

39-206. Petitions and Motions

- 39-206.1. Motions and Petitions may be made or presented to the Court at an open session thereof or in the chambers of the motion judge at such times as the Court may set.
- 39-206.1.2. All Motions and Petitions shall contain a certification that counsel for the moving or petitioning party has sought concurrence in the Motion or Petition from each other party and that it has been given or denied.
- 39-206.1.3. Motions made, Petitions presented and rules taken, unless permitted by the Court to be made or taken orally, shall be in writing and shall be verified if the facts do not appear on the face of the record, in the papers on file, or have not been agreed upon by the parties in writing.
- 39-206.1.4. Motions made and Petitions presented in writing to the Court shall contain a reference to any applicable local or state rule of procedure or statute with reference to which such Motion or Petition is presented.
- 39-206.1.5. The proper Order to be made by the Court upon a Motion or Petition shall be prepared by counsel in the format prescribed by Pa. R.C.P. 206.5(d) and submitted to the Court for approval, and if approved by the Court, it shall be filed of record immediately after presentation to the Court.
- 39-206.1.6. Petitions and Motions, other than those made during the actual trial of the case, shall be served forthwith upon the adverse party pursuant to the Pennsylvania Rules of Civil Procedure.
- 39-206.2. [Reserved]
- 39-206.3. [Reserved]
- 39-206.5. *Rule to Show Cause. Alternative Procedures.*
- 39-206.5.1. The Order issued pursuant to Pa.R.C.P. 206.5 may provide for the taking of depositions on disputed issues of fact, or any evidentiary hearing, at the discretion of the Court.
- 39-206.6. [Reserved]

39-206.7. *Procedures After Issuance of Rule to Show Cause.*

39-206.7.1. If an Answer is filed raising disputed issues of material fact, the Court may, at its discretion, order an evidentiary hearing in lieu of depositions under Pa.R.C.P. 206.7.