FILING FOR CUSTODY FORMS

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 <u>not</u> 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 Pennsylvania and Crawford County Rules of Civil Procedure and all applicable laws even if you do not have an attorney.

This packet contains the forms for filing for custody in Crawford County. These forms can only be used if there are no custody orders already in place for the child(ren) referenced in the Complaint. When filling out this packet, you should only refer to the child(ren) by their initials to protect their confidentiality. You must file a "Confidential Information Form with Compliance Certificate" that list the child(ren) by name(s) and initials so the Court and the people involved in the case are aware of the identities of the child(ren).

Included in this packet is a "Petition to Proceed in Forma Pauperis" (IFP). If you feel that you cannot afford the filing fee for your case, you can use the IFP Petition to ask the Court to allow you to file without paying the fee. If, after reviewing your Complaint and "Affidavit to Proceed In Forma Pauperis," the Judge agrees that you cannot afford this filing fee, then the County will pay the fee for you. If the Judge feels you can pay the fees you will have to pay all of the filing fee when you file your case in the Prothonotary's Office.

You will need the following information to complete the **Complaint for Custody**:

- The contact information for yourself, the Defendant, and the child(ren);
- The addresses of every place the child(ren) has/have lived for the past five years;
- The names of the people you, the Defendant, and the child(ren) live with; and
- The names of any people besides you and the Defendant who have custody rights to the child(ren).

You will need the following information when filling out the <u>Criminal Record / Abuse History Verification</u> if you or anyone in your household has been convicted of any of the crimes on the form:

- The type of crime;
- The date of conviction, guilty plea, no contest plea, or pending charges; and
- The sentence.

You will need the following information to complete the *in forma pauperis* forms:

- The name and contact information for your current employer;
- Your current salary or wages per month;
- If you are unemployed, the date you were last employed and your salary or wages per month from that job;
- Any other income you have had in the last twelve (12) months;
- Any money given by anyone else to pay your household's bills;
- All property, cash, and bank accounts that you own;
- All of your expenses;
- All debts that you currently owe; and
- The names of anyone that you support.

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 abilities, completing every line that applies. DO NOT LEAVE ANY LINES BLANK. Use "None" or "0" if necessary. <u>DO NOT USE "N/A" (not applicable) anywhere on the forms.</u>
- 3. Because you are filing the Complaint, you are the "Plaintiff." The other party is the "Defendant."
- 4. Be sure the caption is filled out EXACTLY the same on all forms; the "Plaintiff" and the "Defendant" lines should always have the same names in the same place on each form. The "FD" line is for the case number, which will be assigned by the Prothonotary's Office when you file your Complaint.
- 5. When filling out this packet, do not write out the child(ren)'s full name(s); only list their initials. See the instructions for the "Confidential Information Form with Compliance Certificate" for including the names.
- 6. To start your case, you should fill out the entire "Complaint for Custody" [pages 3-6], the caption along with the Defendant's name and child(ren)'s initials on the "Custody Conference Order" [page 7], and one of the two "Criminal Record/Abuse History Verification" forms [pages 8-11].
- 7. If the custody of several children is sought and the information required is not identical for all of the children, the complaint should contain a separate paragraph for each child.
- 8. When filling out these forms, you are given several options for the type(s) of custody you are seeking. You may request one form of legal custody and/or one form of physical custody. <u>Legal custody</u> is the right to make major decisions on behalf of the child, including, but not limited to, medical, religious and educational decisions. <u>Physical custody</u> is the actual physical possession and control of a child. Your options and their definitions under 23 Pa.C.S. § 5322(a) are:
 - Shared legal custody The right of more than one individual to legal custody of the child.
 - **Sole legal custody** The right of one individual to exclusive legal custody of the child.
 - Partial physical custody The right to assume physical custody of the child for less than a majority of the time.
 - **Primary physical custody** The right to assume physical custody of the child for the majority of time.
 - **Shared physical custody** The right of more than one individual to assume physical custody of the child, each having significant periods of physical custodial time with the child.
 - Sole physical custody The right of one individual to exclusive physical custody of the child.
 - **Supervised physical custody** Custodial time during which an agency or an adult designated by the court or agreed upon by the parties monitors the interaction between the child and the individual with those rights.
- 9. After you have filled out this packet, make at least two photocopies of the completed forms. File the original copies at the Prothonotary's Office, and keep one of the photocopies for your record.
- 10. You will have to serve a photocopy of the Complaint and your Verification on the Defendant, along with a blank Verification form. Mail these to the Defendant by certified mail, return receipt requested.
- 11. After you file the packet at the Prothonotary's Office, it will be delivered to the Court Administrator, and ultimately to a Judge who will review the documents. If the Judge approves your Complaint and signs the "Custody Conference Order" [page 7], the documents will come back to the Court Administrator's office and your case will be heard by the conference officer.
- 12. You, the Defendant, and the conference officer will receive copies of the signed "Custody Conference Order." The conference officer will contact you sometime after that to set up the conference.
- 13. If you think you cannot afford the filing fee, fill out the In Forma Pauperis forms (pages 16-19). Be very specific about your income and what you pay out each month be sure you indicate if the amounts are "per month" or "per year." Pay close attention to Section (f), Debts and obligations on page 19, where it says "Other." Also, be sure you list all household expenses including utilities, food, medical bills, insurance, child care expenses, etc. We need a true income to debt ratio.

:		
Plaintiff: v. : Defendant:	FD 20	
COMPLAINT FO	OR CUSTODY	
1. Plaintiff is	, residing at	·
(street)	(city)	(zip code)
		(county and state)
Phone: (, work phone: (, messages can be given to me by calling ()		
2. Defendant is	, residing	at
(street)	(city)	(zip code) (county and state)
Defendant's phone number is ()	, and at work is () _	, or
(if no telephone), messages can be given to Defendant by c	calling: ()	, who is Defendant's
3. Plaintiff seeks shared legal custody sole legal primary physical custody shared physical custody of the following child(ren): (give each child's initials, age, and	sole physical custody su	
4. The child(ren) was/were born in out of w	edlock.	

5.	The child(ren) is/are presently in the custody of	
who re	sides at	, PA
6. <u>List All</u>	During the past five years, the child(ren) has/have resided with the following person(s): Persons List All Addresses	<u>Dates</u>
7.	The mother of the child(ren) is	, currently
	g at	·
She is:		
8.	The father of the child(ren) is	
	g at	
He is: 9.	Single Married Divorced. Plaintiff's relationship of to the child(ren) is that of Mother Father (other) (other)	
<u>Name</u>	<u>Relationship</u>	
11	. Defendant's relationship of to the child(ren) is that of Mother Father (other)	·
12 <u>Name</u>	. Defendant currently resides with the following persons: Relationship	

_		r witness, or in another capacity, in other litigation The court, term and number, and its relationship to
this action is:		
		ustody proceeding concerning the child(ren) pending
	•	term and number, and its relationship to this action
is:		
15. Plaintiff kr	nows does not know of a person not a	party to these proceedings who has physical custody
of the child(ren) or clain	ns to have custody rights with respect to	the child(ren). The name and address of such person
is:		
	rest and permanent welfare of the child((ren) will be served by granting the relief requested
		·
•	whose parental rights to the child(ren) he child(ren) have been named as parties to	nave not been terminated and the person who had on this action.
•	ons, named below, who are known to have	ve or claim a right to custody of the child(ren) will
Name	Address	Basis of Claim

19(a). A plaintiff who is <u>not</u> a parent of the child(ren) but who stands <i>in loco par</i> plead facts establishing standing pursuant to 23 Pa.C.S. § 5324(2):	rentis to the child(ren) must
19(b)(1). A plaintiff who is a grandparent or great-grandparent of the child but parentis to the child(ren) must plead facts establishing standing pursuant to 23 Pa.C.S.	
19(b)(2). A plaintiff who is a grandparent or great-grandparent of the child(ren) physical custody or supervised physical custody of the child(ren) must plead facts estab 23 Pa.C.S. § 5324(3):	
20. I have attached the Criminal Record/Abuse History Verification form requi 1915.3-2.	red pursuant to Pa.R.Civ.P.
WHEREFORE, Plaintiff requests the Court to grant me shared legal custody physical custody physical custody shared physical custody sole physical custody of the child(ren).	
(date) Plaintiff	
I verify that the statements made in this Complaint are true and correct. I under herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsifications.	
Plaintiff	
Telephone No.	

	: :
	:
V.	: FD 20
	:
Defendan	t:
CUSTODY CON	NFERENCE ORDER
You.	, have been sued in court to \square obtain \square modify
	, itials:,,,
such a time as will be determined by the conferent mail to the address listed on the complaint that has this Order, an order for custody may be entered again. You must file with the Court a verification regarding any living in your household on or before the conference. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET IN HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELICONIC COURT ACCOUNT OF THE COURT OF THE	rord County Judicial Center for a custody conference at ce officer, who shall send you a notice of the hearing by been filed recently. If you fail to appear as provided by not you or the Court may issue a warrant for your arrest. It criminal record or abuse history regarding you and anyone but not later than 30 days after service of the complaint. TONCE. IF YOU DO NOT HAVE A LAWYER AND CANNOT FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL RMATION ABOUT HIRING A LAWYER. IF YOU CANNOT ABLE TO PROVIDE YOU WITH INFORMATION ABOUT GIBLE PERSONS AT A REDUCED FEE OR NO FEE. Idministrator er Meadville, Pennsylvania 16335
(814)	333-7498
AMERICANS WITH D	ISABILITIES ACT OF 1990
Disabilities Act of 1990. For information about acces to disabled individuals having business before the Co	s required by law to comply with the Americans with sible facilities and reasonable accommodations available ourt, please contact the Court Administrator's Office. All to any hearing or business before the Court. You must
	By the Court,
Date:	

	Plaintiff :		
v.	:	FD	20
	· , :		
	Defendant :		
CRIM	1INAL RECORD VERIFIC		<u>ORY</u>
I, law including 18 Pa.C.S. § 4904 relating			wear or affirm, subject to penalties of authorities that:
1. Unless indicated by my checkin my household have been convicted or the record is publicly available pursuant in Pennsylvania or a substantially equiva-	pled guilty or page to the Juvenile	led no contest e Act, 42 Pa.C.S	5. § 6307 to any of the following crimes
Check all crimes that apply	Self Other	Date*	Sentence
18 Pa.C.S. Chapter 25 (relating to criminal homicide)			
18 Pa.C.S. § 2701 (relating to simple assault)			
18 Pa.C.S. § 2702 (relating to aggravated assault)			
18 Pa.C.S. § 2705 (relating to recklessly) endangering another person)			
18 Pa.C.S. § 2706 (relating to terroristic threats)			
18 Pa.C.S. § 2709.1 (relating to stalking)			
18 Pa.C.S. § 2718 (relating to strangulation)			
18 Pa.C.S. § 2901 (relating to kidnapping)			
18 Pa.C.S. § 2902 (relating to unlawful restraint)			

^{*} Date of conviction, guilty plea, no contest plea or pending charges

Check all crimes that apply	Self Other	Date*	Sentence
18 Pa.C.S. § 2903 (relating to false imprisonment)			
18 Pa.C.S. § 2904 (relating to interference with custody of children)			
18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure)			
18 Pa.C.S. Chapter 30 (relating to human trafficking)			
18 Pa.C.S. § 3121 (relating to rape)			
18 Pa.C.S. § 3122.1 (relating to statutory sexual assault)			
18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse)			
18 Pa.C.S. § 3124.1 (relating to sexual assault)			
18 Pa.C.S. § 3125 (relating to aggravated indecent assault)			
18 Pa.C.S. § 3126 (relating to indecent assault)			
18 Pa.C.S. § 3127 (relating to indecent exposure)			
18 Pa.C.S. § 3129 (relating to sexual intercourse with animals)			
18 Pa.C.S. § 3130 (relating to conduct relating to sex offenses)			
18 Pa.C.S. § 3301 (relating to arson and related offenses)			
18 Pa.C.S. § 4302 (relating to incest)			4302
18 Pa.C.S. § 4303 (relating to concealing death of child)			

^{*} Date of conviction, guilty plea, no contest plea or pending charges

Check all crimes that apply	Self Other	Date*	Sentence
18 Pa.C.S. § 4304 (relating to endangering welfare of children)			
18 Pa.C.S. § 4305 (relating to dealing in infant children)			
18 Pa.C.S. § 5533 (relating to cruelty to animal)			
18 Pa.C.S. § 5534 (relating to aggravated cruelty to animal)			
18 Pa.C.S. § 5543 (relating to animal fighting)			
18 Pa.C.S. § 5544 (relating to possession of animal fighting paraphernalia)			
18 Pa.C.S. § 5902(b) or (b.1) (relating to prostitution and related offenses)			
18 Pa.C.S. § 5903(c) or (d) (relating to obscene and other sexual materials & performances)			
18 Pa.C.S. § 6301 (relating to corruption of minors)			
18 Pa.C.S. § 6312 (relating to sexual abuse of children)			
18 Pa.C.S. § 6318 (relating to unlawful contact)			
18 Pa.C.S. § 6320 (relating to sexual exploitation of children)			
23 Pa.C.S. § 6114 (relating to contempt for violation of order or agreement)			
Driving under the influence of drugs or alcohol			
Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device			

^{*} Date of conviction, guilty plea, no contest plea or pending charges

•	sehold have a history of violent or abusive of seluding the following:	conduct, or	r involvement <i>Other</i>	: with a Children & Youth
Check all that apply		Self	household member	Date
	A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania o similar statute in another jurisdiction.	r		
	Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction.			
	Involvement with a Children & Youth Agency or similar agency in Pennsylvania o another jurisdiction. Where?:			
	Other:	🗆		
4. If a	any conviction above applies to a household the relationship to the child, and the state and	member,	•	•
	you are aware that the other party or memb			
or belief. I	erify that the information above is true and ounderstand that false statements herein are unsworn falsification to authorities.			
	Sig	nature		
	 Pri	nted Name	2	

v.	: : :	FD	20
CRIM	1INAL RECORD VERIFIC		<u>ORY</u>
I, law including 18 Pa.C.S. § 4904 relating			swear or affirm, subject to penalties of authorities that:
1. Unless indicated by my checkin my household have been convicted or p the record is publicly available pursuant in Pennsylvania or a substantially equiva	oled guilty or parts to the Juvenile	oled no contest e Act, 42 Pa.C.S	5. § 6307 to any of the following crimes
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18 Pa.C.S. § 3125 (relating to aggravated indecent assault)			·
18 Pa.C.S. § 3126 (relating to indecent assault)			
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18 Pa.C.S. § 4302 (relating to incest)			4302
18 Pa.C.S. § 4303 (relating to concealing death of child)			
* Date of conviction		•	
Check all crimes that apply	Self Other	Date*	Sentence

18 Pa.C.S. § 4304			
(relating to endangering welfare of children)		$\overline{}$	
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18 Pa.C.S. § 5543			
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(relating to possession of animal fighting paraphernalia)			
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18 Pa.C.S. § 5903(c) or (d)	Ш		
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23 Pa.C.S. § 6114 (relating to contempt for			
violation of order or agreement)			
Driving under the influence of drugs or alcohol			
Manufacture, sale, delivery, holding, offering for sale or			
possession of any controlled substance or other drug or device			

^{*} Date of conviction, guilty plea, no contest plea or pending charges

•	sehold have a history of violent or abusive calleding the following:	onduct, or	r involvement <i>Other</i>	with a Children & Youth
Check all that apply		Self	household member	Date
	A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction.	. 🗆		
	Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction.			
	Involvement with a Children & Youth Agency or similar agency in Pennsylvania or another jurisdiction. Where?:			
	Other:	<u>.</u> \Box		
4. If a	any conviction above applies to a household th relationship to the child, and the state and	member,	•	•
	you are aware that the other party or membouse history, please explain including the cou			
or belief. I	erify that the information above is true and cunderstand that false statements herein are runsworn falsification to authorities.			
	Sign	nature		
	 Prir	nted Name	2	

	Pl	: laintiff :		
	V.	: : :	FD 20	
	D			
		O PROCEED IN FO		
I, the undersign	ed, do hereby state under	oath:		
1. My	name is			
2. I an litigation.	n a party to the above action		ave the financial resourc	
3. I an	n not represented by an at	torney in this mat	ter.	
4. I ha	ive attached an Affidavit to	this Petition con	cerning my financial situ	ation.
5. I rethis litigation.	quest that the Court allow	me to proceed wi	thout paying any costs o	or fees with respect to
knowledge, info	erify that the statements or crmation and belief. I fundamentally or the contract of 18 Pa.C.A. § 490	rther understand	that any false stateme	nts made herein are
Date:			Plaintiff Defendant	Interverses

	, :
	Plaintiff :
v.	: : FD 20
	· , :
	Defendant :
	OF PETITION TO PROCEED INFORMA PAUPERIS RSUANT TO PA.R.CIV.P. 240
 I am a party to the above matter and costs of prosecuting, defending, or 	and because of my financial condition am unable to pay the feetervening in this action.
2. I am unable to obtain funds fro litigation.	anyone, including my family and associates, to pay the cost of
 I represent that the informatio correct. 	pelow relating to my ability to pay the fees and costs is true an
/	
Address:	
_	
(b) Employment	
If you are currently employ	, state
Employer:	
Address:	
Salary or wages per month	
•	
If you are currently unemp	

(c)	Other income within the past twelve months
	Business or profession:
	Other self-employment:
	Interest:
	Dividends:
	Pension and annuities:
	Social Security benefits:
	Support payments:
	Disability payments:
	Unemployment compensation and supplemental benefits:
	Worker's compensation:
	Public assistance:
	Other income:
(d)	Other contributions to household support
	Name of Wife Husband:
	If your wife or husband is employed, state:
	Employer:
	Salary or wages per month:
	Type of work:
	Contributions from children:
	Contributions from parents:
	Other contributions:
(e)	Property owned
	Cash:
	Checking account:
	Savings account:
	Certificates of deposit:

	Real estate (including	g home):				
	Motor vehicle:		Make			
	Year	Cost		Amount owed \$		
	Stocks and bonds:					
	Other:					
(f)	Debts and obligations	s				
	Mortgage:					
	Rent:					
	Loans:					
	Other:					
(g)	Persons dependent upon you for support					
	Wife Husband Name:					
	Children, if any, by in	itials and age: _	age	;; age;		
	age	;	_age	; age		
	Other persons:					
	Name:					
	Relationship:					
	Name:					
	Relationship:					
	nderstand that I have o ces which would perm			the Court of improvement in my financial herein.		
informatio		and that false sta	ntements made	and correct to the best of my knowledge, herein are subject to the penalties of 18		
Date:						
			☐ Plair	ntiff Defendant Intervenor		

V. Defen	: : FD 20 : , :
	<u>ORDER</u>
AND NOW,	, 20, upon consideration of the
Petition filed in the above captioned case	, and supported by an Affidavit attached thereto, all
being pursuant to Pa.R.Civ.P. 240, the pe	titioning party is granted leave to proceed in forma
pauperis at this time.	
The party petitioning for leave to	proceed in forma pauperis is directed to inform the
Prothonotary's office or the Court of any	improvement in their financial circumstances that
would permit them to pay the cost incurre	ed in this action, and shall be responsible for doing so
upon an improvement of their financial cor	ndition.
	By the Court,
	J.

		Plaintiff :		
	v.	: :	F	D 20
		Defendant :		
		ORDER		
ANI	D NOW,		_, 20	, the Plaintiff in this case having
been gran	ted leave to proceed in for	rma pauperis, th	e Court	ORDERS and DIRECTS as follows:
1.	Complaint filed at the tin	ne this Order warrs of copies, to	as entere	copy of this Order and any ed, and any required notice, eriff of Crawford County for
2.		· -		's Office to give the Sheriff endant may be served; and
3.	Complaint and Order to service as required by the	the Defendant le law. The She paid by Crawford	and mal riff shall County	ue and correct copy of the ke an appropriate return of indicate the cost of service and which said cost may be a Court.
		By t	he Court	t,
		_		
				J.