

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 needed</u>	<u>Brief description of testimony offered</u>
1. _____	_____	_____	_____ _____ _____
2. _____	_____	_____	_____ _____ _____
3. _____	_____	_____	_____ _____ _____
4. _____	_____	_____	_____ _____ _____

name who this person is time Brief description of testimony offered
needed

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

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

_____,
Plaintiff
vs.
_____,
Defendant

: NO. _____
:
: CIVIL ACTION – LAW
: CUSTODY
:
:

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

	:	IN THE COURT OF COMMON PLEAS OF
Plaintiff	:	LYCOMING COUNTY, PENNSYLVANIA
	:	
vs.	:	CIVIL ACTION – LAW
	:	CUSTODY
	:	
	:	NO.
Defendant	:	

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:

Check all that apply	Crime	Self	Other Household Member	Date of Conviction, Guilty Plea or Pending Charges	Sentence
	18 Pa. C.S. Ch. 25 (relating to criminal homicide)				
	18 Pa. C.S. §2702 (relating to aggravated assault)				
	18 Pa. C.S. §2706 (relating to terroristic threats)				
	18 Pa. C.S. §2709.1 (relating to stalking)				
	18 Pa. C.S. §2901 (relating to kidnapping)				
	18 Pa. C.S. §2902 (relating to unlawful restraint)				

Check all that apply	Crime	Self	Other Household Member	Date of Conviction, Guilty Plea or Pending Charges	Sentence
	18 Pa. C.S. §2903 (relating to false imprisonment)				
	18 Pa. C.S. §2910 (relating to luring a child into a motor vehicle or structure)				
	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 assault)				
	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)				
	18 Pa. C.S. §4302 (relating to incest)				
	18 Pa. C.S. §4303 (relating to concealing death of a child)				
	18 Pa. C.S. §4304 (relating to endangering welfare of children)				
	18 Pa. C.S. §4305 (relating to dealing in infant children)				
	18 Pa. C.S. §5902(b) (relating to prostitution and related offenses)				
	18 Pa. C.S. §5903(c) or (d) (relating to obscene and other sexual materials and performances)				

Check all that apply	Crime	Self	Other Household Member	Date of Conviction, Guilty Plea or Pending Charges	Sentence
	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)				
	18 Pa. C.S. §6114 (relating to contempt for violation of protection order or agreement)				
	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				

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

Check all that apply	Crime	Self	Other Household Member	Date
	A finding of abuse by a Children and Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction			
	Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania, or similar statute in another jurisdiction			
	Involvement with a Children and Youth Agency or similar agency in Pennsylvania or another jurisdiction. Where?: _____			
	Other:			

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/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 penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Signature

Printed Name

Date