

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

_____ : NO. _____-FC-_____ -15
 Plaintiff :
 :
 VS. : Divorce Hearing Officer _____
 :
 : Related Cases: _____
 :
 _____ :
 Defendant : **ACTION IN DIVORCE**

PROTHONOTARY'S CERTIFICATION
THE APPOINTMENT FEE HAS BEEN PAID:
ECONOMIC CLAIMS - \$350

(Prothonotary Initial)

ATTORNEY FOR PLAINTIFF:

Name: _____
 Address: _____
 Phone: _____
 Fax: _____
 E-mail: _____

ATTORNEY FOR DEFENDANT:

Name: _____
 Address: _____
 Phone: _____
 Fax: _____
 E-mail: _____

MOTION FOR THE APPOINTMENT OF A JUDGE WITH RESPECT TO EQUITABLE DISTRIBUTION, ALIMONY, AND/OR COUNSEL FEES, COSTS, AND EXPENSES (PURSUANT TO 23 Pa.C.S. 3502, 3701, and/or 3702)

Submitted by _____ · Plaintiff · Defendant

_____ · PLAINTIFF · DEFENDANT moves the Court to appoint a Divorce Hearing Officer to hear Economic Claims under Sections 3502, 3701, and/or 3702 of the Divorce Code,

AND IN SUPPORT OF THE MOTION CERTIFIES AS FOLLOWS:

1. The moving party's current mailing address is _____
_____.
2. The non-moving party's current mailing address is _____
_____.
3. The non-moving party (has) (has not) appeared in the action (personally) (by his / her attorney, _____, Esquire). If the non-moving party has not appeared in person or by attorney, then the non-moving party's mailing address of record is:
_____.
4. The Complaint was filed on _____ (date).
5. The Complaint was served on _____ (date).
6. The method of service of the complaint was: _____
_____.
7. Proof of service of the Complaint was filed on _____ (date).
8. Grounds for divorce or annulment have been established under (check one):
 - a. · Section 3301(a) or (b) of the Divorce Code. A report & recommendation was filed on _____ (date) and either no exceptions were filed or the court entered an order on _____ (date) that adopted the report or made its own findings that grounds for divorce exist.
 - b. · Section 3301(c) of the Divorce Code. The Plaintiff's affidavit of consent was executed on _____ (date) and filed on _____ (date). The Defendant's affidavit of consent was executed on _____ (date) and filed on _____ (date).
 - c. · Section 3301(d) of the Divorce Code. The 3301(d) affidavit was executed on _____ (date) and filed on _____ (date), and (check one)
 - i. · The other party did not file a counter affidavit, OR
 - ii. · The other party filed a counter affidavit in which he/she did not oppose the entry of a divorce decree, OR
 - iii. · The other party filed a counter affidavit in which he/she opposed the entry of a divorce decree but the court has determined that the marriage is irretrievably broken and the parties have lived separate and apart for the required amount of time. The hearing officer's report was filed on _____ (date) and either no exceptions were filed or the court entered an order on _____ (date) and either no exceptions were filed or the court entered an order on _____ (date).

_____ (date) that adopted the hearing officer's report or made its own findings that the marriage is irretrievably broken and the parties have lived separate and apart for the required time period.

d. Section 3304 of the Divorce Code. e. Section 3305 of the Divorce Code.

9. An Order Approving Grounds was entered on _____ (date).

10. The following claims have been raised in the pleadings:

<u>CLAIM</u>	<u>DATE OF FILING</u>
Alimony	_____
Equitable Division	_____
Counsel Fees	_____
Costs and Expenses	_____

10. The moving party's financial documents were filed and served as follows:

a. Income Statement filed on _____ (date) and served on _____ (date).

b. Expense Statement filed on _____ (date) and served on _____ (date).

c. Inventory filed on _____ (date) and served on _____ (date).

If applicable,

d. Most recent federal tax returns filed on _____ (date) and served on _____ (date).

e. Affidavit regarding unavailability of documents filed on _____ (date) and served _____.

11. The non-moving party's financial documents were filed and served as follows:

a. Income Statement filed on _____ (date) and served on _____ (date).

b. Expense Statement filed on _____ (date) and served on _____ (date).

c. Inventory filed on _____ (date) and served on _____ (date).

If applicable,

- d. Most recent federal tax returns filed on _____ (date) and served on _____(date).
- e. Affidavit regarding unavailability of documents filed on _____ (date) and served _____.

12. Discovery is substantially complete with respect to all of the claims at issue.
“Substantially complete” means that both parties have all documents and other information necessary to proceed to trial, except for recent pay statements, updated account statements, and proof of change of circumstances that may be provided before the hearing.

The foregoing statements are certified to be true pursuant to the undersigned’s duties of candor to the tribunal.

ATTORNEY FOR PLAINTIFF DEFENDANT
SUPREME COURT ID: _____
ADDRESS: _____

PHONE: _____
DATE: _____

The statements set forth in this Motion are true and correct to the best of my knowledge and belief after due investigation, subject to the penalties of 18 Pa.C.S. 4904 relating to unsworn falsifications to authorities.

DATE: _____

(Signature of party)

(Name of party)