

**Domestic
Relations
Procedural
Rules
Committee**

1997 Membership:

Honorable Max Baer, *Chairman*
Mark M. Dalton
Gary G. Gentile, Esq.
Howard M. Goldsmith, Esq.
John C. Howett, Jr., Esq.
Honorable Paul P. Panepinto
David S. Rasner, Esq.
Leslie Silverman Tabas, Esq.
Honorable Jeannine Turgeon
Joanne Ross Wilder, Esq.

Staff:

Sophia P. Paul, Esq., *Counsel*

Legal Authorization:

Pa. Constitution, Article V, § 10(c)
42 Pa. C.S., § 1722(a)

429 Forbes Avenue
Suite 300, Allegheny Bldg.
Pittsburgh, PA 15219
(412) 350-4541
fax (412) 565-2336
e-mail spaul@.court.state.
pa.us.

History/Background

Established by order of the Supreme Court on June 30, 1987, the Domestic Relations Procedural Rules Committee strives to simplify domestic relations practice by recommending amendments to the procedural rules relating to support, custody, divorce and protection from abuse. It reviews new legislation and court decisions to ensure that the rules conform with developments in the law as well as the realities of domestic relations practice. In all of its work, the committee's goals include promoting state-wide standardization of practice, streamlining procedure and encouraging the expeditious disposition of domestic relations matters.

The Domestic Relations Procedural Rules Committee consists of seven judges and attorneys and one district court administrator appointed by the Supreme Court for maximums of three full three-year terms.

1997 Activities

The committee met three times in 1997 to consider lengthy agendas. It spent a significant amount of time conducting the mandatory four-year review of the support guidelines and proposed extensive changes to the guidelines, including updating the levels of child support, reorganizing the support guidelines, and providing for calculating support in the context of shared custody and multiple families.

The committee also proposed new mediation guidelines for divorce and custody cases, including minimum qualifications for mediators to ensure quality court-connected mediation programs.

After extensive consultation with police officers, court representatives and domestic violence advocates, the committee completed the revisions to the protection from abuse procedures, which included the development of standard form petitions and orders.

The staff attended conferences and seminars in order to present information relating to domestic relations rules and to receive comments from practitioners and other persons affected by them. The staff also attended meetings of various organizations interested in domestic relations, including the Pennsylvania Bar Association and the Domestic Relations Association of Pennsylvania.

1997 Recommendations

The following recommendations were pending either with the Court or the committee during 1997. Numbers are assigned in the order in which each is submitted for publication. A chart listing the statuses of the recommendations are set forth in Table 3.8.1 on page 72.

Recommendation 40: Proposes to amend Rules 1910.15 and 1910.28 to provide expedited procedures in **paternity** as well as standard forms for use in those proceedings. Approved by the Court; effective 7-1-97.

Recommendation 41: Proposes to amend Rules 1910.9, 1910.11, 1910.12, 1915.5, 1920.91 and 4001; rescind Rule 1920.22; and create new Rule 1930.5 to permit **discovery** without leave of court in equitable distribution, alimony, counsel fees and expenses, and complex support cases. Approved by the Court; effective 7-1-97.

Recommendation 43: Proposes to amend Rule 1920.72(e) to require the **divorce form** to state that all economic claims to be filed prior to the date of the notice of intention to request a divorce decree and to correct technical errors in Rules 1920.42 and 1920.73. Approved by the Court; effective 7-1-97.

Recommendation 45: Proposes to amend Rule 1901 *et seq.* relating to **protection from abuse** actions, to standardize court pleadings and orders and other forms for easier use in Pennsylvania. Approved by the Court; effective 7-1-98.

Recommendation 46: Proposes to amend Rule 1910.2 relating to **venue in support actions** to permit an action for support to be filed. Published 2-8-97; pending in committee.

Recommendation 47: Proposes to add Rules 1940.1 through 1940.10 governing voluntary **mediation programs** for divorce and custody. Published 9-6-97; pending in committee.


Recommendation 48: Proposes to amend Rules 1910.16-1 through 1910.16-5, and to add Rules 1910.16-6 and 1910.16-7 relating to the **support guidelines**. To be published 3-98.

Plans for 1997

The committee will continue its efforts to make the domestic relations rules as useful as

possible for courts, practitioners and litigants. In addition to pursuing the recommendations which are still pending in committee, the committee will continue its ongoing review of the support guidelines, as required by 23 Pa. C.S., §4322, and will begin the process of developing procedures for implementation of Act 58-1998 relating to the expedited enforcement of child support.

Contact Person

Anyone having questions about the committee and its work may call Sophia P. Paul, Esq. at (412) 350-4541 or direct written inquiries to her attention at Suite 300, Allegheny Building; 429 Forbes Avenue; Pittsburgh, PA 15219. 

Status of Recommendations 1997		
Recommendation	Subject	Status
40	Expedited paternity procedures	Published 12-9-95; effective 7-1-97
41	Discovery	Published 4-20-96; effective 7-1-97
42	Protection from abuse procedures	Published 5-24-96; withdrawn
43	Omnibus divorce rules	Published 6-29-96; effective 7-1-97
44	Venue in support actions	Published 8-3-96; withdrawn
45	Revised protection from abuse	Published 2-8-97; effective 7-1-98
46	Revised venue in support actions	Published 2-8-97; pending in committee
47	Mediation guidelines	Published 9-6-97; pending in committee
48	Revised support guidelines	To be published in 1998

Table 3.8.1