

# THE COURTS

## Title 255—LOCAL COURT RULES

### CHESTER COUNTY

#### Adoption of Amended Court of Common Pleas Family Court Rules; 2022-00S2R-CM

##### Administrative Order No. 6-2022

And Now, this 2nd day of May, 2022, the following amended Chester County Court of Common Pleas Family Court Rules (“Amended Family Court Rules”) are adopted in their entirety. In accordance with Pennsylvania Rules of Judicial Administration 103(d), these proposed Amended Family Court Rules were submitted to and approved by the Domestic Relations Procedural Rules Committee.

##### Effective Date

These Amended Family Court Rules shall become effective thirty (30) days from the date of their publication in the *Pennsylvania Bulletin*.

##### Procedural Compliance

In conformity with Pa.R.J.A. 103(d), the Chester County Court Administrator shall do the following:

- 1) Distribute two (2) paper copies of the Amended Family Court Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, along with a copy of the Amended Family Court Rules in an agreed upon format which complies with the requirements of 1 Pa. Code § 13.11.
- 2) File one copy of the Amended Family Court Rules with the Administrative Office of Pennsylvania Courts.
- 3) Publish a copy of the Amended Family Court Rules on the Chester County website.
- 4) Incorporate the Amended Family Court Rules in the complete set of the published Chester County Court Rules no later than thirty (30) days following publication in the *Pennsylvania Bulletin*.

##### By the Court

JOHN L. HALL,  
President Judge

#### CHESTER COUNTY COURT OF COMMON PLEAS AMENDED FAMILY COURT RULES

#### ACTIONS PURSUANT TO PROTECTION FROM ABUSE ACT

##### Rule 1901.2.A. Scheduling.

(a)(1) Pro Se Petitioners seeking the assistance of a Domestic Violence Advocate may file Protection from Abuse Petitions between the hours of 8:30 a.m.—2:30 p.m., Mondays through Fridays. The Court shall be deemed unavailable after 3:00 p.m. during which time a Petition for Temporary Protection from Abuse may be filed before the on-call District Justice who may grant relief in accordance with 23 Pa.C.S. § 6110.

(2) Petitioners not requiring clerical assistance may present Protection from Abuse Petitions at 11:00 a.m. and 3:00 p.m., Mondays through Fridays. The Court shall be deemed unavailable after 3:00 p.m. during which time a Petition for Temporary Protection from Abuse may be

filed before the on-call District Justice within the county who may grant relief in accordance with 23 Pa.C.S. § 6110.

(b)(1) The Court deems itself unavailable for the filing of Protection from Abuse Petitions on those days the Court is closed for any reason including Court holidays as published on the official holiday schedule including those days designated as Floating Holidays and those days during which the Court’s Winter and Summer conference is scheduled.

(2) In addition to the times set forth, above, the Court may issue an Administrative Regulation indicating the date(s) and time(s) the Court deems itself unavailable to sign Temporary Protection from Abuse Orders. District Justices are authorized to issue Temporary Emergency PFA Orders when the Court has deemed itself unavailable to do so. The Administrative Regulation shall be distributed by the Court Administrator to all Common Pleas Court Judges, all District Judges, Emergency Services and all interested Court personnel.

(3) At those times the Court is deemed unavailable for the filing of Protection from Abuse Petitions, a Petition for Temporary Protection from Abuse may be filed before the on-call District Justice who may grant relief in accordance with 23 Pa.C.S. § 6110.

*Note:* The hours listed for the preparation and filing of a PFA are due to amount of time necessary to complete the intake process.

##### Rule 1901.3A. Commencement of Action.

(a) The notice of hearing and order, petition and temporary Protection from Abuse order substantially in the form required by Pa.R.Civ.P. 1905(a), (b) & (c), shall be available from Family Court Administration.

(b) All private counsel petitions for Protection from Abuse shall be reviewed by Family Court Administration prior to submission to the Family Court signing Judge for entry of a Temporary Ex Parte Protection Order.

*Note:* Chester County currently uses the Protection from Abuse Database (PFAD) for the preparation of petitions and orders online. Hardcopies of these forms are available to those individuals who do not have access to the PFAD system.

##### Rule 1901.4.A. Service and Registration of Order.

Plaintiff shall file a certified copy of any Temporary or Final Protection from Abuse order with the appropriate police departments. The expiration date of the order shall be included in the order. A photocopy of a certified order shall be considered a duplicate original and sufficient to constitute the court’s original authorization for enforcement. A cover sheet shall be attached on the copy of the orders sent to the police substantially in the form required by C.C.R.C.P. 1905.A.(a).

##### Rule 1901.5.A. Enforcement. Bail. Arraignment. Notice. Prosecution.

(a) A police officer may arrest a defendant for violation of a protection order upon probable cause which shall be supplied by the victim, officer, other witnesses or combination thereof. If necessary, the officer may verify the existence of said order by phone or radio with the appropriate police, PSP Database or court. The complaint for indirect criminal contempt shall be substantially in the form prescribed in C.C.R.C.P. 1905.A.(c). The probable cause affidavit shall be substantially in the form prescribed in C.C.R.C.P. 1905.A.(b).

(b) Upon arrest, the defendant shall be taken into custody and taken to the district justice in whose district the violation occurred, or other assigned district justice, for arraignment and the setting of bail. The arresting officer shall not release the defendant from custody without taking him or her before the proper district justice. The district justice shall have exclusive jurisdiction for all arraignments for the offense of indirect criminal contempt for violation of protection from abuse orders. All applications for an increase or decrease in bail shall be heard by the Court of Common Pleas.

(c) *Arraignment*—The arraignment shall be held in the same manner as required under Pa.R.Crim.P. 540 except that no preliminary hearing will be scheduled. The defendant shall be notified that:

(1) He or she is being charged with indirect criminal contempt for violation of a protection from abuse order.

(2) He or she has the right to be represented by counsel and if unable to afford private counsel and otherwise qualifies, counsel will be appointed by the court; and

(3) A hearing will be held in the Court of Common Pleas of Chester County on the next available date for such hearings pursuant to subsection (d).

(d) *Hearings*—All hearings for indirect criminal contempt for violation of protection from abuse orders shall be heard at such times and manner as directed by the Court. In no case shall the hearing take place more than ten (10) days from the date of arraignment.

(e) *Notice*—At the conclusion of the arraignment, the defendant or counsel of record for the defendant, if present, shall be given a written notice of the hearing in the form prescribed by C.C.R.C.P. 1905.A.(d). A copy of the complaint and notice of hearing in the form prescribed by C.C.R.C.P. 1905.A.(e) shall be given or mailed by regular and certified mail to the plaintiff at the address shown on the complaint, and by regular mail to the arresting officer and the District Attorney of Chester County.

(f) Following arraignment, the office of the District Justice shall deliver the original of all papers to the Clerk of Court of Chester County. The office of the District Justice shall deliver copies of all papers to the Family Court, the District Attorney of Chester County, and the Public Defender of Chester County.

(g) Family Court shall determine whether defendants listed for indirect criminal contempt hearings are currently incarcerated and shall notify the Sheriff of Chester County of the names of any incarcerated defendants scheduled for hearing for transport to the courthouse.

(h) The District Attorney of Chester County or his designee shall prosecute all charges of indirect criminal contempt for violation of protection from abuse orders. Any designation of another to prosecute shall be in writing.

**Rule 1901.7.A. Decision. No Post-Trial Relief. Expungement. Return of Relinquished Firearms, other Weapons and Ammunition.**

(a) *Expungement*: Petitions requesting the expungement of a dismissed Protection from Abuse proceeding or the return of seized weapons shall be in accordance with C.C.R.C.P. 206.1.(a), et. seq.

(1) Copies of the petition requesting expungement and any final order granting expungement shall be served upon the original Petitioner in the Protection from Abuse

proceeding, the Chester County Family Court Administrator, the Sheriff of Chester County and any deputized Sheriff's department, the District Attorney of Chester County, and any state and/or local police department initially served.

(2) Upon receipt of a final order expunging a protection from abuse proceeding, the recipient shall immediately delete from their records any information pertaining to the underlying petition for Protection from Abuse. No proof of compliance shall be required.

(b) *Return of Weapons*:

(1) In any Protection from Abuse case where weapons have been ordered relinquished, an order vacating, dismissing, or permitting the withdrawal of the matter shall include the following provision for the return of weapons:

The Sheriff of Chester County shall return all weapons, firearms and ammunition as enumerated on the itemized list of seized weapons provided to the Defendant by the Sheriff at the time the original seizure was ordered provided:

(a) The Defendant can show proof the Petitioner has been notified of the Defendant's request to return seized weapons;

(b) The Defendant must be given a clearance by the Pennsylvania State Police Instant Check System Unit or through the National Instant Criminal Background Check System (NICS), requested by the Sheriff's office;

(c) The weapons are not evidence of a crime;

(d) The Defendant is not otherwise prohibited from taking possession of the seized weapons, firearms or ammunition.

(2) In those cases wherein a Final Protection from Abuse Order has been entered, upon expiration of the Order, and after notice to the Plaintiff, the Defendant may apply to the Sheriff of Chester County for a weapons return form.

(3) The weapons return form required 23 Pa.C.S. § 6108.1 and C.C.R.C.P. 1901.7.A.(b)(2) shall be in the following form:

**SEE FORMS INDEX (# 1)**

(4)(a) In the event the Defendant is deemed ineligible to regain possession of firearms, other weapons or ammunition, the Defendant may appeal the decision of the Sheriff by filing a verified Petition seeking the return of weapons accompanied by a rule returnable and a copy of the itemized list of property issued by the Sheriff at the time of the original seizure.

(b) Hearings requesting the returns of weapons shall be scheduled within ten (10) business days.

*Note*: For further discussion relating to expungement of Protection from Abuse records, See *Carlacci v. Mazaleski*, 798 A2d 186 (Pa. 2002).

**Rule 1905.A. Forms for Use in Protection from Abuse Actions. Notices. Probable Cause Affidavit. Indirect Criminal Contempt Complaint. Continuance.**

(a) The form required by C.C.R.C.P. 1901.4.A. shall be substantially in the following form:

**SEE FORMS INDEX (# 2)**

(b) The form required by C.C.R.C.P. 1901.5.A.(a) Probable Cause Affidavit shall be substantially in the following form:

**SEE FORMS INDEX (# 3)**

(c) The form required by C.C.R.C.P. 1901.5.A.(a) Complaint for Indirect Criminal Contempt shall be substantially in the following form:

**SEE FORMS INDEX (# 4)**

(d) The form required by C.C.R.C.P. 1901.5.A.(e) Notice of Hearing to Defendant shall be substantially in the following form:

**SEE FORMS INDEX (# 5)**

(e) The form required by C.C.R.C.P. 1901.5.A.(e) Notice of Hearing to Plaintiff shall be substantially in the following form:

**SEE FORMS INDEX (# 6)**

(f) The format for requesting a continuance shall be substantially in the following form:

**SEE FORMS INDEX (# 7)****ACTIONS FOR SUPPORT****Rule 1910.1.A. Definitions.**

As used in this chapter, unless the context of a rule indicates otherwise, the following term shall have the following meaning:

“private pay order”—An order for support payable directly to the obligee and not made payable through the Pennsylvania State Collection and Disbursement Unit (PA SCDU).

**Rule 1910.4.A. Domestic Relations Section. Commencement of Action. No Filing Fees. Authorized Fees. Entry of Appearance.**

(a) Any attorney who appears on behalf of a client at any stage of the proceedings shall be deemed to have entered his or her appearance.

(i) The attorney shall be required to continue such representation until a final order is entered or:

- (1) Counsel has been granted leave to withdraw;
- (2) A party has entered an appearance pro se;
- (3) A substitution of counsel has been filed.

*Comment:* See Pa.R.Civ.P. 1930.8 for the form for entry of appearance by a self-represented individual.

(b) This rule shall not preclude any attorney from filing, at any stage of the proceedings, a Petition to Withdraw as Counsel pursuant to Pa.R.Civ.P. 1012.

**Rule 1910.5.A. Complaint.**

All complaints shall be accompanied by a completed Domestic Relations Office Standard Intake Form.

*Comment:* This form is available on the Domestic Relations Office’s website: <https://www.chesco.org/DocumentCenter/View/5122/Intake-Form?bidId=>.

**Rule 1910.7.A. Question of Jurisdiction or Venue.**

All Preliminary Objections to jurisdiction or venue; in support, shall be accompanied by a Rule to Show Cause stating separate Rule Returnable and Hearing dates.

**Rule 1910.10.A. Alternative Hearing Procedures.**

(a) This court chooses to use the procedures set forth in Pa.R.Civ.P. 1910.12,

*Comment:* All matters involving complex issues of law or fact or any case requiring more than two hours for hearing shall be placed on the long-day list. Cases inappropriately placed on either the regular support list

or the long-day list will be rescheduled, in the normal course of business, on the proper list. Any request for continuance or settlements of matters properly scheduled on the long-day list shall be in writing and submitted no less than seventy-two (72) hours prior to the scheduled date. Failure to do so within the appropriate time frame will necessitate an appearance of all parties at the hearing.

**1910.11.A. Office Conference. Subsequent Proceedings. Order.**

(a) If entitlement is challenged at the Office Conference, a Temporary Order of Support shall issue if the parties are subject to a pending Chester County Divorce proceeding in which a claim for Equitable Distribution has been raised.

*Comment:* The requirement that a Chester County Divorce proceeding be pending is to permit an adjustment from equitable distribution proceeds should it be determined the bar to entitlement claim is meritorious.

**Rule 1910.12.A. Office Conference Hearing. Record. Exceptions. Order. Interpreter.**

(a) Whenever possible, all matters dealing with the same parties shall be scheduled for office conference/hearing at the same time.

(b) Continuances of office conferences and matters before Hearing Officers may be granted by agreement of all counsel or counsel and unrepresented parties. All other continuances shall be governed by Pa.R.Civ.P. 216 and C.C.R.C.P. 216.1.

(c)(1) Should a petitioner fail to appear at the office conference or hearing, as scheduled, the petition may be dismissed.

(2) Should a respondent fail to appear at the office conference or hearing, as scheduled, an order may be entered in his/her absence or a bench warrant for his/her appearance may issue.

(d) Recommendations on the matters set forth in Pa.R.Civ.P. 1910.11(d) and 1910.19 shall be made initially by the conference officer.

(e) At the domestic relations office conference, the plaintiff may request the entry of a temporary order in all cases in which there has been filed:

- (1) A complaint for the support of minor children;
- (2) A complaint for the support of spouse and entitlement is not challenged;
- (3) A petition for alimony pendente lite; or

(4) A complaint for the support of spouse and minor children and entitlement is not challenged as to spouse. If entitlement is challenged, a temporary order may be requested for the minor children and a spouse who is a party to a Chester County divorce proceeding pursuant to C.C.R.C.P. 1910.11.A.

(f) When a temporary order is requested at a domestic relations office conference, as above, the domestic relations office shall submit a recommendation to the court as to the amount of the requested order. The recommendation shall be based on the Pennsylvania Support Guidelines in accordance with Pa.R.Civ.P. 1910.16-2.

(g) If the dependent spouse is not employed, no earning capacity will be assigned to him/her for the purpose of entering the temporary order. The parties shall be in-

formed by the domestic relations conference officer that earning capacity will be taken into consideration at the hearing before the Hearing Officer.

(h) When a complaint or petition is scheduled for hearing before a Domestic Relations Hearing Officer and the parties reach an agreement that resolves the outstanding issues prior to the scheduled hearing, the parties shall immediately notify the Domestic Relations Office in writing and within thirty (30) days after the date set for hearing:

(1) File a stipulation and order outlining the terms of their agreement. The Court may, *sua sponte*, direct the parties to file a stipulation and order within a reasonable time or direct the Domestic Relations Office to schedule a new hearing date.

(2) If the parties fail to comply with the terms set forth in part (1) of this rule, the Court may, *sua sponte*, dismiss the outstanding complaint or petition without prejudice.

(i) *Separate Listings*

(1) The request for a long day listing shall be in the following form:

**SEE FORMS INDEX (# 8)**

(2)(i) Requests for separate listings shall be filed no later than five (5) business days prior to the scheduled hearing before the Support Hearing Officer.

(ii) Objections to requests for separate listings shall be filed within ten (10) business days of the filing of the request for separate listing.

(3) In all matters where a motion for a separate listing has been filed:

(i) *Preliminary Conference:*

(1) The Hearing Officer shall hold a preliminary conference within thirty (30) days after being appointed to determine the scope of the issues raised.

(2) At the time of the Preliminary Conference, the parties shall submit a brief statement of the facts and matters complained of.

(ii) *Discovery*

(1) Counsel may prepare and submit to the assigned Hearing Officer and opposing counsel a list of requested discovery at the preliminary conference.

(2) A Hearing Officer may recommend to the court the entry of orders for discovery. Including but not limited to, the filing of an income and expense statement. Said discovery orders may include discovery deadlines upon the request of either party or at the direction of the Hearing Officer.

(3) In any support matter in which a Hearing Officer has been appointed, all discovery motions, which do not involve a non-party, filed pursuant to Pa.R.Civ.P. 1930.5 and Pa.R.Civ.P. 4001 et seq. shall be heard by the Hearing Officer.

(4) An argument regarding discovery, if requested by either party, shall be scheduled before the Hearing Officer. At the conclusion of the argument or within a reasonable time, the Hearing Officer may make a recommendation and advise the parties they have ten (10) days in which to request an argument before the Court. At the conclusion of the ten (10) days, if no objections have been filed, the recommendation shall become an order of the Court. In the event objections are filed, the matter shall

be listed, in the normal course of business for argument before the Court. Argument shall be limited to the issues raised by the pleadings.

(5) All Objections to the discovery order shall be in writing and filed within ten (10) business days of the recommendation. A copy shall be served upon the Family Court Administrator who shall schedule the case for argument before the Court and promptly notify all counsel and unrepresented parties in the case.

(iii) *Settlement Conference*

(1) The Hearing Officer shall conduct a settlement conference at which both parties shall submit a statement, which:

(a) Gives biographical information of each party, including but not limited to, age, education, occupation, income, health and children;

(b) Identifies any and all legal or factual disputes or issue.

(iv) *Hearing:*

(1) Each party shall submit to the Court and opposing counsel at least five (5) days before the scheduled hearing date a Pre-Trial Statement not exceeding three (3) pages setting forth:

(i) a brief statement of the claim(s) being made by the moving party or the defense(s) being made by the responding party;

(ii) a concise statement of the facts;

(iii) a concise statement of the factual or legal issues involved including citations to the applicable statutes or case law, if any;

(iv) a list showing the names and addresses of all witnesses each party intends to call at trial;

(v) copies of all exhibits to be offered at trial intended to be admitted during your case in chief.

Any and all reports of any experts intended to be called and a form of proposed Order setting forth the requested disposition and supporting calculations shall be attached to the Pre-Trial statement.

(j) *Exceptions:*

(1) Dismissal-Exceptions shall be dismissed in any case in which the notes or tape recording of testimony have not been ordered, and paid for if required, within five (5) days of the filing of exceptions.

(2) *Briefs:*

(i) No less than thirty (30) days before the date set for oral argument, the excepting party or parties shall file a brief with the Domestic Relations Office, shall serve copies of the Brief upon all counsel, unrepresented parties and the Judge assigned to hear the exceptions, and shall file a Certification that service has been made.

(ii) No less than fourteen (14) days before the date set for oral argument, the responding party shall file a Brief and Certification of Service in the manner prescribed above.

(iii) In the event both parties file exceptions, each party shall be treated as an excepting party for the purposes of the briefing schedule as set forth above.

(iv) *Argument*—If either party fails to file a brief within the time prescribed by these rules, or within the time as extended, the non-filing party will not be heard at oral argument except by permission of the court.

(3) A time-stamped copy of any exceptions filed shall be served upon the assigned Hearing Officer.

(4) *Oral Argument*

Argument before the court shall be made only on the basis of the record made before the Hearing Officer. The parties may, by agreement, supplement the record by depositions or stipulations prior to argument, but no live testimony will be heard by the court, unless the court shall permit same for cause shown.

(k)(1)(a) Requests for interpreters in accordance with C.C.R.C.P. 233.3 shall be made no less than twenty-four (24) hours in advance of the proceeding when an interpreter will be needed.

(b) Requests for interpreters shall be made by going to <http://www.chesco.org/formcenter/courts-39/interpreter-request-form-166>, completing the template and submitting the request, or e-mailing [intrpcalcta@chesco.org](mailto:intrpcalcta@chesco.org). If the cancellation is less than forty-eight (48) hours before the scheduled hearing, the party shall call the court in addition to e-mail.

*Comment:* Any motion to dismiss may be made at any time prior to commencement of oral argument and is not subject to the requirements of C.C.R.C.P. 206.1.

**Rule 1910.13-1.A. Failure or Refusal to Appear Pursuant to Order of Court. Failure to Produce.**

(a) If a party is properly served with a subpoena duces tecum for production of records and documents or a notice to attend and produce before a Hearing Officer and does not have good reason for failure to produce, such failure may be deemed disobedience of a court order, and may, in addition, permit the drawing of adverse inferences by the Hearing Officer and the court.

(b) If either party has failed to comply with the initial Order of Court requiring the production of certain documents and information at the Domestic Relations Office Conference, a per curiam order shall issue requiring that party to produce a copy of said documents and information to both the Domestic Relations Office and to counsel for the other party (or to an unrepresented party) within ten (10) days of the conclusion of the Domestic Relations Office Conference. Failure to comply with said per curiam order may result in the imposition of sanctions recommended by the Hearing Officer or court and will, in addition, permit the drawing of adverse inferences by the Hearing Officer and the court.

**Rule 1910.17.A. Support Order. Private Pay Orders. Arrears. Property Settlement Agreements. Registration. Effective Date.**

(a) All orders for Support and alimony pendente lite shall be paid through the Domestic Relations Office. No orders providing for direct payment of moneys shall be accepted for filing at the Domestic Relations Office, except as follows:

(1) In those cases where a Chester County Divorce action is pending, private pay support orders may be filed with the Office of the Prothonotary under the Divorce Docket number.

(b) In no instance will a miscellaneous docket number be issued either by the Domestic Relations Office or the Office of the Prothonotary.

*Comment:* In lieu of utilizing private pay orders the parties may request no wage attachment issue on matters payable through PA SCDU.

(c) Requests for modification shall be brought under the Divorce Docket number and heard before the Court. The Court may in its discretion order the matter be registered at the Domestic Relations Office for the purposes of the instant modification hearing and subsequent payment.

(d) Every order filed under a Domestic Relations Office docket number and PACSES identification number shall include a provision for payment toward outstanding arrears. Domestic Relations shall not accept for filing any order that fails to include such a provision.

*Comment:* This provision applies to all support orders filed with the Domestic Relations Office. If there are no arrears due on a case, the arrears provision in the order will not be enforced via wage attachment or any other enforcement remedy. If arrears become due at a later date, the Domestic Relations Office will enforce the arrears provision via wage attachment and any other applicable enforcement remedy.

(e) The Domestic Relations Office shall enforce the support terms and provisions of any property settlement agreement effective the date such agreement is registered with that office.

(1) Any party seeking registration of an incorporated Property Settlement Agreement for enforcement purposes shall:

(i) provide to the Domestic Relations Office a certified copy of the divorce decree including a complete, executed copy of the property settlement agreement; and

(ii) completed copies of the Domestic Relations Office information sheets.

(iii) The registering party shall within five (5) days serve the responding party with notice of registration and file a certificate of service, thereto.

*Comment:* For the time period prior to registration with the Domestic Relations Office, the parties may seek to enforce the provisions of a property settlement agreement by filing the appropriate petition with the Family Court.

**Rule 1910.19.A. Support Modification. Termination.**

(a) *Modification of Property Settlement Agreement.* Any party seeking modification of any child support provision included in a property settlement agreement of such agreement may petition to court for modification. Such petition must be filed with the Prothonotary's Office under the divorce caption and will be heard by a family court judge. In the event that a judge determines that the child support provision of the agreement is modifiable, the matter may be remanded to a Hearing Officer for consideration of the merits of the alleged grounds for modification.

(b) The effective date of any modification shall be retroactive to the date of the filing of the modification petition unless otherwise directed by the Court.

(c) *Termination.* Absent agreement of the parties, no sooner than thirty (30) days following the entry of a Final Decree in Divorce, either party may present to the Domestic Relations Office a time-stamped copy of the decree with the request for termination of any spousal and/or alimony pendente lite order.

(d) Notice shall be provided to the opposing party consistent with C.C.R.C.P. 1917.A.(e)(iii) above.

**Rule 1910.20.A. Credit Bureau Notice.**

Notice shall be in the following form in all instances wherein any consumer credit bureau has requested information regarding arrearages:

**SEE FORMS INDEX (# 9)****Rule 1910.25-5.A. Civil Contempt. Order. Incarceration.**

Any individual incarcerated pursuant to a bench warrant issued for failure to comply with an order of support shall be brought before the Court consistent with the procedures outlined in the Court of Common Pleas of Chester County, Pennsylvania Administrative Regulation No. 3—2004 and/or its successors.

**ACTIONS FOR LEGAL AND PHYSICAL CUSTODY MINOR CHILDREN****Rule 1915.3.A. Commencement of Action. Complaint, Order. Parenting Class.**

(a) Notice of a custody action and conciliation conference shall include the date and time for each party to attend parenting class, the date and time for custody conciliation, the name of the assigned mediator and instructions to contact the mediator within three (3) days.

**(b) Relocation.**

(1) Upon petition of either party, issues of relocation shall be heard before the Court. Each petition shall be accompanied by a Rule Returnable that sets forth separate Rule and Hearing dates, a pre-trial statement and a certificate of trial readiness consistent with C.C.R.C.P. 1915.4.A.(c).

(2) All orders for custody shall include a statement that neither party shall relocate the children without proper consent and/or Court approval as required by 23 Pa.C.S. § 5337. Strict compliance with 23 Pa.C.S. § 5337 is required.

(c) All custody matters alleging the prior existence of a Children, Youth and Families (CYF) proceeding shall include a copy of the order closing the case file prior to the institution of an action for custody in the Family Court.

(d) All initial complaints for custody and petitions for modification shall include an executed copy of the moving party's Custody Crimes Affidavit. Within ten (10) days of service or at the conciliation conference/appearance before the court, whichever occurs first, the responding party shall file a similar affidavit.

(e) *Parenting Class*: When an initial complaint or petition to modify custody is filed, all parties shall be required to attend the Court approved Parenting Program. Upon good cause shown, a party may request, in writing, permission from the Family Court Administrator to attend an approved alternate program. Should the Court grant permission to attend an alternate program proof of attendance must be produced. Any party attending the Court approved program within one (1) calendar year may be excused from attendance. Failure to attend the Parenting Program as directed may result in a finding of Contempt and/or the issuance of Sanctions.

(f) *Mediation*: In appropriate cases, the parties to a custody proceeding shall be required to attend a Mediation Orientation session. Failure to attend the Mediation Orientation session may result in a recommendation by the custody conciliator that sanctions be entered including but not limited to a fine of up to one hundred dollars (\$100.00), unless changed to a different amount.

*Comment*: For the form of Criminal Record/Abuse History Verification see C.C.R.C.P. 1915.3-2.A.

*Comment*: The current Court approved Parenting Class is an online program entitled, Children in Between and which is conducted through the Center for Divorce Education. It is the responsibility of every party to provide the Court with their certificate of completion.

**Rule 1915.3-2.A. Criminal Record or Abuse History.**

(a) The verification regarding criminal or abuse history shall be substantially in the following form:

**SEE FORMS INDEX (# 10)****Rule 1915.4.A. Prompt Disposition of Custody Cases. Custody Hearing Demand. Pre-Trial Statement. Certificate of Readiness. Relocation.****(a) Initial Contact with the Court.**

(1) All complaints for custody and petitions for modification shall be scheduled for mediation within thirty (30) days of filing with the Office of the Prothonotary and/or

(2) All parties shall attend parenting classes within thirty (30) days of filing the initial Complaint with the Office of the Prothonotary.

**(b) Listing Trials before the Court.**

(1) All temporary orders for custody unless otherwise specifically indicated on the order shall automatically become a Final Order of the Court no later than 180 days of the filing of the Complaint or Petition to Modify except in those cases where the parties have demanded trial within the time limitations set forth in Pa.R.Civ.P. 1915.4 and C.C.R.C.P. 1915.4.A.(c)(4).

(2) All temporary orders for custody shall include the following language:

NOTICE: UNLESS A DEMAND FOR TRIAL, CERTIFICATE OF TRIAL READINESS AND A PRE-TRIAL STATEMENT HAVE BEEN FILED, THIS ORDER SHALL BECOME A FINAL ORDER OF THE COURT WITHIN 90 DAYS OF THE MOST RECENT CONCILIATION CONFERENCE.

NOTICE: NEITHER PARTY SHALL RELOCATE THE CHILDREN WITHOUT PROPER CONSENT AND/OR COURT APPROVAL AS REQUIRED BY 23 Pa.C.S. § 5337. STRICT COMPLIANCE WITH 23 Pa.C.S. § 5337 (related to relocation) IS REQUIRED.

**(c) Trial.**

(1)(i) When trial is demanded by any party, within thirty (30) days of filing the demand or in conjunction with the filing of a petition for relocation, the moving party shall file with the Prothonotary a completed Certificate of Readiness and a Pre-trial statement containing the following information:

(a) a brief statement of the claim(s) being made by the moving party or the defense(s) made by the responding party;

(b) a concise statement of the facts;

(c) a concise statement of the factual or legal issues involved, if any, including citations to applicable statutes or case law, if any;

(d) a list showing the names and addresses of all witnesses each party intends to call at trial;

(e) a schedule of all exhibits to be offered at trial;

(f) a proposed Final Order and Parenting Plan; and

(g) updated Custody Crimes Affidavit.

(ii) Attached to the Pre-trial statement shall be the reports of any experts intended to be called.

(iii) All Pre-trial statements shall not exceed three (3) pages in length;

(iv) A time-stamped copy of the filed Pre-Trial shall be served upon Family Court and opposing counsel;

(v) The responding party shall file his/her Pre-trial statement within twenty (20) days of the filing of the movant's statement.

(vi) Failure to comply with the timely filing of a pre-trial statement may result in the imposition of sanctions including but not limited to exclusion of evidence at trial, fines and costs.

(vii) Failure to comply with the timely filing of a certificate of trial readiness shall result in the recommendation of the custody conciliator being entered as a final order for custody.

(2)(i) The form of Demand for Trial as required by C.C.R.C.P. 1915.4.A.(c)(1)(i) shall be substantially in the following form:

**SEE FORMS INDEX (# 11)**

(ii) The form of Certificate of Readiness required by C.C.R.C.P. 1915.4.A.(c)(1)(i) shall be substantially in the following form:

**SEE FORMS INDEX (# 12)**

(iii)(a) A copy of the Certificate of Trial Readiness and the Pre-Trial Statement shall be served upon the Family Court Administrator, who shall schedule the case for hearing and promptly notify all counsel and unrepresented parties in the case. Any certificate of readiness that fails to include an estimated time of trial will be rejected and not scheduled for trial.

(b) Failure to timely file a Certificate of Trial Readiness and Pre-Trial Statement shall result in the temporary order entered after the conciliation conference being entered as a Final Order for Custody unless good cause can be shown for the matter to proceed to trial.

(3)(i) The information contained in all pre-trial statements shall be updated, as appropriate, any time prior to commencement of the custody hearing. Failure to produce the information required may result in exclusion of such evidence at time of hearing.

(4)(a) All demands for trial shall be filed within ninety (90) days of the most recent conciliation conference.

(b) A copy of the demand for trial shall be served upon the Family Court Administrator.

*Comment:* In the event no demand for trial has been timely filed, the docket will automatically reflect that the Order of the Court was finalized no later than one hundred eighty (180) days after the filing of the Complaint or Petition for Modification. This rule does not apply to collateral matters not involving actual custody issues such as legal, physical, partial physical and primary physical custody.

See 23 Pa.C.S. § 5331 for the contents of the proposed Parenting Plan.

In the event the Certificate of Readiness is filed without the Pre-Trial Statement, no hearing date will be scheduled until the Pre-Trial Statement is filed.

The demand for trial must be served upon Family Court in order for the case to be placed on the trial list.

**Rule 1915.5.A. Questions of Jurisdiction. No Responsive Pleading by Defendant Required. Counterclaim. Venue. Discovery.**

(a)(1) All references to hearing in Pa.R.Civ.P. 1915.5 shall be construed as referring to the conference before the custody conciliator. If a question of jurisdiction or venue is raised by timely Preliminary Objections, the conciliation shall be continued until decision by the court.

(2) All Preliminary Objections to jurisdiction or venue shall be accompanied by a Rule to Show Cause stating separate Rule Returnable and Hearing Dates.

(b) Requests for discovery shall be in accordance with C.C.R.C.P. 208, et seq. except that no brief shall be required.

**Rule 1915.5.B. Custody Conciliator. Conference.**

(a) The Court shall appoint appropriate persons as custody conciliators.

(b) The custody conciliator:

(1) shall conciliate custody, and visitation cases filed with the court;

(2) may hear contempt cases filed with the court;

(3) may recommend to the court that interim temporary and final custody orders be entered; and

(4) may recommend the appointment of counsel and/or a guardian ad litem for the child.

(c) All custody matters shall be scheduled for conference before the custody conciliator no sooner than ten (10) days after filing of an action. Emergency matters may be scheduled for an earlier conference on a standby basis. All parties shall be present at such conference. Failure of a party to appear at the conference may result in the entry of an order in the absence of such party.

(d) An appearance by counsel before the custody conciliator shall be deemed an entry of appearance on behalf of the party represented.

(e) To facilitate the conciliation process and encourage frank, open and meaningful exchanges between the parties and their respective counsel all statements, except agreements made by the parties, shall not be the subject of direct or cross examination at a later hearing before the court. The custody conciliator shall not be subject to subpoena as a witness.

(f)(1) An order, agreed upon by the parties or recommended by the custody conciliator shall issue within forty-eight (48) hours of the conclusion of the conciliation conference. In the event a recommendation does not issue at the conclusion of the conference, upon letter request of counsel or the party(ies), the custody conciliator may conduct a brief conference call limited to minor issues regarding the implementation of his/her recommendation. The conciliator shall submit the order reflecting the agreement or recommendation to the Court for approval.

(2)(i) *Recommendations that change primary custody:* The recommendation of the custody conciliator shall state whether or not the recommendation will result in a change in primary custody that is not agreed upon by the parties. The conciliator shall advise the objecting party to an Order recommending a change in primary custody that a request for stay of the entry of the recommended order shall be filed within five (5) days of the recommendation date. If no stay is filed within five (5) days, the order shall be entered. If no demand for trial is filed within ninety (90) days of the conciliation conference, the

recommended order shall become a final order of court. If a request for stay is timely filed, a hearing shall be scheduled within thirty (30) days to determine if the recommended order shall be made a temporary pending trial. The party seeking the stay shall submit an order for hearing. The objecting party shall file a Demand for Trial and serve Family Court Administration no later than the date set for the hearing. A certificate of trial readiness and pre-trial statement shall be filed within thirty (30) days of the filing of the demand for trial. The certificate of trial readiness and pre-trial statement shall be served upon Family Court Administration. Failure to file a timely demand for trial or certificate of trial readiness and pre-trial statement shall result in the recommendation of the conciliator being entered as a final order of court.

(ii) The form of order required by C.C.R.C.P. 1915.5.B.(f)(2)(i) shall be substantially in the following form:

**SEE FORMS INDEX (# 13)**

**Rule 1915.7.A. Consent Order.**

If the parties have reached an agreement regarding custody and have read the order into the record, consistent with Pa.R.Civ.P. 1915.7 the parties shall submit to the Court an agreed order within ten (10) days. In the event a proposed order is not submitted within ten (10) days, the Court may, sua sponte, order the transcript and assess costs to the parties.

**Rule 1915.11.A. Appointment of Attorney for Child. Interrogation of Child. Attendance of Child at Hearing or Conference.**

(a) If counsel or a guardian ad litem is appointed for the child, fees may be assessed against the parties.

(b)(1) No child(ren) shall be present at a conciliation conference unless specifically ordered to appear.

(2)(i) Parties requesting the presence of children ages ten (10) and older at a conciliation conference shall do so by submitting their request in the form of a proposed order to the Office of the Family Court Administrator. That office shall maintain such forms in blank, for this purpose. The proposed order shall be served by the requesting party on all other parties promptly and in sufficient time so that the opposing parties are given at least ten (10) days notice, prior to the conciliation conference, of the entry of the order.

(ii)(a) The form of order required by C.C.R.C.P. 1915.11.A.(b)(2) shall be substantially in the following form:

**SEE FORMS INDEX (# 14)**

(3) The custody conciliator may at his/her discretion reschedule a conference and may direct the appearance of a child or children of any age.

**Rule 1915.11-1.A. Parenting Coordination.**

(a) *Appointment of a Parenting Coordinator.*

(1) If the parties agree on a Parenting Coordinator or if the Court deems one necessary, an order shall be entered in accordance with Pa.R.Civ.P. 1915.22.

(2) If the parties cannot agree on the selection of a Parenting Coordinator, the Court shall require each party to identify his/her choice(s) along with the hourly rate of each to all parties. If the parties cannot agree, the Court will select a Parenting Coordinator. The roster of the Court's approved Parenting Coordinators and their stated hourly rates shall be posted at <http://www.chesco.org>.

Any party seeking a pro bono appointment must file with Prothonotary a Petition to Proceed In Forma Pauperis for the appointment of a Parenting Coordinator within three (3) days of the appointment order absent good cause shown. The In Forma Pauperis form can be found at <http://www.chesco.org>.

(b) *Roster of Approved Parenting Coordinators.*

An attorney or mental health professional seeking to be included on the Chester County Court's roster of qualified individuals to serve as a Parenting Coordinator shall submit an affidavit to the Administrative Family Court Judge or his/her designee together with the following:

(1) An affidavit attesting the applicant has qualifications found in Pa.R.Civ.P. 1915.11-1;

(2) An acknowledgment the applicant has read the Association of Family and Conciliation Courts (AFCC) Parenting Coordinator guidelines and the American Psychological Association (APA) Parenting Coordinator Guidelines. AFCC Parenting Coordinator guidelines are posted at <https://www.afccnet.org/Resource-Center/Practice-Guidelines> and the APA Parenting Coordinator Guidelines are posted at <https://www.apa.org/practice/guidelines/parenting-coordination>; and

(3) An acknowledgment that for every two (2) fee generating Parenting Coordination assignments, he or she must accept one pro bono assignment (up to twelve (12) hours per pro bono case).

(4) The application to be considered for appointment as a Parenting Coordinator for Chester County and Affidavit as required by C.C.R.C.P. 1915.11-1.A(b)(1) shall be in the following form:

(i)

**SEE FORMS INDEX (# 15)**

(ii)

**SEE FORMS INDEX (# 16)**

(c) *Parenting Coordinator Recommendations.*

(1) Parenting Coordinator shall file their Summary and Recommendations, accompanied by a Praecepte for Determination, with the Prothonotary within two (2) days after the last communication with the parties on the issues in accordance with Pa.R.Civ.P. 1915.11-1(f)(2). A time-stamped copy of the Summary and Recommendation shall be served upon the Family Court.

(2) *Objections to Parenting Coordinator's Recommendation(s) and Petition for a Record Hearing.*

a. A party objecting to the Recommendations must file with the Prothonotary an original and copy of their Objections and a Petition for a Record Hearing before the Court, accompanied by a Praecepte for Determination, within five days of service of the Summary and Recommendations together with a Proof of Service upon all parties and the Parenting Coordinator. A time-stamped copy of the Objections and Petition for Record Hearing shall be served upon the Family Court.

b. The Prothonotary shall promptly forward the original Objections and Petition to the Family Court Administrator's Office for assignment to the parties' Family Court Judge and prompt scheduling of a record hearing. If the Judge is not available, the matter may be assigned to the Emergency Custody Judge to conduct a record hearing.

(3) *Court Review of Parenting Coordinator's Recommendations.*

If no objections to the Parenting Coordinator's Recommendation are filed with the Prothonotary within five (5) days of service of the Summary and Recommendation, the Prothonotary shall transmit the file to the Court Administrator's Office to be assigned to the appointing Judge, if available, within a reasonable time, otherwise to any Family Court Judge for review of the Recommendation in accordance with Pa.R.Civ.P. 1915.11-1(f)(4).

(d) *Fees*

Parties who request the appointment of a Parenting Coordinator or who are identified by the Court as benefiting from the appointment of a Parenting Coordinator shall pay the Parenting Coordinator as follows:

(1) His or her hourly rate, which may be up to three hundred dollars (\$300.00) an hour (unless changed to a different amount); provided, however, if the parties combined monthly net income exceeds the mandatory minimum set forth in the Support Guidelines at Pa.R.Civ.P. 1910.16-2(e)(2) (currently thirty thousand dollars (\$30,000) per month), the Court may adjust the hourly rate;

(2) Absent good cause, each party shall pay up to five hundred dollars (\$500) as an initial retainer one thousand dollars (\$1000.00) total which may be reallocated as deemed appropriate by the Parenting Coordinator or the Court. See Pa.R.Civ.P. 1915.22(8). The Court may adjust the rate.

(3) If a party is granted In Forma Pauperis status by the Court specifically for the appointment of a Parenting Coordinator, the Parenting Coordinator so appointed shall serve on a pro bono (no fee) basis, up to twelve (12) hours.

(4) A Parenting Coordinator must accept on pro bono appointment for every two (2) fee generating appointments.

**Rule 1915.11-2.A. Appointment of Guardian Ad Litem. Standby Guardianship. Temporary Guardianship.**

(a) All petitions for approval of a designation shall be filed with the Office of the Prothonotary.

(b) Petitions for approval shall be consistent with 23 Pa.C.S. § 5612 and/or § 5622 and shall be accompanied with a rule returnable including separate rule and hearing dates.

(c) Petitions for approval hearings shall be scheduled in normal course of business, unless exigent circumstances require immediate attention, by Family Court Administration.

**Rule 1915.12.A. Civil Contempt for Disobedience of Custody Order. Petition. Form of Petition. Service. Order.**

(a) All petitions for Contempt shall be accepted for filing by the Office of the Prothonotary upon payment of the appropriate fee.

(b) All petitions for Contempt shall allege with specificity the facts that constitute a willful failure to comply and indicate the remedy the party is seeking.

(c) All Petitions for Contempt may be scheduled for a hearing before the Custody Conciliator. The hearing shall be limited to one (1) hour in duration at which time the parties may present evidentiary testimony. At the conclusion of the hearing, the custody conciliator shall make a recommendation and advise the parties they have ten (10)

days in which to request a hearing de novo. At the conclusion of the ten (10) days if no request for a de novo hearing has been timely filed, the recommendation shall become an order of the court. In the event a request for de novo hearing has been filed, the matter shall be listed, in the normal course of business, for a hearing de novo before the Court. The hearing shall be limited to the issues raised by the petition for contempt.

(d) The recording of testimony during an evidentiary hearing before the custody conciliator is precluded.

(e) Timely requests for a de novo hearing shall be filed in writing with the Office of the Prothonotary. A copy of the request shall be served upon Family Court Administration who shall promptly schedule the matter for hearing before the Court.

(f) The form of order required by Pa.R.Civ.P. 1915.12(a) shall be in the following form:

**SEE FORMS INDEX (# 17)**

**Rule 1915.13.A. Special Relief.**

(a) Petitions seeking a stay or other immediate, substantive relief may be presented to the court at any time.

(b) The court will not enter a stay or grant the relief ex parte unless:

(1) *Notice*—it appears from the petition or motion that reasonable notice, under the circumstances, has been given to all parties in interest of the date, time and place of the application; or

(2) *Stipulation*—it appears from the petition or motion that there is an agreement by all parties in interest; or

(3) *Exigency*—the court in its discretion shall determine that there are extraordinary circumstances justifying a stay or immediate relief. Such exigent circumstances include those where immediate action is necessary to protect the mental or physical well-being of a child or children, or to undo the effects of a "snatch" (that is, a recent sudden change in a long-standing custody arrangement brought about contrary to the wished of the custodial parent), or to preserve the status quo.

(c) Where prompt action is necessary, the family court may also enter temporary orders based on:

(1) the recommendations of the conciliator; or

(2) affidavits, depositions, reports of physicians, police or school personnel, and the oral representations of counsel; or

(3) investigations of child service agencies, or

(4) a combination of the foregoing.

**Rule 1915.15.A. Form of Complaint. Caption. Order. Petition to Modify a Partial Custody or Visitation Order.**

(a) The form of order required by Pa.R.Civ.P. 1915.3(a) shall be in the following form:

**SEE FORMS INDEX (# 18)**

(b) All Petitions for Modification shall be accepted for filing by the Office of the Prothonotary upon the payment of the appropriate fee.

(c) All Petitions for Modification shall allege with specificity the modification sought and the reasons for seeking the modification.

**Rule 1915.17.A. Relocation. Notice and Counter-Affidavit.**

(1) For the procedure to request a relocation trial, see C.C.R.C.P. 1915.4.A.(b).

(2) If no objection to a proposed relocation is filed pursuant to 23 Pa.C.S. § 5337(d), the relocating party shall file, prior to relocating, in addition to the affidavit, proof of notice and petition to confirm the relocation as required by 23 Pa.C.S. § 5337(e):

(a) A Praecipe for Determination consistent with C.C.R.C.P. 206.6;

(b) A proposed order for custody;

(c) A copy of the original proposal for a revised custody schedule provided to the respondent with the Notice of Relocation.

*Note:* The proposed order for custody shall be consistent with the proposal for a revised custody schedule provided to the respondent with the Notice of Relocation pursuant to 23 Pa.C.S. § 5337(c)(3)(viii).

### ACTION OF DIVORCE OR ANNULMENT OR MARRIAGE

#### Rule 1920.1.A. Definitions. Conformity to Civil Action.

(a) As used in this chapter:

“Inventory” shall be defined as any document that includes the information required by Pa.R.Civ.P. 1920.33(a).

#### Rule 1920.12.A. Complaint.

(a) The caption shall reflect the parties’ true and correct legal names.

(b) In those actions that include a count for divorce under 23 Pa.C.S. § 3301(d), the affidavit required by Section 3301(d) shall not be filed sooner than the twenty-first (21st) day after the filing and service of the complaint.

*Comment:* It is the responsibility of the practitioner/litigant to assure correct names are listed in the Complaint in order to avoid issues arising when a party attempts to collect retirement, social security or other benefits.

#### Rule 1920.16.A. Severance of Actions and Claims. Bifurcation. Interim Distribution.

(a) Upon petition of either party/or upon consent of the parties and after a record proceeding Hearing Officer may recommend bifurcation of the divorce proceedings and issuance of a divorce decree, prior to a determination of other matters raised, by written report in accordance with Pa.R.Civ.P. 1920.53. The court shall permit bifurcation for good cause shown. In such event, this decree shall be indexed in the judgment docket to give notice of the divorced spouse’s equitable interest in the property of the other.

(b) The decree of divorce in such circumstances shall be substantially in the form as prescribed by Pa.R.Civ.P. 1920.76.

(c) A copy of the Petition for Bifurcation shall be served upon the appointed Hearing Officer.

(d)(1) Requests for Interim Distribution where equitable distribution has been raised by the pleadings and grounds have been met shall be referred to the appointed Hearing Officer for disposition.

(2) Claims for Interim Distribution shall be raised by the filing of a verified petition with a rule returnable. No hearing will be assigned at the time of filing.

(3) In those cases where a Hearing Officer has not been appointed, the moving party shall motion for the appointment of an equitable distribution Hearing Officer and pay the appropriate fee.

(4) The assigned Hearing Officer shall schedule a preliminary conference and ultimately a hearing, if necessary. At the conclusion of the hearing, a report shall issue.

(5) Objections to a recommendation for Interim Distribution shall be made by the filing of exceptions.

*Note:* Grounds for divorce pursuant to 23 Pa.C.S. § 3301 shall have been met prior to the hearing on the petition raising the request for Interim Distribution.

Exceptions to the recommendation for Interim Distribution are deemed to be interlocutory. Oral argument, as necessary, will be scheduled when the final report and recommendation is filed.

#### Rule 1920.31.A. Joinder of Related Claims. Child and Spousal Support. Alimony. Counsel Fees. Expenses. Registration of Alimony. Registration of Foreign Decrees.

(a)(1) Any party to an alimony order/award may register the order/award with the domestic relations office. Upon registration, and notice to the opposing side, the order/award shall be enforced in the same manner as other support orders.

(2) All orders for alimony may be subject to wage attachment consistent with Pa.R.Civ.P. 1910.21.

(b)(1) Petitions to register, adopt and enforce foreign decrees as provided in Section 3705 of the Divorce Code shall be filed with the Prothonotary and shall contain the following:

(i) identification of parties and their respective residences;

(ii) a certified copy of the decree and any subsequent modifications; and

(iii) a reference to laws of the issuing state which impact on enforcement of such decree.

(2) Upon filing of the petition, the Family Court Administrator is authorized to issue, per curiam, a Rule to Show Cause why the prayer of the said petition should not be granted, returnable in not less than twenty (20) days. Each rule shall notify respondents that well pled facts of the petition will be admitted unless an answer specifically denying the same is filed by the close of court on the return date of the rule.

(3) The petitions shall be served in the same manner as in original process for divorce.

(4) All well pled factual averments in the petition shall be deemed admitted unless an answer specifically denying the same is filed on the return date of the rule. The requirements of Pa.R.Civ.P. 1029 shall apply.

(5) An answer to the petition for registration shall contain all defenses to the requested relief including those based upon jurisdiction and the law of the issuing state. Any statutes or applicable law upon which the respondent bases his defense shall be cited, and in the case of foreign statutes, a copy of the applicable statute shall be attached.

(6) If no answer has been timely filed, the petitioning party, five (5) days after the return date, may move to have the rule made absolute, granting the prayer of the petition.

(7) When an answer has been timely filed and any issue(s) raised in the petition and answer is (are) ripe for consideration, subject to the provisions of Pa.R.Civ.P. 206.7 any party may file a praecipe for determination in the form prescribed by C.C.R.C.P. 206.6 with a supporting brief. Responsive briefs shall be filed with fifteen (15) days of the filing of the praecipe for determination.

(8) A decree granting registration and adoption of a foreign decree with respect to alimony or alimony pendente lite may be registered with the Domestic Relations Office in the same manner as provided in C.C.R.C.P. 1920.31.A.

*Note:* All requests for registration of an alimony or alimony pendente lite order/award must comply with C.C.R.C.P. 1910.17.A.(e), as amended.

**Rule 1920.32.A. Joinder of Related Claims. Custody. Hearing by Court. Joinder of Custody Claim.**

If a custody claim is asserted in a divorce complaint, a duplicate copy of the complaint shall be filed with the Prothonotary and it shall receive a docket number separate from the divorce action. Such filing shall contain the information required by Pa.R.Civ.P. 1915.3(a), 1915.3-2, 1915.15(a) and C.C.R.C.P. 1915.3.A. An additional filing fee may be required for this duplicate complaint. A copy of the duplicate, with the separate court number, shall be served on the defendant.

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

(a) *Withdrawal of Claims*—Prior to the filing of the praecipe to transmit the record, any ancillary claim that has not been resolved by an agreement to be incorporated into the decree shall be withdrawn by praecipe of the party who raised the claim. All praecipos to withdraw ancillary claims shall include a certification that opposing counsel, any unrepresented party, and the Hearing Officer, if appointed, have been served with a copy of said praecipe and notice of intention to file same at least twenty (20) days prior to the date of its filing. The notice of intention to file the withdrawal of ancillary claims may be waived. Waivers shall be in writing and signed by counsel of record, or the parties and filed of record.

*Note:* The required notice of intention to file a praecipe to withdraw ancillary claims may be given at the same time as the notice of intention to file a praecipe to transmit the record. The praecipe to withdraw ancillary claims may then be filed immediately prior to the filing of the praecipe to transmit the record.

(b) *Notice to the Hearing Officer:*

(1) In those cases where a Hearing Officer has been appointed, at the time of filing the Notice of Intention to file the Praecipe to Transmit the Record or the Waiver of Notice of Intent with the Prothonotary, the filing party shall notify the Hearing Officer, in writing, that the action has been settled and file a certification of said notice with the Prothonotary.

(2) Within eight (8) days of the Hearing Officer's receipt of a notice of intention to file a praecipe to transmit record, the Hearing Officer shall return the court file to the Prothonotary of Chester County.

(c) *Incorporation:* If the parties conclude a written agreement as to any or all ancillary matters and desire to

have such agreement incorporated in the divorce decree, the agreement to be so incorporated must be filed of record. The Praecipe to Transmit the Record should request incorporation and a written stipulation agreeing to same, executed by the parties and/or their respective counsel, must be filed of record. Should incorporation be included in the agreement, the Praecipe to Transmit the Record shall refer to the paragraph and page number(s) of the agreement at which the terms providing for incorporation may be found.

(d) Any Praecipe to Transmit seeking an order approving grounds for divorce shall:

- (1) Include a proposed order for the Court's signature;
- (2) be filed on green paper.

*Note:* See C.C.R.C.P. 1920.73.A.(a) for form of proposed order.

(e) All Praecipe to Transmit under § 3301(c)(2) and 3301(d) shall include an averment regarding the date of service of the § 3301(c)(2) and 3301(d) counter-affidavit upon the responding party.

(f) If a party denies an averment in the Affidavit to Establish Presumption of Consent and a motion is filed requesting the Court resolve the issue, consistent with Pa.R.Civ.P. 1920.51, the matter shall be referred to the Hearing Officer to hear testimony and issue a report and recommendation.

*Note:* See C.C.R.C.P. 1920.51.A. for the appointment of a Hearing Officer.

**Rule 1920.43.A. Special Relief.**

(a) All petitions for special relief shall be in the form prescribed by C.C.R.C.P. 206.2 and 1930.1.A.(c).

(b) A rule to show cause assigned a return date not sooner than twenty (20) days after the date of filing shall be issued per curiam when presented to the deputy court administrator, family court.

(c) Any petitioner seeking a return date sooner than twenty (20) days of filing, or seeking a rule which stays proceedings or which by its terms grants substantive relief, shall present the petition, proposed order and rule to the signing judge of the Family Court. The court will not enter a stay or grant more immediate relief ex parte unless:

(1) *Notice*—It appears from the petition or motion that reasonable notice, under the circumstances, of the date, time and place of the presentation of the petition has been given to all counsel and unrepresented parties;

(2) *Stipulation*—It appears from the petition or motion that there is an agreement by all counsel and unrepresented parties; or

(3) *Exigency*—The court in its discretion shall determine that there are extraordinary circumstances justifying a stay or more immediate relief.

(d) Immediately after filing documents with the Prothonotary, each party shall serve upon all other counsel and unrepresented parties complete copies of such documents. Within five (5) days of such filing, the moving party shall file with the Prothonotary a separate document certifying such service in the form prescribed by C.C.R.C.P. 206.3.

**Rule 1920.46.A. Affidavit of Non-Military Service.**

(a) If the defendant has not appeared and the plaintiff avers in the affidavit regarding military service that the defendant is in the military service or that the plaintiff cannot determine whether or not the defendant is in the

military service, then the plaintiff shall file with the affidavit a motion and order for the appointment of an attorney to represent the defendant and shall deposit with the Prothonotary four hundred dollars (\$400.00), unless changed to a different amount, to cover the attorney's fees.

(b) The attorney appointed to represent the defendant shall promptly perform the following duties:

(1) The attorney shall make diligent inquiry to ascertain the whereabouts of the defendant.

(2) If the attorney ascertains that the defendant is in the military service, the attorney shall inform the defendant of the action pending and ascertain whether the defendant wishes to appear and be heard, shall attend all hearings before the Hearing Officer, and shall take any action proper to protect the interests of the defendant.

(3) If the defendant is in the military services and wishes to appear and be heard, or if in the opinion of the attorney the defendant is prejudiced by said military service, the attorney shall state this in an interim report filed with the Prothonotary, copies of which shall immediately be served upon the attorney for the plaintiff and the Hearing Officer, if appointed. In such event all proceedings shall be stayed until further order of the court.

(4) If the attorney cannot ascertain the whereabouts of the defendant or whether or not the defendant is in the military service, the attorney shall, within ninety (90) days from the date of appointment, file with the Prothonotary an interim report stating what information has been ascertained and what steps were taken to ascertain such information, copies of which report shall immediately be served upon the attorney for the plaintiff and the Hearing Officer, if appointed. The attorney shall attend all hearings before the Hearing Officer and take any action proper to protect the interest of the defendant.

(5) Within ten (10) days after the hearings before the Hearing Officer have closed, the attorney shall file with the Hearing Officer a final report stating whether or not the defendant's whereabouts have been ascertained, and if the defendant is in the military service, whether or not the defendant is prejudiced by said military service. The final report shall be attached to and made a part of the report of the Hearing Officer.

(6) Upon the filing of an interim report resulting in the staying of all proceedings until further order of the court, or upon the filing of a final report, the attorney shall be entitled to receive the four hundred dollars (\$400.00) previously filed with the Prothonotary.

**Rule 1920.51.A. Hearing by the Court. Appointment of Hearing Officer. Interim Distribution. Presumed Consent Notice of Hearing. Applicable Hearing Officers' Fees.**

(a) In actions where ancillary claims have been raised and are at issue, or a petition for Interim Distribution has been filed, on the motion of either party, a Hearing Officer shall be appointed by the court to hear testimony and prepare a report and recommendation.

(b) *Motion for Appointment of a Hearing Officer*—A motion for the appointment of a Hearing Officer may be filed at any time after the filing of a complaint in divorce and shall state specifically what claims are at issue, what claims have been settled by agreement and whether any such agreement is to be entered as a court order. The moving party must be in compliance with Pa.R.Civ.P. 1920.31 and 1920.33. The motion shall include a certification that the completed inventory has been filed and

served on the other party. The motion and order shall be in the form prescribed by Pa.R.Civ.P. 1920.74(a) and (b).

(1) *Certification of Service*—The movant shall file, along with the motion for appointment of a Hearing Officer, a certification that opposing counsel or any unrepresented party has been served with a copy of the motion and all other documents required pursuant to subsection (b) hereof.

(2) The motion for the appointment of a Hearing Officer shall aver whether any acting Hearing Officer is disqualified from acting as a Hearing Officer in the action and the basis for disqualification.

(c) Objections to the Motion for the Appointment of a Hearing Officer shall be filed within ten (10) days of the filing of the motion and shall be in accordance with C.C.R.C.P. 206.2 and 206.6 except that no brief shall be required.

(d) *Cover Sheet*—Any motion for appointment of a Hearing Officer shall be filed in the office of the Prothonotary and shall be accompanied by a cover sheet, available at the office of the Prothonotary.

(e) *Appointment of Hearing Officer*—Upon filing of the motion for the appointment of a Hearing Officer, in the form prescribed by Pa.R.Civ.P. 1920.74, the required cover sheet and the posting of the required fee, the Office of the Prothonotary shall forward the motion to the Hearing Officer's Unit for the scheduling of a preliminary conference. When a party files a motion for the appointment of a Hearing Officer, the moving party shall pay the Prothonotary the applicable fee pursuant to this Rule. No Hearing Officer shall be appointed without such payment.

(f) *Applicable Fee*—The party filing for the appointment of a Hearing Officer shall specify on the cover sheet the matters sought to be heard by the Hearing Officer, which shall determine the applicable fee. In addition to posting the requisite fee, the moving party shall pay a filing fee with the Prothonotary.

(1) The fee for the appointment of a Hearing Officer to hear only marital dissolutions issues shall be one hundred forty-one dollars and fifty cents (\$141.50), unless changed to a different amount.

(2) The fee for the appointment of a Hearing Officer to hear interim issues of counsel fees/and or litigation expenses shall be one hundred eleven dollars and fifty cents (\$111.50), unless changed to a different amount.

(3) Whenever a party moves for the appointment of a Hearing Officer to hear equitable distribution of marital property, whether or not there are other claims to be heard by the Hearing Officer, the moving party shall deposit five hundred eleven dollars and fifty cents (\$511.50), unless changed to a different amount, for the Hearing Officer's fee.

(g) The above fees are non-refundable.

*Note:* All fees include the current Prothonotary filing fee of ten dollars and eighty-five cents (\$10.85), which may be changed to a different amount.

*Comment:* All fees herein are subject to change consistent with the Prothonotary's published fee schedule which may be found at [www.chesco.org](http://www.chesco.org).

**Rule 1920.53.A. Hearing Officer. Hearing Officer Report.**

(a) *Hearing Officer's Duty to Determine Jurisdiction*—The Hearing Officer shall examine the formal sufficiency and regularity of the proceedings and the question of jurisdiction on the face of the pleading. If defective, but

curable by amendment, the Hearing Officer shall notify counsel and suspend further action until the necessary amendment is made. When the Hearing Officer is satisfied of the formal sufficiency and regularity of the proceeding and the existence of jurisdiction, the hearing shall proceed as follows:

(b) *Divorce and Annulment Cases*—(Not Involving Equitable Distribution.)

(1) Counsel or any unrepresented party shall be provided with written notice of the hearing at least ten (10) days prior thereto.

(2) The Plaintiff shall, prior to the hearing, submit to the Hearing Officer a written "Plaintiff's Record of Testimony" bearing the case caption, and consisting of the following:

(i) The Plaintiff's testimony, in question-and-answer form, signed and verified by the Plaintiff,

(ii) Any exhibits specifically identified in the Plaintiff's evidence, and

(iii) The testimony of each of the Plaintiff's witnesses, in question-and-answer form, signed and verified by the witnesses.

(c)(1) The Hearing Officer's hearing in uncontested cases shall be conducted as follows:

(i) At the time hearing, the Plaintiff and all witnesses whose Record of Testimony has been prepared in advance shall be present and shall affirm their prerecorded evidence, under oath or affirmation, in the Hearing Officer's presence.

(ii) The Hearing Officer may examine the Plaintiff and the witnesses regarding the prerecorded evidence to evaluate their credibility and may interrogate them as to any relevant matter whether or not included in the prepared record of testimony.

(iii) The Hearing Officer, upon being satisfied that the Plaintiff's record of testimony is credible, shall accept it and include it in the Hearing Officer's report in lieu of findings on the merits, provided however, that in the report the Hearing Officer certifies that:

(a) At the hearing and in the Hearing Officer's presence the Plaintiff and witnesses offering prerecorded testimony were placed under oath and were examined and that they, by credible evidence, substantiated the facts set forth in the Plaintiff's record of testimony, and

(b) No witness who was sworn or affirmed presented testimony or evidence contrary to the facts set forth in such record testimony.

(c) A report and recommendation of the Hearing Officer shall issue at some time after hearing.

(d) The Hearing Officer's hearing, in contested divorce and annulment cases, shall be conducted as follows:

(1) The parties shall appear and present evidence, with a Court Reporter present.

(2) The Hearing Officer may inquire of the parties under oath.

**Rule 1920.54.A. Hearing by Hearing Officer. Report. Related Claims.**

(a) *Preliminary Conference*—

(1) A Hearing Officer shall hold a preliminary conference within thirty (30) days after being appointed to determine the scope of the ancillary issues raised. No stenographic record shall be made of this conference unless requested by a party and approved by the Hearing Officer in which case that party shall engage and bear the cost of the stenographer.

(2) At the time of the Preliminary Conference, the parties shall submit an inventory, a vital statistics form or a memorandum setting forth the information requested in the vital statistics form.

(3) A Hearing Officer may recommend to the court the entry of orders for counsel fees, expenses or costs following the preliminary conference.

*Comment:* See C.C.R.C.P. 1920.1.A. for the definition of inventory.

(b) *Discovery*—

(1) Counsel may prepare and submit to the assigned Hearing Officer and opposing counsel a list of requested discovery at the preliminary conference.

(2) A Hearing Officer may recommend to the court the entry of orders for discovery, including but not limited to, the filing of an inventory, an income and expense statement and affidavit of vital statistics. Said discovery orders may include discovery deadlines upon the request of either party or at the direction of the Hearing Officer.

(3) In any divorce matter in which a Hearing Officer has been appointed, all discovery motions, which do not involve a non-party, filed pursuant to Pa.R.Civ.P. 1930.5 and Pa.R.Civ.P. 4001 et seq. shall be heard by the Hearing Officer.

(4) An argument, if requested by either party, shall be scheduled before the Hearing Officer. At the conclusion of the argument or within a reasonable time, the Hearing Officer may make a recommendation and advise the parties they have ten (10) days in which to request an argument before the Court. At the conclusion of the ten (10) days, if no objections have been filed, the recommendation shall become an order of the Court. In the event objections are filed, the matter shall be listed, in the normal course of business for argument before the Court. Argument shall be limited to the issues raised by the pleadings.

(5) All Objections shall be in writing and filed within ten (10) business days of the recommendation. A copy shall be served upon the Family Court Administrator who shall schedule the case for argument and promptly notify all counsel and unrepresented parties in the case.

(c) *Settlement Conference*—The Hearing Officer shall conduct a settlement conference at which both parties shall submit a statement, which:

(1) Gives biographical information of each party, including but not limited to, age, education, occupation, income, health and children;

(2) Contains any updates on valuation of property at issue;

(3) Identifies any and all legal or factual disputes or issues; and

(4) Contains a proposed specific schedule of distribution of all property including the percent of distribution to each party.

(d) *Certification of Trial Readiness*—

(1) At the conclusion of the settlement conference, if all discovery has been completed, the deadline for discovery has passed, the case has not settled and divorce grounds have been established, the parties may file a Certification of Trial Readiness.

(2) A time-stamped copy of the completed Certification of Trial Readiness shall be served upon the assigned Hearing Officer and proof thereof, shall be filed with the Prothonotary. Any certificate that fails to include an estimated time of trial will be rejected by the Hearing Officer and not placed on the Hearing Officer's trial list.

(3) Upon receipt of the Certification of Trial Readiness by the Hearing Officer, the matter shall be placed on the assigned Hearing Officer's trial list in accordance with the filing date as indicated by the Prothonotary's time-stamp.

(4) All certifications of trial readiness shall be filed on blue paper with the Office of the Prothonotary.

*Comment:* The form certificate has been moved to C.C.R.C.P. 1920.74.A. to be consistent with Pa.R.Civ.P. 1920.7, et seq.

(e) *Hearing*—

(1) The Hearing Officer shall hold a formal record hearing for the determination of all matters at issue. Each party shall file a pre-trial statement in conformance with Pa.R.Civ.P. 1920.33(b) not less than ten (10) calendar days prior to the scheduled Hearing Officer's hearing.

(2) Failure to comply with the above rule may result in the imposition of sanctions recommended by the Hearing Officer and will, in addition, permit the drawing of adverse inferences by the Hearing Officer and the court.

(3) A copy of the pre-trial statement shall be served upon the Hearing Officer and opposing counsel or any unrepresented party. Proof of service shall be filed with the Prothonotary.

(4) The time and place of hearing shall be designated by the court. Court reporters shall be made available to the Hearing Officers. Once a hearing begins, it shall proceed to its conclusion within the limits of the estimated trial time. Thereafter, scheduling shall be consistent with the schedule of the Hearing Officer.

(5) The Hearing Officer shall file a report in accordance with Pa.R.Civ.P. 1920.53, 1920.54 and 1920.55-2(a)(1), (2).

*Comment:* Exhibits not attached and intended to be used as rebuttal or on cross-examination are still subject to relevancy standards by the finder of fact.

*Comment:* See generally, Pa.R.Civ.P. 1920.33.

**Rule 1920.55-2-A. Hearing Officer's Report. Notice. Exceptions. Final Decree.**

(a) *Dismissal*—Exceptions shall be dismissed in any case in which the notes of testimony have not been ordered, and paid for if required, within thirty (30) days of the filing of the exceptions.

(b) *Briefs*—

(1) No less than thirty (30) days before the date set for oral argument, the excepting party or parties shall file a brief with the Prothonotary, shall serve copies of the brief upon all counsel, unrepresented parties and the judge

assigned to hear the exceptions, and shall file a certification that service has been made.

(2) No less than fourteen (14) days before the day set for oral argument, the responding party shall file a brief and certification or service in the manner prescribed in (1) above.

(3) In the event that both parties file exceptions, each party shall be treated as an excepting party for the purposes of the briefing schedule as set forth above.

(c) *Argument*—If either party fails to file a brief within the time prescribed by these rules, or within the time as extended, the non-filing party will not be heard at oral argument except by permission of the court.

(d) A time-stamped copy of any exceptions filed shall be served upon the assigned Hearing Officer.

*Comment:* A motion to dismiss may be made at any time prior to commencement of oral argument and are not subject to the requirements of C.C.R.C.P. 206.2.

*Note:* In order to preserve the issue for review, Exceptions filed to a recommendation for Interim Distribution, Interim Counsel Fees and Date of Separation shall be filed within twenty (20) days of the filing of the Report and Recommendation of the Hearing Officer. However, oral argument shall be deferred until the filing of the Final Report and Recommendation of the Hearing Officer.

**Rule 1920.72.A. Form of Complaint. Affidavits under Section 3301(c) or Section 3301(d) of the Divorce Code. Counter-affidavits. Form of Continuance.**

(a) All requests for continuance for any proceeding under these rules shall be in the form prescribed by C.C.R.C.P. 1920.30.1.A.

**Rule 1920.73.A. Notice of Intention to File Praecipe to Transmit Record. Waiver of Notice of Intention to File Praecipe to Transmit Record. Praecipe to Transmit Record.**

(a) The form of proposed order required by C.C.R.C.P. 1920.42(d)(1) shall be substantially in the following form:

**SEE FORMS INDEX (# 19)**

**Rule 1920.74.A. Form of Motion for Appointment of Hearing Officer. Order. Form Certification of Trial Readiness—Divorce.**

(a) All certifications of trial readiness shall be filed on blue paper with the Office of the Prothonotary. Upon the filing of the certificate, a copy shall be served upon the appointed Hearing Officer.

(b) The certificate of trial readiness shall be substantially in the following form:

**SEE FORMS INDEX (# 20)**

(c) The form order for the appointment of the Hearing Officer shall include the claims to be addressed by the Hearing Officer.

**RULES RELATING TO DOMESTIC RELATIONS MATTERS GENERALLY**

**Rule 1930.1.A. Form of Pleadings. Form of Caption. Form of Continuance Request and Order. Form of Rule Returnable.**

(a) The form of request for continuance, of matters listed before a Judge, as required by C.C.R.C.P. 1920.72.A.(a) shall be substantially in the following form:

**SEE FORMS INDEX (# 21)**

(b) The form of request for continuance, of matters listed before a Custody Conciliator, Support Hearing Officer or Hearing Officer in Divorce, required by C.C.R.C.P. 1920.72.(A)(a) shall be substantially in the following form:

(1)

**SEE FORMS INDEX (# 22)**

(2) Motions for continuance/objections may be faxed/e-mailed. Faxes/emails shall be directed to the appropriate department for consideration.

(c) The form of Rule to Show Cause as required by Pa.R.Civ.P. 206.6, in Family Matters shall be substantially in the following form:

**SEE FORMS INDEX (# 23)**

(d) All Domestic Relations matters filed under these parts are subject to the case records public policy of the Unified Judicial System of Pennsylvania.

**Rule 1930.3.A. Testimony by Electronic Means.**

(a) The procedure for requesting testimony by electronic means shall be in accordance with C.C.R.C.P. 2016.1.A.(1).

(b) Should the court grant a request for testimony by electronic means, the requesting party shall be responsible for all costs by either the initiation of the telephone call or by use of a credit card for payment.

*Comment:* The court requires no less than forty-eight (48) hours' notice to arrange for the use of specialized equipment.

See generally Pa.R.Civ.P. 1920.3.

**Rule 1930.4.A. Service of Original Process in Domestic Relations Matters.**

(a) *Special Order of Service.*

(1) All requests for special order of service shall be in accordance with Pa.R.Civ.P. 430.

(2) A party seeking a special order of service in any Domestic Relations Matter may seek service by publication.

(3) An affidavit of service shall be filed consistent with C.C.R.C.P. 206.3. Said affidavit shall include screen shots of all postings.

**Rule 1930.5.A. Discovery in Domestic Matters. Sanctions.**

If either party does not comply with a discovery order, the Hearing Officer may either:

(a) Proceed, nevertheless, to consider the evidence presented by the parties and, in his or her closing report, recommend sanctions against the non-complying party, including deemed admissions on the matters involved; or

(b) Make an immediate recommendation to the court that sanctions of a specified nature be imposed.

*Comment:* Pa.R.Civ.P. 1920.33(a) requires the filing of an inventory by each party within ninety (90) days after service of a pleading or petition containing a claim for determination and distribution of property under Section 3502 of the Divorce Code. Any party who has complied with these Rules may, where appropriate, apply to the court for sanctions pursuant to Pa.R.Civ.P. 4019 if the opposing party has failed to answer interrogatories and/or failed to file a required document. In the event of a successful Application pursuant to Pa.R.Civ.P. 4019, the

Court of Common Pleas of Chester County may grant a broad order requiring, inter alia: timely answers to interrogatories; timely production of all relevant documents requested; and, when appropriate, deposition of the uncooperative party. Failure to comply with a court order requiring compliance with mandatory or other discovery will result in the imposition of appropriate sanctions, which may include, inter alia, an award of counsel fees and/or costs.

**CUSTODY MEDIATION****Rule 1940.3.A. Order for Orientation Session and Mediation. Selection of Mediator.**

(a) All Complaints for Custody or Petitions to Modify Custody shall be referred to mediation. The mediator shall be assigned to the case at the time the custody conciliation conference and the parenting classes are scheduled. All parties shall call the assigned mediator within three (3) days of receiving the Complaint for Custody or Petition to Modify.

(b) All parties shall attend a custody mediation orientation, unless otherwise excused under this rule.

(c) An orientation session shall not be required if a party or a party's child is or has been the subject of a Protection from Abuse Order within twenty-four (24) months preceding the filing of the action.

(d) The Family Court Administrative Office shall maintain a list of custody mediators who have satisfied the requirements of C.C.R.C.P. 1940.4.A. The list of custody mediators shall be made available, upon request, to all parties and counsel.

(e) In the event the parties agree to additional mediation at the conclusion of the orientation session, 42 Pa.C.S. § 5949 shall govern confidentiality and admissibility issues.

**Rule 1940.4.A. Minimum Qualifications of the Mediator.**

(a) A mediator must meet the following minimum requirements:

(1) hold a postgraduate level degree in law, or a mental health field such as psychiatry, psychology, counseling, or family therapy;

(2) have successfully completed a 40-hour basic mediation training in family law, approved by the Association for Conflict Resolution ("ACR"), or its successors, the Academy of Matrimonial Lawyers, or substantial equivalent;

(3) provide annual, written proof that the mediator maintains a current policy of Professional Liability Insurance which includes mediation as covered practice area;

(4) complete twenty (20) hours of additional mediation training every two (2) years, effective January 1, 2002. For the purposes of this rule, additional training shall include advanced mediation training, ongoing supervision by or consultation with an Advanced Practitioner level member of ACR or substantial equivalent, or by a professional mediation trainer.

(b) Mediators seeking inclusion on the Court's list of custody mediators shall submit an application, including proof of the following:

(1) successful completion of an approved 40-hour mediation program; and

(2) Professional Liability Insurance.

(c) Mediators shall be required to renew their registration every two (2) years and submit proof of their twenty (20) hours of additional mediation training.

(d) The Court, upon its own motion, shall have the authority to decertify any Chester County custody mediator who has not complied with any provision of these Rules.

**Rule 1940.5.A. Duties of the Mediator. Role of the Mediator.**

(a) At the orientation session, the mediator must inform the parties in writing of the following:

- (1) the costs of mediation;
- (2) the process of mediation;
- (3) that the mediator does not provide legal advice, therapy, or counseling to either or both of the parties;

(b) The primary focus of all custody mediation shall be the best interests of the children.

(c) The parties may mutually agree that the mediator include the parties' children or other persons to participate in the mediation process.

(d) At the conclusion of the mediation session, the mediator shall submit a written report to the Family Court Administrative Office.

**Rule 1940.6.A. Termination of Mediation.**

(a) Mediation, if undertaken after the initial orientation session, shall terminate upon the earliest of the following:

- (1) a written agreement between the parties on all custody issues;
- (2) a written agreement between the parties that mediation be terminated;
- (3) a partial written agreement between the parties concerning custody issues and a determination by the mediator that further mediation will not resolve the remaining issues;
- (4) a written determination by the mediator that the parties are unable to reach an agreement through mediation or that the proceeding is inappropriate for mediation; or
- (5) a refusal of one of the parties to continue with the mediation.

(b) If the parties reach a complete or partial agreement regarding custody at the mediation, the mediator shall promptly prepare and transmit to the parties and their attorneys, if any, a Temporary Custody Order, setting forth the terms of the parties' agreement. In no event shall any such Temporary Custody Order be binding on the parties unless and until it is incorporated into a written agreement signed by the parties.

(c) If the parties reach an agreement regarding custody at mediation, the mediator shall advise them that they may review the Temporary Custody Order with an attorney. If the parties wish to review the Temporary Custody Order with their attorneys, the order shall not be signed, by the parties, at mediation. The mediator shall provide the parties with a copy of the Temporary Custody Order. The attorneys must finalize and submit the signed Temporary Custody Order to the Family Court at least five (5) days prior to the scheduled custody conciliation conference in order for the conference to be cancelled.

(d) The parties may agree to waive review by their attorneys and to sign the Temporary Custody Order at

the mediation. If the parties sign the Temporary Custody Order at mediation, the mediator shall submit the signed Temporary Custody Order to the Family Court, with copies to counsel of record, at least five (5) days prior to the scheduled custody conciliation conference in order for the conference to be cancelled.

**Rule 1940.7.A. Mediator Compensation.**

Mediators shall be compensated for their two (2) hour orientation session at the rate of \$100.00 per party or such other amount established by Administrative Order.

**Rule 1940.8.A. Sanctions.**

On its own motion or the motion of a party, the Court may impose sanctions against any party or attorney who fails to comply or causes a party not to comply with these mediation rules. Sanctions may include an award of mediation costs and attorney's fees, including those incurred in the filing and presentation of the motion for sanctions, as well as a finding of contempt. At the discretion of the custody conciliator, the conference may proceed despite a party's refusal or failure to attend the mediation orientation sessions.

**Rule 1940.10.A. Evaluation of Custody Mediation Orientation Program.**

(a) The court may evaluate the mediation orientation program annually.

(b) The President Judge may appoint a judge of the Court to oversee and implement the program consistent with the Chester County Rules of Civil Procedure, including, but not limited to, implementing and monitoring the program consistent with Paragraph (a) above.

**Rule 1940.11.A. Ex Parte Communications.**

Counsel and/or the parties shall not engage in or participate in ex parte communications with the mediator regarding substantive issues which relate to the mediation. Communications regarding scheduling are not subject to this rule.

**Rule 1940.12.A. Removal of Mediator from Court List.**

(a) A mediator may be removed from the court list for the following reasons:

- (1) Failure to maintain current mediation qualifications as set forth in C.C.R.C.P. 1940.4.A.
- (2) Failure to file mediator's reports with the court in a timely manner;
- (3) multiple negative reports about the mediator or
- (4) other just cause.

(b) *Procedure for Removing a Mediator from the Court List:*

(1)(i) Complaints regarding a mediator shall be in writing and be sent to the Family Court Administrator for submission to the Court.

(ii) All complaints shall be considered confidential in nature.

(2) The Court, in its discretion, may decide whether to remove a mediator or recommend additional training or other remedial steps.

(3) If remedial steps are recommended, the mediator may be suspended during the time needed for additional training but shall not be removed from the list unless the mediator fails to amend the situation to the satisfaction of the Court.

## FAMILY COURT RULES FORMS INDEX

<i>Form Name</i>	<i>Rule</i>
1. Firearms Release Request (PFA)	C.C.R.C.P. 1901.7.A.(b)(3) Req'd by 23 Pa.C.S. § 6108.1
2. Coversheet to Police Dept (PFA) (to accompany certif. copy PFA order)	C.C.R.C.P. Rule 1905.A.(a) Req'd by C.C.R.C.P. 1901.4.A.
3. ICC Affidavit (PFA)	C.C.R.C.P. Rule 1905.A.(b) Req'd by C.C.R.C.P. 1901.5.A.(a)
4. ICC Complaint (PFA)	C.C.R.C.P. Rule 1905.A.(c) Req'd by C.C.R.C.P. 1901.5.A.(a)
5. Notice of Hearing to Defendant (PFA)	C.C.R.C.P. Rule 1905.A.(d) Req'd by C.C.R.C.P. 1901.5.A.(e)
6. Notice of Hearing to Plaintiff (PFA)	C.C.R.C.P. Rule 1905.A.(e) Req'd by C.C.R.C.P. 1901.5.A.(e)
7. Motion and Order for Continuance (PFA)	C.C.R.C.P. Rule 1905.A.(f)
8. Motion for Separate Listing (Support) (for inclusion on long day hearing list)	C.C.R.C.P. Rule 1910.12.A.(i)(1)
9. Notice of Arrearages (Support) (Consumer Credit Bureau Org. request)	C.C.R.C.P. Rule 1910.20.A.
10. Stmt of Crim. Rec/Abuse Hist. (Custody)	C.C.R.C.P. Rule 1915.3-2.A.(a)
11. Demand for Trial (Custody)	C.C.R.C.P. Rule 1915.4.A.(c)(2)(i) Req'd by C.C.R.C.P. 1915.4.A.(c)(1)(i)
12. Certificate of Readiness (Custody)	Rule 1915.4.A(c)(2)(ii) Req'd by C.C.R.C.P. 1915.4.A.(c)(1)(i)
13. Notice and Order to Appear (Custody)	C.C.R.C.P. 1915.B.(f)(2)(ii) Req'd by C.C.R.C.P. 1915.5.B.(f)(2)(i)
14. Order for Appearance (Custody) (child(ren) to attend conciliation conf.)	C.C.R.C.P. 1915.11.A(b)(2)(ii)(a) Req'd by C.C.R.C.P. 1915.11.A.(b)(2)
15. Affidavit—Attorney (applicant: Parenting Coordinator)	C.C.R.C.P. 1915.11-1.A.(b)(4)(i) Req'd by C.C.R.C.P. 1915.11-1.A.(b)
16. Affidavit—Mental Health (applicant: Parenting Coordinator)	C.C.R.C.P. 1915.11-1.A.(b)(4)(ii) Req'd by C.C.R.C.P. 1915.11-1.A.(b)(1)
17. Notice and Order to Appear (Custody) (willful disobedience/contempt of custody)	C.C.R.C.P. 1915.12.A.(f) Req'd by C.C.R.C.P. 1915.12.(a)
18. Notice and Order to Appear (Custody) (mediation, conciliation & parenting class)	C.C.R.C.P. 1915.15A.(a) Req'd by Pa.R.C.P. 1915.3.(a)
19. Order (Divorce) (grounds for divorce)	C.C.R.C.P. 1920.73.A.(a) Req'd by C.C.R.C.P. 1920.42.(d)(1)
20. Cert. of Trial Readiness (Divorce) (to be printed on blue paper)	C.C.R.C.P. 1920.74.A.(b)
21. Motion & Order for Cont. (Family Ct)	C.C.R.C.P. 1930.1.A.(a) Req'd by C.C.R.C.P. 1920.72.A.(a)
22. Motion & Disposition of Cont. (w/Hearing Officer or Conciliator)	C.C.R.C.P. 1930.1.A.(b)(1) Req'd by C.C.R.C.P. 1920.72.A.(a)
23. Rule to Show Cause (Cust/Supp./Div)	C.C.R.C.P. 1930.1.A.(c) Req'd by Pa.R.C.P. 206.6

Form 1 See C.C.R.C.P. 1901.7.A.(b)(3) as req'd by 23 Pa.C.S. 6108.1 & C.C.R.C.P. 1901.7.A.

Protection Order Number: \_\_\_\_\_

THE COUNTY OF CHESTER, OFFICE OF THE SHERIFF  
201 W. Market Street, Suite 1201  
P.O. Box 2746  
West Chester, PA 19382-0989

FIREARM RELEASE REQUEST

A. REQUESTED INFORMATION:

LAST NAME	FIRST NAME	MIDDLE INITIAL	SUFFIX
ADDRESS	CITY	STATE	ZIP CODE
DATE OF BIRTH (MM/DD/YYYY)	SOCIAL SECURITY #	RACE	SEX
DRIVER LICENSE #	STATE OF ISSUANCE		
HOME PHONE #	MOBILE/CELL PHONE #	EMAIL ADDRESS	

\*Please note that this process may take up to fifteen (15) days to complete. If your Firearms Release Request is denied, you have the right to petition the Court pursuant to 18 Pa.C.S. § 6105.1.

B. ACKNOWLEDGEMENT OF RETURN (Sign in the presence of Law Enforcement Officer/Designee)  
By signing below, I am confirming that if the request is approved, I am taking possession of the firearm(s), other weapon(s), and/or ammunition referenced in the above Protection Order Number and that they are in the same condition as when they were relinquished. I agree I will not hold the Department or Agency identified below liable for any damage or reduction in value of the firearm(s), other weapon(s), or ammunition.

I also certify that I am not prohibited by state or federal law from possessing of a firearm for any reason. I understand that no relinquished item will be returned to me unless I successfully pass a background check via the Pennsylvania Instant Check System (PICS) or National Instant Check System (NICS) check or comparable check in the state of my residence.

Requestor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Returning Officer/Designee signs below:

Officer/Designee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

See C.C.R.C.P. 1901.7.A.(b)(3) as req'd by 23 Pa.C.S. 6108.1 & C.C.R.C.P. 1901.7.A.

C. DEPARTMENT/AGENCY USE ONLY:

CHESTER CO. SHERIFF's OFFICE PHONE #: \_\_\_\_\_ ORI: \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PROCESSING DEPUTY/DESIGNEE NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

PROTECTION ORDER NO.: \_\_\_\_\_ DATE ORDER ISSUED (Attach copy): \_\_\_\_\_

DATE ORDER CANCELED/EXPIRED: \_\_\_\_\_

DATE RELINQUISHED: \_\_\_\_\_ DEPARTMENT/INCIDENT/CASE NO.: \_\_\_\_\_

DEFENDANT OTHERWISE PROHIBITED?  YES  NO

PICS CHECK CONDUCTED?  YES  NO PICS NO: \_\_\_\_\_

FIREARM RETURNED?  YES  NO  
If NO, explain in comments\*

RECEIPT PROVIDED  YES  NO

FIREARMS EVIDENCE IN A CRIME?  YES  NO

PARTIAL RETURN?  YES  NO  
If YES, explain in comments\*

PLAINTIFF NOTIFIED?  YES  NO  
If YES, attach copy of Certificate of Service indicating that at least 14 days have passed since request

DATE PLAINTIFF NOTIFIED: \_\_\_\_\_

METHOD OF NOTIFICATION: \_\_\_\_\_

DISTRICT ATTORNEY NOTIFIED?  YES  NO  
If YES, attach copy of Certificate of Service indicating that at least 14 days have passed since request

DATE DISTRICT ATTORNEY NOTIFIED: \_\_\_\_\_

METHOD OF NOTIFICATION: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

Form 2

See C.C.R.C.P. Rule 1905.A.(a): form req'd by C.C.R.C.P. 1901.4.A.

Plaintiff : IN THE COURT OF COMMON PLEAS  
 : CHESTER COUNTY, PENNSYLVANIA

vs : NO.  
 : CIVIL ACTION - LAW

Defendant : PROTECTION FROM ABUSE

TO THE POLICE

Under the Pennsylvania Protection from Abuse Act, 23 P.S. § 6101, et seq. you are authorized to arrest the Defendant for a violation of the order, without warrant, upon probable cause, whether or not the violation was committed in your presence. The defendant is to be taken forthwith before a District Justice for preliminary arraignment. The Defendant can be found at the following address:

\_\_\_\_\_ during the hours  
 of \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m.

Order effective from \_\_\_\_\_, 20 \_\_\_\_ to \_\_\_\_\_, 20 \_\_\_\_.

PROTECTION FROM ABUSE  
INDIRECT CRIMINAL CONTEMPT AFFIDAVIT

On \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_  
(Name of Defendant)

did commit the following in violation of a protection from abuse order entered by a Judge of the Court of Common Pleas of Chester County, Pennsylvania on \_\_\_\_\_, 20\_\_\_\_  
Docket No. \_\_\_\_\_.

The acts committed were:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Affiant

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

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA

Plaintiff	: No.
	:
v.	: Civil Action
	: Indirect Criminal Contempt
Defendant	: for Violation of Protection From Abuse Order

COMPLAINT

I, the undersigned, do hereby state under oath:

1. My name is \_\_\_\_\_ and I live/work at \_\_\_\_\_ ;

2. I accuse \_\_\_\_\_ , who lives at \_\_\_\_\_ , with violating a protection from abuse order entered by Judge \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ , 20 \_\_\_\_\_ (attach copy of order if available);

3. The date (and day of the week) when the accused committed the offense was on or about \_\_\_\_\_ .

4. The place where the offense was committed was in the County of Chester;

5. The acts committed by the accused were: (place an X before the appropriate statement(s))  
\_\_\_\_\_ attempting to cause or intentionally, knowingly or recklessly causing bodily injury to \_\_\_\_\_

-or-

\_\_\_\_\_ using physical menace to put \_\_\_\_\_ in fear of imminent serious bodily injury,

all of which were in violation of the protection from abuse order entered in accordance with the Protection from Abuse Act, 23 Pa.C.S. § 6101 et seq.;

THE COURTS

See C.C.R.C.P. 1905.A.(c): form req'd by C.C.R.C.P. 1901.5.A.(a)

6. If the defendant has not already been arrested, I ask that a warrant of arrest be issued and that the accused be required to answer the charges I have made.

I verify that the statements made in the complaint are true and correct to the best of my knowledge, information and belief. I further understand that any false statements made herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date \_\_\_\_\_

\_\_\_\_\_  
Signature of Affiant

The above subscribed affiant personally appeared before me on this date, signed the complaint in my presence and asserted that the facts therein are true and correct; and wherefore it appears that there is probable cause for the issuance of process.

Date \_\_\_\_\_

\_\_\_\_\_  
(SEAL)

Issuing Authority

NOTICE OF HEARING TO DEFENDANT

\_\_\_\_\_  
(Name of Defendant)

You have been charged with Indirect Criminal Contempt for an alleged Violation of a Protection From Abuse Order. A hearing has been scheduled in the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The hearing will be held in Courtroom No. \_\_\_\_\_ at 10:30 a.m. FAILURE TO APPEAR AT THIS HEARING WILL RESULT IN THE ISSUANCE OF A WARRANT FOR YOUR ARREST.

If you are found guilty of Indirect Criminal Contempt, you may be sentenced to prison for up to six (6) months and fined up to \$1,000.00 for each offense. You should be represented by a lawyer at this hearing. If you do not have a lawyer you may call the Chester County Public Defender's Office at the Justice Center, 201 West Market St, second floor, West Chester, Pennsylvania, (610) 344-6940, any business day between 8:30 a.m. and 4:30 p.m. IF YOU WANT A PUBLIC DEFENDER, APPLY IMMEDIATELY UPON RECEIPT OF THIS NOTICE.

VERIFICATION

I, \_\_\_\_\_, of \_\_\_\_\_, do hereby verify that the  
(Dist. Ct./Police/other)  
above notice was served upon \_\_\_\_\_  
(Defendant)  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ (a.m./p.m.).  
This service was made at \_\_\_\_\_  
(location of service)

\_\_\_\_\_  
(Signature and Title of Server)

NOTICE OF HEARING TO PLAINTIFF

\_\_\_\_\_  
(Name of Plaintiff)

\_\_\_\_\_ has been  
(Name of Defendant)

charged with Indirect Criminal Contempt for an alleged violation of a Protection From Abuse Order wherein you are the Plaintiff. A hearing has been scheduled in the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania, on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. The hearing will be held in Courtroom No. \_\_\_\_\_, at 10:30 a.m.

You will be represented by the Chester County District Attorney's Office at this hearing. You may contact that office at (610) 344-6801 for information as to which Assistant District Attorney will be representing you at the hearing. It is not required, but would be helpful, if you would list your present address and telephone number in the space provided so the District Attorney may contact you.

If you do not appear at the hearing, the charges may be dismissed.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

VERIFICATION

I, \_\_\_\_\_, of \_\_\_\_\_,  
(Dist. Ct./Police/other)

do hereby verify that the above notice was served upon

\_\_\_\_\_  
(Plaintiff)

On the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ (a.m./p.m.).

This service was made at \_\_\_\_\_

\_\_\_\_\_  
(location of service)

\_\_\_\_\_  
(Signature and Title of Server)

Form 7

See C.C.R.C.P. 1905.A.(f)

Plaintiff : IN THE COURT OF COMMON PLEAS  
 : CHESTER COUNTY, PENNSYLVANIA  
 vs : NO.  
 Defendant : PROTECTION FROM ABUSE

MOTION FOR CONTINUANCE

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, upon motion of \_\_\_\_\_, it is hereby requested that the hearing scheduled for \_\_\_\_\_, 20\_\_\_, concerning Protection from Abuse be continued for the following reason(s): \_\_\_\_\_

The opposing party/counsel \_\_\_\_\_ (name) has been notified and AGREES/DISAGREES (circle).

\_\_\_\_\_  
 Party/Counsel for:  
 \_\_\_\_\_  
 (Name)  
 \_\_\_\_\_  
 (Telephone Number)

TEMPORARY ORDER AND ORDER FOR CONTINUANCE

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, upon motion of \_\_\_\_\_, it is hereby ORDERED and DECREED that the continuance is GRANTED/DENIED and the Protection from Abuse hearing is continued and rescheduled to the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_ at \_\_\_\_\_ .m. in Courtroom No. \_\_\_\_\_, Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

See C.C.R.C.P. 1905.A.(f)

The Temporary Order for Protection from Abused dated \_\_\_\_\_, 20\_\_ shall remain in full force and effect until further Order of this Court.

Failure of the Plaintiff to appear for hearing may result in dismissal of the Protection From Abuse Petition and the entry of an Order requiring the costs of the proceeding to be paid by the Plaintiff.

Failure of the Defendant to appear for hearing may result in the issuance of a final Protection From Abuse Order and an Order to pay costs.

BY THE COURT:

\_\_\_\_\_  
J.

Note: All counsel seeking a continuance of a Protection from Abuse matter shall file an entry of appearance.

Form 8

See C.C.R.C.P. Rule 1910.12.A.(i)(1)

Plaintiff : IN THE COURT OF COMMON PLEAS  
: CHESTER COUNTY, PENNSYLVANIA  
vs : NO.  
: CIVIL ACTION - LAW  
Defendant : IN SUPPORT

MOTION FOR A SEPARATE LISTING

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, Plaintiff/Defendant moves the Court for a separate listing and in support thereof avers the following:

- (1) The hearing will be protracted in nature and requires more than two (2) hours for hearing; or
- (2) There are complex questions of law, fact, or both.
- (3) Issues for resolution: (state if case entails a determination of income or if incomes exceed the guidelines, whether or not it is a self-employment case, whether or not valuations are at issue)
- (4) Estimated duration of hearing:
- (5) Number of witnesses: (state whether or not witnesses are experts).

Respectfully submitted,

\_\_\_\_\_  
Counsel for:

cc: \_\_\_\_\_, Esquire - Attorney for \_\_\_\_\_

N.B. Failure to complete this form in its entirety will result in its rejection by the Family Court Administrator and the case will not be placed on the Long Day Hearing List.

	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	CHESTER COUNTY, PENNSYLVANIA
vs	:	NO.
	:	CIVIL ACTION - LAW
Defendant	:	IN SUPPORT

NOTICE

Pursuant to § 4303 of Act 1985-66, a Consumer Credit Bureau Organization has requested the amount of arrearages owed by you under your existing support order. Domestic Relations must provide this information to the Consumer Credit Bureau Organization on any arrearage in excess of \$1,000.00.

Our records show an arrearage of \$ \_\_\_\_\_ on the above order.

You may contest the accuracy of this information by contacting the Domestic Relations Office at the Chester County Justice Center, 201 West Market Street, West Chester, PA, (610) 344-6215 no later than \_\_\_\_\_, 20\_\_\_\_. If you fail to contact Domestic Relations by said date, the figure stated above will be reported to the Consumer Credit Bureau Organization.

Plaintiff : IN THE COURT OF COMMON PLEAS  
: CHESTER COUNTY, PENNSYLVANIA  
: vs. : NO.  
Defendant :  
: : CIVIL ACTION - CUSTODY

VERIFIED STATEMENT OF CRIMINAL RECORD & ABUSE HISTORY

I \_\_\_\_\_, hereby swear or affirm that:  
(print name)

1. Please state whether or not you and/or another adult living in your household have been convicted of, pled guilty or no contest to the following crimes in Pennsylvania or any other jurisdiction, as follows:

NO	YES		Me	Adult in my Household	Date Of Conviction
<input type="checkbox"/>	<input type="checkbox"/>	Contempt for violation of a Protection from Abuse order or agreement;	<input type="checkbox"/>	<input type="checkbox"/>	Name: _____
<input type="checkbox"/>	<input type="checkbox"/>	Driving under the Influence of alcohol or a controlled substance or drugs;	<input type="checkbox"/>	<input type="checkbox"/>	Name: _____
<input type="checkbox"/>	<input type="checkbox"/>	Possession, sale, delivery, manufacturing or offering for sale any controlled substance or other drug or device;	<input type="checkbox"/>	<input type="checkbox"/>	Name: _____
<input type="checkbox"/>	<input type="checkbox"/>	Criminal homicide; Murder;	<input type="checkbox"/>	<input type="checkbox"/>	Name: _____
<input type="checkbox"/>	<input type="checkbox"/>	Aggravated Assault;	<input type="checkbox"/>	<input type="checkbox"/>	Name: _____
<input type="checkbox"/>	<input type="checkbox"/>	Stalking;	<input type="checkbox"/>	<input type="checkbox"/>	Name: _____
<input type="checkbox"/>	<input type="checkbox"/>	Kidnapping;	<input type="checkbox"/>	<input type="checkbox"/>	Name: _____
<input type="checkbox"/>	<input type="checkbox"/>	Unlawful restraint;	<input type="checkbox"/>	<input type="checkbox"/>	Name: _____
<input type="checkbox"/>	<input type="checkbox"/>	False imprisonment;	<input type="checkbox"/>	<input type="checkbox"/>	Name: _____

See C.C.R.C.P. 1915.3-2.A.(a)

- Luring a child into a motor vehicle or structure;  Name: \_\_\_\_\_
- Rape, statutory sexual assault, involuntary deviate sexual intercourse, sexual assault, aggravated indecent assault, indecent exposure, sexual abuse of children, sexual exploitation of children, sexual intercourse with an animal, incest;  Name: \_\_\_\_\_
- Sex offender non-compliance with registration requirements, statute, court order, probation or parole, or other requirements under 18 Pa.C.S.A. § 3130 and 42 Pa.C.S. § 9795.2;  Name: \_\_\_\_\_
- Arson and related offenses;  Name: \_\_\_\_\_
- Concealing death of a child;  Name: \_\_\_\_\_
- Endangering the welfare of children;  Name: \_\_\_\_\_
- Trading, bartering, buying, selling or dealing in infant children;  Name: \_\_\_\_\_
- Prostitution and related offenses;  Name: \_\_\_\_\_
- Obscene and other sexual materials and performances; or  Name: \_\_\_\_\_
- Corruption of minors or unlawful contact with a minor.  Name: \_\_\_\_\_

See C.C.R.C.P. 1915.3-2.A.(a)

2. Please state whether or not you and/or another adult living in your household have a present and/or past history involving violent or abusive conduct as follows:

NO	YES		Me	Adult in my Household	Date Of Finding
<input type="checkbox"/>	<input type="checkbox"/>	A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	_____
			Name: _____		
<input type="checkbox"/>	<input type="checkbox"/>	Has been subject to a Protection from Abuse order in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
			Name: _____		

I verify that the statements made in this affidavit are true and correct. I understand that any false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed name

Form 11

See C.C.R.C.P. Rule 1915.4.A.(c)(2)(i): form req'd by 1915.4.A.(c)(1)(i)

DEMAND FOR TRIAL

TO THE FAMILY COURT ADMINISTRATOR:

I, \_\_\_\_\_, plaintiff/defendant, hereby demand trial in the above-captioned custody matter.

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

\_\_\_\_\_  
Attorney for I.D. #

\_\_\_\_\_

\_\_\_\_\_  
Address

Date of Most Recent Conciliation Conference: \_\_\_\_\_  
(Must be within 90 days of filing)

N.B. No case shall receive a trial date until such time as a Certificate of Trial Readiness and a Pre-Trial Statement are filed of record. All Certificates of Trial Readiness and Pre-Trial Statements shall be filed within thirty (30) days of filing a demand for trial. Failure to file within the time frame as specified shall result in the recommendation of the custody conciliator becoming a Final Order of the Court.



Form 13

See C.C.R.C.P. 1915.B.(f)(2)(ii): form req'd in C.C.R.C.P. 1915.5.B.(f)(2)(i)

Plaintiff : IN THE COURT OF COMMON PLEAS  
 : CHESTER COUNTY, PENNSYLVANIA  
 vs : NO.  
 : CIVIL ACTION - LAW  
 Defendant : IN CUSTODY

NOTICE AND ORDER TO APPEAR

A recommended order for a change in primary custody has been forwarded to the Court by \_\_\_\_\_, Conciliator. At the request of \_\_\_\_\_, a hearing has been scheduled before the Court to determine if the recommended order should be entered as an Interim Order pending trial.

The parties and counsel are ordered to appear for a hearing on \_\_\_\_\_ at \_\_\_\_\_ m. in Courtroom No. \_\_\_\_\_ of the Chester County Justice Center, West Chester, PA. The Court has set aside fifteen (15) minutes for each side to present their case in the format of their choice (evidentiary testimony, legal argument). At the conclusion of which, the Judge may render a decision regarding the entry of an Interim order pending trial. Failure to demand trial by the aforementioned date shall result in the recommendation of the custody conciliator being entered as a final order of court.

BY THE COURT:

Date: \_\_\_\_\_ J.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, PLEASE CONTACT THE OFFICE SET FORTH BELOW:

Lawyer Referral Service  
15 West Gay Street  
West Chester, PA 19380  
610-429-1500

IF YOU CANNOT AFFORD A LAWYER, PLEASE CONTACT THE OFFICE SET FORTH BELOW:

Legal Aid of Southeastern Pennsylvania  
Chester County Division  
222 North Walnut Street, 2nd floor  
West Chester, PA 19380  
610-436-4510

*Comment:* It is the general practice of this Court to schedule Custody conciliation conferences not later than 90 days from the filing of the Complaint or Petition to Modify.

Form 14

See C.C.R.C.P. 1915.11.A.(b)(2)(ii)(a): form req'd by C.C.R.C.P. 1915.11.A.(b)(2)

Plaintiff : IN THE COURT OF COMMON PLEAS  
: CHESTER COUNTY, PENNSYLVANIA

vs : NO.  
: ACTION - LAW

Defendant : IN CUSTODY

ORDER FOR APPEARANCE

WHEREAS, a Custody Conciliation Conference in this matter has been scheduled for the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ m. before a Chester County Custody Conciliator in the Custody Conciliation Room at the Justice Center, 201 West Market Street, 5th floor, West Chester, Pennsylvania, and,

WHEREAS, \_\_\_\_\_, who is a party to these proceedings has requested the presence at the Conciliation Conference of the children named below who are the subject of these proceedings and are ten (10) years of age or older,

IT IS HEREBY ORDERED that the following minor children shall attend the aforesaid Conciliation Conference:

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

BY THE COURT:

Date: \_\_\_\_\_ J.



AFFIDAVIT—ATTORNEY

I, \_\_\_\_\_, the undersigned applicant, hereby certify that I possess the minimum qualifications to serve as a Parenting Coordinator as established by Pa.R.Civ.P. 1915.11-1.(b)(1),(2), as follows:

1. \_\_\_\_\_ I am licensed to practice in the Commonwealth of Pennsylvania. My Attorney ID number is \_\_\_\_\_.

\_\_\_\_\_ My license is in good standing.

\_\_\_\_\_ I have never been subject to attorney discipline. (If Applicant has been subject to discipline, provide details on separate sheet).

\_\_\_\_\_ I have practiced Family Law for \_\_\_\_\_ years, as follows (or attach CV):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_ I have obtained the special training required by the Rule and have attached verification for each training:

\_\_\_\_\_ hours in the Parenting Coordination process, of which 2 or more hours were specific to Pennsylvania PC practice.

Date of training: \_\_\_\_\_

Provider: \_\_\_\_\_

\_\_\_\_\_ hours of Family mediation (or hours of non-specific mediation training and hours of Family Mediation conducted).

Date of training: \_\_\_\_\_

Provider: \_\_\_\_\_

\_\_\_\_\_ hours of Domestic Violence training.

Date of training: \_\_\_\_\_

Provider: \_\_\_\_\_

3. \_\_\_\_\_ I understand that to remain qualified as a Parenting Coordinator in each 2-year period after March 1, 2019, I must take a minimum of 10 additional continuing education credits, of which at least 2 must be on domestic violence.

4. \_\_\_\_\_ I maintain Professional Liability insurance of \$\_\_\_\_\_, which coverage expressly covers me for serving as a Parenting Coordinator. The Declaration page showing the foregoing is attached.

See C.C.R.C.P. 1915.11-1.A.(b)(4)(i); form req'd by C.C.R.C.P. 1915.11-1.A.(b)

1. \_\_\_\_\_ I acknowledge that I may not charge more than \$300 per hour (although I may charge less), nor require more than a \$1000 initial retainer. My hourly rate for Parenting Coordination is: \$\_\_\_\_\_.
2. \_\_\_\_\_ I acknowledge I must accept one pro bono PC appointment for every 2 fee-generating appointments in this judicial district/county, up to 12 hours per pro bono case. I understand that it is my responsibility to advise the court upon acceptance of the second appointment. I further understand that failing to accept a pro bono assignment or to notify the Court is grounds for removal from the roster maintained by this county.
3. \_\_\_\_\_ I have read Pa.R.Civ.P. 1915.11-1 and understand the scope (and) limits of my authority and the procedures which I must follow when appointed as a Parenting Coordinator.
4. \_\_\_\_\_ I acknowledge that I have read the Guidelines for Parenting Coordination promulgated by the American Psychological Association and Association of Family and Conciliation Court.  
<https://www.apa.org/practice/guidelines/parenting-coordination>  
<https://www.afcnet.org/Resource-Center/Practice-Guidelines>

I swear or affirm that the foregoing statements are true and correct.

APPLICANT:

Name (printed) \_\_\_\_\_

Signature \_\_\_\_\_

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

FOR OFFICIAL USE ONLY

Qualifications Reviewed by: \_\_\_\_\_ (initials)

Place application on Roster: \_\_\_\_\_  
Yes No

If No, state reasons:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ J.

AFFIDAVIT—MENTAL HEALTH PROFESSIONAL

I, \_\_\_\_\_, the undersigned applicant, hereby certify that I possess the minimum qualifications to serve as a Parenting Coordinator as established by Pa.R.Civ.P. 1915.11-1(b)(1), (2), as follows:

1. \_\_\_\_\_ I have the following professional degree: \_\_\_\_\_ from (Institution and date granted): \_\_\_\_\_

2. \_\_\_\_\_ I am licensed to practice in the Commonwealth of Pennsylvania as a \_\_\_\_\_. My license number is \_\_\_\_\_.

\_\_\_\_\_ My license is in good standing.

\_\_\_\_\_ I have never been subject to professional discipline. (If Applicant has been subject to discipline, provide details on separate sheet).

\_\_\_\_\_ I have \_\_\_\_\_ years of experience in dealing with families involved in child custody matters, as follows: (or attach CV):

\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_ I have obtained the special training required by the Rule and have attached verification for each training:

\_\_\_\_\_ hours in the Parenting Coordination process, of which 2 or more hours were specific to Pennsylvania PC practice.

Date of training: \_\_\_\_\_

Provider: \_\_\_\_\_

\_\_\_\_\_ hours of Family mediation (or hours of non-specific mediation training and hours of Family Mediation conducted).

Date of training: \_\_\_\_\_

Provider: \_\_\_\_\_

\_\_\_\_\_ hours of Domestic Violence training.

Date of training: \_\_\_\_\_

Provider: \_\_\_\_\_

4. \_\_\_\_\_ I understand that to remain qualified as a Parenting Coordinator in each 2 year period after March 1, 2019, I must take a minimum of 10 additional continuing education credits, of which at least 2 must be on domestic violence.

5. \_\_\_\_\_ I maintain Professional Liability insurance of \$\_\_\_\_\_, which coverage expressly covers me for serving as a Parenting Coordinator. The Declaration page showing the foregoing is attached.

THE COURTS

See Rule 1915.11-1.A.(b)(4)(ii): form req'd by C.C.R.C.P. 1915.11-1.A.(b)(1)

- 6. \_\_\_\_\_ I acknowledge that I may not charge more than \$300 per hour (although I may charge less), nor require more than a \$1000 initial retainer. My hourly rate for Parenting Coordination is: \$\_\_\_\_\_.
- 7. \_\_\_\_\_ I acknowledge I must accept one pro bono PC appointment for every 2 fee-generating appointments in this judicial district/county, up to 12 hours per pro bono case. I understand that it is my responsibility to advise the court upon acceptance of the second appointment. I further understand that failing to accept a pro bono assignment or to notify the Court is grounds for removal from the roster maintained by this county.
- 8. \_\_\_\_\_ I have read Pa.R.Civ.P. 1915.11-1 and understand the scope (and) limits of my authority and the procedures which I must follow when appointed as a Parenting Coordinator.
- 9. \_\_\_\_\_ I acknowledge that I have read the Guidelines for Parenting Coordination promulgated by the American Psychological Association and Association of Family and Conciliation Court.  
<https://www.apa.org/practice/guidelines/parenting-coordination>  
<https://afccnet.org/Resource-Center/Practice-Guidelines>

I swear or affirm that the foregoing statements are true and correct.

APPLICANT:

Name (printed) \_\_\_\_\_

Signature \_\_\_\_\_

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

FOR OFFICIAL USE ONLY

Qualifications Reviewed by: \_\_\_\_\_ (initials)

Place application on Roster: \_\_\_\_\_  
Yes No

If No, state reasons:

---



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Form 17

See C.C.R.C.P. 1915.12.A.(f): form req'd in Pa.R.Civ.P. 1915.12.(a)

	: IN THE COURT OF COMMON PLEAS
Plaintiff	: CHESTER COUNTY, PENNSYLVANIA
vs	: NO.
	: CIVIL ACTION - LAW
Defendant	: IN CUSTODY

NOTICE AND ORDER TO APPEAR

Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court for custody. If you wish to defend against the claim set forth in the following pages, you may but are not required to file, in writing, with the court your defenses or objections.

An evidentiary hearing has been scheduled for \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ m. in the Chester County Justice Center, 201 West Market Street, Fifth (5th) Floor, Hearing Room: A, West Chester, PA.

Whether or not you file in writing with the court your defenses or objections, you must appear in person for this hearing.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the court finds that you have willfully failed to comply with its order for custody, you may be found to be in contempt of court and committed to jail, fined or both.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, PLEASE CONTACT THE OFFICE SET FORTH BELOW:

Lawyer Referral Service  
15 West Gay Street  
West Chester, PA 19380  
610-429-1500

THE COURTS

See C.C.R.C.P. 1915.12.A.(f): form req'd in Pa.R.Civ.P. 1915.12.(a)

IF YOU CANNOT AFFORD A LAWYER, PLEASE CONTACT THE OFFICE  
SET FORTH BELOW:

Legal Aid of Southeastern Pennsylvania  
Chester County Division  
222 North Walnut Street, 2nd floor  
West Chester, PA 19380  
610-436-4510

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Chester County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference.

BY THE COURT:

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

\_\_\_\_\_ J.

Form 18

See C.C.R.C.P. 1915.15.A.(a); req'd in Pa.R.C.P. 1915.3.(a)

	: IN THE COURT OF COMMON PLEAS
Plaintiff	: CHESTER COUNTY, PENNSYLVANIA
vs	: NO.
	: CIVIL ACTION - LAW
Defendant	: IN CUSTODY

NOTICE AND ORDER TO APPEAR

You \_\_\_\_\_, defendant, have been sued in court to obtain/modify custody of the child(ren):

\_\_\_\_\_

You are hereby notified of the following:

1. Court Ordered Mediation: You are ordered to contact the Mediator assigned to your case within three (3) days of receiving these papers to schedule mediation orientation.

Mediator: \_\_\_\_\_ Phone \_\_\_\_\_

Failure to contact the mediator and attend mediation orientation may result in sanctions, including, but not limited to, a fine of up to \$100, delay in your custody proceedings or other appropriate sanction.

2. Custody Conciliation Conference: You are ordered to appear in person at the Chester County Justice Center, 5th Floor, Conciliation Room, 201 West Market Street, West Chester, PA for a Custody Conciliation Conference on \_\_\_\_\_, 20\_\_ at \_\_\_\_\_, \_\_.m. at which time a recommendation for a custody Order may be entered.

If you fail to appear, an order for custody may be entered against you or the court may issue a warrant for your arrest.

3. Online Parenting Class:

All parties are required to attend by remote means the following:  
 Chester County, PA Parenting Class  
 Center for Divorce Education's Children In Between

See C.C.R.C.P. 1915.15.A.(a): req'd in Pa.R.C.P. 1915.3.(a)

All parties are directed to enroll online at Center for Divorce Education's website:  
online.divorce-education.com

Failure to attend may affect your rights to custody, partial custody or visitation.

4. You must file with the Court verification as required by Pa.R.Civ.P. 1915.3-1 in the form attached regarding any criminal record or abuse history regarding you and anyone living in your household within thirty days of the service of the within complaint or petition on you, but not later than the custody conciliation conference scheduled in Paragraph 2, above.

No party may make any change in the residence of any child which significantly impairs the ability of the other party to exercise custodial rights without first complying with all the applicable provisions of 23 Pa.C.S. § 5337 and Pa.R.Civ.P. 1915.17 regarding relocation.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A  
LAWYER, PLEASE CONTACT THE OFFICE SET FORTH BELOW:

Lawyer Referral Service  
15 West Gay Street  
West Chester, PA 19380  
610-429-1500

IF YOU CANNOT AFFORD A LAWYER, PLEASE CONTACT THE OFFICE SET FORTH BELOW:

Legal Aid of Southeastern Pennsylvania  
Chester County Division  
222 North Walnut Street, 2nd Floor  
West Chester, PA 19380  
610-436-4510

#### AMERICAN WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Chester County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact Family Court Administration at 610-344-6405. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference.

BY THE COURT:

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

\_\_\_\_\_

J.

Form 19

See C.C.R.C.P. 1920.73.A.(a): form as req'd in C.C.R.C.P. 1920.42.(d)(1)  
MUST BE SUBMITTED ON GREEN PAPER

Plaintiff : IN THE COURT OF COMMON PLEAS  
: CHESTER COUNTY, PENNSYLVANIA  
vs : NO.  
: CIVIL ACTION - LAW  
Defendant : IN DIVORCE

ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ it is ORDERED and  
DECREED grounds for divorce under 23 Pa.C.S. § 3301(c)(1); § 3301(c)(2); § 3301(d) [strike out  
inapplicable sections] are hereby approved.

BY THE COURT:

\_\_\_\_\_

J.

Must be on green paper

Note: Pa.R.Civ.P. 1920.42 and 1930.4, require service of the Affidavit and Counter-Affidavit under § 3301(c)(2) and § 3301(d) shall be consistent with original process.

**IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA**

Plaintiff : IN THE COURT OF COMMON PLEAS  
: CHESTER COUNTY, PENNSYLVANIA  
vs : NO.  
: CIVIL ACTION - LAW  
Defendant : IN DIVORCE

**CERTIFICATION OF TRIAL READINESS—DIVORCE**

Please place the above-captioned case on the trial list of \_\_\_\_\_, Esquire, Hearing Officer and schedule it for a hearing. NO CONTINUANCES SHALL BE GRANTED WITHOUT GOOD CAUSE SHOWN. FAILURE TO BE READY AT THE TIME THE CASE IS CALLED MAY RESULT IN THE REASSIGNMENT OF THE CASE ON THE TRIAL LIST.

If after fifteen (15) days the adverse party fails to execute this certificate, the moving party may certify the matter as an active case.

I hereby certify that:

1. Discovery is complete;
2. Grounds for Divorce have been established by:
  - a. Affidavits of Consent under § 3301(c) were filed on \_\_\_\_\_ and \_\_\_\_\_;
  - b. An Affidavit under § 3301(d) was filed on \_\_\_\_\_ and a counter-affidavit on \_\_\_\_\_;
  - c. An Affidavit to establish Presumption of Consent under § 3301(c)(2) was filed on \_\_\_\_\_ and a counter-affidavit on \_\_\_\_\_.
3. On \_\_\_\_\_, I notified all interested parties.

Estimated trial time \_\_\_\_\_.

See C.C.R.C.P. 1920.74.A.(b)  
Form to be printed on blue paper

\_\_\_\_\_  
Signature of Attorney for Plaintiff

\_\_\_\_\_  
Signature of Attorney for Defendant

\_\_\_\_\_  
Type Name & Attorney ID #

\_\_\_\_\_  
Type Name & Attorney

\_\_\_\_\_  
Address of Attorney for Plaintiff

\_\_\_\_\_  
Address of Attorney for Defendant

\_\_\_\_\_  
Telephone # of Attorney for Plaintiff

\_\_\_\_\_  
Telephone # of Attorney for Defendant

\_\_\_\_\_  
party (signature), name and address (typed) Unrepresented

TO BE FILED WITH THE PROTHONOTARY.

(This form is printed on blue paper).

C.C.R.C.P. 1920.74.A.(c): The form order for the appointment of the Hearing Officer shall include the claims to be addressed by the Hearing Officer.

Form 21

See C.C.R.C.P. 1930.1.A.(a): as req'd by C.C.R.C.P. 1920.72.A.(a)

Plaintiff : IN THE COURT OF COMMON PLEAS  
 : CHESTER COUNTY, PENNSYLVANIA  
 vs : NO.  
 Defendant : FAMILY COURT

MOTION FOR CONTINUANCE

I, \_\_\_\_\_, Attorney for Plaintiff/Defendant move for  
 continuance of \_\_\_\_\_ scheduled for \_\_\_\_\_ in  
 Courtroom No. \_\_\_\_ for the following reasons: \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_ Counsel/Plaintiff/Defendant

The opposing party has been notified and AGREES/DISAGREES.  
 (circle)

.....

ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, based upon the foregoing  
 Motion, the continuance is GRANTED/DENIED.  
 The above matter is hereby rescheduled to the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ in Courtroom No. \_\_\_\_ at  
 \_\_\_\_\_ .m.

BY THE COURT:

\_\_\_\_\_  
 J.

Form 22

See C.C.R.C.P. 1930.1.A.(b)(1) as req'd by: C.C.R.C.P. 1920.72.A.(a)

Plaintiff : IN THE COURT OF COMMON PLEAS  
 : CHESTER COUNTY, PENNSYLVANIA  
 vs : NO.  
 Defendant : [DIVORCE] [CUSTODY][SUPPORT]

MOTION FOR CONTINUANCE

I, \_\_\_\_\_, Esquire, attorney for Plaintiff/Defendant (or pro se Plaintiff or Defendant), move for a continuance of the \_\_\_\_\_ (specify type of hearing or conference) scheduled for \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m. before Hearing Officer \_\_\_\_\_ for the following reason(s):

- 1.
- 2.

I certify that I served the opposing party/counsel, \_\_\_\_\_ (name), on \_\_\_\_\_ (date) by \_\_\_\_\_ (mail/fax/email) with a copy of this motion and attempted to resolve the issue with opposing party/counsel before filing this motion. The opposing party/counsel AGREES/DISAGREES (circle one) to the relief sought in the motion **[and]**. I understand that the agreement of the counsel/parties does not mean the continuance will necessarily be granted. The opposing party/counsel may submit any relevant information opposing the request to the Hearing Officer/Conciliator in writing within twenty-four (24) hours of service of the motion.

\_\_\_\_\_  
 Attorney for Plaintiff/Defendant; Pro Se  
 Telephone # \_\_\_\_\_

DISPOSITION OF CONTINUANCE REQUEST

The continuance is: \_\_\_\_\_ GRANTED; New date: \_\_\_\_\_  
 \_\_\_\_\_ DENIED.

Date: \_\_\_\_\_  
 \_\_\_\_\_  
 Hearing Officer/Conciliator

Plaintiff : IN THE COURT OF COMMON PLEAS  
 : CHESTER COUNTY, PENNSYLVANIA  
 vs : NO.  
 : CIVIL ACTION - LAW  
 Defendant : IN [Support] [Custody] [Divorce]

RULE

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, upon consideration of the  
 Petition for \_\_\_\_\_, a Rule is issued upon the Respondent,  
 \_\_\_\_\_, to show cause, if any he/she may have, why the prayer of the  
 Petition should not be granted.

Rule Returnable the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, with hearing the \_\_\_\_ day of  
 \_\_\_\_\_, 20\_\_ at \_\_\_\_ a.m. in Courtroom No. \_\_\_\_, Chester County Justice Center, 201  
 West Market Street, West Chester, PA.

The Respondent is advised the well-pled facts of the Petition shall be deemed admitted unless a  
 response specifically denying same is filed by close of court on or before the rule returnable date as set  
 forth above.

BY THE COURT:

\_\_\_\_\_  
 J.

## Title 255—LOCAL COURT RULES

### WASHINGTON COUNTY

#### Correctional Facility Inmate Credits for Unpaid Fines and Costs; No. 2022-1

##### Administrative Order

*And Now*, this 14th day of April, 2022, upon consultation with the Chief Adult Probation Officer and the Warden of the Washington County Correctional Facility, it is hereby *Ordered, Adjudged, and Decreed* that the correctional facility inmates shall receive the following credit(s) for unpaid fines and costs as applicable in appropriate cases:

1. In cases where the defendant is incarcerated pursuant to 75 Pa. Con. Stat. Ann. § 6504, the credit is \$40.00 per day of imprisonment.

2. In cases where the defendant is incarcerated pursuant to 34 Pa. Con. Stat. Ann. § 925, the credit is \$40.00 per day of imprisonment.

3. In cases with a finding of default in the payment of fines and/or costs by a defendant who is not indigent, the credit is \$40.00 per day of imprisonment.

4. In cases where the defendant is incarcerated in a non-traffic summary case pursuant to 42 Pa. Con. Stat. Ann. § 9758, the credit is \$40.00 per day of imprisonment.

5. In cases where a Judge of the Court of Common Pleas provides for a monetary credit for time served in a sentencing order, the credit shall be \$40.00 per day of imprisonment prior to the date of the sentencing order.

6. For inmates who provide community service work, the credit shall be \$5.00 per day pursuant to 37 Pa. Code § 95.235.

It is further *Ordered* that the District Court Administrator shall process this Administrative Order in accordance with Pa.R.J.A. 103, including providing two copies of this Order to the Legislative Reference Bureau, together with a copy on a computer diskette for publication in the *Pennsylvania Bulletin*.

*By the Court*

JOHN F. DiSALLE,  
*President Judge*

[Pa.B. Doc. No. 22-679. Filed for public inspection May 13, 2022, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Current Schedule of Continuing Legal Education Courses Required for Reinstatement under §§ 89.275 and 89.279 of the Disciplinary Board Rules

Disciplinary Board Rule § 89.279 provides that a formerly admitted attorney who has been disbarred or suspended for more than one year or on administrative

suspension, retired status or inactive status for more than three years shall within one year preceding the filing of the petition for reinstatement take courses meeting the requirements of the current schedule published by the Executive Office.

Evidence that a formerly admitted attorney has attended the required courses and lectures or has viewed videotapes of them shall be considered in determining whether the formerly admitted attorney possesses the required competency and learning in law, but shall not be conclusive on the issue.

*Schedule Effective May 1, 2022*

Every formerly admitted attorney who petitions for reinstatement under these rules shall take the following:

A minimum of thirty-six (36) hours of accredited PA CLE courses with a minimum twelve (12) of those hours in the area of Ethics. Twenty-four (24) credits may be taken in pre-approved, interactive, Internet or computer based CLE programs. Twelve (12) credits must be completed in person or by live webinar/webcast.

Any petitions filed on or after December 1, 2011, by formerly admitted attorneys who have been disbarred or suspended for more than one year shall include the Bridge the Gap course taken through an accredited PA CLE provider as part of the thirty-six hours of credits.

*Note:* Accredited PA CLE courses taken for reinstatement may be used to meet CLE requirements once reinstated.

MARCEE D. SLOAN,  
*Board Prothonotary*

[Pa.B. Doc. No. 22-680. Filed for public inspection May 13, 2022, 9:00 a.m.]

## SUPREME COURT

### Reestablishment of the Magisterial Districts within the 30th Judicial District of the Commonwealth of Pennsylvania; No. 467 Magisterial Rules Docket

#### Order

*Per Curiam*

*And Now*, this 2nd day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 30th Judicial District (Crawford County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of the Magisterial Districts within Crawford County as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts will be reestablished as follows:

Magisterial District 30-2-01 Magisterial District Judge Samuel V. Pendolino	City of Meadville West Mead Township
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Magisterial District 30-3-01 Magisterial District Judge Adam D. Stallard	Beaver Township Conneaut Lake Borough Conneaut Township Conneautville Borough East Fallowfield Township Greenwood Township Linesville Borough North Shenango Township Pine Township Sadsbury Township South Shenango Township Spring Township Springboro Borough Summerhill Township Summit Township Union Township West Fallowfield Township West Shenango Township
Magisterial District 30-3-03 Magisterial District Judge Lincoln S. Zilhaver	Cambridge Springs Borough Cambridge Township Cussewago Township Hayfield Township Rockdale Township Saegertown Borough Venango Borough Venango Township Vernon Township Woodcock Borough Woodcock Township
Magisterial District 30-3-06 Magisterial District Judge Amy L. Nicols	Athens Township Bloomfield Township Blooming Valley Borough Centerville Borough Cochranton Borough City of Titusville East Fairfield Township East Mead Township Fairfield Township Hydetown Borough Oil Creek Township Randolph Township Richmond Township Rome Township Sparta Township Spartansburg Borough Steuben Township Townville Borough Troy Township Wayne Township

[Pa.B. Doc. No. 22-681. Filed for public inspection May 13, 2022, 9:00 a.m.]

Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of the Magisterial Districts within Indiana County as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts will be reestablished as follows:

Magisterial District 40-2-01 Magisterial District Judge Guy B. Haberl	Indiana Borough White Township (Wards 4, 5 and 6)
Magisterial District 40-3-01 Magisterial District Judge Christopher S. Welch	Cherry Tree Borough Clymer Borough Creekside Borough Ernest Borough Glen Campbell Borough Marion Center Borough Plumville Borough Smicksburg Borough Banks Township Canoe Township Cherryhill Township East Mahoning Township Grant Township Green Township Montgomery Township North Mahoning Township Pine Township Rayne Township South Mahoning Township Washington Township West Mahoning Township White Township (Ward 1)
Magisterial District 40-3-02 Magisterial District Judge Susanne V. Steffee	Homer City Borough Shelocta Borough Armstrong Township Brush Valley Township Buffington Township Center Township White Township (Wards 2, 3-1 and 3-2)
Magisterial District 40-3-03 Magisterial District Judge Robert S. Bell	Armagh Borough Blairsville Borough Saltsburg Borough Blacklick Township Burrell Township Conemaugh Township East Wheatfield Township West Wheatfield Township Young Township

[Pa.B. Doc. No. 22-682. Filed for public inspection May 13, 2022, 9:00 a.m.]

**SUPREME COURT**

**Reestablishment of the Magisterial Districts within the 40th Judicial District of the Commonwealth of Pennsylvania; No. 468 Magisterial Rules Docket**

**Order**

*Per Curiam*

And Now, this 2nd day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 40th Judicial District (Indiana County) of the

**SUPREME COURT**

**Reestablishment of the Magisterial Districts within the 53rd Judicial District of the Commonwealth of Pennsylvania; No. 470 Magisterial Rules Docket**

**Order**

*Per Curiam*

And Now, this 2nd day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Dis-

tricts of the 53rd Judicial District (Lawrence County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of the Magisterial Districts within Lawrence County as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts will be reestablished as follows:

Magisterial District 53-1-01 Magisterial District Judge Melissa A. Amodie	City of New Castle (Wards 1—5, 7, and 8)
Magisterial District 53-3-01 Magisterial District Judge Jerry G. Cartwright Jr.	Ellport Borough Ellwood City Borough Enon Valley Borough Little Beaver Township New Beaver Borough Wampum Borough Perry Township Slippery Rock Township Wayne Township
Magisterial District 53-3-02 Magisterial District Judge Jennifer L. Nicholson	City of New Castle (Ward 6) Bessemer Borough SNPJ Borough Mahoning Township North Beaver Township Taylor Township Union Township
Magisterial District 53-3-04 Magisterial District Judge Richard A. Russo	New Wilmington Borough South New Castle Borough Volant Borough Hickory Township Neshannock Township Plain Grove Township Pulaski Township Scott Township Washington Township Shenango Township Wilmington Township

[Pa.B. Doc. No. 22-683. Filed for public inspection May 13, 2022, 9:00 a.m.]

tricts of the 54th Judicial District (Jefferson County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of the Magisterial Districts within Jefferson County as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts will be reestablished as follows:

Magisterial District 54-3-01 Magisterial District Judge Jacqueline J. Mizerock	Punxsutawney Borough Timblin Borough Worthville Borough Bell Township Gaskill Township McCalmont Township Oliver Township Perry Township Porter Township Ringgold Township Young Township
Magisterial District 54-3-02 Magisterial District Judge David B. Inzana	Big Run Borough Brockway Borough Falls Creek Borough Reynoldsville Borough Sykesville Borough Henderson Township Polk Township Snyder Township Washington Township Winslow Township
Magisterial District 54-3-03 Magisterial District Judge Gregory M. Bazylak	Brookville Borough Corsica Borough Summerville Borough Barnett Township Beaver Township Clover Township Eldred Township Heath Township Knox Township Pine Creek Township Rose Township Union Township Warsaw Township

[Pa.B. Doc. No. 22-684. Filed for public inspection May 13, 2022, 9:00 a.m.]

**SUPREME COURT**

**Reestablishment of the Magisterial Districts within the 54th Judicial District of the Commonwealth of Pennsylvania; No. 469 Magisterial Rules Docket**

**Order**

*Per Curiam*

*And Now*, this 2nd day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Dis-