

**CUSTODY ACTIONS IN BEDFORD COUNTY
INSTRUCTIONS FOR COMPLETING
PETITION TO INTERVENE AND MODIFY**

Complete the Petition to Intervene and Modify if there is an existing Custody action that you want to become a part of and are requesting to change the terms of the current Order. An intervenor is one who voluntarily enters a pending lawsuit because of a personal stake in it.

I. CAPTION- For all documents (pleadings) use the same caption:

Name (the person who filed the original action),	:	No. _____ for the year ____
Plaintiff	:	(use the docket number from the
	:	original action found at the Prothonotary’s
	:	Office)
vs.	:	Civil Action- Law
	:	
Name (the person the action was filed against),	:	In Custody
Defendant	:	
	:	
vs.	:	
	:	
Name (the person(s) who wish to become a part of the custody action),	:	
Intervenor(s)	:	

II. Complete the ORDER OF COURT SCHEDULING A CONFERENCE. Use the same caption. The court will provide you with the date. You will write what type of custody you are asking for and the initials of the child(ren).

III. Complete the PETITION TO INTERVENE AND MODIFY. DO NOT INCLUDE CONFIDENTIAL INFORMATION*

1. The proposed intervenor(s) is/are (put your name(s) here) residing at (put your address here, unless confidential). The proposed intervenor(s) relationship to the child(ren) who is/are the subject of this action is/are (put your relationship to the children, for example, grandparent).
2. The plaintiff is (put the name of the person who filed the action here) residing at (put his/her address here, unless confidential). The plaintiff’s relationship to the child(ren) who is/are the subject of this action is (put the relationship here, for example, mother).
3. The defendant is (put the other party’s name here) residing at (put the other party’s address here, unless confidential). The defendant’s relationship to the child(ren) who is/are the subject of this action is (put the relationship here, for example, father).
4. Proposed intervenor seeks (check what type of custody you are requesting) (shared legal custody) (sole legal custody) and (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the following child(ren):
 - List the initials of the child(ren), their present residence (unless confidential), and their age. (These are the children that you are asking for custody of).

This information is being provided for informational purposes only for instruction on completing custody documents. This is not legal advice. If you want legal advice, please contact an attorney.

CUSTODY ACTIONS IN BEDFORD COUNTY
INSTRUCTIONS FOR COMPLETING
PETITION TO INTERVENE AND MODIFY

5. Proposed intervenor has standing to intervene in this custody proceedings because (choose one of following): (In order to become part of the custody action, you must have standing, a right to make a legal claim or seek judicial enforcement of a duty or right, select one of the follow that demonstrates how you have standing to intervene in the action- either 1, 2, 3, 4, or 5. Please note the numbers and letters in this section are for reference only and not on the Petition.)

- (1) I am a biological parent of the child(ren) who is/are the subject of this current custody proceeding.

OR

- (2) I stand *in loco parentis* to the child(ren). (*in loco parentis* means in the place of a parent, acting as a guardian or caretaker of a child, and taking on all or some of the responsibilities of a parent.) I have acted as a parent to the minor child(ren) for the time period of _____ . (List the time period that you have acted as a parent to the child(ren).) **OR**

- (3) I am a grandparent who wants substantial physical custody and/or legal custody of the child(ren) ((a) and (b) must apply, choose either (c)(1), (c)(2), or (c)(3).)

- (a) **AND** my relationship with the child(ren) began with the consent of a parent of the child(ren) or under a court order.

- (b) **AND** I am willing to assume responsibility for the child(ren).

- (c) **AND** the child(ren) has/have (choose one of the following):

- (c)(1) Been determined to be dependent under 42 Pa.C.S. Ch. 63 (Children and Youth).

OR

- (c)(2) Are at risk due to parental abuse, neglect, drug or alcohol abuse or incapacity. **OR**

- (c)(3) Lived with me for at least 12 consecutive months, except for brief temporary absences of the child(ren) from my home **AND** the child(ren) was/were removed from my home by the parents less than six months ago.

OR

- (4) Neither parent has any form of care and control of the child(ren) (**All must apply.**)
- AND** I have assumed or am willing to assume responsibility for the child(ren).
- AND** I have a sustained, substantial, and sincere interest in the welfare of the child(ren).

This information is being provided for informational purposes only for instruction on completing custody documents. This is not legal advice. If you want legal advice, please contact an attorney.

**CUSTODY ACTIONS IN BEDFORD COUNTY
INSTRUCTIONS FOR COMPLETING
PETITION TO INTERVENE AND MODIFY**

- **AND** there is no current dependency proceeding or Order of permanent legal custody for the child(ren). [through Children and Youth]

OR

- (5) I am a grandparent or great-grandparent who wants partial physical custody or supervised visitation and (choose one of the following): (Either (a), (b), or (c).)
 - (a) A parent of the child(ren) is deceased and I am the parent or grandparent of that deceased person.

OR

- (b) The child(ren) have resided with me for a period of at least 12 consecutive months, except for brief temporary absences and the child(ren) were removed from my home by the parents less than six months ago.

OR

- (c) My relationship with the child(ren) began with the consent of a parent or court order and the parents of the child(ren) have started proceedings for custody and the parents do not agree as to whether the grandparents or great-grandparents should have partial physical custody or supervised visitation.

- 6. The best interest and permanent welfare of the child(ren) will be served by granting the relief requested because: (Give facts showing that the type of custody you are requesting is what is best for the child(ren).)
- 7. Proposed intervenor requests to intervene in this custody action and requests the following relief (Give details about what you are asking the court to do.)
- 8. Proposed intervenor has attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.C.P. No. 1915.3-2.

Wherefore, proposed intervenor requests this Honorable Court grant the Petition to Intervene and grant

() shared legal custody () sole legal custody and () partial physical custody () primary physical custody
() shared physical custody () sole physical custody () supervised physical custody of the child(ren).

(Check the type of custody you are requesting.)

Sign the verification.

IV. Complete the CRIMINAL HISTORY AND ABUSE VERIFICATION.

- Check whether you or a household member have been convicted, pled guilty or no contest or have pending charges to the listed crime, give the date and the sentence.

This information is being provided for informational purposes only for instruction on completing custody documents. This is not legal advice. If you want legal advice, please contact an attorney.

CUSTODY ACTIONS IN BEDFORD COUNTY INSTRUCTIONS FOR COMPLETING PETITION TO INTERVENE AND MODIFY

- Check whether Children and Youth Services or a similar agency has been involved with you or a member of your household, when that involvement occurred, and whether there was a finding of abuse.
- Check whether you or a member of your household has been involved in abusive conduct as defined in the Protection From Abuse Act or similar statute in another state and the date.
- If you or a member of your household was convicted of one the crimes listed or found to have abused someone then list any evaluation, counseling or other treatment you or the member of your household received following the conviction or finding of abuse.
- Provide your household member's name, date of birth and relationship to the child(ren) IF the household member was convicted of any of the crimes on the list.
- Provide the criminal or abuse history of the other parties.

V. Complete the **CONFIDENTIAL INFORMATION FORM (FORM) AND/OR ABUSE VICTIM ADDENDUM**

- Complete the Caption as in Section I.
- Court is the “Bedford County Court of Common Pleas.”
- This form is associated with the pleading titled (provide the name of the document that the Confidential Information Form goes with. For example: Complaint for Custody), dated (provide the date you signed the pleading).
- The Form allows the party to provide information for two people, with an additional page if necessary.
- This Information Pertains to (put the full name of the adult).
- Complete any other information that was listed as “confidential” in the pleading. If the address is listed as “confidential” write the address in this section, unless the other party does not know this address and you are requesting that the address remain confidential, then complete the Abuse Victim Addendum which will only be provided to the Court. Please note that while the Form asks for other Confidential Information (Social Security Number, Financial Account Number, Driver’s License Number, etc.), you do not have to include this information if was not asked for in the pleading.
- If you listed a child’s initials, use the next section to provide information about the child. The information pertains to a minor with the initials of (put down the child’s initials) and the full name of (put down the child’s full name) and date of birth (put down the child’s date of birth).
- If there is more than one child, use the additional pages. Write down the total number of pages in the Confidential Information Form.
- Review the Certification: I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information This information is being provided for informational purposes only for instruction on completing custody documents. This is not legal advice. If you want legal advice, please contact an attorney.

CUSTODY ACTIONS IN BEDFORD COUNTY
INSTRUCTIONS FOR COMPLETING
PETITION TO INTERVENE AND MODIFY

and documents. Sign and date this certification, provide your address, telephone number and email address.

- File the Form and/or Addendum with the pleading. You must serve the Form, along with the pleading, on the other party or their attorney. The Abuse Victim Addendum will only be provided to the Court.

For more detailed instructions, please visit www.pacourts.us. For information about your specific case, please contact an attorney. *For more information on the *Public Access Policy of the Unified Judicial System Of Pennsylvania Case Records of the Appellate and Trial Courts*, See Custody Actions in Bedford County, Instructions of Completing Custody Pleadings, Public Access Policy: Confidential Information and Documents.

This information is being provided for informational purposes only for instruction on completing custody documents. This is not legal advice. If you want legal advice, please contact an attorney.