

CUSTODY INSTRUCTIONS/FORMS

“PACKET C”

USE “PACKET C” INSTRUCTIONS AND FORMS WHEN YOU ARE SUBJECT TO A CUSTODY ORDER AND YOU WANT TO REQUEST PERMISSION TO RELOCATE.

IT IS STRONGLY RECOMMENDED THAT YOU CONTACT ATTORNEY CONNECTIONS AT (717) 854-8755 FOR A LOW-COST INITIAL CONSULTATION WITH AN ATTORNEY BEFORE PROCEEDING FURTHER.

Packet C – Contents and Checklist

INSTRUCTIONS

STEPS AND FORMS.

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_____ **Notice of Proposed Relocation**

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PACKET C – INSTRUCTIONS

Use Packet C Forms and instructions if you have an existing custody order and you want to obtain court permission to relocate to another residence that will significantly impair the ability of the non-relocating parent to exercise the custodial rights awarded to him or her in the existing custody order.

General Considerations.

In Pennsylvania, a party to an existing custody order may not relocate with the children to another residence that will significantly impair the ability of the non-relocating parent to exercise the custodial rights awarded to him or her unless every individual who has custody rights to the child consents to the proposed relocation **or** the court approves the relocation.

If all of the parties to the custody order do not consent to the relocation, the court in determining whether to grant the proposed relocation must consider the following factors, especially those which affect the safety of the child:

1. The nature, quality, extent of involvement and duration of the child's relationship with the party proposing to relocate and with the non-relocating party, siblings and other significant persons in the child's life.
2. The age, developmental stage, needs of the child and the likely impact the relocation will have on the child's physical, educational and emotional development, taking into consideration any special needs of the child.
3. The feasibility of preserving the relationship between the non-relocating party and the child through suitable custody arrangements, considering the logistics and financial circumstances of the parties.
4. The child's preference, taking into consideration the age and maturity of the child.
5. Whether there is an established pattern of conduct of either party to promote or thwart the relationship of the child and the other party.
6. Whether the relocation will enhance the general quality of life for the party seeking the relocation, including, but not limited to, financial or emotional benefit or educational opportunity.
7. Whether the relocation will enhance the general quality of life for the child, including, but not limited to, financial or emotional benefit or educational opportunity.
8. The reasons and motivation of each party for seeking or opposing the relocation.
9. The present and past abuse committed by a party or member of the party's household and whether there is a continued risk of harm to the child or an abused party.
10. Any other factor affecting the best interest of the child.

The party requesting the relocation has the burden of (is responsible for) establishing that it will serve the child's best interest. However, each party has the burden of showing the integrity of that party's motives in either seeking or in trying to prevent the relocation.

Steps to be taken to request permission to relocate with the children:

Step 1. Preparing the Warning to Non-Relocating Party, the Notice of Proposed Relocation and the Counter-Affidavit Regarding Relocation Forms.

A party requesting permission to relocate must notify every other individual who has custody rights to the child by certified mail, return receipt requested, at least 60 days prior to the date of the proposed relocation OR within 10 days of the requesting party knowing of the proposed relocation IF, AND ONLY IF, the party did not know and could not have reasonably known of the relocation in enough time to comply with the 60-day notice AND it is not reasonably possible to delay the date of relocation to comply with the 60-day notice.

A. Finding and Completing the Caption.

1. You can find the caption of your case on the top part of the first page of your existing custody order. The names of the parties, the docket number, the type of document and the court's name are contained in the caption.
2. After finding the caption by looking at your existing custody order, fill in the names of the parties and the docket number on the captions of the Warning to Non-Relocating Party, the Notice of Proposed Relocation and the Counter-Affidavit Regarding Relocation forms to match the custody order caption.
3. After you have filled in the captions on the Warning to Non-Relocating Party and on the Counter-affidavit Regarding Relocation, those forms are complete and ready to be served (see Step #2 below) on the other party or parties.

YOU MUST COMPLETE THE CAPTION ON EVERY FORM YOU FILE.

B. Completing the Notice of Proposed Relocation.

1. In the first paragraph, fill in your full legal name after the word "I" and circle the word "Plaintiff" if you are the plaintiff in the existing custody order or the word "Defendant" if you are the defendant in the existing custody order.
2. In the second paragraph, for each child that you are proposing be allowed to relocate with you, fill in that child's name, age, and current address, where indicated.
3. In the third paragraph, fill in the complete address of the new residence where you and the children will be residing if the relocation is approved. If you do not know the complete new address provide the information you do know such as the city and state where you and the children will be residing if the relocation is approved.

YOU ARE UNDER A CONTINUING OBLIGATION TO PROMPTLY

INFORM EVERY INDIVIDUAL WHO IS RECEIVING THE NOTICE OF PROPOSED RELOCATION OF THIS INFORMATION AS IT BECOMES KNOWN TO YOU.

4. If your mailing address will be different from your residence address, if the relocation is approved, insert the mailing address in the fourth paragraph.
YOU ARE UNDER A CONTINUING OBLIGATION TO PROMPTLY INFORM EVERY INDIVIDUAL WHO IS RECEIVING THE NOTICE OF PROPOSED RELOCATION OF THIS INFORMATION AS IT BECOMES KNOWN TO YOU.
5. In the fifth paragraph, insert the names and ages of the individuals that will be residing with you at the new residence if the relocation is permitted.
YOU ARE UNDER A CONTINUING OBLIGATION TO PROMPTLY INFORM EVERY INDIVIDUAL WHO IS RECEIVING THE NOTICE OF PROPOSED RELOCATION OF THIS INFORMATION AS IT BECOMES KNOWN TO YOU.
6. In the sixth paragraph, insert the home telephone number of your new residence if the relocation is permitted.
YOU ARE UNDER A CONTINUING OBLIGATION TO PROMPTLY INFORM EVERY INDIVIDUAL WHO IS RECEIVING THE NOTICE OF PROPOSED RELOCATION OF THIS INFORMATION AS IT BECOMES KNOWN TO YOU.
7. In the seventh paragraph, insert the name of the children's new school district and the new school each child will be attending if the relocation is approved.
YOU ARE UNDER A CONTINUING OBLIGATION TO PROMPTLY INFORM EVERY INDIVIDUAL WHO IS RECEIVING THE NOTICE OF PROPOSED RELOCATION OF THIS INFORMATION AS IT BECOMES KNOWN TO YOU.
8. In the eighth paragraph, insert the date that you plan to move, if the relocation is approved.
YOU ARE UNDER A CONTINUING OBLIGATION TO PROMPTLY INFORM EVERY INDIVIDUAL WHO IS RECEIVING THE NOTICE OF PROPOSED RELOCATION OF THIS INFORMATION AS IT BECOMES KNOWN TO YOU.
9. In the ninth paragraph, insert your proposal for revising the custody schedule. In doing so remember that the court will want the new schedule to preserve the relationship between the non-relocating party or parties and the child through suitable custody arrangements, considering the logistics and financial circumstances of the parties.
YOU ARE UNDER A CONTINUING OBLIGATION TO PROMPTLY INFORM EVERY INDIVIDUAL WHO IS RECEIVING THE NOTICE OF

PROPOSED RELOCATION OF THIS INFORMATION AS IT BECOMES KNOWN TO YOU.

10. In the tenth paragraph, insert any other information that you believe is relevant to your request to relocate. For instance, if you believe the curriculum of the proposed new school will accommodate your child's special need or special talent, this is the place to provide that information.

YOU ARE UNDER A CONTINUING OBLIGATION TO PROMPTLY INFORM EVERY INDIVIDUAL WHO IS RECEIVING THE NOTICE OF PROPOSED RELOCATION OF THIS INFORMATION AS IT BECOMES KNOWN TO YOU.

Sign and date. Sign and date the Notice of Proposed Relocation where indicated. Print your name, address, and telephone number under your signature. **By signing this Notice, you are verifying that all of the statements you have made in the Notice are true and correct and if it is later shown that you made statements in this document, knowing them to be false, you may be subject to penalties.**

C. Completing the Criminal Record/Abuse History Verification

You must file and serve with any petition for modification, or complaint, a verification regarding any criminal or abuse history of the petitioner (you) and anyone living in the petitioner's household.

You must fill out, sign, and submit Criminal Record / Abuse History Verification even if nothing on the list applies to you.

Read through the entire list of crimes, and if, you or any member of your household has been convicted, pled guilty or no contest to any of the listed crimes, check the box and on the line next to it write the date of conviction and the plea or pending charges, as well as the sentence.

On the last page sign your name on the signature line and then print your name on the line below it.

D. Completing the Entry of Appearance as a Self-Represented Party

1. After completing the caption, fill out the form completely, answering questions #'s 1-4 by marking the correct circles and filling in the blanks. You must provide your address where pleadings and other legal papers can be served to you, and you must provide a telephone number. Please indicate if your address and phone number are confidential due to a PFA case.
2. You must file a new form EVERY TIME YOUR ADDRESS OR TELEPHONE NUMBER CHANGES.

3. You must provide a copy of this form to all other attorneys involved in the case and to any self-represented parties, including any attorney removed in Section 2.
4. You must sign and date the form.
5. You must file this Entry of Appearance as a Self-Represented Party form.

Step 2. Serving the Warning to Non-Relocating Party, the Notice of Proposed Relocation and the Counter-Affidavit Regarding Relocation Forms.

A. **Service by Certified Mail.** Service of the Warning to Non-Relocating Party, the Notice of Proposed Relocation and the Counter-Affidavit Regarding Relocation forms must be accomplished by sending one of each to every individual who has custody rights to the child **by certified mail, return receipt requested.** **To accomplish service by Certified Mail, do the following:**

1. Make enough copies of the Warning to Non-relocating Party, the Notice of Proposed Relocation and the Counter-affidavit to send one copy of each to each individual who has custody rights to the child. Then make two additional copies of the Warning to Non-Relocating Party, the Notice of Proposed Relocation and the Counter-Affidavit Regarding Relocation, and the Entry of Appearance of Self-Represented Party, and the Criminal Record/Abuse History Verification. Maintain one set of copies for your records and the other set of copies to attach to the Proof of Service required in Step #3 below.
2. Prepare an envelope for each individual who has custody rights to the child by placing his/her name and address on the envelope and using your own address as the return address.
3. Insert a Warning to Non-Relocating Party, a Notice of Proposed Relocation and a Counter-Affidavit Regarding Relocation Form into each envelope and seal.
4. Take the envelopes to the Post Office and tell the postal worker that you want to send them “certified mail, return receipt requested.”
5. The postal worker will help you complete the “green cards” and attach them to your envelopes.
6. The postal worker will provide you with receipts after you have paid the fee for mailing. **MAKE SURE YOU KEEP THE RECEIPTS & MAKE A COPY!** You will need to attach it to your Proof of Service by Certified Mail (Step #3 below).
7. When the green cards are returned to you, maintain them in a safe place so that they are accessible for Step #3 below or if a Court hearing is required.

IF THIRTY DAYS HAVE PASSED FROM THE DATE ALL INDIVIDUALS HAVING CUSTODY RIGHTS WITH THE CHILD RECEIVED THE WARNING TO NON-RELOCATING PARTY, THE NOTICE OF PROPOSED RELOCATION AND THE COUNTER-AFFIDAVIT REGARDING RELOCATION AND NONE OF THE INDIVIDUALS HAVE OBJECTED TO EITHER THE PROPOSED RELOCATION OR THE PROPOSED REVISED CUSTODY SCHEDULE BY FILING THE COUNTER-AFFIDAVIT; OR THE INDIVIDUALS HAVE APPROVED OF THE PROPOSED RELOCATION AND PROPOSED REVISED CUSTODY SCHEDULE BY FILING THE COUNTER-AFFIDAVIT, PROCEED TO STEP 3 BELOW.

IF A COUNTER-AFFIDAVIT IS FILED WITH THE COURT WHICH INDICATES THAT THE NONRELOCATING PARTY OBJECTS EITHER TO THE PROPOSED RELOCATION OR TO THE MODIFICATION OF THE CUSTODY ORDER CONSISTENT WITH THE PROPOSAL FOR REVISED CUSTODY SCHEDULE, A COURT HEARING MUST BE HELD TO DETERMINE IF YOU WILL BE PERMITTED TO RELOCATE WITH THE CHILD. IN YORK COUNTY, THE REQUEST FOR A RELOCATION HEARING WHEN A COUNTER-AFFIDAVIT HAS BEEN FILED IS TO BE MADE IN FAMILY MOTIONS COURT. PREPARING, SERVING AND PRESENTING A MOTION IN MOTIONS COURT IS A COMPLEX PROCEDURE REQUIRING STRICT ADHERENCE TO YORK COUNTY AND PENNSYLVANIA RULES OF CIVIL PROCEDURE. ACCORDINGLY, IF A COUNTER-AFFIDAVIT IS FILED OBJECTING TO THE RELOCATION OR THE PROPOSED CUSTODY SCHEDULE, YOU SHOULD IMMEDIATELY OBTAIN AN ATTORNEY TO REPRESENT YOU. IF YOU DECIDE TO PROCEED WITHOUT THE RECOMMENDED ASSISTANCE OF COUNSEL, IT IS UP TO YOU TO COMPLY WITH YORK COUNTY AND PENNSYLVANIA RULES OF CIVIL PROCEDURE.

Step 3. Preparing and Filing the Affidavit Confirming Notice and No objection; the Proof of Service by Certified Mail, Return Receipt Requested; the Petition to Confirm Relocation and Modify Existing Custody Order; and the Proposed Custody Order.

After thirty (30) days have passed from the date all individuals having custody rights with the child received the Warning to Non-Relocating Party, the Notice of Proposed Relocation and the Counter-Affidavit Regarding Relocation, you will be in a position to ask the court to confirm the relocation and the proposed revised custody schedule if:

■None of the individuals have objected to either the proposed relocation or the proposed revised custody schedule by filing the Counter-Affidavit; or

■The individuals have approved of the proposed relocation and proposed revised custody schedule by filing the Counter-Affidavit.

The following forms should be prepared and filed to obtain court confirmation:

- A. **Affidavit Confirming Notice of Relocation.** Fill in the caption on this document and in the first sentence, after the word “I”, insert your full legal name and circle whether you are the Plaintiff or the Defendant in the custody action.

Paragraph 1. Insert the day, month, and year that the Notice of Proposed Relocation was delivered to each individual. If the Notice was sent to more than one individual and they did not all receive them on the same day, make sure you indicate the different dates that each individual received the Notice. Insert the names of all of the individuals that were provided with the Notice of Proposed Relocation. Insert “Certified Mail, Return Receipt Requested” after “The Notice of Relocation was served by the following method”.

Paragraph 2. There is no need to insert anything in this paragraph. However, it is important to remember that you are verifying, subject to penalties, that the time to file an objection to the proposed relocation has passed and that no one entitled to object has objected to it.

Date and Signature. Date and sign the document where indicated. Print your name underneath your signature.

- B. **Proof of Service by Certified Mail.** Prepare one (1) Proof of Service by Certified Mail for each individual served with a Notice of Proposed Relocation, Warning to Non-Relocating Party and Counter-Affidavit Regarding Relocation. Fill in the caption on this document and in the first sentence, after the word “I”, insert your full legal name and fill in the day, month and year that the Notice, Warning and Counter-affidavit was served (delivered to) and the name of the individual served where indicated. Date and sign the document where indicated. Print your name underneath your signature. **Attach the return receipt signed by the appropriate individual (postal green card), post office receipt and copies of the Notice of Proposed Relocation, Warning to Non-Relocating Party and Counter-Affidavit Regarding Relocation to the Proof of Service.** Keep a copy of the receipt!

- C. **Petition to Confirm the Relocation and To Modify Existing Custody Order.** Fill in the caption and in the first sentence, after the word “Petitioner”, insert your full legal name.

Paragraph 1. You are the Petitioner so insert your full legal name and address where indicated. Circle whether you are the plaintiff or the defendant in the custody action.

Paragraph 2. The Respondent(s) is/are, every individual who has custody rights to the child so insert their name or names and addresses where indicated. Circle whether they are the plaintiff or defendant in the custody action.

Paragraph 3. In the appropriate spot, insert every child’s name, age and the current address of every child that you are requesting be able to relocate with you.

Paragraph 4. Where indicated, insert the date of the existing custody order and the name of the Judge who signed that order.

Paragraph 5. Where indicated, insert the date of your proposed relocation and your new address.

Paragraph 6. Where indicated insert the date or dates that the Notice of Proposed Relocation was served upon every Respondent. In the space provided, list the changes to the existing custody order that were contained in the proposed custody schedule contained in the Notice of Proposed Relocation.

Paragraphs 7. There is no need to insert anything in this paragraph. However, it is important to remember that you are verifying, subject to penalties, that the information contained in this paragraph is correct.

Paragraph 8. If no Counter-Affidavit has been filed within the time period, cross out the portion of this paragraph starting with “OR” through the end. If a Counter-affidavit was filed but it did not contain an objection to the proposed relocation or the proposed revised custody schedule, cross out the beginning portion of this paragraph starting with “The time” and ending with “OR”.

Paragraph 9. There is no need to insert anything in this paragraph. However, it is important to remember that you are verifying, subject to penalties, that the information contained in this paragraph is correct.

Paragraph 10. There is no need to insert anything in this paragraph. This paragraph simply provides the court with the citation to the statutory authority permitting it to enter an order without the necessity of a hearing.

Signature. Sign the Petition where indicated. Print your name, address and telephone number underneath your signature.

- D. **Proposed Custody Order.** Fill in the Caption. Leave the date blank since the court will fill in the date when the order is signed by the Judge. Insert your name after the words “filed by” and fill in the date of the existing custody order after the words “custody order dated”.
- E. **Addressed and Stamped Envelopes.** In order for the court to provide copies of the order confirming the relocation and revised custody schedule, prepare one self-addressed, stamped envelope, and one addressed and stamped envelope for every individual with custody rights to the child.
- F. **Filing.** Make enough copies of the Affidavit Confirming Notice and No objection; the Proof(s) of Service by Certified Mail, Return Receipt Requested; the Petition to Confirm Relocation and Modify Existing Custody Order; and the

Proposed Custody Order so that you can retain one copy of each and send one copy of each to every individual who has custody rights of the child. Take the copies, the originals, and the envelopes to the York County Prothonotary's Office located on the first floor of the York County Judicial Center along with the filing fee, if any, in cash, certified check, money order or travelers checks payable to the "Prothonotary of York County." The amount of the filing fee can be obtained by calling the Prothonotary's office at 717-771-9611. The Prothonotary's staff will file the originals and date and time stamp the copies and return the copies to you. Maintain on copy of every document for your records and send one copy of every document to each individual who has custody rights of the child by regular mail. If all documents have been filed and served correctly, you should receive your signed custody order promptly. If everything was not prepared properly, you will receive correspondence from the reviewing judge detailing the deficiencies and what needs to be done to correct any errors.

IF YOU CANNOT AFFORD THE FILING FEE AND MEET CERTAIN FINANCIAL GUIDELINES, YOU CAN REQUEST THAT THE COURT PERMIT YOU TO PROCEED "IN FORMA PAUPERIS" MEANING YOU WILL NOT HAVE TO PAY THE FILING FEE. TO REQUEST IN FORMA PAUPERIS STATUS GO TO THE PROTHONOTARY'S WEBSITE AND PREPARE AND FILE THE PETITION FOR LEAVE TO PROCEED IN FORMA PAUPERIS ALONG WITH THE FINANCIAL AFFIDAVIT.

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

Plaintiff

vs

Defendant

: No. _____ - _____ -03
:
: **CIVIL ACTION – LAW**
:
:
: **CUSTODY**
:

NOTICE OF PROPOSED RELOCATION

Notice is hereby given that I _____,
the Plaintiff / Defendant in the above captioned matter, intend to relocate and
give this written notice to _____,
the Plaintiff / Defendant in the above captioned matter.

This proposal of relocation involves the following child/ children:

<u>Child's name</u>	<u>Age</u>	<u>Currently residing at</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(The following information, if available, must be included with this Notice of Proposed Relocation; if any of the following information is not known at the time this Notice is sent but is later made known to the party proposing the relocation, he/ she is under a continuing obligation to promptly inform every individual who is receiving this Notice of the new information).

The address of the intended new residence _____

The mailing address, if not the same as the address of the intended new residence:

Names and ages of the individuals in the new residence, including individuals who intend to live in the new residence:

<u>Name of individual</u>	<u>Age</u>
_____	_____
_____	_____
_____	_____
_____	_____

The home telephone number of the intended new residence, if available: _____

The name of the new school district and school: _____

The date of the proposed relocation: _____

The reason for the proposed relocation: _____

The proposed revised custody schedule: _____

Any other information which the party proposing the relocation deems appropriate:

IF YOU INTEND TO OBJECT TO THE PROPOSED RELOCATION AND / OR TO THE PROPOSED REVISED CUSTODY SCHEDULE, YOU MUST FILE A COUNTER-AFFIDAVIT REGARDING RELOCATION WITH THE COURT WITHIN THIRTY DAYS OF YOUR RECEIPT OF THIS NOTICE. A COUNTER-AFFIDAVIT REGARDING RELOCATION IS INCLUDED WITH THIS NOTICE FOR YOU TO FILL IN AND FILE IF YOU DEEM IT NECESSARY TO DO SO.

I verify that the statements made in this Notice of Proposed Relocation are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4909 (relating to unsworn falsification to authorities).

Date: _____

Signature

Print Name

Address

Phone Number

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

Plaintiff

vs

Defendant

: No. _____ - _____ -03
:
: **CIVIL ACTION – LAW**
:
:
: **CUSTODY**
:

COUNTER-AFFIDAVIT REGARDING RELOCATION

This proposal of relocation involves the following child/ children:

Child's name	Age	Currently residing at:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I have received a notice of proposed relocation and

1. _____ I do not object to the relocation and I do not object to the modification of the custody order consistent with the proposal for revised custody schedule as attached to the notice.
2. _____ I do not object to the relocation, but I do object to modification of the custody order, and I request that a hearing be scheduled:
 - a. _____ Prior to allowing _____
(Name of child/ children)

to relocate.

b. _____ After the child/ children relocate.

3. _____ I do object to the relocation and I do object to the modification of the custody order, and I further request that a hearing be held on both matters prior to the relocation taking place.

I understand that in addition to checking (2) or (3) above, I must also file this notice with the court in writing and serve it on the other party by certified mail, return receipt requested. If I fail to do so within 30 days of my receipt of the proposed relocation notice, I shall be foreclosed from objecting to the relocation.

I verify that the statements made in this Counter-Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4909 (relating to unsworn falsification to authorities).

Date: _____

Signature

Name

**IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA
FAMILY LAW DIVISION**

PLAINTIFF	:	No. _____-FC-_____ -03
vs.	:	ACTION IN CUSTODY
	:	
DEFENDANT	:	CIVIL ACTION – LAW

WARNING TO NON-RELOCATING PARTY

If you wish to object to the relocation set forth in the Notice of Proposed Relocation or you wish to object to the modification of the custody order consistent with the proposal for revised custody schedule as set forth in this Notice, you must file a Counter-Affidavit Regarding Relocation with the court within thirty (30) days after the Notice of Proposed Relocation has been served on you or you will be foreclosed from objecting to the relocation.

If you do not file an objection to the relocation or to the modification of the custody order consistent with the proposal for revised custody schedule with the court within thirty (30) days after receipt of this Notice, then it shall be presumed that you have consented to the proposed relocation and to the proposal for revised custody schedule, and the court can enter a final order approving the proposed relocation and the revised custody schedule, without holding a hearing.

If you file a Petition for the court to review custodial arrangements after thirty (30) days of your receipt of this Notice, the court will not accept testimony challenging the relocation.

A Counter-Affidavit Regarding Relocation, which you may file with the court, is attached to the Notice of Proposed Relocation.

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

_____	:	No. _____ - _____ -03
Plaintiff	:	
	:	CIVIL ACTION – LAW
vs	:	
	:	
_____	:	CUSTODY
Defendant	:	

AFFIDAVIT CONFIRMING NOTICE OF RELOCATION

I, _____,
(Name of Party Requesting Relocation)

the Plaintiff/ Defendant in the above captioned matter, hereby verify as follows:

1. That on _____ day of _____, 20____, the Notice of Proposed Relocation
(Date) (Month)
was provided to the following individuals:

(Names of all individuals that were provided with the Notice of Relocation)

I do not have information about any other individuals that are entitled to this Notice. The Notice of Relocation was served by the following method _____, and the proof of service is attached to this affidavit; and

2. That the time to file an objection to the proposed relocation has passed and no individual entitled to receive notice has filed an objection to the proposed relocation.

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 falsifications to authorities.

Date

Signature of Party Requesting Relocation

Print Name of Party Requesting Relocation

**IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA
FAMILY LAW DIVISION**

PLAINTIFF	:	No. _____-FC-_____ -03
vs.	:	ACTION IN DIVORCE
	:	
DEFENDANT	:	CIVIL ACTION – LAW

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

I, _____, hereby verify that
(Name of Party Requesting Relocation)

on _____ day of _____, 20____, I served _____ with
(Date) (Month) (Name of individual with custody rights to child)

NOTICE OF PROPOSED RELOCATION, WARNING TO NON-RELOCATING PARTY AND COUNTER AFFIDAVIT REGARDING RELOCATION, true and correct copies of which are attached hereto, by **United States Postal Service**, first class mail, postage prepaid, certified, return receipt requested. The signed return receipt (postal green card) and the receipt from the Post Office are attached hereto.

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 falsifications to authorities.

Date

Signature

Print Name

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

_____ : No. _____ - _____ -03
Plaintiff :
 :
 vs : CIVIL ACTION – LAW
 :
 :
 :
 :
 :
 :
 Defendant : CUSTODY

**PETITION TO CONFIRM THE RELOCATION AND
TO MODIFY EXISTING CUSTODY ORDER**

AND NOW, comes the Petitioner, _____,
who files the within Petition To Confirm the Relocation, and states as follows:

1. The Petitioner is _____,
who currently resides at _____

and is the Plaintiff / Defendant in the above captioned custody action.
2. The Respondent(s) is / are _____

who currently reside at _____

and is / are Plaintiff / Defendant in the above captioned custody action.

3. The following child/ children are involved in the action:

Child's name	Age	Currently residing at:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. By Order of Court, dated _____, the Honorable _____, Judge, issued a custody order in the above captioned case.

5. On _____ day of _____, 20____, the Petitioner intends to relocate to the following address _____.

6. The Petitioner verifies that he / she served the required Notice of Proposed Relocation upon the Respondent(s) on _____.
The proposal for a revised custody schedule was given in the Notice of Proposed Relocation and the changes are as follows: _____

7. The Petitioner also served the Respondent(s) with a Counter-Affidavit, which can be used to object to the proposed relocation and modification of a custody order,

and a Warning To The Non-Relocating Party regarding the deadline for filing any objections.

8. The time to file objections has passed and no Counter-Affidavit was filed within that time period. OR, The Respondent filed a Counter-Affidavit but did not object to the proposed relocation or to the modification of the custody order consistent with the proposal for revised custody schedule.
9. The Petitioner files an Affidavit Confirming Notice of Relocation simultaneously with this Petition.
10. Pursuant to 23 Pa. C.S. §5337 the court is authorized to modify the custody order in accordance with the proposal for revised custody schedule previously submitted by petitioner without a hearing.

WHEREFORE, the Petitioner respectfully requests this Honorable Court to enter the foregoing Order confirming the relocation and modification of existing custody order as requested in this Petition, and any other relief as your Honorable Court deems just.

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

Respectfully submitted,

Signature of Petitioner

Print Name of Petitioner

Address

Phone Number

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

Plaintiff
v.

Defendant

: Case No. _____
:
:
: Case Type: Custody () Divorce
: () Paternity () Support
: () Protection from Abuse
: () Other: _____

ENTRY OF APPEARANCE AS A SELF-REPRESENTED PARTY

1. I, _____ (printed name), represent myself as the
Plaintiff or Defendant in this case.

2. REMOVAL OR WITHDRAWAL OF COUNSEL OF RECORD (if applicable)

() Remove _____, Esq. as my attorney in this case.

or

() Withdraw my appearance for the filing party in this case. My client has been provided with all orders requiring any action to be taken by the client. I hereby certify that this change is not intended to, nor will it, delay this proceeding to the best of my knowledge, information and belief.

Printed Name: _____, Esq. Attorney ID No.: _____

Signature: _____ Date Signed: _____

3. All pleadings and legal papers can be served on me at the address listed below:

Address Line 1: _____

Address Line 2: _____

City, State, Zip: _____

Telephone: _____ FAX: (_____) _____

Email Address: _____

4. I understand that I have a continuing obligation to provide current contact information to the Court, to other self-represented parties, and to attorneys of record in this case.

Signature: _____ Date Signed: _____

THE PARTY FILING THIS ENTRY OF APPEARANCE MUST PROVIDE NOTICE BY SENDING A COPY TO ALL PARTIES AND ATTORNEYS, INCLUDING ANY ATTORNEY REMOVED FROM THE CASE IN SECTION 2 ABOVE.

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

Plaintiff

vs

Defendant

: No. _____ - _____ -03
:
: CIVIL ACTION – LAW
:
:
:
: CUSTODY

ORDER CONFIRMING RELOCATION AND MODIFYING CUSTODY ORDER

AND NOW, this _____ day of _____, 20____, upon consideration of foregoing Petition To Confirm Relocation filed by _____, it is hereby ordered, adjudged and decreed that the custody order dated _____, is hereby modified consistent with the proposal for revised custody schedule contained in the Notice of Proposed Relocation and incorporated herein.

BY THE COURT,

J.