

LAWRENCE COUNTY

CUSTODY CONTEMPT

I. CONTENTS

1. "Petition for Contempt of Order of Custody"
2. "Entry of Appearance as Self-Represented Party". (This form must be filed if you have no attorney, and are representing yourself).

II. INSTRUCTIONS

1. This packet does not constitute legal advice. If you have any questions, you should 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.
2. The caption always remains the same as the original Custody Complaint, regardless of which party is filing subsequent petitions. (If you were originally the Plaintiff, you will always be listed as Plaintiff; If you were originally the Defendant, you will always be listed as Defendant.)
3. Documents must be fully completed. Every paragraph needs filled out. Do not leave any information blank. Paragraph #5 should specify information describing the violation that is believed based upon the Order of Court for Custody. (References to numbers/paragraphs in the Order of Court should be made).
4. Circle the appropriate reference of (Plaintiff)/(Defendant) and (Mother/Father).
5. Fill out the forms completely and in detail and file with the Prothonotary's Office.
6. After you file the forms with the Prothonotary's Office, the forms will be delivered to the Court Administrator's Office for the Judge to review, approved and sign the Orders of Court.
7. After having been signed by the Judge, the Prothonotary will mail copies to the Plaintiff and Defendant with the date of the Custody Contempt Hearing on the Order of Court.
8. As indicated above, please complete the necessary forms in detail. You must sign all forms filed with the Prothonotary. Please sign where indicated.

III. LEGAL ADVICE

This packet 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.

IN THE COURT OF COMMON PLEAS OF LAWRENCE COUNTY, PENNSYLVANIA

Plaintiff(s)

Vs

No. _____ of _____ C.A.

Defendant(s)

PETITION FOR CONTEMPT OF ORDER OF CUSTODY

AND NOW, (Plaintiff)/(Defendant), _____, files a Petition for Contempt of Order of Custody against (Plaintiff)/(Defendant), and in support thereof, avers the following:

1. Plaintiff is _____ (Mother/Father) who currently resides at _____.
2. Defendant is _____ (Mother/Father) who currently resides at _____.
3. The parties hereto are the parents of the following minor (child/children) who reside at _____.
4. On _____, 20 _____, the Honorable _____, entered an Order of Custody in the Court of Common Pleas of Lawrence County, Pennsylvania. A true and correct copy of said Order of Court is marked Exhibit "A" attached hereto and made part hereof.
5. Since the entry of said Order of Court, (Mother/Father) has willfully failed to comply with the custody provisions as required by this Honorable Court, in spite of the fact that (Mother/Father) has been and continues to be physically able to comply with the terms thereof. **Specifically, set forth facts showing willful failure to obey the Order of Custody.**
Specify Details Here: _____

6. (Mother)/(Father) has incurred substantial counsel fees and costs as a result of (Mother's)/(Father's) contempt.
7. (Mother)/(Father) should be responsible for (Mother's)/(Father's) reasonable counsel fees and costs.

WHEREFORE, (Plaintiff)/(Defendant) respectfully requests that this Honorable Court enter an Order adjudicating (Mother)/(Father) in Contempt of Court and (set forth specific requests for relief, i.e., transfer of custody, make-up time with the child/children, counsel fees, costs and expenses, incarceration, etc.)

Respectfully submitted,

 (Plaintiff)/(Defendant) name

 Address

 Phone

VERIFICATION

I, _____, verify that the statements set forth in the foregoing Petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. Section 4904 relating to unsworn falsification to authorities.

 Date

 Petitioner

IN THE COURT OF COMMON PLEAS OF LAWRENCE COUNTY, PENNSYLVANIA

Plaintiff(s)

Vs

No. _____ of _____ C.A.

Defendant(s)

NOTICE AND ORDER TO APPEAR

You, _____, (Plaintiff)/(Defendant), have been sued in court.

Legal proceedings have been brought against you alleging you have willfully disobeyed an Order of Court for (custody/partial custody/visitation).

If you wish to defend against the claim(s) set forth in the following pages, you may but are not required to file in writing with the Court your defenses or objections.

Whether or not you file in writing with the Court your defenses or objections, you must appear in person in Court at the LAWRENCE COUNTY GOVERNMENT CENTER, 430 COURT STREET, NEW CASTLE, PENNSYLVANIA 16101, Courtroom # _____ on _____ (day and date) _____ M.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the court finds that you have willfully failed to comply with its order for (custody/partial custody/visitation) you may be found to be in contempt of court and committed to jail, fined or both.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER (OR CANNOT AFFORD ONE), GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.) 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.

LAWYER REFERRAL
LAWRENCE COUNTY GOVERNMENT CENTER
430 COURT STREET
NEW CASTLE, PENNSYLVANIA 16101
724-656-1921

By the Court:

Date: _____

_____ J.