

INSTRUCTIONS

CUSTODY COMPLAINT

***IT IS STRONGLY RECOMMENDED THAT YOU
CONSULT AN ATTORNEY***

DISCLAIMER

THE SELF HELP CENTER STAFF AND THE STAFF IN ANY COURT OFFICE ARE NOT PERMITTED TO GIVE YOU LEGAL ADVICE. 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, YOU MAY CALL THE DAUPHIN COUNTY LAWYER REFERRAL SERVICE AT (717) 232-7536.

PLEASE NOTE: A free custody clinic is available for eligible individuals through MidPenn Legal Services. At each monthly clinic, attorneys explain the custody process, help you prepare the custody forms, and file the forms on your behalf. Although the attorneys are not representing you, the service is an excellent way to ensure that your forms are completed correctly. For more information, please telephone (717) 232-0581.

INSTRUCTIONS FOR FILING A CUSTODY COMPLAINT

PLEASE TAKE THE TIME TO READ THESE INSTRUCTIONS CAREFULLY BEFORE FILING A CUSTODY COMPLAINT

IF YOU HAVE A CUSTODY ORDER IN PLACE, DO NOT USE THESE FORMS. YOU MUST USE THE FORMS FOR THE MODIFICATION OF AN EXISTING CUSTODY ORDER. If there is currently a custody order in place involving this/these child/ren, you may be required to ask the court to permit you to join as a party to the existing case instead of filing a new custody action BY FILING A PETITION TO INTERVENE. The Self-Help Center does not have a form for a Petition to Intervene. If that is the situation, you are strongly recommended to hire an attorney.

A. OVERVIEW OF PENNSYLVANIA CUSTODY LAW

1. Child support payments and custody arrangements are **separate** proceedings involving different forms and procedures. For example, a parent who does not pay child support may still have a right to have some form of custody of the child(ren). You must separately file for child support. Child support matters are handled through the Domestic Relations Office, 25 South Front Street, 8th Floor, Harrisburg, PA 17101.
2. In child custody matters, the courts will focus on the **“best interest of the child.”** In general, both parents have a right to have a relationship with their child. A parent who does not have primary physical custody will usually have partial physical custody, shared physical custody, or supervised physical custody (when a parent visits the child under the supervision of another care provider).
3. A **court order** is not needed if you are satisfied with the current arrangement. Without a court order, both parents have equal rights to custody and either parent can lawfully take physical custody of the child at any time. The situation can be flexible. With a court order, either parent who disobeys the custody order may be held in contempt of court, charged with a crime, fined, or jailed. With a court order, you gain some certainty but lose flexibility.
4. **A custody complaint should be filed in the county where the child(ren) has/have resided for the previous six (6) months.**
5. If there is a health and safety issue involving the child(ren), a parent may file an Emergency Petition for Special Relief along with the Custody Complaint. **However**, please carefully consider this before doing so. Not every custody dispute is an

“emergency” and simply alleging that the other parent has the child(ren) and will not permit the other parent to see the child(ren) **DOES NOT** constitute an emergency. Only when there are serious, factually-provable risks to the health and safety of the child(ren) will the court consider granting any type of relief before the parties appear before the Custody Conference Officer.

B. DEFINITIONS

Below are some definitions of legal terms that you may encounter in filing for custody. **Please review these definitions carefully.**

- Custody – means the legal right to keep, control, guard, care for and preserve a child and includes the terms ‘legal custody’, ‘physical custody’ and ‘shared custody’.
- Legal Custody – means the right to make major decisions on behalf of the child including but not limited to medical, religious and educational decisions.
- Physical Custody – means the actual physical possession and control of the child.
- Sole Legal Custody -- means the right of one individual to exclusive legal custody of the child.
- Shared Legal Custody -- means the right of more than one individual to legal custody of the child.
- Partial Physical Custody -- means the right to assume physical custody of the child for less than a majority of the time.
- Primary Physical Custody -- means the right to assume physical custody of the child for the majority of the time.
- Shared Physical Custody -- means 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 -- means the right of one individual to the exclusive physical custody of the child.
- Supervised Physical Custody -- means the 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.

C. STEPS IN THE CUSTODY PROCESS

PLEASE NOTE:

IF YOU DO NOT HAVE AN ADDRESS FOR ANY OF THE OTHER PARTY(IES), YOU SHOULD NOT FILE THESE FORMS BUT CONSULT AN ATTORNEY TO LEARN ABOUT OTHER OPTIONS.

BOTH BIOLOGICAL PARENTS MUST BE NAMED AS A PARTY TO THE ACTION UNLESS A PARENT IS DECEASED, THEIR PARENTAL RIGHTS HAVE BEEN TERMINATED BY AN ORDER OF COURT OR THE IDENTITY OF THE BIOLOGICAL PARENT IS UNKNOWN.

IF YOU ARE PURSUING CUSTODY OF MORE THAN ONE CHILD AND THE CHILDREN HAVE DIFFERENT SETS OF PARENTS, A SEPARATE COMPLAINT MUST BE FILED FOR EACH SET OF PARENTS. FOR EXAMPLE, IF CHILD #1 HAS PARENT A AND PARENT B AND CHILD #2 HAS PARENT A AND PARENT C, YOU NEED TO FILE TWO SEPARATE COMPLAINTS – ONE COMPLAINT IS FOR CHILD #1 (PARENT A VS. PARENT B) AND ONE COMPLAINT IS FOR CHILD #2 (PARENT A VS. PARENT C).

1. **Read the instructions carefully and print legibly.**
2. You will need to complete 5 forms – Seminar Attendance and Custody Conference Scheduling Order; Custody Complaint; Self-Represented Party Entry of Appearance, Criminal or Abuse History Verification and Prior Court Involvement Statement.
3. Make two (2) copies of the completed forms. Therefore, you will have three (3) total (the original and two (2) copies).
4. Take the original and the copies to the Dauphin County Prothonotary's Office, which is located on the first floor of the Dauphin County Courthouse, 101 Market Street, Harrisburg, PA 17101. The Prothonotary's Office is open from 8:00 a.m. to 4:30 p.m. Monday – Friday.
5. The Prothonotary's Office will date stamp your forms. The Prothonotary's Office will keep the original and one (1) copy and give you one (1) copy for your records.
6. The filing fee for the custody complaint is \$355.25 (payable by cash, certified check or money order made payable to the Dauphin County Prothonotary). If you do not think that you can afford the filing fee, you may file a Petition to Proceed In Forma Pauperis (IFP) (see Self Help Center In Forma Pauperis forms and instructions).

7. The Prothonotary's office will forward the original of all forms to the Court Administrator's Office for assignment to a Custody Conference Officer, the scheduling of all parties to attend the four hour educational parenting seminar (Seminar) and the scheduling of all parties to appear at a Custody Conference. Dauphin County has three (3) Custody Conference Officers who are attorneys that meet with all parties in order to try to work out a custody schedule so that a trial before a judge is not necessary. The child(ren) should not attend this conference unless specifically requested by the Conference Officer. The Custody Conference Officer will schedule the conference.
8. Once the conference is scheduled, all parties will receive in the mail a copy of the scheduling order which indicates the date, time and location of the custody conference and the date each party is scheduled to attend the Seminar. **ALL PARTIES MUST ATTEND THE SEMINAR BEFORE THEY ATTEND THE CUSTODY CONFERENCE. IF YOU NEED TO RESCHEDULE THE SEMINAR, CONTACT THE PROVIDER PURSUANT TO THE INSTRUCTIONS IN THE ATTACHED BROCHURE.** The notification will be sent to all parties by regular mail or certified mail, restricted delivery, return receipt requested by the Custody Conference Officer or the parties will be formally served by the Sheriff. Please take note that the other party(ies) will receive a copy of the forms you file.

9. **CUSTODY CONFERENCES**

- Most of the conferences are held at the Dauphin County Courthouse, but occasionally, conferences are held at the Custody Conference Officer's office.
- **Please be aware that although you may have decided to proceed without an attorney, the other party(ies) may attend the conference with an attorney.**
- At the custody conference, you and the other party(ies) and their attorney, if they have one, will meet with the Custody Conference Officer. The Custody Conference Officer will try to help you reach an agreement about the legal and physical custody of your child(ren).
- Remember to concentrate on what is in the child(ren)'s best interest. Please do not bring up issues that you may have with the other parent as this is the time for both parents to work together to decide what the best custodial arrangement is to enable your child(ren) to grow and mature in a stable, healthy, and happy environment. You want your child(ren) to have the best childhood possible. You must put aside your differences with the other parent and really concentrate on your child(ren).
- This conference is **your** opportunity to be actively involved in establishing a custody schedule. If you cannot come to an agreement, the Custody Conference Officer will send this matter to court which means that you

will have a trial before a judge who **will** make the decision **for you** regarding the custody of your child(ren).

- Plan to arrive 15 minutes before the scheduled conference.
- Wear appropriate clothing, be polite, and try to be positive and willing to cooperate in order to work out a custody schedule. Dress as if you were going to work in a business. **DO NOT wear shorts, tank tops or halter tops.**
- Be ready to discuss the case in a mature and flexible manner. **The Custody Conference Officer controls the conference and decides who talks first and whether a statement is relevant to a custody agreement.**
- Try to respect the other party's position and do your best to work out an agreement that reflects not so much your best interest or the interests of the other parent but the **best interest of the child(ren).**
- You have an obligation to your child(ren) to approach the conference in a reasonable manner. Hurtful talk and abusive language hinder the process. Control your emotions. If there are angry outbursts or inappropriate language, the offending party may be ejected from the conference.

10. TRIAL BEFORE A JUDGE

- REMEMBER, if you do not reach an agreement before the Custody Conference Officer, the matter will be scheduled for a **TRIAL** before a **JUDGE**.
- If this happens, **IT IS STRONGLY RECOMMENDED THAT YOU HIRE AN ATTORNEY.** If you do not have an attorney, contact the Dauphin County Lawyer Referral Service at (717) 232-7536.
- If you choose to represent yourself, you will be held to the same standard as an attorney. This includes being fully aware of the applicable statutes, rules of civil procedure, and rules of evidence.
- You are cautioned that your failure to properly present your case and to present legally sufficient evidence may severely affect your rights in this matter.
- It is not the function of the court, nor is the court permitted to present the case on behalf of a party. It is the sole responsibility of each party to properly and adequately present their case to the court in accordance with the law and the rules of evidence and procedure.

- The rules of evidence do not permit the introduction of written statements, affidavits, notarized statements or other documents without the agreement of all parties.
- The court **will not** act as an attorney for either party nor conduct the questioning of any witnesses nor offer any advice or suggestions to either party as to how to proceed.
- Again, if your case proceeds to a trial before a judge, it is **STRONGLY RECOMMENDED** that you hire an **ATTORNEY** to represent you.

D. INSTRUCTIONS FOR EACH FORM

For all forms:

PRINT NEATLY – MAKE SURE THE COURT WILL BE ABLE TO READ WHAT YOU HAVE WRITTEN

Fill in ALL blank lines. **FOLLOW THESE INSTRUCTIONS VERY CAREFULLY. FAILURE TO DO SO MAY RESULT IN THE ISSUANCE OF AN ORDER REQUIRING YOU TO FILE AN AMENDED COMPLAINT. THIS WILL INCREASE THE TIME THAT IT TAKES FOR YOU TO SEE A CONFERENCE OFFICER.**

Form #1 – Seminar Attendance and Custody Conference Scheduling Order – This form should be placed on top.

Fill in your name as the Plaintiff and the other party(ies) as the Defendant. Include middle initials. Use the same names throughout the forms. Make sure all biological parents are named as parties to this action in the caption and throughout the complaint unless the biological parent is deceased or the biological parent's rights have been terminated in a court proceeding.

Fill in the name of the defendant(s) after the word "you" and check all of the boxes that apply. Please refer back to the definition section found on pages 3-4 of these instructions. Name all of the children. Remember that separate complaints have to be filed if the biological parents are not the same. See instructions on page 4 for an example.

The Prothonotary's Office will write in the docket number on the right side of the caption.

Do **NOT** fill in any other blank lines on this form.

Form #2 – Custody Complaint - This form goes after the Order of Court.

On the five (5) blank lines in the top left corner fill in:

Your name.

Address.

City, State and Zip Code.

Telephone number.

E-mail address (if you have one).

Fill in the Plaintiff's and Defendant's names as you did on the Order of Court form.

The Prothonotary's Office will write in the docket number on the right side of the caption. Fill in the numbered paragraphs as follows:

1. Fill in your full name, complete address and telephone number.
2. Fill in the name(s) and address(es) of the other party(ies). You will need the addresses of the defendant(s). If you do not list the addresses of the defendant(s), you will be required to file an amended complaint that contains the addresses. A conference will not be scheduled until you have the addresses of the defendant(s).
- 3a. **Circle** all that apply: shared legal custody, sole legal custody, partial physical custody, primary physical custody, shared physical custody, sole physical custody, supervised physical custody to indicate what you are seeking. **List** the names, addresses, and date of birth of the child(ren) for whom you are seeking custody. If you need more room, use the bottom of the page.
- 3b. **Circle** was/were or was not/were not to indicate if the parents were married when the child(ren) was/were born.

Enter the name of the person the child(ren) are presently living with, and that person's address.

List all the places the child(ren) have lived in the last five (5) years (or if they are younger than five (5) years old, since their birth). **Start with the most recent place and go backward. The child(ren)'s current residence should be listed first.** If you don't remember exact dates, try to remember the month and year. Also, give the names of all the people who have lived in each of the households. If you need more room, use the bottom of the page or another sheet of paper. Remember to list not only the street address but also the city, county and state. This is very important for the court to determine if this court has jurisdiction over this matter.

- 3c. Give the name and address of the child(ren)'s mother. **Circle** whether she is single, married, or divorced.

Give the name and address of the child(ren)'s father. **Circle** whether he is single, married, or divorced.

4. You are the Plaintiff. **Circle** whether you are the mother or father. If you are not the mother or father of the child(ren), explain your relationship to the child(ren). Then list the people you live with and **your** relationship to them.
5. The other party is the Defendant. Circle whether that party is the father or mother. If the Defendant is not the mother or father of the child(ren), explain the Defendant's relationship to the child(ren). Then list the people she/he lives with and their relationship to each other.

6(a). Have you ever participated:

As a party,

As a witness, or

In any other way,

in any litigation concerning the custody of the child(ren) in any court proceeding (in this court or in any other court)? If you answer **Yes**:

Circle has in the first line and explain on the lines below on the form.

If you answer **No**:

Circle has not in the first line.

6(b). Do you have any information of a custody proceeding concerning the child(ren) pending in any court anywhere (in Pennsylvania or a court in any other state)? If you answer **Yes**:

Circle has in 6(b), and explain on the lines below on the form.

If you answer **No**:

Circle has no in 6(b).

6(c). Do you know of any person other than you or the Defendant who has physical custody of the child(ren) or claims to have custody rights with respect to the child(ren)?

If you answer **Yes to either question**:

Circle knows in 6(c), and explain on the lines below on the form.

If you answer **No to both questions**:

Circle does not know in 6(c).

7. Explain why you think the child(ren) would be better off with you. Are you the primary caretaker of the child(ren), and/or does the child(ren)'s other parent have an unsuitable lifestyle for the child(ren)? Briefly give a reason. Do not say something you are unable to prove. Also, remember that the other parent will always have some contact with the child(ren), unless you are able to prove that she/he is truly dangerous to the child(ren).
8. **Make sure both parents and anyone else who has actual (physical) custody of the child(ren) are named as either Plaintiff or Defendant.**
9. (a) If you are a grandparent who is not in loco parentis to the child and is seeking physical and/or legal custody pursuant to 23 Pa.C.S. §5325, you must plead the following facts pursuant to 23 Pa.C.S. §5324(3):
1. Your relationship with the child began either with the consent of a parent of the child or under a court order;
 2. You assumed or are willing to assume responsibility for the child and
 3. **One** of the following conditions is met:
 - (a) the child has been determined to be a dependent child in juvenile court;
 - (b) the child is substantially at risk due to parental abuse, neglect, drug or alcohol abuse or incapacity; or
 - (c) the child has for a period of at least 12 consecutive months, resided with the grandparent, excluding brief temporary absences of the child from the home and is removed from the home by the parents. This action **MUST** be filed within six months after the removal of the child from the home.
- (b) If you are 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 23 Pa.C.S. §5325 and include the following situations:
1. where the parent of the child is deceased;
 2. where the parents of the child have been separated for a period of at least six months or have commenced a proceeding to dissolve their marriage;
 3. when the child has for at least 12 consecutive months resided with the grandparent or great-grandparent excluding brief temporary absences of the child from the home and is removed from the home by the parents. In this

situation, the action MUST be filed within six months after removal of the child from the home.

- (c) If you are 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 to establish standing.

10. MAKE SURE YOU HAVE FILLED OUT THE CRIMINAL RECORD/ABUSE HISTORY VERIFICATION. SEE PAGE 13 FOR INSTRUCTIONS.

In the next paragraph, **circle all that apply** -- (shared legal custody), (sole legal custody), (sole physical custody), (primary physical custody), (partial physical custody), (shared physical custody), (supervised physical custody).

Sign your name and include your telephone number in case the Conference Officer has any questions.

SELF-REPRESENTED PARTY ENTRY OF APPEARANCE

This form must be filed with the Prothonotary every time you change your address.

1. Complete the caption as you did for the scheduling order and custody complaint. Check whether you are the plaintiff or the defendant. Check the box marked 'custody'.
2. There are three options in this section. **MARK ONLY ONE BOX.**
 - If this is a new custody action, mark the first box and that this is a new case. Move on to question 3.
 - If this is not a new custody action and you have always been self-represented, mark the first box and the box indicating that this is not a new case and move on to question 3.
 - If this is not a new case and you had an attorney represent you in your most recent action, mark the second box of question two and print the name of your attorney. Write the address that you have used to mail this form to your prior attorney.
 - If this is not a new case and you had an attorney represent you in your most recent action and you now want to be self-represented, you can enter your appearance as a self-represented party and sign your name and your attorney can simultaneously withdraw his/her appearance by signing his/her name. Check the third box found in question two.
3. Enter your address that is to be used for the mailing of court notices. Check if this is or is not your home address.
4. Enter the telephone number you can be reached from 8:00 a.m. to 4:30 p.m. Monday through Friday. If you have an email address, please enter this if you wish to be contacted by email. **IF YOUR TELEPHONE NUMBER OR EMAIL ADDRESS IS**

CONFIDENTIAL BECAUSE OF A PROTECTION FROM ABUSE ACTION, PLEASE LEAVE THIS QUESTION BLANK AND CHECK THE APPROPRIATE BOX.

5. List the other parties or attorneys and their addresses and mail a copy of this form to those listed.

SIGN AND DATE the form and file this at the same time you file your custody complaint.

CRIMINAL OR ABUSE HISTORY VERIFICATION

- Complete the caption as you did for the custody complaint.
- The petitioner must file a verification regarding any criminal or abuse history of the petitioner or anyone living in the petitioner's household. At the custody conference, the conference officer will perform an initial evaluation to determine whether the existence of a criminal or abuse history of either party or members of their household poses a threat to the child/ren.
- Follow the directions as found on this form.
- **Information regarding criminal charges are available to the public through the UJS portal at <http://ujportal.pacourts.us>.**

PRIOR COURT INVOLVEMENT STATEMENT

- Complete the caption as you did for the custody complaint.
- If you have another family law case (divorce, support, paternity or Protection from Abuse action) in Dauphin County, please check the appropriate box(es) and list the docket number(s), the name of the judge who heard this matter and check whether it resulted in a contested hearing and if an agreement was reached without a hearing before a judge.
- Follow the directions found on this form.

PRE-PAYMENT

For pre-payment, provide the following, or contact PACER at 717-236-4271 or pacer@interworksonline.com for detailed instructions

Name: _____

Docket # _____

Date Ordered: _____

Address: _____

Email: _____

Phone: _____

Driv. Lic. #: _____

Credit Card Type: _____

Card #: _____

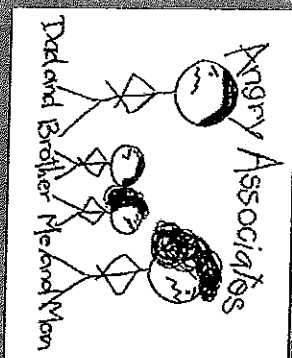
Exp. Date: _____

Make checks payable to 'PACER'.
Mail to: PACER

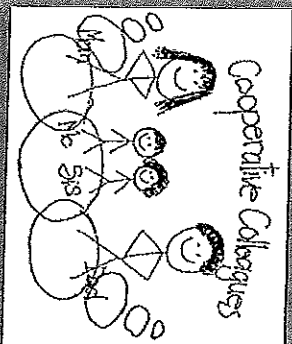
PO Box 613
Harrisburg, PA 17108-0613

Phone: 717-236-1912
Fax: 717-236-6677
pacer@interworksonline.com

CHILDREN ARE HARMED BY

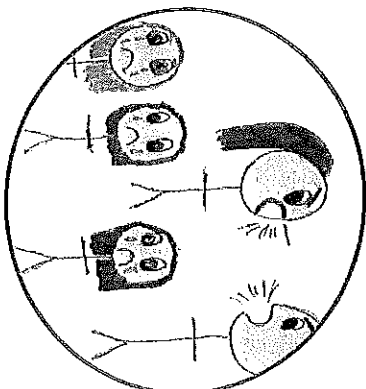


*CHILDREN NEED PARENTS WHO
STRIVE TO BE*



Phone: 717-236-1912
Fax: 717-236-6677
pacer@interworksonline.com

**THE DAUPHIN
COUNTY SEMINAR
FOR FAMILIES IN
CHANGE AND
CONFLICT**



Developed and Produced by
PACER
Parent's and Children's
Educational Resources
&
INTERWORKS

ABOUT THE SEMINAR

InterWorks first developed this Seminar in 1994 in response to concerns expressed by Dauphin County judges, therapists, and family members about the high degree of unresolved conflict seen between parents involved in family court litigation. Since then, we revised the Seminar to provide an up-to-date educational focus about the impact of prolonged conflict & chaos on children and their parents.

The purpose of the Seminar is to assist parents in developing tools; to manage conflict with their child's other parent or guardian; to build parental confidence in their ability to create constructive ways to meet the developmental needs of their children; and to reduce the impact of co-parenting conflict on children by establishing a Conflict Free Zone.

GOALS

Research shows that children are harmed when there is disruption to the family unit. This harm is directly connected to the manner in which parents and caregivers respond to meeting their children's developmental needs, as well as the manner in which they protect their children from exposure to unrelenting conflict.

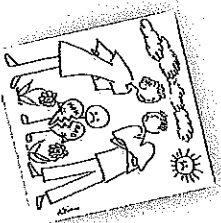
Research also shows that parental stress from change and high conflict is the major barrier for parents who are trying to address the needs of their children during difficult life transitions.

The goals for this Seminar are:

- Assist in understanding the developmental needs of children during high stress transitions;
- Define parenting skills needed during stressful transitions;
- Help parents recognize how children communicate and behave when stressed;
- Help parents with techniques for improved listening and communication with children;
- Help parents develop a process for resolving typical conflicts that arise during family disruption;
- Assist parents in creating a Conflict Free Zone to keep their children's needs separate from parental conflict.

SEMINAR LOGISTICS

- The Seminar is held at the Dauphin Co. Courthouse, corner of Front and Market Sts., Harrisburg, PA.
- Space is limited. Pre-registration is required; pre-payment will ensure your spot at the seminar. Pre-register by contacting our office at 717-236-1912 or pacer@interworksonline.com. The fee for the Seminar is \$50 per person.
- Payment can be made by all major credit cards; check or money order (payable to "PACER"); or cash.
- The seminar is for adults only (no childcare available at the courthouse);

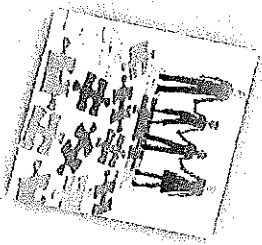


- Opposing parties are ordered to attend different Seminar dates. In order for both parties to attend on the same date, the party originally scheduled for the desired date must provide written consent to PACER in order for the opposing person to attend on the same day.

- Security Officers are present prior to, during, and after each Seminar;
- The Seminar is a presentation of educational information and not counseling or legal advice;

- The Seminar is a solution-focused and respectful forum where we welcome participation. It is not however, an open "town hall forum" for personal opinions and debate.

- We are available at the break or after the Seminar to direct you to resources or answer questions related to your specific concerns.



FORMS

CUSTODY COMPLAINT

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Plaintiff (Your Name)

v.

Defendant (Name of All Other People who have
Custody Rights)

: IN THE COURT OF COMMON PLEAS OF
: DAUPHIN COUNTY, PENNSYLVANIA
:
: NO. _____ CV _____ CU
:
: CIVIL ACTION
:
: IN CUSTODY

SEMINAR ATTENDANCE AND CUSTODY CONFERENCE SCHEDULING ORDER

AND NOW, upon consideration of the attached Complaint, Petition for Modification or Petition for Contempt of a Custody Order, it is hereby ordered that the parties and their respective counsel appear before the Custody Conference Officer, on the _____ day of _____, 20____, Dauphin County Courthouse, 3rd Floor, 101 Market Street, Harrisburg, Pennsylvania for a Custody Conference.

At such Conference, an effort will be made to conciliate and resolve the issues in dispute; or if this cannot be accomplished, to define and narrow the issues to be heard by the Court.

Children should not attend the conference unless requested by the Custody Conference Officer.

All parties are ORDERED to attend a four hour educational parenting seminar (Seminar) and file with the Prothonotary and bring with you to the Custody Conference your Seminar Certificate of Attendance you will receive at the Seminar. The Plaintiff is scheduled to attend on _____ at _____ o'clock and the Defendant is scheduled to attend on _____ at _____ o'clock. Any requests for rescheduling must be directed to the Seminar Provider and will be granted only upon cause shown. (See attached Seminar Provider brochure for additional information).

FAILURE TO ATTEND THE SEMINAR MAY BE CONSIDERED AS CONTEMPT OF COURT PUNISHABLE BY FINE, OTHER APPROPRIATE SANCTIONS INCLUDING UP TO SIX (6) MONTHS INCARCERATION.

IF YOU FAIL TO APPEAR AT THE CUSTODY CONFERENCE 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 complete and file with the Prothonotary a Criminal or Abuse History Verification regarding you and anyone living in your household and your Proposed Parenting Plan on or before _____. The Criminal or Abuse History Verification and Proposed Parenting Plan are attached. These forms are also available at www.dauphincounty.org/government/Court-Departments/Self-Help-Center.

You must mail a copy of your Criminal or Abuse History Verification and your Proposed Parenting Plan to all other parties by _____.

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. No. 1915.17 regarding relocation.

IF ANY PARTY TO THIS CUSTODY ACTION IS INCARCERATED AT ANY STAGE OF THE PROCEEDINGS, THE CUSTODY CONFERENCE OFFICER OR ASSIGNED JUDGE WILL MAKE REASONABLE EFFORTS TO ARRANGE FOR THE INCARCERATED PARTY TO PARTICIPATE BY TELEPHONE OR VIDEO CONFERENCE. IF YOU, AS AN INCARCERATED PARTY, DO NOT THINK SUCH ARRANGEMENTS HAVE BEEN MADE, PLEASE CONTACT THE COURT ADMINISTRATOR'S OFFICE AT (717) 780-6630 OR BY MAIL AT 3RD FLOOR, DAUPHIN COUNTY COURTHOUSE, 101 MARKET STREET, HARRISBURG, PA 17101.

FOR THE COURT:

Date _____

By _____
Custody Conference Officer

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. IF NEEDED, YOU SHOULD CALL TODAY TO MAKE AN APPOINTMENT PRIOR TO YOUR CUSTODY CONFERENCE.

DAUPHIN COUNTY LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Dauphin County 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 the Court Administrator's Office at (717) 780-6630. All arrangements must be made at least 72 hours prior to any hearing or conference.

**IF ANY PARTY NEEDS AN INTERPRETER AT EITHER THE CUSTODY
CONFERENCE OR TRIAL, PLEASE CONTACT THE COURT ADMINISTRATOR'S
OFFICE AT (717) 780-6630 AS SOON AS POSSIBLE. IT TAKES A MINIMUM OF
FIVE DAYS TO SCHEDULE AN INTERPRETER AND FAILURE TO MAKE A TIMELY
REQUEST, COULD DELAY THE PROCEEDINGS.**

PRE-PAYMENT

For pre-payment, provide the following or contact PACER at 717-236-4271 or pacer@interworksonline.com for detailed instructions

Name: _____

Docket # _____

Date Ordered: _____

Address: _____

Email: _____

Phone: _____

Driv. Lic. #: _____

Credit Card Type: _____

Card #: _____ - _____ - _____

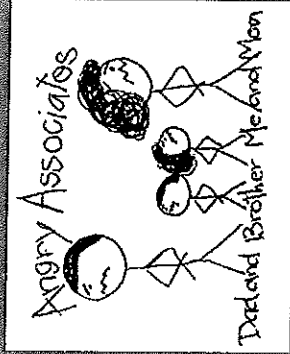
Exp. Date: _____

Make checks payable to 'PACER'.
Mail to: PACER

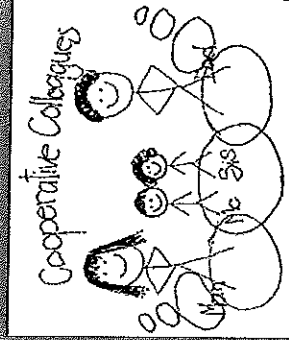
PO Box 613
Harrisburg, PA 17108-0613

Phone: 717-236-1912
Fax: 717-236-6677
pacer@interworksonline.com

CHILDREN ARE HARMED BY



CHILDREN NEED PARENTS WHO STRIVE TO BE



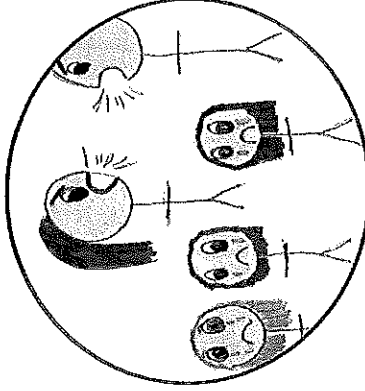
Phone: 717-236-1912

Fax: 717-236-6677

pacer@interworksonline.com



**THE DAUPHIN
COUNTY SEMINAR
FOR FAMILIES IN
CHANGE AND
CONFLICT**



Developed and Produced by

PACER

Parent's and Children's
Educational Resources

&

INTERWORKS

ABOUT THE SEMINAR

InterWorks first developed this Seminar in 1994 in response to concerns expressed by Dauphin County judges, therapists, and family members about the high degree of unresolved conflict seen between parents involved in family court litigation. Since then, we revised the Seminar to provide an up-to-date educational focus about the impact of prolonged conflict & chaos on children and their parents.

The purpose of the Seminar is to assist parents in developing tools; to manage conflict with their child's other parent or guardian; to build parental confidence in their ability to create constructive ways to meet the developmental needs of their children; and to reduce the impact of co-parenting conflict on children by establishing a Conflict Free Zone.

GOALS

Research shows that children are harmed when there is disruption to the family unit. This harm is directly connected to the manner in which parents and caregivers respond to meeting their children's developmental needs, as well as the manner in which they protect their children from exposure to unrelenting conflict.

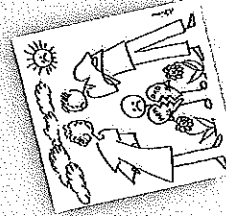
Research also shows that parental stress from change and high conflict is the major barrier for parents who are trying to address the needs of their children during difficult life transitions.

The goals for this Seminar are:

- Assist in understanding the developmental needs of children during high stress transitions;
- Define parenting skills needed during stressful transitions;
- Help parents recognize how children communicate and behave when stressed;
- Help parents with techniques for improved listening and communication with children;
- Help parents develop a process for resolving typical conflicts that arise during family disruption;
- Assist parents in creating a Conflict Free Zone to keep their children's needs separate from parental conflict.

SEMINAR LOGISTICS

- The Seminar is held at the Dauphin Co. Courthouse, corner of Front and Market Sts., Harrisburg, PA.
- Space is limited. Pre-registration is required; pre-payment will ensure your spot at the seminar. Pre-register by contacting our office at 717-236-1912 or pacer@interworksonline.com. The fee for the Seminar is \$50 per person.
- Payment can be made by all major credit cards; check or money order (payable to "PACER"); or cash.
- The seminar is for adults only (no childcare available at the courthouse);



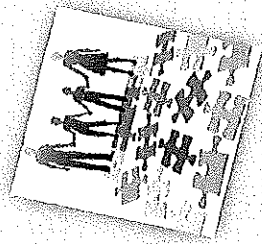
- Opposing parties are ordered to attend different Seminar dates. In order for both parties to attend on the same date, the party originally scheduled for the desired date must provide written consent to PACER in order for the opposing person to attend on the same day.

- Security Officers are present prior to, during, and after each Seminar;

- The Seminar is a presentation of educational information and not counseling or legal advice;

- The Seminar is a solution-focused and respectful forum where we welcome participation. It is not however, an open "town hall forum" for personal opinions and debate.

- We are available at the break or after the Seminar to direct you to resources or answer questions related to your specific concerns.



Name: _____
(Your Name)

Address: _____
(Your Address)

City: _____, PA Zip: _____

Telephone: _____
(Your Telephone Number)

Email: _____
(Your Email Address)

_____	:	IN THE COURT OF COMMON PLEAS
Plaintiff (Your Name)	:	DAUPHIN COUNTY, PENNSYLVANIA
	:	
v.	:	NO. _____ CV _____ CU
	:	
_____	:	CIVIL ACTION - LAW
Defendant (Name of All Other People who have Custody Rights)	:	CUSTODY ACTION

COMPLAINT FOR CUSTODY

1. The Plaintiff(s) is/are _____, residing at _____, _____ County, PA
(Your Name) (Street Address) (City) (County)

_____. The Plaintiff's telephone number is _____.
(Zip Code) (Telephone Number of Plaintiff)

2. The Defendant(s) is/are _____, residing at _____, _____ County, PA
(Name of All Other People Who Have Custody Rights) (Street Address) (City) (County) (Zip Code)

The Defendant's telephone number is _____.
(Telephone Number of Defendant)

3(a). Plaintiff seeks **(CIRCLE ALL THAT ARE APPLICABLE)** (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(s) of Child(ren)

Present Residence
(Street, City, County, State)

Date of Birth of
Child(ren)

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3(b). The child(ren) (was/were) (was not/were not) born of parents who were not married. The child(ren)

are presently in the custody of _____, who resides at _____, PA. His or her relationship to the child(ren) is _____.

(Name of Person)

(Address)

(Relationship to Child(ren))

During the past five years, the child(ren) have resided with the following persons and at the following addresses:

List All Persons

List All Addresses (Street, City, County, State)

Dates

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3(c). The mother of the child(ren) is _____, currently residing at _____, PA. She is _____.

(Name of Mother)

(Address of Mother)

(CIRCLE ONE) (married) (divorced) (single).

The father of the child(ren) is _____,
(Name of Father)

currently residing at _____, PA. He is
(Address of Father)

(**CIRCLE ONE**) (married) (divorced) (single).

4. The relationship of Plaintiff to the child(ren) is that of (**CIRCLE ONE**) (Mother)
(Father) (Other): If Other, explain: _____.

The Plaintiff currently resides with the following persons:

<u>Name</u>	<u>Relationship</u>
_____	_____
_____	_____
_____	_____
_____	_____

5. The relationship of Defendant to the child(ren) is that of (**CIRCLE ONE**) (Mother)
(Father) (Other): If Other, explain: _____.

The Defendant currently resides with the following persons:

<u>Name</u>	<u>Relationship</u>
_____	_____
_____	_____
_____	_____
_____	_____

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

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

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

7. The best interest and permanent welfare of the child(ren) 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(ren))**:

(Explain in Detail What Custody Arrangement You Want and Why)

8. Each parent whose parental rights to the child(ren) have not been terminated and the person who has physical custody of the child(ren) 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(ren) will be given notice of the pendency of this action and the right to intervene:

Name	Address (Street, City, State)	Basis of Claim
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. (a) If the plaintiff is a grandparent who is not in loco parentis to the child and is seeking physical and/or legal custody pursuant to 23 Pa.C.S. §5323, you must plead facts establishing standing pursuant to 23 Pa.C.S. §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. 1915.3-2.

Wherefore, plaintiff requests the court to grant me **(CIRCLE ALL THAT ARE APPLICABLE)** (shared legal custody), (sole legal custody), (partial physical custody), (primary physical custody), (shared physical custody), (sole physical custody), (supervised physical custody) of the child(ren) and grant the defendant(s) **(CIRCLE ALL THAT ARE APPLICABLE)** (shared legal custody), (sole legal custody), (partial physical custody), (primary physical custody), (shared physical custody), (sole physical custody), (supervised physical custody) .

I verify that the statements made in the 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.

Date

Signature of Plaintiff (Your Signature)

Telephone Number of Plaintiff (Your Telephone Number)



BEFORE YOU FILE THIS CUSTODY COMPLAINT WITH THE PROTHONOTARY,
MAKE SURE YOU HAVE COMPLETED THE FOLLOWING FORMS:

Prior Court Involvement Statement
Criminal or Abuse History Verification
Self-Represented Party Entry of Appearance

These forms must be filed with the Prothonotary at the same time as the Custody
Complaint.