



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.

PETITION FOR MODIFICATION OF EXISTING CUSTODY ORDER & ORDER

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

Until the child(ren) is 18 years old, custody can be litigated and changed. As circumstances and relationships change, you may think the order in effect now is not in the child(ren)'s best interest. If you are unable to reach an agreement with the other party concerning a change in the current order, you can request a change of order from the court. If you file a petition to modify, you must convince the court that a new order should be entered and be able to tell the court why.

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.

Most issues presented in Motions Court require a separately scheduled hearing; therefore, the relief sought may not be granted immediately upon presentation of the motion. The presentation of the motion is not the time to argue the case, but to allow the judge to receive only the information necessary at that time.

SUMMARY OF STEPS:

Before you go to Court:

#1. Complete the appropriate forms in ink, not pencil. Incomplete forms may be refused. You must include a copy of your original Custody Order.

In Court:

#2. Take completed forms to Motions Court, no later than 9:00 a.m.

#3. The Judge will consider the petition. If action is taken you will then receive the original Order.

After you leave Court:

#4. Take the signed Order to the Custody Office to have a conference date scheduled.

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

#6. Serve the other party with a copy of the Complaint/Petition and the Order signed by the Judge.

#7. File either an Affidavit of Service or Acceptance of Service Form with the Prothonotary after service has been done.

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
P E N N S Y L V A N I A

CIVIL DIVISION

_____	:	No. _____
Plaintiff,	:	Civil Action – Law
	:	
vs.	:	Type of Pleading:
	:	Petition to Modify Custody
	:	Order
	:	
_____	:	Filed on behalf of:
Defendant.	:	
	:	_____
	:	(Your Name)

Filing Party's Information:

Name: _____

Address: _____

Telephone #: _____

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
PENNSYLVANIA

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

PETITION FOR MODIFICATION OF CUSTODY ORDER

1. The petition of _____(your name) respectfully represents that on (date) _____ an Order of Court was entered regarding custody of (child/ren's name/s) _____. A true and correct copy of the current custody copy is attached to this Petition.

2. This order should be modified because: _____

3. The child/children has resided at _____
ADDRESS (give full address)
for the past 6 months.

WHEREFORE, Petitioner requests that the Court modify the existing Order for visitation because it will be in the best interest of the child(ren).

Petitioner's signature

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

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.

Petitioner

Date: _____

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

_____,)
)
Plaintiff,)
)
vs.) No.: 2009-
)
_____,)
)
Defendant.)

NOTICE AND ORDER TO APPEAR

You, _____, defendant, have been sued in court to modify custody of _____.

You are ORDERED to appear in person at the Family Court Center, 29 West Cherry Avenue, Washington, Pennsylvania, 15301, on the ____ day of _____, 2009, at _____ o'clock ____M., for a Pre-Custody Conciliation Meeting with _____, Esquire, Child Custody Conference Officer.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

Pursuant to Local Rule 1915.4, all parties to the action are ordered to attend the mandatory parenting program prior to the Pre-Custody Conciliation Meeting. Failure of a party to attend the parenting program will result in sanctions against the party up to and including being prohibited from proffering evidence in the Meeting or Conference, or being held in contempt by the Court.

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 OFFICES SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

IF YOU CANNOT AFFORD AN ATTORNEY:

SOUTHWESTERN PA LEGAL SERVICES
10 WEST CHERRY AVENUE
WASHINGTON, PA 15301
724.225.6170

IF YOU CAN AFFORD AN ATTORNEY:

LAWYER REFERRAL SERVICE
119 SOUTH COLLEGE STREET
WASHINGTON, PA 15301
724.225.6710

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Washington County, Pennsylvania 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.

BY THE COURT:

DATE: _____

_____, J

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

_____)
_____)
Plaintiff,)
_____)
-VS-) No.
_____)
_____)
Defendant.)

AFFIDAVIT OF SERVICE

I, _____, hereby verify that on the ____ day of _____, 2009, I served the Defendant with a true and correct copy of the Petition for Modification by one of the following methods:

CHECK ONE

1. (____) Service was made by United States Postal Service, first class mail, postage prepaid, certified, restricted delivery, return receipt requested to the Defendant, on the ____ day of _____, 2009. The return receipt signed by the Defendant is attached hereto.
2. (____) The Defendant was personally served with a true and correct copy of the above pleading by hand-delivering the same to the Defendant. Personal service was made at the following location: _____, on the ____ day of _____, 2009 at _____ o'clock __m. by _____(constable)(individual).

I VERIFY THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE TRUE AND CORRECT. I UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF 18 Pa.C.S.§4904 RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES.

Date: _____