

THE COURTS

Title 255—LOCAL COURT RULES

PIKE COUNTY

Promulgation of Local Rule Civil L.1915; No. 891-2001

Order

And Now, this 29th day of August, 2001, the Court hereby Orders the revision of Civil L.1915 Custody, Partial Custody and Visitation effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Pike County Prothonotary is directed to:

File seven (7) certified copies of the Rule with the Administrative Office of Pennsylvania Courts; Distribute two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and File one (1) certified copy with the Civil Procedural Rules Committee of the Pennsylvania Supreme Court.

By the Court

HAROLD A. THOMSON, Jr.,
President Judge

Local Rule L.1915—Civil. Custody, Partial Custody and Visitation

A. Claims for Custody—Whenever a Divorce Complaint containing a count for custody, a Custody Complaint or a Petition for Modification is filed, it shall contain a Cover Sheet, essentially in the attached format. The Prothonotary shall submit the Cover Sheet to the Court Administrator. Pursuant to the provisions of 23 Pa.C.S.A. § 3902(a), an additional twenty dollar (\$20) filing fee is hereby imposed on Custody Complaints and Divorce Complaints containing a count for custody. After the filing of any of the above pleadings, each of the parties shall be ordered to attend the "Kids First" Program, or other similar program approved by the Court, cost to be borne by the parties. Failure by a party to comply with an Order of Court directing attendance at one of the programs, as set forth above, will result in the initiation of contempt proceedings against said party.

B. Upon the filing of a Divorce Complaint containing a count for custody, a Custody Complaint, or a Petition for Modification of Custody, the parties shall be Ordered to attend an orientation session relative to resolving the dispute through a mediation process, pursuant to the provisions of Pa.R.C.P. § 1940.3 and 23 Pa.C.S.A. § 3901(b). No orientation session shall take place if a party or a child of either party is or has been the subject of domestic violence or child abuse either during the pendency of the action or within twenty-four (24) months preceding the filing of the action, pursuant to Pa.R.C.P. § 1940.3(b), which shall be determined by the domestic violence answers on the Cover Sheet.

C. For internal control and monitoring, all motions and petitions in custody actions shall be filed with the Prothonotary, for submission to the Court Administrator.

Motions requiring immediate action shall be brought directly to the Court Administrator.

D. The Mediator shall encourage and supervise the formulation of settlement agreements between the parties. In the event the parties agree to mediation, each party shall bear the cost equally, in accordance with procedures established by the Court. The mediation shall be conducted in accordance with the provisions of Pa.R.C.P. § 1940.1—1940.8.

E. In the event the parties reach an agreement, the Mediator shall, within fourteen (14) days, prepare a Memorandum of Understanding (MOU), pursuant to the provisions of Pa.R.C.P. § 1940(b). The Mediator shall then provide the parties, and/or their attorneys, the opportunity to meet with the Mediator to finalize the terms of the Memorandum of Understanding. In the event the parties, and/or their attorneys, agree that the MOU can be submitted to the Court, the Mediator will do so and an Order approving the MOU will be entered. In the event the parties, and/or their attorneys, desire to prepare a more formal Settlement Agreement, it must be submitted to the Mediator, signed by each of the parties, within fourteen (14) days of the final mediation session with the parties, and/or their attorney. The Mediator shall then submit the Settlement Agreement to the Court with a recommendation. If a Settlement Agreement is not submitted within fourteen (14) days as aforesaid, and neither of the parties, and/or their attorneys, have objected to the terms of the MOU, said MOU will be submitted by the Mediator to the Court, with a recommendation that it be approved and made an Order of the Court.

In the event the parties, and/or their attorneys, before holding the final mediation session as set forth above, either submit a signed Settlement Agreement, or agree to the terms of the MOU, and agree that it can be submitted to the Court for approval, then the Mediator shall determine whether or not a final mediation session need be held.

F. In the event no agreement is reached at the mediation, the Court shall appoint a Hearing Officer to conduct a hearing, which shall be recorded. The Hearing Officer shall file a Report and Recommendation and proposed Order with fifteen (15) days upon which the trial is concluded, unless extended by Court Order, for good cause shown. The Hearing Officer shall send a copy of the Report and Recommendation and proposed Order to each party or their counsel. If no Exceptions are filed within ten (10) days of the filing of the report, the Prothonotary shall transmit the file for Court approval.

G. Exceptions to the Hearing Officer's Report and Recommendation, and proposed Order, shall be in writing, and shall be filed with the Prothonotary, within ten (10) days of the date of the Hearing Officer's Report. Upon the filing of Exceptions, the Prothonotary shall schedule the matter for argument on the next available argument date. A copy of the Exceptions shall be delivered to the Hearing Officer, and opposing counsel. All costs associated with the filing of Exceptions, including transcription costs, shall be borne by the party filing same.

THE COURTS

IN THE COURT OF COMMON PLEAS OF PIKE COUNTY, PENNSYLVANIA
CIVIL ACTION—LAW

_____ : No.
 :
 vs. :
 :
 _____ :
 :

COVER SHEET
(To be attached to pleading)

<p>1. PLAINTIFF</p> <p>Name: _____</p> <p>Address: _____</p> <p>_____</p> <p>Phone: _____</p> <p>Attorney: _____</p>	<p>DEFENDANT</p> <p>Name: _____</p> <p>Address: _____</p> <p>_____</p> <p>Phone: _____</p> <p>Attorney: _____</p>
<p>2. Names and ages of all children involved; state with whom living:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>3. Status of current custody orders or custody arrangements:</p> <p>_____</p> <p>_____</p>	
<p>4. Has there been any domestic violence between you and the other parent within the past twenty-four (24) months? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain Briefly: _____</p> <p>_____</p>	
<p>5. Have any of the children involved in this case been the subject of child abuse within the past twenty-four (24) months? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain Briefly: _____</p> <p>_____</p>	
<p>6. Have there been any Protection from Abuse Orders involving you and the other parent and/or children within the past twenty-four (24) months: <input type="checkbox"/> Yes <input type="checkbox"/> No Explain Briefly: _____</p> <p>_____</p>	

Submitted by: _____

Counsel for: _____

[Pa.B. Doc. No. 01-1718. Filed for public inspection September 21, 2001, 9:00 a.m.]

**DISCIPLINARY BOARD OF
THE SUPREME COURT**

Notice of Disbarment

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated September 4, 2001, Brenda Joyce Hamer has been Disbarred on Consent from the Bar of this Commonwealth, to be effective October 4, 2001. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Com-

monwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
*Executive Director & Secretary
 The Disciplinary Board of the
 Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 01-1719. Filed for public inspection September 21, 2001, 9:00 a.m.]