

# **Request to Withdraw: Complaint for Custody, Petition for Contempt, Petition for Modification, Petition for Relocation or Exceptions**

**ONLY THE PERSON WHO FILED THE PETITION MAY ASK TO WITHDRAW THAT PETITION. YOU CANNOT ASK TO WITHDRAW SOMEONE ELSE'S PETITION.**

*A copy of your current Custody Order MUST be attached to your Petition.*

**COMPLETE STEP-BY-STEP INSTRUCTIONS ARE ON PAGE 2.**

**\*\*\*BEFORE YOU GO TO COURT, YOU MUST GIVE 3 BUSINESS DAYS' NOTICE\*\*\***

**#1. The purpose is to let the other person know when you are going to go to Court. They have a right to be there. Give or send them, or their lawyer, the "Notice of Intention to Present" which informs the other party of the date you will be going to Court.**

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

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

**You do not need an appointment. The Judge will hear everyone who attends that day.** If both parties attend when you present the Complaint, you will get a quicker hearing date.

**#2. You must also give them COPIES of all the documents you are going to give the Judge, except for Notice of Service & Acceptance of Service. Keep the originals to take to Court.**

**Take completed forms to Motions Court, Courtroom #4, Second Floor of the Courthouse, no later than 8:45 a.m. Tuesday or Thursday. Do NOT be late. Late motions will not be heard. Go into the Courtroom, have a seat and wait your turn. There is a filing fee of \$12.25.**

**YOU MUST BE AT LEAST 18 YEARS OLD TO FILE ON YOUR OWN**

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

**THERE IS A DRESS CODE IN THE COURTROOM.  
ALL CELL PHONES MUST BE COMPLETELY OFF IN THE COURTROOM.**

# 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 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 Tuesday 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 Tuesday or 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 (1<sup>st</sup> floor). At this time there is a \$12.25 filing fee.
  - 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*.

**YOU MUST BE AT LEAST 18 YEARS OLD TO FILE ON YOUR OWN**

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

## 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., in 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                     |
|            | : |  |
| vs.        | : | Type of Pleading:                      |
|            | : | <b>Request to Withdraw</b> _____       |
|            | : | _____                                  |
|            | : | (Name of document to be withdrawn)     |
|            | : |  |
| _____      | : | Filed on behalf of:                    |
| Defendant. | : |  |
|            |   | _____                                  |
|            |   | Name                                   |
|            |   |  |
|            |   | Filing Party's Information:(Your Name) |
|            |   | Name: _____                            |
|            |   | Address: _____                         |
|            |   | _____                                  |
|            |   | _____                                  |
|            |   | Telephone #: _____                     |





IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY  
PENNSYLVANIA

\_\_\_\_\_,  
Plaintiff,  
vs. \_\_\_\_\_  
\_\_\_\_\_,  
Defendant. No. \_\_\_\_\_

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.*

**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: \_\_\_\_\_

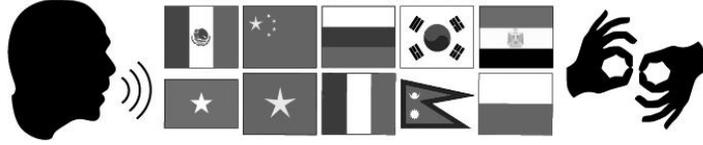
Signature: \_\_\_\_\_

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](mailto: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/粵語簡體中文:** 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:** بحق لك الحصول على مترجم دون دفع أي تكلفة من جانبك. لطلب مترجم, يرجى 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 साथ 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 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.

**Pakistan/پنجابی/Punjabi:** تہاڈے کول بغير 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 ਦੁਭਾਸ਼ੀਆ ਹਾਸਲ ਕਰਨ ਦਾ ਹੱਕ ਹੈ, ਜਿਸ ਦੀ ਤੁਹਾਨੂੰ ਕੋਈ ਲਾਗਤ ਨਹੀ ਲੱਗੇਗੀ। ਦੁਭਾਸ਼ੀਏ ਲਈ ਬੇਨਤੀ ਕਰਨ ਵਾਸਤੇ, ਕਰਿਪਾ ਕਰ ਕੇ ਅਦਾਲਤ ਦੇ ਅਮਲੇ ਨੂੰ ਜਾਣੂ ਕਰਵਾਓ ਤੇ ਇਸ ਲਈ ਇਸ ਨੋਟਿਸ ਦੇ ਸਖਿਰ ਉਤੇ ਦਾਤੀ 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 Aisyen:** 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.