CLIENT INFORMATION PACKET

Modification and/ or Enforcement of Permanent Legal Custodianship Order

Dependency or Related Services

Fifth Judicial District of Pennsylvania, Dependency and Related Services
Family Law Center
440 Ross Street, Suite 309
Pittsburgh, PA 15219

Petition for Modification and/ or Enforcement of Permanent Legal Custodianship Order

Included in this packet:

- 1. Petition for Modification and/ or Enforcement of Permanent Legal Custodianship Order Instruction Sheet
- 2. Petition for Modification and/ or Enforcement of Permanent Legal Custodianship Order
- 3. Petition for Modification and/ or Enforcement of Permanent Legal Custodianship Order Certificate of Service
- 4. Notice of Language Rights

Please see enclosed instructions and fill out the Petition for Modification and/ or Enforcement of Permanent Legal Custodianship Order.

If you have any questions, please email <u>childprotection@alleghenycourts.us</u> or call 412-350-7638.

The Petition for Modification and/ or Enforcement of Permanent Legal Custodianship Order can also be found on the Allegheny County Courts website:

 $\frac{https://www.alleghenycourts.us/family/departments/dependency-and-related-services/filing-private-dependency-petitions-plc-modifications/$

Petition for Modification and/or Enforcement of

Permanent Legal Custodianship Order

Instruction Sheet

A **petition** is the legal paper that asks the Court to take action. The Allegheny County Court of Common Pleas, Family Division, provides a form that you may use to ask the Court to modify and/or enforce the provisions of a Permanent Legal Custodianship (PLC) Order that was previously issued at the close of a juvenile court dependency case. This form is called a <u>Petition for Modification and/or Enforcement of Permanent Legal Custodianship Order</u>. **Before filing this form, you should know the following:**

- Children who are the subject of a PLC petition are appointed a **guardian** *ad litem* and/or an **attorney** by the Court. The guardian *ad litem's* job is to tell the Court what is in the child's best interests. The attorney's job is to tell the Court what the child thinks is in his or her best legal interests. The guardian *ad litem* and attorney will thoroughly investigate all areas of the child's life, including the child's home, school and medical condition. You might not agree with the position taken by the guardian *ad litem* and/or attorney.
- When the Allegheny County Office of Children, Youth and Families (OCYF) is asked by the Court to investigate a PLC petition, a caseworker will examine all areas of the child's life, including the child's home, school and medical condition.
- It is up to the Court to decide whether the <u>Petition for Modification and/or Enforcement of Permanent Legal Custodianship Order</u> will proceed as a juvenile court matter or as an adult family court matter.
- There is no filing fee if the case proceeds in juvenile court.
- There is a \$250 filing fee if the case proceeds in adult family court. You may file a pleading asking the Court to waive the fee if you meet certain low income guidelines. This pleading is called a request for *in forma pauperis* status and will be explained to you at the hearing where the Court decides whether the petition will proceed in juvenile court or in adult family court.

Instructions:

- You must complete all sections of the <u>Petition for Modification and/or Enforcement of Permanent Legal Custodianship Order</u> form and submit it to Dependency and Related Services Department. This can be done in one of the following ways:
 - in person (address below),
 - email at childprotection@alleghenycourts.us
 - mail to the address below

Family Law Center
Dependency and Related Services
Suite 309
440 Ross Street
Pittsburgh, PA 15219

- 2. Court Administration will file the Petition and send you a copy of the filed Petition. This copy will contain the hearing date.
- 4. You must give a copy of the completed <u>Petition for Modification and/or Enforcement of Permanent Legal Custodianship Order</u>, with the hearing date, to child's mother, child's father, and child's legal custodian or guardian (if applicable). These people are called **parties** to the case. Court Administration will notify OCYF and the child's guardian *ad litem* and/or attorney of the hearing date.
- 5. You must complete a **certificate of service** for each party. This packet contains a <u>Certificate of Service</u> form that you may use to show how a party was given the <u>Petition for Modification and/or Enforcement of Permanent Legal Custodianship Order along with the hearing date</u>. The Court can deny your petition if all parties are not properly served so you should be prepared to explain to the Court why you could not serve a party.
- 6. If you do not participate in the scheduled hearing, the Court can deny your petition and dismiss your case. Requests to change the date or time of a hearing are not usually granted. To make such a request, you must file a written document called a motion with the Court. Information about how to file a motion can be found on the Allegheny County Courts Website https://www.alleghenycourts.us/family/frequently-asked-questions/

If your motion to change the date or time of a hearing is granted, you must give a copy of the Order that reschedules the hearing to all parties and complete a new <u>Certificate of Service</u> for each party.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PA FAMILY DIVISION – JUVENILE SECTION

PETITION FOR MODIFICATION AND/OR ENFORCEMENT OF PERMANENT LEGAL CUSTODIANSHIP ORDER

In the Interest of:	Juvenile Docket No.		
_	F.D. Docket No. KIDS ID No.		
a minor			
Po	etitioner's Information		
Name:	DOB:		
Address:			
Phone Number(s):			
Relationship to Child:			
Petitioner, who moves this Honorable	day of, 20 comes the Court to modify and/or enforce the current Permanent Legal captioned matter for the following reason(s):		

PETITIONER understands that this pleading is being accepted without a filing fee for the Court to determine if this case should proceed as a juvenile court matter or an adult family court matter. Petitioner understands that he/she is responsible for a \$250 filing fee if this matter is scheduled for further proceedings in adult family court. If the Petitioner is not a parent in this matter, the Petitioner understands and agrees that he/she will give notice of the hearing to the parents. Failure to give the parents notice may result in the hearing being postponed.

WHEREFORE, Petitioner asks this Honorable Court to set a hearing date for this matter and to make whatever orders deemed appropriate.

VERIFICATION

Petitioner verifies that the facts set forth above are true and correct to the Petitioner's personal knowledge, information, or belief, and that any false statements are subject to the penalties of the Crimes Code, 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

DATE:				
Petitioner				
For Official Use Only				
HEARING NOTICE				
PLEASE TAKE NOTICE that a hearing on the above Petit	tion for Modification and/or Enforcement			
of Permanent Legal Custodianship Order has been scheduled as	s follows:			
DATE:	TIME:			
LOCATION: This hearing will take place in the Family Law	Center, 440 Ross Street Pittsburgh, PA			
15219.				
JUDGE:				
At this hearing, the Court will determine whether this matt	er shall proceed as a juvenile court			
matter or as an adult family court matter.				

Requests to change the date, time or place of a hearing are not usually granted. To make such a request, the requestor must file a written document called a **motion** with the Court. Information about how to file a motion can be found on the Allegheny County Courts Website (https://www.alleghenycourts.us/family/frequently-asked-questions/). If a motion to change the date, time or place of a hearing is granted, the requestor must give a copy of the Order that reschedules the hearing to all parties. Requestor must also complete a Certificate of Service for each party, which must be given to the Court at the time of the rescheduled hearing.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PA

FAMILY DIVISION – JUVENILE SECTION

In the Interest of:		Juvenile Docket No. F.D. Docket No. KIDS ID No.	
a minor	_3	THE STEET TWO	
	CERTIFICATE O	E CEDVICE	
PETITIO		AND/OR ENFORCEMENT	
	ERMANENT LEGAL CU		
I certify that	,t	the	"1.1)
(Name of	party served)	(Relationship to Chi	ild)
of the minor child	,v	vas served a true and correct copy of	the Petition for
	of Child)		
Modification and/or Enforcement of Per	rmanent Legal Custodianshi	p Order pleading in the above-caption	ned case by the
following method:			
1. ☐ CERTIFIED MAIL: Party was se			
of	, 20 The party	or the party's authorized agent signe	ed the green certified
mail receipt, which has been returned to	me by the postal authorities	and is attached as proof of service.	
2. ☐ REGULAR MAIL: Party was ser	yed by First Class postage n	re noid through the U.S. Doctol Service	ee on the
day of,		re-paid through the O.S. Fostar Service	ce on the
uay 01,			
3. □ PERSONAL SERVICE: A comp	etent adult named	. W	ho is over eighteen (18)
1		e of person serving the pleading)	8 (1)
	`	1 2 1 2	
years old and not the applicant/petitione	r in this case, served the par	ty by handing him/her a copy of the p	oleading. The pleading
was served on	who is the	party or the party's authorized agent,	at the following address
(Name of person receivin	g the pleading)	party of the party's authorized agent,	at the following address
	<i>C</i> 1 <i>C</i> /		
			the day of
(Street name and number)	(City)	(State)	
	at approximately	□ a.m. □ p.m.	
	DECORD D		
4. ☐ SERVICE ON ATTORNEY OF	•		y □ personal service
□ regular mail □ facsimile on the	day of	, 20	
I verify that the statements made in this are subject to the penalties of 18 Pa.C.S.		-	alse statements made
DATE:			
	Signatur	re of person who made service	

Language Access Coordinator-Allegheny County Courts 300 Frick Building, 437 Grant Street (412) 350-5419 or (412) 350-4044 courtaccess@alleghenycourts.us



<u>English</u>: You have the right to an interpreter at no cost to you. To request an interpreter, please inform court staff using the contact information provided at the top of this notice.

Spanish/Español: Usted tiene derecho a un intérprete libre de costo. Para solicitar un intérprete favor de informárselo al personal judicial utilizando la información provista en la parte superior de este aviso.

<u>Mandarin/Cantonese Simplified Chinese/普通话/粤语简体中文</u>: 您有权获得免费的口译员服务。若需要口译员,请使用本通知上方提供的联系信息通知法院工作人员。

Mandarin/Cantonese Traditional Chinese/普通話/廣東話繁體中文: 您有權要求免費傳譯服務。如欲要求傳譯服務,請參閱本通知頂部的聯絡資料,通知法庭職員。

Arabic/العربية: يحق لك الحصول على مترجم دون دفع أي تكلفة من جانبك. لطلب مترجم، يُرجى إعلام موظفي المحكمة باستخدام معلومات الاتصال المقدمة في الجزء العلوي من هذا الإشعار.

Russian/Русский: У вас есть право на бесплатные услуги переводчика. Заявка на переводчика подается в суд по адресу, телефону или эл. почте, указанным выше в заголовке этого уведомления.

<u>Vietnamese/Tiếng Việt:</u> Quý vị có quyền được một thông dịch viên giúp mà không tốn chi phí nào cả, xin hãy báo cho nhân viên tòa án dùng thông tin liên lạc có ở trên đầu thông báo này.

<u>Polish/Polski</u>: Ma Pan/Pani prawo do nieodpłatnego skorzystania z usług tłumacza ustnego. Aby zwrócić się o wsparcie ze strony tłumacza ustnego, proszę skontaktować się z pracownikami sądu, korzystając z danych znajdujących się w górnej części niniejszego dokumentu.

<u>Punjabi/ پنجابی /Pakistan:</u> تہاڈے کول بغیر ادائیگی کیتیاں اک مترجم حاصل کرن دا حق اے۔ مترجم دی درخواست کرن لئی، میربانی کر کے ایس نوٹس دے اُوتے فراہم کیتیاں رابطے دیاں معلومات نوں ورتدیاں عدالت دے عملے نوں اطلاع دوو۔

<u>Portuguese/Português:</u> Você tem direito a um intérprete gratuitamente. Para solicitar um intérprete, informe à nossa equipe usando os dados de contato mostrados na parte superior deste aviso.

<u>Somali/Somaali</u>: Waxaad xaq u leedahay in lagu turjumo lacag la'aan ah. Si aad u codsato turjumaanka, fadlan u sheeg maxkamadda shaqaalaha adiga oo isticmaala macluumaadka ciwaanka kor lagu siiyay ee ogeysiiskaan.

Haitian Creole/Kreyòl Avisyen: Ou gen dwa resevwa sèvis yon entèprèt gratis. Pou mande pou yon entèprèt, tanpri fè manm pèsonèl tribinal la konnen lè ou sèvi avèk enfòmasyon an yo te bay ou nan tèt avi sa a.

<u>French/Français</u>: Vous avez le droit de bénéficier gratuitement de l'assistance d'un interprète. Pour en faire la demande, veuillez en informer le personnel du tribunal à l'aide des coordonnées indiquées en haut de page.