
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 626

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INTRODUCED BY LEVIN, SPENCER, SCIRICA, RHODES AND WACHOB,
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REFERRED TO COMMITTEE ON JUDICIARY, MARCH 12, 1979

AN ACT

1 Providing for family support and interspousal property rights.

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13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 CHAPTER 1

16 GENERAL PROVISIONS

17 Section 101. Short title.

18 This act shall be known and may be cited as the "Family
19 Support and Interspousal Property Rights Law."

20 Section 102. Purposes.

21 For the purpose of preserving family life, promoting family
22 responsibility and the resolution of problems of disunity and
23 nonsupport in an atmosphere of good will and cooperation the
24 courts shall revise local procedure and practices as of the
25 effective date of this act in desertion and nonsupport actions
26 so as to exclusively utilize the civil procedures, remedies and
27 services provided in this act or Subchapter B of Chapter 67 of
28 Title 42 (relating to reciprocal enforcement of support orders)
29 and relating to interspousal property rights.

30 Section 103. Definitions.

1 The following words and phrases when used in this act shall
2 have, unless the context clearly indicates otherwise, the
3 meanings given to them in this section:

4 "Child."

5 (1) Any unemancipated person who is:

6 (i) under 18 years of age; or

7 (ii) a student in a fulltime educational program,
8 excluding graduate school, who has not reached the age of
9 23 years.

10 (2) For purposes of this act, a child is emancipated if
11 he is:

12 (i) married;

13 (ii) self-supporting;

14 (iii) not subject to parental control, which can be
15 shown by the child's having a permanent residence away
16 from the permanent residence of the party seeking support
17 for the child. A residence at boarding school, camp,
18 college, training or vocational school is not to be
19 deemed a residence away from the permanent residence of
20 the party seeking support for the child, unless the
21 child's permanent residence when not attending boarding
22 school, camp, college, training or vocational school is
23 not with the party seeking support;

24 (iv) entry into the armed forces of the United
25 States or any of its allies.

26 "Complaint." The document used in instituting support
27 proceedings.

28 "Court." The court of common pleas acting through its family
29 court division in Philadelphia County and Family Division in
30 Allegheny County and through its domestic relations section or

1 sections in other counties.

2 "Director." The officer appointed as director of the
3 domestic relations section.

4 "Domestic relations section." Includes a family court
5 division or family division.

6 "Employment income." Wages, salaries, commissions, bonuses,
7 pensions, unemployment compensation, workmen's compensation, or
8 any other emoluments except where such employment income is
9 exempt from attachment by law.

10 "Support." Care, maintenance and financial assistance.

11 CHAPTER 2

12 RIGHTS AND RESPONSIBILITIES OF INDIVIDUALS

13 Section 201. Rights and duties.

14 Subject to the provisions of Chapter 5:

15 (1) A husband and wife are liable for the support of
16 each other according to their respective abilities to provide
17 such support.

18 (2) Parents are liable for the support of their child or
19 children.

20 (3) The right to support shall obtain notwithstanding
21 that the respondent lives in the same household with the
22 person for whom support is sought.

23 Section 202. Separate property.

24 All property, whether real, personal or mixed, which may be
25 owned by or belong to any single person, shall continue to be
26 the property of such single person, as fully after a marriage as
27 before; and all such property of whatever kind, which shall
28 accrue to any person during marriage, by will, descent, deed of
29 conveyance or otherwise, shall be owned, used and enjoyed by
30 such married person as his own separate property; and the said

1 property, whether owned before marriage, or which shall accrue
2 to him afterwards, shall not be subject to levy and execution
3 for the debts or liabilities of his spouse, nor shall such
4 property be sold, conveyed, mortgaged, transferred or in any
5 manner encumbered without the owner's written consent.

6 Section 203. Liability for debts.

7 (a) Nonliability for debts before marriage.--One spouse
8 shall not be liable for the debts of the other spouse contracted
9 before marriage.

10 (b) Savings clause.--Nothing herein shall be construed to
11 protect the property of any married person from liability for
12 debts contracted by him or in his name by any person authorized
13 so to do.

14 Section 204. Judgment against married persons.

15 A judgment against a married person individually before or
16 during marriage shall not bind or be a lien upon his spouse's
17 real estate.

18 Section 205. Liability to third party for necessities.

19 Each spouse has the right to the separate benefit and use of
20 his separate earnings, and neither, unless they voluntarily
21 assume joint debts, shall be jointly liable for purchases by the
22 other spouse, except that a husband and wife are liable jointly
23 and severally for any debts contracted by either for necessities
24 for themselves and their children.

25 Section 206. Interspousal loans.

26 It shall and may be lawful for a married person to loan his
27 spouse money from his separate estate and to take in security
28 therefor a judgment or mortgage against the property of his
29 spouse which shall be valid as otherwise provided by law.

30 Section 207. Suits between married persons.

1 A husband or wife may sue the other under the act of October
2 7, 1976 (P.L.1090, No.218), known as the "Protection From Abuse
3 Act," and in all cases where a husband and wife are separated,
4 or where a husband or wife with monetary income has neglected or
5 refused to support his spouse or children, or where a husband or
6 wife has been granted a divorce from bed and board, it shall be
7 lawful for him to bring civil suit in any of the courts of this
8 Commonwealth having valid jurisdiction against the other spouse
9 to protect and recover separate earnings or separate property,
10 and for support, and in these cases each spouse shall be a
11 competent witness against the other spouse.

12 CHAPTER 3

13 POWER AND DUTIES OF THE COURT

14 Section 301. Civil proceedings.

15 The court shall have the power to hear and determine in a
16 civil action all matters embraced by the provisions of this act,
17 and its decrees and orders shall be subject to appeal as
18 provided by law. The court shall have the power to make a
19 support in accordance with the provisions of this act and shall
20 have the power and responsibility for the enforcement of that
21 order. The court shall have the power to enforce its decrees by
22 contempt and attachment proceedings.

23 Section 302. Domestic relations section.

24 (a) Division of county court.--In every county of the
25 Commonwealth, there shall be established and maintained a
26 domestic relations section or family court division or family
27 division within each court of common pleas or branch thereof.

28 (b) Director.--The court shall appoint a director of the
29 domestic relations section or family court division or family
30 division of the court of common pleas who shall be a competent

1 and qualified person and have the power to appoint other
2 supporting staff as it deems necessary to effectively perform
3 the work of the domestic relations section. Only the court shall
4 have the power to suspend and remove all employees of the
5 domestic relations section for cause and to require of any
6 employee security for faithful performance.

7 (c) Cooperation.--The domestic relations section may make
8 full use of services from other agencies concerned with matters
9 coming within the purview of the court under this act.

10 Section 303. Consolidation.

11 The court shall have the right to consolidate with any
12 support action any action filed for visitation, partial,
13 temporary or permanent custody, or any other matters pertaining
14 to support authorized by law and which fairly and expeditiously
15 may be determined and disposed of in such actions.

16 CHAPTER 4

17 DUTIES OF THE DIRECTOR AND THE DOMESTIC RELATIONS SECTION

18 Section 401. Processing support actions.

19 It shall be the duty of the director to receive and process
20 in accordance with law and rules of court, all complaints filed
21 under this act and under Subchapter B of Chapter 67 of Title 42
22 (relating to reciprocal enforcement of support orders).

23 Section 402. Assistance to the court, other duties.

24 (a) Investigation and information.--It shall be the duty of
25 the director to make such investigation as may be necessary, and
26 to furnish the court such information and assistance as the
27 court may require, and to collect and pay over to the proper
28 persons or agencies, money received, and, in general, to do and
29 perform such services as the court may direct.

30 (b) Location of individuals.--The director shall use all

1 means available to locate respondents having the duty of
2 support.

3 (c) Use of court powers.--As directed by the court, the
4 director or his assistants shall have full power and authority
5 to detain by incarceration or by other means as ordered by the
6 court any person who fails to comply with an order of court
7 issued in any pending civil action for support pursuant to the
8 provisions of this act directing such person to appear for any
9 hearing or who is in substantial violation of the terms of an
10 order of support. Such detention shall be made only upon a writ
11 of attachment or written order of the court.

12 (d) Records.--The director shall keep an account of all
13 orders made by the court and a record of all payments made
14 thereunder and shall bring periodically to the attention of the
15 court any default in compliance with the court's order. The
16 director shall compile appropriate data relating to the duties
17 of the section and shall make an annual report to the court.

18 CHAPTER 5

19 DETERMINATION OF SUPPORT

20 Section 501. General provisions.

21 (a) Consideration for court order.--The court in making an
22 award for support of a spouse shall consider all relevant
23 factors including, but not limited to:

24 (1) the reasonable needs of each spouse and the ability
25 of each spouse to provide for his own needs;

26 (2) the standard of living, financial resources,
27 earnings, earning capacity and employability of each spouse
28 in terms of age, physical or emotional health and
29 occupational skills; and

30 (3) the nonmonetary contributions of either spouse

1 toward the care and maintenance of the other or of children.

2 (b) Order to parents.--The court may order either or both
3 parents to pay a reasonable sum for the support of a child or
4 children according to the parents' respective abilities to
5 provide such support. In making such an award, the court shall
6 consider all relevant factors including, but not limited to:

7 (1) the age, physical and emotional health, education or
8 vocational needs and aptitudes, employability, and financial
9 resources of the child or children;

10 (2) the standard of living, financial resources,
11 earnings, earning capacity and employability of either or
12 both parents in terms of age, physical or mental health and
13 occupational skills; and

14 (3) the nonmonetary contributions of either parent
15 toward the care and maintenance of the child or children.

16 (c) Amount of order.--In determining the amount of a support
17 order, no maximum percentage of income and resources shall
18 apply.

19 (d) Occurrence upon divorce.--An order of support may be
20 awarded for a spouse against whom an action in divorce has been
21 instituted. However, a spouse seeking support shall not be
22 entitled to such support if such spouse has acted in such manner
23 as to give the other spouse grounds for divorce provided such
24 other spouse must, in addition to having grounds for divorce, be
25 innocent and injured, when such grounds accrued.

26 Section 502. Marital status of parents.

27 In entering an order for the support of a child, no
28 distinction shall be made because of the marital status of the
29 parents.

30 Section 503. Effective date of an order of support.

1 The effective date of an order of support shall be the date
2 of the filing of the complaint or such date thereafter as shall
3 be deemed consistent with the needs of the person requiring
4 support as well as the financial ability of the person
5 furnishing support.

6 Section 504. Hearing date.

7 If provided by local rule of court or by local practice a
8 prehearing conference shall be scheduled and held no more than
9 15 days after the filing of the complaint. The court hearing
10 shall be held within 30 days after such prehearing conference or
11 if no such conference is held, then the court hearing shall be
12 held within 30 days after the filing of the complaint.

13 Section 505. Order of support; periodicity of payments.

14 (a) Order payable to domestic relations section.--An order
15 of support shall be payable to the domestic relations section
16 unless otherwise ordered by the court for transmittal to the
17 person or agency designated by the court.

18 (b) Support order to be periodic.--An order of support,
19 which shall not be a lump sum, shall be payable in periodic
20 payments as ordered by the court.

21 (c) Assignment.--Whenever any order of support is entered
22 for the benefit of a child or children whose support is being
23 paid by any public or private agency, the right of support and
24 the proceeds of the order shall be deemed to be assigned to said
25 private or public agency to the extent of the amount of support
26 paid for said child or children.

27 Section 506. Voluntary payments.

28 The court may, in its discretion, after hearing, dismiss a
29 complaint if the defendant is voluntarily paying and is willing
30 to continue to pay an amount equal to or greater than the court

1 determines it would award.

2 CHAPTER 6

3 COSTS AND FEES

4 Section 601. Costs and fees.

5 No fees or costs for filing any complaint shall be required
6 to be paid in advance. When it appears to the court that the
7 parties, or either of them, are financially able to pay costs
8 and fees, the court may impose such costs and fees.

9 Section 602. Counsel fees and expenses.

10 The court may award reasonable counsel fees and expenses in a
11 support action. The court may also award reasonable counsel fees
12 and expenses in attachment or contempt proceedings if the court
13 determines there has been a flagrant and willful failure to
14 comply with the support order.

15 CHAPTER 7

16 SUPPORT PROCEEDINGS

17 Section 701. Who may file.

18 Support proceedings shall be instituted by a complaint which
19 may be filed by any person:

20 (1) who is entitled to support for himself or herself or
21 his or her child or children;

22 (2) on behalf of a child by a person other than a parent
23 having the physical care or custody of the child without the
24 necessity for appointment as guardian ad litem; or

25 (3) by any public or private agency having any interest
26 in the care, maintenance or assistance of any person who is
27 entitled to support.

28 Section 702. Commencement of actions.

29 (a) Complaint.--A support action under this act shall be
30 commenced by the filing in the domestic relations section of a

1 verified complaint which shall state substantially the
2 following:

3 (1) The plaintiff's name and address.

4 (2) The defendant's name and last known address.

5 (3) The date and place of marriage, if married.

6 (4) The names, dates and places of birth and residence
7 of any children.

8 (5) Date and circumstances of separation from or failure
9 to support spouse or children.

10 (6) Usual occupation, employment and earnings of
11 plaintiff and defendant.

12 (7) Amount of public aid, if any.

13 (8) Any order of support in any other proceedings and
14 amount of arrearages, if any.

15 (9) Such other matters as shall be directed by rule of
16 court.

17 (10) The complaint may contain any information available
18 to aid in the location of identification of a defendant
19 including, but without limitation, by enumeration, a
20 photograph of the defendant, a description of any
21 distinguishing marks on that person, other names and aliases
22 by which the defendant has been or is known, the defendant's
23 financial status, fingerprints, and any other available
24 location or identification information.

25 (b) Order attached to complaint.--Every complaint for
26 support shall be accompanied by an order directing the defendant
27 to appear for a prehearing conference or a court hearing at a
28 time and place specified in the order.

29 (c) Service of complaint.--Every complaint for support and
30 order to appear shall be served on the defendant in any one of

1 the following manners:

2 (1) in accordance with the rules of civil procedure
3 relating to an action in equity; or

4 (2) by sending two copies of the complaint, one by
5 certified mail, deliver to addressee only, return receipt
6 requested, and one by ordinary mail to the defendant's last
7 known address, whether residence or business; or

8 (3) if service is not accomplished by certified mail as
9 provided in paragraph (2), and there is no personal
10 appearance by the defendant, then service must be
11 accomplished as in paragraph (1) or as may be authorized by
12 court.

13 (d) Responsive pleadings not necessary.--Responsive
14 pleadings and notices to defend or plead shall not be required.
15 Section 703. Venue.

16 A plaintiff, in his sole discretion, may proceed either under
17 Subchapter B of Chapter 67 of Title 42 (relating to reciprocal
18 enforcement of support orders), or may institute an action
19 against a defendant in and only in:

20 (1) The county in which the defendant resides.

21 (2) The county in which the defendant is regularly
22 employed.

23 (3) The county where the last marital domicile was
24 located if the plaintiff continues to reside therein.

25 (4) Any county more convenient to the defendant if venue
26 is not contested.

27 CHAPTER 8

28 ENFORCEMENT - WAGE ATTACHMENT

29 Section 801. Authority of court.

30 (a) Enforcement of order.--The court, upon receiving

1 information either through written application or at any
2 hearing, that there is failure to comply with a court order of
3 support, may issue attachment proceedings, directed to the
4 sheriff or other proper officer of the county or another county,
5 directing that the person named be brought before the court at
6 such time as the court may direct.

7 (b) Contempt of court.--Any person who is found, after
8 hearing, to have willfully failed to comply with any order of
9 the court may be adjudged in contempt of court and may be
10 punished by the court by commitment to the county prison or
11 house of correction until compliance with said order, but in no
12 case for a period exceeding six months; the court in its order
13 shall state the conditions upon which fulfillment will result in
14 the release of such person.

15 Section 802. Compelling attendance.

16 At all stages of proceedings provided under this act, the
17 court may compel the attendance, by attachment process directed
18 to the sheriff or other proper officer, directing and commanding
19 that the person named as having failed to appear be brought
20 before the court at such time as the court may direct, at which
21 time the court may adjudge such person in contempt of court.
22 Nothing in this act shall prohibit the court from proceeding
23 with a prehearing conference or a court hearing if defendant has
24 been served in accordance with this act and fails to appear.

25 Section 803. Attachment proceedings.

26 If, at any stage of the proceedings under this act, when it
27 is believed that the defendant is about to leave the
28 jurisdiction, at the discretion of the court, an attachment may
29 be issued by the court directed to the sheriff or other proper
30 officer, directing and commanding that the person named be

1 brought before the court at such time as the court may direct,
2 at which time the court may direct that the person named give
3 security with one or more sureties to appear when directed by
4 the court or to comply with any order of the court.

5 Section 804. Wage attachment.

6 On the motion of the plaintiff or on the motion of the court,
7 the court may issue an order attaching the employment income of
8 the defendant, to the defendant's employer or other appropriate
9 party or agency if there has been a failure to pay an order for
10 support or it is believed that the defendant is about to leave
11 the jurisdiction, in the following manner:

12 (1) A certified copy of the order of support shall be
13 served on the employer or other appropriate party or agency,
14 whether a corporation, the United States, the Commonwealth,
15 or any political subdivision, association, company, firm or
16 individual and shall be served by certified mail or by any
17 adult person or in any other manner provided by law.

18 (2) Such certified copy of the order shall contain an
19 order directing the employer or other appropriate party or
20 agency to make a full answer, within ten days after service
21 of the order, of the amount of employment income of the
22 defendant, and further directing the employer or other
23 appropriate party or agency to pay to the domestic relations
24 section an amount equal to the periodic payment as required
25 by the court order. The periodic payment may be calculated in
26 terms of the ordinary pay period of the defendant.

27 (3) The court shall determine the amount which shall be
28 paid by the employer or other appropriate party or agency to
29 the domestic relations section including the order for
30 support and any arrearages thereon and shall notify the

1 employer or other appropriate party or agency within 30 days.

2 (4) Thereafter, if shall be the duty of the employer or
3 other appropriate party or agency to pay such amount
4 regularly to the domestic relations section and upon failure
5 so to pay shall be in contempt and subject to the court's
6 order as now provided in proceedings against the defendant in
7 this chapter. The employer or other appropriate party or
8 agency is authorized to deduct an additional two percent of
9 the amount paid under the order from the employment income of
10 the defendant for clerical work and expenses involved in
11 complying therewith.

12 (5) Such attachment shall continue until discharged by
13 order of the court.

14 (6) An employer shall not use such attachment as a
15 basis, in whole or in part, for the discharge of an employee
16 or for any disciplinary action against any employee. Upon
17 failure to comply with this provision, the employer or other
18 appropriate party or agency may be adjudged in contempt of
19 court.

20 (7) Compliance by an employer or other appropriate party
21 or agency with an order of attachment of employment income
22 operates as a discharge of the employer's or other
23 appropriate party or agency's liability to the defendant as
24 to that portion of defendant's employment income so affected.

25 Section 805. Entry of support order or decree in court of
26 common pleas; execution against realty held by
27 entireties.

28 (a) Effect of support order on certain realty.--Whenever a
29 husband and wife shall hold real estate by entireties and one
30 spouse has heretofore secured or shall hereafter secure an order

1 or decree of court against the other spouse for the support of
2 the spouse or of their child or children, or of the child or
3 children of the defendant, or for support of both the spouse and
4 child or children, and a copy of such order or decree has been
5 certified to any court of common pleas of any county in this
6 Commonwealth in which the real estate so held by entirety is
7 situated, the said order, decree or judgment shall be entered in
8 the said court of common pleas as a judgment therein with like
9 force and effect as if the same had been recovered therein as a
10 judgment of the latter court; and it shall be lawful to issue
11 execution on such judgment against such real estate so held by
12 entirety and to sell the same in the manner provided by law
13 for the sale of real estate on execution issued on a judgment,
14 but, in any such writs of execution thereon, the defendant
15 therein shall not be entitled to the benefit of any exemption
16 laws. The sale of any real estate, under the provisions of this
17 act, shall convey to the purchaser or purchasers thereof a good
18 and valid title to such real estate, and shall vest in him or
19 them the entire title of both the husband and wife in the same
20 manner and to the same effect as if both husband and wife had
21 joined in the conveyance of same. The obligor spouse shall not
22 have the right to initiate proceedings hereunder.

23 (b) Division on sale of property.--Plaintiff-spouse shall be
24 entitled out of the proceeds of such sale to one-half of the
25 sum, which represents his heretofore undivided one-half interest
26 in the property. He may petition the court of common pleas of
27 the county where such real estate is situated, either before or
28 after the sale of such property by execution, setting forth his
29 claim, and the said court shall fix a day to hear the same.

30 Service upon the defendant in such case shall be personally, or

1 in the manner provided in Title 42 (relating to Judiciary and
2 Judicial Procedure). Service having been made as aforesaid, the
3 court shall, upon hearing the claim, make such decree as shall
4 be proper. In such hearing, both husband and wife shall be
5 competent witnesses.

6 (c) Appointment of trustee.--The court of common pleas shall
7 at the time of the hearing, or thereafter, appoint a trustee,
8 who shall receive from the sheriff the proceeds of the sale of
9 such property after the costs have been paid. Such trustee
10 shall, out of such funds, pay to the aforesaid such amount of
11 money as the court may have decreed to him as his share in the
12 property sold, and also such sums of money and interest thereon
13 from the time the respective items making up the same became due
14 and payable, which are due and payable by virtue of the order of
15 support herein mentioned, and the trustee shall also pay to the
16 plaintiff spouse such further sums as he may be entitled to
17 under any order of court for the support of that spouse or of
18 the children of that marriage. The trustee shall be compensated
19 as determined by the court from the proceeds of the sale.

20 (d) Credit for purchasing spouse.--Should the plaintiff-
21 spouse become the purchaser at said execution sale, he shall be
22 entitled to a credit on the purchase price thereof for such sums
23 as may have been found by the court to represent his share in
24 such property, and also for such sums of money as may be due him
25 from the defendant, under the order of support upon which the
26 execution was issued, at the time of the said sale, together
27 with interest on said sums due him for support from the time the
28 respective sums become due. Such credit shall be allowed him by
29 the sheriff, or he may assign the several sums due him, as
30 aforesaid, to the purchaser of said property, whereupon credit

1 shall be given the purchaser by the sheriff for the amount so
2 assigned.

3 (e) Rights of spouse upon divorce.--Upon and after the
4 divorce of any spouse who is tenant by entirities of real estate
5 with his former spouse, such divorced spouse shall be entitled
6 to all the rights and remedies provided in this act for the
7 collection of any sums of money ordered and directed by any
8 competent court of this Commonwealth to be paid to him for the
9 support of their children and the children of the defendant as
10 fully as if no divorce had occurred. Upon the sale of said real
11 estate for the collection of any money due him under any order
12 or decree of any court, he shall be entitled to receive
13 therefrom such sum of money as represents his share of such
14 property, as decreed by the court under the provisions of
15 subsection (b), together with such sums as may be due to him
16 under and by virtue of an order or decree of support against the
17 defendant.

18 Section 806. Other remedies.

19 Nothing in this act shall remove from the plaintiff the
20 rights to any other existing remedies to enforce an order of
21 support, including but not limited to, the right of the
22 plaintiff to institute proceedings against the defendant's real
23 or personal property.

24 CHAPTER 9

25 TRANSFER OF JURISDICTION AND COURT ORDER

26 Section 901. Jurisdiction.

27 The court making the support order shall at all times
28 maintain jurisdiction of the case for the purpose of enforcement
29 of the order and for the purpose of increasing, decreasing,
30 modifying or rescinding such order, without limiting the right

1 of a plaintiff to institute additional proceedings for
2 enforcement of support orders in any county wherein the
3 defendant resides or where his property is situated.

4 Section 902. Transfer.

5 On motion of plaintiff, if the defendant has subsequently
6 established residence in a county other than the county where
7 the order has been originally entered, the order may be
8 transferred to the county of new residence of defendant.

9 Section 903. Transfer of jurisdiction or order.

10 (a) Recording and enforcement of transferred order.--If a
11 support order has been ordered transferred to another county, in
12 accordance with section 902, such order shall be entered in the
13 new county upon the forwarding of three certified copies of the
14 order of support and arrearages which have accrued thereunder,
15 along with verified information as to defendant's address. The
16 court to which such support order is so certified shall accept
17 such order and register same, and the transferring county shall
18 have no further jurisdiction.

19 (b) Notification to defendant.--Within ten days after
20 receipt of such certification, the court shall notify defendant
21 of the transfer of the order by certified mail or any other
22 means of service as provided by law.

23 (c) Effect of transferred order.--Said registered court
24 order from another county shall be treated in the same manner as
25 a support order issued in the county to which the order was
26 transferred. It shall have the same effect and is subject to the
27 same procedures, defenses and proceedings for revision, vacating
28 or staying and may be enforced in like manner.

29 CHAPTER 10

30 CONFIDENTIALITY

1 Section 1001. Confidential information; powers of courts.

2 In order to promote trust and confidence and to provide a
3 maximum of service in the most economical manner, all
4 information obtained by or for a court or by or for enforcement
5 officials in connection with this act other than what appears in
6 court testimony shall be held confidential and shall be used
7 only for the purpose of this act, and shall only be available to
8 the parties or their counsel.

9 CHAPTER 11

10 RELEVANCY TO OTHER ACTS

11 Section 1101. Support of persons in institutions and foster
12 homes.

13 Support of persons living in public or private institutions
14 or receiving foster home care, who would be entitled to support
15 under this act, shall be determined by the court under the
16 provisions of the acts pertaining to such care and
17 institutionalization.

18 CHAPTER 12

19 REPEALS; GENERAL CONSTRUCTION; EFFECTIVE DATE

20 Section 1201. Repeals.

21 (a) The following acts or parts of acts are repealed
22 absolutely:

23 Act of February 22, 1718 (1 Sm.L. 99, Ch.226), entitled "An
24 act concerning feme-sole traders."

25 Act of May 4, 1855 (P.L.430, No.456), entitled "An act
26 relating to certain duties and rights of Husband and Wife, and
27 Parents and Children."

28 Act of April 1, 1863 (P.L.212, No.225), entitled "A
29 supplement to the act to secure the rights of married women,
30 passed the eleventh day of April, Anno Domini one thousand eight

1 hundred and forty-eight."

2 Act of April 3, 1872 (P.L.35, No.24), entitled "An act
3 securing to married women their separate earnings."

4 Act of June 11, 1879 (P.L.126, No.129), entitled "An act
5 relative to actions brought by husband and wife, or by the wife
6 alone, for her separate property, in cases of desertion."

7 Act of June 8, 1893 (P.L.344, No.284), entitled "An act
8 relating to husband and wife, enlarging her capacity to acquire
9 and dispose of property, to sue and be sued, and to make a last
10 will, and enabling them to sue and to testify against each other
11 in certain cases."

12 Act of July 9, 1897 (P.L.212, No.171), entitled "An act
13 authorizing married women, living separate and apart from their
14 husbands under separation agreements, to convey and encumber
15 their real estate without the joinder of their husbands."

16 Act of June 4, 1901 (P.L.425, No.233), entitled "An act
17 regulating trusts arising from the payment of the purchase money
18 of land by one person, and the taking of the legal title in the
19 name of another."

20 Act of June 3, 1911 (P.L.631, No.241), entitled "An act
21 authorizing a married woman to make conveyances of real estate
22 to her husband, and validating all such conveyances heretofore
23 made."

24 Act of May 1, 1913 (P.L.146, No.97), entitled "An act
25 enabling a married woman, who has been deserted, abandoned, or
26 driven from her home by her husband, to sue her husband, upon
27 any cause of action whatsoever; and making such wife a competent
28 witness against the husband in such case."

29 Act of June 11, 1913 (P.L.468, No.313), entitled "An act to
30 provide for the execution of orders of the court of quarter

1 sessions, or other court of competent jurisdiction, for support
2 and maintenance of a wife or children, or both, and for the
3 execution of judgment entered upon contracts for such support
4 and maintenance, by subjecting estates owned by the husband and
5 wife by entireties, and the rents, issues and profits thereof,
6 to such executions; defining the title of the purchaser at the
7 sheriff's sale on such executions; and providing for the
8 application of the proceeds of such sales."

9 Act of May 28, 1915 (P.L.639, No.279), entitled "An act to
10 permit a married woman whose husband has lived separate and
11 apart from her for one year or more, and who during that time
12 has not been supported by her husband, to become a feme sole
13 trader."

14 Act of May 10, 1921 (P.L.434, No.210), entitled "An act to
15 empower courts of competent jurisdiction to issue writs of
16 execution against property of defendant, and attachment
17 execution or in the nature of attachment execution against
18 trusts, including those commonly known as spendthrift trusts, no
19 matter when such trusts were created, in cases where an order,
20 award, or decree has been made against a husband for the support
21 of his wife or children or both; making such attachment
22 execution against trusts a continuing lien and levy for fifty
23 per centum of such money or property until the order, judgment,
24 or decree is paid in full with costs; and abolishing the benefit
25 of the exemption law in such cases."

26 Act of May 24, 1923 (P.L.446, No.238), entitled "An act
27 authorizing the sale of real estate held by entireties by
28 husband and wife when an order of support has been secured
29 against the husband who has neglected to comply with the same,
30 or whose whereabouts is unknown, or who has absented himself

1 from this Commonwealth; prescribing the procedure to be
2 followed; permitting husband and wife to testify; providing for
3 the disposition of the proceeds of such sale; and granting a
4 divorced woman the same rights under this act as a wife."

5 Section 7, act of June 24, 1937 (P.L.2045, No.397), known as
6 "The Support Law."

7 (b) The following provisions of the Pennsylvania
8 Consolidated Statutes are repealed absolutely: 18 Pa.C.S. §§
9 4321, 4322 and 4323.

10 (c) All other acts and parts of acts are repealed insofar as
11 they are inconsistent herewith.

12 Section 1202. Saving clause.

13 This act shall not repeal or modify any of the provisions of
14 the following acts:

15 Sections 1, 2, 3, 4, 5 and 6, act of June 24, 1937 (P.L.2045,
16 No.397), known as "The Support Law."

17 Section 1203. General construction.

18 The provisions of this act, so far as they are the same as
19 those of existing laws, are intended as a continuation of such
20 laws and not as new enactments. The provisions of this act shall
21 not affect any court order or decree entered, act done,
22 liability incurred or right accrued or vested. They shall not
23 affect any suit pending. They shall not affect the ability to
24 enforce any right to penalty or punish any offense under the
25 authority of such repealed laws.

26 Section 1204. Effective date.

27 This act shall take effect in 90 days.