

TABLE OF CONTENTS

LOCAL RULES OF CIVIL PROCEDURE

Construction

NCV-76 . . . . .DEFINITIONS

Business of Courts

NCV-205.2 . . . . . PRO SE FILINGS

NCV-206. . . . . PETITIONS, MOTIONS, ETC.

NCV-209. . . . . HEARING AFTER ANSWER

NCV-210. . . . . BRIEFS

NCV-211. . . . . ORAL ARGUMENT

NCV-212. . . . . TRIAL SCHEDULING AND  
PRE-TRIAL CONFERENCE

NCV-216. . . . . CONTINUANCE

NCV-220. . . . . JURY SIZE IN CIVIL TRIALS

NCV-227.3. . . . . TRANSCRIPT OF TESTIMONY

NCV-229. . . . . DISCONTINUANCES

NCV-261. . . . . COURT ADMINISTRATOR

Board of View

NCV-501. . . . . MEETING PLACE

NCV-502. . . . . SUBSTITUTION AFTER APPOINTMENT

NCV-503. . . . . ORGANIZATION

NCV-504. . . . . NOTICE OF APPOINTMENT

Judgment

NCV-701. . . . . JUDGMENT OF VERDICTS

NCV-702. . . . . SATISFACTION OF JUDGMENT

TABLE OF CONTENTS  
LOCAL RULES OF CIVIL PROCEDURE

Continued:

Miscellaneous

NCV-901. . . . . .TERMINATION OF INACTIVE CIVIL CASES  
NCV-902. . . . . . WITHDRAWAL OF APPEARANCE  
NCV-1018.1 . . . . . NOTICE TO DEFEND  
NCV-1064 . . . . . .ACTION TO QUIET TITLE

Arbitration

NCV-1301 . . . . . CASES FOR SUBMISSION  
NCV-1301.1 . . . . . AGREEMENT OF REFERENCE  
NCV-1302 . . . . . .LIST OF ARBITRATORS  
NCV-1302.1 . . . . . SELECTION OF ARBITRATORS  
NCV-1303 . . . . . SCHEDULING OF HEARINGS  
NCV-1304 . . . . . .CONDUCT OF HEARINGS  
NCV-1304.1 . . . . . CONTINUANCES  
NCV-1306 . . . . . AWARDS  
NCV-1315 . . . . . COMPENSATION FOR ARBITRATORS  
APPENDIX "A" . . . . . .NORTHUMBERLAND COUNTY  
PRE-TRIAL MEMORANDUM  
APPENDIX "B" . . . . . .COVER SHEET FOR PETITIONS/MOTIONS  
REQUESTING HEARINGS

**TABLE OF CONTENTS**  
**LOCAL RULES OF CIVIL PROCEDURE**

Continued:

**DIVORCE, CUSTODY, BIFURICATION**

NCV-1915.3.....	COMMENCEMENT, COMPLAINT AND ORDER
NCV-1920.3.....	FILING OF PLEADINGS
NCV-1920.4.....	SERVICE
NCV-1920.13.....	PLEADINGS
NCV-1920.16.....	SEVERANCE, BIFURICATION
NCV-1920.31.....	ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES AND OR COSTS
NCV-1920.32.....	CUSTODY
NCV-1920.33.....	EQUITABLE DISTRIBUTION
NCV1920.42.....	AFFIDAVITS AND DECREES
NCV-1920.51.....	HEARING BY THE COURT, APPOINTMENT OF A MASTER
APPENDIX "C".....	PRAECIPE TO TRANSMIT RECORD

LOCAL RULES OF CIVIL PROCEDURE

CONSTRUCTION

RULE NCV-76 - DEFINITIONS

The words and phrases used in any rule promulgated by this Court shall have the meanings as set forth in Pa. R.C.P. No. 76, unless the context clearly indicates otherwise or the particular word or phrase is expressly defined elsewhere in these rules.

BUSINESS OF COURTS

RULE NCV-205.2 - PRO SE FILINGS

All pro se complaints, petitions and motions must be filed and docketed in the Office of the Prothonotary. Complaints, petitions and motions sent to any other office shall be returned with a copy of this rule attached thereto.

The Prothonotary shall forward a copy of all documents filed by individuals, themselves, to their attorney of record, if any.

All pro se filings must be clocked in by the Prothonotary. Filings which are not in compliance with the law, rule of court or the appropriate fee schedule shall be duly noted and forwarded immediately to the Office of the Court Administrator. The Court Administrator, after consulting with the Court, shall notify the individual of the deficiency of his pleading.

Notice to an individual who has filed a deficient pleading shall be as follows:

NOTICE. YOU HAVE FILED A DOCUMENT WITH THE COURT OF COMMON PLEAS OF NORTHUMBERLAND COUNTY WHICH IS NOT IN COMPLIANCE WITH THE LAW, RULE OF COURT, OR FEE SCHEDULE. YOU ARE ADVISED THAT YOUR FAILURE TO COMPLY MAY RESULT IN PREJUDICE TO YOUR RIGHTS OR CLAIM. YOU SHOULD CONSULT A LAWYER IMMEDIATELY. IF YOU CANNOT AFFORD A LAWYER, THE COURT MAY APPOINT ONE ON YOUR BEHALF. IF YOU BELIEVE YOU QUALIFY, CONTACT THE FOLLOWING OFFICE:

COURT ADMINISTRATOR  
NORTHUMBERLAND COUNTY COURTHOUSE  
SUNBURY, PENNSYLVANIA 17801  
TELEPHONE (717) 988-4167  
510

IF YOU DESIRE TO REPRESENT YOURSELF OR DO NOT QUALIFY FOR FREE COUNSEL, YOU ARE INSTRUCTED THAT YOU MUST BRING YOUR FILING INTO COMPLIANCE WITH THE LAW, RULE OF COURT OR FEE SCHEDULE YOU HAVE VIOLATED OR YOUR RIGHTS OR CLAIM MAY BE PREJUDICED.

RULE NCV-206 - PETITIONS, MOTIONS, ETC.

A. All petitions, motions or other applications seeking relief by order of court shall be in writing and shall set forth the citation of the Act of Assembly or rule of court, if any, relied upon to justify the jurisdiction of the Court.

**RULE NCV-206 Cont'd:**

B. Motions, petitions and other applications addressed to the Court shall be filed with the Prothonotary, who shall promptly file-stamp same and make a brief docket entry. At least one (1) copy of each such document and proposed order shall be presented to the Prothonotary with the original, which shall be retained by the Prothonotary while the original such document is forwarded for consideration by the Court. The Prothonotary shall thereafter forward such original documents and any supporting papers and proposed orders to the Court Administrator for transmittal to the Court. Any such papers needing prompt court attention, after filing as noted above, may be forwarded immediately to the Court Administrator by the attorney filing such papers.

The Court Administrator, following consideration and disposition of the document by the Court, shall contact the counsel of record for the moving party advising of the action taken by the Court.

C. In addition to the foregoing, counsel shall provide to the Court Administrator, a cover sheet setting forth the following (See Appendix "B"):

1. The names of all counsel of record;
2. If a hearing is required:
  - (a) the approximate length of time required to conduct the hearing;
  - (b) the number of days NOTICE required from the date of service of the order to the date of the hearing;
  - (c) whether the case had previously been before the Court and the judge hearing the matter at that time.

D. Counsel for the moving party, upon being advised by the Court Administrator of the Court's disposition of the application, shall immediately make service upon all counsel of record or unrepresented parties pursuant to the Pennsylvania Rules of Civil Procedure and any special instruction of the Court.

E. To the extent opposing counsel concur in the requested relief, counsel for the moving party shall include a certificate of concurrence setting forth the time and date of the discussions with counsel who have concurred in the motion.

**RULE NCV-209 - HEARING AFTER ANSWER - CONTINUANCE THEREOF**

A. Where an answer to a rule or citation has been entered, either party may request the Court to set a hearing date to determine the facts not of record and dispose of the rule or direct the Prothonotary to place the action on the argument list for the determination of any legal issues created by the petition and answer.

**RULE NCV-209 Cont'd:**

B. Applications for continuance under the rule shall be submitted in writing no later than seven (7) days before the scheduled date of the hearing, unless good cause is shown for noncompliance with the above time limit.

**RULE NCV-210 - BRIEFS**

A. **FORM** - Each brief shall be typewritten and endorsed with the name of the case, the Court, the term and number and the name and address of the attorney.

B. **CONTENT** - The brief shall include a statement of the facts, a statement of the questions involved and an argument.

1. The statement of the facts shall consist of any abstract of the pleadings and include a procedural history of the case showing how the case came before the Court.
2. The statement of questions must show the precise legal issues which are before the Court.
3. The argument shall be divided into as many parts as there are questions involved. Citations of authority shall be accurately designated, shall set forth the volume and page number where they appear, and shall set forth the principles for which they are cited. Whenever a Pennsylvania Statute is cited, the pertinent title and section number of Purdon's Statutes or the Pennsylvania Consolidated Statutes shall also accompany said citation.
4. Whenever testimony is abstracted or referred to, it must contain reference to the page of the transcript where the supporting evidence may be found.

C. **FILING** - All briefs shall be filed in duplicate with the Court Administrator. The moving party shall file a brief fourteen (14) days before the date set for argument. The respondent shall file a brief seven (7) days before the date set for argument. Each party shall be responsible for serving the time limits specified. Where the matter is to be argued before the Court en banc, four (4) copies of every brief shall be delivered to the Court Administrator. Supplemental briefs may be filed by leave of Court and within such time as the Court may direct.

The Court Administrator shall record the receipt of the briefs in a permanent log and distribute the briefs to the judge handling the case and his/her law clerk. The permanent log will be available to the judges to indicate compliance or noncompliance. Requests for waiver of briefs or extension of brief deadline shall be submitted in writing through the Court Administrator and shall be approved by the judge handling the case.

D. **NONCOMPLIANCE** - Failure to file briefs in accordance with the established deadlines shall result in the imposition, on the non-complying attorney, of a fine not to exceed One Hundred (\$100.00) Dollars and/or such other sanction as the Court may deem appropriate. The fine and/or other

**RULE NCV-210 Cont'd:**

sanction shall be commensurate with the degree of noncompliance. Upon the imposition of a fine, such fine shall be payable, under order of court, to the Collector of Court Costs within ten (10) days of imposition. Neither the fine nor any other sanction shall be imposed to prejudice the rights of either party to the action.

**RULE NCV-211 - ORAL ARGUMENT**

A. The Prothonotary shall prepare an argument and equity list consisting of all cases ordered thereon either by the Court or by praecipe filed not later than thirty (30) days before the argument court, which shall commence as per the official court calendar. Copies of the list shall be available at least twenty-five (25) days before argument court.

1. Where the case is ordered onto the argument and equity list by praecipe, the praecipe shall briefly identify the nature of the matter to be argued.
2. Where the resolution of factual issues necessitates the taking of testimony before the Court, such fact shall be noted by the praecipe.
3. Copies of all praecipos ordering cases onto the argument and equity list shall be sent to the opposing party or his attorney and shall be forwarded by the Prothonotary or other appropriate Court Clerk to the Court Administrator.

B. Argument court shall be reserved for cases in which only a question of law is to be determined. In equity matters and other matters involving factual issues which require the taking of testimony before the Court, the Court Administrator shall schedule separate hearings apart from argument court, such as, but not limited to, hearings on preliminary injunctions.

C. The attorney ordering the case on the list (or the Court Administrator in cases ordered on by the Court) shall at the same time give notice thereof by sending a copy of the praecipe to the opposing party or counsel for the opposing party.

D. Upon written motion, continuance of the case on the list may be granted for cause shown or upon agreement of the attorneys with approval of the Court. The continuance shall be a continuance to the next argument court unless a specific date for further argument is specified by the Court at the time the continuance is granted, in which case the Prothonotary shall so list the case without further praecipe. In the absence of good cause, only one continuance will be granted in arguments involving preliminary objections.

E. Cases on the argument and equity list must be submitted upon oral arguments and briefs unless the Court agrees to consider the case on briefs without argument. Briefs shall be in accord with Rule NCV-210. Requests for a "BRIEF ONLY" listing shall be made in writing with the Court Administrator.

**RULE NCV-211 Cont'd:**

F. Upon the filing of one of the above motions, the moving party shall, concurrent with the filing of the motion, file a praecipe for oral argument or a request for submission on briefs only. Failure of a praecipe or request to accompany one of the above motions shall result in the motion being rejected for filing until it is accompanied by a praecipe for oral argument or a request for submission on briefs only.

G. NONCOMPLIANCE - Failure to file briefs in accordance with the established deadlines may be considered by the Court to be a withdrawal of the matter listed by the moving party or the withdrawal of opposition thereto by the opposing party, as the case may be, and the Court may make an appropriate order disposing of the same. The Court may also, in its discretion, treat the matter as submitted by the defaulting party and proceed ex parte, grant a continuance upon motion of the non-defaulting party or impose such other sanction as the Court may deem appropriate.

**RULE NCV-212 - TRIAL SCHEDULING AND PRE-TRIAL CONFERENCE**

A. When the pleadings are closed and the case is at issue, any party whose depositions and discovery proceedings have been completed may place the case on the trial list through the filing of a praecipe with the Prothonotary, who shall forward a copy of same to the Court Administrator. The party placing the action on the trial list shall immediately so notify all other parties. Failure to give such notice shall be grounds for striking the action from the trial list at the request of any party who was not given notice.

B. Eight (8) weeks prior to the holding of pre-trial conferences, the Court Administrator shall prepare a list of the cases placed on the trial list by order of court or for which certificates of readiness for trial have been received from all necessary parties, or for which timely status reports have not been filed. Those cases for which timely status reports have not been filed will be removed from the list until such time as is directed by the Court. The Court Administrator shall schedule each case on the list for a pre-trial conference, and shall schedule the case for trial after consulting with the Court following the pre-trial conference. Cases which have already been pre-tried will not be scheduled for a second pre-trial conference unless the Court so directs.

C. A case shall remain on the trial list until it is removed by order of court, has been tried and a verdict reached, or has been discontinued.

D. Any case placed on the trial list prior to the effective date of this rule shall be scheduled for pre-trial conference after consultation between the Court, the Court Administrator, and counsel for the parties.

**E. Pre-Trial Conference**

1. The Court Administrator shall schedule a pre-trial conference to be held no less than twenty-one (21) days before the first day of the session of trials during which the case is listed.

RULE NCV-212 Cont'd:

2. Each party shall submit, five (5) days prior to the conference, four (4) copies of the pre-trial memorandum. The pre-trial memorandum shall be in substantially the form found in Appendix "A".
3. The pre-trial conference shall be attended by the attorney who will try the case or by an attorney who is fully prepared and authorized as to all matters which may arise during the conference.
4. At the pre-trial conference counsel shall be prepared to discuss all phases of their case and shall bring to the attention of the Court any special substantive or evidentiary questions of law which may reasonably be anticipated to arise during trial.
  - a. All pre-trial motions shall be submitted at or before the time of the pre-trial conference.
5. Counsel shall produce at the conference copies of all documents and photographs to be offered at the trial, and all physical exhibits which can reasonably be produced.
6. Counsel shall be prepared to stipulate to all matters of common agreement to the end of avoiding the necessity of formally proving matters not in dispute.
7. Counsel shall be prepared to discuss the possibility of settlement and shall make a good-faith effort to explore such possibility.
8. The Court, either during or following the pre-trial conference, may make such order or orders as deemed necessary, reciting the action taken, including: Amendments to pleading; stipulations and other agreements of counsel; and admissions of fact. Such order, when entered, shall control the subsequent course of the action unless modified to prevent manifest injustice. The order may include a requirement that one or more of the parties submit a trial brief.
9. If a party or his counsel fails to attend the pre-trial conference or to submit the required memorandum, or fails to comply with any pre-trial order or stipulation, the Court may, on the motion of opposing counsel, or on its own motion, impose such penalty or sanction as it deems appropriate under the circumstances.
10. Where a continuance is allowed after pre-trial conference, the case will be rescheduled for trial. A repre-trial conference will be held only upon request of counsel or direction by the Court. At any such repre-trial conference, the pre-trial memorandum previously submitted shall be updated if appropriate, but otherwise need not be resubmitted.

RULE NCV-216 - CONTINUANCE

A. Applications for continuances under Pa. R.C.P. No. 216 shall be submitted in writing, absent good cause shown, no later than seven (7) days before the first day of the session of trials during which the case is listed.

B. No continuance will be granted by reason of prior commitments of counsel in any court, State or Federal, except in cases where an attorney is already scheduled and furnishes reasonable notice of the same.

RULE NCV-220 - JURY SIZE IN CIVIL TRIALS

A. Except as provided in subdivision B, juries in civil cases shall consist, initially, of eight (8) members. Trials in such cases shall continue so long as at least six (6) jurors remain in service. If the number of jurors falls below six (6), a mistrial shall be declared upon prompt application therefore by any party then on record.

B. Trial by a jury consisting of twelve (12) members may be had if written demand therefore is filed with the Court as part of the original pre-trial memorandum.

C. Under subdivision A hereof, each party shall be entitled as a matter of right to four (4) peremptory challenges, except that in cases involving multiple plaintiffs and/or multiple defendants, the trial court shall, in its discretion, determine the number of peremptory challenges available to each of the parties then of record.

RULE NCV-227.3 - TRANSCRIPT OF TESTIMONY

Pursuant to Pa. R.J.A. No. 5000.6 and 5000.11, except where the Commonwealth or a subdivision thereof is liable for the cost, a deposit of up to one-half (1/2) the estimated charge for the transcript will be made to the Court Administrator as a condition precedent to starting the transcript. After completion of the transcript, if any balance is due, delivery of the transcript may be refused until such balance is fully paid or adequate security is posted for payment.

RULE NCV-229 - DISCONTINUANCES

No action shall be discontinued without written notice to the Court and to any attorney who has appeared for any other party in the proceeding.

RULE NCV-261 - COURT ADMINISTRATOR

The Court shall appoint a Court Administrator who shall serve at the discretion of the Court and under the supervision and jurisdiction of the Court.

The duties of the Court Administrator shall be as itemized in these rules and as supplemented from time to time by the Court.

BOARD OF VIEW

RULE NCV-501 - MEETING PLACE

All hearings of the Board of View shall be held in the courthouse, unless otherwise agreed to by all interested parties.

RULE NCV-502 - SUBSTITUTION AFTER APPOINTMENT

If any member appointed to a Board shall for any reason be unable to attend to the duties of such appointment, he shall forthwith notify the Court or the Court Administrator to the end that a substitution may be made.

RULE NCV-503 - ORGANIZATION

The Board of View shall meet annually, on the first Monday following January 1st, at the courthouse and organize by the election of a president, vice president and a secretary from among their number, who shall serve until their successors are elected. The president shall preside at all meetings of the Board and perform such other duties as appertain to the said office. The secretary shall keep accurate minutes of all meetings of the Board in a book to be provided for the purpose, notify the members of each meeting of the Board of View, and generally do and perform the duties appertaining to said office.

The Board shall also meet at other times as required pursuant to orders of court.

RULE NCV-504 - NOTICE OF APPOINTMENT

Upon the appointment of a Board of View, the Court Administrator shall forthwith notify the viewers of their appointment by mailing to each a copy of the order of court setting forth their appointment.

JUDGMENT

RULE NCV-701 - JUDGMENT ON VERDICTS

No judgment shall be entered on a verdict in any case within the time allowed for a motion for new trial without a special order of the Court.

RULE NCV-702 - SATISFACTION OF JUDGMENT

Whenever the Prothonotary is requested to mark any judgment satisfied, whether by praecipe or otherwise, the person making or filing the request shall first satisfy the Prothonotary by affidavit, and, if required by the Prothonotary, by additional proof that he is the owner of the judgment or is otherwise duly authorized by such owner to cause the judgment to be marked satisfied or is a member of the bar and that the signature on the praecipe or satisfaction to be noted on the docket is genuine and authentic. Filing of affidavit required by this rule may be waived by the Prothonotary only when a member of the bar of this county, known to the Prothonotary or to a Deputy Prothonotary in attendance, appears in person in the Office of the Pro-

**RULE NCV-702 Cont'd:**

thonotary for the purpose of satisfying a judgment. No judgment shall be satisfied by or on the order of any attorney-at-law unless such attorney shall have first entered his appearance for the plaintiff (defendant on a counter-claim).

**MISCELLANEOUS**

**RULE NCV-901 - TERMINATION OF INACTIVE CIVIL CASES**

The Prothonotary shall prepare at the argument court held in September of each year, or on such other date as the Court may direct by special order, a special list containing all civil matters in which no steps or proceedings have been taken for two (2) years or more prior thereto and shall give written notice thereof to counsel of record, and to the parties for whom no appearance has been entered, as provided by Pa. R.J.A. No. 1901(c). If no action is taken or no written objection is filed following the requisite notice, or if no good cause for continuing a matter is shown, an order shall be entered forthwith by the Court for dismissal of such proceeding.

**RULE NCV-902 - WITHDRAWAL OF APPEARANCE**

Counsel may withdraw an appearance as counsel for a party upon filing of a praecipe if the withdrawal is accompanied by or contemporaneous with entry of an appearance by new counsel. Otherwise, withdrawal of appearance shall occur only upon leave of the Court with notice to the party.

**RULE NCV-1018.1 - NOTICE TO DEFEND**

Every complaint filed by a plaintiff and every complaint filed by a defendant against an additional defendant shall be in the form required by the Pennsylvania Rules of Civil Procedure. Pursuant to Pa. R.C.P. No. 1018.1(c), the following is designated as the office to be named in the Notice to Plead from which legal help can be obtained:

IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD A LAWYER

Contact:

Court Administrator  
Northumberland County Courthouse  
Sunbury, Pennsylvania 17801  
Telephone (570) 988-4167

**RULE NCV-1064 - ACTION TO QUIET TITLE**

A. Where service by publication is permitted under Pa. R.C.P. No. 430 (b), publication shall be once in at least one (1) newspaper of general circulation published in the county and in the Northumberland County Legal Journal, in substantially the following form:

RULE NCV-1064 Cont'd:

(Caption of Case)

TO \_\_\_\_\_  
Names(s) of Defendant(s)

You are notified that the plaintiff(s) has (have) commenced an action to quiet title against you which you are required to defend.

You are required to plead to the complaint within twenty (20) days after the last appearance of this notice, that is, not later than \_\_\_\_\_  
(Date)\* \_\_\_\_\_.

If you fail to answer the complaint within said twenty (20) days, a preliminary judgment may be entered against you, and a final judgment may be entered against you thirty (30) days thereafter.

This action concerns the land here described:  
(describe land)

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE.  
IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE,  
GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW  
TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

COURT ADMINISTRATOR  
NORTHUMBERLAND COUNTY COURTHOUSE  
SUNBURY, PENNSYLVANIA 17801  
Telephone (717) 988-4167

\_\_\_\_\_  
Attorney for Plaintiff

\_\_\_\_\_  
Address of Attorney for Plaintiff

(\*Insert the last date an answer can be filed.)

B. The service shall be completed upon appearance of the last complete publication. Proofs of publication shall be filed before judgment or any other action is taken by plaintiff.

## ARBITRATION

### RULE NCV-1301 - CASES FOR SUBMISSION

A. Compulsory arbitration of matters as authorized by Section 7361 of the Judicial Code, 42 Pa. C.S. Section 101, et seq. shall apply to all cases at issue where the amount in controversy shall be Twenty-Five Thousand (\$25,000.00) Dollars or less.

The amount in controversy shall be determined from the pleadings or by an agreement of reference filed by the attorneys. The amount in controversy when determined from the pleadings shall be the largest amount claimed by any one party.

In the event that a case within arbitration limits is consolidated with a case involving more than arbitration limits after the former has been referred to a Board of Arbitrators, the order of consolidation will remove the same from the jurisdiction of the Board of Arbitrators.

B. A civil action will be referred to arbitration (if the request for relief is in the jurisdictional limits for compulsory arbitration) upon the filing with the Prothonotary of a praecipe for arbitration signed by either party or its counsel.

### RULE NCV-1301.1 - AGREEMENT OF REFERENCE

Matters not in litigation may be referred to a Board of Arbitrators by an agreement of reference, signed by counsel for all sides in the case. Such agreement shall be filed with the Prothonotary. Said agreement shall define the issue involved for determination by the Board and, when agreeable, shall also contain stipulations with respect to the facts submitted or agreed upon or defenses waived. In such cases, the agreement shall take the place of the pleadings in the case and be filed of record.

### RULE NCV-1302 - LIST OF ARBITRATORS

A. The Prothonotary shall keep a current list of all members who are qualified and willing to act as arbitrators.

B. Any attorney wishing not to serve as an arbitrator, including chairperson, shall notify the Prothonotary in writing.

C. An attorney may remove his name from the arbitrators' list provided that such resignation shall not affect his obligation or qualification to serve as an arbitrator upon any case to which he has been appointed.

### RULE NCV-1302.1 - SELECTION OF ARBITRATORS

A. Upon receipt of a praecipe, the Prothonotary shall nominate from the list of attorneys a board of potential arbitrators. The nominations shall be made at random, except where an attorney is excused by reason of incapacity, illness or other disqualification. No more than one (1) member of a family, firm, professional corporation or association shall be nominated to serve on one (1) potential Board.

**RULE NCV-1302.1 Cont'd:**

B. In all cases the Prothonotary shall nominate a list of three (3) attorneys plus one (1) attorney for each party involved. The list of attorneys nominated to the potential Board shall be sent by the Prothonotary to each party or their attorney within five (5) days of the receipt of the praecipe. Each party in the case or counsel for each party may strike off one (1) attorney so named or no name from the list and return the same to the Prothonotary within five (5) days of receipt. If both or all parties strike the same name or no name from the list, the first three (3) remaining names will make up the Board with the first attorney listed being the chairperson.

C. As soon as the Prothonotary receives the returned list from the parties (or after five (5) days if a list is not returned) each arbitrator shall be notified of his or her selection. A final Board list shall be sent to the parties or their attorneys.

D. Arbitrators so appointed shall not be excused from service except as hereinafter set forth. Any arbitrator who is unable to serve because of conflict of interest, a scheduling conflict, or any other sufficient reason, shall provide to each party the name of a proposed substitute arbitrator. The proposed substitute arbitrator shall become the substitute arbitrator unless, within one (1) day of being notified of the name of the proposed substitute arbitrator, any party objects thereto by giving notice of objection to the original arbitrator who proposed the substitute. If such objection is made, the original arbitrator shall give written notice thereof to the Prothonotary who shall thereafter nominate a list of one (1) attorney plus one (1) additional attorney for each party involved. The list of attorneys nominated as the potential substitute arbitrator shall be sent to each party or their attorney within five (5) days of the Prothonotary's receipt of the written notice. Each party or counsel may strike off one (1) attorney so named and return the list to the Prothonotary within five (5) days of receipt. If both or all parties strike the same name or no name from the list, the first remaining name will be appointed as the substitute arbitrator.

E. Arbitrators who fail to appear for service without having followed the procedures set forth in subsection D of this rule may be removed from the Prothonotary's list of eligible arbitrators, and in any event, shall not be paid.

**RULE NCV-1303 - SCHEDULING OF HEARINGS**

In accordance with Pa. R.C.P. No. 1303, the chairperson of each Board shall give each party or their attorney not less than thirty (30) days notice in writing of the date, time and place of the hearing. The hearing shall be held within forty-five (45) days after the Board is appointed.

**RULE NCV-1304 - CONDUCT OF HEARINGS**

The conduct of all hearings, generally and with respect to the admissibility of evidence, shall be as set forth in Pa. R.C.P. Nos. 1304, 1305 and 1308(a). Arbitrators shall exercise reasonable restraint in the questioning of witnesses. Witness fees shall be taxed as costs, as in other actions.

RULE NCV-1304.1 - CONTINUANCES

A. Continuances shall be granted only by court order for good cause shown on notice to the parties. Requests for continuances shall be in writing submitted to the chairperson. An application for continuance should be filed not later than three (3) days prior to the scheduled date for the arbitration hearing.

B. Upon failure of a party to appear at a scheduled arbitration hearing, the arbitrators shall proceed ex parte and render an award on the merits.

RULE NCV-1306 - AWARDS

A. After the case has been heard, the arbitrators shall make their report/award, which shall be signed by at least a majority of them. An award must be submitted within ten (10) days after the day of the hearing or the last adjournment thereof.

B. The award shall be transmitted to the Prothonotary for filing.

C. The Prothonotary shall enter the award of arbitrators in the appearance docket and shall index the same in the judgment index. If an appeal is taken, the Prothonotary shall forward said notice of appeal to the Court Administrator for placement on the Civil Trial List.

D. Upon the award being indexed, the Prothonotary shall give immediate written notice of the award to all the parties or their attorneys by regular mail.

RULE NCV-1315 - COMPENSATION FOR ARBITRATORS

A. The chairperson of each Board shall receive One Hundred (\$100.00) Dollars for each one-half (1/2) day of service and One Hundred and Seventy-Five (\$175.00) Dollars for each full day of service. The remaining two (2) members shall receive Seventy-Five (\$75.00) Dollars for each one-half (1/2) day and One Hundred and Fifty (\$150.00) Dollars for each full day each.

B. Upon the filing of the Board's report or award, the Prothonotary shall certify to the County Controller that the report and award, if any, has been filed, together with the names of the members of the Board serving in the case and thereupon the county shall pay the aforesaid fee to each member of the Board serving on the case in accordance with subsection A of this rule.

C. In the event that a case shall be settled or withdrawn or otherwise terminated by or between the parties at any time prior to the date scheduled for hearing, the Board members shall not be entitled to the aforesaid fee except that the chairperson shall be entitled to a fee of Twenty-Five (\$25.00) Dollars if a notice of hearing has been sent to the parties. If the case shall be settled or withdrawn or otherwise terminated by or between the parties on the date scheduled for hearing but prior to the scheduled starting time, the chairperson and the other two (2) Board members shall be entitled to one-half (1/2) of the base fee as set forth in subsection A of this rule. The attorney for the plaintiff in all cases which are settled, withdrawn or otherwise terminated at any time prior to the arbitration hearing shall notify

**RULE NCV-1315 Cont'd:**

the chairperson and the chairperson shall file with the Prothonotary the appropriate award form indicating disposition of the case and the amount of compensation due members of the Arbitration Board.

The Prothonotary shall not mark or certify a case settled or discontinued until the attorney for the plaintiff has presented to the Prothonotary his praecipe in proper form.

PLEASE ATTACH TO EACH  
PETITION OR MOTION TO  
BE FILED WITH THE COURT

1. Caption and Case Number:

\_\_\_\_\_

vs.

No. \_\_\_\_\_

\_\_\_\_\_

2. Attorneys involved?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Has this case been before a Judge  
before and if so which one? Y/N

\_\_\_\_\_

4. How much time is required before  
the Court. (You will be limited  
to the time requested!)

\_\_\_\_\_

5. How much NOTICE must be given  
prior to the hearing?

\_\_\_\_\_

2 July 1977

RULE NVC-1915.3 - COMMENCEMENT, COMPLAINT AND ORDER

A. A claim involving custody, partial custody or visitation shall initially be scheduled for a conference with a Hearing Officer. Based upon the Report and Recommendation of the Hearing Officer, the Court will issue a Proposed Order.

B. Within ten (10) days after the issuance date of the Proposed Order, either party may request that the matter be heard by the Court, in which event the case shall be scheduled for a hearing by the office of the Court Administrator.

RULE NCV-1920.3 - FILING OF PLEADINGS

A. All pleadings and legal papers filed pursuant to the Divorce Code or by separate petition relating to any matters involving the same family shall be filed with the Prothonotary.

B. Unless excused by the Court, the Plaintiff, upon filing a Complaint in Divorce, shall pay to the Prothonotary the sum of Fifty Dollars (\$50.00) denoted as a Judicial administrative fee, in addition to a separate check for the required filing fees.

RULE NCV-1920-4 - SERVICE

A. When service of the Complaint in Divorce is made by registered or certified mail, or by Acceptance of Service pursuant to Rule 402(b), service shall not be deemed complete unless [1] the signature on the return receipt or on the Acceptance of Service form is identified to be that of the defendant by affidavit or verification of the plaintiff or other person familiar with said signature, or [2] where service is accepted by an authorized agent of the defendant, an affidavit or verification as to the identity of the agent and his or her relationship to the defendant.

B. Service of the Complaint in Divorce may be accepted by an Attorney who enters an appearance on record.

C. Upon good cause shown, the Court may enter a special Order directing service by [1] ordinary mail directed to the defendant's last known residence or other address, or [2] by publication. The requirements of good cause shall be satisfied upon the filing of an affidavit by plaintiff setting forth the extent of the unsuccessful efforts made to make service if the address is known, or the nature and extent of good faith investigation made to ascertain the present residence and whereabouts of a defendant whose

whereabouts is unknown. Such an affidavit, detailing the particular efforts made to ascertain the defendant's present address and to effect service, must set forth the following information:

1. The time and place at which the parties last resided together as spouses.
2. The last time the parties were in contact with each other, and the defendant's address and telephone number at that time.
3. The name and address of the last employer of the defendant either during the time the parties resided together or at a later time, if known to the plaintiff.
4. The names, addresses and relationship to defendant of those relatives known to be close to the defendant.
5. That inquiry has been made of relatives, neighbors, friends, employers, postal authorities, and the applicable bureau of motor vehicles in an effort to ascertain the address and whereabouts of the defendant.
6. That examinations of telephone directories, voter registration records, and tax records have been made to ascertain the address and whereabouts of the defendant.

D. If the Court has Ordered service of the Complaint by publication, when a divorce is sought under Section 3301(d) of the Divorce Code, service of the Affidavit required by Section 3301(d) and service of the Notice of Intention to Request Entry of Divorce Decree together with the Counter-Affidavit may be served by publication without further Order of Court. Publication of the Complaint, Affidavit, Counter Affidavit and Notice in full is not required, but only a summary containing the essential information need be published.

E. The return of service of the Complaint, the Affidavit required by Section 3301(d) and the Notice of Intention to Request Entry of Divorce Decree together with the Counter-Affidavit by a person other than the Sheriff shall be by affidavit which shall set forth with particularity the effort made to effect service. Said affidavit shall be notarized or contain the verification set forth in 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

**RULE NCV-1920.13 - PLEADING**

A. If a claim is made by either party to the action for custody, partial custody, or visitation, the relevant count in the pleading must comply with the requirements of Pa. R.C.P. No. 1915.3(a) and/or any other applicable Rules.

B. If a party has joined in a complaint or supplemental complaint(s) or other appropriate pleading any related claim which he/she later chooses not to pursue, said claims shall be withdrawn before or at the time of the filing the Praecepto To Transmit Record in accordance with Rule NCV-1920.42

**RULE NCV-1920.16 - SEVERANCE, BIFURICATION**

A. All requests for severance or bifurcation shall be set forth by petition and rule filed with the Prothonotary and shall be processed through the Office of the Court Administrator. The Court may, for good cause shown, issue a divorce decree prior to a determination of other matters raised, in which event the decree shall contain the following statement: "The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered."

B. A petition for severance or bifurcation may be filed at any time. However, the request shall not be considered by the Court until either the Notice of Intention to Request Entry of Divorce Decree has been duly mailed or delivered in the case of divorce actions proceeding on no fault grounds where no hearing is required on the issue of the divorce, or the Master's Report has been filed in the case of divorce actions proceedings on fault grounds or no fault ground if a hearing has been required on the issue of divorce.

C. All petitions for bifurcation shall be granted following a hearing before the Court unless a stipulation is filed with the petition for bifurcation which contains findings of facts to be adopted by the Court and both parties have signed the stipulation.

**RULE NCV-1920.31 - ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES AND OR COSTS**

A. Unless set forth in the Complaint or in another appropriate pleading, all claims for alimony pendente lite, interim counsel fees and/or costs, and final counsel fees and/or costs shall be set forth by petition filed with the Prothonotary, and shall be processed through the Office of the Court Administrator. Where a Complaint contains a claim of alimony, alimony pendente lite, interim counsel fees

and/or costs, and final counsel fees and/or costs, a separate petition need not be filed, but scheduling will be accomplished by the Office of the Court Administrator upon the filing of a praecipe with the Prothonotary.

1. Where a claim for alimony pendente lite has been made, a conformed copy of the Complaint, other appropriate pleading, or petition, together with a fee for the Domestic Relations Office in the amount of Fifty Dollars \$50.00, shall be delivered to the Office of the Court Administrator which will forward the same to the Domestic Relations Office where in shall proceed in accordance with the practice and procedure of the Domestic Relations Office and be heard by the Hearing Officer. The filing date shall be the effective date of any subsequent Order for alimony pendente lite.

2. Claims for alimony and final counsel fees and costs shall be referred by the Office of the Court Administrator to a Master unless otherwise directed by the Court.

3. Claims for interim counsel fees and/or costs shall be scheduled by the Office of the Court Administrator for hearing by the Court. The Complaint, other appropriate pleading, or petition shall be accompanied by a certification from counsel setting forth the services rendered or to be rendered, the hourly fee charged or to be charged for the same, and a listing of all costs and expenses for which reimbursement is sought.

B. No hearing shall be scheduled with the thirty (30) day period first following the service of the Complaint or petition, this being the time period within which the parties are required, pursuant to Pa. R.C.P. No. 1920.31(a)(1), to file the most recent federal income tax return, pay stubs for the preceding six months, and a completed income and expense statement in the form required in an action for support.

C. A party in whose favor an Order for alimony has been entered may, upon payment to the Domestic Relations Office of a registration fee of Fifty Dollars (\$50.00), register the Order. Upon registration, the Order shall be enforced in the same manner as are all other support Orders.

#### **RULE NCV-1920.32 - CUSTODY**

A. A claim involving custody, partial custody or visitation shall initially be scheduled for a conference with a Hearing Officer. Based upon the Report and Recommendation of the Hearing Officer, the Court will issue a Proposed Order.

B. Within ten (10) days after the issuance of the Proposed Order, either party may request that the matter be heard by the Court, in which event the case shall be scheduled for hearing by the Office of the Court Administrator.

#### RULE NCV-1920.33 - EQUITABLE DISTRIBUTION

A. The pre-trial statement required by Pa. R.C.P. No. 1920.33(b) shall be filed and served upon the other party at least twenty (20) days prior to the scheduled hearing.

B. In addition to the items required in Pa. R.C.P. No. 1920.33(b), the pretrial statement shall include an analysis of each of the relevant factors in Section 3502 of the Divorce Code setting forth in detail their applicability or inapplicability in the case at hand.

C. A willful violation of these rules and the Pennsylvania Rules of Civil Procedure by failing to comply with filing requirements or not providing required information shall be grounds for contempt of Court and imposition of sanctions, and the Master is empowered to recommend that any person who willfully fails to comply be cited for contempt of Court.

#### RULE NCV-1920.42 - AFFIDAVITS AND DECREES

A. A Praecipe to Transmit Record, substantially in the form prescribed in APPENDIX "C", shall be filed with the Prothonotary. Attached thereto shall be a proposed decree and any agreement which the parties wish to have incorporated into the decree.

1. Any related claims that may have been raised but not pursued shall be withdrawn. The party filing the Praecipe to Transmit Record may withdraw any such claims by so noting on the Praecipe. Any outstanding claims by the opposing party may only be withdrawn by a praecipe signed by the party or his attorney of record in the following or a similar form: "The following claims are hereby withdrawn: \_\_\_\_\_", and such withdrawal shall be noted on the Praecipe to Transmit Record.

2. If severance or bifurcation has been granted, that fact and the pending claims shall be noted on the Praecipe to Transmit Record.

B. When a divorce is sought under Section 3301(d) of the Divorce Code and there is an attorney of record, the proof of service shall be by Affidavit, required by Section 330(d) of the Divorce Code, substantially in the form prescribed in Rule 1920.72(b), and the Notice of Intention to

Request Entry of Divorce Decree, substantially in the form prescribed in Rule 1920.73(a)(1), may be served at the same time upon the attorney of record, and said service shall be made at least twenty days (20) prior to the filing of the Praeceptum to Transmit Record.

C. When a divorce is sought under Section 3301(d) of the Divorce Code and there is no attorney of record, the [Plaintiff's][Defendant's] Affidavit required by Section 330(d) of the Divorce Code, substantially in the form prescribed in Rule 1920.72(b), shall be served upon the [Plaintiff][Defendant] at least twenty days (20) prior to the filing of the Notice of Intention to Request Entry of Divorce Decree, and the Notice of Intention to Request Entry of Divorce Decree, substantially in the form prescribed in Rule 1920.73(a)(2), together with the Counter-Affidavit, substantially in the form prescribed in Rule 1920.72(d), shall be served upon the [Plaintiff][Defendant] at least twenty days (20) prior to the filing of the Praeceptum to Transmit Record. Proof of service shall be by Affidavit.

D. If a Counter-Affidavit is filed, a hearing may be scheduled before the Court or a Master as the Court deems appropriate.

**RULE NCV-1920.51 - HEARING BY THE COURT, APPOINTMENT OF A MASTER**

A. All claims for relief on the merits, other than alimony pendente lite, counsel fees and/or costs pendente lite, and disputed claims as to custody or paternity shall be heard by a Master, and any requests for hearing before the Court instead of the Master shall be made by petition and rule and will be granted by the Court only upon good cause shown.

B. Where no other issues are involved except termination of the marriage by divorce or annulment under Section 3301(a) and (b) and Sections 3303-3305 of the Divorce Code, the motion for appointment of a Master may be filed by either party as soon as twenty (20) days have elapsed following the service of the complaint.

C. If, in addition to a claim for divorce or annulment of marriage, a claim is made for alimony, equitable distribution of marital property, of final counsel fee and/or costs, either party may move for the appointment of the Master after [1] one of the following has taken place: [a] a decree has been entered wherein a divorce has been granted but the Court has retained jurisdiction over unresolved claims, or [b] an Order has been entered approving the grounds for divorce but deferring the decree in divorce until a Master's hearing is held on unresolved claims, and [2] both

parties have complied with Pa. R.C.P. Rules 1920.31(a)(1) and 1920.33(a).

1. If a party fails to comply with Pa. R.C.P. Rules 1920.31(a)(1) and 1920.33(a), on praecipe of any party who has complied therewith a rule shall be entered upon a non-complying party to file the information required by said Rules within thirty (30) days of the service of the rule.

a. The praecipe shall be prepared substantially in the following form:

"The [plaintiff] [defendant] having complied fully with Pa. R.C.P. Rules 1920.31(a)(1) and 1920.33(a), and the opposing party having failed to do so, it is hereby requested that, pursuant to Rule NCV-1920.51 B, a rule be entered as of course directing the opposing party to comply with Pa. R.C.P. Rules 1920.31(a)(1) and 1920.33(a) within thirty (30) days of the date of the service of the rule.

\_\_\_\_\_  
Attorney for [plaintiff][defendant]

RULE: AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_, the [plaintiff][defendant] is hereby directed to comply with Pa. R.C.P. Rules 1920.31(a)(1) and 1920.33(a) within thirty (30) days of the date of the service of this rule.

\_\_\_\_\_  
Prothonotary

b. If it is necessary for the Court subsequently to issue an Order directing compliance with Pa. R.C.P. Rules 1920.31(a)(1) and 1920.33(a) such Order shall, in the absence of compelling circumstances, contain *inter alia* a provision for payment to the moving party of the counsel fees and costs incurred in obtaining compliance.

D. The Motion for Appointment of Master shall be accompanied by a proposed Order Appointing Master setting forth the issues to be referred by the Court to the Master, and shall contain a certification that a copy of said Motion and the Proposed Order were served at least ten (10) days prior to the filing of said Motion upon opposing counsel, or the opposing party, if unrepresented.

E. Stenographic Costs.

1. Unless excused by the Court, at the time of the filing of the Motion for Appointment of Master the moving party shall pay the sum of two

Hundred Dollars (\$200.00) to the Prothonotary, which sum shall be held for the payment of the stenographic costs. If at any time during the progress of a case it appears to the Master that the stenographic costs may exceed the amount deposited with the Prothonotary, the Master shall give written notice to the moving party to pay the Prothonotary, within thirty (30) days from the mailing of the notice, such additional sum or sums as the Master deems necessary to cover said costs. Failure to pay said sum within thirty (30) days shall be grounds for dismissal of the proceedings unless adequate cause is shown. The stenographic costs shall be taxed as part of the costs and allocated as directed in the final decree. The original notes of testimony are for the use of the Master and the Court, and parties wanting copies of the notes must pay for them.

2. If it is determined that (1) a person who was excused by the Court from the payment of costs or (2) any person who is legally responsible to said excused person, is or has become financially able to pay the costs, an order may be entered against that person for the payment of all or part of the costs.

NORTHUMBERLAND COUNTY  
PRE-TRIAL MEMORANDUM

- CIVIL CASES -

NOTE: The memorandum is to be submitted to the Court and to each party at least five (5) days prior to the time of the scheduled pre-trial conference.

CASE NO. \_\_\_\_\_

NAME OF PARTY \_\_\_\_\_

NAME OF ATTORNEY \_\_\_\_\_

DATE OF PRE-TRIAL \_\_\_\_\_

(Caption)

1. List all parties and counsel to action.
2. Your version of facts - liability (attach any helpful diagram).
3. Legal theory of liability - list those theories upon which you will rely, as each party may be limited to those theories at trial.
4. If there is a counterclaim, set forth the theory of liability and contentions on damages.
5. If an agreement is involved in the action, is it written or oral? \_\_\_\_\_ Quote the provisions of the agreement which are central to this dispute.
6. Damages - give detailed description and itemized statement of damages.
7. Names of witnesses:
  - (a) Definite witnesses and scope of testimony (liability, damages or both).
  - (b) Possible witnesses and scope of testimony (liability, damages or both).
8. Expert witnesses - state expected scope of testimony.
9. Exhibits - list all exhibits and indicate whether or not they have been shown to opposing counsel. Each party may be limited to the use of the listed exhibits at trial.

APPENDIX "A"

PRE-TRIAL MEMORANDUM Cont'd:

10. Scheduling - list any unusual scheduling problems which are anticipated.
11. Requested stipulations (qualification of experts, admissibility of documents without custodian, special damages, etc.)
12. Unusual legal issues - issues on which trial briefs should be required.

---

13. (a) Has there been a timely demand for a jury trial?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- (b) Size of jury?  
Six \_\_\_\_\_ Twelve \_\_\_\_\_
14. Estimated time to try.
15. Outstanding motions.
16. Settlement posture - your lowest demand or highest offer \$\_\_\_\_\_. (Party must be available in person or by phone at the time of pre-trial conference for purpose of settlement discussions).
17. Miscellaneous - list any matter which you feel is important but which hasn't been covered.
18. Pre-trial orders requested.

Respectfully submitted:

---

APPENDIX "C"

[CAPTION]  
PRAECIPE TO TRANSMIT RECORD

To The Prothonotary:

Transmit the record, together with the following information to the Court for the entry of a divorce decree:

1. The ground for divorce is an irretrievably broken marriage under Section 3301 of the Divorce Code.
2. A Complaint, substantially in the form prescribed by Rule 1920.72(a), was filed on \_\_\_\_\_, 19\_\_\_\_, by [state manner of service] \_\_\_\_\_ (see Affidavit of Service in file or attached hereto).
3. Plaintiff executed an Affidavit of Consent, substantially in the form prescribed by Rule 1920.72(b), on \_\_\_\_\_, 19\_\_\_\_ and Defendant executed an Affidavit of Consent, substantially in the form prescribed by Rule 1920.72(b) on \_\_\_\_\_. Both Affidavits were filed ninety (90) days or more after the Complaint was filed and within thirty (30) days from the date of their execution.

OR

The Affidavit required by Section 3301(d) of the Divorce Code, substantially in the form prescribed by Rule 1920.72(c) was executed on \_\_\_\_\_, 19\_\_\_\_ which was two (2) years or more after the date of separation, and it was filed on \_\_\_\_\_, 19\_\_\_\_ and it, together with the Notice of Intention to Request Entry of Divorce Decree, substantially in the form prescribed by Rule 1920.73(a)(1) were mailed or delivered to \_\_\_\_\_, Esquire [Plaintiff's][Defendant's] attorney of record on \_\_\_\_\_, 19\_\_\_\_, (see Affidavit of Service in file or attached hereto) which was at least twenty (20) days prior to the filing of this Praecipe. A copy of the Notice of Intention to Request Entry of Divorce Decree is attached hereto.

OR

The affidavit required by Section 3301(d) of the Divorce Code, substantially in the form prescribed by Rule 1920.72(c) was executed on \_\_\_\_\_, 19\_\_\_\_, which was two (2) years or more after the date of separation, and it was filed on \_\_\_\_\_, 19\_\_\_\_, and served on [Plaintiff][Defendant] on \_\_\_\_\_, 19\_\_\_\_, by [state manner of service] \_\_\_\_\_ (see Affidavit of Service in file or attached hereto), and the Notice of Intention to Request Entry of Divorce Decree, substantially in the form prescribed by Rule

192073(a)(2) together with the Counter-Affidavit, substantially in the form prescribed by Rule 1920.72(d) were mailed or delivered to the [Plaintiff][Defendant] on \_\_\_\_\_ 19\_\_\_\_. (see Affidavit of Service in file or attached hereto), which was at least twenty (20) days after service of the Affidavit required by Section 3301(d) of the Divorce Code and at least twenty (20) days prior to the filing of the Praecepte. A copy of the Notice of Intention to Request Entry of Divorce Decree is attached hereto.

4. Related claims:

a. Bifurication has been granted and the following claims are pending: \_\_\_\_\_  
\_\_\_\_\_

b. Claims withdrawn  
By moving party: \_\_\_\_\_

By opposing party: \_\_\_\_\_

(see Praecepte to Withdraw Claims in file)

c. Settled by agreement: \_\_\_\_\_  
\_\_\_\_\_

5. Attached hereto is a true and correct copy of the Agreement of the parties which is to be incorporated into, but not merged with the Divorce Decree.  
Yes \_\_\_\_\_ No \_\_\_\_\_

\_\_\_\_\_  
Attorney for the Plaintiff