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November 23, 2022

Honorable Nancy L. Butts
President Judge
Lycoming County Courthouse
48 W. Third Street
Williamsport PA 17701

RE: Revisions to Lycoming County Domestic
Relations Rules.

Dear Judge Butts:

On behalf of the Lycoming County Customs & Rules Committee, I have enclosed, for the court's review, a proposed comprehensive revision of the Lycoming County domestic relations rules addressing support, custody and divorce matters.

Earlier this year, Judge McCoy forwarded a proposal to the court. The court administrator then forwarded that proposal to the Lycoming County Customs and Rules Committee for review.

The Customs and Rules Committee met on four separate occasions and undertook a comprehensive review of the proposal. This review has resulted in the enclosed order, which would implement the revisions.

The committee, consisting of myself, Norm Lubin, John Pietrovito, Jen Heverly, Mike Wiley, Adrienne Stahl and Michele Frey reviewed each proposed change, compared the change to the current rules and the Pennsylvania Rules of Civil Procedure and attempted to draft revisions that fully conform with the statewide practice. In its review, the committee was cognizant of the confusion that ensues where local rules are on the books but are not being followed in practice and for that reason, we also met with Domestic Relations Office Director Stephanie Tribble. and Jen Linn, who participated in all of the meetings.

The changes are extensive. Rather than attempt to prepare a separate

executive summary of the changes, I have attached copies of the minutes of the meetings in which the committee's deliberations and determinations are outlined, along with the reason for those determinations.

As always, the committee is willing to work with the Court to make any necessary revisions to the proposal.

Assuming that the proposal meets with the court's approval, the next step would be to secure approval of the Pennsylvania Domestic Relations Rules Committee, before the order can be signed and the rules implemented.

Very truly yours,

MITCHELL GALLAGHER P.C.



Gary L. Weber

GLW/svg
Enclosures
cc: Adrienne Stahl

Lycoming County Customs and Rules Committee
Minutes
July 6, 2022

The Lycoming county Customs and Rules Committee met on July 6, 2022 at the LLA office. Participating were Gary Weber, Adrienne Stahl, Mike Wiley, Jen Heverly, Jen Linn.

1. The Committee agreed to propose to the court that the “Rules of General Court Business” be renamed to “Rules of Judicial Administration”, to be consistent with statewide practice.
2. Gary pointed out that the state adopted new adoption rules effective July 1, 2022. That rule vacated all local rules relating to adoptions. That included Lycoming County Rules L15.5 and L15.8. Adrienne reported that Judge Butts agreed that Lycoming County does not require replacement rules.
3. Adrienne proposed a revision of Lycoming County Rule of Civil Procedure L205.2(b)B.4. The Committee agreed to propose the following revised language:

If expedited consideration by the court is requested or required by statute or rule of procedure, the filing party shall check the “expedited consideration” box on the cover sheet and state the reason for such consideration. Simultaneously with the filing of the request, the filing party shall deliver a copy of the request to the court administrator who shall deliver the request to a judge. Such consideration must be requested if the date of the pretrial conference has been set or if the case has already been pre-tried.
4. The Committee then undertook a review of the extensive revisions of the domestic relations rules proposed by Judge McCoy prior to her resignation. The following preliminary determinations were made:
 - a. Delete L208.3(a)E as unnecessary.
 - b. Rescind rule L300. While the proposal recommended adding references to dockets maintained by the Domestic Relations Office, the consensus was that it was unnecessary for the court to establish specific dockets to be maintained by either the DRO or prothonotary. It was observed that the prothonotary currently uses a computer docketing system with categories that are inconsistent with the rule, that are governed by the computer software. The consensus was that the departments in question will establish whatever dockets are necessary and that the local rules could not keep up with that practice and that this rule was unnecessary.

- c. Rescind Rule L411.
- d. As to the proposed new rule L1910, we agreed as follows:
 - i. 1910A is not necessary and in fact the option suggested is not available under state practice.
 - ii. L1910E is unnecessary.
 - iii. We agreed that the phrase “special paternity” should not be used as it appears to create a new category of paternity cases which would be inconsistent with state rules and practice, and would create confusion.
 - iv. We agreed that there is confusion in the practice as to where paternity and support cases are filed and that new rules are necessary. We agreed that these new rules should be at different locations, specifically L1910.5 and L1930.6. We need to work on language.
 - v. We agreed that there was still some confusion as to who serves these complaints. It was suggested that this be addressed in the local rule. [We need to explore the service issue to make the procedure consistent with statewide rules]

The next meeting of the Committee will be August 24 at Noon at the LLA office.

Respectfully Submitted,

Date: 7/7/2022

Gary L. Weber

Lycoming County Customs and Rules Committee
Minutes
August 24, 2022

The Lycoming County Customs and Rules Committee met on August 24, 2022 at the LLA office. Participating were Gary Weber, Adrienne Stahl, Jen Heverly, Jen Linn, Norm Lubin, John Pietrovito, Michele Frey and Stephanie Tribble (guest - Director of DRO).

1. We continued our discussion of the proposed new L1910.10. After thoroughly comparing the proposed new language with existing state rules, we agreed that the changes are not required and that the existing language was adequate.
2. L1910.12 was revised. Much of the current language and some of the proposed language was addressed by the state rules and was considered to be unnecessary. The rule will clarify where exceptions are to be filed and the procedure if a transcript is necessary.
3. Rule L1910.14 was accepted as proposed to clarify that exceptions that are to be filed in the Domestic relations office. The remainder of the proposal was deemed unnecessary as service is determined by the Domestic relations office.
4. The existing provisions of L1910.15 dealing with paternity will be deleted. The new rule will clarify that the action for paternity that is independent of a claim for support must be filed in the Domestic relations office.
5. Proposed new rules L1910.15-1, L1910-20 and L1910.22 were deemed to be unnecessary in light of language in the state rules. Similarly, existing rule 1910.22 merely parrots language of the state rules and is unnecessary and will be rescinded.

The next meeting is scheduled for September 12 at 1:00 p.m. Note that the time was selected due to some lunch time conflicts. We will begin with the discussions of the proposed changes to the custody rules.

Changes agreed to date are attached.

Lycoming County Customs and Rules Committee
Minutes
September 12, 2022

The Lycoming County Customs and Rules Committee met on September 12, 2022 at the LLA office. Participating were Gary Weber, Adrienne Stahl, Jen Heverly, Jen Linn, Norm Lubin, John Pietrovito and Michele Frey

1. The draft of changes circulated after the previous meeting was revised to correct an error in proposed new L205.2(b)(B)(4).
2. We started reviewing the proposed local support rules. We reviewed the proposal revisions to 1915.3-1, 1915.3-2 and L1915.3-3. We agreed that the numbering was off as they correspond to material in statewide rules 1915-4. We agreed that these sections could be combined into one rule L1915.4 and some extraneous material deleted. Some concern was expressed about the new rule in that it does not adopt either of the two procedures allowed by the state rules, but rather included elements of both. We discussed the possibility of leaving the rules unchanged to avoid state rules committee scrutiny but, the existing rules did require changes to address new local procedures. The consensus was to move forward with the proposed number change and consolidation of the three rules into one that maintains the elements necessary to support local procedure.
3. NOTE: Our discussion did not address existing rule L1915.3-4 Mediation. I added it as "g" to 1915.4 as that seems to be an appropriate place to put it. We need to review the appropriateness of this and the language of "g" at our next meeting. Given our other changes in this area, the rule cannot remain as is.
4. We agreed to condense L1915.8 to remove extraneous references to procedures established by statewide rules.
5. We agreed to delete L1915.10-1 as this inconsistent with state procedure and with local procedure.
6. We agreed to delete L1915.10-2 as this merely comments on the court's discretion to grant continuances.
7. A typographical error in L1915.12 will be corrected.

The next meeting is scheduled for October 3, but unfortunately this conflicts with a pretrial conference I have in Scranton. I will circulate new dates.

A draft of the changes we have agreed to is attached.

Gary L. Weber
Committee Chair

Lycoming County Customs and Rules Committee
Minutes
October 14, 2022

The Lycoming County Customs and Rules Committee met on October 14, 2022 at the LLA office. Participating were Gary Weber, Jen Linn, John Pietrovito, Norm Lubin and Michele Frey

1. We started reviewing the proposed changes to the local rules on divorce or annulment of marriage. We agreed to delete the following rules: L1920.13, L1920.21, L1920.31, L1920.32, L1920.33, L1920.42, L1920.43, L1920.45, L1920.71. These rules are either obsolete or unnecessary in light of the language of the Pennsylvania Rules of Civil Procedure. In addition, I noted that L1920.73, L1920.74, L1920.75, L1920.76 and L1920.77 are unnecessary or obsolete and can be deleted under the same criteria used to evaluate other deletions.
2. We agreed to change Rule L1920.16 as recommended.
3. We agreed to implement new Rule L1920.42(a) to specify some procedures with respect to information that must appear in the motion for appointment of a hearing officer and accompanying order that is now required by the rule.
4. We changed the word “master” wherever it appears in the local rules to conform to new language used by the Pennsylvania Rules of Civil Procedure, “hearing officer.”
5. Rule 1920.51 was completely rewritten to conform with current practice with respect to the appointment of a hearing officer. Likewise, Rule L1920.53 was revised.
6. New Rule L1920.55-1 was added to adopt a procedure as required by Pennsylvania Rules of Civil Procedure.
7. Rule L1920.55 was renumbered to L1920.55-2. The local rule was simplified in light of the changes to the statewide rules.
8. Rule L1930.5 was reworded to incorporate Rule L4005 rather than to copy it. The procedure for obtaining discovery was clarified.

No further meeting of the Customs and Rules Committee has been scheduled. The Committee will review the attached copy of the proposed changes and advise of any typographical errors or issues that need to be addressed by the Committee. A meeting will be scheduled as necessary. Otherwise, the proposal will be submitted to the court.

Gary L. Weber
Committee Chair
October 21, 2022

- b) Compile the rule revisions within the complete set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*.
- 6) The new rules shall become effective 30 days after the publication of this order in the Pennsylvania Bulletin.

BY THE COURT,

Nancy L. Butts, P.J.

Eric R. Linhardt, J.

Ryan M. Tira, J.

William P. Carlucci, J.

cc: Gary Weber, Customs and Rules Committee Chair

L205.2. Filing Legal Papers with the Prothonotary.

(a) ...

(b) Required cover sheets.

A. ...

B. Motion Cover Sheet. ...

...

4. If expedited consideration by the court is requested or required by statute or rule of procedure, the filing party shall check the "expedited consideration" box on the cover sheet and state the reason for such consideration shall be set forth on the cover sheet. Simultaneously with the filing of the request, the filing party shall deliver a copy of the request to the court administrator who shall deliver the request to a judge. Such consideration must be requested if the date of the pretrial conference has been set or if the case has already been pre-tried.

...

L208.3 Motions. Procedures. Briefs.

(a) Motion procedure.

...

~~E. Emergency petitions for child custody shall proceed under L1915.13-1.~~

(b) ...

DOCKETS

~~L300. Dockets. The prothonotary shall keep and maintain the following dockets:~~

~~A. Judgment docket.~~

~~B. Mechanics lien docket, wherein shall be entered mechanics liens, releases and waivers thereof, and municipal claims.~~

~~C. Federal tax lien docket, wherein shall be entered federal tax liens.~~

~~D. Secured transaction docket.~~

~~E. Fictitious names docket.~~

~~F. General miscellaneous docket, wherein shall be entered all other actions and proceedings of every kind, except disciplinary cases.~~

~~G. Supplemental or pre-index docket.~~

~~L411. Action for Support. In all actions against a defendant residing in Lycoming County, the domestic relations office shall serve the complaint, order and notice in accordance with Pa.R.C.P. 411.~~

L1910.12. Exceptions Procedure.

A. ~~When exceptions are filed with the domestic relations office, they shall have attached to them a copy of the order to which the exceptions have been taken. A rule L205.2(b)B motion cover sheet is required. The hearing officer who entered the order shall be served with a copy of the exceptions. This procedure shall apply to:~~

~~1. all exceptions to the report and recommendation entered with respect to claims filed in or collected through the domestic relations office; and,~~

~~2. all exceptions to the report and recommendation entered with respect to claims raised in a divorce action and which have not been filed in or collected through the domestic relations office.~~

B. ~~If a transcript is requested, a request for transcript form must be completed pursuant to L4007(A) and submitted to the senior court reporter. If the exceptions raise an issue not addressed in the order, a transcript must be requested. If a transcript is not requested and the court determines that the transcript was necessary, the court may, at its discretion, dismiss the exceptions. The exceptions and two copies shall be filed with the prothonotary.~~

~~C. Hearing Date.~~

~~1. Upon the filing of exceptions under subparagraph A.1, above, a date for argument will be scheduled on the first available domestic relations hearing date occurring 21 days or more following the date of mailing of the temporary order.~~

~~2. Upon the filing of exceptions under subparagraph A.2, above, a date for argument will be scheduled on the first available miscellaneous date 21 days or more following the date of mailing of the temporary order.~~

~~D. At the argument, the parties will be required to stipulate on the record to all relevant facts which are not in dispute. If all of the facts necessary for resolution of the exceptions cannot be presented by way of stipulation, the court will direct preparation of a complete transcript of the proceedings held before the hearing officer, and require the posting of a deposit within a certain time period for preparation of the transcript by the party filing exceptions, or by both parties if cross exceptions are filed, excepting any party who may have been granted leave to proceed *in forma pauperis*. The judge may also direct that further argument be held after the transcript is filed.~~

~~E. Upon completion and filing of any transcript ordered, the exceptions will be resolved based upon the argument previously presented to the court and the transcript, along with any exhibits previously entered into the record. Unless directed by the court, no further proceedings will be scheduled. Final allocation of the cost of the transcript, including any payment by a party who was previously excused from posting a deposit, will be ordered upon resolution of the exceptions.~~

~~F. If the deposit for the transcript is not paid as directed under sub-paragraph D, above, all exceptions may be decided by the court based upon the findings of fact made by the family court hearing officer.~~

L1910.14. Defendant Leaving the Jurisdiction. Any request for relief under Pa.R.C.P. No. 1910.14 shall be filed in the ~~office of the prothonotary with two copies: one each for the domestic relations office and the court administrator. The court shall then direct when and by what process the defendant shall be brought before the court.~~ domestic relations office.

L1910.15. Paternity. A party shall commence an action for paternity, independent of a claim for support, by filing a complaint in the domestic relations office.

~~A. Initially, the procedure provided for in Pa.R.C.P. No. 1910.15(a) and (b) shall be followed.~~

~~B. If the reputed father does not execute an acknowledgment of paternity, the court shall, on its own motion or motion of any party, including the domestic relations office, order blood tests pursuant to the Uniform Act on Blood Tests to Determine Paternity, 42 Pa.C.S. Section 6133 et seq. The domestic relations office will make arrangements for and schedule said testing. The costs for said tests will be advanced by the county from the Title IV-D Trustee Account. The costs will then become part of the cost of the case to be recovered from the defendant in the event of a verdict that he is the father of the subject child.~~

~~C. After results of blood tests have been received, the domestic relations office shall schedule a conference with the parties to determine whether the reputed father is excluded from paternity, wishes to acknowledge paternity, or still denies paternity.~~

~~D. If after the above conference there is neither an exclusion nor an acknowledgment of paternity, the domestic relations office shall request the office of the court administrator to place the case on the next appropriate pre-trial list and schedule it for trial.~~

~~E. Thereafter, the procedure will be in accordance with Pa.R.C.P. No. 1910.15(c) through (f).~~

L1910.22. Attachment of Wages, Salaries and Commissions.

~~A. Proceedings for relief under Pa.R.C.P. No. 1910.22, if not initiated upon motion of the court or the domestic relations office, shall be initiated by the filing of a petition and rule to show cause along with a copy for the domestic relations office, in the office of the prothonotary.~~

~~B. The domestic relations office shall schedule a hearing before the family court hearing officer, who, after hearing, shall propose an order of court in conformity with the provisions of Pa.R.C.P. No. 1910.22(b) or (c).~~

~~C. Should either party to the proceeding disagree with the determination of the family court hearing officer, exceptions may be filed in accordance with the procedure found in Lyc. Co. R.C.P. L1910.10 and the matter will be heard by the court de novo.~~

CUSTODY AND VISITATION MATTERS

L1915.3. Custody ~~Pleadings~~Petitions and Procedure.

A. All ~~pleadings petitions~~ relating only to custody ~~of or visitation with~~ minor children shall include a motion cover sheet pursuant to be filed in accordance with rule L205.2(b)B.

~~B. All counts in a divorce complaint and all petitions relating to custody, partial custody, or visitation, of minor children shall be processed in accordance with Lyc. Co. R.C.P. L1915.3, et seq.~~

~~BC. As part of the pre-trial procedures, the court administrator shall refer~~ All custody-related ~~pleadings complaints or petitions,~~ (other than those alleging contempt or ~~those accompanied by a petition for emergency relief, see L1915.13-1 and L1915.13-2~~) requesting special relief, shall be referred to a family court hearing officer for the scheduling of an initial conference with the parties and their respective counsel.

CD. If the custody action is included in based upon a count in a divorce complaint, an initial conference before a hearing officer will be scheduled upon the filing of a ~~written praecipe or other written request by either party.~~ The praecipe must include an updated criminal record/abuse history verification completed by the filing party on a blank verification form for the opposing party, along with the order/notice required by Pa. R.C.P 1915.15(c).

~~E. The court or hearing officer shall enter an order or notice scheduling the initial conference to be held at the earliest available date.~~

~~F. The moving party shall cause service of the complaint or petition or praecipe filed under subparagraph 1 or 2, above, and order or notice for conference, to be made on the opposing party.~~

~~G. Any pleading which requests the scheduling of a proceeding and also requests entry of a temporary order to maintain de facto custody provisions pending the initial conference shall set forth with specificity those facts supporting the Request for the temporary custody order pending the initial conference.~~

L1915.4 ~~3-4~~. Initial Conference.

A. The parties and their respective counsel shall appear at the initial conference before the family court hearing officer.

B. If the parties reach an agreement resolving all of the issues raised, the hearing officer shall forward an order to the court for approval setting forth the terms of such agreement.

C. If the parties do not reach an agreement resolving all issues raised, the hearing officer will conduct a non-record proceeding to establish a recommended interim order as to custody, partial custody or visitation, which will govern pending further proceedings. This non-record proceeding may be a conference with attorneys, conference with parties, and/or the taking of testimony under oath and receipt of other evidence and arguments of counsel as the hearing officer deems appropriate, based upon the particular issues raised.

D. At the conclusion of the proceeding, the hearing officer shall: 1) give the parties oral notice of the essential aspects of the recommended interim order and reasons for the recommendation; 2) make an

initial determination as to the use of mediation, psychological evaluations or home studies, in accordance with Rules ~~L1915.7 and~~ L1915.8; 3) shall set a date for the pretrial conference.

~~L1915.3-2. Exceptions and Reconsideration of Interim Order.~~

~~E.A.~~ No exceptions may be filed to an interim order entered in a custody action. ~~Any matter not stipulated to at the initial conference may be reviewed at the pre-trial conference or resolved at trial.~~

~~B.~~ Should a significant change in circumstances arise after entry of an interim order and before the pre-trial conference necessitating a modification of the interim order, which modification cannot be amicably agreed upon pending the pretrial conference, either party may file a motion for reconsideration of the interim order, setting forth all pertinent facts in support thereof or verified by the filing party. The court administrator shall refer such motion to the hearing officer who entered the interim order. Based on the allegations of the motion, the hearing officer may take any one or more of the following actions deemed appropriate under the circumstances: 1) enter an order summarily denying the motion; or 2) hold a telephone or other conference with counsel for both parties; or 3) after providing the opposing party an opportunity to respond, enter a modified interim order; or 4) direct that the matter be resolved at the pre-trial conference.

~~L1915.3-3. Approval of Recommended Orders.~~ F. Any recommended interim order of the hearing officer shall be submitted to the court for approval and upon court approval shall have the effect of an interim pre-trial order.

~~L1915.3-4. Mediation.~~ G. The hearing officer may refer the parties to mediation and, if so, may direct a date by which the parties must commence the mediation process. The date set for the pre-trial conference shall allow sufficient time for completion of the mediation process. If mediation terminates prior to the anticipated completion date, the mediator shall notify the court administrator who may then reschedule the pre-trial conference for an earlier date. The expense of mediation shall be paid by the parties in accordance with the agreement between Lycoming County and the mediator as the same may exist from time to time.

L1915.8. Physical/Mental/Psychological Examinations and Home Studies.

~~A.~~ Upon agreement of the parties at the initial conference, the hearing officer may include in the recommended interim order a direction that the parties obtain physical, mental or psychological examinations and/or home studies, prior to the date of the pre-trial conference and may establish a date by which the parties must make the initial arrangements. Where mediation is utilized, the order may provide that the evaluation be undertaken during the mediation process, deferred until mediation is complete or be

left for consideration at the pre-trial conference. Unless otherwise directed by the court or hearing officer or agreed upon by the parties, the expense of any evaluation shall be borne initially by the party requesting the evaluation.

~~B. Any request by the parties for evaluations made after the initial conference and not made at the pre-trial conference or entered into by stipulation must be made by motion in accordance with Pa.R.C.P. No. 1915.8, alleging specific facts and reasons for the request, with a hearing to be held after reasonable notice to the other party.~~

~~C. Unless otherwise directed by the court or hearing officer or agreed upon by the parties, the expense of any evaluation shall be borne initially by the party requesting the evaluation and shall be paid in accordance with Pa. R.C.P. No. 1915.8. A final allocation of the expense may be made by the court upon entry of an order or decision rendered on any issues raised in the proceeding.~~

~~D. Any evaluation filed with the court shall not be available for public inspection and shall be impounded by the prothonotary.~~

~~**L1915.10-1. Pre-trial Conference.** At the time set for the pre-trial conference, both parties shall submit a pre-trial memorandum in the form prescribed by the court. Both parties and their respective counsel shall appear before the court for presentation of the issues and discussion of possible settlement and disposition of any matters referred to the pre-trial conference judge.~~

~~**L1915.10-2. Continuances.**~~

~~Any requests for a continuance of the initial conference, pre-trial conference or trial must be made on forms provided by the court administrator's office at the earliest opportunity. Continuance requests will be evaluated in light of the court's policy that custody disputes should be promptly resolved.~~

L1915.12. Required Certification for Petition for Civil Contempt Relating to a Custody Order.

A. . . .

1. The opposing party is represented by counsel. Counsel was ~~apprized~~apprised of the alleged contemptuous conduct and that a contempt petition would be filed unless remedial steps were offered, but the opposing party, through counsel, has declined to offer sufficient remedial steps. Such remedial steps may include assurance of compliance with the order and replacement time for custody or visitation time claimed to have been lost to the petitioning party by the alleged contemptuous conduct.

2. . . .

DIVORCE OR ANNULMENT OF MARRIAGE

~~**L1920.13. Interim Relief.** Any request for interim relief raised under Pa.R.C.P. No. 1920.13(c) shall be initially referred to the family court office for hearing. Proposed orders entered after hearing are subject to the exception procedure set forth in Lyc. Co. R.C.P. L1920.55.~~

L1920.16 Bifurcation.

~~A. A praecipe to transmit record requesting entry of a divorce decree under Domestic Relations Code §3301(c) or §3301(d) should not be filed prior to the resolution of all other claims raised unless an order has been entered permitting bifurcation or the other party consents to bifurcation. The filing party must indicate in the praecipe to transmit that either, (1) there are no outstanding claims, or (2) bifurcation has been consented to by the other party, as verified by an affidavit attached to the praecipe to transmit, or approved by court order, a copy of which is attached to the praecipe to transmit. Where the other party does not consent to bifurcation, a A request for bifurcation shall be made by motion in accordance with the procedure set forth in rule L205.2(b)B., and may be referred by the court, in its discretion, to the family court hearing office for hearing thereon will be scheduled before a judge for a hearing.~~

~~B. A motion for appointment of master to hear a claim for divorce on "fault" grounds may include a request for bifurcation. If such a request is included, the master shall rule on both the claim for divorce and the request for bifurcation. If both are granted, the master shall forward to the court a proposed decree, retaining jurisdiction of all outstanding claims. If the request for bifurcation is denied, assuming the claim for divorce is granted, no decree shall be entered until all remaining claims are resolved.~~

L1920.21. Bill of Particulars.

~~A. A praecipe for a rule to file a bill of particulars shall be considered untimely filed if it is filed after notice of the scheduling of a master's hearing on the contested divorce has been given, provided a copy of the motion for appointment of master was served on opposing counsel or party. All other objections as to the untimely filing of such a praecipe shall be raised by petition and rule.~~

~~B. A non pros entered pursuant to Pa.R.C.P. No. 1920.21(b) shall not be effective against ancillary claims for relief pleaded if grounds for divorce other than those under Domestic Relations Code Sections 3301(a) or 3301(b) have been alleged in the complaint or answer.~~

L1920.31. Joinder of Related Claims. Economic.

~~A. Any motion for sanctions filed pursuant to Pa.R.C.P. 1920.31 may be referred to the family court office for hearing thereon. Any oral motion for sanctions made before a master at the time of hearing shall be disposed of by the master in the same manner as the court under Pa.R.C.P. No. 4019, subject to the exceptions procedure of Lyc. Co. R.C.P. L1920.55.~~

~~B.—A preliminary conference on any issues raised in the pleadings will be scheduled only if requested by the filing of a praecipe.~~

~~C.—A request for a hearing on child support, spousal support, alimony pendente lite, health insurance or interim counsel fees shall be made by filing a praecipe for hearing setting forth the claims to be heard. An original and copy for the family office shall be filed with the prothonotary and copies shall be served on the opposing counsel or party.~~

~~**L1920.32. Joinder of Related Claims. Custody.** All claims involving custody joined with an action for divorce or annulment shall be governed by the procedures set forth in rule L1915.3 *et seq.*~~

~~**L1920.33. Joinder of Related Claims. Property.** Any motion for sanctions filed pursuant to Pa.R.C.P. No. 1920.33(c) may be referred to the family court office for hearing thereon. Any oral motion for sanctions made before a master at the time of hearing shall be disposed of by the master in the same manner as the court under Pa.R.C.P. No. 4019, subject to the exception procedure of Lyc. Co. R.C.P. L1920.55~~

~~**L1920.42. Affidavit and Decree Under §3301(c) or §3301(d) of the Domestic Relations Code.**~~

~~A.—A copy of the praecipe to transmit record, proposed divorce decree, and notice that decree will be entered (unless notice has been waived under Pa. R.C.P. No. 1920.42(e)) shall be server upon opposing counsel or party and a certificate of service shall be filed.~~

~~B.—If related claims are resolved by means of a written agreement between the parties, a copy of the agreement may be attached to the praecipe to transmit record along with an appropriate proposed decree. If related claims are pending, the attached proposed decree shall contain a provision reserving the court's jurisdiction over the unresolved issues.~~

~~C.—A decree will not be entered unless the appropriate administrative fee has been paid to the prothonotary or the court has granted leave to proceed in forma pauperis.~~

~~**L1920.42(a). Appointment of Hearing Officer. Form of Order.**~~

~~1. The motion for appointment of hearing officer shall be accompanied by a proposed order that identifies the section of the Divorce Code under which grounds have been established and the ancillary claims the hearing officer is being appointed to hear.~~

~~2. The motion for appointment of hearing officer shall indicate under which section of the Divorce Code the divorce is being sought, as well as indicate the date the affidavit of consent or affidavit of separation were filed.~~

~~3. The form of the proposed order shall be substantially as follows:~~

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY,

PENNSYLVANIA

	:	
Plaintiff	:	
	:	NO.
vs.	:	
	:	
Defendant	:	

ORDER

AND NOW, this _____ day of _____, 20____, upon receipt of plaintiff's motion for appointment of hearing officer, the court hereby finds that grounds for divorce have been established pursuant to ~~§3301(c)~~ **§3301(d)** of the Divorce Code, as averred in the attached motion.

_____ are hereby appointed hearing officer with respect to plaintiff's claims for: _____.

By the Court,

Judge

~~**L1920.43. Special Relief.** The court, in its discretion, may refer certain requests for special relief to the family court office for hearing thereon.~~

~~**L1920.45. Counseling.** Requests for counseling shall be made on a form provided by the family court office. The request will be scheduled by the family court office for conference or hearing, as may be appropriate. When there is no other provision governing the time within which counseling may be requested or carried out, any request must be filed within such time as to not delay trial or a hearing.~~

L1920.51. Hearing by the Court. Appointment of MasterHearing Officer.

~~A. All claims for relief on the merits, other than disputed claims as to custody or paternity shall initially be heard by a family court hearing officer or master. Any request for hearing before the court on matters other than custody and paternity shall be made by motion and will be granted by the court only upon cause shown.~~

~~B. Prior to a hearing on claims for equitable distribution, alimony or final counsel fees, costs and expenses, a pre-trial conference between counsel for the parties and the appointed master shall take place to narrow the claims to be determined, review compliance with discovery or disclosure, and to discuss settlement alternatives. The master may enter orders subject to court approval, pursuant to stipulation of the parties or in aid of the anticipated hearing.~~

~~C. A decree under Domestic Relations Code Sections 3301(a) and 3301(b) will not be entered unless the appropriate administrative fee has been paid to the prothonotary or the court has granted leave to proceed in forma pauperis.~~

~~D. The recommendation for disposition made by the master or hearing officer shall include a determination of the amount of master's fees or stenographic costs and a recommendation as to their allocation.~~

~~A. The following matters shall be heard by a hearing officer:~~

~~1. Alimony.~~

~~2. Equitable division of marital property.~~

~~3. Counsel fees.~~

~~4. Costs and expenses.~~

~~5. Divorce pursuant to 3301(a) or 3301 (b) of the Divorce Code.~~

~~6. Date of separation dispute under 3301(c)2 or 3301(d) of the Divorce Code.~~

~~B. Upon the appointment of a hearing officer pursuant to A.1 - A.4 above, an order will be entered scheduling a scheduling conference with the hearing officer.~~

~~C. Upon the appointment of a hearing officer pursuant to A.5 - A.6 above, an order will be entered scheduling a hearing with the hearing officer.~~

L1920.53. Hearing by MasterHearing Officer. Report. Requests for continuances of conferences or hearings before a ~~master or family court~~ hearing officer shall be directed to the ~~family court hearing office for decision by the master or hearing officer.~~ ~~Any disagreement with the decision of the hearing officer or master may be referred to the court for review.~~

L1920.55-1. Matters Referred to a Hearing Officer.

~~The procedure of Pa.R.C.P. 1920.55-2 is hereby adopted.~~

L1920.55-2. Exception Procedure.

~~A. AllThe original and one copy of exceptions to a Master's hearing officer's report and recommendation shall be filed with the prothonotary and include the report and recommendation to which the exceptions have been taken. A rule L205.2(b)B motion cover sheet is required. The cover sheet shall indicate whether a transcript is required. If a transcript is requested, the procedure of rule L4007(A) shall be followed. entered with respect to claims of child support, spousal support, alimony pendente lite or interim counsel fees raised in a divorce action shall be filed and processed in accordance with the procedure set forth in L1910.12.~~

~~B. Upon the filing of exceptions as to child support, spousal support, alimony pendente lite or interim counsel fees the recommended order shall be entered as a temporary order as to those issues and the exceptions shall not act as a stay pending resolution of the exception.~~

~~**L1920.71. Form of Notice.** The form of notice to defend and claim rights shall be in the form set forth in Pa.R.C.P. No. 1920.71 and Lyc. Co. R.C.P. L1018.1.~~

~~**L1920.73. Form of Praecipe to Transmit Record.** The family court office shall prepare a form suitable for use in Lycoming County and this form shall be made available in the office of the prothonotary and the family court office.~~

~~**L1920.74. Form of Motion for Appointment of Master.** The family court office shall prepare a form suitable for use in Lycoming County and this form shall be made available in the office of the prothonotary and the family court office.~~

~~**L1920.75. Form of Inventory and Appraisement.** The family court office shall prepare a form suitable for use in Lycoming County and this form shall be made available in the office of the prothonotary and the family court office.~~

~~**L1920.76. Form of Divorce Decree.** The Family court office shall prepare a form suitable for use in Lycoming County and this form shall be made available in the office of the prothonotary and the family court office.~~

~~**L1920.77. Forms for Counseling.** The family court office shall prepare a form suitable for use in Lycoming County and this form shall be made available in the office of the prothonotary and the family court office.~~

L1930.5. Discovery.

~~A. Any request for discovery in a simple support, custody, protection from abuse or protection from victim of sexual violence or intimidation case shall be in addition to that permitted by the rules shall be made to the court by filing a motion for leave to take discovery setting forth the type of discovery sought and reasons therefor. This shall not preclude the parties from stipulating to additional discovery. All discovery authorized by order of court shall be subject to the limitations of rule L4005.~~

~~B. The serving of interrogatories concerning alimony or the determination and distribution of property rights shall be considered untimely if filed after notice of the scheduling of a master's hearing on those claims has been given, provided a copy of the motion for appointment of master was served on opposing counsel or party.~~

~~C. In the case of interrogatories served pursuant to rules of civil procedure, the first set of interrogatories propounded to a party may not exceed fifty (50) in number, including subparts, whether or not they are separately numbered. In the event that the response given to the first set of interrogatories is considered by the requesting party to indicate a need for additional interrogatories, a second set of interrogatories, again limited to fifty (50) including subparts, may be served upon a party. The second set of interrogatories must be case specific. The responding party shall not be compelled to answer any~~

~~interrogatories beyond the number allowed under this rule. The court may, in its discretion, allow additional interrogatories to be served in an appropriate case.~~