



**LYCOMING COUNTY
EMERGENCY OR
SPECIAL CUSTODY
RELIEF
SELF-HELP KIT**

REMEMBER

The law often changes. Each case is different. This self-help kit is meant to give you general information and not to give you specific legal advice.

Non-Refundable

GENERAL INTRODUCTION

The information, forms, and instructions in this packet will allow you to file on your own (pro se) the appropriate documents to request the Court grant emergency relief to protect the child(ren) “**from an immediate clear and present danger**”. Examples of clear and present danger, include but are not limited to, physical abuse of the child(ren) and/or severe neglect of the child(ren), such as the failure to provide food, shelter, or medical care. At the hearing, you will be given an opportunity to tell the Court why you believe that the child(ren) is(are) in clear and present danger and why you are asking the Court to enter an Order changing the current custody arrangement. You should only file this Petition for Emergency or Special Custody Relief if the child(ren) is(are) actually in a dangerous situation and something needs to be done immediately to prevent that situation from continuing or to stop a situation from beginning. Concerns that the child(ren) would be better off if the custody arrangement were changed or that the child(ren) ultimately may be harmed in the long run by the current custody agreement are not appropriate issues to file for emergency relief. Those issues should be handled through the regular scheduling of custody matters and dealt with by filing a Complaint for Custody or a Petition for Modification if an Order is already in place.

PLEASE READ ALL INSTRUCTIONS AND INFORMATION BEFORE BEGINNING TO FILL OUT THE FORMS.

PLEASE READ ALL DOCUMENTS AFTER COMPLETING THEM BEFORE YOU SIGN THEM AND BE SURE THEY ARE COMPLETE AND TRUTHFUL.

COMPLETION OF DOCUMENTS

1. FIRST DOCUMENT: MOTION COVER SHEET - Complete caption (heading) by **printing** clearly (DO NOT WRITE). You are the Plaintiff and the other party is the Defendant. Use middle initials, spell correctly, and print neatly or type.

2. SECOND DOCUMENT: ORDER - Fill out the caption at the top of the page. If there is already a custody Order from Lycoming County, then you need to have a copy of that Order in front of you and use the same caption on this document as appears on your custody Order. The same person who is listed as the Plaintiff in your custody Order must be the Plaintiff in this action. The same person listed as Defendant must be the Defendant in this action. You should also use the same case number as appears on your custody Order, and write that number next to the abbreviation for number (No.) on the right side of the caption.

If there is no prior Lycoming County Court Order, then you are the Plaintiff in this matter and the other party is the Defendant. Print or type your name on the line above Plaintiff and the other party's name on the line above Defendant. Be sure to use middle initials, spell correctly, and print, not write. If there is no prior Order, you will not have a case number to write next to the abbreviation for number (No.) on the right side of the caption. Leave that blank. After you complete the caption, leave the remaining page blank. These lines are for the Judge to complete.

-----	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	LYCOMING COUNTY, PENNSYLVANIA
	:	
vs.	:	CIVIL ACTION - LAW
	:	CUSTODY
-----	:	
Defendant	:	NO. _____
	:	

3. THIRD DOCUMENT: ORDER FOR SPECIAL CUSTODY RELIEF AND HEARING - Again you need to complete the caption at the top of the page exactly like you completed the caption on the first document. If you need to look at the directions again, read the directions for the caption under the first document instruction. You do not fill in any part of this page, only the caption, the Court will complete the remainder of the Order.

4. **FOURTH DOCUMENT: PETITION FOR EMERGENCY OR SPECIAL CUSTODY RELIEF** - Again you need to complete the caption at the top of the page exactly like you completed the caption on the first document. If you need to look at the directions again, read the directions for the caption under the first document instruction.

In the first blank line after the caption, (filing party), print your name since you are the person asking the Court to enter this Order.

In paragraph 1 (name), print or type your name. Circle whether or not you are listed as the Plaintiff or Defendant in the caption. (Remember the caption is the same as the caption on any other custody documents you may have in this case. You may be the Defendant in the caption, but the Petitioner in this action since you are the one that is bringing it. Therefore, if your name appears as the Plaintiff in the caption, circle Plaintiff; if your name appears as Defendant, circle Defendant.) Print or type your address and your telephone number on the lines provided.

In paragraph 2, (name), print or type the name of the other party. Circle whether or not the other party was Plaintiff or Defendant in the original caption. Print or type the other party's address and telephone number on the lines provided.

In paragraph 3, print or type the name of the child(ren) involved. Each name is printed on a separate line with the child's date of birth on the line next to his or her name.

In paragraph 4 (name) and (address), print or type the name of the child(ren)'s mother and mother's address. (If you are the mother, then this would be your name and address.)

In paragraph 5 (name) and (address), print or type the name of the child(ren)'s father and the father's address. (If you are the father, then this would be your name and address.)

In paragraph 6, print or type the relationship between you and the child(ren). For example, if you are the mother, write mother; if you are the father, write father; if you are the paternal grandmother, write paternal grandmother, etc.

In paragraph 7, print or type the name of any other person who might have custody of the child(ren) who is not the mother or the father. For example, if a relative such as a grandmother or an aunt has custody of the child, write their name on this line.

In paragraph 8, check the paragraph which fits your situation. If there is a prior custody order, check the first paragraph marked (A) and attach a copy of the Order to these papers. Then, in the blank under paragraph (A) print or type why you believe the child(ren) is(are) in clear and present danger and why the current custody Order should be immediately changed. Tell the Court what you think will happen if the Order is not changed and explain the reasons for such thinking.

If there is no prior custody Order, then you check the second paragraph marked (B). On the blank lines of paragraph (B), print or type why you believe the children are in immediate clear and present danger, and why the Court should enter the custody Order

immediately. Tell the Court what you think will happen if it does not enter a custody Order immediately and explain the reasons for such thinking. If there is no custody Order, you must file a Custody Complaint when you file this Petition for Emergency or Special Custody Relief. You need to get and complete a Custody Self Help Packet from our office if you do not have one already. Instructions on how to file the Custody Complaint follow further on in this packet.

In the last paragraph which starts with the word “**WHEREFORE**”, print or type exactly what you want the Court to do.

Sign the Petition on the signature line. Then, print or type your name on the following line, and print or type your address on the lines labeled for that information.

5. **FIFTH DOCUMENT: VERIFICATION** - Complete the caption as you have on all the other documents (see earlier instructions for filling out the caption). You then need to read the verification paragraph. If all of the statements you made in the Petition for Emergency or Special Custody Relief are absolutely true and correct, sign the Verification page on the line indicated “Signature - Petitioner pro se.”

6. **SIXTH DOCUMENT: COMPLETED CRIMINAL/ABUSE HISTORY VERIFICATION**

7. **SEVENTH DOCUMENT: A BLANK CRIMINAL/ABUSE HISTORY VERIFICATION**

8. **EIGHTH DOCUMENT: COMPLETED ENTRY OF APPEARANCE AS A SELF-REPRESENTED PARTY**

After you have completed the forms, paper clip them together in the order you found them in the packet. You need to make copies of these documents. You need one copy for yourself, one copy for the Defendant, a copy for any additional Defendants if there is more than one, and the original for the Prothonotary’s Office. After you have the copies made, staple each set together in order.

HOW TO FILE THE COMPLAINT AND PETITION

You are now ready to file the documents. Take all of your papers to the Prothonotary's Office on the first floor of the Lycoming County Courthouse, 48 West Third Street, Williamsport, Pennsylvania on any weekday (Monday through Friday) between 8:30 a.m. and 5:00 p.m.

If there has been a prior custody Order in this matter, remember that you need to attach a copy of that Order to these papers. You must file to an existing case number if there is a custody Order.

If there is no prior Court Order in this matter, you need to fill out a Complaint for Custody at the same time you are filling out the Petition for Emergency and Special Custody Relief and file the Complaint at the same time. There will be a charge for filing these papers if there has been no Custody Order filed previously. If you are eligible for Legal Services, you are also eligible to have the Court waive this filing fee. In order to do this, you need to fill out the Petition to Proceed Without Payment of Fees and Costs that is located in the Self Help Custody Packet which you obtained from Legal Services. The Custody Packet has directions on how to fill out the forms and also directions on how to file the forms. Follow those directions.

If you do not qualify for Legal Services or if you choose to pay the filing fee, you would not need to file the Petition to Proceed Without Payment of Fees and Costs.

If you are filing for the first time and do not have a prior custody Order, the Prothonotary will give you a case number and stamp all the documents with that number.

Whether you are filing for the first time or whether you already have a custody Order in effect, the Prothonotary will keep one copy of everything you file.

You will then need to take all of your papers to the Court Administrator's Office. Tell them that you have just filed a Petition for Emergency or Special Custody Relief and would like the matter to be heard as soon as possible. The Court Administrator will probably review your documents and ask you to wait while he looks for a Judge to review your paperwork. After the Judge reviews your paperwork, he or she will decide whether the circumstances meet the "immediate clear and present danger" requirement of an emergency and whether a hearing will be held without the other party present.

If the Judge decides that an emergency hearing should not be held, an Order will be entered dismissing the Petition. In that case, you will not be able to get an emergency custody order. However, you can still go through the regular channels to get a custody order or to try to change an existing custody order. This procedure is fully explained in the Self-Help packets available from Legal Services.

If the Judge decides that an emergency hearing should be held, the Judge will sign an Order directing the Custody Conference Officer to schedule a hearing. You will then be

directed to the office of the Custody Conference Officer, who will set up a time for the hearing. The hearing is usually held on the same day your petition is filed.

The hearing will be *ex parte*, which means that the opposing party will not be present. However, you are free to bring anyone who has direct knowledge of the situation, and can testify about the circumstances of the emergency. You may bring the child or children who are in danger, but only if that would be helpful. At the hearing, the Custody Conference Officer will listen to what you and your witnesses have to say, and will ask questions. The Custody Conference Officer will then determine whether an Emergency Custody Order should be entered immediately, and what that Order will state.

If an Emergency Custody Order is entered, it will be effective immediately, and you will have the relief you desire. However, the Order will only last until a second hearing is held, at which time the opposing party will be present. The second hearing will be held within ten business days, and will be conducted by a Judge. You will have the burden of proving to the Judge that an emergency exists. After listening to all of the testimony from you as well as the other party, the Judge will make a final determination.

The Custody Conference Officer will take you to the Court Scheduling Office, which will schedule a date for the second hearing. You will then take the Order for Special Custody Relief to the Prothonotary's Office and have them file it and return all of the copies to you. The original documents will become part of the permanent Court record. You will receive two copies; one for yourself and one for the opposing party, which you must serve. Bring your copy to the second hearing.

It is your responsibility to serve the opposing party with a copy of the Order for Special Custody Relief and Hearing, as well as a copy of the Petition for Emergency or Special Custody Relief, and the blank Criminal/Abuse History Verification. (If you have just filed a Complaint for Custody you will need to serve that Complaint on the other party as well. If you filed a Petition to Proceed Without Payment of Fees and Costs, you do not need to serve that document on the other party.)

If there is an extreme emergency or a potentially violent situation and you are fearful of serving an Order for Special Custody Relief and Hearing on the other party, you should explain this to the Family Court Hearing Officer and ask her to order the Sheriff to serve the Order for Special Custody Relief and Hearing for you. There is a fee for the Sheriff to do this and if you cannot afford to pay for this service, you can ask the Family Court Hearing Officer to waive the costs. You must be prepared to discuss your income and expenses with the Family Court Hearing Officer so she can make an informed decision about whether she will be able to waive the costs. If you have just filed a Custody Complaint and Petition to Proceed Without Payment of Fees and Costs, you can tell the Family Court Hearing Officer that you filed them and use that Order to Proceed Without Payment of Fees and Costs to waive the costs of the Sheriff.

Normally, however, you must provide service yourself. This procedure is explained in the next section.

HOW TO SERVE THE OTHER PARTY

1. HOW TO HAVE THE SHERIFF SERVE THE OPPOSING PARTY(IES).

If the Order for Special Custody Relief and Hearing directs that the Sheriff serves the Order, then you should take an extra copy of the Order for Special Custody Relief and Hearing, and the Petition for Emergency or Special Custody Relief, and the blank Criminal History/Abuse Verification (and the Complaint for Custody if applicable) to the Sheriff's office located on the third floor of the Lycoming County Courthouse. If there is more than one opposing party to be served, you need to give the Sheriff one copy for each person to be served. In addition, you need to take an extra copy for the Sheriff to keep.

Remember, the Sheriff ordinarily charges a fee. So, if you are unable to pay that fee, you need to have filed and gotten a Court Order to Proceed Without Payment of Fees and Costs and give the Sheriff a copy of that Order. Also, if the Court states in your Order for Special Custody Relief and Hearing that costs are waived, you need to point that out to the Sheriff.

2. HOW TO SERVE THE OPPOSING PARTY(IES)

Unless the Court has directed otherwise (Sheriff service), you must be responsible for having the Order for Special Custody Relief and Hearing and the blank Criminal History/Abuse Verification served. Because the next hearing is scheduled within ten (10) days, you probably should not serve the documents by mail because you will not get proof of service in time.

It is not adequate to simply talk to the other party(ies) about the hearing date. A copy of the papers must be served on the other party(ies) following the instructions below. Delivering a true and correct copy of legal papers to the person to whom they are to be delivered in the manner required by law is called "serving" the person with papers. There are several ways that a person can be served in a custody matter. The following paragraphs describe these manners of service.

You can have a person who is 18 years of age or older serve the papers. You should not have anyone who is related to you or who works for you serve the papers, and you should not serve them yourself.

PERSONAL SERVICE: You can have a person who is 18 years of age or older to serve the papers in person. You should not serve the papers yourself. The person who serves the legal papers on the other parent or party must do it in one of the following ways:

- a: by handing a copy to the other parent/party;
- b: by handing a copy to an adult member of the family with whom the other parent/party resides;
- c: by handing a copy of the papers to an adult person in charge of the parent/party's residence at the time (example: babysitter, etc.);

d: going to the other parent/party's place of employment and handing a copy to the person in charge.

If you have the money, you can pay the Sheriff, Constable, or process server to serve the papers and file an Affidavit of Service for you.

It is important to serve the other party(ies) as soon as possible so the other party(ies) has(have) notice in time for the hearing. If you do not serve the other party(ies) in time for them to have reasonable notice and opportunity to prepare for this hearing, the Court may decide not to go ahead with the hearing at that time.

If you filed a Complaint for Custody along with this Order for Special Custody Relief and Hearing, you must also serve the Complaint on the other party(ies).

AFFIDAVIT OF SERVICE

HOW TO FILL OUT THE AFFIDAVIT OF SERVICE

The final document in your packet is the Affidavit of Service. It should be completed by the person who served the papers on the other party(ies) and file with the Prothonotary as soon as possible after service and definitely before the time of the next scheduled hearing. You need an Affidavit of Service for each person served!

The Affidavit of Service is quite simple to fill out. It states the specific date the documents were served, who served them, and how they were served.

Again you need to complete the caption at the top of the page exactly like you completed the caption on the first document. If you need to look at the directions again, read the directions for the caption under the first document instruction.

On the first blank line under Affidavit of Service fill in the name of the person who served the papers. On the next line, state the date the papers were served on the other party. On the next line write the name of the document that was served (for example, a Petition For Emergency or Special Custody Relief). On the next line write the name of the opposing party(ies) who was(were) served. Place a check mark indicating how the opposing party(ies) was(were) served in front of the paragraph which best describes how the papers were served upon the individual. On the next blank line, write the address where the papers were served on the opposing party and approximate time. The person who served the papers must sign and date the Affidavit of Service and print his/her name, address and phone number.

HOW TO FILE THE AFFIDAVIT OF SERVICE

Make a copy of the Affidavit of Service. Take the original and the copy to the Prothonotary's Office in the Courthouse. The Prothonotary will keep the original, and you should keep your file stamped copy because you must bring it with you to the hearing. Put the copy with the other documents you have saved from your first filing.

THE HEARING

After getting and serving and enforcing the emergency order, you will need to go to the next Court hearing at the time and place scheduled in the Order for Special Custody Relief and Hearing. At the hearing you will be the first party to present your side to the Judge. You must provide evidence to the Court to support the claims you made in your Petition For Emergency or Special Custody Relief. Both sides will get to tell the Court their position on the issues that were raised in the Petition For Emergency or Special Custody Relief. It is very important for you to realize that you have the burden of proof. This means that you need to convince the Judge that the claims you made are more likely to be true than not. You should bring anyone who has first hand knowledge of the issues that you alleged in your Petition for Emergency or Special Custody Relief. Generally, you need the people to come in person, letters and statements are not accepted into evidence because they are

considered to be hearsay as the other party does not get to question the people who wrote them. If the other party does not come to the hearing, present your Affidavit of Service to the Court and ask the Court to enter the Order that you want. The Court will decide how to handle that situation.

Best wishes in trying to do what you think is best for your child(ren).

**COURT OF COMMON PLEAS, LYCOMING COUNTY
MOTION COVER SHEET**

_____	:	Docket No. _____
Plaintiff	:	
	:	Case Assigned to Judge _____
vs.	:	<input type="checkbox"/> None
	:	<input type="checkbox"/> Family Court Hearing Officer
_____	:	
Defendant	:	

1. Name of Filing Party: _____
2. Filing Party's Attorney: _____
3. Type of Filing: _____

<p>4. The following is/are required:</p> <p>____ Argument</p> <p>____ Evidentiary Hearing</p> <p>____ Court Conference</p> <p>____ Rule To Show Cause</p> <p>____ Entry of Uncontested Order (attach supporting documentation)</p> <p>____ Expedited consideration. State the basis: _____</p> <p>____ Video conferencing requested. Request form has been submitted. See Lyc. Co. R.G.C.B. L8.</p> <p>____ Attach this cover sheet to original motion previously filed on: _____</p>	<p>6. Name and addresses of all counsel of record and unrepresented parties.</p> <p>Court Scheduling Technician ____ Continued on separate sheet.</p>
<p>5. Time required: _____</p>	

ORDER

1. ____ An ____ argument ____ factual hearing ____ court conference is scheduled for _____
at _____ o'clock ____ M., in Courtroom No. _____, Lycoming County Courthouse, Williamsport, PA.
2. ____ Briefs are to be filed by the following dates:

Filing party _____.
Responding party (ies) _____.
3. ____ A rule is issued upon Respondent to show cause why the petitioner is not entitled to the
relief requested.
4. ____ A response to the Motion/Petition shall be filed as follows: _____.
5. ____ See order attached. ____ See separate order issued this date.
6. ____ Other: _____.

Judge Date

c: **ALL PARTIES OR OTHERS TO BE SERVED WITH NOTICE MUST BE DESIGNATED IN "6" ABOVE.**
NOTICE: The parties are directed to confer for the purpose of resolving any issue raised in the motion/petition. If a resolution is reached prior to the scheduled date, the moving party shall immediately notify the court scheduling technician, the judge, or hearing officer assigned to hear the matter, and all counsel of record or parties if unrepresented. Such notice may be in writing or by email.

-----, : IN THE COURT OF COMMON PLEAS
 Plaintiff : LYCOMING COUNTY, PENNSYLVANIA
 :
 vs. : CIVIL ACTION - LAW
 : CUSTODY
 -----, :
 Defendant : NO.
 :

ORDER AND NOTICE

You, _____, (non-filing party), have been sued in Court to (obtain/modify) (shared legal custody)(sole legal custody)(partial physical custody)(primary physical custody)(shared physical custody)(sole physical custody)(supervised physical custody) of the child(ren):

If you fail to appear at the scheduled hearing/conference, an order for custody, partial custody or visitation may be entered against you, or the Court may issue a warrant for your arrest.

You must file with the Court a verification regarding any criminal record or abuse history regarding you and anyone living in your household on or before the initial in-person contact with the Court (including, but not limited to, a conference with a conference officer or judge or conciliation), but not later than 30 days after service of the Complaint or Petition.

No party may make a change in the residence of any child which significantly impairs the ability of the other party to exercise custodial rights without first complying with all of the applicable provisions of 23 Pa.C.S. §5337 and Pa.R.C.P. No. 1915.17 regarding relocation.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE ONE OF THE OFFICES SET FORTH BELOW. THESE OFFICES CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THESE OFFICES 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.

<p>If you do not have a lawyer contact:</p> <p>Pennsylvania Bar Association Lawyer Referral Service 100 South Bend Street, P.O. Box 186 Harrisburg, PA 17108-0186 (800) 692-7375</p>	<p>If you cannot afford a lawyer, you may be eligible for legal aid through:</p> <p>Legal Services Office 329 Market Street Williamsport, PA 17701 (570) 323-8741</p>
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BY THE COURT,

Date: _____ J.

AMERICANS WITH DISABILITIES
 ACT OF 1990

The Court of Common Pleas of Lycoming 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 the Court Administrator's office, telephone number (570) 327-2330. All arrangements must be made at least 72 hours prior to any hearing or business before the court.

_____, : IN THE COURT OF COMMON PLEAS OF
 Plaintiff : LYCOMING COUNTY, PENNSYLVANIA
 :
 vs. : CIVIL ACTION - LAW
 : CUSTODY
 :
 _____, : NO. _____
 Defendant :
 :

ENTRY OF APPEARANCE AS A SELF-REPRESENTED PARTY

1. I am the Plaintiff Defendant in the above-captioned case.
2. I intend to represent myself in the custody divorce protection from abuse paternity case

Check only one box in Question 3.

3. This is a new case and I am representing myself in this case and have decided not to hire an attorney to represent me, or
- This is not a new case and I am representing myself in this case and have decided not to hire an attorney to represent me, or
- This is not a new case. _____ previously represented me in this case.

(Name of Attorney)

I have decided not to be represented by that attorney and direct the Prothonotary to remove that attorney as my counsel of record in this case. I have provided a copy of this form to that attorney listed above at the following address:

_____.

I requested that attorney to acknowledge his/her withdrawal as my attorney in this case by signing this form.

_____, Esquire

(Attorney Signature)

4. I am entering my appearance as a self-represented party _____
 (Your Signature)

5. I understand that I need to provide a street address of P.O. Box for the purpose of receiving all future pleadings and other legal notices. I further understand that this does not need to be my home address. My address for the purpose of receiving all future pleadings and other legal notices is:

I understand that this address will be the only address to which notices and pleadings in this case will be sent and that I am responsible to check the mail at this address so I do not miss important deadlines or proceedings.

- I am not providing my address because I reside at a confidential location protected by the Protection From Abuse Act, 23 Pa.C.S. §6112 and/or the Address Confidentiality Program, 23 Pa. C.S. §6701-6713, and/or the Child Custody Act, 23 Pa. C.S. §5336(b).

6. My telephone number where I can be reached is _____.

- My telephone number is confidential pursuant to the Protection From Abuse Act, 23 Pa. C.S. §6112 and/or the Child Custody Act, 23 Pa. C.S. §5336 (c).

7. **I UNDERSTAND I MUST FILE A NEW FORM EVERY TIME MY ADDRESS OR TELEPHONE NUMBER CHANGES.**

8. I understand that I must ensure that a copy of this form is served on all other attorneys or other self-represented parties at the following addresses as listed below: (Use reverse side if you need more space).

Name _____ Address _____

Name _____ Address _____

9. **I verify that the statements made in this Entry of Appearance as a Self-Represented Party are true and correct. I understand that if I make false statements herein, that I am subject to the criminal penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities that could result in a fine and/or prison term.**

Date: _____

Your Signature: _____

_____,
Plaintiff

vs.

_____,
Defendant

: IN THE COURT OF COMMON PLEAS
: LYCOMING COUNTY, PENNSYLVANIA
:
: NO.
:
:
:
: CUSTODY

ORDER

AND NOW, this _____ day of _____, 20____, after consideration of the Petition For Emergency or Special Custody Relief, filed on _____, the Court finds that the allegations in the petition warrant an ex parte hearing in front of the Custody Conference Officer, which will be held on the _____ day of _____, 20____, at _____ .M. o'clock, in Room 310, at the Lycoming County Courthouse.

[or]

AND NOW, this _____ day of _____, 20____, after consideration of the Petition For Emergency or Special Custody Relief filed on _____, the Court finds that the allegations in the petition do not warrant an ex parte hearing in front of the Custody Conference Officer. Therefore, the petition is dismissed.

BY THE COURT,

J.

c: Petitioner
Respondent

_____	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	LYCOMING COUNTY, PENNSYLVANIA
	:	
vs.	:	NO.
	:	
_____	:	
Defendant	:	CUSTODY

ORDER FOR SPECIAL CUSTODY RELIEF AND HEARING

AND NOW, this _____ day of _____, 20____, following an *ex parte* proceeding held pursuant to a Petition For Emergency or Special Custody Relief filed on _____, 20 ____ the Custody Officer finds that the testimony presented supports the request for emergency relief. Therefore, it is ORDERED that:

_____.

This is a temporary Order, effective immediately and pending a hearing to be held on the _____ day of _____, 20____, at _____ m. o'clock, in Courtroom No. _____.

Service of this Order upon the Respondent shall be the responsibility of the Petitioner.

The Sheriff of Lycoming County is authorized to assist in the enforcement of this Order, if requested by the Petitioner, including assisting Petitioner in taking physical custody of the child(ren).

As heard by the Custody Conference Officer,

Date

BY THE COURT,

Date

J.

c: Family Court
Filing Party _____(2) (To serve opposing party)

_____, : IN THE COURT OF COMMON PLEAS
 Plaintiff : LYCOMING COUNTY, PENNSYLVANIA
 :
 vs. : NO.
 :
 _____, :
 Defendant :
 : CUSTODY

PETITION FOR EMERGENCY OR SPECIAL CUSTODY RELIEF

Pursuant to 42 Pa. R.C.P. 1915.13 and Lyc. Co. R.C.P. L1915.13-1, _____, (filing party)
pro se, respectfully petitions this Court for emergency or special custody relief. In support of this
 petition, petitioner respectfully submits the following.

1. Petitioner is _____, and is listed as the Plaintiff/Defendant
 (name) (Circle ✓ as appropriate)

in the legal caption of this Custody matter. Petitioner's address is _____
 _____ and telephone number is _____.

2. Respondent is _____, and is listed as the Plaintiff/Defendant
 (name) (Circle ✓ as appropriate)

in the legal caption of this Custody matter. Respondent's address is _____
 _____ and telephone number is _____.

3. This petition concerns the following child(ren):

Name(s)	Date of Birth	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. The Mother of the child(ren) is _____,
(name)
currently residing at _____.
(address)

5. The Father of the child(ren) is _____,
(name)
currently residing at _____.
(address)

6. The relationship of Petitioner to the child(ren) is that of _____
_____.

7. Any other person, not a parent, who has physical custody of the child(ren), if
any: _____.

8. Petitioner alleges the following: (choose either A or B, whichever is
appropriate)

(A) ____ An action in custody has previously been commenced in this matter, and
there is an existing custody Order in effect which is attached. Petitioner believes there is a clear
and present danger to the child(ren) which requires an immediate modification of the current Order,
as follows:

WHEREFORE, Petitioner respectfully requests the Court to grant emergency or special relief and enter an Order which does the following:

Respectfully Submitted,

By the *Pro Se* Petitioner,

(Signature)

(Print name here) *pro se*

(Address)

(Telephone)

	,	:	IN THE COURT OF COMMON PLEAS
Plaintiff		:	LYCOMING COUNTY, PENNSYLVANIA
		:	
vs.		:	NO.
		:	
		:	
	,	:	
Defendant		:	CUSTODY

VERIFICATION

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

(Signature) Petitioner - *Pro Se*

_____,
 Plaintiff
 vs.
 _____,
 Defendant

: IN THE COURT OF COMMON PLEAS OF
 : LYCOMING COUNTY, PENNSYLVANIA
 :
 : CIVIL ACTION - LAW
 :
 : NO.
 :

CRIMINAL RECORD/ABUSE HISTORY VERIFICATION

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

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 a substantially equivalent crime in any other jurisdiction, including pending charges:

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea or pending charges	Sentence
	18 Pa. C.S. Ch. 25 (relating to criminal homicide)				
	18 Pa. C.S. §2702 (relating to aggravated assault)				
	18 Pa. C.S. §2706 (relating to terroristic threats)				
	18 Pa. C.S. §2709.1 (relating to stalking)				
	18 Pa. C.S. §2901 (relating to kidnapping)				
	18 Pa. C.S. §2902 (relating to unlawful restraint)				

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea or pending charges	Sentence
	18 Pa. C.S. §2903 (relating to false imprisonment)				
	18 Pa. C.S. §2910 (relating to luring a child into a motor vehicle or structure)				
	18 Pa. C.S. §3121 (relating to rape)				
	18 Pa. C.S. §3122.1 (relating to statutory sexual assault)				
	18 Pa. C.S. §3123 (relating to involuntary deviate sexual assault)				
	18 Pa.C.S. §3124.1 (relating to sexual assault)				
	18 Pa. C.S. §3125 (relating to aggravated indecent assault)				
	18 Pa. C.S. §3126 (relating to indecent assault)				
	18 Pa.C.S. §3127 (relating to indecent exposure)				
	18 Pa.C.S. §3129 (relating to sexual intercourse with animal)				
	18 Pa.C.S. §3130 (relating to conduct relating to sex offenders)				
	18 Pa.C.S. §3301 (relating to arson and related offenses)				
	18 Pa.C.S. §4302 (relating to incest)				
	18 Pa.C.S. §4303 (relating to concealing death of a child)				
	18 Pa.C.S. §4304 (relating to endangering welfare of children)				
	18 Pa.C.S. §4305 (relating to dealing in infant children)				

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea or pending charges	Sentence
	18 Pa.C.S. §5902(b) (relating to prostitution and related offenses)				
	18 Pa. C.S. §5903 (c) or (d) (relating to obscene and other sexual materials and performances)				
	18 Pa.C.S. §6301 (relating to corruption of minors)				
	18 Pa.C.S. §6312 (relating to sexual abuse of children)				
	18 Pa.C.S. §6318 (relating to unlawful contact with minor)				
	18 Pa.C.S. §6320 (relating to sexual exploitation of children)				
	18 Pa.C.S. §6114 (relating to contempt for violation of protection order or agreement)				
	Driving under the influence of drugs or alcohol				
	Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device				

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

Check all that apply	Crime	Self	Other Household Member	Date
	A finding of abuse by a Children and Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction			
	Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania, or similar statute in another jurisdiction			
	Involvement with a Children and Youth Agency or similar agency in Pennsylvania or another jurisdiction. Where?: -----			
	Other:			

3. Please list any evaluation, counseling, or other treatment received following conviction or finding of abuse.

4. If any conviction above applies to a household member, not a party, state that person's name, date of birth, and relationship to the child.

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 information above is true and correct to the best of my knowledge, information, or belief. I understand that false statements herein are made subject to penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Signature

Printed Name

Date

_____,
 Plaintiff
 vs.
 _____,
 Defendant

: IN THE COURT OF COMMON PLEAS OF
 : LYCOMING COUNTY, PENNSYLVANIA
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Signature

Printed Name

Date

_____, : IN THE COURT OF COMMON PLEAS OF
 Plaintiff : LYCOMING COUNTY, PENNSYLVANIA
 :
 vs. : CIVIL ACTION - LAW
 : CUSTODY
 _____, : NO. _____
 Defendant :

AFFIDAVIT OF PERSONAL SERVICE

I, _____, certify that I am a competent adult who is
 (Person serving other parent/party)
 18 years of age or older, and I am not a party to this action or an employee or relative of a
 party to this action. On _____, I served a true and correct copy of the
 (date)
 Notice/Order, and Petition for Modification of Existing Order upon _____
 (other parent/party name)

by:

- handing a copy to him/her;
- handing a copy to an adult family member at his/her residence by the name of _____;
- handing a copy to an adult in charge of his/her residence by the name of _____;
- handing a copy to an adult in charge at his/her place of employment by the name of _____.

at this address/location: _____
 (place served)
 at approximately _____.
 (time of day)

I verify that the foregoing is 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 (server's signature)
 Print Name: _____
 Address: _____
 Phone: _____

u:\pro se forms\emergency custody