



## Office of Judicial Records - Civil First Judicial District of Pennsylvania

### **Informational Guide for filing Motions/Petitions**

A motion/petition is a written request that is made to the court to take specific action or make a ruling on a particular issue within an ongoing case. It should list the request that you are asking for and evidence to support why the judge should enter an order or ruling in your favor.

#### **How to file a motion/petition?**

A motion/petition should include the following:

- A proposed order that includes a brief description of the relief that you are asking the judge to consider and rule on.
- The motion/petition document that includes the following:
  - A title for your motion which is what you are asking for.
  - The motion must be in a numbered paragraph format.
  - Identify yourself in the introduction.
  - List basic facts about the case to help the judge in deciding your motion.
  - Explain exactly what you are asking for. Be as detailed as possible.
  - List reasons why the judge should agree with what you are asking for and grant your motion.
- Certificate of service that confirms to the court the motion/petition has been delivered to the proper parties in the case to ensure that the other parties are aware of the filing and can respond. The motion/petition may be dismissed or deferred if proper service is not completed. *See the section below on how to make service on opposing party.*
- Other documents that may be attached:
  - A memorandum of law or brief in support of your motion/petition.
    - A brief is a short summary of the position you are taking or the argument you are presenting to the judge.
    - A memorandum of law summarizes the legal argument you are presenting to the judge that is supported by the rules of civil procedure.
- Any documents that help support your argument to the judge. These are called exhibits.
  - Most motions/petitions are supported by some kind of evidence. Your evidence could be a contract, photographs, e-mails between the parties, or any other document that supports your position.
- Motion/petition forms are available on the Court's website at [Court Forms](http://www.courts.phila.gov/forms) ([www.courts.phila.gov/forms](http://www.courts.phila.gov/forms)) and in the Civil Filing Center Room 296, City Hall.

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**NOTICE:** This document is not intended to be legal advice or take the place of an attorney. If you need assistance finding an attorney, our court staff can give you information on legal service organizations that may be able to help you.

- The filing fee is \$67.68 for a motion/petition. If you are unable to pay the filing fee, you can complete a [Petition to Proceed In Forma Pauperis](https://www.courts.phila.gov/s/pauperis) (<https://www.courts.phila.gov/s/pauperis>).  
**See the Informational Guide for the Office of Judicial Records - Civil Fee Schedule** (<https://www.courts.phila.gov/pdf/prothyfees.pdf>).
- Motion/petition for the Court of Common Pleas can be filed using the First Judicial District's Electronic Filing System at [www.fjdefile.phila.gov](http://www.fjdefile.phila.gov) or in the Civil Filing Center Room 296, City Hall during business hours 9:00 a.m. to 4:30 p.m.

### **How to make service on the opposing party?**

All documents filed with the court must be served on the opposing party. This is called service. You must complete this step of the process before your case or motion/petition can move forward. Service must be completed as provided by the rules of civil procedure. A Certificate of Service must be attached to the motion/petition at the time of filing. The Certificate of Service must indicate the opposing party that was served and how that party was served. ***See the Service of all other documents on the Informational Guide for Service of Filings Form.***

### **Who reviews the motions/petitions once filed with the Court?**

The motions/petitions are assigned to judges based on the Case Type. There are some motions/petitions that are given a response date to allow the opposing party to respond.

Motions/petitions will be assigned shortly after the expiration of the response date or shortly after filing if no response date is given. The assigned judge will review and decide the motion during business hours. ***There is no specific timeframe for a motion/petition to be decided by a judge. You are not permitted to contact a judge to get updates about your motion/petition.*** The Civil Motions Program can assist with any questions or concerns regarding the assignment of motions/petitions. The **Civil Motions Program** can be reached at 215-686-8863 or [OJRCivil@courts.phila.gov](mailto:OJRCivil@courts.phila.gov).

### **What are the possible outcomes of a motion/petition?**

Once the motion/petition is assigned to a judge, the possible outcomes may be one of the following:

- An order may be issued with the judge's decision.
- The motion/petition may be reassigned to a different judge to make a ruling at a later day and time.
- A rule to show cause may be issued scheduling a hearing with the judge for a specific date and time. This will require the parties to appear in court to explain why a certain request/relief should or should not be granted. All parties appearing at this hearing should be prepared to discuss all issues related to this matter and be prepared to present evidence and/or testimony from witnesses.

**Please note: All forms and guides referenced in this document are available in the Civil Filing Center, Room 296, City Hall.**