

**INSTRUCTIONS FOR PETITION TO MODIFY A
CUSTODY/VISITATION ORDER**

These instructions will help you file and set up a hearing with a Custody Master for modification of a current custody order.

BEFORE YOU BEGIN, READ COMPLETELY THESE INSTRUCTIONS.

A. COMPLETING THE FORMS - PETITION AND ORDER

This packet has three forms. You first need to complete the Petition and Order.

1. Petition.

Fill it out completely. Do not leave any blank spaces. Here are some suggestions:

- a) At the top left, you are the "petitioner". The other parent is the "respondent".
- b) At the top right, fill in the county in which you are filing. Write the same Civil No. as the latest Court Order.
- c) Fill in the current address for both parents. **You will need a current address before there can be any hearing.**
- d) To complete #3, write in the date of the latest Court Order on custody and visitation. **You must attach a copy of the most recent custody order.**
- e) Complete #4 by explaining briefly how you want the Order modified.

f) Sign your name at the bottom. You are proceeding "pro se". This means you are acting on your own and have no attorney.

2. Order.

Fill in only the top of the Order form. (It is the same as the top of the Petition form). The Prothonotary will fill in the rest of the Order.

B. FILING - PRESENTING THE PAPERS TO THE COURT

1. You will need to file an original and three (3) copies of the Petition and Order.

2. On each staple the Order to the front of the Petition and a copy of the latest custody order to the back.

3. File in the Office of the Prothonotary, (Court Clerk). The office is on the first floor of the courthouse in both Columbia and Montour counties.

4. There is a \$20.00 fee for filing the Petition to Modify. You will need to pay at the time you file.

5. To file, you need to hand the papers to the Clerk. They will do the rest.

C. SERVING OF THE PETITION - GIVING THE OTHER PARENT NOTICE

1. You must give the other party (parent) legal notice that you have filed for custody. This type of notice is known as "service."

2. Service of the Petition and Order is your responsibility. To do so, you must send the Petition and Order by certified mail, return receipt requested, to be signed by the ADDRESSEE ONLY.

The addressee must be the Respondent. The Post Office can help you send certified mail.

3. Service must be made within thirty (30) days from the date the Petition is filed in the Prothonotary's Office.

D. PROOF OF SERVICE

1. Service is complete once you have received back the green card showing the Defendant has received the Petition and Order.

2. Once the service is made, the Certificate of Service should be completed and filed with the Prothonotary. The sender's receipt and green card should be stapled to the Certificate of Service when it is filed.

3. The Custody Master will not set up a hearing until the Proof of Service is filed.

	*	IN THE COURT OF COMMON PLEAS
PETITIONER	*	26TH JUDICIAL DISTRICT
vs.	*	COUNTY BRANCH, PENNA.
	*	(county)
	*	CIVIL ACTION - CUSTODY
RESPONDENT	*	NO. of 20-__

ORDER OF COURT

AND NOW, to-wit, this _____ day of _____, 20__ , the within matter is hereby referred to Marks McLaughlin & Dennehy , Special Master, for further proceedings in accordance with the Rules of the Court, Chapter V, dated May 23, 1990, pertaining to Special Masters in custody and visitation matters, upon receipt by the Court Administrator of proof of service.

PROTHONOTARY:

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE AB LE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFICER LEGAL SERVICES TO ELIGIBLE PERSONS:

COURT ADMINISTRATOR
COLUMBIA COUNTY COURTHOUSE
BLOOMSBURG PA 17815
570-389-5667

PETITIONER	*	IN THE COURT OF COMMON PLEAS
vs.	*	26TH JUDICIAL DISTRICT
RESPONDENT	*	_____ COUNTY BRANCH, PENNA.
	*	(county)
	*	CIVIL ACTION - CUSTODY
	*	NO. _____ of _____ 20 ____

PETITION TO MODIFY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

COMES NOW _____, and respectfully represents that:

1. The Petitioner is _____ who resides at _____.

2. The Respondent is _____ who resides at _____.

3. On _____ an Order of Custody/Visitation was entered by this Court, a true and correct copy of which is attached hereto, marked Exhibit "A" and made part hereof.

4. The best interests and welfare of the child(ren) will be promoted by a modification of the present Order as follow:

WHEREFORE, Petitioner respectfully prays that this Court refer the matter to a Special Master for a conference to modify the existing custody/visitation Order.

 pro se

PLAINTIFF

vs.

DEFENDANT

* IN THE COURT OF COMMON PLEAS
* 26TH JUDICIAL DISTRICT
* _____ COUNTY BRANCH, PENNA.
* (County)
*
* CIVIL ACTION
* NO. _____ of _____ 20__

CERTIFICATE OF SERVICE

I, _____, Plaintiff, certify that on the
_____ day of _____, 20 __, a true and correct copy of the
_____ was mailed by certified mail to the
Defendant, _____, at Defendant's current residence
of _____.
Defendant received the Complaint on the _____ day of _____,
20 __. Sender's receipt and return card are attached hereto.

Plaintiff