

## 3301 (c) AND (d) DIVORCE PACKET

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 in this matter. If you cannot afford an attorney you may contact Northwestern Legal Services at (800) 665-6957 or (814) 724-1040 to see if they can represent you free of charge. If they cannot you may apply for an attorney to represent you through the Crawford County Bar Association Pro Bono program. An application is available at the Crawford County Law Library. Even if you qualify for a Pro Bono attorney there is no guarantee one will be available to represent you.

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 packet is for filing for divorce when both parties agree to the divorce, or if the parties have been separated for at least one year, unless you separated before December 5, 2016, then you must be separated for more than two (2) years.

This packet cannot be used if there are marital assets being divided or disputed, or if you or your spouse want to include custody in the divorce. You can file a separate custody action using Crawford County's Child Custody Packet.

You will need the following information to complete this packet:

- Your name and contact information
- Your spouse's name and contact information
- The date you and your spouse separated

Other forms you may need:

- Civil Cover Sheet
- Self-Represented Entry of Appearance
- In Forma Pauperis / Fee Waiver
- Request to Retake Prior Name

**CHECKLIST**

This checklist will be very helpful for you when you are completing the necessary steps in your divorce case. Please keep track of your dates with this checklist, you will need the information to finish your divorce. You will not need to complete every line of this checklist.

**\*\*\*This form is for your personal use. Do NOT file this checklist\*\*\***

Plaintiff's Name: \_\_\_\_\_

Defendant's Name: \_\_\_\_\_

Docket number: \_\_\_\_\_

Date Complaint filed: \_\_\_\_\_

Date *In Forma Pauperis* filed: \_\_\_\_\_

Date Complaint served: \_\_\_\_\_

Manner in which Complaint was served: \_\_\_\_\_

If the Plaintiff and Defendant are consenting to the divorce:

Date Plaintiff's Affidavit of Consent was executed/signed \_\_\_\_\_ and filed \_\_\_\_\_

Date Defendant's Affidavit of Consent was executed/signed \_\_\_\_\_ and filed \_\_\_\_\_

Date Plaintiff's Waiver of Notice was executed/signed \_\_\_\_\_ and filed \_\_\_\_\_

Date Defendant's Waiver of Notice was executed/signed \_\_\_\_\_ and filed \_\_\_\_\_

If the Defendant is not consenting to the divorce, but the Plaintiff and Defendant have been separated for at least one year (or two years if you separated before December 5, 2016):

Date Plaintiff's Counter Affidavit was executed/signed \_\_\_\_\_ and filed \_\_\_\_\_

Date Defendant's Counter Affidavit was served \_\_\_\_\_

Date Defendant's Counter Affidavit was executed/signed \_\_\_\_\_ and filed \_\_\_\_\_

Date Praecipe to Transmit was filed: \_\_\_\_\_

Date final Divorce Degree was granted/denied: \_\_\_\_\_

Date election to retake prior name was executed/signed \_\_\_\_\_ and filed \_\_\_\_\_

### **General Instructions For All Of The Forms In This Packet**

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, unless otherwise instructed. Use “None” or “0” if necessary. DO NOT USE “N/A” anywhere on the forms.
3. Since 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. Use the Checklist on page 2 to track your case filings. The Checklist should not be filed with the Prothonotary. It is for your personal use.

### **Instructions For Filling Out And Filing The Initial Forms:**

1. Fill out the “Cover Sheet” [page 4], the caption on the “Notice to Defend and Claim Rights” [page 5], and the entire “Certificate of Compliance” [page 8].
2. Fill out the entire “Complaint in Divorce Under 3301 (c) or (d) of the Divorce Code” [pages 6-7].
3. Make two (2) copies of the “Cover Sheet”, the “Notice”, the “Certificate”, and the “Complaint”. You can make these copies yourself, or pay for copies at the County Law Library or the Prothonotary’s Office.
4. Take the original documents and the two (2) copies to the Prothonotary Office on the main floor of the Crawford County Judicial Center and file them. Make sure the two (2) copies are file stamped. One of these copies is for your records. You are responsible for serving the other copy on the Defendant.
5. Please see page 9 for instructions on serving the documents on the other party.

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

_____	:	
Plaintiff	:	
	:	
v.	:	F.D. No. _____
	:	
_____	:	
Defendant	:	

Type of Document:

**Complaint in Divorce**

Filed on Behalf of:

\_\_\_\_\_, Plaintiff

Self-represented

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

	:	
Plaintiff	:	
	:	
v.	:	F.D. No. _____
	:	
	:	
Defendant	:	

**NOTICE TO DEFEND AND CLAIM RIGHTS**

To the Defendant:

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the Court. A Judgment may also be entered against you for any other claim or relief requested in these papers by the Plaintiff. You may lose money or property or other rights to you, including custody or visitation of your children.

When the ground for the divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of counselors is available in the Office of the Prothonotary on the Second Floor of the Crawford County Judicial Center.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

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 OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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.

**COURT ADMINISTRATOR  
CRAWFORD COUNTY JUDICIAL CENTER  
MEADVILLE PA 16335  
PHONE: (814) 333-7498**

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

\_\_\_\_\_  
Plaintiff  
v. \_\_\_\_\_ F.D. No. \_\_\_\_\_  
\_\_\_\_\_  
Defendant

**COMPLAINT IN DIVORCE UNDER SECTION 3301(c) AND/OR 3301(d) OF THE DIVORCE CODE**

1. Plaintiff is \_\_\_\_\_ who currently resides  
(Your Name)  
at \_\_\_\_\_  
(Street)  
\_\_\_\_\_ since \_\_\_\_\_  
(City) (State) (Zip Code) (Date)
2. Defendant is \_\_\_\_\_ who currently resides  
(Defendant's Name)  
at \_\_\_\_\_  
(Street)  
\_\_\_\_\_ since \_\_\_\_\_  
(City) (State) (Zip Code) (Date)
3. Plaintiff and/or Defendant (*circle one or both*) has/have been a bona fide resident(s) of the Commonwealth of Pennsylvania for at least six (6) months immediately previous to the filing of this complaint.
4. The Plaintiff and Defendant were married on \_\_\_\_\_  
(Date)  
in \_\_\_\_\_  
(City) (County) (State)
5. The parties to this action are / are not (*circle one*) currently members of the Armed Forces of the United States of America serving on active duty (*list active duty parties*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. There have been no prior actions of divorce or annulment between the parties except: \_\_\_\_\_  
\_\_\_\_\_

7. The marriage is irretrievably broken.
8. Plaintiff has been advised that counseling is available and that plaintiff or defendant may have the right to request that the Court require the parties to participate in counseling.

WHEREFORE, Plaintiff requests the Court to enter a decree of divorce.

**VERIFICATION**

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.

Respectfully Submitted,

Date: \_\_\_\_\_

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
*(Print Name)*

Plaintiff, Self-represented

**IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA**

\_\_\_\_\_  
v.  
\_\_\_\_\_

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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: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_



## Instructions for Service

You are responsible for making sure that the Defendant receives a copy of your divorce paperwork; this is called “service”. Please serve the Defendant a stamped copy of the paperwork that you filed with the Prothonotary Office through one of the following methods.

### 1. Accepting Service:

- a. If the Defendant is willing to accept service of the Divorce paperwork, have the Defendant fill out and file a copy of the “Acceptance of Service” form [page 10] and a “Certificate of Compliance” [page 12] with the Prothonotary’s Office.

### 2. Service by Sheriff:

- a. Take the Defendant’s copy to the Sheriff’s Office on the main floor of the Crawford County Judicial Center and ask them to serve the Defendant.
- b. There is a fee for Service by Sheriff; the fee depends on where the Sheriffs will have to go to serve the Defendant. You should contact the Sheriff’s Department in advance to ask about the fee. There may be no fee if you are permitted to proceed *in forma pauperis*.

### 3. Service by Mail:

- a. Make an additional copy of the Defendant’s paperwork and put the two (2) copies of the paperwork into two (2) separate envelopes.
- b. Take the envelopes to the Post Office. Mail both copies to the Defendant; one by first class mail, and one by Certified Mail, Return Receipt Requested, Restricted Delivery. Do NOT request digital signatures.
- c. Wait fifteen (15) days.
- d. Fill out a new “Certificate of Compliance” [page 12] and the “Affidavit of Service By Mail Pursuant to Rule 1930.4 (c)” [page 11]. On the “Affidavit”:
  - i. In section 1, list the date you mailed the paperwork to the Defendant.
  - ii. If you receive the signature card back from the Defendant, fill out section 2(a) and attach the signature card.
  - iii. If you receive the Certified Mail letter back, attach the returned envelope to the “Affidavit”.
  - iv. If you receive both the Certified Mail letter and the letter sent by first class mail, please refer to instruction 4 regarding “Service by Publication”.
- e. File the “Affidavit,” attachment(s), and “Certificate” with the Prothonotary’s Office.

### 4. Service by Publication:

- a. If you do not know where the Defendant is, you may be able to ask the Court for permission to advertise the divorce in the Classifieds section of your local newspaper. Please consult with an attorney for assistance with Service by Publication.

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

	:	
Plaintiff	:	
	:	
v.	:	F.D. No. _____
	:	
	:	
Defendant	:	

**ACCEPTANCE OF SERVICE**

I, \_\_\_\_\_, Defendant hereby accept service of the true and correct copy of the Complaint in Divorce filed at the above docket, as if the same had been served upon me by the Sheriff of Crawford County.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant

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

	:	
Plaintiff	:	
	:	
v.	:	F.D. No. _____
	:	
	:	
Defendant	:	

**AFFIDAVIT OF SERVICE BY MAIL PURSUANT TO RULE 1930.4(c)**

1. A true and correct copy of the complaint was mailed to the Defendant via regular mail and via certified mail, restricted delivery, return receipt requested on \_\_\_\_\_, 20\_\_\_\_.
  
- 2(a). That the Defendant signed the return card on \_\_\_\_\_, 20\_\_\_\_ in accordance with Pa. R.C.P. 1930.4(c). Service of the Complaint was made as it evidenced by the United State Postal Service Return Receipt attached hereto.  
  
Or:
  
- 2(b). That the certified mail, restricted delivery, return receipt requested was returned to the Plaintiff with the notation from the Postal Service that it was refused by the Defendant, as evidenced by the returned letter attached hereto, and further that the regular mail was not returned to the Plaintiff within 15 days of mailing.
  
- 2(c). That mail is returned with notation by the postal authorities that is was unclaimed. (If that occurs service must be made in another manner consistent with Rule 1930.4 which provides for personal service or service by special order of court).

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

Respectfully Submitted,

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)  
Plaintiff, Pro Se

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: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Telephone: \_\_\_\_\_

\_\_\_\_\_  
Email: \_\_\_\_\_

## Instructions for Completing a Divorce by Agreement of All Parties

\*\*\*If the Defendant does not consent or agree to the divorce, please skip to page 22\*\*\*

1. After you serve the Defendant with the “Cover Sheet,” “Complaint,” “Certificate” and two “Notices”, you must wait 90 days before you can move to the next step in your case.
2. After the 90 day waiting period has passed, the Plaintiff and Defendant should complete their “Affidavit of Consent” and “Waiver of Notice” to show that they both consent to the divorce. Do not date or sign these forms until you are ready to file everything after the 90 days has passed. The date on the forms must be within thirty [30] days the date on which you file these forms at the Prothonotary.
  - a. The Plaintiff’s “Affidavit of Consent” and “Waiver of Notice” are on pages 14 and 15.
  - b. The Defendant’s “Affidavit of Consent” and “Waiver of Notice” are on pages 16 and 17.
3. The Plaintiff should also fill out the “Cover Sheet for the Praecipe to Transmit Record,” [page 18] the “Praecipe to Transmit Record,” [page 19], the “Certificate of Compliance” [page 21], and ONLY THE CAPTION AND PARAGRAPH 2 on the “Divorce Decree” [page 20].
4. Make a copy of the “Praecipe to Transmit Record” for your own records.
5. File the Plaintiff’s and Defendant’s “Affidavits of Consent” and “Waivers of Notice” along with the “Cover Sheet for the Praecipe to Transmit Record,” the two (2) copies of the “Praecipe to Transmit Record,” the “Certificate of Compliance” and the “Divorce Decree” in the Prothonotary’s Office. Be sure to have the clerk stamp your copy of the “Praecipe to Transmit Record.”
6. You should receive your signed divorce decree within two (2) weeks. If not, you will receive notification from the Court explaining why the divorce wasn’t finalized so you can correct the error.

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

	:	
Plaintiff	:	
	:	
v.	:	F.D. No. _____
	:	
	:	
Defendant	:	

**AFFIDAVIT OF CONSENT**

1. A Complaint in Divorce under Section 3301(c) of the Divorce Code was filed on \_\_\_\_\_  
\_\_\_\_\_, 20\_\_.
  
2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety days have elapsed from the date of filing and service of the Complaint.
  
3. I consent to the entry of a final decree of divorce.

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

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Plaintiff**

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

	:	
Plaintiff	:	
	:	
v.	:	F.D. No. _____
	:	
	:	
Defendant	:	

**WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF A DIVORCE DECREE UNDER SECTION  
3301(c) OF THE DIVORCE CODE**

1. I consent to the entry of a final decree of divorce without notice.
  
2. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
  
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the Prothonotary.

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

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Plaintiff**

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

	:	
Plaintiff	:	
	:	
v.	:	F.D. No. _____
	:	
	:	
Defendant	:	

**AFFIDAVIT OF CONSENT**

1. A Complaint in Divorce under Section 3301(c) of the divorce code was filed on \_\_\_\_\_  
\_\_\_\_\_, 20\_\_.
  
2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety days have elapsed from the date of filing and service of the Complaint.
  
3. I consent to the entry of a final decree of divorce.

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

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Defendant**



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

	:	
Plaintiff	:	
	:	
v.	:	F.D. No. _____
	:	
	:	
Defendant	:	

**WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF A DIVORCE DECREE UNDER SECTION  
3301(c) OF THE DIVORCE CODE**

1. I consent to the entry of a final decree of divorce without notice.
  
2. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
  
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the Prothonotary.

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

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Defendant**

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

_____	:	
Plaintiff	:	
	:	
v.	:	F.D. No. _____
	:	
_____	:	
Defendant	:	

Type of Document:

**Praeceptum to Transmit Record**

Filed on Behalf of:

\_\_\_\_\_, Plaintiff

Self-represented

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

	:	
Plaintiff	:	
	:	
v.	:	F.D. No. _____
	:	
	:	
Defendant	:	

**PRAECIPE TO TRANSMIT RECORD**

To the Prothonotary:

Please transmit the record, together with the following information, to the Court for the entry of a divorce decree.

1. Ground for divorce: Irretrievable breakdown under § 3301(c) of the Divorce Code.
2. Date that the Complaint in Divorce was filed: \_\_\_\_\_
3. Date and manner in which the Complaint was served: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Date of Execution of the Affidavit of Consent required by § 3301(c) of the Divorce Code: by plaintiff \_\_\_\_\_: by defendant \_\_\_\_\_.
5. There are no pending matters in this case.
6. Date plaintiff's Waiver of Notice was filed with the Prothonotary: \_\_\_\_\_. Date defendant's Waiver of Notice was filed with the Prothonotary: \_\_\_\_\_.

Respectfully Submitted,

\_\_\_\_\_  
Date

\_\_\_\_\_  
Plaintiff

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

\_\_\_\_\_  
Plaintiff  
v. \_\_\_\_\_ F.D. No. \_\_\_\_\_  
Defendant

**DIVORCE DECREE**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it is HEREBY ORDERED AND DECREED that \_\_\_\_\_, Plaintiff, and \_\_\_\_\_, Defendant, are divorced from the bonds of matrimony.

The court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

Any existing spousal support order shall hereafter be deemed an order for alimony pendente lite if any economic claims remain pending.

**BY THE COURT:**

\_\_\_\_\_  
J.

**IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA**

\_\_\_\_\_  
v.  
\_\_\_\_\_

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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: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

### Instructions on Finishing Divorce by Separation

If the other party will not agree to a divorce, or if you cannot find the other party, you should use this section to finish your divorce. **You can only use this part of the paperwork if you have been separated for a year or more as of December 5, 2016. If you separated before December 5, 2016, you must be separated for more than two (2) years.**

1. Fill out the “Notice and Affidavit Under Section 3301(d) of the Divorce Code” [page 23], the “Certificate of Service” [page 24] and the “Certificate of Compliance” [page 25]. Make two (2) copies of the “Notice” and both “Certificates.”
  - a. File the original forms with the Prothonotary and keep one copy for your records.
  - b. Serve a copy of the forms on the other party by handing them a copy, faxing it to them (but only if the Defendant has agreed to receive papers by fax or if a telephone number for fax transmissions is included in prior legal papers filed by the Defendant in this action), or mailing a copy to the other party’s address of record using first class mail.
2. Wait 20 days.
3. Fill out the “Notice of Intention to Request Entry of 3301(d) Divorce” [page 26] and the “Certificate of Compliance” [page 29]. Make two copies of the forms.
  - a. File the originals and the two copies with the Prothonotary. They will return the copies to you with a date stamp.
  - b. Keep one copy for your records.
  - c. Serve one copy of the “Notice of Intention to Request Entry of 3301(d) Divorce,” the “Certificate of Compliance,” and a BLANK copy of the “Counter-Affidavit Under 3301(d) of the Divorce Code” [pages 27-28] on the other party by handing them a copy, faxing it to them ( but only if the Defendant has agreed to receive papers by fax or if a telephone number for fax transmissions is included in prior legal papers filed by the Defendant in this action) , or mailing it to the other party’s address of record using first class mail.
4. Wait another 20 days.
5. If the other party has not responded or filed the “Counter-Affidavit” contesting the divorce, you should fill out the “Praecipe to Transmit Record” [page 30], the “Certification of Compliance” [page 32] and ONLY THE CAPTION on the “Divorce Decree” [page 31].
  - a. Make a copy of the “Praecipe To Transmit Record” for your records.
  - b. File the original “Praecipe,” the “Certificate,” and the “Divorce Decree” at the Prothonotary’s Office.
  - c. Have the Prothonotary clerk file stamp your copy of the “Praecipe”.
6. You should receive your signed divorce decree within two (2) weeks. If not, you will receive notification explaining why the divorce wasn’t finalized so you can correct the error.

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

\_\_\_\_\_  
Plaintiff

v. \_\_\_\_\_ F.D. No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

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**NOTICE**

If you wish to deny any of the statements set forth in this affidavit, you must file a counter-affidavit within 20 days after this affidavit has been served on you or the statements will be admitted.

**AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE**

1. The parties to this action separated on \_\_\_\_\_.

2. Check (a) or (b):

(a) The date of separation was prior to December 5, 2016, and the parties have continued to live separate and apart for a period of at least two years.

(b) The date of separation was on or after December 5, 2016, and the parties have continued to live separate and apart for a period of at least one year.

3. The marriage is irretrievably broken.

4. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.

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: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff / Defendant

COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

CIVIL ACTION

_____	:	
Plaintiff	:	
	:	
V.	:	No. _____
	:	
_____	:	
Defendant	:	

CERTIFICATE OF SERVICE OF LEGAL PAPERS OTHER THAN ORIGINAL PROCESS  
Pursuant to Pa. R.C.P. 440

I, \_\_\_\_\_,  Plaintiff  Defendant in this matter, certify that a copy of  
*(your name)*

\_\_\_\_\_

*(title(s) of the court documents you served on the other party)*

filed on \_\_\_\_\_, 20\_\_\_\_ was served on \_\_\_\_\_, the  
*(other party's name)*

Plaintiff  Defendant or their attorney at *(address)*:

\_\_\_\_\_  
\_\_\_\_\_

By *(choose one)*:

- First Class Mail on \_\_\_\_\_, 20\_\_\_\_.
- Hand Delivery on \_\_\_\_\_, 20\_\_\_\_.
- Facsimile sent to the attorney of record on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name



IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

\_\_\_\_\_  
v.  
\_\_\_\_\_

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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: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

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

\_\_\_\_\_  
Plaintiff

v. \_\_\_\_\_ F.D. No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

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**NOTICE OF INTENTION TO REQUEST ENTRY OF § 3301(d) DIVORCE DECREE**

TO:

\_\_\_\_\_  
*(Other Party's Name)*

You have been sued in an action for divorce. You have failed to answer the complaint or file a counter-affidavit to the § 3301(d) affidavit. Therefore, on or after \_\_\_\_\_, 20\_\_\_\_, the other party can request the court to enter a final decree in divorce.

If you do not file with the Prothonotary of the Court an answer with your signature notarized or verified or a counter-affidavit by the above date, the court can enter a final decree in divorce. A counter-affidavit which you may file with the Prothonotary of the court is attached to this notice.

Unless you have already filed with the court a written claim for economic relief, you must do so by the above date or the court may grant the divorce and you will lose forever the right to ask for economic relief. The filing of the form counter-affidavit alone does not protect your economic claims.

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.

**COURT ADMINISTRATOR  
CRAWFORD COUNTY JUDICIAL CENTER  
MEADVILLE PA 16335  
PHONE: (814) 333-7498**

\_\_\_\_\_  
Signature

Address: \_\_\_\_\_

\_\_\_\_\_  
Telephone: \_\_\_\_\_

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

\_\_\_\_\_ :  
Plaintiff :  
 :  
v. : F.D. No. \_\_\_\_\_ :  
 :  
\_\_\_\_\_ :  
Defendant :

**COUNTER-AFFIDAVIT UNDER § 3301(d) OF THE DIVORCE CODE**

1. Check either (a) or (b):

- (a) I do not oppose the entry of a divorce decree.
- (b) I oppose the entry of a divorce decree because: *(check (i), (ii), (iii) or all, if applicable)*
  - (i) The parties to this action have not lived separate and apart for the required separation period: two years for parties that separated prior to December 5, 2016, and one year for parties that separated on or after December 5, 2016.
  - (ii) The marriage is not irretrievably broken.
  - (iii) There are economic claims pending.

2. Check (a), (b) or (c):

- (a) I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
- (b) I wish to claim economic relief which may include alimony, division of property, lawyer's fees or expenses or other important rights.

I UNDERSTAND THAT IN ADDITION TO CHECKING (b) ABOVE, I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS WITH THE PROTHONOTARY IN WRITING AND SERVE THEM ON THE OTHER PARTY. IF I FAIL TO DO SO BEFORE THE DATE SET FORTH ON THE NOTICE OF INTENTION TO REQUEST DIVORCE DECREE, THE DIVORCE DECREE MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I SHALL BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

- (c) Economic claims have been raised and are not resolved.

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: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff / Defendant

NOTICE: IF YOU DO NOT WISH TO OPPOSE THE ENTRY OF A DIVORCE DECREE AND YOU DO NOT WISH TO MAKE ANY CLAIM FOR ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

\_\_\_\_\_  
v.  
\_\_\_\_\_

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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: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

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

\_\_\_\_\_  
Plaintiff

v. \_\_\_\_\_ F.D. No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

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**PRAECIPE TO TRANSMIT RECORD**

TO THE PROTHONOTARY:

Transmit the record, together with the following information, to the Court for entry of a divorce decree:

1. Ground for divorce: irretrievable breakdown under § 3301(d)(1) of the Divorce Code.
2. Date and manner of service of the complaint: \_\_\_\_\_  
\_\_\_\_\_
3. (a) Date of execution of the affidavit required by § 3301(d) of the Divorce Code: \_\_\_\_\_  
\_\_\_\_\_
- (b) Date of filing and service of the § 3301(d) affidavit upon the opposing party: \_\_\_\_\_  
\_\_\_\_\_
4. There are no related claims pending.
5. Date and manner of service of the notice of intention to file praecipe to transmit record, a copy of which is attached: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

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

	:	
Plaintiff	:	
	:	
v.	:	F.D. No. _____
	:	
	:	
Defendant	:	

**DIVORCE DECREE**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it is HEREBY ORDERED AND DECREED that \_\_\_\_\_, Plaintiff and \_\_\_\_\_ Defendant, are divorced from the bonds of matrimony.

The court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

Any existing spousal support order shall hereafter be deemed an order for alimony pendente lite if any economic claims remain pending.

**BY THE COURT:**

\_\_\_\_\_  
J.

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

\_\_\_\_\_  
v. \_\_\_\_\_  
No. \_\_\_\_\_

**CERTIFICATE OF COMPLIANCE**

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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: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Telephone: \_\_\_\_\_

\_\_\_\_\_  
Email: \_\_\_\_\_