



WASHINGTON COUNTY COURT OF COMMON PLEAS PRO SE CENTER 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 \$25; 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 may be able to secure an attorney through Southwestern PA Legal Services, 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.

EMERGENCY PETITION & ORDER

Emergency Relief: *If there is a TRUE emergency, (that is, if there is a risk that the other parent will run away from the County with the Child without a known destination, or there is a threat of immediate harm to the child) you should tell the party at least 24 hours in advance by phone or in person that you are coming to Court to present an Emergency Relief Petition the following day before 9:00 a.m.*

Motions Court

If the Plaintiff's last name begins with A-La, Judge DiSalle will hear motions:

Monday through Thursday in Courtroom Number 3 at 9:00 AM.

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, sign in on the sheet, have a seat and wait your turn.

If the Plaintiff's last name begins with Lb-Z, Judge Moschetta-Bell will hear motions:

Monday, Tuesday, and Thursday in Courtroom Number 6 at 9:00 AM

Take the completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, have a seat and wait your turn.

MINIMUM 24 HOURS ORAL NOTICE MUST BE GIVEN TO THE OTHER SIDE WHEN FILING AN EMERGENCY PETITION. IF THE OTHER PARTY HAS A LAWYER, YOU MUST GIVE NOTICE TO THAT LAWYER.

IF YOU DO NOT ALREADY HAVE AN EXISTING COURT ORDER FOR CUSTODY, YOU MUST FILE A CUSTODY COMPLAINT AT THE SAME TIME YOU PRESENT YOUR EMERGENCY PETITION.

Court of Common Pleas of Washington County
Child Custody Emergency Filing Procedures

If you are filing for emergency custody, you must:

- already have a conference scheduled or;
- already have a Petition for Custody filed, or currently be filing a Petition for Custody, or;
- already have a Petition to Modify Custody filed, or currently be filing a Petition to Modify Custody.

After obtaining a signed court order from the Judge, you must file the petition in the Prothonotary's office. **If you do not file your petition with the Prothonotary, your hearing will NOT be scheduled.**

LITIGANTS ARE STRONGLY ENCOURAGED TO CONSULT WITH AN ATTORNEY.

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 24 hours notice of your intention to present the Emergency Custody Petition.**

In Court:

- #3. Take completed forms to Motions Court, no later than 9:00 a.m. Do NOT be late. Late motions will not be heard. Go into the Courtroom, sign in, have a seat and wait your turn.**
- #4. The Judge will consider the petition and assign a conference date, if needed. You will then receive the original. Take the petition to the Custody Office.**

After you leave Court:

- #5. File the papers in the Prothonotary's Office (1st floor)**

If you are also filing a Custody Complaint for the first time, the day you go to Motions Court, you will need to pay the filing fee.

This is paid in the Prothonotary's Office after you go to Court.

- a. Either cash or a money order. No credit cards.

If you are at or below the federal poverty guidelines, you may file a "Petition for In Forma Pauperis" (both the guidelines and petition are available) to have the fee waived. You will need proof of your financial status as listed in the "Petition to Proceed In Forma Pauperis" information. The Petition has to be presented to the Judge in Motions Court.

- #6. Serve the other party with a copy of the Petition and the Order signed by the Judge.**
- #7. File either a Proof of Service or Acceptance of Service Form with the Prothonotary after service has been done.**

NOTICE: Must be 18 or older to file on your own behalf.

Note: When filling out the forms-

- parties must be identified as Plaintiff or Defendant as they are listed on the *original* custody Complaint, regardless of who is filing the Petition.
- the person filing the petition is the *Petitioner*, the other party is the *Respondent*.

**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 the attached Motion/ Petition on (date)_____ at 9:00.m., before Judge _____, Courtroom No. _____, Washington County Courthouse, Washington, PA. If you wish to oppose the requested relief or action, you should appear at that time and present your objections to the court.

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 defendant at least 7 business days prior to the date of presenting the Motion by way of (check all that apply):

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

Petitioner

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CIVIL DIVISION

Plaintiff,

vs.

Defendant.

:
:
: No. _____
:
: Civil Action – Law
:
:
:
: Type of Pleading:
:
: **Petition for Emergency**
:
:
:
:
:
:
:
: Filed on behalf of:
:
:

(Your Name)

Filing Party's Information:

Name: _____

Address: _____

Telephone #: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CIVIL ACTION-LAW

_____,
Plaintiff,
vs. _____, No. _____
Defendant.

EMERGENCY PETITION FOR CUSTODY

1. Petitioner is _____, and is the (circle one) mother/father of the child(ren) (names of children): _____. Petitioner is the (circle one) plaintiff/defendant in this case; Petitioner currently resides at (give full address): _____, Pennsylvania.

2. Respondent is _____, and is the (circle one) mother/father of the child(ren) (names of children): _____. Respondent is the (circle one) plaintiff/defendant in the above-captioned matter; respondent currently resides at (give full address): _____, Pennsylvania.

3. The child(ren):
(a) name _____ age _____, presently resides with _____ at (give full address): _____, Pennsylvania.

(b) name _____ age _____, presently resides with _____ at (give full address): _____

_____, Pennsylvania.

(c) name _____ age _____, presently resides
with _____ at (give full address):

_____, Pennsylvania.

4. Date of Existing Custody Order: _____.

5. Emergency is necessary because:

(Allege facts which indicate why the situation is an emergency should be granted)

WHEREFORE, petitioner respectfully requests this Court grant the Emergency requested.

Petitioner's Signature

Petitioner's Date of Birth: _____ (month, day, year)

VERIFICATION

I, _____, verify that the statements made in this Petition for Emergency 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.

Petitioner

Date: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA
CIVIL – LAW

_____,
Plaintiff,
vs. _____, No. _____
Defendant.

ORDER

AND NOW, this ____ day of _____, 200__, upon consideration of the
Petition for Emergency filed by the _____, it is hereby

ORDERED and DECREED as follows: (Judge will list relief granted in this space):

BY THE COURT,

JUDGE