

CUSTODY MEMORANDUM FOR PRE-TRIAL CONFERENCE & PARENTING PLAN

**USE THESE INSTRUCTIONS AND FORMS
WHEN YOU HAVE BEEN ORDERED TO
COMPLETE A PARENTING PLAN AND
MEMORANDUM FOR PRE-TRIAL
CONFERENCE**

**You must provide the other party a copy upon the
completion and filing of these forms.**

**The Parenting Plan is intended to be completed by
both parties together and signed by both parties.**

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

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
content.

ATTENTION CS+HC VISITORS

THE **PUBLIC ACCESS POLICY** OF THE UNIFIED JUDICIAL SYSTEM
OF PENNSYLVANIA
204 Pa. Code §213.81
www.pacourts.us/public-records

IS EFFECTIVE JANUARY 6TH, 2018

IN ORDER TO FOLLOW THIS RULE CHANGE, YOU MAY NEED A
CONFIDENTIAL INFORMATION FORM OR A **CONFIDENTIAL
DOCUMENT FORM** INCLUDED WITH YOUR FILING

CONFIDENTIAL INFORMATION is defined as:

- SSN
- Financial Account Numbers (You may use the last 4 digits)
- Driver's License Numbers
- State Identification Numbers
- Minor's Name, Date of Birth (except when charged as defendant in a criminal case)
- IN FAMILY COURT ACTIONS – Abuse victim's contact information, including their employer's name, address and work schedule

CONFIDENTIAL DOCUMENTS are defined as:

- Financial Source Documents
- Minor's Educational Record
- Medical/Psychological Record
- CYF or CYS Record
- Marital property inventory and pre-trial statement in Divorce proceedings
- Income & Expense Statements in Support actions
- Agreement between parties in Divorce proceedings

**JUDGES MAY DENY YOUR PETITION FOR FAILURE TO COMPLY
WITH THIS POLICY and SANCTIONS MAY BE IMPOSED**

INSTRUCTIONS FOR COMPLETING PRE-TRIAL CONFERENCE MEMORANDUM & PARENTING PLAN

If the parties are unable to reach an agreement at mediation, the case will proceed to trial. The parties are currently given fifteen (15) days to request a home study of their home or the other party's home (currently this costs about \$400), or request psychological evaluations (which can cost an average of between \$2,000 to \$8,000). Other types of evaluations, which can be requested, include drug and alcohol evaluations, psychiatric evaluations, or medical evaluations. The party requesting the evaluation will be directed to pay the cost of the evaluation.

The parties will also receive an order scheduling a pre-trial conference before the custody judge, which **requires the parties to submit a pre-trial conference memorandum on or before a deadline set in the order.** The pre-trial conference is usually about six to eight weeks after the conciliation conference. The pre-trial memorandum is filed with the Prothonotary and served on the opposing party or counsel. In the pre-trial memorandum, the parties will exchange witness lists and exhibit lists, although they have some additional time after the pre-trial conference to supplement those lists. **The judge will also direct that the parties work together and attempt to prepare and file a joint parenting plan. If the parties are unable to work together and file a joint parenting plan, then each party will have to file his/her separate parenting plan.** After filing the pre-trial conference memorandum and parenting plan, a copy of each should be delivered to AOYCC for use by the Judge.

Step 1. Preparing the Memorandum for Custody Pre-Trial Conference and the Parenting Plan if an agreement is not reached at the conciliation conference or through mediation. THIS STEP & THESE FORMS ARE FOR AFTER CONCILIATION.

****REMINDER** ONLY MINOR'S INITIALS AND YEAR OF BIRTH ARE TO BE INCLUDED IN THESE FORMS**

- A. If you and the other parent are unable to reach a custody agreement at the Custody Conciliation, you will receive an Order scheduling a Pre-Trial Custody Conference. That Order will also direct you to prepare and file, by a deadline, a Memorandum for Custody Pre-Trial Conference and a Parenting Plan. It is very important that you comply with the deadlines contained in this Order.
- B. After inserting the caption in the Memorandum for Custody Pre-Trial Conference, answer and fill in each and every item on the Memorandum. If an item is not applicable to your case, insert "not applicable". Most of the items on the Memorandum are self-explanatory however, note the following:
 1. Admissions From Pleadings to be Made Part of Record. If either party has admitted in the pleadings to an important fact, such as that he or she has a drug or alcohol problem, insert that admission here.

2. Stipulation of Parties. Insert facts that are agreed on by the parties here such as, the parents' years of birth, addresses, places of employment, the children's years of birth, addresses, churches attended, schools attended, and extra-curricular activities.
3. Witnesses to be Called. It is very important that you list the name and address of every witness you intend to call at the custody hearing along with a summary of the subject of each witness' testimony. Your failure to fully comply with this portion of the Memorandum may result in the Court not allowing one or more of your witnesses to testify.

Another note about the Pre-Trial Conference Memorandum:

Pursuant to Pennsylvania Rule of Civil Procedure No. 1915.4-4 (b)(2), which addresses Pre-Trial Procedure, the pre-trial conference memorandum must be filed within the deadline ordered by the Judge, and it must contain information about any witnesses you plan to call and any exhibits you plan to enter. A portion of that rule is quoted below:

(b) Not later than five days prior to the pre-trial conference, each party shall serve a pre-trial statement upon the court and the other party or counsel of record. The pre-trial statement shall include the following matters, together with any additional information required by special order of the court:

- (1) the name and address of each expert whom the party intends to call at trial as a witness;
- (2) the name and address of each factual witness the party intends to call at trial, the relationship of that witness to the party, and a statement by the party or the party's counsel that he or she has communicated with each listed witness; and
- (3) a proposed order setting forth the custody schedule requested by the party.

In addition to the above items included in the pre-trial statement, any reports of experts and other proposed exhibits shall be included as part of the pre-trial statement served upon the other party or opposing counsel, but not included with the pre-trial statement served upon the court.

- C. The Court Order will direct you and the other parent to attempt to prepare and file the Parenting Plan together. If you and the other party are not able to prepare the Parenting Plan together, each of you will be required to prepare and file a Parenting Plan. By having you answer a series of self-explanatory questions; the Parenting Plan will provide the Court with a detailed statement of what type of custody order you and the other parent are requesting of the Court. After inserting the caption in the Parenting Plan, answer and fill in each and every item on the Parenting Plan.
- D. After you have completed the Parenting Plan and the Memorandum for Custody Pre-Trial Conference, make four copies of each. Take the original and the copies to the Prothonotary's Office for filing. The Prothonotary's staff will date stamp the originals and the copies. The Prothonotary's staff will retain the originals and return the copies to

you. You must provide the other parent with one of each of the time stamped copies, retain one of each of the time stamped copies for your records, and forward one of each of the time stamped copies to the AOYCC office to be forwarded to the Chambers of the Judge conducting the Pre-Trial Conference.

Step 2. Attending the Pre-Trial Custody Conference and the Custody Hearing.

It is important that you appear for the Pre-Trial Custody Conference at the date and time scheduled. At that Conference, the Judge will speak with you and the other parent. If you and the other parent are still unable to reach a custody agreement after speaking with the Judge, the Judge will issue an Order scheduling your case for trial.

It is your responsibility to ensure that you and all of your witnesses are available for the hearing when it occurs. In preparing for your hearing, refer back to the “Important Issues in Custody” contained in the Introduction to the Custody Packets for the factors the Court will be looking at in making its custody determination.

After the hearing, you will receive a copy of the Judge’s Custody Order in the mail, once he has prepared it. If you wish to appeal the Order to the Pennsylvania Superior Court there are various notice requirements, briefing schedules and other deadlines that must be obeyed. These instructions do not include the instructions for an appeal. If you want to appeal the Judge’s Order, it is recommended that you seek legal counsel. Otherwise, it is up to you to ascertain and follow the steps necessary to appeal the Order.



Instructions for Completing the Confidential Information Form

The following information is confidential and shall not be included in any document filed with a court or custodian, except on a Confidential Information Form filed contemporaneously with the document:

1. Social Security Numbers
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified. "Financial Account Numbers" include financial institution account numbers, debit and credit card numbers, and methods of authentication used to secure accounts such as personal identification numbers, user names and passwords.
3. Driver License Numbers
4. State Identification (SID) Numbers
5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355). "Minor" is a person under the age of eighteen.
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for victim's name. "Abuse Victim" is a person for whom a protection order has been granted by a court pursuant to Pa.R.C.P. No. 1901 et seq. and 23 Pa.C.S. § 6101 et seq. or Pa.R.C.P. No. 1951 et seq. and 42 Pa.C.S. § 62A01 et seq. **If necessary, this information must be provided on the separate Abuse Victim Addendum. Please note there are separate instructions for the completion of the Addendum located on the form.**

Please note this form does not need to be filed in types of cases that are sealed or exempted from public access pursuant to applicable authority (e.g. juvenile, adoption, etc.).

- **The best way to protect confidential information is not to provide it to the court. Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.**
- Do not include confidential information in any other document filed with the court under this docket.
- If you need to refer to a piece of confidential information in a document, use the alternate references. If you need to attach additional pages, sequentially number each alternate reference – i.e. SSN 3, SSN 4, etc.
- This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

A court or custodian is not required to review or redact any filed document for compliance with *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

If a filed document fails to comply with the requirements of the above referenced policy, a court may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended or any combination thereof. A court may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

**CONFIDENTIAL
INFORMATION
FORM**



**APPELLATE/TRIAL COURT
CASE RECORDS**

*Public Access Policy of the Unified Judicial System of Pennsylvania:
Case Records of the Appellate and Trial Courts
204 Pa. Code § 213.81
www.pacourts.us/public-records*

(Party name as displayed in case caption)

Docket/Case No.

Vs.

(Party name as displayed in case caption)

Court

This form is associated with the pleading titled _____, dated _____.

Pursuant to the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*, the Confidential Information Form shall accompany a filing where confidential information is **required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter**. This form, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

This Information Pertains to:	Confidential Information:	References in Filing:
<p>_____ (full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of ____ and the full name of</p> <p>_____ (full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver's License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN 1</p> <p>Alternative Reference: FAN 1</p> <p>Alternative Reference: DLN 1</p> <p>Alternative Reference: SID 1</p>
<p>_____ (full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of ____ and the full name of</p> <p>_____ (full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver's License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN 2</p> <p>Alternative Reference: FAN 2</p> <p>Alternative Reference: DLN 2</p> <p>Alternative Reference: SID 2</p>

**CONFIDENTIAL
INFORMATION
FORM**



**APPELLATE/TRIAL COURT
CASE RECORDS**

Additional page(s) attached. _____ total pages are attached to this filing.

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Signature of Attorney or Unrepresented Party

Date

Name: _____

Attorney Number: (if applicable) _____

Address: _____

Telephone: _____

Email: _____

NOTE: Parties and attorney of record in a case will have access to this Confidential Information Form. Confidentiality of this information must be maintained.

**CONFIDENTIAL
INFORMATION
FORM**



**APPELLATE/TRIAL COURT
CASE RECORDS**

Additional page (if necessary)

This Information Pertains to:	Confidential Information:	References in Filing:
<p>_____</p> <p>(full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of _____ and the full name of</p> <p>_____</p> <p>(full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver's License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN ____</p> <p>Alternative Reference: FAN ____</p> <p>Alternative Reference: DLN ____</p> <p>Alternative Reference: SID ____</p>
<p>_____</p> <p>(full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of _____ and the full name of</p> <p>_____</p> <p>(full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver's License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN ____</p> <p>Alternative Reference: FAN ____</p> <p>Alternative Reference: DLN ____</p> <p>Alternative Reference: SID ____</p>



Abuse Victim Addendum

Instructions for Completing the Abuse Victim Addendum: The Abuse Victim Addendum shall accompany a filing where confidential information is being provided by an abuse victim, as defined in this policy, **in family court actions** (see Pa.R.C.P. No. 1931(a)), **as required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter.** This addendum, and any additional pages, shall only be provided to the court and shall remain confidential. The best way to protect confidential information is not to provide it to the court. Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.

Type of Family Court Action		
Divorce, Annulment, Dissolution of Marriage	Child Custody	
Support	Paternity	Protection from Abuse
This Information Pertains to:	Confidential Information:	References in Filing:
<hr/> (full name of abuse victim)	AV Address: <hr/>	Alternative Reference: AV 1 Address
<hr/> Docket/Case No. of Protection Order	AV Employer's Name & Address: <hr/>	Alternative Reference: AV 1 Employer's Name & Address
<hr/> Court/County	AV Work Schedule: <hr/>	Alternative Reference: AV 1 Work Schedule
	AV Other contact information: <hr/>	Alternative Reference: AV 1 Other contact information

Attach additional page(s) if necessary.



Abuse Victim Addendum

Additional page (if necessary)

Type of Family Court Action		
Divorce, Annulment, Dissolution of Marriage	Child Custody	
Support	Paternity	Protection from Abuse
This Information Pertains to:	Confidential Information:	References in Filing:
<hr/> (full name of abuse victim)	AV Address: <hr/>	Alternative Reference: AV __ Address
<hr/> Docket/Case No. of Protection Order	AV Employer's Name & Address: <hr/>	Alternative Reference: AV __ Employer's Name & Address
<hr/> Court/County	AV Work Schedule: <hr/>	Alternative Reference: AV __ Work Schedule
	AV Other contact information: <hr/>	Alternative Reference: AV __ Other contact information

Type of Family Court Action		
Divorce, Annulment, Dissolution of Marriage	Child Custody	
Support	Paternity	Protection from Abuse
This Information Pertains to:	Confidential Information:	References in Filing:
<hr/> (full name of abuse victim)	AV Address: <hr/>	Alternative Reference: AV __ Address
<hr/> Docket/Case No. of Protection Order	AV Employer's Name & Address: <hr/>	Alternative Reference: AV __ Employer's Name & Address
<hr/> Court/County	AV Work Schedule: <hr/>	Alternative Reference: AV __ Work Schedule
	AV Other contact information: <hr/>	Alternative Reference: AV __ Other contact information

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

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

MEMORANDUM FOR CUSTODY PRE-TRIAL CONFERENCE

SUBMITTED BY: _____

COUNSEL FOR: _____

I. BRIEF SUMMARY OF CASE, INCLUDING INITIALS AND YEARS OF BIRTH OF CHILDREN AT ISSUE AND THE CURRENT CUSTODY SITUATION:

Plaintiff, _____ is the
(Name of Plaintiff)

(Plaintiff’s relationship to the child/ren)

Defendant, _____ is the
(Name of Defendant)

(Defendant’s relationship to the child/ren)

of the following child(ren) at issue:

Child(ren)'s Initials:

Year of Birth:

_____	_____
_____	_____
_____	_____
_____	_____

The present custody situation is as follows:

The present custody situation has existed since approximately _____
months / years.

II. STATEMENT OF ISSUES EXPECTED TO ARISE DURING TRIAL:

III. ADMISSION FROM PLEADINGS TO BE MADE PART OF RECORD:

IV. STIPULATION OF PARTIES:

V. WITNESSES TO BE CALLED:

NAME	ADDRESS	RELATIONSHIP TO PARTY & SUBJECT OF TESTIMONY
1.		
2.		
3.		
4.		
5.		
6.		

Pursuant to Pa.R.C.P. No. 1915.4-4(b)(2) the Memorandum for Custody Pre-Trial Conference must include a statement by the party or the party's counsel that he or she has communicated with each listed witness.

VI. STATUS OF EXPERT WITNESSES, REPORTS, EVALUATIONS AND STUDIES:

VII. STATEMENT OF OBJECTIONS OR UNUSUAL EVIDENTIARY PROBLEMS EXPECTED TO ARISE AT TRIAL: (Parties should submit authority for their respective positions with this memorandum.)

VIII. SPECIAL REQUESTS, UNCOMPLETED MATTERS:

IX. STATEMENT OF SETTLEMENT PROSPECTS:

X. ESTIMATED TIME NEEDED FOR TRIAL:

Respectfully submitted,

Signature

Print Name

Address - Street

City, State and Zip Code

Phone Number