

THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 1]

Title 210—RULES OF APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 1]

Title 225—RULES OF EVIDENCE

[225 PA. CODE ART. I]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 100]

PART II. ORPHANS' COURT RULES

[231 PA. CODE PART II]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 1]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CH. 1]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 200]

Proposed New Pa.R.J.A. 104—115; Rescission of Pa.R.Civ.P. 101—104, 106—108 and 127—153; Amendment of Pa.R.Civ.P. 126, Pa.R.O.C.P. 1.2, Pa.R.Crim.P. 101, Pa.R.J.C.P. 101 and 1101, Pa.R.A.P. 107 and 903, Pa.R.Civ.P.M.D.J. 204 and Pa.R.E. 101

A proposal is being considered for the proposed adoption of amendment of Pennsylvania Rules of Judicial Administration 104—115, the rescission of Pennsylvania Rules of Civil Procedure 101—104, 106—108, and 127—153, and the amendment of Pennsylvania Rule of Civil Procedure 126, Pennsylvania Rule of Orphans' Court Procedure 1.2, Pennsylvania Rule of Criminal Procedure 101, Pennsylvania Rules of Juvenile Court Procedure 101 and 1101, Pennsylvania Rules of Appellate Procedure 107 and 903, Pennsylvania Rule of Civil Procedure before Magisterial District Judges 204, and Pennsylvania Rule of Evidence 101 to establish and reference rules of

construction for the Court's procedural and evidentiary bodies of rules for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 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 publication report accompanying the proposal has been prepared for the convenience of those using the rules. Such a report will neither constitute a part of the rules nor 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.

All interested persons are invited to submit comments, suggestions, or objections in writing to:

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All communications in reference to the proposal should be received by November 1, 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. Receipt of all submissions will be acknowledged.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 1. GENERAL PROVISIONS

(Editor's Note: The following rules are proposed to be added and printed in regular type to enhance readability.)

Rule 104. Principles of Construction.

In the construction of procedural or evidentiary rules adopted by the Supreme Court, the principles set forth in Rules 105 to 115 shall be observed, unless the application of such principles would result in a construction inconsistent with the manifest intent of the Supreme Court.

Rule 105. Number. Tense.

The singular shall include the plural, and the plural, the singular. Words used in the past or present tense shall include the future.

Rule 106. Words and Phrases.

(a) Words and phrases shall be construed according to rules of grammar and according to their common and approved usage; but technical words and phrases and such others as have acquired a peculiar and appropriate meaning or as are expressly defined by rule shall be construed according to such peculiar and appropriate or express meaning or definition.

(b) General words shall be construed to take their meanings and be restricted by preceding particular words.

Official Comment: A word or phrase's common meaning may be discerned through examination of its dictionary definition and its legal meaning may be gleaned from its use in the *corpus juris*. See *Commonwealth v. Wardlaw*, 249 A.3d 937, 947 (Pa. 2021).

Rule 107. Computation of Time.

(a) *Days*. When any period of time is referred to in any rule, such period, except as otherwise provided in subdivisions (c) and (d), shall be computed to exclude the first and include the last day of such period.

(b) *Omitted Days*. Whenever the last day of any such period shall fall on Saturday or Sunday, or on any day made a legal holiday by the laws of this Commonwealth or of the United States, such day shall be omitted from the computation.

(c) *Successive Weeks*. Whenever in any rule providing for the publishing of notices, the phrase "successive weeks" is used, weeks shall be construed as calendar weeks. The publication upon any day of such weeks shall be sufficient publication for that week, but at least five days shall elapse between each publication. At least the number of weeks specified in "successive weeks" shall elapse between the first publication and the day for the happening of the event for which publication shall be made.

(d) *Months*. Whenever in any rule the lapse of a number of months after or before a certain day is required, such number of months shall be computed by counting the months from such day, excluding the calendar month in which such day occurs, and shall include the day of the month in the last month so counted having the same numerical order as the day of the month from which the computation is made, unless there are not so many days in the last month so counted, in which case the period computed shall expire with the last day of such month.

Rule 108. Construction of Rules. Intent of Supreme Court Controls.

(a) The object of all interpretation and construction of rules is to ascertain and effectuate the intention of the Supreme Court.

(b) Every rule shall be construed, if possible, to give effect to all its provisions. When the words of a rule are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its spirit.

(c) When the words of a rule are not explicit, the intention of the Supreme Court may be ascertained by considering, among other matters:

- (1) precedent of the Supreme Court interpreting the current rule;
- (2) the commentary accompanying the rule;
- (3) the rulemaking history;
- (4) other procedures governing the same or similar subjects;
- (5) the practice followed under the rule; and
- (6) the consequences of a particular interpretation.

Official Comment: For "commentary accompanying the rule," see Pa.R.J.A. 103, Comment. Concerning subdivision (c)(3), consideration of the rulemaking history may include the occasion and necessity for a rule, circumstances under which it was promulgated, prior practice, and the objective to be attained. Such information may be found in Rules Committees' reports. See *id.* Statements

contained in these reports have not been adopted by the Supreme Court and should only be consulted for the limited purpose of understanding the history of a rule. For subdivision (c)(6), see Pa.R.J.A. 109 (Presumptions in Ascertaining the Intent of the Supreme Court).

Rule 109. Presumptions in Ascertaining the Intent of the Supreme Court.

Ascertaining the Supreme Court's intention in the adoption or amendment of a rule may be guided by the following presumptions among others:

(a) The Supreme Court does not intend a result that is absurd, impossible of execution or unreasonable;

(b) The Supreme Court intends the entire rule or chapter of rules to be effective and certain;

(c) The Supreme Court does not intend to violate the Constitution of the United States or of this Commonwealth;

(d) If the Supreme Court has construed the language used in a rule or statute, the Supreme Court in promulgating a rule on the same subject matter which employs the same language intends the same construction to be placed upon such language;

(e) The Supreme Court intends to favor the public interest as against any private interest; and

(f) No rule shall be construed to confer a right to trial by jury where such right does not otherwise exist.

Rule 110. Titles, Conditions, Exceptions, and Headings.

(a) The title or heading of a rule may be considered in construing the rule.

(b) Conditions shall be construed to limit rather than to extend the operation of the clauses to which they refer.

(c) Exceptions expressed in a rule shall be construed to exclude all others.

(d) The title or heading prefixed to a chapter of rules shall not be considered to control but may be used in construing the rules.

Rule 111. Rules in Derogation of the Common Law.

The principle that laws in derogation of the common law are to be strictly construed, shall have no application to the rules promulgated by the Supreme Court.

Rule 112. Rules *In Pari Materia*.

Rules or parts of rules are *in pari materia* when they relate to the same proceedings or class of proceedings. Rules *in pari materia* shall be construed together, if possible, as one rule or one chapter of rules.

Rule 113. Particular Controls General.

Whenever a general provision in a rule shall be in conflict with a particular provision in the same or another rule, the two shall be construed, if possible, so that effect may be given to both. If the conflict between the two provisions is irreconcilable, the particular provisions shall prevail and shall be construed as an exception to the general provision, unless the general provision shall be promulgated later and it shall be the manifest intention of the Supreme Court that such general provision shall prevail.

Rule 114. Construction of Rule Amendments.

(a) *Textual Indicators*. Amended text indicated by the text in bold font within brackets shall be omitted, and the text in bold font and underscored shall be read as part of the rule.

(b) *Amendments.* Whenever a rule or part of a rule is amended, the amendment shall be construed to merge into the original rule, become a part thereof, and replace the part amended. The remainder of the original rule and amendment shall be read together and viewed as one rule promulgated at one time; but the portions of the rule which were not altered by the amendment shall be construed as effective from the time of their original promulgation and the new provisions shall be construed as effective only from the date when the amendment became effective.

(c) *Merger of Subsequent Amendments.* Whenever a rule has been more than once amended, the latest amendment shall be read into the original rule as previously amended and not into such rule as originally promulgated.

Rule 115. Procedures Inconsistent with Rules.

Procedures set forth in statute or local rule shall be inapplicable to the extent that they are inconsistent with rules prescribed by the Supreme Court governing proceedings on the same subject matter.

Official Comment: See Pa. Const. art. V, § 10(c); 42 Pa.C.S. § 1722(a)(1); see also Pa.R.J.A. 103(d)(2); *Appeal of Gibbons*, 104 Pa. 587, 591 (1884) (court of common pleas cannot adopt rules inconsistent with Supreme Court rules).

**TITLE 210. RULES OF APPELLATE PROCEDURE
PART I. RULES OF APPELLATE PROCEDURE
ARTICLE I. PRELIMINARY PROVISIONS
CHAPTER 1. GENERAL PROVISIONS
IN GENERAL**

Rule 107. [Rules of] Construction of Rules.

[Chapter 19 of Title 1 of the *Pennsylvania Consolidated Statutes* (rules of construction) so far as not inconsistent with any express provision of these rules, shall be applicable to the interpretation of these rules and all amendments hereto to the same extent as if these rules were enactments of the General Assembly] In the construction of the Pennsylvania Rules of Appellate Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

[**Official Note:** The effect of this rule is substantially the same as Pa.R.Civ.P. 76 to 153, which were in turn patterned after the Statutory Construction Act. See also former Commonwealth Court Rules 120 and 121.]

**ARTICLE II. APPELLATE PROCEDURE
CHAPTER 9. APPEALS FROM LOWER COURTS
Rule 903. Time for Appeal.**

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Official Note: 42 Pa.C.S. § 5571(a) (appeals generally) provides that the time for filing an appeal, a petition for allowance of appeal, a petition for permission to appeal or a petition for review or a quasi-judicial order, in the Supreme Court, the Superior Court or the Commonwealth Court shall be governed by general rules and that no other provision of 42 Pa.C.S. Ch. 55D shall be applicable to such matters. In order to prevent inadvertent legislative creation of nonuniform appeal times, 42 Pa.C.S. § 1722(c) (time limitations) expressly authorizes the suspension by general rule of nonuniform statutory appeal times. See also 42 Pa.C.S. § 5501(a) (scope of chapter),

which makes Chapter 55 (limitation of time) of the Judicial Code subordinate to any other statute prescribing a different time in the case of an action or proceeding, but which does not so provide in the case of an appeal.

* * * * *

Rule of Appellate Procedure 107 incorporates by reference the rules of construction [**of the Statutory Construction Act of 1972, 1 Pa.C.S. §§ 1901—1991. See 1 Pa.C.S. § 1908**] **in the Pennsylvania Rules of Judicial Administration, Pa.R.J.A. 104—115. See Pa.R.J.A. 107(a)-(b)** relating to computation of time for the rule of construction relating to (1) the exclusion of the first day and inclusion of the last day of a time period and (2) the omission of the last day of a time period which falls on Saturday, Sunday or legal holiday.

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**TITLE 225. RULES OF EVIDENCE
ARTICLE I. GENERAL PROVISIONS**

Rule 101. Scope; Adoption and Citation; **Construction.**

(a) *Scope.* These rules of evidence govern proceedings in all courts of the Commonwealth of Pennsylvania's [**unified judicial system**] **Unified Judicial System**, except as otherwise provided by law.

(b) *Adoption and Citation.* These rules of evidence are adopted by the Supreme Court of Pennsylvania under the authority of Article V § 10(c) of the Constitution of Pennsylvania, adopted April 23, 1968. They shall be known as the Pennsylvania Rules of Evidence and shall be cited as "Pa.R.E."

(c) Construction. In the construction of the Pennsylvania Rules of Evidence, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Comment

Preface to Comments

The original Comments to the Pennsylvania Rules of Evidence were prepared by the Ad Hoc Committee on Evidence. The Comments accompanied the Pennsylvania Rules of Evidence that were adopted by the Pennsylvania Supreme Court on May 8, 1998. The Pennsylvania Rules of Evidence closely followed the format, language, and style of the Federal Rules of Evidence, but the guiding principle was to preserve the Pennsylvania law of evidence. The original Comments reflected this approach by identifying the Pennsylvania sources of the law. The original Comments also compared the Pennsylvania Rules to the Federal Rules for the convenience of the Bench and Bar.

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**TITLE 231. RULES OF CIVIL PROCEDURE
PART I. GENERAL
CHAPTER 100. RULES OF CONSTRUCTION**

Rule 101. [Principles of Interpretation] **(Reserved).**

[**In the construction of any rule, the principles set forth in Rules 102 to 108 shall be observed, unless the application of such principles would result in a construction inconsistent with the manifest intent of the Supreme Court.**]

Rule 102. [Number. Gender. Tense] **(Reserved).**

[**The singular shall include the plural, and the plural, the singular. Words used in the past or present tense shall include the future.**]

Rule 103. [Words and Phrases] (Reserved).

[(a) Words and phrases shall be construed according to rules of grammar and according to their common and approved usage; but technical words and phrases and such others as have acquired a peculiar and appropriate meaning or as are expressly defined by rule shall be construed according to such peculiar and appropriate or express meaning or definition.

(b) General words shall be construed to take their meanings and be restricted by preceding particular words.]

Rule 104. [Numerals] (Reserved).

[The Roman numerals and Arabic numerals shall be deemed parts of the English language.]

Rule 106. [Computation of Time] (Reserved).

[(a) When any period of time is referred to in any rule, such period in all cases, except as otherwise provided in Rules 107 and 108, shall be so computed as to exclude the first and include the last day of such period.

(b) Whenever the last day of any such period shall fall on Saturday or Sunday, or on any day made a legal holiday by the laws of this Commonwealth or of the United States, such day shall be omitted from the computation.]

Rule 107. [Time. Publication for Successive Weeks] (Reserved).

[Whenever in any rule providing for the publishing of notices, the phrase “successive weeks” is used, weeks shall be construed as calendar weeks. The publication upon any day of such weeks shall be sufficient publication for that week, but at least five days shall elapse between each publication. At least the number of weeks specified in “successive weeks” shall elapse between the first publication and the day for the happening of the event for which publication shall be made.]

Rule 108. [Time. Computation of Months] (Reserved).

[Whenever in any rule the lapse of a number of months after or before a certain day is required, such number of months shall be computed by counting the months from such day, excluding the calendar month in which such day occurs, and shall include the day of the month in the last month so counted having the same numerical order as the day of the month from which the computation is made, unless there are not so many days in the last month so counted, in which case the period computed shall expire with the last day of such month.]

Rule 126. [Liberal Construction and Application of Rules] Purpose and Construction.

(a) The rules shall be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding to which they are applicable. The court at every stage of any such action or proceeding may disregard any error or defect of procedure which does not affect the substantial rights of the parties.

(b) In the construction of the Pennsylvania Rules of Civil Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Official Comment: Former Pa.R.C.P. 101—104, 106—108, and 127—153 were rescinded and replaced as follows:

Subject	Former Rule	Current Rule
<u>Principles</u>	Pa.R.C.P. 101	Pa.R.J.A. 104
<u>Number/Tense</u>	Pa.R.C.P. 102	Pa.R.J.A. 105
<u>Words/Phrases</u>	Pa.R.C.P. 103	Pa.R.J.A. 106
<u>Numerals</u>	Pa.R.C.P. 104	—
<u>Comp Time</u>	Pa.R.C.P. 106	Pa.R.J.A. 107(a)-(b)
<u>Time—Weeks</u>	Pa.R.C.P. 107	Pa.R.J.A. 107(c)
<u>Time—Months</u>	Pa.R.C.P. 108	Pa.R.J.A. 107(d)
<u>Court Intent</u>	Pa.R.C.P. 127	Pa.R.J.A. 108
<u>Presumptions</u>	Pa.R.C.P. 128	Pa.R.J.A. 109
<u>Titles</u>	Pa.R.C.P. 129	Pa.R.J.A. 110
<u>Common Law</u>	Pa.R.C.P. 130	Pa.R.J.A. 111
<u>In Pari Materia</u>	Pa.R.C.P. 131	Pa.R.J.A. 112
<u>Inconsistent</u>	Pa.R.C.P. 133	Pa.R.J.A. 115
<u>Controls</u>	Pa.R.C.P. 132	Pa.R.J.A. 113
<u>Amendatory</u>	Pa.R.C.P. 152	Pa.R.J.A. 114(b)
<u>Merger</u>	Pa.R.C.P. 153	Pa.R.J.A. 114(c)

Rule 127. [Construction of Rules. Intent of Supreme Court Controls] (Reserved).

[(a) The object of all interpretation and construction of rules is to ascertain and effectuate the intention of the Supreme Court.

(b) Every rule shall be construed, if possible, to give effect to all its provisions. When the words of a rule are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its spirit.

(c) When the words of a rule are not explicit, the intention of the Supreme Court may be ascertained by considering, among other matters:

- (1) the occasion and necessity for the rule;
- (2) the circumstances under which it was promulgated;
- (3) the mischief to be remedied;
- (4) the object to be attained;
- (5) the prior practice, if any, including other rules and Acts of Assembly upon the same or similar subjects;
- (6) the consequences of a particular interpretation;
- (7) the contemporaneous history of the rule; and
- (8) the practice followed under the rule.]

Rule 128. [Presumptions in Ascertaining the Intent of the Supreme Court] (Reserved).

[In ascertaining the intention of the Supreme Court in the promulgation of a rule, the courts may be guided by the following presumptions among others:

(a) That the Supreme Court does not intend a result that is absurd, impossible of execution or unreasonable;

(b) That the Supreme Court intends the entire rule or chapter of rules to be effective and certain;

(c) That the Supreme Court does not intend to violate the Constitution of the United States or of this Commonwealth;

(d) That if the Supreme Court has construed the language used in a rule or statute, the Supreme Court in promulgating a rule on the same subject matter which employs the same language intends the same construction to be placed upon such language;

(e) That the Supreme Court intends to favor the public interest as against any private interest;

(f) That no rule shall be construed to confer a right to trial by jury where such right does not otherwise exist.]

Rule 129. [Construction of Rules, Titles, Provisos, Exceptions and Headings. Use of Notes and Explanatory Comments] (Reserved).

[(a) The title or heading of a rule may be considered in construing the rule.

(b) Provisos shall be construed to limit rather than to extend the operation of the clauses to which they refer.

(c) Exceptions expressed in a rule shall be construed to exclude all others.

(d) The title or heading prefixed to a chapter of rules shall not be considered to control but may be used in construing the rules.

(e) A note to a rule or an explanatory comment is not a part of the rule but may be used in construing the rule.]

Rule 130. [Rules in Derogation of the Common Law] (Reserved).

[The principle that laws in derogation of the common law are to be strictly construed, shall have no application to the rules promulgated by the Supreme Court.]

Rule 131. [Rules *in Pari Materia*] (Reserved).

[Rules or parts of rules are *in pari materia* when they relate to the same proceedings or class of proceedings. Rules *in pari materia* shall be construed together, if possible, as one rule or one chapter of rules.]

Rule 132. [Particular Controls General] (Reserved).

[Whenever a general provision in a rule shall be in conflict with a particular provision in the same or another rule, the two shall be construed, if possible, so that effect may be given to both. If the conflict between the two provisions is irreconcilable, the particular provisions shall prevail and shall be construed as an exception to the general provision, unless the general provision shall be promulgated later and it shall be the manifest intention of the Supreme Court that such general provision shall prevail.]

Rule 133. [Rules Inconsistent with Laws] (Reserved).

[All laws shall be suspended to the extent that they are inconsistent with rules prescribed under the Constitution of 1968.

Official Note: See Article V, Section 10(c) of the Constitution of 1968 and Section 1722(a)(1) of the Judicial Code, 42 Pa.C.S. § 1722(a)(1).]

Rule 152. [Construction of Amendatory Rules] (Reserved).

[Whenever a rule or part of a rule is amended, the amendment shall be construed to merge into the original rule, become a part thereof, and replace the part amended. The remainder of the original rule and amendment shall be read together and viewed as one rule promulgated at one time; but the portions of the rule which were not altered by the amendment shall be construed as effective from the time of their original promulgation and the new provisions shall be construed as effective only from the date when the amendment became effective.]

Rule 153. [Merger of Subsequent Amendments] (Reserved).

[Whenever a rule has been more than once amended, the latest amendment shall be read into the original rule as previously amended and not into such rule as originally promulgated.]

PART II. ORPHANS' COURT RULES

CHAPTER I. PRELIMINARY RULES

Rule 1.2. [Construction and Application of Rules] Purpose and Construction.

(a) The Rules adopted by the Supreme Court regulating the practice and procedure of the Orphans' Court Divisions of this Commonwealth and the local rules adopted by such courts shall be liberally construed to secure the just, timely and efficient determination of every action or proceeding to which they are applicable. The court at every stage of any action or proceeding may disregard any error or defect of procedure that does not affect the substantive rights of the parties in interest.

(b) [The principles of interpretation and related matters set forth in Pa.R.C.P. Nos. 102 through 153 inclusive, with the exception of Pa.R.C.P. No. 126, shall apply to these Rules] In the construction of the Pennsylvania Rules of Orphans' Court Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Note: Rule 1.2(a) is identical to former Rule 2.1. Rule 1.2(b) is new.

[Explanatory Comment] *Comment:* The Orphans' Court Division exercises equitable powers and applies equitable principles. *Estate of Hahn*, 369 A.2d 1290, 1291-92 (Pa. 1977); *Estate of Freihofer*, 174 A.2d 282, 284 (Pa. 1961).

[The question frequently arises as to the effect and use of the notes and explanatory comments which are issued with the Orphans' Court Rules. Notes and explanatory comments are not part of the Rules but they may be used in construing the

Rules. The Supreme Court of Pennsylvania has stated in *Laudenberger v. Port Authority of Allegheny County*, 436 A.2d 147, 151 (Pa. 1981):

These explanatory notes have not been officially adopted or promulgated by this Court, nor do they constitute part of the rule. However, they indicate the spirit and motivation behind the drafting of the rule, and they serve as guidelines for understanding the purpose for which the rule was drafted.]

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

Rule 101. Purpose and Construction.

(A) These rules are intended to provide for the just determination of every criminal proceeding.

(B) These rules shall be construed to secure simplicity in procedure, fairness in administration, and the elimination of unjustifiable expense and delay.

(C) [**To the extent practicable, these rules shall be construed in consonance with the rules of statutory construction**] In the construction of the Pennsylvania Rules of Criminal Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Comment

These rules were adopted under the Act of July 11, 1957, P.L. 819, 17 P.S. 2084 (Supp.), which was repealed by JARA, 42 P.S. § 20002(a), and replaced by 42 Pa.C.S. § 1722(a)(1).

Official Note: Rule 2 adopted June 30, 1964, effective January 1, 1965; renumbered Rule 101 and amended March 1, 2000, effective April 1, 2001.

Committee Explanatory Reports:

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000).

TITLE 237. RULES OF JUVENILE COURT PROCEDURE

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

Rule 101. Purpose and Construction.

(A) These rules are intended to provide for the just determination of every delinquency proceeding.

(B) These rules establish uniform practice and procedure for courts exercising jurisdiction as provided in the Juvenile Act, [42 Pa.C.S. § 6301 *et seq.*,] 42 Pa.C.S. §§ 6301 *et seq.*, and shall be construed to secure uniformity and simplicity in procedure, fairness in administration, and the elimination of unjustifiable expense and delay.

(C) These rules shall be interpreted and construed to effectuate the purposes stated in the Juvenile Act, 42 Pa.C.S. § 6301(b).

(D) [**To the extent practicable, these rules shall be construed in consonance with the rules of statutory construction**] In the construction of the Pennsylvania Rules of Juvenile Court Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Official Note: Rule 101 adopted April 1, 2005, effective October 1, 2005.

Subpart B. DEPENDENCY MATTERS

CHAPTER 11. GENERAL PROVISIONS

Rule 1101. Purpose and Construction.

(A) These rules are intended to provide for the just determination of every dependency proceeding.

(B) These rules establish uniform practice and procedure for courts exercising jurisdiction as provided in the Juvenile Act, [42 Pa.C.S. § 6301 *et seq.*,] 42 Pa.C.S. §§ 6301 *et seq.*, and shall be construed to secure uniformity and simplicity in procedure, fairness in administration, and the elimination of unjustifiable expense and delay.

(C) These rules shall be interpreted and construed to effectuate the purposes stated in the Juvenile Act, 42 Pa.C.S. § 6301(b).

(D) [**To the extent practicable, these rules shall be construed in consonance with the rules of statutory construction**] In the construction of Pennsylvania Rules of Juvenile Court Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Official Note: Rule 1101 adopted August 21, 2006, effective February 1, 2007.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1101 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 200. RULES OF CONSTRUCTION; GENERAL PROVISIONS

Rule 204. Purpose and [Intent of Rules] Construction.

(A) The purpose and intent of these rules is to provide a complete and exclusive procedure for every action or proceeding to which they are applicable.

(B) In the construction of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

[**Official Note**] Comment: This rule sets forth the general purpose and intent to make mandatory the use of the procedures prescribed in these rules.

PUBLICATION REPORT

Proposed New Pa.R.J.A. 104—115; Rescission of Pa.R.Civ.P. 101—104, 106—108, & 127—153; Amendment of Pa.R.Civ.P. 126, Pa.R.O.C.P. 1.2, Pa.R.Crim.P. 101, Pa.R.J.C.P. 101 & 1101, Pa.R.A.P. 107 & 903, Pa.R.Civ.P.M.D.J. 204, Pa.R.E. 101

A proposal is being considered for the proposed adoption of Pennsylvania Rules of Judicial Administration 104—115, rescission of Pennsylvania Rules of Civil Procedure 101—104, 106—108, and 127—153, and amendment of Pennsylvania Rule of Civil Procedure 126, Pennsylvania Rule of Orphans' Court Procedure 1.2, Pennsylvania Rule of Criminal Procedure 101, Pennsylvania Rules of Juvenile Court Procedure 101 and 1101, Pennsylvania Rules of Appellate Procedure 107 and 903, Pennsylvania

Rule of Civil Procedure before Magisterial District Judges 204, and Pennsylvania Rule of Evidence 101 to establish and reference rules of construction for the Court's procedural and evidentiary bodies of rules.

This proposal was prompted by a suggestion for a uniform set of rules of construction placed either in the Rules of Judicial Administration or in each body of procedural rules. In general, this proposal involves the extracting the rules of construction from the Pennsylvania Rules of Civil Procedure and placing them in the Pennsylvania Rules of Judicial Administration. The proposal also includes corollary amendments to the various bodies of rules to reference the newly placed rules of construction.

Background

Procedural rules adopted by the Supreme Court have the force of statute. *See, e.g., Dombrowski v. City of Philadelphia*, 245 A.2d 238, 241 n. 4 (Pa. 1968). Procedural rules, like statutes, may be subject to interpretation based upon their language and the circumstances in which they apply. To guide the interpretation of rules, courts have relied upon rules of construction used for interpretation of statutes, see 1 Pa.C.S. §§ 1901—1957, to interpret procedural rules. *See, e.g., Commonwealth v. McClelland*, 233 A.3d 717 (Pa. 2020) (interpreting Pa.R.Crim.P.); *Commonwealth v. Wardlaw*, 249 A.3d 937 (Pa. 2021) (interpreting Pa.R.A.P.).

In 1939, rules of construction were added to the Pennsylvania Rules of Civil Procedure based largely on language contained in sections of the Statutory Construction Act of May 28, 1937, P.L. 1019, with modification to reflect their intended application to rules of court. Over time, the Statutory Construction Act, as well as the procedural rules of construction, have been amended to their present form. These rules of construction have guided the interpretation of the Rules of Civil Procedure. *See, e.g., Bruno v. Erie Ins. Co.*, 106 A.3d 48 (Pa. 2014); *Terra Technical Services, LLC v. River Station Land, L.P.*, 124 A.3d 289 (Pa. 2015).

Many of the other bodies of rules have rules of construction of varying degree. The Rules of Criminal Procedure, Rules of Juvenile Court Procedure, and Rules of Appellate Procedure simply reference the “rules of statutory construction” and address the consequence of procedural defect. *See* Pa.R.Crim.P. 101; Pa.R.J.C.P. 101(D), 1101(D); Pa.R.A.P. 107. The Rules of Orphans' Court Procedure incorporate by reference Pa.R.Civ.P. 102—153, but exclude Pa.R.Civ.P. 126. *See* Pa.R.O.C.P. 1.2. The Rules of Civil Procedure before Magisterial District Judges do not reference rules of construction, but do contain rules based upon Pa.R.Civ.P. 106 and 108 for the computation of time. *See* Pa.R.Civ.P.M.D.J. 203, Note. The Rules of Evidence do not reference rules of construction.

Proposal

In order to provide for uniform rules of construction for all procedural and evidentiary bodies of rules, it is proposed that the detailed rules of construction be removed from the Rules of Civil Procedure, revised if merited, and relocated to the Rules of Judicial Administration to logically follow the rules governing the rule-making process. Having one set of rules of construction for all bodies of rules would permit readers to understand their application across all rules rather than a particular body of rules. Further, replicating the same rules of construction within each body of rules seemed unnecessarily duplicative and invited inconsistency in the appli-

cation of identically worded rules. Therefore, it is further proposed that any rules of construction organic to a body of rules be removed with each body of rules thereafter containing a reference to the Rules of Judicial Administration concerning the rules of construction. Additionally, insofar as practicable, the title to the referral rule within each body of rules to the Rules of Judicial Administration would be retitled “Purpose and Construction.”

Not every rule of construction found in the Rules of Civil Procedure would be relocated to the Rules of Judicial Administration. Pa.R.Civ.P. 104 concerning Roman numerals and Arabic numerals being deemed parts of the English language would be omitted from the proposed rules of construction. Such an anachronistic provision appears unnecessary for the modern construction of judicial rules. There is a dearth of Pennsylvania cases litigating the meaning of numerals within the rules based simply on the fact that they are expressed as numbers rather than stated in English, *e.g.*, “VII” v. “7” v. “seven.” While that may owe to the existence of Pa.R.Civ.P. 104 and 1 Pa.C.S. § 1904, it is submitted that any ambiguity may be resolved by the context in which the numerals are used and not whether numerals are or are not part of the English language. For example, “1/2” can be an expression of a mathematical operation or a date, which may be an ambiguity resolved by examining its context, but its existence cannot be ignored because Arabic numbers were used. The rejected need for such a rule is exemplified by the discontinued use of the numero sign, *i.e.*, “No.,” in the citation of the rules.

Pa.R.Civ.P. 105 concerning bonds would remain in the Pennsylvania Rules of Civil Procedure because that rule is specific to civil proceedings. Application of that guidance to other bodies of rules may unintendedly conflict with existing provisions. *See, e.g., Pa.R.Crim.P. 525* (bail bond).

Consideration was given to whether the rules of construction should be further modified to improve readability and applicability to rules, as opposed to statutes. As observed, the Rules of Civil Procedure's rules of construction were largely based on the rules of statutory construction. Therefore, there is merit in preserving the operative text to the extent feasible. This approach would allow the application of the statutory rules of construction to inform the application of the judicial rules of construction given that both are similarly worded. Further, this would maintain consistency with prior Court interpretations of rules citing the statutory rules of construction. Additionally, this consistency would reduce the complexity for the reader to understand and employ two different rules of construction.

Notwithstanding the goal of maintaining existing language, there were some aspects of the rules of construction that were revised to clarify their application. Any proposed revision to the existing language is described below with reference to the new Rule of Judicial Administration and the former Rule of Civil Procedure.

Pa.R.J.A. 104. Principles of Interpretation—Formerly Pa.R.Civ.P. 101

The title has been revised from “Principles of Interpretation” to “Principles of Construction” to reflect existing rule text. Additionally, “any rule” has been revised to specify that the rules of construction are only intended to apply to procedural or evidentiary rules adopted by the Court. Other rules adopted by the Court and rules adopted by other authorities may be subject to construction, but these rules are not mandated in that construction.

Pa.R.J.A. 105. Number. Tense.—Formerly Pa.R.Civ.P. 102

No revisions were made to the existing language. This rule differs from 1 Pa.C.S. § 1902 insofar as the provision regarding gender was removed from Pa.R.Civ.P. 102 in rulemaking dated April 12, 1999.

Pa.R.J.A. 106. Words and Phrases.—Formerly Pa.R.Civ.P. 103

A Comment has been added to the rule.

Pa.R.J.A. 107. Computation of Time.—Formerly Pa.R.Civ.P. 106, 107, and 108

This rule is a consolidation of Pa.R.Civ.P. 106—108 and reflects the Court’s prior use of 1 Pa.C.S. § 1908 for the computation of time. *See, e.g., City of Philadelphia v. F.A. Realty Investors Corp.*, 15 EAL 2021 (filed June 9, 2021) (granting petition for allowance of appeal, vacating the intermediate appellate court’s order, and remanding for further proceeding after concluding petitioners filed a timely Pa.R.A.P. 1925(b) statement, citing 1 Pa.C.S. § 1908). The text of Pa.R.Civ.P.M.D.J. 203, which is largely reiterative of Pa.R.J.A. 107(a)-(b), (d), was retained in that body of rules so that unrepresented parties are not required to consult another body of rules for the computation of time.

Pa.R.J.A. 108. Construction of Rules. Intent of Supreme Court Controls.—Formerly Pa.R.Civ.P. 127

The factors that may be considered in determining the intention of the Supreme Court have been revised to include specific sources of information germane to rule-making. A Comment has also been added to assist the reader and reference limits placed on certain sources.

Rule 109. Presumptions in Ascertaining the Intent of the Supreme Court.—Formerly Pa.R.Civ.P. 128

Stylistic revisions have been made, but the substance of Pa.R.Civ.P. 128 is preserved.

Rule 110. Titles, Conditions, Exceptions, and Headings.—Formerly Pa.R.Civ.P. 129

The term “provisos” has been replaced with “conditions” to reflect current rulemaking terminology. Additionally, reference to “use of notes and explanatory comments” has been removed from the title and rule. That reference can now be found at Pa.R.J.A. 107(c)(2).

Rule 111. Rules in Derogation of the Common Law.—Formerly Pa.R.Civ.P. 130

No revisions were made to the existing language.

Rule 112. Rules In Pari Materia.—Formerly Pa.R.Civ.P. 131

No revisions were made to the existing language.

Rule 113. Particular Controls General.—Formerly Pa.R.Civ.P. 132

No revisions were made to the existing language.

Rule 114. Construction of Rule Amendments.—Formerly Pa.R.Civ.P. 152 & 153

This rule consolidates former Pa.R.Civ.P. 152 (Construction of Amendatory Rules) and 153 (Merger of Subsequent Amendments) as separate subdivisions. Subdivision (a) was added to describe the significance of textual indicators when reading amended rule text.

Rule 115. Procedures Inconsistent with Rules.—Formerly Pa.R.Civ.P. 133

This rule differs substantially from Pa.R.Civ.P. 133, which stated: “All laws shall be suspended to the extent

they are inconsistent with rules prescribed under the Constitution of 1968.” As proposed, Pa.R.J.A. 114 is intended to assist the reader in the interpretation and application of the statewide procedural rules when there may be conflicting statutory procedures or local rules of procedure. The rule is not intended to serve as a separate and additional basis for the suspension of statutory procedures or local rules of procedure. Such authority exists independent of this rule. Notably, this rule references “procedures,” which is intended to exclude substantive rules of evidence that may be enacted by statute. *See Commonwealth v. Olivo*, 127 A.3d 769, 780 (Pa. 2015) (concluding the statutory rule of evidence does not violate the Court’s authority over procedural rules).

Also included are the proposed amendments of the procedural and evidentiary bodies of rules to reference the new Rules of Judicial Administration. All comments, concerns, and suggestions regarding this proposal are welcome.

[Pa.B. Doc. No. 21-1452. Filed for public inspection September 3, 2021, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1910]

Order Amending Rules 1910.1, 1910.16-1, 1910.16-2, 1910.16-3, 1910.16-3.1, 1910.16-4, 1910.16-5, 1910.16-6 and 1910.16-7 of the Pennsylvania Rules of Civil Procedure; No. 720 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 17th day of August, 2021, upon the recommendation of the Domestic Relations Procedural Rules Committee, the proposal having been published for public comment in the *Pennsylvania Bulletin*, 51 Pa.B. 265 (January 16, 2021):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1910.1, 1910.16-1, 1910.16-2, 1910.16-3, 1910.16-3.1, 1910.16-4, 1910.16-5, 1910.16-6, and 1910.16-7 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on January 1, 2022.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.1. Scope. Definitions.

* * * * *

(c) As used in this chapter, unless the context of a rule indicates otherwise, the following terms shall have the following meanings:

* * * * *

[“Trier of fact,”] “Trier-of-fact,” the judge, hearing officer, or conference officer who makes factual determinations.

* * * * *

Rule 1910.16-1. [**Amount of**] Support **Obligation**. Support Guidelines.

(a) *Applicability of the Support Guidelines.*

(1) Except as provided in subdivision [(3)] (a)(3), the support guidelines determine [**the amount of support that a spouse or parent should pay**] a spouse’s or parent’s support obligation based on the parties’ combined monthly net income, as defined in Pa.R.C.P. No. 1910.16-2, and the number of persons being supported.

(2) If a person caring for or having custody of a minor child, who does not have a duty of support to the minor child, initiates a child support action as provided in Pa.R.C.P. No. 1910.3:

(i) the complaint shall [**identify the parent(s) as defendant(s)**] name the parents as defendants;

(ii) in determining the basic child support [**amount**] obligation, the monthly net income for the individual initiating the action shall not be considered in the support calculation by the [**trier of fact**] trier-of-fact;

(iii) the parents’ monthly net incomes shall be combined to determine the basic child support [**amount**] obligation, which shall be apportioned based on the parents’ respective monthly net incomes consistent with Pa.R.C.P. No. 1910.16-4. The parents shall pay the obligee their proportionate share of the basic child support [**amount**] obligation as a separate obligor; and

(iv) as with other support actions, the [**trier of fact may make adjustments or deviations**] trier-of-fact may adjust or deviate the basic child support, spousal support, or alimony pendente lite obligation consistent with the support guidelines based on the evidence presented by the parties.

Example 1. The parents have one child, who is in the custody of the maternal grandmother. Maternal grandmother initiates a support action against the parents. Mother’s monthly net income is \$3,000 and Father’s monthly net income is \$2,000 for a combined monthly net income of \$5,000. For purposes of the child support calculation, maternal grandmother’s income is irrelevant and not part of the calculation. The basic child support obligation for one child at a combined monthly net income of \$5,000 is [**\$990**] \$993 per month. Mother’s percentage share of the combined monthly net income is 60% (\$3,000/\$5,000) and Father’s percentage share of the combined monthly net income is 40% (\$2,000/\$5,000). Mother’s preliminary monthly share of the child support obligation is [**\$594** ($990 \times 60\%$)] \$596 ($993 \times 60\%$) and Father’s preliminary monthly share of the child support obligation is [**\$396** ($990 \times 40\%$)] \$397 ($993 \times 40\%$). Maternal grandmother is the obligee with Mother and Father as separate obligors owing [**\$594 and \$396**] \$596 and \$397, respectively, to the maternal grandmother.

(3) In [**actions**] an action in which the plaintiff is a public body or private agency pursuant to Pa.R.C.P. No. 1910.3, the [**amount of the order**] basic child support obligation shall be calculated under the guidelines

based upon [**each obligor’s**] the parent’s monthly net income[, as defined in Pa.R.C.P. No. 1910.16-2,] with the public or private entity’s monthly net income as zero. In such cases, each parent shall be treated as a separate obligor, and the parent’s obligation will be based upon [**his or her own**] the parent’s monthly net income without regard to the other parent’s monthly net income [**of the other parent**] .

(i) The [**amount of**] basic child support obligation owed to [**other children**] a child not in placement shall be deducted from each parent’s monthly net income before calculating support for the child [**or children**] in placement, including the [**amount of**] direct support the support guidelines assume [**will be provided by**] the custodial parent will provide.

Example 2. [**Mother and Father**] The parents have three children and do not live in the same household. Mother has primary custody of two children and monthly net income of [**\$2,000**] \$2,500 per month. Father’s monthly net income is [**\$3,000**] \$4,000. The parties’ third child is in foster care placement. Pursuant to the schedule in Pa.R.C.P. No. 1910.16-3, the basic child support [**amount**] obligation for the two children with Mother is [**\$1,415**] \$1,733. As Father’s income is [**60%**] 62% of the parties’ combined monthly net income, [**his**] Father’s basic child support obligation to Mother is [**\$849**] \$1,074 per month. The guidelines assume that Mother will provide [**\$566**] \$659 per month in direct expenditures to the two children [**in her home**] . The agency/obligee brings an action against each parent for the support of the child in placement. Father/obligor’s monthly net income will be [**\$2,151**] \$2,926 for purposes of this calculation ([**\$3,000**] \$4,000 less [**\$849**] \$1,074 in support for the children with Mother). As the agency/obligee’s income is zero, Father’s support for the child in placement will be 100% of the [**schedule amount of**] basic child support obligation for one child at the [**\$2,151**] \$2,926 income level, or [**\$509**] \$674 per month. Mother/obligor’s net income will be [**\$1,434**] \$1,841 for purposes of this calculation ([**\$2,000**] \$2,500 less [**\$566**] \$659 in direct support to the children in [**her custody**] . Her] Mother’s custody. Mother’s support obligation will be 100% of the [**schedule amount**] basic child support obligation for one child at that income level, or [**\$348**] \$423 per month.

Example 3. [**Mother and Father**] The parents have two children in placement. Father owes child support of \$500 per month for two children of a former marriage. At the same income levels as in Example 2, Father’s monthly net income for determining his obligation to the children in placement would be [**\$2,500** ($3,000$)] \$3,500 (\$4,000 less \$500 support for two children of prior marriage). [**His**] Father’s obligation to the agency would be [**\$849**] \$1,205 per month (100% of the [**schedule amount**] basic child support obligation for two children at the [**\$2,500**] \$3,500 per month income level). Mother’s monthly net income would not be diminished as she owes no other child support. [**She**] Mother would owe [**\$686**] \$877 for the children in

placement (100% of the [**schedule amount**] **basic child support obligation** for two children at the [**\$2,000**] **\$2,500** income level).

(ii) If the parents reside in the same household, [**their respective obligations to the children who remain**] **each parent's respective basic child support obligation to a child that remains** in the household and [**are**] **is** not in placement shall be calculated according to the guidelines, with the parent having the higher income as the obligor, and the calculated [**support amount**] **basic child support obligation** shall be deducted from the parents' monthly net incomes for purposes of calculating support for [**the child(ren)**] **a child** in placement.

*Example 4. [**Mother and Father**] **The parents*** have four children, two of whom are in placement. Mother's monthly net income is \$4,000 and Father's is \$3,000. The basic **child support [amount] obligation** for the two children in the home is [**\$1,660**] **\$1,841**, according to the schedule in Pa.R.C.P. No. 1910.16-3. As Mother's **monthly net income** is 57% of the parties' combined monthly net [**incomes**] **income**, her share would be [**\$946**] **\$1,049**, and Father's 43% share would be [**\$714**] **\$792**. Mother's **monthly net income** for purposes of calculating support for the two children in placement would be [**\$3,054**] **\$2,951** (\$4,000 less [**\$946**] **\$1,049**). She would pay 100% of the basic child support **obligation** at that income level, or [**\$1,032**] **\$1,026**, for the children in placement. Father's **monthly net income** would be [**\$2,286**] **\$2,208** (\$3,000 less [**\$714**] **\$792**), and his obligation to the children in placement would be [**\$784**] **\$772**.

(iii) [**In the event that the combined amount the parents are required to pay exceeds the cost of placement, the trier-of-fact shall deviate the support amount downward to reduce each parent's obligation in proportion to his or her share of the combined obligation.**] **If the basic child support obligation exceeds the placement's cost, the trier-of-fact shall:**

(A) deviate the basic child support obligation downward; and

(B) apply the parent's percentage of the combined monthly net income to the reduced basic child support obligation.

(4) The support of a spouse or child is a priority obligation so that a party is expected to meet this obligation by adjusting [**his or her**] **the party's** other expenditures.

(b) *Support [**Amount**] **Obligation.*** The support [**amount**] **obligation** (child support, spousal support, or alimony *pendente lite*) awarded pursuant to the Pa.R.C.P. Nos. 1910.11 and 1910.12 procedures [**must**] **shall** be determined in accordance with the support guidelines, which consist of the guidelines expressed as the **basic child support schedule** in Pa.R.C.P. No. 1910.16-3, the Pa.R.C.P. No. 1910.16-4 formulas, and the operation of the **support** guidelines as set forth in these rules.

(c) *Spousal Support and Alimony Pendente Lite.*

(1) Spousal support and alimony *pendente lite* orders [**must**] **shall** not be in effect simultaneously.

(2) In determining a spousal support or alimony *pendente lite* [**award's**] **obligation's** duration, the trier-of-fact shall consider the marriage's duration, *i.e.*, the date of marriage to the date of final separation.

(d) *Rebuttable Presumption.* If the trier-of-fact determines that a party has a duty to pay support, there is a rebuttable presumption that the guideline-calculated support [**amount**] **obligation** is the correct support [**amount**] **obligation**.

(1) The presumption is rebutted if the trier-of-fact concludes in a written finding or states on the record that the guideline support [**amount**] **obligation** is unjust or inappropriate.

(2) The trier-of-fact shall consider the [**children's**] **child's** and parties' special needs and obligations, and apply the Pa.R.C.P. No. 1910.16-5 deviation factors, as appropriate.

(e) *Support Guidelines Review.* The **support** guidelines [**must**] **shall** be reviewed at least every four years to ensure that their application determines **the** appropriate support [**amounts**] **obligation**.

* * * * *

Rule 1910.16-2. Support Guidelines. Calculation of Monthly Net Income.

Generally, the [**support amount awarded**] **the basic child support, spousal support, or alimony pendente lite obligation** is based on the parties' monthly net [**income**] **incomes**.

(a) *Monthly Gross Income.* Monthly gross income is ordinarily based on at least a six-month average of a party's income. The support law, 23 Pa.C.S. § 4302, defines the term "income" and includes income from any source. The statute lists many types of income including, but not limited to:

- (1) wages, salaries, bonuses, fees, and commissions;
- (2) net income from business or dealings in property;
- (3) interest, rents, royalties, and dividends;
- (4) pensions and all forms of retirement;
- (5) income from an interest in an estate or trust;
- (6) Social Security disability benefits, Social Security retirement benefits, temporary and permanent disability benefits, workers' compensation, and unemployment compensation;
- (7) alimony if, in the trier-of-fact's discretion, inclusion of part or all of it is appropriate; and

Official Note: In determining the appropriateness of including alimony in gross income, the trier-of-fact shall consider whether the party receiving the alimony must include the amount received as gross income when filing [**his or her**] federal income taxes. If the alimony is not includable in the party's gross income for federal income tax purposes, the trier-of-fact may include in the party's monthly net income the alimony received, as appropriate. See Pa.R.C.P. No. 1910.16-2(c)(2)(ii).

Since the reasons for ordering payment of alimony vary, the appropriateness of including it in the recipient's gross income must also vary. For example, if the obligor is

paying \$1,000 per month in alimony for the express purpose of financing the obligee's college education, it would be inappropriate to consider that alimony as income from which the obligee could provide child support. However, if alimony is intended to finance the obligee's general living expenses, inclusion of the alimony as income is appropriate.

(8) other entitlements to money or lump sum awards, without regard to source, including:

- (i) lottery winnings;
- (ii) income tax refunds;
- (iii) insurance compensation or settlements;
- (iv) awards and verdicts; and
- (v) payments due to and collectible by an individual regardless of source.

Official Note: The trier-of-fact determines the most appropriate method for imputing lump-sum awards as income for purposes of establishing or modifying the party's support obligation. These awards may be annualized or averaged over a shorter or longer period depending on the case's circumstances. The trier-of-fact may [**order**] **require** all or part of the lump sum award escrowed to secure the support obligation during that period.

The trier-of-fact shall not include income tax refunds in a party's income, if the trier-of-fact factored in the tax refund when calculating the party's actual tax obligation and monthly net income.

(b) *Treatment of Public Assistance, SSI Benefits, Social Security Payments to a Child Due to a Parent's Death, Disability or Retirement and Foster Care Payments.*

(1) *Public Assistance and SSI Benefits.* Neither public assistance nor Supplemental Security Income (SSI) benefits shall be included as income for determining support.

(2) *Child's Social Security Derivative Benefits.*

(i) If a child is receiving Social Security derivative benefits due to a parent's retirement or disability:

(A) The trier-of-fact shall determine the basic child support [**amount**] **obligation** as follows:

(I) add the child's benefit to the monthly net income of the party who receives the child's benefit;

(II) calculate the parties' combined monthly net income, including the child's benefit;

(III) determine the basic child support [**amount**] **obligation** set forth in the Pa.R.C.P. No. 1910.16-3 schedule; and

(IV) apportion the basic child support [**amount**] **obligation** between the parties based on the party's percentage of the combined monthly net income.

(B) If the obligee receives the child's benefit, the trier-of-fact shall deduct the child's benefit from the basic **child** support obligation of the party whose retirement or disability created the child's benefit.

(C) If the obligor receives the child's benefit, the trier-of-fact shall not deduct the child's benefit from the obligor's basic **child** support obligation, even if the obligor's retirement or disability created the child's benefit. To illustrate for the parties the impact of the obligor receiving the benefit instead of the obligee, the [**domes-**

tic relations section] **trier-of-fact** shall provide the parties with two calculations theoretically assigning the benefit to each household.

(D) The trier-of-fact shall allocate the [**additional**] expenses in Pa.R.C.P. No. [**1910.16-6**] **1910.16-6(a)—(e)** based on the parties' monthly net incomes without considering the child's benefit.

(E) In equally shared custody cases, the party with the higher monthly net income, excluding the child's benefit, is the obligor.

[**(ii) If a child is receiving Social Security derivative benefits due to a parent's death:**

(A) **The trier-of-fact shall determine the surviving parent's basic child support amount as follows:**

(I) **The non-parent obligee's monthly net income shall include only those funds the obligee is receiving on the child's behalf, including the Social Security derivative benefit.**

(II) **If the surviving-parent obligor receives the Social Security derivative benefit, the benefit shall be added to the parent's monthly net income to calculate child support.]**

(ii) If a child is receiving Social Security derivative benefits due to a parent's death, the trier-of-fact shall determine the surviving parent's basic child support obligation as follows.

(A) The non-parent obligee's monthly net income shall include only those funds the obligee is receiving on the child's behalf, including the Social Security derivative benefit.

(B) If the surviving-parent obligor receives the Social Security derivative benefit, the benefit shall be added to the parent's monthly net income to calculate child support.

(3) *Foster Care Payments.* If [**either**] a party to a support action is a foster parent [**and/or**] **or** is receiving payments from a public or private agency for the care of a child who is not [**his or her**] **the party's** biological or adoptive child, [**those payments shall not be included in the income of the foster parent or other caretaker**] **the trier-of-fact shall not include those payments in the party's monthly net income** for purposes of calculating child support for the foster parent's or other caretaker's biological or adoptive child.

Example 1. The obligor has monthly net income of \$2,000. The obligee's monthly net income is \$1,500 and the obligee, as primary custodial parent of the parties' two children, receives \$700 per month in Social Security derivative benefits on behalf of the children as a result of the obligor's disability. Add the children's benefit to the obligee's income, which now is \$2,200 per month. At the parties' combined monthly net income of \$4,200, the [**amount of**] basic child support **obligation** for two children is [**\$1,301**] **\$1,372**. As the obligor's income is 48% of the parties' combined monthly net income, the obligor's preliminary share of the basic **child** support obligation is [**\$624**] **\$659**. However, because the obligor's disability created the children's Social Security derivative benefits that the obligee is receiving, the obligor's obligation is reduced by the amount of the benefit, \$700. As the support [**amount**] **obligation** cannot be less than zero, the obligor's **basic child**

support obligation is \$0 per month. If it were the obligee's disability that created the benefit, the obligor's **basic child** support obligation would remain [**\$624**] **\$659**. If the obligor were receiving the children's benefit as a result of the obligor's retirement or disability, the obligor's **monthly net** income would include the amount of the benefit and total \$2,700, or 64% of the parties' combined monthly net income. The obligor's share of the basic **child** support obligation would then be [**\$833**] **\$878** and would not be reduced by the amount of the children's benefit because the obligor, not the obligee, is receiving the benefit. Therefore, the obligor's **basic child** support obligation is less if the obligee is receiving the benefit created by the obligor.

Example 2. Two children live with Grandmother who receives \$800 per month in Social Security death benefits for the children as a result of Father's death. Grandmother also receives \$500 per month from a trust established by Father for the benefit of the children. Grandmother is employed and earns \$2,000 net per month. Grandmother seeks support from the children's mother, who earns \$2,000 net per month. For purposes of calculating Mother's **basic child** support obligation, Grandmother's income will be \$1,300, the amount she receives on **the children's** behalf [**of the children**] in Social Security derivative benefits and the **trust** income [**from the trust**]. (If Mother were receiving the benefit on **the children's** behalf [**of the children it**], **the benefit** would be added to [**her income such that**] Mother's **monthly net** income **and** would be \$2,800 [**and**]. Grandmother's **monthly net** income would be \$500.) Therefore, Mother's and Grandmother's combined monthly net [**incomes total**] **income totals** \$3,300. The basic **child** support [**amount**] **obligation** at the \$3,300 **monthly net** income level for two children is [**\$1,115**] **\$1,137**. As Mother's **monthly net** income of \$2,000 is 61% of the parties' combined **monthly net** income of \$3,300, [**her portion of the**] **Mother's basic child** support obligation is [**\$680**] **\$694**. Since Mother's retirement or disability did not generate the child's derivative benefit, the benefit amount is not subtracted from [**her portion of the**] **Mother's basic child** support [**amount**] **obligation**, and Mother owes Grandmother [**\$680**] **\$694**. If Grandmother was not receiving the children's derivative benefits or **trust** income [**from the trust, her**], **Grandmother's monthly net** income for purposes of calculating Mother's **basic child** support obligation would be zero, and Mother would pay 100% of the basic **child** support [**amount**] **obligation** because Grandmother has no duty to support the children.

Official Note: Care must be taken to distinguish Social Security from Supplemental Security Income (SSI) benefits. Social Security benefits are income pursuant to subdivision (a) of this rule.

(c) *Monthly Net Income.*

(1) Unless these rules provide otherwise, the trier-of-fact shall deduct only the following items from monthly gross income to arrive at monthly net income:

- (i) federal, state, and local income taxes;
- (ii) unemployment compensation taxes and Local Services Taxes (LST);
- (iii) F.I.C.A. payments (Social Security, Medicare and Self-Employment taxes) and non-voluntary retirement payments;

- (iv) mandatory union dues; and
- (v) alimony paid to the other party.

(2) In computing a spousal support or alimony *pendente lite* obligation, the trier-of-fact shall:

(i) deduct from the obligor's monthly net income child support, spousal support, alimony *pendente lite*, or alimony amounts paid to children and former spouses, who are not part of this action; and

(ii) include in a party's monthly net income alimony *pendente lite* or alimony received from a former spouse that was not included in the party's gross income, as provided in subdivision (a).

Official Note: Since the reasons for ordering payment of alimony vary, the appropriateness of including it in the recipient's monthly net income must also vary. For example, if the obligor is paying \$1,000 per month in alimony for the express purpose of financing the obligee's college education, it would be inappropriate to consider that alimony as income from which the obligee could provide child support. However, if alimony is intended to finance the obligee's general living expenses, inclusion of the alimony as income is appropriate.

(d) *Reduced Income or Fluctuating [Income] Earnings.*

(1) [**Voluntary Reduction of Income.** When either party voluntarily assumes a lower paying job, quits a job, leaves employment, changes occupations or changes employment status to pursue an education, or is fired for cause, there generally will be no effect on the support obligation.] **Voluntary Income Reduction.** The trier-of-fact shall not downwardly adjust a party's net income if the trier-of-fact finds that:

(i) the party's income reduction resulted from the party willfully attempting to favorably affect the party's basic support obligation; or

(ii) the party voluntarily assumed a lower paying job, quit a job, left employment, changed occupations, changed employment status to pursue an education, or employment is terminated due to willful misconduct.

(2) [**Involuntary Reduction of, and Fluctuations in, Income.** No adjustments in support payments will be made for normal fluctuations in earnings. However, appropriate adjustments will be made for substantial continuing involuntary decreases in income, including but not limited to the result of illness, lay-off, termination, job elimination or some other employment situation over which the party has no control unless the trier of fact finds that such a reduction in income was willfully undertaken in an attempt to avoid or reduce the support obligation.] **Involuntary Income Reduction. Incarceration. Earnings Fluctuations.**

(i) Involuntary Income Reduction. The trier-of-fact shall adjust a party's monthly net income for substantial continuing involuntary decreases in income due to an employment situation over which the party has no control, including, but not limited to, illness, lay-off, termination, or job elimination.

(ii) Incarceration.

(A) Except as set forth in subdivision (d)(2)(ii)(B), the trier-of-fact shall:

(I) consider an incarcerated party's income reduction as an involuntary income reduction as set forth in subdivision (d)(2)(i); and

(II) adjust the incarcerated party's monthly net income accordingly.

(B) Exception.

(I) A party's incarceration shall not constitute an involuntary income reduction when the incarceration is due to support enforcement purposes or a criminal offense in which the party's dependent child or the obligee was the victim; and

(II) The trier-of-fact makes a written finding that downwardly adjusting the incarcerated party's monthly net income would be unjust or inappropriate and, in a child support action, takes into consideration the child's best interest.

(iii) Earnings Fluctuations. The trier-of-fact shall not adjust a party's monthly net income due to normal or temporary earnings fluctuations.

(3) Seasonal Employees. [Support orders for seasonal employees, such as construction workers, shall ordinarily be based upon a yearly average.] Generally, the trier-of-fact shall base a seasonal employee's monthly net income on a yearly average.

(4) Earning Capacity. [If the trier of fact determines that a party to a support action has willfully failed to obtain or maintain appropriate employment, the trier of fact may impute to that party an income equal to the party's earning capacity. Age, education, training, health, work experience, earnings history and child care responsibilities are factors which shall be considered in determining earning capacity. In order for an earning capacity to be assessed, the trier of fact must state the reasons for the assessment in writing or on the record. Generally, the trier of fact should not impute an earning capacity that is greater than the amount the party would earn from one full-time position. Determination of what constitutes a reasonable work regimen depends upon all relevant circumstances including the choice of jobs available within a particular occupation, working hours, working conditions and whether a party has exerted substantial good faith efforts to find employment.]

(i) When a party willfully fails to obtain or maintain appropriate employment, the trier-of-fact may impute to the party an income equal to the party's earning capacity.

(A) Earning Capacity Limitation. The trier-of-fact:

(I) shall not impute to the party an earning capacity that exceeds the amount the party could earn from one full-time position; and

(II) shall determine a reasonable work regimen based upon the party's relevant circumstances, including the jobs available within a particular occupation, working hours and conditions, and whether a party has exerted substantial good faith efforts to find employment.

(B) The trier-of-fact shall base the party's earning capacity on the subdivision (d)(4)(ii) factors.

(C) After assessing a party's earning capacity, the trier-of-fact shall state the reasons for the assessment in writing or on the record.

(D) When the trier-of-fact imputes an earning capacity to a party who would incur childcare expenses if the party were employed, the trier-of-fact shall consider reasonable childcare responsibilities and expenses.

(ii) Factors. In determining a party's earning capacity, the trier-of-fact shall consider the party's:

(A) child care responsibilities and expenses;

(B) assets;

(C) residence;

(D) employment and earnings history;

(E) job skills;

(F) educational attainment;

(G) literacy;

(H) age;

(I) health;

(J) criminal record and other employment barriers;

(K) record of seeking work;

(L) local job market, including the availability of employers who are willing to hire the party;

(M) local community prevailing earnings level; and

(N) other relevant factors.

Official Note: See 45 C.F.R. § 302.56(c)(1)(iii) regarding earning capacity factors.

(e) Net Income Affecting Application of the Support Guidelines.

[(1) Low-Income Cases.

(i) If the obligor's monthly net income and corresponding number of children fall into the shaded area of the schedule set forth in Pa.R.C.P. No. 1910.16-3, the basic child support obligation shall be calculated initially by using the obligor's monthly net income only. For example, if the obligor has monthly net income of \$1,100, the presumptive support amount for three children is \$110 per month. This amount is determined directly from the schedule in Pa.R.C.P. No. 1910.16-3. Next, the obligor's child support obligation is calculated by using the parties' combined monthly net incomes and the appropriate formula in Pa.R.C.P. No. 1910.16-4. The lower of the two calculated amounts shall be the obligor's basic child support obligation.

Example 1: The parties have two children. The obligor has monthly net income of \$1,500, which falls into the shaded area of the schedule for two children. Using only the obligor's monthly net income, the amount of support for two children would be \$472. Next, calculate support using the parties' combined monthly net incomes. The obligee has monthly net income of \$2,500 so the combined monthly net income of the parties is \$4,000. The basic child support amount at that income level for two children is \$1,269. As the obligor's income is 38% of the combined monthly net income of the parties, the obligor's share of the basic support amount is \$482. As the amount of support the

obligor would pay using only the obligor's income is less than the amount calculated using the parties' combined monthly net incomes, the lower amount would be awarded, and the obligor's basic child support obligation would be \$472.

(ii) In computing a basic spousal support or alimony *pendente lite* obligation, the presumptive support amount shall not reduce the obligor's monthly net income below the Self-Support Reserve of \$981 per month.

Example 2: If the obligor earns \$1,000 per month and the obligee earns \$300 per month, the formula in Pa.R.C.P. No. 1910.16-4(a)(1)(Part B) would result in a support obligation of \$213 per month ($(\$1,000 \times 33\%)$ or $\$333$ minus $(\$300 \times 40\%)$ or $\$120$ for a total of $\$213$). Since this amount leaves the obligor with only $\$787$ per month, it must be adjusted so that the obligor retains at least $\$981$ per month. The presumptive minimum spousal support amount, therefore, is $\$19$ per month in this case.

(iii) If the obligor's monthly net income is $\$981$ or less, the trier-of-fact may award support only after consideration of the parties' actual financial resources and living expenses.

(2) *High-Income Cases.* If the parties' combined monthly net income exceeds $\$30,000$ per month, child support, spousal support, and alimony *pendente lite* calculations shall be pursuant to Pa.R.C.P. No. 1910.16-3.1.

Official Note: See Hanrahan v. Bakker, 186 A.3d 958 (Pa. 2018)]

(1) *Low-Income Cases.*

(i) *Self-Support Reserve (SSR).*

(A) The SSR is the minimum monthly net income reserved to the obligor to meet the obligor's basic needs.

(B) The SSR amount is \$ 1,063 per month.

(ii) *Action for Child Support Only.* When the obligor's monthly net income and the number of children in the action intersect in the Basic Child Support Schedule's shaded area as set forth in Pa.R.C.P. No. 1910.16-3, the trier-of-fact shall determine the obligor's basic child support obligation utilizing the lesser of the two calculated amounts from the following methodologies.

(A) The initial calculation is determined by using the obligor's monthly net income only, the schedule set forth in Pa.R.C.P. No. 1910.16-3, and the number of children.

(B) The second calculation is determined by using the parties' combined monthly net income and the basic child support formula in Pa.R.C.P. No. 1910.16-4(a).

(C) If the obligor's monthly net income is at or below the SSR, the trier-of-fact may award support only after consideration of the parties' actual financial resources and living expenses.

Example 1: The parties have two children. The obligee has monthly net income of $\$2,500$. The obligor has monthly net income of $\$1,500$, which falls into the shaded area of the schedule for two children. The initial calculation is made using only the obligor's monthly net income. The basic child support obligation for two children would be $\$397$.

The second calculation uses the parties' combined monthly net income. The parties' combined monthly net income is $\$4,000$. The basic child support obligation for two children is $\$1,340$. The obligor's proportionate share of the parties' combined monthly net income is 38% with a basic child support obligation of $\$509$. The obligor's basic child support obligation using only the obligor's monthly net income is less than the calculated amount using the parties' combined monthly net income. As a result, the trier-of-fact should award the lesser amount, and the obligor's basic child support obligation is $\$397$.

(iii) *Action for Spousal Support/Alimony Pendente Lite Only.*

(A) After calculating the spousal support or alimony *pendente lite* obligation as provided in Pa.R.C.P. No. 1910.16-4, the spousal support obligation shall not reduce the obligor's monthly net income below the SSR.

(B) If the obligor's monthly net income after subtracting the spousal support or alimony *pendente lite* obligation is less than the SSR, the trier-of-fact shall adjust the spousal support or alimony *pendente lite* obligation downward by an amount sufficient for the obligor to retain the SSR amount.

Example 2: The obligor has $\$1,200$ monthly net income, and the obligee has $\$300$ monthly net income. The formula in Pa.R.C.P. No. 1910.16-4(a)(1)(Part B) would result in a monthly spousal support obligation of $\$276$ ($(\$1,200 \times 33\% = \$396)$ minus $(\$300 \times 40\% = \$120)$ for a total of $\$276$). Since this amount leaves the obligor with only $\$924$ per month, the trier-of-fact should adjust the support obligation so the obligor retains at least $\$1,063$ per month. Therefore, the spousal support obligation is $\$137$ per month ($\$1,200 - \$1,063$).

(iv) *Action with Child Support and Spousal Support or Alimony Pendente Lite.*

(A) The trier-of-fact shall calculate the spousal support or alimony *pendente lite* obligation as provided in Pa.R.C.P. No. 1910.16-4.

(B) The trier-of-fact shall subtract the calculated spousal support or alimony *pendente lite* obligation from the obligor's monthly net income to determine the obligor's adjusted monthly net income.

(C) When the obligor's adjusted monthly net income and the number of children in the action intersect in the Basic Child Support Schedule's shaded area as set forth in Pa.R.C.P. No. 1910.16-3, the trier-of-fact:

(I) shall not award spousal support or alimony *pendente lite*; and

(II) shall calculate child support as provided in subdivision (e)(1)(ii).

Example 3: Obligor and obligee have monthly net incomes of $\$2,000$ and $\$165$, respectively, and have two children. Calculating spousal support under subdivision (e)(1)(iv)(A) results in a spousal support obligation of $\$450$ ($\$2,000 \times 25\%$ minus $\$165 \times 30\%$). Obligor's adjusted monthly net income ($\$2,000$ minus $\$450$) is $\$1,550$. Obligor's adjusted monthly net income of $\$1,550$ with two children is in the shaded area of the Basic Child Support Schedule, and as a result, the trier-of-fact shall not award spousal

support. Instead, the trier-of-fact should award child support only as provided in subdivision (e)(1)(ii).

(D) When the obligor’s monthly net income and the number of children in the action do not intersect in the Basic Child Support Schedule’s shaded area as set forth in Pa.R.C.P. No. 1910.16-3, the trier-of-fact shall calculate child support consistent with Pa.R.C.P. No. 1910.16-4.

(I) The combined spousal support or alimony pendente lite and basic child support obligations shall not reduce the obligor’s remaining monthly net income below the SSR.

(II) If the obligor’s monthly net income after subtracting the spousal support or alimony pendente lite and basic child support obligations is less than the SSR, the trier-of-fact shall adjust the support obligation downward by an amount sufficient for the obligor to retain the SSR amount.

(2) High-Income Cases. If the parties’ combined monthly net income exceeds \$30,000, the trier-of-fact shall calculate child support, spousal support, or alimony pendente lite pursuant to Pa.R.C.P. No. 1910.16-3.1.

Official Note: See Hanrahan v. Bakker, 186 A.3d 958 (Pa. 2018).

(f) *Child Tax Credit.* In order to maximize the total income available to the parties and children, the trier-of-fact may award, as appropriate, the federal child tax credit to the non-custodial parent, or to either parent in cases of equally shared custody, and [order] require the other party to execute the waiver required by the Internal Revenue Code, 26 U.S.C. § 152(e). The **trier-of-fact shall consider the** tax consequences associated with the federal child tax credit [**must be considered**] in calculating the party’s monthly net income available for support.

* * * * *

Explanatory Comment—2015

The rule has been amended to provide that a party’s support obligation will be reduced by the child’s Social Security derivative benefit amount if that party’s retirement or disability created the benefit and the benefit is being paid to the household in which the child primarily resides or the obligee in cases of equally shared custody. In most cases, payment of the benefit to the obligee’s household will increase the resources available to the child and the parties. The rule is intended to encourage parties to direct that the child’s benefits be paid to the obligee.

Explanatory Comment—2021

The Self-Support Reserve is determined by the Federal Poverty Guideline for one person converted to a monthly amount—currently \$1,063—for the year the Basic Child Support Schedule was derived.

Subdivision (e)(1) addresses low-income cases and has been completely rewritten and identifies the current monthly Self-Support Reserve (SSR) amount as \$1,063. The SSR is the amount of the obligor’s monthly net income that is reserved to meet the obligor’s basic needs. Subdivisions (e)(1)(ii)—(iv) adjust the methodology for calculating support when the obligor’s monthly net income is at or near the SSR amount.

Rule 1910.16-3. Support Guidelines. Basic Child Support Schedule.

The following schedule represents the amounts spent on children of intact families by combined monthly net income and number of children. Combined monthly net income is on the schedule’s vertical axis, and the number of children is on the schedule’s horizontal axis. This schedule determines the basic child support obligation. Unless these rules provide otherwise, the obligor’s [share of the] basic **child** support obligation shall be computed using either the formula set forth in Pa.R.C.P. No. 1910.16-4(a)(1)(Part C) or [**(2)(Part I)**] **(a)(2)(Part I)**.

[Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
1000	17	17	18	18	18	18
1050	62	63	64	64	65	66
1100	107	108	110	111	112	113
1150	152	154	156	157	159	161
1200	197	199	202	204	206	208
1250	242	245	248	250	253	256
1300	287	290	294	297	300	303
1350	325	336	340	343	347	351
1400	336	381	386	390	394	398
1450	348	427	432	436	441	446
1500	360	472	478	483	488	493
1550	372	518	524	529	535	541
1600	383	555	570	576	582	588
1650	395	571	616	622	629	636

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
1700	407	588	662	669	676	683
1750	418	605	708	715	723	731
1800	430	621	730	762	770	778
1850	441	638	748	808	817	826
1900	452	654	767	855	864	873
1950	464	670	786	878	911	921
2000	475	686	805	899	958	968
2050	487	703	824	920	1005	1016
2100	498	719	843	941	1035	1063
2150	509	735	861	962	1058	1111
2200	521	751	880	983	1081	1158
2250	532	768	899	1004	1105	1201
2300	543	784	918	1025	1128	1226
2350	555	800	937	1046	1151	1251
2400	566	816	956	1067	1174	1276
2450	578	832	974	1088	1197	1301
2500	589	849	993	1109	1220	1326
2550	600	865	1012	1131	1244	1352
2600	612	882	1032	1153	1268	1378
2650	623	898	1052	1175	1292	1404
2700	635	915	1071	1197	1316	1431
2750	647	932	1091	1218	1340	1457
2800	658	949	1111	1240	1364	1483
2850	670	965	1130	1262	1389	1509
2900	681	982	1150	1284	1413	1536
2950	693	999	1169	1306	1437	1562
3000	704	1015	1189	1328	1461	1588
3050	716	1032	1209	1350	1485	1614
3100	727	1049	1228	1372	1509	1641
3150	739	1065	1248	1394	1534	1667
3200	751	1082	1268	1416	1558	1693
3250	762	1099	1287	1438	1582	1719
3300	774	1115	1307	1460	1606	1745
3350	782	1127	1320	1475	1622	1763
3400	791	1140	1333	1489	1638	1781
3450	800	1152	1347	1504	1655	1799
3500	809	1164	1360	1519	1671	1817
3550	818	1176	1373	1534	1687	1834
3600	827	1188	1387	1549	1704	1852
3650	836	1200	1400	1564	1720	1870
3700	845	1212	1413	1579	1737	1888
3750	853	1224	1427	1594	1753	1905
3800	862	1236	1440	1608	1769	1923
3850	868	1245	1450	1620	1782	1937
3900	873	1253	1460	1630	1793	1949

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
3950	879	1261	1469	1641	1805	1962
4000	884	1269	1479	1652	1817	1975
4050	890	1277	1488	1662	1829	1988
4100	895	1285	1498	1673	1840	2001
4150	900	1293	1508	1684	1852	2013
4200	906	1301	1517	1695	1864	2026
4250	911	1309	1527	1705	1876	2039
4300	917	1317	1536	1716	1888	2052
4350	922	1325	1545	1726	1899	2064
4400	928	1333	1555	1736	1910	2076
4450	934	1341	1564	1747	1921	2088
4500	940	1349	1573	1757	1932	2100
4550	946	1357	1582	1767	1943	2113
4600	952	1365	1591	1777	1955	2125
4650	957	1373	1600	1787	1966	2137
4700	963	1381	1609	1797	1977	2149
4750	969	1389	1618	1807	1988	2161
4800	975	1397	1627	1817	1999	2173
4850	979	1403	1633	1824	2006	2181
4900	983	1407	1637	1828	2011	2186
4950	986	1411	1641	1833	2016	2191
5000	990	1415	1644	1837	2020	2196
5050	993	1419	1648	1841	2025	2201
5100	996	1423	1652	1845	2030	2206
5150	1000	1427	1656	1850	2034	2211
5200	1003	1431	1660	1854	2039	2217
5250	1007	1436	1663	1858	2044	2222
5300	1010	1440	1667	1862	2049	2227
5350	1014	1445	1672	1868	2055	2234
5400	1018	1451	1679	1876	2063	2243
5450	1022	1457	1686	1883	2072	2252
5500	1027	1463	1693	1891	2080	2261
5550	1031	1469	1700	1899	2089	2270
5600	1036	1475	1707	1906	2097	2279
5650	1040	1481	1714	1914	2105	2289
5700	1044	1487	1720	1922	2114	2298
5750	1049	1493	1727	1929	2122	2307
5800	1053	1499	1734	1937	2131	2316
5850	1057	1505	1741	1945	2139	2325
5900	1062	1511	1748	1952	2148	2334
5950	1066	1517	1755	1960	2156	2343
6000	1071	1523	1761	1968	2164	2353
6050	1075	1529	1768	1975	2173	2362
6100	1079	1536	1775	1983	2181	2371
6150	1085	1542	1783	1992	2191	2381

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
6200	1090	1549	1791	2000	2200	2392
6250	1095	1556	1798	2009	2210	2402
6300	1100	1563	1806	2017	2219	2412
6350	1105	1570	1814	2026	2228	2422
6400	1110	1577	1821	2034	2238	2432
6450	1115	1584	1829	2043	2247	2443
6500	1120	1591	1836	2051	2256	2453
6550	1125	1598	1844	2060	2266	2463
6600	1130	1605	1852	2068	2275	2473
6650	1135	1612	1859	2077	2285	2483
6700	1140	1619	1867	2085	2294	2494
6750	1145	1625	1875	2094	2303	2504
6800	1151	1632	1882	2103	2313	2514
6850	1156	1639	1890	2111	2322	2524
6900	1160	1646	1898	2120	2332	2535
6950	1165	1653	1906	2129	2342	2546
7000	1170	1660	1914	2138	2352	2556
7050	1175	1667	1922	2147	2361	2567
7100	1180	1674	1930	2156	2371	2578
7150	1185	1681	1938	2165	2381	2588
7200	1190	1687	1946	2173	2391	2599
7250	1195	1694	1954	2182	2401	2609
7300	1199	1701	1962	2191	2410	2620
7350	1204	1708	1970	2200	2420	2631
7400	1209	1715	1978	2209	2430	2641
7450	1214	1722	1986	2218	2440	2652
7500	1219	1729	1994	2227	2450	2663
7550	1224	1736	2002	2236	2459	2673
7600	1229	1743	2010	2245	2469	2684
7650	1233	1749	2017	2253	2478	2694
7700	1238	1756	2024	2261	2487	2704
7750	1243	1762	2032	2269	2496	2714
7800	1248	1769	2039	2278	2505	2723
7850	1253	1776	2046	2286	2514	2733
7900	1257	1782	2054	2294	2523	2743
7950	1262	1789	2061	2302	2532	2753
8000	1267	1795	2068	2310	2541	2762
8050	1272	1802	2076	2319	2550	2772
8100	1276	1808	2083	2327	2559	2782
8150	1281	1815	2090	2335	2568	2792
8200	1286	1822	2098	2343	2577	2802
8250	1291	1828	2105	2351	2586	2811
8300	1296	1835	2112	2359	2595	2821
8350	1300	1841	2120	2368	2604	2831
8400	1305	1848	2127	2376	2613	2841

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
8450	1310	1854	2134	2384	2622	2850
8500	1315	1861	2142	2392	2631	2860
8550	1320	1868	2149	2400	2640	2870
8600	1324	1874	2156	2408	2649	2880
8650	1329	1881	2164	2417	2659	2890
8700	1334	1888	2172	2426	2669	2901
8750	1339	1895	2181	2436	2679	2912
8800	1344	1902	2189	2445	2689	2923
8850	1349	1909	2197	2454	2699	2934
8900	1353	1916	2205	2463	2710	2945
8950	1358	1923	2214	2473	2720	2956
9000	1363	1930	2222	2482	2730	2967
9050	1368	1937	2230	2491	2740	2978
9100	1373	1944	2238	2500	2750	2990
9150	1378	1951	2247	2509	2760	3001
9200	1383	1958	2255	2519	2771	3012
9250	1387	1965	2263	2528	2781	3023
9300	1392	1972	2271	2537	2791	3034
9350	1397	1979	2280	2546	2801	3045
9400	1402	1986	2288	2556	2811	3056
9450	1407	1993	2296	2565	2821	3067
9500	1412	2000	2304	2574	2831	3078
9550	1417	2007	2313	2583	2842	3089
9600	1421	2014	2321	2593	2852	3100
9650	1426	2020	2328	2601	2861	3110
9700	1428	2024	2332	2605	2866	3115
9750	1431	2027	2336	2609	2870	3120
9800	1433	2031	2340	2614	2875	3125
9850	1436	2034	2344	2618	2880	3130
9900	1438	2038	2347	2622	2884	3135
9950	1441	2041	2351	2626	2889	3140
10000	1443	2044	2355	2630	2894	3145
10050	1445	2048	2359	2635	2898	3150
10100	1448	2051	2363	2639	2903	3155
10150	1450	2055	2366	2643	2908	3160
10200	1453	2058	2370	2647	2912	3166
10250	1455	2061	2374	2652	2917	3171
10300	1458	2065	2378	2656	2922	3176
10350	1460	2068	2382	2660	2926	3181
10400	1463	2072	2385	2664	2931	3186
10450	1465	2075	2389	2669	2936	3191
10500	1468	2079	2393	2673	2940	3196
10550	1470	2082	2397	2677	2945	3201
10600	1473	2085	2401	2681	2950	3206
10650	1475	2089	2404	2686	2954	3211

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
10700	1479	2094	2410	2692	2961	3219
10750	1483	2100	2416	2699	2969	3227
10800	1487	2105	2422	2706	2976	3235
10850	1491	2111	2428	2713	2984	3243
10900	1495	2116	2434	2719	2991	3251
10950	1499	2122	2441	2726	2999	3260
11000	1504	2127	2447	2733	3006	3268
11050	1508	2133	2453	2740	3014	3276
11100	1512	2138	2459	2746	3021	3284
11150	1516	2144	2465	2753	3029	3292
11200	1520	2149	2471	2760	3036	3300
11250	1524	2155	2477	2767	3043	3308
11300	1528	2160	2483	2774	3051	3316
11350	1532	2166	2489	2780	3058	3324
11400	1536	2171	2495	2787	3066	3333
11450	1540	2177	2501	2794	3073	3341
11500	1545	2182	2507	2801	3081	3349
11550	1549	2188	2513	2808	3088	3357
11600	1553	2193	2520	2814	3096	3365
11650	1557	2199	2526	2821	3103	3373
11700	1561	2204	2532	2828	3111	3381
11750	1565	2210	2538	2835	3118	3389
11800	1569	2215	2544	2841	3126	3398
11850	1573	2221	2550	2848	3133	3406
11900	1577	2226	2556	2855	3141	3414
11950	1582	2232	2563	2863	3149	3423
12000	1586	2239	2570	2871	3158	3433
12050	1591	2245	2577	2879	3167	3442
12100	1595	2251	2585	2887	3176	3452
12150	1600	2258	2592	2895	3185	3462
12200	1604	2264	2600	2904	3194	3472
12250	1609	2271	2607	2912	3203	3482
12300	1613	2277	2614	2920	3212	3492
12350	1618	2283	2622	2928	3221	3501
12400	1622	2290	2629	2937	3230	3511
12450	1627	2296	2636	2945	3239	3521
12500	1631	2303	2644	2953	3248	3531
12550	1636	2309	2651	2961	3257	3541
12600	1640	2316	2658	2969	3266	3551
12650	1645	2322	2666	2978	3275	3560
12700	1649	2328	2673	2986	3285	3570
12750	1654	2335	2681	2994	3294	3580
12800	1659	2341	2688	3002	3303	3590
12850	1663	2348	2695	3011	3312	3600
12900	1668	2354	2703	3019	3321	3610

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
12950	1672	2360	2710	3027	3330	3619
13000	1677	2367	2717	3035	3339	3629
13050	1681	2373	2725	3044	3348	3639
13100	1686	2380	2732	3052	3357	3649
13150	1690	2386	2739	3060	3366	3659
13200	1695	2392	2747	3068	3375	3669
13250	1699	2399	2754	3076	3384	3678
13300	1704	2405	2762	3085	3393	3688
13350	1708	2412	2769	3093	3402	3698
13400	1713	2418	2776	3101	3411	3708
13450	1717	2424	2784	3109	3420	3718
13500	1722	2431	2791	3118	3429	3728
13550	1726	2437	2798	3126	3438	3737
13600	1731	2444	2806	3134	3447	3747
13650	1735	2450	2813	3142	3456	3757
13700	1740	2457	2820	3150	3465	3767
13750	1745	2463	2828	3159	3475	3777
13800	1749	2469	2835	3167	3484	3787
13850	1754	2476	2843	3175	3493	3797
13900	1758	2482	2850	3183	3502	3806
13950	1763	2489	2857	3192	3511	3816
14000	1766	2493	2863	3198	3517	3823
14050	1770	2498	2868	3203	3524	3830
14100	1773	2503	2873	3209	3530	3837
14150	1776	2507	2878	3215	3536	3844
14200	1780	2512	2883	3221	3543	3851
14250	1783	2517	2889	3227	3549	3858
14300	1786	2521	2894	3232	3556	3865
14350	1790	2526	2899	3238	3562	3872
14400	1793	2531	2904	3244	3568	3879
14450	1797	2535	2909	3250	3575	3886
14500	1800	2540	2915	3256	3581	3893
14550	1803	2545	2920	3261	3588	3900
14600	1807	2549	2925	3267	3594	3907
14650	1810	2554	2930	3273	3600	3914
14700	1814	2558	2935	3279	3607	3921
14750	1817	2563	2941	3285	3613	3927
14800	1820	2568	2946	3290	3620	3934
14850	1824	2572	2951	3296	3626	3941
14900	1827	2577	2956	3302	3632	3948
14950	1830	2582	2961	3308	3639	3955
15000	1834	2586	2967	3314	3645	3962
15050	1837	2591	2972	3320	3651	3969
15100	1841	2596	2977	3325	3658	3976
15150	1844	2600	2982	3331	3664	3983

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
15200	1847	2605	2987	3337	3671	3990
15250	1851	2610	2993	3343	3677	3997
15300	1854	2614	2998	3349	3683	4004
15350	1858	2619	3003	3354	3690	4011
15400	1861	2624	3008	3360	3696	4018
15450	1864	2628	3013	3366	3703	4025
15500	1868	2633	3019	3372	3709	4032
15550	1871	2638	3024	3378	3715	4039
15600	1874	2642	3029	3383	3722	4046
15650	1878	2647	3034	3389	3728	4053
15700	1881	2652	3039	3395	3735	4059
15750	1885	2656	3045	3401	3741	4066
15800	1888	2661	3050	3407	3747	4073
15850	1891	2666	3055	3412	3754	4080
15900	1895	2670	3060	3418	3760	4087
15950	1898	2675	3065	3424	3767	4094
16000	1902	2679	3071	3430	3773	4101
16050	1905	2684	3076	3436	3779	4108
16100	1908	2689	3081	3442	3786	4115
16150	1912	2693	3086	3447	3792	4122
16200	1915	2698	3091	3453	3798	4129
16250	1918	2703	3097	3459	3805	4136
16300	1922	2707	3102	3465	3811	4143
16350	1925	2712	3107	3471	3818	4150
16400	1929	2717	3112	3476	3824	4157
16450	1932	2721	3117	3482	3830	4164
16500	1935	2726	3123	3488	3837	4171
16550	1939	2731	3128	3494	3843	4178
16600	1942	2735	3133	3500	3850	4184
16650	1946	2740	3138	3505	3856	4191
16700	1949	2745	3143	3511	3862	4198
16750	1952	2749	3149	3517	3869	4205
16800	1956	2754	3154	3523	3875	4212
16850	1959	2759	3159	3529	3882	4219
16900	1963	2763	3164	3534	3888	4226
16950	1966	2768	3169	3540	3894	4233
17000	1969	2773	3175	3546	3901	4240
17050	1973	2777	3180	3552	3907	4247
17100	1976	2782	3185	3558	3913	4254
17150	1979	2787	3190	3564	3920	4261
17200	1983	2791	3195	3569	3926	4268
17250	1986	2796	3201	3575	3933	4275
17300	1990	2801	3206	3581	3939	4282
17350	1993	2805	3211	3587	3945	4289
17400	1996	2810	3216	3593	3952	4296

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
17450	2000	2814	3221	3598	3958	4303
17500	2003	2819	3227	3604	3965	4310
17550	2007	2824	3232	3610	3971	4316
17600	2010	2828	3237	3616	3977	4323
17650	2013	2833	3242	3622	3984	4330
17700	2017	2838	3247	3627	3990	4337
17750	2020	2842	3253	3633	3997	4344
17800	2023	2847	3258	3639	4003	4351
17850	2027	2852	3263	3645	4009	4358
17900	2030	2856	3268	3651	4016	4365
17950	2034	2861	3273	3656	4022	4372
18000	2037	2866	3279	3662	4028	4379
18050	2040	2870	3284	3668	4035	4386
18100	2044	2875	3289	3674	4041	4393
18150	2047	2880	3294	3680	4048	4400
18200	2051	2884	3299	3685	4054	4407
18250	2054	2889	3305	3691	4060	4414
18300	2057	2894	3310	3697	4067	4421
18350	2061	2898	3315	3703	4073	4428
18400	2064	2903	3320	3709	4080	4435
18450	2067	2908	3325	3715	4086	4441
18500	2071	2912	3331	3720	4092	4448
18550	2074	2917	3336	3726	4099	4455
18600	2078	2922	3341	3732	4105	4462
18650	2081	2926	3346	3738	4112	4469
18700	2084	2931	3351	3744	4118	4476
18750	2088	2935	3357	3749	4124	4483
18800	2091	2940	3362	3755	4131	4490
18850	2095	2945	3367	3761	4137	4497
18900	2098	2949	3372	3767	4143	4504
18950	2101	2954	3377	3773	4150	4511
19000	2105	2959	3383	3778	4156	4518
19050	2108	2963	3388	3784	4163	4525
19100	2112	2968	3393	3790	4169	4532
19150	2115	2973	3398	3796	4175	4539
19200	2118	2977	3403	3802	4182	4546
19250	2122	2982	3409	3807	4188	4553
19300	2125	2987	3414	3813	4195	4560
19350	2128	2991	3419	3819	4201	4566
19400	2132	2996	3424	3825	4207	4573
19450	2135	3001	3429	3831	4214	4580
19500	2139	3005	3435	3837	4220	4587
19550	2142	3010	3440	3842	4227	4594
19600	2145	3015	3445	3848	4233	4601
19650	2149	3019	3450	3854	4239	4608

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
19700	2152	3024	3455	3860	4246	4615
19750	2156	3029	3461	3866	4252	4622
19800	2159	3033	3466	3871	4259	4629
19850	2162	3038	3471	3877	4265	4636
19900	2166	3043	3476	3883	4271	4643
19950	2169	3047	3481	3889	4278	4650
20000	2172	3052	3487	3895	4284	4657
20050	2176	3056	3492	3900	4290	4664
20100	2179	3061	3497	3906	4297	4671
20150	2183	3066	3502	3912	4303	4678
20200	2186	3070	3507	3918	4310	4685
20250	2189	3075	3513	3924	4316	4692
20300	2193	3080	3518	3929	4322	4698
20350	2196	3084	3523	3935	4329	4705
20400	2200	3089	3528	3941	4335	4712
20450	2203	3094	3533	3947	4342	4719
20500	2206	3098	3539	3953	4348	4726
20550	2210	3103	3544	3959	4354	4733
20600	2213	3108	3549	3964	4361	4740
20650	2216	3112	3554	3970	4367	4747
20700	2220	3117	3559	3976	4374	4754
20750	2223	3122	3565	3982	4380	4761
20800	2227	3126	3570	3988	4386	4768
20850	2230	3131	3575	3993	4393	4775
20900	2233	3136	3580	3999	4399	4782
20950	2237	3140	3585	4005	4405	4789
21000	2240	3145	3591	4011	4412	4796
21050	2244	3150	3596	4017	4418	4803
21100	2247	3154	3601	4022	4425	4810
21150	2250	3159	3606	4028	4431	4817
21200	2254	3164	3611	4034	4437	4823
21250	2257	3168	3617	4040	4444	4830
21300	2261	3173	3622	4046	4450	4837
21350	2264	3177	3627	4051	4457	4844
21400	2267	3182	3632	4057	4463	4851
21450	2271	3187	3637	4063	4469	4858
21500	2274	3191	3643	4069	4476	4865
21550	2277	3196	3648	4075	4482	4872
21600	2281	3201	3653	4080	4489	4879
21650	2284	3205	3658	4086	4495	4886
21700	2288	3210	3663	4092	4501	4893
21750	2291	3215	3669	4098	4508	4900
21800	2294	3219	3674	4104	4514	4907
21850	2298	3224	3679	4110	4520	4914
21900	2301	3229	3684	4115	4527	4921

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
21950	2305	3233	3689	4121	4533	4928
22000	2308	3238	3695	4127	4540	4935
22050	2311	3243	3700	4133	4546	4942
22100	2315	3247	3705	4139	4552	4949
22150	2318	3252	3710	4144	4559	4955
22200	2321	3257	3715	4150	4565	4962
22250	2325	3261	3721	4156	4572	4969
22300	2328	3266	3726	4162	4578	4976
22350	2332	3271	3731	4168	4584	4983
22400	2335	3275	3736	4173	4591	4990
22450	2338	3280	3741	4179	4597	4997
22500	2342	3285	3747	4185	4604	5004
22550	2345	3289	3752	4191	4610	5011
22600	2349	3294	3757	4197	4616	5018
22650	2352	3299	3762	4202	4623	5025
22700	2355	3303	3767	4208	4628	5031
22750	2359	3307	3771	4212	4633	5036
22800	2362	3311	3775	4216	4638	5041
22850	2365	3315	3779	4220	4642	5046
22900	2369	3319	3783	4224	4647	5051
22950	2372	3323	3787	4229	4652	5056
23000	2375	3328	3792	4233	4656	5061
23050	2378	3332	3796	4237	4661	5066
23100	2382	3336	3800	4241	4665	5071
23150	2385	3340	3804	4246	4670	5076
23200	2388	3344	3808	4250	4675	5081
23250	2392	3348	3812	4254	4679	5087
23300	2395	3352	3816	4258	4684	5092
23350	2398	3356	3820	4262	4689	5097
23400	2402	3360	3824	4267	4693	5102
23450	2405	3365	3828	4271	4698	5107
23500	2408	3369	3833	4275	4703	5112
23550	2412	3373	3837	4279	4707	5117
23600	2415	3377	3841	4284	4712	5122
23650	2418	3381	3845	4288	4717	5127
23700	2422	3385	3849	4292	4721	5132
23750	2425	3389	3853	4296	4726	5137
23800	2428	3393	3857	4300	4730	5142
23850	2432	3397	3861	4305	4735	5147
23900	2435	3401	3865	4309	4740	5152
23950	2438	3406	3869	4313	4744	5157
24000	2441	3410	3874	4317	4749	5162
24050	2445	3414	3878	4322	4754	5167
24100	2448	3418	3882	4326	4758	5172
24150	2451	3422	3886	4330	4763	5177

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
24200	2455	3426	3890	4334	4768	5182
24250	2458	3430	3894	4338	4772	5187
24300	2461	3434	3898	4343	4777	5192
24350	2465	3438	3902	4347	4782	5198
24400	2468	3442	3906	4351	4786	5203
24450	2471	3447	3910	4355	4791	5208
24500	2475	3451	3914	4359	4795	5213
24550	2478	3455	3919	4364	4800	5218
24600	2481	3459	3923	4368	4805	5223
24650	2485	3463	3927	4372	4809	5228
24700	2488	3467	3931	4376	4814	5233
24750	2491	3471	3935	4381	4819	5238
24800	2495	3475	3939	4385	4823	5243
24850	2498	3479	3943	4389	4828	5248
24900	2501	3484	3947	4393	4833	5253
24950	2504	3488	3951	4397	4837	5258
25000	2508	3492	3955	4402	4842	5263
25050	2511	3496	3960	4406	4846	5268
25100	2514	3500	3964	4410	4851	5273
25150	2518	3504	3968	4414	4856	5278
25200	2521	3508	3972	4419	4860	5283
25250	2524	3512	3976	4423	4865	5288
25300	2528	3516	3980	4427	4870	5293
25350	2531	3520	3984	4431	4874	5298
25400	2534	3525	3988	4435	4879	5303
25450	2538	3529	3992	4440	4884	5308
25500	2541	3533	3996	4444	4888	5314
25550	2544	3537	4000	4448	4893	5319
25600	2548	3541	4005	4452	4898	5324
25650	2551	3545	4009	4457	4902	5329
25700	2554	3549	4013	4461	4907	5334
25750	2558	3553	4017	4465	4911	5339
25800	2561	3557	4021	4469	4916	5344
25850	2564	3562	4025	4473	4921	5349
25900	2567	3566	4029	4478	4925	5354
25950	2571	3570	4033	4482	4930	5359
26000	2574	3574	4037	4486	4935	5364
26050	2577	3578	4041	4490	4939	5369
26100	2581	3582	4046	4494	4944	5374
26150	2584	3586	4050	4499	4949	5379
26200	2587	3590	4054	4503	4953	5384
26250	2591	3594	4058	4507	4958	5389
26300	2594	3598	4062	4511	4962	5394
26350	2597	3603	4066	4516	4967	5399
26400	2601	3607	4070	4520	4972	5404

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
26450	2604	3611	4074	4524	4976	5409
26500	2607	3615	4078	4528	4981	5414
26550	2611	3619	4082	4532	4986	5419
26600	2614	3623	4086	4537	4990	5424
26650	2617	3627	4091	4541	4995	5430
26700	2621	3631	4095	4545	5000	5435
26750	2624	3635	4099	4549	5004	5440
26800	2627	3640	4103	4554	5009	5445
26850	2630	3644	4107	4558	5014	5450
26900	2634	3648	4111	4562	5018	5455
26950	2637	3652	4115	4566	5023	5460
27000	2640	3656	4119	4570	5027	5465
27050	2644	3660	4123	4575	5032	5470
27100	2647	3664	4127	4579	5037	5475
27150	2650	3668	4132	4583	5041	5480
27200	2654	3672	4136	4587	5046	5485
27250	2657	3676	4140	4592	5051	5490
27300	2660	3681	4144	4596	5055	5495
27350	2664	3685	4148	4600	5060	5500
27400	2667	3689	4152	4604	5065	5505
27450	2670	3693	4156	4608	5069	5510
27500	2674	3697	4160	4613	5074	5515
27550	2677	3701	4164	4617	5079	5520
27600	2680	3705	4168	4621	5083	5525
27650	2684	3709	4173	4625	5088	5530
27700	2687	3713	4177	4629	5092	5535
27750	2690	3718	4181	4634	5097	5541
27800	2693	3722	4185	4638	5102	5546
27850	2697	3726	4189	4642	5106	5551
27900	2700	3730	4193	4646	5111	5556
27950	2703	3734	4197	4651	5116	5561
28000	2707	3738	4201	4655	5120	5566
28050	2710	3742	4205	4659	5125	5571
28100	2713	3746	4209	4663	5130	5576
28150	2717	3750	4213	4667	5134	5581
28200	2720	3754	4218	4672	5139	5586
28250	2723	3759	4222	4676	5143	5591
28300	2727	3763	4226	4680	5148	5596
28350	2730	3767	4230	4684	5153	5601
28400	2733	3771	4234	4689	5157	5606
28450	2737	3775	4238	4693	5162	5611
28500	2740	3779	4242	4697	5167	5616
28550	2743	3783	4246	4701	5171	5621
28600	2747	3787	4250	4705	5176	5626
28650	2750	3791	4254	4710	5181	5631

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
28700	2753	3796	4259	4714	5185	5636
28750	2756	3800	4263	4718	5190	5641
28800	2760	3804	4267	4722	5195	5646
28850	2763	3808	4271	4727	5199	5651
28900	2766	3812	4275	4731	5204	5657
28950	2770	3816	4279	4735	5208	5662
29000	2773	3820	4283	4739	5213	5667
29050	2776	3824	4287	4743	5218	5672
29100	2780	3828	4291	4748	5222	5677
29150	2783	3832	4295	4752	5227	5682
29200	2786	3837	4299	4756	5232	5687
29250	2790	3841	4304	4760	5236	5692
29300	2793	3845	4308	4764	5241	5697
29350	2796	3849	4312	4769	5246	5702
29400	2800	3853	4316	4773	5250	5707
29450	2803	3857	4320	4777	5255	5712
29500	2806	3861	4324	4781	5259	5717
29550	2810	3865	4328	4786	5264	5722
29600	2813	3869	4332	4790	5269	5727
29650	2816	3874	4336	4794	5273	5732
29700	2819	3878	4340	4798	5278	5737
29750	2823	3882	4345	4802	5283	5742
29800	2826	3886	4349	4807	5287	5747
29850	2829	3890	4353	4811	5292	5752
29900	2833	3894	4357	4815	5297	5757
29950	2836	3898	4361	4819	5301	5762
30000	2839	3902	4365	4824	5306	5768]

(Editor's Note: The following schedule is new and printed in regular type to enhance readability.)

Basic Child Support Schedule						
Combined Adjusted Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
1100	33	33	34	34	34	35
1150	78	79	80	81	81	82
1200	123	124	126	127	128	130
1250	168	170	172	174	175	177
1300	213	215	218	220	222	225
1350	258	261	264	267	269	272
1400	303	306	310	313	316	320
1450	334	352	356	360	363	367
1500	346	397	402	406	410	415
1550	357	443	448	453	457	462
1600	369	488	494	499	504	510
1650	380	534	540	546	551	557
1700	392	579	586	592	598	605
1750	403	614	632	639	645	652

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
1800	415	632	678	685	692	700
1850	426	649	724	732	739	747
1900	438	667	770	778	786	795
1950	449	684	816	825	833	842
2000	461	702	848	871	880	890
2050	472	719	869	918	927	937
2100	484	737	891	964	974	985
2150	495	754	912	1011	1021	1032
2200	507	772	933	1042	1068	1080
2250	518	789	954	1066	1115	1127
2300	530	807	976	1090	1162	1175
2350	541	825	997	1113	1209	1222
2400	553	842	1018	1137	1251	1270
2450	565	860	1039	1161	1277	1317
2500	576	877	1060	1184	1303	1365
2550	588	895	1082	1208	1329	1412
2600	599	912	1103	1232	1355	1460
2650	611	930	1124	1255	1381	1501
2700	622	947	1145	1279	1407	1530
2750	634	965	1166	1303	1433	1558
2800	645	980	1184	1322	1455	1581
2850	657	995	1201	1342	1476	1604
2900	668	1010	1219	1361	1497	1628
2950	680	1026	1236	1381	1519	1651
3000	691	1041	1253	1400	1540	1674
3050	703	1056	1271	1420	1562	1697
3100	714	1071	1288	1439	1583	1721
3150	726	1086	1306	1458	1604	1744
3200	737	1103	1325	1479	1627	1769
3250	747	1120	1345	1502	1652	1796
3300	758	1137	1365	1524	1677	1823
3350	768	1154	1385	1547	1702	1850
3400	778	1171	1405	1569	1726	1876
3450	789	1188	1425	1592	1751	1903
3500	799	1205	1445	1614	1776	1930
3550	810	1222	1465	1637	1800	1957
3600	820	1238	1485	1659	1825	1983
3650	828	1251	1500	1676	1843	2003
3700	837	1264	1515	1692	1862	2023
3750	845	1276	1530	1709	1880	2044
3800	854	1289	1545	1726	1898	2064
3850	862	1302	1560	1743	1917	2084
3900	871	1314	1575	1759	1935	2104
3950	879	1327	1590	1776	1954	2124
4000	888	1340	1605	1793	1972	2144

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
4050	894	1349	1616	1805	1986	2159
4100	900	1357	1625	1815	1996	2170
4150	905	1364	1633	1824	2007	2181
4200	910	1372	1642	1834	2017	2193
4250	915	1379	1650	1843	2028	2204
4300	920	1387	1659	1853	2038	2215
4350	926	1394	1667	1862	2048	2227
4400	931	1402	1676	1872	2059	2238
4450	936	1409	1684	1881	2069	2249
4500	941	1414	1688	1886	2074	2255
4550	945	1420	1692	1890	2079	2260
4600	950	1425	1697	1895	2085	2266
4650	955	1431	1701	1900	2090	2272
4700	960	1436	1706	1905	2096	2278
4750	964	1441	1710	1910	2101	2284
4800	969	1447	1714	1915	2107	2290
4850	974	1452	1719	1920	2112	2296
4900	980	1461	1730	1933	2126	2311
4950	986	1473	1745	1949	2144	2330
5000	993	1484	1759	1965	2162	2350
5050	999	1495	1774	1982	2180	2370
5100	1006	1506	1789	1998	2198	2389
5150	1012	1517	1803	2014	2216	2409
5200	1019	1528	1818	2031	2234	2428
5250	1026	1539	1833	2047	2252	2448
5300	1032	1549	1845	2061	2267	2464
5350	1036	1553	1849	2065	2272	2469
5400	1040	1558	1853	2069	2276	2474
5450	1044	1562	1856	2073	2281	2479
5500	1048	1567	1860	2078	2285	2484
5550	1052	1571	1864	2082	2290	2489
5600	1056	1576	1867	2086	2294	2494
5650	1060	1581	1871	2090	2299	2499
5700	1064	1585	1875	2094	2304	2504
5750	1069	1592	1881	2101	2312	2513
5800	1074	1599	1889	2110	2321	2523
5850	1080	1606	1896	2118	2330	2532
5900	1085	1614	1903	2126	2339	2542
5950	1091	1621	1911	2134	2348	2552
6000	1097	1628	1918	2143	2357	2562
6050	1102	1636	1926	2151	2366	2572
6100	1108	1643	1933	2159	2375	2582
6150	1114	1651	1942	2169	2386	2594
6200	1122	1663	1955	2184	2402	2611
6250	1131	1675	1968	2198	2418	2628

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
6300	1139	1686	1981	2212	2434	2645
6350	1147	1698	1993	2227	2449	2662
6400	1155	1709	2006	2241	2465	2680
6450	1164	1721	2019	2255	2481	2697
6500	1172	1733	2032	2270	2497	2714
6550	1180	1744	2045	2284	2512	2731
6600	1188	1756	2058	2298	2528	2748
6650	1197	1767	2070	2313	2544	2765
6700	1205	1779	2083	2327	2560	2783
6750	1213	1791	2096	2341	2576	2800
6800	1220	1801	2109	2356	2591	2817
6850	1226	1811	2122	2370	2607	2834
6900	1232	1821	2135	2385	2623	2851
6950	1238	1831	2148	2399	2639	2869
7000	1244	1841	2161	2414	2655	2886
7050	1250	1851	2174	2428	2671	2903
7100	1256	1861	2187	2443	2687	2921
7150	1262	1871	2200	2457	2703	2938
7200	1268	1881	2213	2472	2719	2955
7250	1274	1891	2226	2486	2735	2972
7300	1281	1901	2239	2500	2750	2990
7350	1287	1911	2251	2515	2766	3007
7400	1293	1921	2264	2529	2782	3024
7450	1297	1928	2272	2538	2792	3035
7500	1302	1934	2279	2546	2801	3044
7550	1307	1941	2287	2554	2809	3054
7600	1312	1947	2294	2562	2818	3064
7650	1316	1954	2301	2570	2827	3073
7700	1321	1960	2308	2578	2836	3083
7750	1326	1967	2315	2586	2845	3092
7800	1330	1973	2322	2594	2854	3102
7850	1335	1980	2330	2602	2862	3111
7900	1340	1987	2337	2610	2871	3121
7950	1345	1993	2344	2618	2880	3131
8000	1349	2000	2351	2626	2889	3140
8050	1354	2006	2359	2635	2898	3150
8100	1360	2015	2367	2644	2908	3161
8150	1366	2023	2375	2653	2918	3172
8200	1372	2031	2384	2662	2929	3183
8250	1379	2039	2392	2672	2939	3194
8300	1385	2047	2400	2681	2949	3206
8350	1391	2055	2408	2690	2959	3217
8400	1397	2063	2417	2699	2969	3228
8450	1403	2071	2425	2709	2980	3239
8500	1409	2079	2433	2718	2990	3250

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
8550	1415	2087	2442	2727	3000	3261
8600	1421	2095	2450	2737	3010	3272
8650	1427	2103	2458	2746	3020	3283
8700	1433	2111	2466	2755	3031	3294
8750	1439	2119	2475	2764	3041	3305
8800	1445	2127	2483	2774	3051	3316
8850	1451	2135	2491	2783	3061	3327
8900	1457	2143	2499	2791	3070	3337
8950	1461	2147	2503	2796	3076	3343
9000	1465	2152	2508	2801	3082	3350
9050	1468	2157	2513	2807	3087	3356
9100	1472	2162	2517	2812	3093	3362
9150	1476	2167	2522	2817	3099	3368
9200	1480	2172	2526	2822	3104	3374
9250	1484	2177	2531	2827	3110	3381
9300	1488	2181	2536	2832	3116	3387
9350	1492	2186	2540	2838	3121	3393
9400	1495	2191	2545	2843	3127	3399
9450	1499	2196	2550	2848	3133	3405
9500	1503	2201	2554	2853	3138	3412
9550	1507	2206	2559	2858	3144	3418
9600	1511	2210	2564	2864	3150	3424
9650	1515	2215	2568	2869	3156	3430
9700	1519	2220	2573	2874	3161	3436
9750	1524	2227	2580	2882	3170	3446
9800	1531	2238	2593	2896	3186	3463
9850	1538	2248	2605	2910	3201	3479
9900	1545	2259	2618	2924	3216	3496
9950	1552	2269	2630	2938	3231	3513
10000	1559	2280	2642	2952	3247	3529
10050	1566	2290	2655	2966	3262	3546
10100	1573	2301	2667	2979	3277	3562
10150	1581	2312	2680	2993	3293	3579
10200	1588	2322	2692	3007	3308	3596
10250	1595	2333	2705	3021	3323	3612
10300	1602	2343	2717	3035	3339	3629
10350	1609	2354	2730	3049	3354	3646
10400	1616	2365	2742	3063	3369	3662
10450	1623	2375	2754	3077	3384	3679
10500	1631	2386	2767	3091	3400	3695
10550	1638	2396	2779	3105	3415	3712
10600	1645	2407	2792	3118	3430	3729
10650	1652	2417	2804	3132	3446	3745
10700	1659	2428	2817	3146	3461	3762
10750	1666	2439	2829	3160	3476	3779

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
10800	1673	2449	2842	3174	3491	3795
10850	1680	2460	2854	3188	3507	3812
10900	1688	2470	2867	3202	3522	3828
10950	1695	2481	2879	3216	3537	3845
11000	1702	2491	2891	3230	3553	3862
11050	1708	2499	2899	3239	3562	3872
11100	1713	2507	2907	3247	3572	3883
11150	1719	2514	2915	3256	3581	3893
11200	1725	2522	2922	3264	3591	3903
11250	1730	2529	2930	3273	3600	3913
11300	1736	2537	2938	3282	3610	3924
11350	1742	2544	2946	3290	3619	3934
11400	1747	2552	2953	3299	3629	3944
11450	1753	2559	2961	3307	3638	3955
11500	1759	2567	2969	3316	3648	3965
11550	1764	2574	2976	3325	3657	3975
11600	1770	2582	2984	3333	3667	3986
11650	1776	2589	2992	3342	3676	3996
11700	1782	2597	3000	3350	3686	4006
11750	1787	2604	3007	3359	3695	4016
11800	1793	2612	3015	3368	3704	4027
11850	1799	2619	3023	3376	3714	4037
11900	1804	2627	3030	3385	3723	4047
11950	1810	2634	3038	3394	3733	4058
12000	1816	2642	3046	3402	3742	4068
12050	1821	2649	3053	3411	3752	4078
12100	1827	2657	3061	3419	3761	4089
12150	1833	2664	3069	3428	3771	4099
12200	1838	2672	3077	3437	3780	4109
12250	1844	2679	3084	3445	3790	4119
12300	1850	2687	3092	3454	3799	4130
12350	1855	2695	3100	3462	3809	4140
12400	1861	2702	3107	3471	3818	4150
12450	1867	2710	3115	3480	3828	4161
12500	1873	2717	3123	3488	3837	4171
12550	1878	2725	3131	3497	3847	4181
12600	1884	2732	3138	3505	3856	4191
12650	1890	2740	3146	3514	3865	4202
12700	1895	2747	3154	3523	3875	4213
12750	1900	2756	3166	3536	3890	4228
12800	1905	2764	3177	3549	3904	4244
12850	1910	2773	3189	3562	3918	4259
12900	1915	2782	3200	3575	3932	4274
12950	1920	2790	3212	3588	3947	4290
13000	1925	2799	3224	3601	3961	4305

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
13050	1930	2807	3235	3614	3975	4321
13100	1935	2816	3247	3627	3989	4336
13150	1940	2825	3258	3640	4004	4352
13200	1945	2833	3270	3652	4018	4367
13250	1950	2842	3281	3665	4032	4383
13300	1955	2850	3293	3678	4046	4398
13350	1960	2859	3305	3691	4060	4414
13400	1965	2868	3316	3704	4075	4429
13450	1970	2876	3328	3717	4089	4445
13500	1975	2885	3339	3730	4103	4460
13550	1980	2893	3351	3743	4117	4476
13600	1985	2902	3363	3756	4132	4491
13650	1990	2910	3374	3769	4146	4506
13700	1995	2919	3386	3782	4160	4522
13750	2000	2928	3397	3795	4174	4537
13800	2005	2936	3409	3808	4188	4553
13850	2010	2945	3420	3821	4203	4568
13900	2015	2953	3432	3834	4217	4584
13950	2020	2962	3444	3847	4231	4599
14000	2025	2971	3455	3859	4245	4615
14050	2030	2979	3467	3872	4260	4630
14100	2035	2988	3478	3885	4274	4646
14150	2040	2996	3490	3898	4288	4661
14200	2045	3005	3502	3911	4302	4677
14250	2050	3014	3513	3924	4317	4692
14300	2055	3022	3525	3937	4331	4708
14350	2060	3031	3536	3950	4345	4723
14400	2065	3039	3548	3963	4359	4738
14450	2070	3048	3559	3976	4373	4754
14500	2075	3056	3571	3989	4388	4769
14550	2080	3065	3583	4002	4402	4785
14600	2085	3074	3594	4015	4416	4800
14650	2090	3082	3606	4028	4430	4816
14700	2095	3091	3617	4041	4445	4831
14750	2100	3099	3629	4053	4459	4847
14800	2105	3108	3640	4066	4473	4862
14850	2110	3117	3652	4079	4487	4878
14900	2115	3125	3664	4092	4502	4893
14950	2120	3134	3675	4105	4516	4909
15000	2125	3142	3687	4118	4530	4924
15050	2130	3151	3698	4131	4544	4940
15100	2135	3160	3710	4144	4558	4955
15150	2140	3168	3722	4157	4573	4970
15200	2145	3177	3733	4170	4587	4986
15250	2150	3185	3744	4182	4600	5000

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
15300	2155	3192	3752	4191	4610	5011
15350	2161	3200	3760	4200	4620	5022
15400	2166	3207	3769	4210	4631	5034
15450	2171	3215	3777	4219	4641	5045
15500	2176	3222	3786	4229	4651	5056
15550	2181	3229	3794	4238	4662	5067
15600	2186	3237	3802	4247	4672	5078
15650	2192	3244	3811	4257	4682	5090
15700	2197	3252	3819	4266	4693	5101
15750	2202	3259	3828	4275	4703	5112
15800	2207	3266	3836	4285	4713	5123
15850	2212	3274	3844	4294	4724	5135
15900	2218	3281	3853	4304	4734	5146
15950	2223	3289	3861	4313	4744	5157
16000	2228	3296	3870	4322	4754	5168
16050	2233	3304	3878	4332	4765	5179
16100	2238	3311	3886	4341	4775	5191
16150	2244	3318	3895	4350	4785	5202
16200	2249	3326	3903	4360	4796	5213
16250	2254	3333	3911	4369	4806	5224
16300	2259	3341	3920	4378	4816	5235
16350	2264	3348	3928	4388	4827	5247
16400	2269	3355	3937	4397	4837	5258
16450	2275	3363	3945	4407	4847	5269
16500	2280	3370	3953	4416	4858	5280
16550	2285	3378	3962	4425	4868	5291
16600	2290	3385	3970	4435	4878	5303
16650	2295	3393	3979	4444	4888	5314
16700	2301	3400	3987	4453	4899	5325
16750	2306	3407	3995	4463	4909	5336
16800	2311	3415	4004	4472	4919	5347
16850	2316	3422	4012	4482	4930	5359
16900	2321	3430	4021	4491	4940	5370
16950	2327	3437	4029	4500	4950	5381
17000	2332	3445	4037	4510	4961	5392
17050	2337	3452	4046	4519	4971	5403
17100	2342	3459	4054	4528	4981	5415
17150	2347	3467	4062	4538	4992	5426
17200	2352	3474	4071	4547	5002	5437
17250	2358	3482	4079	4557	5012	5448
17300	2363	3489	4088	4566	5023	5459
17350	2368	3496	4096	4575	5033	5471
17400	2373	3504	4104	4585	5043	5482
17450	2378	3511	4113	4594	5053	5493
17500	2384	3519	4121	4603	5064	5504

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
17550	2389	3526	4130	4613	5074	5515
17600	2394	3534	4138	4622	5084	5527
17650	2399	3541	4146	4632	5095	5538
17700	2404	3548	4155	4641	5105	5549
17750	2410	3556	4163	4650	5115	5560
17800	2415	3563	4172	4660	5126	5572
17850	2420	3571	4180	4669	5136	5583
17900	2425	3578	4188	4678	5146	5594
17950	2430	3585	4197	4688	5157	5605
18000	2435	3593	4205	4697	5167	5616
18050	2441	3600	4214	4706	5177	5628
18100	2446	3608	4222	4716	5187	5639
18150	2451	3615	4230	4725	5198	5650
18200	2456	3623	4239	4735	5208	5661
18250	2461	3630	4247	4744	5218	5672
18300	2467	3637	4255	4753	5229	5684
18350	2472	3645	4264	4763	5239	5695
18400	2477	3652	4272	4772	5249	5706
18450	2482	3660	4281	4781	5260	5717
18500	2487	3667	4289	4791	5270	5728
18550	2493	3674	4297	4800	5280	5740
18600	2498	3682	4306	4810	5291	5751
18650	2503	3689	4314	4819	5301	5762
18700	2508	3697	4323	4828	5311	5773
18750	2513	3704	4331	4838	5321	5784
18800	2519	3712	4339	4847	5332	5796
18850	2524	3719	4348	4856	5342	5807
18900	2529	3726	4356	4866	5352	5818
18950	2534	3734	4365	4875	5363	5829
19000	2539	3741	4373	4885	5373	5840
19050	2544	3749	4381	4894	5383	5852
19100	2550	3756	4390	4903	5394	5863
19150	2555	3763	4398	4913	5404	5874
19200	2560	3771	4406	4922	5414	5885
19250	2565	3778	4415	4931	5425	5896
19300	2570	3786	4423	4941	5435	5908
19350	2576	3793	4432	4950	5445	5919
19400	2581	3801	4440	4960	5455	5930
19450	2586	3808	4448	4969	5466	5941
19500	2591	3815	4457	4978	5476	5953
19550	2596	3823	4465	4988	5486	5964
19600	2602	3830	4474	4997	5497	5975
19650	2607	3838	4482	5006	5507	5986
19700	2612	3845	4490	5016	5517	5997
19750	2617	3852	4499	5025	5528	6009

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
19800	2622	3860	4507	5034	5538	6020
19850	2627	3867	4516	5044	5548	6031
19900	2633	3875	4524	5053	5559	6042
19950	2638	3882	4532	5063	5569	6053
20000	2643	3890	4541	5072	5579	6065
20050	2648	3897	4549	5081	5589	6076
20100	2653	3904	4557	5091	5600	6087
20150	2659	3912	4566	5100	5610	6098
20200	2664	3919	4574	5109	5620	6109
20250	2669	3927	4583	5119	5631	6121
20300	2674	3934	4591	5128	5641	6132
20350	2679	3941	4599	5138	5651	6143
20400	2685	3949	4608	5147	5662	6154
20450	2690	3956	4616	5156	5672	6165
20500	2695	3964	4625	5166	5682	6177
20550	2700	3971	4633	5175	5693	6188
20600	2705	3979	4641	5184	5703	6199
20650	2710	3986	4650	5194	5713	6210
20700	2716	3993	4658	5203	5723	6221
20750	2721	4001	4667	5213	5734	6233
20800	2726	4008	4675	5222	5744	6244
20850	2731	4016	4683	5231	5754	6255
20900	2736	4023	4692	5241	5765	6266
20950	2742	4030	4700	5250	5775	6277
21000	2747	4038	4709	5259	5785	6289
21050	2752	4045	4717	5269	5796	6300
21100	2757	4053	4725	5278	5806	6311
21150	2762	4060	4734	5288	5816	6322
21200	2768	4068	4742	5297	5827	6333
21250	2773	4075	4750	5306	5837	6345
21300	2778	4082	4759	5316	5847	6356
21350	2783	4090	4767	5325	5858	6367
21400	2788	4097	4776	5334	5868	6378
21450	2793	4105	4784	5344	5878	6390
21500	2799	4112	4792	5353	5888	6401
21550	2804	4119	4801	5362	5899	6412
21600	2809	4127	4809	5372	5909	6423
21650	2814	4134	4818	5381	5919	6434
21700	2819	4142	4826	5391	5930	6446
21750	2825	4149	4834	5400	5940	6457
21800	2830	4157	4843	5409	5950	6468
21850	2835	4164	4851	5419	5961	6479
21900	2840	4171	4860	5428	5971	6490
21950	2845	4173	4862	5430	5974	6493
22000	2850	4174	4862	5431	5974	6494

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
22050	2854	4174	4863	5432	5975	6495
22100	2859	4175	4863	5432	5976	6495
22150	2864	4175	4864	5433	5976	6496
22200	2869	4176	4864	5434	5977	6497
22250	2873	4176	4865	5434	5978	6498
22300	2878	4177	4866	5435	5978	6498
22350	2883	4177	4866	5435	5979	6499
22400	2888	4178	4867	5436	5980	6500
22450	2892	4178	4867	5437	5980	6501
22500	2897	4179	4868	5437	5981	6501
22550	2902	4179	4868	5438	5982	6502
22600	2907	4179	4869	5439	5982	6503
22650	2911	4180	4869	5439	5983	6504
22700	2916	4180	4870	5440	5984	6504
22750	2921	4181	4871	5440	5984	6505
22800	2926	4181	4871	5441	5985	6506
22850	2930	4182	4872	5442	5986	6507
22900	2935	4182	4872	5442	5986	6507
22950	2940	4183	4873	5443	5987	6508
23000	2945	4183	4873	5443	5988	6509
23050	2949	4184	4874	5444	5989	6510
23100	2954	4184	4874	5445	5989	6510
23150	2959	4185	4875	5445	5990	6511
23200	2963	4185	4876	5446	5991	6512
23250	2968	4186	4876	5447	5991	6513
23300	2973	4186	4877	5447	5992	6513
23350	2978	4187	4877	5448	5993	6514
23400	2982	4187	4878	5448	5993	6515
23450	2987	4188	4878	5449	5994	6515
23500	2992	4188	4879	5450	5995	6516
23550	2997	4189	4879	5450	5995	6517
23600	3001	4189	4880	5451	5996	6518
23650	3006	4189	4881	5452	5997	6518
23700	3011	4190	4881	5452	5997	6519
23750	3016	4190	4882	5453	5998	6520
23800	3020	4191	4882	5453	5999	6521
23850	3025	4191	4883	5454	5999	6521
23900	3030	4192	4883	5455	6000	6522
23950	3035	4192	4884	5455	6001	6523
24000	3039	4193	4884	5456	6002	6524
24050	3044	4193	4885	5457	6002	6524
24100	3049	4194	4886	5457	6003	6525
24150	3054	4194	4886	5458	6004	6526
24200	3058	4195	4887	5458	6004	6527
24250	3063	4195	4887	5459	6005	6527

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
24300	3068	4196	4888	5460	6006	6528
24350	3072	4196	4888	5460	6006	6529
24400	3077	4197	4889	5461	6007	6530
24450	3082	4197	4889	5462	6008	6530
24500	3087	4198	4890	5462	6008	6531
24550	3091	4198	4891	5463	6009	6532
24600	3096	4199	4891	5463	6010	6533
24650	3101	4199	4892	5464	6010	6533
24700	3106	4200	4892	5465	6011	6534
24750	3110	4200	4893	5465	6012	6535
24800	3115	4200	4893	5466	6012	6536
24850	3120	4201	4894	5466	6013	6536
24900	3125	4201	4894	5467	6014	6537
24950	3129	4202	4895	5468	6014	6538
25000	3134	4202	4896	5468	6015	6538
25050	3139	4203	4896	5469	6016	6539
25100	3144	4203	4897	5470	6017	6540
25150	3148	4204	4897	5470	6017	6541
25200	3153	4204	4898	5471	6018	6541
25250	3158	4205	4898	5471	6019	6542
25300	3162	4205	4899	5472	6019	6543
25350	3167	4206	4899	5473	6020	6544
25400	3172	4206	4900	5473	6021	6544
25450	3177	4207	4901	5474	6021	6545
25500	3181	4207	4901	5475	6022	6546
25550	3186	4208	4902	5475	6023	6547
25600	3191	4208	4902	5476	6023	6547
25650	3196	4209	4903	5476	6024	6548
25700	3200	4209	4903	5477	6025	6549
25750	3205	4210	4904	5478	6025	6550
25800	3210	4210	4904	5478	6026	6550
25850	3215	4210	4905	5479	6027	6551
25900	3219	4211	4906	5480	6027	6552
25950	3224	4211	4906	5480	6028	6553
26000	3229	4212	4907	5481	6029	6553
26050	3234	4212	4907	5481	6030	6554
26100	3238	4213	4908	5482	6030	6555
26150	3243	4213	4908	5483	6031	6556
26200	3248	4214	4909	5483	6032	6556
26250	3253	4214	4909	5484	6032	6557
26300	3257	4215	4910	5484	6033	6558
26350	3262	4215	4911	5485	6034	6559
26400	3267	4216	4911	5486	6034	6559
26450	3271	4216	4912	5486	6035	6560
26500	3276	4217	4912	5487	6036	6561

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
26550	3281	4217	4913	5488	6036	6562
26600	3286	4218	4913	5488	6037	6562
26650	3290	4218	4914	5489	6038	6563
26700	3295	4219	4914	5489	6038	6564
26750	3300	4219	4915	5490	6039	6564
26800	3305	4220	4916	5491	6040	6565
26850	3309	4220	4916	5491	6040	6566
26900	3314	4221	4917	5492	6041	6567
26950	3319	4221	4917	5493	6042	6567
27000	3324	4221	4918	5493	6042	6568
27050	3328	4222	4918	5494	6043	6569
27100	3333	4222	4919	5494	6044	6570
27150	3338	4223	4919	5495	6045	6570
27200	3343	4223	4920	5496	6045	6571
27250	3347	4224	4921	5496	6046	6572
27300	3352	4224	4921	5497	6047	6573
27350	3357	4225	4922	5498	6047	6573
27400	3362	4225	4922	5498	6048	6574
27450	3366	4226	4923	5499	6049	6575
27500	3371	4226	4923	5499	6049	6576
27550	3376	4227	4924	5500	6050	6576
27600	3380	4227	4924	5501	6051	6577
27650	3385	4228	4925	5501	6051	6578
27700	3390	4228	4926	5502	6052	6579
27750	3395	4229	4926	5502	6053	6579
27800	3399	4229	4927	5503	6053	6580
27850	3404	4230	4927	5504	6054	6581
27900	3409	4230	4928	5504	6055	6582
27950	3414	4231	4928	5505	6055	6582
28000	3418	4231	4929	5506	6056	6583
28050	3423	4231	4929	5506	6057	6584
28100	3428	4232	4930	5507	6058	6585
28150	3433	4232	4931	5507	6058	6585
28200	3437	4233	4931	5508	6059	6586
28250	3442	4233	4932	5509	6060	6587
28300	3447	4234	4932	5509	6060	6587
28350	3452	4234	4933	5510	6061	6588
28400	3456	4235	4933	5511	6062	6589
28450	3461	4235	4934	5511	6062	6590
28500	3466	4236	4934	5512	6063	6590
28550	3471	4236	4935	5512	6064	6591
28600	3475	4237	4936	5513	6064	6592
28650	3480	4237	4936	5514	6065	6593
28700	3485	4238	4937	5514	6066	6593
28750	3489	4238	4937	5515	6066	6594

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
28800	3494	4239	4938	5516	6067	6595
28850	3499	4239	4938	5516	6068	6596
28900	3504	4240	4939	5517	6068	6596
28950	3508	4240	4939	5517	6069	6597
29000	3513	4241	4940	5518	6070	6598
29050	3518	4241	4941	5519	6070	6599
29100	3523	4242	4941	5519	6071	6599
29150	3527	4242	4942	5520	6072	6600
29200	3532	4242	4942	5520	6073	6601
29250	3537	4243	4943	5521	6073	6602
29300	3542	4243	4943	5522	6074	6602
29350	3546	4244	4944	5522	6075	6603
29400	3551	4244	4944	5523	6075	6604
29450	3556	4245	4945	5524	6076	6605
29500	3561	4245	4946	5524	6077	6605
29550	3565	4246	4946	5525	6077	6606
29600	3570	4246	4947	5525	6078	6607
29650	3575	4247	4947	5526	6079	6608
29700	3580	4247	4948	5527	6079	6608
29750	3584	4248	4948	5527	6080	6609
29800	3589	4248	4949	5528	6081	6610
29850	3594	4249	4949	5529	6081	6611
29900	3598	4249	4950	5529	6082	6611
29950	3603	4250	4951	5530	6083	6612
30000	3608	4250	4951	5530	6083	6613

* * * * *

Explanatory Comment—2013

The basic child support schedule has been amended to reflect updated economic data. It also reflects an increase in the Self-Support Reserve to \$931, the 2012 poverty level for one person, which has been incorporated into the schedule.

Explanatory Comment—2021

Previously, the Basic Child Support Schedule incorporated a 30% child custody presumption, which created approximately a 5% decrease in the basic child support obligation across all combined monthly net incomes regardless of the actual custody schedule. The new Basic Child Support Schedule reflects the actual expenses of an intact family living in a single household at the various combined monthly net incomes and the number of children with no shared custody adjustment.

To the extent the parties share physical custody with the obligor having 40% or more of the annual overnights as set forth in Pa.R.C.P. No. 1910.16-4(c), the formula in Pa.R.C.P. No. 1910.16-4(a)(1)(Part D) or (a)(2)(Part II) should be used to calculate the appropriate shared custody adjustment.

Rule 1910.16-3.1. Support Guidelines. High-Income Cases.

[(a) *Child Support Formula.* If the parties' combined monthly net income exceeds \$30,000, the following three-step process shall be applied to calculate the parties' respective child support obligations. The support amount calculated pursuant to this three-step process shall not be less than the support amount that would have been awarded if the parties' combined monthly net income was \$30,000. The calculated amount is the presumptive minimum support amount.

(1) The following formula shall be applied as a preliminary analysis in calculating the basic child support amount apportioned between the parties according to their respective monthly net incomes:

- One child:** \$2,839 + 8.6% of combined monthly net income above \$30,000.
- Two children:** \$3,902 + 11.8% of combined monthly net income above \$30,000.
- Three children:** \$4,365 + 12.9% of combined monthly net income above \$30,000.
- Four children:** \$4,824 + 14.6% of combined monthly net income above \$30,000.

Five children: \$5,306 + 16.1% of combined monthly net income above \$30,000.
 Six children: \$5,768 + 17.5% of combined monthly net income above \$30,000;

(2) The trier-of-fact shall apply the formulas in Pa.R.C.P. No. 1910.16-4(a)(1)(Part D) and (Part E) or (2)(Part II) and (Part III), adjusting for substantial or shared custody pursuant to Pa.R.C.P. No. 1910.16-4(c) and allocating additional expenses pursuant to Pa.R.C.P. No. 1910.16-6, as appropriate;

(3) The trier-of-fact shall consider the factors in Pa.R.C.P. No. 1910.16-5 in making a final child support award and shall make findings of fact on the record or in writing. After considering the factors in Pa.R.C.P. No. 1910.16-5, the trier-of-fact may adjust the amount calculated pursuant to subdivisions (1) and (2), subject to the presumptive minimum.]

(a) Child Support.

(1) Presumptive Minimum Basic Child Support Obligation.

(i) The presumptive minimum basic child support obligation is the support obligation that the trier-of-fact would have awarded if the parties' combined monthly net income was \$30,000.

(ii) When the parties' combined monthly net income exceeds \$30,000, the calculated support obligation shall not be less than the presumptive minimum basic child support obligation.

(2) High-Income Child Support Calculation. With the following three-step process, the trier-of-fact shall calculate the total child support obligation.

(i) Preliminary Analysis. Using the following formula, the trier-of-fact shall:

(A) calculate the basic child support obligation based on the parties' combined monthly net income; and

(B) apportion the basic child support obligation based on the parties' respective monthly net incomes.

One child: \$3,608 + 4.0% of combined monthly net income above \$30,000.

Two children: \$4,250 + 4.0% of combined monthly net income above \$30,000.

Three children: \$4,951 + 4.7% of combined monthly net income above \$30,000.

Four children: \$5,530 + 5.3% of combined monthly net income above \$30,000.

Five children: \$6,083 + 5.8% of combined monthly net income above \$30,000.

Six children: \$6,613 + 6.3% of combined monthly net income above \$30,000.

(ii) Substantial or Equally Shared Custody Adjustment. The trier-of-fact shall adjust the basic child support obligation calculated in subdivision (a)(2)(i) for substantial or equally shared custody as set forth in Pa.R.C.P. No. 1910.16-4(c).

(iii) Final Analysis—Reasonable Needs.

(A) In determining the total child support obligation, the trier-of-fact shall consider the child's reasonable needs based on:

(I) the deviation factors in Pa.R.C.P. No. 1910.16-5;

(II) the additional expenses set forth in Pa.R.C.P. No. 1910.16-6; and

(III) the parties' expense statements required by Pa.R.C.P. No. 1910.11(c)(2) and Pa.R.C.P. No. 1910.27(c)(2)(B).

(B) Subject to the presumptive minimum basic child support obligation, the trier-of-fact may upwardly or downwardly adjust the support obligation calculated in subdivisions (a)(2)(i) and (ii) based on the child's reasonable needs.

(3) Final Order. As part of the final order, the trier-of-fact shall state on the record or in writing:

(i) findings of fact; and

(ii) the reasons for awarding the total child support obligation, including:

(A) a discussion of the child's reasonable needs; and

(B) the adjustments or deviations made to the basic child support obligation.

(b) Spousal Support [and] or Alimony Pendente Lite. [In cases in which]

(1) Preliminary Analysis. When the parties' combined monthly net income exceeds \$30,000, the trier-of-fact shall apply the formula in either Pa.R.C.P. No. 1910.16-4(a)(1)(Part B) or [(2)(Part IV) as a preliminary analysis] (a)(2)(Part IV) in calculating spousal support or alimony *pendente lite*. [In determining the final spousal support or alimony *pendente lite* amount and duration, the trier-of-fact shall consider the factors in Pa.R.C.P. No. 1910.16-5 and shall make findings of fact on the record or in writing.]

(2) Final Analysis. In determining the total spousal support or alimony *pendente lite* obligation, the trier-of-fact shall consider:

(i) the deviation factors in Pa.R.C.P. No. 1910.16-5;

(ii) the additional expenses set forth in Pa.R.C.P. No. 1910.16-6; and

(iii) the parties' expense statements required by Pa.R.C.P. No. 1910.11(c)(2) and Pa.R.C.P. No. 1910.27(c)(2)(B).

(3) Final Order. As part of the final order, the trier-of-fact shall state on the record or in writing:

(i) findings of fact; and

(ii) the reasons for awarding the final spousal support or alimony *pendente lite* obligation, including the adjustments or deviations made to the basic spousal support or alimony *pendente lite* obligation.

Explanatory Comment—2010

Pa.R.C.P. No. 1910.16-3.1 is intended to bring all child support cases under the guidelines and treat similarly situated parties similarly. Thus, high-income child support cases no longer will be decided pursuant to *Melzer v. Witsberger*, 480 A.2d 991 (Pa. 1984). Economic data support the basic child support schedule up to combined net incomes of \$30,000 per month. Above that amount, economic data are not readily available. Thus, for cases in which the parties' combined monthly net income is above \$30,000, the formula first applies a fixed percentage to calculate the support amount. The formula is an extrapolation of the available economic data to high-income

cases. Spousal support and alimony *pendente lite* awards in high-income cases are preliminarily calculated pursuant to the formulas in either Pa.R.C.P. No. 1910.16-4(a)(1)(Part B) or (2)(Part IV). However, in both high-income child support and spousal support and high-income child support and alimony *pendente lite* cases, the trier-of-fact is required to consider the factors in Pa.R.C.P. No. 1910.16-5 before entering a final order and to make

findings of fact on the record or in writing. Pursuant to Pa.R.C.P. No. 1910.11(c)(2), in all high-income cases, the parties must submit an Income Statement and the Expense Statement at Pa.R.C.P. No. 1910.27(c)(2)(B) to enable the trier-of-fact to consider the factors in Pa.R.C.P. No. 1910.16-5.

* * * * *

Rule 1910.16-4. Support Guidelines. Calculation of Support Obligation, Formula.

* * * * *

PART A. CALCULATION OF MONTHLY NET INCOME

	OBLIGOR	OBLIGEE
1. Total Gross Income per pay period (See Pa.R.C.P. No. 1910.16-2(a))	_____	_____
2. Deductions (See Pa.R.C.P. No. 1910.16-2(c))	(_____)	(_____)
3. Net Income (line 1 minus line 2)	_____	_____
4. Conversion to Monthly Net Income (if pay period is other than monthly)	_____	_____

PART B. SPOUSAL SUPPORT OR ALIMONY PENDENTE LITE

	<i>Without Dependent Children</i>	<i>With Dependent Children</i>
5. Obligor’s Monthly Net Income (line 4)	_____	_____
6. Obligor’s child support, spousal support, alimony <i>pendente lite</i> , or alimony obligations to children or former spouses who are not part of this action, if any. (See Pa.R.C.P. No. 1910.16-2(c)(2))	(_____)	(_____)
7. Obligor’s Net Income available for spousal support or alimony <i>pendente lite</i> (line 5 minus line 6)	_____	_____
8. Obligor’s Net Income percentage for spousal support or alimony <i>pendente lite</i>	× _____ 33%	× _____ 25%
9. Obligor’s proportionate share of spousal support or alimony <i>pendente lite</i> (line 7 multiplied by line 8)	_____	_____
10. Obligee’s Monthly Net Income (line 4)	_____	_____
11. Obligee’s Net Income percentage for spousal support or alimony <i>pendente lite</i>	× _____ 40%	× _____ 30%
12. Obligee’s proportionate share of spousal support or alimony <i>pendente lite</i> (line 10 multiplied by line 11)	_____	_____
13. Preliminary Monthly Spousal Support or Alimony <i>Pendente Lite</i> [amount] Obligation (line 9 minus line 12—if the result is less than zero, enter a zero on line 13)	_____	

- 14. Adjustments for Part E Additional Expenses
(See Pa.R.C.P. No. 1910.16-6) _____
- 15. Total Monthly Spousal Support
or Alimony *Pendente Lite* [**Amount**] **Obligation**
(line 13 plus or minus line 14, as
appropriate) _____

PART C—BASIC CHILD SUPPORT

- | | OBLIGOR | OBLIGEE |
|--|-----------|---------|
| 16. Monthly Net Income
(line 4 and add the child’s monthly
Social Security Disability or
Retirement Derivative benefit
amount, if any, to the Monthly Net
Income of the party receiving the
benefit pursuant to Pa.R.C.P. No.
1910.16-2(b)(2)(i) or (ii). | _____ | _____ |
| 17. Preliminary Monthly Spousal Support
or Alimony <i>Pendente Lite</i> [amount] Obligation ,
if any.
(line 13) | (_____) | + _____ |
| 18. Adjusted Monthly Net Income
(for obligor, line 16 minus line 17;
for obligee, line 16 plus line 17) | _____ | _____ |
| 19. Combined Monthly Net Income
(obligor’s line 18 plus obligee’s line 18) | _____ | _____ |
| 20. Basic Child Support Obligation
(determined from child support [schedules] schedule
in Pa.R.C.P. No. 1910.16-3 based on the
number of children and line 19) | _____ | _____ |
| 21. Net Income expressed as a
percentage of Combined
Monthly Net Income
(line 18 divided by line 19
and multiplied by 100) | _____ % | _____ % |
| 22. Preliminary Monthly Basic Child
Support Obligation
(line 20 multiplied by line 21) | _____ | _____ |
| 23. Child’s Social Security Derivative
Disability or Retirement Benefit.
(if the benefits are paid to the obligee,
enter the benefit amount on the line for
the party whose retirement or disability
created the child’s benefit pursuant to
Pa.R.C.P. No. 1910.16-2(b)) | _____ | _____ |
| 24. Adjusted Monthly Basic Child
Support Obligation
(line 22 minus line 23—if the result is
less than zero, enter a zero on line 24) | _____ | _____ |

PART D. SUBSTANTIAL OR SHARED PHYSICAL CUSTODY ADJUSTMENT, IF APPLICABLE (See subdivision (c))

- 25. a. Percentage of time obligor spends _____ %
with [**children**] **the child** (divide number of overnights
with the obligor by 365 and multiply by 100)
- b. Subtract 30% (_____ 30%)
- c. Difference _____ %
(line 25a minus line 25b)

- d. Obligor’s Adjusted Percentage Share _____ %
of the [**Basic Monthly**] Basic Child Support Obligation
(line 21 minus line 25c)
- e. Obligor’s Preliminary Adjusted _____
[**Basic Monthly**] Basic Child Support Obligation
(line 20 multiplied by line 25d)
- f. Further adjustment, if necessary under _____
subdivision (c)(2)
- g. Obligor’s Adjusted Basic Child _____
Support [**Amount**] Obligation

PART E. ADDITIONAL EXPENSES (See Pa.R.C.P. No. 1910.16-6)

- 26. a. Obligor’s Share of Child Care Expenses _____
- b. Obligor’s Share of Health Insurance _____
Premium (if the obligee is paying the premium)
- c. Obligee’s Share of the Health Insurance _____ (_____)
Premium (if the obligor is paying the premium)
- d. Obligor’s Share of Unreimbursed Medical _____
Expenses
- e. Other Additional Expenses _____
- f. Total Additional Expenses _____
(add lines 26a, b, d, and e, then subtract
line 26c)
- 27. Obligor’s Total Monthly Child Support _____
Obligation (line 24 or 25g plus
line 26f, if applicable)

(2) The formula in Parts I through IV is for a modification of an order entered before January 1, 2019 that includes spousal support or alimony *pendente lite*.

Official Note: See subdivision (1) for an order entered on or after January 1, 2019, or for a modification of an order entered before January 1, 2019 that includes spousal support or alimony *pendente lite* in which the amendments to the Internal Revenue Code made by Tax Cuts and Jobs Act of 2017 (Pub.L. No. 115-97) expressly apply to the modification.

PART I. BASIC CHILD SUPPORT

	OBLIGOR	OBLIGEE
1. Total Gross Income Per Pay Period _____ (See Pa.R.C.P. No. 1910.16-2(a))	_____	_____
2. Deductions _____ (See Pa.R.C.P. No. 1910.16-2(c))	(_____)	(_____)
3. Net Income _____ (line 1 minus line 2)	_____	_____
4. Conversion to Monthly [Amount] <u>Net Income</u> _____ (if pay period is other than monthly) Include the child’s monthly Social Security derivative benefit amount, if any, in the monthly net income of the party receiving the benefit pursuant to Pa.R.C.P. No. 1910.16-2(b)(2)(i) or (ii).	_____	_____
5. Combined [Total] Monthly Net Income _____ (obligor’s line 4 plus obligee’s line 4)	_____	_____

- 6. Basic Child Support Obligation
(determined from schedule at Pa.R.C.P. No. 1910.16-3 based on number of children and line 5) _____
- 7. Net Income Expressed as a Percentage
[Share of Income] of Combined Monthly Net Income (divide line 4 by line 5 and multiply by 100) _____ % _____ %
- 8. **[Each Party's Preliminary Monthly Share of the] Preliminary** Basic Child Support Obligation
(multiply line 6 and 7) _____
- 9. Child's Social Security Derivative Disability or Retirement Benefit
(if the benefits are paid to the obligee, enter the benefit amount on the line for the party whose retirement or disability created the child's benefit) _____
- 10. **[Each Party's Adjusted Monthly Share of the] Adjusted** Basic Child Support Obligation
(line 8 minus line 9—if the result is less than zero, enter a zero on line 10) _____

PART II. SUBSTANTIAL OR SHARED PHYSICAL CUSTODY ADJUSTMENT, IF APPLICABLE (See subdivision (c))

- 11. a. Percentage of Time Obligor Spends with Children (divide number of overnights with the obligor by 365 and multiply by 100) _____ %
- b. Subtract 30% (_____ %)
- c. Obligor's Adjusted Percentage Share of the **[Basic Monthly] Basic Child** Support Obligation
(subtract result of calculation in line 11b from line 7) _____ %
- d. Obligor's Preliminary Adjusted **[Share of the Basic Monthly] Basic Child** Support Obligation
(multiply line 11c and line 6) _____
- e. Further adjustment, if necessary under subdivision (c)(2) _____
- f. Obligor's Adjusted **[Share of the] Basic Child Support [Amount] Obligation**
(Total of line 11d and line 11e) _____

PART III. ADDITIONAL EXPENSES (See Pa.R.C.P. No. 1910.16-6)

- 12. a. Obligor's Share of Child Care Expenses _____
- b. Obligor's Share of Health Insurance Premium (if the obligee is paying the premium) _____
- c. Obligee's Share of the Health Insurance Premium (if the obligor is paying the premium) (_____)

- d. Obligor’s Share of Unreimbursed Medical Expenses _____
- e. Other Additional Expenses _____
- f. Total Additional Expenses _____
(add lines 12a, b, d, and e, then subtract line 12c)

13. Obligor’s Total Monthly Support Obligation _____
(add line 10 or 11f and line 12f, if applicable)

PART IV. SPOUSAL SUPPORT OR APL with dependent children

14. Obligor’s Monthly Net Income (line 4) _____

15. Obligor’s Support, Alimony *Pendente Lite*, or Alimony Obligations, to Children or Former Spouses who are not part of this action, if any (See Pa.R.C.P. No. 1910.16-2(c)(2)) (_____)

16. Obligees’s Monthly Net Income (line 4) (_____)

17. Difference _____
(line 14 minus lines 15 and 16)

18. Obligor’s Total Monthly Child Support Obligation without Part II Substantial or Shared Custody Adjustment, if any (Obligor’s line 10 plus line 12f) (_____)

19. Difference _____
(line 17 minus line 18)

20. Multiply by 30% × _____ 30%

21. Monthly Spousal Support or [**APL Amount**] **Alimony Pendente Lite Obligation** _____
(line 19 multiplied by line 20)

Without Dependent Children

22. Obligor’s Monthly Net Income (line 4) _____

23. Obligor’s Child and Spousal Support, Alimony *Pendente Lite* or Alimony Obligations to Children or Former Spouses who are not part of this action, if any (Pa.R.C.P. No. 1910.16-2(c)(2)) (_____)

24. Obligees’s Monthly Net Income (line 4) (_____)

25. Difference _____
(line 22 minus lines 23 and 24)

26. Multiply by 40% × _____ 40%

27. Preliminary Monthly Spousal Support or [**APL amount**] **Alimony Pendente Lite Obligation** _____
(line 25 multiplied by line 26)

28. Adjustments for Other Expenses (See Pa.R.C.P. No. 1910.16-6) _____
(line 12f)

29. Total Monthly Spousal Support or [**APL amount**] **Alimony Pendente Lite Obligation** _____
(line 27 plus or minus line 28, as appropriate)

[(b) *Order For More Than Six Children.* When there are more than six children who are the subject of a single order, the child support obligation shall be calculated as follows. First, determine the appropriate amount of support for six children under the guidelines. Using the same income figures, subtract the support amount for five children from the amount for six children. Multiply the difference by the number of children in excess of six and add the resulting amount to the guideline amount for six children.]

(b) *Order For More Than Six Children.* When there are more than six children who are the subject of a single support order, the trier-of-fact shall:

(1) calculate the basic child support obligations for six children and five children;

(2) subtract the basic child support obligation for five children from the basic child support obligation for six children;

(3) multiply the difference from subdivision (b)(2) by the number of children in excess of six; and

(4) add the amount from subdivision (b)(3) to the basic child support obligation for six children as determined in subdivision (b)(1).

(c) *Substantial or Equally Shared Physical Custody.*

(1) *Substantial Physical Custody.* When [the children spend 40% or more of their time during the year] a child spends 40% or more of the annual overnights with the obligor, a rebuttable presumption arises that the obligor is entitled to a reduction in the basic child support obligation to reflect [this time] the obligor's increased direct spending on the child during the obligor's custodial time.

(i) This rebuttable presumption also applies in high income cases decided pursuant to [Rule] Pa.R.C.P. No. 1910.16-3.1.

(ii) Except as provided in [subsection (2) below, the reduction shall be calculated] subdivision (c)(2), the trier-of-fact shall calculate the adjustment pursuant to the formula set forth in [Part II of subdivision (a) of this rule. For purposes of this provision, the time spent with the children shall be determined by the number of overnights they spend during the year with the obligor] subdivision (a)(1)(Part D) or (a)(2)(Part II).

[*Example.* If the obligor and the obligee have monthly net incomes of \$5,000 and \$2,300, respectively, their combined child support obligation is \$1,701 for two children. Using the income shares formula in Part I, the obligor's share of this obligation is 68%, or \$1,157. If the children spend 40% of their time with the obligor, the formula in Part II applies to reduce his or her percentage share of the combined support obligation to 58%, or \$987. If the children spend 45% of their time with the obligor, his or her percentage share of the combined obligation is reduced to 53%, or \$902. If the children spend equal time with both parents, the obligor's percentage share is reduced to 48%, or \$816.

(2) Without regard to which parent initiated the support action, when the children spend equal time with their parents, the Part II formula cannot be

applied unless the obligor is the parent with the higher income. An order shall not be entered requiring the parent with the lower income to pay basic child support to the parent with the higher income. However, this subdivision shall not preclude the entry of an order requiring the parent with less income to contribute to additional expenses pursuant to Pa.R.C.P. No. 1910.16-6. Based upon the evidence presented, the trier of fact may enter an order against either party without regard to which party initiated the action. If the parties share custody equally and the support calculation results in the obligee receiving a larger share of the parties' combined income, then the court shall adjust the support obligation so that the combined monthly net income is allocated equally between the two households. In those cases, spousal support or alimony *pendente lite* shall not be awarded.]

(2) *Equally Shared Physical Custody.* Without regard to which party initiated the support action, when a child spends an equal number of annual overnights with the parties:

(i) The formula in subdivision (a)(1)(Part D) or (a)(2)(Part II) cannot be applied unless the obligor is the party with the higher monthly net income.

(ii) The trier-of-fact shall not require the party with the lower monthly net income to pay basic child support to the party with the higher monthly net income. However, this subdivision shall not preclude the entry of an order requiring the party with less monthly net income to contribute to additional expenses pursuant to Pa.R.C.P. No. 1910.16-6.

(iii) Based upon the evidence presented, the trier-of-fact may enter a support order against either party.

(iv) If the support calculation results in the obligee receiving a larger share of the parties' combined monthly net income, the trier-of-fact:

(A) shall adjust the obligor's basic child support obligation so that the combined monthly net income is allocated equally between the two parties; and

(B) shall not award spousal support or alimony *pendente lite*.

Example 1. If the obligor and the obligee have monthly net incomes of \$5,000 and \$2,300, respectively, the basic child support obligation is \$1,901 for two children. Using the income shares formula in Part I, the obligor's basic child support obligation is 68%, or \$1,293. If the children spend 40% of the annual overnights with the obligor, the formula in Part D or Part II applies to reduce the obligor's basic child support obligation to 58%, or \$1,103. If the children spend 45% of the annual overnights with the obligor, the obligor's basic child support obligation is reduced to 53%, or \$1,008. If the children spend an equal number of the annual overnights with the obligor and obligee, the obligor's basic child support obligation is reduced to 48%, or \$912.

[*Example 1*] *Example 2.* Mother and Father have monthly net incomes of \$3,000 and \$2,700, respectively. Mother has filed for support for the parties' two children with whom the parties share time equally. As the parties have equal custody and Mother has the higher monthly

net income, Mother cannot be the obligee. Although Mother initiated the support action, she would be the obligor. Pursuant to the [**basic child support schedule**] **Basic Child Support Schedule** in Pa.R.C.P. No. 1910.16-3, the [**support amount**] **basic child support obligation** for two children at the parties' combined monthly net income [**level is \$1,487**] **is \$1,585** per month. Mother's share is 53% [**of that amount**], or [**\$788**] **\$840**. [**Father's share is 47%, or \$699.**] Application [**of lines 11a and 11b**] of the Part II **or Part D** formula results in a 20% reduction in support when the obligor has 50% custody of the children. Mother's adjusted percentage share of the basic support [**amount**] **obligation** is 33% (53% - 20% = 33%) [**. Her**] **and the preliminary** adjusted [**share of the**] **basic child support** [**amount is \$491**] **obligation is \$523** (33% of [**\$1,487**] **\$1,585**). However, as this amount would result in Father having a greater share of the parties' combined monthly net income ([**\$3,191 vs. \$2,509**] **\$3,223 vs. \$2,477**), Mother's **basic child support** obligation would be adjusted to \$150 per month to allocate the parties' combined monthly net income equally between the two [**households**] **parties** and would be the presumptive [**amount of basic support**] **basic child support obligation** payable to Father under these circumstances.

[**Example 2**] **Example 3**. If the obligor and the obligee have monthly net incomes of \$3,000 and \$2,500, respectively, [**then their combined**] **the basic** child support obligation for two children is [**\$1,463**] **\$1,567**. The obligor's share [**of this obligation**] is 55%, or [**\$805**] **\$862** ([**\$1,463**] **\$1,567** × 55%). If the children spend equal time with the [**parents**] **parties**, the formula in Part II **or Part D** results in a **basic child support** obligation of [**\$512**] **\$548** ([**\$1,463**] **\$1,567** × 35%) payable to the obligee. Since this amount results in the obligee having monthly net income of [**\$3,012**] **\$3,048** and the obligor having monthly net income of [**\$2,488**] **\$2,452**, the obligor's **basic child support** obligation would be adjusted to \$250 to equalize the combined monthly net income between the [**parties' households**] **parties** and would be the presumptive [**amount of basic support**] **basic child support obligation** payable to the obligee under these circumstances.

(d) *Divided or Split Physical Custody. When Each Party Owes Child Support to the Other Party. Varied Partial or Shared Custodial Schedules.*

(1) *Divided or Split Physical Custody. When Each Party Owes Child Support to the Other Party.* When calculating a **basic** child support obligation and each party owes child support to the other party as a result of the custodial arrangement, the [**court**] **trier-of-fact** shall offset the parties' respective **basic** child support obligations and award the net difference to the obligee as child support.

Example 1. If the parties have three children, one child resides with Mother and two children reside with Father, and [**their**] **the parties'** monthly net incomes are \$4,000 and \$2,000 respectively, Mother's **basic** child support obligation is calculated using the schedule in Pa.R.C.P. No. 1910.16-3 for two children at the parties' combined monthly net income of \$6,000. The [**amount**

of] **basic child support** [**to be apportioned between the parties is \$1,523**] **obligation is \$1,628**. As Mother's income is 67% of the parties' combined monthly net income, Mother's **basic child** support obligation for the two children living with Father is [**\$1,020**] **\$1,091**. Father's **basic** child support obligation is calculated using the schedule in Pa.R.C.P. No. 1910.16-3 for one child at the parties' combined monthly net income of \$6,000. The [**amount of**] **basic child support** [**to be apportioned between the parties is \$1,071**] **obligation is \$1,097**. Father's **basic child** support obligation for the child living with Mother is [**\$353**] **\$362**. Subtracting [**\$353**] **\$362** from [**\$1,020**] **\$1,091** produces a [**net basic support amount of \$667**] **basic child support obligation of \$729** payable to Father as child support.

Example 2. If the parties have two children, one child resides with Mother and the parties **equally** share custody (50% - 50%) of the other child, and the parties' monthly net incomes are as set forth in Example 1. The **basic** child support obligation is calculated using the schedule in Pa.R.C.P. No. 1910.16-3 for the one child primarily residing with Mother at the parties' combined monthly net income of \$6,000, the [**amount of**] **basic child support** [**to be apportioned between the parties is \$1,071**] **obligation is \$1,097**. Father's income is 33% of the parties' combined monthly net income, and the **basic child** support obligation for the child living with Mother is [**\$353**] **\$362**. For Mother's obligation for the child with the [**50% - 50%**] **equally** shared custody arrangement, using the schedule in Pa.R.C.P. No. 1910.16-3 for one child at the parties' combined monthly net income of \$6,000, the [**amount of**] **basic child support** [**to be apportioned between the parties is \$1,071**] **obligation is \$1,097**. Mother's proportionate share of the combined monthly net incomes is 67%, but it is reduced to 47% after applying the shared parenting time adjustment for 50% custody under subdivision (c). Mother's **basic** child support obligation for the shared custody child is [**\$503**] **\$1,071**] **\$516** (**\$1,097** × 47%). As Mother's obligation is greater than Father's obligation, Father is the obligee and receives the net of the two obligations by subtracting [**\$353**] **\$362** from [**\$503**] **\$516**, or [**\$150**] **\$154**.

[(2) *Varied Partial or Shared Custodial Schedules.* When the parties have more than one child and each child spends either (a) different amounts of partial or shared custodial time with the party with the higher income or (b) different amounts of partial custodial time with the party with the lower income, the trier of fact shall add the percentage of time each child spends with that party and divide by the number of children to determine the party's percentage of custodial time. If the average percentage of custodial time the children spend with the party is 40% or more, the provisions of subdivision (c) apply.]

(2) *Varied Partial or Shared Physical Custodial Schedule.*

(i) The trier-of-fact may reduce a party's basic child support obligation when the parties have more than one child and each child spends either different amounts of:

(A) partial or equally shared custodial time with the higher monthly net income party; or

(B) partial custodial time with the lower monthly net income party.

(ii) In determining whether a party is entitled to a reduction as provided in subdivision (d)(2)(i):

(A) the trier-of-fact shall:

(I) add the percentage of annual overnights each child spends with that party; and

(II) divide by the number of children to determine the party's average percentage of custodial time.

(B) If the average percentage of custodial time is 40% or more:

(I) subdivision (c) applies; and

(II) the trier-of-fact shall reduce the party's basic child support obligation accordingly.

Example 1. The parties have two children and one child spends 50% of the [time] **annual overnights** with Mother, who has the higher **monthly net** income, and the other child spends 20% of the [time] **annual overnights** with Mother. Add those percentages together and divide by the number of children (50% plus 20% = 70% divided by 2 children = 35% average time with Mother). [Pursuant to subdivision (c)] Pursuant to **subdivision (d)(2)(ii)(B)**, Mother [**does not receive**] **is not entitled to** a reduction in the support order for substantial parenting time.

Example 2. The parties have three children. Two children spend 50% of the [time] **annual overnights** with Mother, who has the higher **monthly net** income, and the third child spends 30% of the [time] **annual overnights** with Mother. Add the percentages of custodial time for all three children together and divide by the number of children (50% plus 50% plus 30% = 130% divided by three children = 43.33% average percentage of time with Mother). [Pursuant to subdivision (c)] Pursuant to **subdivision (d)(2)(ii)(B)**, Mother [**receives**] **is entitled to** a reduction in the support order for substantial parenting time.

Example 3. The parties have three children, Mother has primary custody (60% - 40%) of one child, Father has primary custody (60% - 40%) of one child, and the parties share custody (50% - 50%) of the third child. The parties' monthly net incomes are \$2,500 (Mother) and \$2,000 (Father). As a result of the custodial arrangement, Father owes support for the child in the primary custody of Mother and Mother owes support for the child in the primary custody of Father and for the child shared equally between the parties. Father's **basic** child support obligation is calculated using the schedule in Pa.R.C.P. No. 1910.16-3 for one child at the parties' combined monthly net income of \$4,500. The [amount of] basic child support [**to be apportioned between the parties is \$940**] **obligation is \$941**. Father's proportionate share of the combined monthly net incomes is 44%, but is reduced to 34% after applying the shared parenting time adjustment for 40% custody under subdivision (c). Father's **basic** child support obligation for this child is \$320 ([**\$940**] **\$941** × 34%). Mother's **basic** child support obligation is calculated using the schedule in Pa.R.C.P. No. 1910.16-3 for two children at the parties' combined monthly net income of \$4,500. The [amount of] basic child support [**to be apportioned between the parties**

is **\$1,349**] **obligation is \$1,414**. Mother has varying partial or shared custody of the two children (40% and 50%). Under subdivision (d)(2), the custodial time is averaged or in this case 45%. Mother's proportionate share of the combined monthly net incomes is 56%, but it is reduced to 41% after applying the shared parenting time adjustment for 45% custody under subdivision (c). Mother's **basic** child support obligation for these children is [**\$553** (**\$1,349**] **\$580** (**\$1,414** × 41%). Offsetting the support [amounts] **obligations** consistent with subdivision (d)(1), Mother's obligation is greater than Father's obligation, and Father is the obligee receiving the net of the two obligations by subtracting \$320 from [**\$553, or \$233**] **\$580, or \$260**.

Official Note: In cases with more than one child and varied partial or shared custodial schedules, it is not appropriate to perform a separate calculation for each child and offset support amounts as that method does not consider the incremental increases in support for more than one child built into the schedule of basic child support.

[(3) When calculating a combined child support and spousal or alimony *pendente lite* obligation and one or more children reside with each party, the court shall offset the obligor's spousal and child support obligation with the obligee's child support obligation and award the net difference to the obligee as spousal and child support. If one or more of the children resides with each party then, in calculating the spousal support or alimony *pendente lite* obligation, the court shall deduct from the obligor's income both the support owed for the child or children residing with the obligee, as well as the direct support the obligor provides to the child or children living with the obligor, calculated in accordance with the guidelines as if the child or children were not living with the obligor.]

(3) Combined Child Support and Spousal Support or Alimony Pendente Lite. When Each Party Owes Child Support to the Other Party.

(i) When one or more children reside with each party, the trier-of-fact shall offset the obligor's combined spousal support or alimony *pendente lite* and basic child support obligations with the obligee's basic child support obligation.

(ii) The trier-of-fact shall award the net difference to the obligee as spousal support or alimony *pendente lite* and basic child support.

(e) *Support Obligations When Custodial Parent Owes Spousal Support.* If [children are] a child is residing with the spouse (custodial parent) obligated to pay spousal support or alimony *pendente lite* and the other spouse (non-custodial parent) has a legal obligation to support the [children] child, the guideline spousal support or alimony *pendente lite* [amount] **obligation** is determined by offsetting the non-custodial parent's **basic** child support [amount] **obligation** and the custodial parent's spousal support or alimony *pendente lite* [amount] **obligation**, and awarding the net difference either to the non-custodial parent as spousal [support/or] **support or** alimony *pendente lite* or to the custodial parent as child support as the circumstances warrant. The calculation is a five-step process:

(1) Calculate the custodial parent's spousal support or alimony *pendente lite* obligation to the non-custodial

parent based on the parties' monthly net incomes using the "without dependent children" formula in either Pa.R.C.P. No. 1910.16-4(a)(1)(Part B) or [(2)(Part IV)] (a)(2)(Part IV), as appropriate.

(2) Recalculate the parties' monthly net incomes by adjusting for the spousal support or alimony *pendente lite* payment paid or received in [(1)] subdivision (e)(1).

(3) Using the recomputed monthly net incomes from [(2)] subdivision (e)(2), calculate the non-custodial parent's basic child support obligation to the custodial parent.

(4) The final support amount is the difference calculated in [(1) and (3)] subdivision (e)(1) and (e)(3).

(i) If the amount in [(1)] subdivision (e)(1) is greater than the amount in [(3)] subdivision (e)(3), the final amount is spousal support or alimony *pendente lite* payable to the non-custodial parent.

(ii) If the amount in [(1)] subdivision (e)(1) is less than the amount in [(3)] subdivision (e)(3), the final amount is basic child support payable to the custodial parent.

(5) If the proceeding is a modification of an order entered before January 1, 2019 that has federal tax consequences associated with spousal support or alimony *pendente lite* payments and the final order is spousal support or alimony *pendente lite* as in [(4)(i)] subdivision (e)(4)(i), the offset spousal support or alimony *pendente lite* amount is federally taxable, and the trier-of-fact may deviate the final order due to the tax effect, as appropriate.

Official Note: See Pa.R.C.P. No. [1910.16-4] 1910.19(h).

* * * * *

Rule 1910.16-5. Support Guidelines. Deviation.

(a) *Deviation.* [**If the amount of support deviates from the amount of support determined by the guidelines, the trier of fact shall specify, in writing or on the record, the guideline amount of support, and the reasons for, and findings of fact justifying, the amount of the deviation.**]

(1) The trier-of-fact may deviate from the basic child support, spousal support, or alimony *pendente lite* obligation.

(2) If the trier-of-fact determines a deviation is appropriate based on the factors in subdivision (b), the trier-of-fact shall specify on the record or in writing:

(i) the calculated basic child support, spousal support, or alimony *pendente lite* obligation;

(ii) the reason for the deviation;

(iii) the findings of fact justifying the deviation;

(iv) the deviation amount; and

(v) in a spousal support or an alimony *pendente lite* action, the obligation's duration.

Official Note: The deviation applies to [**the amount of**] the support obligation amount or duration, and not to [**the amount of**] the party's monthly net income.

(b) *Factors.* In deciding whether to deviate from [**the amount of support determined by the guidelines**] the basic child support, spousal support, or alimony *pendente lite* obligation, the [**trier of fact**] trier-of-fact shall consider:

(1) unusual needs and unusual fixed obligations;

(2) a party's other support obligations [**of the parties**];

(3) other household income [**in the household**];

(4) [**ages of the children**] the child's age;

(5) the parties' relative assets and liabilities [**of the parties**];

(6) medical expenses not covered by insurance;

(7) the parties' and the child's standard of living [**of the parties and their children**];

(8) in a spousal support or alimony *pendente lite* case, the duration of the marriage from the date of marriage to the date of final separation; and

(9) other relevant and appropriate factors, including the child's best [**interests of the child or children**] interest.

* * * * *

Rule 1910.16-6. Support Guidelines. Basic Support Obligation Adjustments. Additional Expenses Allocation.

The trier-of-fact may allocate between the parties the additional expenses in subdivisions (a)—(e). [**If**] Even when a basic support order is inappropriate under the facts of the case, the trier-of-fact may allocate between the parties the additional expenses.

Except for the subdivisions (b)(4) and (e) expenses, the trier-of-fact shall calculate the parties' proportionate share of the additional expenses after adjusting the parties' monthly net income by the [**monthly**] spousal support or alimony *pendente lite* [**amount**] obligation received or paid, and [**then**] dividing each party's adjusted monthly net income by the parties' combined monthly net income. However, the trier-of-fact shall not adjust the parties' monthly net incomes when apportioning the expenses in child support only cases.

(a) *Child care expenses.*

(1) The trier-of-fact:

(i) shall allocate reasonable child care expenses paid by the parties, if necessary to maintain employment or appropriate education in pursuit of income.

(ii) may allocate reasonable child care expenses paid by the parties when the trier-of-fact imputes an earning capacity to a party as provided in Pa.R.C.P. No. 1910.16-2(d)(4)(i)(D).

(2) The trier-of-fact may [**order**] require that the obligor's share [**is**] be added to [**his or her**] the basic child support obligation, paid directly to the service provider, or paid directly to the obligee.

(3) When a party is receiving a child care subsidy through the Department of Human Services, the expense allocated between the parties is the amount actually paid by the party receiving the subsidy.

[*Example.* Mother has primary custody of the parties' two children and Father has partial custody. Mother's monthly net income is \$2,000 and Father's is \$3,500. At their combined income level of \$5,500, the basic monthly child support from the schedule in Pa.R.C.P. No. 1910.16-3 is \$1,463 for two children. As Father's income is 64% of the parties' combined monthly net income, his share is \$936. Mother incurs child care expenses of \$400 per month and Father incurs \$100 of such expenses per month. The total child care expenses, \$500, will be apportioned between the parties, with Father paying 64%, or \$320. As Father is already paying \$100 for child care while the children are in his partial custody, he would pay the remaining \$220 to Mother for a total child support obligation of \$1,156 (\$936 + \$220 = \$1,156).

(1) Documentation of the child care expenses shall be provided to the other party within a reasonable period of time after receipt unless the service provider invoices the parties separately for their proportionate share of the expense. Allocation of expenses for which documentation is not timely provided to the other party shall be within the discretion of the court.]

(4) The party seeking allocation of child care expenses shall provide to the other party the expense's documentation, such as a receipt or an invoice, promptly after receipt unless the service provider invoices the parties separately for the party's proportionate share of the expense.

(5) The trier-of-fact shall have the discretion to not allocate expenses if documentation is not timely provided to the other party.

[(2)] (6) Except as provided in subdivision [(3)] (a)(7), the total child care expenses shall be reduced to reflect [the amount of] the federal child care tax credit available to the eligible party, **regardless of** whether [or not] the credit is actually claimed by that party, up to the maximum annual cost allowable under the Internal Revenue Code.

[(3) The] (7) If the eligible party is not qualified to receive the credit, the federal child care tax credit shall not be used to reduce the child care expenses subject to allocation between the parties [if the eligible party is not qualified to receive the credit] .

Example. Mother has primary custody of the parties' two children and Father has partial custody. The parties' respective monthly net incomes are \$2,000 and \$3,500. At the combined monthly net income of \$5,500 for two children, the basic child support obligation is \$1,567. As Father's income represents 64% of the parties' combined monthly net income, Father's basic child support obligation is \$1,003. Mother incurs monthly child care expenses of \$400, and Father incurs \$100 per month. The total child care expenses, \$500, will be apportioned between the parties, with Father paying 64%, or \$320. As Father is paying \$100 for the children's child care during in his partial custody, he would pay the remaining \$220 to Mother for a total child support obligation of \$1,223 (\$1,003 + \$220).

(b) *Health Insurance [Premiums] Premium.*

(1) The trier-of-fact shall allocate the health insurance [premiums] **premium** paid by the parties, including the premium attributable to the party paying the premium, provided that a statutory duty of support is owed to the party or child covered by the health insurance.

(i) If the party paying the health insurance premium is the obligor, the obligee's share is deducted from the obligor's basic support [amount] **obligation**.

(ii) If the obligee is paying the health insurance premium, the obligor's share is added to [his or her] **the obligor's** basic support [amount] **obligation**.

(iii) [An allocation of] A health insurance [premiums] **premium allocated** between the parties shall also include health insurance that is provided and paid by a third-party resident of [either] a party's household (e.g., step-parent) for a child who is the subject of the support order.

(2) The trier-of-fact shall not allocate **an** employer-paid [premiums or premiums] **premium or a premium** paid for a party, person, or child to whom no statutory duty of support is owed.

(i) If the parties present evidence of the excluded premium's actual amount—the amount attributed to a party, person, or child not owed a statutory duty of support—the trier-of-fact shall deduct the actual amount excluded from the total premium before allocating the health insurance premium between the parties.

(ii) If the parties do not present evidence of the excluded premium's actual amount, the trier-of-fact shall calculate the excluded amount as follows:

(A) determine the premium's cost per person by dividing the total premium by the number of persons covered under the policy;

(B) multiply the cost per person by the number of persons who are not owed a statutory duty of support, or are not parties to, or the subject of, the support action; and

(C) the resulting amount is excluded from allocation.

Example 1. If the parties are separated, but not divorced, and Husband pays \$200 [per month toward the cost of a health insurance policy provided through his employer which covers] **monthly for employer-provided health insurance** for himself, Wife, the parties' child, and two additional children from a previous marriage, the [portion of the] premium attributable to the additional two children, if not otherwise verifiable or known with reasonable ease and certainty, is calculated by dividing \$200 by five persons and then multiplying the resulting amount of \$40 per person by the two additional children, for a total of \$80 to be excluded from allocation. Deduct this amount from the total [cost of the] premium to arrive at [the portion of] the premium to be allocated between the parties—\$120. Since Husband is paying the premium, and spouses have a statutory duty to support one another pursuant to 23 Pa.C.S. § 4321, Wife's percentage share of the \$120 is deducted from Husband's support obligation. If Wife had been providing the coverage, [then] Husband's percentage share would be added to his basic support obligation.

Example 2. If the parties are divorced and Father pays \$200 [per month toward the cost of a health insur-

ance policy provided through his employer which covers] **monthly for employer-provided health insurance for** himself, the parties' child, and two additional children from a previous marriage, the [**portion of the**] premium attributable to Father and the two additional children will not be allocated between the parties. Thus, using the same calculations in Example 1, the [**amount of the**] premium attributable to Father and the two other children is \$150 (\$200 premium divided among four covered persons equals \$50 per person multiplied by three) and that amount is deducted from the total [**cost of the**] premium, leaving \$50 (\$200 - \$150 = \$50) to be allocated between the parties.

Example 3. The parties are divorced, and Mother is the obligee of a child support order. Father, the obligor, pays \$200 [**per month toward the cost of a health insurance policy provided by his employer that covers] monthly for employer-provided health insurance for** himself and the parties' child. Mother pays \$400 per month for her [**employer-sponsored] employer-provided** health insurance that covers only herself. The [**amount of the**] premium Father pays to cover the parties' child, \$100 (\$200 premium divided between two covered persons, Father and the child), will be allocated between the parties in proportion to their respective **monthly net** incomes. The [**portion of the**] premium that covers Father will not be allocated because the parties are no longer married, and he is not owed a duty of support by Mother. The premium Mother pays to provide her own coverage will not be allocated because the parties are no longer married and she is not owed a duty of support by Father.

(3) Pursuant to 23 Pa.C.S. § 4326(a), in every support proceeding, the [**court must] trier-of-fact shall** ascertain [**each] a** parent's ability to provide medical support for the parties' [**children] child** and the support "order shall include a requirement for medical support to be provided by either or both parents, provided that such medical support is accessible to the children."

(i) The obligor bears the initial responsibility of providing **the child's** health care coverage [**for the children]** if it is available at a reasonable cost.

(A) "Reasonable cost" to an obligor shall be defined as an amount that does not exceed 5% of the obligor's [**net]** monthly **net** income and, when added to the [**amount of]** basic child support **obligation** plus additional expenses the obligor is ordered to pay, does not exceed 50% of the obligor's [**net]** monthly **net** income.

(B) If the obligee is providing the coverage, the [**reasonable amount] "reasonable cost"** of the obligor's share shall be defined as an amount that does not exceed 5% of the obligor's [**net]** monthly **net** income and, when added to the [**amount of]** basic child support **obligation** plus additional expenses the obligor is ordered to pay, does not exceed 50% of the obligor's [**net]** monthly **net** income.

(ii) Unless **the child's** health care coverage [**for the parties' children]** is provided by the obligee or a third party, the court shall issue the National Medical Support Notice required by 23 Pa.C.S. § 4326(d.1) to the obligor's employer in response to notification that the obligor is employed.

(A) The notice shall direct the employer to enroll the [**children of the obligor who are] obligor's child who is** the subject of the support proceeding if the coverage is available at a reasonable cost to the obligor.

(B) However, the notice shall direct that enrollment shall not occur earlier than 25 days from the date of the National Medical Support Notice to allow the obligor time to object.

(C) Concurrent with the issuance of the National Medical Support Notice, the court shall provide notice to the obligor setting forth the process to object to the enrollment based upon unreasonable cost, mistake of fact, or availability of alternative health care coverage for the [**children] child**.

(D) If there is more than one employer-provided health care coverage option, the obligor shall select the [**plan] coverage**, subject to the obligee's right to seek a court order designating a different option.

(iii) Absent the availability of health care coverage to the obligor for the parties' [**children] child** at a reasonable cost, the court shall order the obligee to provide health care coverage for the [**children] child** if it is available at a reasonable cost. "Reasonable cost" to the obligee shall be defined as an amount not to exceed 5% of the obligee's [**net]** monthly **net** income.

(iv) If health care coverage is not available to [**either party] the parties** at a reasonable cost, the court may order the [**custodial parent] the party having primary custody** to apply for government-sponsored coverage, such as the Children's Health Insurance Program ("CHIP"), with any co-premium or other cost apportioned between the parties in proportion to [**their] the parties'** respective [**net]** monthly **net** incomes.

(v) Within [**thirty] 30** days after the entry of the support order, the party ordered to provide health care coverage shall provide written proof to the other party that medical insurance has been obtained, including insurance cards and all other materials set forth in the form order in [**Rule] Pa.R.C.P. No. 1910.27(e)**. There shall be a continuing obligation to provide the other party and the [**court] domestic relations section** with proof of any changes in coverage.

(vi) The [**court] trier-of-fact** shall give preference to health care coverage that is readily accessible to the child, as defined by geographic coverage area, access to local treatment providers, or other relevant factors.

Official Note: The maximum amount of any attachment for child and medical support is set forth by the federal Consumer Credit Protection Act ([**Public Law 90-321, Section 303(b); 15 U.S.C. § 1601 et seq.] 15 U.S.C. §§ 1601 et seq.**).

(4) [**In cases in which] If** the obligor is paying [**the cost of health insurance coverage and] for the health insurance**, the obligee has no income or minimal income [**such that]**, and the obligor will bear 90% or more [**of the proportional share of the cost]** of the health insurance [**premiums,] premium:**

(i) the [**trier of fact] trier-of-fact** may, as fairness requires, deduct part or all of the [**cost of the premiums] premium** actually paid by the obligor to provide

coverage for the other party or the [**children**] **child** from the obligor's gross income to determine **monthly** net income for support purposes.

(ii) If such a deduction is taken from the obligor's gross income, [**then**] the **premium** allocation [**of premium costs**] as set forth in **subdivision** (b)(1) [**above**] shall not be applied.

Official Note: Subdivision (b) [**of this rule**] does not apply to Medical Assistance. See 23 Pa.C.S. § 4326(1). [**The 2005 amendments to Rule 1910.16-6(b)(1) and (2) clarify that the portion of the insurance premium covering the party carrying the insurance cannot be allocated between the parties if there is no statutory duty of support owed to that party by the other party. See *Maier v. Maier*, 575 Pa. 181, 835 A.2d 1281 (2003) and 23 Pa.C.S. § 4321.**]

(c) **Unreimbursed Medical Expenses.** The trier-of-fact shall allocate the obligee's or [**children's**] **child's** unreimbursed medical expenses. However, the trier-of-fact shall not allocate unreimbursed medical expenses incurred by a party who is not owed a statutory duty of support by the other party. The trier-of-fact may [**order**] **require** that the obligor's expense share [**is added to his or her**] **be included in the** basic support obligation, paid directly to the health care provider, or paid directly to the obligee.

(1) **Medical Expenses.**

(i) For purposes of this subdivision, medical expenses are annual unreimbursed medical expenses in excess of \$250 per person.

(ii) Medical expenses include insurance co-payments and deductibles and all expenses incurred for reasonably necessary medical services and supplies, including but not limited to surgical, dental and optical services, and orthodontia.

(iii) Medical expenses do not include cosmetic, chiropractic, psychiatric, psychological, or other services unless specifically directed in the order of court.

Official Note: While cosmetic, chiropractic, psychiatric, psychological, or other expenses are not required to be apportioned between the parties, the [**court**] **trier-of-fact** may apportion such expenses that it determines to be reasonable and appropriate under the circumstances.

(2) [**An annual limitation may be imposed**] **The trier-of-fact may impose an annual limitation** when the burden on the obligor would otherwise be excessive.

(3) Annual expenses [**pursuant to this subdivision (c),**] shall be calculated on a calendar year basis.

(i) In the year in which the initial support order is entered, or in any period in which support is being paid that is less than a full year, the \$250 threshold shall be pro-rated.

[**Documentation of unreimbursed medical expenses that either party seeks to have allocated between the parties shall be provided to the other party not later than March 31 of the year following the calendar year in which the final bill was received by the party seeking allocation.**] (ii) **The party seeking allocation for an unreimbursed medical expense shall provide to the other party the expense's documentation, such as a receipt or an invoice, promptly upon receipt, but not later than**

March 31st of the year following the calendar year in which the final bill was received by the party seeking allocation.

(iii) For purposes of subsequent enforcement, unreimbursed medical bills need not be submitted to the domestic relations section prior to March 31st.

[**Allocation of unreimbursed medical expenses for which documentation is not timely provided to the other party shall be within the discretion of the court.**] (iv) **The trier-of-fact shall have the discretion to not allocate an expense if documentation is not timely provided to the other party.**

(4) If the [**trier of fact**] **trier-of-fact** determines that out-of-network medical expenses were not obtained due to medical emergency or other compelling factors, the [**court**] **trier-of-fact** may decline to assess [**any of such**] **the** expenses against the other party.

Official Note: If the [**trier of fact**] **trier-of-fact** determines that the obligee acted reasonably in obtaining services [**which**] **that** were not specifically set forth in the order of support, payment for such services may be ordered retroactively.

[**(d) Private School Tuition. Summer Camp. Other Needs.** Expenditures for needs outside the scope of typical child-rearing expenses, e.g., private school tuition, summer camps, have not been factored into the Basic Child Support Schedule.

(1) **If a party incurs an expense for a need not factored into the Basic Child Support Schedule and the trier-of-fact determines the need and expense are reasonable, the trier-of-fact shall allocate the expense. The trier-of-fact may order that the obligor's expense share is added to his or her basic support obligation, paid directly to the service provider, or paid directly to the obligee.**

(2) **Documentation of the expenses allocated under (d)(1) shall be provided to the other party not later than March 31 of the year following the calendar year in which the invoice was received unless the service provider invoices the parties separately for their proportionate share of the expense. For purposes of subsequent enforcement, these expenses need not be submitted to the domestic relations section prior to March 31. Allocation of expenses for which documentation is not timely provided to the other party shall be within the discretion of the court.**]

(d) Private School Tuition or Summer Camp. Other Additional Expenses. **Expenses outside the scope of typical child-rearing expenses, such as private school tuition, summer camp fees, and other additional expenses as set forth in subdivision (d)(2), have not been factored into the Basic Child Support Schedule.**

(1) **Private School Tuition or Summer Camp.** **If the trier-of-fact determines that private school or summer camp is reasonable under the parties' circumstances, the trier-of-fact shall apportion the expense to the parties.**

(2) **Other Additional Expenses.** **The trier-of-fact shall apportion an additional expense to the parties, if the trier-of-fact determines that the expense:**

(i) **is related to the child's educational, extra-curricular, or developmental activities; and**

(ii) is reasonable under the parties' circumstances.

(3) The trier-of-fact may require that a party's proportionate share of a subdivision (d)(1) or (d)(2) expense is:

(i) included in or excluded from the basic child support obligation;

(ii) paid directly to the service provider; or

(iii) paid directly to the other party.

(4) Documentation.

(i) The party seeking allocation of an expense shall provide the other party with the expense's documentation, such as a receipt or an invoice, promptly upon receipt, but not later than March 31st of the year following the calendar year in which the party incurred the expense, unless the service provider invoices the parties separately.

(ii) For subsequent enforcement purposes, a party does not need to submit the expense's documentation to the domestic relations section before March 31.

(iii) The trier-of-fact shall have the discretion to not allocate an expense if documentation is not timely provided to the other party.

(e) *Mortgage Payment.* The **support** guidelines assume that the spouse occupying the marital residence will be solely responsible for the mortgage payment, real estate taxes, and homeowners' insurance. Similarly, the trier-of-fact **[will] shall** assume that the party occupying the marital residence will be paying the items listed unless the recommendation specifically provides otherwise.

(1) If the obligee is living in the marital residence and the mortgage payment exceeds 25% of the obligee's monthly net income (including amounts of spousal support, alimony *pendente lite*, and child support), the trier-of-fact may **[direct] require** the obligor to assume up to 50% of the excess amount **[as part of the total support amount] in the obligor's support obligation.**

(2) If the obligor is occupying the marital residence and the mortgage payment exceeds 25% of the obligor's monthly net income (less any amount of spousal support, alimony *pendente lite*, and child support the obligor is paying), the trier-of-fact may downwardly adjust the obligor's support **[amount] obligation.**

(3) This rule shall not be **[applied] applicable** after a final resolution of the outstanding economic claims in the parties' divorce action.

(4) For purposes of this subdivision, **[the term]** "mortgage" shall include a first **[mortgages] mortgage**, real estate taxes, and homeowners' insurance and may include a subsequent **[mortgages,] mortgage, a** home equity **[loans],** and other marital obligations secured by the marital residence.

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Rule 1910.16-7. Support Guidelines. **[Awards of Child Support When There are Multiple Families] Multiple Family Child Support Obligations.**

(a) When **[the total of the] an** obligor's basic child support obligations **[equals] total** 50% or less of **[his**

or her] the obligor's monthly net income, there will be no deviation from the **[guideline amount of support] basic support obligation** on the ground of the existence of a new family.

Example: If the obligor requests a reduction of support for one child of the first marriage on the basis that there is a new child of the second intact marriage, and the relevant monthly net incomes are \$2,500 for the obligor, \$500 for the former spouse, and \$1,300 for the current spouse, **[then]** the request for a reduction will be denied because the **[total support obligation of \$1,153 (\$584 for the first child and \$569 for the second child) is] obligor's basic support obligations total \$1,138 (\$576 for the first child and \$562 for the second child) and are** less than half of the obligor's monthly net income.

(b) When the total of the obligor's basic support obligations exceeds 50% of **[his or her] the obligor's** monthly net income, the **[court may consider a proportional reduction of these] trier-of-fact may proportionately reduce the basic support** obligations. **[Since, however, the]**

(1) **The** goal of the guidelines is to treat each child equitably, **and** a first or later family shall not receive preference**[, and].**

[the court] (2) The trier-of-fact shall not divide the **[guideline amount] basic child support obligations** for all of the obligor's children among the households in which those children live.

Example 1. The obligor is sued for support of an **[out of wedlock] out-of-wedlock** child. The obligor is already paying support for two children of the first marriage, and has an intact second marriage with one child. The relevant monthly net incomes are \$3,800 for the obligor, \$1,100 for the former spouse, \$0 for the current spouse, and \$1,500 for the parent of the new child. The obligor's basic **child** support obligations to each family are **[\$1,097] \$1,140** for the two children of the first marriage, **[\$862] \$854** for the one child of the second marriage, and **[\$727] \$743** for the one child out of wedlock for a total **[support obligation of \$2,686] of \$2,737.** Since the total of these obligations exceeds 50% of the obligor's monthly net income of \$3,800 **[per month],** the **[court] trier-of-fact** may consider a proportional reduction **[of all]** of the orders.

Example 2. The obligor is sued for support of three children of a second marriage. There is already an order in effect for two children of the first marriage. The relevant monthly net incomes are \$2,500 for the obligor, \$0 for the first spouse, and \$500 for the second spouse. The obligor's basic **child** support **[obligations to each family are \$849] obligation to each family is \$877** for the two children of the first marriage and **[\$987] \$1,040** for the three children of the second marriage for a total support obligation of **[\$1,836] \$1,917.** Since **[this] the** total obligation leaves the obligor with only **[\$664] \$583** on which to live, the orders are too high as the obligor must be left with a Self-Support Reserve of **[\$981] \$1,063.** However, reducing the order for three children while leaving the existing order intact would

give preference to the first family, contrary to the rule. Therefore, both orders [**must**] **shall** be reduced proportionally.

Example 3. The obligor is sued by three obligees to establish orders for three children. The monthly net income for the obligor and for each obligee is \$1,500. The [**court**] **trier-of-fact** would determine that the obligor's basic **child** support obligation for each child is [**\$352**] **\$346** for a total [**obligation of \$1,056**] of **\$1,038** for three children. It would be incorrect to determine the [**guideline amount**] **basic child support obligation** for three children, in this case [**\$1,189**] **\$1,253**, and [**then**] divide that amount among the three children. [**Due to the total support amount exceeding**] **As the obligations exceed** 50% of the obligor's monthly net income, the support orders should be reduced proportionately consistent with subdivision (b) and ensure the obligor retains the Self-Support Reserve of [**\$981**] **\$1,063** consistent with Pa.R.C.P. No. 1910.16-2(e).

(c) **Presumptive Basic Support Obligation.**

(1) For purposes of this rule, the **obligor's** presumptive [**amount of the obligor's**] basic support obligation:

(i) is calculated using only [**the basic guideline amounts of support, as determined from**] the formula in Pa.R.C.P. No. 1910.16-4[,]; and

(ii) does not include any additional expenses that may be added [**to these amounts**] pursuant to Pa.R.C.P. No. 1910.16-6.

(2) In calculating the **obligor's** presumptive [**amount of the obligor's**] basic support obligation, the [**court should**] **trier-of-fact shall** ensure that the obligor retains at least [**\$981**] **\$1,063** per month consistent with Pa.R.C.P. No. 1910.16-2(e).

Example 1. Assume that the obligor is paying [**\$566**] **\$553** per month support for one child of the first marriage, plus an additional \$200 per month for child care expenses. The obligor requests a reduction in this support obligation on the basis that there is one new child of the second intact marriage. The relevant incomes are \$2,400 for the obligor and \$0 for [**both**] the former and current spouses. The obligor's request for a reduction [**should**] **shall** be denied because the total of the basic [**guideline**] **support** obligations for both children is only [**\$1,132**] **\$1,106** (**\$553** for each child) and does not exceed 50% of the obligor's monthly net income. A reduction [**should**] **shall** not be given on the basis that the obligor's contribution to child care expenses for the first child results in an [**overall**] **total basic** support **child** obligation of [**\$1,332**] **\$1,306**, which exceeds 50% of the obligor's monthly net income. [**Thus, the**] **The** presumptive [**amount of**] basic **child** support **obligations** for the two children [**is still**] **\$1,132** (**\$566**) **still total** **\$1,106** (**\$553** for each child). The [**court must then**] **trier-of-fact shall** consider the deviation factors under Pa.R.C.P. No. 1910.16-5 and the parties' respective contributions to additional expenses under Pa.R.C.P. No. 1910.16-6 in arriving at an appropriate [**amount of**] total **child** support **obligation** for each child.

Example 2. Assume that the obligor is paying [**\$360**] **\$346** per month support for one child of the first marriage. The obligor has one new child of the second intact marriage. The relevant incomes are \$1,500 for the obligor and \$0 for the former and current spouses. A reduction [**should**] **shall** not be given on the basis of the obligor's new child because the [**total of the basic guideline obligations for both children is only**] **\$720** (**\$360**) **presumptive basic child support obligations total** **\$692** (**\$346** for each child) and this amount does not exceed 50% of the obligor's monthly net income. Since, however, this amount leaves the obligor with only [**\$780**] **\$808** per month, the [**court should**] **trier-of-fact shall** proportionally reduce the **basic child** support obligations so that the obligor retains [**\$981**] **\$1,063** per month. [**Thus, the**] **The** presumptive [**amount of basic support for the two children is**] **\$519** (**\$259.50**) **basic child support obligations total** **\$437** (**\$218.50** for each child). The [**court must then**] **trier-of-fact shall** consider the deviation factors under Pa.R.C.P. No. 1910.16-5 and the parties' respective contributions to additional expenses under Pa.R.C.P. No. 1910.16-6 in arriving at an appropriate [**amount of**] total **child** support **obligation** for each child.

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[Pa.B. Doc. No. 21-1453. Filed for public inspection September 3, 2021, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 4]

Proposed New Pa.R.Crim.P. 490.2 and 790.2; Proposed Amendment of Pa.R.Crim.P. 490, 790 and 791

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the adoption of new Rules 490.2 and 790.2 and the amendment of Rules 490, 790, and 791 governing expungement procedures for the reasons set forth in the accompanying explanatory 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 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:

Joshua M. Yohe, Counsel
Supreme Court of Pennsylvania
Criminal Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
Harrisburg, PA 17106-2635
fax: (717) 231-9521
e-mail: criminalrules@pacourts.us

All communications in reference to the proposal should be received by no later than Monday, October 4, 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 Criminal Procedural
Rules Committee*

BETH A. LAZZARA,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 4. PROCEDURES IN SUMMARY CASES

PART H. Summary Case Expungement Procedures

Rule 490. Procedure for Obtaining Expungement in Summary Cases; Expungement Order.

(A) PETITION FOR EXPUNGEMENT

(1) Except as provided in Rule 320 (**Expungement Upon Successful Completion of ARD Program**) and **Rule 490.2 (Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order)**, an individual who satisfies the requirements of 18 Pa.C.S. § 9122 and 18 Pa.C.S. § 9123(a) for expungement of a summary case may request expungement by filing a petition with the clerk of the courts of the judicial district in which the charges were disposed.

(2) The petition shall set forth:

(a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;

(b) the name and address of the issuing authority who accepted the guilty plea or heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the magisterial district court number;

(e) the docket number;

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged;

(h) the disposition and, if the sentence includes a fine, costs, or restitution, whether the amount due has been paid;

(i) the reason(s) for expungement; and

(j) a verification by the petitioner that facts set forth in the petition are true and correct to the best of the petitioner's personal knowledge or information and belief. The verification may be by a sworn affidavit or by an unsworn written statement that the facts are verified subject to the penalties for unsworn falsification to authorities under the Crimes Code § 4904, 18 Pa.C.S. § 4904.

Additional information shall not be required by local rule or practice.

(3) Unless the attorney for the Commonwealth agrees to waive this requirement, a current copy of the petitioner's Pennsylvania State Police criminal history report shall be attached to the petition. The copy shall be obtained from the Pennsylvania State Police within 60 days before filing the petition. Absent a waiver by the

attorney for the Commonwealth, the judge shall not rule upon the petition until the Pennsylvania State Police criminal history report is filed.

(4) A copy of the petition shall be served on the attorney for the Commonwealth concurrently with filing.

(B) OBJECTIONS; HEARING

(1) Within 30 days after service of the petition, the attorney for the Commonwealth shall file a consent or objection to the petition or take no action. The attorney for the Commonwealth's consent or objection shall be filed with the clerk of courts, and copies shall be served on the petitioner's attorney, or the petitioner if unrepresented.

(2) Upon receipt of the attorney for the Commonwealth's response, or no later than 14 days after the expiration of the 30-day period in paragraph (B)(1), the judge shall grant or deny the petition or shall schedule a hearing.

(3) At the hearing, if any, the parties shall be afforded an opportunity to be heard. Following the hearing, the judge promptly shall enter an order granting or denying the petition.

(4) If the judge grants the petition for expungement, the judge shall enter an order directing expungement.

(a) The order shall contain the information required in paragraph (C).

(b) Except when the attorney for the Commonwealth has filed a consent to the petition pursuant to paragraph (B)(1), the order shall be stayed for 30 days pending an appeal. If a timely notice of appeal is filed, the expungement order is stayed pending the disposition of the appeal and further order of court.

(5) If the judge denies the petition for expungement, the judge shall enter an order denying the petition and stating the reasons for the denial.

(C) ORDER

(1) Every order for expungement shall include:

(a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;

(b) the name and address of the issuing authority who accepted the guilty plea or heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the magisterial district court number;

(e) the docket number;

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged;

(h) the disposition and, if the sentence includes a fine, costs, or restitution, whether the amount due has been paid;

(i) the reason(s) for expungement; and

(j) the criminal justice agencies upon which certified copies of the order shall be served.

Additional information shall not be required by local rule or practice.

(2) The clerk of courts shall serve a certified copy of the [**Order**] **order** to each criminal justice agency identi-

fied in the court's [**Order**] **order and to all other entities required to be notified by statute.**

Comment

This rule, adopted in 2010, provides the procedures for requesting and ordering expungement in summary cases. Any case in which a summary offense is filed with a misdemeanor, felony, or murder of the first, second, or third degree is a court case (see Rule 103). The petition for expungement of the summary offense in such a case would proceed under Rule 790.

This rule was amended in 2019 to clarify that the procedures under this rule are to be used for summary convictions for offenses committed when the defendant is under 18 years of age. This would include any summary conviction that also has been certified to juvenile court pursuant to Pa.R.J.C.P. 200(3) and 42 Pa.C.S. § 6304.1. In such cases, two expungement petitions would need to be filed: one would be filed pursuant to Pa.R.J.C.P. 170 to expunge the record of the juvenile proceeding and the second would be filed pursuant to Pa.R.Crim.P. 490 to expunge the underlying summary conviction.

See also Rule 320 [for the procedures for expungement following the successful completion of an ARD program in a summary case and Rule 790 for court case expungement procedures] (Expungement Upon Successful Completion of ARD Program); Rule 790 (Procedure for Obtaining Expungement in Court Cases; Expungement Order); Rule 791 (Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access); 35 P.S. § 780-119 for expungement procedures under the Controlled Substance, Drug, Device, and Cosmetic Act; and for expungement procedures in cases satisfying the requirements of 18 Pa.C.S. § 9122(a)(4) regarding complete acquittals, see Rule 490.2 (Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order) and Rule 790.2 (Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order).

This rule sets forth the only information that is to be included in every expungement petition and order.

Paragraph (A)(3) requires the petitioner to attach a copy of his or her criminal history report to the petition. The attorney for the Commonwealth may waive the requirement that the criminal history report be attached to the petition. The Commonwealth's agreement to the waiver may be made orally or in writing, or averred in the petition.

A form petition and form order of expungement has been created by the Administrative Office of Pennsylvania Courts, in consultation with the Committee, and is available at the following website: <http://www.pacourts.us/forms/for-the-public>.

"Petition," as used in this rule, is a "motion" for purposes of Rules 575, 576, and 577.

The "reason for expungement" in paragraph (A)(2)(i) and (C)(1)(i) means, for example, acquittal, arrest or prosecution free for five years following the conviction for that summary offense, or age.

For the procedures for filing and service of petitions, see Rule 576.

For the procedures for filing and service of orders, see Rule 114.

For purposes of this rule, "criminal justice agency" includes police departments, county detectives, and other law enforcement agencies. *See also* 18 Pa.C.S. § 9102.

Subdivision (C)(2) requires the clerk of courts to serve each criminal justice agency identified in the court's order as well as all other entities required to be notified by statute. See e.g., 18 Pa.C.S. § 9122(a)(3) (requiring the expungement of all administrative records of the Department of Transportation relating to a conviction pursuant to 18 Pa.C.S. § 6308 when that conviction is ordered to be expunged).

Concerning standing, see *In Re Administrative Order No. 1-MD-2003*, 936 A.2d 1 (Pa. 2007); *Commonwealth v. J.H.*, 759 A.2d 1269 (Pa. 2000).

Official Note: Adopted September 22, 2010 effective in 90 days; amended November 1, 2016, effective November 14, 2016 amended March 1, 2019, effective July 1, 2019, **amended** , **2021, effective** , **2021.**

Committee Explanatory Reports:

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Final Report explaining the March 1, 2019 amendment regarding expungement of summary offenses when the defendant is under 18 years of age published with the Court's Order at 49 Pa.B. 1121 (March 16, 2019).

Report explaining proposed amendment regarding procedures for expungement in summary case acquittals published for comment at 51 Pa.B. 5595 (September 4, 2021).

(Editor's Note: The following rule is proposed to be added and printed in regular type to enhance readability.)

Rule 490.2. Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order.

(A) NOTICE OF ACQUITTAL

(1) In any summary case in which the defendant has been acquitted of all charges as provided in 18 Pa.C.S. § 9122(a)(4), the issuing authority promptly shall notify either the clerk of courts of the judicial district in which the charges were disposed or, if the charges were disposed of in the Philadelphia Municipal Court, the clerk of Municipal Court.

(2) Within 10 days of receipt of the notification from the issuing authority, the clerk of courts or the clerk of Municipal Court, whichever applies, shall notify the defendant, defense counsel, if any, and the attorney for the Commonwealth that the case shall be ordered expunged, unless an objection is filed by the attorney for the Commonwealth.

(3) Thereafter, the case shall proceed as provided in paragraphs (B) and (C) of this rule.

(4) The notice issued by the clerk of courts or by the clerk of Municipal Court under paragraph (A)(2) shall set forth:

(a) the defendant's name and any aliases that the defendant has used, address, date of birth, and social security number;

(b) the name and address of the issuing authority who heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the magisterial district court number, if applicable;

(e) the docket number;

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged; and

(h) that all the charges resulted in a not guilty finding.

Additional information shall not be required by local rule or practice.

(B) OBJECTIONS; HEARING

(1) Within 60 days after service of the notice, the attorney for the Commonwealth shall file a consent or objection to the expungement or take no action. The attorney for the Commonwealth's consent or objection shall be filed in the court of common pleas or the Philadelphia Municipal Court, whichever applies, and copies shall be served on the defendant and defense counsel, if any.

(2) Upon receipt of the attorney for the Commonwealth's response, or no later than 14 days after the expiration of the 60-day period in paragraph (B)(1), the court of common pleas or the Philadelphia Municipal Court, whichever applies, shall grant the expungement or shall schedule a hearing.

(3) At the hearing, if any, the defendant and the attorney for the Commonwealth shall be afforded an opportunity to be heard. Following the hearing, the judge promptly shall enter an order granting or denying the expungement.

(4) If the judge grants the expungement, the judge shall enter an order directing expungement.

(a) The order shall contain the information required in paragraph (C).

(b) Except when the attorney for the Commonwealth has filed a consent to the petition pursuant to paragraph (B)(1), the order shall be stayed for 30 days pending an appeal. If a timely notice of appeal is filed, the expungement order is stayed pending the disposition of the appeal and further order of court.

(5) If the judge denies the expungement, the judge shall enter an order denying the expungement and stating the reasons for the denial.

(6) The judge shall issue the order granting or denying the expungement in writing, with copies to the defendant, defense counsel, if any, and the attorney for the Commonwealth, and shall make the order a part of the docket.

(C) ORDER

(1) Every order for expungement shall include:

(a) the defendant's name and any aliases that the defendant has used, address, date of birth, and social security number;

(b) the name and address of the issuing authority who heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the magisterial district court number, if applicable;

(e) the docket number;

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged;

(h) that all the charges resulted in a not guilty finding; and

(i) the criminal justice agencies upon which certified copies of the order shall be served.

Additional information shall not be required by local rule or practice.

(2) The clerk of courts shall serve a certified copy of the order to each criminal justice agency identified in the court's order and to all other entities required to be notified by statute.

Comment

This rule was adopted in 2021 to provide procedures for the expungement of summary cases that resulted in acquittals as provided in 18 Pa.C.S. § 9122(a)(4).

See also Rule 320 (Expungement Upon Successful Completion of ARD Program); Rule 490 (Procedure for Obtaining Expungement in Summary Cases; Expungement Order); Rule 790 (Procedure for Obtaining Expungement in Court Cases; Expungement Order); Rule 791 (Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access); 35 P.S. § 780-119 for expungement procedures under the Controlled Substance, Drug, Device, and Cosmetic Act; and for expungement procedures in court cases satisfying the requirements of 18 Pa.C.S. § 9122(a)(4) regarding complete acquittals, *see* Rule 790.2 (Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order).

Official Note: Adopted , 2021 effective , 2021

Committee Explanatory Reports

Report explaining proposed new Rule 490.2 regarding procedures for expungement in summary case acquittals published for comment at 51 Pa.B. 5595 (September 4, 2021).

CHAPTER 7. POST-TRIAL PROCEDURES IN COURT CASES

PART C. Court Case Expungement Procedures

Rule 790. Procedure for Obtaining Expungement in Court Cases; Expungement Order.

(A) PETITION FOR EXPUNGEMENT

(1) Except as provided in Rule 320 (**Expungement Upon Successful Completion of ARD Program**), **Rule 790.2 (Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order)**, and 35 P.S. § 780-119, an individual who satisfies the requirements for expungement may request expungement by filing a petition with the clerk of the courts of the judicial district in which the charges were disposed.

(2) The petition shall set forth:

(a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;

(b) the name and address of the judge of the court of common pleas who accepted the guilty plea or heard the case;

(c) the name and mailing address of the affiant as shown on the complaint, if available;

(d) the Philadelphia Municipal Court docket number or the court of common pleas docket number, whichever applies;

- (e) the offense tracking number (OTN);
- (f) the date on the complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;
- (g) the specific charges, as they appear on the charging document, to be expunged;
- (h) the disposition and, if the sentence includes a fine, costs, or restitution, whether the amount due has been paid;
- (i) the reason(s) for expungement; and
- (j) a verification by the petitioner that facts set forth in the petition are true and correct to the best of the petitioner's personal knowledge or information and belief. The verification may be by a sworn affidavit or by an unsworn written statement that the facts are verified subject to the penalties for unsworn falsification to authorities under the Crimes Code § 4904, 18 Pa.C.S. § 4904.

Additional information shall not be required by local rule or practice.

(3) Unless the attorney for the Commonwealth agrees to waive this requirement, a current copy of the petitioner's Pennsylvania State Police criminal history report shall be attached to the petition. The copy shall be obtained from the Pennsylvania State Police within 60 days before filing the petition. Absent a waiver by the attorney for the Commonwealth, the judge shall not rule upon the petition until the Pennsylvania State Police criminal history report is filed.

(4) A copy of the petition shall be served on the attorney for the Commonwealth concurrently with filing.

(B) OBJECTIONS; HEARING

(1) Within 60 days after service of the petition, the attorney for the Commonwealth shall file a consent or objection to the petition or take no action. The attorney for the Commonwealth's consent or objection shall be filed with the clerk of courts, and copies shall be served on the petitioner's attorney, or the petitioner if unrepresented.

(2) Upon receipt of the attorney for the Commonwealth's response, or no later than 14 days after the expiration of the 60-day period in paragraph (B)(1), the judge shall grant or deny the petition or shall schedule a hearing.

(3) At the hearing, if any, the parties shall be afforded an opportunity to be heard. Following the hearing, the judge promptly shall enter an order granting or denying the petition.

(4) If the judge grants the petition for expungement, the judge shall enter an order directing expungement.

(a) The order shall contain the information required in paragraph (C).

(b) Except when the attorney for the Commonwealth has filed a consent to the petition pursuant to paragraph (B)(1), the order shall be stayed for 30 days pending an appeal. If a timely notice of appeal is filed, the expungement order is stayed pending the disposition of the appeal and further order of court.

(5) If the judge denies the petition for expungement, the judge shall enter an order denying the petition and stating the reasons for the denial.

(C) ORDER

(1) Every order for expungement shall include:

- (a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;
- (b) the name and address of the judge of the court of common pleas who accepted the guilty plea or heard the case;
- (c) the name and mailing address of the affiant as shown on the complaint, if available;
- (d) the Philadelphia Municipal Court docket number or the court of common pleas docket number, whichever applies;
- (e) the offense tracking number (OTN);
- (f) the date on the complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;
- (g) the specific charges, as they appear on the charging document, to be expunged;
- (h) the disposition and, if the sentence includes a fine, costs, or restitution, whether the amount due has been paid;
- (i) the reason(s) for expungement; and
- (j) the criminal justice agencies upon which certified copies of the order shall be served.

Additional information shall not be required by local rule or practice.

(2) The clerk of courts shall serve a certified copy of the [**Order**] order to each criminal justice agency identified in the court's [**Order**] order and to all other entities required to be notified by statute.

Comment

This rule, adopted in 2010, provides the procedures for requesting and ordering expungement in court cases. Any case in which a summary offense is filed with a misdemeanor, felony, or murder of the first, second, or third degree is a court case (see Rule 103). The petition for expungement of the summary offense in such a case would proceed under this rule.

See also Rule 320 [**for the procedures for expungement following the successful completion of an ARD program in a court case, Rule 490 for summary case expungement procedures, and**] (**Expungement Upon Successful Completion of ARD Program**); **Rule 490 (Procedure for Obtaining Expungement in Summary Cases; Expungement Order)**; **Rule 791 (Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access)**; 35 P.S. § 780-119 for expungement procedures under the Controlled Substance, Drug, Device, and Cosmetic Act; **and for expungement procedures in cases satisfying the requirements of 18 Pa.C.S. § 9122(a)(4) regarding complete acquittals, see Rule 490.2 (Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order) and Rule 790.2 (Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order).**

This rule sets forth the only information that must be included in every expungement petition and order.

Paragraph (A)(3) requires the petitioner to attach a copy of his or her criminal history report to the petition. The attorney for the Commonwealth may waive the

requirement that the criminal history report be attached to the petition. The Commonwealth's agreement to the waiver may be made orally or in writing, or averred in the petition.

An order for expungement under the Controlled Substance, Drug, Device, and Cosmetic Act, 35 P.S. § 780-119, also must include the information in paragraph (C).

A form petition and form order of expungement has been created by the Administrative Office of Pennsylvania Courts, in consultation with the Committee, and is available at the following website: <http://www.pacourts.us/forms/for-the-public>.

"Petition" as used in this rule is a "motion" for purposes of Rules 575, 576, and 577.

The "reason for expungement" in paragraph (A)(2)(i) and (C)(1)(i) means, for example, acquittal or age.

For the procedures for filing and service of petitions, see Rule 576.

For the procedures for filing and service of orders, see Rule 114.

When a summons instead of an arrest warrant is issued pursuant to Rule 519, the date of the summons constitutes the "date of arrest" for purposes of paragraph (A)(2)(f).

For purposes of this rule, "criminal justice agency" includes police departments, county detectives, and other law enforcement agencies. *See also* 18 Pa.C.S. § 9102.

Concerning standing, see *In Re Administrative Order No. 1-MD-2003*, 936 A.2d 1 (Pa. 2007); *Commonwealth v. J.H.*, 759 A.2d 1269 (Pa. 2000).

Official Note: Adopted September 22, 2010 effective in 90 days; amended November 1, 2016, effective November 14, 2016; **amended** , **2021, effective** , **2021.**

Committee Explanatory Reports

* * * * *

Final Report explaining the November 1, 2016 amendment regarding the stay of expungement when the Commonwealth has consented and petition and order forms published with the Court's Order at 46 Pa.B. 7442 (November 26, 2016).

Report explaining proposed amendment regarding procedures for expungement in court case acquittals published for comment at 51 Pa.B. 5595 (September 4, 2021).

(Editor's Note: The following rule is proposed to be added and printed in regular type to enhance readability.)

Rule 790.2. Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order.

(A) NOTICE OF ACQUITTAL

(1) In any court case in which the defendant has been acquitted of all charges as provided in 18 Pa.C.S. § 9122(a)(4), within 10 days of the entry of the acquittal, the clerk of courts of the judicial district in which the charges were disposed or, if the charges were disposed of in the Philadelphia Municipal Court, the clerk of Municipal Court shall notify the defendant, defense counsel, if any, and the attorney for the Commonwealth that the case shall be ordered expunged, unless an objection is filed by the attorney for the Commonwealth.

(2) Thereafter, the case shall proceed as provided in paragraphs (B) and (C) of this rule.

(3) The notice issued by the clerk of courts or by the clerk of Municipal Court under paragraph (A)(1) shall set forth:

(a) the defendant's name and any aliases that the defendant has used, address, date of birth, and social security number;

(b) the name and address of the judge of the court of common pleas or of the Philadelphia Municipal Court, whichever applies, who heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the Philadelphia Municipal Court docket number or the court of common pleas docket number, whichever applies;

(e) the offense tracking number (OTN);

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged; and

(h) that all the charges resulted in a not guilty finding.

Additional information shall not be required by local rule or practice.

(B) OBJECTIONS; HEARING

(1) Within 60 days after service of the notice, the attorney for the Commonwealth shall file a consent or objection to the expungement or take no action. The attorney for the Commonwealth's consent or objection shall be filed in the court of common pleas or the Philadelphia Municipal Court, whichever applies, and copies shall be served on the defendant and defense counsel, if any.

(2) Upon receipt of the attorney for the Commonwealth's response, or no later than 14 days after the expiration of the 60-day period in paragraph (B)(1), the court of common pleas or the Philadelphia Municipal Court, whichever applies, shall grant the expungement or shall schedule a hearing.

(3) At the hearing, if any, the defendant and the attorney for the Commonwealth shall be afforded an opportunity to be heard. Following the hearing, the judge promptly shall enter an order granting or denying the expungement.

(4) If the judge grants the expungement, the judge shall enter an order directing expungement.

(a) The order shall contain the information required in paragraph (C).

(b) Except when the attorney for the Commonwealth has filed a consent to the petition pursuant to paragraph (B)(1), the order shall be stayed for 30 days pending an appeal. If a timely notice of appeal is filed, the expungement order is stayed pending the disposition of the appeal and further order of court.

(5) If the judge denies the expungement, the judge shall enter an order denying the expungement and stating the reasons for the denial.

(6) The judge shall issue the order granting or denying the expungement in writing, with copies to the defendant, defense counsel, if any, and the attorney for the Commonwealth, and shall make the order a part of the docket.

(C) ORDER

(1) Every order for expungement shall include:

(a) the defendant's name and any aliases that the defendant has used, address, date of birth, and social security number;

(b) the name and address of the judge of the court of common pleas or of the Philadelphia Municipal Court, whichever applies, who heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the Philadelphia Municipal Court docket number or the court of common pleas docket number, whichever applies;

(e) the offense tracking number (OTN);

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged;

(h) that all the charges resulted in a not guilty finding; and

(i) the criminal justice agencies upon which certified copies of the order shall be served. Additional information shall not be required by local rule or practice.

(2) The clerk of courts shall serve a certified copy of the order to each criminal justice agency identified in the court's order and to all other entities required to be notified by statute.

Comment

This rule was adopted in 2021 to provide procedures for the expungement of court cases that resulted in acquittals as provided in 18 Pa.C.S. § 9122(a)(4).

See also Rule 320 (Expungement Upon Successful Completion of ARD Program); Rule 490 (Procedure for Obtaining Expungement in Summary Cases; Expungement Order); Rule 790 (Procedure for Obtaining Expungement in Court Cases; Expungement Order); Rule 791 (Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access); 35 P.S. § 780-119 for expungement procedures under the Controlled Substance, Drug, Device, and Cosmetic Act; and for expungement procedures in summary cases satisfying the requirements of 18 Pa.C.S. § 9122(a)(4) regarding complete acquittals, *see* Rule 490.2 (Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order).

Official Note: Adopted _____, 2021 effective _____, 2021
Committee Explanatory Reports

Report explaining proposed new Rule 790.2 regarding procedures for expungement in court case acquittals published for comment at 51 Pa.B. 5595 (September 4, 2021).

Rule 791. Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access.

(A) PETITION FOR ORDER FOR LIMITED ACCESS

(1) Pursuant to 18 Pa.C.S. § 9122.1, an individual who satisfies the statutory requirements for obtaining an order for limited access may request an order that limits the dissemination of his or her criminal history record

information by filing a petition with the clerk of the courts of the judicial district in which the charges were disposed.

(2) The petition shall set forth:

(a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;

(b) the name and address of the judge of the court of common pleas, magisterial district judge, or Philadelphia Municipal Court judge who accepted the guilty plea or heard the case;

(c) the name and mailing address of the affiant as shown on the complaint, if available;

(d) the court of common pleas docket number, magisterial district court docket number, or the Philadelphia Municipal Court docket number, whichever applies;

(e) the offense tracking number (OTN);

(f) the date on the complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be subject to limited access;

(h) the disposition, **whether the fee previously authorized to carry out the limited access and clean slate limited access provisions has been paid**, and, if the sentence includes [**a fine, costs, or**] restitution, whether the amount due **for restitution** has been paid;

(i) the reason(s) for the order for limited access;

(j) a statement that the case qualifies for a limited access order and none of the exceptions under 18 Pa.C.S. § 9122.1(b) are applicable; and

(k) a verification by the petitioner that facts set forth in the petition are true and correct to the best of the petitioner's personal knowledge or information and belief. The verification may be by a sworn affidavit or by an unsworn written statement that the facts are verified subject to the penalties for unsworn falsification to authorities under the Crimes Code § 4904, 18 Pa.C.S. § 4904.

Additional information shall not be required by local rule or practice.

(3) Unless the attorney for the Commonwealth agrees to waive this requirement, a current copy of the petitioner's Pennsylvania State Police criminal history report shall be attached to the petition. The copy shall be obtained from the Pennsylvania State Police within 60 days before filing the petition. Absent a waiver by the attorney for the Commonwealth, the court shall not rule upon the petition until the Pennsylvania State Police criminal history report is filed.

(4) A copy of the petition shall be served on the attorney for the Commonwealth concurrently with filing.

(B) OBJECTIONS; HEARING

(1) Within 30 days after service of the petition, the attorney for the Commonwealth shall file a consent or objection to the petition or take no action. The attorney for the Commonwealth's consent or objection shall be filed with the clerk of courts, and copies shall be served on the petitioner's attorney, or the petitioner if unrepresented.

(2) Upon receipt of the attorney for the Commonwealth's response, or no later than 14 days after the expiration of the 30-day period in paragraph (B)(1), the judge of the court of common pleas shall grant or deny the petition or shall schedule a hearing.

(3) At the hearing, if any, the parties shall be afforded an opportunity to be heard. Following the hearing, the judge promptly shall enter an order granting or denying the petition.

(4) If the judge grants the petition for limited access, the judge shall enter an order directing that the petitioner's criminal record history information that is subject to the limited access order shall not be disseminated to an individual, a noncriminal justice agency, or an internet website and that dissemination of the petitioner's criminal record history be limited only to a criminal justice agency or government agency as provided in 18 Pa.C.S. § 9122.1.

(a) The order shall contain the information required in paragraph (C).

(b) Except when the attorney for the Commonwealth has filed a consent to the petition pursuant to paragraph (B)(1), the order shall be stayed for 30 days pending an appeal. If a timely notice of appeal is filed, the order for limited access is stayed pending the disposition of the appeal and further order of court.

(5) If the judge denies the petition for an order of limited access, the judge shall enter an order denying the petition and stating the reasons for the denial.

(6) If the judge grants the petition for an order of limited access, the petition and order are subject to limited access.

(C) ORDER

(1) Every order for limited access shall include:

(a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;

(b) the name and address of the judge of the court of common pleas, magisterial district judge, or Philadelphia Municipal Court judge who accepted the guilty plea or heard the case;

(c) the name and mailing address of the affiant as shown on the complaint, if available;

(d) the court of common pleas docket number, magisterial district court docket number, or the Philadelphia Municipal Court docket number, whichever applies;

(e) the offense tracking number (OTN);

(f) the date on the complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be subject to limited access;

(h) the disposition, **whether the fee previously authorized to carry out the limited access and clean slate limited access provisions has been paid**, and, if the sentence includes **[a fine, costs, or]** restitution, whether the amount due **for restitution** has been paid;

(i) the reason(s) for the order for limited access;

(j) a statement that the case qualifies for a limited access order and none of the exceptions under 18 Pa.C.S. § 9122.1(b) are applicable; and

(k) the criminal justice agencies upon which certified copies of the order shall be served.

Additional information shall not be required by local rule or practice.

(2) The clerk of courts shall serve a certified copy of the **[Order] order** to each criminal justice agency identified in the court's **[Order] order and to all other entities required to be notified by statute**.

Comment

Section 9122.1 of the Criminal Code provides for an order limiting dissemination of a record of a criminal conviction for a misdemeanor of the second degree, a misdemeanor of the third degree, or an ungraded misdemeanor which carries a maximum penalty of no more than two years only to a criminal justice agency or government agency. This rule, adopted in 2016, provides the procedures for requesting and ordering an order for limited access as provided in the statute.

This rule sets forth the only information that must be included in every petition and order for limited access.

The petition must be filed with the clerk of courts of the judicial district in which the charges that are the subject of the petition were disposed. The petition must be decided by a judge of the court of common pleas, even if the charges that are the subject of the petition were disposed by a magisterial district judge or Philadelphia Municipal Court judge.

Paragraph (A)(3) requires the petitioner to attach a copy of his or her criminal history report to the petition. The attorney for the Commonwealth may waive the requirement that the criminal history report be attached to the petition. The Commonwealth's agreement to the waiver may be made orally or in writing, or averred in the petition.

A form petition and form order for limited access has been created by the Administrative Office of Pennsylvania Courts, in consultation with the Committee, and is available at the following website: <http://www.pacourts.us/forms/for-the-public>.

"Petition" as used in this rule is a "motion" for purposes of Rules 575, 576, and 577.

The "reason for the order for limited access" in paragraph (A)(2)(i) and (C)(1)(i) means, for example, the defendant's freedom from arrest or prosecution for 10 years.

For the procedures for filing and service of petitions, see Rule 576.

For the procedures for filing and service of orders, see Rule 114.

When a summons instead of an arrest warrant is issued pursuant to Rule 519, the date of the summons constitutes the "date of arrest" for purposes of paragraph (A)(2)(f).

For purposes of this rule, "criminal justice agency" includes police departments, county detectives, and other law enforcement agencies. See also 18 Pa.C.S. § 9102. For the definition of "government agency," see 18 Pa.C.S. § 9121(b.1) and (b.2).

Nothing in this rule is intended to alter procedures regarding expungement. See Rule 320 **[for the procedures for expungement following the successful completion of an ARD program in a court case, Rule 490 for summary case expungement procedures, Rule 790 for court case expungement, and] (Expungement Upon Successful Completion of ARD Program); Rule 490 (Procedure for Obtaining Expungement in Summary Cases; Expungement Order); Rule 790 (Procedure for Obtaining Expunge-**

ment in Court Cases; Expungement Order); 35 P.S. § 780-119 for expungement procedures under the Controlled Substance, Drug, Device, and Cosmetic Act; and for expungement procedures in cases satisfying the requirements of 18 Pa.C.S. § 9122(a)(4) regarding complete acquittals, see Rule 490.2 (Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order) and Rule 790.2 (Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order).

Concerning standing, see *In Re Administrative Order No. 1-MD-2003*, 936 A.2d 1 (Pa. 2007); *Commonwealth v. J.H.*, 759 A.2d 1269 (Pa. 2000).

Official Note: Adopted November 1, 2016, effective November 14, 2016; **amended** _____, **2021, effective** _____, **2021.**

Committee Explanatory Reports:

Final Report explaining new Rule 791 providing the procedures for orders for limited access in court cases published with the Court's Order at 46 Pa.B. 7442 (November 26, 2016).

Report explaining proposed amendment regarding satisfaction of fees published for comment at 51 Pa.B. 5595 (September 4, 2021).

PUBLICATION REPORT

*Proposed New Pa.R.Crim.P. 490.2 and 790.2
Proposed Amendment of Pa.R.Crim.P. 490, 790, and 791*

Expungements Resulting From Acquittal and Petition for Limited Access Fee and Restitution Requirement

The Committee is proposing adopting Rules 490.2 and 790.2 as well as amending Pa.R.Crim.P. 490, 790, and 791 in response to the Act of Oct. 29, 2020, P.L. 718, No. 83 (hereinafter "Act 83"). Act 83 amended 18 Pa.C.S. § 9122 to provide for the "automatic" expungement of criminal history record information when a judicial determination has been made that a person has been acquitted of an offense. Act 83 requires a court to notify the parties that the case will be automatically expunged. After being notified, the Commonwealth has 60 days to object to the automatic expungement. Such objection is limited to whether a full acquittal occurred in the case. If an objection is raised, a hearing must be held.

In addition to amending 18 Pa.C.S. § 9122, Act 83 also amended 18 Pa.C.S. § 9122.1, providing that an individual seeking a limited access order must pay both restitution and a previously authorized fee before a court is permitted to grant the petition for limited access. The amendment of § 9122.1 also removed the requirement that a petitioner must meet all financial obligations of a sentence prior to a court granting the petition.

Preliminarily, "automatic" and "automatically" as used in 18 Pa.C.S. § 9122 indicate that, where the requirements of the statute are met, the expungement occurs without the need for a petition from the person acquitted. Automatic expungement does not, however, apply to a partial acquittal, but rather requires the person to have been "acquitted of all charges based on the same conduct or arising from the same criminal episode following a trial and a verdict of not guilty." 18 Pa.C.S. § 9122(a)(4).

To implement Act 83, the Committee proposes amendments to Pa.R.Crim.P. 490, 790, and 791 and the adoption of Rules 490.2 and 790.2. Proposed new Rule 490.2 has been drafted to provide for expungement of a summary

charge after acquittal, while proposed new Rule 790.2 has been drafted to provide for expungement after a complete acquittal in a court case. Together, Rules 490.2 and 790.2 provide the necessary procedures for expungement when "a judicial determination has been made that a person is acquitted of an offense." 18 Pa.C.S. § 9122(a)(4).

For a rule providing for the automatic expungement of an acquittal in a summary case, the Committee examined whether the expungement should be ordered by the magisterial district judge who decided the matter or by a common pleas judge. As Act 83 is silent on the question, the Committee reviewed prior policy in this area and noted that (1) there is no rule-governed motions practice in Chapter 4 (Procedures in Summary Cases) of the Rules of Criminal Procedure; and (2) the magisterial district courts are not courts of record. Additionally, common pleas judges have greater familiarity and experience with processing expungements—currently, all but truancy expungements are handled at the court of common pleas. Act 83 also requires that the Commonwealth be given an opportunity to object and that the court, upon the filing of an objection, conduct a hearing. See 18 Pa.C.S. § 9122(a)(4)(ii)-(iii). The closer proximity of district attorneys, courts of common pleas, and clerks of courts would increase the efficiency of this process. Consequently, the Committee concluded that expungements of summary acquittals should be entrusted to judges of the courts of common pleas. One exception, as currently proposed, would be expungements of summary offenses in Philadelphia Municipal Court. Where an individual is acquitted of a summary offense in Municipal Court, the subsequent expungement would be processed by the Municipal Court as provided for by the new rule.

To implement the above, subdivision (A)(1) of proposed new Rule 490.2 would require the issuing authority to promptly "notify either the clerk of courts of the judicial district in which the charges were disposed or, if the charges were disposed of in the Philadelphia Municipal Court, the clerk of Municipal Court" of the acquittal. The clerk of courts or the clerk of Municipal Court would then have 10 days to provide notice to the defendant, defense counsel, if any, and the attorney for the Commonwealth pursuant to subdivision (A)(2). The required contents of that notice are enumerated in subdivision (A)(4). Subdivision (B)(1) of the new rule then provides the Commonwealth with 60 days to file an objection in the court of common pleas or in Philadelphia Municipal Court, whichever applies. Upon receipt of the Commonwealth's response, or no later than fourteen days after the 60 days has expired, the court shall either grant the expungement or schedule a hearing pursuant to subdivision (B)(2). If the Commonwealth does not object, the court must grant the expungement, and the order for expungement must contain the information enumerated in subdivision (C)(1). If the judge denies the expungement, subdivision (B)(5) requires the judge to enter an order stating the reasons for the denial. In either case, the judge shall issue the order granting or denying expungement in writing pursuant to subdivision (B)(6). Subdivision (C)(2) then directs the clerk of courts to serve a copy of the order on "each criminal justice agency identified in the court's order and to all other entities required to be notified by statute."

Proposed new Rule 790.2 closely mirrors Rule 490.2 and implements procedures for the automatic expungement of criminal history record information when an individual is acquitted in a court case¹. However, unlike

¹ See Pa.R.Crim.P. 103 (Definitions), ("Court Case is a case in which one or more of the offenses charged is a misdemeanor, felony, or murder of the first, second, or third degree.")

Rule 490.2, the judge who presided over the acquittal is not required to provide notice to the clerk of courts of the acquittal as the clerk enters the acquittal on the docket as a matter of course, making notification unnecessary. Like Rule 490.2, if the acquittal occurs in Philadelphia Municipal Court, the expungement would be processed by the Municipal Court. In all other respects, Rule 790.2 complements Rule 490.2.

The addition to the Rules of Criminal Procedure of proposed new Rules 490.2 and 790.2 will require correlative changes to Rules 490 and 790. Rule 490 (Procedure for Obtaining Expungement in Summary Cases; Expungement Order) and Rule 790 (Procedure for Obtaining Expungement in Court Cases; Expungement Order) provide for the filing of a petition for expungement. The procedures outlined in those rules are not applicable where there has been a complete acquittal. Thus, the Committee has proposed amending paragraph (A)(1) of each rule to except from those rules all expungements that fall within the ambit of either Rule 490.2 or Rule 790.2, respectively. Additionally, the Committee is proposing amending subdivision (C)(2) of both Rule 490 and Rule 790 to require the clerk of courts to serve a copy of the order “to all other entities required to be notified by statute.” A proposed amendment to the Comment to Rule 490 explains:

Subdivision (C)(2) requires the clerk of courts to serve each criminal justice agency identified in the court’s order as well as all other entities required to be notified by statute. *See e.g.*, 18 Pa.C.S. § 9122(a)(3) (requiring the expungement of all administrative records of the Department of Transportation relating to a conviction pursuant to 18 Pa.C.S. § 6308 when that conviction is ordered to be expunged).

The Committee is also proposing amending the Comment to both Rule 490 and Rule 790 to provide references to all other expungement rules.

Finally, in light of the amendment of 18 Pa.C.S. § 9122.1, the Committee is proposing amendment of Rule 791 (Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access) to reflect the change in financial obligations that must be satisfied prior to a limited access order being granted by the court. As amended, § 9122.1 prohibits a court from entering an order “unless the person who filed the petition, upon payment of all court-ordered restitution, also paid the fee previously authorized to carry out the limited access and clean slate limited access provisions.” 18 Pa.C.S. § 9122.1(a). Deleted from § 9122.1(a) is the prior requirement that a defendant complete “each court-ordered financial obligation of the sentence.” Thus, a defendant needs to pay restitution and the fee imposed to cover the costs of the limited access and clean slate provisions—but not any other court-ordered financial obligations of the sentence, such as a fine or court costs—prior to any petition for limited access being granted. These changes are reflected in the proposed amendments to subdivisions (A)(2)(h) and (C)(1)(h) of Rule 791.

The Committee also proposes that subdivision (C)(2) of Rule 791 be amended to require the clerk to serve a copy of the order “to all other entities required to be notified by statute,” creating uniformity among the expungement rules.

The Committee invites all comments, concerns, and suggestions.

[Pa.B. Doc. No. 21-1454. Filed for public inspection September 3, 2021, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 300]

Proposed Amendment of Pa.R.C.P.M.D.J. No. 301, 302, and 321 and Proposed Adoption of Pa.R.C.P.M.D.J. No. 350

The Minor Court Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P.M.D.J. No. 301, 302, and 321 and the adoption of Pa.R.C.P.M.D.J. No. 350. This proposal provides procedural rules for appeals under 75 Pa.C.S. § 3369(j)(4), relating to violations issued via automated work zone speed enforcement systems 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 be officially adopted by the Supreme Court.

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

Pamela S. Walker, Counsel
Minor Court Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9546
minorrules@pacourts.us

All communications in reference to the proposal should be received by September 27, 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 Minor Court Rules Committee

HONORABLE MARGARET A. HUNSICKER,
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 300. CIVIL ACTION

Rule 301. Definition; Scope.

A. As used in this chapter,^[1] “**action**” means a **civil action brought before a magisterial district judge**.

B. Civil action includes any action within the jurisdiction of a magisterial district judge except an action by a landlord against a tenant for the recovery of the possession of real property.

C. As used in this chapter, “complaint” or [**Civil Action**] **civil action** shall include, where applicable, the attached and completed Civil Action Hearing Notice form.

[¹ Rules in 300 series.]

Official Note: Civil action includes actions formerly denominated “assumpsit” or “trespass” (**commonly called contract and tort cases, respectively**) and civil claims for fines and penalties. *See* [**Section 1515(a)(3) of the Judicial Code,**] 42 Pa.C.S. § 1515(a)(3) prescribing the jurisdiction of magisterial district judges.

The rules in this chapter [**will**] apply to all civil actions before magisterial district judges except an action by a landlord against a tenant for the recovery of possession of real property, which [**are**] **is** governed by Chapter 500 of these rules.

Except as otherwise provided in Rule 350, the rules in this chapter apply to de novo appeals filed pursuant to 75 Pa.C.S. § 3369(j)(4), relating to automated work zone speed enforcement violations.

Statutes authorizing a civil fine or penalty include [**the following: (1) Section 10.1 of the Act of April 27, 1927, P.L. 465, No. 299, added by section 2 of the Act of December 21, 1988, P.L. 1315, No. 168, 35 P.S. § 1230.1 relating to clean indoor air; and Sections 617.1 and 817-A of the Act of July 31, 1968, P.L. 805, No. 247, as added by sections 62 and 77 of the Act of December 21, 1988, P.L. 1329, No. 170,**] 53 P.S. §§ 10617.1[,] **and** 10817-A relating to violations of zoning and joint municipal zoning ordinances.

Rule 302. Venue.

* * * * *

Official Note: This rule [**replaces the temporary venue provisions of § 14 of the Schedule to Article V, Pennsylvania Constitution, 1968. It**] combines, with some minor changes, the Pennsylvania Rules of Civil Procedure relating to venue. *See*:

- (1) Individuals: Pa.R.C.P. No. 1006(a).
- (2) Partnerships: Pa.R.C.P. No. 2130(a).
- (3) Corporations: Pa.R.C.P. No. 2179(a).
- (4) Insurance Policies: Pa.R.C.P. No. 2179(b).
- (5) Unincorporated Associations: Pa.R.C.P. No. 2156(a).
- (6) Political Subdivisions: Pa.R.C.P. No. 2103(b).

This rule is not intended to repeal special statutory venue provisions [**not included therein (see Rule 382(3))**], such as the: (1) venue provisions [**of the Goods and Services Installment Sales Act, Act of October 28, 1966, P.L. 7, Art. XII, § 1205, 69 P.S. § 2205, nor is it intended to contravene the special**] **for actions involving installment sales of goods and services, 12 Pa.C.S. § 6307; (2) venue provisions [of § 811] of the Fair Debt Collection Practices Act, [15 U.S.C. 1692i] 15 U.S.C. § 1692i, pertaining to actions brought by debt collectors against consumers; and (3) venue provisions for appeals from automated work zone speed enforcement violations, 75 Pa.C.S. § 3369(j)(4). See Pa.R.C.P.M.D.J. No. 382(1).**

For a definition of “transaction or occurrence,” *see Craig v. W.J. Thiele & Sons, Inc.*, [**395 Pa. 129,**] 149 A.2d 35 (**Pa.** 1959).

Subdivision G is intended to take care of indistinct, “center line” or other confusing boundaries in the respects mentioned. When a complaint is transferred under subdivision H, it is treated as if originally filed in the transferee court on the date first filed in a court. If service of the complaint has already been made, no new service may be necessary, but the transferee court must set a new date, time and place for the new hearing and notify the parties thereof. It is the intent of this rule that cases may be transferred to any Pennsylvania court with appropriate jurisdiction and venue, including the Philadelphia Municipal Court. Likewise, nothing in this rule prohibits a court other than a magisterial district court from transferring a case to a magisterial district court with proper jurisdiction and venue, in accordance with the procedural rules of the transferring court. The jurisdictional limits of the magisterial district courts and the Philadelphia Municipal Court are governed by [**Sections 1515 and 1123 of the Judicial Code, respectively.**] 42 Pa.C.S. §§ 1515 and 1123, **respectively.**

There are no costs for transfer of the complaint and no additional filing costs when a case is transferred from one magisterial district court to another magisterial district court. There are no additional filing costs when a case is transferred from the Philadelphia Municipal Court to a magisterial district court.

There may be additional service costs when a case is transferred.

Rule 321. Hearings and Evidence.

The magisterial district judge shall be bound by the rules of evidence, except that a bill, estimate, receipt, or statement of account [**which**] **that** appears to have been made in the regular course of business may be introduced in evidence by any party without affidavit or other evidence of its truth, accuracy, or authenticity.

Official Note: The exception to the rules of evidence provided by this rule was inserted because the Pennsylvania statutes making certain business entries admissible in evidence [**(see the Judicial Code, § 6108, 42 Pa.C.S. § 6108)**] apparently do not apply to bills, receipts, and the like [**which**] **that** are made in the regular course of business but are not made as “records.” **See 42 Pa.C.S. § 6108.** The fact that this exception permits the introduction of these items of evidence without affidavit or other evidence of their truth, accuracy, or authenticity does not, of course, preclude the introduction of evidence contradicting them. The exception was deemed necessary because the items of evidence made admissible thereby are probably the proofs most commonly used in minor judiciary proceedings. **See Rule 350D(2) for additional exceptions applicable to appeals from automated work zone speed enforcement violations.**

SATISFACTION OF MONEY JUDGMENTS

(*Editor’s Note:* the following rule is proposed to be added and printed in regular type to enhance readability.)

Rule 350. Automated Work Zone Speed Enforcement Violation Appeals.

A. As used in this rule:

(1) “Appellant” means the owner of a vehicle who has requested the appeal of a determination by a hearing officer pursuant to 75 Pa.C.S. § 3369(j)(4).

(2) “Appellee” means the Pennsylvania Department of Transportation, the Pennsylvania Turnpike Commission,

or the system administrator designated by those agencies pursuant to 75 Pa.C.S. § 3369(h)(3)(i).

B. *Venue*. An appeal filed pursuant to this rule shall only be filed in the magisterial district court in the magisterial district where the violation of 75 Pa.C.S. § 3369(c) occurred.

C. *Notice of Appeal*.

(1) An appellant may appeal a determination of a hearing officer pursuant to 75 Pa.C.S. § 3369(j)(4) by filing a notice of appeal on a form prescribed by the State Court Administrator together with a copy of the hearing officer's determination.

(2) The appellant shall pay all costs for filing and service of the notice of appeal at the time of filing, or if without the financial resources to pay the costs of litigation, the appellant shall file a petition to proceed *in forma pauperis* pursuant to Rule 206E.

(3) After setting the hearing date pursuant to Rule 305, the magisterial district judge shall serve the notice of appeal on the appellee by mailing a copy to the appellee at the address listed on the hearing officer's determination by certified mail or comparable delivery method resulting in a return receipt in paper or electronic form. The return receipt shall show that the notice of appeal was received by the appellee.

D. *Hearing; Evidence*.

(1) The proceeding shall be conducted *de novo* in accordance with these rules as if the action was initially commenced in a magisterial district court with the appellee having the burden of proof.

(2) The hearing is subject to the standards of evidence set forth in Rule 321, except that photographs, videos, vehicle titles, police reports, and records of the Pennsylvania Department of Transportation may also be entered as evidence by any party without affidavit or other evidence of their truth, accuracy, or authenticity.

Official Note: 75 Pa.C.S. § 3369 established a program to provide for automated speed enforcement systems in active work zones on certain highways under the jurisdiction of the Pennsylvania Department of Transportation and the Pennsylvania Turnpike Commission. This rule was adopted to address the provisions of the statute that permits a *de novo* appeal to a magisterial district court from a determination of a hearing officer following an administrative hearing to contest an alleged violation of 75 Pa.C.S. § 3369(c). Because these actions are *de novo* appeals, they shall proceed as any other civil action commenced in a magisterial district court except as provided by this rule.

Insofar as other procedures under these rules may be applicable, the appellant shall be deemed the "defendant" and the appellee shall be deemed the "plaintiff."

The initiating document in an appeal filed pursuant to Rule 350 is the notice of appeal, which shall be used in lieu of a complaint.

Photographs, videos, vehicle titles, police reports, and records of the Pennsylvania Department of Transportation were added to the existing business record exceptions in Rule 321 because they are the proofs most likely to be used to support the permitted defenses to 75 Pa.C.S. § 3369(c).

The appellant shall pay civil fines incurred pursuant to 75 Pa.C.S. § 3369(e) to the appellee and not to the magisterial district court. See Pa.R.C.P.M.D.J. No. 323. If the magisterial district judge enters judgment in favor of

the appellant, *i.e.*, the vehicle owner, the appellant is entitled to recover taxable costs from the appellee. See Pa.R.C.P.M.D.J. No. 206B ("the prevailing party in magisterial district court proceedings shall be entitled to recover taxable costs from the unsuccessful party. Such costs shall consist of all filing, personal service, witness, and execution costs authorized by Act of Assembly or general rule and paid by the prevailing party"). Procedures for enforcement of judgments, including judgments in favor of the appellant for taxable costs from the appellee, are set forth in Rules 401 *et seq.*

See Rules 1001 *et seq.* for procedures to appeal a judgment rendered by a magisterial district judge or to file a *praecipe* for a writ of *certiorari* in civil actions, including actions brought pursuant to this rule.

PUBLICATION REPORT

Proposed Amendment of Pa.R.C.P.M.D.J. No. 301, 302, and 321 and Proposed Pa.R.C.P.M.D.J. No. 350

The Minor Court Rules Committee ("Committee") is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P.M.D.J. No. 301, 302, and 321 and the adoption of Pa.R.C.P.M.D.J. No. 350. This proposal would establish procedural rules for appeals under 75 Pa.C.S. § 3369(j)(4), relating to violations issued via automated work zone speed enforcement systems ("AWZSES").

Background

Act 86 of 2018 ("Act") authorized the use of AWZSES in active work zones along the Pennsylvania Turnpike and "[f]ederal aid highways only under the jurisdiction of the Pennsylvania Department of Transportation." See 75 Pa.C.S. § 3369(a). It also established civil penalties for a speeding offense in a highway work zone recorded by an AWZSES. If the AWZSES records a speeding violation in an active work zone, a system administrator (*i.e.*, agency vendor) will prepare and send a violation notice to the registered vehicle owner identified by the system. See *id.* § 3369(d). The vehicle owner may request a hearing before a hearing officer to contest the alleged violation. See *id.* § 3369(j)(1). The Act permits a vehicle owner to appeal the hearing officer's decision before a magisterial district judge:

If the owner requests in writing that the decision of the hearing officer be appealed, the system administrator shall file the notice of violation and supporting documents with the office of the magisterial district judge for the magisterial district where the violation occurred, and the magisterial district judge shall hear and decide the matter *de novo*.

See *id.* § 3369(j)(4). The Pennsylvania Department of Transportation and the Pennsylvania Turnpike Commission implemented AWZSES and it is operational. In anticipation of appeals from hearing officer determinations filed pursuant to 75 Pa.C.S. § 3369(j)(4), the Committee is considering proposing to the Supreme Court of Pennsylvania changes to the Rules of Civil Procedure before Magisterial District Judges to (1) clarify that Pa.R.C.P.M.D.J. No. 301—382 apply to AWZSES violation appeals; and (2) provide certain exceptions for these actions due to their unique nature as *de novo* appeals from hearing officer determinations. The Committee previously published a proposal relating to AWZSES appeals for public comment at 50 Pa.B. 3104 (June 27, 2020) and accepted comments through August 4, 2020. The Committee has made revisions to the proposal based on feedback received.

Proposal

In Rule 301, the Committee proposes adding a paragraph to the Note advising the Rules apply to AWZSES appeals, except as otherwise provided by new Rule 350. Next, the Committee proposes amending the Note to Rule 302 to include AWZSES appeals to the list of actions with special venue provisions, as well as other amendments to enhance readability. In the Note to Rule 321, the Committee adds a cross-reference to proposed new Rule 350D(2), providing exceptions to evidentiary requirements for AWZSES appeals. These proposed amendments are virtually identical to the rule amendments published in 2020.

The Committee proposes new Rule 350, containing a special venue rule and evidentiary exceptions, and clarifying the nature of the parties and proceeding in an AWZSES violation appeal. Proposed Rule 350 requires a vehicle owner appealing from a hearing officer determination to file a notice of appeal along with a copy of the hearing officer determination with the magisterial district court. The notice of appeal takes the place of a complaint as the initiating document in the civil action. The vehicle owner is the appellant in the action and the agency or its designee is the appellee. To the extent other procedural rules are applicable to these appeals, the parties may also be deemed the defendant and plaintiff, respectively. The vehicle owner is responsible for remitting the filing fee with the notice of appeal unless they concurrently file a petition to proceed *in forma pauperis* pursuant to Rule 206E. Notably, the Act does not address the payment of court costs and fees for appeal to the magisterial district court from the determination of the hearing officer. In a civil matter, the costs for filing and service of the complaint are paid at the time the complaint is filed. See Pa.R.C.P.M.D.J. No. 206A. Filing fees and court costs are established by statute. See, e.g., 42 Pa.C.S. §§ 1725.1(a)(1), 3733, and 3733.1. Currently, filing fees and courts costs in these actions would be about \$96.00, not including service.

Finally, proposed Rule 350 provides that if the vehicle owner is successful on appeal, then they are entitled to recover taxable costs. While it unusual for a state agency or its designee to be a party in a civil matter in magisterial district court, the Legislature has designated the AWZSES appeals as civil rather than criminal actions. There are no provisions in the Act exempting the parties from filing fee requirements pursuant to 42 Pa.C.S. § 1725.1(a) or from the awarding of costs to a successful appellant pursuant to 42 Pa.C.S. § 1726. See also Pa.R.C.P.M.D.J. No. 206B. Procedures for a prevailing litigant to enforce a judgment are set forth at Rules 401 *et seq.*

The courts of common pleas have jurisdiction of appeals from the magisterial district courts. “Except as otherwise prescribed by any general rule adopted pursuant to section 503 (relating to reassignment of matters), each court of common pleas shall have exclusive jurisdiction of appeals from final orders of the minor judiciary established within the judicial district.” See 42 Pa.C.S. § 932. An appeal from a judgment rendered by a magisterial district court should be made to the court of common pleas for the judicial district. See Pa.R.C.P.M.D.J. No. 1001 *et seq.*

The Committee invites all comments, concerns, and suggestions regarding this proposal.

[Pa.B. Doc. No. 21-1455. Filed for public inspection September 3, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES**DAUPHIN COUNTY****Promulgation of Local Rules; No. 1793 S 1989****Order**

And Now, this 4th day of August, 2021, Dauphin County Local Rule of Criminal Procedure 576.1 is amended as follows:

Rule 576.1. Electronic Filing in Criminal Dockets.

A. The Dauphin County Clerk of Courts Office and the Administrative Office of Pennsylvania Courts (AOPC) agreed upon an implementation plan for PACFile in Dauphin County for certain criminal filings. Legal papers [**may**] **shall** be filed electronically using the PACFile electronic filing system pursuant to Pa.R.Crim.P. 576.1. Electronic filing is [**permissive and not**] mandatory.

B. *Legal Papers Defined.* “legal papers” shall include all written motions, written answers and any notices or documents for which filing is required or permitted, including orders, exhibits and attachments, except for the following:

- (1) Applications for search warrants;
- (2) Applications for arrest warrants;
- (3) Grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment;
- (4) Submissions filed *ex parte* as authorized by law, and
- (5) Submissions filed or authorized to be filed under seal.

(6) Notice of Appeals.

(7) Any matter requiring the assignment of a Miscellaneous Docket (MD) number including but not limited to expungements filed pursuant to Pa.R.Crim.P. 490 or petitions for modification of bail in matters still pending in the Magisterial District Judge Court.

(8) Initial filings for Summary Appeals (SA).

C. Attorneys or self-represented parties who file legal papers electronically must establish a PACFile account using the Unified Judicial System of Pennsylvania Web Portal. Pursuant to Pennsylvania Rule of Criminal Procedure 576.1(D)(2), the establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed using PACFile.

D. Applicable filing fees for the electronically filed legal papers shall be paid electronically to the Clerk of Courts simultaneously with the filing.

E. A party who was granted *In Forma Pauperis* status shall not pay filing fees to the Clerk of Courts.

F. All filings shall comply with the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.

G. The Clerk of Courts Office shall convert legal papers in paper format to an electronic PDF or PDF-A version except for those listed in Rule 576.1(B). Once converted to PDF or PDF-A, the PDF or PDF-A version shall be deemed to be the original legal paper and shall be used as such for all purposes. The Clerk of Courts or the Court is not required to maintain a hard copy of any legal paper filed electronically.

H. *Service of Legal Papers.*

(a) Attorneys or self-represented parties who are unable [**or unwilling**] to participate in electronic filing of documents are permitted to file and serve the legal papers in a physical paper format.

(b) Service of legal papers on any attorney or party who has not established an account as provided in subsection (C) of this rule shall be made in accordance with Pa.R.Crim.P. 576. Specifically, the following offices must be served in accordance with Rule 576: Sheriff, Probation Services, Court Reporter, and Court Administration. This applies to the service of court orders and notices. Distribution to those parties not automatically served via PACFile with a court order or notice must be filed with the Clerk of Courts office with a complete distribution legend listing the names and addresses of all parties required to be served with a paper copy.

The previously listed amendments shall be published in the *Pennsylvania Bulletin* and will become effective thirty (30) days from the date of publication.

By the Court

JOHN F. CHERRY,
President Judge

[Pa.B. Doc. No. 21-1456. Filed for public inspection September 3, 2021, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

List of Financial Institutions

Notice is hereby given that pursuant to Rule 221(b), Pa.R.D.E., the following List of Financial Institutions have been approved by the Supreme Court of Pennsylvania for the maintenance of fiduciary accounts of attorneys. Each financial institution has agreed to comply with the requirements of Rule 221, Pa.R.D.E, which provides for trust account overdraft notification.

SUZANNE E. PRICE,
Attorney Registrar

FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES OF TRUST ACCOUNTS OF ATTORNEYS

Bank Code A.

595 Abacus Federal Savings Bank
2 ACNB Bank
613 Allegent Community Federal Credit Union
375 Altoona First Savings Bank
376 Ambler Savings Bank
532 AMERICAN BANK (PA)
615 Americhoice Federal Credit Union
116 AMERISERV FINANCIAL
648 Andover Bank (The)
377 Apollo Trust Company

Bank Code B.

558 Bancorp Bank (The)
485 Bank of America, NA
662 Bank of Bird in Hand
415 Bank of Landisburg (The)
664 BankUnited, NA
642 BB & T Company

501 BELCO Community Credit Union
652 Berkshire Bank
663 BHCU
5 BNY Mellon, NA
392 Brentwood Bank
495 Brown Brothers Harriman Trust Co., NA
161 Bryn Mawr Trust Company (The)

Bank Code C.

654 CACL Federal Credit Union
618 Capital Bank, NA
16 CBT Bank, a division of Riverview Bank
136 Centric Bank
394 CFS BANK
623 Chemung Canal Trust Company
599 Citibank, NA
238 Citizens & Northern Bank
561 Citizens Bank, NA
206 Citizens Savings Bank
576 Clarion County Community Bank
660 Clarion FCU
591 Clearview Federal Credit Union
23 CNB Bank
223 Commercial Bank & Trust of PA
21 Community Bank (PA)
371 Community Bank, NA (NY)
132 Community State Bank of Orbisonia
647 CONGRESSIONAL BANK
380 County Savings Bank
536 Customers Bank

Bank Code D.

339 Dime Bank (The)
27 Dollar Bank, FSB

Bank Code E.

500 Elderton State Bank
567 Embassy Bank for the Lehigh Valley
541 Enterprise Bank
28 Ephrata National Bank
601 Esquire Bank, NA
340 ESSA Bank & Trust

Bank Code F.

629 1st Colonial Community Bank
158 1st Summit Bank
31 F & M Trust Company—Chambersburg
658 Farmers National Bank of Canfield
205 Farmers National Bank of Emlenton (The)
34 Fidelity Deposit & Discount Bank (The)
**343 FIDELITY SAVINGS & LOAN
ASSOCIATION OF BUCKS COUNTY**
583 Fifth Third Bank
661 First American Trust, FSB
643 First Bank
174 First Citizens Community Bank
191 First Columbia Bank & Trust Company
539 First Commonwealth Bank
504 First Federal S & L Association of Greene
County
525 First Heritage Federal Credit Union
42 First Keystone Community Bank
51 First National Bank & Trust Company of
Newtown (The)
48 First National Bank of Pennsylvania
426 First Northern Bank & Trust Company
604 First Priority Bank, a division of Mid Penn
Bank
592 FIRST RESOURCE BANK
657 First United Bank & Trust

408 First United National Bank
 151 Firsttrust Savings Bank
 416 Fleetwood Bank
 175 FNCB Bank
 291 Fox Chase Bank
 241 Franklin Mint Federal Credit Union
 639 Freedom Credit Union
 58 Fulton Bank, NA

Bank Code G.

499 Gratz Bank (The)
 498 Greenville Savings Bank

Bank Code H.

402 Halifax Branch, of Riverview Bank
 244 Hamlin Bank & Trust Company
 362 Harleysville Savings Bank
 363 Hatboro Federal Savings
 463 Haverford Trust Company (The)
 606 Hometown Bank of Pennsylvania
 68 Honesdale National Bank (The)
 350 HSBC Bank USA, NA
364 HUNTINGDON VALLEY BANK
 605 Huntington National Bank (The)
 608 Hyperion Bank

Bank Code I.

669 Industrial Bank
 365 InFirst Bank
 557 Investment Savings Bank
 526 Iron Workers Savings Bank
 668 Inspire FCU
 670 Investors Bank

Bank Code J.

70 Jersey Shore State Bank
 127 Jim Thorpe Neighborhood Bank
 488 Jonestown Bank & Trust Company
 659 JPMorgan Chase Bank, NA
72 JUNIATA VALLEY BANK (THE)

Bank Code K.

651 KeyBank NA
 414 Kish Bank

Bank Code L.

554 Landmark Community Bank
 542 Linkbank
 78 Luzerne Bank

Bank Code M.

361 M & T Bank
 386 Malvern Bank, NA
 510 Marion Center Bank
 387 Marquette Savings Bank
 81 Mars Bank
 43 Marysville Branch, of Riverview Bank
 367 Mauch Chunk Trust Company
 511 MCS (Mifflin County Savings) Bank
 641 Members 1st Federal Credit Union
 555 Mercer County State Bank
 192 Merchants Bank of Bangor
 671 Merchants Bank of Indiana
 610 Meridian Bank
 420 Meyersdale Branch, of Riverview Bank
 294 Mid Penn Bank
276 MIFFLINBURG BANK & TRUST COMPANY
 457 Milton Savings Bank
596 MOREBANK, A DIVISION OF BANK OF PRINCETON (THE)
 484 MUNCY BANK & TRUST COMPANY (THE)

Bank Code N.

433 National Bank of Malvern
 168 NBT Bank, NA
 347 Neffs National Bank (The)
434 NEW TRIPOLI BANK
 15 NexTier Bank, NA
 636 Noah Bank
 638 Norristown Bell Credit Union
 666 Northern Trust Co.
 439 Northumberland National Bank (The)
 93 Northwest Bank

Bank Code O.

653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

Bank Code P.

598 PARKE BANK
 584 Parkview Community Federal Credit Union
 40 Penn Community Bank
 540 PennCrest Bank
 419 Pennian Bank
 447 Peoples Security Bank & Trust Company
 99 PeoplesBank, a Codorus Valley Company
 556 Philadelphia Federal Credit Union
 448 Phoenixville Federal Bank & Trust
 665 Pinnacle Bank
 79 PNC Bank, NA
 449 Port Richmond Savings
 667 Premier Bank
 451 Progressive-Home Federal Savings & Loan Association
 354 Prosper Bank
 637 Provident Bank
 456 Prudential Savings Bank
 491 PS Bank

Bank Code Q.

107 QNB Bank
 560 Quaint Oak Bank

Bank Code R.

452 Reliance Savings Bank
 220 Republic First Bank d/b/a Republic Bank
 628 Riverview Bank

Bank Code S.

153 S & T Bank
 316 Santander Bank, NA
 460 Second Federal S & L Association of Philadelphia
 646 Service 1st Federal Credit Union
 458 Sharon Bank
 462 Slovenian Savings & Loan Association of Franklin-Conemaugh
486 SOMERSET TRUST COMPANY
 633 SSB Bank
518 STANDARD BANK, PASB
 440 SunTrust Bank
 122 Susquehanna Community Bank

Bank Code T.

143 TD Bank, NA
656 TIOGA FRANKLIN SAVINGS BANK
182 TOMPKINS VIST BANK
 577 Traditions Bank
 609 Tristate Capital Bank
 640 TruMark Financial Credit Union
 467 Turbotville National Bank (The)

Bank Code U.

483 UNB Bank
 481 Union Building and Loan Savings Bank
 634 United Bank, Inc.
 472 United Bank of Philadelphia
 475 United Savings Bank
 600 Unity Bank
 232 Univest Bank & Trust Co.

Bank Code V.

611 Victory Bank (The)

Bank Code W.

119 WASHINGTON FINANCIAL BANK
 121 Wayne Bank
 631 Wells Fargo Bank, NA
 553 WesBanco Bank, Inc.
 494 West View Savings Bank
 473 Westmoreland Federal S & L Association
 476 William Penn Bank
 272 Woodlands Bank
573 WOORI AMERICA BANK
 630 WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.**Bank Code Y.****Bank Code Z.****PLATINUM LEADER BANKS**

The **HIGHLIGHTED ELIGIBLE INSTITUTIONS** are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program. These Institutions pay a net yield at the higher of 1% or 75 percent of the Federal Funds Target Rate on all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

**FINANCIAL INSTITUTIONS WHO HAVE FILED
 AGREEMENTS TO BE APPROVED AS A
 DEPOSITORY OF TRUST ACCOUNTS AND TO
 PROVIDE DISHONORED CHECK REPORTS IN
 ACCORDANCE WITH RULE 221, Pa.R.D.E.**

*New**Name Change*

577—York Traditions Bank—Change to 577 Traditions Bank

*Platinum Leader Change**Correction**Removal*

[Pa.B. Doc. No. 21-1457. Filed for public inspection September 3, 2021, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated July 21, 2021, pursuant to Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective August 20, 2021 for Compliance Group 3.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been administratively suspended by said Order, was published in the appropriate county legal journal.

Anthony, David Benjamin
 Wilmington, DE

Barnett, Lisa Mebane
 Laurel, MD

Boczar, Mark William
 Sewell, NJ

Booth, Ian Patrick
 Wilmington, DE

Ciccione, Andrea Lynn
 Punta Gorda, FL

Cornwell, Michael Christian
 Collingswood, NJ

Duren, Camille Denise
 Mantua, NJ

Fiol, Richard C.
 Federal Way, WA

Hucks, Carol Ann
 Columbus, OH

Kanoff, Daniel Ryan
 Princeton Junction, NJ

McPherson, Shevelle
 Cherry Hill, NJ

Mills, Richard Scott
 New York, NY

Pierce, Alyze Lowen
 Woodland Hills, CA

Richards III, Alvin Eugene
 Short Hills, NJ

SUZANNE E. PRICE,
Attorney Registrar

[Pa.B. Doc. No. 21-1458. Filed for public inspection September 3, 2021, 9:00 a.m.]