

*EFFECTIVE DATE FOR NEW
LCCAL RULE WILL BE
JUNE 24, 2019.

THE COURTS

Title 255—LOCAL COURT RULES

ARMSTRONG COUNTY

Adoption of New Local Court Rules—Custody; CP-03-AD-0000001-2019

[49 Pa.B. 2603]

[Saturday, May 25, 2019]

Order of Court

And Now, this 1st day of May, 2019, *It Is Hereby Ordered and Decreed* that Armstrong County Local Rules 1915.4-3.1, 1915.4-3.2, and 1915.11 are Rescinded. Effective thirty (30) days after publication in the *Pennsylvania Bulletin* the Armstrong County Court of Common Pleas adopts the following Local Rules 1915.3, 1915.4-3, and 1915.4-4.

The Armstrong County District Court Administrator is Ordered and Directed to do the following:

1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish these Rules on the Armstrong County Court website at www.accourts.com.
4. Incorporate the local rule into the set of local rules on the Armstrong County website within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.
5. File one (1) copy of the local rule in the office of the Armstrong County Prothonotary for public inspection and copying.

By the Court

JAMES J. PANCHIK,
President Judge

Local Rule 1915.3. Commencement of Action; Custody Conciliation Conference Fee.

- a) Every party who initiates a custody action by the filing of a custody complaint, custody count in a divorce action, or petition for modification of custody, shall, in addition to the filing fee

assessed by the Prothonotary, pay to the Prothonotary a custody conciliation conference fee in an amount to be set from time to time by administrative order of court.

Local Rule 1915.4-3. Custody Conciliation Conference.

a) All adult parties named in an action for custody, whether initiated by complaint, custody count in a divorce action, or petition for modification of custody, shall attend a custody conciliation conference scheduled by the Court Administrator. A Conciliation Conference Officer ("CCO") shall preside at the conciliation conference. Children who are the subject of the custody action shall not participate in the conciliation conference.

b) Failure of a party to appear at the conciliation conference may result in the entry of a custody or partial custody order by the Court on the recommendation of the CCO in the absence of that party. Unless otherwise excused by the Court, the failure of the filing party to attend the conciliation conference shall result in the dismissal of the action.

c) To encourage frank, open and meaningful exchanges between the parties and their respective counsel, statements made by the parties or their attorneys at the conference shall not be admissible as evidence at a later custody hearing. The CCO shall not be a witness for or against any party.

d) At the conciliation conference, the parties shall, under the supervision of the CCO, attempt to reach a final, comprehensive custody agreement that will then be converted to a final custody consent order to be entered by the Court.

e) If the parties are unable to reach a comprehensive, final custody agreement, they shall attempt to reach a temporary custody agreement, which may then be entered as a temporary consent order by the Court. Temporary orders may include provisions for temporary legal or physical custody, drug and alcohol evaluations or treatment, counseling, psychological evaluations, home study evaluations, visit coaching, supervised custody, and other matters pertaining to the best interests of the subject child(ren).

f) The CCO shall have the ability to request that any party submit to a urine drug analysis at the conciliation conference, which shall be performed with that party's consent. If a party requests that another party submit to a drug analysis, the drug analysis shall be performed at the discretion of the CCO and with the consent of that party.

g) (Reserved)

h) Conciliation conferences shall not be continued except by written request or motion filed with the Prothonotary at least two (2) business days prior to the date scheduled. Said written request or motion must indicate whether notice of the request was made on all other parties.

i) If the parties reach a final settlement agreement, or the case is withdrawn, prior to the conciliation conference, the filing party may request a refund of the conciliation conference fee by filing a written motion with the Prothonotary requesting the same.

Local Rule 1915.4-4. Pre-trial Conference.

a) If at the conciliation conference the parties cannot agree upon a resolution of all the issues and a trial before a judge becomes necessary, the Court Administrator shall cause a pretrial conference to be scheduled to occur within ninety (90) days after the date the conciliation conference was held.

b) The Court will schedule a trial date at the pretrial conference and a date for an additional pretrial conference when appropriate. The parties must attend each pre-trial conference.

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IN THE COURT OF COMMON PLEAS OF ARMSTRONG COUNTY, PENNSYLVANIA

IN RE: CUSTODY CONCILIATION : No. CP-03-AD-0000001-2019
CONFERENCE FEES :
:

ADMINISTRATIVE ORDER OF COURT

AND NOW, this 28th day of May, 2019, pursuant to
L.R.C.P. No. 1915.3, it is hereby **ORDERED** as follows:

The fee for payment of the Custody Conciliation Conference costs to be paid at the time of the filing of a custody complaint, custody count in a divorce action, or petition for modification of custody pursuant to L.R.C.P. 1915.3 is hereby set at Two Hundred Fifty Dollars (\$250.00).

The effective date of this Order shall be June 24, 2019.

By the Court,



James J. Panchik, P.J.

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