



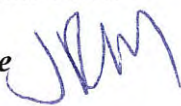
JUDGE'S CHAMBERS  
TWENTY-NINTH JUDICIAL DISTRICT OF PENNSYLVANIA  
LYCOMING COUNTY

JOY REYNOLDS MCCOY  
JUDGE  
COURT OF COMMON PLEAS

COUNTY COURTHOUSE  
48 WEST THIRD STREET  
WILLIAMSPORT, PA 17701  
(570) 327-2340  
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**MEMORANDUM**

**TO:** *Nancy L. Butts, President Judge  
Adrienne Stahl, Court Administrator*

**FROM:** *Joy Reynolds McCoy, Judge* 

**RE:** *Update to the Local Rules regarding Support, Divorce and Custody*

**DATE:** *January 13, 2022*

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Over the past year or so, I have been working on updating and revising the local rules in regard to support, divorce and custody. I have updated the Rules to reflect changes in the state rules and to eliminate local rules which simply duplicated state rules. The following is my explanation for each change in the event there are any questions. My original plan was to obtain your approval to submit this to the Local Rules Committee. Now that I will not be here, I am providing you with this information so you can do what you wish in regard to this matter. I do want to point out that many of our local rules are outdated and inconsistent with the current state rules; therefore, something should be done in the near future in regard to this matter.

As I was making these amendments and changes, I did have Dana and Diane, Stephanie and Greta, and Judges Linhardt and Tira review for any comments or corrections they may have. Stacy Griggs also reviewed portions of the changes. This project was completed in 2020; however, there were some potential changes coming to some rules that I was waiting on before finalizing so as not to have to do this more than once. At this point, I believe all of the changes are consistent with the current state rules and there are no rules pending that I am aware of that would indicate that we should hold off any longer in regard to getting this matter taken care of.

I wanted to get this to you now in the event that you have any questions of me in regard to this. Jen Linn worked closely with me on this and could address any questions or issues that may arise after I leave.

**L300.** Changes have been made to reflect what should be filed with the Prothonotary and what should be filed with DRO.

**L411.** This Rule should be eliminated as Pa.R.C.P. 411 was rescinded.

**L1910.** This Rule was added to provide for filing procedures in the DRO Office.

**L1910.10 and 1910.12.** Changes have been made to both of these local Rules to reflect the changes in the new State Rules, as well as the change for filing of support matters in the Domestic Relations Office.

**L1910.14.** This Rule was changed to reflect the correct place to file for this relief.

**L1910.15. and L1910.15-1.** This Rule was outdated and not consistent with current procedure or state rules. Changes have been made to be consistent with current practice and rules.

**L1920.20.** This Rule was added to reflect local enforcement procedure.

**L1910.22.** This Local Rule was added to reflect local procedure.

**L1915.3.** Changes were made to this Rule for semantics and wording rather than any substantive change.

**L1915.3-2.** Unnecessary language was removed.

**L1915.3-3.** A change was made to identify the correct type of order.

**L1915.8.** Changes were made to the wording and capitalization.

**L1915.12.** A typographical error was corrected.

**L1920.13.** This Rule contradicts the State Rule, which does not provide for a master to hear matters of special relief pursuant to Pa.R.C.P. 1915.13.

**L1920.16.** Changes have been made to this Rule to reflect what occurs locally in regard to bifurcation. Hearing Officers do not hear claims for bifurcation.

**L1920.21.** The State Rule has been updated in regard to bill particulars and changes were made to be consistent with, and not duplicative of, the State Rule.

**L1920.31.** This Rule was changed to reflect the current State Rule.

**L1920.32.** This Rule is duplicative of the State Rule and, therefore, not a necessary Local Rule.

**L1920.33.** The cite to the newly numbered Local Rule which is referenced later.

**L1920.42.** This Rule was removed as it is outdated and not consistent with the State Rules. A local rule is not needed as we follow the State Rule.

**L1920.42(a).** This Rule was added to reflect the procedure in which grounds for divorce are established to permit the appointment of a master for equitable distribution.

**L1920.43.** This Rule was removed as it contradicts the State Rule, which does not provide for Masters to hear matters of special relief.

**L1920.45.** This Rule is repetitive of the State Rule and, therefore, a local rule is not required.

**L1920.51.** This Rule was changed to reflect how matters are scheduled before Hearing Officers.

**L1920.55-1.** This Rule was added to reflect which procedure under the State Rules are utilized in our County in regard to the appointment of a master.

**L1920.55-2.** This Rule was amended to update the current procedure in regard to exceptions and the requesting of transcripts.

**L1920.71.** This Rule is duplicative of the State Rule and, therefore, there is no need for a local rule.

**L1930.5.** There was language added to this Rule to make the Rule easier to understand.

JRM/jrr

Attachment

- c. Eric Linhardt, Judge
- Ryan Tira, Judge
- Jennifer McConnell, Director of Court Services
- April McDonald, Deputy Court Administrator
- Jennifer Linn, Law Clerk

## DOCKETS

### L300. Dockets.

A. The Prothonotary shall keep and maintain the following dockets:

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1. Judgment docket.

2. Mechanics lien docket, wherein shall be entered mechanics liens,

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releases and waivers thereof, and municipal claims.

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

4. Secured transaction docket.

5. Fictitious names docket.

6. General miscellaneous docket, wherein shall be entered all other

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actions and proceedings of every kind, except disciplinary cases.

7. Supplemental or pre-index docket.

B. The Domestic Relations Office shall keep and maintain the following

dockets:

1. Child support docket.

2. Spousal support docket.

3. Alimony pendente lite docket.

4. Special paternity docket.

## SERVICE

L400.1(b). Service of Original Process. Original process shall be served within the Commonwealth (i) by the sheriff or a competent adult in all actions in equity, in partition, to prevent waste, and for declaratory judgment when declaratory relief is the only relief sought, and (ii) by the sheriff in all other actions.

~~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.~~

**L430. Service by Publication.**

A. Any request for service pursuant to a special order of court under Pa.R.C.P. 430 shall comply with Rule L206.

B. Service by publication shall be made in such a manner that the person so served shall have at least ten (10) days after publication to act on the matter served by publication.

C. Service shall be complete upon the appearance of the last complete publication. Proofs of publication shall be filed before judgment or any other action is taken by the plaintiff.

D. Where service by publication is permitted by Pa.R.C.P. 410, (concerning real property actions) the notice shall be published for one week in the *Lycoming Reporter* and at least one newspaper of general circulation. The notice shall be in the form required by the rules and shall include a description of the land involved.

**L440. Use of Prothonotary's Office Mail Box.** Service of copies of legal papers, that are allowed to be served by regular mail, may be made upon the party's attorney of record who maintains an office in Lycoming County, by placing the document in the mailbox maintained for the attorney in the office of the Lycoming County prothonotary.

terminated, the disposition and the fact of their appearance shall be noted by the arbitrators on the award form and delivered to the prothonotary.

#### SUPPORT ACTIONS

L1910.10: Hearing-Filing Procedure. The procedure provided by Pa. R.C.P. No. 1910.12 is hereby adopted:

A. Child Support, Spousal Support, Alimony Pendente Lite.

1. The procedure provided by Pa.R.C.P. 1910.4 is hereby adopted.

B. Special Paternity.

1. A party who alleges to be the biological father of a minor child shall commence an action for special paternity by filing a complaint to establish paternity and for genetic testing in the Domestic Relations Office.

2. When a minor child was born of a marriage, a party who alleges a third party is the biological father of that minor child shall commence an action for special paternity by filing a complaint to establish paternity in the Domestic Relations Office.

C. Child Support and Special Paternity.

1. If a party is seeking child support for a minor child born of a marriage from a third party (not the husband), the party must file two separate complaints in the Domestic Relations Office: (1) a complaint for child support, and (2) a complaint to establish paternity.

D. Standard Procedure for Initiating a Domestic Relations Case.

1. If a party wishes to file a complaint for child support, spousal support, alimony pendente lite, and/or special paternity, the party must meet with an intake officer in the Domestic Relations Office who will then file the complaint and serve the defendant.

2. In accordance with Pa.R.C.P. 1910.5(a), if the case initiating party is unable to appear in the Domestic Relations Office to meet with an intake officer, the party's attorney of record must file a complaint for child support or spousal support on behalf of his/her/their client in the Domestic Relations Office by utilizing the form provided in Pa.R.C.P. 1910.27(a).

E. Documents, Motions and Petitions.

1. All documents, motions, and petitions to be filed under a domestic relations or special paternity docket must be filed in the Domestic Relations Office by an individual party or an individual's attorney of record.

L1910.12. Exceptions Procedure.

A. The procedure provided by Pa.R.C.P. 1910.12(f)-(h) is hereby adopted.

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B. The exceptions shall be filed with the Domestic Relations Office and 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 provided with a copy of the exceptions by the filing party. The cover sheet shall indicate whether or not a transcript of the Family Court hearing is required. If a transcript is requested, a Request for Transcript form must be completed pursuant to L4007(A) and submitted to the Senior Court Reporter.

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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.

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B. The exceptions and one copy shall be filed with the prothonotary, and shall have attached to them a copy of the order to which the exceptions have been taken.

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~~rule L205.2(b) motion cover sheet is required. The cover sheet shall indicate whether or not a transcript of the Family Court hearing is required:~~

~~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.~~

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~~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:~~

~~A transcript must be requested if anything not contained in the order is requested to be addressed. If a transcript is not requested and the Court determines that the transcript was necessary, the Court may, at its discretion, dismiss the exceptions.~~

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~~L1910.14. Defendant Leaving the Jurisdiction. Any request for relief under Pa.R.C.P. No. 1910.14 shall be filed in the Domestic Relations Office 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.~~

~~L1910.15. Paternity.~~

~~The procedure provided for in Pa.R.C.P. 1910.15(a)-(c) and (d)(2)-(f) is hereby adopted.~~

~~L1910.15-1. Special Paternity.~~

~~A. When a party files a complaint in accordance with L1910.15 to establish paternity or to establish paternity and for genetic testing, the matter will be scheduled by the Domestic Relations Office for a hearing before the Court.~~



B. If the Court finds there is a legal basis for genetic testing, genetic testing will be ordered. The two parties and the minor child shall then be required to report to the Domestic Relations Office for the genetic testing.

C. At the time of genetic testing, the party who filed the complaint shall pay the genetic testing fee.

D. The procedure provided for in Pa.R.C.P. 1019.15(b)(2)-(3) and (d)(2)-(f) is hereby adopted.

L1910.20. Enforcement Procedures.

A. Pa.R.C.P. 1910.20 is hereby adopted, except for the procedure to withhold income, which is stated below in Lyc. Co. R.C.P. L1910.22.

B. Pa.R.C.P. 1910.25-3 is hereby adopted. When a defendant is scheduled for contempt, the defendant is provided the opportunity to enter into a stipulated agreement prior to proceeding to a hearing before a Judge. The defendant is also afforded the opportunity to pay a particular amount of money to dismiss the contempt prior to appearing before the court.

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~~L1910.15. Paternity.~~

~~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:~~

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

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~~A. Every order of court shall contain an immediate order for the withholding of income unless the defendant/non-custodial parent/payor does not have a wage attachable job.~~

~~B. If the defendant/non-custodial parent/payor does not have a wage-attachable job and never pays or stops paying his/her ordered monthly support~~

obligation, the Court may order the defendant/non-custodial parent/payor to acquire and maintain a wage-attachable job.

## CUSTODY AND VISITATION MATTERS

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

~~A. All petitions pleadings relating to custody or visitation with of minor children shall include a 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.*~~

~~CB. As part of the pre-trial procedures, the court administrator shall refer all 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) or 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.~~

~~DC. If the custody action is based upon included in a count of 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 the criminal record/abuse history verification completed by the filing party and a blank form for the opposing party, along with the notice required pursuant to 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.~~

**L1915.3-1. 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.**

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.** 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 order of court pre-trial order.

**L1915.7. Settlement.** A custody case will be removed from the conference or pre-trial schedule and/or the custody trial list only upon the filing of the settlement agreement or court order.

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

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~~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. Any petition requesting a finding of contempt of a custody order must also contain, as an exhibit, a certification by counsel or by the pro se litigant, of the effort to resolve the alleged contempt without resort to the court. At a minimum, the certification shall specify which of the following applies:

1. The opposing party is represented by counsel. Counsel was apprized ~~apprised~~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. The opposing party is not represented by counsel. The opposing party was apprised in writing of the alleged contemptuous conduct and warned that a contempt petition would be filed unless remedial steps were offered, but the opposing party 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.

3. Remedial steps were offered by the opposing party, but were then not taken within a reasonable period of time.

4. Due to special circumstances (described in detail in the certification) an attempt to resolve the matter without filing a petition for contempt is likely to cause significant prejudice (also described) to the petitioning party.

B. Failure to attempt resolution of the alleged contempt in accordance with the requirements of this rule could be cause for dismissal to the petition for contempt.

#### 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 request for bifurcation shall be made by motion in accordance with the procedure set forth in rule L205.2(b)B, and will be scheduled before a Judge for a hearing, may be referred by the court, in its discretion, to the family court hearing office for hearing thereon.~~

B. ~~A motion for appointment of master to hear a claim for divorce on a 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 Alimony, Counsel Fees, Costs and Expenses.

~~A. Any motion for sanctions filed pursuant to Pa.R.C.P. 1920.31(a)(3) 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 L1920.55 Pa.R.C.P. L1920.55 L1920.55-2.~~

~~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. L1920.55-2.

~~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). Orders approving Grounds for Divorce.

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1. A proposed order must be filed with the motion for appointment of master indicating which section under the Divorce Code grounds have been established and which ancillary claims the master is being appointed to hear.

2. The motion for appointment of master shall indicate 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

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\_\_\_\_\_  
Plaintiff  
\_\_\_\_\_  
NO.  
vs.  
\_\_\_\_\_  
Defendant

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ORDER

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AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon receipt of Plaintiff's Motion for Appointment of Master, the Court hereby finds that grounds for divorce have been established pursuant to Section 3301(c)/Section 3301(d) (circle one) of the Divorce Code, as averred in the attached Petition.

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Dana Jacques/Diane Turner, Esquire, are hereby appointed Master with respect to Plaintiff's claims for: \_\_\_\_\_

\_\_\_\_\_  
By the Court,

\_\_\_\_\_  
Judge

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

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~~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 Master.~~

~~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.~~

L1920.51 Appointment of Master.

1. The following matters shall be heard by a Master:
  - a. Alimony.
  - b. Equitable division of marital property.
  - c. Counsel fees.
  - d. Costs and expenses.
  - e. Divorce pursuant to 3301(a) or (b) of the Divorce Code.
  - f. Date of separation dispute under 3301(c)2 or 3301(d) of the Divorce Code.

A motion to appoint master shall be filed in substantially the same form as Pa.R.C.P.

1920.74.

2. Upon the appointment of a master pursuant to 1(a)-(d) above, a scheduling conference order will be entered by the Court scheduling a scheduling conference before the master and pre-trial before a Judge. The scheduling order will outline all filing requirements and deadlines. A hearing before the master will be scheduled by the Judge at the pre-trial.

3. Upon the filing of a motion to appoint master pursuant to 1 (e) and (f) above, an order will be entered scheduling a hearing before the master.

L1920.53. **Hearing by Master. 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 Master.**

The procedure requiring matters referred to a master provided by Pa.R.C.P. 1920.55-2 is hereby adopted.

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**L1920.55-2. Exception Procedure.**

~~A. Any~~All exceptions to a Master's report and recommendation shall be filed with the Prothonotary's Office. The original and one copy shall be filed and have attached a copy of 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 or not a transcript is required. If a transcript is requested, a Request for Transcript Form must be completed pursuant to L4007(A) and submitted to the Senior Court Reporter. 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.f.~~

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**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 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.

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.

L2039. **Minor's Action - Compromise, Settlement, etc.** No settlement of an action of a minor for personal injuries will be authorized or approved without the appearance of the minor in court, medical evidence as to the extent of the minor's injuries, and such further information as the court will deem necessary; provided, however, that if the petition of the guardian for the compromise of a minor's action is accompanied by:

(1) written medical evidence as to the minor's medical condition and his or her prognosis,

(2) a statement under oath by the guardian certifying,

(a) the present physical or mental condition of the minor, and

(b) approval of the proposed settlement and distribution thereof;

(3) a statement by counsel of his professional opinion of the probabilities of proof of defendant's negligence by plaintiff and the minor's negligence, if any, by defendant; and,

(4) in the event that the minor is sixteen (16) years of age or over, his or her written approval of the proposed settlement and distribution thereof; the judge to whom said petition has been presented may approve the petition without requiring the appearance of the minor, his guardian or his doctor, in the event that he concludes that the information contained in the petition is sufficient to satisfy him that the proposed settlement adequately compensates the minor and his guardian for the injuries sustained and expenses incurred.

L2232. **Notice of Pendency of Action.** Notice required by Pa.R.C.P. No. 2232 Shall contain a statement of the pendency of the action, the prothonotary's number of



the action, the parties in the action and nature thereof and that the person to whom it is addressed is required to join therein within twenty (20) days after receipt of such notice or his cause of action will be barred and the action will proceed without him. Proof of service shall be by affidavit accompanied by a copy of the notice and the return receipt and shall be filed with the prothonotary.

**L4005. Interrogatory Limits.** In the case of interrogatories served pursuant to Pa. R.C.P. No. 4005, 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, 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.