

## Domestic Relations Overhaul

*Bucks County Domestic Relations Section has plans to move into high tech.*

*-Nancy Larkin Taylor*

Domestic Relations has always been plagued by backlogs and bureaucracy. But now the Bucks County Domestic Relations Section has plans to move into high tech. At its annual presentation to the Family Law Section Lunch Meeting, the members of the Section related their approach to speeding up cases, collections, and enforcement. Presenters were new Executive Director Laura LoBianco and officers Doug Cooper, Jan Fly, Chris Little Simcox and Karen Winkler. The purpose of the changes adopted by the new regime at 30 East Court Street is to provide consistency in the treatment of cases and to streamline the conferences and court appearances while getting the maximum use of the existing workforce. Every unit within DRS has been scrutinized and overhauled. Let's review.

1. *Consistent policies.* Support rules and procedures will be uniformly developed and applied, with judicial input. Examples include the treatment of subsidized day care and the use of tax exemptions. Every officer will be trained for conferences, enforcement and bench warrant tasks, rendering them interchangeable. In fact, every DRS employee is receiving section-wide training to fully comprehend the DRS system.

2. *Listings.* Conferences are being listed eight to ten weeks post filing. Instead of a divorce master, attorney Chris Little Simcox will now review all support pleadings, which will shorten the buck sheet turn around time. Conferences will be listed only in the mornings, four per day at 8, 9, 10 & 11 am. If you are not on time, the conference will start without you.

Officers will use the afternoons to write recommendations and prepare for court. If a conference extends past its hour, a back up officer will be available to pick up the slack. Since 40 percent of conferences are no-shows, bunching them together will improve the flow. Juvenile probation and Children & Youth conferences, which have an even higher no-show rate, will be heard only on Mondays, freeing up the rest of the week.

3. *The return of the Re-list Date.* A minimum of ten conferences will be scheduled on a re-list date, which will occur once a month. A bevy of officers will be available to pitch in. New petitions will be afforded priority.

4. *Continuances.* Before you request a continuance of a conference, ascertain the other side's position. If your adversary is *pro se*, call him to find out his stance. In your fax to DRS, state with specificity the reason for your request and relate the other side's position. If you have not been able to reach the other attorney or the *pro se* litigant, say so. Client services will advise you which officer is assigned to the case. That officer will use his discretion in ruling on your request. If you do not agree with that decision, make your written request to Judge Scott via fax.

5. *Temporary Orders.* If a defendant fails to appear for conference, rather than issue a bench warrant and try to track him down, DRS will issue an earning subpoena for income confirmation and schedule a hearing. At the hearing, the court will issue an order based on the employer information received. This method creates more orders and fewer bench warrants. Who needs to find a defendant when wages have been attached?

6. *Technology.* Judges will soon be equipped with bench laptops to quickly access arrears, warrants and payment history. Discovery motions will now be heard on non support days.

7. *Enforcement.* DRS has hired two more deputy sheriffs and one clerical person to increase collections. Bench warrants will be listed on the new "J Net" criminal network. More use will be made of the Child Support Lien Network and National Data Base. Insurance companies will not issue settlement checks to clients with support arrears.

The number of outstanding bench warrants has already been reduced from 1,900 to 1,450. Bucks still has \$14 million in unpaid support on the street. In the past, payees who complained got DRS's attention. DRS gets an average of 300 calls daily.

Now, enforcement will be more proactive. Collection action will automatically trigger at the 30 day point. The ten day grace period and "come on in" letter to no-show defendants

are eliminated. Bench warrants will hit the network immediately, with notice to all police departments. So, defendants are forewarned. Defendants will also be charged a \$50 bench warrant fee along with the Sheriff's cost and mileage.

8. *Public Education/Community Outreach.* Karen Winkler will continue to make group presentations at every available forum, such as Community Colleges, high schools and Rotary meetings. She will even teach law firm employees. All you need is three or more people, and Karen will show up. A comprehensive brochure for the public was circulated at the meeting, seeking attorney input.

9. *New Guidelines.* The new child support guidelines became effective January 27, 2006. DRS will not notify clients directly of the changes. Clients must file their own petitions to modify on the basis of the new guidelines. Modification petitions will be retroactive to the date of filing, not January 27. The new guidelines are bad news for most obligees. For cases with a combined monthly income of \$5,000, support orders will slightly increase. This represents about 17 percent of active cases. 77 percent of orders will decrease.

As for the ludicrous legislative rationale resulting in across-the-board reductions in Pennsylvania child support orders, no one had an answer. That will have to wait for another luncheon.

