



TESTIMONY OF

PAUL P. PANEPINTO

ADMINISTRATIVE JUDGE, FAMILY COURT DIVISION

COURT OF COMMON PLEAS

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

BEFORE:

DOMESTIC RELATIONS TASK FORCE

JUDICIARY COMMITTEE

HOUSE OF REPRESENTATIVES

FRIDAY, MARCH 13, 1998, 9:00 A.M.

PHILADELPHIA BAR ASSOCIATION

1101 MARKET STREET, TENTH FLOOR CONFERENCE ROOM

PHILADELPHIA, PA 19107

Since June, 1990, I have served as a Philadelphia Court of Common Pleas Judge assigned to the Family Division. On April 1, 1996, I was appointed Administrative Judge of Philadelphia's Family Court. The Family Court Division is comprised of the Juvenile Branch, which deals primarily in delinquency and dependency cases, the Adoption Unit, and the Domestic Relations Branch. I am pleased that you have invited me to address the Task Force on Domestic Relations of the Judiciary Committee of the House of Representatives, and I shall limit my comments to the challenges we face in our Domestic Relations Branch.

Of the 22 jurists assigned to the Family Court Division, 11 preside on a full-time basis in the Domestic Relations Branch. The current list of our Family Court Judges is included hereafter as Attachment "A." The Domestic Relations Branch is responsible for processing cases involving issues of the establishment of paternity, the financial support of children and spouses, child custody and visitation, domestic violence, and divorce. During calendar year 1997, the Domestic Relations Branch received 64,968 filings and disposed of approximately 51,000 pending matters. The number of filings in the Domestic Relations Branch increased by 18% in 1996, and an additional 14% in 1997. Referenced as Attachment "B" is a statistical comparison of

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filings and dispositions for the period from 1995 through 1997. Although the number of filings steadily increases, as does the number of out-of-wedlock births, and divorces, the staffing of employees in the Domestic Relations Branch remains at approximately 350, in addition to the judicial staff assigned to the Domestic Relations Branch. Therefore, our Domestic Relations employees are challenged with the onerous task of doing more for many in an expeditious and competent manner.

It is important to understand the demands made by the public on Philadelphia's Domestic Relations Branch. For example, each day some 570 people enter our Court facility at 34 South 11th Street between the hours of 8:00 A.M. and 11:00 A.M. While obviously the traffic continues throughout the remainder of the day, the volume of traffic each morning is staggering. Our Domestic Relations data base includes approximately 739,000 members of which less than eight percent (8%) are listed as having attorneys of record. Some 79,500 of our members have multiple cases involving other parties and/or spouses and children. The existence of many cross-reference cases presents certain impediments to implementing a "One Family/One Fact Finder" method of case processing in Philadelphia. Therefore, we are presently utilizing our Consolidated Case Management Program to afford

parties special oversight by a single Judge for the ultimate resolution of all issues in a multi-faceted Domestic Relations case.

Meeting the demands of answering or responding to telephone inquires is itself a unique challenge. Currently, the Client Services Unit of the Bureau of Accounts, which processes financial transactions, responds to 400 telephone inquiries per day. In addition, our voice response system available 24 hours per day, seven days per week, handles 4,845 telephone inquiries daily.

The never-ending barrage of correspondence and telephone inquiries from disgruntled clients and counsel who cannot find their way through the Domestic Relations system motivated our establishment of a new Customer Service Unit, which will be located on the first floor of the Domestic Relations Branch at 34 South 11th Street. The new Customer Service Unit will be the gateway through which clients and other concerned parties obtain the information they need to address their Domestic Relations issues. In addition to processing payments and other financial items, the expanded unit will communicate with individuals and agencies on all other aspects of Domestic Relations. The goal of the Customer Service Unit is to funnel all

inquiries and complaints to a designated Unit for clarification, response, follow-up, and corrective action. In order to provide adequate physical space for the new Customer Service Unit, we have expanded and completed renovations to enable the Bureau of Accounts to move from the first to the fourth floor at 34 South 11th Street. The ever increasing volume of work causes us to continue our efforts to acquire additional space so that we can provide reasonable accommodations for the masses that we service.

With the impact of Welfare Reform, the mission of the Domestic Relations Branch to ensure that children receive the financial support they need so that the family can emerge from dependence on Public Assistance is greatly heightened. To better accomplish this mission, 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. It is the financial support that is gained from this process that allows many families the wherewithal to become financially independent.

Philadelphia's Domestic Relations Branch receives approximately 6,300 applications for child support in the form of "643 referrals" each month. Philadelphia has been granted a waiver of the requirement that all welfare applicants personally appear before the Domestic Relations Office prior to authorization for assistance as a result of our effective electronic system of processing these "paper" referrals.

My administration is keenly aware of the changing role Family Court must play in dealing with the ramifications of Welfare Reform in an urban environment and the impact of Welfare Reform on impoverished children in need of support. Statistics provided by the Mayor's Office indicate that as of this month, March, 1998, 75% of Philadelphia's 136,000 Temporary Aid to Needy Families (TANF) cases will be within 30 months of losing assistance. The size of the population needing employment greatly exceeds the number of jobs available in Philadelphia. Family Court is actively engaged in becoming a conduit for unemployed parents to find job opportunities and training programs. For the first time, Philadelphia's Family Court is undertaking endeavors with the Mayor's Office, the Private Industry Council of Philadelphia (PIC), and many independent agencies to develop training and employment opportunities for Domestic Relations case

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members. As we launch our Networking for Jobs Program, we are committed to assisting parties who are genuinely seeking to find employment and financial independence, which will directly benefit our children in need of support.

The goal of this employment strategy is to create access to employment opportunities with family-sustaining wages for the unemployed parties, which Domestic Relations services. While our support collections steadily increase and totaled \$138,042,009.00 in 1997, as shown in Attachment "C," we are still confronted by many delinquent support orders. If parties are able to secure employment, Domestic Relations can effectively enforce child support orders.

The Philadelphia Automated Recovery Enforcement Network Tracking System (PARENTS) commenced operation in February, 1995, to assist the Domestic Relations Branch in the establishment and enforcement of child support and custody orders as a precursor to the statewide automated system. Since its inception, PARENTS has been enhanced to process the case types of divorce and domestic violence. The development of a comprehensive computer system that maintains the demographics of dependents, plaintiffs, and defendants has proven to be an asset in the collection of child support monies and the resolution of family issues brought before

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the court. In addition, system modifications required for forms or procedures as a result of changes in the Rules of Civil Procedure or to facilitate case processing can be accomplished in a timely manner by the Philadelphia Domestic Relations Branch.

The federally-mandated statewide Pennsylvania Child Support Enforcement System (PACSES) is scheduled for roll out in Philadelphia, in December, 1998. The PACSES design does not accommodate the categories of divorce or domestic violence and is limited in its functionality for custody cases. Therefore, only our support and, possibly, our custody cases will be converted. PACSES will be maintained by the Commonwealth of Pennsylvania. Requests for system modification must be submitted to the Commonwealth, approved, and contracted by the Commonwealth for development. It is anticipated that these issues alone will delay case processing and require changes in the daily business operations of the Philadelphia Domestic Relations Branch as it will elsewhere in the Commonwealth. However, we in Philadelphia are committed to working with the Commonwealth and the Bureau of Child Support Enforcement (BCSE) in every way possible in this endeavor.

The resolution of child custody disputes is one of the more sensitive and emotionally charged functions performed by the

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Domestic Relations Branch. Beginning in 1997, custody cases are referred to the newly-created Custody Masters' Unit, where conferences or hearings are conducted by Custody Masters, who are attorneys. Through the use of evidence such as home investigation reports compiled by the Probation Officers assigned to the Branch, as well as conducting settlement conferences and record hearings, the Custody Masters make recommendations to the court for orders governing the custody, partial custody, and visitation of the children who are the subject of the Complaints. The utilization of Custody Masters to dispose of many cases enables the Domestic Relations Judges to conduct the custody, support, and domestic violence hearings where judicial intervention is required.

Never before has the Domestic Relations Branch been faced with so many challenges in attempting to provide services to an ever increasing needy population. I greatly appreciate this opportunity to present to this distinguished Committee my observations and concerns with respect to the programs implemented in the Domestic Relations Branch consistent with Family Court's mission. Only through continued dialogue and communication with all branches of government, can we hope to successfully meet the many challenges that lie ahead.

THE HONORABLE PAUL P. PANEPINTO, ADMINISTRATIVE JUDGE

FAMILY COURT DIVISION

DOMESTIC RELATIONS BRANCH JUDICIARY

The Honorable Ida K. Chen

The Honorable Nicholas A. Cipriani

The Honorable Idee C. Fox

The Honorable Levan Gordon

The Honorable Leonard A. Ivanoski

The Honorable Joyce S. Mozenter

The Honorable Shelley Robins-New

The Honorable Rosalyn K. Robinson

The Honorable Edward E. Russell

The Honorable Thomas D. Watkins

The Honorable Jerome A. Zaleski

JUVENILE BRANCH JUDICIARY

The Honorable Gwendolyn N. Bright

The Honorable Joseph C. Bruno

The Honorable Nicholas M. D'Alessandro

The Honorable Thomas Dempsey

The Honorable Murray C. Goldman

The Honorable James Murray Lynn

The Honorable Lillian Harris Ransom

The Honorable Abram Frank Reynolds

The Honorable Edward R. Summers

The Honorable Esther R. Sylvester

ATTACHMENT "A"

**Domestic Relations Division Statistical Comparison
1995-1997**

Filings

	<u>1995</u>	<u>1996</u>	<u>96 vs. '95</u>	<u>1997</u>	<u>97 vs. '96</u>
New Support Cases	11,674	16,382	+40%	19,421	+19%
{Non-paternity cases	5,977	7,323	+23%	10,948	+50%
{Paternity cases	5,697	9,059	+59%	8,473	-6%
Exceptions - Support	533	586	+10%	700	+19%
Modification of Support Orders	6,358	6,946	+9%	8,646	+24%
Contempt of Support Orders	3,980	5,150	+29%	5,597	+9%
Custody, partial custody, visitation	7,521	8,189	+9%	8,958	+9%
Protection from abuse	12,254	13,193	+8%	15,167	+15%
Divorce matters	3,042	2,920	-4%	3,084	+6%
Miscellaneous	3,163	3,682	+16%	3,395	-8%
Total Filings	<u>48,525</u>	<u>57,048</u>	<u>+18%</u>	<u>64,968</u>	<u>+14%</u>

Dispositions

Through Court Hearing

	<u>1995</u>	<u>1996</u>	<u>96 vs. '95</u>	<u>1997</u>	<u>97 vs. '96</u>
Support/Modifications	3,810	3,716	-2%	3,330	-10%
Non-payment of Order	3,761	7,725	+105%	5,673	-27%
Child custody or visitation	2,339	4,211	+80%	4,811	+14%
Protection from abuse	10,995	13,282	+21%	14,730	+11%
Divorce matters	2,270	2,125	-6%	2,604	+23%
TOTAL	<u>23,175</u>	<u>31,059</u>	<u>34%</u>	<u>31,148</u>	<u>+3%</u>

Without Court Hearing

	<u>1995</u>	<u>1996</u>	<u>96 vs. '95</u>	<u>1997</u>	<u>97 vs. '96</u>
Support/Modifications	9,487	15,125	+59%	16,846	+11%
Non-payment of Order	352	536	+52%	1,199	+124%
Child custody or visitation	2,554	2,494	-2%	1,746	-30%
Protection from abuse	0	0	0	0	0
Divorce matters	0	0	0	0	0
TOTAL	<u>12,393</u>	<u>18,155</u>	<u>46%</u>	<u>19,791</u>	<u>9%</u>

Total

	<u>1995</u>	<u>1996</u>	<u>96 vs. '95</u>	<u>1997</u>	<u>97 vs. '96</u>
Support/Modifications	13,297	18,841	+42%	20,176	+7%
Non-payment of Order	4,113	8,261	+101%	6,872	-17%
Child custody or visitation	4,893	6,705	+37%	6,557	-2%
Protection from abuse	10,995	13,282	+21%	14,730	+11%
Divorce matters	2,270	2,125	-6%	2,604	+23%
TOTAL DISPOSITIONS	<u>35,568</u>	<u>49,214</u>	<u>+38%</u>	<u>50,939</u>	<u>+4%</u>

**Domestic Relations Division Statistical Comparison
1995-1997**

Cases Disposed By Operating Units:

	<u>1995</u>	<u>1996</u>	<u>96 vs. '95</u>	<u>1997</u>	<u>97 vs. '96</u>
Pre-Trial Units	8,042	13,069	+63%	15,204	+16%
Custody Unit/Officers	2,554	2,494	-2%	1,328 ¹	-47%
Custody Masters	0	0	N/A	418 ¹	N/A
Master's Unit	1,445	2,056	+42%	1,642	-20%
Enforcement Units	352	536	+52%	1,199	+124%
TOTALS	<u>12,393</u>	<u>18,155</u>	+46%	<u>19,791</u>	+9%

¹Custody Masters began hearing custody matters in July, 1997, at which time Custody Officers were assigned to Support cases and no longer conducted Custody conferences

Other Activities:

	<u>1995</u>	<u>1996</u>	<u>96 vs. '95</u>	<u>1997</u>	<u>97 vs. '96</u>
Paternity Blood Studies completed	659	967	+47%	1,689	+75%
Wage attachments processed	66,919	37,300	-44%	41,115	+10%
Interviews and Pre-Trial Conferences	25,841	42,623	+65%	49,812	+17%
Cases completed by the Parent Locator Unit	38,464	7,802 ²	-80%	9,109	+17%
Court Cases Listed	29,682	39,260	+32%	38,460	-2%

	<u>1995</u>	<u>1996</u>	<u>96 vs. '95</u>	<u>1997</u>	<u>97 vs. '96</u>
Paternities Established at Pre-Trial Conf.	3,310	5,511	+66%	6,515	+18%
Paternities established by Court Hearing	1,875	1,996	+6%	1,847	-7%
Total Paternities established	5,185	<u>7,507</u>	+45%	<u>8,362</u>	+11%

Bench Warrant Activity

	<u>1995</u>	<u>1996</u>	<u>96 vs. '95</u>	<u>1997</u>	<u>97 vs. '96</u>
Issued/Received	8,049	10,736	+33%	11,139	+4%
Assigned to an Officer	5,790	5,857	+1%	4,310	-26%
Warrant Letter sent	8,074	10,774	+33%	11,189	+4%
Disposed by an Officer	2,224	5,414	+143%	4,418	-18%
Arrests	255	143	-44%	111	-22%
Other Dispositions	953	215	-77%	150	-30%

² The large number of cases completed by Parent Locator in 1995 and drop off in '96 and '97 is due to a program which was run in 1995 to administratively close out locate cases based on information found in PARENTS

SUPPORT COLLECTIONS 1980-1997

YEAR	TOTAL	CHANGE FROM PREVIOUS YEAR	WELFARE	CHANGE FROM PREVIOUS YEAR	NON WELFARE	CHANGE FROM PREVIOUS YEAR
1980	32,138,169		7,441,562		24,696,608	
1981	35,371,503	10%	8,976,002	21%	26,395,501	7%
1982	41,669,534	18%	11,488,015	28%	30,181,519	14%
1983	44,030,611	6%	11,857,606	3%	32,173,005	7%
1984	52,779,409	20%	16,517,356	39%	36,262,053	13%
1985	57,892,635	10%	17,643,988	7%	40,248,647	11%
1986	65,586,638	13%	20,046,064	14%	45,540,574	13%
1987	73,755,032	12%	21,982,964	10%	51,772,068	14%
1988	79,260,102	7%	22,620,179	3%	56,639,923	9%
1989	85,448,375	8%	23,765,911	5%	61,682,464	9%
1990	94,565,667	11%	24,445,720	3%	70,119,947	14%
1991	101,835,480	8%	26,168,990	7%	75,666,490	8%
1992	112,152,428	10%	28,877,191	10%	83,275,237	10%
1993	110,877,769	-1%	26,723,004	-7%	84,154,765	1%
1994	112,357,168	1%	26,665,720	0%	85,691,448	2%
1995	115,861,161	3%	24,416,835	-8%	91,444,326	7%
1996	123,854,186	7%	26,316,048	8%	97,538,138	7%
1997	138,042,009	11%	28,176,860	7%	109,865,149	13%

1997 VS 1980 **330% INCREASE**
 1997 VS 1985 **138% INCREASE**
 1997 VS 1990 **46% INCREASE**
 1997 VS 1995 **19% INCREASE**

Child Support Collections, 1980-97

