

Pennsylvania Rules of Court govern all action within and related to the courts.

General rules can be found at <http://www.pacode.com> or in written publication

Each county also has Local Rules that add to the general rules with regard to court action in that county. This is a written copy of the Local Rules of Court for Support in Washington County, Pennsylvania.

Effective January 1, 2019

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:

1. A clear, concise and certain reason for the motion;
2. A statement that opposing counsel or the opposing party, if unrepresented, has no objection to the request for continuance, if applicable;
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 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.