

## CUSTODY EMERGENCY SPECIAL RELIEF INSTRUCTIONS

***Please carefully consider that not every custody dispute is an "EMERGENCY" and simply alleging that the other parent has the child(ren) and will not permit the other parent to see the child(ren) DOES NOT constitute an emergency. Only when there is a serious, factually-provable immediate risk to the health and safety of the child(ren) will the court consider granting any type of relief before the parties appear before the Custody Hearing Officer for a hearing.***

- (1) Do you have a current custody action in Northumberland County?

If **YES**, in addition to the Special Relief, you **MUST** also file a Custody Modification Petition and attach a copy of your current custody order. If you do not have a copy, you may get one at the Prothonotary's Office on the first floor of the courthouse for a copying fee. Filing fee for Custody Modification is **\$74.00**.

If **NO**, in addition to the Special Relief, you must fill out a first time custody packet. There is a filing fee of **\$137.00**. If you cannot afford the filing fee and meet the income guidelines, you may file an **InForma Pauperis Petition** to request the fee waived.

- (2) **COMPLETELY** fill out both petitions – **ALL** spaces must be completed. You must be **SPECIFIC** in your allegations with the dates and times or the petition could be denied.
- (3) Return the petitions to the Custody Office located on the first floor of the courthouse for review by a judge, scheduling and copying.
- (4) When the orders are signed, you will be given the original petitions and five (5) copies.
- (5) You must file all the original petitions and copies with the Prothonotary's Office on the first floor of the courthouse. There is no fee for the Petition for Special Relief.
- (6) Once the petitions are filed, the Prothonotary's Office will give you the five (5) copies back to distribute as follows:

Copy #1 = Yourself

Copy #2 = Custody Office

Copy #3 = Court Administration

Copy #4 = Other party by **REGULAR MAIL**

Copy #5 = Other party by **CERTIFIED MAIL**

**\* RETURN RECEIPT REQUESTED**

- (7) Take the petitions to the post office as soon as possible so that service is promptly made prior to the hearing date.
- (8) Once you receive the certified green card back showing service was made, you must bring that card with you to the hearing to show the Court that service was properly made.



**Think carefully about signing the PETITION FOR EMERGENCY SPECIAL RELIEF. If it is found that the statements made by you in the petition are false, you may be CRIMINALLY PROSECUTED for filing false statements with the Court and have to pay a fine or face IMPRISONMENT.**

_____	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	OF NORTHUMBERLAND COUNTY, PA
	:	
vs.	:	CIVIL ACTION - LAW
	:	NO. CV- _____
_____	:	
Defendant	:	CUSTODY ACTION

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_, upon consideration of the attached Petition for Emergency/Special Relief, it is hereby ORDERED and DIRECTED:

\_\_\_\_\_ A hearing will be held on \_\_\_\_\_ at \_\_\_\_\_ in Courtroom #4, located on the first floor of the Northumberland County Courthouse before the Custody Hearing Officer.

\_\_\_\_\_ A hearing will be held \_\_\_\_\_ at \_\_\_\_\_ in Courtroom # \_\_\_\_\_ before the Honorable \_\_\_\_\_.

\_\_\_\_\_ The Petition for Emergency/Special Relief is **GRANTED** and no hearing is necessary.

\_\_\_\_\_ Additional conditions IMPOSED: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_ The Petition for Emergency/Special Relief is **DENIED.**

The moving party shall serve two (2) copies this Order and the attached petition upon the other party by (1) **certified mail, return receipt requested** AND (2) **regular mail**, and shall present the receipt, if any, at the hearing.

BY THE COURT:

\_\_\_\_\_  
 Judge

**AMERICANS WITH DISABILITIES ACT OF 1990**

*The Court of Common Pleas of Northumberland County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disable individuals having business before the court, please contact the Court Administrator at (570) 988-4167. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled hearing.*

_____ ,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	OF NORTHUMBERLAND COUNTY, PA
	:	
vs.	:	CIVIL ACTION - LAW
	:	NO. CV- _____
_____ ,	:	
Defendant	:	CUSTODY ACTION

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_, upon consideration of the Petition for Emergency/Special Relief, it is hereby ORDERED and DIRECTED that the MOVING party, \_\_\_\_\_, is granted sole legal and physical custody of the following minor child or children pending further order of court:

- (1) \_\_\_\_\_, date of birth \_\_\_\_\_
- (2) \_\_\_\_\_, date of birth \_\_\_\_\_
- (3) \_\_\_\_\_, date of birth \_\_\_\_\_
- (4) \_\_\_\_\_, date of birth \_\_\_\_\_

\_\_\_\_\_ A hearing will be held on \_\_\_\_\_ at \_\_\_\_\_ in Courtroom #4, on the first floor of the Northumberland County Courthouse before the Hearing Officer.

\_\_\_\_\_ A hearing will be held on \_\_\_\_\_ at \_\_\_\_\_ in Courtroom # \_\_\_\_\_ before the Honorable \_\_\_\_\_.

The moving party shall serve two (2) copies this Order and the attached petition upon the other party by (1) **certified mail, return receipt requested** AND (2) **regular mail**, and shall present the receipt, if any, at the hearing.

BY THE COURT:

\_\_\_\_\_  
Judge

**AMERICANS WITH DISABILITIES ACT OF 1990**

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_____ ,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	OF NORTHUMBERLAND COUNTY, PA
	:	
vs.	:	CIVIL ACTION - LAW
	:	NO. CV- _____
_____ ,	:	
Defendant	:	CUSTODY ACTION

**PETITION FOR EMERGENCY/SPECIAL RELIEF**

(1) The moving party is \_\_\_\_\_ whose address is \_\_\_\_\_ and phone # is \_\_\_\_\_.

(2) The other party is \_\_\_\_\_ whose address is \_\_\_\_\_ and phone # is \_\_\_\_\_.

(3) Special relief being requested: *(be specific & attach additional pages, if necessary)*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(4) The Court should grant the special relief requested in this matter, because

(a) DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(b) DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(c) DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(d) DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**ANSWER YES OR NO TO THE FOLLOWING:**

(5) \_\_\_\_\_ The parties have been involved in the past with Children & Youth Services

(6) \_\_\_\_\_ The parties are currently involved with Children & Youth Services. The caseworker name is \_\_\_\_\_.

If yes, was the caseworker contacted about these incidents, and if so, when:

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

(7) \_\_\_\_\_ Is there currently a safety plan in effect of the children? If yes, attach a copy of the safety plan to the petition.

(8) \_\_\_\_\_ The parties have filed a Protection From Abuse (PFA) in the past.

(9) \_\_\_\_\_ There is an active PFA involving the above parties.

(10) Check all of the following judge (s) or hearing officers who have heard issues involving the above parties, whether it has been divorce, custody, PFA, etc.:

\_\_\_\_\_ Honorable President Judge Robert B. Sacavage, Judge  
For the following: \_\_\_\_\_

\_\_\_\_\_ Honorable Wm. Harvey Wiest, Judge  
For the following: \_\_\_\_\_

\_\_\_\_\_ Honorable Charles H. Saylor, Judge  
For the following: \_\_\_\_\_

\_\_\_\_\_ Hearing Officer Marsha Skoff, Esquire  
For the following: \_\_\_\_\_

\_\_\_\_\_ Other (*Please note name:* \_\_\_\_\_ )  
For the following: \_\_\_\_\_

**WHEREFORE**, the moving party respectfully requests this Honorable Court to hold a hearing and to grant the relief requested above. The statements made above are true upon the signer's personal knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Respectfully Submitted,

\_\_\_\_\_, Moving Party