

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

INSTRUCTIONS: CONTEMPT OF A CUSTODY ORDER

DISCLAIMER

IT IS STRONGLY RECOMMENDED THAT YOU CONSULT AN ATTORNEY

THE CLEARFIELD COUNTY COURTHOUSE STAFF ARE NOT PERMITTED TO GIVE YOU LEGAL ADVICE OR HELP IN FILLING OUT OR COMPLETING ANY LEGAL FORMS THAT MAY BE AVAILABLE. THE INFORMATION PROVIDED IN THE FOLLOWING FORM IS NOT A SUBSTITUTE FOR PROFESSIONAL LEGAL ADVICE. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THIS DOCUMENT, INCLUDING RELIANCE ON ITS' CONTENTS.

A PETITION FOR MODIFICATION OF A CUSTODY ORDER is filed based upon an existing COMPLAINT FOR CUSTODY. The names of the Plaintiff(s) and Defendant(s), and the Docket Number must remain the same as listed on the existing Complaint for Custody.

In order to file this Motion, you will need to follow these steps:

1. Complete the **MOTION FOR CONTEMPT OF A CUSTODY ORDER** form in its' entirety and include a **detailed** reason as to why this motion should be granted.
2. Complete the **CRIMINAL RECORD / ABUSE HISTORY VERIFICATION** form for you and **all** household members. An updated version of this form must be included for every person named in the case, every time a new petition is filed. File this form with the Prothonotary, along with the **MOTION FOR CONTEMPT OF A CUSTODY ORDER, AND A COPY OF THE ORIGINAL COMPLAINT FOR CUSTODY, OR** a copy of the **CUSTODY ORDER** currently in effect.
3. On the [scheduling] **ORDER OF COURT**, complete all information on the first page only. Leave the second page blank; the Judge or Court Administrator will complete this section.
4. **The original and two copies of all forms and documents are filed with the Prothonotary.**
5. When this Motion and Order of Court have been processed by the Court and returned to the Prothonotary, **it is then your responsibility to immediately serve a certified copy of the MOTION FOR CONTEMPT OF A CUSTODY ORDER, the scheduling ORDER, and a blank CRIMINAL RECORD / ABUSE HISTORY VERIFICATION form on the defendant(s).**
6. When you have done this, the CERTIFICATE OF SERVICE **MUST** then be filed with the Prothonotary along with proof that the documents have been served.

BE AWARE THAT:

- IF YOU DO NOT PROPERLY SERVE THE OPPOSING PARTY AND FILE THE CERTIFICATE OF SERVICE, NO LATER THAN SEVEN (7) DAYS BEFORE THE SCHEDULED HEARING, **THE HEARING WILL BE CANCELLED.**
- IF YOU HAVE ATTEMPTED TO SERVE THE OTHER PARTY BUT HAVE BEEN UNABLE TO DO SO, YOU MUST ADVISE THE COURT NO LATER THAN SEVEN (7) DAYS PRIOR TO THE SCHEDULED HEARING DATE.
- **THIS DOCUMENT CAN BE SERVED USING REGULAR U.S. MAIL.**

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

*Same caption
as existing
COMPLAINT
FOR
CUSTODY*

	Plaintiff(s)	NO. ____ - ____ -CD
vs.		
	Defendant(s)	

CONTEMPT OF A CUSTODY ORDER

1. The Plaintiff is _____, residing at

(street) (city)

(state) (zip code) (county) (phone)

2. The Defendant is _____, residing at

(street and mailing address) (city)

(state) (zip code) (county) (phone)

3. The Petitioner (the person filing this motion) respectfully represents that on _____ 20__
an Order of Court was entered for legal and physical custody as follows:

LEGAL CUSTODY: ____ Shared ____ Sole

PHYSICAL CUSTODY: ____ Partial ____ Primary ____ Shared

 ____ Sole ____ Supervised physical custody

a true and correct copy of which is attached.

4. Since the entry of said order, the respondent has willfully failed to obey the order as follows:

WHEREFORE, Petitioner requests that the Court find the respondent in contempt of the existing Custody Order and enforce appropriate sanctions on respondent.

Petitioner's Signature

(Print your name)

(Print your address)

(city) (state) (zip)

Phone number (home and/or cell phone #)

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. Sec. 4904 relating to unsworn falsification to authorities.

Date

Petitioner's Signature

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

vs. Plaintiff(s) NO. ____ - ____ -CD

Defendant(s)

ORDER OF COURT
Petitioner must complete the first page only:

You, _____ have been sued for CONTEMPT of the existing
print opposing party's name

Custody Order for the following child(ren): _____,
print complete names of all children subject to this order and their dates of birth

Petitioner has filed for a hearing before the court.

Court Administration will complete the following information:

You are ordered to appear in person on the _____ day of _____,
20____, at _____ o'clock AM / PM. A hearing will be held in _____,
____ floor, Clearfield County Courthouse, 230 East Market Street, Clearfield, PA, 16830.

If you fail to appear as provided by this order, an order for Contempt may be entered against you or the court may issue a warrant for your arrest.

BY THE COURT:

Date: _____

JUDGE

Additional information on next page.....

You must file with the Court a verification regarding any criminal record or abuse history regarding you and anyone living in your household on or before the initial in-person contact with the Court (including, but not limited to, a conference with a conference officer or judge or conciliator) but not later than thirty (30) days after service of the Complaint or Petition.

No party may make a change in the residence of the child(ren) which significantly impairs the ability of the other party to exercise custodial rights without first complying with all of the applicable provisions of 23 Pa.C.S. §5337 and Pa.R.C.P. No. 1915.17 regarding relocation.

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.

CLEARFIELD COUNTY COURT ADMINISTRATOR
230 EAST MARKET ST, SUITE 228
CLEARFIELD, PA 16830
814/765-2641 x 5010

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Clearfield County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

Plaintiff(s)
vs.

Defendant(s)

i
i
i
i
i
i
i
i
i

NO. _____ - _____ -CD

CERTIFICATE OF SERVICE*

AND NOW, on the date stated below, I, _____,
hereby certify that I this day served the foregoing ***'MOTION FOR CONTEMPT OF A CUSTODY ORDER'***, a blank ***'Criminal Record/Abuse History Verification'*** form, and ***'Scheduling Order'*** by:

_____ Personally hand delivering to the (opposing party) (opposing attorney)

_____ Mailing a certified copy of the petition **using first class USPS mail**, AND, via postage prepaid, **'Certified Mail – Restricted Delivery, Return Receipt Requested'**,
at _____.

(name of post office) **Green 'Return Receipt' card, with recipient's signature, must be attached to this document.**

_____ Hiring Constable _____, who has provided me with proof of service (see attached)

Current address of Respondent:

[person who was served with this petition]

[NAME]

[CURRENT ADDRESS]

DATE

Petitioner's SIGNATURE

This document must be signed, dated, and filed with the Prothonotary before any further action can be taken regarding the petition