

SUGGESTED DOs AND DON'Ts IN THE YORK COUNTY DIVORCE MASTERS OFFICE

1. DO refer to the Divorce Masters Website at <http://yewebserver.york-county.org/Divorce/index.html> for information, local rules, forms, and other important information.
2. DO file your proof of service as soon as possible so it doesn't get lost.
3. DO file Affidavits of Consent or 3301(d) Affidavit and Counter Affidavit BEFORE you appoint the master to avoid unnecessary delay and expense, UNLESS you absolutely need a hearing on fault divorce.
4. DO complete as much of the Preliminary Conference Memo form as possible BEFORE the Preliminary Conference (this form is coming soon to the website).
5. DO bring an extra copy of any support/APL order to the Preliminary Conference to give to the Master.
6. DO make sure that the Inventory, Income Form and Melzer Expense Form are substantially complete before you file them. This includes the verification. Make sure that the Income Form includes the required attachments.
7. DON'T file an omnibus Motion to Appoint that includes APL if you want the APL case referred to the Domestic Relations Office. DO file a separate Motion for APL alone.
8. DO send or deliver a copy of all filings to the Master's Office. The Prothonotary doesn't "automatically" send things to the Master.
9. DO talk to the parties BEFORE the first conference and remind them of proper courtroom decorum (Rules of Civility are available on the website).
10. DO verify that what your client told you is accurate BEFORE you relay that information to the court. Memories are tricky things, particularly when emotions are involved. You can't be effective if you and your client aren't credible.
11. DON'T call the Master or opposing counsel by her/his first name in the presence of the parties.
12. DO talk to opposing counsel BEFORE the first conference to exchange documents and identify the real issues in the case. Know in advance whether the divorce will be contested and why.
13. DO exchange pay-stubs and tax returns BEFORE the Preliminary Conference.
14. DO make a list of all documents provided to opposing counsel and send the list along with the documents. "You didn't send me that" and "I did, too" are counterproductive.
15. DO complete your appraisals (real estate, pensions, personal property) BEFORE the Preliminary Conference. The Settlement Conference can be held more promptly or skipped altogether.
16. DO submit your 1920.33(b) statement on or before the deadline set in the Preliminary Conference Memo. The Master won't have time to review it if you submit it at the Settlement Conference.

17. DON'T incorporate your Inventory by reference in the 1920.33(b) statement UNLESS the Inventory contains the information required by Rule 1920.33(b), specifically including values.
18. DO be specific in your settlement proposals. DON'T just say, "Wife should get 55%". List the specific assets that should go to each party and the value of each asset based on the proof you are prepared to present in court.
19. DON'T come to the Settlement Conferences without completing discovery. If you aren't ready to try the case at the beginning of the Settlement Conference, it is most likely that a second Settlement Conference will be scheduled.
20. DO send a copy of the signed Marriage Settlement Agreement to the Divorce Masters Office if the case is settled after the Master has been appointed. That way we can close the file and make life simpler for everybody.
21. DO review the applicable Rules of Civil Procedure before you prepare proposed Findings and Conclusions and address all of the issues referenced in the Rules.
22. DO review the format used by the Masters for Findings of Fact. The Divorce Masters Office keeps copies of all Reports and Recommendations for at least three years after they have been filed. The copies are available for inspection by any member of the bar or support staff.
23. DO prepare your proposed Findings and Conclusions in advance of the Hearing. They will serve as a blueprint for presenting your case.
24. DO label your exhibits in advance of the Hearing. It is not the Court Reporter's job to do this for you. The hearing will go much faster if you don't have to interrupt your case to do this.
25. DON'T make silly objections for the purpose of disrupting your opponent's presentation. This tactic usually backfires.
26. DON'T bring "surprise" witnesses to the hearing. If a witness was not disclosed prior to the hearing, then that witness can only testify in rebuttal. Rebuttal testimony cannot be used to satisfy one's burden of proof.
27. DON'T clutter the record with unnecessary exhibits. Stipulated facts do not require supporting documents.
28. DON'T have parties attempt to contact the Masters Office directly. That's what they're paying you for.
29. DON'T engage in *ex parte* communications with the Master. An *ex parte* communication is any communication that makes reference to any substantive issue in the case, including discovery disputes and is not made in the physical presence of opposing counsel. (Conference calls with both counsel are not *ex parte*. Letters with copies to opposing counsel ARE.)
30. DO feel free to contact the Master to ask about the status of a Report and Recommendation. It is possible that the delay is the result of events of which you are unaware (i.e. somebody didn't pay his/her share of the transcript fee). DON'T complain to Judge Renn unless you have spoken to the Master first.
31. DO make sure that opposing counsel has signed your continuance form before you present it to the DMO. Faxes are acceptable. DON'T assume that your request will be granted, even if opposing counsel concurs.