

County of Adams

**OBTAINING A
CUSTODY ORDER
PACKET**

- I. General Information**
- II. Preparing a Custody Conference Order**
- III. Preparing a Custody Complaint**
- IV. Serving the Custody Order and Complaint**
- V. Preparing the Custody Conference Memorandum**
- VI. FORMS: Please detach the forms at the end of this packet and fill in the forms while using the instructions**

Disclaimer

Court staff is not able to give you legal advice or help you fill out/complete these forms. The information in this packet is not a substitute for professional legal advice. The Court, the Adams County Bar Association and the Family Law Committee assume no responsibility and accept no liability for actions taken by users of these documents, including reliance on their contents. If you want to obtain the services of an attorney but do not know whom to contact, please call the Pennsylvania Lawyer Referral Service at 1-800-692-7375.

Last Updated: 4/1/08

TABLE OF CONTENTS

- I. General Information
 - a. Introduction
 - b. Legal Definitions
 - c. Rules of Law
 - d. Basic Procedure

- II. Instructions on:
 - a. Obtaining a Custody Order which Schedules a Conference with the Judge
 - b. Preparing your complaint
 - c. Serving your complaint and Court Order that Schedules the Conference
 - d. Completing your Custody Conference Memorandum

- III. Forms
 - a. Order of Court for Pro Se Custody Complaint (Form #1)
 - b. Pro Se Custody Complaint (Form #2)
 - c. Service Documentation Forms
 - i. Affidavit of Service (Certified Mail) Form #3)
 - ii. Affidavit of Service (By Third Party) (Form #4)
 - iii. Acceptance of Service (Form #5)
 - d. Custody Conference Memorandum (Form #6)

I. General Information

a. Introduction

This packet of information has been created by members of the Adams County Bar Association. These materials are intended to assist individuals involved in a custody action by providing general information and legal forms. **IT IS HIGHLY RECOMMENDED THAT YOU HIRE AN ATTORNEY TO REPRESENT YOU IN ANY CUSTODY ACTION.** The information provided herein is not to be used as a substitute for professional legal advice.

b. Legal Definitions

Two forms of custody: Legal Custody and Physical Custody.

1. **Legal Custody** is when a person has the legal right to make major decisions regarding the child's medical, health, education, and religious choices. Typically, legal custody is shared between the parents.
2. **Physical Custody** is when a person has actual physical possession and control of a child. When a person has physical custody of the children, regardless if they have legal custody, they can make decisions regarding the child's health in an emergency situation. There are different types of physical custody schedules, which include:
 - a. **Shared Physical Custody:** Child(ren) live with each party for an equal amount of time.
 - b. **Primary Physical Custody:** Child(ren) live with one party for the majority of the time.
 - c. **Partial Physical Custody:** Child(ren) live with one party some of the time but not the majority of the time. A common example is when one party has the children every other weekend from Friday to Sunday, and occasionally one day during the week that they do not receive the child(ren) on the weekend.
 - d. **Visitation:** Child(ren) visit with the party for a period of time but the party will not have the child(ren) overnight.
 - e. **Supervised Visitation:** Child(ren) visit with the other party for a period of time but the party cannot be alone with the child(ren) and another person must be present during the visitation period.
3. Further information about the preceding legal definitions and about custody law may be found in the statutes that govern custody at 23 Pa.C.S. Sections 5301 to 5314.

c. Rules of Court

A copy of the Pennsylvania Rules of Civil Procedure and Adams County Local Rules can be obtained from the law library located on the Third Floor of the Courthouse. The applicable rules of Court are Rules 1915.1 and 1916 of the Adams County Local Rules and Rules 1915.1 through 1915.25 of the Pennsylvania Rules of Civil Procedure.

d. Basic Procedure

This packet contains forms and instructions on how to obtain a custody order. If a custody order already exists or if there are problems with enforcing the already existing order, then you should not use this packet but rather you should get one of the other packets - Modification of a Custody Order or Enforcing a Custody Order- from the law library or the internet and follow the instructions in those packets regarding your request to modify or enforce the custody order.

● STOP ●

Read this paragraph carefully!

e. Service

The Pennsylvania Rules of Civil Procedure require that all documents (including Petitions, Complaints and Orders) that you file with the Court must be served by you on the other party, or their attorney of record, if any. This includes any orders you receive scheduling an appearance before the Judge as a result of your filing. Although the Prothonotary's office may send a copy of a scheduling order to the parties, this is NOT service. If you do not properly serve all other parties, your case may be delayed, or even dismissed. This packet includes information on how to properly serve the other party.

f. Obtaining a Custody Order

You can initiate a custody action by yourself or through an attorney. Even if there is an agreement about custody, you still need to complete a Custody Complaint, file the Complaint at the Prothonotary's Office, and follow the instructions in this packet for service. The Court will schedule a time for all parties involved to meet at the Courthouse to place the agreement on the record for entry of an Order.

If there is no custody agreement, then you must complete various **documents** that need to be **filed** at the Prothonotary's Office. After the court receives all of your properly filed documents, a **custody conference** will be scheduled by court order. You must then pick up the court order that schedules the custody conference from the Prothonotary, as well as your custody complaint and properly serve or provide a copy of those documents to the other side. You must prove, by filling out and filing an appropriate document, that you served the other side. If necessary, a **custody trial** will be scheduled at the time of the custody conference.

▪ What is a Custody Conference?

In Adams County, the first time that you come to Court in a custody case will not be a trial, unless a Judge has signed an Order that says otherwise. Normally, the first time that you come to Court, it is for a Custody Conference.

A Custody Conference is held for the following reasons:

- > To make the Judge familiar with your custody case.
- > To have you and the other party meet with the Judge and tell the Judge what the case will be about if there is a trial.
- > To find out whether it is possible for everyone in the case to agree to a custody schedule without having a trial.

- > To have the Judge establish a custody schedule between the time of the conference and the time of the custody trial if the parties are unable to resolve their differences by agreement.

You will need to attend the custody conference at the date, time and place set forth in the court order. The court will determine whether the parties can agree on an appropriate custody schedule. If no agreement is reached the court will order a temporary custody arrangement and set a date and time for trial.

Prior to coming to the custody conference, you should complete a **CUSTODY MEMORANDUM** to submit to the Court at the conference.

If you are not able to resolve your custody case at the custody conference and the Judge schedules a trial, you may do a great disservice to yourself and your children if you do not consult with and hire a lawyer. If you end up having a trial before the Judge and do not have a lawyer representing you, you will be considered to have all the learning and training of a lawyer during the trial. If the other side does not have a lawyer at the trial and you do not have a lawyer, the Judge may, but is not required to, be more understanding of the situation and may relax some of the formal rules that govern how the trial is conducted. If, however, you do not have a lawyer and the other side has a lawyer at the trial, you may become very frustrated and feel defeated by the process. To prevent this from happening, you really should hire a lawyer if a custody trial is scheduled.

▪ **What is a Custody Trial?**

At the trial, you will present witnesses and exhibits who support your request for custody. The court will enter an order resolving the custody dispute.

g. Enforcing a Custody Order If someone violates the provisions of a custody order, then you can file a Petition for Civil Contempt along with a Notice and Order to Appear. After the Court receives a completed Petition for Civil Contempt along with a Notice and Order to Appear, then a date and time will be scheduled for a hearing. These documents must be properly served on all parties and proper documentation of service must be submitted to the Court. At the hearing, the Court will review the evidence, and if necessary, take testimony from any witnesses. If someone violates a custody order, then he/she can be subject to a fine and/or imprisonment. There is a separate packet available for your use regarding enforcing a custody order should the need arise.

h. Modifying a Custody Order If a custody order already exists but circumstances have changed, then you can file a Petition for Modification along with an Order of Court. The Court will schedule a date and time for a trial by Court Order. These documents must be properly served on all defendants and proper documentation of service must be submitted to the Court. At the trial, the Court will review the evidence, and if necessary, take testimony from any witnesses. If the Court determines that the modification is warranted, then a new Court Order will be issued. There is a separate packet available for your use regarding modifying a custody order should the need arise.

II. Instructions on obtaining a Custody Order

(If you have not already done so, prior to beginning this Section, please detach the forms at the end of this packet. Please note that these forms at the end of the packet are in the same order as these instructions. You **must** use forms #1, #2 and #6, and **either** form #3, #4 or # 5.)

- a. Instructions for Completing the Order of Court for Pro Se Custody Complaint (Form #1)**
- b. Instructions for Pro Se Custody Complaint (Form #2)**
- c. Instructions for Serving the Court Order which schedules the Custody Conference and Serving your Custody Complaint (Forms #3, #4 and #5)**
- d. Instructions for Completing the Custody Conference Memorandum (Form #6)**

a. INSTRUCTIONS FOR COMPLETING THE ORDER OF COURT FOR PRO SE CUSTODY COMPLAINT – FORM #1

The **ORDER OF COURT FOR PRO SE CUSTODY COMPLAINT** (form #1) has blank spaces and boxes for you to fill in the appropriate information or select an option. After completing the **ORDER OF COURT**, then copies should be made and the original and copies this should be filed at the Prothonotary's Office with your attached **PRO SE COMPLAINT FOR CUSTODY**. Below is a step-by-step guide for completing the form.

CAPTION

Print your name on the Plaintiff line and the name of the Defendant(s) listed on your **PRO SE COMPLAINT FOR CUSTODY**. The line for a Case No. should be left blank because the Prothonotary will fill in this blank when you bring your completed form to their office, along with your **PRO SE COMPLAINT FOR CUSTODY**.

ORDER OF COURT

Print the name of the Defendant(s) on the line provided and check either sole or joint legal custody and check either sole, joint or partial physical custody. List the name(s) and address(es) of all child(ren).

DO NOT FILL IN ANYTHING FURTHER.

THE COURT WILL FILL IN THE DATE, TIME AND PLACE FOR THE CUSTODY CONFERENCE AND THE COURT WILL INDICATE WHETHER THE CHILD(REN) ARE REQUIRED TO ATTEND THE CONFERENCE.

AFTER THE COURT FILLS IN THE DATE, TIME AND PLACE FOR THE CUSTODY CONFERENCE, THE ORDER WILL BE SENT DOWN TO THE PROTHONOTARY.

ONCE THE PROTHONOTARY RECEIVES THE COURT ORDER, YOU MUST SERVE THE “ORDER OF COURT FOR PRO SE CUSTODY COMPLAINT” AND YOUR “PRO SE COMPLAINT FOR CUSTODY” ON THE DEFENDANT(S). NEITHER THE COURT NOR THE PROTHONOTARY WILL SERVE THE ORDER OR COMPLAINT FOR YOU. ALTHOUGH THE PROTHONOTARY MAY MAIL A COPY OF THE ORDER TO THE PARTIES, THIS IS NOT SERVICE! PLEASE FOLLOW THE INSTRUCTIONS REGARDING SERVING THE COMPLAINT AND ORDER.

IF YOU DO NOT SERVE THE “ORDER OF COURT FOR PRO SE CUSTODY COMPLAINT” AND “PRO SE COMPLAINT FOR CUSTODY” OR YOU DO NOT SERVE THESE DOCUMENTS CORRECTLY, THEN YOUR CASE MAY BE DELAYED OR EVEN DISMISSED.

b. INSTRUCTIONS FOR COMPLETING PRO SE COMPLAINT FOR CUSTODY – FORM #2

The Pro Se Complaint for Custody has blank spaces and boxes for you to fill in the appropriate information or select an option. Below is a step-by-step guide for entering information:

CAPTION

Print your name on the Plaintiff line and indicate who is the other parent(s) or guardian(s) of the child on the Defendant line(s). The line for a Case No. should be left blank because the Prothonotary will fill in this blank when you bring your completed form to their office. When the Prothonotary fills in a Case No. You should make note of the number for your reference. This is the number that the court will use to track your custody action throughout the entire process. From this point on, all documents filed with the court should include that Case No. DO NOT submit any other materials to the Prothonotary's Office without this Case No.

PARAGRAPH 1

Print your name as Plaintiff and current address in the space provided.

PARAGRAPH 2

Print the name of the other parent(s) or guardian(s) of the child on the Defendant line(s), current address(es), and indicate what relationship they have with the child.

PARAGRAPH 3(a)

Check the boxes to indicate whether you are seeking legal, physical, partial physical, and/or visitation of the child(ren). List the child(ren)'s full name, date of birth, and current address.

PARAGRAPH 3(b)

Circle whether the child(ren) were or were not born out of wedlock.

PARAGRAPH 3(c)

Print the name(s) and address(es) of all persons with whom the child(ren) is presently living.

PARAGRAPH 3(d)

Print the name(s), address(es), and time period of all persons with whom the child(ren) has resided within the last five years.

PARAGRAPH 3(e)

Print the name and address of the mother of the child(ren). Also, please check whether the mother is married, divorced, or single.

PARAGRAPH 3(f)

Print the name and address of the father of the child(ren). Also, please check whether the father is married, divorced or single.

PARAGRAPH 4

Indicate what relationship the Plaintiff has to the child(ren) and print the names of all persons with whom Plaintiff resides, and their relationship to the Plaintiff.

PARAGRAPH 5

Indicate what relationship the Defendant(s) has to the child(ren) and print the names of all persons with whom Defendant resides, and their relationship to Defendant.

PARAGRAPH 6(a)

Check the box to indicate whether you have participated as a party or witness or in any capacity in other litigation concerning the child(ren). If you have been involved in litigation, then please provide the name of the court, case number, and how it affects this custody action.

PARAGRAPH 6(b)

Check the box to indicate whether you have any information of a custody proceeding concerning the child pending in this Commonwealth or another state. If you have information, then please provide the name of the court, term and number, and its relationship to this action.

PARAGRAPH 6(c)

Check the box to indicate whether you know of a person not a party to the proceedings who has physical custody of the child or claims to have custody or visitation rights with respect to the child. If you have information, then please provide their name(s) and address(es).

PARAGRAPH 7

Explain fully why you believe it would be in the best interests of the child(ren) for the court to grant your request.

PARAGRAPH 8

Print the name and address of any person who may claim a right to custody or visitation, along with their basis for the claim.

REQUEST REGARDING CUSTODY

Check off all the box(es) which apply to your request. Remember, the court may not grant all of your requests.

VERIFICATION

Read carefully, and then date and sign the form.

c. INSTRUCTIONS FOR SERVING THE COURT ORDER AND CUSTODY COMPLAINT

How do you Serve Documents? (i.e. give them to the other parties)

ATTENTION: YOU MUST SERVE ALL DOCUMENTS IN THIS CASE. NEITHER THE COURT NOR THE PROTHONOTARY'S OFFICE WILL SERVE ANY DOCUMENTS FOR YOU. ALTHOUGH THE PROTHONOTARY MAY MAIL A COPY OF THE ORDER TO THE PARTIES, THIS IS NOT SERVICE! IF YOU COME TO COURT AND YOU CANNOT PROVE TO THE JUDGE THAT YOU PROPERLY SERVED ALL DOCUMENTS IN YOUR CASE, THEN THE JUDGE MAY NOT BE ABLE TO GIVE YOU A CUSTODY ORDER. THIS IS BECAUSE THE OTHER PARTY IN THIS CASE HAS A RIGHT TO KNOW THAT YOU HAVE FILED FOR CUSTODY AND ARE ASKING THE COURT FOR A CUSTODY ORDER.

You will need to have all parties served with a copy of ALL the papers that you filed with the Prothonotary's Office and the Court Order scheduling the conference, and you must prove the other person received these papers. You may use any method in this packet but must be able to provide the Court with the correct **documentation regarding the method that you used.**

*** What Methods of Service are available?**

- 1) Certified mail, restricted delivery, return receipt requested (Form #3)

- 2) Personal service by sheriff, constable, or other person over the age of 18 years (THIS OTHER PERSON OVER THE AGE OF 18 YEARS CANNOT BE YOU), (Form#4)

or 3) Personal service by you handing the party(ies) a copy of ALL papers HOWEVER THIS IS ONLY CONSIDERED PROPER AND VALID SERVICE IF THE OTHER PARTY OR PARTIES COOPERATE BY SIGNING AN ACCEPTANCE OF SERVICE AS SET FORTH BELOW. IF THEY WILL NOT COOPERATE AND SIGN THE ACCEPTANCE OF SERVICE, THEN YOU MUST USE ONE OF THE PREVIOUS TWO METHODS OF SERVICE SET FORTH ABOVE. (Form #5)

***What type of Documentation should be completed?**

1) If you serve the other party(ies) by certified mail, restricted delivery, return receipt requested, then complete the **AFFIDAVIT OF SERVICE (CERTIFIED MAIL) (Form #3)** for each party and attach the certified mail receipt (which is green in color) and file this form with the Prothonotary's Office.

2) If a sheriff, constable or other person over the age of 18 (BUT NOT YOU) hands the papers to the defendant(s), then complete the **AFFIDAVIT OF SERVICE (BY THIRD PARTY) (Form #4)** for each party and file this form with the Prothonotary's Office. This form requires the signature of the third party.

3) If you hand the papers to the defendant(s), then complete the top part of the **ACCEPTANCE OF SERVICE (Form #5)** and have the Defendant sign and date the form. File this form with the Prothonotary's Office. This form requires the signature of the defendant. **If the Defendant refuses to sign, then you must use another method of service such as certified mail or service by a third party.**

**d. INSTRUCTIONS FOR COMPLETING CUSTODY CONFERENCE
MEMORANDUM – FORM #6**

You will need to attend the custody conference at the date, time and place set forth in the court order. The court will determine whether the parties can agree on an appropriate custody schedule. If no agreement is reached the court will order a temporary custody arrangement and set a date and time for trial. At the custody conference, you will need to submit copies of the custody memorandum to the court and the other party. The purpose of the memorandum is to help the Judge and the parties understand what is going on in your case. Please refer to the following step-by-step instructions for completing the **CUSTODY CONFERENCE MEMORANDUM:**

CAPTION

Print your name in the line for Plaintiff, the name(s) of the other parent or guardian of the child(ren) in the line(s) for Defendant(s), and the case number. This should appear exactly as the caption looks for your **PRO SE COMPLAINT FOR CUSTODY.**

NAMES & ADDRESSES OF ALL WITNESSES

Print the names and addresses of all the people that you wish to come to Court and testify on your behalf in this case. In almost all custody cases you will list yourself and the other party who you are suing for custody. You may also list the children as witnesses, but please note that the children will not be made to testify in Court like other witnesses. Rather, the children will be interviewed by the Judge in a private interview called an in camera interview. During the interview, neither you nor the other party will be present when the children are questioned. Instead, you will be permitted to give the Judge written questions to be asked of the children, and, if the questions are appropriate, the Judge will ask the questions of the children while everything is being recorded by a court reporter.

In this section, you may also list other people as witnesses such as family members, childcare providers, education providers and healthcare providers. When listing witnesses on the memorandum, you need to know two very important things;

- Just because you list someone as a witness does not mean that they have to come to Court. It is your responsibility to request a witness' appearance by giving or mailing a subpoena to the witness. You may get subpoenas from the Prothonotary's Office on the first floor of the Courthouse. There is a small fee for each subpoena request.
- You should limit your witness list to people who you truly believe the Judge needs to hear from in order to decide your case. If your list of witnesses is too long, there may not be enough time for the Judge to hear them all.

STATEMENT OF ISSUES

Write a statement of all the potential issues. You should list what you believe will be important for the Judge to listen to in deciding your custody case. When preparing this memorandum, keep in mind that the Judge is required to determine what custody schedule is in the best interest of your children.

SETTLEMENT PROPOSAL

Write what custody schedule you would be willing to agree to without having a custody trial.

TIME FOR TRIAL

Circle the amount of time that you are requesting the Judge to set aside for your trial considering the number of witnesses and issues raised.

SPECIAL REQUEST

Circle any of the special requests that are listed or write in a special request that is not listed. The two types of special requests listed are home study and a custody evaluation.

If you request a home study, you are asking that a government agency go to your home or

the home of the other party and make a written assessment of the home as being an appropriate place for the children to live. If you make a request for a home study, it is your responsibility to contact the government agency, to pay the agency's fee and to provide the agency with written directions to the other party's residence or your residence. If the home study will be of a home in Adams County, you are to contact

Adams County Children & Youth Services (717) 337-0110 to request the home study. If the home study is for a home in another county in Pennsylvania, then you should contact that county's Children & Youth Agency. If the home study is for a home in another state, then you need to contact the appropriate agency in that state.

If you request a custody evaluation, you are asking that a qualified licensed psychologist, psychiatrist or social worker perform an assessment as to the relationships that have developed between the children and each party. If you make this request, it is your responsibility to contact a professional who is qualified to perform this evaluation and to pay that professional for the custody evaluation according to whatever arrangement you are able to work out with that professional. Please be advised that some evaluations take months to complete and can cost thousands of dollars. Because of time and cost, most custody cases do not have custody evaluations. If you believe that an evaluation is necessary in your case, you really should hire an attorney.

CURRENT CUSTODY SCHEDULE

Write down what is the current custody schedule of the child(ren) for the most recent six months (or for such shorter period, if applicable).

After you have completed the memorandum, you should sign and date it. You must then **make at least two (2) copies of the memorandum prior to going to the custody conference.** File the original and all copies at the Prothonotary's Office prior to attending the conference. Bring all of the filed copies with you to the custody conference. You should hand the original memorandum to the Judge, a copy to the other party, and keep a copy for your records.

III. Forms

- a. Order of Court for Pro Se Custody Complaint (Form #1)**
- b. Pro Se Custody Complaint (Form #2)**
- c. Service Documentation Forms**
 - i. Affidavit of Service (Certified Mail) Form #3)**
 - ii. Affidavit of Service (By Third Party) (Form #4)**
 - iii. Acceptance of Service (Form #5)**
- d. Custody Conference Memorandum (Form #6)**

PLEASE DETACH THE FOLLOWING FORMS AND FILL IN THE FORMS WHILE GOING THROUGH THE INSTRUCTIONS.

PLEASE NOTE THAT YOU MAY NOT NEED TO FILL IN OR USE ALL THE FORMS THAT HAVE BEEN PROVIDED REGARDING SERVICE.

**IN THE COURT OF COMMON PLEAS FOR ADAMS COUNTY,
PENNSYLVANIA
CIVIL ACTION - LAW**

<hr style="border: none; border-top: 1px solid black;"/>		:	
Name	Plaintiff	:	
		:	
	vs.	:	Case No. _____
		:	
		:	Action in Custody
<hr style="border: none; border-top: 1px solid black;"/>		:	
Name	Defendant 1	:	
		:	
	and (if applicable)	:	
		:	
<hr style="border: none; border-top: 1px solid black;"/>		:	
Name	Defendant 2	:	

ORDER OF COURT FOR PRO SE CUSTODY COMPLAINT

You, _____, Defendant, have been sued in Court to obtain (sole - joint) legal custody, and (sole - joint - partial) physical custody of the minor child(ren):

<hr style="border: none; border-top: 1px solid black;"/>	<hr style="border: none; border-top: 1px solid black;"/>
Name	
	<hr style="border: none; border-top: 1px solid black;"/>
	Address
<hr style="border: none; border-top: 1px solid black;"/>	<hr style="border: none; border-top: 1px solid black;"/>
Name	
	<hr style="border: none; border-top: 1px solid black;"/>
	Address
<hr style="border: none; border-top: 1px solid black;"/>	<hr style="border: none; border-top: 1px solid black;"/>
Name	
	<hr style="border: none; border-top: 1px solid black;"/>
	Address

You are ordered to appear in person to the Second Floor, Conference Room at the Adams County Courthouse, Gettysburg, Pennsylvania, on the _____ day of _____, 20____ at _____ o'clock ____ .m. for:

- a conciliation or mediation conference.
- a pretrial conference.
- a hearing before the Court.
- The presence of the child is not required.
- The presence of the child is required.

If you fail to appear as provided by this Order, an order of custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. 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.

**Court Administrator
Adams County Courthouse
Gettysburg, PA 17325
(717) 337-9846**

AMERICAN WITH DISABILITIES
ACT OF 1990

The Court of Common Pleas of Adams County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact our office. 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.

BY THE COURT,

Dated: _____

Robert G. Bigham, J.

COURT ADMINISTRATOR'S NOTICE: Attention is directed to Local Rule 1915.1, which requires submittal of a memorandum at the time of the conference.

NOTE: Bring calendar with you to the conference in case a trial needs to be scheduled.

_____ Name of Child	_____ Date of Birth	_____ _____ Address
_____ Name of Child	_____ Date of Birth	_____ _____ Address
_____ Name of Child	_____ Date of Birth	_____ _____ Address

3. (b) The child(ren) (was/were/was not/were not) born out of wedlock.

3. (c) The child(ren) is/are presently in the custody of _____,
 who resides at _____.
Address, including City, State, Zip and County

3. (d) The child(ren) have lived in the following places, with the persons indicated during the last five (5) years: (attach separate sheet, if necessary)

Names of all persons with whom the child(ren) resided with	Address, including County	Time period
_____ Name of person(s) with whom the child has resided	_____ _____ Address, including City, State, Zip and County	_____ Time Period
_____ Name of person(s) with whom the child has resided	_____ _____ Address, including City, State, Zip and County	_____ Time Period
_____ Name of person(s) with whom the child has resided	_____ _____ Address, including City, State, Zip and County	_____ Time Period
_____ Name of person(s) with whom the child has resided	_____ _____ Address, including City, State, Zip and County	_____ Time Period
_____ Name of person(s) with whom the child has resided	_____ _____ Address, including City, State, Zip and County	_____ Time Period
_____ Name of person(s) with whom the child has resided	_____ _____ Address, including City, State, Zip and County	_____ Time Period

Name of person(s) with whom the child has resided _____ Time Period

Address, including City, State, Zip and County

Name of person(s) with whom the child has resided _____ Time Period

Address, including City, State, Zip and County

3. (e) The Mother of the child(ren) is _____, currently residing
Name
at _____
Address, including City, State, Zip and County

She is (married - divorced - single).

3. (f) The Father of the child(ren) is _____, currently residing at
Name

Address, including City, State, Zip and County

He is (married - divorced - single).

4. The relationship of the Plaintiff to the child(ren) is that of _____
State relationship to Child(ren)

The Plaintiff currently resides with the following persons:

_____ Name	_____ State Relationship to Child(ren)
_____ Name	_____ State Relationship to Child(ren)
_____ Name	_____ State Relationship to Child(ren)
_____ Name	_____ State Relationship to Child(ren)
_____ Name	_____ State Relationship to Child(ren)

5. The relationship of the Defendant 1 to the child(ren) is that of _____
State Relationship to Child(ren)
and (if applicable)

Defendant 1 currently resides with the following persons:

_____ Name	_____ State Relationship
_____ Name	_____ State Relationship
_____ Name	_____ State Relationship

and (if applicable)

The relationship of Defendant 2 to the child(ren) is that of _____.
State Relationship to Child(ren)

Defendant 2 currently resides with the following persons:

Name	State Relationship
Name	State Relationship
Name	State Relationship

6. (a) Plaintiff (has) - (has not) participated as a party or witness, or in any other capacity, in other litigation concerning the child(ren) in this or another court. If Plaintiff has participated in other litigation, then provide information regarding the Court, Case Number and its relationship to this action.

6. (b) Plaintiff (has) - (has no) information of a custody proceeding concerning the child(ren) pending in a court of this Commonwealth or another state. If Plaintiff has information of a custody proceeding, then provide information regarding the Court, Case Number, and its relationship to this action.

6. (c) Plaintiff (knows) - (does not know) of a person not a party to the proceedings who has physical custody of the child(ren) or claims to have custody or visitation rights with respect to the child(ren). If Plaintiff knows of another such person, then provide the name(s) and address(es).

_____ Name	_____ Address, including City, State, Zip and County
_____ Name	_____ Address, including City, State, Zip and County

7. It is in the best interest and permanent welfare of the child(ren) to grant my request because:

8. Each parent whose parental rights to the child(ren) 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 or visitation of the child will be given notice of the pendency of this action and right to intervene.

Name	Address, including City, State, Zip and County	Basis for Claim
Name	Address, including City, State, Zip and County	Basis for Claim

FOR THESE REASONS, I request the Court (check all that apply):

- Grant me (sole - joint) legal custody of the child(ren).
- Grant me (sole - joint - partial) physical custody of the child(ren).
- Allow _____ to have the child(ren) in his/her custody
Name

At the following times and on the following terms:

- Allow _____ to visit with the child(ren) while I am present.
Name
- Allow no custody or visitation because: _____
- (State other request relating to the children): _____

VERIFICATION

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

Date: _____

Signature

**IN THE COURT OF COMMON PLEAS FOR ADAMS COUNTY,
PENNSYLVANIA
CIVIL ACTION - LAW**

Name	Plaintiff	:	
	vs.	:	Case No. _____
		:	
		:	Action in Custody
		:	
Name	Defendant	:	

Affidavit of Service
(Certified Mail)

I certify that I served a copy of the Order of Court for Pro Se Custody Complaint and Pro Se Complaint for Custody (which were previously filed with this Court) upon _____ on _____ by certified mail, restricted delivery, return receipt requested. The **original** return receipt signed by _____ is attached.

Name of person served

Name of person served

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

Date: _____

Name of person certifying service (printed or typed)

Street Address of person certifying service

City State Zip Code

Area Code Telephone Number of person certifying service

**IN THE COURT OF COMMON PLEAS FOR ADAMS COUNTY,
PENNSYLVANIA
CIVIL ACTION - LAW**

Name	Plaintiff	:	
	vs.	:	Case No. _____
		:	Action in Custody
Name	Defendant 1	:	
	and (if applicable)	:	
Name	Defendant 2	:	

CUSTODY CONFERENCE MEMORANDUM

AND NOW, comes the undersigned party who submits the following custody conference memorandum pursuant to Adams County Local Rule 1915.1:

NAMES & ADDRESSES OF ALL WITNESSES

- 1.
- 2.
- 3.
- 4.
- 5.

STATEMENT OF ISSUES

- 1.
- 2.
- 3.
- 4.

The undersigned reserves the right to raise additional issues upon appropriate notice to the other party prior to trial.

SETTLEMENT PROPOSAL

I would agree to settle this case without a trial if the Court Orders the following:

TIME FOR TRIAL

I estimate that my case will require **(please circle the time that applies):**

One half of a day.

One day.

More than one day.

SPECIAL REQUEST
(please circle the request that applies)

None.

A home study of the other party's residence.

A home study of my residence.

A home study of the other party's residence and my residence.

A custody evaluation.

Other: _____

WHAT IS THE CURRENT CUSTODY SCHEDULE

Respectfully submitted,

Date: _____

By: _____
(signature)

Address: _____

Phone Number: _____