

vs.

Case Number: _____

THE DECREE IN DIVORCE IN THIS CASE WAS NOT SIGNED DUE TO THE EXPLANATION BELOW. UPON COMPLIANCE WITH PENNSYLVANIA AND ALLEGHENY COUNTY LOCAL RULES, THE ENCLOSED "RE-TRANSMIT" FORM MUST BE FILED IN THE DEPT. of COURT RECORDS, 1ST FLOOR, CITY-COUNTY BUILDING, 414 GRANT ST., PGH. PA 15219. ALL INQUIRIES MUST BE MADE IN WRITING OR IN PERSON THROUGH THE DEPT. of COURT RECORDS. DO NOT TELEPHONE. IF YOU DO NOT HAVE AN ATTORNEY, ASK WHERE YOU CAN OBTAIN LEGAL HELP. NON-ATTORNEY PERSONNEL ARE NOT PERMITTED TO PROVIDE LEGAL ASSISTANCE.

§3301(D) REVIEW ON _____ 20 By: L.S.S.

Divorce decree not in the form prescribed by PA.R.C.P.1920.76.

SERVICE

- _____ Service made by a party to the action or a relative of a party. Rule 76 "competent adult"
- _____ No affidavit of service of the "Affidavit Under §3301(d) of the Divorce Code" (Local Rule 1920.42(b))
- _____ No affidavit of service of the divorce complaint. (PA.R.C.P.1930.4)
- _____ #5(a) on the Praecepte to Transmit Record does not indicate DATE of service and MANNER of service of the Notice of Intention (and counter-affidavit if pro se). (PA.R.C.P.1920.42 (d)(1)(last sentence))
- _____ Respondent must be given 20 days from service of the §3301(d) before mailing the Notice of Intention, that gives the respondent an additional 20 days. Note: The 3301(d) Aff. & Notice of Intention cannot be served together.
- _____ The "respond by" date inserted on the Notice of Intention is not 20 days after the date of mailing. See the Note Section following PA.R.C.P.1920.73(a)
- _____ 5.(a)on Praecepte to Transmit requires an attached copy of the Notice of Intention that was served containing the inserted 20 day "respond by" date. If pro se, the counter-affidavit must also be attached to the Praecepte to Transmit, since a "blank" pro se counter-affidavit is served simultaneously with the pro se Notice of Intention.

AFFIDAVITS

- _____ Plaintiff's / Defendant's Waiver of Notice of Intention omitted. Notice of Intention must be served upon the parties unless waivers are executed in the form prescribed by PA.R.C.P.1920.72(c).
- _____ Praecepte to Transmit Record does not list related claims pending. If no claims are pending, state "NONE". Pending economic claims require a bifurcation order of court before entry of decree. 23PA.C.S.§3323(c.1)eff.Jan2005
- _____ Pro Se § 3301(d) counter-affidavit was NOT served with the pro se Notice of Intention –OR- when respondent has an attorney the attorney version of the Notice of Intention must be served with a copy of the Praecepte to Transmit.
- _____ Affidavit of _____ not notarized or "verification statement" omitted pursuant to PA.R.C.P.76.
- _____ "Affidavit Under §3301(d) of the Divorce Code" missing on a separation divorce. (PA.R.C.P.1920.42(a)(2)).
- _____ Affidavit of non-military missing on 3301(d) divorce. (PA.R.C.P.1920.46(b))
- _____ "Affidavit Under §3301(d) of the Divorce Code" not in the form prescribed by PA.R.C.P.1920.72(d)
- _____ Pro se NOTICE OF INTENTION / COUNTER-AFFIDAVIT not in the prescribed form.
- _____ A consent "Certification of Counsel" or order of court must be filed verifying that the judge's bifurcation requirements have been met.
- _____ "Notice to Defend" not in the form prescribed by PA.R.C.P. 1920.71. The Notice must be FILED, SERVED and defendant given 20 DAYS TO RESPOND unless defendant waives the 20 days

EXECUTION

- _____ Pro se party or one attorney of record must sign the Praecepte to Transmit Record / Divorce Complaint in his/her individual name. PA.R.C.P.1023
- _____ OTHER: