

INSTRUCTIONS FOR MOTION FOR CHANGE OF VENUE

1. Complete the motion form, per the included instructions.
2. Complete the motion cover sheet form, per the included instructions.
3. Complete the proposed order form (caption only), per the included instructions.
4. Arrange the three forms in order, motion cover sheet first, then proposed order, then motion.
5. Make copies – one for each party involved in the case.
6. Take the original motion with proposed order and cover sheet and the copies to the Prothonotary's office for filing at the Lycoming County Courthouse, 48 West Third Street, Williamsport, PA. There is no filing fee for this petition.
7. The Prothonotary will keep the original and the copies and you will then receive back in the mail from the court either an Order transferring the case and directing you to pay the costs of transfer (which as of August 1, 2021 are \$26.50), or an order scheduling the matter for a hearing. Even if the parties agree, the court may still hold a hearing to determine whether the transfer is appropriate. Each case is decided based on the facts of that case and the custody jurisdiction laws, and not necessarily based on the parties' agreement.
8. If the motion is granted and you are directed to pay the costs of transfer, you must go to the Prothonotary's office and make the payment before they will transfer the case (unless you are granted a fee waiver; there is a separate self-help kit for making this request, available online or in the Law Library). The county where the case is transferred to may also ask for a filing fee; this is up to each individual county.

INSTRUCTIONS FOR COMPLETING MOTION FOR CHANGE OF VENUE

1. Write the Plaintiff's name, Defendant's name and the docket number exactly as they appear on your custody order.
2. In Paragraph 1, write your name on the blank line after the word "Petitioner" and write your address where indicated.
3. In Paragraph 2, write the date of your current custody order on the first blank line and on the other two blank lines, write the terms of the order respecting physical custody of the children. For example, "Mother has primary physical custody of the children and Father has partial physical custody on alternating weekends" or "the grandmother has physical custody of the child and parents have partial custody on alternating weekends".
4. In Paragraph 3, on the first blank line write the county where the children currently live, on the second blank line write the person(s) they live with, and on the third blank line write the date they started living there.
5. In Paragraph 4, write the type of pleading you wish to file after the matter is transferred. For example, "petition for modification" or "petition for contempt".
6. In Paragraph 5, circle the word "consents" or the words "does not consent" to indicate whether the other party agrees with the request for the transfer of venue. If the other party consents, ask that party to complete and sign the consent provision at the end of the petition. By showing an agreement, you may avoid having to come into court to make your request.
7. In the "wherefore" clause, write the name of the county you wish to transfer the case to.
8. Sign where indicated, then read the "Verification" language and sign where indicated. Write in your name and address after your signature.

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____ ,	:	NO.
Plaintiff	:	
	:	
vs.	:	CIVIL ACTION - LAW
	:	CUSTODY
_____ ,	:	
Defendant	:	

Motion For Change of Venue

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

Petitioner is the Plaintiff/Defendant in the above-captioned custody case.

2. This Court entered an Order in this matter on _____ providing for _____.

3. The children no longer reside in Lycoming County and have resided in _____ County with _____ since _____ (date).

4. Petitioner wishes to file a _____ in this matter.

5. The other party consents/does not consent to the requested transfer of venue.

(Consent is shown by the other party's signature on this petition.)

WHEREFORE, Plaintiff requests this Court issue an Order transferring venue to _____ County.

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 Motion 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)

CONSENT TO REQUEST FOR TRANSFER OF VENUE

I, _____, Plaintiff/Defendant herein, have read the foregoing petition and state that I agree with the facts as stated therein and do hereby consent to the request for the venue in this custody matter to be transferred to _____ County.

(signature)

(print name)

(address)

(address)

INSTRUCTIONS FOR COMPLETING MOTION COVER SHEET

1. Write the Plaintiff's name on the line above the word "Plaintiff".
2. Write the Defendant's name on the line above the word "Defendant"
3. Write the case number of your custody case on the line after the words " Docket No".
4. Write your name on the line in Paragraph 1, "Name of Filing Party".
5. Write "pro se" on the line in Paragraph 2, "Filing Party's Attorney". (This means you are "for yourself".)
6. Write your name and address and the other party's name and address in the box numbered 6.

Leave the rest of the form blank.

INSTRUCTIONS FOR COMPLETING PROPOSED ORDER

1. Write the Plaintiff's name, Defendant's name and the docket number exactly as they appear on your custody order.
2. The first blanks in the order are for the judge to write the date the order is signed, leave them blank.
3. Write the name of the county you wish to have the venue transferred to on the two blank lines in the order and the blank line in the cc list, where indicated.
4. On the last blank line, write who will be responsible for the costs, either you as filing party (in that case, write "Petitioner"), or if there is an agreement to share the costs, write "Both parties equally".

Leave the rest of the form blank.

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

		:	NO.
Plaintiff		:	
		:	
vs.		:	CIVIL ACTION - LAW
		:	CUSTODY
		:	
Defendant		:	

ORDER

AND NOW, this _____ day of _____, _____, upon consideration of the attached Motion for Transfer of Venue, it is hereby Ordered and Directed that this matter is hereby transferred to the Court of Common Pleas of _____ County. All pleadings, motions and other matters shall hence forth be filed in that county.

The Prothonotary of the Court of Common Pleas of Lycoming County is hereby directed to forward all pleadings and other filings to the Prothonotary of the Court of Common Pleas of _____ County.

_____ shall be responsible for any costs associated with the transfer of the file.

BY THE COURT:

_____ J.

cc: Prothonotary of Lycoming County
Prothonotary of _____ County
Plaintiff
Defendant