

LAW OFFICES OF

LADOV & BERNBAUM

DAVID L. LADOV
JOEL B. BERNBAUM

ROCHELLE B. GROSSMAN
STEVEN B. SCHWARTZ

SUITE 161-PLYMOUTH MEETING EXECUTIVE CAMPUS
610 WEST GERMANTOWN PIKE
PLYMOUTH MEETING, PENNSYLVANIA 19462-1050

(610) 825-7272
FAX (610) 825-7373
E-MAIL bernbaum@aol.com

August 19, 1996

Representative Thomas T. Gannon
Chair, House Judiciary Committee
House of Representative
Commonwealth of Pennsylvania
49 East Wing
Harrisburg, PA 17120

Subject: HB 2003 and HB 2562

Dear Representative Gannon:

The Family Law Council of South Eastern Pennsylvania wishes to express its opposition to House Bills 2003 and 2562.

To enact these bills would, in our opinion, be a substantial step backwards and cause pointless economic and emotional burdens on families in divorce litigation.

We find it problematic that this legislation is being considered as a remedy to the misconception that the reforms of the last fifteen years have, in some fashion, caused the incidence of Divorce to increase. In fact, the Divorce rate has *decreased* since the passage of the Divorce Code of 1980. The costly and emotionally draining process of litigation concerning fault grounds does nothing but to further deplete the resources of the parties and their children.

Clearly the *best interest* of children involved in divorce litigation is served by an amicable and expedient resolution. The proposed legislation would prolong the process and cause the children involved to continue to live under the cloud of uncertainty and family stress so detrimental to them.

Our court dockets are full and our Judiciary is working hard to keep pace with the increasing burden of new matters. This legislation would further tax the resources of our courts, already stretched to the limit, with needless and time consuming protracted litigation.

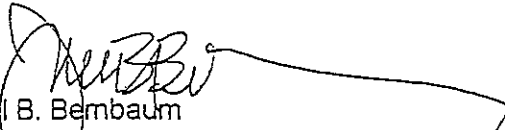
Finally, this legislation contrasts the trend, not only in Family Law, but in all litigation, of seeking alternate dispute resolution (ADR). Mediation, arbitration and other forms of ADR are required by not only recent legislation but by litigants and the Judiciary as a viable means to relieve not only the case backlog but the economic and emotional toll of litigation.

The Family Law Council was formed by the Chairs of the respective Family Law Committees or Sections from Philadelphia, Montgomery, Bucks, Delaware and Chester

August 19, 1996

County Bar Associations to provide a forum to enhance communication among the five Counties and address mutual Family Law issues.

Respectfully yours,


Joel B. Bernbaum

Toby L. Dickman, Esquire
Montgomery County

Ned Hark, Esquire
Philadelphia County

Kim Denise Morton, Esquire
Chester County

Maureen T. Gatto, Esquire
Bucks, PA

Eric D. Turner, Esquire
Delaware County

jbb/s

cc: Members of the House Judiciary Committee

Karen L. Dalton, Esquire

Members of The Family Law Council of South Eastern PA