

TIOGA COUNTY, PENNSYLVANIA

EMERGENCY TEMPORARY CUSTODY APPLICATION

THIS PACKAGE IS SOLELY FOR USE IN CONNECTION WITH URGENT, TIME-SENSITIVE CHILD CUSTODY MATTERS WHILE THE TIOGA COUNTY COURT OF COMMON PLEAS IS OPERATING UNDER A DECLARATION OF JUDICIAL EMERGENCY BECAUSE OF THE COVID-2019 CRISIS. THE FORMS CONTAINED HEREIN WILL NO LONGER BE ACCEPTED FOR FILING AFTER THE COURT RETURNS TO NORMAL OPERATIONS.

FOR ALL NON-EMERGENCY MATTERS, PLEASE REFER TO THE COURT’S ONLINE CUSTODY SELF-HELP CENTER AT:

http://www.tiogacountypa.us/Court_of_Common_Pleas/Court_Administration/Pages/ChildCustodyandVisitation.aspx

INSTRUCTIONS:

STEP 1: COMPLETE THE PETITION FOR EMERGENCY TEMPORARY CUSTODY

Complete the fill-in-the-blank Petition for Emergency Temporary Custody included in this package. On the top of the first page, fill in your name on the blank line labeled “Petitioner” and the name of the other parent (or involved party) on the blank line labeled “Respondent.” If you already have an active custody case in Tioga County, you should include the docket number. If this is a new case then you should leave the docket number blank. Fill in the rest of the form to the best of your ability. Please remember to only identify children by their initials and year of birth. Do not write out their full names or full dates of birth.

STEP 2: FILE YOUR EMERGENCY PETITION WITH THE COURT

For the duration of the current COVID-2019-related judicial emergency, the court is accepting emergency custody petitions sent by facsimile to Tioga County Court Administration at **(570) 723 – 1663** or by email to **rway@tiogacountypa.us**. You should call Court Administration at (570) 724 – 9380 after you send your petition to confirm that it has been received. The court is not collecting filing fees at the time emergency petitions are filed, but you may be assessed the regular filing fee later on in the process.

PLEASE NOTE THAT AFTER THE DECLARATION OF JUDICIAL EMERGENCY FOR TIOGA COUNTY IS LIFTED, CUSTODY PETITIONS WILL NO LONGER BE ACCEPTED BY FAX OR EMAIL AND WILL AGAIN NEED TO BE FILED IN THE USUAL WAY. MORE INFORMATION ABOUT REGULAR CUSTODY FILINGS IS AVAILABLE AT THE COURT’S ONLINE SELF-HELP CENTER (SEE ABOVE).

STEP 3: WAIT FOR FURTHER INSTRUCTIONS FROM THE COURT.

The Court will individually review all emergency petitions filed during the judicial emergency and issue further instructions to the involved parties as may be required. Depending on the facts and circumstances of your case, you may be required to, *inter alia*, (1) present telephonic testimony in support of your petition, (2) provide written notice of an in-person or telephonic hearing or conference to the other parent or parties, (3) complete additional forms, or (4) you may be required to file a regular custody complaint or petition and appear in person after the court resumes normal operations.

The Emergency Custody Application is provided solely for use while the Tioga County Court of Common Pleas is operating under a declaration of judicial emergency because of the COVID-2019 crisis. No warranties of any kind are made in connection with these instructions or the included documents, nor is this package intended as a substitute for individualized legal advice. For further assistance, please contact North Penn Legal Services at (877) 953 – 4250.

ADDITIONAL CONTENTS OF THIS PACKAGE:

1. PETITION FOR EMERGENCY TEMPORARY CUSTODY (3 PAGES)

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

Petitioner

v.

Respondent

:
:
:
:
:
:
:

NO: ____ FS ____

CIVIL ACTION - CUSTODY

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PETITION FOR EMERGENCY TEMPORARY CUSTODY

THIS FORM IS ONLY FOR USE IN CONNECTION WITH URGENT CHILD-CUSTODY MATTERS DURING THE CURRENT COVID-2019-RELATED DECLARATION OF JUDICIAL EMERGENCY. IT WILL NOT BE ACCEPTED FOR FILING AFTER THE COURT RESUMES NORMAL OPERATIONS.

1. This petition relates to the custody of the following minor child(ren):

<u>Child's initials:</u>	<u>Year of birth</u>
_____	_____
_____	_____
_____	_____
_____	_____

2. Petitioner's name, address, and relationship to the above-listed child(ren) is as follows:

Name: _____	Petitioner's relationship to the above-
Address: _____	listed child(ren):
_____	<input type="checkbox"/> Mother
_____	<input type="checkbox"/> Father
Phone No.: _____	<input type="checkbox"/> Other: _____

3. Respondent's name, address, and relationship to the above-listed child(ren) is as follows:

Name: _____	Respondent's relationship to the
Address: _____	above-listed child(ren):
_____	<input type="checkbox"/> Mother
_____	<input type="checkbox"/> Father
Phone No.: _____	<input type="checkbox"/> Other: _____

This Self-Help Emergency Petition is intended solely for use to address child-custody-related emergencies that arise while the Tioga County Court of Common Pleas is operating in a state of judicial emergency relating to the COVID-2019 crisis. After the court resumes normal operations, this form will no longer be accepted. No warranties of any kind are made in connection with this document or any associated documents or instructions, which are not intended as a substitute for individualized legal advice. For further assistance, contact North Penn Legal Services at (877) 953 – 4250 or Tioga County Court Administration at (570) 724 – 9380.

4. Is there more than one Respondent? Yes No

(If the answer is "Yes" you will need to list each additional Respondent's name, address, phone number, and relationship to the child(ren) either in the margin or on a separate sheet – see accompanying instructions. Please note that all parents and all other named parties to any prior custody order must be named as Respondents to this petition and given notice of all court proceedings unless a party is now deceased or their parental rights have been terminated by court order).

5. Is there a prior custody order in this case? Yes No

If the answer is "Yes" then state the docket number and date of the prior custody order if known: Docket No.: _____ Date of prior custody order: _____

6. Has the child lived in Pennsylvania for at least the last six (6) months? Yes No

7. The Petitioner requests that the court issue an emergency temporary custody order addressing the following facts and circumstances:

8. The Petitioner requests that the temporary custody order containing the following terms:

9. The Petitioner understands that any relief granted by the court upon consideration of this petition will expire after the Tioga County Court of Common Pleas re-opens to the public, and that any requests for long-term modification must but filed in a separate custody complaint or petition in accordance with the Pennsylvania Rules of Civil Procedure.

WHEREFORE the Petitioner respectfully requests that this honorable Court grant the Petitioner the relief requested herein.

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Form last updated: March 17, 2020.

CERTIFICATION OF COMPLIANCE WITH PUBLIC ACCESS POLICY

I, the undersigned Petitioner, 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.

For more information, see: <http://www.pacourts.us/assets/files/resource-169441/file-4271.pdf>

PRAECIPE FOR SELF-REPRESENTATION

I, the undersigned Petitioner, represent myself in this action.

I have not previously been represented by an attorney in this action, *or*

I was previously represented by _____, Esquire, but am no longer represented by any attorney and wish said attorney removed as my attorney of record (Note: The plaintiff must send a copy of this document to the attorney removed from this case).

I understand that I am under a continuing obligation to provide current contact information to the court, to other self-represented parties, and to any attorneys of record.

All pleadings and legal papers can be served on me at the address provided below.

VERIFICATION

I, the undersigned Petitioner do verify that the statements made in the foregoing Petition for Emergency Temporary Custody, Certificate of Compliance with Public Access Policy, and Praecipe for Self-Representation are all 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.A. § 4904 relating to unsworn falsification to authorities.

Date: _____

Petitioner’s Signature (pro se)

Address: _____

Phone: _____
(required)

Fax: _____
(optional)

Email: _____
(optional)

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