

INSTRUCTIONS FOR RELOCATION WARREN and FOREST COUNTIES

If you intend to relocate (move) with the child/children in a manner which significantly impairs the ability of a non-relocating party to exercise his/her custodial rights, follow the instructions below. You may also wish to consult with an attorney.

- Complete the **Notice of Proposed Relocation**. All information must be provided except where the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c). If you do not have the information requested, you must obtain that information and include it in the Relocation Notice before proceeding.
- After completing the Relocation Notice, make a photocopy for each adult party in the case. Be sure to keep a copy for yourself. Attach a blank "**Counter-Affidavit**" to each copy of the Relocation Notice and mail a copy of all four pages to each adult party in the case by **certified mail, return receipt requested, restricted delivery** at least 16 days before the date of your proposed relocation or other time as set forth in 23 Pa.C.S. § 5337(c)(2).
- The Post Office should return to you a "Green Card" indicating the date that each party received his/her copy of the Relocation Notice. Retain the "Green Card" as you may need it later.
- After 30 days have past, or upon receipt of Counter-Affidavits from all non-relocating parties, whichever occurs sooner, complete one of the following:
 - If all non-relocating parties have not objected to the relocation, then file the following documents with the Prothonotary's Office in the courthouse:
 1. a **Petition to Confirm Relocation**;
 2. a copy of the Notice of Proposed Relocation;
 3. all "Green Cards" and Counter-Affidavits received from non-relocating parties; and
 4. a proposed order including the information set forth at 23 Pa.C.S. § 5337(c)(3).
 5. If no custody case exists, you also need to file a **Complaint For Custody**.
 - If you have received an objection to the proposed relocation, then file all of the following documents with the Prothonotary's Office in the courthouse:
 1. a **Complaint For Custody** (new case) or **Petition For Modification** (existing case), as applicable;
 2. a copy of the Notice of Proposed Relocation;
 3. a copy of the Counter-Affidavit indicating objection to the relocation; and
 4. a **Request For Hearing**.
- The Court will schedule an expedited hearing, or enter a new Custody Order as it deems appropriate.

If you have any procedural questions 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.

IN THE COURT OF COMMON PLEAS
OF THE 37TH JUDICIAL DISTRICT OF PENNSYLVANIA
_____ COUNTY BRANCH
CIVIL

PLAINTIFF

VS.

CIVIL ACTION-CUSTODY

NO. _____ OF _____

DEFENDANT

NOTICE OF PROPOSED RELOCATION

You, _____ are hereby notified that,
_____, proposes to relocate with the
(party proposing relocation)
following minor child(ren):

Child's Name	Age	Currently residing at
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

To object to the proposed relocation, you must complete the attached counter-affidavit and serve it on the other party by certified mail, return receipt requested, addressee only, or pursuant to Pa.R.C.P. No. 1930.4 within 30 days of receipt of this notice. If there is an existing child custody case, you also must file the counter-affidavit with the court. If you do not object to the proposed relocation within 30 days, the party proposing relocation has the right to relocate and may petition the court to approve the proposed relocation and to modify any effective custody orders or agreements. FAILURE TO OBJECT WITHIN 30 DAYS WILL PREVENT YOU FROM OBJECTING TO THE RELOCATION ABSENT EXIGENT CIRCUMSTANCES.

Address of the proposed new residence:

City: _____ State: _____ Zip Code: _____

Check here if the address is confidential pursuant to 23 Pa.C.S. § 5336(b).

Mailing address of intended new residence (it not the same as above):

City: _____ State: _____ Zip Code: _____

Check here if the address is confidential pursuant to 23 Pa.C.S. § 5336(b).

Names and Ages of the individuals who intend to reside at the new residence:

Name	Age
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

Home telephone Number of the new residence: _____

Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

Name of the new school district and school the child(ren) will attend after relocation:

Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

Date of the proposed relocation: _____

Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

Reasons for the proposed relocation: _____

Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

Proposed modification of custody schedule following relocation: _____

Other information: _____

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.

Northwestern Legal Services
First Niagara Building, 4th Floor
315 Second Avenue, Suite 401
Warren, Pennsylvania 16365-2435
(800) 665-6957

Date

(Signature)

IN THE COURT OF COMMON PLEAS
OF THE 37TH JUDICIAL DISTRICT OF PENNSYLVANIA
_____ COUNTY BRANCH
CIVIL

PLAINTIFF

VS.

DEFENDANT

CIVIL ACTION-CUSTODY

NO. _____ OF _____

COUNTER-AFFIDAVIT REGARDING RELOCATION

This proposal of relocation involves the following child/children:

Child's Name	Age	Currently residing at
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I, _____ have received a notice of proposed relocation and (check all that apply):

1. I do not object to the relocation
2. I do not object to the modification of the custody order consistent with the proposal for revised custody schedule as attached to the notice.
3. I do not object to the relocation, but I do object to modification of the custody order.
4. I plan to request that a hearing be scheduled by filing a request for hearing with the court:
 - a. Prior to allowing the child/children to relocate.
 - b. After the child/children relocate.
5. I do object to the relocation
6. I do object to the modification of the custody order.

I UNDERSTAND THAT in addition to objecting to the relocation or modification of the custody order above, I must also serve this counter-affidavit on the other party/parties by certified mail, return receipt requested, addressee only, or pursuant to Pa.R.C.P. No. 1930.4, and if there is an existing custody order, I must file this counter-affidavit with the court. If I fail to do so within 30 days of my receipt of the proposed relocation notice, I understand that I will not be able to object to the relocation at a later time.

I verify that the statements made in this counter-affidavit 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

2013/08/30

(Signature)

IN THE COURT OF COMMON PLEAS
OF THE 37TH JUDICIAL DISTRICT OF PENNSYLVANIA
_____ COUNTY BRANCH
CIVIL

PLAINTIFF

VS.

CIVIL ACTION-CUSTODY

NO. _____ OF _____

DEFENDANT

PETITION TO CONFIRM RELOCATION

AND NOW, on this ___ day of _____, 20___, comes the Plaintiff
 Defendant, and in support of this Petition for Relocation avers as follows:

1. The Petitioner is _____.
2. The Petitioner seeks to confirm relocation of the following minor child(ren):

3. Existing Custody Order (check one):
 - There is an existing Custody Order dated _____ pertaining to the child(ren).
 - There is NO existing custody order pertaining to the child(ren).
4. The Petitioner sent a Notice of Proposed Relocation to _____, by certified mail, return receipt requested, restricted delivery, on the ___ day of _____, 20___.
5. Respondent received the Notice of Proposed Relocation on the ___ day of _____, 20___.
6. No objection to the Notice of Proposed Relocation has been filed (check one):
 - The Respondent filed a Counter-Affidavit on the ___ day of _____, 20___ indicating no objection to the relocation, a copy of which is attached.
 - Thirty (30) days have passed since the Respondent's receipt of the Notice of Proposed Relocation, and respondent had not filed a Counter-Affidavit with the court objecting to the proposed relocation. A copy of the "Green Card" confirming service of the Notice of Proposed Relocation is attached.

WHEREFORE, the Petitioner respectfully requests that, pursuant to 23 Pa.CS. § 5337 of the Pennsylvania Custody Statute, this Court enter an order granting the within Petition to Confirm Relocation and modify the existing Custody Order.

Petitioner (signature)

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.A. § 4904 relating to unsworn falsification to authorities.

Date

Petitioner (signature)

IN THE COURT OF COMMON PLEAS
OF THE 37TH JUDICIAL DISTRICT OF PENNSYLVANIA
_____ COUNTY BRANCH
CIVIL

PLAINTIFF

VS.

CIVIL ACTION-CUSTODY

NO. _____ OF _____

DEFENDANT

REQUEST FOR HEARING

AND NOW, on this ___ day of _____, 20___, comes the Plaintiff
 Defendant, and in support of this Request for Hearing avers as follows:

7. The Petitioner is _____.

8. The Petitioner seeks to confirm relocation of the following minor child(ren):

9. Existing Custody Order (check one):

There is an existing Custody Order dated _____ pertaining to the child(ren).

There is NO existing custody order pertaining to the child(ren).

10. The Petitioner sent a Notice of Proposed Relocation to _____, by certified mail, return receipt requested, restricted delivery, on the ___ day of _____, 20___.

11. Respondent received the Notice of Proposed Relocation on the ___ day of _____, 20___.

12. The Respondent filed a Counter-Affidavit on the ___ day of _____, 20___ indicating an objection to the relocation, a copy of which is attached.

WHEREFORE, the Petitioner respectfully requests that, pursuant to 23 Pa.CS. § 5337 of the Pennsylvania Custody Statute, this Court schedule an expedited hearing on the pending relocation issues.

Petitioner (signature)

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.A. § 4904 relating to unsworn falsification to authorities.

Date

Petitioner (signature)

IN THE COURT OF COMMON PLEAS
OF THE 37TH JUDICIAL DISTRICT OF PENNSYLVANIA

COUNTY BRANCH
CIVIL

PLAINTIFF

VS.

CIVIL ACTION-CUSTODY

NO. _____ OF _____

DEFENDANT

AFFIDAVIT OF SERVICE

I, _____, the undersigned, hereby state that I served a copy of the Notice of Relocation in the above-captioned action; service was made by certified mail, restricted delivery, return receipt requested, number _____. A true and correct copy of the certified receipt, bearing the number _____, and a copy of the Notice of Relocation addressed to the Respondent, are attached hereto, made a part hereof and incorporated herein.

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Securely attach "Green Card" here

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I verify that the statements made in this Affidavit are true and correct to the best of my knowledge and belief. In 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 of person serving papers)

(Address of person serving papers)