



1980

## Recent Developments in Pennsylvania Family Law - Introduction

Lewis Becker

Follow this and additional works at: <https://digitalcommons.law.villanova.edu/vlr>



Part of the [Law Commons](#)

---

### Recommended Citation

Lewis Becker, *Recent Developments in Pennsylvania Family Law - Introduction*, 25 Vill. L. Rev. 615 (1980).  
Available at: <https://digitalcommons.law.villanova.edu/vlr/vol25/iss4/1>

This Symposia is brought to you for free and open access by Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in Villanova Law Review by an authorized editor of Villanova University Charles Widger School of Law Digital Repository.

# Villanova Law Review

VOLUME 25

MAY, 1980

NUMBERS 4-5

## SYMPOSIUM RECENT DEVELOPMENTS IN PENNSYLVANIA FAMILY LAW

### INTRODUCTION

LEWIS BECKER†

THE TOPIC OF RECENT DEVELOPMENTS IN PENNSYLVANIA FAMILY LAW is a particularly appropriate and timely subject for this year's *Law Review* symposium. It is an appropriate subject because there have been enormous changes in substantive family law over the past few years. For example, state equal rights amendments have resulted in the abandonment of stereotyped notions of male and female responsibilities in marriage, with enormous ramifications in such fields as the custody rights and the economic rights of former spouses. The law has had to deal with dramatic changes in sexual mores and has begun to reflect those changes, again with great impact on the custody rights and the economic rights of parties to a marriage. The law has also begun to make the child the focus of custody proceedings, rather than concentrating on the conduct of competing parents.

The papers submitted by the expert panelists at this symposium discuss some of the many changes in substantive family law. Thus, Albert Momjian's paper discusses the effect of the Pennsylvania equal rights amendment; Emanuel Bertin and Vanessa Anthony Klein's paper discusses Pennsylvania custody law; and Norman Perlberger's paper discusses, in part, various aspects of property distribution.

The topic of "Recent Developments in Pennsylvania Family Law" is an appropriate subject for this symposium for other reasons besides the dramatic changes in substantive family law. Along with what has been described as a new consumerism on the part of clients

---

† Professor of Law, Villanova University School of Law. B.S., Temple University, 1958; LL.B., University of Pennsylvania, 1961.

in family law,<sup>1</sup> there is developing what may be loosely termed a new professionalism on the part of family law attorneys. Thus, practitioners have become even more concerned about the craft of being a lawyer in a domestic relations case and about recognizing and dealing with the psychological aspects of marital conflicts—*e.g.*, recognizing the psychological impact of separation and divorce upon a client and how the client's mental state affects negotiation and litigation, as well as dealing with the psychologically disturbed client. Attorneys have also become more concerned about how the lawyer can (or whether the lawyer should) help a client with matters that have not usually been considered to be within the province of the domestic relations attorney—*e.g.*, reconciliation. The papers prepared by the panelists discuss these and other related issues. Eric Turner's paper deals with the role of the lawyer in matrimonial cases; Dr. Florence Kaslow's paper discusses the subject of divorce from a psycholegal perspective; and Norman Perlberger's paper, which I have referred to previously, concerns the psychological as well as the legal processes of property division.

Finally, the topic of this year's symposium is not only appropriate—it is most certainly timely. First, in 1979, Pennsylvania adopted the Uniform Child Custody Jurisdiction Act<sup>2</sup> (which deals with interstate custody disputes), and passed the Commonwealth Child Custody Jurisdiction Act<sup>3</sup> (which is designed to apply to inter-county custody litigation). Frederick Frank has prepared a paper which discusses these statutes. Second, on July 1, 1980, the Pennsylvania Divorce Code became effective.<sup>4</sup> Lynne Z. Gold-Bikin and Jack A. Rounick have prepared a paper which initially discusses selected highlights of the new Divorce Code and then compares and contrasts the provisions of this statute with the law in Delaware, Ohio, and New Jersey.

The papers published in this issue represent a valuable contribution to those who are interested in the present status of Pennsylvania family law as well as its future direction. On behalf of the *Law Review*, I thank the participants in this year's symposium as well as those who attended its oral presentation.

---

1. See The Course of Change in Family Law 1978-79, 5 Fam. L. Rep. 4013 (1979); Trend Analysis: The "Changed Landscape" of Divorce Practice as Ethical Minefield, 3 Fam. L. Rep. 4031 (1977).

2. PA. STAT. ANN. tit. 11, §§ 2301-2325 (Purdon Supp. 1980).

3. PA. STAT. ANN. tit. 11, §§ 2401-2424 (Purdon Supp. 1980).

4. DIVORCE CODE, Act No. 1980-26, 1980 Pa. Legis. Serv. 50.