INSTRUCTIONS FOR PETITION TO MODIFY A CUSTODY ORDER

These instructions will help you file and set up a hearing with a Custody Conference Officer for modification of a current custody order.

Before you begin, read completely these instructions.

COSTS

There are court costs which you may be required to pay.

The <u>first cost</u> is the <u>fee for filing</u> the custody modification with the Court, which is Twenty Dollars (\$20.00).

There is also a fee for sending a copy of the petition, certified mail, to the other parent. You are responsible for these costs.

There is a fee for making copies of the petition. You may be responsible for these copies.

There are also <u>costs</u> for the <u>Conference Officer's Conference</u>. These can run One Hundred Dollars (\$100.00) or more. <u>You may be required to pay some or all of the Conference Officer's fees</u>. These costs are usually divided between the parties.

You should consider these fees before you go further.

The Petition to Modify must be in compliance with the Public Access Policy of the Unified Judicial System of Pennsylvania. THIS MEANS THE PETITION CANNOT CONTAIN THE FULL NAMES OF MINORS OR THEIR DATES OF BIRTH, THE REQUIRED CONFIDENTIAL INFORMATION FORM WITH INSTRUCTIONS IS INCLUDED IN THIS PACKET. THE INSTRUCTIONS MUST BE FOLLOWED AND THE INCLUDED CERTIFICATION SIGNED BY THE FILING PARTY ACKNOWLEDGING THEIR COMPLIANCE.

THE CONFIDENTIAL INFORMATION FORM MUST BE FILED TOGETHER WITH THE PETITION TO MODIFY, AND A COPY PROVIDED TO THE OPPOSING PARTY.

COMPLETE THE FORMS

Order. Fill in only the top of the Order form. DO NOT date it.

<u>Petition.</u> Fill it out completely. Do not leave any blank spaces. Here are some suggestions:

At the top left, you are the "petitioner". The other parent is the "respondent".

At the top right, fill in the county in which you are filing. Write the same Civil Number as the latest Court Order.

Fill in the current address for both parents. You will need a current address before there can be any hearing.

To complete #3, write in the <u>date</u> of the <u>most recent Court Order</u> on custody. You must attach a copy of the most recent custody order.

To complete #4, explain briefly how you want the Order modified.

Sign your name at the bottom. You are proceeding "pro se". This means you are acting on your own and have no attorney.

Criminal Record/Abuse History Verification ("Verification").

The verification shows the Court any criminal or abuse record of the parties involved in the case and anyone living with them. The attached form must be completed and filed for any adult person living in the household. A blank form must be attached and served with the Petition for completion by the opposing party.

FILING AND SERVICE

Once the papers are completely and properly filled out, they must be filed and served. **READ THE FOLLOWING INSTRUCTIONS COMPLETELY.**

Preparing to file.

You will need the <u>original and three (3) copies</u> of all the following: Order of Court Appointing Conference Officer; Petition to Modify <u>with</u> a copy of the most recent custody order attached; and the completed Confidential Information Form.

You will need the <u>original and three (3) copies</u> of your completed Criminal Record/Abuse History Verification. You will also need <u>one blank copy</u> of the Criminal Record/Abuse History Verification.

Filing.

The Office of the Prothonotary is on the first floor of the Courthouse in both Columbia and Montour Counties.

To file, you need to hand the original and all of the copies to the Clerk.

If you do not have the proper number of copies, the Clerk can make those copies for a fee.

Filing fee.

There is a \$20.00 fee for filing the Petition to Modify. You must pay the filing fee at the time you file.

Return of Petition

After the filing fees are paid, the Clerk will return:

One copy of the Order of Court Appointing Conference Officer and Petition to Modify along with the Confidential Information Form and the completed Criminal Record/Abuse History Verification to you for your records and

One "certified" copy of the Order of Court Appointing Conference Officer and Petition to Modify; the Confidential Information Form; the completed Criminal Record/Abuse History Verification; and the blank copy of the Criminal Record/Abuse History Verification for you to serve on the other party. (The "certified" copy is proof that it is an accurate copy of the papers filed in the Courthouse.)

One copy of the paperwork will be forwarded to the Conference Officer by the Clerk to be scheduled for a hearing.

Service of the Petition.

You must give the other party (parent) legal notice that you have filed for modification. This type of notice is known as "service". Service of the custody papers is your responsibility.

To do service, you must send the certified copy of the custody papers by:

<u>Certified Mail</u>: the addressee <u>must</u> be the Defendant, return receipt requested, restricted delivery, to be signed by the ADDRESSEE ONLY. The Post Office can help you send Certified Mail.

<u>Personal Service</u>: by an individual eighteen years of age or older who is neither a party to the action nor an employee or a relative of a party who will fill in and sign the Affidavit of Service.

Acceptance of Service: by handing a copy to the Defendant and having the Defendant fill in and sign the Acceptance of Service form.

Service must be made within thirty (30) days from the date the custody papers are filed in the Prothonotary's office.

Proof of Service.

After service is made, complete the Certificate of Service explaining how service was made on the other party and file with the Prothonotary:

Certificate of Service with mailing receipt attached (for certified mail) OR

Affidavit of Service (for personal service by another adult individual) OR

Acceptance of Service (hand delivered with defendant's signature)

Once you receive the green card back from the certified mail, put your case number on the card and bring it to the Prothonotary's Office to be attached to the Certificate of Service previously filed.

A hearing may not be scheduled until the Proof of Service is filed.



Instructions for Completing the Confidential Information Form

The following information is confidential and shall not be included in any document filed with a court or custodian, except on a Confidential Information Form filed contemporaneously with the document:

- 1. Social Security Numbers
- 2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified. "Financial Account Numbers" include financial institution account numbers, debit and credit card numbers, and methods of authentication used to secure accounts such as personal identification numbers, user names and passwords.
- 3. Driver License Numbers
- 4. State Identification (SID) Numbers
- 5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355). "Minor" is a person under the age of eighteen.
- 6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for victim's name. "Abuse Victim" is a person for whom a protection order has been granted by a court pursuant to Pa.R.C.P. No. 1901 et seq. and 23 Pa.C.S. § 6101 et seq. or Pa.R.C.P. No. 1951 et seq. and 42 Pa.C.S. § 62A01 et seq. If necessary, this information must be provided on the separate Abuse Victim Addendum. Please note there are separate instructions for the completion of the Addendum located on the form.

Please note this form does not need to be filed in types of cases that are sealed or exempted from public access pursuant to applicable authority (e.g. juvenile, adoption, etc.).

- The best way to protect confidential information is not to provide it to the court.

 Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.
- Do not include confidential information in any other document filed with the court under this docket.
- If you need to refer to a piece of confidential information in a document, use the alternate references. If you need to attach additional pages, sequentially number each alternate reference i.e. SSN 3, SSN 4, etc.
- This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

A court or custodian is not required to review or redact any filed document for compliance with the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

If a filed document fails to comply with the requirements of the above referenced policy, a court of record may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended or any combination thereof; a magisterial district court may, upon request or its own initiative, redact, amend or both. A court of record may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

THIS FORM ISCONFIDENTIAL



Case Records Public Access Policy of the Unified Judicial System of Pennsylvania
204 Pa. Code § 213.81
www.pacourts.us/public-records

(Party name as displayed in case caption)	Docket/Case No.	-
Vs.		
(Party name as displayed in case caption)	Court	
his form is associated with the pleading titled	, dated	•

Pursuant to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania, the Confidential Information Formshall accompanya filing where confidential information is required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter. This form, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

This Information Pertains to:	Confidential Information:	References in Filing:
(full name of adult)	Social Security Number (SSN):	Alternative Reference: SSN 1
OR This information pertains to a	Financial Account Number (FAN):	Alternative Reference: FAN 1
minor with the initials of and the full name of	Driver License Number (DLN):	Alternative Reference: DLN 1
(full name of minor)	State of Issuance:	
and date of birth:	State Identification Number (SID):	Alternative Reference: SID 1
	Social Security Number (SSN):	Alternative Reference: SSN 2
(full name of adult) OR This information pertains to a	Financial Account Number (FAN):	Alternative Reference: FAN 2
minor with the initials of and the full name of	Driver License Number (DLN):	Alternative Reference: DLN 2
(full name of minor)	State of Issuance:	: 1
and date of birth:	State Identification Number (SID):	Alternative Reference: SID 2



Additional page (if necessary)

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Additional page(s) attached.	total pages are attached to this filing.
I certify that this filing complies with the provisions of the Judicial System of Pennsylvania that require filing confidence.	
confidential information and documents.	
Signature of Attorney or Unrepresented Party	Date
Name:	Attorney Number: (ifapplicable)
Address:	Telephone:
	Email:

NOTE: Parties and attorney of record in a case will have access to this Confidential Information Form. Confidentiality of this information must be maintained.

DI ADMINIST	* IN THE COURT OF COMMON PLEAS
PLAINTIFF	* 26 TH JUDICIAL DISTRICT OF * PENNSYLVANIA,
	* COLUMBIA COUNTY BRANCH
	*
VS.	*
	*
	* CIVIL ACTION – CUSTODY
DEFENDANT	* NO. OF 20
ORDER OF COUR	T APPOINTING CONFERENCE OFFICER
AND NOW to wit this	day of, 20, the within
matter is hereby referred to Marks 1	McLaughlin, Dennehy and Piontek / Alicia Marinos, Esquire
as Conference Officer, for further pr	
25 Comercine Officer, for further pr	ooodings.
If you fail to annear as provided by or	rder or scheduling notice, an order for custody may be entered
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You must file with the court a verific	ation regarding any criminal record or abuse history regarding
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		*	IN THE COURT OF COMMON PLEAS
	PLAINTIFF	*	26TH JUDICIAL DISTRICT
	,	*	COUNTY BRANCH, PA
	VS.	*	
		*	
	·	*	CIVIL ACTION - CUSTODY
	DEFENDANT	*	NOOF 20
	•		•
	PETITION FOR MOD	DIFICATIO	ON OF A CUSTODY ORDER
TO T	HE HONORABLE, THE JUDGE	S OF SAII	O COURT:
	COMES NOW,		, and respectfully
repres	sents that:		
1)	The Petitioner is		, who resides
	at		·
2)	The Respondent is		who resides
	at		·
3)	On	, an (Order of Custody was entered by this
	Court, a true and correct copy of	f which is a	attached hereto, marked Exhibit "A" and made
	a part hereof.		
4)	Petitioner has attached the Crim	inal Record	d/Abuse History Verification form required
	pursuant to Pa.R.C.P. No. 1915.	3-2.	
5)	The best interests and welfare of	f the child(ren) will be promoted by a modification of the
	present Order as follows:		

•

.

prays that this Court refer the matter to a Conference existing custody Order.
(Petitioner Signature) Pro
(Da
(Print Nam
(Addres
(City, State, Zi
(Telephor
VERIFICATION
n this petition are true and correct. I understand that
bject to the penalties of 18 Pa. C.S. §4904, relating to
falsification to authorities.

REPORT OF CHILD ABUSE AND		, : IN THE COURT OF COMMON PLEAS : COLUMBIA COUNTY, PENNSYLVANIA : : NO; : NO;, : CIVIL ACTION – LAW : CUSTODY RD / ABUSE HISTORY VERIFICATION D PROTECTIVE SERVICES REQUESTED BY COURT eers in your/the participant's household and attach		
· · ·		I		
Name	Date of Birth	Address	Relationship to Child(ren)	
		·		
Protection from Abuse Address Confidentialit protection under the sa	Act, 23 Pa.C.S y Act, 23 Pa.C.S ame	e remain confidential as they are 5. § 6612, or the Domestic and S S. § 5336(b), or they are in the p ing party's household and attac	exual Violence Victim rocess of seeking	
Name	Date of Birth	Address	Relationship to Child(ren)	
	-			

Addres	Party requests their residenc tion from Abuse Act, 23 Pa.C.3 as Confidentiality Act, 23 Pa.C tion under the same	S. § 6612	, or the Domes	tic and Sexual Violence	Victim
SUBJE	CT CHILD(REN) – Attach addi	tional sh	eets if necessa	ry:	
Name			Date of	Birth	
			,		
				V.	
jurisdic applica has ple has be has ch has be record You should resolved by Achas been expu	ral Offenses. As to the following ction's substantially equivalent able crime or offense in which eaded guilty or no contest; en convicted; arges pending; or en adjudicated delinquent und is publicly available as set for all celerated Rehabilitative Disponged pursuant to 18 Pa.C.S. § lean State, pursuant to 18 Pa.C.S.	t crimes you or a der the Ju th in 42 P isted crin sition (Al 9122, or	or offenses, ch household med venile Act, 42 l a.C.S. § 6307. ninal offense e RD) or another a court has end	neck the box next to any mber: Pa.C.S. §§ 6301 - 6375, a ven if the offense has be diversionary program, u tered an order for limited	and the een inless it
Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contest plea or pending charges	Sentence
	18 Pa.C.S. Ch. 25 (relating to criminal homicide)				

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contest plea or	Sentence
	18 Pa.C.S. §2701 (relating to simple assault)			pending charges 	
	18 Pa.C.S. \$2702 (relating to aggravated assault)				
	18 Pa.C.S. §2705 (relating to recklessly endangering another person)			<u></u>	
	18 Pa.C.S. §2706 (relating to terroristic threats)				
	18 Pa.C.S. §2709.1 (relating to stalking)				
	18 Pa.C.S. §2718 (relating to strangulation)				· · ·
	18 Pa.C.S. §2901 (relating to kidnapping)				
	18 Pa.C.S. §2902 (relating to unlawful restraint)				
	18 Pa.C.S. §2903 (relating to false imprisonment)				
	18 Pa.C.S. §2904 (relating to interference with custody of children)				

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contest plea or pending charges	Sentence
	18 Pa.C.S. §2910 (relating to luring a child into a motor vehicle or structure)				
	18 Pa.C.S. Ch. 30 (relating to human trafficking)				
	18 Pa.C.S. §3121 (relating to rape)				
	18 Pa.C.S. §3122.1 (relating to statutory sexual assault)				
	18 Pa.C.S. §3123 (relating to involuntary deviate sexual intercourse)			·	
	18 Pa.C.S. §3124.1 (relating to sexual assault)				
	18 Pa.C.S. §3125 (relating to aggravated indecent assault)				
	18 Pa.C.S. §3126 (relating to indecent assault)			 	
	18 Pa.C.S. §3127 (relating to indecent exposure)			· 	·
	18 Pa.C.S. §3129 (relating to sexual intercourse with animal)				· · · · · · · · · · · · · · · · · · ·

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contest plea or pending charges	Sentence
	18 Pa.C.S. §3130 (relating to conduct relating to sex offenders)		. 🗆		•
	18 Pa.C.S. §3301 (relating to arson and related offenses)				•
	18 Pa.C.S. \$4302 (relating to incest)		. 🗆	<u></u>	
	18 Pa.C.S. §4303 (relating to concealing death of child)				
	18 Pa.C.S. §4304 (relating to endangering welfare of children)			· .	
	18 Pa.C.S. \$4305 (relating to dealing in infant children)				
	18 Pa.C.S. §5533 (relating to cruelty to animal)				
	18 Pa.C.S. §5534 (relating to aggravated cruelty to animal)				
	18 Pa.C.S. §5543 (relating to animal fighting)			·	 ,
	18 Pa.C.S. \$5544 (relating to possession of animal fighting paraphernalia)			·	

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contest plea or pending charges	Sentence
	18 Pa.C.S. §5902(b) or (b)(1) (relating to prostitution and related offenses)			———	
	18 Pa.C.S. \$5903(c) or (d) (relating to obscene and other sexual materials and performances)				
	18 Pa.C.S. §6301 (relating to corruption of minors)			· ·	<u> </u>
	18 Pa.C.S. §6312 (relating to sexual abuse of children)				
	18 Pa.C.S. §6318 (relating to unlawful contact with minor)			· ————	
	18 Pa.C.S. §6320 (relating to sexual exploitation of children)				
	Finding of contempt of a protection from abuse order or agreement under 23 Pa.C.S. § 6114				
	Finding of contempt of a protection of victims of sexual violence and intimidation order or agreement under 42 Pa.C.S. § 62A14				

Check all that apply	Crime	Self	Other I household member	conte	y plea, est ple	no a or	Sente	ence
	Driving under the influence of drugs or alcohol		. 🗖	pendi	ng cna 	rges –		
	Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device			_	÷	<u>-</u>		
	or Agency Involvement. Check old member, or your child.	k the bo	x next to any state	ement	that ap	plies to	you, a	
Check all that					Self	House		Child
apply	Involvement with a childr agency in Pennsylvania or jurisdiction.		_			meml	ber	
	What jurisdiction?: A determination or finding founded report) by a child agency or court in Pennsy court in another jurisdiction	ren an Ivania	d youth social se	ervice				
	What jurisdiction?: An adjudication of depende or any other child under Per Act, or a similar law in anoth	nnsylva	nia's Juvenile					
	What jurisdiction?: Is the case active?: A history of perpetrating "at defined in the Protection fro	ouse" a:	s that term is					
	Pa.C.S. § 6102. A history of perpetrating "se "intimidation" as those term Pa.C.S. § 62A03 (relating to	ns are d	efined in 42					
П	of sexual violence and intim	-			\Box			П

	ments differently than non-confidential i	nformation and documents.
		ne provisions of the Case Records Public Access ylvania that require filing confidential information and
		Printed Name
_	 	Plaintiff/Defendant Signature
ify that ments	the information above is true and correct to the herein are made subject to the penalties of 18 F	best of my knowledge, information, or belief. I understand that fal Pa.C.S. § 4904 relating to unsworn falsification to authorities.
	BEHAI	SENTED BY AN ATTORNEY, THE ATTORNEY CANNOT SIGN THIS FOI LF OF THE PARTY.
•	record or abuse history, please explain:	
6	If you are aware that the other party or t	the other party's household member has a criminal
		and relationship to the child.
5.		plies to your household member, who is not a party,

IN THE COURT OF COMMON PLEAS 26TH JUDICIAL DISTRICT COLUMBIA COUNTY, PENNSYLVANIA CIVIL ACTION – LAW

Plaintiff v.	: : NO.:
Defendant	: :
<u>CERTIFICATE OF SE</u>	RVICE - U.S. FIRST CLASS MAIL
Ι,	_, plaintiff/defendant herein, do verify and say that
on theday of	20, I did deliver for mailing at
the U.S. Post Office, a true and correct	et copy of the (check one):
Complaint for Custody	7
Petition to Modify Cus	tody
Petition for Contempt	
to be served upon	, plaintiff/defendant herein, at
the following address:	
by Certified Mail, Restricted Delivery,	, postage prepaid, for which a Certificate of
Mailing is attached hereto and made a	part hereof.
The above referenced document(s) we	re received by the defendant on:
	this document are true and correct. I understand ubject to the penalties of 18 Pa. C. S. §4904 horities.
	Signature
Dates	Printed Name

IN THE COURT OF COMMON PLEAS 26TH JUDICIAL DISTRICT COLUMBIA COUNTY, PENNSYLVANIA CIVIL ACTION – LAW

Plaintiff v.	: NO.:
Defendant	; ;
AFFIDAVIT OF S	ERVICE - PERSONAL SERVICE
I,	(name of person making service), do verify
and say that I served the defendant,_	· · · · · · · · · · · · · · · · · · ·
with a true and correct copy of the (check one):
Complaint for Custo	dy
Petition to Modify C	ustody
Petition for Contemp	ot
WHERE:	
HOW:	
WHEN:	
	this document are true and correct. I understand that eject to the penalties of 18 Pa. C. S. §4904 relating to
	Signature of Person Making Service
Date:	Printed Name of Person Making Service

IN THE COURT OF COMMON PLEAS 26TH JUDICIAL DISTRICT COLUMBIA COUNTY, PENNSYLVANIA CIVIL ACTION – LAW

v.	Plaintiff Defendant	: : NO.:
	ACCEPTAN	ICE OF SERVICE
I,	, pla	intiff/defendant herein,
on the	day of	, 20, hereby accept service of
the (check	one):	
 	Complaint for Custody Petition to Modify Custody Petition for Contempt	, y
		Signature
Date:		Printed Name