

Blank Forms

§ 3301 (c)

- Notice to Defend and Claim Rights
- Complaint Under §3301(c) or (d) of the Divorce Code & Notice (3 pages)
- Minor Children Form
- Motion Cover Sheet (for IFP petition) (2-sided)*
- Petition for Leave to Proceed In Forma Pauperis (IFP) (3 pages)*
- Instructions on “Children Cope with Divorce” Seminar*
- Affidavit of Service*
- Affidavit of Service by Mail*
- Exhibit “A” Sheet (Mailing Receipts Page)*
- Acceptance of Service*

FORMS TO FILE AFTER 90-DAY WAITING PERIOD

- Affidavit of Consent (Plaintiff)
- Waiver of Notice of Intention to Request Entry of a Divorce Decree (Plaintiff)
- Affidavit of Consent (Defendant)
- Waiver of Notice of Intention to Request Entry of a Divorce Decree (Defendant)
- Praecipe to Transmit Record
- Decree of Divorce
- Divorce Information Sheet
- Notice of Intent to Retake Prior Name (Woman is Plaintiff)*
- Notice of Intent to Retake Prior Name (Woman is Defendant)*
- Petition for Leave to Enter Divorce Decree*
- Praecipe to Re-Transmit Record*
- Motion Cover Sheet (to request divorce w/o defendant’s seminar attendance) (2-sided)*

NOTE: You will not need to fill out ALL of these forms. Some are conditional and may or may not apply to your situation. The conditional forms are marked with an asterisk (*). Please read your instructional packet carefully to determine which of these forms you will need.

_____, : IN THE COURT OF COMMON PLEAS
Plaintiff :
v. : OF ERIE COUNTY, PENNSYLVANIA
: :
_____, : NO. _____ - 20____
Defendant :

COMPLAINT UNDER §3301(c) or (d)
OF THE DIVORCE CODE

1. Plaintiff is _____, who currently resides at _____, _____, Erie County, Pennsylvania _____, since _____.

2. Defendant is _____, who currently resides at _____, _____ County, _____ since _____.

3. Plaintiff has been a bona fide resident in the Commonwealth of Pennsylvania for at least six months immediately previous to the filing of this Complaint.

4. The Plaintiff and Defendant were married on _____, 20____, at _____, _____ County, _____.

5. There have been no prior actions of divorce or for annulment between the parties except: _____.

6. The marriage is irretrievably broken.

7. Plaintiff has been advised of the availability of counseling and that he/she may have the right to request that the Court require the parties to participate in counseling.

8. Plaintiff requests the Court to enter a decree of divorce.

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. Cons. Stat. § 4904, relating to unsworn falsification to authorities.

Plaintiff

Date: _____

_____, : IN THE COURT OF COMMON PLEAS
 Plaintiff :
 v. : OF ERIE COUNTY, PENNSYLVANIA
 _____, :
 Defendant : NO. _____ - 20____

TO: _____

NOTICE TO DEFEND AND CLAIM RIGHTS

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIM 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.

WHEN THE GROUND FOR THE DIVORCE IS INDIGNITIES OR IRRETRIEVABLE BREAKDOWN OF THE MARRIAGE, YOU MAY REQUEST MARRIAGE COUNSELING. HOWEVER, THE COURT CANNOT REQUIRE COUNSELING OVER THE OBJECTION OF A PARTY THAT HAS A PROTECTION FROM ABUSE ORDER, OR WHERE THAT PARTY WAS A VICTIM OF A PERSONAL INJURY CRIME FOR WHICH THE OTHER PARTY WAS CONVICTED OR HAS ENTERED INTO AN ACCELERATED REHABILITATIVE DISPOSITION PROGRAM. A LIST OF MARRIAGE COUNSELORS IS AVAILABLE IN THE OFFICE OF THE PROTHONOTARY, ROOM NO. 6, FIRST FLOOR, ERIE COUNTY COURTHOUSE, ERIE, PENNSYLVANIA.

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

YOU ARE ALSO REQUIRED TO ATTEND A SEMINAR ENTITLED "CHILDREN COPE WITH DIVORCE;" SEE ATTACHED INSTRUCTIONS. FAILURE TO REGISTER AND COMPLETE THE PROGRAM WILL BE BROUGHT TO THE ATTENTION OF THE COURT AND MAY RESULT IN A FINDING OF CONTEMPT AND THE IMPOSITION OF SANCTIONS.

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 TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

LAWYERS REFERRAL SERVICE, 302 WEST NINTH STREET, ERIE, PA 16502 – (814) 459-4411

AMERICANS WITH DISABILITIES ACT OF 1990 - The Court of Common Pleas of Erie County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact the Court's ADA Coordinator at Erie County Court of Common Pleas, 140 West Sixth Street, Room 205, Erie, PA 16501-1030, Phone-(814) 451-6308, TDD-(814) 451-6237, E-mail- courtadacoordinator@eriecountygov.org. Requests should be made as soon as possible or at least three business days prior to any hearing or business before the court.

_____, Plaintiff

NOTICE

Whenever indignities, irretrievable breakdown with mutual consent or irretrievable breakdown of the marriage after a one-year separation are the ground(s) for the divorce under Section 3301 (a), (b), (c) or (d) of the Divorce Code, counseling may be available to the parties upon request. *However*, the Court may not order counseling over the objection of a party that has an enforceable protection from abuse order against the other party, or where the objecting party was a victim of a personal injury crime for which the other party was convicted or has entered into an Accelerated Rehabilitative Disposition program.

Upon request, the Court will provide parties to this action with a list of qualified professionals who provide such counseling services. Should the Court require counseling sessions, the choice of a qualified professional shall be at the option of the parties and such professional need not be selected from the list provided by the Court.

Should you desire a list of qualified professionals who provide counseling services, contact your attorney or the Office of Domestic Relations, 155 W. 8th Street, Erie, Pennsylvania, 16501, (814) 451-6151.

ERIE COUNTY COURT OF COMMON PLEAS
MINOR CHILDREN FORM

THIS FORM MUST BE FILLED OUT IF YOU HAVE MINOR CHILDREN AND ARE:

1. FILING A DIVORCE COMPLAINT
2. FILING A SEPARATE CUSTODY PETITION

TODAY'S DATE:

CASE NUMBER:

PLEASE CHECK ONE: DIVORCE FILING - NO CHILDREN: _____
 DIVORCE FILING - WITH CHILDREN UNDER 18: _____
 CUSTODY FILING - WITH CHILDREN UNDER 18: _____

PLAINTIFF/PETITIONER NAME, ADDRESS, SOCIAL SECURITY NUMBER:

DEFENDANT/RESPONDENT NAME, ADDRESS, SOCIAL SECURITY NUMBER:

_____	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	
	:	OF ERIE COUNTY, PENNSYLVANIA
vs.	:	CIVIL DIVISION
	:	
_____	:	NO.:
Defendant	:	

PETITION FOR LEAVE TO PROCEED IN FORMA PAUPERIS - (DIVORCE MATTER)

1. I am the plaintiff listed above. Because of my financial condition, I am unable to pay the required fees.

2. Have you ever applied for an In Forma Pauperis (IFP) in the past? ___yes___ no
 If so, was it granted? ___yes___ no. If not, please state why:

3. If you have petitioned for an IFP in the past, have your financial circumstances changed since the last request? ___yes___ no
 If yes, please briefly explain that change:

4. I am unable to obtain funds from anyone, including my family and friends, to pay the costs.

5. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

a. Name: _____
 Address: _____
 City, State & Zip: _____
 Social Security Number: _____

b. EMPLOYMENT

If presently **employed**, state employer: _____
 Address: _____
 City, State & Zip: _____
 Wages/salary per month: _____
 Type of work: _____
 If presently **unemployed**, state date of last employment: _____
 Wages/salary per month: _____
 Reason no longer employed at last job: _____

c. OTHER INCOME WITHIN PAST TWELVE MONTHS:

Business/Profession: _____
Other self-employment: _____
Interest: _____
Dividends: _____
Pension and annuities: _____
Social Security benefits: _____
Support payments: _____
Disability payments: _____
Unemployment compensation and supplemental benefits: _____
Workers' Compensation: _____
Public Assistance: _____
Other: _____

d. OTHER CONTRIBUTIONS TO HOUSEHOLD SUPPORT:

Name of spouse/significant other: _____
If your spouse is employed, state employer: _____
Wages/salary per month: _____
Type of work: _____
Contributions from children: _____
Contributions from parents: _____
Other contributions: _____

e. PROPERTY OWNED:

Cash: _____
Checking account: _____
Savings account: _____
Certificates of Deposit: _____
Real estate (including home): _____
Motor vehicle: _____
Make _____ Year _____ Cost _____ Amount now owed _____
Stocks/bonds: _____
Other: _____

f. DEBTS AND OBLIGATIONS:

Mortgage: _____
Rent: _____
Loans: _____
Other: _____

g. PERSONS DEPENDANT UPON YOU FOR SUPPORT:

Name of spouse: _____
Children, if any:
Name: _____ Age _____
Name: _____ Age _____
Name: _____ Age _____
Other persons:
Name: _____
Relationship: _____

6. I understand that I have a continuing obligation to inform the Court of any improvement in my financial circumstances which would permit me to pay the costs.

7. I verify that the statement made in this Affidavit is true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Wherefore, I request this Honorable Court to enter an Order granting me leave to file a divorce action as an indigent party without the necessity of paying any filing fees or costs.

DATE: _____ Petitioner _____

ORDER

AND NOW, to-wit, this _____ day of _____, 20_____,
the above Petition for Leave to Proceed In Forma Pauperis is _____ as it
pertains to the filing fees of the Prothonotary office in this matter. It is hereby ORDERED that
the Plaintiff be permitted to proceed in forma pauperis, and that the Prothonotary's Office file
this Complaint without filing fees to the Plaintiff.

BY THE COURT:

JUDGE

DATE: _____ HEARING REQUIRED: YES NO

MOTIONS JUDGE: _____

HEARING JUDGE: N/A

CAPTION: _____ VS. _____

DOCKET NO.: _____

**FAMILY / ORPHAN'S DIVISION
MOTION COVER SHEET AND NOTICE**

You are hereby notified that the attached motion/petition will be presented by me on:

_____, _____:

- to the Court Administrator as a contested matter:
- to Motion Court at 9:00 a.m.

**CERTIFICATION OF NOTICE AND SERVICE
(To be completed for Motion Court presentation)**

The undersigned represents that a copy of this motion and proposed order have been serviced upon all parties or their counsel of record on _____, _____ in accordance with:

- A. Local Rule No. 440, hereby providing:
 - Two full business days prior notice by hand delivery, fax,
 - Five full business days prior notice by mail; or
- B. Local Orphan's Court Rule 12 for Special Petitions, thereby providing:
 - Ten full business days written notice.

UNCONTESTED MOTION CERTIFICATE

The undersigned represents that:

- All parties or counsel have consented and consents are attached.
- The Order seeks only a return hearing or argument date and no other relief.

INFORMATION FOR COURT ADMINISTRATOR

- A. If a Judge has heard previously, please identify: DiSantis _____
 Kelly Cunningham Connelly
 Trucilla Domitrovich
 Brabender Garhart

B. Estimated court time required _____ minutes _____ hours _____ days

C. Is this motion / position opposed? yes no unknown

(OVER)

FAMILY COURT MOTIONS

CUSTODY: Petition/Motion relating to:

- Temporary custody
- Approval of custody agreement
- Waive attendance at sem
- Custody Other:_____
- Special relief (Cust)
- Cust Contempt
- Continuance (Cust)
- Counsel fees & expenses(Cust)

DIVORCE: Petition/Motion relating to:

- Exclusive possession of property
- Bifurcation
- Filing Inven/Pre-Trial Stmt
- Waive Attendance at sem
- Alimony Pende Lite
- Approve QDRO
- Divorce Contempt
- Divorce, Special Relief
- Amend pleadings divorce
- Counsel fees & expenses(Divo)

Divorce Other:_____ IFP

SUPPORT: Petition/Motion relating to:

- Cont conf/de novo hrg (support)
- Support Other:_____
- Paternity/Blood tests
- Support Contempt

ORPHANS' COURT MOTIONS

DECEDENTS' ESTATES: Petition/Motion relating to: **ADOPTIONS:** Petition for:

- Inheritance Tax Return
- Family Exemption
- Settlement of Small Estate
- Approval of sale of property
- App settlement/Wrongful Death, et
- Decedents' Estates Other:_____
- Adoption
- Voluntary Relinquishment
- Involuntary Termination
- Confirm Consent Adop
- Adoption Other:_____

MINOR'S ESTATES: Petition for:

- Appr Set of Minor's Claim
- Auth to Release
- Funds from Minor's Account
- Minor's Estates Other:_____

GUARDIANSHIPS: Petition for:

- Minor guardianship
- Alleged Incapacitated
- Emergency Intervention
- Discharge/Sub/Guardian
- Guardianship Other:_____

I hereby certify all of the above statements are true and correct.

By _____ Name(s) of opposing counsel or pro se litigants

 Plaintiff Defendant

INSTRUCTIONS ON "CHILDREN COPE WITH DIVORCE" SEMINAR

1. Within 10 days, mail in the registration form along with a check in the amount of \$50.00* payable to FAMILY SERVICES to:

Family Services, Inc.
"Children Cope with Divorce" Administrator
5100 Peach Street
Erie, PA 16509
(814) 866-4500

*The \$50.00 fee may be waived for individuals who are eligible for Cash Assistance through Welfare or if you are the Plaintiff and your IFP petition is granted by the Courthouse. Please contact Family Services at the number above to verify your fee-waiver status prior to sending in the registration form.

2. Indicate on the registration form your preference for either morning or evening sessions.
3. Attend the seminar sessions.
4. Obtain your certificate and have it forwarded to the Prothonotary's office.
5. If you are a party to a divorce action, the seminar must be completed within 60 days. If you are a party to a custody action, then the seminar must be concluded within 45 days.
6. Court approval is required for an extension of time to complete the seminar.
7. Parents living outside of Erie County will have to contact the program administrator for other arrangements.

_____, : IN THE COURT OF COMMON PLEAS
 Plaintiff :
 v. : OF ERIE COUNTY, PENNSYLVANIA
 :
 _____, : NO. _____ - 20____
 Defendant :

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
 : SS:
 COUNTY OF ERIE :

_____, being duly sworn according to law, deposes and says that he/she is a competent adult over 18 years of age; that he/she served a copy of the Complaint in this action upon the Defendant, _____, by personally handing him/her a true and correct copy thereof and informing him/her of its contents at _____, on _____, 20____, at _____ o'clock ____ .M.

Deponent further avers that at the time of such service, the Defendant identified himself/herself to deponent.

 Signature of Deponent

Sworn to and subscribed before me
 this ____ day of _____, 20____.

Notary Public

_____, : IN THE COURT OF COMMON PLEAS
 Plaintiff :
 v. : OF ERIE COUNTY, PENNSYLVANIA
 :
 _____, : NO. _____ - 20____
 Defendant :

AFFIDAVIT OF SERVICE BY MAIL PURSUANT TO PA.R.CIV.P1920.4

COMMONWEALTH OF PENNSYLVANIA :
 : SS:
 COUNTY OF ERIE :

_____, being duly sworn according to law, deposes and says that he/she representing himself/herself pro se, mailed a copy of the Complaint of Divorce filed in this matter by certified mail, return receipt requested, addressee only, to the Defendant at _____, on _____, 20__.

[Check one below]

- The return receipt signed by the Defendant is evidence of delivery to him/her and is attached hereto along with the Certified Mail receipt as Exhibit "A".
- The Defendant refused to sign the receipt. However, Defendant was also served via regular mail and said regular mail was not returned within fifteen (15) days. The Certified Mail receipt and Certificate of Mailing for regular mail is attached hereto as Exhibit "A".

Name: _____

Address: _____

Phone: _____

Sworn to and subscribed before me
 this ____ day of _____, 20__.

 Notary Public

Docket # _____

EXHIBIT "A"

_____, : IN THE COURT OF COMMON PLEAS
Plaintiff :
v. : OF ERIE COUNTY, PENNSYLVANIA
: :
_____, : NO. _____ - 20 ____
Defendant :

ACCEPTANCE OF SERVICE

I, _____, Defendant in the above action, hereby accept service of the above-referenced Complaint for Divorce in the above-captioned action. I received a true and attested copy of the Complaint for Divorce on _____.

DATE: _____

Defendant



DO NOT sign or file any of the following forms until after 90 days have passed from the date you served the divorce complaint!!

_____ ,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	
v.	:	OF ERIE COUNTY, PENNSYLVANIA
	:	
_____ ,	:	NO. _____ - 20__
Defendant	:	

AFFIDAVIT OF CONSENT

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

_____.

2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety 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.

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

I verify that the statements made in this 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: _____

Plaintiff

_____ ,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	
v.	:	OF ERIE COUNTY, PENNSYLVANIA
	:	
_____ ,	:	NO. _____ - 20__
Defendant	:	

WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF A DIVORCE DECREE UNDER §3301(c) OF THE DIVORCE CODE

1. I consent to the entry of a final decree of divorce without notice.
2. I understand that I may lose rights concerning alimony, division of property, lawyer’s fees or expenses 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 made in this 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: _____

Plaintiff

_____, : IN THE COURT OF COMMON PLEAS
 Plaintiff :
 v. : OF ERIE COUNTY, PENNSYLVANIA
 :
 _____, : NO. _____ - 20 ____
 Defendant :

AFFIDAVIT OF CONSENT

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

_____.

2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety 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 notice of intention to request entry of the decree.

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

I verify that the statements made in this 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: _____

 Defendant

_____, : IN THE COURT OF COMMON PLEAS
 Plaintiff :
 v. : OF ERIE COUNTY, PENNSYLVANIA
 :
 _____, : NO. _____ - 20 ____
 Defendant :

**WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF A DIVORCE DECREE
 UNDER §3301(c) OF THE DIVORCE CODE**

1. I consent to the entry of a final decree of divorce without notice.
2. I understand that I may lose rights concerning alimony, division of property, lawyer’s fees or expenses 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 made in this 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: _____

 Defendant

_____, : IN THE COURT OF COMMON PLEAS
 Plaintiff :
 v. : OF ERIE COUNTY, PENNSYLVANIA
 :
 _____, : NO. _____ - 20 ____
 Defendant :

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. Grounds for divorce: Irretrievable breakdown under §3301(c) of the Divorce Code.
2. Date and Manner of service of Complaint: _____

3. Date of execution of the plaintiff's affidavit of consent required by §3301(c) of the Divorce Code: _____; date of execution of the defendant's affidavit of consent required by § 3301(c) of the Divorce Code: _____.

4. Relating claims pending: _____.

5. Date plaintiff's Waiver of Notice in §3301(c) Divorce was filed with the prothonotary: _____. Date defendant's Waiver of Notice in §3301(c) Divorce was filed with the prothonotary: _____.

 _____, Plaintiff

DIVORCE INFORMATION SHEET

Please complete the appropriate information and file with the Prothonotary.

DOCKET NUMBER	
PLAINTIFF'S NAME	
PLAINTIFF'S SOCIAL SECURITY NUMBER	
DEFENDANT'S NAME	
DEFENDANT'S SOCIAL SECURITY NUMBER	
DATE OF THIS MARRIAGE	(Month) (Day) (Year)

_____, : IN THE COURT OF COMMON PLEAS
Plaintiff :
v. : OF ERIE COUNTY, PENNSYLVANIA
_____, :
Defendant : NO. _____ - 20____

DECREE OF DIVORCE

AND NOW, this _____ day of _____, 20____, it is ORDERED AND DECREED that _____, Plaintiff, and _____, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of the following claims which have been raised of record in this action for which a final order has not yet been entered: None.

_____ J.

_____, : IN THE COURT OF COMMON PLEAS
Plaintiff :
v. : OF ERIE COUNTY, PENNSYLVANIA
_____ :
Defendant : NO. _____ - 20__

NOTICE OF INTENT TO RETAKE PRIOR NAME

Notice is hereby given that the Plaintiff in the above matter, and hereby elects to retake and use her previous name of _____, and gives this written notice avowing her intention in accordance with the provisions of the Act of December 16, 1982, 54 Pa. Cons. Stat. §704 as amended, January 1, 2001.

Signature of Plaintiff

TO BE KNOWN AS:

Signature--prior name

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF ERIE :

Before me, a Notary Public, in and for said County and State, personally appeared _____, known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the foregoing for the purpose therein contained.

WITNESS my hand and seal this _____ day of _____, 20__.

Notary Public

_____, : IN THE COURT OF COMMON PLEAS
Plaintiff :
v. : OF ERIE COUNTY, PENNSYLVANIA
_____ :
Defendant : NO. _____ - 20__

NOTICE OF INTENT TO RETAKE PRIOR NAME

Notice is hereby given that the Defendant in the above matter, hereby elects to retake and use her previous name of _____, and gives this written notice avowing her intention in accordance with the provisions of the Act of December 16, 1982, 54 Pa. Cons. Stat. §704 as amended, January 1, 2001.

Signature of Defendant

TO BE KNOWN AS:

Signature--prior name

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF ERIE :

Before me, a Notary Public, in and for said County and State, personally appeared _____, known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the foregoing for the purpose therein contained.

WITNESS my hand and seal this ____ day of _____, 20__.

Notary Public

_____, : IN THE COURT OF COMMON PLEAS
Plaintiff :
v. : OF ERIE COUNTY, PENNSYLVANIA
_____ :
Defendant : NO. _____ - 20____

PETITION FOR LEAVE TO ENTER DIVORCE DECREE

The Plaintiff, _____, files the following Petition for Leave to Enter Divorce Decree and alleges in support the following:

1. Plaintiff is _____, who currently resides at _____, _____, Erie County, Pennsylvania _____.
2. Defendant is _____, who currently resides at _____, _____ County, _____.
3. The Plaintiff filed a Complaint in Divorce at the above term and number.
4. The Plaintiff attended the “Children Coping with Divorce” seminar on _____.
5. The Defendant has not attended the seminar.
6. The Plaintiff is hereby requesting that the court grant leave to enter the divorce decree without the Defendant having attended the seminar.

WHEREFORE the Plaintiff hereby seeks leave of the court to have a decree in divorce entered at the above term and number.

DATE: _____ Petitioner _____

ORDER

AND NOW, this ____ day of _____, 20____, upon consideration of the request of the Plaintiff to permit the granting of a divorce in the above-captioned matter prior to the Defendant’s completion of the requirement of attendance at the “Children Cope with Divorce” seminar, **IT IS ORDERED** that the request is (granted / denied) and a Decree of Divorce (may / may not) be entered when otherwise properly before the court.

Notwithstanding the above, and so that the parties may understand their parental responsibilities, both parties are still required to complete the “Children Cope with Divorce” seminar.

BY THE COURT:

JUDGE

_____, : IN THE COURT OF COMMON PLEAS
 Plaintiff :
 v. : OF ERIE COUNTY, PENNSYLVANIA
 :
 _____, : NO. _____ - 20____
 Defendant :

PRAECIPE TO RE-TRANSMIT RECORD

To the Prothonotary:

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

1. Grounds for divorce: Irretrievable breakdown under §3301(c) of the Divorce Code.
2. Date and Manner of service of Complaint: _____

3. Date of execution of the plaintiff's affidavit of consent required by §3301(c) of the Divorce Code: _____; date of execution of the defendant's affidavit of consent required by § 3301(c) of the Divorce Code: _____.

4. Relating claims pending: _____.

5. Date plaintiff's Waiver of Notice in §3301(c) Divorce was filed with the prothonotary: _____. Date defendant's Waiver of Notice in §3301(c) Divorce was filed with the prothonotary: _____.

 _____, Plaintiff

DATE: _____ HEARING REQUIRED: YES NO

MOTIONS JUDGE: _____

HEARING JUDGE: _____ N/A _____

CAPTION: _____ VS. _____

DOCKET NO.: _____

**FAMILY / ORPHAN'S DIVISION
MOTION COVER SHEET AND NOTICE**

You are hereby notified that the attached motion/petition will be presented by me on:

_____, _____:

- to the Court Administrator as a contested matter:
- to Motion Court at 9:00 a.m.

**CERTIFICATION OF NOTICE AND SERVICE
(To be completed for Motion Court presentation)**

The undersigned represents that a copy of this motion and proposed order have been serviced upon all parties or their counsel of record on _____, ___ in accordance with:

- A. Local Rule No. 440, hereby providing:
 - Two full business days prior notice by hand delivery, fax,
 - Five full business days prior notice by mail; or
- B. Local Orphan's Court Rule 12 for Special Petitions, thereby providing:
 - Ten full business days written notice.

UNCONTESTED MOTION CERTIFICATE

The undersigned represents that:

- All parties or counsel have consented and consents are attached.
- The Order seeks only a return hearing or argument date and no other relief.

INFORMATION FOR COURT ADMINISTRATOR

D. If a Judge has heard previously, please identify: DiSantis _____
 Kelly Cunningham Connelly
 Trucilla Domitrovich
 Brabender Garhart

E. Estimated court time required _____ minutes _____ hours _____ days

F. Is this motion / position opposed? yes no unknown

(OVER)

FAMILY COURT MOTIONS

CUSTODY: Petition/Motion relating to:

- Temporary custody
- Approval of custody agreement
- Waive attendance at sem
- Custody Other:_____
- Special relief (Cust)
- Cust Contempt
- Continuance (Cust)
- Counsel fees & expenses(Cust)

DIVORCE: Petition/Motion relating to:

- Exclusive possession of property
- Bifurcation
- Filing Inven/Pre-Trial Stmt
- Waive Attendance at sem
- Alimony Pende Lite
- Divorce Other:_____
- Approve QDRO
- Divorce Contempt
- Divorce, Special Relief
- Amend pleadings divorce
- Counsel fees & expenses(Divo)

SUPPORT: Petition/Motion relating to:

- Cont conf/de novo hrg (support)
- Support Other:_____
- Paternity/Blood tests
- Support Contempt

ORPHANS' COURT MOTIONS

DECEDENTS' ESTATES: Petition/Motion relating to: **ADOPTIONS:** Petition for:

- Inheritance Tax Return
- Family Exemption
- Settlement of Small Estate
- Approval of sale of property
- App settlement/Wrongful Death, et
- Decedents' Estates Other:_____
- Adoption
- Voluntary Relinquishment
- Involuntary Termination
- Confirm Consent Adop
- Adoption Other:_____

MINOR'S ESTATES: Petition for:

- Appr Set of Minor's Claim
- Auth to Release
- Funds from Minor's Account
- Minor's Estates Other:_____

GUARDIANSHIPS: Petition for:

- Minor guardianship
- Alleged Incapacitated
- Emergency Intervention
- Discharge/Sub/Guardian
- Guardianship Other:_____

I hereby certify all of the above statements are true and correct.

By _____ Name(s) of opposing counsel or pro se litigants
 Plaintiff Defendant _____