

INSTRUCTIONS FOR CUSTODY RELOCATION ACTIONS

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

RELOCATION

Relocation is defined in Pennsylvania law as a change in a residence of a child which significantly impairs the ability of a non-relocating party to exercise custodial rights.

Relocation may only occur if every other person with custody rights consents, or the Court approves the proposed relocation.

Notice of a proposed relocation must be given in the manner and within the time limits set forth below to every other person with custody rights in the child(ren). Notice must generally be given at least 60 days before the date of the proposed relocation

Detailed Instructions

Step 1: Fill out completely the information requested on the “Notice of Proposed Relocation” form (pages 3 & 4 of these Instructions). Begin by filling out the case caption at the top of the first page with the names of the Plaintiff and the Defendant, and adding the case number at which this custody case is filed in the Prothonotary’s Office.

Prepare a separate “Notice of Proposed Relocation” for each person with custody rights in the child(ren); that person’s name goes on the first line of the Notice after “You”; your name (as the person asking permission to relocate) goes on the second line. Fill out the remainder of the “Notice of Proposed Relocation” form for each person with custody rights.

Step 2: Fill out (only) the case caption and the case number at the top of the “Counter-Affidavit Regarding Relocation” (page 5).

Step 3: Make enough copies of the “Notice of Proposed Relocation” and Counter-Affidavit to keep one set for yourself, and one set to send to every other person with custody rights in the child(ren).

Step 4: File the original, completed “Notice of Proposed Relocation” and the Counter-Affidavit in the Prothonotary’s Office. (You can purchase copies of these in the Prothonotary’s Office if you have not made them beforehand.)

Step 5: Prepare envelopes addressed to every other person with custody rights in the child(ren), and place in each envelope a copy of the completed “Notice of Proposed Relocation” and a copy of the “Counter-Affidavit Regarding Relocation.”

Step 6: Go to the post office and obtain Domestic Return Receipts (green post card Form 3811) for mailing each envelope by certified mail, return receipt requested, addressee only.

Note: The envelope(s) must be sent no later than the 60th day *before* the date of the proposed relocation.

EXCEPTION: If you did not know, and could not reasonably have known of the relocation in sufficient time to comply with the 60-day notice requirement, and it is not reasonably possible to delay the date of the relocation so as to comply with the 60-day notice, send the notice no later than the 10th day after the date that you know of the relocation.

Note: If you did not know any of the information requested in the relocation notice form when you sent the relocation notice, and that information is later known to you, promptly inform the person(s) to whom you sent the completed “Notice of Proposed Relocation Notice” and the “Counter-Affidavit Regarding Relocation” of that information.

Step 7: Depends upon whether any person with custody rights in the child(ren) objects to the relocation in the manner indicated below.

If no objection to relocation has been timely filed, GO TO page 6 of these Instructions, BUT if an objection has been timely filed, GO TO page 11 of these Instructions to request a court hearing.

OBJECTION TO RELOCATION

Anyone entitled to receive notice of a proposed relocation may object to the relocation and seek a temporary or permanent court order to prevent relocation and/or custody modification. Objection is be made by completing, verifying, and signing the Counter-Affidavit Regarding Relocation, filing it in the Prothonotary’s Office within 30 days of receipt of the Notice of Proposed Relocation, and serving a copy of the Counter-Affidavit on the party proposing relocation by certified mail, return receipt requested.

[An objecting party should keep a copy of the completed Counter-Affidavit, as well as the original mailing receipt, as proof of the certified mailing to the proposed relocating party, should there be a dispute as to whether the Counter-Affidavit was properly served upon the proposed relocating party.]

If any person who has been given proper notice of a proposed relocation does not file an objection to that proposed relocation within 30 days after receiving notice, it is be presumed that the non-relocating person has consented to the proposed relocation, and the Court, in any future proceeding, will not accept testimony challenging the relocation.

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

	:	
	:	
Plaintiff	:	
	:	
v.	:	FD 20 _____ - _____
	:	
	:	
Defendant :	:	

NOTICE OF PROPOSED RELOCATION

You, _____, are hereby notified that
_____ (name of the party proposing relocation)
proposes to relocate with the following minor child(ren) [*name, age, and current residence*]:

To object to the proposed relocation, you must complete the attached counter-affidavit and serve it on the other party or parties by certified mail, return receipt requested, addresses only, or pursuant to Pa.R.Civ.P. 1930.4, within 30 days of receipt of this notice. If there is an existing child custody case, you also must file the counter-affidavit with the court. If you do not object to the proposed relocation within 30 days, the party proposing relocation has the right to relocate, and may petition the court to approve the proposed relocation and to modify any effective custody orders or agreements. **FAILURE TO OBJECT WITHIN 30 DAYS WILL PREVENT YOU FROM OBJECTING TO THE RELOCATION ABSENT EXIGENT CIRCUMSTANCES.**

1. Address of the proposed new residence: _____
_____.

☐ *Check here if the address is confidential pursuant to 23 Pa.C.S. § 5336(b).*

2. Mailing address of new residence (if not the same as above): _____
_____.

☐ *Check here if the address is confidential pursuant to 23 Pa.C.S. § 5336(b).*

3. Home telephone number of the new residence: (_____) _____-_____.

☐ *Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).*

4. Names and ages of the other individuals who intend to reside at the new address:

☐ Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

5. Name of the new school district and school(s) the child(ren) will attend after relocation:

☐ Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

6. Date of the proposed relocation: _____.

☐ Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

7. Reasons for the proposed relocation [attach additional sheet if needed]:

☐ Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

8. Proposed modification of custody schedule following relocation:

9. Any other information deemed appropriate:

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GOT 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.

Crawford County Bar Association
Service to the Public Committee
c/o Court Administrator
Crawford County Judicial Center
Meadville, PA 16335

(814) 333-7300, Ext. 5498

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

Plaintiff
v. _____
Defendant

FD 20____ - _____

COUNTER-AFFIDAVIT REGARDING RELOCATION

This proposal of relocation involves the following child(ren) [*name, age, and current residence*]:

I have received a Notice of Proposed Relocation and

- ☐ I do not object to the relocation, and I do not object to the modification of the custody order consistent with the proposal for modification set forth in the Notice of Proposed Relocation.
- ☐ I do not object to the relocation, but I do object to modification of the custody order, and I plan to file a request that a hearing be scheduled
- ☐ prior to allowing the child(ren) to relocate.
- ☐ after the child(ren) relocate.
- ☐ I do object to the relocation and I do object to the modification of the custody order, and I plan to file a request that a hearing be held on both matters prior to the relocation taking place.

I understand that in addition to objecting to the relocation or modification of the custody order above, I must also serve this counter-affidavit on the other party by certified mail, return receipt requested, addressee only, or pursuant to Pa.R.Civ.P. 1930.4, and, if there is an existing custody case, I must file this counter-affidavit with the court. If I fail to do so within 30 days of my receipt of the proposed relocation notice, I understand that I will not be able to object to the relocation at a later time.

I verify that the statements made in this counter-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)

CONFIRMATION OF RELOCATION
where no objection has been timely filed

Step 8: If no person to whom you sent the completed “Notice of Proposed Relocation” and “Counter-Affidavit” files a completed Counter-Affidavit objecting to the relocation and/or modification of an existing custody order, within 30 days of receiving the relocation notice and Counter-Affidavit (as shown on the return receipt), then PRIOR to the relocation, complete and sign an “Affidavit with Proof of Service” form (page 7 of these Instructions), and attach the following:

1. the return receipt(s) with the signature(s) of the addressee(s); and
2. a copy of the completed “Notice of Proposed Relocation.”

Note: If a Counter-Affidavit WAS timely filed, GO TO page 11 of these instructions; otherwise,

Step 9: Complete and sign the “Petition to Confirm Relocation and Modify an Existing Custody Order” form (page 8 of these Instructions).

Step 10: Complete *but do not sign* the proposed “Order” form (pages 9 & 10 of these Instructions).

Step 11: File in the Prothonotary’s Office both the completed “Affidavit with Proof of Service” with attachments, and the proposed “Order.”

The Prothonotary’s Office will deliver the case file to the Court and, if a judge signs the Order, send you a copy. (You then may relocate in accordance with the signed Order, and disregard pages 7 through 20 of these Instructions.)

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

	:	
	:	
Plaintiff	:	
	:	
v.	:	FD 20____ - ____
	:	
	:	
Defendant :	:	

AFFIDAVIT with PROOF OF SERVICE

AND NOW, this _____ day of _____, 20____, comes
_____ *[name of party requesting relocation]*
and states that I have provided notice by certified mail, return receipt requested, addressee only, to every individual who has custody rights to the child(ren) subject to the proposed relocation, and the time to file an objection to that relocation has passed with no individual entitled to receive notice having filed an objection to the proposed relocation. Attached hereto are a return receipt or receipts with the signature(s) of the addressee(s), and a true and correct copy of the notice(s) that was/were sent to each of the following individuals:

1. _____
2. _____
3. _____
4. _____
5. _____

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.A. § 4904 (relating to unsworn falsification to authorities).

(signature of party proposing relocation)

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

	:	
	:	
Plaintiff	:	
	:	
v.	:	FD 20____ - _____
	:	
	:	
Defendant	:	

PETITION TO CONFIRM RELOCATION AND MODIFY AN EXISTING CUSTODY ORDER

AND NOW, this _____ day of _____, 20____, comes the
☐ Plaintiff or ☐ Defendant or ☐ Intervenor and petitions the Court to enter the attached
proposed Order confirming a relocation and modification of the existing custody order, and
in support thereof avers the following:

1. A "Notice of Proposed Relocation" was sent to each individual with custody rights to the child(ren), together with a Counter-Affidavit, which could be used to object to the proposed relocation and modification of a custody order;
2. Each such required Notice was sent by certified mail, return receipt requested, addressee only, and I have received the return receipts indicating that each person served received the Notice, and I have filed an "Affidavit with Proof of Service";
3. At least thirty days have passed since all of those required Notices were received by every individual who has custody rights to the child(ren), and at least thirty days have passed since each of those individuals received the Notice; and
4. None of the individuals who have custody rights to the child(ren) have objected to the proposed relocation.

Wherefore, _____ [*name of party requesting relocation*],
respectfully requests that the Court enter the Proposed Order attached to this Petition.

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

(signature of party proposing relocation)

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

	:	
	:	
Plaintiff	:	
	:	
v.	:	FD 20 _____ - _____
	:	
	:	
Defendant :	:	

ORDER

AND NOW, upon consideration of the “Petition to Confirm Relocation and Modify Existing Custody Order,” and it appearing that all individuals with custody rights to the child(ren) have been duly served with no objection to the relocation and modification of the existing custody order having been filed by any such party after at least thirty days having passed from the Notice being received, the Court ORDERS and DECREES as follows:

1. The proposed relocation is CONFIRMED, and the existing custody order is modified as follows:

a. The child(ren) will now reside at: _____

[fill in relocation address]

b. The mailing address for the child(ren) is: _____

[fill in relocation address if not the same as above]

c. The names and ages of other individuals who will reside in the relocation residence are:

<i>[fill in name(s)]</i>	<i>[age(s)]</i>
--------------------------	-----------------

2. The home telephone number of the new residence is: () -
[fill in new telephone number or indicate "N/A" if it is not yet available]

3. The new school district where the child(ren) will attend school is the _____
_____ School District,
[fill in name of school district]
and the child(ren) will attend the following schools:
[fill in name of child] *[fill in name of school]*

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

4. The relocation will take place on the _____ day of _____, 20 _____.
[fill in date of relocation]

5. Once the relocation occurs, the custody schedule between the parties with custody rights to the child(ren) shall be as follows:

_____.

[fill in custody schedule; attach additional sheet if needed]

By the Court,

Date: _____

J.

COURT HEARING
where an objection is timely filed

If any person with custody rights has timely filed a Counter-Affidavit objecting to the relocation and/or modification of an existing custody order, a court hearing will be scheduled at the request of any party, or by the Court.

For the factors that the Court will consider in ruling on the proposed relocation, and the burdens of proof at a hearing, see page **12** of these Instructions. Relocating with the child(ren) prior to an expedited full hearing does NOT confer a presumption in favor of the relocation.

*If you believe that circumstances require a court order approving relocation BEFORE a full hearing can be held, GO TO page **16** of these Instructions.*

If you wish to have a court hearing on the proposed relocation, after an objection has been timely filed:

Step 1: Complete and sign a “Motion for Expedited Full Hearing” form (page **13** of these Instruction). Begin by filling out the case caption at the top, including the names of the Plaintiff and the Defendant, and the case number at which the custody case is filed in the Prothonotary’s Office.

Step 2: Fill out (only) the names of the parties in the case caption and the case number at the top of the proposed “Order” (page **14**).

Step 3: Complete and sign the “Notice” form (page **15**), and check Box 3 under “UNCONTESTED MOTION CERTIFICATION” (even though there is an objection to the proposed relocation), which states that “The Order seeks only a return hearing or argument date and no other relief.”

Note: You must indicate at the top of the form whether you will later be filing the Motion and proposed Order in the Prothonotary’s Office, or presenting them to the court in Motions Court.

Note: Motions Court is generally held each Monday, Wednesday, and Friday at 8:45 a.m. in Courtroom No. 1, 2, or 3 of the Crawford County Judicial Center.

Step 4: *At least **3 business days prior** to the date when the Notice, Motion and proposed Order will be filed in the Prothonotary’s Office or else presented at Motions Court, mail, fax, or hand deliver a copy of the Notice, Motion for Expedited Full Hearing, and proposed Order to every other person with custody rights.*

Step 5: Either file the completed Note and “Motion for Expedited Full Hearing” in the Prothonotary’s Office, or attend the Motions Court on the date indicated in the Notice.

RELOCATION FACTORS

At an expedited full hearing, in determining whether to grant a proposed relocation, the Court will consider the following factors, giving weighted consideration to those factors that affect the safety of the child (or children):

1. The nature, quality, extent of involvement and duration of the child's relationship with the party proposing to relocate and with the non-relocating party, siblings, and other significant persons in the child's life;
2. The age, developmental stage, needs of the child and likely impact the relocation will have on the child's physical, educational and emotional development, taking into consideration any special needs of the child;
3. The feasibility of preserving the relationship between the non-relocating party and the child through suitable custody arrangements, considering the logistics and financial circumstances of the parties;
4. The child's preference, taking into consideration the age and maturity of the child;
5. Whether there is an established pattern of conduct of any party to promote or thwart the relationship of the child and the other party or parties;
6. Whether the relocation will enhance the general quality of life for the party seeking relocation, including but not limited to, financial or emotional benefit or educational opportunity;
7. Whether the relocation will enhance the general quality of life for the child, including but not limited to, financial or emotional benefit or educational opportunity;
8. The reasons and motivation of each party for seeking or opposing the relocation;
9. The present and past abuse committed by a party or member of a party's household and whether there is a continued risk of harm to the child or an abused party; and
10. Any other factor affecting the best interests of the child.

The party proposing the relocation has the burden of establishing that the relocation will serve the best interest of the child based on the above ten factors. Each party has the burden of establishing the integrity of that party's motives in either seeking a relocation or seeking to prevent the relocation.

If the party seeking relocation has failed to provide reasonable notice, the Court may consider that failure as:

1. a factor in making a determination regarding the relocation;
2. a factor in determining whether custody rights should be modified;
3. a basis for ordering return of the child to a non-relocating party if the relocation has occurred without reasonable notice;
4. sufficient cause to order the party proposing relocation to pay reasonable expenses and counsel fees incurred by the party objecting to the relocation; and
5. a ground for contempt and imposition of sanctions against the party proposing relocation.

Such consideration shall, however, be subject to mitigation if the Court determines that the failure was caused in whole or in part by abuse.

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

	:	
	:	
	:	
v.	:	FD 20____ - _____
	:	
	:	
Plaintiff	:	
	:	
	:	
	:	
Defendant :	:	

MOTION FOR EXPEDITED HEARING

AND NOW, this _____ day of _____, 20____, comes the
☐ Plaintiff *or* ☐ Defendant *or* ☐ Intervenor and moves the Court to schedule an expedited
hearing on the request for a proposed relocation currently pending before the Court.

DATE: _____

(signature)

Plaintiff
v. _____

Defendant

FD 20 _____ - _____

AND NOW, this _____ day of _____, 20____, upon consideration of the “Motion for Expedited full Hearing,” it is ORDERED and DIRECTED that a hearing shall be held on the _____ day of _____, 20____, at _____ o’clock ____m. in Courtroom No. _____ of the Crawford County Judicial Center.

J.

NOTICE

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

- ☐ to the Prothonotary.
☐ in Motion's Court at 8:45 a.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.Civ.P. 440.

INFORMATION FOR THE 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 ☐ Schultz ☐ Other/Name _____
D. Estimated court time required for this matter: _____ Minutes _____ Hours _____ Days
E. Is this Motion/Petition opposed by another party? ☐ Yes ☐ No ☐ Uncertain

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, mediator, or hearing officer and no other relief.

Opposing Counsel: _____

If opposing party is unrepresented, their current address and telephone number:

Address: _____

Telephone: (_____) _____

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

By: _____

Attorney for: _____

EXIGENT CIRCUMSTANCES

If you believe that circumstances require a court order approving relocation *before* a full hearing can be held,

Step 1: Complete and sign a “Motion to Approve Relocation Pending an Expedited Full Hearing” (page **17** of these Instructions). Begin by filling out the case caption at the top, including the names of the Plaintiff and the Defendant, and the case number at which the custody case is filed in the Prothonotary’s Office.

Step 2: Fill out (only) the case caption and the case number at the top of the proposed “Order” (page **18** of these Instructions).

Step 3: Complete and sign the notice of when and how you will present this Motion (page **19** of these Instructions). Do not complete the “UNCONTESTED MOTION CERTIFICATION” unless all parties or their counsel consent to the Motion (Box 1 or 2).

Note: You must indicate at the top of the form whether you will later be filing the Motion and proposed Order in the Prothonotary’s Office, or presenting them to the court in Motions Court.

Note: Motions Court is generally held each Monday, Wednesday, and Friday at 8:45 a.m. in Courtroom No. 1, 2, or 3 of the Crawford County Judicial Center.

Step 4: At least **3** business days prior to the date when the Notice, Motion and proposed Order will be filed in the Prothonotary’s Office, or else presented at Motions Court or Custody Motions Court, mail, fax, or hand deliver a copy of the Notice, Motion for Expedited Full Hearing, and proposed Order to every other person with custody rights.

Step 5: Either file the completed Note and “Motion for Expedited Full Hearing” in the Prothonotary’s Office, or attend the Custody Motions Court or Motions Court on the date indicated in the Notice.

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

	:	
	:	
Plaintiff	:	
	:	
v.	:	FD 20____ - _____
	:	
	:	
Defendant :	:	

MOTION TO APPROVE RELOCATION PENDING AN EXPEDITED HEARING

AND NOW, the ☐ Plaintiff *or* ☐ Defendant *or* ☐ Intervenor, as the moving party requesting a relocation, avers that the following exigent circumstances exist and, therefore, requests the Court to approve relocation pending an expedited full hearing.

[state briefly the reasons why there are exigent circumstances]

I certify that an expedited full hearing on the proposed relocation has been requested, or the Court has set such a hearing on its own motion.

Date: _____

(signature of party proposing relocation)

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

	:	
	:	
Plaintiff	:	
	:	
v.	:	FD 20_____ - _____
	:	
	:	
	:	
Defendant :		

ORDER

AND NOW, this _____ day of _____, 20_____, upon consideration of the "Motion to Approve Relocation Pending an Expedited Full Hearing," the Court **ORDERS** and **DIRECTS** as follows:

By the Court,

J.

NOTICE

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

- ☐ to the Prothonotary.
- ☐ in Motion's Court at 8:45 a.m.
- ☐ in Custody Motion's 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.Civ.P. 440.

INFORMATION FOR THE 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 ☐ Schultz ☐ Other/Name _____
- D. Estimated court time required for this matter: _____ Minutes _____ Hours _____ Days
- E. Is this Motion/Petition opposed by another party? ☐ Yes ☐ No ☐ Uncertain

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, mediator, or hearing officer and no other relief.

Opposing Counsel: _____

If opposing party is unrepresented, their current address and telephone number:

Address: _____

Telephone: (_____) _____

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

By: _____

Attorney for: _____