

STANDARD OPERATING PROCEDURES

Judge Traci L. McDonald

**1 South Main Street, Ste. 1004
Washington, PA 15301
(724) 250-6562**

Contact with Office

1. Unless specifically requested by the Court, the Court will not entertain letters, e-mails, or telephone calls requesting action of any kind. All matters shall be presented to the Court by way of motion or petition. Unsolicited letters will be returned, unread. This is true even if opposing counsel or the opposing party has been carbon copied on the correspondence. Such communication is still considered *ex parte* and is prohibited unless requested by the Court.
2. Counsel and/or the parties shall not engage in any *ex parte* communication concerning a pending case with the Court or staff. Such communication may be deemed a cause for referral to the disciplinary authorities, or other appropriate sanctions.
3. Questions concerning court procedures should be directed to the secretary or law clerk (contact information is provided on the last page of this document).
4. Judge McDonald's chamber is staffed from 9:00 a.m. until 4:30 p.m. During Court Proceedings, all staff may be occupied in the Courtroom. Communication at such times may be accomplished through e-mail directed to the secretary, court crier and/or law clerk (contact information is provided on the last page of this document).

Courtroom Decorum

1. All electronic devices shall be turned off in the Courtroom, unless approved by the Court in furtherance of the proceedings.
2. Counsel should be dressed in professional attire. Likewise, it is counsel's responsibility to instruct witnesses and parties as to proper behavior and dress when the Court is in session. Witnesses and parties should be instructed to wear clean, neat, and appropriate attire. No shorts, cutoffs, hats, sleeveless shirts, or flip-flops are permitted.
3. This Court maintains a zero tolerance policy towards incivility. Discourse between counsel/parties is only permitted to expedite matters. Argument between counsel/parties is strictly prohibited. All remarks should be addressed to the Court. Counsel/parties

should never act or speak disrespectfully to the Court, the Court's staff, opposing counsel/parties or witnesses.

4. Only counsel and the parties may sit at counsel table unless the Court directs otherwise.
5. The Court does not routinely request that a sheriff be present during court proceedings. If a sheriff's presence is deemed necessary, please notify court staff in advance.

Motions

1. Motions are heard by the Court on Wednesdays and Thursdays at 9:30 a.m.
2. Motions **MUST** be personally delivered to the Court in accordance with the parameters set forth below. The Court will **NOT** accept motions delivered by e-mail, fax or mail, unless previously approved by the Court.
3. A copy of any motion for Judge McDonald's consideration, whether contested or uncontested, shall be provided to her office before noon (12:00 p.m.) the business day prior to scheduled presentation. Motions that are not dropped off timely, will not be heard.
4. The motion and/or cover letter, should clearly indicate the date of presentation and whether the motion is contested or uncontested. It is the responsibility of the movant to properly notice opposing counsel/parties of the Motion and Date of Presentment.
5. Motion trays are located outside chambers on the First Floor of the Courthouse. Movants shall first list each motion for presentment on the sign-up sheet provided outside chambers. Sign-up information shall contain only the initials of the subject case and docket information.
6. A copy of each motion, with an attached proposed order, shall be placed, face down in the corresponding tray. (Contested and/or uncontested). Answers and responses may also be placed in the motion trays with attestation of service.
7. Notification shall be provided to all counsel/parties, including the presentment date, a minimum of three (3) days prior to submission. It is impermissible to sign-up for dates outside of the Court pre-designated motion dates.
8. If the motion is contested, ALL counsel relevant to the motion must appear IN PERSON on the scheduled date. The moving party is responsible for notifying all counsel of when the motion shall be heard.
9. Failure to follow these procedures will result in Judge McDonald not entertaining the motion.

10. Motions are not generally proceedings of record. Requests to have motions recorded must be addressed through separate request with prior notification to all counsel/parties.
11. Counsel should advise clients that, while they are certainly welcome to attend Motions Court, they are not permitted to address the Court, unless requested by the Court to do so. Counsel **SHALL** advise the Court if their clients are present in the Courtroom.

Emergency Matters

1. With the exception of after-hour emergency requests, notification of emergency requests shall be submitted to the court via email to the following email addresses:
 - a. billie.jo.pustovrh@washingtoncourts.us
 - b. court.crier.mcdonald@washingtoncourts.us
 - c. law.clerk.mcdonald@washingtoncourts.us
2. Courtesy calls to chambers advising of forthcoming emergency requests are welcome.
3. Emergency matters should provide a summary of the position of all counsel. Inability to reach counsel and attempts undertaken must be stated with particularity.
4. Chambers will schedule the emergency motions as soon as possible, considering other Court responsibilities.

NOTE: Emergency motions can only be considered in the case of true emergencies. It is NOT an emergency if counsel/parties simply are not available when the Court is scheduled for motions or if counsel has delayed filing the motion.

Consent Orders

- Consent Orders will be accepted at any time and may be dropped off for Judge McDonald's signature, provided the signatures of all counsel/parties are contained within the proposed order. Strings of e-mail correspondence do not serve as a substitute for signed consent.
- Counsel/parties are responsible for retrieving and filing the signed Consent Order. Under no circumstance will the Court be responsible for filing the order or for mailing back a signed Consent Order.

Hearing Procedure

1. In all hearings, but particularly Termination of Parental Rights (TPR) proceedings, counsel/parties should be mindful of the time allotted for hearings and should plan their presentation accordingly. Additional time may not be available for several months.
2. All Counsel/parties shall be prepared to have the hearing begin promptly at the scheduled time. Requests for pre-hearing conferences with the Court should be made in advance of the scheduled hearing time.

NOTE: In certain proceedings, the Court may elect to continue beyond traditional Court hours and counsel/parties should plan accordingly. Conflicts with potential extended Court hours should be addressed with Court staff as soon as possible.

3. Unless previously approved by the Court, proceedings WILL NOT be delayed due to scheduling conflicts of Counsel. Counsel having specific conflicts shall independently arrange for coverage to avoid unnecessary delay.
4. Counsel and parties shall arrive prior to the scheduled hearing time to address outstanding issues and to meet with clients and witnesses.
5. All Court hearings shall begin promptly at the scheduled time. Permanency Review Hearings are scheduled for one (1) hour. (Counsel shall contact chambers if it is anticipated that a hearing will likely extend beyond one (1) hour. Rescheduling may be required). Hearings that extend longer than the allotted time may be recessed and resumed after all other scheduled hearings have concluded.
6. Counsel is expected to have regular and continuing contact with clients and shall be expected to attend scheduled pre-hearing conferences, unless specifically excused by the Court.
7. Counsel/parties should cooperate in the scheduling of expert testimony. The Court will always consider taking expert testimony out of order.
8. In the event that a witness or participant to a hearing is required to attend telephonically and/or virtually, notice must be provided to chambers forty-eight (48) hours prior to projected appearance and such request is subject to Court approval. Requests for telephonic and/or virtual participation, including that of counsel, must include accurate contact information provided in advance of the hearing. Proceedings will not be delayed for continued attempts to reach telephonic and/or virtual participants.
9. When documents, photographs, and/or reports are being offered into evidence and/or presented to the Court, counsel/parties should provide copies to opposing counsel/parties and to the Court. Excepting last minute entries, counsel/parties should provide any such items reasonably in advance of the hearing.

Notice to Self-Represented Parties

1. Counsel shall be appointed to all parties involved in Dependency, Delinquency and TPR proceedings. Parties may elect to hire private counsel and/or to request leave of Court to self-represent.
2. Like attorneys, self-represented parties are bound by all Pennsylvania Rules of Court, Evidence, and Procedure. Self-represented parties are also expected to familiarize themselves and follow this Court's Standard Operating Procedures.

Court Personnel

The names of Judge McDonald's staff members are listed below. You can contact any of her staff members at the following phone number: (724) 250-6562.

Secretary – BJ Pustovrh
billie.jo.pustovrh@washingtongcourts.us

Law Clerk – Olyvia Adkins
law.clerk.mcdonald@washingtongcourts.us

Court Crier – Daryl Holt
court.crier.mcdonald@washingtongcourts.us