

## UNIFIED PRE-HEARING FILING INSTRUCTION SHEET

1. Remove this instruction sheet from the attached Unified Pre-Hearing Filing form. Read the Standing Practice Order.
2. The Unified Pre-Hearing Filing form must be received by the Regional Manager no later than twenty (20) days after the mailing date stamped on the Hearing Scheduling Order.
3. **Section A (CAPTION):**  
You must fill in the caption exactly as it appears on the Hearing Scheduling Order that was sent to you with this document. If more than one appeal is involved, fill in the additional appeal caption information on the provided lines.
4. **Section B (SUBMITTED FOR):**  
Identifies to the Bureau of Hearings and Appeals who is submitting this filing. You must check the box that identifies you. If you are the person who requested this appeal, check the box marked appellant. Attorneys shall check the box that indicates the party whom they represent.
5. **Section C (LEGAL ISSUES TO BE CONSIDERED AT HEARING):**  
Identifies what you consider to be the questions that must be decided by this hearing. Check as many boxes as you believe apply to this appeal.
6. **Section D (WITNESSES):**  
The initial Witness List that you must file to satisfy the requirements of the Standing Practice Order. If you are the appellant, you do not have to list yourself. If you have more than two witnesses, attach additional pages to the back of the Unified Pre-Hearing Filing and provide the same information requested under Section D for your witnesses. Mark the top of the first additional page with the caption and the title "Section D - Initial Witness List." If there is more than one additional page, number the pages. Refer to the Standing Practice Order under "Disclosure" for further information and instruction regarding witnesses and witness lists.

If you need a subpoena to compel the attendance of any of the witnesses listed under Section D or the additional Witness List pages, check the box under that witness' name and attach a completed subpoena form for that person to the back of the Unified Pre-Hearing Filing and **check the box on the first page of the Unified Pre-Hearing Filing** that reads "Subpoena application submitted with completed subpoena forms." You **do not** have to submit a separate application for subpoenas requested under Section D if you have provided all the required information on the initial Witness List. For instructions on how to fill out the subpoena forms and how to request additional subpoenas after you have submitted the Unified Pre-Hearing Filing, refer to the Standing Practice Order.

**UNIFIED PRE-HEARING FILING INSTRUCTION SHEET (continued)**

- 7. Section E (EXHIBITS):**  
The initial Exhibits List that you must file to satisfy the requirements of the Standing Practice Order. If you have more than four exhibits, attach additional pages to the back of the Unified Pre-hearing Filing and provide the same information requested under Section E for your exhibits. Mark the top of the first additional page with the caption and the title “Section E - Initial Exhibits List.” If there is more than one additional page, number the pages. Refer to the Standing Practice Order under “Disclosure” for further information and instruction regarding exhibits and the exhibits list. **You must attach photocopies of your paper exhibits to the back of the Unified Pre-Hearing Filing form if they are available to you.**
- 8. Section F (CONTINUANCE MOTION):**  
Your request to change the hearing date you are assigned by the Hearing Scheduling Order you received. Fill out this section only if you are requesting a change in the hearing date. If you fill out this section, **check the box on the first page of the Unified Pre-Hearing Filing** that reads “Continuance motion submitted.” You may request a continuance by a separate motion before or after you submit the Unified Pre-Hearing Filing. Refer to the Standing Practice Order for more information about continuances and motions.
- 9. Section G (TELEPHONIC TESTIMONY MOTION):**  
Your request to have one or more of your witnesses participate in the hearing by telephone instead of being physically present in the hearing room. Fill out this section only if you believe that your witness has a valid excuse for not coming to the hearing but will be available to participate by telephone. If you fill out this section, **check the box on the first page of the Unified Pre-Hearing Filing** that reads “Telephonic testimony motion submitted.”
- 10. Section H (CERTIFICATE OF SERVICE):**  
Fill in the date on which you are actually mailing or delivering the Unified Pre-Hearing Filing form and attachments.
- 11. Section I (SIGNATURE):**  
Requires you to sign the first line in your own handwriting and in ink. Printing, rubber stamps and pencil signatures are not acceptable. **If you fail to properly sign the Unified Pre-Hearing Filing, your motions and applications will be defective and denied.** You must print or type your name on the second line of the signature section. You must provide your current mailing address and telephone number on the marked lines. You must also check the box that identifies who you are. Refer to the Standing Practice Order under “Form, filing and service of papers” for more information and instruction.
- 12.** When you have completed the Unified Pre-Hearing Filing form, send the original (signed in ink) form with all attachments to the Regional Manager. **Do not send your documents to the Regional Manager by telefacsimile.** Send one copy with all attachments to the other parties and retain one copy for your records. You will find addresses of the other parties on the mailing sheet attached to the back of the Hearing Scheduling order.

**UNIFIED PRE-HEARING FILING - CHILD ABUSE EXPUNCTION**

- Subpoena request submitted with completed subpoena forms
- Continuance motion submitted
- Telephonic testimony motion submitted
- Notice of Appearance submitted (Attorneys only)
- Additional Witness List attached
- Additional Exhibits List attached
- Copies of exhibits attached

**A. CAPTION - IN THE APPEAL OF:**

**In re:**

Child Abuse Expunction \_\_\_\_\_

CL No. \_\_\_\_\_

Docket No. \_\_\_\_\_

**Additional Appeals:**

\_\_\_\_\_ In re: \_\_\_\_\_ Docket No. \_\_\_\_\_ CL No. \_\_\_\_\_

\_\_\_\_\_ In re: \_\_\_\_\_ Docket No. \_\_\_\_\_ CL No. \_\_\_\_\_

\_\_\_\_\_ In re: \_\_\_\_\_ Docket No. \_\_\_\_\_ CL No. \_\_\_\_\_

\_\_\_\_\_ In re: \_\_\_\_\_ Docket No. \_\_\_\_\_ CL No. \_\_\_\_\_

\_\_\_\_\_ In re: \_\_\_\_\_ Docket No. \_\_\_\_\_ CL No. \_\_\_\_\_

\_\_\_\_\_ In re: \_\_\_\_\_ Docket No. \_\_\_\_\_ CL No. \_\_\_\_\_

**B. SUBMITTED FOR (check box):**

Appellant \_\_\_\_\_

Appellant \_\_\_\_\_

Appellant \_\_\_\_\_

Appellant \_\_\_\_\_

Appellant \_\_\_\_\_

Child Protective Service Agency

Guardian ad Litem/CASA

**UNIFIED PRE-HEARING FILING - CHILD ABUSE EXPUNCTION (continued)**

**C. LEGAL ISSUES TO BE CONSIDERED AT HEARING (check boxes):**

The incidents described in the report of child abuse did not happen.

The incidents described in the report of child abuse do not correctly state what happened. What did happen was:

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The incidents described in the report of child abuse happened, but I/we did not cause or know about the incidents.

The incidents described in the report of child abuse are not child abuse under the Child Protective Services Law.

I/we was/were not a paramour(s), household member(s), caretaker(s) or teacher(s) subject to the provisions of the Child Protective Services Law.

The CY-48 Report of Child Abuse was not timely submitted to ChildLine within sixty days of the oral report.

Report was submitted to ChildLine before July 1, 1995.

The Department of Human Services is not maintaining the report of child abuse in accordance with law or regulation because:

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Other (explain):

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**UNIFIED PRE-HEARING FILING - CHILD ABUSE EXPUNCTION (continued)**

**D. WITNESSES (Do not list the appellant. If more than two persons, check this box and attach additional pages titled "Witness List:" with this information for each witness):**

1. Name \_\_\_\_\_

I request a subpoena for this person's attendance.

Address \_\_\_\_\_

What will this person say at the hearing? \_\_\_\_\_

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

Identify what documents you want this person to bring to the hearing and explain what these documents will show and prove. (Answer only if you are requesting a subpoena.)

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

2. Name \_\_\_\_\_

I request a subpoena for this person's attendance.

Address \_\_\_\_\_

What will this person say at the hearing? \_\_\_\_\_

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

Identify what documents you want this person to bring to the hearing and explain what these documents will show and prove. (Answer only if you are requesting a subpoena.)

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

**UNIFIED PRE-HEARING FILING - CHILD ABUSE EXPUNCTION (continued)**

**E. EXHIBITS (If more than four, check this box and attach additional pages titled "Exhibits List" with this information for each exhibit):**

1. Item \_\_\_\_\_

This item is attached.

Description \_\_\_\_\_

\_\_\_\_\_

Explain what this item will show and prove \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Item \_\_\_\_\_

This item is attached.

Description \_\_\_\_\_

\_\_\_\_\_

Explain what this item will show and prove \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Item \_\_\_\_\_

This item is attached.

Description \_\_\_\_\_

\_\_\_\_\_

Explain what this item will show and prove \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Item \_\_\_\_\_

This item is attached.

Description \_\_\_\_\_

\_\_\_\_\_

Explain what this item will show and prove \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**UNIFIED PRE-HEARING FILING - CHILD ABUSE EXPUNCTION (continued)**

**F. CONTINUANCE MOTION**

1. I am requesting a hearing on a date later than that assigned by the hearing scheduling order because:

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2. I am attaching the following documents with this request for continuance to support the reason given in paragraph F.1.

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3. I am requesting that the hearing be moved to any of the following ten dates:

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The other parties  agree /  disagree with these dates.

4. I  have /  have not contacted all parties of record in this appeal and informed them that I am requesting this continuance. The other parties  agree /  do not agree to my request or  have not informed me whether they will or will not oppose my request.

**G. TELEPHONIC TESTIMONY MOTION**

1. I am requesting that the following persons (must be listed in Section D above or on an attached Witness List) be permitted to testify by telephone.

**Witness A** (name):

**Witness B** (name):

**Witness C** (name):

2. The reason why each witness cannot personally appear at the hearing is:

**Witness A** (name):

**Witness B** (name):

**Witness C** (name):

3. I  have /  have not contacted all parties of record in this appeal and informed them that I am requesting telephonic testimony. The other parties  agree /  do not agree to my request or  have not informed me whether they will or will not oppose my request.

**UNIFIED PRE-HEARING FILING - CHILD ABUSE EXPUNCTION (continued)**

**H. CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document and attachments upon all parties of record in this proceeding in accordance with the requirements of 1 Pa. Code § 33.32 (relating to service by participant).

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_

**I. SIGNATURE**

\_\_\_\_\_ (Handwritten signature in ink)

\_\_\_\_\_ (Type or print name)

\_\_\_\_\_ (Mailing address)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (Telephone number)

\_\_\_\_\_ (Telephone number)

\_\_\_\_\_ (Telefacsimile number)

- Signed by (check box)
- Appellant (representing himself)
  - Appellant's attorney
  - Solicitor - Child Protective Service
  - Guardian ad Litem