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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 525 Session of  
2011

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INTRODUCED BY REICHLEY, CLYMER, DENLINGER, GEIST, GILLEN,  
GINGRICH, GROVE, HESS, MICOZZIE, MURT, PYLE, SWANGER AND  
VEREB, FEBRUARY 8, 2011

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 8, 2011

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, providing for limitations  
3 on the use of parenting coordinators, masters and other  
4 individuals by courts of common pleas.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Chapter 9 of Title 42 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a subchapter to read:

9 SUBCHAPTER F

10 COURTS OF COMMON PLEAS INTEGRITY

11 Sec.

12 971. Definitions.

13 972. Parenting coordinators.

14 973. Protection from abuse.

15 974. Discovery.

16 § 971. Definitions.

17 The following words and phrases when used in this subchapter

18 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Action." All proceedings for custody and proceedings for  
3 modification of prior orders of any court.

4 "Discovery." The pretrial practice utilized in civil  
5 litigation by a party to obtain facts and information from the  
6 other party in order to assist in the preparation for trial,  
7 including, but not limited to, depositions, interrogatories,  
8 production of documents or things and physical and mental  
9 examinations.

10 "Parenting coordinator." An individual, including a  
11 psychologist, licensed social worker, member of the clergy or  
12 attorney, who a judge of a court of common pleas has appointed  
13 to assist the parties in implementing custody arrangements and  
14 in resolving related issues regarding parenting about which the  
15 parties do not agree.

16 § 972. Parenting coordinators.

17 In an action involving custody of a child, the following  
18 apply:

19 (1) A judge of a court of common pleas shall have no  
20 authority to appoint a parenting coordinator in an action  
21 involving custody of a child. Any decision rendered by a  
22 parenting coordinator shall be void.

23 (2) In an action involving custody of a child, a judge  
24 of a court of common pleas may appoint a conciliator, a  
25 mediator, an evaluator, a counselor, a hearing officer or  
26 conference officer and any other individual authorized by  
27 statute.

28 (3) Nothing in this section shall be construed to  
29 prevent a judge of a court of common pleas from appointing an  
30 attorney to represent a child in a custody action pursuant to

1 Pa.R.C.P. No. 1915.11 (relating to appointment of attorney  
2 for child. interrogation of child. attendance of child at  
3 hearing or conference).

4 § 973. Protection from abuse.

5 The following apply:

6 (1) Except as provided in paragraph (2), in a matter  
7 arising under the 23 Pa.C.S. Ch. 61 (relating to protection  
8 from abuse), a judge of a court of common pleas shall have no  
9 authority to appoint a master or other individual who is not  
10 a judge to hear a matter arising under 23 Pa.C.S. Ch. 61.  
11 Except as provided in paragraph (2), any decision rendered by  
12 a master or individual other than a judge appointed by a  
13 judge of the court of common pleas in a matter arising under  
14 23 Pa.C.S. Ch. 61 shall be void.

15 (2) In accordance with 23 Pa.C.S. § 6110 (relating to  
16 emergency relief by minor judiciary), a hearing officer or  
17 master for emergency relief may be appointed to hear and  
18 decide matters involving emergency relief under 23 Pa.C.S.  
19 Ch. 61. Orders entered by a hearing officer or master for  
20 emergency relief shall be certified to the court of common  
21 pleas as provided in 23 Pa.C.S. § 6110.

22 (3) Nothing in this section shall be construed to  
23 prevent the President Judge of the Philadelphia Municipal  
24 Court from appointing masters in proceedings under 23 Pa.C.S.  
25 Ch. 61 as set forth in section 1126 (relating to masters).

26 (4) For purposes of this section, the terms "hearing  
27 officer" and "master for emergency relief" shall have the  
28 meanings given to them in 23 Pa.C.S. § 6102 (relating to  
29 definitions).

30 § 974. Discovery.

1     A judge of a court of common pleas may not appoint a special  
2 trial master, discovery master or any other individual,  
3 regardless of title, to monitor the discovery process or make  
4 decisions regarding discovery. Any decision rendered by a  
5 special trial master, discovery master or other individual who  
6 is not a judge shall be void.

7     Section 2. This act shall take effect immediately.