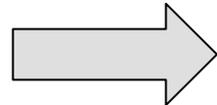


Instructions for:

Form 1

Divorce Complaint



Form 1 - Divorce Complaint

The numbers on these instructions correspond with the numbers in the arrowboxes on the form. Use the form with the arrowboxes to guide you through filling out the blank form.

1. Write the name of the county you are filing in by arrowbox 1.
2. Write your name by arrowbox 2.
3. Write your spouse's name by arrowbox 3.
4. Leave the line by arrowbox 4 blank. The Prothonotary's Office will assign a docket number and write it here. You will use that number in this case from now on.
5. Write the name of the county you are filing in by arrowbox 5. Arrowboxes 5 and 1 should be the same.
6. Write the name of the city or town in which the county's courthouse is located by arrowbox 6.
7. **If you live in one of the following counties:** Allegheny, Beaver, Berks, Blair, Bucks, Chester, Cumberland, Dauphin, Delaware, Erie, Lackawanna, Lancaster, Lehigh, Luzerne, Mercer, Monroe, Montgomery, Northampton, Philadelphia, Washington, Westmoreland, or York, **you must call your county's Court Administrator's Office, Prothonotary's Office, or other related county office to determine what lawyer referral service to put by arrowbox 7.**

If you do NOT live in one of the above listed counties: Write by arrowbox 7:

"Pennsylvania Bar Association – Lawyer Referral Service

Telephone 1-800-692-7375 (PA only)

or 717-238-6715"

8. Write the name of the county you are filing in by arrowbox 8.
9. Write your name by arrowbox 9.
10. Write your spouse's name by arrowbox 10.
11. Leave the line by arrowbox 11 blank.
12. Write your name by arrowbox 12.
13. Write your street address by arrowbox 13.
14. Write the name of the city or town in which you live by arrowbox 14.
15. Write the name of the county in which you live by arrowbox 15.
16. Write the state in which you live by arrowbox 16.
17. Write your spouse's name by arrowbox 17.
18. Write your spouse's street address by arrowbox 18.
19. Write the name of the city or town in which your spouse lives by arrowbox 19.
20. Write the name of the county in which your spouse lives by arrowbox 20.
21. Write the state in which your spouse lives by arrowbox 21.
22. Write the day, month, and year you and your spouse were married by arrowbox 22.
23. Write the county or city in which you and your spouse were married by arrowbox 23.

24. Write the state or country in which you and your spouse were married by arrowbox 24.
25. Write “have been” or “have not been” by arrowbox 25, depending on whether there have been any prior actions of divorce or annulment between the parties.
26. If there have not been any prior actions for divorce or annulment between the parties, leave the line by arrowbox 26 blank. A prior action may have been brought in this county, another county, another state, or another country. If there has been a prior action, write both the name of the jurisdiction (where the other action was filed), and the docket number of the other action here.
27. Write “are” or “are not” by arrowbox 27, depending on whether you and your spouse are currently living together.
28. If you and your spouse are still living together, leave the line by arrowbox 28 blank. If you and your spouse are living separately, write the date, month, and year you and your spouse separated by arrowbox 28.
29. Write “is” or “is not” to indicate whether your spouse is a member of the Armed Services by arrowbox 29.
30. Sign your name after you have thoroughly read Form 1 and after you thoroughly understand the statements you are making in the divorce complaint by arrowbox 30.
31. Write the date by arrowbox 31.
32. Sign your name after you have thoroughly read Form 1 and after you thoroughly understand the statements you are making in the divorce complaint by arrowbox 32. By signing by arrowbox 32, you are verifying that all the information you provided in Form 1 is true, correct, and accurate.
32. File these forms in the Prothonotary’s Office and pay the fee (unless you file a request to proceed *In Forma Pauperis*, Form #2).

Counties may require additional information be stated in the Divorce Complaint. For example, Centre County requires the parties indicate if they have any children under age 18 because there may be additional requirements for divorcing parents. To check what your county requires, call your Court Administrator’s Office and review your county’s local Rules of Court.

7. The parties  (are/are not) living separate and apart  the parties are living separate and apart, they have lived separate and apart since  (month/day/year).

8. Plaintiff has been advised that counseling is available and that Plaintiff may have the right to request that the Court require the parties to participate in counseling.

9. The Defendant  (is/is not) a member of the Armed Services of the United States or any of its allies.

10. Plaintiff requests that the Court enter a decree of divorce.

WHEREFORE, Plaintiff respectfully requests your Honorable Court enter a Decree in Divorce, divorcing Plaintiff and Defendant.

Respectfully submitted,



Plaintiff's Signature

VERIFICATION

I verify that the statements in the foregoing Complaint in Divorce are true and correct to the best of my knowledge, information, and 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.

Date: _____





Plaintiff's Signature

IN THE COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA

_____	:	CIVIL ACTION – LAW
PLAINTIFF (your full name)	:	
	:	
	:	
vs.	:	Case No. _____
	:	
	:	
	:	
_____	:	IN DIVORCE
DEFENDANT (spouse's full name)		

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the Court. A judgment may also be entered against you for any other claim or relief requested in these papers by the Plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for the divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in _____(county) Courthouse, Office of the Prothonotary, _____(city), Pennsylvania.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

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.

IN THE COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA

PLAINTIFF (your full name)	:	CIVIL ACTION – LAW
	:	
vs.	:	Case No. _____
	:	
DEFENDANT (spouse's full name)	:	IN DIVORCE

**COMPLAINT FOR DIVORCE UNDER
SECTION 3301(c) OR 3301(d) OF THE DIVORCE CODE**

AND NOW, comes the Plaintiff and for cause of action against the Defendant says:

1. Plaintiff is _____ (your name), an adult individual who currently resides at _____ (street address), _____ (city), _____ (county), _____ (state).

2. Defendant is _____ (spouse's name), an adult individual who currently resides at _____ (street address), _____ (city), _____ (county), _____ (state).

3. Either Plaintiff or Defendant has been bona fide resident of the Commonwealth of Pennsylvania for at least six months immediately previous to the filing of this Complaint.

4. Plaintiff and Defendant were married on _____ (month/day/year), in _____ (county), _____ (state).

5. There _____ (have been/have not been) prior actions of divorce or for annulment between the parties. (If there have been, name the jurisdiction and case number). _____

6. The marriage is irretrievably broken.

7. The parties _____ (are/are not) living separate and apart. If the parties are living separate and apart, they have lived separate and apart since _____(month/day/year).

8. Plaintiff has been advised that counseling is available and that Plaintiff may have the right to request that the Court require the parties to participate in counseling.

9. The Defendant _____(is/is not) a member of the Armed Services of the United States or any of its allies.

10. Plaintiff requests that the Court enter a decree of divorce.

WHEREFORE, Plaintiff respectfully requests your Honorable Court enter a Decree in Divorce, divorcing Plaintiff and Defendant.

Respectfully submitted,

Plaintiff's Signature

VERIFICATION

I verify that the statements in the foregoing Complaint in Divorce are true and correct to the best of my knowledge, information, and 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.

Date: _____

Plaintiff's Signature