

NOTICE OF MARY JO POKNIS

Register of Wills and Ex-Officio Clerk of the Orphans' Court Division, Court of the Common Pleas, Washington, Pennsylvania

The following fiduciaries have filed their respective accounts in the Office of the Clerk of the Orphans' Court of Washington County

ACCOUNTS FILED IN THE REGISTER'S OFFICE TO MARCH 7, 2019 AUDIT

<u>NO.</u>	<u>ESTATE</u>	<u>ACCOUNTANTS</u>	<u>ATTORNEY</u>
16-0688	ANDREWS, Melissa Ellen Darla May Campbell, Executrix		Roger J. Gaydos, Esq.
17-0311	GAERTNER, Marie K. aka Marie Kibler David Hess, Executor		Katheryn Eck Goff, Esq.

PARTIES INTERESTED ARE HEREBY NOTIFIED THAT AN AUDIT LIST WILL BE MADE UP OF THE AFOREMENTIONED ACCOUNTS AND THAT SAID AUDIT IS MARCH 7, 2019 AT 9:30 A.M., COURTROOM #2, BEFORE THE HONORABLE JOHN F. DiSALLE, JUDGE.

Mary Jo Poknis, Register and Ex-Officio Clerk of the Orphans' Court Division of the Court of Common Pleas of Washington County, Pennsylvania

1)31-2

ESTATE NOTICES

The Register of Wills has granted letters testamentary or of administration in the following estates. Notice is hereby given to all persons indebted thereto to make payment without delay and to those having claims or demands to present them for settlement to the Executors or Administrators or their attorneys.

FIRST PUBLICATION

ABURACHIS, ABDELRAHMAN T., late of South Strabane, Washington Co., PA; Executor: Michael K. Aburachis, 272 Sutherland Drive, Venetia PA 15367; Attorney: Susan M. Key, Peacock Keller LLP, 70 East Beau Street, Washington PA 15301

BYERS, HELEN B., late of Carroll Township, Washington Co., PA; Executors: Robert M. Byers, 3584 Falmouth Drive, South Park PA 15129; Linda B. Pirolo, 370 Saddlebrook Road, Gibsonia PA 15044; Attorney: James W. Haines Jr., 1202 West Main Street, Monongahela PA 15063

CINTELLA, DARLA L., a/k/a **DARLA LEE CINTELLA**, late of Monongahela, Washington Co., PA; Executrix: Rhonda R. Wyvrat, 1333 Anderson Avenue, Monongahela PA 15063; Attorney: David C. Allison, 528 St. Clair Avenue, Clairton PA 15025

DAGUE, WILLIAM T., late of Carroll Township, Washington Co., PA; Executor: Ryan Dague, 5107 Fieldcrest Drive, Pittsburgh PA 15236; Attorney: James W. Haines, Jr., 1202 West Main Street, Monongahela PA 15063

DURAN, VICTORIA, a/k/a **VICTORIA L. SPANOGLIANS DURAN AKA VICTORIA L. DURAN AKA VICKI DURAN**; late of Smith Township, Washington Co., PA; Executors: Samuel James Duran, 241 Autumn Lane, Bulger PA 15019, Abigail Rose Rodriguez, 118 Stone Lane, Bulger PA 15019

HECK, JOHN W., late of Stockdale, Washington Co., PA; Executrix: Janet Lynn McVey, POB 150, Stockdale PA 15483; Attorney: Neil J. Marcus, POB 652, Monongahela PA 15063

HRICAK, MICHAEL, late of Canonsburg, Washington Co., PA; Executor: Mary Ann Eiler, c/o The Law Office of Brett A. Clancy, 90 W. Chestnut Street, Suite 608, Washington PA 15301; Attorney: Brett A. Clancy, 90 W. Chestnut Street, Suite 608, Washington PA 15301

KROBOTH, HERMAN F., late of Peters Township, Washington Co., PA; Executrix: Emily A. Kroboth, c/o Robert J. Winter, Esq., Goehring, Rutter & Boehm, 437 Grant Street, Suite 1424, Pittsburgh PA 15219; Attorney: Robert J. Winter, Goehring, Rutter & Boehm, 437 Grant Street, Suite 1424, Pittsburgh PA 15219

MAVRICH, EMMA C., late of Strabane, Washington Co., PA; Administrator: Kenneth S. Mavrich, c/o Kusturiss, Wolf & Kusturiss, 12 North Jefferson Avenue, Canonsburg PA 15317; Attorney: Angela D. Kusturiss, Kusturiss, Wolf & Kusturiss, 12 North Jefferson Avenue, Canonsburg PA 15317

MOLISEE, FRANK JUNIOR, a/k/a **FRANK J. MOLISEE**, late of Washington, Washington Co., PA; Administrator: Robert Joseph Molisee, 5 Sugar Lane, Scenery Hill PA 15360; Attorney: Tracy L. Zihmer, Zihmer Law Firm, LLC, 3244 Washington Road, Suite 210, McMurray PA 15317

NAVOSKI, JOHN P., late of Bulger Township, Washington Co., PA; Executors: John F. Prebeg, Jr., 1110 Grant Street, POB 231, Bulger PA 15019; Jamie Michalka, 124 Smith Street, Canonsburg PA 15301; Attorney: Jeffrey P. Derrico, Greenlee Derrico Posa, LLC, 60 East Beau Street, Washington PA 15301

WILSON, KAY M., late of Coal Center, Washington Co., PA; Administrator: Thomas B. Janoski, 106 Locust Road, Coal Center PA 15423

SECOND PUBLICATION

ANDERSON, EARL EUGENE, a/k/a **EARL E. ANDERSON**, late of North Franklin Township, Washington Co., PA; Executrix: Rose Ann Bell, 1294 Clifton Road, Washington PA 15301; Attorney: Bradley M. Bassi, Bassi, Vreeland & Associates PC, POB 144, 111 Fallowfield Avenue, Charleroi PA 15022

BEDNAR, THELMA, late of Carroll Township, Washington Co., PA; Executrix: Sherri Taddeo, 60 Prosperity Street, Monongahela PA 15063

GEORGE, DONALD BOWMAN, a/k/a **DONALD GEORGE AKA DONALD B. GEORGE**, late of City of Washington, Washington Co., PA; Administrator: Earl M. George, 538 West Washington Street, Napoleon OH 43545; Attorney: Mark S. Riethmuller, Speakman, Riethmuller & Allison, 6 South Main St., Suite 614, Washington Trust Bldg, Washington PA 15301

HALL, BRAXTON LYLE, late of Charleroi, Washington Co., PA; Administrator: Jasmine Warner, 988 Cross Street, Apt. 22, California PA 15419; Attorney: Kathleen Smith-Delach, Phillips, Phillips & Smith-Delach, PC, 29 East Beau Street, Washington PA 15301

KNEFELKAMP, JOAN E., late of Cecil Township, Washington Co., PA; Executrix: Leslie Boening Halon, c/o Larry A. Householder, 1318 7th Avenue, Beaver Falls PA 15010; Attorney: Larry A. Householder, 1318 7th Avenue, Beaver Falls PA 15010

KURTZ, WALTER RONALD, a/k/a **WALTER R. KURTZ**, late of West Bethlehem Township, Washington Co., PA; Executrix: Julia Ann Kurtz, 368 Daniels Run Road, Scenery Hill PA 15360; Attorney: Richard J. Amrhein, Peacock Keller, LLC, 70 East Beau Street, Washington PA 15301

LYNN, ELSIE HICKEY, late of Carroll Township, Washington Co., PA; Executor: Robert Lynn, 1104 Carolina Way, White Oak PA 15131; Attorney: Patrick J. Thomassey, 1940 James Street, Monroeville PA 15146

NEUNDORF, KENNETH W., late of Buffalo Township, Washington Co., PA; Executrix: Sherry Lynn Neundorf Edwards, 271 Sullivan Road, Selma NC 27576; Attorney: Cary D. Jones, Marriner, Jones & Fitch, 6 South Main Street, Suite 600, Washington PA 15301

RANKIN, HOWARD CLINTON, a/k/a **HOWARD C. RANKIN**, late of Charleroi, Washington Co., PA; Administratrix: Kathleen R. Ray, 3975 Wavy Oak Drive, Colorado Springs CO 80908; Attorney: Richard C. Mudrick, 300 Fallowfield Avenue, Charleroi PA 15022

SEMIAN, TERRY J., a/k/a **TER-RANCE J. SEMIAN**, late of Monongahela, Washington Co., PA; Administratrix: Marilyn L. Semian, 50 Lake Leoni Lane, Monongahela PA 15063; Attorney: Bradley M. Bassi, Bassi, Vreeland & Associates, PC, POB 144, 111 Fallowfield Avenue, Charleroi PA 15022

SENAY, KAY F., late of McDonald, Washington Co., PA; Executor: Joseph Stanley Senay, Sr., 731 Wildwood Drive, McDonald PA 15057; Attorney: Emmanuel S. Anthou, 165 McClelland Road, Canonsburg PA 15317

SHAUGHNESSY, DONNA, late of Centerville, Washington Co., PA; Executrix: Jenny L. Palmer aka J. L. Palmer, c/o Dennis M. Makel, 98 East Maiden Street, Washington PA 15301; Attorney: Dennis M. Makel, 98 East Maiden Street, Washington PA 15301

STANKO, JONATHAN, late of Canonsburg, Washington Co., PA; Administrator: James Stanko, 605 Woodland Road, Canonsburg PA 15317

SUTHERLAND, BETTY JANE, late of Monongahela, Washington Co., PA; Executrix: Gery Sutherland, 63 Teeple Avenue, Monongahela PA 15063; Attorney: Neil J. Marcus, POB 652, Monongahela PA 15063

TADDEO, JULIA A., late of Monongahela, Washington Co., PA; Executor: Henry J. Taddeo Jr., 1042 Fourth Street, Monongahela PA 15063; Attorney: James W. Haines Jr., 1202 West Main Street, Monongahela PA 15063

THOMPSON, MARGARET L., a/k/a **MARGARET THOMPSON**, late of Washington City, Washington Co., PA; Executor: Daniel J. Thompson, 3179 Penn Avenue, Loft 206, Pittsburgh PA 15201

THIRD PUBLICATION

COCCIA, RAYMOND C., late of McMurray, Washington Co., PA; Executrix: Carol Coccia, 111 Royal Place, McMurray, PA 15317

COX, BEATRICE L., late of Fallowfield Township, Washington Co., PA; Executrix: Angela Shepler, 451 Lisbon Road, Midland, PA 15059; Attorney: James W. Haines, Jr., 1202 West Main St., Monongahela, PA 15063

FOWKES, HARRY A., late of Richeyville, Washington Co., PA; Executrix: Linda Moss, 11 Beach Drive, Charleroi, PA 15022; Attorney: Todd M. Pappasergi, Bassi, Vreeland & Associates, PC, PO Box 144, 111 Fallowfield Avenue, Charleroi, PA 15022

FRYE, FRANCES A., a/k/a **FRANCES CARUSO**, late of Monongahela, Washington Co., PA; Executor: David Pankiewicz, 118 Second Street, Aspinwall, PA 15215; Attorney: Richard J. Amrhein, Peacock Keller, LLP, 70 East Beau St., Washington, PA 15301

KLEBANSKI, MILDRED M., late of Finleyville, Washington Co., PA; Trustee: Sandra J. Klebanski, 15 Engel Lane, Finleyville, PA 15332; Attorney: Nora Gieg Chatha, Tucker Arensberg, PC, 1500 One PPG Place, Pittsburgh, PA 15222

KLINE, SAMUEL J., a/k/a **SAMUEL JOSEPH KLINE**, late of Union Township, Washington Co., PA; Executor: Ronald D. Kline, 51 Boyka Drive, Finleyville, PA 15332; Attorney: Richard C. Mudrick, 300 Fallowfield Avenue, Charleroi, PA 15022

MALOY, STELLA I., a/k/a **STELLA IRENE MALOY**, late of Washington, Washington Co., PA; Executrix: Dana Matyjasek, 350 McGovern Ave., Washington, PA 15301; Attorney: Max C. Feldman, 1322 Fifth Avenue, Coraopolis, PA 15108

MILBOWER, MARY JEAN, late of Washington Co., PA; Executor: Anthony Milbower, 704 Glenn St, Canonsburg, PA 15317; Attorney: Roger J. Gaydos, 407 Oak Spring Rd., Canonsburg, PA 15317

PIATT, WARREN K., late of Scenery Hill, Washington Co., PA; Executors: William G. Piatt, 1090 McElree Road, Washington, PA 15301; John A. Piatt, 1417 Scenic Dr., Washington, PA 15301

POLINSKI, THEODORE J., late of Chartiers Township, Washington Co., PA; Executrix: Marilyn Hravnak, 475 Hickory Lane, Houston, PA 15342; Attorney: Jeffrey P. Derrico, Greenlee Derrico Posa, LKLC, 60 E. Beau St., Washington, PA 15301

REVIS, EVERETT, late of Houston, Washington Co., PA; Executors: Shawn Revis, 1317 Collins Avenue, Jefferson Hills, PA 15025; Tammy Stollar, 209 Beechview Street, Houston, PA 15342; Attorney: D. Scott Lautner, 68 Old Clairton Rd., Pittsburgh, PA 15236

ROACH, DONALD, late of Bulger, Washington Co., PA; Executrix: Kelly Nencioni, 111 Jefferson St., PO Box 78, Midway, PA 15060; Attorney: Loretta B. Kendall, 364 E. Lincoln Ave., McDonald, PA 15057

STRIMEL, NORMA J., late of Washington, Washington Co., PA; Executors: John J. Mullins, Jr., 135 Campground Rd., Avella, PA 15312; LuAnn Morris, PO Box 78, Cokeburg, PA 15324, Sharon L. Anderson, 461 Arden Rd., Washington, PA 15301; Attorney: Jennifer C. Bittel, Zacharia Brown PC, 4500 Walnut St., McKeesport, PA 15132

THOMAS, LORETTA, late of Burgettstown, Washington Co., PA; Administrator: Dennis Thomas, 417 West Pittsburgh St., Burgettstown, PA 15021; Attorney: Mark S. Riethmuller, Speakman, Riethmuller & Allison, 6 South Main St., Ste 614, Washington, PA 15301

CORPORATION NOTICES

FICTITIOUS NAME

NOTICE is hereby given pursuant to the provisions of Section 311 of Act 1982-295 (54 Pa. C.S. Sec. 311), that a certificate was filed in the office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, for the conduct of a business in Washington County, Pennsylvania, under the assumed or fictitious name, style or designation is **COWORKING SPACE PA** with its principal place of business at 113 Little John Drive, McMurray PA 15317.

The name(s) and/or address(es) of all persons owning or interested in said business: JDM Collaborations LLC.

Jennifer Schiavoni
125 Technology Drive, Suite 202
Bailey Center I
Canonsburg PA 15317

2)32-1

FICTITIOUS NAME

NOTICE is hereby given pursuant to the provisions of Section 311 of Act 1982-295 (54 Pa. C.S. Sec. 311), that a certificate was filed in the office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, for the conduct of a business in Washington County, Pennsylvania, under the assumed or fictitious name, style or designation is **CARPER CUSTOM** with its principal place of business at 2041 West Chestnut Street, Washington PA 15301.

The name(s) and/or address(es) of all persons owning or interested in said business: Fred Carper, 507 Pleasant Valley Road, Washington, PA 15301.

2)32-1

CERTIFICATE OF ORGANIZATION

NOTICE is hereby given that Certificate of Organization – Domestic Limited Liability Company has been filed with the Department of State of the Commonwealth of Pennsylvania on or about 18 of February, 2019, for a Limited Liability Company established under the provisions of the Business Corporation Law of 1994, for **MATTES STABLES, LLC**. The proposed registered office in this Commonwealth is 71 Mosier Hill Road, Claysville PA 15323.

James W. Haines, Jr.
1202 West Main Street
Monongahela PA 15063

2)32-1

REAL ESTATE NOTICE

IN THE COURT OF COMMON PLEAS
OF BUTLER COUNTY, PENNSYLVANIA

CIVIL DIVISION No. 2019-10064

ROBERT L. HUNTER and GAIL J.
HUNTER, husband and wife, Plaintiffs

vs.

EDGAR L. RALSTON and WALTER J.
RALSTON, their heirs, unknown heirs,
executors, administrators, personal representatives, successors, assigns, and all persons claiming under them, Defendants.

TO: EDGAR L. RALSTON and WALTER J. RALSTON, their heirs, unknown heirs, executors, administrators, personal representatives, successors, assigns, and all persons claiming under them

NOTICE OF QUIET TITLE ACTION

You are hereby notified that the Plaintiffs have filed a Complaint to Quiet Title on January 22, 2019, against you at the above number and term. The parcel which

is the subject of this action is located in Center Township, Butler County, Pennsylvania, and is bounded and described as follows:

ALL of the coal mining rights, coal, oil, gas and minerals underlying that certain piece, parcel and tract of land situate in Center Township, Butler County, Pennsylvania, bounded and described as follows:

Butler County Tax Assessment Parcels 060-S15-A, 060-S15-A8, 060-S15-A10, 060-S15-A13, 060-S15-A23, and 060-S15-A25, as more particularly described at Deed Book Volume 1384, Page 477, the description in said Deed being incorporated herein as if fully set forth. Also, being the same coal, oil, gas, and mineral rights reserved to Harry Ralston at Butler County Deed Book 432, Page 344, and subsequently conveyed to Edgar L. Ralston and Walter J. Ralston at Butler County Deed Book 685, Page 165.

Further being Lots A (the 29.464 acre lot), 8, 10, 13, 23, and 25 recorded at Butler County Plan Book 64, Page 18, Plan Book 91, Page 2, and Plan Book 92, Page 33.

You are hereby notified to plead to the above-referenced Complaint on or before twenty (20) days from the date of this publication or a judgment by default will be taken against you and unless within thirty (30) days from the entry of said judgment by default you commence an action in ejectment against the Plaintiffs, a Final Decree may be entered against you, forever barring you from asserting any right, title, interest or claim in said property inconsistent with the claim of Plaintiffs.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in

writing with the court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiffs. You may lose money or property or other rights important to you.

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 ASSISTANCE TO ELIGIBLE PERSONS AT A REDUCED FEE FOR NO FEE.

Office of Prothonotary, Butler County
First Floor, County Courthouse
300 South Main Street
Butler, PA 16001
(724) 284-5214

Butler County Bar Association
240 South Main Street
Butler, PA 16001
(724) 841-0130

Thomas J. May, Esquire
Attorney for Plaintiffs
DILLON McCANDLESS KING
COULTER & GRAHAM L.L.P.
128 West Cunningham Street
Butler, PA 16001

6)32-1

FAMILY COURT RULES

ACTIONS FOR SUPPORT

RULE 1910.4. Commencement of Action. Fees

Any statutorily authorized fee shall not be collected from a party otherwise obligated to pay such a fee in the following circumstances:

- (1) Where a party has been granted leave by the Court to proceed *in forma pauperis*;
- (2) Where the hearing officer or the Court finds that the party is financially unable to pay;
- (3) Where the party is a recipient of cash assistance from any state Department of Human Services;
- (4) Where any action requiring a fee is taken by the IV-D Attorney; or
- (5) Where the Court otherwise directs.

RULE 1910.5. Complaint. Order of Court. Continuances

(a) Motions for continuances of proceedings before the hearing officer or a conference officer will be presented by the moving party to the judge to whom the case is assigned in motions court prior to the scheduled proceeding. The moving party shall file the order granting or denying the continuance in the Domestic Relations Section.

(b) A motion for a continuance shall set forth the following information:

A clear, concise and certain reason for the motion;

A statement that opposing counsel or the opposing party, if unrepresented, has no objection to the request for continuance, if applicable;

A statement of the number of prior continuances, if any; and

If another court appearance is the reason for the request, a copy of the notice or order of the conflicting proceeding shall be attached.

(c) The Notice of Presentation shall include the date of service of the motion upon the opposing counsel or the opposing party, if unrepresented, and the date of service of the motion upon the Domestic Relations Section.

RULE 1910.10.1. Hearing Procedure

(a) The alternative hearing procedure of Pa.R.C.P. 1910.12 is adopted in all actions for support through the Domestic Relations Section.

(b) If the parties are unable to reach an agreement during the support conference the procedures of Pa.R.C.P. 1910.12(b)(1) shall be followed and an interim order of support entered pending hearing before the Hearing Officer.

RULE 1910.10.2. Alimony Pendente Lite

A claim for alimony *pendente lite* shall be raised by filing a complaint with the domestic relations section pursuant to Pa.R.C.P. No. 1920.31(a)(2).

RULE 1910.12. Office Conference. Hearing. Record. Exceptions. Order.

(a) All exceptions must be filed with the Domestic Relations Sections Docket Clerk. Any party filing exceptions shall provide an original and two (2) copies of the exceptions at the time of filing. Further, the party filing exceptions shall provide to the Docket Clerk a receipt indicating that the \$50.00 deposit required by subsection (c) of this rule has been paid (subject to the provisions of Rule L-1910.4(b)) unless an attorney filing the exceptions on behalf of the party certifies in writing that no transcript is required.

(b) The party filing exceptions shall serve opposing counsel or the opposing party, if unrepresented, with copies of the exceptions by the end of the next business day following the filing of the exceptions.

(c) Any party filing exceptions shall order from the court reporter the transcript of testimony unless the attorney for the party filing exceptions certifies in writing that the transcript is not required. Any party ordering the transcript shall pay a deposit of \$50.00 to the Court Administrator for the court reporter before the transcript is prepared. The deposit shall be applied against the total cost of the transcript. The judge to whom the case is assigned shall not be provided with a copy of the transcript unless the same has been ordered and paid for in full by a party or counsel.

(d) Briefs in support and in opposition to the exceptions shall be filed with the Domestic Relations Section no later than the dates directed in the order of court setting the argument date on the exceptions. Each party filing a brief shall serve a copy of the brief on the opposing party and counsel not later than the end of the next business day following the filing of the brief with the Domestic Relations Section Docket Clerk. Every brief filed with the Domestic Relations Section shall contain an original and one (1) copy.

(e) If the party filing for exceptions fails to file a brief in support of those exceptions by the designated filing date, the responding party shall not be required to file a brief in opposition to those exceptions, but may file a brief if desired. However, if the responding party has filed exceptions in response to the other party's exceptions filing, the responding party shall file a brief in support of those cross or counter exceptions by the date directed in argument notice.

RULE 1910.17.2. Consent Support Orders

(a) All consent support orders should be prepared on current forms provided by the Domestic Relations Section in conformance with the Pennsylvania Child Support System (PACSES).

(b) The order must be clear and concise and shall adhere to both procedural and substantive statutory and case law requirements.

(c) If a support action has not yet been initiated for the case for which the consent support order is being filed, the consent support order shall include along with filing the current intake information sheet and a properly completed complaint for support.

RULE 1910.17.3. Marriage Settlement Agreements

In existing support cases where a marriage settlement agreement is signed following the entry of the support order which modifies the terms of the current support obligation, counsel for either party shall file the marriage settlement agreement and a copy of the divorce decree with the Domestic Relations Section. Upon filing of this marriage settlement agreement, a new order of support in conformance with the marriage settlement agreement and divorce decree shall be drafted by the Domestic Relations Section and forwarded to the Court for entry. If the marriage settlement agreement does not address arrears or resolve the issue of medical coverage, including medical expense reimbursement, for the involved dependents, the Domestic Relations Section will schedule a conference with the parties.

RULE 1910.17.4. Stipulations Before the Divorce Master

In existing support cases where the parties enter into a stipulation before the Divorce Master following the entry of the support order which modifies the terms of the current support obligation, counsel for either party shall file the stipulation and a copy of the divorce decree with the Domestic Relations Section. Upon filing of this stipulation, a new order of support in conformance with that stipulation and divorce decree shall be drafted by the Domestic Relations Section and forwarded to the Court for entry. If the stipulation does not address arrears and medical coverage, including medical expense reimbursement, for the involved dependents, the Domestic Relations Section will schedule a Conference with the parties.

RULE 1910.19. Support. Modification. Termination. Guidelines as Substantial Change in Circumstances.

(a) The petitioner shall file an original and three (3) copies of the petition with the Domestic Relations Section Docket Clerk.

(b) The Domestic Relations Section shall not accept for filing a petition which seeks any of the following without leave of court:

- (1) To modify an order that is on appeal to the court pursuant to a recommended order; or,
- (2) To modify an order which has been entered within the past six (6) months.

(c) The Domestic Relations Section shall provide notice of the refusal to the party seeking the modification.

(d) A party whose petition has been refused may present to the judge to whom the case is assigned a motion to permit the filing of the modification, on forms provided by the Domestic Relations Section. Notice of presentment of the motion must be given to the opposing party in accordance with the applicable local rules of civil procedure.

(e) If leave of court is granted to file the petition for modification, the date of the first attempted filing shall be used as the filing date.

RULE 1910.25.2. Civil Contempt. Office Conference. Agreement. Alternative Procedures Upon Failure to Agree.

The alternate hearing procedure of Pa.R.C.P. 1910.25-4 is adopted in all civil contempt actions for support through the Domestic Relations Section.

**ACTIONS FOR CUSTODY, PARTIAL CUSTODY,
AND VISITATION OF MINOR CHILDREN**

RULE 1915.1. Scope

(a) These rules shall apply to actions for custody and partial custody of minor children and to modification of existing orders relating thereto as governed by the Pa.R.C.P. 1915.1 – 1915.25 and by reference, 1920.32.

(b) A copy of these rules shall be accessible by the public in the Washington County Law Library and on the website of the Twenty-Seventh Judicial District at www.washingtoncourts.us.

RULE 1915.3. Commencement of Action. Complaint. Order

(a) All actions raising custody, partial custody, or modification of an existing order for a minor child shall be commenced by the filing of a verified complaint or, in the case of a custody count in an action for divorce, a petition and a separate scheduling order as set forth in subsection (h) of this rule. The scheduling order shall be filed and processed in accordance with this rule.

(b) The moving party shall proceed to the Office of the Court Administrator – Civil Division with an original and two (2) copies of the complaint or petition and the separate scheduling order for an assignment of a date and a time for the Initial Custody Meeting. The Initial Custody Meeting shall be scheduled for a date and a time not later than forty-five (45) days after the filing of the complaint or petition. The Court Administrator shall present the complaint or petition to the judge to whom the case is assigned for signature and return the signed complaint or petition to the moving party, along with information about the Parenting Program. The moving party shall immediately file the complaint or petition with the Prothonotary, and provide a copy of the scheduling order to the Office of the Court Administrator – Civil Division. A copy of the scheduling order will then be delivered by the moving party to Office of the Court Administrator – Civil Division. The moving party shall attach copies of each to the filed, time-stamped copies of the complaint or petition and serve the defendant(s) with the complaint or petition, the Parenting Program information and a copy of the Parent Plan form.

(c) The moving party shall file proof of service of the complaint or petition with the Washington County Prothonotary and provide a copy of the proof of service of the complaint or petition, the Parenting Program information, and a copy of the Parent Plan form to the Office of the Court Administrator – Civil Division prior to the Initial Custody Meeting.

(d) The presentation of the pleadings referred to in subdivision (a) shall be the responsibility of the moving party and if necessary, may be *ex parte*. The moving party shall be responsible for filing and serving the pleadings in accordance with Pa.R.C.P. 1930.4. The moving party shall ensure that a minimum of seven (7) days' notice of the meeting or conference or any other appropriate proceeding is afforded to any interested parties. In the event minimum notice cannot be afforded to any interested parties, the moving party shall immediately notify the Office of the Court Administrator – Civil Division.

(e) All appropriate costs and fees shall be paid at the time of filing.

(f) A duplicate copy of all other pleadings and documents shall be provided to the Office of the Court Administrator – Civil Division.

(g) Custody Education Program. As a prerequisite to court involvement, following the filing of a complaint or petition, all parties to the action are ordered to attend the mandatory Parenting Program, which has been approved, sanctioned, and authorized by the Court, prior to the Initial Custody Meeting. Failure of a party to attend the Parenting Program may result in sanctions being imposed, including, but not limited to, being prohibited from proffering evidence at the conference, or being held in contempt by the Court.

(h) Form copies of the complaint, petition, and separate scheduling order referenced in subdivision (a) shall be accessible to the public in the Office of the Court Administrator – Civil Division and on the website of the Twenty-seventh Judicial District at www.washingtoncourts.us.

RULE 1915.5. Preliminary Objections. Discovery

(a) Objections to jurisdiction, venue, joinder of parties, and standing shall be filed and presented to the judge to whom the case is assigned. The Court shall order a briefing schedule and schedule argument on the objections.

(b) Discovery shall be permitted only by leave of court; however, nothing in these rules shall prohibit an agreement among the parties for discovery not otherwise authorized by these rules.

RULE 1915.6. Intervenor

If a person has standing to pursue custody under 23 Pa. Con. Stat. §§ 5324 or 5325, but is not a party to an existing custody action, he or she may file a petition to intervene in accordance with the procedure set forth in Wash.L.R.C.P. 1932.

RULE 1915.7. Custody Consent Agreement

(a) When parties have reached a consent agreement concerning custody of their minor child(ren) and the appointment of a child custody conference officer is unnecessary, the party(parties) may seek to have the consent agreement approved by the Court and may submit a proposed order of court by using the following procedure:

a complaint in custody in substantial compliance with Pa.R.C.P. 1915.15(a) along with the proposed Custody Consent Agreement, signed by the parties and counsel, if any, and captioned as “Complaint for Custody/ Proposed Custody Consent Agreement,” shall be filed with the Prothonotary after paying the appropriate filing fees and costs;

the complaint and the Custody Consent Agreement with proposed order attached shall be presented to the judge to whom the case is assigned for approval;

if approved by the Court, the Custody Consent Agreement with signed order of court attached shall be filed with the Prothonotary; and

if the agreement is not approved by the Court, the moving party shall pay any additional filing fees within thirty (30) days and prepare a scheduling order for an assignment of a date and a time for the Initial Custody Meeting in

accordance with Wash.L.R.C.P. 1915.3(b). The failure to comply with this rule shall result in dismissal of the action without further notification to the parties.

(b) If the custody issue arises from a count in a divorce complaint or counterclaim, there is no need to draft and file a custody complaint as outlined in subsection (a) above or Wash.L.R.C.P. 1930.27(a). Rather, the parties should include the docket number for the divorce case on the proposed Order attached to the Custody Consent Agreement before presenting it to the judge to whom the case is assigned for review.

(c) When using these procedures, there is no condition precedent that the parties attend the Custody Education Program set forth in Wash.L.R.C.P. 1915.3(g).

RULE 1915.8. Physical and Mental Examinations of Persons

All motions or petitions concerning the physical and/or mental examination of a person shall be presented directly to the judge to whom the case is assigned in accordance with Wash.L.R.C.P. 1932.

RULE 1915.12. Contempt

(a) All petitions for contempt for failure to comply with an order related to custody shall be presented to the judge to whom the case is assigned. After consideration of the argument of the parties and the certification, the Court shall determine whether the petition is to be heard directly by the Court or by a child custody conference officer.

(b) If the Court chooses to hear the petition directly, a hearing on the matter shall be scheduled.

(c) If the Court chooses to refer the matter to a child custody conference officer, the petitioner shall present a copy of the executed order doing so to the Office of the Court Administrator – Civil Division so that the matter may be scheduled.

(d) Absent the specific approval of the Court, all contempt hearings conducted by a child custody conference officer shall be limited to one and one-half hours. During the course of that hearing, the child custody conference officer shall attempt to conciliate the matter. If the child custody conference officer is unable to resolve the matter, he or she shall direct the parties to present evidence. The evidentiary portion of the proceeding shall be recorded.

(e) The child custody conference officer shall prepare a recommended order disposing of the contempt petition as well as a narrative report specifying the reasons in support of the recommendation. While only the former shall be filed with the Prothonotary, the latter shall be available for review in the Office of the Court Administrator – Civil Division.

(f) In the event that either party disagrees with the recommended order, that party may file exceptions with the Prothonotary within twenty (20) days after the recommended order is filed. Each exception shall set forth a separate objection precisely and without elaboration. Matters not covered by exceptions are deemed waived unless, prior to the entry of the final order, leave is granted to file exceptions raising those matters. If exceptions are filed, any other party may file exceptions within twenty (20) days of the date of service of the original exceptions.

(g) If no exceptions are filed within the twenty-day period, the recommended order shall become a final order of court.

(h) If exceptions are filed, the Court shall hear argument on them within forty-five (45) days of the date the last party files exceptions, and enter an appropriate final order within fifteen (15) days of argument.

RULE 1915.13. Special Relief

Motions for special relief should be for matters of an emergency nature and shall be presented to the judge to whom the case is assigned. A complaint in custody must be filed prior to presentation of the motion. Other matters of a non-emergent nature shall be disposed of in accordance with Wash.L.R.C.P. 1932. A motion for special relief may be denied without a hearing.

RULE. 1915.26. Child Custody Conference Officer

The position of child custody conference officer is hereby established. The child custody conference officer shall be appointed by the Court and shall be a member in good standing of the Pennsylvania Bar. The child custody conference officer may act as a hearing officer when presiding over matters pursuant to Pa.R.C.P. 1915.4-2.

RULE 1915.27. Assignment of Petitions to Modify

A petition to modify a custody order will be assigned to the child custody conference officer who handled the original custody complaint whenever possible.

RULE 1915.28. Continuances

(a) A motion for a continuance of a proceeding before the child custody conference officers shall be presented to the judge to whom the case is assigned in Motions Court prior to the scheduled proceeding. The order granting or denying the continuance shall be filed with the Prothonotary, and copy contemporaneously provided to the Office of the Court Administrator – Civil Division.

(b) A \$50.00 fee will be charged for continuances except that a party who seeks and receives a continuance on the day of a scheduled meeting or conference the party will be charged a \$100.00 fee. The continuance fee shall be paid by the moving party to the Prothonotary at the time the order is filed.

(c) A motion for a continuance shall contain the following information:

1. a clear, concise, and certain reason for the motion;
2. whether the continuance is consented to by the opposing party;
3. a statement of the number of prior continuances, if any; and
4. if another court appearance is the reason for the request, a copy of the notice or order of the conflicting hearing shall be attached.

(d) The Notice of Presentation shall comply with Wash.L.R.C.P. 208.2 and 208.3(a).

L-1915.29 PRE-CUSTODY CONCILIATION MEETING PROCEDURE

(a) The parties shall make a good faith effort to resolve the custody and/or visitation issues prior to the meeting. If resolution occurs prior to or at the time of the meeting, a proposed order may be drafted in accordance with Pa.R.C.P. No. 1915.7 and submitted to the Court for approval through the Child Custody Conference Officer, or the parties may follow L-1915.30(b).

(b) The Civil Division of the Court Administrator's Office will give counsel of record at least ten (10) days notice before any proceeding is conducted.

(c) The Civil Division of the Court Administrator's Office will give a party who is not represented by counsel at least ten (10) days notice before any proceeding is conducted.

L-1915.30 PRE-CUSTODY CONCILIATION MEETING

(a) Each parent shall file a Washington County Parent Plan form with the Civil Division of the Court Administrator's Office no later than thirty (30) days from the filing of the Custody Complaint or Modification Petition. The Parent Plan form may be found at Appendix F. The finder of fact may draw a negative inference against the party who fails to comply with this requirement.

(b) The parties may also at any time present a Consent Custody Order to the Family Court Judge to whom the case is assigned. If a Pre-Custody Conciliation Meeting or Custody Conciliation Conference has been previously scheduled at the time a party presents the Consent Custody Order to the Family Court Judge, the party shall provide a copy of the signed Consent Custody Order to the Civil Division of the Court Administrator's Office to ensure the Pre-Custody Conciliation Meeting or Custody Conciliation Conference is cancelled.

(c) If no Consent Custody Order pursuant to subsection (b) is presented to the Family Court Judge to whom the case is assigned, the Pre-Custody Conciliation Meeting shall proceed as originally scheduled.

(1) All parties shall be present at the Pre-Custody Conciliation Meeting unless otherwise ordered by the Court.

(2) The Child Custody Conference Officer will attempt to mediate the differences between the parties using mediation skills to come to an amicable settlement of those differences.

(3) The Child Custody Conference Officer will insure that the parties have submitted the completed Parent Plan form. The finder of fact may draw a negative inference against the party who fails to comply with this requirement. The Child Custody Conference Officer shall also insure that the mandated parenting program has been completed by the parties and certification presented.

(4) If the issue of custody cannot be resolved at the pre-custody conciliation meeting or continued meeting, the Child Custody Conference Officer shall schedule a custody conciliation conference if he/she determines that the issue concerns primary physical custody.

(5) If the issue of custody cannot be resolved at the pre-custody conciliation meeting or continued meeting, the Child Custody Conference Officer

shall then determine whether the issue to be addressed concerns less than primary physical custody. If the issue is less than primary physical custody and both parties consent, the Child Custody Conference Officer shall schedule a hearing. The hearing shall be on the record pursuant to Pa.R.C.P. 1915.4-2

(b) The Child Custody Conference Officer/ Hearing Officer shall receive evidence and hear argument, as well as issue a recommendation to the Court in accordance with PA. R.C.P 1915.4-2(b)(2) & (3). If any party disagrees with the recommendation, exceptions shall be filed as provided by Pa. R.C.P. 1915.4-2(b)(4).

L-1915.31 CUSTODY CONCILIATION CONFERENCE

(a) All parties and any child for whom primary physical custody is sought shall be present at the Custody Conciliation Conference, unless otherwise ordered by the Court. Failure of a party to appear at the Custody Conciliation Conference may result in the entry of a custody or visitation order by the Court on the recommendation of the Child Custody Officer in the absence of that party. The absent party may also be subject to contempt proceedings, if appropriate.

(b) The Child Custody Conference Officer will conduct informal proceedings and allow the parties and their witnesses to participate. The Child Custody Conference Officer shall control the presentation of evidence and will determine the amount of time allotted to each party for presentation of his/her case. Counsel, or the party himself/herself if unrepresented, may summarize his/her case to the Child Custody Conference Officer. The Child Custody Conference Officer may take testimony from the parties and any witnesses by swearing in said parties and having said parties offer testimony under oath. The proceeding will not be transcribed. At the discretion of the Child Custody Conference Officer, a witness(es) may be permitted to participate via telephone pursuant to Administrative Order 2004-1, In Re Family Court, dated October 26, 2004, pertaining to telephone testimony and subject to subsection (e) below. The conference will last no longer than one-half (1/2) day unless the Child Custody Conference Officer deems one or more issues complex in which event additional proceedings may be scheduled. If an agreement is reached, the agreement shall be prepared and signed in the form of a Custody Consent Order. If no agreement can be reached, the Child Custody Conference Officer will prepare a Summary Report and Recommended Order and forward same to the Court for the Court's consideration.

(1) The Summary Report and Recommended Order will be prepared and presented to the court within ten days of the date of the proceeding. The Summary Report will include the following:

- a. The results of mental and physical evaluations and home studies, if any.
- b. Findings of fact on jurisdiction or venue issues, if in question.
- c. Recommendations for custody/visitation.

(c) The Recommended Order will normally be signed by the Family Court Judge to whom the case is assigned.

(1) The Recommended Order will become a final order unless a Request for Custody Trial De Novo and Pretrial Conference is filed within twenty (20) days after the Recommended Order is mailed or received by the parties,

whichever occurs first. A copy of the order shall be provided to the parties by the Prothonotary in accordance with Pa.R.C.P. 236 with a copy to the Civil Division of the Court Administrator's Office.

(2) If a party makes a timely request for a Trial De Novo and Pretrial Conference, the Recommended Order will remain in effect pending further order of the Court.

(d) After the Family Court Judge to whom the case is assigned signs the Recommended Order, the attorneys representing the parties, or the parties if acting *pro se*, may review the Summary Report in the Court Administrator's Office – Civil Division within the twenty (20) day time period specified in paragraph (c)(1) above. The Summary Report will not be filed in the Prothonotary's Office. It will not be released from the Court Administrator's Office – Civil Division, nor may parties or attorneys make copies of the Summary Report.

(e) A party requesting to participate by telephone shall submit written consent from the opposing party(parties) to the Civil Division of the Court Administrator's Office. If represented by counsel, counsel shall provide written consent to the Civil Division of the Court Administrator's Office at least ten (10) days prior to the conference. If no consent is given by the opposing party to the requesting party (parties), relief must be obtained from the Custody Conference Officer or Hearing Officer pursuant to Administrative Order 2004-1, In Re Family Court, dated October 26, 2004, pertaining to telephone testimony. The requesting party shall contact the Civil Division of the Court Administrator's Office to seek such relief.

L-1915.32 INTERIM ORDERS

(a) At the time of the initial custody meeting where issues regarding the temporary rights of the parties to custody or visitation of a non-emergency nature, as well as the arrangements for psychiatric or psychological examinations, home evaluations, and/or drug testing, are presented to the Child Custody Conference Officer, the Officer may submit to the Family Court Judge to whom the case is assigned a proposed interim order which will be reviewed by the Court and signed, if the Court deems the order appropriate. A copy of this signed order will be provided to the parties by the Prothonotary in accordance with Pa. R. Civ. P. 236 with a copy to the Civil Division of the Court Administrator's Office.

(b) Any person not satisfied with the interim order may pursue an application for special relief in accordance with Local Rule 1915.13.

RULE 1915.4-3. Request for Trial De Novo and Pre-trial Conference

(a) A party may file a Request for a Trial De Novo and Pretrial Conference with the Prothonotary within twenty (20) days after the Recommended Order issued following the custody conciliation conference is mailed or received by the parties, whichever occurs first. The request must be presented to the judge to whom the case is assigned for the scheduling of the pretrial conference. The form of the scheduling Order may be found at the website of the Twenty-seventh Judicial District at www.washingtoncourts.us.

(b) A copy of the filed request with the scheduled pretrial conference date and time must be served on the other counsel, or if the party is a *pro se* litigant, the request

must be served on the party. A copy must be delivered to the Office of the Court Administrator – Civil Division.

(c) A trial de novo will be scheduled, barring extenuating circumstances, within ninety (90) days of the request. The pretrial conference shall be held during the period between the request for trial de novo and the scheduled hearing. Any psychological reports ordered should be obtained during the same period and presented to the judge to whom the case is assigned, along with the parties' pretrial statements, at least five (5) days in advance of the pretrial conference.

RULE 1915.4-4. Pre-trial Conference before the Court

(a) All parties shall be present at the judicial pretrial conference unless said required attendance is waived by way of Court Order. Failure of a party to appear at the judicial pretrial-conference may result in the entry of a custody/visitation order by the Court. Any child for whom custody is sought shall not attend unless ordered to do so.

(b) The Court will attempt to obtain a consent agreement on any pending custody issues. Any agreement shall be reduced to writing and entered as an order of Court. Upon request, the judge to whom the case is assigned will meet privately with the parties' counsel in an attempt to better define the issues and settle the custody dispute.

RULE 1915.37. Limited Representation in Custody

(a) Any individual who is referred under the Washington County Bar Association Limited Representation Custody Program to Southwestern Pennsylvania Legal Services or another participating member of the Washington County Bar Association for representation as a litigant in a custody action, shall be granted leave to proceed in forma pauperis. Counsel representing these individuals shall present to the Prothonotary a Praeceptum to Proceed in Forma Pauperis which shall be endorsed by counsel and which shall have attached to it a Certificate of Eligibility. The Praeceptum shall be in the format set forth on the website of the Twenty-seventh Judicial District at www.washingtoncourts.us.

(b) An attorney who provides representation to the litigant under the Washington County Bar Association Limited Representation Custody Program shall be permitted to enter a Limited Appearance. The Limited Appearance shall be set forth on the website of the Twenty-seventh Judicial District at www.washingtoncourts.us.

(c) Upon completion of the representation under the above described referral program, the attorney shall file a Praeceptum for Withdrawal of Limited Appearance. This praecipe shall be filed without leave of court. The litigant shall be given notice of the filing of the Praeceptum for Withdrawal of Limited Appearance five (5) days before the filing of the praecipe with the Prothonotary. The praecipe may contain information about another attorney who may be entering his/her appearance. The praecipe shall direct the Prothonotary to send all future notices directly to the client and shall set forth the client's last known address unless there is a substitute attorney. The Withdrawal of Appearance shall be in the attached format set forth on website of the Twenty-seventh Judicial District at www.washingtoncourts.us.

**ACTIONS OF DIVORCE OR ANNULMENT OF MARRIAGE
ACTIONS FOR DIVORCE OR ANNULMENT**

RULE 1920.3. Commencement of Action

(a) A duplicate copy of the complaint shall be filed with the Prothonotary who shall forward it to the Office of the Court Administrator – Civil Division. Upon receipt of the complaint, the Court Administrator shall assign the case to a judge pursuant to Wash.L.R.C.P. 200.1.

(b) A duplicate copy of other pleadings and other substantive documents shall be filed with the Prothonotary who shall forward it to the Office of the Court Administrator – Civil Division, specifically including petitions and orders to bifurcate proceedings.

(c) At the time of the filing of the complaint, the plaintiff will pay the non-refundable charge as set forth in the Custody/Divorce Fee Schedule, which is accessible to the public in the Prothonotary and on the website of the Twenty-seventh Judicial District at www.washingtoncourts.us. Each item of relief requested in the original complaint or any future amended complaints shall be designated in a separate numbered count. The Prothonotary shall in the monthly report indicate the amount collected pursuant to this rule.

(d) When a request for appointment of a master in divorce or child custody conference officer is made, the request must be accompanied with proof of payment of the non-refundable master fee as set forth in the applicable fee schedule.

RULE 1920.32. Joinder of Related Claims. Custody. Hearing by Court.

(a) All complaints containing a custody count and all counts of custody filed separately must be accompanied with a proposed scheduling order if the moving party is seeking to have the custody count immediately addressed by the Court. The order shall be processed in accordance with Wash.L.R.C.P. 1915.3. If the moving party does not seek to have the custody count immediately addressed by the Court, the party may subsequently seek Court action on the custody count by presenting a scheduling order to the Office of the Court Administrator – Civil Division.

(1) The proposed scheduling order shall be in substantially similar form to that found on the Court’s website at www.washingtoncourts.us, or in the Washington County Law Library.

(b) The custody count shall follow the practice and procedures governing custody by filing a custody complaint or petition and scheduling order at the divorce case number with the Prothonotary.

RULE 1920.33. Joinder of Related Claims. Distribution of Property. Enforcement.

(a) If a party fails to comply with the requirements of Pa.R.C.P. 1920.33 in a proceeding before a master in a divorce case, the master shall, except upon good cause shown, bar the offending party from offering any testimony or introducing any evidence in support of or in opposition to claims for the matters not covered therein.

(b) During a proceeding before a master in a divorce case, a party shall, except upon good cause shown, be barred from offering any testimony or introducing any evidence that is inconsistent with or which goes beyond the fair scope of the information set forth in the pre-trial statement.

RULE 1920.42. Affidavit and Decree under §3301(c) or §3301(d) of the Divorce Code. Notice of Intention to Request Entry of Divorce Decree in §3301(c) and §3301(d) Divorces. Counter-Affidavit.

(a) Where both parties have filed affidavits under §3301(c) of the Divorce Code evidencing consent to the entry of a final decree, the plaintiff shall file with the Prothonotary a Praecipe to Transmit Record indicating whether a marital settlement agreement should be incorporated or merged into the decree.

(b) If a complaint has been filed requesting a divorce on the grounds of irretrievable breakdown and the party has filed an affidavit under §3301(d) of the Divorce Code, the averments of which the parties have either admitted or not denied, the parties shall file with the Prothonotary a Praecipe to Transmit Record indicating whether a marital settlement agreement should be incorporated or merged into the decree.

Note: See requirements of Wash.L.R.C.P. 1920.73.

RULE 1920.43. Special Relief

Requests for injunctive relief shall be presented to the judge to whom the case is assigned and not to the master in divorce. All motions must be presented to the judge to whom the case is assigned including motions to continue master's hearings.

1920.45. Counseling

(a) The Office of the Court Administrator – Civil Division will maintain a list of counselors approved for use by the Court. The parties may agree to use the services of a counselor or agency not on the list approved by the Court.

(b) In the event the parties cannot agree on any or all of the following issues, the moving party shall petition the Court to determine:

- (1) Which party shall pay for counseling or how the payments for counseling shall be apportioned;
- (2) The counselor or agency to be utilized; and
- (3) The number of counseling sessions pursuant to §3302 of the Divorce Code.

RULE 1920.51. Hearing by the Court. Appointment of Master. Notice of Hearing.

(a) Any divorce case may be referred to a master appointed by the Court. The order appointing the master shall specify the matters which are referred to the master.

(b) If a party brings a motion to appoint a master, the motion and proposed order shall be in substantially the same form as that found on the Court's website at www.washingtoncourts.us, or in the Washington County Law Library. Proof of payment of the master fee shall accompany the motion and proposed order, unless the fee is waived by the Court.

- (i) The motion and proposed order shall be delivered to the Office of the Court Administrator – Civil Division. The Court shall act upon the motion, and, if granted, the Court Administrator shall assign the master. The Office of the Court Administrator – Civil Division shall then contact the moving party to pick up the motion and order and file same with the Prothonotary.

(ii) The parties may jointly seek the appointment of a special master in appropriate cases by filing and presentation of a motion. The motion shall specify the payment terms of the special master, including the apportionment of the payment and the terms and conditions of the payment. The motion shall also address the provisions made by the parties for stenographic services and shall set forth the apportionment and terms and conditions of the payment for these services. The special master shall comply with the Pennsylvania Rules of Civil Procedure and the Local Rules of Civil Procedure. The moving party shall provide a copy of the motion and order to the Office of the Court Administrator – Civil Division.

(c) A master in divorce shall give counsel of record or a party who is not represented by counsel at least ten (10) days' notice before conducting any conference or hearing.

(d) At least ten (10) days prior to the first conference, both parties shall file a summary of assets and liabilities, a designation of the parties' incomes and support obligations and a proposal for a resolution of all issues.

(e) The statutory grounds for the divorce shall be specifically set forth in the motion for appointment and shall be consistent with the pleadings in the action.

(f) When the grounds for the divorce are based on Section 3301(c) of the Divorce Code, the movant shall have filed an Affidavit of Consent prior to or at the time of the presentation of the motion.

(1) When the grounds for the divorce are based on Section 3301(d) of the Divorce Code, at least one of the parties shall have filed a 3301(d) affidavit and shall have filed proof of service of a section 3301(d) counter affidavit upon the other party.

(2) Prior to the filing of a motion to appoint a master, the moving party shall file his or her inventory pursuant to Pa.R.C.P. 1920.33(a) & 1920.75.

(g) A copy of any order granting a continuance of a proceeding before a master must be provided by the moving party to the Office of the Court Administrator – Civil Division.

(1) A \$50.00 fee shall be charged for continuances; provided, however, that the fee shall be \$100.00 for a party who seeks and receives a continuance on the day of the proceeding before a master. The continuance fee shall be paid by the moving party to the Prothonotary upon the filing of the motion and order.

(2) A motion for continuance shall be set forth in writing and contain the following information:

- (i) A clear, concise, and certain reason for the request;
- (ii) A statement that opposing counsel or the opposing party, if unrepresented, has no objection to the request for continuance, if applicable;
- (iii) A statement of the number of prior continuances, if any; and
- (iv) If another court appearance is the reason for the request, a copy of the notice or Order of the conflicting hearing shall be attached.

RULE 1920.53. Hearing by Master. Report.

Subject to the direction of the Court, the master shall have procedural and administrative control of the proceedings in regard to the detention of witnesses for examination and the general course of the proceedings. The master shall rule on objections to the competency or relevance of testimony, as well as the admissibility of evidence. If the master sustains the objection, the testimony shall not be heard or reported. Parties may file exceptions to the rulings of a master in accordance with Wash.L.R.C.P. 1920.55.

RULE 1920.54. Hearing by Master. Report. Related claims.

(a) The master shall subdivide the report into separate sections, one for each claim for relief raised in the proceedings.

(b) The master may afford the parties the opportunity to submit suggested findings of fact and/or conclusions of law within 30 days of the close of testimony.

(c) The master shall file the original and two copies of the report and recommendations with the Prothonotary who shall mail notice of the filing and a copy of the report and recommendations to counsel of record or to a party, if unrepresented.

(d) The master may file a preliminary report and recommendations concerning matters such as the basis for the divorce or the payment of counsel fees and expenses.

RULE 1920.55.2. Report of the Master. Notice. Exceptions. Final Decree.

(a) Exceptions to the report and recommendations of the master shall be filed with the Prothonotary and a copy shall be delivered to the Office of the Court Administrator – Civil Division. They shall then schedule argument on the exceptions or order that the matter will be decided on the briefs. The Prothonotary shall mail notices of the date and time of the argument on the exceptions, if one is scheduled, by first class mail to the counsel for the parties or to the parties if unrepresented.

(b) Exceptions may be filed to a preliminary master's report and recommendations only if the preliminary report and recommendations addresses the underlying basis for the divorce and must be limited to that issue only. In such a case, exceptions must be filed within twenty (20) days after the preliminary report and recommendations are mailed or received by the parties, whichever occurs first. No exceptions may be taken to any other issues included in the preliminary master's report and recommendations. Such issues will be included in the final master's report and recommendations, and parties may take exceptions thereto at that time.

(c) If exceptions are filed by a party, any other party may file exceptions within twenty (20) days of the date of service of the original exceptions.

(d) The excepting party must file its brief with the judge to whom the case is assigned no later than twenty (20) days before the scheduled argument, and the non-excepting party must file its brief no later than ten (10) days before the scheduled argument. If both parties file exceptions, the first party to file the exceptions must file its brief no later than twenty (20) days before the scheduled argument, and the opposing party must file its brief no later than ten (10) days before the scheduled argument. The Court may order submission on the briefs or the parties may agree to submit to the Court on the briefs without argument.

(e) Oral arguments shall be restricted to issues addressed in the exceptions.

(f) The Judge may remand the case to the master for further review, hear argument, conduct an evidentiary hearing, or grant any other appropriate relief.

RULE 1920.62. Proceedings by Indigent Parties

The procedures set forth in Wash.L.R.C.P. 240 are incorporated herein, and shall govern proceedings by indigent parties in divorce and annulment; provided, however, that the petition shall include a request that the Court require the other party to bear the costs of the action. In acting upon the petition, the Court may order the other party to pay all or part of such costs, or any other appropriate relief.

RULE 1920.73. Notice of Intention to Request Entry of Divorce Decree. Praecepto to Transmit Record. Forms.

When the grounds for divorce are based on §3301(c) or §3301(d) of the Divorce Code, the Praecepto to Transmit Record shall include the following:

Check applicable box:

(a) Section 3301(c) with incorporation of property/marital settlement

Yes () No ()

(b) Section 3301(d) with incorporation of property/marital settlement

Yes () No ()

**RULES RELATING TO DOMESTIC RELATIONS
MATTERS GENERALLY**

RULE 1930.4-1. Service of Original Process in Domestic Relations Matters

(a) The affidavit of service must set forth with particularity the pleadings, attachments and documents so served. In all domestic relations actions, including protection from abuse matters, the plaintiff shall serve the following notice to the defendant simultaneously with original process:

(Caption)

NOTICE

You are being served with original process in a domestic relations matter, and a proceeding has been, or may be scheduled, which could affect your rights. In the event a proceeding has been scheduled, you will be served with notice of the proceeding. If you are incarcerated and want to testify or present evidence, you must apply to the Court for a writ of *habeas corpus ad testificandum* to enable you to participate in the proceeding. The writ is available where an incarcerated individual wishes to testify as provided by statute or rule, as well as where the testimony is sought by another.

IF YOU FAIL TO APPLY TO THE COURT FOR A WRIT, YOU MAY BE UNABLE TO PARTICIPATE IN ANY PROCEEDINGS WHILE INCARCERATED.

(b) Proof of service shall be made that the notice in subsection (a) has been served in the manner set forth in Pa.R.C.P. 1930.4(h).

(c) Nothing contained in this rule shall alter, or otherwise modify, the rules governing the form of a complaint in an action for custody, partial custody, or visitation, complaint in divorce, or petition for protection from abuse.

(d) When service is made by registered or certified mail, restricted delivery, return receipt requested, the return receipt card shall be attached to the affidavit of service.

(e) When a special order for service is sought, a motion, or petition, shall be presented to the Court, setting forth what attempts have been made to serve the defendant, as well as the nature and extent of the good faith search to locate the defendant.

(f) The affidavit of service required under section 3301(d) of the Divorce Code may be served with the complaint.

RULE 1930.8. Self-Represented Party. Entry of Appearance

All appearances in domestic relations matters shall be entered in accordance with Wash.L.R.C.P. 1012 or Pa.R.C.P. 1930.8, if applicable.

RULE 1932. Motions

Motions practice in all domestic relations matters shall comport with Wash.L.R.C.P. 208.2 and 208.3 unless stated otherwise within this chapter.

RULE 1933. Sanctions

The master in a divorce case, the hearing officer in an action for support, or a child custody conference officer in a child custody case may invoke appropriate sanctions for failure to comply with the Pennsylvania Rules of Civil Procedure or the Local Rules of Civil Procedure or for conduct which is vexatious or which unreasonably serves to delay proceedings or make them more complicated. Appropriate sanctions include, but are not limited to, one or more of the following: a negative inference may be drawn against the party; the meeting, conference, or hearing may be rescheduled with the assessment of a continuance fee; the party who fails to comply with the rules may be barred from offering any testimony or introducing any evidence on the issue at bar; or other sanctions reasonably designed to ensure compliance with these rules and respect for the proceedings may be imposed.
