PHILADELPHIA BAR ASSOCIATION
FAMILY LAW SECTION MEETING MINUTES
SEPTEMBER 12, 2016
Chair Dina Ronsayro, Esquire, presided.

I. WELCOME AND INTRODUCTION: Dina called the meeting to order at 12:18 p.m. and welcomed everyone.

II. CORRECTIONS OR ADDITIONS TO MINUTES: The July minutes were approved.

III. TREASURER’S REPORT: The financial information was not available as of the time of this report.

IV. ANNOUNCEMENTS:

A. Dina encouraged everyone to attend the Philadelphia Bench-Bar where our Section is presenting a program introducing the four new Philadelphia Family Court judges.

B. Dina reminded the Section to consider volunteering at the Help Desk in Family Court. Please contact Lee Schwartz, Esquire, via e-mail to schedule a day to help (lee@schwartzjordan.com) – i.e., either Monday or Wednesday from 12:00 p.m. to 3:00 p.m.

C. Dina announced the October monthly meeting will be on October 18, 2016 and will include a CLE from the Custody Committee.

D. Dina announced proposed changes to the Section’s by-laws (see the summary below and the attached red-lined version of the by-laws). A vote on the changes will be held at the November 7, 2016 monthly meeting.

1. Currently, individuals may serve two consecutive two-year terms on the Executive Committee of the Family Law Section. The proposed change is to allow individuals to serve no more than four consecutive one-year terms. The number of elected members will remain at ten.

2. Currently, the Executive Committee cannot vote via telephone or email. The proposed changes provide for up to three people to participate via telephone to achieve an in-person voting quorum. Another proposed change will allow the Executive Committee to vote via email regarding all matters needing a timely vote except those involving vacancies on the Committee/within the Officers or where the Section would be financially obligated for a sum in excess of $100.
3. The by-laws would be edited to explain the succession of Officers in the Section.

4. The by-laws would be edited to allow for electronic records to be kept instead of loose-leaf binders.

E. Dina announced there will also be a proposed slate for Officers and Executive Committee Members which will be voted upon at the November Meeting.

F. Jim Rocco, Esquire, advised there are openings for membership in the Nicholas J. Cipriani Inn of Court. Please contact him at jrocco@roccolaw.com if you are interested in joining.

V. **PROGRAM:** “Motions for Expedited Relief in Custody”

A. The Honorable Diane Thompson presented on this important topic.

B. Her Honor has provided the following summary:

MOTIONS ARE FILED ONLY ON MONDAYS. IF COURT IS CLOSED ON MONDAY, FILE ON TUESDAY. FILING FEE IS $42.68.

THERE MUST BE AN UNDERLYING PENDING COMPLAINT FOR CUSTODY OR PETITION TO MODIFY OR PETITION FOR CONTEMPT.

PERSONAL SERVICE ONLY ON THE RESPONDENT OR ATTORNEY OF RECORD—NOT CERTIFIED MAIL, NOT FED EX, NOT UPS. BRING YOUR AFFIDAVIT OF PERSONAL SERVICE WITH YOU TO COURT. EXCEPTION TO PERSONAL SERVICE IS WHEN THE RESPONDENT’S ADDRESS IS CONFIDENTIAL AND THE PETITIONER DOES NOT KNOW RESPONDENT’S ADDRESS, THEN COURT SENDS IT CERTIFIED MAIL, RRR. SERVICE MUST BE “FORTHWITH” – IMMEDIATELY – NOT A FEW DAYS BEFORE THE HEARING DATE. IF NO SERVICE, MOTION MAY BE DISMISSED. CONTINUANCE REQUESTS MUST BE MADE AS FAR IN ADVANCE AS POSSIBLE TO HEARING JUDGE.

NO EX PARTE REQUESTS AND ATTORNEYS MUST HAVE ENTERED ENTRY OF APPEARANCE TO REQUEST A CONTINUANCE.

MOTIONS FOR EXPEDITED RELIEF ARE NOT A SUBSTITUTE FOR EMERGENCY CUSTODY PETITIONS. MOTIONS ARE FOR DISCREET CUSTODY ISSUES THAT CANNOT WAIT UNTIL THE SCHEDULED HEARING BEFORE A JUDGE OR A MASTER AND ARE FACT-SPECIFIC. EXAMPLES ARE DENIAL OF ACCESS TO THE CHILD(REN), REMOVAL OF CHILD(REN) FROM JURISDICTION WITHOUT CONSENT, TIME-SENSITIVE ISSUES (PASSPORT, MEDICAL OR EDUCATIONAL NOT CHOICE OF SCHOOL), PFA WHICH MAY REQUIRE A CHANGE OF LOCATION FOR EXCHANGE OF CHILDREN.
ONCE YOU’VE CHECKED IN, DO NOT LEAVE. IF YOU MUST GO TO ANOTHER COURTROOM, TELL THE COURT OFFICER AND GIVE YOUR CELL # TO THE COURT OFFICER.

COURT ENCOURAGES ATTORNEYS TO NEGOTIATE AGREEMENTS IF ONLY FOR TEMPORARY RELIEF. IN RARE CIRCUMSTANCES THE COURT MAY INTERVIEW A CHILD REGARDING THE ISSUE FOR EXPEDITED RELIEF.

VI. COMMITTEE REPORTS: Committee meeting time/dates and announcements are disseminated over the FLS listserv.

VII. GOOD & WELFARE: None.

NEXT SECTION MEETING: Tuesday, October 18, 2016, at 11:45 a.m. in the 11th Floor Conference Room of the Philadelphia Bar Association at 1101 Market Street.

**Please note the special date, time and location**

NEXT EXECUTIVE COMMITTEE MEETING: Thursday, October 20, 2016, at 12:00 p.m. on the 11th Floor of the Philadelphia Bar Association at 1101 Market Street.

Respectfully submitted,

[Signature]

Kristine L. Catalang, Esquire
Secretary

ATTACHMENTS (2):

- September 2016 PA Appellate Court Family Law Slip Opinions – Courtesy of Sara Slocum, Esquire, of Astor Weiss Kaplan & Mandel, LLP
- Red-Lined Version of Family Law Section By-Laws