

**SUPREME COURT OF PENNSYLVANIA
DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE
RECOMMENDATION 143**

Proposed Amendment to Pa.R.C.P. No. 1920.33

PUBLICATION REPORT

The Committee is proposing an amendment of Pa.R.C.P. No. 1920.33. After a recent amendment to the rule, which eliminated the time frame to file an inventory in divorce cases raising equitable division of marital property, it was reported to the Committee that the current reading of the rule requires the parties to file an inventory in every divorce case regardless of whether equitable division had been raised in the pleadings. This result was an unintended consequence of the previous amendment.

As has been the case prior to the last amendment, the proposed language clarifies the rule to only require the filing of an inventory in divorce cases when a claim for equitable division has been raised in the pleadings by the parties. The language revision only conforms the rule, in part, to the past practice.

Other changes to the rule include revisions for easier readability, format changes, and deleting redundancy. Subdivision (b)(7) has been eliminated from the list of items included in pre-trial statements. The subdivision set forth a requirement of identifying the parties' pension and retirement benefits in the pre-trial statement as a separate item. Although the line item has been eliminated from the enumerated list, pensions and retirement benefits are assets and, as such, should be included under subdivision (b)(1).