

PENNSYLVANIA BAR ASSOCIATION
CHILDREN'S RIGHTS COMMITTEE

RECOMMENDATION

Adopted: May 5, 1995

BE IT RESOLVED, that the Pennsylvania Bar Association endorses the concept of a unified family, juvenile and dependency court as a separate unit of each county Court of Common Pleas for those counties with more than one judge.

Such unit's jurisdiction should include the following:

- (a) all aspects of divorce and other marital dissolution matters, including, but not limited to, alimony pendente lite, alimony, special relief, equitable distribution and counsel fees and costs;
- (b) custody, partial custody, visitation and child support;
- (c) domestic violence including protective orders;
- (d) dependent, abused and neglected children, persons and children in need of legal services, termination of parental rights and adoption;
- (e) delinquency and juvenile status offenses;
- (f) adult and juvenile guardianships and conservatorships, emancipation, paternity and name change.

Such units should consider the inclusion of the following:

(1) Establish an intake process by which a family will be initially assisted and expeditiously directed to one adjudication unit to permanently meet the continuing legal needs of that family. In more populous counties, each such unit should, where possible, include one or more masters, each of whom will be assigned to handle, once commenced, all divorce, custody, support, abuse and/or dependency and delinquency trial matters for a given family. The masters shall be supervised by an assigned family court judge who shall be in charge of the unit, who shall hear all exceptions, appeals and issue sanctions.

(2) Provide to each such adjudication unit necessary services for support staff and other assistance, as are appropriate and cost effective, which should, where feasible, include, but not be limited to: mediation services and counsellors, computer literate, financial data input personnel; alternative dispute resolution services; guardians ad litem; mental health and psychological testing services; substance abuse

counseling; interpreters; and referrals for emergency financial and housing assistance.

(3) Develop and enforce for each such adjudication unit time standards for cases involving the custody or out of home placement of children (e.g. foster care placement, adoption, etc.) to prevent prolonged uncertainty that may adversely affect family members, particularly young children.

(4) Provide appropriate and cost effective resources which will allow judges, masters, mediators and counsellors, support personnel and social workers to spend adequate time on each case, so that masters and judges can devote their time to hearing appeals, contempt actions and setting court policy. Support personnel should input and calculate financial data, review uncontested decrees, perform case management and so forth.

(5) Develop an integrated management information system which includes monitoring, tracking and coordinating all cases in the division relating to each family or child.

(6) Provide judges, masters, mediators and court personnel on-going training in family court issues including, among other things, the latest information on caselaw and legislation, domestic violence; child psychology, computer software and other relevant matters.

(7) Provide adequate oversight of the new court system's performance and outcomes to assure provision of uniform services for children.

Respectfully submitted,

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Co-Chair