

Board of School Directors or Board of Public Education and the two so selected to select a third member. The panel shall meet within fifteen (15) days and shall consider all grievances submitted to it by the authorized representatives of such employes. The members of the panel shall serve without compensation but shall receive all necessary traveling expenses which shall be paid by the school district involved.

APPROVED—The 30th day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 750

AN ACT

Amending the act of May 2, 1929 (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," enlarging the scope of divorce and annulment proceedings and decrees and orders in relation thereto.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

The Divorce Law.

Section 1. Section 15, act of May 2, 1929 (P. L. 1237), known as "The Divorce Law," amended June 10, 1935 (P. L. 294), is amended to read:

Section 15, act of May 2, 1929, P. L. 1237, amended June 10, 1935, P. L. 294, further amended.

Section 15. Jurisdiction.—[The several courts of common pleas of this Commonwealth shall have original jurisdiction of cases of divorce from the bonds of matrimony, from bed and board, and in annulment of marriages under the provisions of this act. The said courts shall have power to grant divorces, and to annul marriages, notwithstanding the fact that the marriage of the parties and the cause for divorce occurred outside of this Commonwealth, and that both parties were at the time of the occurrence of said cause domiciled without this Commonwealth, and that the respondent has been served with the subpoena only by publication, as provided by this act.

All petitions or libels for divorce shall be exhibited to the court of the county where either libellant or respondent resides.

Petitions or libels for the annulment of void or voidable marriages may be exhibited to the court of common pleas of the county where the marriage was contracted, or in the county where either * the libellant or respondent resides, and, in such cases, residence of the libellant within the county or State, for any period shall not be required.]

* "or" in original.

1. *Original jurisdiction of courts of common pleas. The several courts of common pleas of this Commonwealth, except in Allegheny and Philadelphia Counties, shall have original jurisdiction of cases of divorce from the bonds of matrimony, from bed and board and for the annulment of void or voidable marriages, and, where they have jurisdiction, may determine in one action the following matters, and issue an appropriate decrees or orders with reference thereto, and may retain continuing jurisdiction thereover:*

(a) *The determination and disposition of property rights and interests between spouses, including any rights created by any antenuptial or postnuptial agreement and including the partition of property held as tenants by the entireties or otherwise, and any accounting between them, and the order of any alimony, maintenance, counsel fees, costs or other allowance authorized by law.*

(b) *The future care, custody and visitation rights as to children of such marriage or purported marriage.*

(c) *Any support, maintenance or assistance which shall be paid for the benefit of any children of such marriage or purported marriage.*

(d) *The approval of any proper settlement, involving any of the matters set forth in clauses (a), (b) and (c) of this paragraph and section, as submitted by the parties.*

(e) *Any other matters pertaining to such marriage and divorce or annulment authorized by law and which fairly and expeditiously may be determined and disposed of in such action.*

2. *Original jurisdiction of the court of common pleas and the county court of Allegheny County. The court of common pleas of Allegheny County shall have original jurisdiction over cases of divorce from the bonds of matrimony, from bed and board and in the annulment of marriages under the provisions of this act. Whenever practicable, the court of common pleas may consolidate and determine in one action the following matters, and issue an appropriate decree or decrees or orders with reference thereto, and may retain continuing jurisdiction thereover:*

(a) *The determination and disposition of property rights and interests between spouses, including any rights created by any antenuptial or postnuptial agreement and including the partition of property held as tenants by the entireties or otherwise, and any accounting between them, and the order of any alimony, maintenance, counsel fees, costs or other allowance authorized by law.*

(b) *The future care, custody and visitation rights as to children of such marriage or purported marriage.*

(c) *The approval of any proper settlement involving any of the matters set forth in clauses (a) and (b) of this subsection as submitted by the parties.*

(d) *Any other matters pertaining to such marriage and divorce or annulment authorized by law and which fairly and expeditiously may be determined and disposed of in such action.*

The county court of Allegheny County shall have the same jurisdiction provided for by the act of May 5, 1911 (P. L. 198), as amended, or as otherwise provided by law, but may, whenever practicable, combine any award of custody or visitation rights, as to which it has jurisdiction, with its order for child support.

3. *Original jurisdiction of the courts of common pleas and the municipal court in Philadelphia County. The courts of common pleas of Philadelphia County shall have the same jurisdiction as set forth above for the court of common pleas of Allegheny County in subsection 2 of this section. Whenever practicable, such court of common pleas of Philadelphia County may consolidate and determine in one action the following matters, and issue an appropriate decrees or orders with reference thereto, and may retain continuing jurisdiction thereover:*

(a) *The determination and disposition of property rights and interests between spouses, including any rights created by any antenuptial or postnuptial agreement and including the partition of property held as tenants by the entireties or otherwise, and any accounting between them, and the order of any alimony, maintenance, counsel fees, costs or other allowance authorized by law.*

(b) *The approval of any proper settlement, involving any of the matters set forth in clause (a) of this subsection, as submitted by the parties.*

(c) *Any other matters pertaining to such marriage and divorce or annulment authorized by law and which fairly and expeditiously may be determined and disposed of in such action.*

The municipal court of Philadelphia shall have the jurisdiction provided for by the act of July 12, 1913 (P. L. 711), as amended, or as otherwise provided by law, but may, whenever practicable, combine any award of custody or visitation rights, as to which it has jurisdiction, with its order for child support.

4. *Domicile. The said courts having power to grant divorces shall have authority to do so notwithstanding the fact that the marriage of the parties and the cause for divorce occurred outside of this Commonwealth and*

that both parties were, at the time of such occurrence, domiciled without this Commonwealth and that the defendant has been served with the complaint only by publication as provided by the Rules of Civil Procedure for such cases. Said courts shall also have power to annul void or voidable marriages notwithstanding the fact that such were celebrated without this Commonwealth at a time when neither party was domiciled within this Commonwealth, if either party at the time of the annulment action is a resident of this Commonwealth and notwithstanding that the defendant has been served with the complaint only by publication as provided by the Rules of Civil Procedure for such cases.

Act of May 2,
1929, P. L. 1237,
amended by
adding a new
section 19.

Section 2. The act is amended by adding, after section 18, a new section to read :

Section 19. Domestic Relations Division and Probation Officers.—Every court having jurisdiction over matrimonial causes, including divorce from the bonds of matrimony, from bed and board, annulment, custody, support, alimony, allowance, property settlement and any related matters, shall establish and maintain a Domestic Relations Division as provided for by section 4 of the act of July 13, 1953 (P. L. 431), known as "The Pennsylvania Civil Procedural Support Law," as amended, and shall appoint such qualified probation officers and other assistants as are necessary for the efficient and useful operation of such Domestic Relations Division.

Section 36 of the
act, amended
April 18, 1945,
P. L. 255,
further amended.

Section 3. Section 36 of the act, amended April 18, 1945 (P. L. 255), is amended to read :

Section 36. Hearing by Court; Appointment of Master; Powers.—[When neither of the parties takes a rule for a jury trial, or when, after hearing, the rule is discharged, the court may proceed to hear the cause, or may, upon motion of either party made to the court of common pleas, or to a judge thereof at chambers, appoint a master to take testimony and return the same to the courts.] A master may be appointed by the court to hear testimony on all or some issues, except issues of custody, paternity and support, and return the record and a transcript of the testimony as provided for by the Rules of Civil Procedure, or a judge of the court at chambers may appoint a master to take testimony and return the same to the court.

Section 55 of the
act, amended.

Section 4. Section 55 of the act is amended to read :

Section 55. Decree of Court.—[It shall be lawful for the said courts, after hearing any cause, whether before the court or a master, to determine the same as

to law and justice shall appertain, by either dismissing the petition or libel, or sentencing and decreeing a divorce or separation from the nuptial ties or bonds of matrimony, or from bed and board, or that the marriage is null and void. After a sentence nullifying or dissolving a marriage, all and every the duties, rights, and claims accruing to either of the said parties, at any time heretofore, in pursuance of the said marriage shall cease and determine, and the said parties shall severally be at liberty to marry again in the like manner as if they never had been married, except where otherwise provided by law.]

1. *In all matrimonial causes the court having jurisdiction may, either dismiss the complaint, or enter a decree of divorce from the bonds of matrimony, from bed and board or annulment of the marriage. Where the court has jurisdiction over both parties, as provided for by section 15 of this act, it shall include in its decree, or in separate decrees pertaining to each matter separately, an order or orders determining and disposing of property rights and interests between the parties, custody and visitation rights, child support and any related matters.*

2. *In all matrimonial causes the court shall have full equity power and jurisdiction, and may issue injunctions or other orders which are necessary to protect the interests of the parties or to effectuate the purposes of this act, and may grant such other relief or remedy as equity and justice require against either party or against any third person over whom the court has jurisdiction and who is involved in or concerned with the disposition of the cause.*

3. *Whenever a decree or judgment is granted which nullifies or absolutely terminates the bonds of matrimony, all and any property rights which are dependent upon such marital relation, save those which are vested rights, are terminated unless the court otherwise expressly provides in its decree. All duties, rights and claims accruing to either of said parties at any time heretofore in pursuance of the said marriage, shall cease and determine and the parties shall, severally, be at liberty to marry again in like manner as if they had never been married, except where otherwise provided by law.*

APPROVED—The 30th day of December, A. D. 1959.

DAVID L. LAWRENCE