

Bracketed/bolded material is removed
Underlined/bolded material is added

[Rule 1920.73(c). *Notice of Intention to Request Entry of Divorce Decree. Praecepto to Transmit Record. Motion for Entry of Grounds Order and Appointment of Equitable Distribution Hearing Officer. Forms.*]

[Rescinded]

Rule 1920.73(c). *Notice of Intention to Request Entry of Divorce Decree. Praecepto to Transmit Record. Motion for Entry of Grounds Order. Forms.*

(1) A *Praecepto to Transmit the Record* to request a final Decree in Divorce shall be filed where:

- (a) there have been no claims for equitable distribution of marital property, alimony or counsel fees, costs and expenses raised in the pleadings, or
- (b) all claims have been withdrawn via a signed stipulation filed of record, grounds for divorce have been established, and the Motion party is seeking a final decree in divorce, or
- (c) the parties have reached a written agreement or agreement on the record before the Hearing Officer in Equitable Distribution, which resolves all issues of equitable distribution of marital property, alimony, counsel fees, costs, and expenses, grounds for divorce have been established, and the Moving party is seeking a final decree in divorce which incorporates the written agreement.

See: Form Praecepto to Transmit the Record available on the Prothonotary's website under forms.

(2) A *Praecepto to Transmit/Motion for Entry of Ground Order* shall be filed where:

- (a) a Motion to Commence Equitable Distribution Scheduling has been filed, and

(b) there are pending claims for equitable distribution of marital property, alimony or counsel fees raised in the pleadings.

(c) no written agreement has been reached by the parties, and

(d) grounds for divorce exist and can be established.

See: Form Praeipie to Transmit/Motion for Entry of Grounds Order available on the Prothonotary's website under forms.

- (3) The Moving party, filing the Praeipie to Transmit/Motion for Entry of Grounds Order shall serve and file a Certificate of Service with the Court.