

STANDARD OPERATING PROCEDURES

Judge Brandon P. Neuman

1 South Main Street, Ste. 1006

Washington, PA 15301

(724)-228-6830

Contact with Office

- Unless specifically requested by the Court, the Court will not entertain emails, letters, 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.
- Neither counsel nor the parties shall correspond with the Court by email unless specifically invited to do so.
- 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.
- Questions concerning court procedures should be directed to the secretary, law clerk or court crier (contact information is provided under Court Personnel in this document).

- Judge Neuman's chamber is staffed from 9:00 a.m. until 4:30 p.m. The office is closed for lunch from 12:00 p.m. until 1:00 p.m.

Courtroom Decorum

- No food or drink (except water) is permitted in the Courtroom.
- All electronic devices are to be turned off in the Courtroom.
- 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. At trial and at hearings, witnesses and parties should be instructed to wear clean, neat, and appropriate attire. No shorts, cutoffs, hats, sleeveless shirts, or flip-flops are permitted.
- 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.
- Only counsel and the parties may sit at counsel table, unless the Court directs otherwise.
- Children who are the subject of the litigation, or who are in any other way involved in the litigation are under **NO CIRCUMSTANCES** to be present in the Courtroom during a proceeding unless authorized by the Court. Counsel shall advise clients to make appropriate child care arrangements.
- Counsel should advise clients that while they are certainly welcome to attend Motions Court, or arguments on Exceptions, 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.
- 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

Listing Motions for Argument

- Motions **MUST** be personally delivered to the Court in accordance with the parameters set forth below. The Court will **NOT** accept motions delivered by fax or mail. The motion or cover letter should **clearly** indicate the date of presentation, and whether the motion is contested or uncontested.
- Motions trays are located outside chambers on the Third (3rd) floor. Motions must be signed up on the correct date and placed in the corresponding tray. Motions that are not dropped off timely **will not be heard**.
- The **ORIGINAL** with a proposed order attached shall be placed in the Motions tray. If the motion is withdrawn or consented to after sign-up, please notify the Court immediately to avoid needless review by the Court; withdrawn motions will be removed.
- We do not permit parties to sign up motions for any dates except those listed on the sign-up sheets.

Family Court Motions Schedule

- Family Court motions shall be heard on Tuesday and Wednesday beginning at 9:15 a.m.
 - If an attorney is presenting the motion, the motion shall be presented on Wednesday at 9:15 a.m. or on Tuesday after all self-represented motions.
 - If a person proceeding without counsel (self-represented) is presenting the motion, the motion shall be presented on Tuesday at 9:15 a.m.
- In addition, on rare occasions, and only in the case of **true emergencies**, motions may be heard at the Court's discretion. If the matter is an actual emergency, counsel/parties shall contact a law clerk for further instructions and scheduling. It is not an emergency if counsel/parties simply are not available on the days that the Court is scheduled for motions.
- The moving party **SHALL** list the motion on the sign-up sheet and provide Judge Neuman's office with a copy of the motion to be presented by:
 - 12:00 p.m. on the Friday before the scheduled Tuesday presentation date and by;
 - 12:00 p.m. on the Monday before the scheduled Wednesday presentation date.
 - If Friday and Monday are holidays, motions may be delivered by 9:00 a.m. on Tuesday or Wednesday for the scheduled Tuesday or Wednesday presentation dates, respectively.

- Failure to follow this procedure will result in Judge Neuman not entertaining the motion.
- In family court matters, the moving party shall **deliver** a copy of the motion and proposed order to all other parties or counsel and all non-moving parties **must be in receipt** of the motion at least five (5) business days in advance of the presentation together with the notice of when presentation is to occur.
- Answers or responses to motions shall be filed by 12:00 p.m. the day before the scheduled presentation date. A courtesy copy shall be provided to Judge Neuman's office.
- Prior to the filing of a family law motion or petition, counsel/parties shall attempt to resolve the matter informally through conferring as per Wash.L.R.C.P. 208.2(3)(a). The moving party must attach a Certificate of Compliance to every written motion. See Appendix A, attached.
- Motions for Special Relief will only be heard if:
 - A Complaint for Custody has been filed and served on the opposing parties **on or before** the date the Motion for Special Relief was served, or if a custody Order is already in place;
 - A Petition for Modification has been filed and served on the opposing parties **on or before** the date the Motion for Special Relief was served.
- Further instructions for self-represented parties are as follows:
 - All parties are advised that the Court starts motions promptly at the scheduled time. Failure to appear at the scheduled time may result in the motion being denied or granted with only one party being present. In extreme cases, imposition of fines or counsel fees may be imposed. Promptness is also expected of the parties and witnesses. All parties shall enter the Courtroom and have a seat before the time scheduled. Your name will be called when Judge Neuman is ready to hear your motion.
 - 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.
 - Self-represented parties are not permitted to call or otherwise discuss legal matters with the Court's staff. **Court staff is NOT PERMITTED to give legal advice of any kind.**

Consent Orders

- Consent Orders will be accepted at any time and may be dropped off for Judge Neuman's signature provided the signatures of both counsel/parties are contained within the proposed order.
- Counsel/parties are responsible for retrieving and filing the signed Consent Order. Under no circumstances will the Court be responsible for filing the order or for mailing back a signed Consent Order.

Trial Procedure

- In all hearings, but particularly in custody cases, counsel/parties should be mindful of the time allotted for trial and should plan their presentation accordingly. Additional trial time may not be available for several months.
- All Court hearings shall begin promptly at the scheduled time. Trial shall end each day at approximately 4:30 p.m.
- Counsel/parties should cooperate in the scheduling of expert testimony. The Court will always consider taking expert testimony out of order.
- When documents are to be entered into evidence and/or presented to the Court, counsel/parties should provide copies to opposing counsel/parties and to the Court. Requests for copies because counsel did not anticipate the use of the document will be denied.

Court Personnel:

The names of Judge Neuman's staff members are listed below. You can contact any of his staff members at the following phone number: (724)-228-6830.

- Secretary – Amber Ross
- Law Clerk– CharLee Rosini, Esq.
- Court Crier – Sean Walters

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

CIVIL DIVISION

[Caption] :
: No. 20 _____ - _____
:

CERTIFICATE OF COMPLIANCE

1. The undersigned, _____, represents [name of party], the moving party herein.
2. I certify that I have complied with Wash.L.R.C.P 208.2(3)(a) and conferred with [opposing counsel or the opposing party] in an attempt to resolve the subject matter of this motion as noted below:

Talked by phone: [date]

Met in person: [date]

Other: [type of communication] [date]

I attempted to confer on [date(s)], but was unable to [state reason(s)].

I did not confer for the following reasons: _____

I did not confer because this case, or another case at docket No. _____, involves an allegation of domestic violence.

Signature Date