

COUNTY OF HUNTINGDON

OBTAINING A CUSTODY ORDER

CUSTODY COMPLAINT

This form is to be used to obtain a custody order in Huntingdon County, if no previous custody order has been entered in Huntingdon County.

If you have an existing custody case in Huntingdon County and you wish to modify an existing order, please use the Modification of a Custody Order packet.

DISCLAIMER:

Court staff is not able to give you legal advice or help you fill out/complete these forms. The information in this packet is not a substitute for professional legal advice. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. If you want to obtain the services of an attorney but do not know whom to contact, please call the Pennsylvania Lawyer Referral Service at:

1-800-692-7375

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

	:	
Plaintiff	:	No.
vs.	:	
	:	
	:	CIVIL ACTION – CUSTODY
Defendant	:	

COMPLAINT FOR CUSTODY

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

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

3. Plaintiff seeks (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the following child(ren):

Name	Present Residence	Age / DOB

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

The child is presently in the custody of _____, who resides at _____

 _____.
 (Street) (City) (State)

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

Dates	List All Addresses	List All Persons

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

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

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

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

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

The plaintiff currently resides with the following persons:

Name	Relationship

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

The defendant currently resides with the following persons:

Name	Relationship

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

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

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

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

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

Name	Address	Basis of Claim

9. (a) If the plaintiff is a grandparent who is not in loco parentis to the child and is seeking physical custody and/or legal custody pursuant to 23 Pa. C.S. § 5323, you must plead facts establishing standing

pursuant to § 5324(3).

(b) If the plaintiff is a grandparent or great-grandparent who is seeking partial physical custody or supervised physical custody pursuant to 23 Pa. C.S. § 5325, you must plead facts establishing standing pursuant to § 5325.

(c) If the plaintiff is a person seeking physical and/or legal custody pursuant to 23 Pa. C.S. § 5324(2) as a person who stands in loco parentis to the child, you must plead facts establishing standing.

10. I have attached the Criminal Record/ Abuse History Verification form required pursuant to Pa.R.C.P. No. 1915-3.1.

WHEREFORE, plaintiff requests the court to grant (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the child.

Plaintiff

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.

Plaintiff

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

Plaintiff	:	
vs.	:	No.
	:	
	:	
Defendant	:	CIVIL ACTION – CUSTODY

**ENTRY OF APPEARANCE OF SELF-REPRESENTED PARTY PURSUANT
TO Pa.R.C.P. 1930.8**

To the Prothonotary:

Please enter my appearance as a self-represented party.

1. I am the Plaintiff, Defendant, or Other in the above captioned action. (select one)
2. This is a custody, divorce, support, protection from abuse, or paternity case. (select one)
3. Select from one of the following three options, a, b, or c:
 - a. I do not currently have an attorney representing me, I have decided not to hire an attorney to represent me, and I am representing myself in this case.
 - b. _____ is my attorney of record and I want to terminate the services of my attorney and proceed as a self-represented party. I will provide notice to my attorney.
 - c. I am entering my appearance as a self-represented party (sign) _____, and my attorney acknowledges his/her withdrawal as my attorney of record in this case. (Attorney signature)_____
4. NOTE: You must provide the Court with an address where you agree that pleadings and other legal papers may be served, and a telephone number through which you may be contacted. The address and phone number that you provide need not be your home address and phone number. If this is a protection from abuse (PFA) case or other case where the confidentiality of your home address and phone number is essential, please use an alternate address and phone number where you may be served by mail and contacted by telephone.

Papers may be served at the address set forth below:

Name of Party	Home Phone Number – include area code
Street Address	Cell Phone Number – include area code
City State Zip Code	Fax Number (optional) – include area code

5. I understand that I must file this form in the Prothonotary's Office and that I must file a new form every time my address or telephone number changes. Please see Pennsylvania Rule of Civil Procedure 1930.8 for more information.

DATE

SIGNATURE

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

Plaintiff
vs.

Defendant

:
:
:
:
:
:
:

No.

CIVIL ACTION – CUSTODY

ORDER OF COURT

You, _____, Defendant, have been sued in Court to obtain (sole - shared) legal custody, and (primary - shared - partial - sole - supervised) physical custody of the minor child(ren):

_____ Name	_____
_____ Address	_____
_____ Name	_____
_____ Address	_____
_____ Name	_____
_____ Address	_____

You are ordered to appear in person in Courtroom No. ____, at the Huntingdon County Courthouse, Huntingdon, Pennsylvania, on the _____ day of _____, 20_____ at _____ o'clock _____.m. for:

- a conciliation or mediation conference.
- a pretrial conference.
- a hearing before the Court.
- the presence of the child is not required.
- the presence of the child is required.

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

You must file with the court a verification regarding any criminal record or abuse history regarding you and anyone living in your household on or before the initial in-person contact with the court (including, but not limited to, a conference with a conference officer or judge or conciliation) but not later than 30 days after service of the complaint or petition.

No party may make a change in the residence of any child which significantly impairs the ability of the other party to exercise custodial rights without first complying with all of the applicable provisions of 23 Pa.C.S. § 5337 and Pa.R.C.P. 1915.17 regarding relocation.

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
Huntingdon County Courthouse
Second Floor
Huntingdon, PA 16652
(814) 643-5078**

AMERICANS WITH DISABILITIES ACT OF 1990

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

BY THE COURT,

Dated: _____

Judge