminal case in which the right to trial by jury has not been waived, there will be a pre-jury trial conference for the purpose of presenting and scheduling motions and for setting a readiness conference and jury trial date.

The prosecuting attorney, defense counsel and the defendant are required to attend the pre-jury trial conference, unless otherwise excused by the court. Failure of

## BUSINESS OF COURTS

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### Local Rule 200 CC: Business of the Courts (former Local Rule 100 CC)

- (a) There shall be no separate terms of court within any year.
- (b) Docketing within the Court of Common Pleas shall be done in sequence throughout each calendar year, commencing with the first action initiated during each year. For example, 2011-1, 2011-2, etc.
- (c) Scheduling of all matters before the Court shall be as set forth in the annual court calendar and as scheduled more specifically by the Court through the Court Administrator.

### Local Rule 200.2 CC: Legal Periodical and Notices (former Local Rule 100.2 CC)

- (a) The [REDACTED] County Legal Journal shall be the official legal periodical for the publication of notices.
- (b) Where notice by publication is required in a newspaper and in a legal periodical, it shall be published in the [REDACTED] County Legal Journal and in a newspaper of general circulation once per week for two (2) successive weeks, unless a statute, rule of court, or special order of court requires otherwise. The last publication shall be at least five (5) days before the time for the happening of the event for which publication is made.
- (c) The prothonotary shall give notice to all counsel of record of the Argument Court list and other notices of general interest. In addition, the prothonotary shall give written notice of the same to any unrepresented parties.

### Local Rule 200.3 CC: Admission to the Bar (former Local Rule 100.3 CC)

The prothonotary shall keep and maintain a roll consisting of attorneys who have been admitted to the Bar of the Court of Common Pleas of [REDACTED] County and maintain an office within the County. Only attorneys who are admitted to the Bar of this Court may be appointed arbitrator, counsel for indigent defendants, or master.

### Local Rule 205.2(a) CC: Physical Characteristics of Pleadings.

- (1) In addition to the rules set forth in Pa. R. Civ. P. 204.1, all documents filed with the prothonotary shall be bound by one single staple on the upper left hand corner unless the size of the document physically precludes this form of binding. No backers shall be necessary.
- (2) The prothonotary has discretionary authority to accept or reject any document which does not conform to Pa. R. Civ. P. 204.1.
- (3) The prothonotary shall accept filings by facsimile. A filing is not perfected until the original is filed with the prothonotary within seven (7) business days. The prothonotary shall strike filings that are not timely perfected.
- (4) If a filing is not timely perfected, and if a hearing has been scheduled as a result of the facsimile filing, the Court has discretion whether said hearing will occur.

### Local Rule 205.2(b) CC: Cover Sheet.

All complaints in civil actions and proceedings filed and docketed in the prothonotary's office shall have a cover sheet substantially in the following form:

**RULES OF CIVIL PROCEDURE**  
**COURT OF COMMON PLEAS OF LEHIGH COUNTY**

**Rule 51**            *Title and Citation of Rules.*

All civil rules of procedure adopted by the Court of Common Pleas of Lehigh County shall be cited as Lehigh Rules of Civil Procedure ("Leh.R.C.P.")

**Rule 52**            *Effective Dates of Rules.*

- (a) A rule or amendment to a rule shall become effective upon the date specified by the court in adopting or amending such rule.
- (b) If no effective date is specified, the rule or amendment to the rule shall become effective on the first day of July or January following the thirtieth day after its adoption, whichever is earlier.

**Rule 76**            *Definitions.*

Unless the context clearly indicates otherwise, the words and phrases used in any rule adopted by the Court of Common Pleas of Lehigh County shall be given the same meaning as is given said words and phrases by the Pennsylvania Rules of Civil Procedure with the following exceptions and additions: (1) "The court", which shall mean the Court of Common Pleas of Lehigh County; (2) "rule", which shall mean any rule of court adopted by the Court of Common Pleas of Lehigh County; (3) "clerk of courts" shall mean the clerk of courts, civil division; and (4) "except as otherwise provided", which shall mean except as provided by statute, by the Pennsylvania Rules of Civil Procedure, or by specific local court rule.

**Rule 100**            *Admission to the Bar of this Court.*

- (a) The clerk of courts shall keep and maintain a roll consisting of attorneys who have been admitted to the Bar of the Court of Common Pleas of Lehigh County in accordance with the requirements hereinafter set forth.
- (b) Admission to the bar of this court shall be by petition of the applicant, presented by a member of this bar, which petition shall show that the applicant (1) has been admitted to the Bar of the Commonwealth of Pennsylvania; and (2) is a person of good moral character.
- (c) Nothing contained in this rule shall prevent any attorney who is in good standing as a member of the Bar of the Commonwealth of Pennsylvania from practicing in this court.

**Rule 101**            *Principles of Interpretation.*

The principles of interpretation and rules of construction embodied in Pa. R.C.P. 102 to 153 inclusive shall apply to these rules, with the substitution in each case of the words "Court of Common Pleas of Lehigh County" for the words "Supreme Court."

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## Rule 18. STYLE OF SUMMONS AND WRITS

The style of summons and writs to be issued by this Court shall be:

## Rule 19. ISSUANCE OF SUMMONS

Upon the filing of a Complaint and deposit with the clerk of proper security for costs as hereinafter provided (see Rule 20), the clerk shall forthwith issue the summons or other notice required and thereupon the action shall be deemed to be commenced.

Each Complaint will be docketed by the Clerk as required by law as soon after such filing as possible.

This rule is subject to such limitations as may be hereinafter provided.

## Rule 20. DEPOSIT FOR COSTS

Security for costs shall be deposited with the clerk before any Complaint may be filed or notice issued, as follows:

## (1) In Action for Money Only:

(a) Complaint and service on one or more defendants within territorial jurisdiction of the Court	\$20X00X30X00	\$55, plus \$5/ add'l def.
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(b) Complaint and service on one or more defendants

outside territorial jurisdiction of the Court	20X00 X0X00	\$55, plus \$5/ add'l def.
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## (2) In attachment of property

	X0X00X20X00	\$30
--	-------------	------

## (3) In replevin

	X0X00X30X00	\$55 plus \$5/ add'l def.
--	-------------	------------------------------

## (4) In forcible entry and/or detention

	X0X00X30X00	\$60
--	-------------	------

## (5) Cognovit Judgment (without execution or certificate)

in addition to fee provided by rule of [REDACTED]

Bar Association for attorney confessing judgment      X0X00X00X00      \$55

Example 6.1 table of contents-manual edits

Rule 212.3.3 Pre-Trial Conference.....	40	<b>Deleted:</b> 37
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Rule 1028(c) Procedures Concerning Disposition of Preliminary Objections.....	43	<b>Deleted:</b> 0
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		<b>Deleted:</b> 5
		<b>Deleted:</b> 66

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### Example 6.3 wonky bookmarks

Bookmarks X

- Rules Cover Page
- Table of Contents
- REVISED December 2018
- UPART 1: GENERAL RULES
  - UPART 2: CIVIL PRACTICE
  - USATISFACTION OF JUDGMENT
    - RULE 5.01 JURY SELECTION AND COMPENSATION OF JURORS
    - RULE 6.01 UCOURT SECURITY
      - (A) The [REDACTED] Court is charged with dispensing justice, resolving disputes, and protecting the constitutional rights of those who appear before the court. Accordingly, appropriate levels of security should exist in

## COURT

### RULES OF PRACTICE

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##### PART 4: FACSIMILE FILING PRACTICE

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## Example 6.4 wonky bookmarks

The screenshot shows a web browser window with a sidebar on the left containing a 'Bookmarks' section and a main content area on the right.

**Bookmarks Sidebar:**

- REFUNDS:**
  - A. No refunds will be made for less than \$10.01 for any overpayments or refunds of deposits and/or bonds.
  - 5. ACCEPTED FORMS OF PAYMENT: The Court will accept money orders, business checks, cashier's checks/certified checks and cash. No coin/change payments over \$10.00 will be accepted.
  - 5. Whenever a person is charged with any offense other than a traffic offense that is not a moving violation and posts bail, the person shall pay a surcharge of twenty-five dollars. The Clerk of Court shall retain the twenty-five
  - The interests of the public will be materially injured by the juror's attendance.
  - The juror's spouse or a near relative of the juror has recently died or is dangerously ill.

**Content Area:**

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### **CASE MANAGEMENT IN CIVIL CASES**

**PURPOSE:** The purpose of this rule is to establish, pursuant to M.C. Sup. R 18, a system for civil case management which will achieve the prompt and fair disposal of civil cases.

**SCHEDULING OF EVENTS:** The scheduling of a case begins when a civil case is filed. Thereafter, the case is managed in five (5) clerical steps and five (5) judicial steps.

#### **CLERICAL STEPS:**

- 1) Summons shall be served in accordance with the [REDACTED] In the event there is a failure of service, the clerk shall notify counsel immediately. If counsel fails to obtain service of summons within (6) months from the date the cause of action has been filed, then the clerk shall notify counsel that the case will be dismissed in then (10) days unless good cause if shown to the contrary.
- 2) Upon perfection of service, the clerk shall notify counsel of the default and that a failure to submit an entry within fifteen (15) days may result in the case being dismissed.
- 3) After any responsive pleading is filed, the clerk shall immediately forward said pleading and file to the judge, so the matter may be set for a hearing.
- 4) If no action has been taken on a file for a six (6) month period and the case is not set for trial, then the clerk shall notify the party that the matter will be dismissed within one (1) week unless good cause is shown.
- 5) When a file has been marked "settlement entry to come" and the entry has not been received within thirty (30) days, then the clerk shall notify the party that his case will be dismissed unless the entry is received within ten (10) days.

#### **JUDICIAL STEPS**

- 1) Status Hearing: After an answer is filed, the clerk will forward the file to the Judge. The Court will then determine whether or not the case shall be set for trial to the Court, or pretrial if deemed necessary. All Civil Cases that are accompanied by a demand for trial by jury timely filed shall be set for pretrial.
- 2) Motions: All motions must be in writing and accompanied by a written memorandum containing citations or the arguments of counsel. Opposing counsel shall answer in like manner within fourteen (14) days thereafter. All motions will be considered submitted at the end of said fourteen (14) day period unless time is extended by the court. There will be no oral hearings granted in said motions unless the parties request an oral hearing in writing and the court deems it necessary.

## GENERAL PROVISIONS

### **Rule 1. Jurisdiction of the Court**

The geographical and monetary jurisdiction of the [REDACTED] Court shall be as provided by law.

### **Rule 2. Schedule of the Court**

The offices of the general division of the Court shall be open between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday, legal holidays excepted. Sessions of the Criminal, Civil, and Small Claims Divisions of the Court shall be conducted on days Monday through Friday. The specific times may be amended by special order of the Court.

Should a trial be continuing after 4:30 p.m., in order to facilitate the issuance of papers as might be necessary, the Clerk is instructed to keep the Clerk's office facilities available, and is to have at least one (1) Deputy Clerk remain in the Clerk's office until the conclusion of the trial for that day.

The Judge shall have full discretion in the regulation and assignment of the work of his/her office and shall have the right to make his/her own rules with respect to the time of convening and adjourning all court sessions, pre-trial matters, and the operation of the Small Claims Division.

### **Rule 3. Dockets and Records**

The Clerk shall prepare and maintain a general index, Civil and Criminal cashbooks and Civil and Criminal dockets, and such other records as the Court may require, all of which shall be the public records of the Court.

The Clerk shall not permit original papers, files, books, or depositions to be removed from his/her office, unless the same are to be delivered to the Judge of this Court or unless an entry authorizing the same is made by this Court and entered upon the journal.

- i. If a document is sent by fax to the Clerk of Court without the cover page information listed above, the office of the clerk may, at its discretion:
  1. Enter the document in the Case Docket and file the document:  
or
  2. Deposit the document in a file of failed faxed documents with a notation of the reason for the failure: in this instance, the document *shall not* be considered filed with the Clerk of Courts.
- ii. The Clerk of Court, is not required to send any form of notice to the sending party of a failed fax filing. However, if practicable, the Clerk of Court may inform the sending party of a failed fax filing.

(F) Signature:

- a. A party who wishes to file a signed source document by fax shall either:
  - i. Fax a copy of the signed source document: or
  - ii. Fax a copy of the document without the signature but with the notation “/s/” followed by the name of the signing person where the signature appears in the signed source document.
- b. A party who files a signed document by fax represents that the physically signed source document is in his/her possession or control.

(G) Exhibits:

- a. Each exhibit to a facsimile produced document that cannot be accurately transmitted via facsimile transmission for any reason must be replaced by an insert page describing the exhibit and why it is missing. Unless the court otherwise orders, the missing exhibit shall be filed with the court, as a separate document, no later than five (5) court days following the filing of the facsimile document. Failure to file the missing exhibits as required by this paragraph may result in the court striking the document and/or exhibit.
- b. Any exhibit filed in this manner shall be attached to a cover sheet containing the caption of the case which sets forth the name of the court, title of the case, the case number, name of the judge and the title of the exhibit being filed (e.g. Plaintiff Smith’s Notice of Filing Exhibit “G” to Plaintiff Smith’s Response to Defendant’s Motion to Dismiss, See example page 27), and shall be signed and served in conformance with the rules governing the signing and service of pleadings in this court.

(H) Time of Filing: Subject to the provisions of these rules, all documents sent by fax and accepted by the Clerk shall be considered filed with the Clerk of Courts as of the date and time the fax transmission was received by the Clerk of Court. The office of

office. All U.S. mail should be addressed to 925 West Ottawa St., P.O. Box 30022, Lansing, MI 48909-7522. (Revised 5/19.)

Maps of the district office locations, along with driving directions and parking instructions, can be found on the Court's website under [Contacts, Offices, and Courtroom Locations](#). (Revised 11/21.)

### **IOP 7.201(B)(3)-1 — Filing of Papers**

All district offices of the clerk are open from 8:30 AM to 4:30 PM, Monday through Friday, except on court holidays, see MCR 8.110(D)(2), or when closed by Court order. Papers may be filed in any one of the offices, by mail or personal delivery. (Revised 11/21.)

**Practice Note:** With regard to filings made in hard copy, the clerk's office will only accept and date-stamp papers that are received by clerk's office staff before 4:30 PM each day. Any filings that arrive in the office after 4:30 PM will be treated as received the following business day. See IOP 7.202(4)-2 for information on filings made through the e-filing system. (Revised 11/21.)

### **IOP 7.201(B)(3)-2 — Original Documents Appropriate for Clipping into the File**

All parties or attorneys practicing before the Court of Appeals are urged to use electronic filing. In situations where e-filing is not used, filers should ensure that all original documents are in a form suitable for easy attachment to the file. The originals of all documents filed in the Court must be affixed in the file by punching two holes in the top edge and inserting them into an Acco clip. If the original documents are bound with glue, plastic, or other binding material, that binding must first be removed by Court staff before the original is inserted in the file. The same caveat applies to filings with right-hand tabs, as such tabs complicate the process of readying the papers for insertion into the file. Tabs at the bottom margin of the original are preferred. Provision of an original that meets these preferences will facilitate speedy docketing. (Revised 4/19.)

### **IOP 7.201(B)(3)-3 — Assignment of Docket Number**

Upon the filing of initiating papers in the Clerk's Office of the Court, a Court of Appeals docket number will be assigned to the matter. This is a purely ministerial function that precedes a formal review of the papers for conformity with the court rules and compliance with jurisdictional mandates. The docket number is assigned to facilitate the efficient and accurate handling of the papers. (Revised 1/04.)

### **IOP 7.201(C) — Sessions of Court**

In addition to the nine regular sessions of Court mentioned in the court rule, the Court of Appeals may employ other methods to dispose of cases, including scheduling additional sessions or deciding certain appeals without oral argument pursuant to MCR 7.214(E). The Court schedules regular sessions throughout the year. (Revised 2/11.)

IN THE SUPREME COURT OF NORTH CAROLINA

\*\*\*\*\*

ORDER AMENDING THE  
GENERAL RULES OF PRACTICE  
FOR THE SUPERIOR AND DISTRICT COURTS

Pursuant to section 7A-34 of the General Statutes of North Carolina, the Court hereby adopts Rule 28 of the General Rules of Practice for the Superior and District Courts.

\* \* \*

Rule 28. Equitable Imposition of Monetary Obligations in Criminal Cases and Infraction Cases Based on the Defendant's Ability to Pay

(a) Scope. This rule applies only in criminal cases and infraction cases in which the court has discretion to impose costs, fees, fines, restitution, or other monetary obligations equitably based on the defendant's ability to pay.

(b) Motion for Relief. A defendant convicted of a crime or found responsible for an infraction may use AOC-CR-415, Request for Relief from Fines, Fees, and Other Monetary Obligations, to move the court to impose costs, fees, fines, restitution, or other monetary obligations equitably based on the defendant's ability to pay.

(c) Determination by Court. The court must consider the defendant's motion and, if necessary, conduct a hearing. The court must rule on the motion prior to imposing costs, fees, fines, restitution, or other monetary obligations and may grant the defendant any relief permitted by law.

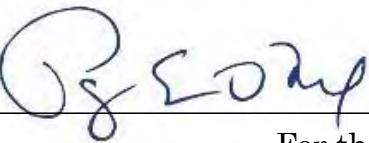
\* \* \*

This amendment to the General Rules of Practice for the Superior and District Courts becomes effective on 1 January 2022.

This amendment shall be published in the North Carolina Reports and posted on the rules web page of the Supreme Court of North Carolina.

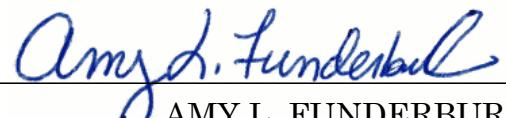
Example 8.1 court rule references form

Ordered by the Court in Conference, this the 14th day of December 2021.



For the Court

WITNESS my hand and the seal of the Supreme Court of North Carolina, this  
the 16th day of December 2021.



AMY L. FUNDERBURK  
Clerk of the Supreme Court

File No.

**STATE OF NORTH CAROLINA**

County \_\_\_\_\_

In The General Court Of Justice  
 District     Superior Court Division

**STATE VERSUS**

Name Of Defendant \_\_\_\_\_

Defendant's Telephone No. \_\_\_\_\_

Defendant's Date Of Birth \_\_\_\_\_

Defendant's Street Address \_\_\_\_\_

 I am homeless.**REQUEST FOR RELIEF FROM FINES, FEES,  
AND OTHER MONETARY OBLIGATIONS,  
AND ORDER ON REQUEST**

Rule 28 of the General Rules of Practice for the Superior and District Courts

Name And Address Of Attorney \_\_\_\_\_

 I am self-represented.

Attorney's Telephone No. \_\_\_\_\_

**ABILITY TO PAY WORKSHEET**

Employment Income (per month)

 I am unemployed.

\$ \_\_\_\_\_

List employer(s): \_\_\_\_\_

Other Income (per month)

Specify, including for example rental income, investment income, pension, spouse's income, and gifts and financial support from family: \_\_\_\_\_

\$ \_\_\_\_\_

How many people, including yourself, does this income support?

What is the total value of your cash on hand and in bank accounts?

\$ \_\_\_\_\_

What is the total value of all real property you own?

\$ \_\_\_\_\_

What is the total value of all major personal property you own (vehicles, jewelry)?

\$ \_\_\_\_\_

Rent/mortgage you pay monthly

\$ \_\_\_\_\_

Childcare/child support payments you pay monthly

\$ \_\_\_\_\_

(check all that apply)

I receive the following public assistance:

- TANF (Temporary Assistance for Needy Families)
- Supplemental Security Income (SSI)
- Social Security Disability Insurance (SSDI)
- SNAP/Food Stamps
- Veterans' Benefits

- I have been homeless in the past 6 months
- I have been incarcerated on an active sentence in the past 6 months
- I am under 18
- I am a full-time student

Use the space below to provide any additional information about other circumstances the court should consider when evaluating your ability to pay, such as a disability or illness, a change in work hours, or other support obligations or significant expenses:

Example 8.2 court form companion

		<b>REQUEST/MOTION</b>		
Based on the information presented above, I make the following request(s): (check all that apply)				
<input type="checkbox"/> That the Court allow relief from all costs, fines, fees, and restitution, to the extent allowed by law. <input type="checkbox"/> That I be given until at least _____ (enter date) to pay any imposed monetary obligation. <input type="checkbox"/> A payment plan requiring a total money payment of no more than \$ _____ per month.				
Under penalty of perjury, I declare that the information on this form is true and correct to the best of my knowledge.				
<b>SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME</b>			<i>Date</i>	<i>Name Of Defendant (type or print)</i>
<i>Date</i>	<i>Name (type or print)</i>		<i>Signature Of Defendant</i>	
<input type="checkbox"/> Notary	<i>Signature</i>			
<b>SEAL</b>	<i>Date Commission Expires</i>	<i>County Where Notarized</i>		
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> District Court Judge <input type="checkbox"/> Superior Court Judge <input type="checkbox"/> Magistrate				
<b>CERTIFICATE OF SERVICE</b>				
The undersigned hereby certifies that a copy of this Request was served on the date below upon the District Attorney for the above-captioned county by:				
<input type="checkbox"/> hand delivery to (name) _____. <input type="checkbox"/> leaving a copy with an employee of the District Attorney. <i>Name Of Person With Whom Copy Left (type or print)</i>				
<input type="checkbox"/> by depositing a copy in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to the District Attorney's office. <input type="checkbox"/> by email to the District Attorney at _____ (email address). <b>NOTE:</b> Service by email upon counsel must be to an email address of record with the court. Service by email upon a party is permitted only if the party has consented to receive email service at a particular address, and that consent is filed with the court. Service by email sent after 5:00 PM Eastern Time on a regular business day will be deemed sent on the next business day. <input type="checkbox"/> by telefacsimile (fax) to the District Attorney's office at _____ (fax number), as evidenced by fax receipt confirmation, attached. <b>NOTE:</b> Service by fax received after 5:00 PM Eastern Time on a regular business day will be deemed completed on the next business day. <input type="checkbox"/> acceptance of service.				
<i>Date Service Accepted</i>	<i>Name Of Person Accepting Service (type or print)</i>		<i>Signature</i>	<i>Title</i>
<i>Date</i>	<i>Name Of Person Serving (type or print)</i>		<i>Signature Of Person Serving</i>	<input type="checkbox"/> Defendant <input type="checkbox"/> Defendant's Attorney <input type="checkbox"/> Other:
<b>ORDER ON REQUEST FOR RELIEF</b>				
<b>NOTE TO COURT:</b> If this motion is made at or before sentencing and some relief is granted from monetary obligations that otherwise would be imposed in the judgment of conviction/responsibility, this ORDER should not be used to impose those obligations. Monetary obligations should be imposed in the actual judgment. Any findings or conclusions of law necessary to reduced or waived monetary obligations can be made (i) in the judgment or, (ii) if made here or on another instrument, incorporated in the judgment by reference.				
Having considered the record in the above-captioned case, the evidence presented, and any statements of the State and the defendant, the Court hereby finds based on the defendant's ability to pay that (check one)				
<input type="checkbox"/> 1. the relief requested is not appropriate at this time. Any monetary obligations previously imposed in a judgment of the court remain in effect and as originally ordered. <input type="checkbox"/> 2. there is good and just cause to grant the motion in whole or in part and therefore orders: (Specify in the space below the substance of the relief granted and any additional findings and conclusions of law necessary to that relief.)				
See attached <input type="checkbox"/> AOC-CR-305, <input type="checkbox"/> Other: _____, incorporated herein by reference.				
<b>SIGNATURE OF JUDGE</b>				
<i>Date</i>	<i>Name Of Presiding Judge (type or print)</i>		<i>Signature Of Presiding Judge</i>	

## Example 9.1 small font

(b) It shall be the affirmative duty of all parties, and of their counsel, to advise the court at such hearing of their readiness to proceed to trial. Failure of a party to advise the court of their inability to proceed for any reason known on that date shall constitute a waiver of the right to request a continuance for that reason at a later date. This includes a party's failure to properly subpoena any witness.

(c) The appearance of criminal defendants at trial confirmation hearings shall be mandatory unless a written confirmation of readiness on the form provided is filed with the court. Said confirmation form must be signed by the defendant not more than seven (7) days prior to the hearing, and by the defendant's attorney, under penalty of perjury. The plaintiff may confirm in person or in writing on the form provided, by signature under penalty of perjury.

(d) Failure of any party to confirm in person or in writing will cause the trial date to be stricken. Criminal defendants who fail to appear or confirm in writing shall be subject to the issuance of a warrant of arrest, upon a showing of probable cause.

(e) After confirmation, the failure of a criminal plaintiff or defendant to appear at trial, or upon appearance, to be unable proceed with the trial, shall be treated as a motion for continuance, resulting in the dismissal of the jury panel, where applicable, and of the trial date. It may also constitute grounds for the issuance of a warrant of arrest, for the dismissal of the charges or for the imposition of sanctions and terms, including jury fees, against litigants and counsel.

[Adopted 9/1/98; amended 9/1/06; amended 9/1/19]

### ████████ 7.2(f) Presentence Reports

In every case where the defendant has been found guilty, either at trial or by guilty plea, of the crimes of DUI, physical control, or any crime of domestic violence, a presentence report shall be automatically be ordered by the court. The court may also order a presentence report for any other crime, as it deems necessary. There shall be included in this report the results of any alcohol, drug, mental health, or domestic violence evaluations which have been ordered. Failure of the defendant to cooperate in the preparation of the report including ordered evaluations shall result in the issuance of a bench warrant.

[Adopted 9/1/98; amended 9/01/06; amended 9/1/19]

### ████ 7.2(g) Deferred Prosecution

(a) Time for Petition. A petition for deferred prosecution pursuant to RCW 10.05 must be filed with the court no later than seven (7) days prior to the trial confirmation hearing unless good cause exists for delay.

(b) Requirements for Entry of Order Deferring Prosecution. An order deferring prosecution of a criminal charge will not be entered absent sufficient evidence that the petitioner has demonstrated her/his amenability to treatment by successfully completing two months of treatment in the proposed program. Successful completion means that the petitioner is fully compliant with every requirement of the treatment program, and has remained so at all times during the two month period. The order granting such a petition will not be signed unless the petitioner is physically present in the courtroom. The requirement of the presence of the defendant is to allow inquiry of the petitioner by the court to

## LOCAL RULES OF COURT

These Local Rules of Court are being promulgated pursuant to Rule 18 of the [REDACTED] and are effective April 14, 1999.

### Rule 1- Hours of Court Sessions, General Procedures:

- (A) The Clerk of Court's Office shall be open between the hours of 8:30 AM and 4:30 PM., Monday through Friday. Sessions in the Civil and Criminal branches of the Court shall be conducted Monday through Friday. These times may be extended or diminished by special order of the Court. Notwithstanding the hours for Clerk of Court, Court Sessions may also be conducted during evening hours by order of the Court.
- (B) Monday mornings are usually reserved for Criminal/Traffic Pre-Trial hearings and Preliminary hearings for felony offenses. Tuesday mornings are reserved for Criminal/Traffic Arraignments and Criminal/Traffic Pre-Trial hearings, Trial before Judge, etc. Thursday mornings are reserved for Civil and Small Claims hearings, trials, and jury trials.
- (C) Anyone having a difficult time with the morning court sessions may request afternoon arraignments and with the approval of the Judge will be heard between the hours of 3:00 PM and 4:00 PM.

### Rule 2- Examination of Files:

No person except authorized court personnel, parties or their attorneys shall be permitted to examine the complaint filed in any case until after service of the summons. Thereafter, such files are available to any person upon reasonable request during regular business hours. The Clerk would like to keep the examination of files to the afternoon times when the court does not have hearings scheduled. Subject to the limitation of Criminal Rule 16 full disclosure of all public record information shall be made available upon reasonable request.

### Rule 3- Withdrawal of Files: NOT PERMITTED.

### Rule 4- Pleadings and Motions:

- (A) All pleadings and motions shall be legibly typewritten or printed on paper sized 8 1/2 x 11 inches. The caption of the complaint shall state the name and address, if known, of each party. Subsequent pleadings and motions shall state the case number, the name of the first party plaintiff and the first party defendant on each side. For all subsequent pleadings in which new parties are joined, the name and address, if known, of each new party shall be stated in the caption of such pleading. Every pleading, motion, brief or other paper filed in a case shall be identified by title, and shall bear the name of the individual attorney, the firm, if any, office address and telephone number of the attorney filing the same, or if there be no attorney, then the party filing the same.
- (B) Failure to comply with the formal requirements as set out above may be grounds for striking the non-complying document from the Court's files. For good cause shown, the Clerk of Court is authorized to waive this requirement for cases involving small claims, forcible entry and detainer or other types of cases or proceedings in the interest of justice when the party is not represented by counsel. The Clerk may also receive requests by letter in traffic and criminal cases regarding continuance, reinstatement of driving privileges, and other similar proceedings.
- (C) Notwithstanding the exceptions to formalities of documents filed with the Clerk of Court, all documents must be served on the prosecutor or opposing party in accordance with Civil Rule, and Criminal Rule. Failure to show proof of service on the document filed shall be grounds for striking the document from the Court's record.

### Rule 5- Appearance and Withdrawal of Counsel:

- (A) Upon the entry appearance of counsel, all documents filed with Court and all Court orders and motions shall be served upon the designated counsel or party's representative. Once an appearance is made, an attorney may only withdraw from a case by leave of Court.
- (B) No person who is not admitted to the practice of law before the [REDACTED] Supreme Court may appear on behalf of another individual or entity in court, except as provided by [REDACTED] or Rule II of the Supreme Court Rules for the Government of the Ear [REDACTED]. An executed power of attorney does not confer upon a person who is not an attorney the right or ability to represent some other person in Court. Nothing in this Rule shall prohibit an employee or agent of a party from appearing in a civil action to provide testimony on behalf of his or her employer, regarding information within that employee's or agent's personal knowledge, regardless of the presence or absence of the party.

**Example 9.3 small font**

Parties are entitled to have their cases heard by a judge and/or jury and arbitrations, ADR, references and mediation are voluntary and can only be entered into if all parties agree in writing or stipulation in open court.

Jury demands will be accompanied by a deposit of \$400 required by the clerk adequate to pay the jurors to be summoned. Failure to make the deposit may cause the Court to sua sponte dismiss the jury demand. The Court may waive the deposit upon affidavit of indigency subject to examination. The costs of the jurors will be taxed to the losing party; if that party is the one demanding the jury, jury fees will be paid upon entry of judgement; otherwise at the time of payment of costs or at the end of the month in which judgment is rendered, whichever is earlier. If the prevailing party requested the jury, his deposit will be applied to the jury fees if not paid by the losing party within that time.

If a defendant files a third-party claim clerk shall require deposit upon filing, the same as the original action.

Civil jury trial will normally be assigned on Tuesdays the same as criminal jury trials; they may be continued by Court if necessary for trial of a jailed defendant or a criminal defendant whose time limits have not been waived. Civil trials to Court may be set on Wednesdays or Thursdays at convenience of Court and Counsel.

**2(B) Case Management-Criminal**

2(B)(1) Arraignments will be held daily following apprehension of defendants held in confinement or on day set in summons at 8:00am. Unless defendant requests a pre-plea continuance, pleas will be had at that time. Unrepresented defendants pleading not-guilty may enter any motions or pleas in bar normally made before pleas within ten days after appointment of counsel or date of arraignment if private counsel are retained. Counsel will normally be appointed for indigent defendants after plea of not guilty at arraignment. Sentence will normally be passed at arraignment upon defendants pleading guilty, sentencing may be reserved if other parties are involved in same offense, or if extraordinary conditions prevail.

Upon pleas of no contest, if no testimony is immediately available, the Court with consent of the defendant may determine the case upon officer's written statement accompanying charge or affidavit of fact supporting the warrant. All facts in these statements are accepted as true, but if the facts stated are insufficient to support the charge, defendant will be acquitted. If defendant request testimony, the cause will be continued as if it were a minor misdemeanor.

2(B)(2) Minor misdemeanors to which pleas of not guilty are entered will normally be tried within 20 days. No appearance bond is required for minor misdemeanors.

2(B)(3) Petty offenses charged against defendants at liberty will be set for pre-trial after arraignment. All discovery requests shall be served before that time and any objections to request will be considered at pre-trial. If no objections are made to discovery requests or if made after the same are resolved discovery will be had as provided by rule. Failure to make discovery will result in appropriate sanctions as a matter of course. All motions directed against the complaint and for bill of particulars will be made prior to pre-trial as provided by rule and will be decided at pre-trial. Motions to suppress shall be made within rule or within seven days of compliance with discovery whichever is later. **PRE-TRIALS SHALL NOT BE HELD UP OR DELAYED BY PLEA NEGOTIATIONS.** Jury requests should be made by pre-trial if possible;

## LOCAL COURT RULES

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### VI. DOMESTIC PROCEEDINGS

#### RULE 601– Mandatory Mediation

Unless waived by the presiding Judge, any contested issues of child custody, residency, or parenting time shall be submitted to mediation before being scheduled for a final evidentiary hearing. This rule applies to all domestic actions, including those filed under the Kansas Parentage Act, and may be required in actions filed under the Protection From Abuse Act.

Mediation may be conducted by 24<sup>th</sup> Judicial District Court Services officers without cost. The parties may also, at their expense, select any person or persons to mediate their conflict and submit an agreement to the Court for consideration.

Court Services Mediators shall maintain qualifications required by rules relating to mediation, Supreme Court Rule 901 et. seq.

Counsel shall submit a proposed Order for Mediation to the Court, approved by one or both counsel, in substantially the form set forth within Appendix 6A to these Rules.

#### RULE 602 – Court Trustee Program

The Chief Judge shall establish a Court Trustee under the provisions of the applicable statutes and Supreme Court Rules. The establishment of the Court Trustee and the Office of Court Trustee shall be by Administrative Order, which may be amended from time to time. Any such Order in effect on the date that this rule is adopted shall continue until amended by the Chief Judge.

The Court Trustee shall be authorized and empowered to pursue all civil remedies available to establish and enforce payment of child support. The District Court Trustee shall also enforce, but not establish or modify spousal maintenance orders.

#### RULE 603 – Parenting Guidelines

If the parties in a Domestic Relations action are unable to agree upon a suitable Parenting Plan for the minor child or minor children of the parties, the Court will

**1. BAILIFF**

The bailiff, clerk, deputy clerk or probation officer selected by the Judge shall formally open sessions in the traffic and criminal division of the Court.

**2. CRIMINAL ACTION - FILING**

The Clerk of the County Court and all deputies shall refuse to accept criminal filings from any person except a duly authorized law enforcement officer having jurisdiction within the territorial jurisdiction of this court or any representative of the County Prosecutor's Office.

**3. WITNESSES**

1. Failure of any witnesses to appear in court may subject them to prosecution for contempt of court.
2. It will be the policy and the procedure of the [REDACTED] County Prosecutors Office to file a praecipe for a subpoena with the [REDACTED] County Court Office and a subpoena being issued for service upon the named Police Officer or Officers. Failure to appear for such court hearing will result in a Direct Contempt Citation being issued for that person.

**4. WITHDRAWAL OF CHARGES**

1. All recommendations for withdraw, reduction, amendment or dismissal of charges and the reasons therefor shall be made in open court by the prosecuting attorney, and or shall be specifically set forth in writing upon the case file.
2. No reductions of charges shall be allowed after jury notices have been sent to the prospective jurors.

**5. BOND FORFEITURE**

Where bond or bail has been posted and the defendant fails to appear as scheduled, the court may issue a warrant for the arrest of the defendant and the defendant shall suffer the forfeiture of the bond or bail as so posted.

**6. BAIL**

Officers in charge shall release any person arrested and charged with any of the offenses, who gives bail or executes bond according to law and satisfactory to the Clerk in the amount indicated in the bond schedule for appearance in the [REDACTED] County Court.

**7. JURY DEMAND**

Demand for a jury must be filed at least ten (10) days prior to trial date, or on or before the third day following receipt of notice of the date set for trial, whichever is later. Failure to demand a jury trial as provided is a complete waiver of the right thereof.

**8. JURY COSTS**

The cost of the jury shall be assessed to the defendant. No deposit for criminal jury trials is required.

**9. JUDGMENTS, ORDERS AND ENTRIES**

All criminal and traffic judgments and orders of this Court shall be shown as entered on the journals of the court as of the date said judgment were announced by the court.

**10. MOTIONS**

All motions shall be made in writing and accompanied by a written memorandum containing the arguments of counsel. In Motions to Suppress, the items of evidence in question shall be specified. Motions must be filed within the time limits established by the [REDACTED] Rules of Criminal Procedure. All motions shall be set for oral hearings.

**11. PRE-TRIAL PROCEDURE**

After entering a plea of not guilty to a criminal or traffic offense, the Court will

**RULE 9. ATTORNEY OF RECORD**

All attorneys of record shall file a Notice of Appearance on behalf of their client and copy the Prosecutor with such Notice, along with all other filings. All documents filed on behalf of one or more parties represented by counsel shall designate a trial attorney and include the attorney's Supreme Court registration number. All notices and communications from the Court and all documents required to be served will be sent to the designated trial attorney. No attorney who has entered his or her appearance in a case may withdraw as trial attorney except upon written motion for good cause shown and after giving notice to the client.

**RULE 10. CRIMINAL/TRAFFIC CASE SCHEDULING**

Scheduling begins at arraignment. All questions pertaining to scheduling should be directed to attention of the Assignment Commissioner. Electronic devices (including phones) are permitted in the Courtroom for counsel and parties to check their schedules.

**A. ARRAIGNMENTS**

- 1) All criminal cases shall be set for arraignment within 72 hours of the offense unless otherwise provided by law. All traffic cases, shall be scheduled no later than 10 days after the citation, except OVI cases, which shall be scheduled no later than five days after citation. All law enforcement officers shall include, along with the sworn criminal complaint and/or traffic ticket, a statement of facts and the Defendant's driving history or computerized criminal history as relevant.
- 2) Arraignments are held at 9 a.m. Monday, Tuesday, Wednesday and Friday, with the exception of inmates. Inmates appear for arraignment by video from the Tri-County Regional Jail at the convenience of the Court, generally at 8:30 a.m. daily.
- 3) Mandatory appearances are required for all persons who are cited or arrested for the following offenses: all crimes of violence as specified by the [REDACTED], all theft offenses, all third moving violations in a 12 month time period, all speeds over 80 MPH, all felony offenses. Failure to appear will result in the issuance of an immediate warrant.
- 4) Each defendant who enters a plea of "not guilty" at arraignment or who files a written plea of "not guilty" shall immediately be scheduled for a bench trial date by the Assignment Commissioner.
- 4) Felony preliminary hearings shall be scheduled according to Crim. R. 5(B)(1) within 10 days of arrest or summons if in custody, or 15 days if not in custody unless indicted by the grand jury, which convenes monthly in [REDACTED] County.

**B. PRE-TRIALS**

- 1) The Court does not permit pretrials on minor misdemeanors unless preapproved by the Judge.
- 2) The Assignment Commissioner shall schedule a pre-trial following any appointment of indigent defense counsel at arraignment.
- 3) The Assignment Commissioner shall set any written request by a pro se defendant for a pre-trial on the same date as the scheduled court trial, as the Prosecutor is required to meet with such defendants on the record pursuant to Crim. R. 17.1
- 4) Any written requests for pre-trial by retained counsel, filed at least ten days before trial, will be granted by the Court on all first- through fourth-degree misdemeanors. Except in cases involving felonies, crimes of violence, and other matters where the Prosecutor seeks specific bond or bail conditions, counsel may file notice of appearance pursuant to Crim. R. 10(B), waive in-person arraignment, and schedule a pre-trial hearing with the Assignment Commissioner.
- 5) All discovery should be completed prior to pre-trial. The Prosecutor shall file a written summary of all items provided in discovery and the method of delivery.

***Rule 208.2(c)******Content of Motions.*****Example 10.3 user-friendly spacing**

- (1) All motions shall identify any statute, caselaw, and/or procedural rules relied upon to justify the relief requested.

***Rule 208.2(d)******Uncontested Motions.***

- (1) An uncontested motion shall be accompanied by a certification of counsel that the motion is uncontested.

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- (1) A motion relating to discovery must aver (i) that counsel for the movant or petitioner has conferred with opposing counsel and all unrepresented parties with respect to each matter set forth in the motion and has made a good faith effort to resolve the parties' differences, but has been unable to do so; or (ii) that counsel has made a good faith effort to confer, but has been unable to do so.

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

- (1) The following motions shall be governed by Pa.R.C.P. 208.3(a):
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  - (iii) Motions to extend time for discovery
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- (2) Motions shall be filed with the clerk of courts and a copy thereof, along with the original proposed order which would grant the relief requested, shall be delivered to the court administrator's office for transmittal to the assigned judge.
- (3) Service of all motions shall be made and a certification of service filed in accordance with Rule 208.3(b)(3) herein below. A motion to withdraw as counsel shall be served upon the movant's client as well as upon all counsel of record and any unrepresented parties.
- (4) Notwithstanding the foregoing, motions for continuance may be presented directly to the assigned judge on the continuance form available from the court administrator's office. Such motions may be submitted directly to the assigned judge's chambers by hand delivery, by mail, or by facsimile transmission. Prior to submitting any such motion, the movant or his/her counsel shall confer with all counsel of record and any unrepresented parties to determine their position with respect to the continuance request, and shall indicate their position in the motion.

ACCESS II, a Notice of Violation is filed and a Hearing is scheduled. In the event the Court finds that the terms of the ACCESS II Program have been violated and the defendant should no longer continue, the defendant is terminated from the ACCESS II Program and all or part of the criminal sentence is imposed. A criminal defendant may be neutrally discharged if he or she is no longer capable of completing the ACCESS II Program.

#### Rule 2.4.3 – Safe Harbor Expungement Docket

Upon the original filing of an application for expungement of the record of a human trafficking victim pursuant to R.C. 2953.38 and R.C. 2953.521, the application shall be assigned to the Safe Harbor Expungement Docket. The Judges of the Court shall annually select a Judge to hear the applications on the Docket. All such applications shall be heard by the Safe Harbor Expungement Docket Judge, who shall serve for a period of one year, beginning on the first day of January.

#### Rule 2.5 – Assignment of Refiled Cases Sup.R. 36.017

If a previously filed and dismissed case is refiled, the case shall be reassigned to the judge originally assigned by lot to hear it unless, for good cause shown, that judge is precluded from hearing the case.

#### Rule 2.6 – Assignment Following Recusal Sup.R. 36.019

##### A. General.

Following the recusal of a judge, the Administrative Judge shall randomly assign the case among the remaining judges of the Court who are able to hear the case.

##### B. Request for Visiting Judge.

In any case in which the Administrative Judge reasonably believes based on all circumstances that no judge of the Court should hear the case, the Administrative Judge may request a visiting judge be assigned.

#### Rule 2.7 – Assignment of Cases Requesting Sealing of Record

Applications for Sealing of Records shall be assigned for decision to the judge before whom the defendant previously appeared or the judge's successor. Applications without the defendant's date of birth, social security number, and current address will not be accepted for filing.

#### Rule 2.8 – Assignment of Cases to New Judges Sup.R. 36.018

After the date of election, but prior to the first day of the term of a new judicial position, the Administrative Judge, through a random selection of pending cases, shall equitably reassign cases pending in the court between or among the judges of the Court and shall create a docket similar to a representative docket. Reassignment shall be completed in a manner consistent with this rule and may exclude criminal cases and cases scheduled for trial. Any matters arising in cases assigned to the docket for the new judicial position prior to the date on which the judge elected to that position takes office shall be resolved by the Administrative Judge or assigned to another judge.

(2) Recusal hearings pursuant to Rule 15 of the Supreme Court Rules for the District Courts, [REDACTED]. Parties must comply with the provisions of this Rule before the Chief Judge will consider a recusal request.

(3) Election protests and recounts.

(4) Interface between the courts and other agencies. Individual judges may contact such agencies when necessary to carry out their business.

(5) Setting jury terms and summoning jurors.

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The duties of Chief Administrative Judge shall be equally divided between the [REDACTED] District Judges.

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In the event the Chief Administrative Judge is unavailable or has recused in any matter, then the matter shall be assigned to the Vice Chief Administrative Judge.

#### **Rule 1.10. Jury Terms**

The Chief Judge shall be in charge of the Jury Panel and shall excuse and discharge those jurors not engaged when their services are no longer required.

Jurors shall be summoned to appear for Petit Jury terms of two week duration pursuant to the annual schedule established and made public by the Chief Judge.

Jurors may be summoned on additional weeks due to exigent circumstances as determined by the Chief Judge.

AT EACH CIVIL TERM, EACH JUDGE SHALL GENERALLY HANDLE THAT JUDGE'S CASES FIRST AND THEN OTHER CASES AS ASSIGNED BY THE CHIEF JUDGE. AT CRIMINAL TERMS, THE DISTRICT ATTORNEY SHALL GENERALLY BE RESPONSIBLE FOR SCHEDULING TRIALS IN SUCH A MANNER AS TAKES INTO ACCOUNT THE SCHEDULES OF THE ATTORNEYS, THE EXPERT WITNESSES AND THE REQUIREMENTS OF THE SPEEDY TRIAL RULES. The District Attorney has assumed responsibility for compliance with the statute governing speedy trial. All assignments are subject to the overriding control of the Chief Judge.

#### **Rule 1.11. Attorneys--Behavior**

Attorneys are officers of the Court. As such, their behavior toward the Court sets the example for the public. Their responsibility is--at a minimum--to be courteous and civil. Good manners and decorum are required at all times. See Appendix I.

<u>ITEM</u>	<u>RULE NO.</u>	<u>PAGE</u>
<b>HOURS OF SESSION</b>	<b>1.02</b>	<b>1</b>
<b>INVOLUNTARY DISMISSAL OF ACTIONS</b>	<b>2.12</b>	<b>16</b>
<b>JURY TRIALS</b>	<b>2.08</b>	<b>15</b>
<b>LANDLORD/TENANT ACTIONS</b>	<b>2.02</b>	<b>12</b>
<b>METHOD OF PAYMENTS &amp; COINS</b>	<b>3.08</b>	<b>21</b>
<b>MINOR MISDEMEANOR APPEARANCE &amp; WAIVER</b>	<b>3.03</b>	<b>19</b>
<b>OVERPAYMENTS</b>	<b>1.06</b>	<b>5</b>
<b>PROBATION &amp; PROGRAMS OPERATED BY PROBATION</b>	<b>3.11</b>	<b>22</b>
<b>RECORD OF PROCEEDINGS</b>	<b>1.10</b>	<b>6</b>
<b>REVIVOR OF JUDGMENT</b>	<b>2.07</b>	<b>15</b>
<b>SATISFACTION OF JUDGMENT</b>	<b>2.06</b>	<b>15</b>
<b>SMALL CLAIMS</b>	<b>1.15</b>	<b>8</b>
<b>SPECIAL NEEDS</b>	<b>1.03</b>	<b>1</b>
<b>TRAFFIC VIOLATIONS BUREAU</b>	<b>3.04</b>	<b>19</b>
<b>TRIALS</b>	<b>3.06</b>	<b>21</b>
<b>TRUSTEESHIPS</b>	<b>1.14</b>	<b>7</b>
<b>WARRANT REQUESTS</b>	<b>2.11</b>	<b>16</b>
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<b>WITNESSES AND SUBPOENAS / CIVIL DIV.</b>	<b>2.09</b>	<b>16</b>
<b>WITNESSES AND SUBPOENAS / CRIMINAL/TRAFFIC DIV.</b>	<b>3.09</b>	<b>21</b>
<b>WRITS</b>	<b>2.03</b>	<b>14</b>

the opposing party/counsel has been offered a reasonable opportunity to examine the evidence before trial.

D. Failure to file a trial statement where ordered, in conformity with the above requirements, may result in dismissal, default judgment or other appropriate sanctions.

### 3.096 JURY INSTRUCTIONS

Each party demanding a jury trial must file with the Clerk, deliver to the opposing party/counsel and provide to the Court, no later than seven (7) days in advance of trial, a complete set of instructions suitable for charging the jury in the matter. In an action scheduled for jury trial, any party who has not filed a demand for jury may also file jury instructions. **FAILURE OF THE DEMANDING PARTY TO FILE JURY INSTRUCTIONS MAY BE CONSTRUED AS A WAIVER OF THE JURY DEMAND.**

### 3.097 WITNESSES GENERALLY

Disclosure of fact witnesses' names, addresses and the general nature of their expected testimony may be required at pretrial or under a case management order. Failure to disclose or provide witness information as ordered may result in the exclusion of the testimony of the undisclosed witness(es) at trial.

### 3.10 EXPERT WITNESSES

A. A party may not call an expert witness to testify unless a written report has been procured from the witness, provided to the opposing party/counsel and filed with the Clerk.

B. Parties shall submit written expert reports no later than ninety (90) days prior to trial. If the expert's evidence is intended solely for rebuttal, the written report must be filed within thirty (30) days of the opposing party's disclosure. Parties shall supplement their expert reports as needed. Supplemental reports must be filed no later than thirty (30) days before trial.

C. The Court, by order in a specific case, may modify the deadlines set forth above. Failure to submit expert reports as required by these Rules, or as allowed by the Court's order, may result in the exclusion of the expert's testimony at trial.

D. Expert reports must include:

1. the expert's name;
2. area of expertise;
3. the expert's qualifications;
4. a signed written report stating all the opinions to which the expert will testify;
5. the bases for those opinions;
6. the data/information considered in forming the opinions;

All traffic tickets and criminal complaint filings for warrants and summonses must have the following information presented at the time of filing before the Court can file the new tickets and complaints.

**The following is the probable cause checklist:**

1. Criminal complaints must state “To Wit” followed by a short summary of the facts;
2. “Defendant committed an offense”
3. Date of offense
4. All traffic tickets and criminal complaints must be filled out completely including the [REDACTED] Code and/or City Ordinance number (and degree of offense for criminal complaints)
5. If degree of crime is enhanced because of prior conviction, it must be stated “previously convicted of the crime of \_\_\_\_\_” and set forth the applicable Court Caption and Case Number of the prior conviction.
6. Police/Incident report and/or a copy of the complaint intake filed in the Prosecutor’s office.
7. Defendant’s name on affidavit must match the name on the complaint.
8. Statement must match the charge on the complaint.
9. Complaint and affidavit must be signed by the Officer/Affiant or Prosecutor.
10. Officer/Affiant’s signature must be sworn to a Deputy Clerk.
11. All traffic tickets must be filed with a [REDACTED] printout.
12. All criminal complaints must be filed with a personal identifier.

**Arraignments** by written waiver of appearance are not acceptable in any traffic and criminal case unless the Judge has given prior approval, or waiver of appearance is authorized according to law or rule established by the Court.

**B. PRETRIALS:** All first degree and second degree misdemeanors shall be set for pretrial by the Court within thirty (30) days of the arraignment, unless otherwise ordered by the Court. All other misdemeanors shall be set for trial by the Judge unless the Judge orders a pretrial in said case. The defendant may only waive his/her right to a speedy trial in writing, on the record, and in open Court. Prior to the pretrial all discovery, if requested shall be exchanged among the parties. The Court has an open file policy, i.e. informal discovery. If the information requested is not contained in the file, that information may be discovered at the pretrial. All discovery must be completed by the end of the pretrial or a second pretrial must be requested and will be granted only for just cause. The pretrial shall be conducted in accordance with Criminal Rule 17.1. Any attorney who fails to appear for pretrial without just cause being shown may be punished for contempt of court.

If the parties cannot resolve the case, then the case shall be set for trial to the Court unless a Jury Demand is filed in compliance with Criminal Rule 23. If the case is set no plea will be accepted absent consultation with the victim and arresting officer by the prosecutor.

**C. MOTIONS:** All Motions shall be made in writing and accompanied by a written Memorandum containing the arguments of counsel. All Motions must comply with [REDACTED]. The moving party must obtain a hearing date at the date of filing. Motions must be filed within the time limits established by the [REDACTED] of Criminal Procedure. **MOTIONS TO DISMISS OR SUPPRESS MUST BE FILED SEVEN (7) DAYS BEFORE THE HEARING DATE.**

All Motions (except for a continuance) shall be set for hearing unless otherwise indicated by the Judge. A Motion may be decided without hearing at the joint request of both sides. **Any motion to be decided without a hearing must be accompanied by a proposed Judgment Entry from each party.**

Rule ( ). They are effective as of January 12, 1996 ( as later amended) and shall govern all proceedings filed subsequent to that date.

## **RULE 2.00 HOURS OF REGULAR OPERATION**

A. The offices of the court shall be open between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. These hours may be extended or diminished by court order.

**B. Subject to change, the offices of the court shall be closed for holidays as designated by court order. A copy of the court's annual holiday schedule is available upon request.**

## **RULE 3.00 THE JUDICIARY**

Magistrates shall be appointed by the presiding judge and will have all the authority and power set forth in the Rules of Procedure and Statutes. The magistrates will hear all matters referred to them by a judge of this court.

Acting judges shall be appointed pursuant to [REDACTED] and shall serve at such times as the incumbent judge is temporarily absent or incapacitated.

## **RULE 3.01 ADMINISTRATIVE JUDGE - ACTING ADMINISTRATIVE JUDGE**

A. The administrative judge shall decide questions pertaining to cases assigned to a judge when that judge is unavailable and a delay would result in prejudice to the parties. The authority of the administrative judge shall extend only to those matters relating to docket and case control and the compilation, approval and transmission of such reports as may be periodically required under [REDACTED].

Pursuant to the authority granted under [REDACTED], the administrative judge is relieved of such part of his or her trial duties as necessary to allow him or her to properly oversee the expedient management of the trial court's calendar and docket.

- (B) No pleadings shall be accepted for filing by the Clerk if said pleading does not contain a caption setting forth the name of the Court, the title of the action and case number.
- (C) Form Size: All papers filed with the Clerk shall be on 8 ½" x 11" paper, with the exception of exhibits. All filings shall have a top margin of at least one and one-half inches (1 ½").

**RULE 1.05 FACSIMILE FILINGS.**

- (A) As provided for under Civil Rule 5 (E), Civil Rule 73 (J), Criminal Rule 12 (B) and App R 13 (A), the Court will allow filing of pleadings and other documents through the Clerk of Court by facsimile transmission to [REDACTED] subject to the following conditions:
  - (1) The rules apply to the civil, small claims, criminal, traffic and appellate proceedings in the [REDACTED] Court.
- (B) A document filed by fax shall be accepted as the effective original filing. The person making a fax filing need not file any source document with the Clerk of Court but must, however, maintain in his or her records and have available for production on request by the court the source document filed by fax, with original signatures as otherwise required under the applicable rules, together with the source copy of the facsimile cover sheet used for the subject filing.
- (C) The source document filed by fax shall be maintained by the person making the filing until the case is closed and all opportunities for post judgment relief are exhausted.
- (D) **DEFINITIONS.** As used in these rules, unless the context requires otherwise:
  - (1) A "facsimile transmission" means the transmission of a source document by a facsimile machine that encodes a document into optical or electrical signals, transmits and reconstructs the signals to print a duplicate of the source document at the receiving end.
  - (2) A "facsimile machine" means a machine that can send and receive a facsimile transmission.
  - (3) "Fax" is an abbreviation for "facsimile" and refers, as indicated by the context, to facsimile transmission or to a document so transmitted.
- (E) **COVER PAGE.** The person filing a document by fax shall also provide therewith a cover page containing the following information:

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Example 13.2 left-justified text

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ACCESS II, a Notice of Violation is filed and a Hearing is scheduled. In the event the Court finds that the terms of the ACCESS II Program have been violated and the defendant should no longer continue, the defendant is terminated from the ACCESS II Program and all or part of the criminal sentence is imposed. A criminal defendant may be neutrally discharged if he or she is no longer capable of completing the ACCESS II Program.

#### Rule 2.4.3 – Safe Harbor Expungement Docket

Upon the original filing of an application for expungement of the record of a human trafficking victim pursuant to R.C. 2953.38 and R.C. 2953.521, the application shall be assigned to the Safe Harbor Expungement Docket. The Judges of the Court shall annually select a Judge to hear the applications on the Docket. All such applications shall be heard by the Safe Harbor Expungement Docket Judge, who shall serve for a period of one year, beginning on the first day of January.

#### Rule 2.5 – Assignment of Refiled Cases Sup.R. 36.017

If a previously filed and dismissed case is refiled, the case shall be reassigned to the judge originally assigned by lot to hear it unless, for good cause shown, that judge is precluded from hearing the case.

#### Rule 2.6 – Assignment Following Recusal Sup.R. 36.019

##### A. General.

Following the recusal of a judge, the Administrative Judge shall randomly assign the case among the remaining judges of the Court who are able to hear the case.

##### B. Request for Visiting Judge.

In any case in which the Administrative Judge reasonably believes based on all circumstances that no judge of the Court should hear the case, the Administrative Judge may request a visiting judge be assigned.

#### Rule 2.7 – Assignment of Cases Requesting Sealing of Record

Applications for Sealing of Records shall be assigned for decision to the judge before whom the defendant previously appeared or the judge's successor. Applications without the defendant's date of birth, social security number, and current address will not be accepted for filing.

#### Rule 2.8 – Assignment of Cases to New Judges Sup.R. 36.018

After the date of election, but prior to the first day of the term of a new judicial position, the Administrative Judge, through a random selection of pending cases, shall equitably reassign cases pending in the court between or among the judges of the Court and shall create a docket similar to a representative docket. Reassignment shall be completed in a manner consistent with this rule and may exclude criminal cases and cases scheduled for trial. Any matters arising in cases assigned to the docket for the new judicial position prior to the date on which the judge elected to that position takes office shall be resolved by the Administrative Judge or assigned to another judge.

The screenshot shows a PDF document titled "COURT RULES OF PRACTICE AND PROCEDURE" displayed in Adobe Acrobat Pro DC. The document is marked as "SECURED". A red circle highlights the "LOCK" icon in the toolbar and the "SECURITY" tab in the "Document Properties" dialog.

**COURT  
RULES OF PRACTICE AND PROCEDURE**

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Description Security Fonts Initial View Custom Advanced

**Document Security**

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