

FAMILY COURT OF PHILADELPHIA

ADMINISTRATIVE REGULATION 97- 2

PROMULGATION OF CUSTODY PROCEDURES

AND NOW, this 2nd day of June, 1997, in order to facilitate the processing of custody cases and to establish procedures for pending and future custody cases, and to encourage the use of mediation for resolution of custody disputes where appropriate, it is hereby ORDERED and DECREED as follows:

1. Administrative Regulation 96-2 establishing mandatory mediation orientation for petitions to modify custody is hereby rescinded.

2. Administrative Regulation 93-1 establishing custody mediation procedures and forms is hereby reinstated pending promulgation of revised custody mediation procedures.

3. All pending petitions seeking custody, partial custody, and/or visitation, or petitions seeking modification of prior custody orders, which were filed prior to March 1, 1997, shall be listed before a Domestic Relations Judge for disposition.

4. All custody petitions filed on or after March 1, 1997, shall be processed as follows:

(A) All initial petitions seeking partial custody and/or visitation, and all petitions seeking partial custody and/or visitation as a modification of a prior custody order, shall be listed before a Custody Hearing Officer for a record hearing consistent with PA. R.C.P. 1915.4-1 and 1915.4-2. In appropriate cases the Custody Hearing Officer may refer the parties to the Family Court's Custody Mediation Program prior to the record hearing consistent with Administrative Regulation 93-1.

(B) All initial petitions seeking sole custody or primary physical custody, or petitions seeking to modify an existing custody order for sole custody or primary physical custody, shall be listed before a Custody Hearing Officer for a conference for the purpose of attempting to effectuate a settlement. If no agreement is reached at the conference, the parties shall be given a date certain for a record hearing before a Domestic Relations Judge and/or may be referred to the Court's Custody Mediation Program consistent with Administrative Regulation 93-1.

(C) The Custody Hearing Officer shall determine whether there are compelling circumstances necessitating an interim Order at which time he/she shall prepare a recommended interim order and refer the case to the Motion Judge for consideration of the proposed interim Order.

(D) This Administrative Regulation is adopted pending modification of the Philadelphia County Local Rules governing Child Custody matters.

DATE: 6/2/97

PAUL P. PANEPINTO
ADMINISTRATIVE JUDGE,
FAMILY COURT JUDGE

ALLAN L. TERESHKO
SUPERVISING JUDGE
DOMESTIC RELATIONS BRANCH