

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
FAMILY DIVISION

_____ vs. _____ FD Number: _____
Reviewed by: _____ Date: _____ 3301(c) DIVORCE – ERROR REVIEW SHEET

The decree in the above-captioned Divorce Case was not able to be processed because the pleadings were not in compliance with the Rules of Civil Procedure. Below is a detailed explanation of the identified issues, all of which must be corrected prior to re-transmittal by the Department of Court Records.

COMPLAINT

_____ Notice to Defend not in prescribed form. The Notice must be FILED, SERVED and Defendant given 20 days to respond unless Defendant waives the 20 days. (PA. R.C.P. 1920.71)
_____ Averment re: _____ was omitted. (PA. R.C.P. 1920.12)
_____ Pro Se party or attorney must sign the divorce complaint in his/her individual name. (PA. R.C.P. 1023.1)
_____ Plaintiff verification was omitted.
_____ Other: _____

SERVICE

_____ No Affidavit of Service/Acceptance of Service of the Divorce Complaint. (PA R.C.P. 1930.4)
_____ No signed certified mail green card attached.
_____ Service made by a party to the action or relative of a party. (Rule 76 "competent adult")
_____ Other: _____

AFFIDAVITS

_____ Affidavit of Consent not signed 90 days or more after filing AND service of the Divorce Complaint. (PA R.C.P. 1920.42(b)(1))
_____ Affidavit of Consent not filed within 30 days of being signed. (PA. R.C.P. 1920.42(b)(2))
_____ Plaintiff's/Defendant's Affidavit of Consent not in prescribed form. (PA. R.C.P. 1920.72(b))
_____ Plaintiff's/Defendant's Affidavit of Consent is missing. (PA. R.C.P. 1920.42 (a)(1))
_____ Other: _____

WAIVER OF NOTICE OF INTENTION

_____ Plaintiff's/Defendant's Waiver of Notice is missing. (PA. R.C.P. 1920.42(e)(1))
_____ Plaintiff's/Defendant's Waiver of Notice not in prescribed form. (PA. R.C.P. 1920.72(c))
_____ Other: _____

NOTICE OF INTENTION

_____ §3301(c) Notice of Intention must be served upon the non-cooperating party unless waivers are executed in the form prescribed. (PA. R.C.P. 1920.42(d)(1))
_____ "Respond by date" inserted on the Notice of Intention is not 20 days after the date of mailing of the Notice. (PA. R.C.P. 1920.73(a))
_____ Pro Se §3301(c) Counter-Affidavit was NOT served with the Pro Se Notice of Intention.
_____ Copy of the Praecepto to Transmit was not served with the attorney version of the Notice of Intention.
_____ Other: _____

PRAECIPE TO TRANSMIT RECORD

_____ Information missing/incorrect as to Line _____.
_____ Praecepto does/does not list related claims pending. If no claims pending, state NONE.
_____ Pro Se party or attorney of record must sign Praecepto to Transmit Record. (PA. R.C.P. 1023)
_____ 5(a) on Praecepto 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))
_____ 5(a) on Praecepto 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.
_____ When represented, a copy of the Praecepto to Transmit that was served must also be attached.
_____ Other: _____

DECREE

_____ Not in prescribed form. (PA. R.C.P. 1920.76)

GENERAL

_____ There is nothing filed to indicate that the economic claims have been resolved.
_____ Other: _____