INSTRUCTIONS FOR FILING A CUSTODY COMPLAINT FOR GRANDPARENTS AND THIRD PARTIES

Warren and Forest Counties Commonwealth of Pennsylvania

You may use this form to file for custody if:

- You are NOT a parent of the child(ren), and
- An existing custody case does NOT already exist, and
- The child(ren) have been living in Warren or Forest County for at least the last six months.

To file a Custody Complaint as a grandparent or third party,

- A. Complete the attached **Complaint for Custody** form by following the included instructions.
- B. Complete a **Confidential Document Form** coversheet and a **Criminal Record/Abuse History Verification** form.
- C. Complete a **Confidential Information Form** by listing each child's name, date of birth and initials.
- D. File the completed forms in person or by mail, along with the appropriate filing fee (see below) for scheduling of a date, time and courtroom for a conference. Your complaint will be filed and a copy of the forms will be returned to you with further instructions regarding service.

Warren County Residents	Forest County Residents
Filing Fee: \$125.75	Filing Fee: \$115.25
Submit completed forms and fee to:	Submit completed forms and fee to:
Family Hearing Office	Prothonotary's Office
Warren County Courthouse	Forest County Courthouse
204 Fourth Avenue	526 Elm Street, #2
Warren, PA 16365	Tionesta, PA 16353

All filing fees must be paid by cash or money order (no personal checks). Do not send cash in the mail. Money Orders should be made payable to "The Prothonotary."

If you have any procedural questions you may call the Family Hearing Office at (814) 728-3488. For legal questions or advice call your attorney or Northwestern Legal Services at (800) 665-6957

More information and forms are available at the county courthouse or online at warrenforestcourt.org/departments/family-hearing-office/.



Definitions of Custody Terms

in Pa. R.C.P. 1915.1

child: An unemancipated individual under 18 years of age.

person acting as a parent: A person other than a parent, including an institution, who has physical custody of a child and who has either been awarded custody by a court or claims a right to custody. *See also* the definition of *in loco parentis*.

in loco parentis: A person who puts himself or herself in the situation of a lawful parent by assuming the obligations incident to the parental relationship without going through the formality of a legal adoption. The status of *in loco parentis* embodies two ideas: (1) the assumption of a parental status; and (2) the discharge of parental duties.

custody: The legal right to keep, control, guard, care for, and preserve a child and includes the terms "legal custody," "physical custody," and "shared custody."

legal custody: The right to make major decisions on behalf of the child, including, but not limited to, medical, religious and educational decisions.

shared legal custody: The right of more than one individual to legal custody of the child.

sole legal custody: The right of one individual to exclusive legal custody of the child.

physical custody: The actual physical possession and control of a child.

partial physical custody: The right to assume physical custody of the child for less than a majority of the time.

primary physical custody: The right to assume physical custody of the child for the majority of time.

shared physical custody: The right of more than one individual to assume physical custody of the child, each having significant periods of physical custodial time with the child.

sole physical custody: The right of one individual to exclusive physical custody of the child.

supervised physical custody: Custodial time during which an agency or an adult designated by the court or agreed upon by the parties monitors the interaction between the child and the individual with those rights.

home county: The county in which the child lived with either or both parents, a person acting as a parent, or in an institution for at least six consecutive months immediately preceding the filing of the action, and in the case of a child less than six months old, the county in which the child lived from birth with any of the persons mentioned. A period of temporary absence of the child from the physical custody of the parent, institution, or person acting as parent shall not affect the six-month or other period;

relocation: A change in a residence of the child which significantly impairs the ability of a nonrelocating party to exercise custodial rights.

Instructions for Completing a Complaint for Custody Form for Grandparents and Third Parties

The sections in these instructions correspond with the sections or line numbers on the Form.

Caption Section

Print the county in which you are filing your petition.

Print your name as the Plaintiff.

Leave the case number blank. The Prothonotary will assign a number to your case and will write your case number on your Complaint

Print the name of an opposing party as a Defendant (that is, the father or mother of child(ren) against whom you are filing).

Print the name of an opposing party as a Defendant (that is, the father or mother of child(ren) against whom you are filing).

Line 1

Print your name, place of residence, and telephone number in full.

Line 2

Print a Defendant's name, place of residence, and telephone number in full.

Line 3

Print a Defendant's name, place of residence, and telephone number in full.

Line 4

Check what kind of legal custody and/or physical custody you are seeking.

List the child(ren) involved, and their present residence. <u>Do not include a child's name or date of</u> birth. Instead, use the initials identified in the Confidential Information Form.

Indicate whether the parents were married when the child(ren) were born by checking the appropriate choice.

List the name and address of the adult person(s) that the child(ren) currently resides with.

List the name, address and dates of the persons that the child(ren) has resided with for the past five (5) years.

List the names, addresses and current marital status of each of the child(ren)'s parents.

Line 5

Indicate your relationship with the child(ren) (mother or father) and list everyone who currently resides with you at your address.

Line 6

Indicate the Defendant's relationship with the child(ren) (mother or father) and list everyone who currently resides with the Defendant to the best of your knowledge.

Line 7

Indicate whether you have been involved in any of the types of cases listed concerning the child(ren). If so, list type of case and Court, term and number.

Indicate whether you are aware of any custody proceedings concerning the child(ren) in any other Court. If so, list Court, term and number.

Indicate whether you are aware of anyone, other than you and the Defendants, who may claim to have custody rights of the child(ren) involved.

Line 8

<u>Concisely</u> state your reasons for making the request. (If you need more space, write on a separate page. Do not write on the back of this form, or in the margins).

Line 9

List the name, address and basis of claim of anyone, other you and the Defendants who may claim to have custody rights of the child(ren) involved.

Line 10(a)

If you are seeking *in loco parentis* status, check this box and provide the basis for your claim.

Line 10(b)

If you are a grandparent and seeking physical and/or legal custody, check this box and provide the basis for your claim.

Line 10(c)

If you are not a grandparent and seeking physical and/or legal custody, check this box and provide the basis for your claim.

Line 10(d)

If you are a grandparent or great-grandparent and seeking partial physical custody or supervised physical custody, check this box and provide the basis for your claim.

Signature Section

Check what kind of legal custody and/or physical custody you are seeking.

Sign your name and print your name, mailing address and telephone number.

Verification Section

Print the date you completed this form. After reviewing your Complaint, making sure everything you stated is true and correct, sign your name to the verification.

	OF THE 37 ^{TI}	^H JUDICIAL	DISTRICT O	F PENNS	YLVANI	Ą
	_		COUNTY B CIVIL	RANCH		
Plaintiff			_, No	of		
v.			In Custo			
Defendant			_7			
and Defendant			/			
Derendant	(COMPLAIN	NT FOR CUS	TODY		
1. The	Plaintiff is		(Plaintiff's nai	me)		, residing at
(Street)	(City)	(State)	(Zip Code)	(County	/) — / —	(Telephone)
2. A D	efendant is					, residing at
		(Fir	st Defendant's	name)		
(Street)	(City)	(State)	(Zip Code)	(County	/)	(Telephone)
3. A D	efendant is	(Seco	ond Defendant's	s name)		, residing at
(Street)	(City)	(State)	(Zip Code)	(County	/)/	(Telephone)
custody 🗆 part	tiff seeks (checl tial physical cust l custody □ sup	tody 🗆 prin	nary physical	l custody	□ shar	ed physical custody
Initials		Present Res	sidence		Ag	e
The chi	ld(ren) (□wa	s/were 🗌	was not/wer	e not)	born c	ut of wedlock.
The chi	ld(ren) is/are pr	esently in	the custody o	of		name)
who resides at					,	,
	(Street)		(City)	(St	ate)	(Zip Code)

IN THE COURT OF COMMON PLEAS

During the past five years, the child(ren) has/have resided with the following persons and at the following addresses:

(Names)	(Addresses)	(Dates)
A parent of t	the child is(parent's name)	, currently residing at
(Street)	(City) (State) (Zip Code) (County)	(Telephone)
	is (, currently residing at
	(City) (State) (Zip Code) (County) is (☐married ☐divorced ☐single). s relationship to the child(ren) is that of (moth	(Telephone) (Telephone) er, maternal grandfather, etc.)
Plaintiff currently re Nam	sides with the following persons: e Rela	ationship
	resides with the following persons:	her, maternal grandfather, etc.)

7. Plaintiff (has has not) participated as a party or witness, or in another capacity, in other litigation concerning the custody of the child(ren) in this or another court, including but not limited to: **child support, protection from abuse, guardianship, dependency, delinquency, criminal, or mental health**. The court, term and number, and its relationship to this action is:

Plaintiff (\Box has \Box has no) information of a custody proceeding concerning the child pending in a court of this Commonwealth or any other state. The court, term and number, and its relationship to this action is:

Plaintiff (knows does not know) of a person not a party to the proceedings who has physical custody of the child or claims to have custodial rights with respect to the child. The name and address of such person is:

8. The child(ren)'s best interest and permanent welfare will be served by granting the relief requested because (set forth facts showing that the granting of the relief requested will be in the child(ren)'s best interest and permanent welfare):

9. Each parent whose parental rights to the child have not been terminated and the person who has physical custody of the child have been named as parties to this action. All other persons, named below, who are known to have or claim a right to custody of the child will be given notice of the pendency of this action and the right to intervene:

Name	Address	Basis of Claim		

10. Standing

 \Box (a) Plaintiff is a person seeking physical or legal custody and is *in loco parentis* to the child(ren). Plaintiff has standing pursuant to 23 Pa.C.S. § 5324(2) because:

 \Box (b) Plaintiff is a grandparent seeking physical or legal custody and is not in loco *parentis* to the child(ren). Plaintiff has standing pursuant to 23 Pa.C.S. § 5324(3) because:

 \Box (c) Plaintiff is a person seeking physical or legal custody and is not in loco parentis to the child(ren). Plaintiff has standing pursuant to 23 Pa.C.S. § 5324(4) and (5) because:

☐ (d) Plaintiff is a grandparent or great-grandparent seeking partial physical custody or supervised physical custody of grandchild(ren) or great-child(ren). Plaintiff has standing pursuant to 23 Pa.C.S. § 5325 because: ______

11. Plaintiff has attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.Civ.P. 915.3-1.

Wherefore, Plaintiff requests the Court to grant (check all that apply) \Box shared legal custody \Box sole legal custody \Box partial physical custody \Box primary physical custody \Box shared physical custody \Box sole physical custody \Box supervised physical custody of the child(ren).

Plaintiff (signature)

Name:

Mailing address: _____

Telephone: _____

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

Plaintiff (signature)

Date

CONFIDENTIAL **DOCUMENT FORM**



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)

Vs.

(Party name as displayed in case caption)

This form is associated with the pleading titled ______, dated _____, dated _____,

Pursuant to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania, the Confidential Document Form shall accompany a filing where a confidential document is required by law, ordered by the court, or is otherwise necessary to effect the disposition of a matter. This form shall be accessible to the public, however the documents attached shall not be publicly accessible, except as ordered by a court. The documents attached will be available to the parties, counsel of record, the court, and the custodian. Please only attach documents necessary for the purposes of this case. Complete the entire form and check all that apply. This form and any additional pages must be served on all unrepresented parties and counsel of record.

Type of Confidential Document	Paragraph, page, etc. where the confidential document is referenced in the filing:
Financial Source Documents	
Tax Returns and schedules	
W-2 forms and schedules including 1099 forms or similar documents	
Wage stubs, earning statements, or other similar documents	
Credit card statements	
Financial institution statements (e.g., investment/bank statements)	
Check registers	
Checks or equivalent	
Loan application documents	
Minors' educational records	
Medical/Psychological records	
Children and Youth Services' records	
Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.Civ.P. 1920.33	
Income and Expense Statement as provided in Pa.R.Civ.P. 1910.27(c)	
Agreements between the parties as used in 23 Pa.C.S. § 3105	

I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than nonconfidential information and documents.

Signature of Attorney or Unrepresented Party

Name:

Date

Attorney Number: (if applicable)

Telephone: _____

Email:

Address:

Docket/Case No.

Court

IN THE COURT OF COMMON PLEAS OF THE $37^{\mbox{\tiny TH}}$ JUDICIAL DISTRICT OF PENNSYLVANIA

____ COUNTY BRANCH

CIVIL

Plaintiff

v.

No. ______ of _____

Defendant

In Custody

CRIMINAL RECORD / ABUSE HISTORY VERIFICATION

□ REPORT OF CHILD ABUSE AND PROTECTIVE SERVICES REQUESTED BY COURT

(Court may use the first page of the parties' criminal record/abuse history verification or may complete a new form.)

1. *Participants*. Please list ALL members in your/the participant's household and attach sheets if necessary:

Name	Date of Birth	Address	Relationship to Child(ren)

 \Box Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa.C.S. § 6112, or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 Pa.C.S. §§ 6701-6713, or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

Please list ALL members in the opposing party's household and attach sheets if necessary:

Name	Date of Birth	Address	Relationship to Child(ren)

□ Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa.C.S. § 6112, or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 Pa.C.S. §§ 6701—6713, or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

SUBJECT CHILD(REN)—Attach additional sheets if necessary:

Name	Date of Birth

2. *Criminal Offenses*. As to the following listed Pennsylvania crimes or offenses, or another jurisdiction's substantially equivalent crimes or offenses, check the box next to any applicable crime or offense in which you or a household member:

- has pleaded guilty or no contest;
- has been convicted;
- has charges pending; or
- has been adjudicated delinquent under the Juvenile Act, 42 Pa.C.S. §§ 6301—6375, and the record is publicly available as set forth in 42 Pa.C.S. § 6307.

You should also check the box next to a listed criminal offense even if the offense has been resolved by Accelerated Rehabilitative Disposition (ARD) or another diversionary program, unless it has been expunged pursuant to 18 Pa.C.S. § 9122, or a court has entered an order for limited access, *e.g.*, Clean Slate, pursuant to 18 Pa.C.S. §§ 9122.1 or 9122.2.

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)				
	18 Pa.C.S. § 2701 (relating to simple assault)				
	18 Pa.C.S. § 2702 (relating to aggravated assault)				
	18 Pa.C.S. § 2705 (relating to recklessly endangering another person)				
	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)				
	18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure)				

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. 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)				
	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)				
	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)				

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. § 5544 (relating to possession of animal fighting paraphernalia)				
	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)				
	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				
	Driving under the influence of drugs or alcohol				
	Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device				

3. *Abuse or Agency Involvement*. Check the box next to any statement that applies to you, a household member, or your child.

Check all that apply		Self	Household member	Child
	Involvement with a children and youth social service agency in Pennsylvania or a similar agency in another jurisdiction.			
	What jurisdiction?:			
	A determination or finding of abuse (<i>i.e.</i> , indicated or founded report) by a children and youth social service agency or court in Pennsylvania or a similar agency or court in another jurisdiction.			
	What jurisdiction?:			
	An adjudication of dependency involving this child or any other child under Pennsylvania's Juvenile Act, or a similar law in another jurisdiction.			
	What jurisdiction?:			
	Is the case active?:			
	A history of perpetrating "abuse'" as that term is defined in the Protection from Abuse Act, 23 Pa.C.S. § 6102.			
	A history of perpetrating "sexual violence" or "intimidation" as those terms are defined in 42 Pa.C.S. § 62A03 (relating to protection of victims of sexual violence and intimidation).			
	Other			

4. If you checked a box in (2) or (3), list any evaluation, counseling, or other treatment received as a result:

5. If you checked a box in (2) or (3) that applies to your household member, who is not a party, state that person's name, date of birth, and relationship to the child.

6. If you are aware that the other party or the other party's household member has a criminal record or abuse history, please explain:

WF.CRAHV.2025.06.04

ONLY A PARTY CAN SIGN THIS FORM. IF A PARTY IS REPRESENTED BY AN ATTORNEY, THE ATTORNEY CANNOT SIGN THIS FORM ON BEHALF OF THE PARTY.

I verify that the 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 unworn falsification to authorities.

Signature

Date

Printed Name

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Signature of Filer

Printed Name





	Case Records Public Access Policy of the Unified Judicial System of Pennsylvania: 204 Pa. Code § 213.81 www.pacourts.us/public-records			
Plaintiff	Vs.	Docket/Case No.		
Defendant		Court		

This form is associated with the pleading titled _____

Pursuant to the *Case Records Public Access Policy to the Unified Judicial System* of *Pennsylvania*, the Confidential Information Form shall accompany a 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.

_, dated ______.

This Information Pertains to:	Confidential Information:	References in Filing:
This information pertains to a minor with the initials of and the full name of 		
This information pertains to a minor with the initials of and the full name of 		

CONFIDENTIAL INFORMATION FORM



Additional page (if necessary)

This Information Pertains to:	Confidential Information:	References in Filing:
This information pertains to a minor with the initials of and the full name of		
(full name of minor) and date of birth:		
This information pertains to a minor with the initials of and the full name of		
(full name of minor) and date of birth:		
This information pertains to a minor with the initials of and the full name of		
(full name of minor) and date of birth:		

THIS FORM IS CONFIDENTIAL

CONFIDENTIAL INFORMATION FORM



Additional page(s) attached. _____ total pages are attached to this filing.

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unites Judicial System of Pennsylvania* that require confidential information and documents differently than non-confidential information and documents.

Signature	Date
Name:	Attorney Number: (if applicable)
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.