

## **RULE 1915.4-2 CUSTODY CONFERENCE OFFICERS**

- (a) Custody Conference Officers shall be appointed by the Court to meet with the parties and their legal counsel in a custody action to conciliate the matter, attempt to resolve issues and reach an agreed Parenting Plan/Custody Order and/or if this cannot be accomplished, to define and narrow the issues to be heard by a Judge.
- (b) The compensation of Custody Conference Officers shall be set by order of court by the President Judge.
- (c) Custody Conference Officers – Not Witnesses
  - 1. To facilitate the conference process and encourage frank, open and meaningful exchanges between the parties and their respective counsel, statements made by the parties, or their witnesses, shall not be admissible as evidence in a Custody Trial before the Court.
  - 2. The Custody Conference Officer shall not be a witness for or against any party in a Custody Trial before the Court or in any other proceeding whatsoever absent Court Order.
- (d) Agreement of Parties at Conciliation Conference.
  - (1) If the parties are able to reach an agreement during the Custody Conference, the Custody Conference Officer shall prepare a proposed Parenting Plan and Custody Order memorializing the agreement.
  - (2) At the conclusion of the Conference, even if the parties have reached an agreement, if any of the parties have not attended the Seminar within the past twelve (12) months, the Custody Conference Officer shall serve them with another Order setting forth the new dates for their attendance and direct that they file their Certificates of Completion of the Seminar with the Prothonotary following which the Court will sign their Parenting Plan/Custody Order.
  - (3) The Custody Conference Officer may also recommend that paramours or other adults who have a strong role in the parenting of the child(ren) should attend the Seminar.
  - (4) The Proposed Parenting Plan and Order shall be submitted to a Family Court Judge. If a Family Court Judge has previously handled any of the parties' prior contested family law matters, it will be submitted to that Judge.

- (5) If approved and signed by the Court, the Parenting Plan/Custody Order shall be filed by the Court Administrator's Office with the Prothonotary and copies shall be mailed to all parties by the Court Administrator's Office.

(e) No Agreement

1. If the parties are unable to reach an agreement during the Custody Conference, the Custody Conference Officer shall prepare a Conference Summary Report for the Court which shall include the following:
  - (a) All relevant information gathered by the Custody Conference Officer during the conference.
  - (b) A summary of the contested issues to be decided by the Court.
  - (c) Whether or not the parties have filed the required attachments pursuant to Local Rule 1915.3(b) and if not, the dates within which the parties have to comply and attach a recommended order providing the due date for the following:
    - (1) Seminar Attendance Certificates;
    - (2) Prior Court Involvement Statement;
    - (3) Criminal History and Abuse Verification;
    - (4) Proposed Parenting Plan;
    - (5) Self-Represented Party Entry of Appearance if not represented by legal counsel.
  - (d) List any criminal or abuse history on the parties' Criminal History and Abuse Verification warranting the Court to immediately order an Evaluation pursuant to 23 Pa.C.S.A. §5329 or §5330.
  - (e) Summarize any mental health or drug or alcohol problems raised at the Conference and recommend whether the Court should order an evaluation pursuant to Pa.R.C.P. 1915.8.
  - (f) Any recommendation that the court order the parties to re-attend the Seminar, even if they have attended the Seminar within twelve (12) months of the Conference.
  - (g) Any recommendation that paramours or other adults who reside in the household or have a strong role in the parenting of the child(ren) should attend the Seminar
  - (h) Any agreed Interim Parenting Plan/Custody Order.
  - (i) A list of the names and relationships of all persons who reside in each parties' household.

- (j) Any reports from appropriate agencies/experts.
  - (k) Whether independent counsel should be appointed for the child(ren).
  - (l) The present status of the custody of the child(ren).
  - (m) Any existing Parenting Plan/Custody Order.
2. The Court Administrator's Office shall file the Conference Summary Report with the Prothonotary and copies shall be mailed to all parties by the Court Administrator's Office.
  3. The Court Administrator's Office shall promptly forward the Conference Summary Report and file to the assigned judge.
  4. If the parties do not reach an agreement at the Custody Conference, the case will be assigned to a Family Court Judge.
  5. As a general rule, if a Judge has handled a contested family law case for that family, the matter will be assigned to that Judge.