

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

\_\_\_\_\_  
Petitioner

VS.

Case Number: FD \_\_\_\_\_

\_\_\_\_\_  
Respondent

**COMPLAINT FOR CUSTODY**

Filed on Behalf of:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

## **NOTICE TO DEFEND**

You, \_\_\_\_\_ (respondent), have been sued in court to obtain  sole physical custody  primary physical custody  shared physical custody  partial physical custody  supervised physical custody  sole legal custody  shared legal custody of the child(ren). If you fail to appear as provided by this notice, an order for custody be entered against you or the court may issue a warrant for your arrest.

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 but not later than 30 days after service of the complaint or petition.

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

YOU SHOULD TAKE THIS SET OF PAPERS TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, YOU MAY CONTACT THE OFFICE BELOW TO FIND OUT WHERE YOU CAN RECEIVE LEGAL HELP.

**LAWYER REFERRAL SERVICE**  
**400 Koppers Building**  
**436 Seventh Avenue**  
**Pittsburgh, PA 15219**  
**(412) 261-5555**

### **AMERICANS WITH DISABILITIES ACT OF 1990**

The Allegheny County Court of Common Pleas Family Division 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 Family Division. You must attend the scheduled hearing.

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FAMILY DIVISION

\_\_\_\_\_  
Petitioner

VS.

Case Number: FD \_\_\_\_\_

\_\_\_\_\_  
Respondent

**COMPLAINT FOR CUSTODY**

1. Petitioner's Name: \_\_\_\_\_ DOB: \_\_\_\_\_  
Residential Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

2. Respondent's Name: \_\_\_\_\_ DOB: \_\_\_\_\_  
Residential Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

3. Petitioner seeks  sole physical custody  primary physical custody  shared physical custody  
 partial physical custody  supervised physical custody  sole legal custody  shared legal  
custody of the following child(ren):

<b>Name</b>	<b><u>Present Residence</u></b>	<b><u>Date of Birth</u></b>
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

a. The child(ren)  (was, were)  (was not, were not) (check one) born out of wedlock.

b. The child(ren) (is, are) presently in the custody of \_\_\_\_\_ (Name)  
whose relationship is \_\_\_\_\_ residing at \_\_\_\_\_

c. During the past five (5) years, the child(ren) (has, have) lived with the following persons at the following addresses:

**Name** Address Dates

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d. A parent of the child(ren) is \_\_\_\_\_ currently residing at \_\_\_\_\_  
(Name)

e. The parent is  married  divorced  single. (check one)

f. A parent of the child(ren) is \_\_\_\_\_ currently residing at \_\_\_\_\_  
(Name)

g. The parent is  married  divorced  single. (check one)

4. The relationship of Petitioner to the child(ren) is that of \_\_\_\_\_  
The Petitioner currently resides with the following persons:

**Name** Relationship

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5. The relationship of Respondent to the child(ren) is that of \_\_\_\_\_  
of \_\_\_\_\_

The Respondent currently resides with the following persons:

**Name** Relationship

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6. Petitioner  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.

If yes, the court, term, number and the relationship to this action is:

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Petitioner  has  has no information of a custody proceeding concerning the child(ren) pending in a court of this commonwealth,

If yes, the court, term, number and the relationship to this action is:

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Petitioner  knows  does not know of a person, not a party to the proceedings, who has physical custody of the child(ren) or claims to have custodial rights with respect to the child(ren).

If yes, the name/address/phone number/email address is: \_\_\_\_\_

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

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8. Each parent whose parental rights to the child(ren) has/have not been terminated and the person who has physical custody of the child(ren) has been named as party to this action. All other persons, named below, who are known to have or claims a right to custody of the child(ren) have been given notice of the pendency of this action and the right to intervene:

Name	Address/Phone/Email	Basis of Claim
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9. (a) If the Petitioner is seeking physical or legal custody of a child and is *in loco parentis* to the child, the Petitioner shall plead facts establishing standing under 23 Pa.C.S. §5324(2).

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Indicate below specifically how the parent(s) had the knowledge that you were acting as the child(ren)'s parent and gave you consent to do so. Indicate the length of time that you have been acting as the child(ren)'s parent

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(b) If the Petitioner is a grandparent seeking physical custody or legal custody of a grandchild and is not *in loco parentis* to the child, the Petitioner shall plead facts establishing standing under 23 Pa.C.S. §5324(3).

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(c) If the Petitioner is seeking physical or legal custody of a child and is not *in loco parentis* to the child, the Petitioner shall plead facts establishing standing pursuant to 23 Pa.C.S. §5324(4) and (5).

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(d) If the Petitioner is a grandparent or great-grandparent seeking partial physical custody or supervised physical custody of a grandchild or great-grandchild, the Petitioner shall plead facts establishing standing under 23 Pa.C.S. §5325.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. I have attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.C.P.No. 1915.3-1.

WHEREFORE, Petitioner requests this court grant  sole physical custody  primary physical custody  shared physical custody  partial physical custody  supervised physical custody  sole legal custody  shared legal custody of the child(ren) to Petitioner.

\_\_\_\_\_  
Petitioner's signature

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.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's signature

**CERTIFICATE OF COMPLIANCE**

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

Submitted by:

Signature:

Name:

Attorney No.:

(if applicable)