

TIOGA COUNTY, PENNSYLVANIA

CUSTODY COMPLAINT SELF-HELP PACKAGE

*Prepared by the Tioga County Bar Association for use by indigent pro se litigants
in Tioga County, Pennsylvania*

THIS PACKAGE IS FOR USE WHEN YOU WANT TO OPEN A NEW CUSTODY CASE AND NO CUSTODY ORDER IS YET IN EFFECT

- **IF YOU AND THE OTHER PARENT HAVE AN AGREEMENT ON HOW CUSTODY SHOULD BE HANDLED, BUT THERE IS NO CUSTODY ORDER IN EFFECT YET, YOU WILL NEED THE 'NEW CUSTODY AGREEMENT SELF-HELP PACKAGE.'**
- **IF YOU AND THE OTHER PARENT HAVE AGREED TO MODIFY AN EXISTING CUSTODY ORDER, YOU WILL NEED THE 'CUSTODY MODIFICATION AGREEMENT SELF-HELP PACKAGE.'**
- **IF THERE IS ALREADY A CUSTODY ORDER IN EFFECT AND YOU WANT TO MODIFY IT, BUT THE OTHER PARENT DOES NOT AGREE, YOU WILL NEED THE 'PETITION TO MODIFY CUSTODY SELF-HELP PACKAGE.'**
- **IF THERE IS ALREADY A CUSTODY ORDER IN EFFECT AND YOU WANT TO RELOCATE WITH YOUR CHILD(REN), YOU WILL NEED THE 'RELOCATION SELF-HELP PACKAGE.'**
- **IF THERE IS ALREADY A CUSTODY ORDER IN EFFECT AND THE OTHER PARENT HAS VIOLATED THE EXISTING CUSTODY ORDER, YOU WILL NEED THE 'CONTEMPT PETITION SELF-HELP PACKAGE.'**
- **IF YOU CANNOT AFFORD TO PAY THE FILING FEES FOR A CUSTODY CASE AND YOU NEED TO ASK THE COURT TO WAIVE THE FILING FEES, YOU WILL NEED THE 'IFP PETITION SELF-HELP PACKAGE.'**

INSTRUCTIONS:

STEP 1: DO YOU NEED AN IFP SELF-HELP PACKAGE?

There is a filing fee for filing a new custody case in Tioga County. It is currently \$145.00, but that amount is subject to increase at any time. If you cannot afford to pay the filing fee, you will also need to complete the 'IFP SELF-HELP PACKAGE' before you can file for custody. The Court will need to approve your request to waive the filing fee before you can file your custody complaint (See the instructions in the IFP SELF-HELP PACKAGE). However, you should have all of your paperwork ready before you go to the Courthouse.

STEP 2: COMPLETE THE CONFIDENTIAL INFORMATION FORM

Complete the fill-in-the-blank Confidential Information Form included in this package. The Public Access Policy for Pennsylvania courts restricts the use of certain types of confidential information in public court

filings. Among other things, the names and birthdates of children can only be submitted to the court on a special form that is filed under seal (that means that only people directly involved in the case are allowed to access it). Please note that almost everything else that you file with the court is considered a public record and can be viewed by almost anyone at any time for any reason. In order to comply with the rules and protect your child(ren)'s privacy, this form is the only place you should ever write out your child(ren)'s name(s) or date(s) of birth. You should only use their initials on all of the other forms you fill out.

The first thing you should do is fill in the case caption at the top of the Confidential Information Form. You should write your own name on the line for 'Plaintiff' and the other parent's name on the line for 'Defendant.' Do not fill in the docket number (the part that looks like this: "NO: __ FS __"); the court will assign a number when you file your paperwork at the Courthouse. When you are done, the caption should look something like this:

IN THE COURT OF COMMON PLEAS OF TIOGA COUNTY, PENNSYLVANIA		
<u>Jane Q. Doe</u> <i>Plaintiff</i>	:	<u>THIS FORM MUST BE FILED UNDER SEAL</u>
v.	:	
<u>John X. Doe</u> <i>Defendant</i>	:	NO: __ FS __
	:	CIVIL ACTION - CUSTODY
	:	
:.....		
<u>CONFIDENTIAL INFORMATION FORM</u>		

The next step is to list the full legal name and date-of-birth for each child on the lines provided. For each child you should also list their initials as you intend to use them in all of the other documents. For example, you cannot go back and forth between using middle initials and not using middle initials. You must be consistent across all of your documents. If two or more listed children have the same initials (e.g. 'John Smith' and 'James Smith'), you should add numbers or other appropriate distinguishing characters (e.g. 'J.S.-1' and 'J.S.-2'). When you are done, the list should look something like this:

<u>Child's full name:</u>	<u>Date of birth (MM/DD/YY):</u>	<u>Child's initials as used in pleadings:</u>
<u><i>Amanda Doe</i></u>	<u>(01 / 01 / 01)</u>	<u><i>A.D.</i></u>
<u><i>Brian Doe</i></u>	<u>(02 / 02 / 02)</u>	<u><i>B.D. -1</i></u>
<u><i>Bella Doe</i></u>	<u>(03 / 03 / 03)</u>	<u><i>B.D. -2</i></u>
<u><i>Connor Callen Doe</i></u>	<u>(04 / 04 / 04)</u>	<u><i>C.C.D.</i></u>

Finally you should sign and date the Confidential Information Form.

STEP 3: COMPLETE THE COMPLAINT FOR CUSTODY OR VISITATION

Complete the fill-in-the-blank Custody Complaint included in this package. On the top of the first page, you will need to fill in the case caption the same way you did on the Confidential Information Form. Write

your own name on the line for 'Plaintiff' and the other parent's name on the line for 'Defendant.' Do not fill in the docket number (the part that looks like this: "NO: ___ FS ___"); the court will assign a number when you file the complaint. When you are done, the caption should look something like this:

IN THE COURT OF COMMON PLEAS OF TIOGA COUNTY, PENNSYLVANIA		
<u>Jane Q. Doe</u> <i>Plaintiff</i>	:	
v.	:	
<u>John X. Doe</u> <i>Defendant</i>	:	NO: ___ FS ___
	:	CIVIL ACTION - CUSTODY
	:	
..... COMPLAINT FOR CUSTODY OR VISITATION		

How to fill out the rest of the Complaint for Custody or Visitation:

Page 1, Question 1 – Identify the child(ren) using the initials you designated on the Confidential Information Form and their year(s) of birth. Remember that you should not use their actual names or dates of birth anywhere on this form. Here is an example:

1. This case relates to the legal and physical custody of the following minor child(ren):

Child's initials:	Year of birth	Born in wedlock:
<u>A.D.</u>	<u>2001</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>B.D. -1</u>	<u>2002</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>B.D. -2</u>	<u>2003</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>C.C.D.</u>	<u>2004</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Are there more than four children? Yes No

If there are more than four children, check 'Yes' and list each additional child's initials, year of birth, and whether or not the child was born in wedlock in the margin as neatly and clearly as possible or on a separate sheet.

Page 1, Question 2 – Fill in your full name, address, phone number, and your relationship to the child(ren). Here is an example:

2. Plaintiff's name, address, and relationship to the above-listed child(ren) is as follows:

Name: <u>Jane Q. Doe</u> Address: <u>123 Main St.</u> <u>Wellsboro, PA 16901</u>	Plaintiff's relationship to the above-listed child(ren): <input checked="" type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Other: _____
Phone No.: <u>(570) 555-1234</u>	

Notes: If you are a victim of abuse or domestic violence you can keep your address confidential, but you will still need to provide the court and the Defendant with an address where they can send legal

papers to you. Please also note that phone numbers are not required, but they make it easier for the court to contact the parties if necessary to discuss scheduling matters. For example, if there is a last-minute postponement of your court hearing and you do not provide a phone number, then the court will not be able to let you know.

Page 1, Question 3 – Fill in the other parent’s full name, address, phone number, and their relationship to the child(ren). Here is an example:

3. Defendant’s name, address, and relationship to the above-listed child(ren) is as follows:	
Name: <u>John X. Doe</u>	Defendant’s relationship to the above-listed child(ren): <input checked="" type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Other: _____
Address: <u>456 Main St.</u>	
<u>Mansfield, PA 16933</u>	
Phone No.: <u>(570) 555-5678</u>	

Page 2, Question 4 – Sometimes more than two people are involved in a custody case. For example, grandparents and other third-parties are sometimes permitted to file for custody against the parents. When that happens, though, both parents *must* be included as Defendants and served with formal notice of the case. That is true even if one of the parents has had minimal or no prior involvement with their child(ren). You cannot simply ignore them or leave them out of the process. The only exceptions are when parents are deceased or their legal rights have been completely terminated by prior court order. If there is more than one Defendant, you should check “Yes” to Question 4 and list the name, address, phone number, and relationship to the child(ren) of each additional defendant either in the margin of the page or on a separate additional sheet of paper.

If you are not a parent of the child, you will need to explain why you have legal standing to file a custody complaint. In some cases, a non-parent, and even a non-relative, can file for custody if they stand ‘in loco parentis.’ This only applies if the non-parent has acted as if they were the child’s parent for a very long time and has fulfilled parental responsibilities for the child.

Under Pennsylvania law, a grandparent (or great-grandparent), can also file for custody even if they are not “in loco parentis” if all of the following apply: (1) their relationship with the child began with the consent of a parent or through a court order, and (2) the grandparent assumes or is willing to assume responsibility for the child, and (3) any of the following conditions is met: (i) the child has been found by a court to be ‘dependent’ through a Children and Youth Agency case, or (ii) the child is substantially at risk due to parental abuse, neglect, drug or alcohol abuse or incapacity, or (iii) the child resided with the grandparent for at least twelve months and was removed from home by the parent(s) (in this situation, the grandparent must file for custody within six months of the date when the child was removed from their home).

A grandparent can also file for custody strictly for the purpose of obtaining some limited contact or visitation with a child (called ‘partial physical custody’) in any of the following three situations: (1) when a parent of the child is deceased, or (2) when the child has resided with the grandparent for twelve or more months (in this situation, the grandparent must file for custody within six months of

the date when the child was last living with the grandparent), or (3) when the parents have separated and have already initiated a divorce action.

Page 2, Question 5 – If anyone else other than the Defendant(s) has ever had custody of the child(ren), check “Yes” to Question 5 and provide the requested information. Do not list a parent if their parental rights have been terminated. If no one else has ever had custody of the child(ren), check “No.”

Page 2, Question 6 – If you have not ever participated in another case concerning the custody of the same children, check “No.” If you have ever participated in another case concerning the custody of the same child(ren), check “Yes” to Question 6 and provide as much information as possible. If you have a copy of a current court order from another case concerning the custody of the same child(ren), you should attach it to the Complaint. Please remember, however, that you cannot file documents with children’s full names and dates of birth. If you have a prior custody order for the same child(ren), it must be redacted to remove such information. (Note: If there is a prior custody order for the same child(ren), other than a Children and Youth Services case, and you were a party to that case, you normally should file a petition to modify custody with the court that entered that order instead of a new custody complaint).

Page 2, Question 7 – If you are not aware of any other case concerning the custody of the same children, check “No.” If you are aware of any other active case in another court concerning the custody of the same child(ren), check “Yes” to Question 7 and provide as much information as possible, including an explanation of why you think the case should be decided in Tioga County instead of by the other court (Please be aware that the law regarding jurisdiction and venue is very complicated and you should probably get the assistance of a lawyer if there is any dispute over which court should hear your case).

Page 2, Question 8 – When you file for custody, you need to let the court know where the child(ren) have lived for the past five years, who they lived with, and when. This information should be included in Question 8. Here is an example:

8. During the past five (5) years, the child or children have lived with the following persons at the following locations (use additional sheets if necessary):

<u>Whom was in the home?:</u>	<u>Address or Location?:</u>	<u>Dates?:</u>
<u>Plaintiff</u>	<u>123 Main St., Wellsboro, PA</u>	<u>1/1/12 - current</u>
<u>Plaintiff & Defendant</u>	<u>456 Main St., Mansfield, PA</u>	<u>1/1/04 - 1/1/12</u>
_____	_____	_____
_____	_____	_____

Page 2, Question 9 – State whether the child(ren) currently reside with the Plaintiff, the Defendant, or someone else as of the date you complete the form.

Page 3, Question 10 – List everyone who currently lives with you and their relationship to you (examples: “husband,” “wife,” “son,” etc.) Here is an example:

10. Plaintiff currently resides with the following persons:

<u>Name:</u>	<u>Relationship to Plaintiff:</u>
<u><i>Amanda Doe</i></u>	<u><i>Daughter</i></u>
<u><i>Brian Doe</i></u>	<u><i>Son</i></u>

Page 3, Question 11 – List everyone who currently lives with the Defendant(s) and their relationship to the Defendant(s). If you do not know who lives with the Defendant(s), write “unknown.” Here is an example:

11. Defendant(s) currently reside(s) with the following persons:

<u>Name:</u>	<u>Relationship to Defendant:</u>
<u><i>Unknown</i></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

Page 3, Question 12 – Explain why you want the court to give you custody or visitation. Provide as much or as little detail as you feel is necessary and appropriate to help the court and the Defendant(s) to understand your position. Please remember, however, that the Custody Complaint is a public document and other people will be able to read what you write. You should therefore use your judgment and discretion and not include any confidential or unnecessarily insulting or embarrassing accusations or information.

Page 4, Certificate of Compliance with Public Access Policy – By signing and filing the Complaint for Custody or Visitation, you are certifying that it complies with the Public Access Policy of the Unified Judicial System of Pennsylvania and does not contain any (1) social security numbers, (2) financial account numbers, (3) driver’s license numbers, (4) state identification numbers, (5) minor’s names or dates of birth, (6) abuse victim’s addresses or other contact information, as defined by Pa.R.C.P. No. 1931(a), except for victim’s name. That policy is the reason why children can only be referred to by their initials except on the Confidential Information Form.

Page 4, Praeceptum for Self-Representation – In the ‘Praeceptum for Self-Representation,’ check the first box if you have never been represented by an attorney in connection with this custody case and check the second box if you had an attorney previously but will be representing yourself in connection with this custody complaint. The address you include below the signature line on Page 4 is the address the court and the other party are supposed to use to send legal papers to you. Make sure the court and all other parties always have your current mailing address for legal papers because you will be treated as if you received any mail sent to you at the address you provide. If you do not keep your mailing address updated, you may miss important notices and fail to receive important legal documents.

Page 4, Verification and Signature – After you have filled out the rest of the Custody Complaint, sign and date the last page. By signing the Custody Complaint and filing it with the court you are asserting that the information you provide is true and correct to the best of your knowledge, information, and

belief. If you intentionally provide false information in a document you submit to the court, you may be subject to criminal charges under 18 PA. C.S.A. § 4904.

STEP 4: COMPLETE THE CRIMINAL RECORD/ABUSE HISTORY VERIFICATION FORM

You will also need to prepare a Criminal Record/Abuse History Verification Form. Begin by filling in the case caption at the top of the first page of the Criminal Record/Abuse History Verification Form the same way you filled in the captions on the first page of the Confidential Information Form and Complaint for Custody or Visitation. Next, print your name in the blank space on the first page. This form contains a long list of crimes and offenses that the court may consider when making a custody decision. You are required to disclose if you or any other member of your household has ever been convicted of any of these crimes or offenses. You must also disclose if either you or any other member of your household is currently facing charges for any of these crimes or offenses, even if you have not yet been convicted. For each crime or offense listed, provide the requested information. Here is an example:

<p>18 Pa.C.S. Ch. 25 (relating to criminal homicide):</p> <p><input checked="" type="checkbox"/> Does not apply to either me or any household member</p> <p><input type="checkbox"/> Applies to me as follows: By <input type="checkbox"/> Conviction <input type="checkbox"/> Guilty or No Contest Plea <input type="checkbox"/> Adjudicated Delinquent <input type="checkbox"/> Charges pending Date: (/ /) Sentence: _____</p> <p><input type="checkbox"/> Applies to another household member as follows: Name: _____ By <input type="checkbox"/> Conviction <input type="checkbox"/> Guilty or No Contest Plea <input type="checkbox"/> Adjudicated Delinquent <input type="checkbox"/> Charges pending Date: (/ /) Sentence: _____</p>

<p>18 Pa.C.S. §2702 (relating to aggravated assault):</p> <p><input type="checkbox"/> Does not apply to either me or any household member</p> <p><input checked="" type="checkbox"/> Applies to me as follows: By <input checked="" type="checkbox"/> Conviction <input type="checkbox"/> Guilty or No Contest Plea <input type="checkbox"/> Adjudicated Delinquent <input type="checkbox"/> Charges pending Date: <u>01/02/10</u> Sentence: <u>Two years incarceration</u></p> <p><input type="checkbox"/> Applies to another household member as follows: Name: _____ By <input type="checkbox"/> Conviction <input type="checkbox"/> Guilty or No Contest Plea <input type="checkbox"/> Adjudicated Delinquent <input type="checkbox"/> Charges pending Date: (/ /) Sentence: _____</p>

The last page of the form requests additional information about any counseling, evaluations, or treatment you may have received as a result of any of the crimes or offenses listed, as well as additional information about any applicable household member. You should also disclose if the Defendant or members of the Defendant's household has or have a criminal or abuse history

After you have filled out the Criminal Record/Abuse History Verification Form, sign and date the last page. By signing this form and filing it with the court you are asserting that the information you provide is true and correct to the best of your knowledge, information, and belief. If you intentionally provide false information, or knowingly fail to disclose any applicable crimes or offenses, you may be subject to criminal charges under 18 PA. C.S.A. § 4904.

STEP 5: PREPARE THE PROPOSED NOTICE AND ORDER FOR THE COURT

You will also need to prepare a proposed 'Notice and Order' for the court. You should fill in the case caption at the top of the Notice and Order the same way you filled out the case captions for all of the

other documents. You should also fill in your name and the Defendant's name in the Distribution list at the bottom left side of the Notice and Order. You should not fill in the date for the preliminary custody conference or sign the Notice and Order. The date will be set by the Court and the Notice and Order will be signed by the judge. Here is an example:

**IN THE COURT OF COMMON PLEAS
OF TIOGA COUNTY, PENNSYLVANIA**

<u>Jane Q. Doe</u>	:	
<i>Plaintiff</i>	:	
v.	:	
<u>John X. Doe</u>	:	NO: ____ FS ____
<i>Defendant</i>	:	CIVIL ACTION – CUSTODY
	:	

.....

NOTICE AND ORDER

You, John X. Doe (Defendant), have been sued in Court to obtain shared legal custody, sole legal custody, partial physical custody, primary physical custody, shared physical custody, sole physical custody, or supervised physical custody of the following child(ren):

<u>Child's initials:</u>	<u>Year of birth</u>	<u>Born in wedlock:</u>	
<u>A.D.</u>	<u>2001</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>B.D. -1</u>	<u>2002</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>B.D. -2</u>	<u>2003</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>C.C.D.</u>	<u>2004</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

You are ordered to appear in person on the ____ day of _____, 20__ at ____ .m., at the Tioga County Courthouse at 118 Main Street in Wellsboro, Pennsylvania, for a Preliminary Custody Conference with the Child Custody Conference Officer. You are also required to complete and file a Criminal Record/Abuse History Verification Form prior to the Preliminary Custody Conference. This form is available from the Court Administrator.

If you fail to appear as required by this Order, the Court may enter an Order for Custody, Partial Custody or Visitation in your absence and the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, 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.

TIOGA COUNTY COURT ADMINISTRATION TIOGA COUNTY COURTHOUSE 118 MAIN STREET, WELLSBORO PA 16901 (570) 724 - 9380	or	NORTH PENN LEGAL SERVICES TOLL FREE: (877) 953 – 4250
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Distribution:

1. Jane Q. Doe (Plaintiff)
2. John X. Doe (Defendant)

BY THE COURT:

_____, J.

AMERICANS WITH DISABILITIES ACT OF 1990: The Court of Common Pleas of Tioga 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.

STEP 6: PREPARE COPIES OF YOUR DOCUMENTS

Before you go to court, you will need to make copies of the Confidential Information Form, the Custody Complaint, your Criminal Record/Abuse History Verification Form, and the Notice and Order. You will need at least two copies of the Confidential Information Form, two copies of the Custody Complaint, two copies of the Criminal Record/Abuse History Verification Form, and at least two copies of the Notice and Order. When you go to the courthouse you will need to bring with you the following:

- One (1) original Confidential Information Form and two (2) copies of the Confidential Information Form
- One (1) original Custody Complaint and two (2) copies of the Custody Complaint,
- One (1) original completed and signed Criminal Record/Abuse History Verification Form and two (2) copies of the completed and signed Criminal Record/Abuse History Verification Form,
- One (1) original proposed Notice and Order and two (2) copies of the proposed Notice and Order.

Note: If there is more than one Defendant, you will need to bring an extra copy of each of the above documents for every additional Defendant.

STEP 7: FILE YOUR DOCUMENTS

Now you can go to the Prothonotary's office in the courthouse. Tell the staff that you are there to file a new custody case and give them your papers. If you cannot afford the filing fee, you will need to get the court's permission to waive the filing fee. Follow the instruction in the *IFP SELF-HELP PACKAGE* to ask the court to waive the filing fee. After you have either paid the filing fee or the court has waived the filing fee, you can submit your other paperwork. The Prothonotary's Office will take your original Confidential Information Form, Custody Complaint, and Criminal Record/Abuse History Verification Form and keep them for the court file. They will timestamp the copies of the Confidential Information Form, Custody Complaint, and Criminal Record/Abuse History Verification Form and give the copies back to you. They will keep the original proposed Notice and Order and both copies of the Notice and Order.

STEP 8: SERVE YOUR DOCUMENTS ON THE DEFENDANT

The court will add a date and time for the preliminary custody conference to the Notice and Order and the judge will sign it. After the Notice and Order is signed by the judge, copies will be mailed to you and the Defendant at the addresses you provided.

It is nonetheless your responsibility to send each Defendant (1) a copy of the Confidential Information Form, (2) a copy of the Custody Complaint, (3) a copy of your completed and signed Criminal Record/Abuse History Verification Form, (4) a copy of the Notice and Order *after the court has assigned a date for the custody conference and returned the form to you*, and (4) a blank Criminal Record/Abuse History Verification Form for the Defendant to complete and file. You must mail these documents by certified mail, restricted delivery, return receipt requested. If you do not know how to complete the "green card," the post office can assist you. When you mail something by certified mail, restricted delivery, return receipt requested, the person must sign for their mail in order to get it. A green card with

the person's signature is then returned to you. You will need the green card with the Defendant's signature to prove that the Defendant received the documents you sent them. If you have an open children and youth services case, you must also send copies of your documents to the Children and Youth Services agency.

STEP 9: FILE YOUR CERTIFICATE OF SERVICE

When you receive the signed green card back from the Defendant, you will need to attach it to the 'Certificate of Service' and file it at the Prothonotary's Office. Fill in the case caption at the top of the Certificate of Service the same way you filled in the case caption on all of your other documents (only this time you should already have the docket number, so you can fill in the docket number yourself). Sign and date the Certificate of Service. Attach the postal green card to the Certificate of Service using glue or tape with the side containing the Defendant's signature facing up. You can then take it back to the Prothonotary's office and file it as part of your case record. You should also make a copy for your own records. It is your responsibility to confirm that the Defendant received notice of the preliminary custody conference. If you do not file a Certificate of Service with the Defendant's signature and the Defendant does not appear for the preliminary custody conference, the court will probably reschedule the case so that you can serve your papers on the Defendant and provide proof of the same. If the Defendant does not accept their mail, you may need to pay the Sheriff's office to serve the papers for you or you may need to talk to a lawyer about other service options.

STEP 10: GO TO THE PRELIMINARY CUSTODY CONFERENCE

You and the Defendant are both required to attend to the preliminary custody conference at the date and time indicated in the Notice and Order. The preliminary custody conference is not a full hearing, and you will not be permitted to call any witnesses or present any evidence. You should not bring children to the preliminary custody conference unless the court directs you to do so. The primary purpose of the preliminary custody conference is to see if you and the Defendant can reach an agreement. If you can reach an agreement at the preliminary custody conference, then no further action will be required. Otherwise, the court will set a temporary custody order and give you further instructions.

This Self-Help Custody Complaint Package is provided by the Tioga County Bar Association for the benefit of pro se custody litigants in Tioga County, Pennsylvania and may be reproduced without restriction. No warranties of any kind are made in connection with these instructions or the included documents, nor is this package intended as a substitute for individualized legal advice. For further assistance, please contact North Penn Legal Services at (877) 953 – 4250.

ADDITIONAL CONTENTS OF THIS PACKAGE:

1. CONFIDENTIAL INFORMATION FORM (1 PAGE)
2. COMPLAINT FOR CUSTODY OR VISITATION (4 PAGES)
3. CRIMINAL RECORD/ABUSE HISTORY VERIFICATION FORM (8 PAGES x 2 COPIES: 16 PAGES TOTAL)
4. NOTICE AND ORDER (1 PAGE)
5. CERTIFICATE OF SERVICE (1 PAGE)

**IN THE COURT OF COMMON PLEAS
OF TIOGA COUNTY, PENNSYLVANIA**

_____ : **THIS FORM MUST BE FILED**
Plaintiff : **UNDER SEAL**
v. :
_____ : **NO: ____ FS ____**
Defendant : **CIVIL ACTION - CUSTODY**
:

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CONFIDENTIAL INFORMATION FORM

TO THE PROTHONOTARY: IN ACCORDANCE WITH 204 PA.CODE §213.7 AND TIOGA COUNTY LOCAL RULE NO. 102, THIS FORM MUST BE FILED UNDER SEAL.

The *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* and Tioga County Local Rule No. 102 (effective January 6, 2018) prohibit the use of minor’s names and dates of birth in most documents filed with the court except on a Confidential Information Form filed contemporaneously with such documents. This form is submitted in accordance therewith.

The above-captioned case and contemporaneously-filed Complaint for Custody or Visitation relates to the custody of the following minor child(ren):

<u>Child’s full name:</u>	<u>Date of birth (MM/DD/YY):</u>	<u>Child’s initials as used in pleadings:*</u>
_____	(____ / ____ / ____)	_____
_____	(____ / ____ / ____)	_____
_____	(____ / ____ / ____)	_____
_____	(____ / ____ / ____)	_____

* If two or more listed children have the same initials (e.g. ‘John Smith’ and ‘James Smith’), you should add numbers or other appropriate distinguishing characters (e.g. ‘J.S.-1’ and ‘J.S.-2’).

I verify that the statements made in this Confidential Information Form are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 PA. C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: _____

Plaintiff’s Signature

**IN THE COURT OF COMMON PLEAS
OF TIOGA COUNTY, PENNSYLVANIA**

Plaintiff

v.

Defendant

:
:
:
:
:
:
:

NO: _____ FS _____

CIVIL ACTION - CUSTODY

.....

COMPLAINT FOR CUSTODY OR VISITATION

1. This case relates to the legal and physical custody of the following minor child(ren):

<u>Child's initials:</u>	<u>Year of birth</u>	<u>Born in wedlock:</u>	
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Are there more than four children? Yes No

(If the answer is "Yes" you will need to list each additional child's initials, year of birth, and whether or not the child was born in wedlock in the margin or on a separate sheet – see accompanying instructions).

CONFIDENTIAL INFORMATION ABOUT THE ABOVE-IDENTIFIED CHILD(REN), INCLUDING FULL NAME(S) AND DATE(S) OF BIRTH, IS PROVIDED IN AN ACCOMPANYING CONFIDENTIAL INFORMATION FORM FILED UNDER SEAL (SEE TIOGA COUNTY LOCAL RULE NO. 102, EFFECTIVE JANUARY 6, 2018).

2. Plaintiff's name, address, and relationship to the above-listed child(ren) is as follows:

Name: _____	Plaintiff's relationship to the above-
Address: _____	listed child(ren):
_____	<input type="checkbox"/> Mother
_____	<input type="checkbox"/> Father
Phone No.: _____	<input type="checkbox"/> Other: _____

3. Defendant's name, address, and relationship to the above-listed child(ren) is as follows:

Name: _____	Defendant's relationship to the above-
Address: _____	listed child(ren):
_____	<input type="checkbox"/> Mother
_____	<input type="checkbox"/> Father
Phone No.: _____	<input type="checkbox"/> Other: _____

This Self-Help Complaint for Custody or Visitation is provided by the Tioga County Bar Association for the benefit of pro se custody litigants in Tioga County, Pennsylvania and may be reproduced without restriction. No warranties of any kind are made in connection with this document or any associated documents or instructions, which are not intended as a substitute for individualized legal advice. For further assistance, contact North Penn Legal Services at (877) 953 – 4250 or Tioga County Court Administration at (570) 724 – 9380.

4. Is there more than one Defendant? Yes No

(If the answer is "Yes" you will need to list each additional Defendant's name, address, phone number, and relationship to the child(ren) either in the margin or on a separate sheet – see accompanying instructions. Please note that both parents must be included as parties to this action and given notice of all court proceedings unless a parent is deceased or their parental rights have been terminated by court order).

If the Plaintiff is not a parent of the child(ren), explain why the Plaintiff has legal standing to file this custody complaint: _____

5. Other than the Plaintiff and the Defendant(s), is there anyone else who either currently has custody of the minor child(ren) or has had custody in the past (do not include parents whose parental rights have previously been terminated)? No Yes

If the answer to this question is 'Yes' provide the name and address of all such individuals, and their relationship to the child(ren):

<u>Person's Name:</u>	<u>Address:</u>	<u>Relationship to child(ren):</u>
-----------------------	-----------------	------------------------------------

_____	_____	_____
_____	_____	_____

6. Has the Plaintiff previously participated in any other case concerning the custody of the above-listed child(ren), whether in this or in any other court? *(Please include any Children and Youth Services cases)* No Yes If the answer to this question is 'Yes' provide the name of the court and the docket number, if available:

Name of court: _____ Docket number: _____

7. Is the Plaintiff aware of any other custody proceeding concerning the above-listed child(ren) currently pending in any other court? No Yes

If the answer to this question is 'Yes' provide the name of the court, the docket number, and an explanation as to why this court should hear the case even though another case involving the same child(ren) is already active in another court:

Name of court: _____ Docket number: _____

Reason why this court should hear the case even though a case is already active in another court: _____

8. During the past five (5) years, the child or children have lived with the following persons at the following locations (use additional sheets if necessary):

<u>Whom was in the home?:</u>	<u>Address or Location?:</u>	<u>Dates?:</u>
-------------------------------	------------------------------	----------------

_____	_____	_____
_____	_____	_____
_____	_____	_____

9. The child(ren) currently reside(s) with the Plaintiff the Defendant, *or* Other: _____

10. The Plaintiff currently resides with the following persons:

Name:

Relationship to Plaintiff:

11. The Defendant(s) currently reside(s) with the following persons:

Name:

Relationship to Defendant:

12. The best interests of the child(ren) will be served by giving the Plaintiff shared legal custody, sole legal custody, partial physical custody, primary physical custody, shared physical custody, sole physical custody, or supervised physical custody because:

WHEREFORE the Plaintiff respectfully requests that this honorable Court grant the Plaintiff shared legal custody, sole legal custody, partial physical custody, primary physical custody, shared physical custody, sole physical custody, or supervised physical custody of the child(ren) listed herein.

CERTIFICATION OF COMPLIANCE WITH PUBLIC ACCESS POLICY

I, the undersigned Plaintiff in this case, 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.

PRAECIPE FOR SELF-REPRESENTATION

I, the undersigned Plaintiff in this case, represent myself in this action.

I have not previously been represented by an attorney in this action, *or*

I was previously represented by _____, Esquire, but am no longer represented by any attorney and wish said attorney removed as my attorney of record (Note: The plaintiff must send a copy of this document to the attorney removed from this case).

I understand that I am under a continuing obligation to provide current contact information to the court, to other self-represented parties, and to any attorneys of record.

All pleadings and legal papers can be served on me at the address provided below.

VERIFICATION

I, the undersigned Plaintiff in this case, do verify that the statements made in the foregoing Complaint for Custody or Visitation, Certificate of Compliance with Public Access Policy, and Praecipe for Self-Representation are all true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 PA. C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: _____

Plaintiff's Signature (pro se)

Address: _____

Phone: _____

NOTICE: IN ACCORDANCE WITH Pa.R.C.P. No. 1915.3-1, THE PLAINTIFF MUST FILE A "CRIMINAL RECORD/ABUSE HISTORY VERIFICATION FORM" AT THE SAME AS THIS COMPLAINT. THE PLAINTIFF MUST ALSO INCLUDE A BLANK CRIMINAL RECORD/ABUSE HISTORY VERIFICATION FORM WHEN THEY SERVE THIS COMPLAINT ON THE DEFENDANT(S).

**IN THE COURT OF COMMON PLEAS
OF TIOGA COUNTY, PENNSYLVANIA**

_____ :
Plaintiff :
v. :
_____ : NO: _____ FS _____
Defendant : CIVIL ACTION - CUSTODY
:

CRIMINAL RECORD/ABUSE HISTORY VERIFICATION FORM

I, _____, do hereby swear or affirm, subject to penalties of law, including 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities) as follows:

1. Unless indicated by my checking the box next to a crime below, neither I nor any other member of my household have been convicted, or pled guilty, or pled no contest, or was adjudicated delinquent where the record is publicly available pursuant to the Juvenile Act, 42 Pa.C.S. § 6307, to any of the following crimes in Pennsylvania, or to any substantially equivalent crime in any other jurisdiction (including any pending charges):

FOR EACH LISTED OFFENSE, CHECK ALL BOXES THAT APPLY:

18 Pa.C.S. Ch. 25 (relating to criminal homicide):

Does not apply to either me or any household member

Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2702 (relating to aggravated assault):

Does not apply to either me or any household member

Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2706 (relating to terroristic threats):

Does not apply to either me or any household member

Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2709.1 (relating to stalking):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2901 (relating to kidnapping):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2902 (relating to unlawful restraint):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2903 (relating to false imprisonment):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2910 (relating to luring a child into a motor vehicle or structure):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3121 (relating to rape):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3122.1 (relating to statutory sexual assault):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3123 (relating to involuntary deviate sexual assault):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3124.1 (relating to sexual assault):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3125 (relating to aggravated indecent assault):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3126 (relating to indecent assault):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3127 (relating to indecent exposure):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3129 (relating to sexual intercourse with animal):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3130 (relating to conduct relating to sex offenders):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3301 (relating to arson and related offenses):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §4302 (relating to incest):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §4303 (relating to concealing death of child):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §4304 (relating to endangering welfare of children):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §4305 (relating to dealing in infant children):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §5902(b) (relating to prostitution and related offenses):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §5903(c) or (d) (relating to obscene and other sexual materials and performances):

Does not apply to either me or any household member

Applies to me as follows:
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §6301 (relating to corruption of minors):

Does not apply to either me or any household member

Applies to me as follows:
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §6312 (relating to sexual abuse of children):

Does not apply to either me or any household member

Applies to me as follows:
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §6318 (relating to unlawful contact with minor):

Does not apply to either me or any household member

Applies to me as follows:
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §6320 (relating to sexual exploitation of children):

Does not apply to either me or any household member

Applies to me as follows:
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §6114 (relating to contempt for violation of protection order or agreement):

Does not apply to either me or any household member

Applies to me as follows:
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Driving under the influence of drugs or alcohol:

Does not apply to either me or any household member

Applies to me as follows:
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device:

Does not apply to either me or any household member

Applies to me as follows:
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

2. Unless indicated by my checking the box next to an item below, neither I nor any other member of my household have a history of violent or abusive conduct, or involvement with a Children and Youth Agency, including the following:

(1) A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or under a similar statute in another jurisdiction, or (2) a history of abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction, or (3) involvement with a Children and Youth Agency or similar agency in Pennsylvania or another jurisdiction, or (4) any other history of violent or abusive conduct:

Does not apply to either me or any household member

Applies to me as follows:

- By a finding of abuse made against me by a Children & Youth Agency or similar agency in Pennsylvania or under a similar statute in another jurisdiction
- By a history of abusive conduct by me as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction
- By involvement with a Children and Youth Agency or similar agency in Pennsylvania or another jurisdiction. If checked, indicate where: _____
- Other: _____

Date: (___ / ___ / ___)

Continued on next page ...

Continued from previous page

- Applies to another household member as follows: Name: _____
- By a finding of abuse made against this household member by a Children & Youth Agency or similar agency in Pennsylvania or under a similar statute in another jurisdiction
 - By a history of abusive conduct by this household member as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction
 - By involvement of this household member with a Children and Youth Agency or similar agency in Pennsylvania or another jurisdiction. If checked, indicate where:

 - Other: _____

Date: (____ / ____ / ____)

3. If any of the preceding crimes or findings of abuse apply to you or a household member, list any evaluations, counseling or other treatment received following the conviction or finding of abuse:

4. If any of the preceding crimes or findings of abuse apply to a household member, state that person's name, date of birth and relationship to the child(ren):

Name: _____ Date of Birth: (____ / ____ / ____)

Relationship to the child(ren): _____

5. If you are aware that the other party or members of the other party's household has or have a criminal/abuse history, please explain:

I verify that the statements made in this Criminal Record/Abuse History Verification Form are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 PA. C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: _____

Signature

NOTICE: A CRIMINAL OR ABUSE HISTORY VERIFICATION FORM MUST BE FILED ALONG WITH EVERY NEW CUSTODY COMPLAINT OR CUSTODY PETITION, EVEN IF YOU HAVE ALREADY FILED ONE BEFORE. A COPY OF YOUR COMPLETED CRIMINAL OR ABUSE HISTORY VERIFICATION FORM MUST ALSO BE SERVED (PROVIDED TO) THE OTHER PARTY AT THE SAME TIME AS THE COMPLAINT OF PETITION.

**IN THE COURT OF COMMON PLEAS
OF TIOGA COUNTY, PENNSYLVANIA**

_____ :
Plaintiff :
v. :
_____ : NO: ____ FS ____
Defendant : CIVIL ACTION – CUSTODY
_____ :

CRIMINAL RECORD/ABUSE HISTORY VERIFICATION FORM

I, _____, do hereby swear or affirm, subject to penalties of law, including 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities) as follows:

6. Unless indicated by my checking the box next to a crime below, neither I nor any other member of my household have been convicted, or pled guilty, or pled no contest, or was adjudicated delinquent where the record is publicly available pursuant to the Juvenile Act, 42 Pa.C.S. § 6307, to any of the following crimes in Pennsylvania, or to any substantially equivalent crime in any other jurisdiction (including any pending charges):

FOR EACH LISTED OFFENSE, CHECK ALL BOXES THAT APPLY:

18 Pa.C.S. Ch. 25 (relating to criminal homicide):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2702 (relating to aggravated assault):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2706 (relating to terroristic threats):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2709.1 (relating to stalking):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2901 (relating to kidnapping):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2902 (relating to unlawful restraint):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2903 (relating to false imprisonment):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §2910 (relating to luring a child into a motor vehicle or structure):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3121 (relating to rape):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3122.1 (relating to statutory sexual assault):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3123 (relating to involuntary deviate sexual assault):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3124.1 (relating to sexual assault):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3125 (relating to aggravated indecent assault):
 Does not apply to either me or any household member
 Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
 Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3126 (relating to indecent assault):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3127 (relating to indecent exposure):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3129 (relating to sexual intercourse with animal):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3130 (relating to conduct relating to sex offenders):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §3301 (relating to arson and related offenses):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §4302 (relating to incest):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §4303 (relating to concealing death of child):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §4304 (relating to endangering welfare of children):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §4305 (relating to dealing in infant children):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §5902(b) (relating to prostitution and related offenses):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §5903(c) or (d) (relating to obscene and other sexual materials and performances):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §6301 (relating to corruption of minors):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §6312 (relating to sexual abuse of children):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §6318 (relating to unlawful contact with minor):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §6320 (relating to sexual exploitation of children):

- Does not apply to either me or any household member
- Applies to me as follows:
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____
- Applies to another household member as follows: Name: _____
By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
Date: (___ / ___ / ___) Sentence: _____

18 Pa.C.S. §6114 (relating to contempt for violation of protection order or agreement):

Does not apply to either me or any household member

Applies to me as follows:
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Driving under the influence of drugs or alcohol:

Does not apply to either me or any household member

Applies to me as follows:
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device:

Does not apply to either me or any household member

Applies to me as follows:
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

Applies to another household member as follows: Name: _____
 By Conviction Guilty or No Contest Plea Adjudicated Delinquent Charges pending
 Date: (___ / ___ / ___) Sentence: _____

7. Unless indicated by my checking the box next to an item below, neither I nor any other member of my household have a history of violent or abusive conduct, or involvement with a Children and Youth Agency, including the following:

(1) A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or under a similar statute in another jurisdiction, or (2) a history of abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction, or (3) involvement with a Children and Youth Agency or similar agency in Pennsylvania or another jurisdiction, or (4) any other history of violent or abusive conduct:

Does not apply to either me or any household member

Applies to me as follows:

- By a finding of abuse made against me by a Children & Youth Agency or similar agency in Pennsylvania or under a similar statute in another jurisdiction
- By a history of abusive conduct by me as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction
- By involvement with a Children and Youth Agency or similar agency in Pennsylvania or another jurisdiction. If checked, indicate where: _____
- Other: _____

Date: (___ / ___ / ___)

Continued on next page ...

Continued from previous page

- Applies to another household member as follows: Name: _____
- By a finding of abuse made against this household member by a Children & Youth Agency or similar agency in Pennsylvania or under a similar statute in another jurisdiction
 - By a history of abusive conduct by this household member as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction
 - By involvement of this household member with a Children and Youth Agency or similar agency in Pennsylvania or another jurisdiction. If checked, indicate where:

 - Other: _____

Date: (____ / ____ / ____)

8. If any of the preceding crimes or findings of abuse apply to you or a household member, list any evaluations, counseling or other treatment received following the conviction or finding of abuse:

9. If any of the preceding crimes or findings of abuse apply to a household member, state that person's name, date of birth and relationship to the child(ren):

Name: _____ Date of Birth: (____ / ____ / ____)

Relationship to the child(ren): _____

10. If you are aware that the other party or members of the other party's household has or have a criminal/abuse history, please explain:

I verify that the statements made in this Criminal Record/Abuse History Verification Form are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 PA. C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: _____

Signature

NOTICE: A CRIMINAL OR ABUSE HISTORY VERIFICATION FORM MUST BE FILED ALONG WITH EVERY NEW CUSTODY COMPLAINT OR CUSTODY PETITION, EVEN IF YOU HAVE ALREADY FILED ONE BEFORE. A COPY OF YOUR COMPLETED CRIMINAL OR ABUSE HISTORY VERIFICATION FORM MUST ALSO BE SERVED (PROVIDED TO) THE OTHER PARTY AT THE SAME TIME AS THE COMPLAINT OF PETITION.

**IN THE COURT OF COMMON PLEAS
OF TIOGA COUNTY, PENNSYLVANIA**

Plaintiff

v.

Defendant

:
:
:
:
:
:
:

NO: ____ FS ____

CIVIL ACTION - CUSTODY

.....

NOTICE AND ORDER

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

<u>Child's initials:</u>	<u>Year of birth</u>	<u>Born in wedlock:</u>	
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

You are ordered to appear in person on the ____ day of _____, 20__ at ____ .m., at the Tioga County Courthouse at 118 Main Street in Wellsboro, Pennsylvania, for a Preliminary Custody Conference with the Child Custody Conference Officer. You are also required to complete and file a Criminal-Record/Abuse-History Verification Form prior to the Preliminary Custody Conference. This form is available from the Court Administrator.

If you fail to appear as required by this Order, the Court may enter an Order for custody in your absence and the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, 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.

TIOGA COUNTY COURT ADMINISTRATION	or	NORTH PENN LEGAL SERVICES
TIOGA COUNTY COURTHOUSE		TOLL FREE: (877) 953 – 4250
118 MAIN STREET, WELLSBORO PA 16901		
(570) 724 - 9380		

BY THE COURT:

Distribution:

1. _____ (Plaintiff)
2. _____ (Defendant)

_____ J.

AMERICANS WITH DISABILITIES ACT OF 1990: The Court of Common Pleas of Tioga 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.

**IN THE COURT OF COMMON PLEAS
OF TIOGA COUNTY, PENNSYLVANIA**

Plaintiff

v.

Defendant

:
:
:
:
:
:
:

NO: ____ FS ____

CIVIL ACTION - CUSTODY

.....

CERTIFICATE OF SERVICE

I, _____, the Plaintiff in the above-captioned action, certify that I have served a true and correct copy of my Complaint for Custody or Visitation, my Confidential Information Form, my completed Criminal-Record/Abuse-History Verification Form, the Notice and Order scheduling a preliminary custody conference, and a blank Criminal-Record/Abuse-History Verification Form on the Defendant by sending the same to the Defendant by U.S. certified mail, restricted delivery, return receipt requested. The postal green-card signed by the Defendant is attached below.

I verify that the statements made in this Certificate of Service are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 PA. C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: _____

Plaintiff's Signature

Attach the postal return-receipt ("green") card here with clear tape or glue. Make sure that the side with the Defendant's signature faces up.