

## Civil Motions Procedure – Effective May 11, 2020

Upon the expiration of the Judicial Emergency in Westmoreland County on May, 8, 2020, please be advised that Civil Motions Practice will resume on Friday, May 15, 2020, subject to the following practices and procedures for CONTESTED MOTIONS, which shall remain in place until further notice.

1. UNCONTESTED MOTIONS shall be presented to the chambers of the assigned Judge for signature. Submission of motions can be accomplished by fax, email or first class mail.
2. For CONTESTED motions, the Moving Party is to call the chambers of the Judge assigned to the matter and request a scheduled time to present the motion on a Friday.
  - a. Once a time has been assigned, the moving party shall provide a copy of the Motion and any Proposed Order to the opposing party **and to the Court** at least four days in advance of the date when the presentation is to occur. **Parties are to continue to abide by the requirements of W208.3(a).**
  - b. Motions will be scheduled between 9 am and 11 am every Friday, in 10 minute increments.
  - c. The Moving Party shall advise the Court, at the time of requesting a scheduled time for the motion, whether the Moving Party will appear in person or remotely. The Moving Party shall advise the Defending Party in writing that he or she may appear in person to oppose the motion or remotely.
    - a. If the Defending Party chooses to proceed remotely, he or she must advise the Court that he or she will be appearing remotely.
  - d. **It is the attorney's responsibility** to make arrangements with the Court if he or she chooses to appear remotely, including providing a telephone number to the Court.
  - e. If counsel chooses to appear **in person**:
    - a. Only the attorney presenting or defending the motion, or if the moving/defending party is pro se – only that party, shall appear.
    - b. All counsel or any pro se party **must wear a mask** in the courtroom.
    - c. Please be advised that masks will not be provided and parties are to bring their own.
    - d. Gloves are recommended.

BY: Honorable Rita Donovan Hathaway, P.J.  
Honorable Chris Scherer  
Honorable Harry F. Smail, Jr.

Date: May 5, 2020