

**Domestic**

**Relations**

**Procedural**

**Rules**

**Committee**

**2000 Membership:**

David S. Rasner, Esq., *Chair*  
Honorable Jeannine Turgeon, *Vice Chair*  
Robert C. Capristo, Esq.  
Mark M. Dalton  
Howard M. Goldsmith, Esq.  
John C. Howett, Jr., Esq.  
Honorable Kathleen R. Mulligan  
Honorable Paul P. Panepinto  
Leslee Silverman Tabas, Esq.  
Joanne Ross Wilder, Esq.

**Staff:**

Patricia A. Miles, Esq., *Counsel*  
Sharon L. Ciminera, *Secretary*

**Legal Authorization:**

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

5035 Ritter Road, Suite 700  
Mechanicsburg, PA 17055  
(717) 795-2037  
fax (717) 795-2116  
e-mail [patricia.miles@supreme.court.state.pa.us](mailto:patricia.miles@supreme.court.state.pa.us)

## History/Background

Began as a seven-member section of the Civil Procedural Rules Committee in 1984 and established as its own committee by order of the Supreme Court on June 30, 1987, the Domestic Relations Procedural Rules Committee strives to simplify family law practice. This it does by recommending new rules or amendments to the existing procedural rules relating to paternity, 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. It is the goal of the committee to promote statewide uniformity of practice, to streamline procedure and to encourage the expeditious disposition of family law matters.

The Domestic Relations Procedural Rules Committee currently has as members three judges, six attorneys and one district court administrator. Members are appointed by the Supreme Court to three-year terms, and each member may serve two consecutive terms.

## 2000 Activities

The committee met four times in 2000 as follows:

January	Philadelphia
March	Harrisburg
June	Erie
October	Farmington

Invited guests to the meetings included representatives of the Department of Public Welfare and the Domestic Relations Association of Pennsylvania, as well as judges and family law practitioners.

During the past year, the committee recommended to the Pennsylvania Supreme Court numerous amendments to the support guidelines. Pursuant to federal law, all states are required to have uniform statewide guidelines

for child support. Although a complete revision and reorganization of the guidelines went into effect in 1999, the Domestic Relations Procedural Rules Committee has continued to review and refine the new guidelines. Suggestions for amendments were submitted to the committee by the courts, practitioners, domestic relations personnel and the public.

The committee also continued its work in the area of support enforcement. On December 16, 1997, Governor Ridge signed into law Act 1997-58. That statute provided the authority for expedited enforcement of child support orders and new procedures relating to the establishment of paternity. On May 31, 2000, the Supreme Court promulgated procedural rules recommended by the committee to facilitate implementation of the numerous statutory mechanisms now available to enforce support obligations and collect arrearages. These amended rules became effective on July 1, 2000.

Another focus of the committee in 2000 was in the area of child custody. A special committee of the Pennsylvania Superior Court requested that the committee consider recommending to the Supreme Court that the custody rules be amended to assure that cases involving children would be resolved expeditiously. The committee's subsequent recommendation included provisions requiring prompt contact with the court after a custody action is initiated, consecutive or closely scheduled trial days and deadlines for deciding custody matters after trial. The new and amended custody rules were promulgated by the court in November 2000, effective March 1, 2001.

The committee continued its efforts to promote family court reform. Proposed new family court rules were published for comment, with the comment period ending December 1, 2000. The goals of family court reform include eliminating fragmentation in the system and making family courts more accessible and user-friendly.

Throughout the year, committee members and staff spoke at conferences and seminars to inform lawyers, court personnel and others of recent and proposed changes in the procedural rules related to family law matters. Staff also spoke at meetings of the Pennsylvania Bar Association Family Law Section, the Domestic Relations Directors' Conference and the Domestic Relations Association of Pennsylvania. The committee strives to maintain open channels of communication with those who work with or are affected by the rules it proposes, including judges, lawyers, court administrators, domestic relations section personnel, the Department of Public Welfare and the public.

## 2000 Recommendations

The following recommendations were promulgated, published for comment or submitted to the Supreme Court in the past year. In general, numbers are assigned in the order in which each is submitted for publication. A chart listing the statuses of the recommendations is set forth in Table 3.9.1 on page 78.

**Recommendation 49:** Omnibus technical amendments to the support guidelines. Promulgated March 2, 2000, effective immediately.

**Recommendation 50:** Rules implementing Act 1997-58 relating to paternity and enforcement of support orders. Promulgated May 31, 2000, effective July 1, 2000.

**Recommendation 51:** Amendments to the support guidelines, form orders in protection from abuse matters and voluntary custody mediation rules. Promulgated October 27, 2000, effective immediately.

**Recommendation 52: Protection from abuse** form orders amendments. Promulgated June 2, 2000, effective immediately.

**Recommendation 53:** Amendments and new rules designed to facilitate **prompt disposition of child custody cases**. Promulgated November 30, 2000, effective March 1, 2001.

**Recommendation 54:** Amendments to the **support guidelines** and **discovery rules**. Also included were **new rules for initiating a civil paternity action** outside the context of a support or custody case. Published for comment.

**Recommendation 55:** Proposed new **family court rules** to establish and streamline family court practice. Published for comment.

## Plans for 2001

The committee will continue to strive to improve the rules governing divorce, custody, support, paternity and protection from abuse actions. Efforts to effectuate family court reform will be ongoing. In addition, the committee will begin to plan for the four-year review of the support guidelines as required by 23 Pa. C.S. §4322.

## Contact Person

Questions about the committee and its work may be directed to Patricia A. Miles, Esq.; Domestic Relations Procedural Rules Committee; 5035 Ritter Road, Suite 700; Mechanicsburg, PA 17055; telephone (717) 795-2037; fax (717) 795-2116; e-mail [patricia.miles@supreme.court.state.pa.us](mailto:patricia.miles@supreme.court.state.pa.us).



Status of Recommendations		
Recommendation	Subject	Status
49	Omnibus technical amendments to support guidelines	Promulgated 3-2-00, effective immediately
50	Rules implementing Act 1997-58 relating to paternity and enforcement of support orders	Promulgated 5-31-00, effective 7-1-00
51	Amendments to the support guidelines, form orders in protection from abuse matters and voluntary custody mediation rules	Promulgated 10-27-00, effective immediately
52	Protection from abuse form orders amendments	Promulgated 6-2-00, effective immediately
53	Amendments and new rules designed to facilitate prompt disposition of child custody cases	Promulgated 11-30-00, effective 3-1-01
54	Amendments to the support guidelines and discovery rules. Also included were new rules for initiating a civil paternity action outside the context of a support or custody case	Published for comment
55	Proposed new Family Court Rules to establish and streamline family court practice	Published for comment

Chart 3.9.1