



**PROTHONOTARY / CLERK OF COURTS**  
**(COURT OF COMMON PLEAS OF MIFFLIN COUNTY)**  
**20 NORTH WAYNE STREET**  
**LEWISTOWN, PA 17044**  
Phone (717) 248-8146      FAX (717) 248-5275  
Hours: 8:00am – 4:30pm  
Monday - Friday

## **Mifflin County Pro Se Custody Complaint**

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### **HOW TO FILE A CUSTODY COMPLAINT IN MIFFLIN COUNTY**

Generally speaking, you will need to file a custody complaint in the county where the child(ren) has lived for the past six (6) months.

Fill out a Complaint for Custody with the Order and IFP with the order (if applicable). Filing fee is \$137.00 (cash or money order made payable to Mifflin County Prothonotary). After completing make a copy of the complaint for all parties involved and one copy of the IFP.

Take the original documents and all copies along with the filing fee to the Prothonotary's office located on the first floor of the courthouse (Address listed above). Be sure that **all copies of the Complaint** are stamped "FILED" by the Prothonotary and returned to you.

After filing the documents at the Prothonotary's Office you need to serve a copy of the complaint to each defendant listed on the complaint.

After the Judge's office assigns a hearing date and time, you and the defendant will receive a copy of this order in the mail. You will need to appear for his this hearing at the date and time specified.

### **DISCLAIMER BY THE COURT OF COMMON PLEAS OF MIFFLIN COUNTY, PA**

The Court staff will not be able to give you legal advice or help you fill out/complete the forms. The information in the packets is not a substitute for professional legal advise. The Court assumes no responsibility and accepts 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, you may call Mid Penn Legal Services at (717)248-3099 or (814)238-4958 or Pennsylvania Lawyer Referral listing at (800)692-7375 or log onto palawhel.org.

## GENERAL INFORMATION ON CUSTODY

- Both parents have a right to have a relationship with their child(ren) and a child(ren) has a right to have a relationship with both parents. It is almost always better for the parents of a child(ren) to agree between themselves about custody of the child(ren). If an agreement cannot be reached, the court will decide what is in the child(ren)'s best interest.
- If you must file a custody complaint, be sure you know what you want and why. Also keep in mind that the court will almost always grant the other party reasonable, and oftentimes liberal, temporary custody.
- Sometimes "third parties," such as an uncle, think that the child(ren) is better off with them than with either of the natural parents. The law presumes that the parents should have primary control of the child(ren), thus third parties have a tremendous burden in proving it is better for the child(ren) to live with them. If a third party currently has the child(ren) living with them, be sure to list the third party as a defendant in your complaint.
- Compliance (obeying) with a custody Order is up to each party. It is your responsibility to follow the Order. Should the other party disobey the Order, document each time s/he disobeys the Order. If the non-compliance is of a serious nature, you may file a Petition for Civil Contempt which will subject the disobeying party to penalty.
- Sometimes it is best to "let sleeping dogs lie." If there are no problems between the parents concerning the child(ren) there should be no reason for even filing a custody complaint. Since the court will likely issue a "traditional" temporary custody order allowing the non-custodial parent alternate weekends, alternate holidays and several weeks in the summer, it may be better for you emotionally and better for the child(ren) if you keep your current arrangement. It is almost always better for the parties to reach their own agreement than to have a judge who does not know you or the child(ren) deciding what is best for the child(ren).
- Sometimes psychological studies and/or home studies of the parties will be ordered by the court. These studies may cost you money, and can be very expensive depending on the number of individuals involved. The court will issue an order regarding payment of fees.

## INSTRUCTIONS ON COMPLETING A CUSTODY COMPLAINT AND ORDER

\*\*\*\*\*  
PLEASE TYPE ALL COURT FORMS IF POSSIBLE. If necessary, print NEATLY in black or blue ink.  
\*\*\*\*\*

### I. Filing in the caption.

- The caption is the top part of page one of the complaint. The names of the parties, the docket number, the type of complaint and the court's name are found here.
- The Plaintiff is you as you are filing this action. Type or print your full, legal name, including middle initial, above the word "Plaintiff" in the caption.
- The Defendant is the person(s) whom you are filing against. Fill in the Defendant's full, legal name, including middle initial, above the word, "Defendant."

### II. The following instructions correspond to each numbered paragraph in a Custody Complaint.

1. Fill in your full, legal name including your middle initial, your full mailing address (street number/route/box number, town, county, state, zip code) and home and cell phone numbers.
2. Fill in the Defendant's full, legal name including the Defendant's middle initial, full mailing address (street number/route/box number, town, county, state, zip code) and home and cell phone numbers.
3. Circle one "custody," "temporary custody" or "visitation" then list the complete name, present address and age of the child(ren) involved in this matter.

- Cross out the statement which is incorrect (if the child(ren) was/were born while you and the Defendant were married, cross out "was.")
- Fill in the blank with the full, legal name and address of the person with whom the child(ren) is now living.
- List all persons, addresses and dates where the child(ren) has lived in the past five years.
- Fill in the child(ren)'s natural mother's name and address.
- State whether the natural mother is single, married or divorced.
- Fill in the natural father's full, legal name and address.
- State whether the natural father is single, married or divorced.

4. State your relationship to the child(ren) and list everyone who now lives with you and your relationship to each of those people.

5. State the Defendant's relationship to the child(ren) and list everyone who now lives with the Defendant and the relationship between the Defendant and each of those people.

6. Cross out one phrase. (for example, if this is the first time this child(ren) is the subject of a custody case, cross out "has." If the child(ren) was the subject of a custody case in any court before, cross out "was not" and state the name of the court, for example, Court of Common Pleas of Mifflin County, PA, and the docket number of that case. **YOU MUST USE THE SAME DOCKET NUMBER ON THIS PETITION AS WAS USED ON THE PREVIOUS PETITION/ORDER.**

- Cross out one phrase (for example, if you know that a custody action concerning this child(ren) has been filed in another court, state the name of the court and the docket or other identifying number.)
- Cross out one phrase (natural parents, sometimes grandparents and the person(s) the child(ren) is now living with will need to be named here if those people are not named as Defendants).

7. State briefly why you believe what you are asking for is in the child(ren)'s best interest. (For example, you have been and are the primary caretaker, you are providing a stable home environment).

8. List any other person that you believe has a right to be a part of this action concerning the child(ren) because they have standing (see "Definitions of Terms Used in a Custody Case").

**WHEREFORE:** Cross out two (2) of the choices, leaving the one visible to the court that you are asking for: Custody, Temporary Custody or Visitation.

Sign your full, legal name and Date the complaint in both locations on this page.

IN THE COURT OF COMMON PLEAS OF MIFFLIN COUNTY, PENNSYLVANIA  
CIVIL DIVISION-LAW

Plaintiff :  
v. : CP-44-CV- \_\_\_\_\_ -20 \_\_\_\_  
Defendant :  
: Custody

COMPLAINT FOR CUSTODY

1. The Plaintiff is \_\_\_\_\_,  
residing at \_\_\_\_\_,  
Home phone # ( ) - \_\_\_\_\_, Cell # ( ) - \_\_\_\_\_.

2. The Defendant is \_\_\_\_\_,  
residing at \_\_\_\_\_,  
Home phone # ( ) - \_\_\_\_\_, Cell # ( ) - \_\_\_\_\_.

3. Plaintiff seeks (custody) (partial custody) (visitation) of  
the following child(ren):

NAME	PRESENT ADDRESS	AGE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

The child(ren) is presently in the custody of \_\_\_\_\_

\_\_\_\_\_ ,  
who resides at \_\_\_\_\_  
\_\_\_\_\_

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

LIST ALL PERSONS	ADDRESSES	DATES
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The mother of the child(ren) is \_\_\_\_\_  
currently residing at \_\_\_\_\_

She is (single) (married) (divorced).

The father of the child(ren) is \_\_\_\_\_,  
currently residing at \_\_\_\_\_

He is (single) (married) (divorced).

4. The relationship of Plaintiff to the child(ren) is \_\_\_\_\_.  
The Plaintiff currently resides with:

NAME	RELATIONSHIP
_____	_____
_____	_____
_____	_____
_____	_____

5. The relationship of Defendant to the child(ren) is \_\_\_\_\_.  
The Defendant currently resides with

NAME	RELATIONSHIP
_____	_____
_____	_____
_____	_____
_____	_____

6. Plaintiff (has) (has not) participated as a party or witness, or in another capacity, in other litigation concerning the custody of this minor child(ren) in this or another court. The court, term and number, and its relationship to this actions is: \_\_\_\_\_

Plaintiff (has) (has no) information of a custody proceeding concerning the child(ren) 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(ren) or claims to have custody or visitation rights with respect to the child(ren). The name and address of such person is:

7. The best interest and permanent welfare of the child(ren) will be served by granting the relief requested 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(ren) 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(ren) will be given notice of the out come of this action and the right to intervene:

NAME	ADDRESS	BASIS OF CLAIM
_____	_____	_____
_____	_____	_____

9. Plaintiffs Date of Birth \_\_\_\_\_

Defendants Date of Birth \_\_\_\_\_

WHEREFORE, Plaintiff requests this court to grant (custody) (temporary custody) (visitation) of the child(ren) to the Plaintiff.

Respectfully submitted,

\_\_\_\_\_  
Date

\_\_\_\_\_  
Plaintiff

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



## HOW TO COMPLETE PETITION TO PROCEED IN FORMA PAUPERIS (IFP)

\*\*\*\*\*  
PLEASE TYPE ALL COURT FORMS IF POSSIBLE. If necessary, print NEATLY in blue or black ink.  
\*\*\*\*\*

To file this Custody Complaint it will cost \$137.00 (cash or money order). However, it may be possible to have this filing fee reduced to \$2.00 if you can prove to the court that you cannot afford to pay the \$137.00.

To do this, you must file a Petition to Proceed In Forma Pauperis ("IFP"). An IFP simply is a detailed list of your income and expenses. You must complete the IFP and file it along with your custody complaint at the Prothonotary's office. The following are step-by-step instructions on how to fill out the IFP.

As in your Complaint and Order, complete the caption and type of case (Custody).

The following instructions correspond to each numbered paragraph in an IFP.

1. State whether you are the Plaintiff or Defendant.
- 3(a) Fill in your name and address.
- 3(b) If you are currently employed, print your employer's name and address, your monthly salary, and the type of work you do. If you are not currently employed, fill in the dates of your last employment (if none, write "none"), your wages at your last job and the type of work you did.
- 3(c) List any other income you received within the last twelve (12) months. If any of the entries apply to you, fill in your average monthly income from that source. If an entry does not apply, fill in "none".
- 3(d) List any income that is received by other people in your household. If someone is not a member in your household, do not list his or her income here. For example, if you are suing your spouse for custody of your child(ren), do not list their income here. Simply fill in "not applicable" and go on to the questions about household contributions. If none of these apply, fill in "none".
- 3(e) List any property you own. If you do not have any of the type of property listed, fill in "none".
- 3(f) Fill in an average monthly figure where applicable and write "none" to a type of debt that does not apply to you.  
  
*[NOTE The "other" category is quite broad. You can write "see attached" and list these items on a separate sheet of paper. You should use this category to list your average monthly electric, gas, oil, telephone and cable TV bills. You can also list miscellaneous expenses such as hospital bills, laundry, haircuts and food here. Make sure you list each expense and identify it.]*
- 3(g) List the people who depend on you for support. Once again, if you are suing your spouse for custody, you would not list his name here. Simply fill in "not applicable". If you have child(ren), list their names and ages here. Also list any other people dependant upon you for support and their relationship to you.

Sign and Date it at the bottom.

The last page of the IFP is called the Order.

You need to fill out the caption portion of this form the same as the Complaint & IFP.

Then fill in the space where it says what you are filing with the words Custody Complaint, leave the rest of this form blank



--If you are presently unemployed, state

Date of last employment:

Salary or wages per month:

Type of work:

(c) Other income within the past twelve months

Business or profession:

Other self-employment:

Interest:

Dividends:

Pension and annuities:

Social security benefits:

Support payments:

Disability payments:

Workman's compensation:

Public assistance:

Other:

(d) Other contributions to household support

Spouse's Name:

If your spouse is employed, state

Employer:

Salary or wages per month:

Type of work:

Contributions from child(ren):

Contributions from parents:

Other contributions:

(e) Property owned

Cash:

Checking account:

Savings account:

Certificates of deposit:

Real estate (including home):

Motor vehicle:

Make: ; Year:

Cost: ; Amount owed:

Stocks; bonds:

Other:

(f) Debts and obligations

Mortgage:

Rent:

Loans:

Other:

(g) Persons dependent upon you for support

Spouse's Name:

Child(ren), Name(s) & age(s) if any:

Other persons, Name:

Relationship:

4. I understand that I have a continuing obligation to inform the court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. 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 falsification to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff



**INSTRUCTIONS FOR SERVICE OF COMPLAINT FOR CUSTODY,  
PARTIAL CUSTODY OR VISITATION**

After you have filed complaint in the Prothonotary's office, you are required to serve all Defendants with a copy of this complaint.

There are several ways you can handle the serving of the court papers upon the Defendant. This packet will explain two of them.

- 1) **Service by mail.** This is probably the best way to serve your Complaint. You will need to mail the complaint by first class mail. The type of mailing you must use is called certified mailing, restricted delivery, with a return receipt requested. Your post office worker will be able to help you fill in the certified mailing papers correctly.

This type of mailing is used because the Defendant must sign for the documents before the postal worker will deliver it. This means that you can prove that the Defendant got the complaint because the post office will return a special green card to you that shows the date and time that the letter was given to the Defendant. It is very important you keep this green card because you must file it with the Prothonotary so the judge can see the Defendant was served. As soon as you receive the return receipt card back from the post office you will then complete a Certificate of Service and file it with the Prothonotary. Do not forget to staple the return receipt card to the Certificate of Service you fill in and sign.

- 2) **Personal Service.** You can have any competent adult who is not a party in the case hand the complaint to the Defendant. An adult is someone eighteen years of age or older. A person is a competent adult if he or she can accurately remember the time and place that the court papers were handed to the Defendant and is capable of reporting that information to the judge. **You, because you are a party in the case, may not be the one to hand the papers to the Defendant.** You should not have another person hand the papers to the Defendant if there is any danger that the Defendant may harm them. It is generally best in all cases to have the Sheriff handle the service or do it by mail.

If you find it necessary to have another person hand the papers to the Defendant, then that person is the one who must sign the Certification of Service. Have the Certification signed as soon as possible after service is made and file it with the Prothonotary.

If the person serving the papers cannot find the Defendant, he or she may hand the papers to an adult family member of the Defendant living in the same home as the Defendant or who is in charge of that home. If the Defendant lives in a hotel, an apartment house, or a boarding house, the person serving the papers may hand them to the clerk or manager of the residence. The papers may also be handed to the person in charge where the Defendant works. In any case, the person serving the papers must get the name of the person to whom the papers are handed and put the name in the space provided on the Certificate of Service.

Properly serving complaint is very important. If this is not handled properly the court may delay the hearing in your case.



\_\_\_\_\_ on the \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock. If service was  
made on an adult, other than the Defendant, at the residence or place  
of business, the name of this adult is \_\_\_\_\_.

I verify that the statements made in this certificate of service  
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.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Person Who Made Service

**IN THE COURT OF COMMON PLEAS OF MIFFLIN COUNTY, PENNSYLVANIA**

Plaintiff	:	CP-44-CV-_____ -20_____
	:	
vs.	:	Action in Custody
	:	
Defendant	:	

**CRIMINAL RECORD / ABUSE HISTORY VERIFICATION**

I \_\_\_\_\_, hereby swear or affirm, subject to  
(Plaintiff's Name)  
 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<br>(relating to stalking)                                       | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §2901<br>(relating to kidnapping)                                       | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §2902<br>(relating to unlawful restraint)                               | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §2903<br>(relating to false imprisonment)                               | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §2910<br>(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<br>(relating to rape)   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3122.1<br>(relating to statutory sexual assault)                       | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3123<br>(relating to involuntary deviate sexual intercourse)           | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3124.1<br>(relating to sexual assault)                                 | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3125<br>(relating to aggravated indecent assault)                      | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3126<br>(relating to indecent assault)                                 | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3127<br>(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"/> | _____ | _____ |
| <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<br>(relating to unlawful<br>contact with minor)  | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §6320<br>(relating to sexual<br>exploitation of children)  | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 23 Pa.C.S. §6114 (relating<br>to contempt for violation<br>of protection order or<br>agreement)                                       | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | Driving under the<br>influence of drugs or<br>alcohol   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | Manufacture, sale,<br>delivery, holding, offering<br>for sale or possession of<br>any controlled substance<br>or other drug or device | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |

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"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	_____

3. Please list any evaluation, counseling or other treatment received following conviction or finding of abuse:

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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):

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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:

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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.

\_\_\_\_\_  
(Plaintiff's Signature) Signature

\_\_\_\_\_  
(Print Plaintiff's Name) Printed Name

**(a) Criminal or Abuse History Verification. The petitioner must file and serve with the complaint, or any petition for modification, a verification regarding any criminal or abuse history of the petitioner and anyone living in the petitioner's household. The verification shall be substantially in the form set forth in subdivision (c) below. The petitioner must attach a blank verification form to a complaint or petition served upon the respondent. Although the respondent need not file a responsive pleading pursuant to Rule 1915.5, the respondent must file with the court a verification regarding any criminal or abuse history of the respondent and anyone living in the respondent's household on or before the initial in-person contact with the court (including, but not limited to, a conference with a conference officer or judge or conciliation, depending upon the procedure in the judicial district) but not later than 30 days after service of the complaint or petition upon the respondent. Both parties shall file and serve updated verifications five days prior to trial.**

**(b) Initial Evaluation. At the initial in-person contact with the court, the judge, conference officer, conciliator or other appointed individual shall perform an initial evaluation to determine whether the existence of a criminal or abuse history of either party or a party's household member poses a threat to the child and whether counseling is necessary. The initial evaluation required by 23 Pa.C.S. §5329(c) 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. Consistent with the best interests of the child, the court may enter a temporary custody order on behalf of a party with a criminal history or a party with a household member who has a criminal history, pending the party's or household member's evaluation and/or counseling.**

***Note: The court shall consider evidence of criminal or abusive history presented by the parties. There is no obligation for the court to conduct an independent investigation of the criminal or abusive history of either party or members of their household. The court should not consider ARD or other diversionary programs. When determining whether a party or household member requires further evaluation or counseling, or whether a party or household member poses a threat to a child, the court should give consideration to the severity of the offense, the age of the offense, whether the victim of the offense was a child or family member and whether the offense involved violence.***

**(c) Verification. The verification regarding criminal or abuse history shall be substantially in the following form:**

**IN THE COURT OF COMMON PLEAS OF MIFFLIN COUNTY, PENNSYLVANIA**

Plaintiff	:	CP-44-CV-_____ -20__
	:	
vs.	:	Action in Custody
	:	
Defendant	:	

**CRIMINAL RECORD / ABUSE HISTORY VERIFICATION**

I \_\_\_\_\_, hereby swear or affirm, subject to  
 (Defendant's Name)

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"/>	_____	_____

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|--------------------------|--|--------------------------|--------------------------|-------|-------|
| <input type="checkbox"/> | 18 Pa.C.S. §2901<br>(relating to kidnapping)                                       | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §2902<br>(relating to unlawful restraint)                               | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §2903<br>(relating to false imprisonment)                               | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §2910<br>(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<br>(relating to rape)   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3122.1<br>(relating to statutory sexual assault)                       | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3123<br>(relating to involuntary deviate sexual intercourse)           | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3124.1<br>(relating to sexual assault)                                 | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3125<br>(relating to aggravated indecent assault)                      | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3126<br>(relating to indecent assault)                                 | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3127<br>(relating to indecent exposure)                                | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3129<br>(relating to sexual intercourse with animal)                   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |

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|--------------------------|---|--------------------------|--------------------------|-------|-------|
| <input type="checkbox"/> | 18 Pa.C.S §3130<br>(relating to conduct relating to sex offenders)                              | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §3301<br>(relating to arson and related offenses)                                    | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §4302<br>(relating to incest)  | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §4303<br>(relating to concealing the death of child)                                 | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §4304<br>(relating to endangering welfare of children)                               | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §4305<br>(relating to dealing in infant children)                                    | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §5902(b)<br>(relating to prostitution and related offenses)                          | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §5903(c) or (d)<br>(relating to obscene and other sexual materials and performances) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §6301<br>(relating to corruption of minors)  | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §6312<br>(relating to sexual abuse of children)                                      | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. §6318<br>(relating to unlawful contact with minor)                                   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |

- |                          |   |                          |                          |       |       |
|--------------------------|---|--------------------------|--------------------------|-------|-------|
| <input type="checkbox"/> | 18 Pa.C.S. §6320<br>(relating to sexual exploitation of children)   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 23 Pa.C.S. §6114<br>(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"/> | _____ | _____ |
| <input type="checkbox"/> | Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |

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"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	_____

3. Please list any evaluation, counseling or other treatment received following conviction or finding of abuse:

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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):

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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:

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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.

\_\_\_\_\_  
(Defendant's Signature) Signature

\_\_\_\_\_  
(Print Defendant's Name) Printed Name

Pa. R.C.P. No. 1930.8

Pennsylvania State Court Rules reflect amendments received October 15, 2013. Annotations current through August 27, 2013.

Pennsylvania Court Rules > PENNSYLVANIA RULES OF CIVIL PROCEDURE  
> RULES RELATING TO DOMESTIC RELATIONS MATTERS GENERALLY

Prothonotary/Self-Represented Parties

- a. A party representing himself or herself shall enter a written appearance which shall state an address, which need not be his or her home address, where the party agrees that pleadings and other legal papers may be served, and a telephone number through which the party may be contacted. The entry of appearance may include a facsimile number as provided by Pa.R.C.P. No. 1012.
- b. A self-represented party is under a continuing obligation to provide current contact information to the court, to other self-represented parties, and to attorneys of record.
- c. When a party has an attorney of record, the party may assert his or her self-representation by:
  - (1) Filing a written entry of appearance and directing the prothonotary/court clerk to remove the name of his or her counsel of record with contemporaneous notice to said counsel, or
  - (2) Filing an entry of appearance with the withdrawal of appearance signed by his or her attorney of record.
- d. The self-represented party shall provide a copy of the entry of appearance to all self-represented parties and attorneys of record.
- e. The assertion of self-representation shall not delay any stage of the proceeding.

**EXPLANATORY COMMENT--2013**

Withdrawal of appearance by counsel of record is governed by Pa.R.C.P. No. 1012. Service of original process in domestic relations matters is governed by Pa.R.C.P. No. 1930.4. Service of legal papers other than original process is governed by Pa.R.C.P. No. 440.

\_\_\_\_\_  
PLAINTIFF

v.

IN THE COURT OF COMMON PLEAS  
\_\_\_\_\_  
COUNTY, PENNSYLVANIA

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)