

**LAWRENCE COUNTY
CUSTODY PACKET**

I. CONTENTS

This Custody Packet contains the following custody forms:

1. "Pro Se Complaint Regarding Custody," and the attached "Order of Court & Notice to Appear."
(This form must be filed when beginning a new custody case).
2. "Petition for Modification of a Partial Custody of Visitation Order," and the attached "Order of Court."
(This form must be filed when asking to change or amend an existing Order. You are required to attach a copy of the prior Order to this petition.)
3. "Entry of Appearance as Self-Represented Party."
(This form must be completed and filed if you have no attorney, and are representing yourself.)
4. "Pro Se Petition to Proceed in Forma Pauperis," and the attached "Order of Court."
(This form must be completed and filed if you want the Court to waive your filing fees, and it is filed with the Custody Complaint).
5. "Criminal Record/Abuse History Verification" (two blank copies).
(This form must be completed and filed with both the "Complaint Regarding Custody" or "Petition for Modification". Information of all household members must be provided. A blank copy also must be given to the Prothonotary when you file your "Complaint Regarding Custody" or "Petition for Modification". The blank copy should have the heading filled out (Plaintiff/Defendant; Case No.) and is to be filed with the Prothonotary along with the "Complaint Regarding Custody" or the "Petition for Modification" and it will then be served on and completed by the other party).

II. INSTRUCTIONS

1. This information does not constitute legal advice. If you have any questions, you should seek the advice of an attorney.
2. Whatever documents you are filing with the court, said documents must be **FULLY** completed. **DO NOT LEAVE ANY LINES BLANK. ANY ITEM NOT APPLICABLE SHOULD BE COMPLETED BY WRITING "NA"** (NA stands for "not applicable.")
3. If you are filing the "Complaint Regarding Custody", you are the Plaintiff and the other party is the Defendant.
4. The "Complaint Regarding Custody" form is used to begin a custody case, and the "Petition for Modification" is used when asking to modify an existing Custody Order.
5. The "Petition in Forma Pauperis" is used when filing the "Complaint Regarding Custody."
6. The "Entry of Appearance" form and the "Criminal Record/Abuse History Verification" must be completed and filed with both the "Complaint Regarding Custody" or the "Petition to Modify."
7. Please select whether you need the "Complaint Regarding Custody" or the "Petition to Modify," together with the appropriate forms. Please complete the forms in detail and take the completed forms to the Lawrence County Prothonotary's Office.
8. After you complete and file the forms at the Prothonotary's Office, the forms will be delivered to the Court Administrator's Office for the Judge to review, approve or deny, and sign the Orders of Court.

9. Whether filing a "Complaint Regarding Custody" or "Petition to Modify," the initial proceeding will be a Custody Conciliation Conference in front of a Custody Conference Officer.
10. After having been signed by the Judge, the Prothonotary will mail copies to the Plaintiff and Defendant with the date of the Custody Conference on the Order of Court.
11. If you cannot afford the filing fee at the Prothonotary's Office and at the Sheriff's Office, you may complete and file the "In Forma Pauperis" form. **YOU MUST ANSWER ALL THE QUESTIONS FULLY. IF THE ITEM DOES NOT APPLY, COMPLETE IT BY WRITING "NA."**
12. As indicated above, please complete the necessary form in detail. You must sign all forms filed with the Prothonotary. Please sign where indicated at the end of each form.
13. A "Complaint Regarding Custody" may be filed by grandparents who:
 - (1) who have genuine care and concern for the child;
 - (2) whose relationship with the child began with the consent of a parent of the child **OR** whose relationship with the child began pursuant to an Order of Court; **AND**
 - (3) who for 12 months has assumed the role and responsibilities of the child's parent, providing for the physical, emotional and social needs of the child, **OR** who assumes the responsibility for a child who has been determined to be a dependent child pursuant to 42 Pa. C.S. Ch. 63 (relating to juvenile matters), **OR** who assumes or deems it necessary to assume responsibility for a child who is substantially at risk due to parental abuse, neglect, drug or alcohol abuse or mental illness.
14. "Legal Custody/Physical Custody":

Plaintiff **MUST** indicate on the "Custody Complaint" what he/she is seeking in regards to the following by checking "x" the box(es) that apply for each physical custody and legal custody:

LEGAL CUSTODY:
Full Legal Custody gives one party the right to make major decisions affecting the child, including medical, religious and educational decisions.
Shared Legal Custody gives both parties the right to share in making major decisions affecting the child.

PHYSICAL CUSTODY:
Primary Physical Custody gives one party the right to have possession of the child most of the time.
Shared Physical Custody gives both parties the right to have frequent contact with the child.
Partial Physical Custody is the right to unsupervised visitation

III. LEGAL ADVICE

This information does not constitute legal advice. If you have any questions, please seek the advice of an attorney. **Employees and staff at the Courthouse are not able to provide legal advice.** If you have any questions, you are encouraged to contact an attorney.