

# THE COURTS

## Title 252—ALLEGHENY COUNTY RULES

### ALLEGHENY COUNTY

### Rules of Court of Common Pleas; Rules Doc. No. 2 of 1997

#### Order of Court

*And Now*, this 23rd day of December, 1997, pursuant to action of the Board of Judges, the following local Rule 220.1 affecting the Civil Division of the Court of Common Pleas is adopted, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

*By the Court*

ROBERT E. DAUER,  
*President Judge*

#### 220.1. Voir Dire.

In all civil actions to be tried before a jury, the following questions (except those, which all parties shall agree in advance to strike, as inappropriate for the type of case involved) shall be propounded by an Assignment Room Clerk, in the presence of all counsel, to the members of the panel:

I. *TO BE ADDRESSED TO THE GROUP:*

1) The attorneys in this lawsuit and their law firms are

|                                 |                   |
|---------------------------------|-------------------|
| _____<br>ATTORNEY FOR PLAINTIFF | _____<br>LAW FIRM |
| _____<br>ATTORNEY FOR DEFENDANT | _____<br>LAW FIRM |
| _____<br>ATTORNEY FOR           | _____<br>LAW FIRM |
| _____<br>ATTORNEY FOR           | _____<br>LAW FIRM |

Have you had any social, business or professional contact with any of these attorneys or their law firms?

2) The parties in this lawsuit are

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VS.

\_\_\_\_\_  
\_\_\_\_\_

Do any of you know or have you had any social, business, professional contact or employment with any of the parties, or are any of you stockholders in \_\_\_\_\_ (name of company(ies))?

3) This lawsuit concerns \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(description which clues the jury panel to the type of case—products, medical, fall down, construction, contract, etc. along with a time period or date and a place if applicable).

Does anyone know anything about this case?

4) Have you or any members of your family ever worked for, been served by, treated by, or had any professional or social association with the following:

(Name all party professionals and experts)

- a)
- b)
- c)
- d)
- e)
- f)
- g)
- h)
- i)
- j)
- k)
- l)
- m)

II. *TO BE ASKED INDIVIDUALLY*

We will begin interrogation, juror #1 will you please step forward.

- 5) Tell us your name and any other name by which you have been known and the area where you live.
- 6) What is the date and place of your birth?
- 7) What occupations have you had during your adult life and please name each of your employers? (If unemployed or retired—what was your previous occupation?)
- 8) What is the extent of your formal education? (If college—what was major)
- 9) Are you single, married, divorced, separated or widowed?
  - a) (If married) What is your spouse's name?
  - b) What occupations has your spouse had and name the different employers of your spouse?
- 10) Do you have children? If so,
  - a) How many and what are their ages?
  - b) (If any child over 18) What occupation(s) have your children had and name the employer(s) each of your children has had?
- 11) Does anyone else live with you at your home?
  - If so,
    - a) What are their names?
    - b) What occupation(s) has such person had and name the employer(s) of any other person who lives with you? (If any one of them is unemployed or retired, what was their prior occupation?)
- 12) Do you have brothers and sisters?
  - If so,
    - a) What occupations have they had and who were their employers?
- 13) Have you or any member of your family ever been involved as a party or a witness in a lawsuit or court action?
  - If so:
    - a) What was the lawsuit or proceeding about?
    - b) Were you or your family member the plaintiff or defendant?
    - c) What was the outcome?
- 14) Have you ever been a defendant or a witness in a criminal case?
  - a) How so?
  - b) What was the outcome of the case?
- 15) Do either you, any member of your immediate family or anyone with whom you reside have a business relationship, friendship or association with any person who is a law enforcement officer, a judge, a lawyer, or a person who works or is affiliated with the Court system.

- a) If so, please explain.
- b) Will that influence your judgment in this case so that you may not be able to be fair and impartial?
- 16) Have either you, your spouse or your parents, children, brothers or sisters ever worked in the insurance industry or have any of you owned stock in an insurance company?
- a) If so, please explain.
- b) Will that influence your judgment in this case so that you may not be able to be fair and impartial?
- 17) Are you a licensed driver of a motor vehicle?
- 18) Do you have any physical or mental condition that might affect your ability to serve as a juror?
- a) If so, please explain.
- 19) Have you heard or read information or advertising on television, radio, or in the newspapers that deals with the subject of lawsuits generally?
- a) As a result, do you have an opinion or belief about lawsuits in general?
- b) If so, what is that opinion or belief?
- c) Will that influence your judgment in this case so that you may not be able to be fair and impartial?
- 20) This case involves a claim for money damages and is the type commonly called a \_\_\_\_\_ (products liability; medical malpractice; auto accident; breach of contract, etc.) lawsuit.
- a) Do you have an opinion or a belief for or against this type of case or the people who file this type of case, or the persons who are sued in this type case?
- b) If so, what is that opinion or belief?
- c) Will that influence your judgment in this case so that you may not be able to be fair and impartial?
- 21) Is there any reason why you feel you cannot serve as a fair and impartial juror in this case.

[Pa.B. Doc. No. 98-49. Filed for public inspection January 9, 1998, 9:00 a.m.]

## ALLEGHENY COUNTY

### Rules of Court of Common Pleas; Rules Doc. No. 3 of 1997

#### Order of Court

*And Now*, this 23rd day of December, 1997, pursuant to action of the Board of Judges, the following amended local Rule 198.6(C) affecting the Civil and Family Divisions of the Court of Common Pleas is adopted, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

*By the Court*

ROBERT E. DAUER,  
*President Judge*

**Local Rule 198.6(C)** is amended to read as follows:

- (C) Other Filing Requirements.
- (1) Every document must 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).
- (2) Cloth tape is prohibited and shall not be used to cover the staple or metal fastener.
- (3) "Bluebacks" are prohibited and shall not be used.
- (4) The Prothonotary shall not accept for filing any pleading or other document which does not comply with the above requirements.

[Pa.B. Doc. No. 98-50. Filed for public inspection January 9, 1998, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### ERIE COUNTY

#### Custody Conciliation Fees; Misc. Doc. No. 90613-97

#### Administrative Order

*And Now*, to-wit, this 12th day of December, 1997, the Court of Common Pleas of the Sixth Judicial District promulgates and adopts the following fee policy with regard to Custody Conciliation:

1. Upon filing of a Petition for Modification of a custody order, the moving party shall pay a conciliation fee in the amount of \$50.00 per session. A session shall be not more than one and one-half (1-1/2) hours, and shall be either at the intake or conciliation stage of the process.

At the time the petition is filed with the Office of Custody Conciliation, the moving party shall estimate the number of sessions required to resolve the issues presented and the parties shall deposit a sum equal to that amount, which shall be non-refundable. The party may request and pay for additional conciliation sessions as may be required.

The conciliation fee shall be paid at the payment window of the Domestic Relations Section.

2. If a petition for modification only seeks the entry of an Order because the parties have reached a new agreement, then no fee will be assessed.

3. If a party files and/or presents a petition for special relief and the Court refers the matter to the Office of

Custody Conciliation or the parties request such action, then the custody conciliation fee referred to above shall be assessed in the manner prescribed.

4. If a custody matter is before the Court for an adversarial proceeding and the Court refers the case to the Office of Custody Conciliation, then the parties shall be assessed a conciliation fee in the manner prescribed above.

*By the Court*

JOHN A. BOZZA,  
*President Judge*

[Pa.B. Doc. No. 98-51. Filed for public inspection January 9, 1998, 9:00 a.m.]

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**WESTMORELAND COUNTY**

**Administrative Order: In Re Civil Rules; No. 3 of 1997**

**Order of Court**

*And Now*, to wit, this 17th day of December, 1997, it is *Ordered* that, effective March 1, 1998, section (e) of Westmoreland County Rule of Civil Procedure W1915.8 be rescinded, and that new section (e) of Westmoreland

County Rule of Civil Procedure W1915.8 is hereby adopted.

*By the Court*

BERNARD F. SCHERER,  
*President Judge*

**Rule W1915.8. Physical and Mental Examinations of Persons.**

(e) Costs of psychological evaluations of the parents, children, and any other person ordered by the court to be evaluated shall be assessed as follows:

| <i>COMBINED PARENTAL INCOME<br/>(GROSS ANNUAL)</i> | <i>COST OF<br/>EVALUATION</i> |
|--|-------------------------------|
| \$20,000 or less                                   | \$ 700                        |
| \$20,001 to \$60,000                               | \$1,150                       |
| \$60,000 and over                                  | \$1,700                       |

The assessed cost set forth above shall apply except where good cause for a deviation is shown to the court. The court may increase the assessed cost based upon such factors as the number of people evaluated and the complexity of the case. The cost of evaluation includes the cost of conciliation and appearance at the judicial custody conference, and the evaluator's testimony at trial. The cost of evaluation shall be assessed between the parents in proportion to their incomes, unless otherwise agreed by the parties.

[Pa.B. Doc. No. 98-52. Filed for public inspection January 9, 1998, 9:00 a.m.]

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