

(c) ***Scheduling Hearings for Uncontested Claims Raised Under Sections 3501 and 3701 of the Divorce Code.***

- (1) Where a party has raised claims for alimony and/or equitable distribution of marital property and has reasonable grounds to anticipate that the opposing party does not intend to appear at any conciliation or court hearing to contest these claims, the claims shall be scheduled for a hearing before the court.
- (2) A hearing is scheduled by filing a praecipe with the Family Division Docket Clerk. The praecipe shall allege that the party filing the praecipe believes that the claims will not be contested by the opposing party.
- (3) The party filing the praecipe is responsible for serving the opposing party with the notice of the hearings before the court. This hearing notice shall also contain a statement to the opposing party as to exactly what relief is sought as well as a copy of the proposed order required by paragraph (E) below.
- (4) Prior to filing the praecipe, a party must have complied with Rules 1920.31(a) and 1920.33(a) of the Pennsylvania Rules of Civil Procedure.
- (5) *[Rescinded January 5, 1996, effective February 26, 1996.]*
- (6) At the uncontested hearing, the court shall hear only the essential facts required to enter an order. If the opposing party appears to contest the claim, the hearing shall be discontinued and the case shall proceed under subpart (a) of this Local Rule.

Note: The purpose of subpart (c) of this rule is to deal with the claims of alimony and/or property distribution where no consent can be obtained but there also appears to be no contest. It is contemplated that the Court will be able to expeditiously deal with these cases particularly where property is minimal or where only a nominal alimony order is sought.

(d) ***Court Approved Settlements.***

- (1) Where the parties have reached an agreement on the issues of alimony and/or equitable distribution of marital property, and where court approval of the agreement is desired, the agreement shall be included with the proposed divorce decree. The agreement shall be signed by all parties and/or their counsel.

Note: Adopted May 15, 1981, effective immediately; amended May 9, 1983, Effective July 2, 1983; further amended January 5, 1996, effective February 26, 1996; amended January 18, 2001, effective 30 days after publication in the *Pennsylvania Bulletin*.