

NOTICE OF ADOPTION OF LOCAL RULES

ORDER

NOW, this 21st day of October, 1996, Cambria County Local Rules 120, 130, and 140 are hereby rescinded and the following Rules are hereby adopted.

RULES GOVERNING ACTIONS FOR SUPPORT, CUSTODY, PARTIAL CUSTODY, VISITATION OF MINOR CHILDREN, DIVORCE, OR ANNULMENT

1910. ACTIONS FOR SUPPORT

1901.1. PROCEDURES. STANDING HEARING OFFICERS.

(a) Actions for support shall proceed in accordance with the Pennsylvania Rules of Civil Procedure. The conference/hearing procedures set forth in Pennsylvania Rule of Civil Procedure 1910.12 shall be utilized.

(b) The court will select, appoint, and establish the duties of standing hearing officers in support actions. The compensation of the standing hearing officers shall be set by the Cambria County Salary Board.

1915. ACTIONS FOR CUSTODY, PARTIAL CUSTODY, AND VISITATION OF MINOR CHILDREN

1915.1. COMMENCEMENT OF ACTION. STANDING HEARING OFFICERS. FEES.

(a) Any party filing a complaint in an action for custody, partial custody and visitation of minor children, or a pleading requesting modification of an existing court order pertaining to the same, shall file an original and one copy of the pleading in the Prothonotary's Office. The Prothonotary shall immediately forward a certified copy of the pleading to the Cambria County Court Administrator.

(b) The court may appoint a hearing officer to hear the matter. (Pa.R.C.P. 1915.4-1) When a hearing officer is appointed, the matter shall thereafter proceed in accordance with Pennsylvania Rule of Civil Procedure 1915.4-2.

(c) In addition to the filing fee assessed for the filing of a complaint, a nonrefundable administrative fee in the amount of \$500.00 shall be paid to the Prothonotary simultaneously with the filing of a complaint in an action for custody, partial custody, or visitation of minor children, or a petition for modification of an existing order involving custody, partial custody, and visitation of minor children. The initial fee of \$500.00 shall entitle the parties to two hours of the appointed hearing officer's time. Should the hearing officer's time exceed two hours, an additional fee of

\$100.00 per hour will be assessed and paid by the parties in proportions to be determined by the hearing officer.

(d) The court will select, appoint and establish the duties of standing hearing officers in actions involving custody, partial custody, and visitation. The compensation of the standing hearing officers shall be set by the Cambria County Salary Board.

1920. ACTIONS OF DIVORCE OR FOR ANNULMENT OF MARRIAGE

1920.1. COMMENCEMENT OF ACTION. STANDING MASTERS. FEES.

(a) Any party filing a complaint or counterclaim in an action of divorce or for annulment of marriage shall file an original and one copy of the pleading in the Prothonotary's Office. The Prothonotary shall immediately forward a certified copy of the pleading to the Cambria County Court Administrator.

(b) The court will, on its own motion, appoint a master with respect to those matters contained in the action in those instances where the appointment of a master is permitted. The matter shall thereafter proceed in accordance with Pennsylvania Rule of Civil Procedure.

(c) In addition to the filing fee assessed for the filing of a complaint, a nonrefundable administrative fee in the amount of \$500.00 shall be paid to the Cambria County Prothonotary simultaneously with the filing of a divorce complaint or counterclaim which raises for the first time any issue other than a count for divorce under Sections 3301(c) and/or (d) of the Divorce Code. The initial fee of \$500.00 shall entitle the parties to two hours of the master's time. Should the master's time exceed two hours, an additional fee of \$100.00 per hour will be assessed and paid by the parties in proportions to be determined by the master.

(d) The court will select, appoint and establish the duties of standing masters. The compensation of the standing masters shall be set by the Cambria County Salary Board.

The foregoing Rules shall be effective 30 days after publication in the Pennsylvania Bulletin [publication occurred on November 9, 1996].

BY THE COURT:

Gerard Long, President Judge

EXPLANATORY COMMENT

The new rules eliminate the fragmented procedure which previously existed in family law

matters. Under the new rules, in divorce and annulment actions, a master, who in most instances will be a standing master, will be appointed by the court on its own motion except in matters where the appointment of a master is prohibited by the Divorce Code. The master will attempt conciliation. If conciliation efforts fail, the master will conduct a hearing and will file a report. (Pa.R.C.P. 1920.51, 1920.53, 1920.54, 1920.55-2)

Most actions for custody or visitation, including modification of an existing order, will be referred by the court to a hearing officer (who, in most instances, will be one of the standing masters). The hearing officer will attempt conciliation. If those attempts are unsuccessful, the officer will conduct a hearing and file a report. (Pa.R.C.P. 1915.4-1, 1915.4-2)

Cases involving support only, which are filed with the Domestic Relations Section, will, as in the past, first be referred to a domestic relations conference officer who will conduct an office conference. Following the conference, the conference officer will submit a report and an interim order will be entered by the court. (Pa.R.C.P. 1910.11) Thereafter, if necessary, a hearing will be held before a hearing officer (one of the standing masters) who will submit a report. (Pa.R.C.P. 1910.12)

A \$500.00 administrative fee must be paid at the time of filing the pleading which triggers the appointment of a master or hearing officer in all cases, except cases involving support only, where no administrative fee will be required. The fee will entitle the parties to two hours of the master's/hearing officer's time. No refund will be made if less than two hours is required.

Exceptions to the report and recommendation of the master or hearing officer may be filed in accordance with the appropriate Pennsylvania Rules of Civil Procedure. If exceptions are filed, the matter will proceed in accordance with said Rules. It should be noted that in most custody and visitation actions, hearings will not be held by a judge — only argument on exceptions will be heard. (Pa.R.C.P. 1915.4-1, 1915.4-2)

LOCAL COURT RULES

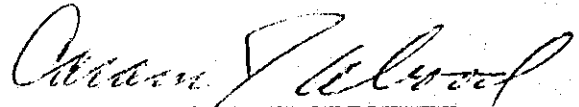
CAMBRIA COUNTY

Rules 5000.5 CC, 5000.7 CC, 5000.14 CC
Governing Court Reporting and Transcripts

And now, on this 2nd day of November 1988, Local Rules
5000.5 CC, 5000.7 CC, 5000.14 CC are hereby adopted and shall
become effective on the 5th day of December, 1988.

The Court Administrator is directed to file seven (7)
copies of this Order and the Rules with the Administrative
Office of the Pennsylvania Courts, two (2) copies with the
Legislative Reference Bureau for publication in the
Pennsylvania Bulletin, and one (1) copy to the Civil and
Criminal Procedural Rules Committee. All such copies
shall be certified by the Prothonotary.

BY THE COURT:



Caram J. Abood, Acting President Judge

LOCAL RULES OF COURT REPORTING
COURT REPORTING AND TRANSCRIPTS

No. 5000.5 CC Requests and Orders for Transcripts

Before a transcript of testimony is to be typed by a Court Stenographer, unless directed to do so by the Court, counsel making the request must present an Order substantially in the form attached hereto to be signed by a Judge.

The original of the order shall be filed in the appropriate Clerk's Office and a copy of same served upon the Court Stenographer as well as the Court Administrator

No. 5000.7 CC Fees for Transcripts

For each page of transcript produced, the Court Stenographer shall be paid \$2.00 per page of original transcript. No fee shall be paid such reporter for copies provided to the county.

No. 5000.14 CC Applicability of State Rules

In all other respects, Rule 5000.1 et seq., of the Pennsylvania Rules of Judicial Administration shall apply. All local rules previously adopted or inconsistent with these Rules are hereby repealed.

IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA
DIVISION

_____ : No.

vs. _____

APPLICATION FOR ORDER TO TRANSCRIBE RECORD

TO THE HONORABLE JUDGES OF SAID COURT:

1. Applicant is counsel for _____

2. Application is made for an order to transcribe
the following portion of the record: _____

3. The transcribed record is wanted for the following
purposes:

_____ An appeal was filed in the _____ Court
by _____ on the _____ day of
_____, 1988.

_____ Other reason: _____

4. Applicant requests _____ copy(s) to be paid for
by: _____

_____ Applicant; or

_____ County, because Applicant is counsel for
Commonwealth or indigent defendant in criminal
case.

_____ County, because Applicant is counsel for an
indigent in a civil case.

- 5. Date of hearing(s): _____
- 6. Date of Verdict, Judgment, Order or Sentence (if applicable): _____
- 7. Date transcript is to be completed: _____

DATE: _____ Applicant

Counsel for Applicant

ORDER

AND NOW, on this ____ day of _____, 19__, the application is ____ Granted ____ Denied. Cost of the original shall be paid by ____ Applicant ____ County; cost of copies requested shall be paid by ____ Applicant ____ County.

BY THE COURT:

LIST OF COUNSEL: