

**EXCEPTIONS TO THE DIVORCE
HEARING OFFICER'S REPORT AND
RECOMMENDATION INSTRUCTIONS**

***IT IS STRONGLY RECOMMENDED THAT YOU
CONSULT AN ATTORNEY***

DISCLAIMER

THE SELF HELP CENTER STAFF AND COURT STAFF ARE NOT PERMITTED TO GIVE YOU LEGAL ADVICE. THE INFORMATION IN THE PACKETS IS NOT A SUBSTITUTE FOR PROFESSIONAL LEGAL ADVICE. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THESE DOCUMENTS. YOU SHOULD OBTAIN THE SERVICES OF AN ATTORNEY. CONTACT MIDPENN LEGAL SERVICES AT (717) 232-0581 OR DAUPHIN COUNTY LAWYERS REFERRAL AT (717) 232-7536.

**INSTRUCTIONS FOR FILING EXCEPTIONS TO THE DIVORCE HEARING OFFICER'S
REPORT AND RECOMMENDATION**

Relevant Local and State Rules to Review Prior to Filing Exceptions:

Pennsylvania Rule of Civil Procedure (Pa.R.C.P.) 1920.55-2 in its entirety and
Dauphin County Local Rule 1920.51(14) and (16).

Summary of Procedure for Filing Exceptions.

1. **Deadline for Filing Exceptions.** Exceptions to the Divorce Hearing Officer's Report and Recommendation must be filed within twenty days of the date of receipt or the date of mailing of the Report and Recommendation, **whichever occurs first**. In most cases, the due date for the Exceptions will be within twenty days of the date the Report and Recommendation is mailed to the parties (or their attorneys). The date of mailing can be ascertained by reviewing the Certificate of Service accompanying the mailed Report and Recommendation.
2. **Substance of Exceptions.** A party may file Exceptions to the report or any part of it, to rulings on objections to evidence, to statements of findings of fact, to conclusions of law, or to any other matters occurring during the Divorce Hearing Officer's hearing.
3. **Form of Exceptions.** Each Exception should be separately numbered and should list a separate objection precisely and without discussion.

EXAMPLE. Instead of:

1. The Hearing Officer erred by valuing the assets and in distributing the assets. I think the Hearing Officer liked the plaintiff better than she liked me because she wouldn't admit my real estate appraisal.

Be specific and avoid discussion such as:

1. The Hearing Officer erred in valuing the marital residence.
2. The Hearing Officer erred in distributing the marital residence to plaintiff.
3. The Hearing Officer erred in sustaining plaintiff's objection to defendant's real estate appraisal.

Use the Exceptions Form in this Self-Help Packet.

4. **WAIVER OF MATTERS NOT COVERED IN EXCEPTIONS. IF YOU FAIL TO RAISE AN ISSUE IN YOUR EXCEPTIONS, THAT ISSUE WILL BE DEEMED AS BEING WAIVED AND YOU WILL NOT BE ABLE TO RAISE IT WITHOUT LEAVE OF COURT PRIOR TO ENTRY OF THE DIVORCE DECREE.**
5. **Filing and Service of Exceptions.** One original and one copy of Exceptions must be filed with the Prothonotary's Office along with a Certificate of Service. A clocked-in copy of the Exceptions **must** be served on the opposing party and another copy should be provided to the Divorce Hearing Officer.

6. Cross-Exceptions. Once Exceptions are filed, the opposing party may file exceptions within twenty days of service of the original Exceptions.
7. Exception Proceeding. After Exceptions have been filed, the Court will enter an order scheduling a conference, the filing of briefs and/or oral argument to address the Exceptions. Make sure that you follow the Court's Order by attending any scheduled conferences and/or oral arguments and by timely filing any required briefs.

**INSTRUCTIONS FOR COMPLETION OF THE EXCEPTIONS TO THE DIVORCE
HEARING OFFICER'S REPORT AND RECOMMENDATION**

Complete the caption and docket number as it appears on the Divorce Hearing Officer's Report and Recommendation.

Enter the date you are completing the form and the date of the Divorce Hearing Officer's Report and Recommendation.

Lines 1-3 List individually the reasons why you think the Divorce Hearing Officer erred in their Report and Recommendation.

If there are more than three (3) reasons, list additional errors on a separate page starting with "4".

Sign and print your name.

Complete the verification and certification.

INSTRUCTIONS FOR COMPLETING THE CERTIFICATE OF SERVICE

Enter your name and the date that you mailed the Exceptions to the Divorce Hearing Officer's Report and Recommendation to the opposing counsel/party and the Divorce Hearing Officer.

Check the box that you served opposing counsel/party with a copy of the Exceptions and enter the address where you mailed the Exceptions.

Check the box that you served the Divorce Hearing Officer with a copy of the Exceptions.

Sign and print your name.

**EXCEPTIONS TO THE DIVORCE
HEARING OFFICER'S REPORT AND
RECOMMENDATION FORMS**

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		:	IN THE COURT OF COMMON PLEAS
Plaintiff		:	DAUPHIN COUNTY, PENNSYLVANIA
		:	
v.		:	NO. _____ CV _____ DV
		:	
		:	IN DIVORCE
Defendant		:	

EXCEPTIONS TO DIVORCE HEARING OFFICER'S REPORT

AND NOW this _____ day of _____, 20____, the
 Plaintiff/Defendant (circle one) files the following Exceptions to the Divorce Hearing Officer's
 Report and Recommendation dated _____, 20____.

1. The Divorce Hearing Officer erred in

2. The Divorce Hearing Officer erred in

3. The Divorce Hearing Officer erred in

List any additional errors on a separate page starting with 4.

RESPECTFULLY SUBMITTED:

 Signature of PLAINTIFF/DEFENDANT
 (circle one)

 Print name

VERIFICATION

I, _____, verify that the statements made in this filing are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date

Signature

CERTIFICATION

I, _____, certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Date

Signature



EXCEPTIONS ARE TO BE FILED IN THE PROTHONOTARY'S OFFICE WITH A CLOCKED-IN COPY SERVED ON OPPOSING COUNSEL/PARTY AND THE DIVORCE HEARING OFFICER.

CERTIFICATE OF SERVICE

I, _____, hereby verify that on
(Your Name)

_____, 20_____,

I served the opposing counsel/party with a true and correct copy of the Exceptions to Divorce Hearing Officer's Report by first class mail, postage prepaid to the opposing attorney/party at the following address:

_____.

I also served a copy of the Exceptions on the Divorce Hearing Officer, 25 South Front Street, 7th Floor, Harrisburg, PA 17101.

Signature of PLAINTIFF/DEFENDANT
(circle one)

Print name