



**LYCOMING COUNTY
PETITION FOR COURT ORDER
RESPECTING TITLE TO A MOTOR VEHICLE
SELF-HELP KIT**

REMEMBER

The law often changes. Each case is different. This self-help kit is meant to give you general information and not give you specific legal advice.

STEPS IN PROCESS TO OBTAIN COURT ORDER RESPECTING TITLE TO A MOTOR VEHICLE

Detailed instructions are outlined in this packet, but here are the general steps in this process:

1. Fill out Forms 1 through 4 according to the instructions in this packet.
2. Make copies.
3. Take the original forms and copies to the Prothonotary's office for filing.
4. Mail the copies to the prior owner and PennDOT.
5. Attend hearing. Take any documents as directed in the instructions in this packet.
6. After the hearing, you will get a copy of the Order in the mail. You should then go to the Prothonotary's office and ask for a Certified Copy of the Order to send to PennDOT with your application for a Title.

**PETITION FOR COURT ORDER RESPECTING
TITLE TO A MOTOR VEHICLE**

PART ONE: INSTRUCTIONS

STEP 1 - FILLING OUT FORMS 1 THROUGH 4

1. FIRST FORM – MOTION COVER SHEET

Complete the caption (heading) by writing your name in the first blank line (above “Petitioner”) and also on Line 1 (name of filing party).

In box 6, write your name and address on the first set of lines and the name and address of the prior owner of the vehicle on the second set of lines.

Leave the rest of the form blank—this is for the Court to fill out.

2. SECOND FORM – ORDER

Again write your name in the first blank line (above “Petitioner”).

Leave the rest of the form blank.

3. THIRD FORM – PETITION FOR COURT ORDER RESPECTING TITLE TO A MOTOR VEHICLE

Again write your name in the first blank line (above “Petitioner”).

For paragraph 1, write in your name and address.

For paragraph 2, write in a description of the vehicle for which you are requesting a Title and the VIN or Serial Number.

For paragraph 3, describe how you obtained the vehicle. Include the person or entity from whom you bought or obtained the vehicle.

For paragraph 4, explain why you did not get a Title when you got the vehicle.

For paragraph 6, write in the name of the former owner.

For Paragraph 7, circle one of the options (are/are not) and if circling “are”, describe the lien(s) and the holder of the lien(s) on the blank lines. List any lien holder and his address in Box 6 of the cover sheet (you will have to check the “Continued” line and attach a separate sheet of paper with the name and address) and make two additional copies of everything to be mailed to the lienholder.

At the end of the form, sign your name and then sign again to verify that the statements are true and correct..

4. FOURTH FORM – CERTIFICATE OF SERVICE

Again write your name on the first blank line (above “Petitioner”), and on the blank line after the word “T”.

On the first set of blank lines in the body of the form, write the name and address of the prior owner. If there is a lienholder, write his name and address on the second set of blank lines.

Sign and date the form (the date **must** be the date you mail the copies). Write your address and phone number on the lines below your signature.

STEP 2 - COPIES

After you have completed forms #1 through 4, clip them together in order, with the Motion Cover Sheet on the front. You will then need to get three copies made of this entire packet and two copies made of the Petition only (four of the entire packet and three of the Petition only if there is a lienholder).



STEP 3 – FILING THE PETITION

Take the original and the copies to be filed, to the Prothonotary's office. This office is in the Courthouse at 48 West Third Street, Williamsport, PA on the first floor. It is open Monday through Friday 8:30 a.m. to 5:00 p.m. You will have to pay a filing fee of \$146.25 unless you are also filing a petition to proceed *in forma pauperis* and you are granted IFP status. (There is a separate packet for this, available where you got this packet. IFP status allows you to file something with the Court without having to pay the fee. You must qualify financially for this status. This petition should be filed at the same time as you file the Petition for Court Order Respecting Title to a Motor Vehicle.)

The Prothonotary will put a docket number on everything and will file-stamp your original petition and the copies. The Prothonotary will then keep the original and the copies with the cover sheet on them. The other copies will be given back to you to mail to the persons listed on the Certificate of Service – the prior owner and PennDOT (and the lienholder, if there is one). Write the date of mailing on the Certificate of Service at the time you are filing the Petition.

STEP 4 - MAIL THE FILE-STAMPED COPIES

The Prothonotary will give you back the file-stamped copies of the Petition only (which do not have a cover sheet on them). Mail one to the prior owner and one to PennDOT (at the address listed on the cover sheet) and also to the lienholder, if there is one. This can be by first class mail and **must** be on the date you placed on the Certificate of Service – it should be the same day as you filed the petition, if possible.

STEP 5 – ATTEND THE HEARING

The Prothonotary will send your original petition to the Court Administrator's office for scheduling. Once a hearing is scheduled, the original is returned to the Prothonotary's office and the date and time of the hearing is noted on the copies. These copies are mailed to you and the prior owner and PennDOT (and the lienholder, if there is one). You must attend this hearing, at the date and time noted on the cover sheet.

Take to the hearing with you any documentation which will prove that you are the rightful owner of the vehicle, such as a bill of sale or other receipt. You will need to explain to the judge how you obtained the vehicle, why you did not get a title, and why you should be declared the legal owner of the vehicle.

STEP 6 – APPLY FOR A NEW TITLE

If the Judge grants your petition, he or she will sign the Proposed Order you included with your Petition, or may enter a different Order. You will receive a copy of that Order in the mail after the hearing. Take this Order to the Prothonotary's office and ask for a Certified Copy of the Order. (There will be a small fee for this.) You can then mail this Certified Copy to PennDOT with your application for a Title (you can get this application online at the website for PennDOT/Driver Services).

**PETITION FOR COURT ORDER RESPECTING
TITLE TO A MOTOR VEHICLE**

PART TWO: FORMS

**COURT OF COMMON PLEAS, LYCOMING COUNTY, PENNSYLVANIA
MOTION COVER SHEET**

Docket No. _____

Petitioner

vs.

Commonwealth of Pennsylvania, Dept. of Transportation
Respondent

1. Name of filing party _____
2. Filing party's attorney _____
3. Type of filing: Petition for Court Order Respecting Title to a Motor Vehicle

<p>4. The following is/are requested:</p> <p><input type="checkbox"/> Argument</p> <p><input checked="" type="checkbox"/> Evidentiary Hearing</p> <p><input type="checkbox"/> Court conference</p> <p><input type="checkbox"/> Rule to show cause</p> <p><input type="checkbox"/> Entry of uncontested order (attach supporting documentation)</p> <p><input type="checkbox"/> Expedited consideration. State the basis:</p> <p><input type="checkbox"/> Video conferencing requested. Request form has been submitted. See Lyc. Co. R.G.C.B. L8.</p> <p><input type="checkbox"/> Attach this cover sheet to original motion previously filed on:</p> <p>5. Time required: <u>1/2 hour</u></p>	<p>6. Names and addresses of all counsel of record and unrepresented parties:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Commonwealth of PA, Dept. of Transportation Bureau of Motor Vehicles 1101 South Front Street Harrisburg, PA 17104</p> <p><input type="checkbox"/> Continued on separate page</p>
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ORDER

1. An argument factual hearing court conference is scheduled for _____ at _____ m. in courtroom no. _____, Lycoming County Courthouse, Williamsport, PA.
2. Briefs are to be filed by the following dates:
Filing party _____.
Responding party(ies) _____.
3. A rule is issued upon respondent to show cause why the petitioner is not entitled to the relief requested.
4. A response to the motion/petition shall be filed as follows: _____.
5. See order attached. See separate order issued this date.
6. Other _____.

Judge _____
Date

cc: ALL PARTIES OR OTHERS TO BE SERVED WITH NOTICE MUST BE DESIGNATED IN Box 6 ABOVE.

NOTICE: The parties are directed to confer for the purpose of resolving any issue raised in the motion/petition. If a resolution is reached prior to the scheduled date, the moving party shall immediately notify the court scheduling technician, the judge or hearing officer assigned to hear the matter, and all counsel of record or parties if unrepresented. Such notice may be in writing or by email.

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____	:	NO.
Petitioner	:	
	:	
vs.	:	CIVIL ACTION - LAW
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF TRANSPORTATION,	:	
Respondent	:	Title to Motor Vehicle

ORDER

AND NOW, this _____ day of _____, upon consideration of Petitioner’s Petition for Court Order Respecting Title to a Motor Vehicle, filed _____ 20____, and after hearing thereon, the request of the Petition is GRANTED. The Court confirms ownership of the _____, VIN/Serial Number _____, in Petitioner, _____. The right, title and interest of any other person or entity to said vehicle is extinguished.

The Pennsylvania Department of Transportation shall accept this Order as evidence of ownership in lieu of a Certificate of Title. Petitioner shall submit the appropriate forms, taxes and fees and comply with all procedures of the Department of Transportation in order to receive the Certificate of Title to said vehicle. The Pennsylvania Department of Transportation is hereby authorized and directed to issue the Certificate of Title to Petitioner upon compliance with the Department’s requirements.

BY THE COURT,

_____, Judge

cc: _____

Office of Chief Counsel, Dept. of Transportation
1101 South Front Street, Harrisburg, PA 1710

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____,
Petitioner

: NO.

:

:

vs.

: CIVIL ACTION - LAW

:

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION,
Respondent

:

:

:

Petition for Court Order Respecting Title to a Motor Vehicle

1. Petitioner, _____, is an adult individual residing at

_____.

2. Petitioner seeks a Court Order respecting Title of the following vehicle: _____

_____.

VIN/Serial number _____.

3. The vehicle was obtained _____

_____.

4. I did not obtain Title to the vehicle because _____

_____.

5. Petitioner avers that she/he is the rightful owner of the vehicle.

6. The former owner is _____ and this person/entity has been served with a copy of this Petition.

7. There are/are not (circle one) liens against the vehicle, as follows:

_____.

WHEREFORE, Petitioner requests this Court issue an Order declaring that Petitioner is the owner of the subject vehicle and further directing the Department of Transportation to issue a Title to said vehicle in Petitioner's name.

Respectfully submitted,

(signature of Petitioner)

VERIFICATION

I, _____, state that I am the Petitioner in the foregoing matter and that the facts set forth in the foregoing Petition are true and correct to the best of my knowledge, information and belief. I further understand that false statements made herein are subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

(signature of Petitioner)

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____	:	NO.
Petitioner	:	
	:	
vs.	:	CIVIL ACTION - LAW
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF TRANSPORTATION,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I, _____, herein certify that a true and correct copy of the foregoing Petition for Court Order Respecting Title to a Motor Vehicle was served upon the Respondent and the prior owner (and any lienholder if there is one) this date by placing the same in the U.S. mail, first class, postage pre-paid, addressed as follows:

(Prior Owner) _____

(Lienholder) _____

Commonwealth of Pennsylvania, Dept. of Transportation
Bureau of Motor Vehicles
1101 South Front Street
Harrisburg, PA 17104

Date: _____

(signature of Petitioner)

Address: _____

Phone no.: _____