

Instructions for:
**Notice of Proposed Relocation
With Court Case**

**CAUTION – THERE ARE TWO FORMS IN THIS PACKET THAT MUST
BE COMPLETED.**

**Notice of Proposed Relocation
For Custodial Parent with a Custody Order**

Use this form if you have a custody case. The following numbers on these instructions correspond with the numbers in the boxes

Box 1: Print the name of the county in which you have a custody order.

Box 2: Print the plaintiff's name exactly as it appears on the other forms in this action.

Box 3: Print the case number that has been assigned to your case. This can be found on your custody complaint or custody order.

Box 4: Print the defendant's name exactly as it appears on all other forms in this action.

Box 5: Print the name of the parent to whom you are sending the notice.

Box 6: Print your name.

Box 7: Print the name(s) of the child(ren) about whom your relocation notice applies.

Box 8: Print your new address.

Box 8a: *If you are claiming to be the victim of domestic violence and have or are seeking to have a confidential address, check this box.*

Box 9: Print your new mailing address, if it is different from what you wrote at Box 8.

Box 9a: *If you are claiming to be the victim of domestic violence and have or are seeking to have a confidential address, check this box.*

Box 10: Print the first and last name and ages of the people who will live at the new residence.

Box 10a: *If you are claiming to be the victim of domestic violence and have or are seeking to have a confidential address, check this box.*

Box 11: Print the new telephone number.

Box 11a: *If you are claiming to be the victim of domestic violence and have or are seeking to have a confidential address, check this box. Custody.*

Box 12: Print information about the child(ren)'s new school.

Box 12a: *If you are claiming to be the victim of domestic violence and have or are seeking to have a confidential address, check this box.*

Box 13: Print the date you plan to move.

Box 13a: *If you are claiming to be the victim of domestic violence and have or are seeking to have a confidential address, check this box.*

Box 14: Print the reasons for the move.

Box 14a: *If you are claiming to be the victim of domestic violence and have or are seeking to have a confidential address, check this box.*

Box 15: Print the custody schedule you propose after the move.

Box 16: Print any other information you think is important for the other parent, or the court, to know.

Box 17: **EACH COUNTY HAS DESIGNATED AN AGENCY FOR INFORMATION ABOUT LEGAL SERVICES. CHECK COUNTY LOCAL RULES OR CONTACT THE COURT ADMINISTRATOR'S OFFICE.**

WHEN YOU HAVE COMPLETED THIS FORM, SEND THE FOLLOWING TO THE OTHER PARENT:

- 1. A COPY OF THE NOTICE OF PROPOSED RELOCATION**
- 2. A COPY OF THE INSTRUCTIONS FOR THE COUNTER AFFIDAVIT**
- 3. A COPY OF THE COUNTER-AFFIDAVIT**

KEEP A COPY FOR YOURSELF.

BE SURE TO READ THIS APPLICABLE LAW AND PROCEDURE

23 Pa.C.S.A. 5337

(c) Notice.--

(1) The party proposing the relocation shall notify every other individual who has custody rights to the child.

(2) Notice, sent by certified mail, return receipt requested, shall be given no later than:

(i) the 60th day before the date of the proposed relocation; or

(ii) the tenth day after the date that the individual knows of the relocation, if:

(A) the individual did not know and could not reasonably have known of the relocation in sufficient time to comply with the 60-day notice; and

(B) it is not reasonably possible to delay the date of relocation so as to comply with the 60-day notice.

(3) Except as provided by section 5336 (relating to access to records and information), the following information, if available, must be included with the notice of the proposed relocation:

(i) The address of the intended new residence.

(ii) The mailing address, if not the same as the address of the intended new residence.

(iii) Names and ages of the individuals in the new residence, including individuals who intend to live in the new residence.

(iv) The home telephone number of the intended new residence, if available.

(v) The name of the new school district and school.

(vi) The date of the proposed relocation.

(vii) The reasons for the proposed relocation.

(viii) A proposal for a revised custody schedule.

(ix) Any other information which the party proposing the relocation deems appropriate.

(x) A counter-affidavit as provided under subsection (d)(1) which can be used to object to the proposed relocation and the modification of a custody order.

(xi) A warning to the nonrelocating party that if the nonrelocating party does not file with the court an objection to the proposed relocation within 30 days after receipt of the notice, that party shall be foreclosed from objecting to the relocation.

(4) If any of the information set forth in paragraph (3) is not known when the notice is sent but is later made known to the party proposing the relocation, then that party shall promptly inform every individual who received notice under this subsection.

* * *

(e) Confirmation of relocation.--If no objection to the proposed relocation is filed under subsection (d), the party proposing the relocation shall file the following with the court prior to the relocation:

(1) an affidavit stating that the party provided notice to every individual entitled to notice, the time to file an objection to the proposed relocation has passed and no individual entitled to receive notice has filed an objection to the proposed relocation;

(2) Proof that proper notice was given in the form of a return receipt with the signature of the addressee and the full notice that was sent to the addressee.

(3) a petition to confirm the relocation and modify any existing custody order; and

(4) a proposed order containing the information set forth in subsection (c)(3).

(f) Modification of custody order.--If a counter-affidavit regarding relocation is filed with the court which indicates the nonrelocating party both has no objection to the proposed relocation and no objection to the modification of the custody order consistent with the proposal for revised custody schedule, the court may modify the existing custody order by approving the proposal for revised custody schedule submitted under subsection (c)(3)(viii), and shall specify the method by which its future modification can be made if desired by either party. If a counter-affidavit regarding relocation is filed with the court which indicates the nonrelocating party objects either to the proposed relocation or to the modification of the custody order consistent with the proposal for revised custody schedule, the court shall modify the existing custody order only after holding a hearing to establish the terms and conditions of the order pursuant to the relocation indicating the rights, if any, of the nonrelocating parties

IN THE COURT OF COMMON PLEAS OF (1) _____ COUNTY,
PENNSYLVANIA

Sample

(2) _____
Plaintiff :

Custody No. (3) _____

(4) _____
Defendant

NOTICE OF PROPOSED RELOCATION

You, _____ (5) are hereby notified that (6) _____ (party
proposing relocation) (7) intends to relocate with the following minor child(ren):

(7)

To object to the proposed relocation, you must complete the attached counter-affidavit and serve it on the other party by certified mail, return receipt requested, addressee only, or pursuant to Pa.R.C.P. No. 1930.4 within 30 days of receipt of this notice. If there is an existing child case, you also must file the counter-affidavit with the court. If you do not object to the proposed relocation within 30 days, the party proposing relocation has the right to relocate and may petition the court to approve the proposed relocation and to modify any custody orders or agreements.

FAILURE TO OBJECT WITHIN 30 DAYS WILL PREVENT YOU FROM OBJECTING TO THE RELOCATION ABSENT EXIGENT CIRCUMSTANCES.

Address of the proposed new residence: (8) _____

(8a) Check here if the address is confidential pursuant to 23 Pa.C.S. §5336.

Main address of intended new residence (if not the same as above): (9) _____

(9a) Check here if the address is confidential pursuant to 23 Pa.C.S. §5336(b).

(10) Names and ages of individuals who intend to reside at the new residence:

Name _____ Age _____

10a

(10a) Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b).

11

(11) Telephone number of the new residence: _____

11a

(11a) Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b).

SAMPLE

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Name of the new school district child(ren) will attend after relocation: _____

12a

(12a) Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b).

13

(13) Describe the proposed relocation _____

13a

(13a) Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b).

14

(14) Reasons for the proposed relocation: _____

14a

(14a) Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b).

15

(15) Proposed modification of custody schedule following relocation: _____

16

(16) Other information: _____

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, 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 ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCY ASSISTANCE. THIS OFFICE MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE.

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(17) _____

**IN THE COURT OF COMMON PLEAS OF
BEAVER COUNTY, PENNSYLVANIA**

CIVIL ACTION – LAW

PLAINTIFF

Case No. _____

vs.

DEFENDANT

CUSTODY

NOTICE OF PROPOSED RELOCATION

You, _____, are hereby notified that _____ (party proposing relocation) intends to relocate with the following minor child(ren):

Child: _____

Child: _____

Child: _____

Child: _____

To object to the proposed relocation, you must complete the attached counter-affidavit and serve it on the other party by certified mail, return receipt requested, addressee only, or pursuant to Pa.R.C.P. No. 1930.4 within 30 days of receipt of this notice. If there is an existing child case, you also must file the counter-affidavit with the court. If you do not object to the proposed relocation within 30 days, the party proposing relocation has the right to relocate and may petition the court to approve the proposed relocation and to modify any effective custody orders or agreements. **FAILURE TO OBJECT WITHIN 30 DAYS WILL PREVENT YOU FROM OBJECTING TO THE RELOCATION ABSENT EXIGENT CIRCUMSTANCES.**

Address of the proposed new residence:

Check here if the address is confidential pursuant to 23 Pa.C.S. §5336(b).

Mailing address of intended new residence (if not the same as above):

Check here if the address is confidential pursuant to 23 Pa.C.S. §5336(b).

Names and ages of the individuals who intend to reside at the new residence:

Name	Age
_____	_____
_____	_____
_____	_____

Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b) OR (c)

Home telephone number of the new residence _____

Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b) or (c).

Name of the new school district and school the child(ren) will attend after relocation:

 Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b) or (c).

Date of the proposed relocation _____

Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b) or (c).

Reasons for the proposed relocation:

Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b) of (c).

Proposed modification of custody schedule following relocation:

Other information:

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, 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 ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral Service

788 Turnpike Street

Beaver, PA 15009

724-728-4888

<http://bcba-pa.org/lawyer-referral-service/>

INSTRUCTION FOR COUNTER-AFFIDAVIT REGARDING RELOCATION

This form must be sent to the non-relocating parent along with the Notice of Proposed Relocation, regardless of whether you have a court case or do not have a court case. The numbers on these instructions correspond with the numbers in the boxes..

Box 1: Print the name of the county in which you have a custody order.

Box 2: Print the plaintiff's name exactly as it appears on the other forms in this action.

Box 3: If you have a court case, print the case number here. If you do not have a court case, leave blank.

Box 4: Print the defendant's name exactly as it appears on all other forms in this action.

INSTRUCTIONS FOR THE PERSON PROPOSING TO RELOCATE

1. Make 3 photocopies.
2. Give one to the Plaintiff.
3. Deliver one to the Beaver County Prothonotary.
4. Deliver one copy to the Court Administration Office at the Beaver County Courthouse, 2nd floor.

YOU MUST PROVIDE A COPY OF THESE INSTRUCTIONS AND FORM WITH YOUR NOTICE OF RELOCATION.

INSTRUCTIONS FOR THE PARTY WHO CONSENTS OR OBJECTS

1. Complete this form and make 3 photocopies WITHIN 30 DAYS.
2. Give one to the Plaintiff.
3. Deliver one to the Beaver County Prothonotary.
4. Deliver one copy to the Court Administration Office at the Beaver County Courthouse, 2nd floor.

BE SURE TO READ THIS APPLICABLE LAW AND PROCEDURE

23 Pa.C.S.C.A. 5337

(d) Objection to proposed relocation.--

(1) A party entitled to receive notice may file with the court an objection to the proposed relocation and seek a temporary or permanent order to prevent the relocation. The nonrelocating party shall have the opportunity to indicate whether he objects to relocation or not and whether he objects to modification of the custody order or not. If the party objects to either relocation or modification of the custody order, a hearing shall be held as provided in subsection (g)

(1). The objection shall be made by completing and returning to the court a counter-affidavit, which shall be verified subject to penalties under 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities), in substantially the following form: (FORM IS INCLUDED WITH THIS PACKET)

(2) An objection made under this subsection shall be filed with the court within 30 days of receipt of the proposed relocation notice and served on the other party by certified mail, return receipt requested.

(3) If notice of the proposed relocation has been properly given and no objection to the proposed relocation has been filed in court, then it shall be presumed that the nonrelocating party has consented to the proposed relocation.

(4) If a party who has been given proper notice does not file with the court an objection to the relocation within 30 days after receipt of the notice but later petitions the court for review of the custodial arrangements, the court shall not accept testimony challenging the relocation.

(e) Confirmation of relocation.--If no objection to the proposed relocation is filed under subsection (d), the party proposing the relocation shall file the following with the court prior to the relocation:

(1) an affidavit stating that the party provided notice to every individual entitled to notice, the time to file an objection to the proposed relocation has passed and no individual entitled to receive notice has filed an objection to the proposed relocation;

(2) Proof that proper notice was given in the form of a return receipt with the signature of the addressee and the full notice that was sent to the addressee.

(3) a petition to confirm the relocation and modify any existing custody order; and

(4) a proposed order containing the information set forth in subsection (c)(3).

IN THE COURT OF COMMON PLEAS OF (1) _____ COUNTY,
PENNSYLVANIA

(2) _____
Plaintiff

(4) _____
Defendant

(3) No. _____
CUSTODY

COUNTER-AFFIDAVIT REGARDING RELOCATION

This proposal of relocation involves the following child/children:

Child's Name: Age Currently residing at:

Child's Name: Age Currently residing at:

Child's Name: Age Currently residing at:

SAMPLE

I have received a notice of proposed relocation and (*check all that apply*):

- 1. I do not object to the relocation.
- 2. I do not object to the modification of the custody order consistent with the proposal for revised custody schedule as attached to the notice.
- 3. I do not object to the relocation, but I do object to the modification of the custody order.
- 4. I plan to request that a hearing be scheduled by filing a request for hearing with the court:
 - a. Prior to allowing (name of child/children) to relocate.
 - b. After the child/children relocate.
- 5. I do object to the relocation.
- 6. I do object to the modification of the custody order.

I understand that in addition check (2) or (3) above, I must also serve this counter-affidavit on the other party by certified mail, return receipt requested, addressee only, or pursuant to Pa.R.C.P. No. 1930.4, and, if there is an existing custody case, I must file this counter-affidavit with the court. If I fail to do so within 30 days of my receipt of the proposed relocation notice, I understand that I will not be able to object to the relocation at a later time. I verify that the statements made in this counter-affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

SAMPLE

[Click here to enter a date.](#)

Date

Signature

**IN THE COURT OF COMMON PLEAS OF
BEAVER COUNTY, PENNSYLVANIA**

PLAINTIFF

CIVIL ACTION – LAW

vs.

Case No. _____

DEFENDANT

CUSTODY

COUNTER-AFFIDAVIT REGARDING RELOCATION

This proposal of relocation involves the following child/children:

Child's Name: _____
Age: _____
Currently residing at: _____

Child's Name: _____
Age: _____
Currently residing at: _____

Child's Name: _____
Age: _____
Currently residing at: _____

I have received a notice of proposed relocation and *(check all that apply)*:

1. I do not object to the relocation.
2. I do not object to the modification of the custody order consistent with the proposal for revised custody schedule as attached to the notice.
3. I do not object to the relocation, but I do object to the modification of the custody order.
4. I plan to request that a hearing be scheduled by filing a request for hearing with the court:
 - a. Prior to allowing _____ (name of child/children) to relocate.
 - b. After the child/children relocate.
5. I do object to the relocation.
6. I do object to the modification of the custody order.

I understand that in addition check (2) or (3) above, I must also serve this counter-affidavit on the other party by certified mail, return receipt requested, addressee only, or pursuant to Pa.R.C.P. No. 1930.4, and, if there is an existing custody case, I must file this counter-affidavit with the court. If I fail to do so within 30 days of my receipt of the proposed relocation notice, I understand that I will not be able to object to the relocation at a later time. I verify that the statements made in this counter-affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Date

Signature

CERTIFICATE OF READINESS

NO. _____ OF _____

VS.

TYPE OF CASE:(Check one that applies)

- CIVIL ACTION THE NATURE OF WHICH IS
- EQUITY CUSTODY
- APPEAL FROM ARBITRATION
- OTHER

TO THE HONORABLE JUDGES OF SAID COURT:

The undersigned hereby certifies that the above entitled case is ready for trial. This certification means that all pleadings are closed, all discovery has been completed, all medical or other expert reports have been exchanged, all parties and witnesses are available and settlement negotiations have been exhausted.

A jury trial (has) (has not) been demanded in the pleadings. (Jury) (Non-Jury) (arbitration) trial is requested. Estimated trial time is _____ (Hours) (Days).

There (is) (is not) a companion case filed at Case No. _____ of 20 _____.

This case was previously assigned to Judge _____ for disposition of other matters including _____.

The following is a current listing of each party and counsel for that party:

NAME OF PARTY	PLTF/DEFT/ADD.DEFT	NAME OF COUNSEL:

At least 60 days written notice of intention to file this Certificate of Readiness has been given to each of the foregoing persons, pursuant to Local Rule L.212.1(B) (2).

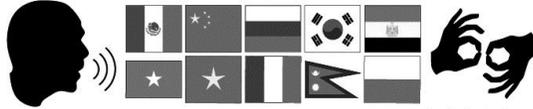
Printed Name and Signature of Counsel

DATED:

NOTE: YOU ARE REQUIRED TO MAIL A COPY OF THIS CERTIFICATE OF READINESS FOR TRIAL TO ALL PARTIES OR THEIR COUNSEL AND TO THE COURT ADMINISTRATOR.

Revised 9-03

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 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.

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 ogeysiisnaan.

Haitian Creole/Kreyòl Ayisyen: Ou gen dwa resevwa sèvis yon entèprèt gratis. Pou mande pou yon entèprèt, tanpri fè manm pèsoneèl 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.

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

