

Custody Motions Court

PLEASE READ ALL OF THE INFORMATION CONTAINED IN THIS PACKET BEFORE YOU START FILLING OUT THE FORMS.

THIS PACKET DOES NOT CONSTITUTE LEGAL ADVICE. IF YOU HAVE ANY QUESTIONS ABOUT THIS PROCESS, YOU SHOULD SEEK THE ADVICE OF AN ATTORNEY. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THESE DOCUMENTS, INCLUDING RELIANCE ON THEIR CONTENTS.

We encourage you to contact an attorney to advise you on this matter. If you cannot afford an attorney, the Court will not appoint an attorney for you. You may contact Northwestern Legal Services at (800) 665-6957 or (814) 724-1040 to see if they will provide free legal services to you. They are not obligated to do so.

You will be required to follow the State and Crawford County Rules of Civil Procedure and all applicable laws even if you do not have an attorney.

This form is for use in two situations:

1. Maintaining the status quo pending mediation. This Motion is appropriate when there is no existing Custody Order, but the parents were following a custody arrangement that one of the parents suddenly changed. The moving party must file a custody action and request mediation before filing a motion requesting relief in Custody Motion Court.

OR

2. If there is a true emergency. This means the child(ren) is/are in physical danger, or you can prove that the other parent is going to remove the child(ren) from the country so an order entered here may not be able to get the child(ren) back. If there is no custody case for the child(ren), the moving party must file a custody action and request mediation before filing a motion requesting relief in Custody Motion Court.

This form is not for requesting that the Court find a party in contempt or enforce an existing custody order. You may seek any other relief you are entitled to under the law in addition to or instead of filing this motion; this may include remedies that could result in relief more quickly than going through Custody Motion Court.

This motion can only grant a temporary Order that will not be binding on your mediation or the Court.

To fill out this motion, you will need:

- The original Complaint's caption;
- The reasons you are filing the motion; and
- What, exactly, you are requesting from the Court.

Instructions:

1. When filling out these forms, please write as clearly and neatly as possible.
2. Fill out these forms to the best of your ability, completing every line that applies. DO NOT LEAVE ANY LINES BLANK. Use "None" or "0" if necessary. Do NOT use "N/A" anywhere on the forms.
3. Check the original complaint to find out who the "Plaintiff" and "Defendant" would be. Be sure the caption is filled out EXACTLY the same; you should always have the same names in the same place on each form in your case. The "A.D." line is for the case number, which was assigned when the original complaint was filed.
4. When filling out the Motion [page 3], be specific. On the first block of lines check either the "confirm the status quo" or "address an emergency situation" box, then explain why you want a temporary order on the blank lines. Leave the second block of lines blank; that section is for the Judge's ruling.
5. When filling out the Notice [page 4]:
 - a. The first part of the Notice is to set the date of the hearing. Custody Motions Court only occurs on Wednesday, so you must request the hearing for a Wednesday that is at least three (3) days after the day you file the Motion.
 - b. The second part is the "Certificate of Notice and Service". You have to serve the Motion and Notice at least three (3) business days before the hearing. You can choose to mail, hand deliver or fax the Motion and Notice. You should mark your choice and write the date that you will mail, hand deliver or fax the forms.
 - c. The third part is the "Information for Court Administrator". Please read and answer these questions carefully.
 - d. The fourth part is the "Uncontested Motion Certification". Because a motion presented in Custody Motion Court is a contested motion, this section is not relevant to your motion and should be left blank.
6. After filling out the Motion and Notice, make three (3) photocopies of the Motion, Notice, and Notice of Language Rights forms. Keep one copy for yourself and serve another copy on the other party as directed in instruction 5(b). Take the third copy to the Intake Window on the fourth floor of the Crawford County Judicial Center by 4:00 p.m. on the Tuesday before your appearance. Bring the original Motion and Notice with you to Custody Motion Court.
7. The copy of your motion that you delivered to the Intake Window will be reviewed by a Judge before you go to Custody Motion Court. The Judge will determine whether the relief that you are requesting can be considered in Custody Motion Court based on the information in your motion. If the relief that you are requesting cannot be considered in Custody Motion Court, your motion will be denied and you will need to pursue the other Court remedies that you may have. If your motion is denied prior to Custody Motion Court, you will be called at the telephone number you provided at the bottom of the Notice so you will know that there will not be a hearing. You should notify the other party promptly that there will not be a hearing. If you do not receive a telephone call from the Judge's Chambers you should assume that you will still have a hearing on the day you requested in the Notice.
8. During the hearing, both parties will have five (5) minutes to state their side; the person who filed the Motion will go first.

NOTICE

You are hereby notified that the attached motion/petition will be presented by me on _____, 20_____.

- () to the Prothonotary as an uncontested matter;
- () in Custody Motions Court at 1:00 p.m.

CERTIFICATION OF NOTICE AND SERVICE

The undersigned represents that three (3) business days' prior notice and a copy of this motion and proposed order have been served by () first class mail, () fax, or () hand delivery on the _____ day of _____, 20_____ upon all parties or their counsel of record in accordance with Pa.R.C.P. No. 440.

INFORMATION FOR COURT ADMINISTRATOR

- A. Is this an original filing in this case? _____ Yes _____ No
- B. Has any judge heard this matter previously? _____ Yes _____ No
- C. If yes, name of judge who presided over previous matter:
 _____ Vardaro _____ Spataro _____ Stevens _____ Other/Name
- D. Estimated court time required if this matter is granted:
 _____ Minutes _____ Hours _____ Days
- E. Is this motion/petition opposed by another party?
 _____ Yes _____ No _____ Unknown

UNCONTESTED MOTION CERTIFICATION

The undersigned represents that:

- _____ 1. All parties or counsel have consented.
- _____ 2. Consents of all parties or counsel are attached.
- _____ 3. The Order seeks only a return hearing or argument date and no other relief.
- _____ 4. The Order seeks only the appointment of a master or hearing officer and no other relief.

Opposing Counsel: _____

(if opposing party is unrepresented, list his/her current address and telephone):

Address: _____

Telephone: (_____) _____

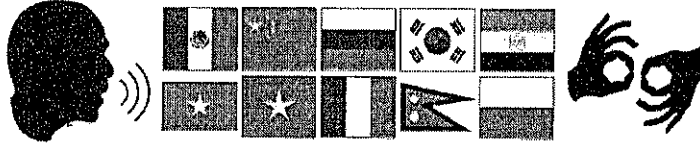
I HEREBY CERTIFY ALL OF THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

By: _____

Telephone: (_____) _____

Attorney For: _____

Notice of Language Rights



Language Access Coordinator, Crawford County Court of Common Pleas
Crawford County Judicial Center, 359 E. Center St., Ste. 4050
Meadville, PA 16335 ph. (814) 333-7498 fax (814) 333-7489
CourtAdministration@co.crawford.pa.us

English: You have the right to an interpreter at no cost to you. To request an interpreter, please inform court staff using the contact information provided at the top of this notice.

Spanish/Español: Usted tiene derecho a un intérprete libre de costo. Para solicitar un intérprete favor de informárselo al personal judicial utilizando la información provista en la parte superior de este aviso.

Mandarin/Cantonese Simplified Chinese/普通话/粤语简体中文: 您有权获得免费的口译员服务。若需要口译员，请使用本通知上方提供的联系信息通知法院工作人员。

Mandarin/Cantonese Traditional Chinese/普通話/廣東話繁體中文: 您有權要求免費傳譯服務。如欲要求傳譯服務，請參閱本通知頂部的聯絡資料，通知法庭職員。

Arabic/العربية: يحق لك الحصول على مترجم دون دفع أي تكلفة من جانبك. اطلب مترجم، يُرجى إعلام موظفي المحكمة باستخدام معلومات الاتصال المقدمة في الجزء العلوي من هذا الإشعار.

Russian/Русский: У вас есть право на бесплатные услуги переводчика. Заявка на переводчика подается в суд по адресу, телефону или эл. почте, указанным выше в заголовке этого уведомления.

Vietnamese/Tiếng Việt: Quý vị có quyền được một thông dịch viên giúp mà không tốn chi phí nào cả, xin hãy báo cho nhân viên tòa án dùng thông tin liên lạc có ở trên đầu thông báo này.

Nepali/नेपाली: तपाईंको निःशुल्क रूपमा भाषा अनुवादक राख्न पाउने अधिकार छ। अनुवादकको लागि अनुरोध गर्न, यस सूचनाको माथि दिइएको सम्पर्क जानकारी भरेर अदालतका कर्मचारीहरूलाई जानकारी दिनुहोस्।

Korean/한국어: 귀하는 비용에 대한 부담 없이 통역 서비스를 받을 권리가 있습니다. 통역 서비스를 요청하려면 본 통지서의 상단에 기재된 연락처를 통해 법원 직원에게 알리십시오.

Polish/Polski: Ma Pan/Pani prawo do nieodpłatnego skorzystania z usług tłumacza ustnego. Aby zwrócić się o wsparcie ze strony tłumacza ustnego, proszę skontaktować się z pracownikami sądu, korzystając z danych znajdujących się w górnej części niniejszego dokumentu.

Pakistan/پنجابی/Punjabi: تہاڈے کول بغیر ادائیگی کیتیاں اک مترجم حاصل کرن دا حق اے۔ مترجم دی درخواست کرن لئی، میربانی کر کے ایس نوٹس دے اوتے فراہم کیتیاں رابطے دیاں معلومات نوں ورتدیاں عدالت دے عملے نوں اطلاع دوو۔

Punjabi/ਪੰਜਾਬੀ/India: ਤੁਹਾਨੂੰ ਇਕ ਦੁਭਾਸ਼ੀਆ ਰਾਸਲ ਕਰਨ ਦਾ ਹੱਕ ਹੈ, ਜਿਸ ਦੀ ਤੁਹਾਨੂੰ ਕੋਈ ਲਾਗਤ ਨਹੀਂ ਲੱਗੇਗੀ। ਦੁਭਾਸ਼ੀਏ ਲਈ ਬੇਨਤੀ ਕਰਨ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰ ਕੇ ਅਦਾਲਤ ਦੇ ਅਮਲੇ ਨੂੰ ਜਾਣੂ ਕਰਵਾਓ ਤੇ ਇਸ ਲਈ ਇਸ ਨੋਟਿਸ ਦੇ ਸਿਖਰ ਉਤੇ ਦਿੱਤੀ ਸੰਪਰਕ ਜਾਣਕਾਰੀ ਦਾ ਇਸਤੇਮਾਲ ਕਰੋ।

Portuguese/Português: Você tem direito a um intérprete gratuitamente. Para solicitar um intérprete, informe à nossa equipe usando os dados de contato mostrados na parte superior deste aviso.

Somali/Somaali: Waxaad xaq u leedahay in lagu turjumo lacag la'aan ah. Si aad u codsato turjumaanka, fadlan u sheeg maxkamadda shaqaalaha adiga oo isticmaala macluumaadka ciwaanka kor lagu siiyay ee ogeysiiskaan.

Haitian Creole/Kreyòl Ayisyen: Ou gen dwa resevwa sèvis yon entèprèt gratis. Pou mande pou yon entèprèt, tanpri fè manm pèsonèl tribinal la konnen lè ou sèvi avèk enfòmasyon an yo te bay ou nan tèt avi sa a.

French/Français : Vous avez le droit de bénéficier gratuitement de l'assistance d'un interprète. Pour en faire la demande, veuillez en informer le personnel du tribunal à l'aide des coordonnées indiquées en haut de page.

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

v.

:
:
:
:
:
:
:

No. _____

CERTIFICATE OF COMPLIANCE

This form is associated with the pleading titled _____, dated _____, 20__.

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Signature

Date

Name: _____

Attorney No. (if applicable): _____

Address: _____

Telephone: _____

Email: _____