



NEIGHBORHOOD LEGAL SERVICES

Remote PFA Process

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Remote PFA Process in Allegheny County

Goal: Keep litigants, witnesses, and attorneys out of the courthouse!!





Remote PFA Process in Allegheny County

As an attorney, I would like to volunteer to help with PFAs.... What do I need in order to do so?

- Phone
- Email
- Fillable Documents
- Microsoft Teams
- A willingness to use your skills and training to help victims of abuse and legal services!



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- Attorneys select a date to volunteer and are assigned a limited number of cases for that date.
- Volunteer attorneys can specify how many cases they will accept, as well as other litigation factors (such as custody or no custody, no sexual assaults, etc.)
- Contact Mary Ann Troper Malley to volunteer at TroperMA@nlsa.us



Remote PFA Process in Allegheny County

Overview of the Process:

- 1.) Plaintiff files for and obtains a TEMPORARY PFA
- 2.) Referral for legal representation is made to NLS.
- 3.) Cases identified that are appropriate for *pro bono* representation
- 4.) Identified case(s) sent to *pro bono* volunteer attorney
- 5.) *Pro bono* attorney emails court to alert to their representation
- 6.) *Pro bono* attorney preps client and case (NLS will monitor if Defendant files a "Notice of Intent to Defend" and will alert *pro bono* attorney)
- 7.) Negotiate with Defendant or opposing counsel via phone/email/videoconference (possible)
- 8.) On hearing date, *pro bono* attorney will send proposed orders to court or alert court that need to have a remote appearance before the judge by 11 a.m.



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Who should I contact at the court?

Dee Speer at Doreen.Speer@alleghenycourts.us is who should be alerted that you are on a case. Send her an email with:

- your name,
- party names,
- case number (FD xx-xxxxx-xx) and
- scheduled hearing date.

You should send her an email when the case is referred and proposed orders/need to appear before judge.

Some orders can be processed in advance (withdrawals, consented continuances, Non PFA Civil Orders, Consent PFAs, etc.)



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What are Notices of Intent to Defend (“NITD”)?

When a defendant is served with PFA paperwork, they are advised to complete the Notice of Intent form located on the alleghencycourts.us website if they intend to “contest or present a defense.”

Purpose: Allows the court to plan for actions which may require a hearing and provides information for negotiations to occur prior to the hearing date (since we used to be able to negotiate in the morning at court but obviously can no longer do that)



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More about NITDs:

- When a Defendant files a NITD, it will appear on a site that NLS monitors several times per day.
- All NITDs on *pro bono* cases will be noted with the attorney's name on the site and then the NITD containing defendant or opposing counsel information will be forwarded to the *pro bono* attorney
- If a defendant does NOT file an NITD but shows up at court, the case will be continued to a new date.
- The expectation of the court is that negotiation with the defendant/opposing counsel will occur prior to the scheduled hearing date.



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Possible outcomes:

- Expiration/Dismissal- client does not want to proceed and does not want a withdraw order processed by you
- Withdrawal- client withdraws the petition
- Non PFA Civil Consent Order- settlement - not a PFA
- Default PFA- Defendant is served but does not file an NITD or otherwise defend
- Consent PFA- negotiated agreement
- PFA after hearing
- General Continuance
- Continuance for Lack of Service or for other reason



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Best practices:

- Initial contact with client by phone, set up appointment to discuss using Microsoft Teams
- Interview client using Microsoft Teams- this familiarizes them (and you) with the videoconferencing platform used by the court
- Have client send you evidence to review in advance. All evidence needs to be marked and submitted to the court prior to the hearing.
- If the client intends to have witnesses testify at the hearing, interview them via Teams as well.



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Negotiation tools:

- In a consent PFA, fees to the defendant can be waived
- In a consent PFA, defendant may keep firearms (obviously, if your client agrees). If a PFA is entered after a hearing, firearms **MUST** be relinquished. Judges have no discretion on this under the statute.



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Notes about continuances:

- All continuance orders must be sent to the plaintiff's local police station.
- Continuances for a "lack of service" must also be sent to the defendant's local police station, along with new Affidavits of Service. Efforts to get the Defendant served must continue.
- Plaintiffs often have no ability to print these documents. NLS has a list of every police department FAX number so these can be sent by the attorney.
- Out of county/state defendants are sent to the Allegheny County Sheriff's Office to be served.



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NLS will provide you with the following fillable or editable forms:

- Final PFA Order (default, consent, after a hearing)
- Withdrawal Order
- Non PFA Civil Consent Order
- Continuance Order
- General Continuance Order
- Affidavit of Service

** Other forms are available upon request, such as Affidavit of Confidential Address, Affidavit of Accountability, CYF Referral for Investigation, etc.*



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Microsoft Teams information:

ACBA recordings of the nonCLE Microsoft Teams training sessions are available here:

<https://vimeo.com/444664810/a197873228>

<https://vimeo.com/439336060>

Microsoft Teams Resources are also linked on the Allegheny Courts website at

<https://www.alleghenycourts.us> (in the right-hand pane of the landing page)



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THANK YOU for volunteering to assist with PFAs using this remote process.

If you have any questions or concerns please reach out to Mary Ann Troper Malley at TroperMA@nlsa.us or Susan Abramowich at AbramowichS@nlsa.us



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Because Justice is for All