



JUDGE THOMAS M. CAFFREY

LEHIGH COUNTY COURTHOUSE
455 HAMILTON STREET
ALLENTOWN, PA 18101-1614
Phone: 610.782.3024
Facsimile 610.871.2794

POLICIES AND PROCEDURES FOR CUSTODY CASES

GENERAL MATTERS

1. Interpreter

Only certified court interpreters will be permitted to serve. If a party or witness requires an interpreter for a court proceeding, the attorney or the self-represented party shall notify the Lehigh County Interpreter Office so that appropriate arrangements can be made. The request form can be accessed at www.pacourts.us/judicial-administration/court-programs/interpreter-program. Email the completed form to interpretingunit@lehighcounty.org.

2. Communication with Chambers

A. Communications with chambers personnel regarding scheduling and non-substantive matters is permitted. The contact information for Judge Caffrey's Assistant:

Lisa Yannuzzi
Telephone: 610-782-3024
FAX: 610-871-2794
E-mail: lisayannuzzi@lehighcounty.org

B. Under no circumstances shall a party or counsel communicate *ex parte* with chambers personnel regarding substantive matters.

C. Do not mail, fax, e-mail or deliver requests for relief to chambers. All requests for relief must be in the form of a motion, petition, application, or stipulation.

3. Continuances

A party requesting a continuance shall use the Family Court Division "Application for Continuance" form available on the Court's website at www.lccpa.org. The application must be fully completed and signed by all attorneys and self-represented parties. The application may be e-mailed to the Family Court Administrator. The application may also be faxed or e-mailed to chambers.

PRETRIAL PROCEDURE

1. Motions and Petitions

- A. All motions and petitions shall be decided in accordance with the Pennsylvania and Lehigh County Rules of Civil Procedure.
- B. Motions shall be presented to the Court during the Miscellaneous Motions Week at either 9:30 AM or 1:30 PM.
- C. Petitions requiring testimony, along with the Rule Returnable, shall be e-filed with the Court.
- D. If a pending motion or petition is being withdrawn, counsel or the self-represented party shall e-file a praecipe for withdrawal and deliver a time-stamped copy of the praecipe to the Family Court Administrator and to opposing counsel or self-represented party.

2. Scheduling Order: Pretrial Conference

Following the filing of a petition, the Court will enter a Scheduling Order notifying the parties and attorneys of the date, time, and location of the Pretrial Conference, and also notifying the parties and attorneys of the week during which the Trial will be held.

3. Pretrial Conference

- A. No later than five days prior to the Pretrial Conference, each party shall complete the Statement of Facts attached to the Scheduling Order, e-file the Statement of Facts with the Clerk of Judicial Records, and serve a copy of the Statement of Facts on the opposing attorney or self-represented party.
- B. All parties and legal counsel shall appear at the Pretrial Conference. The Court will discuss the issues related to the pending complaint or petition, including, without limitation, the parties' proposed witnesses and exhibits, whether the minor children will testify or be interviewed by the Court, and the possibility of resolving the pending complaint or petition by way of settlement.

4. Scheduling Order: Trial

Following the Pretrial Conference, the Court will enter a Scheduling Order notifying the parties and attorneys of the date, time, and location of the Trial.

5. Exchange of Exhibits

The parties shall exchange copies of the exhibits they plan to introduce at Trial no later than one week prior to Trial.

TRIAL PROCEDURE

1. Court Schedule

Trial will usually be held from approximately 9:00 AM to 4:30 PM, with a 15-minute morning break, a one-hour lunch break, and a 15-minute afternoon break. The Court will hold conferences before and after trial on an as-needed basis. The Court will make every effort to start the proceedings at the scheduled time. Promptness is expected from counsel, the parties, and witnesses.

2. Courtroom Logistics

- A. The Defendant shall use the counsel table closest to the jury box.
- B. Only the attorneys and parties may sit at counsel table. Witnesses must sit in the gallery area.
- C. The courtroom is not a technology-equipped courtroom. The attorneys and self-represented parties must, in advance of trial, make their own arrangements for the use of audio-visual equipment or other electronic devices that they need for trial.

3. Decorum

- A. The parties, attorneys, and witnesses shall rise when the judge enters and leaves the courtroom.
- B. The parties and attorneys shall address their remarks only to the Court, and at all times act respectfully toward the Court, opposing parties and attorneys, and witnesses.
- C. The parties, attorneys, and witnesses shall wear proper courtroom attire at all times during the course of the trial. Shorts, tank tops, etc. are not permitted.
- D. No food or beverages may be brought into the courtroom.
- E. All cell phones must be turned off prior to entering the courtroom. Cell phones may be turned on and accessed only with the Court's permission.

4. Opening Statement / Closing Argument

An opening statement is not permitted. Closing argument shall be permitted only in the discretion of the Court.

5. Minor Children

- A. Minor children shall remain outside the courtroom unless they are called to testify or be interviewed by the Court.
- B. The Court may, in its discretion, interview minor children in accordance with Pa.R.C.P. 1915.11(b).

6. Examination of Witnesses

- A. The rule of civility is paramount, and the attorneys and self-represented parties shall treat witnesses with fairness and consideration during both direct and cross examination.
- B. Attorneys and self-represented parties should examine a witness from counsel table or the lectern unless the Court has granted permission to examine the witness at another appropriate location in the courtroom.
- C. Attorneys and self-represented parties shall not approach a witness without first obtaining leave of court.
- D. Except for good cause shown, the examination of a witness shall be limited to direct, cross, re-direct and re-cross.
- E. The Court will permit witnesses to be taken out of turn in appropriate circumstances.
- F. If a witness was on the stand at a recess or adjournment, the witness should be on the stand and ready to proceed when the trial resumes.

7. Objections

Attorneys and self-represented parties should only state “objection” and briefly state the rule or principle upon which the objection is based. The attorneys and self-represented parties shall not offer argument or use objections for the purpose of making a speech, reiterating testimony, or attempting to guide a witness.

8. Exhibits

- A. Attorneys and self-represented parties are encouraged to reach agreement in advance of trial as to the admission of exhibits.
- B. The Statement of Facts completed by each party prior to the Pretrial Conference will be marked as an exhibit and admitted into evidence.
- C. Exhibits must be pre-marked. Plaintiff shall designate exhibits as “P-1,” “P-2,” etc. Defendant shall designate exhibits as “D-1,” “D-2,” etc. Intervenor shall designate exhibits as “I-1,” “I-2,” etc.

- D. Attorneys and self-represented parties shall ensure that there are a sufficient number of copies of exhibits for witnesses, the opposing side, and the Court.
- E. The Court will not look at a personal cell phone for the purpose of viewing videos, e-mail, or text messages. If a party wished to introduce an e-mail or text message as an exhibit, the party must print the e-mail or text message on 8.5 inch by 11 inch paper and establish the proper foundation for its admission into evidence. If a party wishes to introduce a video as an exhibit, the party must place the video on a DVD disc or thumb drive, bring a personal electronic device to court on which to play the video, and establish the proper foundation for its admission into evidence.
- F. Exhibits may be moved for admission at any time during the party's case.
- G. Once an exhibit is admitted into evidence it shall remain in the custody of the Court Reporter. Certain exhibits may require that special custodial arrangements be made.
- H. If an exhibit is something other than an 8.5 inch by 11 inch paper, the Court must receive an 8.5 inch by 11 inch paper version of the exhibit. This may mean a photograph of the exhibit or a reduced copy of a larger piece of paper.

9. Transcript

A request for a transcript shall be submitted by use of the Family Court Division "Request for Transcript or Copy" form on the Court website under General Family Court Forms.

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