

Petition for Modification of a Custody Order

The following numbers on these instructions correspond with the numbers in the boxes beginning on page 1 on the Petition Form.

- Box 1: Print the county in which you are filing your petition. See "*Where do I File?*" in the Introduction for more information about what county you should file in.
- Box 2: Print the plaintiff's name exactly as it appears on all other forms in this action.
- Box 3: Print the case number that has been assigned to your case. This can be found on your custody complaint or custody order.
- Box 4: Print the name of the defendant exactly as it appears on all other forms in this action.
- Box 5: Print your name (if you are the petitioner).
- Box 6: Print your current address.
- Box 7: Print your opposing party's name.
- Box 8: Print your opposing party's current address.
- Box 9: Print your name.
- Box 10: Print the date your custody order was entered.
- Box 11: Check what kind of legal custody was ordered.
- Box 12: Check what kind of physical custody was ordered.
- Box 13: Explain why your custody order should be changed. (If you need more space, write on a separate page. Do not write on the back of this form, or in the margins).
- Box 14: **Attach a completed Criminal Record/Abuse History Verification form (Custody Form 3).**
- Box 15: Print your name.
- Box 16: Print your phone number.
- Box 17: After reviewing your petition to make sure everything you stated is true and correct print the date you are completing your petition.
- Box 18: Sign your name.

Attach a copy of the order you are asking the court to modify.

IN THE COURT OF COMMON PLEAS OF 1 COUNTY, PENNSYLVANIA

2
Plaintiff

v. 4
Defendant

No. 3
: IN CUSTODY

Sample

PETITION FOR MODIFICATION OF A CUSTODY ORDER

1. Petitioner is 5 6 and resides at
(Street) (City) (State) (Zip Code) (County)

2. Respondent is 7 8 and resides at
(Street) (City) (State) (Zip Code) (County)

3. Petitioner 10 12 respectfully represents that on 11 an Order of Court was entered for shared legal custody sole legal custody and partial physical custody primary physical custody shared physical custody sole physical custody supervised physical custody. A true and correct copy of the Order is attached.

4. This Order should be modified because: 13
14

5. Petitioner has attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.C.P. No. 1915.3-2.

WHEREFORE, Petitioner requests that the Court modify the existing Order because it will be in the best interest of the child(ren).

15
(Attorney for Petitioner) (Petitioner)

16
(Phone Number)

VERIFICATION

I verify that the statements made in this petition 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.

17
Date

18
Petitioner

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, PENNSYLVANIA

Plaintiff

v.

Defendant

:
:
:
: No. _____
:
: IN CUSTODY

PETITION FOR MODIFICATION OF A CUSTODY ORDER

1. Petitioner is _____ and resides at

(Street) (City) (State) (Zip Code) (County)

2. Respondent is _____ and resides at

(Street) (City) (State) (Zip Code) (County)

3. Petitioner _____ respectfully represents that on _____ an Order of Court was entered for shared legal custody sole legal custody and partial physical custody primary physical custody shared physical custody sole physical custody supervised physical custody. A true and correct copy of the Order is attached.

4. This Order should be modified because:

5. Petitioner has attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.C.P. No. 1915.3-2.

WHEREFORE, Petitioner requests that the Court modify the existing Order because it will be in the best interest of the child(ren).

(Attorney for Petitioner) (Petitioner)

Phone Number

VERIFICATION

I verify that the statements made in this petition 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

Petitioner

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

Petitioner)
) DOCKET NO.
)
vs.)
)
Respondent)

ORDER

YOU, _____, have been sued in court to obtain or enforce an Order for child custody, partial custody or visitation.

YOU ARE ORDERED to appear in person at the Custody Mediation Room of the Northampton County Courthouse, 669 Washington Street, Easton, PA 18042 on _____ (date), at _____ am / pm in Courtroom # _____.

If you fail to appear as provided by this Order, an order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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 SERVICE
155 SOUTH NINTH STREET
EASTON, PA 18042
(610)258-6333**

BY THE COURT:

Judge

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

Plaintiff)
)
 vs.)
)
Defendant)

CUSTODY

DOCKET NO. _____

To the Prothonotary/Clerk of Said Court:

Place the above case on the _____ Custody Master Conference List for:

_____ Non-Jury List for:

*Master's conference must have been conducted prior to Non-Jury Trial

_____ Miscellaneous Hearing List for:

*Master's conference must have been conducted prior to Misc. Hearing

Subject Matter: Custody

Signature of Attorney/Party filing Praeceptum: _____

Print Name: _____

Address: _____

Telephone No.: _____

Name of opposing counsel or Address of Opposing Party: _____

Has any Master previously heard this case? If so, who: _____

MUST BE LEGIBLY PRINTED OR TYPED!
PLEASE BE ADVISED THAT UNLESS AN ENTRY OF APPEARANCE IS ENTERED,
COUNSEL WILL NOT RECEIVE NOTICE OF ANY PROCEEDING.

WHEN AND HOW TO FILE CRIMINAL RECORD AND ABUSE HISTORY VERIFICATION

When did this form go into effect?	September 2013
Who must file this form?	Anyone who files a "Complaint for Custody" or a "Petition for Modification of Custody Order"
Whose criminal record and abuse history must be reported?	If you are the person filing the custody pleading, you must complete the form for yourself, and ALSO for anyone else who lives in your household
Where and when do I file this form?	You need to file a COMPLETED form at the same time and place where you file your custody complaint or petition.
Will I need copies?	Yes. You will need copies of both your COMPLETED form and the BLANK form. Be sure to make copies before filing.
Do I have to give a copy to the opposing party?	You must give copies of BOTH your COMPLETED form AND the BLANK form to the opposing party. The BLANK form must be stapled to your complaint or petition when you serve (give a copy to) the opposing party. You should serve a copy of your COMPLETED form on the opposing party as a separate document.
Do I need a copy for myself?	Yes. It's always a good idea to keep a copy of all the legal documents you file.
What should the opposing party do with the BLANK form?	He or she must complete the form about themselves and anyone who lives in their household. They must file their completed form where custody pleadings are filed, and must file it before the first custody hearing or conference (or within 30 days after being served, whichever is earlier.)
What does the Court do with the completed forms?	The Court will use the information to decide whether anyone poses a threat to the children or whether anyone needs a mental health evaluation or counseling.

eff. 2013-09-03

Sometimes the law and procedures change.
North Penn Legal Services cannot promise that this information is always up-to-date and correct.
We provide this information as a public service. It is not legal advice.
Always consult a lawyer, if you can, before taking legal action.



IN THE COURT OF COMMON PLEAS OF _____ COUNTY, PENNSYLVANIA
 FAMILY COURT - CIVIL DIVISION

 Plaintiff
 vs.

 Defendant

No. _____
 :
 :
 :
 :
 :
 IN CUSTODY

Criminal Record and Abuse History Verification

I, _____ (print name), Plaintiff / Defendant (circle one), hereby swear or affirm, subject to penalties of law including 18 Pa.C.S.A. §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 member of my household have been convicted, pled guilty or 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:

<i>Check all that apply</i>	<i>Crime (or related crime)</i>	<i>Self</i>	<i>Other household member</i>	<i>Date of conviction, guilty plea, no contest plea, or pending charges</i>	<i>Sentence</i>
<input type="checkbox"/>	Criminal homicide (murder or manslaughter) (18 Pa.C.S. Ch. 25)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Aggravated assault (18 Pa.C.S. §2702)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Terroristic threats (18 Pa.C.S. §2706)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Stalking (18 Pa.C.S. §2709.1)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Kidnapping (18 Pa.C.S. §2901)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Unlawful restraint (18 Pa.C.S. §2902)	<input type="checkbox"/>	<input type="checkbox"/>		

Check all that apply	Crime (or related crime)	Self	Other household member	Date of conviction, guilty plea, no contest plea, or pending charges	Sentence
<input type="checkbox"/>	False imprisonment (18 Pa.C.S. §2903)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Luring a child into a motor vehicle or structure (18 Pa.C.S. §2910)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Rape (18 Pa.C.S. §3121)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Statutory sexual assault (involving a minor) (18 Pa.C.S. §3122.1)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Involuntary deviate sexual assault (18 Pa.C.S. §3123)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Sexual assault (18 Pa.C.S. §3124.1)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Aggravated indecent assault (18 Pa.C.S. §3125)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Indecent assault (18 Pa.C.S. §3126)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Indecent exposure (18 Pa.C.S. §3127)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Sexual intercourse with an animal (18 Pa.C.S. §3129)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Conduct relating to sex offenders (18 Pa.C.S. §3130)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Arson and related offenses (18 Pa.C.S. §3301)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Incest (18 Pa.C.S. §4302)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Concealing death of a child (18 Pa.C.S. §4303)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Endangering the welfare of children (18 Pa.C.S. §4304)	<input type="checkbox"/>	<input type="checkbox"/>		

<i>Check all that apply</i>	<i>Crime (or related crime)</i>	<i>Self</i>	<i>Other household member</i>	<i>Date of conviction, guilty plea, no contest plea, or pending charges</i>	<i>Sentence</i>
<input type="checkbox"/>	Trading, bartering, buying, selling or dealing in infant children (18 Pa.C.S. §4305)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Prostitution and related offenses (18 Pa.C.S. §5902(b))	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Obscene and other sexual materials and performances (18 Pa.C.S. §5903(c) or (d))	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Corruption of a minor (18 Pa.C.S. §6301)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Sexual abuse of a child (18 Pa.C.S. §6312)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Unlawful contact with a minor (18 Pa.C.S. §6318)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Sexual exploitation of a child (18 Pa.C.S. §6320)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Contempt for violation of a Protection from Abuse Order or Agreement (23 Pa.C.S. §6114)	<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:

<i>Check all that apply</i>	<i>Crime</i>	<i>Self</i>	<i>Other household member</i>	<i>Date</i>
<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"/>	

<i>Check all that apply</i>	<i>Crime</i>	<i>Self</i>	<i>Other household member</i>	<i>Date</i>
<input type="checkbox"/>	Abusive conduct as defined under the Protection from Abuse Act (PFA) 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: _____

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: _____

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: _____

I verify that that 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.

Date: _____

(Signature)

(Print name)

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

Plaintiff)
)
) DOCKET NO.
)
)
Defendant)

NOTICE TO RESPOND

You have been sued in court to obtain or enforce an order for child custody, partial custody or visitation. The pretrial statement of the opposing party is attached to this notice, together with a blank pretrial statement for your use.

You must take prompt action by providing the information on the enclosed, blank pretrial statement, and filing the statement with the Clerk of Court, Civil, at Northampton County Courthouse prior to the custody conference. You will receive a separate notice from the Child Custody Officer providing an exact date and time for the conference. You must also provide a copy of your pretrial statement to the Child Custody Conference Officer.

You are warned that if you fail to file the enclosed pretrial statement and provide a copy to the Conference Officer at the time of the conference, the case may proceed without you and an order of court concerning custody, partial custody and visitation of the children may be entered without further notice to you. You may lose custody or visitation of your children.

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

Plaintiff

vs.

Defendant

)
)
)
)
)
)

DOCKET NO.

PRETRIAL STATEMENT OF PLAINTIFF

My name is _____ (Plaintiff), age _____ (born _____),

and I am the plaintiff in the above-captioned case. My address is

_____, which is located in

_____ School District. I am employed by _____

as a _____ since _____.

My relationship to the child is _____.

My phone number is _____.

The name of my attorney is _____.

Plaintiff and Defendant married on or about _____

Plaintiff and Defendant separated on or about _____

Plaintiff and Defendant divorced on or about _____

The child(ren) involved in this matter is/are:

Who has the child(ren) resided with during his/her lifetime?

What is the current visitation arrangement, if any?

Are there any special circumstances/needs regarding the parties, the child, or the situation?

Describe each child's physical and mental health and school performance.

As concisely as possible, state what you are asking the Court to do and why?

Can you propose a settlement agreement between you and your opposing party?

Other Comments: _____

Date: _____ Signed _____

(Plaintiff)