



Support Hearings Before the Hearing Officer

Berks County Domestic Relations Office

Berks County Services Center
633 Court St, 6th Floor
Reading PA 19601-4316
610-478-2900

Web Address:

www.co.berks.pa.us/Dept/Courts/DRS

INFORMATION CONCERNING HEARINGS BEFORE THE HEARING OFFICER

If the two parties cannot come to an agreement at the conference, a hearing is scheduled. The conference officer may enter a temporary order, called an Interim Order, for the recommended support amount. The support case is scheduled to be heard by a Support/Custody Hearing Officer on the 7th Floor of the Berks County Services Center. Multiple hearings are scheduled in the AM and PM and parties must be available for the entire half day.

A Hearing Officer is a lawyer appointed by the Judges of the Family Court to hear testimony on support cases and make recommendations regarding the amount of support to be paid when there is no agreement by the parties. The hearing will usually be held about four to eight weeks after the conference.

The Hearing Officer speaks with the parties in order to facilitate an agreement, reviews all the documents presented and recommends an amount of support by following the PA Rules of Civil Procedure. If necessary, a full hearing is held and will be audio recorded. Following the hearing, and after

considering the issues, the Hearing Officer's findings and recommendation will be mailed to the parties. The recommendation includes the amount of support the defendant is to pay and any other issues related to support (such as medical insurance and day care expenses). Either party may file written exceptions within 20 days of mailing the recommendation.

EXCEPTIONS TO THE HEARING OFFICER'S RECOMMENDATION

Either party may file exceptions which permit their attorneys to file written briefs and argue before a Family Court Judge that the support Order is incorrect. This appearance before the Judge is called "Argument Court".

If written exceptions are not filed, the recommendation becomes a final order of court. If exceptions are filed, the recommendation becomes an enforceable temporary order until the Judge issues a final ruling on the case. Exceptions may be filed by one or both of the parties' attorneys; however a pro-se litigant may file on their own. At the time exceptions are filed, the testimony from the recorded hearing is transcribed. Once the audio recording is transcribed, the case is scheduled

for Argument Court. The parties or attorneys file briefs (written summaries of their position) for consideration by the Judge. On the date of Argument Court, the attorneys or clients present their position. After considering the legal argument presented, the Judge issues a final order.

FREQUENTLY ASKED QUESTIONS

What do I need to bring with me to the hearing?

You are required to bring the following to the hearing: 1) most recent tax return including W-2's, 2) your pay stubs for the last 6 months, 3) proof of child care expenses, 4) proof of medical coverage and verification of costs, 5) information relating to professional licenses, 6) Income & expense form if necessary, 7) any other pertinent information that may affect your case.

Do I need an attorney?

You may represent yourself, or be represented at the hearing by an attorney. If you wish to have an attorney, ask friends or relatives to recommend an attorney or contact the Berks County Bar Association at 610-373-0256.

How can I request a different hearing date?

If you cannot attend your hearing for a legitimate reason, you must request a continuance at least 25 days before the hearing date for approval by the Hearing Officer. The form can be obtained at the Docketing Division of Domestic Relations or the DRS website at www.co.berks.pa.us/dr.

What happens if I don't appear for the hearing?

It is always important to appear at any scheduled court proceeding. If you do not appear you will not be able to present your information to the Hearing Officer. The Hearing Officer will make a decision on your case based only on the facts and evidence presented at the hearing. In your absence the Hearing Officer may enter a support obligation, dismiss the action, modify or terminate an existing support obligation.

Can I participate by telephone?

An "Application for Telephone Conference" request form can be obtained on the Berks County DRS website or through the Domestic Relations Office. The form must be returned with all required financial information at least 10 days before the scheduled hearing for approval by the

Hearing Officer. The request will only be granted for good cause. You are responsible for the costs of the telephone hearing. The Hearing Officer will call you at the number you provided when the hearing is ready to begin. You will then be given a phone number to call to begin the hearing. You must be available the entire morning or afternoon, depending on when your case is scheduled. If you are not at the phone number you provided when the Hearing Officer calls, the hearing will proceed in your absence.

Can I settle my case without a hearing?

If the parties reach an agreement prior to the hearing, both parties must appear in DRS to be seen by a Conference Officer in order to have an order prepared and signed. If both parties do not appear to sign an order of court, the hearing will remain scheduled and both parties will be required to appear.

Any additional questions, please call your attorney or Domestic Relations at 610-478-2900.

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