

LAWRENCE COUNTY CUSTODY PACKET

PLEASE READ ALL DIRECTIONS TO ENSURE FORMS ARE PROPERLY COMPLETED AND FILED WITH THE PROTHONOTARY'S OFFICE

CONTENTS - This packet contains the following forms:

1. CONFIDENTIAL INFORMATION FORM

This form must be completed and filed upon initial filing of a new custody case. NUMBERS 5 & 6 ON THE FORM ARE APPLICABLE TO CUSTODY FILINGS. WHEN FILLING OUT THE FORM, FILL OUT ONLY THE INFORMATION REGARDING CHILDREN'S FULL NAMES AND BIRTHDATES.

(SOCIAL SECURITY NUMBERS, FINANCIAL INFORMATION IS NOT REQUIRED TO BE COMPLETED). This form gets filed at the same time as the Complaint (below), as a separate document, in the Prothonotary's Office.

2. COMPLAINT REGARDING CUSTODY/ORDER OF COURT & NOTICE TO APPEAR.

This form is used when beginning a **new** custody case. USE ONLY CHILDREN'S INITIALS AND AGE. DO NOT WRITE A CHILD'S FULL NAME OR BIRTHDATE IN THE COMPLAINT.

3. PETITION FOR MODIFICATION OF A PARTIAL CUSTODY OR VISITATION ORDER/ORDER OF COURT & NOTICE TO APPEAR.

This form is used when asking for a change to a current Custody Order. You are required to attach a copy of the current Custody Order to this petition. USE ONLY CHILDREN'S INITIALS AND AGE. DO NOT WRITE A CHILD'S FULL NAME OR BIRTHDATE IN THE PETITION.

When filing a Petition for Modification, if the Confidential Information Form has not already been filed, it must be filed at this time. If necessary to file it at this time, the Confidential Information Form gets filed at the same time as the Petition for Modification, as a separate document, in the Prothonotary's Office. Please refer to # 1 for filing of the Confidential Information Form if it has not been filed previously.

4. ENTRY OF APPEARANCE AS SELF-REPRESENTED PARTY

This form must be completed fully, there is a place for both parties addresses on the form. This form must be completed and filed if you have no attorney and are representing yourself.

5. CRIMINAL RECORD/ABUSE HISTORY VERIFICATION FORM

There are two copies provided. These are filed with both the Complaint Regarding Custody and the Petition for Modification of Custody. One copy should be filled out by the Plaintiff. Information of all household members must be provided. The second copy you should fill out only the caption (Plaintiff/Defendant; Case No.) and the first line with the Defendant's Name, the remainder of the second form should be left empty and filed with the Prothonotary's Office along with the Complaint Regarding Custody or the Petition for Modification of a Partial Custody or Visitation Order.

6. PETITION TO PROCEED IN FORMA PAUPERIS/ORDER OF COURT

This form is available to file if you wish to have the Court determine whether or not your filing fee for the Complaint Regarding Custody can be waived. This form is only used with the initial Complaint Regarding Custody and not the Petition for Modification of a Partial Custody or Visitation Order.

ADDITIONAL INSTRUCTIONS:

This information is not legal advice. If you have any questions, you should contact a lawyer. **No one in the Courthouse is permitted to give you legal advice.**

All documents should be legible and completed fully. If an item does not apply, write NA.

If you are filing the Complaint Regarding Custody (which is a brand new custody case) you are the Plaintiff and the other parent/party is the Defendant.

If you are filing the Petition for Modification of a Partial Custody or Visitation Order, the caption (heading) remains the same. (You were the Plaintiff you remain the Plaintiff; you were the Defendant, you remain the Defendant).

All forms should be taken to the Prothonotary's Office.

When filling out the forms, anything under the heading Order of Court is for the Judge to sign. Do not fill anything out under the words Order of Court.

Legal Custody/Physical Custody

When filing a Complaint Regarding Custody, the Plaintiff must indicate what he/she is seeking in the Complaint for both Legal Custody and Physical Custody. Legal Custody - Full legal custody gives one party the right to make major decisions affecting the child, including medical, religious and educational. 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.

THE DIRECTIONS AND INSTRUCTIONS PROVIDED ARE NOT LEGAL ADVICE. IF YOU HAVE QUESTIONS, CONTACT AN ATTORNEY.

EMPLOYEES AND STAFF OF THE COURTHOUSE ARE BY LAW NOT PERMITTED TO PROVIDE ANY LEGAL ADVICE.