

THE COURTS

Title 255—LOCAL COURT RULES

CHESTER COUNTY

Adoption of Amended Court of Common Pleas Family Court Rules; Administrative Order No. 12-2023

And Now, this 8th day of December, 2023, 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)(5)(ii-iii) and (6), 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

AMENDMENTS TO CHESTER COUNTY FAMILY COURT LOCAL RULES

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 informed 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*

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

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

(ii) *Discovery*

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

(b) A Hearing Officer may recommend to the Court the entry of orders for discovery. Including by 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.

(c) 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.

(d) 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.

(e) 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.

Comment: Nothing in this rule with respect to discovery in complex support matters is intended to require a party to seek a court order for discovery as that issue is addressed in Pa.R.Civ.P. 1930.5(b) but outlines the procedure for a court order for discovery when a hearing officer has been appointed.

(iii) *Settlement Conference*

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

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

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

(iv) *Certification of Trial Readiness*

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

(b) 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 Domestic Relations Office. 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.

(c) 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 Domestic Relations time-stamp.

(d) All certifications of trial readiness shall be filed on blue paper with the Domestic Relations Office.

SEE FORM # 9

(j) *Hearing:*

(a) 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:

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

(2) a concise statement of the facts;

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

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

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

(b) 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.

(k) *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.

(1) *Interpreters:*

(1) 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.

(2) 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. 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.

Comments

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 1915.3.A. Commencement of Action. Complaint, Order. Parenting Class.(a) *Initial Contact with the Court.*

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

(2) All complaints for custody and petitions for modification shall be scheduled for mediation orientation within thirty (30) days of filing with the Office of the Prothonotary unless there is or was an Order under the Protection From Abuse Act. 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 \$100.00.

(3) All parties shall attend parenting classes within thirty (30) days of filing the initial Complaint or Petition for Modification with the Office of the Prothonotary. Upon good cause shown, a party may request permission in writing to 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.

Comment: It is the party's responsibility to provide the Court with the certificate of completion of the current court approved program. Information about the currently approved the program can be found on chesco.org.

Rule 1915.4.A. Prompt Disposition of Custody Cases. Custody Conciliation. Relocation. Pre-Trial Status Conference and Statement. Trial.*I. Custody Conciliation*

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

(b) The custody conciliator:

(1) shall conduct conciliation conferences in order to assist the parties to resolve custody;

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

(3) may recommend to the court that interim 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 accompanied by a Notice and Order to Appear (see Form # 11) scheduled for conference before the custody conciliator no sooner than ten (10) days after filing. All parties shall be present at such conference. Absent good cause, failure of a party to appear at the conference may result in the entry of a temporary or final 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.

(f) The custody conciliator shall not be subject to subpoena as a witness.

(g)(1) All agreed orders shall promptly be sent to the Court for signature.

(2) If the parties are unable to reach a resolution, the Court may enter an interim order, but shall issue an order scheduling a pretrial status conference at which time all unrepresented parties and counsel shall be present.

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

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.

II. Pretrial Status Conference and Trial

(a) A brief pretrial status conference shall be promptly scheduled consistent with the Court's calendar when there is no agreement reached at the custody conciliation.

(b) Counsel and unrepresented parties shall appear for the conference, at which time possible resolution, pretrial matters and scheduling will be discussed.

(c) If the matter will proceed to trial, Counsel and/or a Self-Representing Party shall fill out the Certificate of Trial Readiness at the pretrial status conference and shall file and serve on the Family Court Administrator. All parties shall leave with a copy of the Certificate of Trial Readiness. See Form 12.

(d) A Pretrial Statement, (see Form 13) not to exceed three (3) pages in length, shall be filed by each party five days prior to the Pretrial Conference containing the following information:

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

(2) a concise statement of the facts;

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

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

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

(6) Any expert report;

(7) a proposed Final Order/Parenting Plan; and

(8) updated Custody Crimes Affidavit.

(e) 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.

The form Certificate of Trial Readiness as required by C.C.R.C.P. 1915.4.A.(III)(c) shall be substantially in the form found at Form 12.

Rule 1915.11-1.A. Parenting Coordination.

(a) *Parenting Coordinator Appointment/Appointment of a Parenting Coordinator.*

(1) Either party may file the appropriate pleading pursuant to Pa.R.Civ.P. 1915.22, seeking the appointment of a Parenting Coordinator. If the parties agree to the appointment of a Parenting Coordinator and to the Parenting Coordinator, the appropriate pleading is required but may be accompanied by a stipulation and order appointing a Parenting Coordinator in accordance with Pa.R.Civ.P. 1915.22.

Comment: In a contested appointment for a parenting coordinator, the appropriate pleading is a petition; in an agreed to appointment, the appropriate pleading is a motion with a Praeceptum for Determination.

(2) If the Court deems a Parenting Coordinator necessary, an order shall be entered in accordance with Pa.R.Civ.P. 1915.22. 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>.

(3) 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/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf> and the APA Parenting Coordinator Guidelines are posted at <https://www.apa.org/pubs/journals/features/parenting-coordination.pfd>; and

(3) An acknowledgment that for every 2 fee generating Parenting Coordination assignments, he or she must accept one pro bono assignment (up to 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) can be found at Forms # 16, for attorneys and Form # 17 for mental health professionals.

(c) *Parenting Coordinator Recommendations*

(1) Parenting Coordinator shall serve counsel, the parties and the Family Court Legal Liaison or Court Administrator with their Summary and Recommendation(s), accompanied by a Praeceptum for Determination, 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). This service may be accomplished by email to the parties and Family Court at the designated email address (fconfernces@chesco.org). The Parenting Coordinator shall file their Summary and Recommendation(s) and a Praeceptum for Determination within (5) days of service.

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

i. A party objecting to the Recommendation(s) must present Objection(s) to the Recommendation of the Parenting Coordinator and a Request for a Record Hearing within five days of service of the Summary and Recommendation(s) along with a hearing notice to Family Court for scheduling before the Family Court Judge who appointed the Parenting Coordinator, or other judge if the appointing judge no longer sits in Family Court. The documents shall then be filed with the Prothonotary and the party objecting shall serve a time-stamped copy of the Objection(s) and the hearing notice on the opposing party and the Parenting Coordinator.

ii. The Recommendation of the Parenting Coordinator is binding pending Hearing.

iii. Following an evidentiary hearing, the objecting party shall serve the resulting Order of Court on the Objection(s) to the Recommendation of the Parenting Coordinator on the parties and the Parenting Coordinator.

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

If no objections to the Parenting Coordinator's Recommendation(s) are filed with the Prothonotary within five days of service of the Summary and Recommendation(s), 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). The Prothonotary shall serve the Order on counsel of record and/or self-represented litigants. Counsel for the parties shall serve the Parenting Coordinator.

(d) *FEES*

(1) 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:

i. His or her hourly rate, which may be up to \$350.00 an hour; provided, however, if the parties combined monthly net income exceeds the mandatory minimum set forth in the Support Guidelines at 1910.16-2(e)(2) (currently \$30,000 per month), the Court may adjust the hourly rate;

ii. Absent good cause, each party shall pay up to \$750 as an initial retainer (\$1,500.00 total) which may be reallocated as deemed appropriate by the Parenting Coordinator or the Court. See Pa.R.C.P. 1915.22(8).

iii. 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 12 hours.

iv. A Parenting Coordinator must accept one pro bono appointment for every two fee generating appointments.

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.

(1) Petitions involving a change in legal custody or the physical custody schedule due to an exigency will be scheduled before the Court.

(2) Matters that may include a temporary variation in custody for a specific circumstance may be scheduled before a custody conciliator.

Comment: The matter will be scheduled within the court's discretion before the appropriate forum. A matter involving a limited issue may include but is not limited to a vacation/holiday schedule issue, an issue about the issuance of a passport, an issue requesting a clarification or interpretation of the order, for example.

Rule 1915.17.A. Relocation.

(1) All petitions seeking relocation shall include a Notice and Order to Appear: Relocation (see Form # 19), a Pre-trial Statement (see Form # 12) and a copy of the Notice of Relocation and Objection to Relocation (see Rule 1915.17).

(2) All relocation petitions will be scheduled promptly before the Court.

(3) 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 Praeceptum 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).

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.

(e) Any requests for Interim Distribution where equitable distribution has been raised by the pleadings and grounds have not been met and a Hearing Officer not appointed may be raised by filing a Petition for Special Relief.

Note: 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 1920.51.A. Hearing by the Court. Appointment of Hearing Officer. 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.

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 all matters listed before a Judge, Custody Conciliator, Support Hearing Officer or Hearing Officer in Divorce as required by C.C.R.C.P. 1920.72.A.(a) shall be substantially in the following form:

SEE FORMS INDEX (# 21)

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

(b) 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 (# 22)

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

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. Certificate of Trial Readiness (Support) [to be printed on blue paper]	C.C.R.C.P. 1910.12.A(i)(iv)(d)
10. Notice of Arrearages (Support) (Consumer Credit Bureau Org. request)	C.C.R.C.P. Rule 1910.20.A
11. Notice and Order to Appear (Custody)	C.C.R.C.P. 1915.4.A.I.(c) Req'd by C.C.R.C.P. 1915.4.A.I.(c)
12. Certificate of Trial Readiness (Custody)	C.C.R.C.P. 1915.4.A.II.(c) Req'd by C.C.R.C.P. 1915.4.II(c)
13. Pretrial Statement	C.C.R.C.P. 1915.4.A.II.(d) Req'd by C.C.R.C.P. 1915.4.A.II.(d)
14. Rule Returnable (Custody)	C.C.R.C.P. 1915.4.A.III.(a), 1915.13.a. and 1930.1A.(c) Req' by Pa.R.C.P. 206.6
15. 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)

FORM NAME	RULE
16. 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)
17. 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)
18. 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)
19. Notice and Order to Appear: Relocation	C.C.R.C.P. 1915.17.A
20. 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)
21. Cert. of Trial Readiness (Divorce) [to be printed on blue paper]	C.C.R.C.P. 1920.74.A(b)
22. Motion & Order for Cont	C.C.R.C.P. 1930.1.A(a) Req'd by C.C.R.C.P. 1920.72.A(a)
23. Rule to Show Cause (Supp./Div)	C.C.R.C.P. 1930.1.A(c) Req'd by Pa.R.C.P. 206.6

FORM 9

	: IN THE COURT OF COMMON PLEAS
Plaintiff	
	: CHESTER COUNTY, PENNSYLVANIA
vs	
	: NO.
	: PACSES:
	: CIVIL ACTION—DOMESTIC RELATIONS
Defendant	
	: IN SUPPORT

CERTIFICATION OF TRIAL READINESS—SUPPORT

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. On _____, I notified all interested parties.

Estimated trial time for the presentation of the entire case: _____.

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

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

(This form is printed on blue paper).

Page 2 of 2

FORM 12

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

CERTIFICATE OF TRIAL READINESS

TO THE FAMILY COURT ADMINISTRATOR:

The undersigned counsel certify this matter to be trial ready.

Estimated time of trial for both sides: _____ (An estimated time of hearing must be entered or the demand will be rejected by the Family Court Administrator and the case will not be listed for trial.)

_____ Attorney for I.D. #	_____ Attorney for I.D. #
_____ Address	_____ Address
_____ Date:	_____ Date:

CHOOSE ONE: Evaluations ARE/ARE NOT pending.
SEE PA.R.C.P. RULE 1915.4.4 AND CHESTER COUNTY FORM # 12
See 23 Pa.C.S. § 5331 for the contents of the proposed Parenting Plan

FORM 13

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

THE PRETRIAL STATEMENT OF PLAINTIFF/DEFENDANT PURSUANT TO C.C.R.C.P. 1915.4.A(c)

Plaintiff/Defendant, _____, files the instant Pretrial Statement pursuant to C.C.R.C.P. 1915.4.A(c).

A. Brief Statement of the Claims by moving party or defense by responding party:

B. Concise Statement of the Facts:

C. Concise Statement of the Factual and Legal Issues, if any, including citations to applicable statutes and case law, if applicable:

Page 1-2 of 3

D. Witnesses to be Called at Trial (names and addresses):

E. Schedule of Exhibits to be offered at trial:

F. Estimated length of time for trial:

G. Proposed Custody Order and Parenting Plan:
See attached proposed Custody Order.

H. Criminal Record/Abuse History Verification:
See attached.

I. Attach any reports of experts to be called at trial.

Respectfully submitted,

Plaintiff/Defendant

NOTICE

All pretrial statements shall not exceed three (3) pages in length. A time-stamped copy of the filed pretrial statement shall be served on Family Court and opposing counsel/pro se litigant. The responding party shall file their pretrial statement within twenty (20) days of the filing of the movant's statement. Failure to comply with the timely filing of a pretrial statement may result in the imposition of sanctions including but not limited to the exclusion of evidence at trial, fines and costs.

Page 2-3 of 3

FORM 14

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

RULE RETURNABLE

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 due the _____ day of _____ , 20 __ , with hearing on day of _____ , 20 __ , at ____ a.m./p.m. in Courtroom No. ____ , Chester County Justice Center, 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 the close of court on or before the rule returnable date set for above.

Petitioner makes a good faith estimate of the total time for this hearing to be: _____ .

BY THE COURT:

J.

FORM 16

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.

Page 1 of 2

5. I acknowledge that I may not charge more than \$350 per hour (although I may charge less), nor require more than a \$1,500 initial retainer. My hourly rate for Parenting Coordination is: \$ _____ .

6. _____ 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. My obligation to provide pro bono work is ongoing and does not expire in the event I do not receive a pro bono case.

7. _____ 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.

8. _____ 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.

Page 2 of 2

FORM 17

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.

Page 1 of 2

6. _____ I acknowledge that I may not charge more than \$350 per hour (although I may charge less), nor require more than a \$1,500 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. My obligation to provide pro bono work is ongoing and does not expire in the event I do not receive a pro bono case.
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:

J.

FORM 19

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

NOTICE AND ORDER TO APPEAR RELOCATION

A Petition for Relocation has been filed in the Court of Common Pleas of Chester County relating to the proposed relocation of the minor child(ren), _____.

A pretrial conference is schedule for _____, 20 __, at ____ a.m./p.m. with The Honorable _____.

A hearing on this matter is scheduled for _____, 20 __, at ____ a.m./p.m. in Courtroom _____.

The anticipated length of trial of this matter is _____.

Either party may request a pretrial conference prior to trial.

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:

J.

Date: _____

Page 2 of 2

[Pa.B. Doc. No. 23-1756. Filed for public inspection December 22, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES**CHESTER COUNTY****Adoption of Amended Rules of Criminal Procedure
(Rule 535(D).4); 2023-0047R-CM****Administrative Order No. 13-2023**

And Now, this 12th day of December, 2023, the following amended Chester County Rules of Criminal Procedure (“Amended Rules”) are adopted in their entirety. In accordance with Pennsylvania Rules of Judicial Administration 103(d)(4), these proposed amended Rules were submitted to and approved by the Criminal Procedural Rules Committee of the Supreme Court.

Effective Date

These amended 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)(5)(ii-iii) and (6), the Chester County Court Administrator shall do the following:

- 1) Distribute two (2) paper copies of the Amended Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, along with a copy of the amended Rules in an agreed upon format which complies with the requirements of 1 Pa. Code § 13.11.
- 2) File one copy of the Amended Rules with the Administrative Office of Pennsylvania Courts.
- 3) Publish a copy of the Amended Rules on the Chester County website.
- 4) Incorporate the Amended 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

**AMENDED CHESTER COUNTY RULES OF
CRIMINAL PROCEDURE****Rule 535(D).4. Bail Agency Fee; Return of Bail to Surety.**

Within twenty (20) days after full and final disposition as defined by Pa.R.Crim.P. 534 of a case in which percentage bail has been posted, the issuing authority or the Clerk of Courts shall retain three (3) percent of the first one thousand dollars (\$1,000) deposited and two (2) percent of any additional amount deposited, but in no event less than fifty dollars (\$50), as administrative costs for the bail agency and shall return the balance to the defendant or an assignee or the third party surety unless the balance is applied to pay a fine and costs of prosecu-

tion or to make restitution. The fees to which the bail agency is entitled by law are deemed earned at the time the bail undertaking is executed and the money deposited.

[Pa.B. Doc. No. 23-1757. Filed for public inspection December 22, 2023, 9:00 a.m.]

**DISCIPLINARY BOARD
OF THE SUPREME COURT****Notice of Suspension**

By Order of the Supreme Court of Pennsylvania dated December 8, 2023, Gemma Marilyn Antoine, a/k/a Gemma Antoine-Belton (# 44931), whose registered address is Washington, DC, is suspended from the practice of law in this Commonwealth for a period of 30 days, effective January 7, 2024. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 23-1758. Filed for public inspection December 22, 2023, 9:00 a.m.]

**DISCIPLINARY BOARD
OF THE SUPREME COURT****Notice of Suspension**

Notice is hereby given that Mary Margaret Cowan having been suspended from the practice of law in the Board of Immigration Appeals, The Immigration Courts, & Department of Homeland Security; the Supreme Court of Pennsylvania issued an Order dated December 7, 2023 suspending Mary Margaret Cowan (# 52373) from the practice of law in this Commonwealth.

In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 23-1759. Filed for public inspection December 22, 2023, 9:00 a.m.]