

Philadelphia Bar Association

Family Law Section Minutes

August 6, 2018

- I. **WELCOME AND INTRODUCTION:** Ann welcomed the group and attending Judges.
- II. **ANNOUNCEMENTS**
 - a. Collaborative Law Statute
 - b. Custody Backlog in Philadelphia
 - i. Article in Inquirer painted an unflattering picture of the court. Judges were unhappy with the coverage, and spoke with the domestic relations committee. Some changes being made to address the concerns - see today's program.
 - c. If you have comments about emergency custody procedures, please send them to Judge Murphy.
- III. **PROGRAM - Relocation Changes - Master Dan Sulman**
 - a. Court is seeking to address the backlog created while Judge Cohen is out on medical leave
 - b. Judge Stella Tsai is coming on the bench on August 13 to take over Courtroom 6D. New scheduling for 6D will be before her. If you have a hearing in 6D scheduled now, assume she will be hearing it as no new notices will be sent.
 - c. If you have a March 2019 relocation date, you should now be scheduled for a conference before Master Sulman, who will give you a new (sooner) date before Judge Tsai
 - d. **New Relocation Procedure:** The Court has adopted a new procedure in Custody Relocation cases. Briefly, the procedure is as follows:
 - i. All new Relocation filings received by the Clerk of Court (whether it the filing is a Petition to Confirm Relocation, a Notice of Proposed Relocation and/or a Counter-Affidavit Objecting to the Proposed Relocation) will be docketed by the Clerk of Court and then scheduled for a Pre-Trial Conference with a specifically designated Master (Sulman) within 4 to 6 weeks of the filing;
 - ii. Parties and Counsel will then receive via U.S. mail an Order to Appear for the Pre-Trial Conference with Master Sulman, which will be scheduled in various courtrooms, depending upon courtroom availability;
 - iii. At the Pre-Trial Conference, the parties and their respective counsel of record, if any, shall be prepared to present the following to the Master:
 - 1. A brief narrative statement of the case;
 - 2. Unusual legal problems, if any;
 - 3. Stipulations of the parties, if any;
 - 4. A copy of the Notice of Proposed Relocation;
 - 5. An analysis of the sixteen (16) custody factors enumerated in 23 Pa.C.S. § 5328(a) and the ten (10) relocation factors enumerated in 23 Pa. C.S. § 5337(h);

6. A list of all names and addresses of all persons who may be called as witnesses by the party filing the statement; and
 7. A list of all exhibits which a party intends to use at trial
 8. **Only counsel and the parties to the case shall appear at the Pre-Trial Conference.**
- iv. Cases that do not resolve via a final order by agreement at a Pre-Trial Conference will be scheduled for date certain Relocation Hearings for which counsel will be attached (a trial date will be set at the Pre-Trial Conference, then the assigned Judge's chambers will issue a Pre-Trial order and a Notice of Attachment). **Come to court with your calendar so that you can be given a date certain for trial.**
 - e. The hope is that this new procedure will streamline/resolve more cases without trial and will open up additional dates through consolidation
 - f. Can ask Master Sulman to consolidate outstanding petitions at the conference level. It may be possible to obtain an emergency order for compelling reasons.
- IV. GOOD AND WELFARE**
- a. New law clerks for Judge Mallios and Judge Thompson - please welcome them
 - b. Thank you to all the section members who attended Petra Hoeschele's Memorial Service.
 - c. Third Circuit Court of Appeals denied stay in case between Catholic Social Services and the City of Philadelphia. City removed the contract and stopped placing children with CSS because they refused to adopt to gay and lesbian couples. CSS sued to resume.

Next Meeting: September 10, 2018

Respectfully submitted: Eileen G. Murphy