



Administrative Office of Pennsylvania Courts

PRESS RELEASE

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FOR IMMEDIATE RELEASE

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Supreme Court Announces Pilot Program to Ease and Expedite Family Court Matters

HARRISBURG, December 17, 2002 — Chief Justice of Pennsylvania Stephen A. Zappala announced today that the Supreme Court is establishing a pilot program in Allegheny, Berks, Lackawanna and Philadelphia counties to promote the prompt resolution of family court matters.

An order issued today by the Supreme Court that establishes changes in the Rules of Civil Procedure related to domestic relations matters lays the groundwork for the program. Though the new rules were promulgated by the court statewide, they were suspended in all but the four participating counties pending the outcome of the pilot program.

“This is a big step for domestic relations and for the best interest of families going through one of the most difficult experiences one can suffer,” said Justice Sandra Schultz Newman who co-chaired a committee that helped develop the new rules.

Key elements in the pilot program include:

- Creating set time limits for scheduling hearings and rendering decisions.
- Requiring family court hearings and trials to be heard on continuous days until a case is fully presented or within a specified time period.
- Hearing related issues concurrently when possible to reduce the time and expense to both families and trial courts. The goal of assigning the same primary case number to different aspects of a family case — such as support and property distribution — is to enhance consistency and efficiency in cases brought before the courts.
- Authorizing local Domestic Relations Sections of Common Pleas Court, which often are the first point of contact with the courts in a family matter, to facilitate the entry of agreed-upon custody orders.

(MORE)

Launching the pilot project is the latest example of the Supreme Court's ongoing commitment toward enhancing the effective and efficient administration of justice in Pennsylvania through collaborative efforts involving both the bench and bar.

Justice Newman and Superior Court Judge Kate Ford Elliott co-chaired a Conference on Family Court Reform in 1997 that was co-sponsored by the Pennsylvania Bar Association's Commission on Women in the Profession and the Family Law Section. As a result of that conference, a Task Force on Family Court Reform was created. In addition to the state bar association, the task force also included members of the Pennsylvania Chapter of the American Academy of Matrimonial Lawyers. The task force was charged with studying problems and innovations in family court procedures in Pennsylvania and making specific recommendations for reform.

The task force surveyed each judicial district in the commonwealth, including personal contacts with family court judges and administrators, to obtain an understanding of flaws in the system as well as efforts being made in individual judicial districts to enhance the methods of handling family law cases. The task force also studied models in other states.

"Pennsylvania's parents, children and courts will benefit from the valuable insight provided by the dedicated members of the conference and task force," Judge Ford Elliott said. "All of us felt — and the Supreme Court agrees — that rules changes can make our family courts even more efficient and user friendly."

The Domestic Relations Procedural Rules Committee, under former Chairman David S. Rasner, Esq. of Philadelphia and current Chairman, Dauphin County Judge Jeannine Turgeon, recommended new family court rules.

The four counties selected for the program include a diverse geographical mix and two of the largest judicial districts in Pennsylvania. Representatives from each of the four counties also agreed to participate in the program.

(A copy of the order is attached.)

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**IN THE
SUPREME COURT OF PENNSYLVANIA**

IN RE:	:	NO.
AMENDMENTS TO THE RULES	:	CIVIL PROCEDURAL RULES
OF CIVIL PROCEDURE RELATING	:	
TO DOMESTIC RELATIONS	:	DOCKET NO.

ORDER

PER CURIAM:

AND NOW, this 17th day of December, 2002, new Pennsylvania Rule of Civil Procedure 1931 is promulgated as attached hereto.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective immediately in the First, Fifth, Twenty-third and Forty-fifth Judicial Districts. This order is suspended in all other judicial districts until further order of this Court.

NOTE: New material is underlined.

**SUPREME COURT OF PENNSYLVANIA
DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE
RECOMMENDATION 55**

Rule 1931 Family Court Rules

(a) Actions Governed by These Rules:

(1) Divorce, Annulment, Dissolution of Marriage.

- (i) Equitable Distribution.
- (ii) Alimony/Alimony Pendente Lite.
- (iii) Counsel Fees, Costs and Expenses.

(2) Child Custody.

- (i) Legal Custody.
- (ii) Physical Custody.
- (iii) Partial Custody/Visitation.

(3) Support.

- (i) Child Support.
- (ii) Spousal Support.
- (iii) Modification and Enforcement.

(4) Paternity.

(5) Protection From Abuse.

(b) Commencement of Action.

(1) Unified Family Court Docketing. All actions under these Family Court Rules which involve identical parties shall be entered on the court's docket under the same primary case number. Additional letters or numbers may be added parenthetically to specify the type of action, judge assigned or other identifying information.

(2) Custody Agreements. If, at a support proceeding, it appears that resolution of custody issues will facilitate compliance with the child support order, the conference officer, hearing officer or master may provide the parties with a form custody complaint and form custody agreement, along with information as to where to file the completed documents, the filing fee and how to contact the lawyers referral service. The support conference officer, hearing officer or master shall not participate in custody negotiations, preparation of the forms or provide legal advice.

(c) Consolidation of Family Court Matters.

(1) General Rule. Two or more actions under these Family Court Rules involving the same parties and common questions of law and/or fact shall be consolidated for hearing or trial unless the court determines that it is inappropriate or impractical to do so.

(2) Trial Continuity. Trials before a judge or hearings before a master shall be scheduled to be heard on consecutive days or within a ten (10) day period. If not completed within the time allotted, the trial or hearing shall be concluded within ninety (90) days of the date of the commencement of the trial or hearing, unless a shorter time frame is required by statute or another procedural rule.

(3) Prompt Decisions.

(i) Except as provided in subdivision (ii) below, in any matter brought under these Family Court Rules, a decision by a conference officer, master or judge shall be entered, filed and served upon counsel for the parties, or any party not represented by counsel, not later than thirty (30) days after the conference, hearing or trial concludes, unless a shorter time frame is required by statute or another procedural rule.

(ii) The time for entering and filing a decision may be extended if, within thirty (30) days of the conclusion of the conference, hearing or trial, the court extends the date for such decision by order entered of record showing good cause for the extension. In no event shall an extension delay entry of the decision more than sixty (60) days after the conclusion of the conference, hearing or trial.

(d) Continuing Education for Family Court Personnel.

(1) Program Development. Courses of instruction that include, at a minimum, the following topics shall be developed or approved by the Administrative Office of Pennsylvania Courts (AOPC):

(i) The substantive law and procedural aspects of the areas of law governed by these Family Court Rules;

(ii) Domestic violence;

(iii) Child development;

(iv) Family dynamics;

(v) Addictions and treatments;

(vi) Asset valuation;

(vii) Community resources.

(2) Initial Training. Within one (1) year of assignment to cases governed by these Family Court Rules, each master, hearing officer, conciliator, mediator and other court personnel designated by the president or administrative judge of each judicial district shall successfully complete the coursework developed or approved by the AOPC.

(3) Continuing Education. Each master, hearing officer, conciliator, mediator and other court personnel designated by the president or administrative judge who is assigned to cases governed by these Family Court Rules shall successfully complete six (6) hours of continuing education developed or approved by the AOPC each calendar year following the calendar year in which the initial training was completed.

(4) Compliance. The AOPC shall monitor compliance with the educational requirements of this rule.

Explanatory Comment 2002

This new rule is suspended in all judicial districts except the First (Philadelphia), Fifth (Allegheny County), Twenty-third (Berks County) and Forty-fifth (Lackawanna County) Judicial Districts until further order of the Supreme Court of Pennsylvania.