

“PACKET B”
USE “PACKET B” INSTRUCTIONS
AND FORMS WHEN YOU WANT TO
MODIFY (CHANGE) AN EXISTING
CUSTODY ORDER.

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 B – Contents and Checklist

INSTRUCTIONS

STEPS AND FORMS

Step 1 and 2 Forms:

- Directive (English), Directiva (Spanish)
- Petition to Modify Custody Order
- Criminal Record / Abuse History Verification (2)
- Entry of Appearance of Self-Represented Party
- Conciliation Conference Memorandum

Step 3 Forms:

- Proof of Service Forms (only one needed)
 - Acceptance of Service, or
 - Affidavit of Service by Certified Mail, or
 - Affidavit of Personal Service

Step 4 Forms:

- Memorandum for Custody Pre-Trial Conference
- Parenting Plan (if directed by the court)

YORK COUNTY CUSTODY FORMS AND INSTRUCTIONS

THESE FORMS AND INSTRUCTIONS WERE
ORIGINALLY DRAFTED BY MID-PENN LEGAL
SERVICES FOR USE BY THEIR CLIENTS.

YORK COUNTY GRATEFULLY
ACKNOWLEDGES THE INVALUABLE
GUIDANCE AND SUPPORT PROVIDED BY
MID-PENN LEGAL SERVICES IN PERMITTING
YORK COUNTY TO UTILIZE THEIR ORIGINAL
FORMS IN THE PREPARATION AND
INSTITUTION OF THESE CUSTODY FORMS
AND INSTRUCTIONS. MOREOVER, YORK
COUNTY GRATEFULLY ACKNOWLEDGES
FRANKLIN AND FULTON COUNTIES FOR
PERMITTING YORK COUNTY TO UTILIZE
THEIR CUSTODY FORMS AND INSTRUCTIONS
AS NEEDED.

DISCLAIMER

NO PERSON IN THE COURT SELF-HELP CENTER, COURT ADMINISTRATION, THE PROTHONOTARY'S OFFICE, OR IN ANY COURT OFFICE IS PERMITTED TO PROVIDE YOU WITH LEGAL ADVICE. THE INFORMATION IN THE PACKETS IS NOT A SUBSTITUTE FOR PROFESSIONAL LEGAL ADVICE. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THESE DOCUMENTS, INCLUDING RELIANCE ON THEIR CONTENTS.

IT IS STRONGLY RECOMMENDED THAT YOU CONSULT WITH AN ATTORNEY. THE YORK COUNTY ATTORNEY CONNECTIONS PROGRAM WILL REFER YOU TO A FAMILY LAW ATTORNEY WHO WILL MEET WITH YOU FOR THIRTY MINUTES TO REVIEW YOUR RIGHTS AT A REDUCED FEE. YOU CAN CONTACT ATTORNEY CONNECTIONS AT (717) 854-8755.

INTRODUCTION

IMPORTANT NOTICES

Proper use of these forms will enable you to start a custody action to obtain a custody order; start an action to modify an already existing custody order; start an action to request permission to relocate with the child or children; or start an action to find the other party in contempt of an already existing custody order. The best interest and permanent well-being of your children will certainly be affected by the outcome of any custody proceeding.

**ACCORDINGLY, BEFORE PROCEEDING
FURTHER WITH THESE FORMS IT IS
IMPORTANT THAT YOU CAREFULLY READ,
UNDERSTAND, AND CONSIDER THE
FOLLOWING:**

→If you decide to represent yourself (known as “pro se”) in a custody action, it may take a lot of time, and cause you difficulty, confusion, and frustration. You will not be given any leeway because you are not an attorney. You will be held to the same standard as an attorney. You must follow the Rules and Procedures of York County and of Pennsylvania.

→This packet is not a substitute for professional legal advice about your specific situation. Speaking with an attorney is highly recommended especially if you plan to raise issues of abuse, neglect, unfitness, mental illness, psychological problems, criminal convictions, criminal charges and/or any other complex issues.

→No person in the Court Self-Help Center, Court Administration, the Prothonotary’s Office, or any other court office is permitted to help you fill out these forms or to help you decide which set of forms to use.

Before proceeding further, carefully read and review the following important custody definitions and important custody issues.

IMPORTANT CUSTODY DEFINITIONS

Abuse: The occurrence of one or more of the following acts between family or household members, sexual or intimate partners, or persons who share biological parenthood:

- (1) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon.
- (2) Placing another in reasonable fear of imminent serious bodily injury.
- (3) The infliction of false imprisonment pursuant to 18 Pa.C.S. §2903 (relating to false imprisonment).
- (4) Physically or sexually abusing minor children, including such terms as defined in Chapter 63 (relating to child protective services).
- (5) Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury.

Adult: An individual 18 years of age or older.

Agency: Any organization, society, institution, court facility or other entity, which provides for the care of a child. The term does not include a county children and youth social service agency.

Child: An un-emancipated person under 18 years of age.

Conciliation Conference: A process in which a neutral person meets with the parties to try to resolve / settle the dispute in an agreeable manner.

Custody order: The written document, signed by a judge, stating where a child will live and how decisions will be made.

Defendant: A person sued in a civil proceeding or accused in a criminal proceeding.

Legal custody: The right to make major decisions on behalf of the child, including, but not limited to, medical, religious and educational decisions.

Memorandum: A party's written statement of its legal arguments presented to the court.

Modify: To change.

Parental duties: Includes meeting the physical, emotional and social needs of the child.

Partial physical custody: The right to assume physical custody of the child for less than a majority of the time.

Party: Anyone taking part in a lawsuit as a plaintiff or a defendant.

Petition for Contempt: A legal paper filed in court by one party when the other party has violated a custody order. The Petition describes the contempt (violation).

Physical custody: The actual physical possession and control of a child.

Plaintiff: The party who brings (starts) a civil suit in a court of law.

Primary physical custody: The right to assume physical custody of the child for the majority of time.

Pro-Se: A Latin term meaning "for one's self." It also means "without an attorney"

Relocation: A change in a residence of the child that significantly impairs the ability of a non-relocating party to exercise custodial rights. An inter-county move may constitute a relocation if it materially affects some aspect of the child's life.

Service: Delivery of court papers to a party in accordance with local rules of court.

Shared legal custody: The right of more than one individual to participate in making major decision on behalf of the child.

Shared physical custody: The right of more than one individual to assume physical custody of the child, each having significant periods of physical custodial time with the child.

Sole legal custody: The right of one individual to exclusive legal custody of the child.

Sole physical custody: The right of one individual to exclusive physical custody of the child.

Supervised physical custody: Custodial time during which an agency or an adult designated by the court or agreed upon by the parties monitors the interaction between the child and the individual with those rights.

IMPORTANT ISSUES IN CUSTODY.

"Standing". Not everyone is entitled to start an action for custody. Persons entitled by law to start an action for custody have "standing" to bring the action. Parents of the child have standing since the law entitles them to bring an action for custody of their child. Other persons, such as grandparents, may have standing in certain circumstances. (See 23 Pa.C.S. §§5324 and 5325) These forms have been prepared

for use by parents. **Other persons desiring to start a custody action are strongly encouraged to seek the assistance of an attorney to ascertain if they have standing.**

Parties living separate and apart in the same residence with the child may start a custody action but the custody order entered as a result will not be effective until the parties no longer reside in the same residence.

Types of Custody Awards. After considering the relevant factors (discussed below), the court may award any of the following types of custody it is in the best interest of the child:

1. Shared physical custody.
2. Primary physical custody.
3. Partial physical custody.
4. Sole physical custody.
5. Supervised physical custody.
6. Shared legal custody.
7. Sole legal custody.

FACTORS CONSIDERED FOR CUSTODY

In Pennsylvania, neither the mother nor the father of a child will be the preferred custodian in a custody action simply because of gender. However, in a custody action between a parent and a non-parent, the parent will be the preferred custodian.

In ordering any form of custody, the court is required to determine the best interest of the child by considering all relevant factors, especially those that affect the safety of the child, including the following factors:

1. Which party is more likely to encourage and permit frequent and continuing contact between the child and another party.
2. The present and past abuse committed by a party or member of the party's household, whether there is a continued risk of harm to the child or an abused party and which party can better provide adequate physical safeguards and supervision of the child.
3. The parental duties performed by each party on behalf of the child.
4. The need for stability and continuity in the child's education, family life and community life.
5. The availability of extended family.
6. The child's sibling relationships.
7. The well-reasoned preference of the child, based on the child's maturity and judgment.
8. The attempts of a parent to turn the child against the other parent, except in cases of domestic violence where reasonable safety measures are necessary to protect the child from harm.
9. Which party is more likely to maintain a loving, stable, consistent and nurturing relationship with the child adequate for the child's emotional needs.

10. Which party is more likely to attend to the daily physical, emotional, developmental, educational and special needs of the child.
11. The proximity of the residences of the parties.
12. Each party's availability to care for the child or ability to make appropriate child-care arrangements.
13. The level of conflict between the parties and the willingness and ability of the parties to cooperate with one another. A party's effort to protect a child from abuse by another party is not evidence of unwillingness or inability to cooperate with that party.
14. The history of drug or alcohol abuse of a party or member of a party's household.
15. The mental and physical condition of a party or member of a party's household.
16. Any other relevant factor.

CRIMINAL CONVICTIONS AND/OR CRIMINAL CHARGES

According to 23 Pa.C.S. §§5329 and 5330, the Court (either the Conciliator or the Judge) is required to consider certain criminal offenses for which either party or a member of a party's household has been convicted or for which either party has been charged before the court can make a determination or order of custody.

CONSIDERATION OF CRIMINAL CONVICTION.

Offenses. Where a party seeks any form of custody, the court is required to consider whether that party or member of that party's household has been convicted of or has pleaded guilty or no contest to any of the offenses listed below or an offense in another U.S. State or another country substantially equivalent to any of the listed offenses. The court must consider such conduct and determine that the party does not pose a threat of harm to the child before making any order of custody to that parent when considering the following offenses:

- (1) 18 Pa.C.S. Ch. 25 (relating to criminal homicide).
- (2) 18 Pa.C.S. §2702 (relating to aggravated assault).
- (3) 18 Pa.C.S. §2706 (relating to terroristic threats).
- (4) 18 Pa.C.S. §2709.1 (relating to stalking).
- (5) 18 Pa.C.S. § 2901 (relating to kidnapping).
- (6) 18 Pa.C.S. § 2902 (relating to unlawful restraint).
- (7) 18 Pa.C.S. § 2903 (relating to false imprisonment).
- (8) 18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure).
- (9) 18 Pa.C.S. §3121 (relating to rape).
- (10) 18 Pa.C.S. §3122.1 (relating to statutory sexual assault).
- (11) 18 Pa.C.S. §3123 (relating to involuntary deviate sexual intercourse).
- (12) 18 Pa.C.S. §3124.1 (relating to sexual assault).
- (13) 18 Pa.C.S. §3125 (relating to aggravated indecent assault).
- (14) 18 Pa.C.S. §3126 (relating to indecent assault).
- (15) 18 Pa.C.S. §3127 (relating to indecent exposure).
- (16) 18 Pa.C.S. §3129 (relating to sexual intercourse with an animal).

- (17) 18 Pa.C.S. §3130 (relating to conduct relating to sex offenders).
- (18) 18 Pa.C.S. §3301 (relating to arson and related offenses).
- (19) 18 Pa.C.S. §4302 (relating to incest).
- (20) 18 Pa.C.S. §4303 (relating to concealing death of child).
- (21) 18 Pa.C.S. §4304 (relating to endangering welfare of children).
- (22) 18 Pa.C.S. §4305 (relating to dealing in infant children).
- (23) 18 Pa.C.S. §5902(b) (relating to prostitution and related offenses).
- (24) 18 Pa.C.S. §5903(c) or (d) (relating to obscene and other sexual materials and performances).
- (25) 18 Pa.C.S. §6301 (relating to corruption of minors).
- (26) 18 Pa.C.S. §6312 (relating to sexual abuse of children).
- (27) 18 Pa.C.S. §6318 (relating to unlawful contact with minor).
- (28) 18 Pa.C.S. §6320 (relating to sexual exploitation of children).
- (29) Section 6114 (relating to contempt for violation of order or agreement).
- (30) The former 75 Pa.C.S. §3731 (relating to driving under the influence of alcohol or controlled substance).
- (31) 75 Pa.C.S. Ch.38 (relating to driving after imbibing alcohol or utilizing drugs).
- (32) Section 13 (a)(1) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, to the extent that it prohibits the manufacture, sale or delivery, holding, offering for sale or possession of any controlled substance or other drug or device.

Parent Convicted of Murder. The court cannot award custody, partial custody or supervised physical custody to a parent who has been convicted of murder under 18 Pa.C.S. §2502(a) (relating to murder) of the other parent of the child **unless** the child is of suitable age and consents to the order.

Evaluation and Counseling. At the initial in-person contact with the court, the judge, conference officer or other appointed individual (like a conciliator) shall perform an initial evaluation to determine whether the party or household member who committed the one of the above offenses poses a threat to the child and whether counseling is necessary. The initial evaluation shall not be conducted by a mental health professional. After the initial evaluation, the court may order further evaluation or counseling by a mental health professional if the court determines it is necessary. **The court may, and most likely will, order a party to pay all or part of the costs of the counseling and evaluations.** If you, or a household member have one of the enumerated offenses, it is highly recommended that you obtain an evaluation from a court approved resource and attach a copy to your conciliation memorandum and bring the original to the conciliation conference.

CONSIDERATION OF CRIMINAL CHARGE.

When a party finds out that the other party has been charged with one of the offenses listed above, the non-offending party may move for a temporary custody order or modification of an existing custody order and the court shall hold the hearing as soon as possible to determine if the offending party poses a risk to the child.

**THESE FORMS DO NOT SPECIFICALLY
ADDRESS THE SITUATION WHERE A
PARTY OR A PARTY'S HOUSEHOLD
MEMBER HAS BEEN CONVICTED, PLEADED
GUILTY OR NO CONTEST TO ONE OF THE
ABOVE OFFENSES. ACCORDINGLY, IF
CRIMINAL CONVICTIONS OR CHARGES
ARE INVOLVED IN YOUR CASE, YOU
SHOULD NOT ATTEMPT TO REPRESENT
YOURSELF BUT RATHER YOU SHOULD
SEEK THE REPRESENTATION OF AN
ATTORNEY.**

AFTER READING THIS INTRODUCTION, IF YOU STILL WANT TO START A CUSTODY ACTION WITHOUT THE ASSISTANCE OF AN ATTORNEY, THEN GO TO "PACKET A" FOR INSTRUCTIONS AND FORMS RELATING TO STARTING A CUSTODY ACTION TO OBTAIN A CUSTODY ORDER; GO TO "PACKET B" FOR INSTRUCTIONS AND FORMS RELATING TO STARTING AN ACTION TO MODIFY AN ALREADY EXISTING CUSTODY ORDER; GO TO "PACKET C" FOR INSTRUCTIONS AND FORMS RELATING TO STARTING AN ACTION TO REQUEST PERMISSION TO RELOCATE WITH THE CHILD OR CHILDREN; OR GO TO "PACKET D" FOR INSTRUCTIONS AND FORMS RELATING TO STARTING AN ACTION TO FIND THE OTHER PARTY IN CONTEMPT OF AN ALREADY EXISTING CUSTODY ORDER.

PACKET B – INSTRUCTIONS

Use Packet B Forms and instructions if you want to modify (change) an existing custody order. This packet is **NOT** appropriate for you if **ANY** of the following pertain to you:

1. You plan to raise issues of abuse, neglect, unfitness, mental illness, psychological problems, criminal convictions, criminal charges and/or any other complex issues; or
2. You were not a party to the existing custody order. These instructions and forms are designed for modification proceedings between the parties to an existing order.

GENERAL CONSIDERATIONS

The following procedural steps will occur after the Modification Petition is filed:

Conciliation Conference. At the same time that the petition to modify is filed, a conciliation conference will be scheduled to occur about two to three weeks from the date the petition is filed. The conciliation conference is held before a conciliator, who is an attorney in York, Pennsylvania, and has been appointed by the Court to hear the case.

The conciliation will be held at the York County Judicial Center (usually on the fourth floor in Hearing Room #7) and will last approximately one hour. In attendance are the parents, their attorneys, if they have attorneys, and the conciliator. No one else is permitted into the conference. Testimony is not taken at the conference and witnesses are not permitted. If a parent is also a minor, he or she must have a legal guardian or parent present.

Children over the age of seven are required to be present, but they will wait outside the conference room until the conciliator is ready to speak with them. The conciliator does not always speak with the children, but if he or she does speak with the children, neither the parties nor their attorneys are present. You should arrange for daycare, or someone to watch your children outside the conference, while you attend the conference. Please note that neither the conciliator nor the judge is bound by the child's preference. If the parties are able to reach an agreement at the conciliation conference, the conciliator will dictate that agreement and the parties will receive a copy of the agreement, signed by the judge, in about a week. The case will then be over, unless someone files another Petition to Modify or a Petition for Contempt at

some point in the future. The conciliator is not a judge, but, if the parties are unable to reach an agreement at the conciliation, the conciliator will prepare a temporary custody order that will be forwarded to a judge for signature.

Custody Workshop. Parties who attend a conciliation conference are required to attend a Custody Workshop generally within ninety (90) days of the conciliation. The workshop will not be required if you have already attended it. Sometimes the Custody Workshop is not required if you reach an agreement with the other party at conciliation. The Custody Workshop is currently being offered by Family-Child Resources of York. FCR's address is 3995 East Market Street, York, PA 17402-2773 and the phone number is 717-757-1227. This workshop is four hours long and there is a fee, which each party must pay, to attend. The parties do not have to attend the workshop together. There are workshops offered at night and on the weekends. Once completed, a party will receive a certificate, which must be filed with the Court. If a party fails to attend the workshop, or file the certificate, the judge may find that person in contempt of court.

Mediation. If the parties are unable to reach an agreement at the conciliation, the parties will be required to attend one, two-hour mediation session. The cost of the mediation session is approximately \$135.00 per person, and no attorneys are present during the mediation. If you have been approved to proceed in forma pauperis (IFP), be sure to remind the conciliator so that the fee is waived for you for mediation. The conciliator will provide you with the name and telephone number of a mediator and it is your responsibility to schedule a mediation session.

Pre-Trial Conference and Trial. 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 memorandum and parenting plan, a copy of each should be delivered to the Court Administrator's office for use by the Judge.

During the pre-trial conference the judge speaks with the parties and counsel (if applicable). The judge will try to resolve the custody issue at the pre-trial conference. At the conclusion of the Pretrial Conference, if the judge is unable to resolve the custody issue, the judge will issue a Custody Pretrial Order that will schedule the case for trial.

Most trials last about one day, but if there are experts, or complicated issues, a trial can last several days.

STEPS TO BE TAKEN TO MODIFY (CHANGE) AN EXISTING CUSTODY ORDER

Step 1. Starting the Modification Proceeding.

Complete the Directive/Directiva, the Petition to Modify Custody Order, the Criminal Record/Abuse History Verification, Entry of Appearance as a Self-Represented Party, and the Conciliation Conference Memorandum.

YOU MUST ATTACH A "DIRECTIVE" TO YOUR PETITION. THE DIRECTIVE MUST BE PROVIDED IN ENGLISH AND SPANISH (DIRECTIVA) UNDER YORK COUNTY'S RULES OF CIVIL PROCEDURE, REGARDLESS OF YOUR OR THE OPPOSING PARENT'S PRIMARY LANGUAGE.

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 Directive/Directiva, the Petition to Modify Custody Order and the Conciliation Conference Memorandum forms to match the custody order caption.

YOU MUST COMPLETE THE CAPTION ON EVERY FORM YOU FILE.

B. Completing the Directive and the Directiva.

1. In the blank following "Conciliator Previously Assigned to This Case" insert the name of the conciliator who conducted any previous conciliation conferences in your case, or, if there have been no conciliation conferences in your case, insert "Not Applicable." After the word "You" insert the other parent's full name and after the words "have been sued in Court to obtain custody, partial custody, or visitation of the child(ren)" insert the names and years of birth of all of the children to be covered by the custody order.

2. Do not insert anything in the blanks located in paragraphs 1 and 2; the Court Administrator's Office will fill in these blanks.
3. Although there are no other areas of this form that need to be filled in, it is important that you read the remainder of the form carefully, understand it, and comply with it.

C. Completing the Petition to Modify Custody Order

1. After the words "Comes Now, the Petitioner," insert your full legal name.
2. In paragraph 1, fill in your full legal name, including the middle initial, and your full street address (street, number, route, box number, town, county, state, and zip code) where indicated. If you receive your mail at a post office box, insert the P.O. Box address at the end of the paragraph as follows: "The Petitioner's mailing address is: (insert full mailing address including P.O. Box number)."
3. In paragraph 2, fill in the other parent's full legal name, including his/her middle initial and his/her full street address (street, number, route, box number, town, county, state and zip code), where indicated. If the other parent receives his/her mail at a post office box, insert the P.O. Box address at the end of the paragraph as follows: "The Respondent's mailing address is: (insert full mailing address including P.O. Box number)."
4. In paragraph 3, fill in the names and years of birth for every child that you want included in the modified custody order.
5. In paragraph 4, insert the date of the current custody order and the name of judge who signed it.
6. In paragraph 5, list the reasons that you believe it is in the best interest of your child(ren) that the custody order be modified.
7. In the last paragraph that starts with the word "WHEREFORE", insert the changes that you are requesting be made to the current custody order.

Sign and date. Sign and date the Petition where indicated. Print your name, address, and telephone number under your signature. Please note that you are verifying the truth of the statements made in the Petition so this statement, like all others on these forms, must be true.

D. 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. The petitioner must also attach a blank verification form to the complaint or petition served upon the respondent (other party/person in custody case). In other words, you must give a blank copy of the Criminal Record / Abuse History Verification to the other party/parent when you give (serve) the copy of the custody complaint or petition.

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.

Additionally, both parties shall file and serve updated verifications five days prior to trial.

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

- a. After completing the caption, fill out the form completely, answering questions #'s 1-7 by checking the correct box 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 in question #4 if your address and phone number are confidential due to a PFA case.
- b. You must file a new form EVERY TIME YOUR ADDRESS OR TELEPHONE NUMBER CHANGES.

- c. You must provide a copy of this form to all other attorneys involved in the case and to any self-represented parties. In item #6, You must include the names and addresses where you served those copies.
- d. You must sign and date the form.
- e. You must file this Entry of Appearance as a Self-Represented Party form with your Directive, Custody Complaint, Criminal Record / Abuse History Verification, and Conciliation Conference Memorandum.

F. Completing the Conciliation Conference Memorandum.

- 1. After the words "Submitted By" insert you name.
- 2. In paragraph 1, after "Party is" insert "Plaintiff-Mother" or "Plaintiff-Father" or "Defendant-Mother" or Defendant-Father," whichever applies.
- 3. In paragraph 2, insert the names and years of birth of the children involved in the custody action.
- 4. In paragraph 3, check the block or blocks that best describe the type of custody order you are requesting. If you are requesting something other than the listed choices, insert the relief you are requesting after the word "Other".
- 5. In paragraph 4, summarize the current custody situation.
- 6. In paragraph 5, insert the number of months or years that that the current custody situation has been in effect.
- 7. In paragraph 6, answer "yes" if either of the parents has prevented the other parent from having contact with the child and "no" if that is not the case. If you answered "yes", explain the circumstances. By way of example only, if you answered that you have prevented contact because the other parent showed up for custody visibly drunk and you were concerned for your child's safety, insert that explanation in the space provided.
- 8. In paragraph 7, write the answer "yes" if you allege that the other parent is unfit, "no" if you believe the other parent is fit, or "reserved" if you do not know if the other parent is fit and you want to save the issue for the hearing.
- 9. In paragraph 8, write the answer "yes" if you allege that the other parent's home environment is improper, "no" if you believe the other parent's

home environment is proper, or “reserved” if you do not know if the other parent’s home environment is proper and you want to save the issue for the hearing.

10. In paragraph 9, describe any other issues that you want to present to the court.
11. In paragraph 10, write the answer “yes” if you plan to raise emotional or psychological problems of the children or others involved, “no” if you do not plan to raise emotional or psychological problems of the children or others involved, or “reserved” if you do not know yet if you will raise emotional or psychological problems of the children or others involved and you want to save the issue for the hearing.
12. In paragraph 11, write the answer “yes” if you plan to request a psychological evaluation of the children and others involved, “no” if you do not plan to request a psychological evaluation of the children and others involved, or “reserved” if you do not know yet if you will request a psychological evaluation of the children and others involved and you want to save the issue for the hearing. **Note: If you request psychological evaluation, you will be responsible for paying the cost of the evaluations which could be several thousands of dollars.**
13. In paragraph 12, write the answer “yes” if you plan to request a psychological evaluation of the children and others involved and you will agree to the appointment of one neutral psychologist to be used by you and the other party or “no” if plan to request a psychological evaluation of the children and others involved but will not agree to the appointment of one neutral psychologist to be used by you and the other party. **Note: If you request psychological evaluations and agree to the appointment of one neutral psychologist to be used by you and the other party, you will be responsible for paying one-half of the cost of the evaluation which could be several thousands of dollars.**
14. In paragraph 13, insert the number of days it will take you to present your side of the case if the case does not settle and goes to a hearing. **Note: in most cases the court will not schedule more than a half-day to a day hearing.**
15. If the matter does not settle and proceeds to a hearing, you may choose to call witnesses at the hearing. You must list here any witnesses you plan to call. In paragraph 14, insert the names & addresses of any factual witnesses you intend to call if there is a hearing. In paragraph 15, insert the names & addresses of any expert witnesses you plan to call if there is a hearing.

16. In paragraph 16, write the answer “yes” if you plan to request that home studies of your home and the other parent’s home be completed, “no” if you do not plan to request that home studies of your home and the other parent’s home be completed, or “reserved” if you do not know yet if you will request that home studies of your home and the other parent’s home be completed and you want to save the issue for the hearing. **Note: If you request home studies, you will be responsible for paying the cost of them which could be several hundreds of dollars.**
17. In paragraph 17, insert any other relevant information that you want the Custody Conciliator to know. By way of example, if you are concerned about the other parent’s method of discipline, you might want to describe your concerns in the space provided.
18. Sign this form, print your name, address and telephone number in the spaces provided.

Step 2. Filing the Directive/Directiva, the Petition to Modify Custody Order, the Criminal Record/Abuse History Verification, Entry of Appearance as a Self-Represented Party, and the Conciliation Conference Memorandum.

- A. Make four copies of the entire completed Directive/Directiva, Petition to Modify Custody Order, and the Conciliation Conference Memorandum. Make two copies of the entire completed Criminal Record/Abuse History Verification and Entry of Appearance as a Self-Represented Party.
- B. Take the original and the copies to the York County Prothonotary’s Office located on the first floor of the York County Judicial Center along with the filing fee 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. **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.**
- C. The Prothonotary’s staff will date-stamp each document, with the exception of the Directive/Directiva, and return the Directives/Directivas and the Petitions

to Modify Custody Order to you. The Prothonotary's staff will return the copies of the date-stamped Conciliation Conference Memorandum to you. The Prothonotary's staff will provide you with a receipt showing that you have paid the filing fee.

- D. Immediately take the receipt, Directives/Directiva and date-stamped Petitions to Modify Custody Order to the District Court Administrator's office located on the fourth floor of the York County Judicial Center.
- E. The District Court Administrator's Office will fill in the Directives/Directivas with the name of your conciliator and the date, time and location of the conciliation conference.
- F. Immediately return to the Prothonotary's Office with the Directives/Directiva and date-stamped Petitions to Modify Custody Order. The Prothonotary's Office will date-stamp the filled in Directives/Directivas and return two copies of the date-stamped Directives/Directivas and Petition to Modify Custody Order to you.
- G. One of the date-stamped copies of each document is for you to keep for your records. **Take special note of the date, time and place of the conciliation conference since you must attend the conference.** One of the date stamped copies of each of the documents must be served on the Respondent (the other party) prior to the Conciliation Conference. **If service is not completed prior to the Conciliation Conference, the Conciliation Conference will be cancelled, rescheduled, and you may be required to pay an additional fee.**

Step 3. Serving the Directive/Directiva, the Petition to Modify Custody Order, a blank copy of the Criminal/Abuse History Verification, the Entry of Appearance as a Self-Represented Party, and the Conciliation Conference Memorandum.

"Service" means that the Respondent received the Directive/Directiva, the Petition to Modify Custody Order, a blank copy of the Criminal/Abuse History Verification, the Entry of Appearance as a Self-Represented Party, and the Conciliation Conference Memorandum. Service can be accomplished in any one of the following ways:

- A. **Acceptance of Service.** If you are on cordial terms with the other parent, an easy way to accomplish service is to mail or hand deliver the Directive/Directiva, the Petition to Modify Custody Order, a blank copy of the Criminal/Abuse History Verification, the Entry of Appearance as a Self-Represented Party, and the Conciliation Conference Memorandum to the other parent and have him or her, in the presence of a notary, sign, date, and return to you the Acceptance of Service Form. Before sending or handing the

Acceptance of Service Form to the other parent, fill in the caption, including the docket number and the date the Complaint was filed. Instruct the other parent to fill in the date he/she received the Directive/Directiva, the Petition to Modify Custody Order, the Criminal/Abuse History Verification, the Entry of Appearance as a Self-Represented Party, and the Conciliation Conference Memorandum, his/her address and telephone number when signing the document, and to have his/her signature notarized. Once the other parent/party has returned the signed form to you, make a copy and take the original form and the copy to the Prothonotary's Office for filing. The Prothonotary's staff will date-stamp the original and copy, keep the original and return the copy to you for your records.

B. Service by Certified Mail. Service of the Directive/Directiva, the Petition to Modify Custody Order, a blank copy of the Criminal/Abuse History Verification, the Entry of Appearance as a Self-Represented Party, and the Conciliation Conference Memorandum can be accomplished by sending the extra date-stamped copy of each to the Respondent **by certified mail, return receipt requested, restricted delivery**. **The Respondent is the only person who is permitted to sign for the delivery of the Directive/Directiva, the Complaint for Custody, the Criminal/Abuse History Verification, the Entry of Appearance as a Self-Represented Party, and the Conciliation Conference Memorandum. To accomplish service by Certified Mail, do the following:**

1. Prepare an envelope with the other parent's name and address, using your own address as the return address.
2. Insert a date-stamped copy of the Directive/Directiva, the Petition to Modify Custody Order, the Conciliation Conference Memorandum, the Entry of Appearance as a Self-Represented Party, and a blank copy of the Criminal/Abuse History Verification into the envelope and seal.
3. Print the words "Restricted Delivery" on the lower left hand corner of the envelope. It is best to do this with red ink.
4. Take the envelope to the Post Office and tell the postal worker that you want to send it "certified mail, return receipt requested, restricted delivery."
5. The postal worker will help you complete the "green card" and attach it to your envelope.

6. The postal worker will provide you with a receipt after you have paid the fee for mailing. **MAKE SURE YOU KEEP THIS RECEIPT.** You will need to attach it to your Affidavit of Service by Certified Mail (See # 7, below).
 7. When the green card is returned to you, completely fill out and sign the Affidavit of Service by Certified Mail and attach the receipt and the green card to it. Make a copy of the completed Affidavit of Service by Certified Mail and take the original and the copy to the Prothonotary's Office for filing. The Prothonotary's staff will date-stamp the original and copy, keep the original and return the copy to you for your records.
- C. Personal Service.** Service can also be accomplished by an adult, other than you, personally handing a date-stamped copy of the Directive/Directiva, the Petition to Modify Custody Order, the Conciliation Conference Memorandum, the Entry of Appearance as a Self-Represented Party, and a blank copy of the Criminal/Abuse History Verification to the other parent. The adult who handed the papers to the other parent must fill out and sign the Affidavit of Personal Service after you have filled in the caption and docket number on the Affidavit of Personal Service. Make a copy of the completed Affidavit of Personal Service and take the original and the copy to the Prothonotary's Office for filing. The Prothonotary's staff will date-stamp the original and copy, keep the original and return the copy to you for your records.
- D. Service by York County Sheriff.** The most certain way to ensure service is to pay the York County Sheriff's Office to serve the Directive/Directiva, the Petition to Modify Custody Order, the Criminal/Abuse History Verification, and the Conciliation Conference Memorandum. Take a date-stamped copy of the Directive/Directiva, the Petition to Modify Custody Order, the Conciliation Conference Memorandum, the Entry of Appearance of a Self-Represented Party, and a blank copy of the Criminal/Abuse History Verification to the Sheriff's Office located on the first floor of the York County Judicial Center. You will need to pay the Sheriff's fee in advance. After the Sheriff has served the Directive/Directiva, the Complaint for Custody and the Conciliation Conference Memorandum, he/she will file his/her affidavit of service at the Prothonotary's Office.

Step 4. 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.

- 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 of 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 dates 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's 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 1915.4-4, 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 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 your spouse 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 chambers of the Judge conducting the Pre-Trial Conference.

Step 5. 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 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.

0123

YORK COUNTY, PENNSYLVANIA

No. _____ -FC- _____ -03

CIVIL ACTION - LAW

:
:
: CUSTODY

Pl

Defendant

DIRECTIVE

Conciliator Previously Assigned To This Case: _____

You, _____, Defendant,

have been sued in Court to obtain custody, partial custody, or visitation of the child(ren):

_____ born on _____

_____ born on _____

_____ born on _____

It is hereby Ordered and Directed:

1. _____, Esquire, is hereby assigned to conduct a Conciliation Conference.
2. A Conciliation Conference will be held before the assigned conciliator on the _____ day of _____, 20____, at _____ a.m./p.m., in Hearing Room #7, 4th floor, York County Judicial Center, 45 North George Street, York, PA 17401. The anticipated length of the Conciliation Conference is one hour.
3. The parties shall appear in person at the Conciliation Conference and shall bring with them all CHILDREN AGE SEVEN (7) AND OLDER.

If you are incarcerated and wish to participate by speakerphone, you may do so by contacting the conciliator at (717) 771-3289 at the above designated date & time.

4. At the Conciliation Conference, an effort will be made to see if the custody and/or visitation situation can be resolved by an agreement between the parties; or if an agreement cannot be reached, to define and narrow the issues and to otherwise reduce the time required for hearing by the Court, then the conciliator will prepare a Conference Summary Report for further action by the Court pending a hearing to be scheduled at a later date before a Judge of the Court of Common Pleas of York County, Pennsylvania, without prejudice to the rights of the parties at such hearing, which all parties and the child(ren) shall be ordered to attend.
5. You have the right to be represented by an attorney who may attend the Conciliation Conference with you. If for some reason an attorney has not been secured by the time of the Conciliation Conference, you shall personally appear at the time scheduled for the Conciliation Conference without an attorney.
6. If Children's Service is conducting an investigation, their representative shall be subpoenaed by the appropriate attorney to attend the Conciliation Conference. It shall be the responsibility of the attorney subpoenaing the representative to obtain a Court Order or release from the parties prior to the release of information by the representative.
7. If you fail to appear as provided by this Order or to bring the child(ren), an Order for custody, partial custody, or visitation may be entered against you, or the Court may issue a warrant for your arrest.
8. The parties and their counsel, if applicable, are hereby directed to engage in meaningful negotiations to resolve this matter prior to the Conciliation Conference.
9. Please be aware that the Court will not enter an award of custody to any party or household member who has been convicted of one of the following offenses until such time as the Court is satisfied that the party or household member does not pose a threat of harm to the child(ren). To satisfy the Court in this regard, the party or household member who has been convicted of one of the offenses listed below shall be evaluated to determine whether:
 - i. the party or household member who committed the offense poses a threat of harm to the child(ren); and
 - ii. counseling is necessary for that party or household member.

A copy of the evaluation may be presented to the conciliator at the time of the conciliation conference subject to review by the Court.

The following offenses apply:

- 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)
- 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 intercourse)
- 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 child)
- 18 Pa.C.S. §4303 (relating to endangering welfare of children)
- 18 Pa.C.S. §4305 (relating to dealing in infant children)
- 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)

Section 6114 (relating to contempt for violation of order or agreement)

The former 75 Pa.C.S. § 3731 (relating to driving under influence of alcohol or controlled substance)

75 Pa.C.S. Ch. 38 (relating to driving after imbibing alcohol or utilizing drugs)

Section 13(a)(1) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, to the extent that it prohibits the manufacture, sale or delivery, holding, offering for sale or possession of any controlled substance or other drug or device.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A
LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH
BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyer Referral Service of the
York County Bar Association
137 East Market Street
York PA 17401

Telephone: (717) 854-8755

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE 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.

Mid Penn Legal Services
29 North Queen Street
York PA 17403
Telephone: (800) 299-6599

IN ADDITION, VARIOUS COURT FORMS AND INFORMATION ARE AVAILABLE AND MAY BE OBTAINED AT:

<http://yorkcountypa.gov/courts-criminal-justice/self-help-center/forms-packets.html>

or at the Self-Help Center located on the first floor of the York County Judicial Center.

BY THE COURT:

FOR THE COURT:

Judge

District Court Administrator

AMERICANS WITH DISABILITIES

ACT OF 1990

The Court of Common Pleas of York County, Pennsylvania is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the county at (717) 771-9234. For those with a hearing impairment, please contact the DEAF CENTER at (717) 848-6765 TDD. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

FOR THE COURT:

Date: _____

District Court Administrator

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

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

Defendant

DIRECTIVA

Usted, _____, ACUSADO, ha sido demandado en la Corte obtener custodia, custodia parcial o visita del menor:

Por cuanto se Ordena que:

1. El abogado _____ esta asignado a conducir una Conferencia de Conciliación.
2. Una Conferencia de Conciliación será fijada ante el Conciliador asignado el día _____ de _____ de 20____, _____m. en el en la esquina de las calles 45 North George Street, York, Pennsylvania. La duración anticipada de la Conferencia es una hora.
3. Las partes deberán comparecer en persona en la Conferencia de Conciliación y deberán traer consigo todos los NIÑOS DE SIETE (7) ANOS DE EDAD O MAYORES.
4. En la Conferencia de Conciliación se hará un esfuerzo para ver si la situación de custodia y/o visita puede ser resuelta por acuerdo de las partes; o si no se puede llegar a algún acuerdo, para definir y disminuir las desigualdades con el fin de reducir el tiempo requerido en una audiencia de la Corte. Luego el Conciliador prepara un Reporte Sumario de la Conferencia para someter a la Corte mientras queda pendiente una audiencia a ser fijada mas tarde, sin perjuicio a los derechos de las partes en tal audiencia, a la cual las partes y los menores se les ordena asistir.

5. Usted tiene derecho a estar representado por abogado el cual puede asistir a la Conferencia con usted. Si por alguna razón usted no tiene un abogado a la hora de la Conferencia de Conciliación, usted debe comparecer personalmente a la hora indicada para la Conferencia sin abogado.
6. Si Children's Services esta conduciendo una investigación, el representante de Children's Services deberá ser citado por el abogado apropiado para asistir a la Conferencia. Deberá ser responsabilidad del abogado que cite al representante obtener una Orden de la Corte o autorización de las partes antes de publicar información dicha por el representante.
7. Si usted no comparece o no trae los hijos menores como se provee en esta Orden, una Orden de custodia, custodia parcial o visita puede ser emitida en su contra o la Corte puede emitir una Orden para su arresto.
8. Se les ordena a las partes y sus abogados, si los tienen, comprometerse en negociaciones sinceras con el fin de resolver este asunto antes del la Conferencia del Conciliación.

USTED DEBE LLEVAR ESTE PAPEL A SU ABOGADO DE UNA VEZ. SI NO TIENE O NO PUEDE PAGAR UN ABOGADO, VAYA O LLAME A LA OFICINA INDICADA ABAJO PARA AVERIGUAR DONDE PUEDE OBTENER AYUDA LEGAL.

Lawyer Referral Service
York County Bar Association
137 East Market Street
York, PA 17401
(717) 854-8755

Administrador de la Corte del Distrito

POR LA CORTE,

Juez

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

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

PETITION TO MODIFY CUSTODY

COMES NOW, the Petitioner, _____, who files this Petition for Modification, and states in support thereof as follows:

1. Petitioner, _____, is an adult individual residing at _____.
2. Respondent, _____, is an adult individual residing at _____.
3. The child(ren) of the parties, with year(s) of birth:

Name _____	Date of birth _____
Name _____	Date of birth _____
Name _____	Date of birth _____
Name _____	Date of birth _____
4. By Order of Court, dated _____, the Honorable _____, Judge, issued a custody order.

5. It is in the best interest of the child(ren) that custody should be modified for the following reasons: _____

WHEREFORE, Petitioner requests your Honorable Court to modify the Custody Order as follows: _____

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.

Date

Petitioner, Pro-Se

Print Name

Address – Street

City, State, Zip Code

Telephone Number

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

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

Defendant : CUSTODY
: :

CONCILIATION CONFERENCE MEMORANDUM

Submitted by _____, Pro-Se.

1. Party is: _____

2. Child(ren)'s Names and Years of Birth:

Name	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

3. Party is requesting:

- Primary Physical Custody Sole Physical Custody Sole Legal Custody
 Partial Physical Custody Supervised Physical Custody Shared Legal Custody
 Shared Physical Custody
 Other: _____

4. The present custody situation is as follows: _____

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

6. Has either party prevented the other party from having any contact with the child? If so, describe the circumstances: _____

7. Do you allege unfitness of the other party? (Yes, No, or Reserved) _____

8. Do you allege improper home environment? (Yes, No, or Reserved) _____

9. What other issues will be presented to the court? _____

10. Do you plan to raise emotional or psychological problems of the children or others involved? (Yes, No, or Reserved) _____.

11. Do you request psychological evaluations? (Yes, No, or Reserved) _____.

(NOTE: The court will NOT PAY for you to have evaluations)

12. Will you agree to the appointment of one neutral psychologist to be used by both parties to perform psychological evaluations? (Yes, No) _____.

13. How much time will the presentation of your case take? _____ day(s).

14. Factual witnesses:

Name

Address

15. Expert witnesses:

Name

Address

16. Are home studies requested? (Yes, No, or Reserved) _____.

17. Other relevant information you wish to bring to the attention of the Conciliator:

Respectfully submitted,

(Your Signature)

(Print your name)

(Street Address)

(City, State and Zip)

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

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

ACCEPTANCE OF SERVICE

I, _____, accept service of the Petition to
(Name of Respondent)

Modify Custody Order filed on _____
(Date of Filing)

Date of Receipt

Signature of Respondent

Mailing Address of Respondent

City, State and Zip Code

COMMONWEALTH OF PENNSYLVANIA :
: :
COUNTY OF YORK :

SS

On the _____ day of _____, 20____, before me, the undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name is subscribed to the within document, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

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

AFFIDAVIT OF PERSONAL SERVICE

I, _____, hereby verify that on
(Name of Person who Served Custody Complaint)

_____ day of _____, 20____, I served the Respondent with a true and correct copy of
(Date) (Month)

the Petition to Modify Custody Order filed on _____ by the following method:
(Date of filing Custody Complaint)

The Respondent was personally served with a true and correct copy of the above pleading by hand-delivering the same to the Respondent by **someone other than the Petitioner**. Personal service was made at the following location and time:

(Location of Service)

on the _____ day of _____, 20____, at _____ o'clock.
(Date) (Month) (Time)

(PERSONAL SERVICE CANNOT BE MADE BY PETITIONER)

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 the Person Who Made Service

Print Name

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

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

Defendant : CUSTODY

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

I, _____, hereby verify that on
(Name of Petitioner)

____ day of _____, 20____, I served the Respondent with a true and correct copy of
(Date) (Month)

the Petition to Modify Custody Order filed on _____ by the following method:
(Date of filing Custody Complaint)

Service was made by **United States Postal Service**, first class mail, postage prepaid, certified, **restricted delivery**, return receipt requested, on the _____ day of _____, 20____. The return receipt (postal green card) signed by Respondent 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 of Petitioner

Print Name

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

Plaintiff	:	NO. _____-FC-_____	-03
	:		
vs.	:	Action in Custody	
	:		
Defendant	:		

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, no contest plea or pending charges	Sentence
<input type="checkbox"/>	18 Pa.C.S. Ch. 25 (relating to criminal homicide)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. §2702 (relating to aggravated assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. §2706 (relating to terroristic threats)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. §2709.1 (relating to stalking)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

- | | | | | | |
|--------------------------|---|--------------------------|--------------------------|-------|-------|
| <input type="checkbox"/> | 18 Pa.C.S. §2901 (relating to kidnapping) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §2902 (relating to unlawful restraint) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §2903 (relating to false imprisonment) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §2910 (relating to luring a child into a motor vehicle or structure) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3121 (relating to rape) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3122.1 (relating to statutory sexual assault) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3123 (relating to involuntary deviate sexual intercourse) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3124.1 (relating to sexual assault) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3125 (relating to aggravated indecent assault) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3126 (relating to indecent assault) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3127 (relating to indecent exposure) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3129 (relating to sexual intercourse with animal) | | | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3130 (relating to conduct relating to sex offenders) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3301 (relating to arson and related offenses) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |

- | | | | | | |
|--------------------------|--|--------------------------|--------------------------|-------|-------|
| <input type="checkbox"/> | 18 Pa.C.S. §4302 (relating to incest) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §4303 (relating to concealing the death of child) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §4304 (relating to endangering welfare of children) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §4305 (relating to dealing in infant children) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §5902(b) (relating to prostitution and related offenses) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §5903(c) or (d) (relating to obscene and other sexual materials and performances) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §6301 (relating to corruption of minors) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §6312 (relating to sexual abuse of children) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §6318 (relating to unlawful contact with minor) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §6320 (relating to sexual exploitation of children) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 23 Pa.C.S. §6114 (relating to contempt for violation of protection order or agreement) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | Driving under the influence of drugs or alcohol | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |

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 of my household have a history of violent or abusive conduct including the following:

Check all that apply	Self	Other household member	Date
<input type="checkbox"/> A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Involvement with a Children & Youth Agency or similar agency in Pennsylvania or another jurisdiction. Where?: _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	_____

State the date and circumstance of the child abuse, the named perpetrator of the abuse, and the jurisdiction or location where the abuse took place.

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(ren):

Identify any household members by name and age that currently reside with you, and were included in the responses to Questions 1 & 2:

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:

6. State whether you or any member of your household was provided services by a child welfare agency (eg., County Children, Youth, & Families Agency). If yes, please indicate:

a. The individuals who received services: _____

b. The type of services provided: _____

c. The circumstances surrounding the provision of services: _____

d. The time frame during which the services were or are being provided: _____

e. The jurisdiction or location where the services are being or were provided: _____

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 the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Petitioner's Signature

Petitioner's Printed Name

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

PLAINTIFF _____

vs.

NO. _____

DEFENDANT _____

ENTRY OF APPEARANCE AS A SELF-REPRESENTED PARTY

1. I am the Plaintiff Defendant in the above-captioned (MARK ONE) custody, divorce, support, protection from abuse, paternity case.

2. This (MARK ONE) is 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 (check only one box)

This is NOT a new case and _____ previously
(Name of Attorney)
represented me in this case. 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:

OR (check only one box)

I am entering my appearance as a self-represented party (sign) _____
My attorney acknowledges his/her withdrawal as my attorney in this case.
(Attorney signature) _____, Esq.

3. 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 regularly check my mail at this address to ensure that I do not miss important deadlines or proceedings.

This is my home address. This is not my home address.

4. My telephone number where I can be reached during normal business hours (8:00 a.m. – 4:30 p.m. Monday – Friday) is _____ My email address is _____

My telephone number and email address are confidential pursuant to a Protection From Abuse Order.

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

6. I have provided a copy of this form to 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 _____

7. I fully understand that by deciding to represent myself, the Court will hold me to the same standards of knowledge regarding the statutory law, evidence law, Local and State Rules of Procedure and applicable case law as a Pennsylvania licensed attorney, and that I must be fully prepared to meet those responsibilities.

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 which could result in a fine and/or prison term.

Date _____

Signature (Your Signature) _____

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

Plaintiff	:	NO. _____-FC-_____ -03
vs.	:	Action in Custody
Defendant	:	

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, no contest plea or pending charges	Sentence
<input type="checkbox"/>	18 Pa.C.S. Ch. 25 (relating to criminal homicide)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. §2702 (relating to aggravated assault)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. §2706 (relating to terroristic threats)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. §2709.1 (relating to stalking)	<input type="checkbox"/>	<input type="checkbox"/>		

- | | | | | | |
|--------------------------|---|--------------------------|--------------------------|-------|-------|
| <input type="checkbox"/> | 18 Pa.C.S. §2901 (relating to kidnapping) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
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| <input type="checkbox"/> | 18 Pa.C.S. §2903 (relating to false imprisonment) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §2910 (relating to luring a child into a motor vehicle or structure) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3121 (relating to rape) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3122.1 (relating to statutory sexual assault) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3123 (relating to involuntary deviate sexual intercourse) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
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| <input type="checkbox"/> | 18 Pa.C.S. §3125 (relating to aggravated indecent assault) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
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| <input type="checkbox"/> | 18 Pa.C.S. §3127 (relating to indecent exposure) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3129 (relating to sexual intercourse with animal) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3130 (relating to conduct relating to sex offenders) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3301 (relating to arson and related offenses) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |

- | | | | | | |
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| <input type="checkbox"/> | 18 Pa.C.S. §4302 (relating to incest) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
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| <input type="checkbox"/> | 18 Pa.C.S. §6301 (relating to corruption of minors) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
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| <input type="checkbox"/> | 23 Pa.C.S. §6114 (relating to contempt for violation of protection order or agreement) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | Driving under the influence of drugs or alcohol | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |

- 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 of my household have a history of violent or abusive conduct, or involvement with a Children & Youth agency, including the following:

Check all that apply	Self	Other household member	Date
<input type="checkbox"/> A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Involvement with a Children & Youth Agency or similar agency in Pennsylvania or another jurisdiction. Where?: _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	_____

State the date and circumstance of the child abuse, the named perpetrator of the abuse and the jurisdiction or location where the abuse took place.

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(ren):

Identify all household members by name and age that currently reside with you, and were included in the responses to Questions 1-2

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:

6. State whether you or any member of your household was provided services by a child welfare agency (eg., County Children, Youth & Families agency). If yes, please indicate:

a. The individuals that received services: _____

b. The type of services provided: _____

c. The circumstances surrounding the provision of services: _____

d. The time frame during which the services were or are being provided: _____

e. The jurisdiction or location where services are being or were provided: _____

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 the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Signature

Printed Name

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

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

VS.

MEMORANDUM FOR CUSTODY PRE-TRIAL CONFERENCE

SUBMITTED BY: _____

COUNSEL FOR: _____

I. BRIEF SUMMARY OF CASE, INCLUDING NAMES AND DATES 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)'s at issue:

Name:	Date 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. §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

Legal Custody (who makes decisions about certain things):

	Both parties decide together	Plaintiff	Defendant
Diet			
Religion			
Medical Care			
Mental Health Care			
Discipline			
Choice of School			
Choice of Study			
School Activities			
Sports Activities			
Additional items			

Explain what process you will use to make decisions? *(For example, the parent confronted with or anticipating the choice will call the other parent when the choice presents itself, and the other parent must agree or disagree within 24 hours of any deadline)*

Physical Custody (where the child /children live):

The child's / children's residence is with _____

Describe which days and which times of the day the child / children will be with each person:

Day of the week	Name of person and time
Sunday	
Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	

Describe where and when the child /children will be dropped off and/ or picked up (day and time of day)?

Drop-Off

Where _____

When _____

Pick-Up

Where _____

When _____

If one of you doesn't show up, how long will the other wait? _____

If there are any extraordinary costs (taxi, train, airplane, etc.), who will pay for which cost?

HOLIDAYS

Where will the child/ children stay?

Holiday	Year A	Year B	Every Year
Martin Luther King Day			
President's Day			
Easter			
Memorial Day			
Fourth of July			
Labor Day			
Yom Kippur			
Rosh Hashanah			
Thanksgiving			
Vacation after Thanksgiving			
Christmas Vacation			
Kwanzaa			
New Year's Eve / New Year's Day			
Spring Vacation			
Easter Sunday			

Child's Birthday			
Mother's Day			
Father's Day			
Other			
Other			
Other			

Summer Vacation Plans _____

Special Activities or School Activities

Child's Name	Activity	Will both of you attend? If not, which of you will attend?

Temporary changes to this parenting schedule

From time to time, one of you might want or need to rearrange the parenting time schedule due to work, family or other events. You can attempt to agree on these changes. If you cannot agree, the parent receiving the request will make the final decision.

The parent asking for the change will ask in person, by letter/mail, by phone. No later than 12 hours, 24 hours, 1 week, 1 month.

The parent being asked for a change will reply in person, by letter/mail, by phone. No later than 12 hours, 24 hours, 1 week, 1 month.

May parents contact one another?

When the child/ children is/ are with one of you, how may they contact the other parent?

When and how may _____ contact the child? _____

In the event that proposed changes, disputes or alleged breaches of this parenting plan and custody order are necessary or desired, the parties agree that such changes will be addressed by the following method (specify method of arbitration, mediation, court action, etc.):

The following matter or matters as specified by the court:

Other (anything else you want to agree on):

Date _____

Signature of Mother

Print Name

Date _____

Signature of Father

Print Name