

Pennsylvania House Judiciary Committee
APL Hearing May 23, 2017
Representative John Lawrence

Good Morning Chairwoman Delozier, Chairman Briggs, and Members of the Committee. I sincerely appreciate the opportunity to make some brief remarks regarding House Bill 983, legislation that Rep. Neuman and I have collaborated on to address needed changes in Pennsylvania's alimony pendente lite (APL) statute.

It may surprise the committee to learn that today, in Pennsylvania, a victim of domestic violence can be compelled to pay APL to their abuser. Think about that - imagine being in ordered by a judge to pay monthly support to an individual who pled guilty to beating you.

The original intent of APL is noble - to ensure that during a divorce, a partner is not left impoverished or severely financially disadvantaged. APL, a kind of temporary alimony, stays in place until the divorce is settled. However, I would suggest to the committee that the law as it stands today does not contemplate the circumstance where one of the parties to the divorce is a victim of domestic violence.

Imagine, if you will, the following scenario: A successful, professional women is assaulted by her husband, who earns significantly less in salary than she does. The husband is charged and pleads guilty to assault. Subsequently, during the divorce proceedings, the abusive husband petitions the court for APL. This request is nearly always granted, since existing law provides no exception for domestic violence – even in the case where the abuser has pled guilty to the crime. In this example, the woman is now legally obligated to pay APL to her abuser until the divorce is settled. Of course, the abusive husband now has an incentive to drag out the process for as long as possible, since he will receive APL until the divorce is finalized.

HB 983 seeks to rectify this issue. The bill would provide that unless there are exceptional circumstances, an individual would not be required to pay APL to their abuser. This small change in the law would have a major impact in the lives of those who have faced the challenges of domestic violence.

I thank the committee for the opportunity to speak to this legislation, and for holding this hearing today. I look forward to hearing the testifiers. Thank you Madame Chair.