

IN THE COURT OF COMMON PLEAS OF MIFFLIN COUNTY, PENNSYLVANIA

Plaintiff(s)

VS

CP-44-CV-_____-20_____

Defendant(s)

VS

Intervenor(s)

Petition to Intervene

And now, this _____ day of _____, 20_____,

_____, petition(s) to intervene in this custody
(name or names of proposed intervenor(s))

action and in support thereof avers the following:

- 1.) Intervenor(s) is/are _____,
who reside(s) at _____,
in _____ County and their phone number is (_____) - _____.
- 2.) The Plaintiff(s) is/are _____,
who reside(s) at _____,
in _____ County and their phone number is (_____) - _____.
- 3.) The Defendant(s) is/are _____,
who reside(s) at _____,
in _____ County and their phone number is (_____) - _____.
- 4.) The relationship of the intervenor(s) to the child(ren) is that of _____.
- 5.) Intervenor(s) seeks (sole custody) (shared custody) (partial custody) (supervised partial custody) of the following child(ren):

Initials of Child(ren)

Date of Birth

Present Address

6.) The best interest and permanent welfare of the child(ren) will be served by granting the intervenor(s) the relief they are requesting because (reasons for wanting custody): _____

I verify that the statements made in this Petition are true and correct, 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

Signature of Intervenor

CERTIFICATE OF COMPLIANCE

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.

Submitted by: _____
Print name of who filed document

Signature: _____

Name: _____
Print

Attorney No. (if applicable): _____

IN THE COURT OF COMMON PLEAS OF Mifflin COUNTY PENNSYLVANIA

Plaintiff

No. CP-44-CV- _____ - 20

v.

Defendant

____ CUSTODY ____ DIVORCE

**ENTRY OF APPEARANCE OF SELF-REPRESENTED PARTY
PURSUANT TO Pa.R.C.P. No. 1930.8**

I, _____, () Plaintiff or () Defendant, represent myself in the within action.

REMOVAL OR WITHDRAWAL OF COUNSEL OF RECORD (If Applicable)

____ Remove _____, Esq., as my attorney of record.

____ Withdraw my appearance for the filing party.

_____ Esq. (Print name) ID# _____

_____ Signature DATE: _____

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

All pleadings and legal papers can be served on me at the address listed below, which may or may not be my home address pursuant to Rule 1930.8:

Print Name

Signature

Telephone number

Address

Fax number

City, State, Zip Code

Date

THE PARTY FILING THIS ENTRY OF APPEARANCE MUST PROVIDE NOTICE BY SENDING A COPY TO ALL PARTIES AND ATTORNEYS, INCLUDING THE ATTORNEY REMOVED FROM THE CASE.

(a) Criminal or Abuse History Verification. The petitioner must file and serve with the complaint, or any petition for modification, a verification regarding any criminal or abuse history of the petitioner and anyone living in the petitioner's household. The verification shall be substantially in the form set forth in subdivision (c) below. The petitioner must attach a blank verification form to a complaint or petition served upon the respondent. Although the respondent need not file a responsive pleading pursuant to Rule 1915.5, the respondent must file with the court a verification regarding any criminal or abuse history of the respondent and anyone living in the respondent's household on or before the initial in-person contact with the court (including, but not limited to, a conference with a conference officer or judge or conciliation, depending upon the procedure in the judicial district) but not later than 30 days after service of the complaint or petition upon the respondent. Both parties shall file and serve updated verifications five days prior to trial.

(b) Initial Evaluation. At the initial in-person contact with the court, the judge, conference officer, conciliator or other appointed individual shall perform an initial evaluation to determine whether the existence of a criminal or abuse history of either party or a party's household member poses a threat to the child and whether counseling is necessary. The initial evaluation required by 23 Pa.C.S. §5329(c) shall not be conducted by a mental health professional. After the initial evaluation, the court may order further evaluation or counseling by a mental health professional if the court determines it is necessary. Consistent with the best interests of the child, the court may enter a temporary custody order on behalf of a party with a criminal history or a party with a household member who has a criminal history, pending the party's or household member's evaluation and/or counseling.

Note: The court shall consider evidence of criminal or abusive history presented by the parties. There is no obligation for the court to conduct an independent investigation of the criminal or abusive history of either party or members of their household. The court should not consider ARD or other diversionary programs. When determining whether a party or household member requires further evaluation or counseling, or whether a party or household member poses a threat to a child, the court should give consideration to the severity of the offense, the age of the offense, whether the victim of the offense was a child or family member and whether the offense involved violence.

(c) Verification. The verification regarding criminal or abuse history shall be substantially in the following form:

IN THE COURT OF COMMON PLEAS OF MIFFLIN COUNTY, PENNSYLVANIA

Plaintiff

v.

Defendant

No. CP-44-CV-_____ 20

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. Unless indicated by my checking the box next to a crime below, neither I nor any other member of my household have been convicted or pled guilty or pled no contest or was adjudicated delinquent where the record is publicly available pursuant to the Juvenile Act, 42 Pa.C.S. § 6307 to any of the following crimes in Pennsylvania or a substantially equivalent crime in any other jurisdiction, including pending charges:

<u>Check all that apply</u>	<u>Crime</u>	<u>Self</u>	<u>Other household member</u>	<u>Date of conviction, guilty plea or no contest plea, or pending charges</u>	<u>Sentence</u>
<input type="checkbox"/>	18 Pa.C.S. Ch. 25 (relating to criminal homicide)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2702 (relating to aggravated assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2706 (relating to terroristic threats)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea or no contest plea, or pending charges	Sentence
<input type="checkbox"/>	18 Pa.C.S. § 2709.1 (relating to stalking)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2901 (relating to kidnapping)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2902 (relating to unlawful restraint)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2903 (relating to false imprisonment)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3121 (relating to rape)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3122.1 (relating to statutory sexual assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3124.1 (relating to sexual assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3125 (relating to aggravated indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3126 (relating to indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

Check all that <u>apply</u>	<u>Crime</u>	<u>Self</u>	<u>Other household member</u>	<u>Date of conviction, guilty plea or no contest plea, or pending charges</u>	<u>Sentence</u>
<input type="checkbox"/>	18 Pa.C.S. § 3127 (relating to indecent exposure)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3129 (relating to sexual intercourse with animal)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3130 (relating to conduct relating to sex offenders)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3301 (relating to arson and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4302 (relating to Incest)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4303 (relating to concealing death of child)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4304 (relating to endangering welfare of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4305 (relating to dealing in infant children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 5902(b) (relating to prostitution and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 5903(c) or (d) (relating to obscene and other sexual materials and performances)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

Check all that apply	Crime	Self	Other Household Member	Date of conviction, guilty plea or no contest plea, or pending charges	Sentence
<input type="checkbox"/>	18 Pa.C.S. § 6301 (relating to corruption of minors)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6312 (relating to sexual abuse of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6318 (relating to unlawful contact with minor)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6320 (relating to sexual exploitation of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	23 Pa.C.S. § 6114 (relating to contempt for violation of protection order or agreement)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Driving under the influence of drugs or alcohol	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

2. Unless indicated by my checking the box next to an item below, neither I nor any other member of my household have a history of violent or abusive conduct or involvement with a Children & Youth Agency including the following:

Check all that apply		Self	Other Household Member	Date
<input type="checkbox"/>	A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	_____

**Check
all that
apply**

Self

**Other
Household
Member**

Date

- | | | | | |
|--------------------------|--|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction. | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | Involvement with Children & Youth or similar agency in Pennsylvania or another jurisdiction. Where? _____. | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | Other: _____ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

3. Please list any evaluation, counseling or other treatment received following conviction or finding of abuse.

4. If any conviction above applies to a household member, not a party, state that person's name, date of birth, and relationship to the child.

5. If you are aware that the other party or members of the other party's household has or have a criminal record/abuse history, please explain:

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

Date: _____

Printed Name

IN THE COURT OF COMMON PLEAS OF MIFFLIN COUNTY, PENNSYLVANIA

Plaintiff(s)

VS

Defendant(s)

VS

Intervenor(s)

CP-44-CV-_____-20_____

ORDER

AND NOW, this _____ day of _____, 20_____, upon consideration of the aforesaid "Petition to Intervene," a hearing is scheduled for the _____ day of _____, 20_____ at _____ o'clock _____m, in courtroom # _____ of the Mifflin County Courthouse, Lewistown, Pennsylvania for the purpose of determining whether the Petitioner(s) may intervene in the custody action.

If you fail to appear as provided by this order, an order of custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

BY THE COURT,

Date

(Judge)

INSTRUCTIONS FOR SERVICE OF PETITION TO INTERVENE

After you have filed the Petition in the Prothonotary's office, you are required to serve all parties involved with a copy of the Petition.

There are several ways you can handle the serving of the court papers upon the parties. These instructions will explain two of them.

- 1) Service by mail. This is probably the best way to make service. You will need to mail the Petition by first class mail. The type of mailing you must use is called certified mailing, restricted delivery, with a return receipt requested. Your post office worker will be able to help you fill in the certified mailing papers correctly.

This type of mailing is used because the parties must sign for the documents before the postal worker will deliver it. This means that you can prove that the parties got the petition because the post office will return a special green card to you that shows the date and time that the paperwork was given to the parties. It is very important you keep this green card because you must file it with the Prothonotary so the Judge can see the parties were served. As soon as you receive the return receipt card back from the post office you will then complete a Certificate of Service and file it with the Prothonotary. Do not forget to staple the return receipt card to the Certificate of Service you fill in and sign.

- 2) Personal Service. You can have any competent adult who is not a party in the case hand the Petition to the parties. An adult is someone eighteen years of age or older. A person is a competent adult if he or she can accurately remember the time and place that the court papers were handed to the party and is capable of reporting that information to the Judge. **You, because you are a party in the case, may not be the one to hand the papers to the other Parties.** You should not have another person hand the papers to them if there is any danger that they may harm the person making service. It is generally best in all cases to have the Sheriff handle the service or do it by mail.

If you find it necessary to have another person hand the papers to the Parties, then that person is the one who must sign the Certificate of Service for Petition to Intervene. Have the Certification signed as soon as possible after service is made and file it with the Prothonotary.

If the person serving the papers cannot find a party, he or she may hand the papers to an adult family member of the party living in the same home as them or who is in charge of that home @ the time of service. If the party lives in a hotel, an apartment house, or a boarding house, the person serving the papers may hand them to the clerk or manager of the residence. The papers may also be handed to the person in charge where the party works. In any case, the person serving the papers must get the name of the person to whom the papers are handed and put the name in the space provided on the Certificate of Service.

Properly serving complaint is very important. If this is not handled properly the court may delay the hearing in your case.

IN THE COURT OF COMMON PLEAS OF MIFFLIN COUNTY, PENNSYLVANIA

Plaintiff(s)

VS

Defendant(s)

VS

Intervenor(s)

CP-44-CV-_____-20_____

CERTIFICATE OF SERVICE FOR PETITION TO INTERVENE

I, _____, hereby certify that on the _____ day of _____, 20____, I served the Parties with a true and correct copy of the Petition to Intervene.

(CHECK ONE)

_____ Service was made by United States Postal Service, first class, postage prepaid, certified, restricted delivery, return receipt requested to the Plaintiff / Defendant, on the _____ day of _____, 20____. The return receipt signed by the Plaintiff / Defendant is attached hereto.

_____ The Plaintiff / Defendant was personally served with a true and correct copy of the above pleading by hand delivering the same to the Plaintiff / Defendant or by handing a copy at the residence or place of business of the Plaintiff / Defendant as set forth in Pa. R.C.P. §402. Personal service was made at the following location: _____ on the _____ day of _____, 20____, at _____ M.

If service was made on an adult, other than the Plaintiff / Defendant, at the residence or place of business, the name of this adult is: _____.

I verify that the statements made in this certificate of service 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

Person who made service

IN THE COURT OF COMMON PLEAS OF MIFFLIN COUNTY, PENNSYLVANIA

Plaintiff(s)

VS

Defendant(s)

VS

Intervenor(s)

CP-44-CV-_____-20_____

CERTIFICATE OF SERVICE FOR PETITION TO INTERVENE

I, _____, hereby certify that on the _____ day of _____, 20____, I served the Parties with a true and correct copy of the Petition to Intervene.

(CHECK ONE)

_____ Service was made by United States Postal Service, first class, postage prepaid, certified, restricted delivery, return receipt requested to the Plaintiff / Defendant, on the _____ day of _____, 20____. The return receipt signed by the Plaintiff / Defendant is attached hereto.

_____ The Plaintiff / Defendant was personally served with a true and correct copy of the above pleading by hand delivering the same to the Plaintiff / Defendant or by handing a copy at the residence or place of business of the Plaintiff / Defendant as set forth in Pa. R.C.P. §402. Personal service was made at the following location: _____ on the _____ day of _____, 20____, at _____ M.

If service was made on an adult, other than the Plaintiff / Defendant, at the residence or place of business, the name of this adult is: _____.

I verify that the statements made in this certificate of service 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

Person who made service