

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: : NO. 586
: :
AMENDMENT OF RULES : CIVIL PROCEDURAL RULES
1915.1, 1915.3, 1915.4-1, 1915.4-2, :
1915.4-3, 1915.5, 1915.6, 1915.7, : DOCKET
1915.10, 1915.11, 1915.12, :
1915.13, 1915.14, 1915.15, :
1915.16 and 1915.25 AND :
ADOPTION OF RULES 1915.3-2, :
1915.11-2, 1915.17, 1915.19 and :
1915.21 OF THE PENNSYLVANIA :
RULES OF CIVIL PROCEDURE :

AMENDED ORDER

PER CURIAM

AND NOW, this 1st day of August, 2013, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 41 Pa.B. 3719 (July 9, 2011) and West's *Pennsylvania Reporter*, 19 A.3d No. 4, Ct.R-3-28 (July 8, 2011):

IT IS ORDERED pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1915.1, 1915.3, 1915.4-1, 1915.4-2, 1915.4-3, 1915.5, 1915.6, 1915.7, 1915.10, 1915.11, 1915.12, 1915.13, 1915.14, 1915.15, 1915.16 and 1915.25 of the Pennsylvania Rules of Civil Procedure are amended and Rules 1915.3-2, 1915.11-2, 1915.17, 1915.19 and 1915.21 of the Pennsylvania Rules of Civil Procedure are adopted in the attached form.

Mr. Justice Saylor differs with the Court's decision to redefine "relocations," for purposes of 23 Pa.C.S. §5337, to exclude uncontested relocations. See Pa.R.C.P. No. 1915.17(c). In Justice Saylor's view, the General Assembly obviously considered consensual relocations to be "relocations," under 23 Pa.C.S. §5337, since the Legislature has specified that consent serves as a basis pursuant to which a relocation may occur, see 23 Pa.C.S. §5337(b) ("No relocation shall occur unless . . . every individual who has custody rights to the child consents to the proposed relocation; or . . .

the court approves the proposed relocation.” (emphasis added)), and required formal confirmation of a child’s relocation where no objection is filed, see id. §5337(e). Justice Saylor also dissents relative to the partial suspension of the statute setting forth the duties and responsibilities of a guardian ad litem, and corresponding changes to the Rules of Civil Procedure. See Pa.R.C.P. Nos. 1915.11(a), 1915.11-2 & Note (reflecting the partial suspension of 23 Pa.C.S. §5334), 1915.25 (same).

This **ORDER** shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on September 3, 2013.

Additions to the rule are shown in bold and are underlined.

Deletions from the rule are shown in bold and brackets.