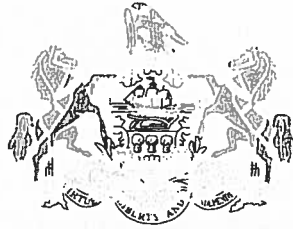


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## House of Representatives

Commonwealth of Pennsylvania  
Harrisburg

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## MEMORANDUM

**TO: ALL HOUSE MEMBERS**

**FROM: REPRESENTATIVE MATTHEW BAKER**

**DATE: 3-6-12**

**RE: PROPOSED LEGISLATION – REFORM OF FAMILY COURT**

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In the near future, I will re-introduce legislation to make family court in Pennsylvania family-friendly. The legislation is composed of a two-bill package: (1) a joint resolution proposing an amendment to the Pennsylvania Constitution in order to allow the General Assembly to enact statutes to change the way matrimonial cases, those cases involving, divorce, custody, and support, are handled from a procedural perspective and (2) implementing legislation which amends Titles 23 (Domestic Relations) and Title 42 (Judicial Code) with respect to that procedure.

The legislation reforms the way cases involving divorce, custody, and support are handled from a procedural perspective. Simply, the legislation does not change the substantive law regarding these types of cases, but does institute a system of deciding these case which is designed to: (1) protect the present and long-term safety of children and victims of domestic violence; (2) eliminate barriers to meaningful dispute resolution by enabling family members to deal with the same court officers and staff each time the family needs the court's services; (3) treat each and every member of a family with courtesy, civility and respect; (4) speedily, efficiently, fairly and cost-effectively decide cases, with the goal of resolving all aspects of a case within six months of filing; (5) recognize the realities of family break-up, including the emotional trauma experienced by the parents and their children; (6) assure adequate access to all those who need the court's services, including those families unable to afford lawyers; and (7) sufficiently train judges and masters in the applicable substantive law, as well as subjects need to make the best decisions for

children and families, such as mental and behavioral health, mediation, child abuse and neglect, and domestic violence.

Specifically, the legislation establishes a one judge/one family system for litigating matrimonial cases. This means that each time a family needs the court's help, the same judge and staff members will help that family. This not only aids the family, but will help ensure that neither the family's nor the court's time is wasted. Additionally, the legislation establishes a differentiated case management system, so that cases are managed based upon complexity. A differentiated case management system goes hand-in-hand with a one judge/one family system, and will enable cases to be decided without wasting the court's resources or time. Finally, the legislation establishes a procedure to speed the resolution of cases by encouraging continuous trials and by establishing a motions day in each judicial district.

Help will be provided to families who cannot afford lawyers through the establishment of a Family Justice Account. This fund will help defray the cost of court-ordered events such as mediation when a family is unable to pay such costs due to poverty or financial hardship. Further, each judicial district will be required to establish a Family Resource Center, a central location where families can gain access to information regarding the substantive and procedural aspects of family litigation, as well as easy to understand information regarding protection from abuse orders, shelters, and other governmental and community services designed to protect victims of domestic violence. A pro se manual, a how-to manual for litigating family law cases for those families unable to afford a lawyer, will also be available.

If you would like to co-sponsor these pieces, please contact Gina Strine at 772-5769 or via email at [Gstrine@pahousegop.com](mailto:Gstrine@pahousegop.com)