

Complaint for Custody

FOR PARENTS

Form 1

Complaint for Custody for Parents

The numbers on these instructions correspond with the numbers in the boxes on the complaint form.

- Box 1: Print the name of the county in which you are filing your custody action. See "*Where do I File?*" in the Introduction for more information about what county you should file in.
- Box 2: Print your name exactly as you wrote it on the other forms.
- Box 3: Leave blank. The prothonotary / clerk of court will assign a number to your case and will write your case number on your complaint.
- Box 4: Print the name of the opposing party (that is, the father or mother of child(ren) against whom you are filing). Print the opposing party's name exactly as you wrote it on all other forms.
- Box 5: Print your name.
- Box 6: Print your current address.
- Box 7: Print the name of the opposing party (the defendant).
- Box 8: Print the opposing party's current address.
- Box 9: Check what kind of legal custody you are seeking.
- Box 10: Check what kind of physical custody you are seeking.
- Box 11: Print the name(s) of the child(ren) for whom you seek custody.
- Box 12: Print the current address of the child(ren) for whom you seek custody.
- Box 13: Print the date(s) of birth and age(s) of the child(ren) for whom you seek custody.
- Box 14: Check either "was" or "was not" to indicate whether the child(ren) were or were not born out of wedlock (that is, born during the marriage).
- Box 15: Print the name(s) of the person(s) with whom the child(ren) currently lives.
- Box 16: Print the address of the person(s) with whom the child(ren) currently lives.
- Box 17: Print the names of the person(s) with whom the child(ren) lived for the last five years.
- Box 18: Print the addresses where the children have lived for the last five years.
- Box 19: Print the dates the child(ren) lived with each person(s) for the last five years.

- Box 20: Print the name of the child(ren)'s parent.
- Box 21: Print the parent's current address.
- Box 22: Indicate parent's marital status by checking married, divorced or single.
- Box 23: Print the name of the child(ren)'s other parent.
- Box 24: Print the other parent's current address.
- Box 25: Indicate other parent's marital status by checking married, divorced or single.
- Box 26: How is plaintiff related to the child(ren) (for example, mother, father, etc.).
- Box 27: Print the name(s) of anyone with whom the plaintiff currently lives.
- Box 28: Print the relationship that person has with the plaintiff (for example, husband, wife, fiancé, brother, sister, child, etc.).
- Box 29: How is defendant related to the child(ren) (for example, mother, father, etc.).
- Box 30: Print the name(s) of anyone with whom the defendant currently lives.
- Box 31: Print the relationship that person has with the defendant (for example, husband, wife, fiancé, brother, sister, child, etc.).
- Box 32: Have you been a party or witness in another case involving custody of the child(ren)? If you have, check "has," if not, check "has not."
- Box 33: If you checked "has," complete Box 33 with the court (county), term (year), case number and its relation to this action; if you checked "has not" leave blank.
- Box 34: Do you know of another case involving the same parties (PFA, dependency custody). If you do, check "has," if not, check "has not."
- Box 35: If you checked "has," complete Box 35 with the court (county), term (year), case number and its relation to your action. If you checked "has not" leave blank.
- Box 36: Do you know of any person who is not plaintiff or defendant in your case who has the child living with him or her, or who claims to have custody rights to the child(ren)? If you do, check "knows," if not, check "does not know."
- Box 37: If you checked "knows," print the name and address of the person. If you checked "does not know" leave blank.
- Box 38: State the reasons you believe the best interest and permanent welfare of the child(ren) will be served by the Court's granting your request for custody.
- Box 39: If there is anyone else who may have a right to custody of the child(ren) print their name here.

- Box 40: If you provided a name for Box 39, print the address here.
- Box 41: If you provided a name for Box 39, state the reasons for their claim for custody.
- Box 42: **Attach a completed Criminal Record/Abuse History Verification Form (Custody Form 3).**
- Box 43: Check what kind of legal custody you are seeking.
- Box 44: Check what kind of physical custody you are seeking.
- Box 45: Sign your name.
- Box 46: Print your name, address and telephone number.
- Box 47: Print the date you completed this form.
- Box 48: After reviewing your complaint, making sure everything you stated is true and correct, sign your name to the verification.

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, PENNSYLVANIA

Plaintiff

No. _____

v. _____
Defendant

IN CUSTODY

COMPLAINT FOR CUSTODY

1. The plaintiff is _____ (name), residing at _____ (Street) _____ (City) _____ (State) _____ (Zip Code) _____ (County)

2. The defendant is _____ (name), residing at _____ (Street) _____ (City) _____ (State) _____ (Zip Code) _____ (County)

3. Plaintiff seeks shared legal custody sole legal custody and partial physical custody
 primary physical custody shared physical custody sole physical custody
 supervised physical custody of the following child(ren):

<u>Name</u>	<u>Present Residence</u>	<u>Age</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

The child (was) (was not) born out of wedlock.

The child is presently in the custody of _____ (name)
who resides at _____ (Street) _____ (City) _____ (State) _____ (address).

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21 → Öparent of the child is _____, currently residing at _____

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court of this Commonwealth. The court, term and number, and its relationship to this action is: _____

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Plaintiff (knows)(does not know) of a person not a party to the proceedings who has physical custody of the child or claims to have custodial rights with respect to the child. The name and address of such person is: _____

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7. The best interest and permanent welfare of the child will be served by granting the relief requested because (set forth facts showing that the granting of the relief requested will be in the best interest and permanent welfare of the child. _____

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8. Each parent whose parental rights to the child have not been terminated and the person who has physical custody of the child have been named as parties to this action. All other persons, named below, who are known to have or claim a right to custody of the child have been given notice of the pendency of this action and the right to intervene:

<u>Name</u>	<u>Address</u>	<u>Basis of Claim</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

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9. Plaintiff has attached the Criminal Record/Abuse History Verification form required pursuant to Pa. R.C.P. No. 1915.3-2.

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WHEREFORE, Plaintiff requests the court to grant shared legal custody sole legal custody and partial physical custody primary physical custody shared physical custody sole physical custody supervised physical custody of the child.

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Plaintiff's Signature 46

Plaintiff's Name _____ (Address)

_____ (Address)

_____ (Telephone)

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Date: _____

VERIFICATION

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

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Plaintiff's Signature

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, PENNSYLVANIA

Plaintiff

No. _____

v.

Defendant

IN CUSTODY

COMPLAINT FOR CUSTODY

1. The plaintiff is _____ (name), residing at

(Street) (City) (State) (Zip Code) (County)

2. The defendant is _____ (name), residing at

(Street) (City) (State) (Zip Code) (County)

3. Plaintiff seeks () shared legal custody () sole legal custody and () partial physical custody
() primary physical custody () shared physical custody () sole physical custody
() supervised physical custody of the following child(ren):

<u>Name</u>	<u>Present Residence</u>	<u>Age</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

The child () was, () was not, born out of wedlock.

The child is presently in the custody of _____ (name)

who resides at _____(address)

(Street) (City) (State) (ZipCode)

During the past five years, the child has resided with the following persons and at the following addresses:

<u>List all Persons</u>	<u>List all Addresses</u>	<u>Dates</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

A parent of the child is _____, currently residing at _____.

This parent is () Married () Divorced () Single.

A parent of the child is _____, currently residing at _____.

This parent is () Married () Divorced () Single.

4. The relationship of plaintiff to the child is that of _____.

The plaintiff currently resides with the following persons:

<u>Name</u>	<u>Relationship</u>
_____	_____
_____	_____
_____	_____

5. The relationship of defendant to the child is that of _____.

The defendant currently resides with the following persons:

<u>Name</u>	<u>Relationship</u>
_____	_____
_____	_____
_____	_____

6. Plaintiff () has () has not, participated as a party or witness, or in another capacity, in other litigation concerning the custody of the child in this or another court. The court, term, and number, and it's relationship to this action is:

_____.

Plaintiff () has () has no information of a custody proceeding concerning the child pending in a court of this Commonwealth. The court, term and number, and its relationship to this action is: _____

Plaintiff () knows () does not know, of a person not a party to the proceedings who has physical custody of the child or claims to have custodial rights with respect to the child. The name and address of such person is:

7. The best interest and permanent welfare of the child will be served by granting the relief requested because (set forth facts showing that the granting of the relief requested will be in the best interest and permanent welfare of the child):

8. Each parent whose parental rights to the child have not been terminated and the person who has physical custody of the child have been named as parties to this action. All other persons, named below, who are known to have or claim a right to custody of the child have been given notice of the pendency of this action and the right to intervene:

<u>Name</u>	<u>Address</u>	<u>Basis of Claim</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. Plaintiff has attached the Criminal Record/Abuse History Verification form required pursuant to Pa. R.C.P. No. 1915.3-2.

WHEREFORE, Plaintiff requests the court to grant () shared legal custody () sole legal custody and () partial physical custody () primary physical custody () sole physical custody () shared physical custody () supervised physical custody of the child.

Plaintiff's Signature

Plaintiff's Name

_____ (Address)

_____ (City, State, Zip)

_____ (Telephone)

VERIFICATION

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

Plaintiff's Signature

Date: _____