

**PHILADELPHIA BAR ASSOCIATION
FAMILY LAW SECTION MEETINGS**

Meeting of April 11, 2011

Next Section Meeting: Monday, May 2, 2011, 12:00 p.m., Philadelphia Bar Association, 1101 Market Street, 10th Floor.

Next Executive Committee Meeting: Thursday, May 19, 2011, 12:00 p.m., Philadelphia Bar Association, 1101 Market Street, 11th Floor Committee Room South.

The meeting was called to order at approximately 12:15 p.m. by Julia Swain, Esquire, and concluded at approximately 1:10 p.m.

I. WELCOME AND INTRODUCTION

Julia welcomed everyone to the meeting, including Judge Dougherty, Judge Murphy, Judge Matthews, Judge Thompson, Master Dan Sulman, and Karen Zeitz.

II. APPROVAL OF MINUTES

There were no changes to the March minutes and they were approved as written.

III. TREASURER'S REPORT

As of March 31, 2011, the Section's treasury had a balance of net assets in the amount of \$23,468. A copy of the report is attached hereto.

IV. ANNOUNCEMENTS

There were no announcements.

V. PRESENTATION

David Wasson, Court Administrator of the First Judicial District of Pennsylvania, and Charles A. Mapp, Chief Deputy Court Administrator, spoke to the Section regarding their recent appointments and their goals for the FJD. Specifically, Messrs. Wasson and Mapp stated that the three things they hope to accomplish are (1) to establish e-filing for every docket in every court in the District, as we are currently only able to e-file in approximately 50% of cases, and there is no e-filing in family law cases; (2) partner with the City's 311 infrastructure so that citizens can call 311 and obtain information about the courts; and (3) have all Divisions of the FJD recognized as the best in the nation, and not just the Civil Division. Judges Dougherty and Murphy also spoke about the various initiatives, and were appreciative of the experience that Messrs. Wasson and Mapp bring from the Civil and Criminal Divisions.

Currently, only attorneys of record have access to online dockets for divorce, custody, and PFA cases. Judge Murphy said that the goal is to work out the kinks in the current system before granting all litigants access to their own files. There is no specific timeline to expand access, and that will likely be accomplished before the Family Law Division focuses on e-filing.

Judges Dougherty and Murphy said that the Family Law Division's top priority remains the new courthouse, which is scheduled to open in December 2013.


VI. COMMITTEE REPORTS

All information relating to Committee reports and meeting dates is disseminated over the List Serve.

VII. GOOD AND WELFARE

None.

Respectfully submitted,


Meredith Brennan, Esquire
Secretary

ATTACHMENTS:

Treasurer's report
Slip Opinions

**Family Law Section
Statement of Activities
For the Three Months Ending March 31, 2011**

	March	YTD 03/31/11
Sources of Funds		
Dues	\$1,922	\$5,602
Annual Dinner	0	0
Cocktail Party & Special Events	0	0
Section Lunch Meetings	107	464
Miscellaneous	0	0
	\$2,029	\$6,066
 Application of Funds		
Annual Dinner	\$345	\$345
Cocktail Party & Special Events	0	0
Committees/CLE Programs	0	0
Postage	0	10
Section Lunch meetings	240	718
Reproduction	0	363
Newsletter	0	0
Telephone	0	0
List Serv/Website	0	0
Miscellaneous	0	0
	585	1,436
Excess/(deficit) of all activities	1,444	4,630
Balance at beginning of period	18,838	18,838
Net Assets	\$20,282	\$23,468

Committees		
Custody	\$0	\$0
Custody and Divorce Mediation	0	0
Dependency	0	0
Divorce/Equitable Distribution	0	0
Domestic Violence	0	0
Support and Alimony	0	0
Support and Alimony	0	0

Total Committee

\$0 \$0

RECENT PA. APPELLATE COURT FAMILY LAW SLIP OPINIONS

April 2011

Summarized by David I. Grunfeld, Esquire

1. **Wetzel v. Heiney**, Lehigh, 1410 EDA 2010
(Pa. Super. 3/8/11)

Husband appealed divorce decree. Dismissed as moot - parties had reached agreement and court's denial of husband petition for counseling was not abuse because he failed to object to entry of 3301(d) decree in counter-affidavit. Opinion by Strassburger joined by Bender and Lazarus.

2. **Warmkessel v. Heffner**, Berks, 879 MDA 2010
(Pa. Super. 3/10/11)

Father appealed child support civil contempt incarceration order. Affirmed - no credit for time served from arrest to hearing. Opinion by Gantman joined by Stevens and Fitzgerald.

3. **C.L. v. Z.M.F.H.**, Ind., 1223 WDA 2010
(Pa. Super. 3/17/11)

Father appealed dismissal of his custody petition. Affirmed - no jurisdiction here because Mother's Tribal Court in South Dakota had properly entered Order first. Opinion by Allen joined by Olsen and Colville.

4. **Kent v. Kent**, Alleg., 1489 and 1586 WDA 2009
(Pa. Super. 3/18/11)

Wife appealed alimony order. Affirmed - no abuse of discretion in limiting duration when Wife wanted to home-school child until 2022. Opinion by Bowes joined by Ford Elliott and Freedberg.

5. In Re: Change of Name of E.M.L. to E.M.S.,
Centre, 1034 WDA 2010 (Pa. Super. 4/7/11)

Birth parents appealed name change of 15 year old to that of foster parents with whom he'd been living since age 1½. Affirmed - no statutory standing bar to child being petitioner, no abuse of discretion here in best interest. Opinion by Shogan joined by Stevens and Colville.

6. B.J.D. v. D.L.C., Blair, 1682 WDA 2010
(Pa. Super. 4/11/11)

Father with primary custody appealed stay order and transfer of case to Oklahoma where Mother lived. Vacated - no subject matter jurisdiction here since both parties removed. Opinion by Strassburger joined by Musmanno and Panella.

7. In the Interest of: A.B., Lanc., 1463 and 1464
and 1465 MDA 2010 (Pa. Super. 4/11/11)

G.A.L. appealed denial of goal change from reunification to adoption. Affirmed - no abuse of discretion here because mother cooperative with CYS, addressed all issues, had significant bond with children, had happy visitations. Opinion by Bowes joined by Mundy and Platt.

Copies of Pa. Supreme and Superior slip opinions may be downloaded from the Internet on the homepage of the Administrative Office of the Pa. Courts, address www.aopc.org.