

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

**NOTICE OF PROPOSED RULEMAKING**

**Proposed amendments of Pa.R.C.P. No. 1901, 1901.3, 1910.11, 1910.12, 1915.4-2,  
1915.4-3, 1920.1, 1920.31, 1920.33, 1920.42, 1920.45, 1920.46, 1920.51, 1920.53,  
1920.54, 1920.55-1, 1920.55-2, 1920.55-3, 1920.61, 1920.74, 1920.91, 1930.7, and  
1931**

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania amendments to Pa.R.C.P. No. 1901, 1901.3, 1910.11, 1910.12, 1915.4-2, 1915.4-3, 1920.1, 1920.31, 1920.33, 1920.42, 1920.45, 1920.46, 1920.51, 1920.53, 1920.54, 1920.55-1, 1920.55-2, 1920.55-3, 1920.61, 1920.74, 1920.91, 1930.7, and 1931 for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. No 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

**Bruce J. Ferguson, Counsel  
Domestic Relations Procedural Rules Committee  
Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
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All communications in reference to the proposal should be received by **May 14, 2021**. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Domestic Relations Procedural Rules  
Committee

The Honorable Daniel J. Clifford  
Chair

SUPREME COURT OF PENNSYLVANIA  
DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE

RULE PROPOSAL 183

**Rule 1901. Definitions[.]**

As used in this chapter:

\* \* \*

**[*Master for Emergency Relief* — means an attorney, admitted to the practice of law by the Supreme Court of Pennsylvania and appointed pursuant to 23 Pa.C.S.A. § 6110(e), to hear petitions for emergency protection from abuse.]**

\* \* \*

### **Rule 1901.3. Commencement of Action[.]**

(a) Except as provided in subdivision (b), **[an action shall be commenced]a plaintiff shall commence an action** by presenting to the court or filing with the prothonotary a petition setting forth the alleged abuse by the defendant. The petition shall be substantially in the form set forth in **[Rule]Pa.R.C.P. No. 1905(b)** and shall have as its first page the Notice of Hearing and Order set forth in **[Rule]Pa.R.C.P. No. 1905(a)**.

(b) An action may be commenced by filing with the prothonotary a certified copy of an emergency order entered pursuant to 23 Pa.C.S.**[A.]** § 6110, including orders issued by **[masters for emergency relief]a hearing officer**.

(c) Any fees associated with this action shall not be charged to the plaintiff.

(d) The **[master for emergency relief]hearing officer** shall follow the procedures set forth in the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges for emergency relief under the Protection From Abuse Act.

*Note:* See Pa.R.C.P. No. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.

**Rule 1910.11. Office Conference. Subsequent Proceedings. Order[.]**

(a) *Office Conference.*

- (1) A conference officer shall conduct the office conference.
- (2) A lawyer serving as a conference officer employed by, or under contract with, a judicial district or appointed by the court shall not practice family law before a conference officer, hearing officer[, **permanent or standing master**], or judge of the same judicial district.

*Note:* Conference officers preside at office conferences under Pa.R.C.P. No. 1910.11. Hearing officers preside at hearings under Pa.R.C.P. No. 1910.12. The appointment of **[masters]a hearing officer** to hear actions in divorce or for annulment of marriage is authorized by Pa.R.C.P. No. 1920.51.

\* \* \*

**Rule 1910.12. Office Conference. Hearing. Record. Exceptions. Order[.]**

(a) **Office Conference.** There shall be an office conference as provided by **[Rule]Pa.R.C.P. No. 1910.11(a)** through (d). The provisions of **[Rule]Pa.R.C.P. No. 1910.11(d)(3)** and (4) regarding income information apply in cases proceeding pursuant to **[Rule]Pa.R.C.P. No. 1910.12.**

(b) **Conference Conclusion.**

- (1) At the conclusion of a conference attended by both parties, if an agreement for support has not been reached, and the conference and hearing are not scheduled on the same day, the court, without hearing the parties, shall enter an interim order calculated in accordance with the guidelines and substantially in the form set forth in **[Rule]Pa.R.C.P. No. 1910.27(e)**, and the parties shall be given notice of the date, time and place of a hearing. A record hearing shall be conducted by a hearing officer who must be a lawyer.
- (2) If either party, having been properly served, fails to attend the conference, the court may enter an interim order calculated in accordance with the guidelines and substantially in the form set forth in **[Rule]Pa.R.C.P. No. 1910.27(e)**. Within **[twenty]20** days after the date of receipt or the date of mailing of the interim order, whichever occurs first, either party may demand a hearing before a hearing officer. If no hearing is requested, the order shall become final.
- (3) Any lawyer serving as a hearing officer employed by, or under contract with, a judicial district or appointed by the court shall not practice family law before a conference officer, hearing officer[, **permanent or standing master**], or judge of the same judicial district.

*Note:* Conference officers preside at office conferences under **[Rule]Pa.R.C.P. No. 1910.11**. Hearing officers preside at hearings under **[Rule]Pa.R.C.P. No. 1910.12**. The appointment of **[masters]a hearing officer** to hear actions in divorce or for annulment of marriage is authorized by **[Rule]Pa.R.C.P. No. 1920.51**.

(c) **Separate Listing.**

- (1) Except as provided in subdivision (c)(2), promptly after **the conference's conclusion[ of the conference]**, a party may move the court for a separate listing of the hearing **[where]if**:
  - (i) there are complex questions of law, fact or both; **[or]**
  - (ii) the hearing will be protracted; or

- (iii) the orderly administration of justice requires that the hearing be listed separately.
- (2) **[Where]When** the conference and hearing are scheduled on the same day, all requests for separate listing **[must]shall** be presented to the court at least seven days prior to the scheduled court date.
- (3) If the motion for separate listing is granted, discovery shall be available in accordance with **[Rule]Pa.R.C.P. No. 4001 [et seq]et seq.**

*Note:* The rule relating to discovery in domestic relations matters generally is **[Rule]Pa.R.C.P. No. 1930.5.**

\* \* \*

**Rule 1915.4-2. Partial Custody. Office Conference. Hearing Record. Exceptions. Order[.]**

\* \* \*

(b) *Hearing.*

- (1) The hearing shall be conducted by a hearing officer who must be a lawyer, and a record shall be made of the testimony. A hearing officer who is a lawyer employed by, or under contract with, a judicial district or appointed by the court shall not practice family law before a conference officer, hearing officer[, **permanent or standing master**], or judge of the same judicial district.

\* \* \*



### **Rule 1915.4-3. Non-Record Proceedings. Trials[.]**

(a) *Non-Record Proceedings.* In judicial districts utilizing an initial non-record proceeding, *i.e.*, office conference, if an agreement is not finalized by the conclusion of the proceeding, the conference officer shall promptly notify the court that the matter should be listed for trial. A lawyer employed by, or under contract with, a judicial district or appointed by the court to serve as a conference officer to preside over a non-record proceeding shall not practice family law before a conference officer, hearing officer[, **permanent or standing master**], or judge of the same judicial district.

\* \* \*

**Rule 1920.1. Definitions. Conformity to Civil Action[.]**

(a) As used in this chapter[.]:

\* \* \*

“divorce,” divorce from the bonds of matrimony or dissolution of a civil union;

**“hearing officer,” shall have the same meaning as “master” as that term is used in the Divorce Code, 23 Pa.C.S. §§ 3101, et seq.**

“marital property rights” means those rights created solely by Section 3501 of the Divorce Code; and

\* \* \*

**Rule 1920.31. Joinder of Related Claims. Ancillary Claims. Alimony. Counsel Fees. Costs and Expenses[.]**

(a) **Ancillary Claims.**

(1) If a party has raised a claim for alimony, counsel fees, or costs and expenses, the parties shall file a true copy of the most recent federal income tax return, pay stubs for the preceding six months, a completed Income Statement in the form required by Pa.R.C.P. No. 1910.27(c)(1), and a completed Expense Statement in the form required by Pa.R.C.P. No. 1910.27(c)(2)(B).

**(i)** A party may not file a motion for the appointment of a **[master]hearing officer** or a request for court action regarding alimony, counsel fees, or costs and expenses until at least 30 days following the filing of that party's tax returns, Income Statement, and Expense Statement.

**(ii)** The other party shall file the tax returns, Income Statement, and Expense Statement within 20 days of service of the moving party's documents.

\* \* \*

(b) **Alimony.**

(1) Orders for alimony may be enforced as provided by the rules governing actions for support and divorce, and in the Divorce Code.

\* \* \*

**Rule 1920.33. Joinder of Related Claims. Equitable Division. Enforcement[.]**

(a) If a pleading or petition raises a claim for equitable division of marital property under Section 3502 of the Divorce Code, the parties shall file and serve on the other party an inventory, which shall include the information in subdivisions **[(1) through (3)](a)(3)(i)-(iii)**, and shall be substantially in the form set forth in Pa.R.C.P. No. 1920.75.

**(1)** Within 20 days of service of the moving party's inventory, the non-moving party shall file an inventory.

**(2)** A party may not file a motion for the appointment of a **[master]hearing officer** or a request for court action regarding equitable division until at least 30 days following the filing of that party's inventory.

*Note:* See Pa.R.C.P. No. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.

**(3)** The inventory shall set forth as of the date of separation:

**[(1)i]** a specific description of the marital assets, which either or both parties have a legal or equitable interest, individually or jointly with another person, the name of the co-owners, if applicable, and the marital liabilities, which either party incurred individually or jointly with another person, and the name of any co-debtors, if applicable;

**[(2)ii]** a specific description of the assets or liabilities claimed to be non-marital and the basis for such claim; and

**[(3)iii]** the estimated value of the marital and non-marital assets and the amount due for each marital and non-marital liability.

\* \* \*

**Rule 1920.42. Obtaining Divorce Decrees Under Section 3301(c) or Section 3301(d) of the Divorce Code. Affidavits and Counter-affidavits. Requirements of the Affidavit of Consent. Ancillary Claims. Orders Approving Grounds for Divorce. Notice of Intention to File the Praeceptum to Transmit Record. Praeceptum to Transmit Record[.]**

(a) *Obtaining a divorce decree under Section 3301(c)(1) of the Divorce Code.*

\* \* \*

(3) After the court enters an order approving grounds for divorce, a party may request, consistent with the judicial district's local rules and procedures, that the court either hears the ancillary claims or appoints a **[master]hearing officer** to hear the ancillary claims as outlined in Pa.R.C.P. No. 1920.51.

**Note:** See Pa.R.C.P. No. 1920.74 for the Motion for Appointment of **[Master]Hearing Officer**.

\* \* \*

(b) *Obtaining a divorce decree under Section 3301(c)(2) of the Divorce Code.*

(1) If a party has filed a complaint requesting a divorce on the ground of irretrievable breakdown and a party has been convicted of a personal injury crime against his or her spouse, the court shall enter a decree in divorce after:

\* \* \*

(iii) the filed affidavits and a blank Counter-Affidavit under Section 3301(c)(2) of the Divorce Code have been served on the other party consistent with Pa.R.C.P. No. 1930.4, and the other party has admitted or failed to deny the averments in the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code;

(A) If a party files a Counter-Affidavit under Section 3301(c)(2) of the Divorce Code denying an averment in the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code, either party may present a motion requesting the court resolve the issue.

(B) After presentation of the motion in subdivision (A), the court may hear the testimony or, consistent with Pa.R.C.P. No. 1920.51(a)(1)(ii)(D), appoint a **[master]hearing officer** to

hear the testimony and to issue a report and recommendation.

\* \* \*

- (3) After the court enters an order approving grounds for divorce, a party may request, consistent with the judicial district's local rules and procedures, that the court either hears the ancillary claims or appoints a **[master]hearing officer** to hear the ancillary claims as outlined in Pa.R.C.P. No. 1920.51.

**Note:** See Pa. R.C.P. No. 1920.74 for the Motion for Appointment of **[Master]Hearing Officer**.

\* \* \*

- (c) *Obtaining a divorce decree under Section 3301(d) of the Divorce Code.*

- (1) If a party has filed a complaint requesting a divorce on the ground of irretrievable breakdown and the requisite separation period has elapsed, the court shall enter a decree in divorce after:

\* \* \*

- (iii) the filed affidavit and a blank Counter-Affidavit under Section 3301(d) of the Divorce Code have been served on the other party consistent with Pa.R.C.P. No. 1930.4, and the other party has admitted or failed to deny the averments in the Affidavit under Section 3301(d) of the Divorce Code;

\* \* \*

- (B) After presentation of the motion in subdivision (A), the court may hear the testimony or, consistent with Pa.R.C.P. No. 1920.51(a)(1)(ii)(D), appoint a **[master]hearing officer** to hear the testimony and to issue a report and recommendation.

\* \* \*

- (3) After the court enters an order approving grounds for divorce, a party may request, consistent with the judicial district's local rules and procedures, that the court either hears the ancillary claims or appoints a **[master]hearing officer** to hear the ancillary claims as outlined in Pa.R.C.P. No. 1920.51.

*Note:* See Pa.R.C.P. No. 1920.74 for the Motion for Appointment of **[Master]Hearing Officer.**

\* \* \*

**Rule 1920.45. Counseling[.]**

\* \* \*

(d) If the court has referred a divorce action to a **[master]hearing officer** and a party requests counseling pursuant to the Divorce Code, without leave of court, the **[master]hearing officer** may require counseling and continue the hearing pending the counselor's report.

\* \* \*



**Rule 1920.46. Affidavit of Non-Military Service[.]**

If the defendant fails to appear in the action, the plaintiff shall file an affidavit regarding military service with the motion for appointment of a **[master]hearing officer**, prior to a trial by the court, or with the plaintiff's affidavit required by Pa.R.C.P. No. 1920.42(b)(1)(ii) and (c)(1)(ii).

\* \* \*

**Rule 1920.51. Hearing by the Court. Appointment of [Master]Hearing Officer. Notice of Hearing[.]**

(a) In an action of divorce or annulment:

(1) the court may:

(i) hear the testimony; or

(ii) upon motion of a party or of the court, appoint a **[master]hearing officer**:

\* \* \*

(2) the court shall not appoint a **[master]hearing officer**:

\* \* \*

*Note:* Section 3321 of the Divorce Code prohibits the appointment of a **[master]hearing officer** as to the claims of custody and paternity. However, as set forth in Pa.R.C.P. No. 1920.91(3), the Supreme Court of Pennsylvania suspended Section 3321 insofar as that section prohibits the appointment of **[masters]a hearing officer** in partial physical custody cases.

(3) The Motion for the Appointment of a **[Master]Hearing Officer** and the order shall be substantially in the form prescribed by Pa.R.C.P. No. 1920.74. The order appointing the **[master]hearing officer** shall specify the issues or ancillary claims that are referred to the **[master]hearing officer**.

(4) A permanent or standing **[master]hearing officer** employed by or under contract with a judicial district or appointed by the court shall not practice family law before a conference officer, hearing officer, permanent or standing **[master]hearing officer**, or judge of the same judicial district.

*Note:* Conference officers preside at office conferences under Pa.R.C.P. No. 1910.11. Hearing officers preside at hearings under Pa.R.C.P. No. 1910.12. The appointment of **[master]hearing officer** to hear actions in divorce or annulment is authorized by Section 3321 of the Divorce Code.

(b) Written notice of the hearing shall be given to each attorney of record by the **[master]hearing officer**. If a **[master]hearing officer** has not been appointed, the prothonotary, clerk, or other officer designated by the court shall give the notice.

(c) If no attorney has appeared of record for a party, notice of the hearing shall be

given to the party by the **[master]hearing officer**, or if a **[master]hearing officer** has not been appointed, by the prothonotary, clerk, or other officer designated by the court, as follows:

\* \* \*

**Rule 1920.53. Hearing by [Master]Hearing Officer. Report[.]**

In an action for divorce or annulment that has been referred to a **[master]hearing officer**, the **[master's]hearing officer's** report and recommendation shall include findings of fact, conclusions of law, and a recommended disposition of the case or issue.

(a) The findings of fact shall include, as appropriate for the circumstances and issues before the **[master]hearing officer**:

- (1) the method and date of service of process;
- (2) the manner and date of service of the notice of the **[master's]hearing officer's** hearing or the **[master's]hearing officer's** efforts to notify the parties;

\* \* \*

(b) The conclusions of law shall include a discussion of the law as it relates to the facts, as well as the legal conclusions reached by the **[master]hearing officer**.

(c) If a divorce or an annulment is recommended, the **[master]hearing officer** shall attach a proposed decree to the report and recommendation.

**Rule 1920.54. Hearing by [Master]Hearing Officer. Report. Related Claims[.]**

(a) If claims for counsel fees and costs and expenses have been referred to a **[master]hearing officer** pursuant to Pa.R.C.P. No. 1920.51(a), the **[master’s]hearing officer’s** report shall contain a separate section captioned “Counsel Fees and Costs and Expenses”. The report may be in a narrative form stating the reasons for the recommendation and shall include a proposed order stating:

\* \* \*

(b) If a claim for alimony has been referred to a **[master]hearing officer**, the report shall contain a separate action captioned “Alimony.” The report shall conform to the requirements of subdivision (a) and, in addition, shall set forth:

\* \* \*

(c) If a claim for the determination and distribution of existing property rights and interests between the parties has been referred to a **[master]hearing officer**, the report shall contain a separate section captioned “Division of Property.” The section shall be divided into two parts[.];

\* \* \*

**Rule 1920.55-1. Alternative Hearing Procedures for Matters Referred to a [Master]Hearing Officer[.]**

(a) Matters referred to a **[master]hearing officer** for hearing shall proceed as prescribed by Pa.R.C.P. No. 1920.55-2 unless the court by local rule adopts the alternative procedure of Pa.R.C.P. No. 1920.55-3.

(b) The president judge or the administrative judge of Family Division of each county shall certify that all divorce proceedings which are referred to a **[master]hearing officer** in that county are conducted in accordance with either Pa.R.C.P. No. 1920.55-2 or Pa.R.C.P. No. 1920.55-3. The certification shall be filed with the Domestic Relations Procedural Rules Committee and shall be substantially in the following form:

I hereby certify that \_\_\_\_\_ County conducts its divorce proceedings that are referred to a **[master]hearing officer** in accordance with Pa.R.C.P. No. \_\_\_\_\_.

\_\_\_\_\_  
(PRESIDENT JUDGE)  
(ADMINISTRATIVE JUDGE)

\* \* \*

**Rule 1920.55-2. [Master's]Hearing Officer's Report. Notice. Exceptions. Final Decree[.]**

(a) After conclusion of the hearing, the **[master]hearing officer** shall:

(1) file the record and the report within:

(i) twenty days in uncontested actions; or[;]

(ii) thirty days from the last to occur of the receipt of the transcript by the **[master]hearing officer** or close of the record in contested actions; and

(2) immediately serve upon counsel for each party, or, if unrepresented, upon the party, a copy of the report and recommendation and written notice of the right to file exceptions.

(b) Within **[twenty]20** days of the date of receipt or the date of mailing of the **[master's]hearing officer's** report and recommendation, whichever occurs first, any party may file exceptions to the report or any part thereof, to rulings on objections to evidence, to statements or findings of fact, to conclusions of law, or to any other matters occurring during the hearing. Each exception shall set forth a separate objection precisely and without discussion. Matters not covered by exceptions are deemed waived unless, prior to entry of the final decree, leave is granted to file exceptions raising those matters.

(c) If exceptions are filed, any other party may file exceptions within **[twenty]20** days of the date of service of the original exceptions. The court shall hear argument on the exceptions and enter a final decree.

\* \* \*

**Rule 1920.55-3. [Master's]Hearing Officer's Report. Notice. Hearing De Novo. Final Decree[.]**

\* \* \*

- (b) After the conclusion of hearing, the **[master]hearing officer** shall:
- (1) file the report within:
    - (i) twenty days in uncontested actions; or[;]
    - (ii) thirty days in contested actions; and
  - (2) immediately serve upon counsel for each party, or, if unrepresented, upon the party, a copy of the report and recommendation, and written notice of the right to demand a hearing **[de novo]de novo**.

(c) Within **[twenty]20** days of the date the **[master's]hearing officer's** report is mailed or received, whichever occurs first, any party may file a written demand for a hearing **[de novo]de novo**. If a demand is filed, the court shall hold a hearing **[de novo]de novo** and enter a final decree.

(d) If no demand for **[de novo]de novo** hearing is filed within the **[twenty]20**-day period, the court shall review the report and recommendation and, if approved, shall enter a final decree.

\* \* \*



**Rule 1920.61. Testimony Outside the County[.]**

On motion of a party and upon such terms as it may order, the court may authorize and direct the **[~~master~~hearing officer** to take testimony of witnesses within any other county of the Commonwealth or in any other state or territory subject to the jurisdiction of the United States, or in any foreign country.

**Rule 1920.74. Form of Motion for Appointment of [Master]Hearing Officer. Order[.]**

(a) The motion for appointment of a **[master]hearing officer** shall be substantially in the following form:

(Caption)

**MOTION FOR APPOINTMENT OF [MASTER]HEARING OFFICER**

\_\_\_\_\_ (Plaintiff) (Defendant) moves the court to appoint a **[master]hearing officer** with respect to the following claims:

- ( ) Divorce
- ( ) Annulment
- ( ) Alimony
- ( ) Equitable Division of Marital Property
- ( ) Counsel Fees
- ( ) Costs and Expenses
- ( ) Other: \_\_\_\_\_

and in support of the motion states:

(1) Discovery (is) (is not) complete as to the claim(s) for which the appointment of a **[master]hearing officer** is requested.

(2) The non-moving party (has) (has not) appeared in the action (personally) (by his or her attorney, \_\_\_\_\_, Esquire).

(3) The statutory ground(s) for divorce (is) (are) .

(4) If the **[master's]hearing officer's** appointment is for resolution of a divorce, an annulment, or ancillary claims, the parties have complied with Pa.R.C.P. Nos. 1920.31, 1920.33, and 1920.46, as applicable.

(5) Check and complete the applicable paragraph(s):

(a) The action is not contested.

(b) An agreement has been reached with respect to the following claims:

(c) The action is contested with respect to the following claims:

(6) The action (involves) (does not involve) complex issues of law or fact.

(7) The hearing is expected to take \_\_\_\_\_ (hours) (days).

(8) Additional information, if any, relevant to the motion:

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney for (Plaintiff) (Defendant)

(b) The order appointing a **[master]hearing officer** shall be substantially in the following form:

(Caption)

**ORDER APPOINTING [MASTER]HEARING OFFICER**

AND NOW, \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_, Esquire, is appointed **[master]hearing officer** with respect to the following claims: \_\_\_\_\_

BY THE COURT:

MOVING PARTY

NON-MOVING PARTY

Name:

Name:

\_\_\_\_\_  
Attorney's Name:

\_\_\_\_\_  
Attorney's Name:

Attorney's Address:

Attorney's Address:

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Attorney's Telephone #:

Attorney's Telephone #:

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Attorney's E-Mail:

Attorney's E-Mail

---

Party's Address and Telephone

Party's Address and Telephone

# if not represented by counsel:

# if not represented by counsel:

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*Note:* See Pa.R.C.P. No. 1920.51(a)(1)(ii) for the issues and claims for which the court may appoint a **[master]hearing officer**. It is within the discretion of the court to determine the point at which a **[master]hearing officer** should be appointed in a case.

**Rule 1920.91. Suspension of Acts of Assembly[.]**

The following Acts of Assembly are suspended insofar as they apply to the practice and procedure in actions for divorce or annulment of marriage to the extent hereinafter set forth:

\* \* \*

(3) Section 3321 of the Domestic Relations Code, 23 Pa.C.S. § 3321, insofar as it prohibits the appointment of **[masters]hearing officers** in partial custody or visitation matters.

*Note:* Suspended Section 3321 of the Divorce Code states that the court may appoint a **[master]hearing officer** to hear testimony on all issues relating to a divorce except custody or paternity.

\* \* \*

## **Rule 1930.7. Status Conference[.]**

At any time in the proceedings, the court, the court's designee or the **[master]hearing officer, [sua sponte]sua sponte** or upon application of any party, may hold a status conference, in person or by any other means permitted by these rules, with counsel or with counsel and the parties in order to review the case status and expedite the litigation.

**Rule 1931. Family Court Rules[.]**

- (a) *Actions Governed by These Rules[:].*

\* \* \*

- (b) *Commencement of Action.*

\* \* \*

- (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[,]or 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[,]or hearing officer **[or master]** shall not participate in custody negotiations, preparation of the forms, or provide legal advice.

- (c) *Consolidation of Family Court Matters.*

\* \* \*

- (2) *Trial Continuity.* Trials before a judge or hearings before a **[master]hearing officer** 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)]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 **(c)(3)(ii) [below]**, in any matter brought under these Family Court Rules, a decision by a conference officer, **[master]hearing officer**, 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)]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)]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)]60** days after the conclusion of the conference, hearing, or trial.

(d) *Continuing Education for Family Court Personnel.*

\* \* \*

- (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.

\* \* \*



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

**PUBLICATION REPORT**

**RULE PROPOSAL 183**

The Domestic Relations Procedural Rules Committee (Committee) is proposing an amendment to the Domestic Relations rules that eliminates the term “master” and, instead, replaces with the term “hearing officer.” Historically, the legal term “master” has identified a quasi-judicial officer for centuries; however, the term has also become known as a racially divisive term, as well. Several judicial districts have replaced the term “master” with other nomenclature. The Committee is proposing numerous rule amendments eliminating the term across the domestic relations statewide rules.

Practically, the rule proposal substitutes the term hearing office for master throughout the domestic relations rules. However, the Protection from Abuse Act identifies two judicial officers that can hear emergency petitions: (1) a hearing officer; and (2) a master for emergency relief. The current PFA rules utilize these terms, as well. A master for emergency relief is an attorney appointed by a judicial district president judge. Also, statutorily, a master for emergency relief is a hearing officer. See Pa.R.C.P. No. 1901 and 23 Pa.C.S. § 6102(a). A hearing officer under the PFA Act is a Magisterial District Judge, a Philadelphia Municipal Judge, an arraignment judge, and a master for emergency relief. The proposed rule simply eliminates the term master for emergency relief from the rules, which obviously does not impact the statutorily defined position and its role in the PFA process.

All other instances of the term master have been replaced by the term hearing officer across the domestic relations rules.

Accordingly, the Committee invites all comments, objections, concerns, and suggestions regarding this proposed rulemaking.