

IN THE COURT OF COMMON PLEAS OF BEDFORD COUNTY, PENNSYLVANIA

Jane Doe,		: No. <u>12</u> for the year 2017
	Plaintiff	:
vs.		: Civil Action – Law
		:
John Doe, Sr.		: In Custody
	Defendant	:

ORDER OF COURT

You, John Doe, Sr., defendant, have been sued in court to obtain

- (X) shared legal custody () sole legal custody and
 () partial physical custody (X) primary physical custody () shared physical custody
 () sole physical custody () supervised physical custody of the children:

K.D. (10) and J.D. (8)

You are ordered to appear in person at Bedford County Courthouse, 200 South Juliana Street, Bedford, Pennsylvania, in Courtroom No. 2, on _____, 20____, at _____M. for

- A conciliation or mediation conference.
- A pretrial conference.
- A hearing before the court.

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.

SAMPLE COMPLAINT FOR CUSTODY WITH CHILDREN'S INITIALS

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.

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.

Prothonotary's Office
Bedford County Courthouse
200 S. Juliana Street
Bedford, PA 15522
Telephone: 814-623-4833

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Bedford 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 our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

By the Court,

Date: _____ J.

IN THE COURT OF COMMON PLEAS OF BEDFORD COUNTY, PENNSYLVANIA

Jane Doe, : No. 12 for the year 2017
Plaintiff :
vs. : Civil Action – Law
:
John Doe, Sr. : In Custody
Defendant :

COMPLAINT FOR CUSTODY

1. The plaintiff is Jane Doe, residing at 123 My Street, Anytown, PA 12345, Bedford County.
2. The defendant is John Doe, Sr., residing at 345 5th Avenue, Anytown, PA 12345, Bedford County.
3. Plaintiff seeks 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):

<u>Name</u>	<u>Present Residence</u>	<u>Age / Date of Birth</u>
<u>K.D.</u>	<u>123 My Street, Anytown, PA</u>	<u>8</u>
<u>J.D.</u>	<u>123 My Street, Anytown, PA</u>	<u>10</u>

The child(ren) was/were was not/were not born out of wedlock.

The child(ren) is/are presently in the custody of Jane Doe,
who resides at 123 My Street, Anytown, PA 12345.

During the past five (5) years, the child(ren) has/have resided with the following person(s) and at the following address(es):

<u>List all Persons</u>	<u>List all Addresses</u>	<u>Dates</u>
<u>Jane Doe</u>	<u>123 My Street, Anytown, PA</u>	<u>Sept. 2016-Present</u>
<u>Jane & John Doe, Sr.</u>	<u>345 5th Ave., Anytown, PA</u>	<u>Jan. 2011-Sept. 2016</u>

SAMPLE COMPLAINT FOR CUSTODY WITH CHILDREN'S INITIALS

A parent of the child(ren) is Jane Doe, currently residing at 123 My Street, Anytown, PA, Bedford County.

This parent is () married (X) divorced () single.

A parent of the child(ren) is John Doe, Sr., currently residing at 345 5th Ave., Anytown, PA, Bedford County.

This parent is () married (X) divorced () single.

4. The relationship of Plaintiff to the children is that of Mother.

The Plaintiff currently resides with the following person(s):

<u>Name</u>	<u>Relationship</u>
<u>K.D.</u>	<u>Daughter</u>
<u>J.D.</u>	<u>Son</u>

5. The relationship of Defendant to the children is that of Father.

The Defendant currently resides with the following person(s):

<u>Name</u>	<u>Relationship</u>
<u>Susie Doe</u>	<u>Wife</u>
<u>Kimberly Doe</u>	<u>Daughter</u>

6. Plaintiff (X) 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 and number, and its relationship to this action is: Protection From Abuse Docket No. 2500000 for 2016 (Bedford County, PA). Primary physical custody to Plaintiff. Defendant has partial custody every Friday at 5:00 until Sunday at 7:00, with exchanges at the Main Street Sheetz in Anytown.

SAMPLE COMPLAINT FOR CUSTODY WITH CHILDREN'S INITIALS

Plaintiff (X) 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 and number, and its relationship to this action is: Plaintiff filed for custody in Bradford County, Pennsylvania in 2006 filed to Bradford County Court of Pleas Docket No. 23232 but the action was dismissed due to lack of jurisdiction.

Plaintiff () knows (X) 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 or visitation 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)):

Plaintiff has been the primary caregiver of the minor children since birth. Plaintiff supports the children and attends all of the children's doctors appointments and school functions.

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 person(s), named below, who are known to have or claim a right to custody or visitation of the child(ren) will be given notice of the pendency of this action and the right to intervene:

<u>Name</u>	<u>Address</u>	<u>Basis of Claim</u>
_____	_____	_____
_____	_____	_____

SAMPLE COMPLAINT FOR CUSTODY WITH CHILDREN'S INITIALS

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.

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

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.

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.

Date: January 10, 2017

Jane Doe
Plaintiff's Signature