

**Domestic
Relations
Procedural
Rules
Committee**

1998 Membership:

Honorable Max Baer, *Chairman*
Mark M. Dalton
Gary G. Gentile, Esq.
Howard M. Goldsmith, Esq.
John C. Howett, Jr., Esq.
Honorable Paul P. Panepinto
David S. Rasner, Esq.
Leslie Silverman Tabas, Esq.
Honorable Jeannine Turgeon
Joanne Ross Wilder, Esq.

Staff:

Sophia P. Paul, Esq., *Counsel*

Legal Authorization:

Pa. Constitution, Article V, § 10(c)
42 Pa. C.S., § 1722(a)

5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055
(717) 795-2037
fax (717) 795-2116
e-mail [patricia.miles@
supreme.court.state.pa.us](mailto:patricia.miles@supreme.court.state.pa.us)

History/Background

Established by order of the Supreme Court on June 30, 1987, the Domestic Relations Procedural Rules Committee strives to simplify domestic relations practice by recommending new rules or amendments to the existing procedural rules relating to support, custody, divorce and protection from abuse. It reviews new legislation and court decisions to ensure that the rules conform with developments in the law as well as the realities of domestic relations practice. It is the goal of the committee to promote statewide uniformity of practice, to streamline procedure and to encourage the expeditious disposition of family law matters.

The Domestic Relations Procedural Rules Committee currently has as members three judges, six attorneys and one district court administrator. Members are appointed by the Supreme Court to three-year terms.

1998 Activities

The committee met five times in 1998 as follows:

January	Pittsburgh
March	Harrisburg
May	Bucks County
September	Allentown
November	Pittsburgh

Invited guests to meetings included representatives of the Department of Public Welfare and the Domestic Relations Association of Pennsylvania, judges and family law practitioners.

In 1998 the committee continued its revision of the support guidelines. After the original recommendation was published, numerous comments were received and considered by the committee. A revised version of the recommendation was subsequently adopted by the Supreme Court, to become effective April 1, 1999.

The committee also continued to refine proposed new rules to govern the court-related mediation programs authorized by the legislature in 1996 with the amendments to the Divorce Code, codified at 23 Pa.C.S. §§3901-3904. The goal of the proposed mediation rules is to ensure the quality of the programs, including the requirement of certain qualifications for mediators.

On December 16, 1997, Governor Ridge signed into law Act 1997-58. That statute provided the authority for expedited enforcement of child support orders. The committee thus began the process of developing procedures for implementation of Act 58.

Committee staff spoke at conferences and seminars to inform lawyers, court personnel and others of recent and proposed changes in the procedural rules related to family law matters. Staff also attended meetings of the Pennsylvania Bar Association Family Law Section and the Domestic Relations Association of Pennsylvania. The committee strives to maintain open channels of communication with those who work with or are affected by the rules it proposes, including judges, lawyers, court administrators, domestic relations section personnel, the Department of Public Welfare and the public.

1998 Recommendations

The following recommendations were pending either with the Court or the committee in 1998. Numbers are assigned in the order in which each is submitted for publication. A chart listing the statuses of the recommendations is set forth in [GLE1]Table 3.8.1 on page 77.

Recommendation 45: Amends Pa.R.C.P 1901 *et seq.* relating to **protection from abuse** actions, standardizing court pleadings, orders and other forms. Approved by the Court; effective 7-1-98.

Recommendation 46: Amends Pa.R.C.P. 1910.2 relating to **venue in support actions**. Approved by the Court; effective 1-1-99.

Recommendation 47: Proposes new rules at Pa.R.C.P. 1940.1 through 1940.8 governing court-related **mediation programs**. Pending with the Court.


Recommendation 48: Amends Pa.R.C.P. 1910.16-1 through 1910.16-5 and adds new Rules 1910.16-6 and 1910.16-7 relating to the **support guidelines**. Approved by the Court; effective 4-1-99.

Plans for 1999

The committee will continue its ongoing review of the support guidelines, as required by 23 Pa.C.S. §4322 and as may be necessary and appropriate after the effective date of Recommendation 48. In addition, the committee will complete its proposal to establish procedures implementing Act 58.

In the meantime, committee staff will continue to monitor the activities of the Advisory Committee on Domestic Relations Law of the Joint State Government Commission. It is anticipated that the Advisory Committee will recommend to the legislature numerous changes to statutory law dealing with divorce, equitable distribution, alimony, custody and related issues. In the event such legislation is enacted, the committee will address the need for implementing procedural rules.

Contact Person

Questions about the committee and its work may be directed to Patricia A. Miles, Esq.; Domestic Relations Procedural Rules Committee; 5035 Ritter Road, Suite 700; Mechanicsburg, PA 17055; telephone (717) 795-2037; fax (717) 795-2116; e-mail patricia.miles@supreme.court.state.pa.us. 

Status of Recommendations 1998		
Recommendation	Subject	Status
45	Revised protection from abuse	Approved by the Court; effective 7-1-98
46	Revised venue in support actions	Approved by the court; effective 1-1-99
47	Mediation programs	Pending with the Court
48	Revised support guidelines	Approved by the court; effective 4-1-99

Table 3.9.1