

# THE COURTS

## Title 255—LOCAL COURT RULES

### DAUPHIN COUNTY

#### Promulgation of Local Rules; No. 1989 CV 1793

##### Order

*And Now*, this January 20, 2011, Dauphin County Local Rules 1915.3, 1915.4-2 and 1915.15(c) are amended as follows:

#### **Rule 1915.3. Custody Actions.**

##### (a) Commencement of Custody Actions

1. A custody action shall be commenced by the filing of an original and one copy of either a custody complaint or a divorce complaint that contains a custody count with the Prothonotary.

2. In addition to the filing fees assessed for the filing of complaints, an additional administrative fee in the amount of \$110.00 shall be paid to the Prothonotary simultaneously with the filing of the custody complaint or the divorce complaint which contains a custody count.

3. The Prothonotary shall forward the original custody complaint or divorce complaint which contains a custody count to the Court Administrator's Office for assignment to a Custody Conference Officer.

4. The Custody Conference Officer shall set the date, time and place of the conference and file a scheduling order with the Prothonotary.

5. Plaintiff(s) shall serve the complaint and the scheduling order upon Defendant(s) promptly in accordance with the applicable Rules of Civil Procedure and shall thereafter file an appropriate certificate of service with the Prothonotary before the date of the scheduled conference.

(b) Subsequent actions (petitions for modification or contempt)

1. An original and one copy of the petition for modification of a custody order or a petition for contempt of a custody order shall be filed with the Prothonotary.

2. An administrative fee of \$110.00 shall be paid to the Prothonotary simultaneously with the filing of either the petition for modification of a custody order or a petition for contempt of a custody order.

3. The Prothonotary shall forward the original petition for modification of a custody order or petition for contempt of a custody order to the Court Administrator's Office for assignment to a Custody Conference Officer.

4. The Custody Conference Officer shall set the date, time and place of the conference and file a scheduling order with the Prothonotary.

5. The Petitioner shall serve the petition for modification or contempt and the scheduling order upon the Respondent promptly in accordance with the applicable Rules of Civil Procedure and shall thereafter file an appropriate Certificate of Service with the Prothonotary before the date of the scheduled conference.

6. A copy of the most recent custody order shall be attached to the petition for modification or contempt.

(c) All parties in a contested custody case are strongly encouraged to attend the Seminar for [ **Separated Families** ] **Families in Conflict** before attendance at the custody conference before a conference officer. To this end, when a custody complaint, petition for modification or petition for contempt are filed with the Prothonotary, all parties shall be provided with a copy of this rule and a pamphlet which provides information on the Seminar for [ **Separated Families** ] **Families in Conflict**. If the filing party is represented, the attorney shall provide this information to his/her client and to all opposing parties. If the filing party is not represented, the conference officer shall provide this information to all parties.

**NOTE: This amendment is necessary due to the recent change of the name of the seminar by its provider, InterWorks.**

#### **Rule 1915.4-2. Custody Conference Officers.**

(a) Custody Conference Officers shall be appointed by the Court to:

1. meet with the parties and counsel in a custody action to try to work out an agreed custody arrangement;

2. recommend the appointment of counsel for the child(ren) in appropriate situations;

3. recommend the utilization of home studies and/or expert witnesses in appropriate situations;

4. prepare agreed interim or final orders for review by the Court.

(b) The compensation of Custody Conference Officers shall be set by order of court.

(c) If the parties are able to reach an agreement during the custody conference, the Custody Conference Officer shall prepare a proposed order memorializing the agreement. The proposed order shall be submitted to the judge assigned to handle custody matters for review. The proposed order shall not contain any reference to child support. If approved, the order shall be filed with the Prothonotary and copies shall be distributed to all parties.

(d) To facilitate the conference process and encourage frank, open and meaningful exchanges between the parties and their respective counsel, statements made by the parties, or their witnesses, shall not be admissible as evidence in a custody hearing before the court. The Custody Conference Officer shall not be a witness for or against any party in a custody hearing before the court or in any other proceeding whatsoever.

(e) 1. If the parties are unable to reach an agreement during the custody conference, the Custody Conference Officer shall prepare a Conference Summary Report. The Conference Summary Report shall contain facts gathered by the Custody Conference Officer during the conference and outline the issues for resolution by the Court. The Conference Summary Report shall be filed with the Prothonotary and copies shall be distributed to all parties. The Prothonotary shall forward the Conference Summary Report to the Court Administrator's Office and the case will be assigned to a judge.

2. All parties are required to attend the Seminar for [ **Separated Families** ] **Families in Conflict** (Seminar) if an agreement is not reached at the custody conference. At the conclusion of the conference, the Custody Confer-

ence Officer will serve the parties with the date and time they are scheduled to attend the Seminar.

3. All parties must attend the Seminar prior to the hearing before a judge. Any request for an extension of time within which to attend the Seminar shall be made to the assigned judge in a motion filed with the Prothonotary. The fee for the Seminar shall be determined by the provider and must be paid prior to the Seminar. Payment shall be made by certified check, money order or cash. No personal checks will be accepted. No hearing or trial shall be delayed because of the failure of a party to attend the Seminar.

**NOTE: This amendment is necessary due to the recent change of the name of the seminar by its provider, InterWorks.**

**Rule 1915.15(c). Cover Sheet to Custody Complaint, Petition for Modification or Petition for Contempt.**

In addition to the information required by Pa.R.C.P. 1915.15(a) or 1915.15(b), each Complaint, Petition for Modification or Petition for Contempt relating to child custody or visitation shall contain a cover sheet in the following format:

	:	IN THE COURT OF COMMON PLEAS
	:	DAUPHIN COUNTY, PENNSYLVANIA
Plaintiff	:	
	:	CIVIL ACTION
	:	CUSTODY/VISITATION
	:	
	:	
Defendant	:	NO.

ORDER OF COURT

AND NOW, upon consideration of the attached Complaint, Petition for Modification or Petition for Contempt of a Custody Order, it is hereby directed that the parties and their respective counsel appear before the Custody Conference Officer, on the \_\_\_\_ day of \_\_\_\_, \_\_\_\_, Dauphin County Courthouse, Front and Market Streets, Harrisburg, Pennsylvania for a Custody Conference. At such Conference, an effort will be made to resolve the issues in dispute; or if this cannot be accomplished, to define and narrow the issues to be heard by the Court, and to enter into a Temporary Order. Children should not attend the conference unless requested by the Custody Conference Officer.

The Court strongly recommends that all parties immediately attend the Seminar for [ **Separated Families** ] **Families in Conflict** presented by [ **Interworks** ] **InterWorks** which provides helpful information on communication concerning the child(ren) despite disagreements of the parties on those and other topics. Call [ **Interworks** ] **InterWorks** to schedule attendance at (717) 236-6630. If resolution is not reached at the custody conference, the Court will order the parties to attend the Seminar.

FOR THE COURT:

Date \_\_\_\_\_ By \_\_\_\_\_  
Custody Conference Officer

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH

INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY LAWYER REFERRAL SERVICE  
213 North Front Street  
Harrisburg, PA 17101  
(717) 232-7536

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Dauphin County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact the Court Administrator's Office at (717) 780-6624. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference.

**NOTE: This amendment is necessary due to the recent change of the name of the seminar by its provider, InterWorks.**

These amendments shall be effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

TODD A. HOOVER,  
*President Judge*

[Pa.B. Doc. No. 11-205. Filed for public inspection February 4, 2011, 9:00 a.m.]

SUPREME COURT

Schedule of Holidays for Year 2012 for Staffs of the Appellate Courts and the Administrative Office of Pennsylvania Courts; No. 362 Judicial Administration Doc.

Order

Per Curiam:

And Now, this 19th day of January, 2011, it is hereby ordered that the following paid holidays for calendar year 2012 will be observed on the dates specified below by all employees of the appellate courts and the Administrative Office of Pennsylvania Courts:

January 2, 2012	New Year's Day (Observed)
January 16, 2012	Martin Luther King, Jr. Day
February 20, 2012	Presidents' Day
April 6, 2012	Good Friday
May 28, 2012	Memorial Day
July 4, 2012	Independence Day
September 3, 2012	Labor Day
October 8, 2012	Columbus Day (Observed)
November 6, 2012	Election Day
November 12, 2012	Veterans Day (Observed)
November 22, 2012	Thanksgiving Day
November 23, 2012	Day After Thanksgiving
December 25, 2012	Christmas Day

[Pa.B. Doc. No. 11-206. Filed for public inspection February 4, 2011, 9:00 a.m.]

**Sessions of the Supreme Court of Pennsylvania  
for the Year 2012; No. 207 Appellate Court Rules  
Doc.**

**Order**

*Per Curiam:*

*And Now*, this 19th day of January, 2011, it is ordered that the argument/administrative sessions of the Supreme Court of Pennsylvania shall be held in the year 2012 as follows:

Philadelphia (Administrative Session)	February 2
Philadelphia	March 5 through March 9
Harrisburg (Administrative Session)	March 22
Pittsburgh	April 9 through April 13
Harrisburg	May 7 through May 11
Pittsburgh (Administrative Session)	June 7
Philadelphia	September 10 through September 14
Pittsburgh	October 15 through October 19
Harrisburg	November 26 through November 30

Additional argument/administrative sessions may be scheduled as the Court deems necessary.

[Pa.B. Doc. No. 11-207. Filed for public inspection February 4, 2011, 9:00 a.m.]

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