

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

在宾夕法尼亚州阿勒格尼县普通诉讼法院
家事法庭

Petitioner 上诉人

VS. 诉

Case Number: FD
案件编号: _____

Respondent 被上诉人

COMPLAINT FOR CUSTODY

监护权诉状

Filed on Behalf of:
代表呈递:

Name: 姓名: _____

Address: 地址: _____

Phone: 电话: _____

Email: 电子邮件地址: _____

Form I-1 Complaint for Custody
Page 1 of 6

表格 I-3 因不服从监护令引起的民事藐视法庭罪的申诉书
第 1 页, 共 4 页

NOTICE TO DEFEND 辩护通知

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.

上诉人 _____

为获得儿童的 单独实际监护权 主要实际监护权 共享实际监护权 部分实际监护权 受监督实际监护权 单独合法监护权 共同法定监护权，已在法院起诉您（被上诉人）。如果您未按照本通知的规定出庭，将对您发出监护令，或者法院可能会发出逮捕令。

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.

您必须在初次亲自与法院联系时或之前，但不迟于诉状或申诉书送达后 30 天向法院提交有关您在您家中居住的任何人的任何犯罪记录或虐待史的证明。

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.

在一方未首先遵守宾夕法尼亚州《统一法规》第 23 编第 5337 条和宾夕法尼亚州《民事诉讼规则》第 1915.17 条有关重新安置的适用规定的情况下，如果对任何儿童的居所作出变更会严重损害另一方行使监护权，则该一方不得如此行事。

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.

您应立即将这套文件交给您的律师。如果您没有律师或负担不起律师费，您可以联系下方的办公室，了解您可以从哪里获得法律帮助。

LAWYER REFERRAL SERVICE

律师转介服务处

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

AMERICANS WITH DISABILITIES ACT OF 1990

1990 年《美国残疾人法》

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.

法律要求阿勒格尼县普通诉讼法院家事法庭遵守 1990 年《美国残疾人法》。有关为在法院办理业务的残疾人提供的无障碍设施和合理便利设施的信息，请联系我们办公室。所有安排必须在家事法庭举行的任何听证会或业务之前至少 72 小时作出。您必须参加预定的听证会。

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
FAMILY DIVISION
在宾夕法尼亚州阿勒格尼县普通诉讼法院
家事法庭

_____,
Petitioner 上诉人

VS. 诉

Case Number: FD 案件编号: _____

_____.
Respondent 被上诉人

COMPLAINT FOR CUSTODY
监护权诉状

1. Petitioner's Name: _____ DOB: _____
上诉人姓名: _____ 出生日期: _____

Residential Address: _____
住宅地址: _____

Phone Number: 电话号码: _____

Email Address: _____
电子邮件地址: _____

2. Respondent's Name: _____ DOB: _____
被上诉人姓名: _____ 出生日期: _____

Residential Address: _____
住宅地址: _____

Phone Number: _____
电话号码: _____

Email Address: _____
电子邮件地址: _____

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):
上诉人寻求以下儿童的 单独实际监护权 主要实际监护权 共享实际监护权 部分实
际监护权 受监督实际监护权 单独合法监护权 共同法定监护权:

Name
姓名

Present Residence
现居住地

Date of Birth
出生日期

a. The child(ren) (was, were) (was not, were not) (check one) born out of wedlock.
儿童 (曾经) (不是) (勾选一项) 非婚生

b. The child(ren) (is, are) presently in the custody of
儿童目前 (是) 由

whose relationship is
其与儿童的关系为

(Name) (姓名) 监护,

residing at
居住在

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

在过去的五 (5) 年中, 儿童 (一直) 与 以下地址的以下人员一起实际:

Name 姓名

Address 地址

Dates 日期

d. A parent of the child(ren) is
儿童的父母

currently residing at
目前居住在

(Name) (姓名)

e. The parent is married divorced single. (check one)
父母 已婚 离婚 单身。 (勾选一项)

f. A parent of the child(ren) is
儿童的父母

currently residing
目前居住

(Name) (姓名)

At 在

g. The parent is married divorced single (check one)
父母 已婚 离婚 单身。 (勾选一项)

4. The relationship of Petitioner to the child(ren) is that of
儿童上诉人与的关系是 _____ .
The Petitioner currently resides with the following persons:
上诉人目前与以下人士同住:
Name 姓名 Relationship 关系

5. The relationship of Respondent to the child(ren) is that of
被上诉人与儿童的关系是 _____ .
The Respondent currently resides with the following persons:
被申请人目前与以下人员居住:
Name 姓名 Relationship 关系

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:
上诉人已未作为当事人或证人, 或以其他身份参与本法院或其他法院关于儿童监护权的其他诉讼。
如是, 则法院、期限、编号及与本次诉讼的关系为:

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:
上诉人有无关于在本联邦法院待决的儿童监护程序的信息,
如是, 则法院、期限、编号及与本次诉讼的关系为:

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).
上诉人知道不知道有一个人 (非本诉讼当事人) 对儿童拥有实际监护权或声称对儿童有监护权。
If yes, the name/address/phone number/email address is:
如是, 姓名/地址/电话号码/电子邮件地址是: _____

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))*:
给予所请求的救济将助益于儿童的最大利益和永久福利，因为（陈述事实，表明给予所请求的救济将符合儿儿童的最大利益）：

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:
对儿童的父母权已经/尚未终止的每一位家长，以及对儿童拥有实际监护权的人，都列为本诉讼的当事人。 已知拥有或声称拥有儿童监护权的所有其他人（如下所列）均已收到有关本诉讼未决和干预权的通知：

Name	Address/Phone/Email	Basis of Claim
姓名	地址/电话/电子邮件地址	索赔依据

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).

如果上诉人正在寻求对儿童的实际或合法监护权，并且作为儿童的 *代替父母*，则上诉人应根据宾夕法尼亚州《统一法规》第 23 编第 5324(2) 条提出证明自己身份的事实。

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

请在下方具体说明父母如何知道您是儿童的父母并同意您这样做。说明您作为儿童父母的时间长度

(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).

如果上诉人是正在寻求对孙辈的实际或合法监护权的祖（外）父母，并且不作为儿童的 *代替父母*，则上诉人应根据宾夕法尼亚州《统一法规》第 23 编第 5324(3) 条提出证明自己身份的事实。

(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).

如果上诉人正在寻求对儿童的实际或合法监护权，并且作为儿童的 *代替父母*，则上诉人应根据宾夕法尼亚州《统一法规》第 23 编第 5324(4) 和 (5) 条提出证明自己身份的事实。

(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.

如果上诉人是寻求孙辈或曾孙辈的部分实际监护权或受监督实际监护权的祖（外）父母或曾（外）祖父母，则上诉人应根据宾夕法尼亚州《统一法规》第 23 编第 5325 条提出证明自己身份的事实。

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

本人已附上宾夕法尼亚州《民事诉讼规则》第 1915.3-1 条规定的犯罪记录/虐待史核实表。

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.

因此，上诉人请求本法院授予上诉人儿童的 单独实际监护权 主要实际监护权 共享实际监护权 部分实际监护权 受监督实际监护权 单独合法监护权 共同法定监护权。

Petitioner's signature 上诉人签名

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.

本人证实，本诉状中的陈述真实无误。 本人理解，如果本人在本文件中作出虚假陈述，本人将受到向当局作出未经宣誓的伪造事实相关的宾夕法尼亚州《统一法规》第 18 编第 4904 条规定的处罚。

Date 日期

Petitioner's signature 上诉人签名

CERTIFICATE OF COMPLIANCE

合规证明

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.

本人证明此档案符合宾夕法尼亚州《统一司法系统公共访问政策》的规定：上诉法院和初审法院案件记录，需要采用与非机密信息和文件不同的方式存档机密信息和文件。

Submitted by: (如果适用)

Signature: 签名:

Name: 姓名:

Attorney No.: 律师号:

(if applicable)

(如果适用)