



WASHINGTON COUNTY COURT OF COMMON PLEAS PRO SE CUSTODY PACKET

NOTICE

ALL PARTIES INVOLVED IN LITIGATION ARE STRONGLY ENCOURAGED TO SEEK PROFESSIONAL LEGAL ADVICE FROM AN ATTORNEY. Court staff cannot offer any legal advice. The information in this packet is not a substitute for professional legal advice. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents.

If you desire to speak with an attorney and do not know one, you should call the Bar Association's Lawyer Referral Service (LRS) at 724-225-6710 to schedule a half-hour consultation with a licensed, insured attorney who has experience in the area of law related to your legal matter. The initial half-hour consultation with the attorney is \$30; any fees beyond the first half-hour should be discussed and agreed upon by you and the lawyer.

If you meet certain income and other qualifications, you should contact Southwestern PA Legal Aid Society, 10 West Cherry Avenue, Washington, PA at 724-225-6170.

If you have questions about domestic violence or believe that you may be the victim of domestic violence, we strongly recommend that you contact the *Washington County Women's Shelter* at 724-223-8349.

If you suspect child abuse, please contact *CHILDLINE* at 1-800-932-0313. You can report suspected child abuse 24 hours per day and remain anonymous.

MOTION TO CONTINUE & ORDER

A copy of your current Custody Order should be attached to your Petition.

Motions Court

If you are filing for a continuance, you **MUST** provide a copy of your Motion for Continuance to the other party and you **MUST** give them five (5) business days notice of when you intend to go to Motions' Court.

Motions Court is held every Tuesday, Wednesday, Thursday and Friday at 9:15 a.m. in Courtroom No. 4 on the third floor of the Courthouse before Judge Gary M. Gilman.

You **must** notify the court that you are appearing in Motions Court by dropping off your Motion for Continuance to the Judge's Chambers by Noon the day before you intend to appear before the Judge. Disregard for this prior notification to the court could result in you being turned away and asked to return the following day.

SUMMARY OF STEPS

Before you go to Court:

1. Complete the appropriate forms in ink, not pencil. Incomplete forms may be refused.
2. Give the other party or their attorney, written notice five (5) business days prior to appearing in Motions Court.
3. Take completed Motion to the Judge assigned to your case in his regular Motions' Court.
4. The Judge will consider the petition and issue an Order either approving or denying your request.
5. Take the signed Order to the Custody Office to reschedule.
6. File the papers in the Prothonotary's Office (1st floor). If your continuance is granted you must pay the filing fee (\$25.00 prior to the scheduled date, \$75.00 on the day of or thereafter) in cash or with a money order.
7. Serve the other party with a copy of the Order.

L-1915.28 CONTINUANCES

(a) Motions for continuances of proceedings before the Child Custody Conference Officer will be presented by the moving party to the Family Court Judge to whom the case is assigned in Motions Court prior to the scheduled proceeding. The Order granting or denying the continuance will be filed in the Prothonotary's Office. A copy of an order granting a continuance will be delivered by the moving party to the Civil Division of the Court Administrator's Office.

(b) A \$25.00 fee will be charged for continuances. Except in the case of an emergency, when a party seeks and receives a continuance on the day of a scheduled meeting or conference the party will be charged a \$75.00 fee. The fee will be paid by the moving party to the Prothonotary's Office when the Motion and Continuance Order are filed. The fee shall be paid in the form of a money order payable to the Washington County Prothonotary.

(c) Motions for continuances shall be set forth in writing containing the following information:

1. A clear, concise and certain reason for the motion.
2. A statement that opposing counsel or the opposing party, if unrepresented, has no objection to the request for continuance, if applicable.
3. A statement of the number of prior continuances, if any.
4. If another court appearance is the reason for the request, a copy of the notice or Order of the conflicting hearing shall be attached.

(d) The Notice of Presentation of the Continuance Motion shall include the date of service of the motion upon the opposing counsel or the opposing party, if unrepresented.

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA**

| | | |
|------------|---|-----------|
| _____ |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | No. _____ |
| |) | |
| |) | |
| _____ |) | |
| |) | |
| Defendant. |) | |

NOTICE OF PRESENTATION

TO: _____

(name & address of the other party)

Please take notice that I intend to present to Judge Gary M. Gilman at his regular motions court the attached Motion for Continuance on the ____ day _____, 2012 at 9:15 a.m. at the Washington County Courthouse, 1 South Main Street, Washington, PA in Courtroom No. 4.

Date _____

Petitioner

CERTIFICATION OF SERVICE

I hereby certify that I have caused to be served a true and correct copy of the attached on the above named at least five (5) business days prior to the date of presenting the Motion by way of (check all that apply):

- _____ regular mail
- _____ certified mail
- _____ hand delivery

Petitioner

| | | |
|------------|---|-----------|
| _____ |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | No. _____ |
| _____ |) | |
| |) | |
| Defendant. |) | |

MOTION FOR CONTINUANCE

AND NOW, comes _____, Plaintiff/Defendant, and who respectfully requests a continuance of the _____ scheduled in the above captioned action and states as follows:

1. A _____ is scheduled for the ____ day of _____, 2012 at ____ .m. in front of _____.

2. This Petitioner respectfully requests a continuance for the following reason:

3. The opposing counsel/party has been informed of this request for continuance and (agrees) (objects) to the continuance:

4. _____ Continuances have already been granted on the matter.

WHEREFORE, Petitioner respectfully requests this Honorable Court to continue the _____ until the next available date.

Respectfully submitted,

Petitioner's Signature

Printed Name

VERIFICATION

I, _____, verify that the statements made in this Petition for Modification of Custody are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann § 4904, relating to unsworn falsification to authorities which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Date: _____

Petitioner

**IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA**

| | | |
|------------|---|-----------|
| |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | No. _____ |
| |) | |
| |) | |
| |) | |
| Defendant. |) | |

ORDER

AND NOW, this _____ day of _____, 2012, upon consideration of the within Motion for Continuance, the custody proceeding currently scheduled in the above captioned action for _____, 2012 , at _____ o'clock __.M. is hereby continued until the next available date.

BY THE COURT:

GARY M. GILMAN, Judge **J.**