

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

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

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

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

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

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

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

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

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

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Local Rule 76 ***Definitions.***

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

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

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

Local Rule 105 ***Bonds.***

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

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Local Rule 198 ***Actions Between Family Members.***

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

Local Rule 200 ***Representation by an Attorney.***

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

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

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

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

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

(1) **Basic Requirements.**

- (a) Footnotes shall be single-spaced.

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

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

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

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

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(2) **Proposed Orders of Court.**

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

(3) **Other Filing Requirements.**

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

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

(c) "Bluebacks" shall not be used.

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

Local Rule 205.2(b). Cover Sheet.

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

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

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

(2) The information required includes:

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

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

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

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

- (xi) Every pleading, petition and motion must include a Certificate of Service which sets forth the manner of service upon each party including the name of an attorney of record for each party that is represented and the address at which service was made.
- (3) FORM 205.2(b) Cover Sheet
- Editor's note:** Amended November 20, 2014, effective 30 days after publication in the *Pennsylvania Bulletin*.

<i>See Forms Index</i>

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

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