



WASHINGTON COUNTY COURT OF COMMON PLEAS PRO SE CENTER CUSTODY PACKET

NOTICE

ALL PARTIES INVOLVED IN LITIGATION ARE STRONGLY ENCOURAGED TO SEEK PROFESSIONAL LEGAL ADVICE FROM AN ATTORNEY. Court staff cannot offer any legal advice. The information in this packet is not a substitute for professional legal advice. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents.

If you desire to speak with an attorney and do not know one, you should call the Bar Association's Lawyer Referral Service (LRS) at (724)225-6710 to schedule a half-hour consultation with a licensed, insured attorney who has experience in the area of law related to your legal matter. The initial half-hour consultation with the attorney is \$25; any fees beyond the first half-hour should be discussed and agreed upon by you and the lawyer.

If you meet certain income and other qualifications, you may be able to secure an attorney through Southwestern PA Legal Services, at (724) 225-6170.

If you have questions about domestic violence or believe that you may be the victim of domestic violence, we strongly recommend that you contact the *Washington County Women's Shelter* at 724.223.8349.

If you suspect child abuse, please contact *CHILDLINE* at 1.800.932.0313. You can report suspected child abuse 24 hours per day and remain anonymous.

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PRO SE CUSTODY PACKET

WHAT DO I NEED?

INSTRUCTIONS

Read these before you begin and as you work on your case

Rules of Court	Custody Procedures	<u>You are required to follow the same Rules of Procedure as attorneys.</u>
Custody FAQs	Questions & Answers	Frequently Asked Questions and the Judge's Standard Answer
Service	Notice on Service	How to notify the other party
Courtroom Conduct	In the Courtroom	Things to know before you come to Court, including the dress code

FORMS

FORM NEEDED ACTION DESIRED COMMENTS

Complaint	To file for custody	This is the first form to file to initiate a custody action; this packet includes rules and notice on service.
Modification	To change an existing custody order	
Contempt	To compel other party to follow custody order.	MUST GIVE THE OTHER PARTY AT LEAST 3 DAYS NOTICE BEFORE TAKING THIS TO COURT.
Emergency Relief	Immediate temporary custody due to threat of physical harm or that the other parent will take the child out of Washington County	If there is no existing Court Order, you must file a complaint at the same time. If there is an existing order, you must file a Modification form at the same time. MUST GIVE THE OTHER PARTY AT LEAST 24 HOURS NOTICE BEFORE TAKING THIS TO COURT.
Special Relief	Any situation not covered by any other forms	If there is no existing Court Order, you must file a complaint at the same time. MUST GIVE THE OTHER PARTY AT LEAST 3 DAYS NOTICE BEFORE TAKING THIS TO COURT.
Trial De Novo	To appeal the decision from the Conference Officer	Be aware that this is "going to trial" and you really should hire an attorney.
Withdraw	To stop a custody action	This cancels the custody action. If you change your mind later, you will need to start the process from the beginning.
Continuance	To postpone a hearing	The amount of the fee depends on when you request the continuance.

Relocation	For the parent who has shared or primary custody and wants to move out of Washington County	
Answer to Relocation	To stop the other parent from moving out of Washington County	
Notice of Presentation	Notice for the other party or their lawyer saying you are going to present a motion	MUST BE DONE FOR <u>ALL</u> MOTIONS EXCEPT COMPLAINT, RELOCATION AND TRIAL DE NOVO.
Proof of Service	Proving that you gave notice to the other party	If this is not filed with the Prothonotary, the case may be dismissed
Acceptance of Service	Showing that the other party accepted the notice	

How to file for custody in Washington County

LITIGANTS ARE STRONGLY ENCOURAGED TO CONSULT WITH AN ATTORNEY.

The Court staff will not be able to give you legal advice. The information in this packet is not to be a substitute for professional legal advice. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. If you want to obtain the services of an attorney but do not know whom to contact, you may call the Lawyer Referral Service at (724)225-6710.

A case begins with the filing of a custody complaint. If a case already exists, then all subsequent filings must be done under the original number.

How to file a custody complaint:

1. Receive the custody complaint paperwork online.
2. Fill out the paperwork in its entirety.
3. Bring the completed paperwork to the Court Administrator's Office – Civil Division (Custody Office).
4. The Custody Office will forward the paperwork to the Judge. The Judge will review it and if it is completed the Judge will sign an Order scheduling a meeting with the Conference Officer.
5. The Custody Office will call the filing party to pick up the paperwork in their office.
 - a. You will receive a Parenting Plan
 - i. Complete and return to the Custody office **at least 7 days before the scheduled meeting.**
 - b. You will receive information on the Transparenting Seminar
 - i. This needs to be completed prior to the scheduled conference
 1. **Failure to complete Transparenting prior to the conference will prohibit the offending party from presenting testimony at the conference. If the offending party is the plaintiff, the case will be dismissed.**
6. File the original custody complaint in the Prothonotary's Office.
7. Pay the filing fee.
 - a. If you are unable to pay the fee and meet the poverty guidelines you may file an In Forma Pauperis Petition with the Court (this can be picked up in the Prothonotary's Office)
8. You must serve the opposing party with the paperwork.
9. After service is made to opposing party, an Affidavit of Service must be filed in the Prothonotary's Office.
10. Attend the custody meeting.

CUSTODY F.A.Q.s

1. Can my mother/friend/sister/etc. go to motions court for me so I don't miss work?

No. Presenting a motion on someone else's behalf is unauthorized practice of law, unless the presenter is a party to the proceeding.

2. What do I do if I don't know where the father/mother lives?

Read the Rules of Civil Procedure dealing with service on page 28.

3. Do grandparents who are trying to get custody because the parent is in jail or on drugs follow the same procedures and use the same forms as what I have?

Grandparents should use the same forms and follow the same procedures. Both parents must be named as Defendants and both must be given notice of the Petition before it is presented. Grandparents may not get the same results as natural parents. Grandparents' rights are not as extensive as natural parents and absent in "loco parentis," where grandparents have actually acted as parents, grandparents' rights are usually limited to partial custody/visitation unless the child is in danger.

4. I can't find any form for "objection to continuance."

There is no set form to object to a continuance. You should tell the other side you object and go to court on the day of the motion to tell the judge why you object.

5. What about "temporary custody"?

The Court does not grant temporary custody as a matter of course. If anyone is looking for Temporary Custody that individual should file a custody complaint. Temporary custody is almost exclusively for emergency situations. Some people confuse temporary custody with emergency custody. If there is an emergency situation which involves either risk of danger to the child's life or potential threat that the other parent will leave the state with the child, you should file a Petition for Emergency Relief and a Custody Complaint/Petition.

6. Do I have to tell the other party that I am going to Court?

If you are filing an **initial custody petition** (when there is no custody order) and are only seeking a hearing date, you do not have to give advanced notice.

If you are filing for **Contempt** of an existing custody order, or **Special Relief**, you **MUST** give 3 business days advanced notice.

If there is a TRUE emergency, (that is, if there is a risk that the other parent will run away with the Child from the County without a known destination or there is a threat of *immediate* harm to the child), you should tell the party by phone at least 24 hours in advance that you are coming to Court to present an Emergency Relief Petition the following day at 9:00 a.m.

7. What does it mean to give 7 business days notice?

7 business days notice means that if you're going to present the Motion to the Judge, you **MUST** give or send the other party **COMPLETED COPIES** of the paperwork that you are going to present to the Judge, 7 work days, (weekend days and court holidays do not count), before the day you are going to Court.

8. What if there is a PFA? How can I notify the other party?

A Plaintiff cannot "violate" a PFA so it doesn't matter if the PFA Plaintiff (the person protected by the PFA) sends the PFA Defendant papers. If you are the PFA Defendant (the person that the PFA is against), you may send the Plaintiff the legal paperwork, only. **DO NOT** include letters, notes, etc. or anything unrelated to the legal action attached or written on the legal documents. Send the legal documents via certified mail. If it is a true emergency, where less than 7-days notice can be given, have a family member or friend call or hand deliver copies to give them notice that you are coming to Court. Explain to them why you are coming and when.

9. What is the age of majority in Pennsylvania? When can my child choose where they reside?

There is no age of majority in Pennsylvania. The preference of the child is only one factor in many when the court determines what is in the best interest of the child.

10. Should I send any paperwork to opposing counsel?

Yes, if the opposing party is represented you must serve counsel of record. If you are unsure if the other party is represented you may request to see the file in the Prothonotary's Office to see if any attorney's has entered an appearance in the case.

CONFERENCE ROOM & COURTROOM CONDUCT

Before you come:

1. If not typed, forms should be filled out in INK, not pencil. Signatures on original documents should be in blue ink.
2. DO NOT write on the BACK of any paper that you present to the Court.
3. If you are presenting an Emergency or Continuance, you MUST have given the other party 7 business-days notice- that means you sent them or gave them the "Notice of Presentation" ALONG WITH COPIES of the documents that you will present to the Judge. If it is a **true emergency**, you **MUST** have given them at least 24 hours notice.
4. If the other party has an attorney of record, the ATTORNEY must be served notice, not the party. See Custody FAQs # 10 for more information.
5. If you have an existing Custody Order, you MUST write your CUSTODY CASE NUMBER on your documents in the designated spot- example: No. 2008-1234. If you do not know your case number, you will need to request it in the Prothonotary's Office.
6. You must fill out all papers with the same caption (top section where the name of the Plaintiff and Defendant is) as your existing Custody Order. That means that if you are the Defendant on your Custody Order, you will ALWAYS be the Defendant when you fill out custody papers.

In the Courtroom/Conference Room:

7. Do not bring your children into the courtroom.
8. In Judge DiSalle's Courtroom remember to sign in on the motions sheet.
9. Completely turn OFF all cell phones.
10. To present a Motion on your own behalf, you must step INSIDE of the courtroom. Be seated and wait until all of the attorneys have presented their motions and then you will be called up in the order in which you arrived. Do not leave the courtroom.
11. Please do not talk while others are presenting their Motions.
12. Properly dispose of your chewing gum before entering the Courtroom. Do not place your personal items on the bar.
13. You must be DRESSED APPROPRIATELY for Court. You can be turned away if you are not dressed appropriately. It is within the Court Staff's discretion to determine whether your attire is appropriate. Generally, YOU CANNOT WEAR:

Tank tops	Halter tops	Strapless tops	Shorts
Flip flops	Sweatpants	Baseball caps	Ripped clothing
14. Once the Judge calls you to the bar, speak into the microphone. Address the judge as Your Honor. Speak to the Judge and **not** the opposing party.
15. Be respectful to the courtroom staff.

The information in this packet is not a substitute for professional legal advice. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents.

Definitions

Affidavit of Service - a form which states that you served each named party.

Best interest of the child(ren) - when the court looks at the overall situation of the parties and the child(ren) to determine what legal rights should be granted to a party.

The court also looks at the child(ren)'s right to have two (2) parents and the parties' right to be a parent. Below are only a few types of behavior which the court often looks at:

- the willingness of a parent to promote a relationship between the child(ren) and the other parent
- making negative comments about the other parent in front of the child(ren)
- using the child(ren) as a pawn
- refusing the other parent any contact with the child(ren)
- the willingness of a parent to allow the child(ren) to have relationships with the other parent's family (grandparents, cousins, etc.)

Complaint – the first document filed with the court by a person claiming legal rights against another.

Continuance - when the court reschedules the conference or hearing.

Contempt – willfully disobeying a court order (you should not file a contempt petition if the other party is disobeying a custody order just slightly, such as bringing the child(ren) back to you 10 minutes late).

Custodial parent - the parent with whom the child(ren) lives (the parent with primary physical custody).

Custody Complaint - a legal document which sets out specific information about the Plaintiff, Defendant and the child(ren) involved. It also asks the Court to grant at least one of the types of "custody" mentioned and set a schedule for the Plaintiff and Defendant to be with the child(ren).

Defendant - the person(s) who is being sued.

Docket Number - the number assigned to the original complaint. This number must be used on any documents either party files with the court which relate to the custody of this child(ren) in this county.

Joint custody — when two (2) or more parties have the legal rights and duties to the child(ren), including sharing the physical presence of a child(ren).

Jurisdiction - generally, the county in which the child(ren) has lived for the past six (6) months.

Legal custody - the legal right to make major decisions affecting the child(ren) (for example, medical, educational, religious).

Motion - An application to the court requesting an order or rule in favor of the applicant.

Non-custodial parent - the parent with whom the child(ren) does not live but who has temporary custody or visitation with the child(ren).

Party - a person named in a complaint who has any of the legal rights and duties.

Petition – a formal written request to a court for an order of the court.

Petition to Proceed In Forma Pauperis(IFP) - a form which lists the income and expenses of your household as part of an application to avoid court costs. If income is less than expenses, the Prothonotary will allow you to proceed in this custody matter without paying the filing fee or any costs which may be part of this matter.

Physical custody - the right to have actual possession of the child(ren).

Plaintiff - the person who initiates (starts) a lawsuit.

Protection From Abuse – Order protecting a petitioning party from abuse and contact by a named defendant, can include an order of temporary Custody.

Prothonotary - the court clerk in charge of civil filings.

Service - the act of giving each defendant you named in the Complaint a copy of all the documents which you filed with the court. Each named defendant must be given notice of what you are requesting the court to do and when the conference or hearing is scheduled.

Shared custody - the right for two (2) or more people to have both "shared legal custody" and "shared physical custody".

Shared legal custody - the legal right for two (2) or more people to make major decisions affecting the child(ren) (for example, medical, educational, religious).

Shared physical custody - the right for two (2) or more people to have actual possession of a child(ren) equally.

Standing - whether a party has a right to be part of a lawsuit (for example, your neighbor who is not a parent to the child(ren) has no standing to ask for partial custody).

Supervised visitation - the right of a party to visit with a child(ren) but only if the visit is supervised (for example, supervised visitation at Bridges and Pathways or Try-Again Homes).

Temporary custody or partial custody - the right of a person to take possession of the child(ren) for an agreed upon or ordered amount of time.

Third party - any person who is not a natural parent of the child(ren) (for example, grandparents).

Visitation - the right of a person to see and visit a child(ren) but not able to take actual possession of a child(ren).

4 Legal Research on the Net



1. Overview of popular civil legal topics

Go to www.palawhelp.org

PaLawHELP is sponsored by Pennsylvania Legal Aid Network, the Pennsylvania Bar Association and the Legal Services Corporation.

2. Pennsylvania statutes

Go to www.legis.state.pa.us

PA state legislature site provides legislation enacted since 1975 (arranged chronologically by date of passage) and proposed legislation.

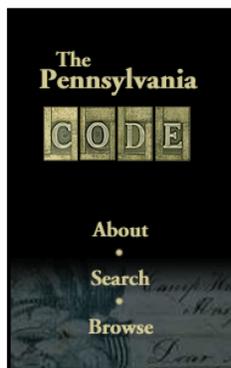
For statutes arranged by subject, follow link to "Unofficial Purdon's Pennsylvania Statutes from West".



3. Pennsylvania court rules online

Go to www.pacode.com

Go to the "Browse" page and in the list of Titles scroll down to the court rules appropriate to your issue, for example 231 for Rules of Civil Procedure, 234 for Rules of Criminal Procedures, 246 for Minor Court Rules (Magisterial District Judge procedure), etc.



104	SENATE OF PENNSYLVANIA
107	HOUSE OF REPRESENTATIVES OF PENNSYLVANIA
201	RULES OF JUDICIAL ADMINISTRATION
204	JUDICIAL SYSTEM GENERAL PROVISIONS
207	JUDICIAL CONDUCT
210	APPELLATE PROCEDURE
225	RULES OF EVIDENCE
231	RULES OF CIVIL PROCEDURE
234	RULES OF CRIMINAL PROCEDURE
237	JUVENILE RULES
246	MINOR COURT CIVIL RULES
302	ALLEGHENY COUNTY
306	BERKS COUNTY
307	BLAIR COUNTY
309	BUCKS COUNTY

4. Washington County: local court rules, forms, and lots more online



Washington County Courts

Go to www.washingtoncourts.us

Click on **Portal for Case Participants** for local rules, forms, and explanatory material.

Washington County Government

Go to www.co.washington.pa.us

Washington County Law Library, 1 S. Main St., Washington, PA 15301 · 724-228-6747
Open to the public for legal research · Mon - Fri 9-4:30 · Publication updated April 2009.

CUSTODY COMPLAINT & ORDER FOR CUSTODY CONFERENCE

This is the initial form that is to be filed with all new custody cases.

If you are filing an emergency/special relief form and there is no existing custody order, you need to file a custody complaint at the same time.

Take completed forms to the Court Administrator's Office – Civil Division, Washington County Courthouse, 1 South Main Street, Basement Suite G006, Washington, PA.

Make sure that you have a phone number to leave with the office so that you may be notified you when the Order is ready.

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA



CIVIL DIVISION COVER SHEET

****File at the Washington County Prothonotary****

PLAINTIFF(s):

Case No. C-63-CV-

(Leave Case Number blank if this is a new filing)

TYPE OF PLEADING: SELECT PLEADING TYPE BELOW

Filed on Behalf of:

(Name of the filing Party):

vs.

DEFENDANT(s):

- Counsel of Record
- Individual, If Pro Se

Address:

Telephone Number:

Attorney State ID:

Print Form

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW (CUSTODY)

)	
)	
Plaintiff)	
)	No.:
vs.)	
)	
)	
Defendant)	
)	

COMPLAINT FOR (CUSTODY) (PARTIAL CUSTODY) (VISITATION)

1. The plaintiff is _____, residing at
 _____ (County) _____.
 (Street) (City) (Zip Code)

2. The defendant is _____, residing at
 _____ (County) _____.
 (Street) (City) (Zip Code)

3. Plaintiff seeks (custody) (partial custody) (visitation) of the following children:

Name	Present Address	Age/Date of Birth
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. The child (was) (was not) born out of wedlock.

5. The child is presently in the custody of _____, who
 resides at _____, (County) _____.

6. During the past five years, the child has resided with the following persons and at the following addresses:

<i>(List All Persons)</i>	<i>(List All Addresses)</i>	<i>(Dates)</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. The mother of the child is _____, currently residing at

She is (married) (divorced) (single).

8. The father of the child is _____, currently residing at

He is (married) (divorced) (single).

9. The relationship of plaintiff to the child is that of _____.

10. The plaintiff currently resides with the following persons:

<i>Name</i>	<i>Relationship</i>
_____	_____
_____	_____
_____	_____

11. The relationship of the defendant to the child is that of _____.

12. The defendant currently resides with the following persons:

<i>Name</i>	<i>Relationship</i>
_____	_____
_____	_____
_____	_____

13. Plaintiff (has) (has not) participated as a party of interest, or in another capacity, in other litigation concerning the custody of the child in this or another court. The court, term and number, and its relationship to this action is : _____.

Plaintiff (has) (has no) information of a custody proceeding concerning the child pending in a court of this Commonwealth or any other state. The court, term and number, and its relationship to this action is: _____.

Plaintiff (knows) (does not know) of a person not a party to the proceedings who has physical custody of the child or claims to have custody or visitation rights, with respect to the child. The name and address of such person is: _____.

14. The best interest and permanent welfare of the child will be served by granting the relief requested because (set forth facts showing that the granting of the relief requested will be in the best interest and permanent welfare of the child): _____

15. Each parent whose parental rights to the child have not been terminated and the person who has physical custody of the child have been named as parties to this action. All other persons, named below, who are known to have or claim a right to custody or visitation of the child will be given notice of the pendency of this action and the right to intervene:

<i>Name</i>	<i>Address</i>	<i>Basis of Claim</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

WHEREFORE, plaintiff requests the court to grant (custody) (partial custody) (visitation) of the child.

Plaintiff

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Plaintiff

Date: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CIVIL DIVISION

_____,)
)
Plaintiff,)
)
vs.) No.: 2009-
)
_____,)
)
Defendant.)

NOTICE AND ORDER TO APPEAR

You, _____, defendant, have been sued in court to obtain custody of

_____.

You are ORDERED to appear in person at the Family Court Center, 29 West Cherry Avenue, Washington, Pennsylvania, 15301, on the ____ day of _____, 2009, at _____ o'clock ____M., for a Pre-Custody Conciliation Meeting with _____, Esquire, Child Custody Conference Officer.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

Pursuant to Local Rule 1915.4, all parties to the action are ordered to attend the mandatory parenting program prior to the Pre-Custody Conciliation Meeting. Failure of a party to attend the parenting program will result in sanctions against the party up to and including being prohibited from proffering evidence in the Meeting or Conference, or being held in contempt by the Court.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICES SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

IF YOU CANNOT AFFORD AN ATTORNEY:

IF YOU CAN AFFORD AN ATTORNEY:

SOUTHWESTERN PA LEGAL SERVICES
10 WEST CHERRY AVENUE
WASHINGTON, PA 15301
724.225.6170

LAWYER REFERRAL SERVICE
119 SOUTH COLLEGE STREET
WASHINGTON, PA 15301
724.225.6710

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Washington County, Pennsylvania is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing.

BY THE COURT:

DATE: _____

_____, J

PARENTING PLAN & TRANSPARENTING SEMINAR

Each party needs to fill out the Parent Plan and file it with the Custody Office within 30 days of filing of the Custody Complaint.

If this is not done the finder of fact may draw a negative inference against the party who fails to comply

L-1915.4 PARENTING PROGRAM

As a prerequisite to court involvement in a custody matter, all parties to the action are ordered to attend the mandatory parenting program prior to the Pre-Custody Conciliation Conference Meeting. **Failure of a party to attend the parenting program will result in sanctions against the party up to and including being prohibited from proffering evidence in the Meeting or Conference, or being held in contempt by the Court.**

See Administrative Regulation 2002-1.

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CIVIL DIVISION

Plaintiff,
-vs-

Defendant.

)
)
)
) No. _____
)
)
)

WASHINGTON COUNTY PARENT PLAN

DATE COMPLETED: _____

THE FOLLOWING INFORMATION SHALL BE COMPLETED AND RETURNED TO:
COURT ADMINISTRATOR – CIVIL DIVISION, 1 SOUTH MAIN STREET, SUITE G006,
WASHINGTON, PA 15301, WITHIN 30 DAYS OF THE FILING OF THE PETITION.

1) YOUR NAME: _____

ADDRESS: _____

TELEPHONE (HOME): _____ (WORK): _____

DATE OF BIRTH: _____

MARITAL STATUS: _____

EDUCATION: _____

2) CURRENT OCCUPATION: _____

PLACE OF EMPLOYMENT: _____

WORK SCHEDULE: _____

3) IF SEPARATED DATE OF SEPARATION: _____

4) NAME OF CURRENT PARTNER; IF APPLICABLE _____

5) MEMBERS OF PRESENT HOUSEHOLD; AND RELATIONSHIP TO
CHILD(REN):

10) ISSUES/PROBLEMS/CONCERNS:

11) CHILD SUPPORT ORDER DATE, AMOUNT AND ARREARAGES, IF ANY:

12) ANY ADDITIONAL INFORMATION:

NOTICE TO ATTEND

All parents with children under 18 years of age and who are involved in child custody or divorce litigation are required by the Washington County Court to attend an educational seminar. The seminar deals with the subject of how children cope with separation and divorce. Failure to complete the seminar will result in appropriate sanctions by the court.

This seminar is a four (4) hour program presented by qualified counselors under a contract with the court. Try-Again Homes, Inc. is licensed to conduct this seminar. It is held in the Boardroom at Try-Again Homes, Inc., 365 Jefferson Avenue, Washington, PA. Parents are not required to attend the same session and children are NOT to attend.

Please call Try-Again Homes, Inc., at 724-225-0510 ext. 338 to determine the next available seminar date. Please return the registration form below and your check or money order for \$40.00 (per person), payable to "Try-Again Homes, Inc." ten (10) days prior to your chosen seminar date. For all returned non-sufficient funds checks, Try-Again Homes, Inc. reserves the right to require additional payment from you equal to its bank charges.

TRY-AGAIN HOMES, INC.
FINANCE/240
PO BOX 1228
WASHINGTON, PA 15301

Seminar for Separated Parents
Registration Form

(Please Print)

Names on Complaint or Petition:

-vs-

Your name: _____

Your address: _____

Home Phone: _____ Work Phone: _____

Please schedule me for the four (4) hour session on: Date: _____ Time: _____

Complete the following statement only if you do not wish to attend with other parent:

_____ DO NOT schedule me for the same session as the other parent (_____)
Name of other Parent

Signature

CUSTODY AGREEMENT

This form is to be used when the parties have come to an agreement regarding custody of their child/ren.

If a custody case already exists, then note the custody number on the order and the agreement.

If no custody case exists then the petitioning party needs to complete a custody complaint and the agreement.

In order to have the agreement become a court Order it needs to be signed by the judge. Once all the paperwork is completed, both parties need to attend motions court together and inform the judge that they have reached an agreement.

If the parties come to an agreement the fee for the conference officer is waived. The cost to file a custody complaint with an agreement is \$101.50.

CIVIL ACTION – LAW (CUSTODY)

_____)	
)	
Plaintiff,)	
)	
vs.)	No.: _____
)	
_____)	
)	
Defendant.)	

CUSTODY CONSENT AGREEMENT

We have agreed to the following parenting plan for the custody of our child(ren):

1. The parents shall share the legal and physical custody of the following named child(ren):

Name	Date of Birth
_____	_____
_____	_____
_____	_____

2. The child(ren) shall reside with his/her/their Mother/Father at:

3. The parties agree that the time arrangements between the Father and Mother with the child(ren) are as follows:

a. Weekdays: _____

b. Weekends: _____

c. Summer/Vacation periods:

d. Holidays:

Thanksgiving: _____

Christmas (Eve): _____

New Year's Eve: _____

Easter: _____

Other holidays: _____

4. Transportation: _____
5. The child(ren) shall be with the Mother on Mother's Day and with the Father on Father's Day.
6. The child(ren)'s birthday will be spent with the parent scheduled to have the child that day.
7. Each parent shall keep the other informed on the child(ren)'s health, progress in school, school activities and general welfare and shall consult with the other parent concerning major decisions affecting the child(ren).
8. Each parent is entitled to receive directly from the school, health care providers, or other relevant sources, information concerning the child(ren). Each parent shall keep the other notified of any behavioral issues or schooling issues concerning the child(ren).
9. Neither parent shall engage in conduct which presents to the child(ren) a negative or hostile view of the other parent.
10. Each parent shall encourage the child(ren) to comply with the parenting agreement and foster in the child(ren) a positive view of the other parent.
11. The parties may decide different time arrangements other than those provided for in the Consent Agreement and make decisions for the child(ren) whenever they mutually agree to do so. Nothing in this agreement is understood to limit or restrict the ability of the parties to mutually agree on alternative parenting arrangements. If for any reason the parties cannot agree, the Terms of this consent agreement will be followed.
12. VACATIONS SUPERSEDE THE REGULAR SCHEDULE, AND HOLIDAYS SUPERSEDE OTHER TIME ARRANGEMENTS UNLESS THE PARTIES MUTUALLY AGREE TO DO OTHERWISE.
13. VIOLATION OF THIS ORDER BY ANY PERSON MAY RESULT IN CIVIL AND CRIMINAL PENALTIES INCLUDING PROSECUTION PURSUANT TO SECTION 2904 OF THE PENNSYLVANIA CRIMES CODE, INTERFERENCE WITH CUSTODY OF CHILDREN.
14. Jurisdiction of the child(ren) shall remain with the Court of Common Pleas of Washington County, Pennsylvania, unless or until jurisdiction would change under the Uniform Child Custody Jurisdiction Act.
15. We agree to abide by the agreement adopted this ____ day of _____, 2009, and submit it to the Court of Common Pleas to be formalized into an order of Court.

Mother

Father

Attorney

Attorney

CIVIL DIVISION

_____)	
)	
Plaintiff,)	
)	
Vs.)	No. 2009-
)	
_____)	
)	
Defendant.)	

ORDER

AND NOW, this ____ day of _____, 2009, upon consideration of the parties' Custody Consent Agreement, which is attached hereto, it is hereby ORDERED and DIRECTED that the parties' Custody Consent Agreement is adopted by this Court as its Order, and shall be enforced according to its terms.

BY THE COURT:

_____ **J.**

NOTICE ON SERVICE

You are **required to serve** a copy of your Complaint or Petition, as well as the Order, on the other party. Service of the initial Complaint or Petition must be done in compliance with Pennsylvania Rule of Civil Procedure No. 1930.4¹. Service of all other documents, once the action is started, must be done in compliance with Pennsylvania Rule of Civil Procedure No. 440². If the location of the other party is not known, service must be given by a Special Order of the Court as is described in Pennsylvania Rule of Civil Procedure No. 430³.

After you have completed service of the Complaint, or Petition, and the Order, you are required to file an Affidavit of Service, which complies with Pennsylvania Rule of Civil Procedure No. 1930.4(h)⁴ with the Prothonotary. You should provide the Custody Office, along with the child custody conference officer, with a copy of your Affidavit of Service at the time of your custody conference.

If you fail to comply with these requirements, your case may be delayed and you may be subject to sanctions, up to and including dismissal.

Pennsylvania Rules of Civil Procedure on Service

Pennsylvania Rules of Civil Procedure are available online at www.pacode.com, title 231.

¹ **Pennsylvania Rule of Civil Procedure No. 1930.4** *(as of 6/26/08)*

Service of Original Process in Domestic Relations Matters

(The first legal document in the case)

(a) Persons Who May Serve. Original process in all domestic relations matters may be served by the sheriff or a competent adult:

- (1) by handing a copy to the defendant; or
- (2) by handing a copy;

(i) at the residence of the defendant to an adult member of the family with whom the defendant resides; but if no adult member of the family is found, then to an adult person in charge of such residence; or

(ii) at the residence of the defendant to the clerk or manager of the hotel, inn, apartment house, boarding house or other place of lodging at which the defendant resides; or

(iii) at any office or usual place of business of the defendant to the defendant's agent or to the person for the time being in charge thereof.

(3) or pursuant to special order of court.

Note: See Rule 76 for the definition of "competent adult." Service upon an incarcerated person in a domestic relations action must also include notice of any hearing in such action, and specific notice of the incarcerated individual's right to apply to the court for a writ of *habeas corpus ad testificandum* to enable him or her to participate in the hearing. The writ is available where an incarcerated individual wishes to testify as provided by statute or rule, as well as where the individual's testimony is sought by another. *Vanaman v. Cowgill*, 363 Pa. Super. Ct. 602, 526 A.2d 1226 (1987). See 23 Pa.C.S.A. § 4342(j) and Rule 1930.3. In determining whether a writ of *habeas corpus ad testificandum* should be issued, a court must weigh the factors set forth in *Salemo v. Salemo*, 381 Pa. Super. Ct. 632, 554 A.2d 563 (1989).

(b) Service in Protection From Abuse Matters. In Protection From Abuse matters only, original process may also be served by an adult using any means set forth in subdivision (a) above. If personal service cannot be completed within forty-eight (48) hours after a Protection From Abuse petition is filed, the court may, by special order as set forth in subdivision (a)(3) above, authorize service by another means including, but not limited to, service by mail pursuant to subdivision (c) of this rule.

(c) Service by Mail. Except in Protection from Abuse matters unless authorized by special order of court pursuant to subdivision (b) above, original process may also be served by mailing

the complaint and order to appear, if required, to the defendant's last known address by both regular and certified mail. Delivery of the certified mail must be restricted to addressee only, and a return receipt must be requested.

(1) If the certified mail is refused by defendant, but the regular mail is not returned within fifteen (15) days, service may be deemed complete.

(2) If the mail is returned with notation by the postal authorities that it was unclaimed, service shall be made by another means pursuant to these rules.

(d) Acceptance of Service. In lieu of service pursuant to this rule, the defendant or the defendant's authorized agent may accept service of original process by filing with the Prothonotary a separate document which shall be substantially in the following form: (d) Acceptance of Service. In lieu of service pursuant to this rule, the defendant or the defendant's authorized agent may accept service of original process by filing with the Prothonotary a separate document which shall be substantially in the following form:

(NOTE: form is located after listing of rules)

(e) Time for Service Within the Commonwealth. Original process shall be served within the Commonwealth within thirty days of the filing of the petition or complaint.

(f) Service Outside of the Commonwealth. Original process shall be served outside the Commonwealth within ninety days of the filing of the complaint:

- (1) by any means authorized by this rule; or
- (2) in the manner provided by the law of the jurisdiction in which defendant will be served; or
- (3) in the manner provided by treaty; or
- (4) as directed by the foreign authority in response to a letter rogatory or request.

Note: Sections 5323 and 5329(2) of the Judicial Code, 42 Pa.C.S. §§ 5323 and 5329(2), provide additional alternative procedures for service outside the Commonwealth. For Protection from Abuse matters, personal service outside of the Commonwealth must first be attempted before service can be made by certified and regular mail or by any of the other means prescribed in subsection (f) of this Rule for out-of-state service.

(g) Reinstatement of Complaint. If service is not made as required by subdivision (e) or (f) of this rule, the Prothonotary upon praecipe accompanied by the original process, or praecipe indicating that the original complaint has been lost or destroyed accompanied by a substituted complaint, shall reinstate the complaint.

(1) A complaint may be reinstated at any time and any number of times. A new party defendant may be named in a reinstated complaint.

(2) A reinstated complaint shall be served as required by subdivision (e) or (f) of this rule.

² **Pennsylvania Rule of Civil Procedure No. 440.** *(as of 6/26/08)*

Service of Legal Papers other than Original Process

(Service of all documents after the first legal document has been served)

(a)(1) Copies of all legal papers other than original process filed in an action or served upon any party to an action shall be served upon every other party to the action. Service shall be made

(i) by handing or mailing a copy to or leaving a copy for each party at the address of the party's attorney of record endorsed on an appearance or prior pleading of the party, or at such other address as a party may agree, or

Note: Such other address as a party may agree might include a mailbox in the Prothonotary office or an e-mail address. For electronic service by means other than facsimile transmission, see Rule 205.4(g).

(ii) by transmitting a copy by facsimile to the party's attorney of record as provided by subdivision (d).

(2)(i) If there is no attorney of record, service shall be made by handing a copy to the party or by mailing a copy to or leaving a copy for the party at the address endorsed on an appearance or prior pleading or the residence or place of business of the party, or by transmitting a copy by facsimile as provided by subdivision (d).

(ii) If such service cannot be made, service shall be made by leaving a copy at or mailing a copy to the last known address of the party to be served.

Note: This rule applies to the service upon a party of all legal papers other than original process and includes, but is not limited to, all other pleadings as well as motions, petitions, answers thereto, rules, notices, interrogatories and answers thereto.

Original process is served under Rule 400 et seq.

(b) Service by mail of legal papers other than original process is complete upon mailing.

(c) If service of legal papers other than original process is to be made by the sheriff, he shall notify by ordinary mail the party requesting service to be made that service has or has not been made upon a named party or person.

(d)(1) A copy may be served by facsimile transmission if the parties agree thereto or if a telephone number for facsimile transmission is included on an appearance or prior legal paper filed with the court.

(2) The copy served shall begin with a facsimile cover sheet containing (i) the name, firm, address, telephone number, of both the party making service and the party served, (ii) the facsimile telephone number of the party making service and the facsimile telephone number to which the copy was transmitted, (iii) the title of the legal paper served and (iv) the number of pages transmitted.

(3) Service is complete when transmission is confirmed as complete.

Note: See Rule 236(d) providing for the Prothonotary to give notice of orders and judgments, and also other matters, by facsimile or other electronic means.

See Rule 205.4 governing filing and service of legal papers by electronic means other than facsimile transmission.

³ **Pennsylvania Rule of Civil Procedure 430** (as of 06/26/08)

a) If service cannot be made under the applicable rule the plaintiff may move the court for a special order directing the method of service. The motion shall be accompanied by an affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the defendant and the reasons why service cannot be made.

(b)(1) If service of process by publication has been authorized by rule of civil procedure or order of court, the publication shall be by advertising a notice of the action once in the legal publication, if any, designated by the court for the publication of legal notices and in one newspaper of general circulation within the county. The publication shall contain the caption of the action and the names of the parties, state the nature of the action and conclude with a notice substantially in the following form:

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

(NAME)

(ADDRESS)

(TELEPHONE NUMBER)

Note: The office shall be that designated by the court under Rule 1018.1(c).

(2) When service is made by publication upon the heirs and assigns of a named former owner or party in interest, the court may permit publication against the heirs or assigns generally if it is set forth in the complaint or an affidavit that they are unknown.

⁴ **Pennsylvania Rule of Civil Procedure 1930.4(h)** (*as of 6/26/08*).

(h) **Proof of Service.** Proof of service shall be made as follows:

(1) The person making service of original process shall make a return of service forthwith. If service has not been made within the time allowed, a return of no service shall be made upon the expiration of the period allowed for service.

(2) Proof of service shall set forth the date, time, place and manner of service, the identity of the person served and any other facts necessary for the court to determine whether proper service has been made.

(3) Proof of service by a person other than the sheriff shall be by affidavit. If a person other than the sheriff makes a return of no service, the affidavit shall set forth with particularity the efforts made to effect service.

(4) Proof of service by mail shall include a return receipt signed by the defendant or, if the defendant has refused to accept mail service, the returned letter with the notation that the defendant refused to accept delivery, and an affidavit that the regular mail was not returned within fifteen days after mailing.

(5) Proof of service or of no service shall be filed with the Prothonotary.

(6) An executed Acceptance of Service shall be filed in lieu of a Proof of Service where defendant accepts service of original process.

Note: Pennsylvania Rule of Civil Procedure 1930.4(i)

Appearance at Hearing or Conference. Regardless of the method of service, a party who appears for the hearing or conference will be deemed to have been served.

IN THE COURT OF COMMON PLEAS, WASHINGTON COUNTY, PENNSYLVANIA
CIVIL DIVISION

_____))
_____))
Plaintiff,)
_____))
-VS-) No.
_____))
_____))
Defendant.)

AFFIDAVIT OF SERVICE

I, _____, hereby verify that on the ____ day of _____, 2009, I served the Defendant with a true and correct copy of the Divorce/Custody Complaint by one of the following methods:

CHECK ONE

1. (____) Service was made by United States Postal Service, first class mail, postage prepaid, certified, restricted delivery, return receipt requested to the Defendant, on the ____ day of _____, 2009. The return receipt signed by the Defendant is attached hereto.
2. (____) The Defendant was personally served with a true and correct copy of the above pleading by hand-delivering the same to the Defendant. Personal service was made at the following location: _____, on the ____ day of _____, 2009 at _____ o'clock __m. by _____ (constable)(individual).

I VERIFY THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE TRUE AND CORRECT. I UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF 18 Pa.C.S.§4904 RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES.

Date: _____

SIGNATURE OF PERSON MAKING SERVICE

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

CIVIL DIVISION

_____	}	
	}	
Plaintiff,	}	
	}	
Vs.	}	No. _____
	}	
_____	}	
	}	
Defendant.	}	

ACCEPTANCE OF SERVICE

I, _____ do hereby accept service of the Complaint for Custody in the above-captioned matter on the ____ day of _____, 2009, and acknowledge receipt of a true and correct copy thereof.

Date: _____

NOTICE OF PRESENTATION

**THIS IS TO BE USED WITH ALL PETITIONS FOR
EMERGENCY RELIEF, SPECIAL RELIEF AND CONTEMPT**

*The intention to present should be sent or given as notice to the
opposing party. If opposing party has counsel, you must serve counsel.*

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA**

_____,
Plaintiff,
vs. _____ No. _____
_____,
Defendant.

NOTICE OF PRESENTATION

TO: _____

(name & address of the other party)

Please take notice that I intend to present the attached Motion/ Petition on (date) _____ at 9:00.m., before Judge _____, Courtroom No. _____, Washington County Courthouse, Washington, PA. If you wish to oppose the requested relief or action, you should appear at that time and present your objections to the court.

Date _____

Petitioner

CERTIFICATION OF SERVICE

I hereby certify that I have caused to be served a true and correct copy of the attached on the above named defendant at least 7 business days prior to the date of presenting the Motion by way of (check all that apply):

_____ regular mail
_____ certified mail
_____ hand delivery

Petitioner

EMERGENCY PETITION & ORDER

Emergency Relief: *If there is a TRUE emergency, (that is, if there is a risk that the other parent will run away from the County with the Child without a known destination, or there is a threat of immediate harm to the child) you should tell the party **at least 24 hours in advance by phone or in person** that you are coming to Court to present an Emergency Relief Petition the following day before 9:00 a.m.*

Motions Court

If the Plaintiff's last name begins with A-La, Judge DiSalle will hear motions:

Monday through Thursday in Courtroom Number 3 at 9:00 AM.

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, sign in on the sheet, have a seat and wait your turn.

If the Plaintiff's last name begins with Lb-Z, Judge Moschetta-Bell will hear motions:

Monday, Tuesday, and Thursday in Courtroom Number 6 at 9:00 AM

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, have a seat and wait your turn.

MINIMUM 24 HOURS ORAL NOTICE MUST BE GIVEN TO THE OTHER SIDE WHEN FILING AN EMERGENCY PETITION. IF THE OTHER PARTY HAS A LAWYER, YOU MUST GIVE NOTICE TO THAT LAWYER.

IF YOU DO NOT ALREADY HAVE AN EXISTING COURT ORDER FOR CUSTODY, YOU MUST FILE A CUSTODY COMPLAINT AT THE SAME TIME YOU PRESENT YOUR EMERGENCY PETITION.

Court of Common Pleas of Washington County
Child Custody Emergency Filing Procedures

If you are filing for emergency custody, you must:

- already have a conference scheduled or;
- already have a Petition for Custody filed, or currently be filing a Petition for Custody, or;
- already have a Petition to Modify Custody filed, or currently be filing a Petition to Modify Custody.

After obtaining a signed court order from the Judge, you must file the petition in the Prothonotary's office. **If you do not file your petition with the Prothonotary, your hearing will NOT be scheduled.**

LITIGANTS ARE STRONGLY ENCOURAGED TO CONSULT WITH AN ATTORNEY.

SUMMARY OF STEPS:

Before you go to Court:

- #1. Complete the appropriate forms in ink, not pencil. Incomplete forms may be refused.**
- #2. Give the other party 24 hours notice of your intention to present the Emergency Custody Petition.**

In Court:

- #3. Take completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, sign in, have a seat and wait your turn.**
- #4. The Judge will consider the petition and assign a conference date, if needed. You will then receive the original. Take the petition to the Custody Office.**

After you leave Court:

- #5. File the papers in the Prothonotary's Office (1st floor)**
 - If you are also filing a Custody Complaint for the first time, the day you go to Motions Court, you will need to pay the filing fee.**
 - This is paid in the Prothonotary's Office after you go to Court.**
 - a. Either cash or a money order. No credit cards.**
 - If you are at or below the federal poverty guidelines, you may file a "Petition for In Forma Pauperis" (both the guidelines and petition are available) to have the fee waived. You will need proof of your financial status as listed in the "Petition to Proceed In Forma Pauperis" information. The Petition has to be presented to the Judge in Motions Court.**
- #6. Serve the other party with a copy of the Petition and the Order signed by the Judge.**
- #7. File either a Proof of Service or Acceptance of Service Form with the Prothonotary after service has been done.**

NOTICE: Must be 18 or older to file on your own behalf.

Note: When filling out the forms-

- parties must be identified as Plaintiff or Defendant as they are listed on the *original* custody Complaint, regardless of who is filing the Petition.
- the person filing the petition is the *Petitioner*, the other party is the *Respondent*.

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA**

Plaintiff,	:	
	:	
vs.	:	No. _____
	:	
Defendant.	:	

NOTICE OF PRESENTATION

TO: _____

(name & address of the other party)

Please take notice that I intend to present the attached Motion/ Petition on (date) _____ at 9:00.m., before Judge _____, Courtroom No. _____, Washington County Courthouse, Washington, PA. If you wish to oppose the requested relief or action, you should appear at that time and present your objections to the court.

Date _____

Petitioner

CERTIFICATION OF SERVICE

I hereby certify that I have caused to be served a true and correct copy of the attached on the above named defendant at least 7 business days prior to the date of presenting the Motion by way of (check all that apply):

_____	regular mail
_____	certified mail
_____	hand delivery

Petitioner

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CIVIL DIVISION

Plaintiff,

vs.

Defendant.

:
:
: No. _____
: Civil Action – Law
:
:
: Type of Pleading:
: **Petition for Emergency**
:
:
:
: Filed on behalf of:
:

(Your Name)

Filing Party's Information:

Name: _____

Address: _____

Telephone #: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CIVIL ACTION-LAW

_____,
Plaintiff,
vs. _____ No. _____
_____,
Defendant.

EMERGENCY PETITION FOR CUSTODY

1. Petitioner is _____, and is the (circle one) mother/father of the child(ren) (names of children): _____. Petitioner is the (circle one) plaintiff/defendant in this case; Petitioner currently resides at (give full address): _____, Pennsylvania.

2. Respondent is _____, and is the (circle one) mother/father of the child(ren) (names of children): _____. Respondent is the (circle one) plaintiff/defendant in the above-captioned matter; respondent currently resides at (give full address): _____, Pennsylvania.

3. The child(ren):
(a) name _____ age _____, presently resides with _____ at (give full address): _____, Pennsylvania.

(b) name _____ age _____, presently resides with _____ at (give full address): _____, Pennsylvania.

(c) name _____ age _____, presently resides
with _____ at (give full address):

_____, Pennsylvania.

4. Date of Existing Custody Order: _____.

5. Emergency is necessary because:

(Allege facts which indicate why the situation is an emergency should be granted)

WHEREFORE, petitioner respectfully requests this Court grant the Emergency requested.

Petitioner's Signature

Petitioner's Date of Birth: _____ **(month, day, year)**

VERIFICATION

I, _____, verify that the statements made in this Petition for Emergency Custody are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann § 4904, relating to unsworn falsification to authorities which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Petitioner

Date: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA
CIVIL – LAW

_____,
Plaintiff,
vs. _____, No. _____
Defendant.

ORDER

AND NOW, this ____ day of _____, 200__, upon consideration of the
Petition for Emergency filed by the _____, it is hereby

ORDERED and DECREED as follows: (Judge will list relief granted in this space):

BY THE COURT,

JUDGE

SPECIAL RELIEF PETITION & ORDER

Special Relief is any other motion requesting relief that is not available through the normal Custody Complaint, Motion to Modify or Petition for Contempt. The three (3) days notice Rule requires appropriate notice to the other party. Any non-emergency motion that is presented without complying with the three (3) day notice requirement will be rejected.

Motions Court

If the Plaintiff's last name begins with A-La, Judge DiSalle will hear motions:

Monday through Thursday in Courtroom Number 3 at 9:00 AM.

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, sign in on the sheet, have a seat and wait your turn.

If the Plaintiff's last name begins with Lb-Z, Judge Moschetta-Bell will hear motions:

Monday, Tuesday, and Thursday in Courtroom Number 6 at 9:00 AM

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, have a seat and wait your turn.

Most issues presented in Motions Court require a separately scheduled hearing; therefore, the relief sought may not be granted immediately upon presentation of the motion. The presentation of the motion is not the time to argue the case, but to allow the judge to receive only the information necessary at that time.

MINIMUM 24 HOURS ORAL NOTICE MUST BE GIVEN TO THE OTHER SIDE WHEN FILING AN EMERGENCY PETITION. IF THE OTHER PARTY HAS A LAWYER, YOU MUST GIVE NOTICE TO THAT LAWYER.

IF YOU DO NOT ALREADY HAVE AN EXISTING COURT ORDER FOR CUSTODY, YOU MUST FILE A CUSTODY COMPLAINT AT THE SAME TIME YOU PRESENT YOUR EMERGENCY PETITION.

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA**

Plaintiff,	:	
	:	
vs.	:	No. _____
	:	
Defendant.	:	
	:	

NOTICE OF PRESENTATION

TO: _____

(name & address of the other party)

Please take notice that I intend to present the attached Motion/ Petition on (date) _____ at 9:00 a.m., before Judge _____, Courtroom No. _____, Washington County Courthouse, Washington, PA. If you wish to oppose the requested relief or action, you should appear at that time and present your objections to the court.

Date _____

Petitioner

CERTIFICATION OF SERVICE

I hereby certify that I have caused to be served a true and correct copy of the attached on the above named defendant at least 3 business days prior to the date of presenting the Motion by way of (check all that apply):

_____	regular mail
_____	certified mail
_____	hand delivery

Petitioner

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CIVIL DIVISION

_____	:	No. _____
Plaintiff,	:	Civil Action – Law
	:	
vs.	:	Type of Pleading:
	:	Petition for Special Relief
:	:	
_____	:	Filed on behalf of:
Defendant.	:	_____
		(Your Name)

Filing Party's Information:

Name: _____

Address: _____

Telephone #: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CIVIL ACTION-LAW

_____,
Plaintiff,
vs. _____ No. _____
_____,
Defendant.

PETITION FOR SPECIAL RELIEF

1. Petitioner is _____, and is the (circle one) mother/father of the child(ren) (names of children): _____. Petitioner is the (circle one) plaintiff/defendant in this case; Petitioner currently resides at (give full address): _____, Pennsylvania.

2. Respondent is _____, and is the (circle one) mother/father of the child(ren) (names of children): _____. Respondent is the (circle one) plaintiff/defendant in the above-captioned matter; respondent currently resides at (give full address): _____, Pennsylvania.

3. The child(ren):
(a) name _____ age _____, presently resides with _____ at (give full address): _____, Pennsylvania.

(b) name _____ age _____, presently resides with _____ at (give full address): _____, Pennsylvania.

VERIFICATION

I, _____, verify that the statements made in this Petition for Special Relief are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann § 4904, relating to unsworn falsification to authorities which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Petitioner

Date: _____

PETITION FOR MODIFICATION OF EXISTING CUSTODY ORDER & ORDER

A copy of your current Custody Order should be attached to your Petition.

Until the child(ren) is 18 years old, custody can be litigated and changed. As circumstances and relationships change, you may think the order in effect now is not in the child(ren)'s best interest. If you are unable to reach an agreement with the other party concerning a change in the current order, you can request a change of order from the court. If you file a petition to modify, you must convince the court that a new order should be entered and be able to tell the court why.

Motions Court

If the Plaintiff's last name begins with A-La, Judge DiSalle will hear motions:

Monday through Thursday in Courtroom Number 3 at 9:00 AM.

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, sign in on the sheet, have a seat and wait your turn.

If the Plaintiff's last name begins with Lb-Z, Judge Moschetta-Bell will hear motions:

Monday, Tuesday, and Thursday in Courtroom Number 6 at 9:00 AM

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, have a seat and wait your turn.

Most issues presented in Motions Court require a separately scheduled hearing; therefore, the relief sought may not be granted immediately upon presentation of the motion. The presentation of the motion is not the time to argue the case, but to allow the judge to receive only the information necessary at that time.

SUMMARY OF STEPS:

Before you go to Court:

#1. Complete the appropriate forms in ink, not pencil. Incomplete forms may be refused. You must include a copy of your original Custody Order.

In Court:

#2. Take completed forms to Motions Court, no later than 9:00 a.m.

#3. The Judge will consider the petition. If action is taken you will then receive the original Order.

After you leave Court:

#4. Take the signed Order to the Custody Office to have a conference date scheduled.

#5. File the papers in the Prothonotary's Office (1st floor).

#6. Serve the other party with a copy of the Complaint/Petition and the Order signed by the Judge.

#7. File either an Affidavit of Service or Acceptance of Service Form with the Prothonotary after service has been done.

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
P E N N S Y L V A N I A

CIVIL DIVISION

_____	:	No. _____
Plaintiff,	:	Civil Action – Law
	:	
vs.	:	Type of Pleading:
	:	Petition to Modify Custody
	:	Order
	:	
_____	:	Filed on behalf of:
Defendant.	:	
	:	_____
	:	(Your Name)

Filing Party's Information:

Name: _____

Address: _____

Telephone #: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA

Plaintiff,
vs. _____ No. _____

Defendant.

PETITION FOR MODIFICATION OF CUSTODY ORDER

1. The petition of _____ (*your name*) respectfully represents that on (*date*) _____ an Order of Court was entered regarding custody of (*child/ren's name/s*) _____. A true and correct copy of the current custody copy is attached to this Petition.

2. This order should be modified because: _____

3. The child/children has resided at _____
ADDRESS (give full address)
for the past 6 months.

WHEREFORE, Petitioner requests that the Court modify the existing Order for visitation because it will be in the best interest of the child(ren).

Petitioner's signature

Petitioner's Date of Birth: _____ (**month, day, year**)

VERIFICATION

I, _____, verify that the statements made in this Petition for Modification of Custody are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann § 4904, relating to unsworn falsification to authorities which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Petitioner

Date: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CIVIL DIVISION

_____,)
)
Plaintiff,)
)
vs.) No.: 2009-
)
_____,)
)
Defendant.)

NOTICE AND ORDER TO APPEAR

You, _____, defendant, have been sued in court to modify custody of _____.

You are ORDERED to appear in person at the Family Court Center, 29 West Cherry Avenue, Washington, Pennsylvania, 15301, on the ____ day of _____, 2009, at _____ o'clock ____M., for a Pre-Custody Conciliation Meeting with _____, Esquire, Child Custody Conference Officer.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

Pursuant to Local Rule 1915.4, all parties to the action are ordered to attend the mandatory parenting program prior to the Pre-Custody Conciliation Meeting. Failure of a party to attend the parenting program will result in sanctions against the party up to and including being prohibited from proffering evidence in the Meeting or Conference, or being held in contempt by the Court.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICES SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

IF YOU CANNOT AFFORD AN ATTORNEY:

SOUTHWESTERN PA LEGAL SERVICES
10 WEST CHERRY AVENUE
WASHINGTON, PA 15301
724.225.6171

IF YOU CAN AFFORD AN ATTORNEY:

LAWYER REFERRAL SERVICE
119 SOUTH COLLEGE STREET
WASHINGTON, PA 15301
724.225.6710

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Washington County, Pennsylvania is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing.

BY THE COURT:

DATE: _____, J

IN THE COURT OF COMMON PLEAS, WASHINGTON COUNTY, PENNSYLVANIA
CIVIL DIVISION

_____))
_____))
Plaintiff,)
_____))
-VS-) No.
_____))
_____))
Defendant.)

AFFIDAVIT OF SERVICE

I, _____, hereby verify that on the ____ day of _____, 2009, I served the Defendant with a true and correct copy of the Petition for Modification by one of the following methods:

CHECK ONE

1. () Service was made by United States Postal Service, first class mail, postage prepaid, certified, restricted delivery, return receipt requested to the Defendant, on the _____ day of _____, 2009. The return receipt signed by the Defendant is attached hereto.
2. () The Defendant was personally served with a true and correct copy of the above pleading by hand-delivering the same to the Defendant. Personal service was made at the following location: _____, on the _____ day of _____, 2009 at _____ o'clock ___ m. by _____ (constable)(individual).

I VERIFY THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE TRUE AND CORRECT. I UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF 18 Pa.C.S.§4904 RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES.

Date: _____

TRIAL DE NOVO & PRETRIAL CONFERENCE

1. *If you disagree with the Recommended Order of Court following your custody conference, you have 20 days to file a request for a Trial De Novo.*

YOU ARE STRONGLY ENCOURAGED TO HIRE AN ATTORNEY TO REPRESENT YOU AT THE CUSTODY TRIAL AND ASSIST YOU IN FILING THE REQUEST FOR THE TRIAL DE NOVO

Local Rule 1915.33

(a) A party may file a Request for Custody Trial De Novo and Pretrial Conference in the Washington County Prothonotary's Office within twenty (20) days after the Recommended Order issued following the Custody Conciliation Conference is mailed to received by the parties, whichever occurs first. The request must be presented to the Family Court Judge to whom the case is assigned for the scheduling of the Pretrial Conference.

(b) A copy of the filed request with the scheduled Pretrial Conference date and time must be served on the other counsel, or, if the party is a *pro se* litigant, then the request must be served on the party. A copy must be delivered to the Civil Division of the Court Administrator's Office.

(c) A Trial De Novo will be scheduled, barring extenuating circumstances, within ninety (90) days of the request. The Pretrial Conference shall be held during the period between the request for Custody Trial De Novo and the scheduled hearing. Any psychological reports ordered should be obtained during the same period and presented to the Family Law Judge to whom the case is assigned, along with the parties' Pretrial Statements, at least forty-eight (48) hours in advance of the Pretrial Conference.

L-1915.34 PRETRIAL CHILD CUSTODY CONFERENCE

(a) All parties and any child for whom custody or visitation is sought shall be present at the judicial pretrial custody conference unless said required attendance is waived by way of Court Order. Failure of a party to appear at the judicial pretrial custody conference may result in the entry of a custody/visitation order by the court.

(b) The court will attempt to obtain a consent agreement on any pending custody issues. Any agreement shall be reduced to writing and entered as an order of court. Upon request, the Family Court Judge to whom the case is assigned will meet privately with the parties' counsel in an attempt to better define the issues and settle the custody dispute.

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
P E N N S Y L V A N I A

CIVIL DIVISION

_____	:	No.
Plaintiff,	:	Civil Action – Law
	:	
vs.	:	Type of Pleading:
	:	Request for Trial De Novo
	:	
_____	:	Filed on behalf of:
Defendant.	:	
	:	_____
	:	Name

Filing Party's Information:

Name: _____

Address: _____

Telephone #: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
P E N N S Y L V A N I A
CIVIL ACTION-LAW

_____,
Plaintiff,
vs. _____, No. _____
Defendant.

REQUEST FOR TRIAL DE NOVO

Today, the _____ day of _____, 200____, I, (*name*) _____
disagree with the Proposed Custody Order issued by the Court on (*date*) _____
and file a request for a Trial De Novo for the following reasons :

1. _____

2. _____

3. _____

4. _____

(use additional sheets if necessary)

Date Signature of Petitioner

Petitioner's Date of Birth: _____ (month, day, year)

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

CIVIL DIVISION

)	
Plaintiff,)	
)	
vs.)	No. _____
)	
)	
Defendant.)	

ORDER

AND NOW, this _____ day of _____, 2009, upon the request of _____ for Trial De Novo, a Pretrial Conference in the above-referenced matter is scheduled for _____, 2009, at _____ .m. All parties are to be present and Pretrial Statements are due at least forty-eight (48) hours before the conference date.

The Court further directs all parties to immediately contact Southwestern Pennsylvania Human Services at the C.A.R.E. Center, Inc., 75 East Maiden St Suite 100, Washington, PA 15301, phone number (724) 229-3430 or (724) 229-4620. The parties are to enroll in and successfully complete the programs on Parenting, Improved Communication Skills and Conflict Resolution, as well as Individual and Family Counseling. Each party must contact the C.A.R.E. Center and schedule an appointment with that organization before Trial De Novo. In the event that any of the parties fail to schedule an appointment and/or actively participate in the counseling sessions directed by the Court, the offending party may be subject to sanctions upon proper Motion.

BY THE COURT:

J.

REQUEST TO WITHDRAW COMPLAINT FOR CUSTODY

&

ORDER TO DISMISS

Motions Court

If the Plaintiff's last name begins with A-La, Judge DiSalle will hear motions:

Monday through Thursday in Courtroom Number 3 at 9:00 AM.

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, sign in on the sheet, have a seat and wait your turn.

If the Plaintiff's last name begins with Lb-Z, Judge Moschetta-Bell will hear motions:

Monday, Tuesday, and Thursday in Courtroom Number 6 at 9:00 AM

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, have a seat and wait your turn.

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
P E N N S Y L V A N I A

CIVIL DIVISION

_____	:	No. _____
Plaintiff,	:	Civil Action – Law
	:	
vs.	:	Type of Pleading:
	:	Request to Withdraw Custody
	:	Complaint
	:	
_____	:	Filed on behalf of:
Defendant.	:	
	:	_____
	:	Name
	:	
	:	Filing Party's Information:
	:	Name: _____
	:	Address: _____
	:	_____
	:	_____
	:	Telephone #: _____

PETITION FOR CIVIL CONTEMPT FOR CUSTODY & ORDER

A copy of your current Custody Order should be attached to you Petition.

If you are filing for Contempt, you **MUST** give 3 business days advanced notice in writing.

Motions Court

If the Plaintiff's last name begins with A-La, Judge DiSalle will hear motions:

Monday through Thursday in Courtroom Number 3 at 9:00 AM.

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, sign in on the sheet, have a seat and wait your turn.

If the Plaintiff's last name begins with Lb-Z, Judge Moschetta-Bell will hear motions:

Monday, Tuesday, and Thursday in Courtroom Number 6 at 9:00 AM

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, have a seat and wait your turn.

Most issues presented in Motions Court require a separately scheduled hearing; therefore, the relief sought may not be granted immediately upon presentation of the motion. The presentation of the motion is not the time to argue the case, but to allow the judge to receive only the information necessary at that time.

SUMMARY OF STEPS:

Before you go to Court:

#1. Complete the appropriate forms in ink, not pencil. Incomplete forms may be refused. A copy of your current Custody Order should be attached to you Petition.

#2. You must give the other party and their attorney 3 business days written notice before bringing this petition to Court.

In Court:

#3. Take completed forms to Motions Court, no later than 9:00 a.m

#4. The Judge will consider s the petition and assign a hearing date, if needed. You will then receive the Original.

After you leave Court:

#5. File the papers in the Prothonotary's Office (1st floor).

#6. Serve the other party with a copy of the Complaint/Petition and the Order signed by the Judge.

#7. File either an Affidavit of Service or Acceptance of Service Form with the Prothonotary after service has been done.

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA**

Plaintiff,	:	
	:	
vs.	:	No. _____
	:	
Defendant.	:	

NOTICE OF PRESENTATION

TO: _____

(name & address of the other party)

Please take notice that I intend to present the attached Motion/ Petition on (date) _____ at 9:00.m., before Judge _____, Courtroom No. _____, Washington County Courthouse, Washington, PA. If you wish to oppose the requested relief or action, you should appear at that time and present your objections to the court.

Date _____

Petitioner

CERTIFICATION OF SERVICE

I hereby certify that I have caused to be served a true and correct copy of the attached on the above named defendant at least 7 business days prior to the date of presenting the Motion by way of (check all that apply):

_____	regular mail
_____	certified mail
_____	hand delivery

Petitioner

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
P E N N S Y L V A N I A

CIVIL DIVISION

_____	:	No. _____
Plaintiff,	:	Civil Action – Law
	:	
vs.	:	Type of Pleading:
	:	Petition for Civil Contempt
	:	
_____	:	Filed on behalf of:
Defendant.	:	
	:	
	:	_____
	:	(Your Name)

Filing Party's Information:

Name: _____

Address: _____

Telephone #: _____

VERIFICATION

I, _____, verify that the statements made in this Petition for Civil Contempt are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann § 4904, relating to unsworn falsification to authorities which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Petitioner

Date: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CIVIL DIVISION

_____,)
)
Plaintiff,)
)
vs.) No.: 2009-
)
_____,)
)
Defendant.)

NOTICE AND ORDER TO APPEAR

Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court for (custody) (partial custody) (visitation).

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the court your defenses or objections.

Whether or not you file in writing with the court your defenses or objections, you must appear in person at Washington County Courthouse, 1 South Main Street, Washington,

Pennsylvania, 15301, on the ____ day of _____, 2009, at _____
o'clock __.M., in Courtroom No. _____.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST

If the court finds that you have willfully failed to comply with its order for (custody)(partial custody)(visitation), you may be found to be in contempt of court and committed to jail, fined or both or be subject to additional sanctions including loss of custody time, attorney's fees, and/or costs.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICES SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

IF YOU CANNOT AFFORD AN ATTORNEY:

SOUTHWESTERN PA LEGAL SERVICES
10 WEST CHERRY AVENUE
WASHINGTON, PA 15301
724-225-6170

IF YOU CAN AFFORD AN ATTORNEY:

LAWYER REFERRAL SERVICE
119 SOUTH COLLEGE STREET
WASHINGTON, PA 15301
724.225.6710

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Washington County, Pennsylvania is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing.

BY THE COURT:

DATE: _____, J

IN THE COURT OF COMMON PLEAS, WASHINGTON COUNTY, PENNSYLVANIA
CIVIL DIVISION

_____))
_____))
Plaintiff,)
_____))
-VS-) No.
_____))
_____))
Defendant.)

AFFIDAVIT OF SERVICE

I, _____, hereby verify that on the ____ day of _____, 2009, I served the Defendant with a true and correct copy of the Petition for Civil Contempt by one of the following methods:

CHECK ONE

1. (____) Service was made by United States Postal Service, first class mail, postage prepaid, certified, restricted delivery, return receipt requested to the Defendant, on the _____ day of _____, 2009. The return receipt signed by the Defendant is attached hereto.
2. (____) The Defendant was personally served with a true and correct copy of the above pleading by hand-delivering the same to the Defendant. Personal service was made at the following location: _____, on the _____ day of _____, 2009 at _____ o'clock __m. by _____(constable)(individual).

I VERIFY THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE TRUE AND CORRECT. I UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF 18 Pa.C.S.§4904 RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES.

Date: _____

SIGNATURE OF PERSON MAKING SERVICE

PETITION FOR RELOCATION & ORDER

A copy of your current Custody Order should be attached to you Petition.

Motions Court

If the Plaintiff's last name begins with A-La, Judge DiSalle will hear motions:

Monday through Thursday in Courtroom Number 3 at 9:00 AM.

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, sign in on the sheet, have a seat and wait your turn.

If the Plaintiff's last name begins with Lb-Z, Judge Moschetta-Bell will hear motions:

Monday, Tuesday, and Thursday in Courtroom Number 6 at 9:00 AM

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, have a seat and wait your turn.

Most issues presented in Motions Court require a separately scheduled hearing; therefore, the relief sought may not be granted immediately upon presentation of the motion. The presentation of the motion is not the time to argue the case, but to allow the judge to receive only the information necessary at that time.

SUMMARY OF STEPS:

Before you go to Court:

#1. Complete the appropriate forms in ink, not pencil. Incomplete forms may be refused. You must include a copy of your original Custody Order.

In Court:

#2. Take completed forms to Motions Court, no later than 9:00 a.m.

#3. The Judge will sign the petition. You will then receive the Order.

After you leave Court:

#4. Take the signed Order to the Custody Office to have a conference date scheduled.

#5. File the papers in the Prothonotary's Office (1st floor).

#6. Serve the other party with a copy of the Complaint/Petition and the Order signed by the Judge.

#7. File either an Affidavit of Service or Acceptance of Service Form with the Prothonotary after service has been done.

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
P E N N S Y L V A N I A

CIVIL DIVISION

_____	:	No. _____
Plaintiff,	:	Civil Action – Law
	:	
vs.	:	Type of Pleading:
	:	Petition for Relocation
	:	
	:	
_____	:	Filed on behalf of:
Defendant.	:	_____
	:	(Your Name)

Filing Party's Information:

Name: _____

Address: _____

Telephone #: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA

_____,
Plaintiff,
vs. _____ No. _____
_____,
Defendant.

PETITION FOR RELOCATION

Petitioner, _____ (*name*) files this Petition for Relocation.

1. Plaintiff is _____ (*name*) [Mother/Father], who currently resides at

(*address*)

2. Defendant is _____ (*name*) [Mother/Father], who currently resides at

(*address*)

3. The Plaintiff & Defendant are the parents of the following minor child(ren):

Name	Present Residence (<i>give full address</i>)	Date of Birth	Age
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. On _____ (*date*), the Court entered a Custody Order. (You **must** attach a copy of the Custody Order, Proposed Order, or Agreed Order to you Petition).

5. Petitioner believes that it is in the best interest of the children and herself/himself that she/he and the child(ren) move to _____ (*location/address*), subject to an appropriate partial physical custody schedule for the other parent.

6. The advantages of the proposed move to _____
(location/address) are the following (give reasons):

7. These opportunities are not available where Mother/Father and the child(ren) presently live.

8. Petitioner's motivation for moving is *solely* to improve the quality of life for the child(ren) and herself/himself.

9. Petitioner *is not* motivated in any way by a desire to frustrate the relationship between Mother/Father and the child(ren).

10. A custody arrangement can be established that will allow the other parent frequent and substantial contact with the child(ren). The child(ren) will have an opportunity to continue and maintain a meaningful relationship with the other parent, and the other parent will have the opportunity to share in the love and rearing of the child(ren).

11. Petitioner's proposed move is not the result of a momentary whim; rather, Petitioner has carefully considered the options that are available to her/him and the child(ren).

12. Mother/Father would like to relocate with the child(ren) by _____
(date) .

13. If relocation is granted, Petitioner is willing to expand the current custodial arrangements and is willing to contribute to the transportation costs for the child(ren) for the time with the other parent.

WHEREFORE, Petitioner requests that this Honorable Court enter an Order allowing Petitioner to relocate to _____ (location/address).

Date

Plaintiff

VERIFICATION

I, _____, verify that the statements made in this Petition for Relocation are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann § 4904, relating to unsworn falsification to authorities which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Petitioner

Date: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA

Plaintiff,
vs. No. _____

Defendant.

ORDER

AND NOW, this _____ day of _____, 200____, upon consideration of Petitioner's Petition for Relocation, it is hereby ORDERED and DECREED as follows:

- (1) A Pre-Trial Conference is schedule on _____ day of _____, 200 ____ at _____ o'clock ____ . M.
- (2) A Trial on the Petition is set for the _____ day of _____, 200____, at _____ o'clock ____ . M. in courtroom No. _____ of the Washington County Courthouse.

BY THE COURT:

JUDGE

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA

_____,
Plaintiff,
vs. _____ No. _____
_____,
Defendant.

PROOF OF SERVICE

I _____ (*your name*), hereby certify that I delivered a copy of
the (*name of document*) _____ to
_____ (*name of party*) on
_____ (*date*), at _____ o'clock p.m./a.m. Delivery was made by

(check all that apply):

- _____ regular mail
- _____ certified mail
- _____ hand delivery

DATE

PETITIONER

ANSWER TO PETITION FOR RELOCATION

SUMMARY OF STEPS FOR ANSWER TO PETITION FOR RELOCATION:

- #1. Complete the appropriate forms in ink, not pencil. Incomplete forms may be refused.**
- #2. File the papers in the Prothonotary's Office (1st floor).**
- #3. Serve the other party and his/her lawyer (if applicable) with a copy of the Answer.**

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
P E N N S Y L V A N I A

CIVIL DIVISION

_____	:	No. _____
Plaintiff,	:	Civil Action – Law
	:	
vs.	:	Type of Pleading:
	:	Answer to Petition for Relocation
	:	
	:	
_____	:	Filed on behalf of:
Defendant.	:	_____
	:	(Your Name)

Filing Party's Information:

Name: _____

Address: _____

Telephone #: _____

VERIFICATION

I, _____, verify that the statements made in this Answer to Petition for Relocation are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann § 4904, relating to unsworn falsification to authorities which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Respondent

Date: _____

PENNSYLVANIA

	:	
Plaintiff,	:	
	:	
vs.	:	No. _____
	:	
	:	
	:	
Defendant.	:	

CERTIFICATE OF SERVICE

I, (*your name*) _____, hereby certify that
on (*date*) _____, I served a copy of this Answer to Petition for
Relocation upon (*name/s and address/es of person/s and/or attorney/s you sent this to*):

by (*choose all that apply*):

- _____ regular mail
- _____ certified mail
- _____ hand delivery

Date

Signature of Respondent

MOTION TO CONTINUE & ORDER

A copy of your current Custody Order should be attached to your Petition.

Motions Court

If the Plaintiff's last name begins with A-La, Judge DiSalle will hear motions:

Monday through Thursday in Courtroom Number 3 at 9:00 AM.

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, sign in on the sheet, have a seat and wait your turn.

If the Plaintiff's last name begins with Lb-Z, Judge Moschetta-Bell will hear motions:

Monday, Tuesday, and Thursday in Courtroom Number 6 at 9:00 AM

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, have a seat and wait your turn.

Most issues presented in Motions Court require a separately scheduled hearing; therefore, the relief sought may not be granted immediately upon presentation of the motion. The presentation of the motion is not the time to argue the case, but to allow the judge to receive only the information necessary at that time.

SUMMARY OF STEPS:

Before you go to Court:

- #1. Complete the appropriate forms in ink, not pencil. Incomplete forms may be refused. You must include a copy of your original Custody Order.**
- #2. Give the other party, and their attorney, written notice.**

In Court:

- #3. Take completed forms to Motions Court, no later than 9:00 a.m.**
- #4. The Judge will consider the petition. You will then receive the Order.**

After you leave Court:

- #5. Take the signed Order to the Custody Office to have a conference date scheduled.**
- #6. File the papers in the Prothonotary's Office (1st floor). Pay the filing fee.**
- #7. Serve the other party with a copy of the Complaint/Petition and the Order signed by the Judge.**
- #8. File either an Affidavit of Service or Acceptance of Service Form with the Prothonotary after service has been done.**

L-1915.28 CONTINUANCES

(a) Motions for continuances of proceedings before the Child Custody Conference Officer will be presented by the moving party to the Family Court Judge to whom the case is assigned in Motions Court prior to the scheduled proceeding. The Order granting or denying the continuance will be filed in the Prothonotary's Office. A copy of an order granting a continuance will be delivered by the moving party to the Civil Division of the Court Administrator's Office.

(b) A \$25.00 fee will be charged for continuances. Except in the case of an emergency, when a party seeks and receives a continuance on the day of a scheduled meeting or conference the party will be charged a \$75.00 fee. The fee will be paid by the moving party to the Prothonotary's Office when the Motion and Continuance Order are filed. The fee shall be paid in the form of a money order payable to the Washington County Prothonotary.

(c) Motions for continuances shall be set forth in writing containing the following information:

1. A clear, concise and certain reason for the motion.
2. A statement that opposing counsel or the opposing party, if unrepresented, has no objection to the request for continuance, if applicable.
3. A statement of the number of prior continuances, if any.
4. If another court appearance is the reason for the request, a copy of the notice or Order of the conflicting hearing shall be attached.

(d) The Notice of Presentation of the Continuance Motion shall include the date of service of the motion upon the opposing counsel or the opposing party, if unrepresented.

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA**

Plaintiff,	:	
	:	
vs.	:	No. _____
	:	
Defendant.	:	
	:	

NOTICE OF PRESENTATION

TO: _____

(name & address of the other party)

Please take notice that I intend to present the attached Motion/ Petitions on (date) _____ at 9:00 a.m., before Judge _____, Courtroom No. _____, Washington County Courthouse, Washington, PA. If you wish to oppose the requested relief or action, you should appear at that time and present your objections to the court.

Date _____

Petitioner

CERTIFICATION OF SERVICE

I hereby certify that I have caused to be served a true and correct copy of the attached on the above named defendant at least 3 business days prior to the date of presenting the Motion by way of (check all that apply):

_____	regular mail
_____	certified mail
_____	hand delivery

Petitioner

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
P E N N S Y L V A N I A

CIVIL DIVISION

_____	:	No. _____
Plaintiff,	:	Civil Action – Law
	:	
vs.	:	Type of Pleading:
	:	Motion to Continue Hearing
	:	
	:	
_____	:	Filed on behalf of:
Defendant.	:	
	:	_____
	:	(Your Name)

Filing Party's Information:

Name: _____

Address: _____

Telephone #: _____

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA**

Plaintiff

Civil Action – Law

vs.

No. _____

Defendant

MOTION TO CONTINUE CUSTODY CONFERENCE

AND NOW, COMES _____, Plaintiff/Defendant, and who respectfully requests a continuance of the conference scheduled in the above captioned action and states as follows:

1. A conference is scheduled for _____ at ____ .m. in front of Child Custody Conference Officer _____, Esquire.

2. This Petitioner respectfully requests a continuance for the following reason:

3. The opposing counsel/party has been informed of this request for continuance and (agrees) (objects) to the continuance:

4. _____ Continuances have already been granted on the matter.

WHEREFORE, Petitioner respectfully requests this Honorable Court to continue the conference until the next available date.

Respectfully submitted,

Petitioner's Signature

Printed Name

Petitioner's Date of Birth: _____ (month, day, year)

VERIFICATION

I, _____, verify that the statements made in this Petition for Modification of Custody are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann § 4904, relating to unsworn falsification to authorities which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Petitioner

Date: _____

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA**

Plaintiff

vs.

Civil Action – Law

No. _____

Defendant

ORDER

AND NOW, this _____ day of _____, 200__, upon consideration of this within Motion for Continuance, the conference scheduled in the above captioned action for _____ 200__ , at _____ o'clock ____ .M. is hereby continued until the _____ day of _____ 200__ , at _____ o'clock ____ .M at the Family Court Center.

BY THE COURT:

JUDGE

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA

_____,
Plaintiff,
vs. _____ No. _____
_____,
Defendant.

PROOF OF SERVICE

I _____ (*your name*), hereby certify that I delivered a copy of
the (*name of document*) _____ to
_____ (*name of party*) on
_____ (*date*), at _____ o'clock p.m./a.m. Delivery was made by

(check all that apply):

- _____ regular mail
- _____ certified mail
- _____ hand delivery

DATE

PETITIONER