

## General Rules

*Any rules not set forth in the following are repealed.*

### 1900 Domestic Relations Action.

1. All actions for Protection From Abuse commenced pursuant to 1901.3 Pa.R.C.P., actions for Support commenced pursuant to 1910.4 Pa.R.C.P., actions for Custody or Visitation commenced pursuant to Pa.R.C.P.1915.3 Pa.R.C.P., and actions for Divorce commenced pursuant to 1920.3 Pa.R.C.P. shall be captioned as follows:

COURT OF COMMON PLEAS OF MONROE COUNTY  
43<sup>RD</sup> JUDICIAL DISTRICT  
COMMONWEALTH OF PENNSYLVANIA

MARY DOE,	:	NO. _____ Domestic Relations 200__
Plaintiff	:	
vs.	:	
JOHN DOE,	:	IN DIVORCE (or Custody)
Defendant	:	(or Support) (or P.F.A.)

2. Any party or attorney commencing a new action of the type hereinabove enumerated between the same parties involved in other pending actions governed by this Rule shall notify the Prothonotary of the number of such pending action. The new action shall be filed to the same number as the other pending actions involving the same parties.

**Rule 1900.1 Procedure to Recover Exhibits**

If no Exceptions or Appeal follow a Master's Hearing or Report, within forty-five (45) days of the filing of the Master's Report or the resolution of Exceptions, the parties shall recover their hearing exhibits from the Prothonotary or Court Reporter. If a party has not recovered hearing exhibits within sixty (60) days, the Prothonotary or Court Reporter shall notify Counsel to the parties or the parties themselves if they do not have Counsel, in writing by U.S. mail, first class, at their addresses of record that the exhibits will be destroyed thirty (30) days from the date of such notice. Any exhibits not retrieved timely shall thereafter be destroyed or otherwise disposed of by the Prothonotary or Court Reporter.

**Actions in Support/Alimony Pendente Lite**

**Rule 1910.1 Support and Alimony Pendente Lite**

These Support Rules shall control all actions or proceedings for support or alimony pendente lite.

**Rule 1910.4 Commencement of Action**

An action shall be commenced by filing a Complaint in the Monroe County Domestic Relations Office. Thereafter the original and one copy of all pleadings, petitions, briefs and Exceptions shall be filed in the Monroe County Domestic Relations Office which office shall promptly forward all original pleadings, petitions, briefs and Exceptions to the Monroe County Prothonotary.

### **Rule 1910.10 Alternative Hearing Procedure**

Hearings shall follow the procedure set out in Pa.R.Civ.P. 1910.12. The Support Master shall serve as the Monroe County Hearing Officer.

### **Rule 1910.12 Hearings, Continuances and Exceptions**

(a) Any requests for continuance of the office conference or of the Master's Hearing shall be made in writing to Monroe County Domestic Relations Office. Requests for continuance shall:

1. Bear the signature of both parties or both attorneys, or include any written agreement of the parties to the continuance, or set out the reason for the request for continuance if there is no agreement between the parties or their counsel.

(b) The Monroe County Domestic Relations Office shall have the discretion to grant or deny any continuances of office conferences. Master's Hearings shall only be continued upon good cause shown after review by the assigned Judge.

(c) Following hearing, the Support Master shall retain possession of any exhibits admitted at hearing. Upon the filing of the Support Master's Report, the Support Master shall return the exhibits to the Court Reporter. When the Court Reporter files the original transcript of hearing in the Office of the Prothonotary, the Court Reporter shall file the exhibits with the transcript.

(d) Within ten days after the date of the Support Master's Report, any party may file Exceptions to the report or any part thereof, to rulings on objections to evidence, to statements or findings of facts, to conclusions of law, or to any other matters occurring during the hearing.

Each Exception shall set forth a separate objection precisely and without discussion. Matters not

covered by Exceptions are deemed waived unless, prior to 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 ten days of the date of service of the original Exceptions. All Exceptions shall be filed in the Monroe County Domestic Relations Office.

Exceptions shall be accompanied by the following:

1. Attorney's check, certified check or money order payable to Domestic Relations for \$50.00, or \$50.00 in cash;
2. Attorney's check, certified check or money order payable to the Office of the Prothonotary for \$60.00, or \$60.00 in cash;
3. A Praeceptum for Argument listed on the first argument date occurring more than thirty days following the filing of Exceptions; in the form set out at 43 J.D.R.C.P. 211;
4. The Order of Court set out at Rule 1910.12-A
5. Briefs shall be filed in accordance with Monroe County Rules of Civil Procedure, 43 J.D.R.C.P. 210. Failure to timely file Briefs or to appear at Argument may constitute a default for which the exceptions may be stricken or denied, as the Court may deem just and proper.
6. A Certificate of Service on opposing counsel or on opposing non represented parties certifying service of the Exceptions and the Praeceptum for Argument.
7. The form order shall be attached to the Exceptions and the Praeceptum for Argument shall be presented as a separate document.

#### **Rule 1910.12-A Form- Exceptions Order**

The following form order shall be filed with all Support Exceptions:

**ORDER OF COURT**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2001, Plaintiff/Defendant having filed Exceptions to the recommendation of the Support Master, it is ordered as follows:

1. Both parties shall comply with the provisions of 43 J.D.R.C.P. 1910.12.
2. The Court Reporter is directed to transcribe the Notes of Testimony of the Support Master's hearing held on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_ and make a copy available to both parties or their counsel and file the transcript prior to \_\_\_\_\_.
3. Pending adjudication of the Exceptions, in accordance with Pennsylvania Rule of Civil Procedure 1910.12, the order dated (order date) is a temporary order with which the Plaintiff/Defendant must comply.
4. The parties must file their written statements or briefs with the Court in accordance with 43 J.D.R.C.P. 210.
5. The parties or counsel must appear in person for Argument Court on \_\_\_\_\_ at 9:00 a.m. in Courtroom No. \_\_\_\_\_, Monroe County Court House, 7th & Monroe Streets, Stroudsburg, PA 18360.

**BY THE COURT:**

\_\_\_\_\_  
J.

cc: (both parties)  
(all counsel of record)  
(court reporter)  
(Richard D. James, Esquire, Support Master)

## **Actions in Custody**

### **1915.1. Definitions**

“Conciliator” shall be an active-status attorney duly licensed to practice law in the Commonwealth of Pennsylvania and appointed by the Court.

“Conciliation Conference” shall be a prehearing negotiation meeting conducted under the auspices of the Court by the Conciliator.

“Evidentiary Hearing” shall be an evidentiary hearing before a judge of the Court of Common Pleas of Monroe County.

“Program” shall be the Monroe County Co-Parent Education Program.

“Provider” shall be the provider of the Monroe County Co-Parent Education Program.

### **1915.3. Commencement of Action. Complaint. Order. Fees**

(a) All complaints for custody, petitions for modification, petitions for contempt, and all motions for conciliation conference shall be substantially in the form set forth in Pa.R.C.P. 1915.15 or 1915.12, as applicable, filed with the Prothonotary, and forwarded promptly to the Court Administrator.

(b) Initial complaints and initial motions for conciliation conference shall be accompanied by a scheduling order, the co-parent order, information and registration forms, and a blank criminal or abuse history verification in the forms set forth at Local Rule 1915.22(1), (2) below and Pa.R.C.P. 1915.3-2(c).

(c) Upon the filing of any complaint, petition or motion relating to child

custody, the moving party shall pay a fee to the Prothonotary (in addition to the fees required by Local Rule 1940.5) in an amount set forth in the fee schedule adopted by the Court.

(d) Motions for the scheduling of a conciliation conference shall be in accordance with Local Rules 208.2(c), 208.2(d), and 208.3(a).

### **1915.3-3. Co-Parent Education Program**

(a) All parties to initial custody actions and to divorce actions in which the divorce complaint contains a count for custody shall attend and complete the four hour program entitled Co-Parent Education Program. The Court, in its discretion, may require repeat attendance.

(b) In divorce actions, parties with minor children may attend the Co-Parent Education Program but are not required to do so unless ordered by the Court.

(c) The parties shall register for the program using the registration form set out in these Rules and served with the custody complaint or motion. The moving party must register for the program within fifteen days after service of the order requiring attendance at the program and must complete the program within sixty days after service of the aforementioned order. The responding party must register for the program within fifteen days after service of the order requiring attendance at the program and must complete the program within sixty days after

service of the order. The provider shall certify the parties' attendance by filing a certificate of attendance with the Prothonotary.

Failure to comply with an order requiring attendance at the Co-Parent Education Program may result in the Court taking any appropriate action, including sanctions and/or contempt.

#### **1915.4 Motions to Participate Telephonically**

All requests by a party to participate in a custody conference or custody hearing by telephone and not in person shall be made by the filing of a timely written motion with the court.

#### **1915.4-3 Conciliation Conference**

(a) All parties and all children specifically ordered to attend shall attend the conciliation conference. At the conciliation conference, the conciliator shall meet with the parties and their counsel to conciliate all claims and may meet with the children if deemed appropriate in the discretion of the conciliator. The conciliator shall also screen for referral of the appropriate cases to mediation.

(b) To facilitate conciliation and to encourage frank, open and meaningful exchanges between the parties and their counsel, statements made by the parties, children, counsel or the conciliator at the conciliation conference shall not be admissible as evidence in court. The conciliator shall not be competent to serve as a witness for or against any party nor shall there be any testimony taken at the



conciliation conference. The conciliator shall not be subject to subpoena to compel testimony regarding information revealed at the conciliation conference.

(c) Promptly following the conciliation conference, the conciliator shall file a recommendation with the Court setting forth the terms of a consent agreement reached by the parties or setting forth a recommendation for an interim order that may include a requirement that the parties undergo a specific period of counseling with a licensed psychologist or therapist or with a certified mediator. In appropriate cases, the conciliator may recommend mediation pursuant to Pa.R.C.P. 1940.1 *et seq.*

(d) Where it appears that the resolution of the matter will require an evidentiary hearing, the conciliator shall recommend family social studies or the completion of custody questionnaires. Unless otherwise directed by the Court, the agency issuing the family social study shall mail the written study to the custody conciliation office and to counsel of record for the parties or to the parties if there are no attorneys of record, pursuant to Pa.R.C.P. 1915.8.

(e) Where it appears that the resolution of the matter will require an evidentiary hearing, the conciliator may make any additional recommendations for mental health evaluations, drug and alcohol evaluations, the appointment of experts, guardians ad litem, or counsel for the child or for any other prehearing matters the conciliator deems necessary or appropriate.

(f) No exceptions may be taken from the recommendation of the conciliator.

(g) Nothing in this rule shall be interpreted to contravene Pa.R.C.P.

1915.4.

#### **1915.4-4. Pre-Trial Procedures**

Upon the completion of all family social studies and any evaluations ordered by the Court, either party may move for an evidentiary hearing that shall be held before a judge of the Court. The motion for evidentiary hearing shall be filed with the Prothonotary and shall be accompanied by a proposed order scheduling a prehearing conference and the evidentiary hearing in accordance with the form set forth in Local Rule 1915.22(3) below. Prior to any evidentiary hearing, counsel to the parties shall appear for a prehearing conference to be scheduled by the assigned judge. Unless otherwise ordered by the Court, the parties shall be present for prehearing conferences.

All parties shall provide to the Court and all other parties a completed parenting plan, in accordance with 23 Pa.C.S.A. §5331, and an updated criminal or abuse history verification concerning any criminal and/or abusive history, in accordance with 23 Pa.C.S.A. §5329 and Pa.R.C.P. 1915.3-2. The completed parenting plan and criminal or abuse history verification shall be attached and submitted to the Court as part of the party's pre-hearing memorandum.

#### **1915.8. Disclosure of Expert Evaluations**

A party to a custody action shall not disclose the contents of an expert report

pursuant to Pa.R.C.P. 1915.8, including home study evaluations, mental and physical evaluations, and drug and alcohol evaluations, to anyone except their attorney. Disclosure to an unauthorized person, including the child who is the subject of the action, may result in a finding of contempt and sanctions.

#### **1915.12. Civil Contempt for Disobedience of a Custody Order**

Petitions for contempt shall be filed in the Office of the Prothonotary in accordance with Pa.R.C.P. 1915.12 and may be scheduled for a conference before the conciliator. If the contempt matter is not resolved at conference, then the conciliator shall refer the matter to the judge for appropriate action.

#### **1915.22. Forms**

(a) The scheduling order on complaints and motions for conciliation conferences shall be in the form attached hereto.

(b) The co-parent order, information and registration forms shall be in the forms attached hereto, as supplemented annually.

(c) The order for prehearing conference and final hearing shall be in the form attached hereto.

(d) The parenting plan to be submitted to the Court shall be in the form attached hereto.



**COURT OF COMMON PLEAS OF MONROE COUNTY  
 FORTY-THIRD JUDICIAL DISTRICT  
 COMMONWEALTH OF PENNSYLVANIA**

_____	:	<b>NO. ____ CV 20__</b>
<b>Plaintiff</b>	:	<b>NO. ____ DR 20__</b>
	:	
<b>vs.</b>	:	
	:	<b>IN CUSTODY</b>
	:	
_____	:	
<b>Defendant</b>	:	

**ORDER**

You, \_\_\_\_\_, have been sued in court to obtain/modify custody or partial custody of the minor child(ren), \_\_\_\_\_, born \_\_\_\_\_, now age \_\_\_\_; \_\_\_\_\_, born \_\_\_\_\_, now age \_\_\_\_; \_\_\_\_\_, born \_\_\_\_\_, now age \_\_\_\_; \_\_\_\_\_, born \_\_\_\_\_, now age \_\_\_\_.

**AND NOW**, upon consideration of the attached Complaint/Petition, it is hereby Ordered that the parties and their respective counsel appear before \_\_\_\_\_, Esquire, Custody Conciliator, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ in the Conciliation Room, Second Floor, Monroe County Courthouse at \_\_\_\_\_ (a.m./p.m.) for a conciliation 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 an Interim Order. Failure to appear at the Conference may provide grounds for the entry of a Temporary Order.

You are further ordered to bring with you the following children to the conference: \_\_\_\_\_

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NOTE: Children under the age of eight (8) need not attend.

You are also ordered to provide to the Court and all other parties a current criminal or abuse history verification in accordance with Pa.R.C.P. 1915.3-2(c) prior to the custody conference.

If you fail to appear as provided by this Order, to bring with you the minor child(ren), or provide the criminal or abuse history verification, an Order for

custody may be entered against you by the Court or the Court may issue a warrant for your arrest.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET HELP:**

**MONROE COUNTY BAR ASSOCIATION  
FIND A LAWYER PROGRAM  
913 MAIN STREET, P.O. BOX 786  
STROUDSBURG, PENNSYLVANIA 18360  
(570) 424-7288**

**AMERICANS WITH DISABILITIES ACT OF 1990**

The Court of Common Pleas of Monroe 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 our office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

**BY THE COURT:**

**Date:** \_\_\_\_\_  
\_\_\_\_\_ **J.**

cc: \_\_\_\_\_, Esquire, Custody Conciliator

**COURT OF COMMON PLEAS OF MONROE COUNTY  
FORTY-THIRD JUDICIAL DISTRICT  
COMMONWEALTH OF PENNSYLVANIA**

Plaintiff	:	NO. ____ CV 20__
	:	NO. ____ DR 20__
	:	
vs.	:	
	:	
	:	<b>IN CUSTODY</b>
	:	
Defendant	:	

**ORDER**

**AND NOW**, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, **ALL PARTIES ARE HEREBY ORDERED** to attend a program entitled the Co-Parent Education Program and to bring with you the Certificate of Completion you will receive at the program. You must register for the program using the registration form attached within fifteen (15) days of the date that you receive this Order. Further, you must attend and complete the program within sixty (60) days of the date that you receive this Order.

**FAILURE TO ATTEND AND COMPLETE THE PROGRAM IN ACCORDANCE WITH THE INSTRUCTIONS ATTACHED TO THIS ORDER WILL BE BROUGHT TO THE ATTENTION OF THE COURT AND MAY RESULT IN THE FINDING OF CONTEMPT AND THE IMPOSITION OF SANCTIONS BY THE COURT.**

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET HELP:**

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**BY THE COURT:**

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**J.**

**cc:**



## **2014 CO-PARENT EDUCATION PROGRAM**

In cases involving minor children, attendance at a four-hour Co-Parent Education Program is required of the parties in custody and divorce actions.

### **MINOR CHILDREN SHALL NOT BE BROUGHT TO THE PROGRAM**

#### **Program Content**

The program focuses on the impact of divorce on parents and children, with an emphasis on fostering a child's emotional health and well being during the periods of stress. The program is informative, supportive, and directs people desiring additional information or help to appropriate resources.

The Program addresses the following items:

I. Impact of Divorce on Parents and Children: tasks adults face; tasks children face; common reactions of children of different ages; and do's and don'ts of parenting.

II. Handling the Feelings: Identifying feelings; Anger in divorce: toward your co-parent, from your children, toward your children; Feeling and healing.

III. Video segments and Discussion: Explaining divorce, warning parents, new relationships, etc.

IV. Mediation: Explanation of mediation process and its applicability to divorce and custody matters.

#### **When**

The Program is offered every month on one Saturday morning from 9:00 a.m. until 1:00 p.m. or every month on one Tuesday evening from 5:30 p.m. until 9:30 p.m.

#### **Where**

The Program will be presented in Hearing Room A, lower level of the Monroe County Courthouse, 7th & Monroe Streets, Stroudsburg, Pennsylvania, unless otherwise directed by security. A security officer will direct you on where to go.

#### **Attendance**

Attendance at the Program is required of parties to a case where the interests of children under the age of eighteen years are involved. Additional interested persons may attend the seminar upon prior approval of Family/Divorce Services and certain fees may apply.

### **Presenters**

Qualified counselors, educators and trainers selected by Family/Divorce Services will present the Program pursuant to arrangements with the Court of Common Pleas of Monroe County.

### **Notification**

A copy of the Order requiring the parties to attend the Program and Registration Form will be provided to the parties at the time of the filing of the action or service of the applicable pleading.

### **Fees**

A fee of \$40.00 per party for the Program is required and will be used to cover all program costs including the presenter's fee, handouts and administration. The fee must be submitted with the registration form.

### **Registration**

The registration form must be received by Family/Divorce Services at least seven (7) days prior to the Program date selected. Each party shall attend the Program without further notification by the Court. Any changes in scheduling must be arranged through Family/Divorce Services.

### **Verification of Attendance**

Upon proof of identification at the Program, Family/Divorce Services will record the party as "present" and provide to the Prothonotary of Monroe County a Certificate of Completion, which shall be filed of record. Each person successfully completing the program will be given a Certificate of Attendance. Should you have a case in another County or State, you are responsible to provide that Court with a copy of your Certificate of Completion.

### **Americans with Disabilities**

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 (570)-517-3009. All arrangements must be made at least (72) hours prior to the Co-Parent Program and you must attend the scheduled program.

### **Security**

The Monroe County Sheriff's Office will provide armed, uniformed deputies at each Program immediately prior to, during and immediately after each presentation.

**CO-PARENT EDUCATION PROGRAM – 2014 Registration Form**

**READ ALL INFORMATION**

The Program is held on the lower level of the Monroe County Courthouse, Stroudsburg, PA. The Sheriff's Department provides security. Register by MAIL ONLY. See form below.

Further questions should be directed to Family/Divorce Services at 610-366-8868.

The Program fee is \$40 per person for all persons ordered to attend. Guests are welcome, but require an additional \$15 fee. Sign them up on form below.

A videotape or DVD to view and return is available ONLY to parties who reside more than 90 minutes driving time from Stroudsburg. See below.

Please register at least a week before you plan to attend. Confirmations are NOT sent by mail or by phone. Send in your form and come to the courthouse on the date you choose.

Children shall not be brought to the courthouse. Be prompt. Latecomers will not be admitted and will have to re-schedule.

In case of a snowstorm, a message will play at 610-366-8868 if class is canceled. Also, listen to radio 93.5FM or 840AM or WYOU TV for notices of cancellation. If you are disabled and need special assistance to enter the courthouse, call ahead.

REGISTER BY MAIL: Choose your date, fill out the form below and send money order payable to: Family/Divorce Services, P.O. Box 318, Trexlertown, PA 18087.

DOCKET NUMBERS of your divorce and custody case MUST be filled in. Include numbers-letters-year of file: \_\_\_\_\_

Your name: \_\_\_\_\_

Guest (name and relationship to child): \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: Home \_\_\_\_\_ Work \_\_\_\_\_

Pick a Saturday morning OR a Tuesday evening:

SATURDAYS 9:00 a.m. – 1:00 p.m.

TUESDAYS 5:30 p.m. – 9:30 p.m.

\_\_ January 4, 2014

\_\_ February 11, 2014

\_\_ March 15

\_\_ April 8

\_\_ May 3

\_\_ June 10

\_\_ July 12

\_\_ August 12

\_\_ September 20

\_\_ October 14

\_\_ November 15

\_\_ December 9

\_\_ DVD: \$75 fee (includes S&H and \$25 deposit. Deposit is refunded when DVD is returned per instructions.)



3. The names and addresses of all witnesses to be called at hearing with a notation of their specific purpose.

4. A list of all exhibits to be used at hearing and a statement certified by counsel that all exhibits were furnished to opposing counsel as part of the pre-hearing memorandum.

5. The estimated length of hearing time necessary for counsel to present evidence.

6. A proposed order providing the terms you seek.

7. A proposed order providing the terms you seek if the opposing party prevails.

8. The parties shall complete a parenting plan, in accordance with 23 Pa.C.S.A §5331 and Pa. Monroe Co. R.C.P. Rule 1915.22(4), and an updated criminal or abuse history verification, in accordance with Pa.R.C.P. 1915.3-2(c). The completed parenting plan and criminal or abuse history verification shall be attached and submitted to the Court as part of the party's pre-hearing memorandum.

**BY THE COURT:**

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**, J.**

**cc:**

**COURT OF COMMON PLEAS OF MONROE COUNTY  
 FORTY-THIRD JUDICIAL DISTRICT  
 COMMONWEALTH OF PENNSYLVANIA**

_____ ,	:	NO. _____ CV 20__
<b>Plaintiff</b>	:	NO. _____ DR 20__
	:	
<b>vs.</b>	:	
	:	
_____ ,	:	<b>IN CUSTODY</b>
<b>Defendant</b>	:	

**PARENTING PLAN**

This parenting plan involves the following child/children:

Child's Name	Age	Where does this child live?
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

If you have children not addressed by this parenting plan, name here:

Child's Name	Age	Where does this child live?
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Legal Custody (who makes decisions about certain things):

Circle one

Diet	Both parties decide together / Plaintiff / Defendant
Religion	Both parties decide together / Plaintiff / Defendant
Medical Care	Both parties decide together / Plaintiff / Defendant
Mental Health Care	Both parties decide together / Plaintiff / Defendant

Discipline	Both parties decide together / Plaintiff / Defendant
Choice of School	Both parties decide together / Plaintiff / Defendant
Choice of Study	Both parties decide together / Plaintiff / Defendant
School Activities	Both parties decide together / Plaintiff / Defendant
Sports Activities	Both parties decide together / Plaintiff / Defendant
Additional items	Both parties decide together / Plaintiff / Defendant

Explain what process you will use to make decisions? (For example, the parent confronted with or anticipating the choice will call the other parent when the choice presents itself, and the other parent must agree or disagree within 24 hours of any deadline.)

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Physical Custody (where the child/children live(s)):

The child's/children's residence is with \_\_\_\_\_.

Describe which days and which times of the day the child/children will be with each person:

Sunday    Monday    Tuesday    Wednesday    Thursday    Friday    Saturday

---

Describe where and when the child/children will be dropped off and/or picked up (day and time of day)?

Drop-Off:

Where: \_\_\_\_\_

When: \_\_\_\_\_

Pick-Up:

Where: \_\_\_\_\_

When: \_\_\_\_\_

If one of you doesn't show up, how long will the other wait? \_\_\_\_\_

If there are any extraordinary costs (taxi, train, airplane, etc.), who will pay for which costs?

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### HOLIDAYS

Where will the child/children stay?

HOLIDAY	YEAR A	YEAR B	EVERY YEAR
Martin Luther King Day	_____	_____	_____
President's Day	_____	_____	_____
Easter	_____	_____	_____
Memorial Day	_____	_____	_____
Fourth of July	_____	_____	_____
Labor Day	_____	_____	_____
Yom Kippur	_____	_____	_____
Rosh Hashanah	_____	_____	_____
Thanksgiving	_____	_____	_____
Vacation after Thanksgiving	_____	_____	_____
Christmas Vacation	_____	_____	_____
Kwanzaa	_____	_____	_____
New Year's Eve/Day	_____	_____	_____
Spring Vacation	_____	_____	_____



Easter Sunday \_\_\_\_\_

Child's Birthday \_\_\_\_\_

Mother's Day \_\_\_\_\_

Father's Day \_\_\_\_\_

Other: \_\_\_\_\_

Other: \_\_\_\_\_

Other: \_\_\_\_\_

Summer Vacation Plans:

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Special Activities or School Activities:

Will both of you attend?

Child's Name	Activity	If not, which of you will attend?
_____	_____	_____
_____	_____	_____
_____	_____	_____

Temporary changes to this parenting schedule:

From time to time, one of you might want or need to rearrange the parenting time schedule due to work, family or other events. You can attempt to agree on these changes. If you cannot agree, the parent receiving the request will make the final decision.

The parent asking for the change will ask \_\_\_ in person \_\_\_ by letter/mail \_\_\_ by phone

No later than \_\_\_ 12 hours \_\_\_ 24 hours \_\_\_ 1 week \_\_\_ 1 month

The parent being asked for a change will reply \_\_\_ in person \_\_\_ by letter/mail \_\_\_ by phone

No later than \_\_\_ 12 hours \_\_\_ 24 hours \_\_\_ 1 week \_\_\_ 1 month

May parents contact one another? \_\_\_\_\_

When the child/children is/are with one of you, how may they contact the other parent?

\_\_\_\_\_

When and how may \_\_\_\_\_ contact the child?

\_\_\_\_\_

In the event that proposed changes, disputes or alleged breaches of this parenting plan and custody order are necessary or desired, the parties agree that such changes will be addressed by the following method (specify method of arbitration, mediation, court action, etc.):

\_\_\_\_\_

\_\_\_\_\_

The following matter or matters as specified by the court:

\_\_\_\_\_

\_\_\_\_\_

Other (Anything else you want to agree on):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Mother

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Father

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Witness

## **Actions in Divorce**

### **1920.12. Filing and Service of Complaint. Costs**

(a) With the filing of a complaint in divorce, the plaintiff shall deposit court costs with the Prothonotary in an amount set forth in the fee schedule adopted by the Court.

### **1920.43. Motions and Petitions**

(a) Motions practice shall be in accordance with Local Rules, 208.2(c), 208.2(d), and 208.3(a).

(b) Petitions practice shall be in accordance with Local Rule 206.1(a).

(c) All divorce motions or petitions including a petition for a master's hearing shall be filed with the Prothonotary.

### **1920.51. Proceedings Before the Master**

(a) Monroe County shall follow the Master's Hearing procedure set out at Pa.R.C.P. § 1920.55-2.

(b) No case shall be scheduled for Master's Hearing prior to the expiration of 90 days from the service of the Divorce Complaint.

(c) Either party may file a Petition for the Appointment of a Divorce Master, in the Form set forth below, provided that:

(1) The petitioning party has complied with the requirements of Pa.R.Civ.P. 1920.33 (pertaining to Inventory and Pretrial Statement); and

- (2) The required fee has been paid to the Prothonotary; and
- (3) The petitioning party certifies at the time of filing of the Petition

that:

- (i) The Inventory and Pretrial Statement of the petitioning party have been filed;

- (ii) The petitioning party has completed all discovery and knows of no pending discovery on the part of the non-petitioning party which will delay Hearing;

- (iii) The petitioning party has given 20 days written Notice of Intention to File Petition for the Appointment of a Divorce Master, using the form set forth below, to all counsel of record and unrepresented parties.

(d) If opposing counsel or any unrepresented party objects to the filing of the Petition for the Appointment of a Divorce Master, the objector shall, within 10 days of the service of the Notice of Intention to File Petition for the Appointment of a Divorce Master, file with the court a statement of objections which shall include the basis for objection and a statement of when the case will be ready for Master's Hearing, along with a Praecipe for Argument. All of the foregoing shall be served on all counsel of record and unrepresented parties.

(e) Upon the filing of the Petition, the Court Administrator shall assign the Master and the Court shall issue an Order scheduling a Hearing, a Pretrial Conference and setting a deadline for the filing and service of the non-petitioning parties' Pretrial Statements in conformity with Pa.R.C.P. § 1920.33.

(f) Counsel of record and unrepresented parties shall attend the Pretrial Conference; represented parties shall be available to consult with their counsel by telephone during the Pretrial Conference. In the event that counsel for either party or an unrepresented party fails to attend the Pretrial Conference, or fails to file a Pretrial Statement as Ordered, the Master may recommend that the Court impose sanctions.

(g) If a Pretrial Conference or any portion of a Hearing day is held, the Master shall receive a fee in an amount determined by the Court

(h) If additional Hearing days are needed, the Master shall petition the Court with a recommendation regarding the number of additional full or partial hearing days requested and the amount of the additional court costs to be paid by one or both of the parties. The Court shall issue an order for the payment of additional costs and following payment of the costs as ordered shall set the additional hearing dates. No additional hearing dates shall be scheduled prior to the payment of court costs. The Master shall be compensated for any additional full or partial days of hearing in an amount to be determined by the Court.

(i) Forms.

[CASE CAPTION]

**NOTICE OF INTENTION TO FILE PETITION REQUESTING  
THE APPOINTMENT OF A DIVORCE MASTER**

Notice is hereby given that 20 days following the date set out below,  
[Plaintiff/Defendant] intends to file a Petition Requesting the Appointment of a  
Divorce Master.

Date: \_\_\_\_\_

[Signature of Counsel or Pro Se Party  
with full address and telephone.]

**CERTIFICATE OF SERVICE**

I certify that I have provided or will immediately provide a copy of this Notice  
of Intention to File Petition Requesting the Appointment of a Divorce Master to all  
other self-represented parties or their attorney of record at the following address as  
listed below:

Name \_\_\_\_\_

Address \_\_\_\_\_

Date: \_\_\_\_\_

[Signature of Counsel or Pro Se Party  
with full address and telephone.]

[CASE CAPTION]

**PETITION REQUESTING THE APPOINTMENT OF A DIVORCE MASTER**

\_\_\_\_\_, petitions this Honorable Court for the Appointment of a Master in Divorce, and in support thereof avers:

1. Petitioner is \_\_\_\_\_.
2. Respondent is \_\_\_\_\_.
3. Petitioner has complied with the requirements of Pa.R.C.P §1920.33.
4. The required fee for the Master's Hearing has been paid to the Prothonotary.
5. The Complaint was served on the Defendant by the following means:
6. Ninety days have passed since the date of service of the Complaint.
7. Petitioner filed an Inventory on the following date:\_\_\_\_\_. Petitioner filed a Pretrial Statement on the following date:\_\_\_\_\_.
8. Petitioner has completed all discovery requests to and has received all necessary discovery from all other parties and knows of no pending discovery on the part of any other party which will delay the Master's Hearing.
9. Petitioner has given 20 days written Notice of Intention to File Petition Requesting the Appointment of a Divorce Master to all other parties or their counsel of record at the address listed below and no party has filed objections to the appointment of a Divorce Master or to the scheduling of a Master's Hearing.

Name \_\_\_\_\_  
Address \_\_\_\_\_

Date Notice was Served: \_\_\_\_\_

Date: \_\_\_\_\_

[Signature of Counsel or Pro Se Party  
with full address and telephone.]



[CASE CAPTION]

**ORDER FOR THE APPOINTMENT OF DIVORCE MASTER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, upon Petition for the Appointment of a Divorce Master, \_\_\_\_\_ is appointed Divorce Master.

It is ORDERED that a Pretrial Conference is scheduled for the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_:\_\_\_\_ o'clock a.m./p.m. in the office of the Master located at \_\_\_\_\_.

It is further ORDERED that all parties shall file a Pretrial Statement in conformity with Pa.R.Civ.P. 1920.33. The petitioning party shall file his/her Pretrial Statement on or before the filing of the Petition for Appointment of a Divorce Master, and the responding party shall file his/her Pretrial Statement within 20 days of service of the petitioning party's inventory.

Counsel of record and unrepresented parties shall attend the Pretrial Conference; represented parties shall be available to consult with their counsel by telephone during the Pretrial Conference. In the event that counsel for either party or an unrepresented party fails to attend the Pretrial Conference, or fails to file a Pretrial Statement as ORDERED in this Order, the Master may recommend that the Court impose sanctions.

The parties and counsel of record are further ORDERED to appear for Hearing before the Master on the \_\_\_\_\_ day of \_\_\_\_\_, in Hearing Room \_\_\_\_\_, Monroe County Courthouse, Stroudsburg, Pennsylvania at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

By the Court,

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CC:

### **1920.51-1. Continuance of Master's Hearing in Divorce**

(a) Scheduled master's hearings may be continued by petition only, filed in accordance with Monroe Co.R.C.P. 206.1(a) and 208.2(d).

(b) Prior to filing a petition to continue a master's hearing, the moving party or, if represented, their counsel shall contact the Office of the Court Administrator to secure several prospective dates for the rescheduled hearing, and shall list those dates on the concurrence/non-concurrence required to be attached to the petition and which shall be substantially in the form set forth below.

(c) Upon receipt of prospective continuance dates from Court Administration, the moving party shall forward to all responding parties, or if represented, to their counsel, the concurrence/non-concurrence form setting forth the prospective continuance dates.

(d) Within three (3) business days of receiving the concurrence/non-concurrence form from the moving party, all responding parties, or if represented, their counsel, shall complete the form stating their concurrence or non-concurrence in the petition, and notwithstanding their non-concurrence, shall indicate their availability for hearing on the prospective continuance dates.

(e) The moving party or counsel shall complete a proposed order rescheduling the master's hearing by filling in a specific date for the rescheduled hearing from the list of prospective dates provided by the Court Administrator and approved by all responding parties and counsel, and attach the proposed order to the petition.

(f) The completed petition, concurrence/non-concurrence form and proposed order shall be filed in the Office of the Prothonotary and copies served on the master, the Office of Court Administration and all parties, with a certificate of service.

(g) Petitions for continuance of master's hearings shall be filed no later than one week before the scheduled pretrial conference with the master, except for good cause shown.

(h) Form

**CERTIFICATION OF CONCURRENCE, NON-CONCURRENCE OR NO REPLY**

I hereby certify that I am counsel for the Petitioner OR I am the Pro Se Petitioner and that concurrence in the prayer of the within Petition for Continuance of Divorce Master's Hearing has been sought from \_\_\_\_\_, Counsel to Respondent, OR \_\_\_\_\_ Pro Se Respondent, by mailing the Petition for Continuance of Divorce Master's Hearing, with a copy of this Certification of Concurrence, Non-Concurrence or No Reply to the following, addressed as follows on [date of mailing]:

\*\*

I further certify that:

\_\_\_\_\_ Responses are set out below with signatures of counsel or Pro Se Respondent.

\_\_\_\_\_ No responses were provided.

I further certify that the Office of the Court Administrator has provided the following prospective dates for the rescheduled Master's Hearing in Divorce, all of which are dates on which I am available and Petitioner are available:

\_\_\_\_\_  
\_\_\_\_\_.

Dated: \_\_\_\_\_  
\_\_\_\_\_, Esquire  
Counsel to Petitioner

[OR]

Dated: \_\_\_\_\_  
\_\_\_\_\_  
Pro Se Petitioner

I hereby certify that I am counsel to the Respondent and that:

\_\_\_\_\_ I concur in the Petition for Continuance.

\_\_\_\_\_ I do not concur in the Petition for Continuance.

I further certify that I am available and the Respondent is available on the following prospective dates identified above provided by the Office of the Court Administrator. I understand that whether I concur or do not concur I am required to identify dates of availability: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

Dated: \_\_\_\_\_  
\_\_\_\_\_, Esquire  
Attorney for Respondent

I hereby certify that I am the responding Pro Se party and that:

\_\_\_\_\_ I concur in the Petition for Continuance.

\_\_\_\_\_ I do not concur in the Petition for Continuance.

I further certify that I am available on the following prospective dates identified above provided by the Office of the Court Administrator. I understand that whether I concur or do not concur I am required to identify dates of availability: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

Dated: \_\_\_\_\_  
\_\_\_\_\_  
Pro Se Respondent

#### **1920.54. Settlement Before Scheduled Hearing**

In the event that the parties settle all claims prior to hearing, the parties and counsel shall appear before the master and state the terms of their settlement on the record. Said appearance is waived if by the close of business on the day before the scheduled hearing the parties file with the Prothonotary and deliver to the master an executed divorce settlement agreement and affidavits of consent. Where parties settle on the record or by the filing of a written divorce settlement agreement, the master shall file a report and recommendation within thirty days of the scheduled hearing date.

#### **1920.55-2. Master's Report**

Following the conclusion of the final hearing, the master shall file the record and the report and recommendation within:

- a) twenty days in uncontested actions, or
- b) thirty days from the last to occur of the receipt of the transcript by the master or last submission to the master in contested actions.

Counsel for the parties shall file briefs or memoranda of law within fifteen days after the filing of the transcript. The service of the master's report and recommendations and the filing of exceptions shall follow the procedures set out in Pa.R.C.P. §1920.55-2. The parties shall serve a copy of any exceptions they file upon the master, by regular mail or by personal service by a competent adult at the master's principal office.

**1930.4-1 Service of Legal Papers Other Than Original Process**

(a) Manner of Service. Copies of all legal papers other than original process filed in an action or served upon any party shall be served upon every other party to the action in conformity with Pa.R.C.P. 440.

(b) Time for Service. Service shall be made upon every other party to the action on or before the date the legal paper is filed with the court.

(c) Certificate of Service. A certificate of service, substantially in the form set forth below, shall be filed together with any legal papers other than original process filed in an action or served upon any party. The certificate of service shall identify the document served, the individual(s) served, the address(es) where service is made, and the manner of service, and shall be signed by the person responsible for service.

(d) Form Certificate of Service:

[CAPTION]

**CERTIFICATE OF SERVICE**

I certify that I am **THIS DAY** causing the attached [name of document] to be served upon the following individual(s) at the address(es) and in the manner(s) specified below:

Name of Individual Served

Address of Individual Served

Manner of Service (i.e. Regular First Class US Mail or Personal Service)

\_\_\_\_\_  
Signature of Person Serving

Date: \_\_\_\_\_



**Rule 1930.8. Self-represented party.**

(a) A party representing himself or herself shall enter a written appearance, substantially in the form set forth below, which shall state an address, which need not be is or her home address, where the party agrees that pleadings and other legal papers may be served, and a telephone number through which the party may be contacted.

(b) A self-represented party is under a continuing obligation to provide current contact information to the court, to other self-represented parties, and to attorneys of record.

(c) When a party has an attorney of record, the party may assert his or her self-representation by:

(1) Filing a written entry of appearance and directing the Prothonotary to remove the name of his or her counsel of record with contemporaneous notice to said counsel, or

(2) Filing an entry of appearance with the withdrawal of appearance signed by his or her attorney of record.

(d) The self-represented party shall provide a copy of the entry of appearance to all self-represented parties and attorneys of record.

(e) The assertion of self-representation shall not delay any stage of the proceeding.

(f) The written entry of appearance shall be substantially in the form set forth below.

(g) Form.

**COURT OF COMMON PLEAS OF MONROE COUNTY  
 FORTY-THIRD JUDICIAL DISTRICT  
 COMMONWEALTH OF PENNSYLVANIA**

_____ ,	:	NO. _____ DR 20__
<b>Plaintiff</b>	:	NO. _____ CV 20__
	:	
	:	
<b>vs.</b>	:	
	:	
_____ ,	:	
<b>Defendant</b>	:	

**ENTRY OF APPEARANCE AS A SELF-REPRESENTED PARTY**

1. I am the  Plaintiff  Defendant in the above-captioned **(MARK ONE)**  custody,  divorce,  support,  Protection from abuse,  paternity case.
2.  This **(MARK ONE)**  is  is not a new case and I am representing myself in this case and have decided not to hire an attorney to represent me.

**OR (check only one box)**

This is **NOT** a new case and \_\_\_\_\_ (Name of Attorney) previously represented me in this case. I have decided not to be represented by that attorney and direct the Prothonotary to remove that attorney as my counsel of record in this case.

I have provided a copy of this form to that attorney listed above at the following address:

\_\_\_\_\_

**OR (check only one box)**

I am entering my appearance as a self-represented party (sign) \_\_\_\_\_. My attorney acknowledges his/her withdrawal as my attorney in this case.

(Attorney signature) \_\_\_\_\_, Esq.

(Print Attorney Name) \_\_\_\_\_, Esq.

3. My address for the purpose of receiving all future pleadings and other legal notices is: \_\_\_\_\_ . I understand that this address will be the only address to which notices and pleadings in this case will be sent, and that I am responsible to regularly check my mail at this address to ensure that I do not miss important deadlines or proceedings.

This is my home address.                       This is not my home address.

4. My telephone number where I can be reached during normal business hours (8:30 a.m. – 4:30 p.m. Monday – Friday) is \_\_\_\_\_. My email address is \_\_\_\_\_.

My telephone number and email address are confidential pursuant to a Protection From Abuse Order.

5. **I UNDERSTAND I MUST FILE A NEW FORM EVERY TIME MY ADDRESS OR TELEPHONE NUMBER CHANGES.**

6. I have provided or will immediately provide a copy of this form to all other attorneys or other self-represented parties at the following addresses as listed below: (Use reverse side if you need more space)

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

7. I fully understand that by deciding to represent myself, the Court will hold me to the same standards of knowledge regarding the statutory law, evidence law, Local and State Rules of Procedure and applicable case law as a Pennsylvania licensed attorney, and that I must be fully prepared to meet those responsibilities.

**I verify that the statements made in this Entry of Appearance as a Self-Represented Party are true and correct. I understand that if I make false statements herein, that I am subject to the criminal penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities which could result in a fine and/or prison term.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature (Your Signature)

\_\_\_\_\_  
Please Print (Your Name)