Motion to Continue Custody Conference, Pre-Trial Conference, Contempt Hearing or Custody Hearing & Order

COMPLETE STEP-BY-STEP INSTRUCTIONS ARE ON PAGE 2.
A copy of your current Custody Order MUST be attached to your Petition.

BEFORE YOU TAKE THESE PAPERS TO COURT, YOU MUST GIVE THE OTHER PARTY AT LEAST 3 BUSINESS DAYS' NOTICE

The purpose is to let them know the date you are going to go to Court. They have a right to be there.

1. Give or mail (both regular and certified) them, or their lawyer, the **"Notice of Intention to Present"** which tells them what day and time you will be going to Court. **You do not need an appointment.** If both parties attend when you present the papers, you will get a quicker hearing date.

On the **Notice of Intention to Present** form, if you give/mail the other party the papers on a

1. Monday or Friday, you would write the date for the following Thursday
2. Tuesday or Wednesday, you would write the date for the following Monday
3. Thursday, you would write the date for the following Tuesday

2. You must also give/mail the other party COPIES of all the forms below *(after you fill them in)* that have an *. Keep the originals of all forms to take to Court.

You MUST complete ALL of the forms in this packet, which include:

1. ***Notice of intention to Present** – see above information for details.
2. ***Motion to Continue cover sheet** - this must include the case number and the party names as they were on the original Custody Order (i.e. the plaintiff is always the plaintiff and defendant is always the defendant, regardless of who is filling out the Petition)
3. ***Petition**
4. ***Verification**
5. **Order –** ONLY complete the top section of this form, the Judge will complete the rest
6. **Proof of Service & Acceptance of Service –** do nothing with these until Step 8
7. **Notice to incarcerated parent – If the other parent is presently incarcerated, ask library staff for this form and include it with the complaint.**

AFTER giving 3 business days' notice, take the forms to Custody Motions Court in Courtroom #4, Monday, Tuesday and Thursday, excluding Court holidays. Be there no later than 8:45 a.m. *You must also give the Judge a copy of your current Custody Order.*

If you are not 18 years old you must have your custodial parent(s) or Guardian file for you.

REMEMBER -THERE IS A DRESS CODE IN THE COURTROOM, ALL CELL PHONES MUST BE COMPLETELY OFF & YOUR FORMS MUST BE IN NUMERICAL ORDER WHEN YOU GO TO COURT.

Please note that the law librarian, staff of the Beaver County Law Library, staff of the Juvenile Services Division, staff of the Court Administrator's Office and the Judge's Law Clerk are neither qualified nor permitted to assist persons in the preparation or filing of child custody documents or to provide legal advice or assistance of any kind on child custody or any other legal matters.

LITIGANTS ARE STRONGLY ENCOURAGED TO CONSULT WITH AN ATTORNEY.

SUMMARY OF STEPS

Before you go to Court:

1. Complete the forms in INK, not pencil. Incomplete forms may be refused.
2. Photocopy all of the paperwork *(except the Proof of Service and Acceptance of Service forms)* and send or give it to the other party along with the Notice of Intention to Present THREE BUSINESS DAYS BEFORE you present the Petition to the Judge. The date you write on this form is the day you plan to deliver the documents to Court. It must be at least 3 business days away and must be a Monday, Tuesday, Wednesday or Thursday. If both parties attend when you present the Petition, you will get a quicker hearing date.

In Court:

3. **Take completed forms to Motions Court, Courtroom #4, Second Floor of the Courthouse, no later than 8:45 a.m. any Monday, Tuesday and Thursday. Late motions will not be heard. Go into the Courtroom, have a seat and wait your turn**.
4. The Judge will sign the petition and assign a hearing date, if needed. You will then receive a clocked copy of the Order and the original will be returned to you.
5. Get your paperwork from the Law Clerk.

After you leave Court:

6. **FILE** the papers in the Prothonotary's Office (1st floor).
   a. After you have presented your motion to the Judge you must file all of the original documents that you gave to the Judge with the Prothonotary's office.
7. **SERVE** the other party with the Order signed by the Judge. This means you give or mail the other party copies of all the papers that you gave to the judge.
   a. If you choose to hand deliver the documents, you must have the other Party sign an **Acceptance of Service** form. You MUST FILE the Acceptance of Service in the Prothonotary's office after it is signed.
   b. If you serve the other party by mail you must send the documents by **both Regular mail and Certified mail**. Complete the Proof of Service form by making check marks on the line before both regular and certified mail. **Make a photocopy.** File it with the Prothonotary. After you receive the green card verifying certified mail, staple the green card to the Proof of Service and file it again with the Prothonotary.
8. **FILE** either a Proof of Service or Acceptance of Service Form with the Prothonotary after service has been done**. MAKE AND KEEP A COPY FOR YOURSELF.**
9. Bring a copy of the Proof of Service or Acceptance of Service that you filed in the Prothonotary's office to ALL later hearings, conferences and/or trials.

Note: When filling out the forms--parties must be identified as Plaintiff or Defendant as they are listed on the *original* custody Complaint, regardless of who is filing the Petition. The person filing the petition is the *Petitioner*; the other party is the *Respondent*.

IMPORTANT INFORMATION

1. **NOTICE**: Send or give the other party the Notice of Intention to Present along with copies of the documents you will be presenting to the judge AT LEAST 3 business days written notice BEFORE you go to Court.

   If there is a PFA, you may send the legal paperwork but do NOT include any other letters, notes, etc. If it is a true emergency, you may have a family member or friend call or hand deliver copies of the notice.

   If you do not know where the other party lives, you must read PA Rules of Court # 430 & # 1930.4 and Beaver County Local Rule # 430 and follow the required procedures.

2. **FILING**
   - **a.** After you have presented your motion to the Judge you must file all of the original documents that you gave to the Judge with the Prothonotary's office
   - **b.** You must also return to the Prothonotary's office to file the Proof of Service form after you have served the other party (see below)

3. **SERVICE**
   - **a.** You must give the other party copies of all documents that you presented to the judge.
   - **b.** You must either serve the other party by mail or by hand delivery
   - **c.** If you serve the other party by mail you must send the documents by both **Regular mail and Certified mail**.
     - **i.** Complete the Proof of Service form by checking both regular mail and certified mail
     - **ii.** After you have received the green card verifying certified mail delivery, staple that green card to the Proof of Service form and **AGAIN file with the Prothonotary's office**
   - **d.** If you choose to Hand deliver the Documents you must have the other Party sign an **Acceptance of Service form. You MUST FILE the Acceptance of Service in the Prothonotary's office after it is signed.**

******* Always keep a copy of the Proof of Service documents for your records and ALWAYS bring the Proof of Service forms to all Conciliation Conferences, Pre-Trial Conferences and/or Hearings/Trials in Court.***

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
PENNSYLVANIA

_____,	:	
Plaintiff,	:	
	:	
vs.	:	No. _____
	:	
	:	
_____,	:	
Defendant.	:	

NOTICE OF INTENTION TO PRESENT

TO:_____

_____

_____
(name & address of the other party)

Please take notice that I intend to present the attached Motion/Petitions on *(date)*_____ at 8:45 a.m., Courtroom No.4, Beaver County Courthouse, Beaver, PA. If you wish to oppose the requested relief or action, you should appear at that time and present your objections to the court.

Date_____ _____
Petitioner

CERTIFICATION OF SERVICE

I hereby certify that I have caused to be served a true and correct copy of the attached on the above named defendant at least 3 business days prior to the date of presenting the Motion by way of (check all that apply):

_____ regular mail
_____ certified mail
_____ hand delivery

_____
Petitioner

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A

CIVIL DIVISION

_____	:	No. _____
Plaintiff,	:	Civil Action – Law
	:	
	:	Type of Pleading:
vs.	:	**Motion to Continue _____**
	:	
	:	
	:	
_____	:	Filed on behalf of:
Defendant.	:	

_____
(Your Name)

Filing Party's Information:(Your Name)

Name:_____

Address: _____

_____

_____

Telephone #: _____

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
PENNSYLVANIA

_____
Plaintiff

Civil Action – Law

vs.

No. _____

_____
Defendant

MOTION TO CONTINUE_____
(Write in type of conference or hearing you want to continue)

AND NOW, COMES _____, Plaintiff/Defendant, and who respectfully requests a continuance of the conference scheduled in the above captioned action and states as follows:

1. A conference or hearing is scheduled for _____ at _____ .m. at the Juvenile Services Division/Beaver County Courthouse, Courtroom #___.

2. This Petitioner respectfully requests a continuance for the following reason:
_____

_____

_____

3. The opposing counsel/party has been informed of this request for continuance and (agrees) (objects) to the continuance:

4. _____ Continuances have already been granted on the matter.

WHEREFORE, Petitioner respectfully requests this Honorable Court to continue the conference /hearing until the next available date.

Respectfully submitted,

_____
Petitioner's Signature

_____
Printed Name

I AM OVER THE AGE OF 18. Yes / No (CIRCLE ONE)

VERIFICATION

I, _____, verify that the statements made in this Petition for Modification of Custody are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann § 4904, relating to unsworn falsification to authorities which provides that if I knowingly make false averments, I may be subject to criminal penalties.

_____
Petitioner

Date: _____

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
PENNSYLVANIA

_____
Plaintiff

Civil Action – Law

vs.

No. _____

_____
Defendant

ORDER

AND NOW, this _____ day of _____, 20___ , upon consideration of this within Motion for Continuance, the conference/hearing scheduled in the above captioned action for _____20___ , at_____ o'clock ___.M. is hereby continued until the _____ day of _____20___ , at _____ o'clock ___.M at the Juvenile Services Division/ Beaver County Courthouse, Courtroom No.___.

BY THE COURT:

_____

JUDGE

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
PENNSYLVANIA

_____,	:	
Plaintiff,	:	
	:	
vs.	:	No. _____
	:	
	:	
_____,	:	
Defendant.	:	

PROOF OF SERVICE

I _____(*your name*), hereby certify that I delivered a copy of the

(*name of document*) _____to

_____(*name of party*) on _____(*date*),

at _____ o'clock p.m./a.m. Delivery was made by (check all that apply):

_____ regular mail

_____ certified mail

_____ hand delivery

_____ _____
DATE PETITIONER

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
PENNSYLVANIA

_____,	:	
Plaintiff,	:	
	:	
vs.	:	No. _____
	:	
	:	
_____,	:	
Defendant.	:	

ACCEPTANCE OF SERVICE

I accept service of the _____ (*name of document*). I certify that I am authorized to accept service on behalf of defendant.

_____ _____
DATE DEFENDANT OR AUTHORIZED AGENT

_____

_____

_____
MAILING ADDRESS

Note: If defendant accepts service personally, the second sentence should be deleted.

CERTIFICATE OF COMPLIANCE

RE: ACCESS TO COURT CASE RECORDS

CASE NO._____

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.

Submitted by:_____

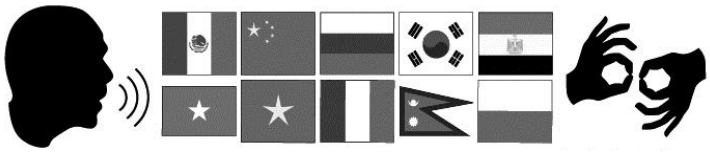
Signature:_____

Name:_____

Attorney No. (if applicable):_____

Rev. 02/22/18

Notice of Language Rights



Language Access Coordinator
Beaver County Courthouse, 810 Third Street, Beaver, PA, 15009
724-770-4770
languageaccess@beavercountypa.gov

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.

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 알리십시오.

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.

Punjabi/ پنجابی /Pakistan: 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۔

Punjabi/ ਪੰਜਾਬੀ /India: ਤੁਹਾਨੂੰ ਇਕ ਦੁਭਾਸ਼ੀਆ ਹਾਸਲ ਕਰਨ ਦਾ ਹੱਕ ਹੈ, ਜਿਸ ਦੀ ਤੁਹਾਨੂੰ ਕੋਈ ਲਾਗਤ ਨਹੀਂ ਲੱਗੇਗੀ। ਦੁਭਾਸ਼ੀਏ ਲਈ ਬੇਨਤੀ ਕਰਨ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰ ਕੇ ਅਦਾਲਤ ਦੇ ਅਮਲੇ ਨੂੰ ਜਾਣੂ ਕਰਵਾਓ ਤੇ ਇਸ ਲਈ ਇਸ ਨੋਟਿਸ ਦੇ ਸਿਖਰ ਉਤੇ 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 pèsonèl 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.