

## **COMPLAINT FOR CUSTODY DIRECTIONS**

**READ ALL DIRECTIONS BEFORE COMPLETING FORMS**

**FILE IN THE PROTHONOTARY'S OFFICE**

**COST OF FILING COMPLAINT: \$ 196.70**

**CONTENTS** – This packet contains the following forms:

**1. Confidential Information Form**

The Confidential Information Form must be completed and filed with the filing of a Complaint for Custody. Numbers 5 and 6 on the Confidential Information Form are applicable to custody pleadings. When completing the Confidential Information Form, fill out only the information regarding the minor child(ren)'s full names and birthdate(s). (Social security numbers, financial information is not required to be completed).

**2. Complaint for Custody**

The Complaint for Custody shall only be filed to initiate a **new** custody action. If there is an existing custody action involving the minor child(ren), a Petition for Modification of a Custody Order should be filed. Use only the initial and age of the minor child(ren), do not use the minor child(ren)'s full name(s) or date(s) of birth. **DO NOT FILL OUT THE ORDER OF COURT, EXCEPT THE CAPTION.**

If the minor child(ren)'s mother is not married and the minor child(ren) has/have no legal or presumptive father, a putative father initiating a custody action shall file a paternity claim pursuant to 23 Pa.C.S. § 5103 and attach a copy to the Complaint for Custody.

**3. Entry of Appearance as Self-Represented Party**

If the filing party does not have an attorney, the Entry of Appearance as Self-Represented Party must be fully completed, including both parties' addresses.

**4. Criminal Record/Abuse History Verification Form**

Pursuant to Pa.R.Civ.P. 1915.3-2, when filing a Complaint for Custody or a Petition for Modification of a Custody Order, the plaintiff or petitioner shall complete, sign and file a Criminal Record/Abuse History Verification Form for the party and any member of that party's household.

**5. Petition to Proceed *In Forma Pauperis***

Complete the Petition to Proceed *In Forma Pauperis* if you wish to have the Court determine whether or not to waive the applicable fees to file a Complaint for Custody. **DO NOT FILL OUT THE ORDER OF COURT, EXCEPT THE CAPTION.**

### **ADDITIONAL INSTRUCTIONS:**

#### **SERVICE:**

The filing party **must** serve a copy of the filed Complaint for Custody, the filing Criminal Record/Abuse History Verification Form, and a blank Criminal Record/Abuse History Verification Form (for the defendant to complete and file) upon the opposing party's in accordance with Pa.R.Civ.P. 1930.4 by (1) personal service; or (2) first class mail **and** certified mail, restricted delivery. A certificate of service must be filed with the Prothonotary's Office following proper service.

#### **OTHER**

This information is not legal advice. If you have any questions, you should contact a lawyer.

**EMPLOYEES AND STAFF OF THE COURTHOUSE ARE BY LAW NOT PERMITTED TO PROVIDE ANY LEGAL ADVICE AND WILL NOT BE ABLE TO ASSIST IN COMPLETING THESE FORMS**