

CUSTODY TRIAL PREPARATION

1. **Witness List** – You must file a witness list and provide file-stamped copies to the opposing party or their attorney and to the judge hearing the case, at least 10 days prior to trial. After you file the witness list, take a file-stamped copy to the judge’s office, and mail or deliver a file-stamped copy to the other party or their attorney.
2. **Exhibit List** - You must file an exhibit list and provide file-stamped copies to the opposing party or their attorney and to the judge hearing the case, at least 10 days prior to trial. After you file the exhibit list, take a file-stamped copy to the judge’s office, and mail or deliver a file-stamped copy to the other party or their attorney.
3. **Exhibits** - You must pre-mark your exhibits (for example “Father’s #1”, Grandmother’s #1”, etc.) and provide copies of all exhibits to the opposing party or their attorney 10 days prior to trial. You will give the original exhibits to the court at the beginning of the trial. DO NOT file the exhibits or include them with anything you do file (such as the exhibit list). **If a child is school-age, a copy of a current report card must be included as an exhibit.**
4. **Proposed Custody Order** – You must provide a detailed proposed custody order to the opposing party or their attorney and to the judge hearing the case, at least 10 days prior to trial. The proposed order should detail a proposed physical custody schedule including a holiday and vacation schedule and exchange locations. DO NOT file the proposed custody order. Mail a copy to the opposing party or their attorney and mail or take a copy to the judge’s office.
5. **Criminal/Abuse History Verification** – You must file an updated Criminal/Abuse History Verification and provide a file-stamped copy to the opposing party or their attorney, 5 days prior to trial.

INSTRUCTIONS FOR TRIAL WITNESS LIST

1. Write your name.
2. Write your address.
3. Write the date of your custody trial.
4. List the children by initials only, their ages and grade in school.
5. For each witness, write the witness' name, then write who that person is in relation to the child, such as "children's maternal aunt", "children's teacher", "neighbor", etc., how long you expect the direct examination testimony (the questions you ask) to be, such as "1 hour", "30 minutes", etc., and finally, write a description of what the witness will talk about, for example, "child's teacher" may talk about "issues child is having in school, each parents interactions with school personnel"; "neighbor" may talk about "observations of mother's inappropriate behavior towards father when picking up children".

If there is not enough room to include all your witnesses, you may attach an additional sheet of paper.

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____	:	NO. _____
Plaintiff	:	
vs.	:	CIVIL ACTION – LAW
	:	CUSTODY
_____	:	
Defendant	:	

TRIAL WITNESS LIST

- 1. Submitted by: _____.
- 2. Address: _____.
- 3. Trial Date: _____.
- 4. Children:

<u>Child's initials</u>	<u>Age</u>	<u>Grade in School</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. Witnesses:

<u>name</u>	<u>who this person is</u>	<u>time</u>	<u>Brief description of testimony offered</u>
		<u>needed</u>	
1. _____	_____	_____	_____

2. _____	_____	_____	_____

3. _____	_____	_____	_____

4. _____	_____	_____	_____

<u>name</u>	<u>who this person is</u>	<u>time needed</u>	<u>Brief description of testimony offered</u>
5. _____	_____	_____	_____ _____ _____
6. _____	_____	_____	_____ _____ _____
7. _____	_____	_____	_____ _____ _____
8. _____	_____	_____	_____ _____ _____
9. _____	_____	_____	_____ _____ _____
10. _____	_____	_____	_____ _____ _____
11. _____	_____	_____	_____ _____ _____
12. _____	_____	_____	_____ _____ _____
13. _____	_____	_____	_____ _____ _____
14. _____	_____	_____	_____ _____ _____

INSTRUCTIONS FOR TRIAL EXHIBIT LIST

1. Write your name.
2. Write your address.
3. Write the date of your custody trial.
4. List the children by initials only, their ages and grade in school.
5. For each exhibit, write the exhibit number and then write a brief description of what the exhibit is. For

example:

Mother's #1 report card of BG

Mother's #2 recent text messages between mother and father

Mother's #3 copy of current PFA order

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____	:	NO. _____
Plaintiff	:	
vs.	:	CIVIL ACTION – LAW
	:	CUSTODY
_____	:	
Defendant	:	

TRIAL EXHIBIT LIST

- 1. Submitted by: _____.
- 2. Address: _____.
- 3. Trial Date: _____.
- 4. Children:

<u>Child’s initials</u>	<u>Age</u>	<u>Grade in School</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 5. Exhibits:

<u>Number</u>	<u>Brief Description of Exhibit</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

INSTRUCTIONS FOR PROPOSED CUSTODY ORDER

1. Write your name.
2. Write your address.
3. Write the date of your custody trial.
4. List the children by initials only, their ages and grade in school.
5. Describe the schedule of physical custody you would like the judge to order. For example: "Mother has primary physical custody and Father has partial physical custody on alternating weekends, from Friday at 6:00 p.m. to Sunday at 6:00 p.m., and on every Wednesday from 4:00 p.m. until 8:00 p.m." or "the parties share physical custody week-to-week, exchanging custody each Sunday at 6:00 p.m."
6. Describe the schedule you would like the judge to order for each of the listed holidays. For example, for birthdays, "the parties alternate the child's birthday from year to year, with Mother having the birthday in even years and Father having the birthday in odd years, from 4:00 p.m. until 8:00 p.m."
7. Describe the vacation schedule you would like the judge to order. For example, "Each party shall have three weeks for purposes of vacation each year, to be taken in the summer months when school is out, from Sunday at 6:00p.m. through the Sunday 3 weeks later at 6:00 p.m. Father shall have first choice for vacation in odd years, Mother shall have first choice in even years."
8. Describe the location where you propose the custody exchanges occur. For example, "Father shall pick the children up at Mother's residence at the beginning of his periods of partial custody and Mother shall pick them up at the end of those periods", or, "the parties shall meet at the Wegman's parking lot to exchange custody".

DO NOT FILE THE PROPOSED CUSTODY ORDER!!

PROVIDE A COPY TO THE OPPOSING PARTY OR THEIR ATTORNEY AND TO THE JUDGE'S OFFICE.

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____	:	NO. _____
Plaintiff	:	
vs.	:	CIVIL ACTION – LAW
	:	CUSTODY
_____	:	
Defendant	:	

PROPOSED CUSTODY ORDER

- 1. Submitted by: _____.
- 2. Address: _____.
- 3. Trial Date: _____.
- 4. Children:

<u>Child's initials</u>	<u>Age</u>	<u>Grade in School</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 5. Proposed physical custody schedule:

- 6. Holiday schedule:
Children's birthdays: _____

Mother's Day: _____

Father's Day: _____

Easter: _____

Memorial Day: _____

Fourth of July: _____

Labor Day: _____

Halloween: _____

Thanksgiving: _____

Christmas: _____

New Year's: _____

7. Vacation schedule: _____

8. Exchange location: _____

DO NOT FILE THIS DOCUMENT

Plaintiff	: IN THE COURT OF COMMON PLEAS OF
	: LYCOMING COUNTY, PENNSYLVANIA
	:
vs.	: No. _____
	:
Defendant	: CIVIL ACTION - LAW
	: CUSTODY

CRIMINAL RECORD/ABUSE HISTORY VERIFICATION

I, _____, hereby swear or affirm, subject to penalties of law including 18 Pa.C.S.§4904 relating to unsworn falsification to authorities that:

1. Participants: Please list ALL members in your/the participant's household and attach sheets if necessary:

<i>Name</i>	<i>Date of Birth</i>	<i>Address</i>	<i>Relationship to Child(ren)</i>

_____ Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa. C.S. §6112, or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 PA.C.S. §§ 6701-6713, or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

Please list ALL Members in the opposing party's household and attach sheets if necessary:

<i>Name</i>	<i>Date of Birth</i>	<i>Address</i>	<i>Relationship to Child(ren)</i>

_____ Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa. C.S. §6112, or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 PA.C.S. §§ 6701-6713, or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

SUBJECT CHILD(REN) – attach additional sheets if necessary:

<i>Name</i>	<i>Date of Birth</i>

2. *Criminal Offenses:* As to the following listed Pennsylvania crimes or offenses, or another jurisdiction's substantially equivalent crimes or offenses, check the box next to any applicable crime or offense in which you or a household member:

- has pleaded guilty or no contest;
- has been convicted;
- has charges pending; or
- has been adjudicated delinquent under the Juvenile Act, 42 Pa.C.S. §§ 6301-6375, and the record is publicly available as set forth in 42 Pa.C.S. § 6307.

You should also check the box next to a listed criminal offense even if the offense has been resolved by Accelerated Rehabilitative Disposition (ARD) or another diversionary program, unless it has been expunged pursuant to 18 Pa.C.S. § 9122, or court has entered an order for limited access, *e.g.*, Clean Slate, pursuant to 18 Pa.C.S. §§ 9122.1 or 9122.2:

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contact plea, or pending charges	Sentence
	18 Pa.C.S. Ch. 25 (relating to criminal homicide)				
	18 Pa.C.S. §2701 (relating to simple assault)				
	18 Pa.C.S. §2702 (relating to aggravated assault)				
	18 Pa.C.S. §2705 (relating to recklessly endangering another person)				
	18 Pa.C.S. §2706 (relating to terroristic threats)				
	18 Pa.C.S. §2709.1 (relating to stalking)				
	18 Pa.C.S. §2718 (relating to strangulation)				

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contact plea, or pending charges	Sentence
	18 Pa.C.S. §2901 (relating to kidnapping)				
	18 Pa.C.S. §2902 (relating to unlawful restraint)				
	18 Pa.C.S. §2903 (relating to false imprisonment)				
	18 Pa.C.S. §2704 (relating to interference with custody of children)				
	18 Pa.C.S. §2910 (relating to luring a child into a motor vehicle or structure)				
	18 Pa.C.S. Ch. 30 (relating to human trafficking)				
	18 Pa.C.S. §3121 (relating to rape)				
	18 Pa.C.S. §3122.1 (relating to statutory sexual assault)				
	18 Pa.C.S. §3123 (relating to involuntary deviate sexual intercourse)				
	18 Pa.C.S. §3124.1 (relating to sexual assault)				
	18 Pa.C.S. §3125 (relating to aggravated indecent assault)				
	18 Pa.C.S. §3126 (relating to indecent assault)				
	18 Pa.C.S. §3127 (relating to indecent exposure)				
	18 Pa.C.S. §3129 (relating to sexual intercourse with animal)				
	18 Pa.C.S. §3130 (relating to conduct relating to sex offenders)				
	18 Pa.C.S. §3301 (relating to arson and related offenses)				

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contact plea, or pending charges	Sentence
	18 Pa.C.S. §4302 (relating to incest)				
	18 Pa.C.S. §4303 (relating to concealing death of child)				
	18 Pa.C.S. §4305 (relating to dealing in infant children)				
	18 Pa.C.S. §5533 (relating to cruelty to animal)				
	18 Pa.C.S. §5534 (relating to aggravated cruelty to animal)				
	18 Pa.C.S. §5543 (relating to animal fighting)				
	18 Pa.C.S. §5544 (relating to possession of animal fighting paraphernalia)				
	18 Pa.C.S. §5902(b) or (b.1) (relating to prostitution and related offenses)				
	18 Pa.C.S. §5903(c) or (d) (relating to obscene and other sexual materials and performances)				
	18 Pa.C.S. §6301 (relating to corruption of minors)				
	18 Pa.C.S. §6312 (relating to sexual abuse of children)				
	18 Pa.C.S. §6318 (relating to unlawful contact with minor)				
	18 Pa.C.S. §6320 (relating to sexual exploitation of children)				
	Finding of contempt of a Protection of Victims of Sexual Violence and Intimidation order or agreement under 42 Pa.C.S. § 62A14				

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contact plea, or pending charges	Sentence
	Driving under the influence of drugs or alcohol				
	Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device				

3. *Abuse or Agency Involvement.* Check the box next to any statement that applies to you, a household member, or your child:

Check all that Apply		Self	Household Member	Child
	Involvement with a children and youth social service agency in Pennsylvania or a similar agency in another jurisdiction. What jurisdiction? _____			
	A determination or finding of abuse (<i>i.e.</i> , indicated or founded report) by a children & youth social service agency or court in Pennsylvania or a similar agency or court in another jurisdiction. What jurisdiction? _____			
	An adjudication of dependency involving this child or any other child under Pennsylvania's Juvenile Act, or a similar law in another jurisdiction. What jurisdiction? _____ Is the case active? _____			

Check all that Apply		Self	Household Member	Child
	A history of perpetrating “abuse” as that term is defined in the Protection from Abuse Act, 23 Pa.C.S. §6102.			
	A history of perpetrating “sexual violence” or “intimidation” as those terms are defined in 42 Pa.C.S. §62A03 (relating to protection of victims of sexual violence and intimidation).			
	Other:			

4. If you checked a box in (2) or (3), list any evaluation, counseling or other treatment received as a result:

5. If you checked a box in (2) or (3) that applies to your household member, who is not a party, state that person’s name, date of birth, and relationship to the child:

6. If you are aware that the other party or the other party’s household member has a criminal record or abuse history, please explain:

ONLY A PARTY CAN SIGN THIS FORM. IF A PARTY IS REPRESENTED BY AN ATTORNEY, THE ATTORNEY CANNOT SIGN THIS FORM ON BEHALF OF THE PARTY.

I verify that the information above is true and correct to the best of my knowledge, information, or 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.

Signature

Printed Name

Date

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Signature of filer

Printed Name