

CLIENT INFORMATION PACKET

Modification and/ or Enforcement of Permanent Legal Custodianship Order

Dependency and Related Service

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:

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3. Petition for Modification and/ or Enforcement of Permanent Legal Custodianship Order
Certificate of Service
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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 childprotection@allegheycourts.us 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:

<https://www.allegheycourts.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 Petition for Modification and/or Enforcement of Permanent Legal Custodianship Order. **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 Petition for Modification and/or Enforcement of Permanent Legal Custodianship Order 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:

1. You must complete all sections of the Petition for Modification and/or Enforcement of Permanent Legal Custodianship Order form and submit it to The Dependency and Related Services Department. This can be done in one of the following ways:
 - in person (address below),
 - email at childprotection@allegheycourts.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 mediation date and hearing date.
3. You must give a copy of the completed Petition for Modification and/or Enforcement of Permanent Legal Custodianship Order, with the mediation date and 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 Certificate of Service form that you may use to show how a party was given the Petition for Modification and/or Enforcement of Permanent Legal Custodianship Order along with the hearing date. **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.allegheycourts.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 Certificate of Service 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:

_____,
a minor

Juvenile Docket No. _____
F.D. Docket No. _____
KIDS ID No. _____

Petitioner's Information	
Name: _____	DOB: _____
Address: _____	
Phone Number(s)& Email: _____	
Relationship to Child: _____	

Child's Information	
Name: _____	DOB: _____
Address: _____	
Currently Resides with: <input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both Parents <input type="checkbox"/> PLC Caregiver <input type="checkbox"/> Other (fill out below):	
Name, Relationship, Phone, Email: _____	

Respondent's Information	
Mother's Name: _____	DOB: _____
Address: _____	
Phone Number(s)& Email: _____	
Father's Name: _____	DOB: _____
Address: _____	
Phone Number(s)& Email: _____	
PLC Caregiver's Name: _____	DOB: _____
Address: _____	
Phone Number(s)& Email: _____	

AND NOW, this _____ day of _____, 20_____ comes the Petitioner, who moves this Honorable Court to modify and/or enforce the current Permanent Legal Custodianship Order issued in the above-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.

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

MEDIATION AND HEARING NOTICE

PLEASE TAKE NOTICE that a mediation AND hearing on the above Petition for Modification and/or Enforcement of Permanent Legal Custodianship Order have been scheduled as follows:

Mediation

DATE: _____ TIME: _____

LOCATION: This mediation could take place in person or remotely by video or telephone conference. The assigned mediator will provide more information closer to the mediation date.

MEDIATOR: _____

Hearing

At this hearing, the Court will determine whether this matter shall proceed as a juvenile court matter or as an adult family court matter.

DATE: _____ TIME: _____

LOCATION: This hearing will take place in the Family Law Center; 440 Ross Street Pittsburgh, PA 15219.

JUDGE: _____

* 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:

a minor

Juvenile Docket No.

F.D. Docket No.

KIDS ID No.

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

I certify that _____, the _____
(Name of party served) (Relationship to Child)

of the minor child _____, was served a true and correct copy of the Petition for
(Name of Child)

Modification and/or Enforcement of Permanent Legal Custodianship Order pleading in the above-captioned case by the following method:

1. **CERTIFIED MAIL:** Party was served by pre-paid, certified mail through the U.S. Postal Service on the _____ day of _____, 20_____. The party or the party's authorized agent signed 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 served by First Class postage pre-paid through the U.S. Postal Service on the _____ day of _____, 20_____.

3. **PERSONAL SERVICE:** A competent adult named _____, who is over eighteen (18)
(Name of person serving the pleading)

years old and **not** the applicant/petitioner in this case, served the party by handing him/her a copy of the pleading. The pleading

was served on _____, who is the party **or** the party's authorized agent, at the following address
(Name of person receiving the pleading)

_____, _____, _____ on the ____ day of
(Street name and number) (City) (State)

_____ at approximately _____ a.m. p.m.

4. **SERVICE ON ATTORNEY OF RECORD:** Party's attorney of record was served the pleading by personal service regular mail facsimile on the _____ day of _____, 20_____.

I verify that the statements made in this Certificate of Service are true and correct. I understand that any false statements made are subject to the penalties of 18 Pa.C.S. § 4909 relating to unsworn falsification to authorities.

DATE: _____

Signature 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@alleghenycountys.us



NOTICE OF LANGUAGE RIGHTS

English: 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.

Mandarin/Cantonese Simplified Chinese/普通话/粤语简体中文: 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/普通话/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。

العربية/Arabic: 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.

Vietnamese/Tiếng Việt: 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.

Nepali/नेपाली: तपाईंको निःशुल्क रूपमा भाषा अनुवादक राख्न पाउने अधिकार छ। अनुवादकको लागि अनुरोध गर्न, यस सूचनाको माथि दिइएको सम्पर्क जानकारी भरेर अदालतका कर्मचारीहरूलाई जानकारी दिनुहोस्।

Korean/한국어: 귀하는 비용에 대한 부담 없이 통역 서비스를 받을 권리가 있습니다. 통역 서비스를 요청하려면 본 통지서의 상단에 기재된 연락처를 통해 법원 직원에게 알려주세요.

Polish/Polski: 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.

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

Punjabi/ਪੰਜਾਬੀ/India: ਤੁਹਾਨੂੰ ਇਕ ਦੁਬਾਸੀਆ ਹਾਸਲ ਕਰਨ ਦਾ ਹੱਕ ਹੈ, ਜਿਸ ਦੀ ਤੁਹਾਨੂੰ ਕੋਈ ਲਾਗਤ ਨਹੀਂ ਲੱਗੇਗੀ। ਦੁਬਾਸੀਏ ਲਈ ਬੇਨਤੀ ਕਰਨ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰ ਕੇ ਅਦਾਲਤ ਦੇ ਅਮਲੇ ਨੂੰ ਜਾਣੂ ਕਰਵਾਓ ਤੇ ਇਸ ਲਈ ਇਸ ਨੋਟਿਸ ਦੇ ਸਿਖਰ ਉੱਤੇ ਦਿੱਤੀ ਸੰਪਰਕ ਜਾਣਕਾਰੀ ਦਾ ਇਸਤੇਮਾਲ ਕਰੋ।

Portuguese/Português: 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.

Somali/Somaali: 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 Ayisyen: Ou gen dwa resevwa sèvis yon entèprèt gratis. Pou mande pou yon entèprèt, tanpri fè manm pèsònèl tribinal la konnen lè ou sèvi avèk enfòmasyon an yo te bay ou nan tèt avi sa a.

French/Français: 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.