

PHILADELPHIA BAR ASSOCIATION
FAMILY LAW SECTION MEETING MINUTES
JANUARY 7, 2019
Chair, Kristine L. Calalang, Esquire

- I. WELCOME AND INTRODUCTION: Kristine called the meeting to order at 12:14 p.m., and welcomed everyone. Lunch was provided by Asterion Consulting, Inc.
- II. FIRST PRESENTATION: The Honorable Margaret Murphy, Administrative Judge, presented a "State of the Court" address to update the Section as to new procedures and projects taking place at the Family Court.

Judge Murphy began by congratulating and thanks Anne Funge, the out-going Chair. She thanked the Section for welcoming both the judges who were temporarily assigned to the Family Court and Judge Deborah Cianfrani who will continue her assignment at the Family Court Division.

Judge Murphy also noted that the Help Center will be expanding its coverage to include assistance with divorce cases. She stated that the forms are already in place and that the procedures are being developed. She also noted that the on-line forms are being updated so that they will be more accessible for litigants.

The judge also noted that she was aware of the suggestion to create an attorney's line at the Clerk's Office and that the issue of increasing the staff to allow for this is being examined. The attorney's line would be only for attorneys and not their runners.

The judge also reminded the section of the audio-visual capabilities at the courthouse. She noted that all the courtrooms have audio capabilities and that several have video capabilities. There are also 6 mobile units available. The attorney needs to make a request to the assigned judge in enough time to process the request. The IT unit at the court has advised that they can make the process work with a laptop, iPad or iPhone.

Judge Murphy then addressed the changes in the Support Guidelines with specific reference to Alimony Pendente Lite. She noted that the changes are already being addressed in both support conferences and in hearings with the support masters. She noted that PACSES is not programed for the calculation and that a stand-alone Excel spreadsheet has been created to address the need.

The judge also announced a new program with the prisons, intended to coordinate services with prisoners who have support orders, petitions to modify, or need job services.

Parent Coordination: Judge Murphy announced that it was the intent of Philadelphia County to adopt a Local Rule to allow parent coordinators. She noted that she had met with her counterparts in the 5-county area to discuss developing regional qualifications for parent coordinators so that there will be an inter-county approval process. She reminded the Section that there is a CLE in February for Parent Coordination.

Judge Murphy also discussed the future plans for the seventh floor of the Family Court Building. Presently, it is not developed or finished, other than the section used by the District Attorney's Office. Once funds have been obtained, the plan is to add 4-5 more courtrooms and adjacencies (access to cell blocks), as well as up to 8 custody mediation rooms. She noted that it will likely be up to 2 years before this project is completed.

The judge also reminded the Section of the Attorney's Lounge on the 5th floor, and in response to a question, the judge will look into the idea of having a lock put on the door.

Judge Murphy noted that there had been a past increase in the number of DHS cases that had resulted in that agency developing a partnership with the court but that the number of cases was actually now trending downward. A Task Force through City Council has been created to deal with congregant care situations (children in group settings) and to examine ways to locate the children closer to home. She noted that out of state placements are down to less than 2% of the total number of children in congregant care.

Lastly, Judge Murphy stated in response to a question that there was no current plan to add another Divorce Master's position.

- III. INTRODUCTION: Kristine thanked Judge Murphy for her update and then introduced the current officers and members of the Executive Committee.
- IV. NEW BUSINESS:
 - A. Kristine announced that a new committee, to be known as the Outreach Committee has been created. Its purpose will be to reach out to the Philadelphia community, and particularly to families residing in shelters. The Committee will be planning a philanthropic program in the near future.
 - B. Kristine announced that the Support/Divorce Committee has been created, and the Committee will be having a future CLE program to discuss the changes in the support rules.

- C. Kristine announced the creation of a Law Student Mentoring Program which will begin in September so as to coincide with the school year. A sign-up sheet was circulated for this program, as mentors will be signed up from now through September. Kristine noted the existing Peer-to-Peer Mentoring Program is still available, too.
- D. A sign-up sheet was circulated for all the Committees after Kristine read the list of the Committees and Chairs for each.

V. ANNOUNCEMENTS:

- A. Committee Highlights: The Adoption Committee will be partnering with the Dependency/Juvenile Committee to present a future CLE program regarding adoption and the termination of parental rights; the Alternative Dispute Resolution Committee will be planning a future CLE regarding parenting coordination; the Custody Committee has a meeting on January 23, 2019 (see notices on list serve); the Diversity Committee has a meeting on January 30, 2019 at 12:30 p.m. (see notices on list serve); the Domestic Violence Committee is planning a CLE for March regarding protection from abuse (PFA) actions, contempt of PFAs, and best practices for communicating with trauma victims; the Consumer Education Subcommittee is working on updating online forms; and there will be a Court Relations meeting scheduled for February.
- B. Kristine also noted that the Case Law Committee wrote a summary for the Zehner v. Zehner case (2018 Pa. Super 242) which will be available on the Section's website with the minutes. The case involves a Qualified Domestic Relations Order which had an error with the coverture fraction.
- C. Lee Schwartz encouraged Section members to volunteer for the Help Center. He will be sending requests for volunteers via the list serve.
- D. Kristine noted that there are vacancies on various PA Supreme Court Committees and Boards, including the PA Domestic Relations Rules Committee and Juvenile Court Procedural Rules Committee. The deadline for the receipt of applications is January 31, 2019 (see <http://www.pacourts.us/courts/supreme-court/committees/>).
- E. Kristine advised the next Section Meeting will be on February 4, 2019, and there will be a CLE component starting at 12:30 p.m. entitled, "An Inside Look at C.G. v. J.H.: What to Consider When Establishing Parental Status and Standing for Third Parties."

VI. SECOND PRESENTATION:

- A. Presenters were Mark Bradford, CPA, CFE, and Stephen Scherf, CPA/ABV/CFF, CDBV, CFE, CICA, CIRA, CTP, CVA from Asterion Consulting, Inc.
- B. The company provides forensic accounting and business valuation services, among other services. Specifically, for family practitioners, Asterion can help with not only valuations and forensic accounting but can provide assistance at various levels for Discovery preparation and review. The firm is engaged by counsel under a Kovel letter, so as to be protected by attorney client privilege but the client is ultimately responsible for payment.
- C. Asterion noted that they can help practitioners with various approaches depending on the client and that they can assist with document requests, interrogatories, and tracing assets in addition to forensic accounting. They indicated that they have limited scope consultations available and can review documents prepared by others.

Kristine reminded the Section that the next Section meeting is on February 4, 2019 at noon in the 15th Floor Training Room of the Family Court Building, and the next Executive Committee meeting is on February 21, 2019 at noon in the Philadelphia Bar Association's Committee Room South. The meeting concluded at 1:00 p.m.

Respectfully submitted,

Kathleen M. Tana, Esquire
Secretary