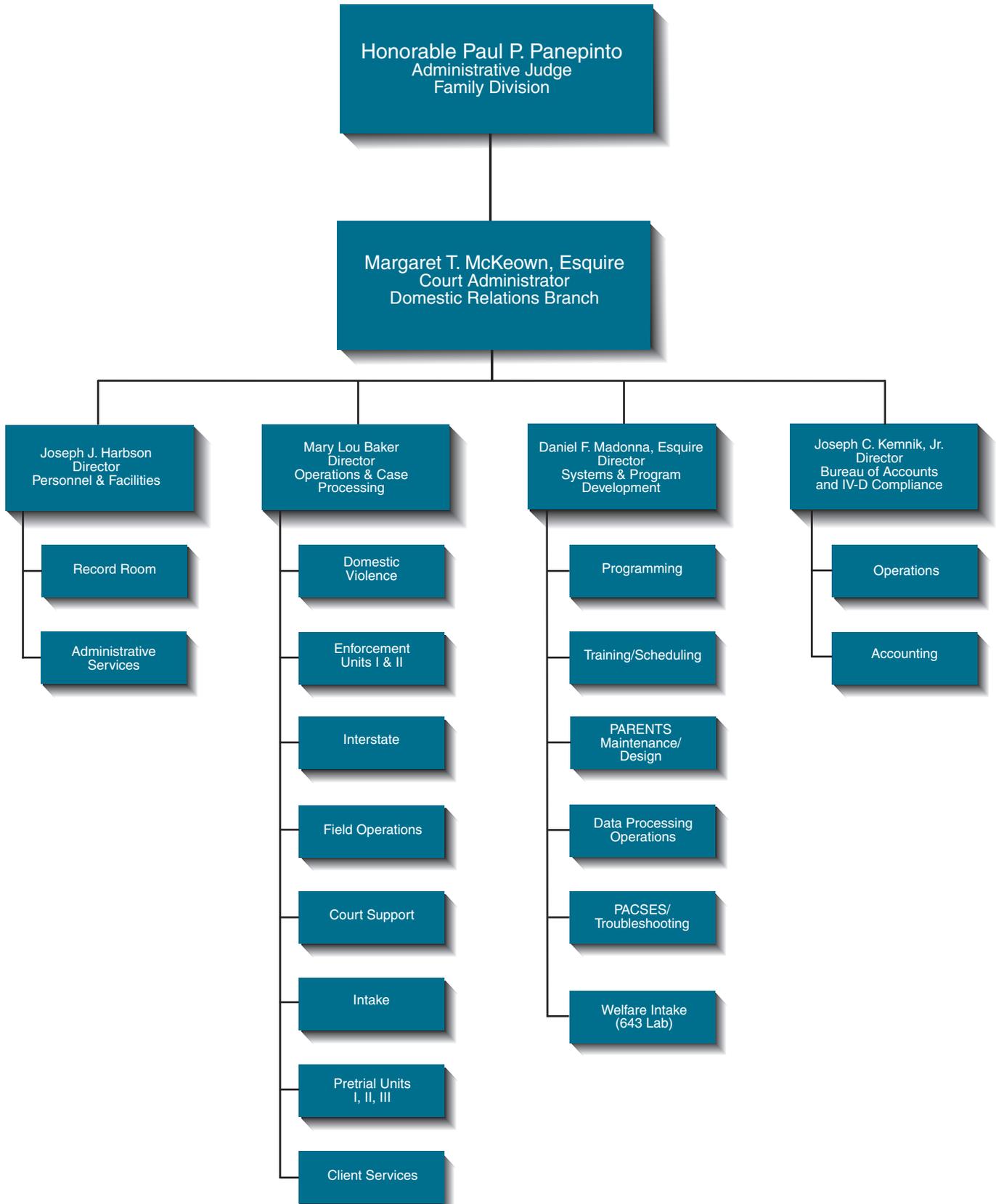


Domestic Relations Branch Organization





Margaret T. McKeown, Esquire  
Court Administrator  
Domestic Relations Branch

## OVERVIEW & ORGANIZATION

Under the leadership of Family Division Administrative Judge Paul P. Panepinto, eleven judges of the Court of Common Pleas preside in the Domestic Relations Branch of the Family Court Division. From their location at 34 South 11<sup>th</sup> Street, approximately 300 administrative, professional and support staff are organized into 5 broad groups. The Domestic Relations Branch Court Administrator, Margaret T. McKeown, Esquire, supervises four departments, each headed by a director, as well as groups of divorce, custody, and support masters and others under her direct purview. The four other departments are: 1) Personnel and Facilities; 2) Operations and Case Processing; 3) Systems and Program Development; and 4) the Bureau of Accounts and IV-D Compliance.

## PURPOSE

Personnel endeavor to efficiently administer cases involving paternity establishment, child and spousal support, divorce, child custody, and domestic violence. Toward that end, the Court utilizes modern case management principals that encourage early resolution through cooperative preparation and agreement, facilitated by specially appointed masters. Employees are mindful of the sensitive nature of these types of proceedings, and through their endeavors, further guarantee access to justice for a population especially in need of that assurance. In 1996 and 1997 a total of 122,016 pleadings were filed with the Domestic Relations Branch, including 35,803 new complaints.

## RESPONSIBILITIES

The Court has varied responsibilities in responding to complaints that can be broadly categorized under four major, and sometimes interrelated case types: 1) Child and Spousal Support; 2) Divorce; 3) Child Custody; and 4) Domestic Violence.

**Support:** Child and spousal support case processes have three components: 1) establishment of paternity; 2) determination of the support obligation; and 3) enforcement.

**Paternity:** Support cases begin with Complaints for Support filed in the office of the Clerk of Family Court or in the Family Court's Intake Unit. For children born out of wedlock, establishment of the paternity is the first step toward determining the child support obligation. Often paternity is established by agreement of the father. However, if paternity is disputed, the Court may employ scientific DNA testing and other evidence to enter a judicial finding of paternity. The Court can enter a support order for a child only after paternity has been established.

**Obligation:** In determining the support obligation, Philadelphia is known as a "three tier" county. Depending upon the issues and adversarial postures of the parties involved, the Pennsylvania Rules of Civil Procedure provide for three layers of hearing for Complaints for Support: 1) before pre-trial conference officers, who are not required to be attorneys; 2) before Permanent Hearing Officers who *are* required to be attorneys; and 3) before Family Court Judges of the Court of Common Pleas. This tiered system allows the Domestic Relations branch to more efficiently process support cases



Judge Gwendolyn N. Bright

Senior Judge  
Nicholas A. Cipriani

Judge Levan Gordon



Judge Joyce S. Mozenter



Judge Shelley Robins-New



Judge Rosalyn K. Robinson

and establish support orders. Each of the two lower levels of hearing can reduce by negotiation, agreements, and Proposed Orders, the number of cases that might require judicial hearing.

**Enforcement:** Once the support order is entered, collection is usually effected through Court-ordered attachment of the income of the support obligor (the person responsible to pay). With income attachment, a certain amount is regularly deducted from the payer's income by their employer or other income provider who then forwards it to the Branch. The Court, in turn, forwards the payment to the support obligee (the intended recipient). However, if the support obligor defaults, or their source of income refuses to comply with the attachment order, compliance is also achieved through the efforts of enforcement conference officers and judges. Support cases reach the Enforcement Unit either through complaints or when delinquent accounts are identified through regular monitoring performed by the Court PARENTS computer system. The Enforcement Unit uses several administrative mechanisms to compel payment. If these fail, Enforcement Unit Conference Officers file Petitions for Contempt on behalf of the obligees, to bring the obligor before a judge. Petitions for Contempt are also

filed with the Clerk of Family Court by attorneys. In deciding a Petition for Contempt, judges can utilize an array of administrative and judicial responses to obtain compliance; and may ultimately imprison a person found in contempt for having failed to comply with a Court order.

**Divorce:** The Domestic Relations Branch also has jurisdiction over all facets of divorce proceedings. These include the entry of divorce decrees and annulments, and economic claims arising from divorce actions — including equitable distribution, the division of marital property, and alimony issues. The Clerk of Family Court receives and docket all legal documents relating to these actions. Permanent Divorce Masters conduct initial hearings on economic claims. In cases not resolved before the Permanent Master in Divorce, an appeal may be taken for a *de novo* hearing before a Family Court Judge.

**Child Custody:** The resolution of child custody disputes is one of the more sensitive and emotionally charged functions of the Domestic Relations Branch. Child custody cases begin similarly to support actions: with the filing of a complaint in the office of the Clerk of Family Court, or in the Custody Intake Unit. In 1997, complaints began to be referred to the new Custody

Masters Unit, where conferences or hearings are conducted by Custody Masters, who are attorneys. Using Branch Probation Officers' home investigation reports, and, relying on negotiation, mediation and fact-finding, Custody Masters make recommendations to the Court for orders governing custody, partial custody, and visitation of children. The skill, compassion, and judgment of Custody Masters and the judges whom they advise, help to ensure that the best interests of children and their families are served.

**Domestic Violence:** The Domestic Relations Branch also administers Pennsylvania's Protection From Abuse Act. Under the authority of this Act, Domestic Relations Branch Judges hear cases involving domestic violence between family members, or between parties who have had an intimate relationship. In response to Petitions for Protection from Abuse filed in the Domestic Violence Unit by attorneys or victims of abuse, judges can enter orders that bar offenders from any further contact with victims. The Act also grants judges authority to fashion the terms of an order in many other ways that they feel can best stop the abuse.

**ACHIEVEMENTS**

In 1996 and 1997 there were several important developments in the Branch allowing the Court to better utilize available resources to administer the functions described above, and therefore, to broaden access to justice for the public that the Branch is intended to serve. These include:

**Expansion of the Domestic Violence Unit:** In order to function properly, families also need to be free from abuse and the threat of abuse. The Domestic Violence Unit files petitions on behalf of victims, so that victims can obtain Protection From Abuse Orders restraining abusers from further violence. In 1996 the Branch expanded the Domestic Violence Unit in response to an increasing number of abuse complaints. The unit was moved to larger office space, and four additional case interviewers were added to the staff. The *Latino Domestic Violence Program* was established in conjunction with staff from *Women Against Abuse*, to assist Spanish speaking victims in understanding and proceeding through the process.

**Establishment of the "643" Processing Unit:** An important mission of the Domestic Relations Branch is to ensure



Judge Ida K. Chen



Judge Idee C. Fox



Judge Leonard A. Ivanoski



Judge Edward E. Russell



Judge Thomas D. Watkins



Judge Jerome A. Zaleski

that children receive financial support so that the family can emerge from dependence on Public Assistance. To better accomplish this mission, in May of 1996 the Domestic Relations Branch established a new unit, the sole function of which is to process “643” referrals from the Department of Public Welfare (DPW). The “643” is the form that DPW uses to alert the Court to a new welfare recipient child, one of whose parents is not residing in the household. Upon receipt of the 643 referral, the Court can proceed to file a Complaint for Support against the parent who is absent from the household. Financial support gained from this process allows many families to become financially independent, and to enjoy many of the things in life which intact families take for granted.

***Work Begins Toward Expanded Customer Services Unit:*** By the end of 1997, renovations to enable the Bureau of Accounts to move from the first to the fourth floor of 34 S. 11<sup>th</sup> Street were nearly complete. Completion of this construction will pave the way for transformation of the former offices of the Bureau of Accounts into a greatly expanded Customer Service Unit. The new Customer Service Unit will be the gateway through which clients and other concerned parties may obtain the information they need to address their Domestic Relations issues. In addition to its former responsibilities relating to payment processing and other financial items, the expanded unit will communicate with individuals and agencies on all other aspects of Domestic Relations.

Also, the Branch has initiated two other major changes that have improved the manner in which the Court’s business is conducted and increased the numbers of people served — strengthening the commitment to access to justice:

***Change from Blood Draw to Buccal Swab Testing:*** Increases in the birthrate to unmarried couples have underscored the importance of establishing paternity at the beginning of a support action. Formerly, this process had involved drawing blood from both parents and the child — an often difficult ordeal. In 1996, advances in medical technology allowed the Court to switch to *Buccal Swab Testing* — a non-invasive procedure that entails gently stroking the lining of the inner cheeks of the parties to collect cells found in saliva. These cells contain the genetic material that can be used to determine paternity. Buccal Swab Testing is less painful and time consuming, and greatly enhances the Court’s ability to take the first step in establishing the support order.

***Establishment of Custody Master’s Unit:*** The Custody Master’s Unit was established in the Spring of 1997 to expedite processing of custody petitions. Similar to the Support Master’s Program, the Custody Master’s Program is designed to resolve custody issues not requiring judicial intervention. This frees up precious judicial resources to conduct the custody, support, and domestic violence hearings where judicial action *is* required. Custody Masters are attorneys licensed in Pennsylvania. They take testimony and enter proposed custody orders, as well as orders providing interim relief. In addition, Masters make referrals for Custody Mediation, accept Stipulations of Custody, and issue orders for telephone testimony. Depending upon the relief sought, Custody Masters preside over conferences or hearings, pursuant to Administrative Regulation 97-2 and Pa.R.C.P. 1915.4-2.

For all initial custody petitions, and for all cases where sole custody is at issue, the Custody Masters conduct pre-

trial conferences to determine the positions and requests of the parties, as well as whether any special services such as home studies or mental health assessments are required. Cases are then referred to Judges for full evidentiary hearings. For cases where petitioners seek to gain partial custody or to modify visitation schedules of existing orders, Custody Masters preside over evidentiary hearings.

**Record Collections for Child Support:** The Philadelphia Family Court's Domestic Relations Division under the leadership of Administrative Judge Paul P. Panepinto and Domestic Relations Court Administrator Margaret T. McKeown, Esquire closed 1997 with a new record total of \$138,042,009 in support collections. Support collections increased more than 11.5% from 1996 with a total increase of \$14,187,823. In comparison, collections in 1987 totaled \$73,761,914, with an increase over the last ten years of more than 87%, or \$64,280,095. The Domestic Relations Division continues to explore and develop new and innovative procedures to increase collection and more efficiently process the large urban caseload.

## DEPARTMENTS

**Personnel and Facilities:** Under Director Joseph J. Harbison, Record Room staff maintain domestic relations files and the Administrative Services Unit is responsible for building security, mail distribution, and supplies. Importantly, Mr. Harbison is a First Judicial District Americans With Disabilities Act (ADA) Coordinator responding to requests for ADA accommodations and increasing access to the Court.

**Operations and Case Processing:** Headed by Mary Lou Baker, the Operations and Case Processing Department

includes among others, a Writ Servers' Unit that performs personal service of legal process upon parties required to appear in Court, the Parent Locator Service Unit that locates absent parents in child support, custody, and parental kidnaping cases, and the Bench Warrant Unit that apprehends individuals against whom bench warrants have been lodged. Also included here are the Court Support Unit that provides staff for the Court rooms and the Interstate Unit which processes support establishment and enforcement complaints when the support obligor resides in another jurisdiction. For 1996-1997, new developments in this department included:

**Systems and Program Development:** The Systems and Program Development group, directed by Daniel F. Madonna, Esquire, includes the PARENTS Support and Development Unit to assist users of the Court's PARENTS computer system. This unit is also responsible for the design and development of enhancements to the PARENTS system. In addition, the Data Processing Unit provides statistical reports, maintains the hardware required to run PARENTS, and programs enhancements to the PARENTS system. This Department also houses one of the Biennial Report Access to Justice initiatives:

- Establishment of the "643" Processing Unit — In 1996, the Systems and Program Development Department's "643" Department of Public Welfare (DPW) Unit was formed to ensure that children receive financial support so that families can emerge from dependence on Public Assistance.

**Bureau of Accounts and IV-D Compliance:** The Bureau of Accounts and IV-D Compliance maintains all

financial records and distributes payments. Aside from the department's responsibilities as the financial control center, 1998 will see the department's role expanded to focus on customer service through at least one development:

- Expansion to include a Customer Service Unit — Completion of renovations begun during the Biennial Report period at 34 S. 11<sup>th</sup> Street will pave the way for transformation of the former offices of the Bureau of Accounts into a greatly expanded Customer Service Unit.

**Specialized Units:** The Domestic Relations Branch also has several other specialized units that provide support services for the Branch. Among them is a special unit of the Philadelphia Sheriff's Department located in the Branch that transports prisoners and provides courtroom security. In addition, through a cooperative agreement with the Philadelphia District Attorney's Office, the Assistant District Attorneys of the Child Support Enforcement Unit represent the Department of Public Welfare at Court hearings in which DPW is a party in interest, and in some interstate cases.

### **MOVING FROM TODAY TOWARD TOMORROW**

The Branch continuously strives to streamline and improve its existing processes. Refinements and expansion of PARENTS, the Court's automated child support computer system, are ongoing. Acting now with an eye toward the future, the Branch has established a number of standing committees that are charged with evaluating new and existing processes and tech-

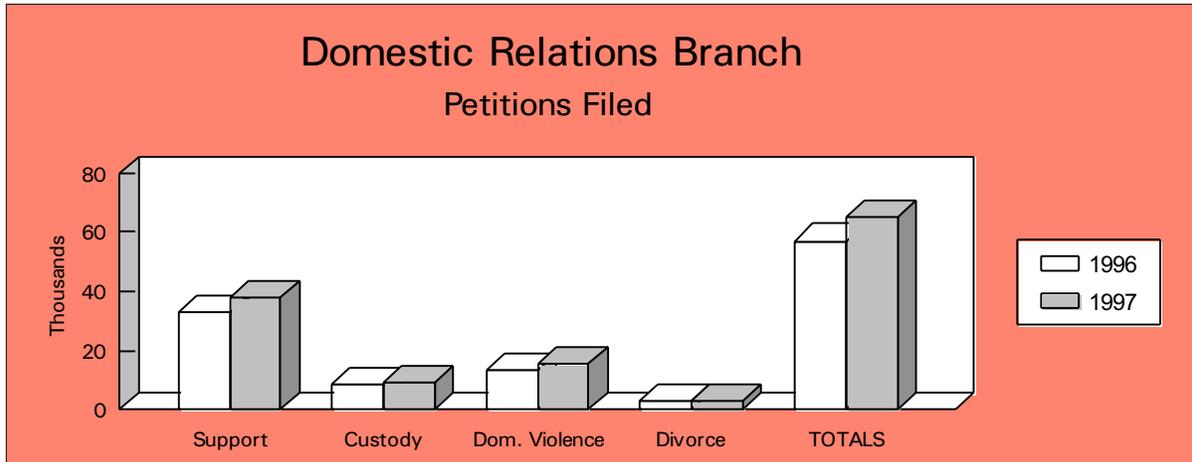
nologies.

**The Staff Development and Communications Committee** was formed to improve staff training, solicit staff input for improving Branch operations, and streamline problem identification and resolution.

**The Video Technology Committee** has developed instructional videos for clients to view in the waiting rooms of the Custody, Domestic Violence, Interstate, and Pre-Trial units. Through the use of role playing and standard lecture, these videos are designed to provide clients with the information they need to understand the process they are going through, and to understand what the Court will require of them in order to efficiently move their case forward. This knowledge reduces client anxiety, and helps to insure fair and just results.

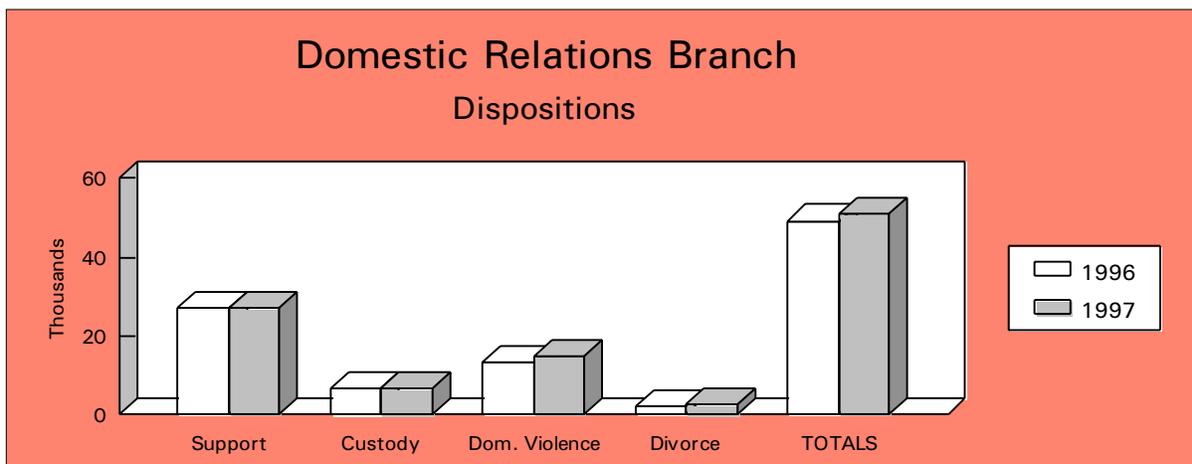
**The Automation Technology Committee** was instituted to evaluate existing technologies in use by the Branch, and explore how newer technologies may be utilized to enhance productivity and further the goals and objectives of the Branch, including access to justice.

**The Courthouse Operations Committee** is designed to address the concerns of staff and the public that relate to the physical facility in which the Domestic Relations Branch is located. These issues include building security, admissions policy and staff morale.



**Petitions Filed**

	<i>Support</i>	<i>Custody</i>	<i>Dom. Violence</i>	<i>Divorce</i>	<i>TOTALS</i>
1996	32,746	8,189	13,193	2,920	57,048
1997	37,759	8,958	15,167	3,084	64,968



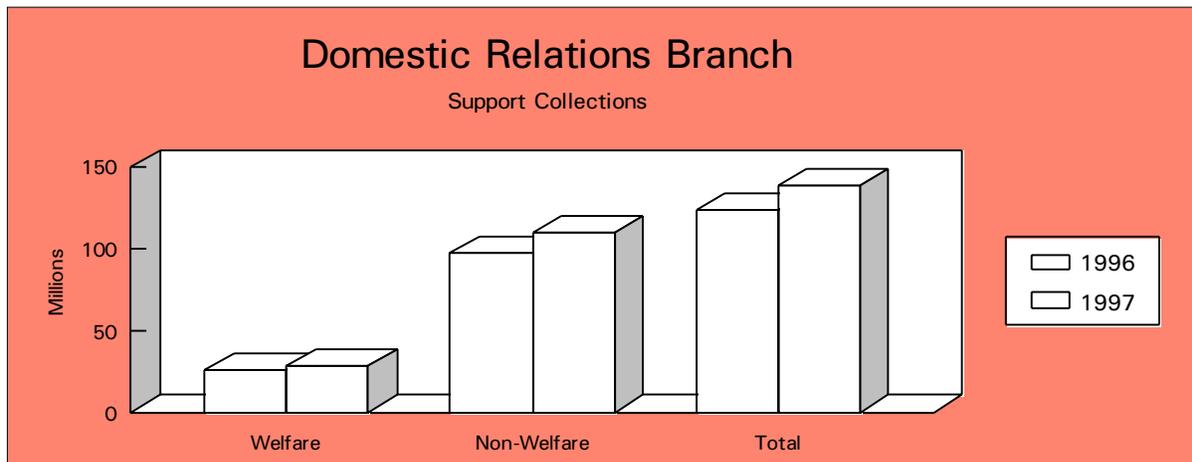
**Petitions Disposed**

	<i>Support</i>	<i>Custody</i>	<i>Dom. Violence</i>	<i>Divorce</i>	<i>TOTALS</i>
1996	27,102	6,705	13,282	2,125	49,214
1997	27,048	6,557	14,730	2,604	50,939

*Domestic Relations Branch Statistics*

### Statistical Summary

<i>Type of Case</i>	<i>Total Petitions Filed</i>	<i>By Court Hearing</i>	<i>Dispositions By Hearing Officer</i>	<i>By Masters</i>	<i>Total Dispositions</i>
Support	32,746	11,441	13,605	2,056	27,102
Custody	8,189	4,211	2,494		6,705
Domestic Violence	13,193	13,282			13,282
Divorce	2,920	2,125			2,125
<b>TOTALS</b>	<b>57,048</b>	<b>31,059</b>	<b>16,099</b>	<b>2,056</b>	<b>49,214</b>



### Support Collections

	<i>Welfare</i>	<i>Non-Welfare</i>	<i>Totals</i>
1996	\$26,216,048	\$97,538,138	\$123,854,186
1997	\$28,176,860	\$109,865,149	\$138,042,009