

Rule 1910.13-1. Failure or Refusal to Appear Pursuant to Order of Court. Bench Warrant.

(a) If a party fails to appear at a conference and/or hearing as directed by order of court, the court may issue a bench warrant for the arrest of the party if it finds

(1) following a hearing on the record that the party had actual notice that the party was ordered to attend the conference and/or hearing, or

(2) upon the affidavit of a hearing officer or conference officer that

(i) the order of court scheduling the conference and/or hearing was served by ordinary mail with the return address of the domestic relations section appearing thereon, that the mail was not returned to the domestic relations section within fifteen days after mailing, and that, at a date after the order of court was mailed, the **domestic relations section [United States Postal Service]** has verified **through the U.S. Postal Service or by electronic means** that mail for the party was being delivered at the address to which the court order was mailed; or

(ii) the party signed a receipt indicating acceptance of a copy of the court order; or

(iii) an employee of the court handed a copy of the order to the party; or

(iv) a competent adult handed a copy of the court order to the party, and filed an affidavit of service.

Note: The support statute, at 23 Pa.C.S.A. §4353(a), requires parties to a support proceeding to notify the domestic relations section within seven days of a change of personal address. Pursuant to 23 Pa.C.S.A. §4353(a.1), the court may deem due process service requirements to have been met upon delivery of written notice to the most recent address the party filed with the domestic relations section.

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