

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
MISCELLANEOUS

IN RE:)
) No. AD- 1268 -2023
LOCAL RULES 1915.26, 1915.27,)
1920.51, 1920.55-1, AND 1920.55-2)

ADMINISTRATIVE ORDER OF COURT

AND NOW, this 23rd day of October, 2023, the Court hereby adopts the attached
Local Rules 1915.26, 1915.27, 1920.51, 1920.55-1, and 1920.55-2, effective thirty (30) days
after the publication of same in the Pennsylvania Bulletin.

Erin Karmen, Esquire, Judicial Law Clerk, is Ordered and Directed to do the
following:

1. File one (1) copy of this Order and the attached Local Rules 1915.26, 1915.27, 1920.51, 1920.55-1, and 1920.55-2 with the Administrative Office of Pennsylvania (AOPC) via email to adminrules@pacourts.us.
2. File one (1) copy of this Order and the attached Local Rules 1915.26, 1915.27, 1920.51, 1920.55-1, and 1920.55-2 with the Legislative Bureau for publication in The Pennsylvania Bulletin.
3. Publish a copy of this Order and the attached Local Rules 1915.26, 1915.27, 1920.51, 1920.55-1, and 1920.55-2 on the Clinton County Court website.

BY THE COURT:



P.J.

CRAIG P. MILLER
PRESIDENT JUDGE

COURT OF COMMON PLEAS
25TH JUDICIAL DISTRICT
OF PENNSYLVANIA
COURTHOUSE
LOCK HAVEN, PA 17745

cc: Office of District Attorney
President Judge Craig P. Miller
Judge Michael F. Salisbury

Magisterial District Judge John W. Maggs
Magisterial District Judge Frank P. Mills
Magisterial District Judge Keith G. Kibler
/Erin J. Karmen, Esquire
Members of the Clinton County Bar Association
Clinton County Adult Probation Services
Court Administrator

CRAIG P. MILLER
PRESIDENT JUDGE

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COURT OF COMMON PLEAS
25TH JUDICIAL DISTRICT
OF PENNSYLVANIA
COURTHOUSE
LOCK HAVEN, PA 17745

Rule 1915.26. Conciliation Conference.

(a) The Court shall refer all actions for custody of minor children to a Custody Conciliator for purposes of a conciliation conference. Applicable Pennsylvania and local Custody Rules shall be followed.

(b) The Custody Conciliator shall be an attorney of law authorized to practice before the Supreme Court of Pennsylvania and shall be appointed to such position by the President Judge of the Court of Common Pleas of Clinton County. The Custody Conciliator shall not practice family law before a Judge, conference officer, or hearing officer employed in the 25th Judicial District.

(c) The Custody Conciliator shall attempt to resolve the differences between the parties, encourage amicable resolution of those differences and may recommend mediation, or counseling services to the parties. Any resolution of the custody dispute shall be reduced to writing, signed by the parties and counsel, for approval and entry as an Order of the Court.

(d) The Custody Conciliator may conduct an informal hearing, take testimony of the parties under oath, and hear the position of the parties relative to custody. The Custody Conciliator shall have the right to conduct oral examination of the child who is the subject matter of the proceeding. No other witnesses shall be permitted, except in extraordinary cases, and at the discretion of the Custody Conciliator. The testimony shall not be recorded or transcribed. The Custody Conciliator shall not be bound by technical rules of evidence and all evidence of reasonably probative value may be received. The Custody Conciliator shall consider the Court Ordered written evaluations of experts. The hearing shall not be considered a hearing of the type permitted by Pa.R.Civ.P. 1915.4-1 but shall be considered an extension of the conciliation process.

(e) The proceeding shall be concluded on the date fixed for said proceeding, except that the Custody Conciliator may continue the proceeding to a date certain for good cause shown, or to obtain, investigate or evaluative reports from a social service agency or a private provider.

(f) Any investigative or evaluative reports ordered and/or obtained may be considered by the Custody Conciliator.

(g) If a written settlement is not reached, by stipulation, the Custody Conciliator shall file a recommended interim order. At the discretion of the Custody Conciliator, the Custody Conciliator may also file a written report.

(h) Upon receipt of the recommended interim order and any other document from the Custody Conciliator, the Court may issue the interim order, and schedule the matter for a pretrial conference, and/or schedule the matter for a final hearing before the Court.

Rule 1915.27. Nonappearance at Proceeding before Custody Conciliator.

(a) If a plaintiff/petitioner fails to appear, without proper cause shown, at the conciliation conference before the Custody Conciliator, and the Custody Conciliator is satisfied that proper notice of the order giving the date and time for the conciliation conference has been given to the plaintiff/petitioner, the Custody Conciliator shall recommend to the Court that an order be entered dismissing the complaint or petition to modify with respect to that party.

(b) If a defendant/respondent or any party joined in the case fails to appear, without proper cause shown, at the conciliation conference before the Custody Conciliator, and the Custody Conciliator is satisfied that proper service of the order has been given to the defendant/respondent or the non-appearing party, it shall be presumed that said party has agreed to a conciliation in that party's absence, and the Custody Conciliator shall proceed and recommend an order to be entered by the Court.

(c) If all parties fail to appear at a conciliator conference before the Custody Conciliator, and the Custody Conciliator is satisfied that proper service has been given to parties, the Custody Conciliator shall recommend to the Court that an Order be entered dismissing the custody complaint or the petition to modify custody order.

Rule 1920.51. Hearing by Permanent Hearing Officer.

(a) The Court of Common Pleas of Clinton County shall appoint a Hearing Officer to hear the following issues concerning divorce matters pending before the Court:

- (1) Alimony;
- (2) Equitable Distribution of Marital Property;
- (3) Counsel Fees;
- (4) Costs and Expenses
- (5) Divorce pursuant to § 3301(a) or § 3301(b) of the
Divorce Code; and
- (6) Any allegations in any Counter-Affidavit denying the
averments in the Affidavit and action under § 3301(c)(2) or
§ 3301(d) of the Divorce Code, including the date of
separation.

(b) Any party may request a hearing before the Hearing Officer on the above issues by filing a motion in the Office of Prothonotary requesting that the Court Administrator schedule said proceeding.

Rule 1920.55-1. Continuance Requests and Hearing Officer's Report.

(b) The Hearing Officer shall file a report as provided by Pa. R.Civ.P. 1920.53 and 1920.54(a). Any request for a continuance of any proceeding before the Hearing Officer shall be filed with the Office of Prothonotary directed to the Office of Court Administrator.

Rule 1920.55-2. Hearing Officer Procedure.

The Court adopts the procedures as set forth in Pennsylvania Rule of Civil Procedure 1920.55-2.