

**CUSTODY ACTIONS IN BEDFORD COUNTY
INSTRUCTIONS FOR COMPLETING CUSTODY PLEADINGS**

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

Name (your name, the person who is filing),	:	No. _____ for the year ____
Plaintiff	:	
vs.	:	Civil Action- Law
	:	
Name (person you are filing against),	:	In Custody
Defendant	:	

The Prothonotary will give you a number when you file the pleadings.

II. Complete the ORDER and PETITION TO PROCEED IN FORMA PAUPERIS, if applicable.

1. Complete the Caption in the Petition and Order as described above.
2. Circle whether you are the Plaintiff or Defendant.
3. Answer all questions, do not leave anything blank.
4. If a question does not apply to you, give an explanation of why it does not apply.
5. Do not include any confidential information. If you are an abuse victim as defined by the Public Access Policy, list your address and other contact information, including phone numbers, employer and employer’s address as confidential. Put this information on the Confidential Information Form.
6. Do not list the child(ren)’s names, use their initials and put the child(ren)’s names on the Confidential Information Form.

III. Complete the COMPLAINT FOR CUSTODY. DO NOT INCLUDE CONFIDENTIAL INFORMATION.*

1. The plaintiff is (put your name here) residing at (put your address here, unless confidential. If you are an abuse victim as defined by the Public Access Policy, list the address as confidential and put the address on the Confidential Information Form*).
2. The defendant is (put the other party’s name here) residing at (put the other party’s address here unless that party is an abuse victim, then list the address as confidential and put the address on the Confidential Information Form).
3. Plaintiff seeks (check what type of custody you are looking for) (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 name(s) of the child(ren), their present residence, and their age. (These are the children that you are asking for custody of. In accordance with the Public Access Policy, provide the child(ren)’s initials and age and write their full name and date of birth on the Confidential Information Form. If the child is an abuse victim, list the address as confidential and write the address on the Confidential Information Form).

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- The child(ren) (was) (was not) born out of wedlock. (Were the mother and father married when the child(ren) were born?)
 - The child(ren) is presently in the custody of (put down who the child(ren) is living with) who resides at (put down the address – street, city, state and county unless this person is an abuse victim, then put the address as confidential and write the address in the Confidential Information Form).
 - During the past five years, the child(ren) has resided with the following persons at the following addresses: (List all of the persons the child(ren) lived with, at what address, and when. If the person is an abuse victim, then list the address as confidential and put the address on the Confidential Information Form).
 - A parent of the child(ren) is (if you are the parent put your name down here. If you are in loco parentis, a grandparent or great-grandparent, put down the name of the child(ren)'s mother or father) currently residing at (put down the address of the person just named. If the person is an abuse victim, then list the address as confidential and put the address on the Confidential Information Form).
 - This parent is (married) (divorced) (single). (Circle the description that applies to this parent.)
 - A parent of the child(ren) is (if you are a parent, put down the other parent's name. If you are in loco parentis, a grandparent or great-grandparent, put down the name of child(ren)'s mother or father, whichever was not listed above) currently residing at (put down the address of the person just named. If the person is an abuse victim, then list the address as confidential and put the address on the Confidential Information Form).
 - This parent is (married) (divorced) (single). (Circle the description that applies to this parent.)
4. The relationship of plaintiff to the child(ren) is that of (if you are filling out this form you are the plaintiff, put down your relationship to the child(ren)- mother, father, grandmother, etc.).
- The plaintiff currently resides with the following persons: (Put down who you reside with and what your relationship is to that person. List the address as confidential if the person is an abuse victim and write the address in the Confidential Information Form).
5. The relationship of defendant to the child(ren) is that of (put down how the person you are filing against is related to the child(ren)- mother, father, grandmother, etc.)
- The defendant currently resides with the following persons: (Put down who the person you are filing against lives with and what their relationship is to that person. If the person is an abuse victim, then list the address as confidential and put the address on the Confidential Information Form).
6. Plaintiff (has) (has not) (circle what applies) 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 and number, and its relationship to this action is: (Put down whether you have been involved in any other case involving the

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child(ren) that you are asking for custody of, how were you involved and the court information about this case including what happened. For example, have you ever filed a Protection From Abuse action where you were given temporary custody of the child(ren).)

- Plaintiff (has) (has no) (circle what applies) information of a custody proceeding concerning the child(ren) pending in a court of this Commonwealth or any other state. The court, term and number, and its relationship to this action is: (Have you or anyone else ever filed for custody somewhere else in this state or another state? If so, put down the court information and what happened.)
 - Plaintiff (knows) (does not know) (circle what applies) of a person not a party to the proceedings who has physical custody of the child(ren) or claims to have custodial rights with respect to the child(ren). The name and address of such person is: (Do you know of anyone else (other than the biological mother or father) who believes they have a right to custody of the child(ren) that you are asking for custody of? If so, name that person and their address. For example, a grandparent who may have custodial rights because the child(ren) has lived with that person for over 12 months.)
7. 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 asking is what is best for the child(ren). If describing the child(ren) use only initials, not the child(ren)'s name.)
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. (Provide the names of the biological parents unless they are already listed in this complaint or if their rights have been terminated. Provide the name of the person who has custody of the child(ren) or has a right to custody unless they have already been named in this complaint. Also provide the person's address and the basis for the claim of why that person has a right to custody or visitation.)
9. (a) If the plaintiff is a grandparent who is not in loco parentis to the child(ren) 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(ren), you must plead facts establishing standing.
- You must have standing (a party's right to make a legal claim or ask that a duty or right be enforced) to bring an action. You must explain how you meet the requirements to file for custody of the child(ren).

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10. Plaintiff has attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.C.P. No. 1915.3-2.
11. Wherefore, plaintiff requests the court to grant (circle the type of custody you are asking for) of the child(ren).
12. Sign the certification and verification.

IV. 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 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.

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V. Complete the **ORDER OF COURT SCHEDULING A CONFERENCE**.

Use the same caption. The court will provide you with the date. You will write name of the defendant, what type of custody you are asking for and the initials of the child(ren).

VI. 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.
- 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 party.
- Sign the Certification and Verification.
- If there is any confidential information, complete the Confidential Information form.

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.

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