

OBTAINING A DIVORCE IN BEAVER COUNTY

3301(c) – Consent Divorce

- Please follow the instructions in the packet very carefully.
- Divorces are filed in the Prothonotary's Office, located on the first floor of the Beaver County Courthouse.
- At the time of filing, there will be a filing fee, as indicated by Prothonotary.
- If, at any time after the filing of the Divorce Complaint, either party's address changes, that party **must** notify Prothonotary directly (providing Prothonotary with an envelope with the new address will not qualify).
- If you are seeking to have the filing fee waived, complete an In Forma Pauperis, which is a separate form and not part of this packet, and take it to Courtroom #4 no later than 8:45 a.m. any Tuesday or Thursday morning to present to the Judge.
- **Remember** – NO courthouse staff may assist in filling out forms. If you have any questions, please consult an attorney.
- For more information and more detailed instructions on how to fill out the forms, please see the following website:
<http://www.pacourts.us/learn/representing-yourself/divorce-proceedings>

HOW TO PROCEED WITH A 3301(c) CONSENT DIVORCE

A divorce under Section 3301(c) of the Divorce Code is meant for spouses who BOTH consent to a divorce. If your spouse will NOT consent to a divorce, **STOP HERE** AND IF YOU HAVE BEEN SEPARATED FOR AT LEAST ONE (1) YEAR, YOU MAY PROCEED WITH A DIVORCE UNDER Section 3301(d) of the Divorce Code.

STEP ONE: Complete and File the Entry of Appearance as a Self-Represented Party (Form 1)

If you are proceeding as a self-represented party, complete and file Form 1 in the Prothonotary's Office.

STEP TWO: Complete and File the Notice to Defend; and Complaint for Divorce (Form 2)

Complete the entire Form 2. Fill in all blanks.

The caption at the top of each form includes your name, your spouse's name, and the docket number assigned to the case by the Prothonotary's office. **This caption MUST be identical on all documents filed in your case, regardless of which party is filing the document.**

File Form 2, upon completion, in the Prothonotary's Office. Bring two (2) extra copies. The Prothonotary will time-stamp and keep the original. The two (2) copies will be returned to you. One copy is for your records, and the other copy must be served on your spouse as described in **STEP THREE**.

STEP THREE: Serve Form 2 on Your Spouse

After completing and filing Form 2 as described in **STEP TWO** above, Form 2 must be served on your spouse within **thirty (30) days** of the date you filed the documents, which is the date that is time-stamped by the Prothonotary.

If your spouse does not live in Pennsylvania, the time requirement is extended to ninety (90) days.

If you do not properly serve your spouse within 30 days of the date of filing (or 90 days if outside of Pennsylvania), the Complaint (Form 2) must be reinstated using the Praecipe to Reinstate the Complaint (Form 4) and must be re-served.

YOU MUST SERVE YOUR SPOUSE IN ACCORDANCE WITH Pa.R.C.P. 1930.4 IN ORDER TO PROCEED.

According to Pa.R.C.P. 1930.4, service of the Notice to Defend; and Complaint for Divorce (Form 2) must be made in any of the following three (3) ways, AFTER they are filed with the Prothonotary's Office.

- **OPTION ONE:** Affidavit of Acceptance of Service (Form 3-A)

Give your spouse Form 2 **and** the Affidavit of Acceptance of Service (Form 3-A). Your spouse **MUST** print their name, sign, and date the Acceptance of Service stating they have received a copy of Form 2. Your spouse **MUST** then give it back to you to file in the Prothonotary's Office. Make a photocopy for your records.

- **OPTION TWO:** Affidavit of Service by Mail (Form 3-B)

Mail Form 2 to your spouse by regular mail AND Certified Mail, Restricted Delivery WITH return receipt requested (use US Postal Form 3811 from the post office). The return receipt will be a green card with your spouse's signature and the date he/she signed.

You must then complete the Affidavit of Service by Mail (Form 3-B) stating that you have mailed your spouse the required forms as described above. You **MUST** attach the green card, which you will receive back from the post office, to the Affidavit of Service by Mail (Form 3-B) proving your spouse signed for the envelope. File the original Form 3-B with the original green card attached in the Prothonotary's Office. Make a photocopy for your records.

***If the Certified Mail, Restricted Delivery is returned as "unclaimed," another type of service must be used.

- **OPTION THREE:** Affidavit of Service by Personal Service (Form 3-C)

Any competent adult, **other than you**, may personally hand Form 2 to your spouse. The third party who hands the documents to your spouse **MUST** complete, date, and sign the Affidavit of Service by Personal Service (Form 3-C), then they must give it back to you to file the original in the Prothonotary's Office. Make a photocopy for your records.

STEP FOUR: Wait ninety (90) Days from the Date the Complaint (Form 2) was SERVED.

Once you have completed proper service on your spouse as described in STEP THREE, the Pennsylvania Rules of Civil Procedure require both parties to wait **ninety (90) days** from the **date of SERVICE or receipt** of the Complaint (Form 2) before signing/filing the consent forms in STEP FIVE below.

DO NOT complete, sign, or file any other forms aside from those in STEP ONE, STEP TWO, and STEP THREE in this packet BEFORE 90 days have passed from the date of SERVICE of the Complaint.

STEP FIVE: Complete and File the Affidavits of Consent **(Forms 5-A and 5-B) AND Waivers of Notice (Forms 6-A & 6-B)**

1. Affidavit of Consent: After the 90-day waiting period, each party must sign, date, and file an Affidavit of Consent (Forms 5-A and 5-B) declaring that they consent to the divorce.

Both parties' Affidavit of Consent must be filed in the Prothonotary's Office within thirty (30) days of the date it is signed and dated. If you do not follow this step correctly, the Affidavit of Consent must be re-signed and re-filed.

Please ensure the date in Paragraph #1 on this form is correct – input the date the Complaint was filed in the Prothonotary's Office, which is the time-stamped date by the Prothonotary. If you input the wrong date, your divorce cannot be finalized and you will be required to file a new Affidavit of Consent.

2. Waiver of Notice: After the 90-day waiting period, each party must sign, date, and file a Waiver of Notice (Forms 6-A and 6-B) in addition to signing and filing an Affidavit of Consent.

Both parties' Waivers of Notice must be filed in the Prothonotary's Office within thirty (30) days of the date it is signed and dated. If you do not follow this step correctly, the Waiver of Notice must be re-signed and re-filed.

Please ensure you are selecting an option for Paragraph #1 on this form. If you do not select an option, your divorce cannot be finalized and you will be required to file a new Waiver of Notice.

If both parties sign/file a Waiver of Notice, either party may proceed to STEP SIX.

ALTERNATIVELY, if Waivers of Notice are not signed and filed, either party can mail the other party a Notice of Intention to File the Praeceptum to Transmit the Record under Section 3301(c)(1) of the Divorce Code (Form 7):

One party will mail the other party a Notice of Intention to File the Praeceptum to Transmit the Record under Section 3301(c)(1) of the Divorce Code **AND** Counter-Affidavit (Form 7). The Certificate of Service (Form 8) must then be completed, signed, and filed in the Prothonotary's Office. Twenty (20) days from the date Form 7 was mailed to the other party must pass before you may file the Praeceptum to Transmit Record (Form 9).

STEP SIX: Complete and File Praecept to Transmit Record (Form 9)

Upon the filing of both parties' Affidavits of Consent (Forms 5-A & 5-B) and Waivers of Notice (Forms 6-A & 6-B), the divorce may be concluded by either party filing a completed, signed, and dated Praecept to Transmit Record (Form 9) in the Prothonotary's Office.

THE PREAECEIPE TO TRANSMIT RECORD MUST BE FULLY COMPLETED WITH CORRECT DATES. You will be required to make all corrections on this form before your divorce is finalized. **READ THE FOLLOWING VERY CAREFULLY.**

Paragraph #1: You must select 3301(c) (the divorce you are filing).

Paragraph #2: Please ensure the date of service and method of service are correct. The date of service will depend on the method of service you utilized in **STEP THREE** (refer to your copies to ensure the correct date and manner of service).

Paragraph #3: Please ensure the dates that each party **SIGNED** his/her Affidavit of Consent are correct (refer back to your copies of the Affidavit of Consent for the date both parties **SIGNED** the Affidavit of Consent).

Paragraph #4: You **MUST** report if there are any claims pending. If there are none, say "none." You **CANNOT** leave this option blank or say it is not applicable.

Paragraph #5: Please ensure the dates for the **FILING** of the Waivers of Notice, or the service of the Notice of Intention to File the Praecept, are correct. For Waivers of Notice, this will be the filing date that is time-stamped by the Prothonotary, **NOT** the date both parties signed.

Be sure to sign and date at the bottom of the page.

STEP SEVEN: Complete and File Divorce Information Sheet (Form 10)

The Divorce Information Sheet (Form 10) must be completed and filed in the Prothonotary's Office.

Here, include the docket number, Plaintiff's name, Defendant's name, date of marriage, and check the appropriate line for the number of years you were married.

STEP EIGHT: Submit Divorce Decree (Form 11)

Submit Form 11 to the Prothonotary with completed Form 9 and Form 10.

If corrections need to be made in the paperwork, a final Divorce Decree will **not** be entered until the Court has the corrected paperwork. The responsibility of submitting accurate paperwork is that of the parties.

Once a Divorce Decree is signed by the Judge, as long as you have provided the Prothonotary two stamped envelopes, one with your current address and one with your spouse's current address, a copy will be mailed to both parties.

****Please ensure the names in the caption and the Divorce Decree itself are identical to how you wrote the names in the Complaint and corresponding Civil Cover Sheet.**

****The responsibility of submitting accurate paperwork is that of the parties; the Court will not correct filings with mistakes.**

LIST OF FORMS FOR 3301(c) DIVORCE

These forms are not designed for complicated divorce issues. It is likely that any complex divorce matter is going to require additional forms that are not included here and the expertise of a lawyer. Examples of a complicated divorce matter include: a request to divide property, receive alimony, payment of attorney's fees and expenses, or if your spouse is in the military.

IF YOU FAIL TO RAISE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES IN YOUR DIVORCE COMPLAINT, YOU WILL WAIVE OR LOSE THE RIGHT TO MAKE SUCH CLAIMS WHEN THE DIVORCE DECREE IS ENTERED.

Form 1: Entry of Appearance as a Self-Represented Party

Form 2: Notice to Defend; and Complaint for Divorce

Form 3-A: Affidavit of Acceptance of Service

Form 3-B: Affidavit of Service by Mail

Form 3-C: Affidavit of Service by Personal Service

Form 4: Praecipe to Reinstate Complaint

Form 5-A: Affidavit of Consent (Plaintiff)

Form 5-B: Affidavit of Consent (Defendant)

Form 6-A: Waiver of Notice of Intention to File the Praecipe to Transmit Record (Plaintiff)

Form 6-B: Waiver of Notice of Intention to File the Praecipe to Transmit Record (Defendant)

Form 7: Notice of Intention to File the Praecipe to Transmit Record Under Section 3301(c)(1) of the Divorce Code

Form 8: Certificate of Service

Form 9: Praecipe to Transmit Record

Form 10: Divorce Information Sheet

Form 11: Divorce Decree

Form 1

Entry of Appearance as a Self-Represented Party

Instructions for this form can be found at the beginning of this packet.

PLAINTIFF

IN THE COURT OF COMMON PLEAS OF
BEAVER COUNTY, PENNSYLVANIA

vs.

No. _____

DEFENDANT

ENTRY OF APPEARANCE AS A SELF-REPRESENTED PARTY

1. I am the ☐ Plaintiff ☐ Defendant in the above-captioned **(MARK ONE)** ☐ custody, ☐ divorce, ☐ support, ☐ protection from abuse, ☐ paternity case.

2. **(check only one box)**

☐ This **(CIRCLE ONE)** is / is not a new case and I am representing myself in this case and have decided not to hire an attorney to represent me.

-OR-

☐ This is **NOT** a new case and (Name of Attorney) previously represented me in this case. I have decided not to be represented by that attorney and direct the Prothonotary to remove that attorney as my counsel of record in this case. I have provided a copy of this form to that attorney listed above at the following address:

(check only one box)

☐ I am entering my appearance as a self-represented party (sign) _____

☐ I am withdrawing my appearance as attorney in this case (attorney signature) _____

3. My address for the purpose of receiving all future pleadings and other legal notices is: _____. I understand that this address will be the only address to which notices and pleadings in this case will be sent, and that I am responsible to regularly check my mail at this address to ensure that I do not miss important deadlines or proceedings.

☐ This is my home address.

☐ This is not my home address.

4. My telephone number where I can be reached during normal business hours (8:30 a.m. – 4:30 p.m. Monday – Friday) is _____. My email address is _____.

☐ My telephone number is confidential pursuant to a Protection From Abuse Order.

5. **I UNDERSTAND I MUST FILE A NEW FORM EVERY TIME MY ADDRESS OR TELEPHONE NUMBER CHANGES.**

6. I have provided a copy of this form to all other attorneys or other self-represented parties at the following addresses as listed below: (Use reverse side if you need more space)

Name _____	Address _____
Name _____	Address _____

7. I fully understand that by deciding to represent myself, the Court will hold me to the same standards of knowledge regarding the statutory law, evidence law, Local and State Rules of Procedure and applicable case law as a Pennsylvania licensed attorney, and that I must be fully prepared to meet those responsibilities.

I verify that the statements made in this Entry of Appearance as a Self-Represented Party are true and correct. I understand that if I make false statements herein, that I am subject to the criminal penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities which could result in a fine and/or prison term.

Date

Signature (Your Signature)

Form 2

Divorce Complaint

Instructions for these forms can be found at the beginning of this packet.

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

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

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the Court. A judgment may also be entered against you for any other claim or relief requested in these papers by the Plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for the divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in _____(county) Courthouse, Office of the Prothonotary, _____(city), Pennsylvania.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

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 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
The Beaver County Bar Association
<http://bcba-pa.org/lawyer-referral-service/>
788 Turnpike Street
Beaver, PA 15009
Telephone # 724-728-4888**

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

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

**COMPLAINT FOR DIVORCE UNDER SECTION 3301(c) OR
3301(d) OF THE DIVORCE CODE**

AND NOW, comes the Plaintiff and for cause of action against the Defendant says:

1. Plaintiff is _____ (your name), an adult individual who currently resides at _____ (street address), _____ (city), _____ (county), _____ (state), _____ (zip code).
2. Defendant is _____ (spouse's name), an adult individual who currently resides at _____ (street address), _____ (city), _____ (county), _____ (state), _____ (zip code).
3. Either Plaintiff or Defendant has been bona fide resident of the Commonwealth of Pennsylvania for at least six months immediately previous to the filing of this Complaint.
4. Plaintiff and Defendant were married on _____ (month/day/year), in _____ (county), _____ (state).
5. There _____ (have been/have not been) prior actions of divorce or for annulment between the parties. (If there have been, name the jurisdiction and case number): _____

6. The marriage is irretrievably broken.

7. The parties _____(are/are not) living separate and apart. If the parties are living separate and apart, they have lived separate and apart since _____(month/day/year).
8. Plaintiff has been advised that counseling is available and that Plaintiff may have the right to request that the Court require the parties to participate in counseling.
9. The Defendant _____(is/is not) a member of the Armed Services of the United States or any of its allies.
10. Plaintiff requests that the Court enter a decree of divorce.

WHEREFORE, Plaintiff respectfully requests your Honorable Court enter a Decree in Divorce, divorcing Plaintiff and Defendant.

I verify that the statements in the foregoing Complaint in Divorce are true and correct to the best of my knowledge, information, and belief. 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:

Respectfully submitted,

Plaintiff's Signature

Plaintiff's Name – Printed

Form 3

Form 3-A: Affidavit of Acceptance of Service

Form 3-B: Affidavit of Service by Mail

Form 3-C: Affidavit of Service by Personal Service

Instructions for these forms can be found at the beginning of this packet.

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

_____	:	
Plaintiff	:	
	:	
vs.	:	No. _____
	:	
_____	:	In Divorce
Defendant	:	

AFFIDAVIT OF ACCEPTANCE OF SERVICE

I, _____, Defendant in the above-captioned action depose and say that on this date I hereby accept service of the Complaint in Divorce and Notice to Defend and Claim Rights with Notice of Availability of Counseling.

I verify that the statements in this document are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Respectfully Submitted,

Date: _____

Defendant's Signature

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

_____	:	
Plaintiff	:	
	:	
vs.	:	No. _____
	:	
_____	:	In Divorce
Defendant	:	

AFFIDAVIT OF SERVICE BY MAIL

I, _____, Plaintiff in the above-captioned action depose and say the following:

1. On _____(date mailed documents), a copy of the Complaint in Divorce and Notice to Defend and Claim Rights with Notice of Availability of Counseling in the above-captioned matter was mailed to the Defendant by Certified Mail, **Restricted Delivery WITH return receipt requested AND** regular mail at Defendant’s last known address, as indicated on the attached mailing receipt.
2. On _____(date of spouse’s signature on green return card), Defendant received the aforesaid Divorce Complaint, and the mailing receipt and return receipt green card evidencing the same are attached hereto and made a part hereof.

I verify that the statements in this document are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Respectfully Submitted,

Date: _____

Plaintiff’s Signature

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

Plaintiff	:	
	:	
	:	
vs.	:	No. _____
	:	
Defendant	:	In Divorce
	:	

AFFIDAVIT OF SERVICE BY PERSONAL SERVICE

I, _____, hereby depose and say that I personally served the above-captioned Defendant with a Complaint in Divorce and Notice to Defend and Claim Rights with Notice of Availability of Counseling, by personally handing the same to him/her on _____(date).

I verify that the statements in this document are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Respectfully Submitted,

Date: _____

Signature of Person Who Served Defendant
(Not the Plaintiff)

Form 4

Praecipe to Reinstate the Complaint

You only need to file this form if you were unable to successfully serve the Complaint (Form 2) on your spouse within 30 days (or within 90 days if your spouse lives outside of Pennsylvania) of the Complaint being filed.

The date you file this Praecipe re-starts the clock for service, and you will have another 30 days (or 90 days if your spouse lives outside of Pennsylvania) to serve the Complaint (Form 2) on your spouse.

** For example, if you file the Praecipe to Reinstate the Complaint on January 1st, then you must serve your spouse by January 31st.*

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

Plaintiff	:	
	:	
	:	
vs.	:	No. _____
	:	
Defendant	:	In Divorce
	:	

PRAECIPE TO REINSTATE THE COMPLAINT

To the Prothonotary:

Please reinstate the Complaint for Divorce under Section 3301(c) or 3301(d) of the Divorce Code filed in the above-captioned matter.

Respectfully submitted,

Date: _____

Plaintiff's Signature

Form 5-A

Affidavit of Consent (Plaintiff)

Instructions for these forms can be found at the beginning of this packet.

Form 5-B

Affidavit of Consent (Defendant)

Instructions for these forms can be found at the beginning of this packet.

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

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

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301(c) of the Divorce Code was filed on _____
_____ (date Complaint filed).
2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety (90) days have elapsed from the date of filing and service of the Complaint.
3. I consent to the entry of a final decree of divorce after service of the Notice of Intention to File the Praecipe to Transmit Record.

I verify that the statements in this document are true and correct to the best of my knowledge, information, and belief. 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: _____

Plaintiff's Signature

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

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

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301(c) of the Divorce Code was filed on _____
_____ (date Complaint filed).

2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety (90) days have elapsed from the date of filing and service of the Complaint.

3. I consent to the entry of a final decree of divorce after service of the Notice of Intention to File the Praecipe to Transmit Record.

I verify that the statements in this document are true and correct to the best of my knowledge, information, and belief. 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: _____

Defendant's Signature

Form 6-A

Waiver of Notice (Plaintiff)

Instructions for these forms can be found at the beginning of this packet.

Form 6-B

Waiver of Notice (Defendant)

Instructions for these forms can be found at the beginning of this packet.

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

Plaintiff	:	
	:	
	:	
vs.	:	No. _____
	:	
Defendant	:	In Divorce
	:	

**WAIVER OF NOTICE OF INTENTION TO FILE THE PRAECIPE
TO TRANSMIT RECORD**

1. Without further notice, I consent to the entry of (CHECK ONE):

_____ A final decree of divorce; or
_____ An order approving grounds for divorce

2. I understand that I may lose rights concerning alimony, equitable division of property, lawyer's fees, costs or expenses, or other important rights if I do not claim them before a divorce is granted.

3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the Prothonotary.

I verify that the statements in this document are true and correct to the best of my knowledge, information, and belief. 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: _____

Plaintiff's Signature

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

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

**WAIVER OF NOTICE OF INTENTION TO FILE THE PRAECIPE
TO TRANSMIT RECORD**

1. Without further notice, I consent to the entry of (CHECK ONE):

☐ A final decree of divorce; or
☐ An order approving grounds for divorce

2. I understand that I may lose rights concerning alimony, equitable division of property, lawyer's fees, costs or expenses, or other important rights if I do not claim them before a divorce is granted.
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the Prothonotary.

I verify that the statements in this document are true and correct to the best of my knowledge, information, and belief. 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: _____

Defendant's Signature

Form 7

Notice of Intention to File the Praecipe to Transmit Record Under Section 3301(c)(1) of the Divorce Code

Instructions for these forms can be found at the beginning of this packet.

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

Plaintiff	:	
	:	
	:	
vs.	:	No. _____
	:	
Defendant	:	In Divorce
	:	

**NOTICE OF INTENTION TO FILE THE PRAECIPE TO TRANSMIT RECORD
UNDER SECTION 3301(c)(1) OF THE DIVORCE CODE**

TO: _____ (spouse's full name)

You have signed an Affidavit of Consent under Section 3301(c)(1) of the Divorce Code consenting to the entry of a divorce decree. Therefore, on or after _____, 20__, the other party can request the court to enter a final decree in divorce or, if there are unresolved ancillary claims, an order approving grounds for divorce as indicated on the proposed Praecipe to Transmit the Record, which is attached.

Unless you have already filed with the court a written claim for economic relief, you must do so by the date in the paragraph above, or the court may grant the divorce or, if there are unresolved ancillary claims, an order approving grounds for divorce and you may lose forever the right to ask for economic relief. The filing of the form counter-affidavit alone does not protect your economic claims.

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 ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Beaver County Bar Association Lawyer Referral
Service 788 Turnpike Street
Beaver, PA 15009
724-728-4888

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

Respectfully submitted,

(Signature)

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

_____	:	
Plaintiff	:	
	:	
vs.	:	No. _____
	:	
_____	:	In Divorce
Defendant	:	

**COUNTER-AFFIDAVIT UNDER
§3301(c) OF THE DIVORCE CODE**

I wish to claim economic relief which may include alimony, division of property, lawyer's fees or expenses or other important rights.

I understand that I must file my economic claims with the Prothonotary in writing and serve them on the other party. If I fail to do so before the date set forth on the Notice of Intention to File the Praeceptum to Transmit the Record Under Section 3301(c)(1) of the Divorce Code, the divorce decree may be entered without further delay.

I verify that the statements in this document are true and correct to the best of my knowledge, information, and belief. 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

NOTICE: IF YOU DO NOT WISH TO CLAIM ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

IF YOU DO WISH TO CLAIM ECONOMIC RELIEF, YOU MUST COMPLETE THIS FORM AND FILE IT WITH THE PROTHONOTARY, AND IT IS RECOMMENDED YOU SPEAK TO AN ATTORNEY.

Form 8

Certificate of Service

****NOTE: You DO NOT need to fill this form out if you did not complete Form 7****

Instructions for these forms can be found at the beginning of this packet.

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

_____	:	
Plaintiff	:	
	:	
vs.	:	No. _____
	:	
_____	:	In Divorce
Defendant	:	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date, a true and correct copy of the following have been served: *(check any of the following that apply)*

- ☐ Notice of Intention to File the Praecipe to Transmit the Record of Section 3301(d), OR Section 3301(c)(2)

- ☐ Affidavit of Non-Military Service

- ☐ Notice of Intention to File the Praecipe to Transmit Record under section 3301(c)(1) of the Divorce Code and Counter- Affidavit Under 3301(c)(1)

- ☐ (Other) _____

The undersigned hereby certifies that the above documents were served by first class mail to the following *(input Spouse’s Name and Address)*:

Respectfully Submitted,

Date: _____

Signature

Form 9

Praecipe to Transmit the Record

Instructions for these forms can be found at the beginning of this packet.

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

Plaintiff	:	
vs.	:	
Defendant	:	
	:	No. _____
	:	In Divorce

PRAECIPE TO TRANSMIT RECORD

To the Prothonotary:

Transmit the record, together with the following information, to the Court for entry of a divorce decree:

1. Ground for divorce: Irretrievable breakdown under Section ☐ 3301(c) or ☐ 3301(d) of the Divorce Code.
2. Date and manner of service of the Complaint: _____ (date of service);
_____ (method of service).
3. Complete either paragraph (a) or (b):
 - (a) date of execution of the Affidavit of Consent required by Section 3301(c) of the Divorce Code:
by Plaintiff _____ (date signed); by Defendant _____ (date signed).
 - (b) date of execution of Plaintiff's Affidavit required by Section 3301(d) of the Divorce Code:
_____ (date Plaintiff signed); Date of service of Plaintiff's Affidavit upon Defendant: _____ (date of service).
4. Related claims pending: _____.
5. Complete either (a) or (b):
 - (a) Date and manner of service of the Notice of Intention to File the Praecipe, a copy of which is attached: _____ (date of service); _____ (manner of service).
 - (b) Date Plaintiff's Waiver of Notice was filed with Prothonotary: _____.
Date Defendant's Waiver of Notice was filed with Prothonotary: _____.

Date: _____

(Plaintiff/Defendant)

FORM 10

Divorce Information Sheet

(Vital Records)

Instructions for this form can be found at the beginning of this packet.

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNY
P E N N S Y L V A N I A
CIVIL DIVISION
OFFICE OF THE PROTHONOTARY**

DIVORCE INFORMATION SHEET

Pursuant to Act 2001-82, Vital Statistics Forms are not required by the State effective January 1, 2002. However, the Prothonotary is required to provide the following information in lieu of the Vital Statistics Form.

Please fill in the following information and file with the Prothonotary.

Prothonotary/Docket Number: _____

Plaintiff's Name: _____

Defendant's Name: _____

Date of Marriage: _____

Years Married: ____<5; ____5-9; ____10-14; ____15-19; ____20-24; ____25-29; ____30+

Form 11

Divorce Decree

Instructions for this form can be found at the beginning of this packet.

*****The Court will fill out the date and sign at the bottom.***

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
CIVIL DIVISION – LAW**

_____	:	
Plaintiff	:	
	:	
vs.	:	No. _____
	:	
_____	:	In Divorce
Defendant	:	

DECREE OF DIVORCE

AND NOW, this _____ day of _____, 202____, it is Ordered and Decreed that the Plaintiff, _____, and the Defendant, _____, are divorced from the bonds of matrimony.

The parties shall reaffirm or change the beneficiary status on any life insurance policies, annuity contracts, pensions, profit sharing plans, or other contractual arrangements providing for payment to a spouse if it is the intention of one of the parties to keep or change the other party as a beneficiary. Failure to do so may result in revocation of the beneficiary designation pursuant to 20 Pa.C.S. §6111.2 (Effect of Divorce or pending Divorce on Designation of Beneficiaries).

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

Any existing spousal support order shall hereafter be deemed an order for alimony pendente lite if any economic claims remain pending.

BY THE COURT:

J.

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.

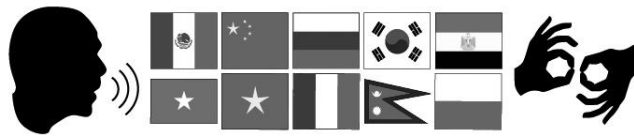
Submitted by: _____

Signature: _____

Print 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: بحق لك الحصول على مترجم دون دفع أي ثلثة من جارك. لطلب مترجم، يرجى إعالام موظفي المحكمة باستخدام معلومات الاتصال المقدمة في الجزء العلوي من هذا الشعار.

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 न िःशुल्क रूपमा भाषा अ ुवादक राख्छे अधिार छ। अ ुवादकको लागि अ ुरोि ि ि न

यस सूच ाको माषि ददइएको सम्पकन जा कारी भरेर अस्तमय कमचारीहरूलाई जा कारी दद ह्यो स।

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

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/ਪੰਜਾਬੀ/Pakistan: ہاڈے کول بغیر ادائیگی کننداں اک مترجم حاصل کرن دا حق ہے۔ مترجم دی اونے فراہم کننداں رابطے دیاں معلومات نوں ورہنداس عدالت دے درخواس کرن لئی، مریانی کر کے اس نوٹس دے اوئے فراہم کننداں رابطے دیاں معلومات نوں ورہنداس عدالت دے عملے نوں اطالع دوو۔

Punjabi/ਪੰਜਾਬੀ/India: ਤੁਹਾਨੂੰ ਇਕ ਦੁਬਾਸੀਆ ਹਾਸਲ ਕਰਨ ਦਾ ਹੱਕ ਹੈ, ਜਿਸ ਦੀ ਤੁਹਾਨੂੰ ਕੋਈ ਲਾਗਤ ਨਹੀਂ ਲੱਗੇਗੀ। ਦੁਬਾਸੀਲਈ ਬੇਨਤੀ ਕਰਨ ਵਾਸਤੇ, ਕਰਪਾ ਕਰ ਕੇ ਅਦਾਲਤ ਦੇ ਅਮਲੇ ਨੂੰ ਿਣਾ ਕਰਵਾਓ ਤੇ ਇਸ ਲਈ ਇਸ ਨੇ ਿਸ ਦੇ ਸਖਰ ਉਤੇ ਦੱਤੀ ਸੁੰਪਰਕ ਿਣਾਣਕਾਰੀ 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.