

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

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the Court. A judgment may also be entered against you for any other claim or relief requested in these papers by the Plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for the divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in the Office of the Prothonotary at 48 West Third Street, Williamsport, Pennsylvania 17701.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Pennsylvania Bar Association
 Lawyer Referral Service
 100 South Street (P.O. Box 186)
 Harrisburg, PA 17108
 (800) 692-7375

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Lycoming County is required by law to comply with the Americans With Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the office of the Lycoming County Court Administrator, Lycoming County Courthouse, 48 West Third Street, Williamsport, PA 17701, Telephone No. (570) 327-2330. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

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

**COMPLAINT FOR DIVORCE UNDER
SECTION 3301(C)(1) OR 3301(D) OF THE DIVORCE CODE**

1. Plaintiff is _____, who currently resides at _____
 (name) _____ County
 _____,
 (street address) _____ (city) _____ (county)
 _____, since _____.
 (state) (zip code) _____ (date)

2. Defendant is _____, who currently resides at _____
 (name) _____ County
 _____,
 (street address) _____ (city) _____ (county)
 _____, since _____.
 (state) (zip code) _____ (date)

3. _____ Plaintiff and/or _____ Defendant has/have been a bona fide resident(s) in the Commonwealth for at least six months immediately previous to the filing of this Complaint.

4. Plaintiff and Defendant were married on _____ at _____
 (date)
 _____, _____ County, _____.
 (city) _____ (county) _____ (state)

5. There have been no prior actions of divorce or for annulment between the parties, except _____.

6. The marriage is irretrievably broken.

7. Plaintiff has been advised that counseling is available and that Plaintiff may have the right to request that the Court require the parties to participate in counseling.

8. Plaintiff requests that the Court enter a decree in divorce.

I verify that the statements made in the Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Date: _____

Plaintiff's signature

Plaintiff's Name

Street address

City, state and zip code

Telephone number

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

ACCEPTANCE OF SERVICE

_____ I accept service of the Notice to Defend and Claim Rights and the
Complaint in Divorce.

Date: _____

Defendant's signature

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

AFFIDAVIT OF SERVICE BY MAIL

1. On _____ (date) I, _____, Plaintiff in this Divorce Action, mailed a copy of the Notice to Defend and Claim Rights and Divorce Complaint to the Defendant by certified mail, return receipt requested, restricted delivery at Defendant's last known address.

2. _____ On _____ (date) Defendant received the Notice to Defend and Divorce Complaint. The certified mail return receipt signed by Defendant is attached to this Affidavit.

_____ The Defendant refused to accept the certified mail. It has been at least 15 days since mailing and the regular mail has not been returned. The envelope showing Defendant's refusal is attached to this Affidavit.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Date: _____

Plaintiff's signature

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

AFFIDAVIT OF PERSONAL SERVICE

I, _____, hereby depose and say that I am 18 years or older and am not a party to the action, nor an employee or relative of a party.

On _____ (date) I personally served the Defendant with a copy of the Notice to Defend and Claim Rights and Divorce Complaint by handing it to him or her.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Date: _____

Signature of person who served Defendant

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

PRAECIPE TO REINSTATE THE COMPLAINT

To the Prothonotary:

Please reinstate the Complaint in Divorce filed in the above-captioned matter.

Respectfully submitted,

Date: _____

Plaintiff's signature

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

AFFIDAVIT OF CONSENT
§ 3301(c)(1)

1. A Complaint in Divorce under § 3301(c)(1) of the Divorce Code was filed on _____ (date) and served on the Defendant on _____ (date).
2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety days have elapsed from the date of filing and service of the Complaint.
3. I consent to the entry of a final decree of divorce after service of the Notice of Intention to File Praecipe to Transmit Record.

I verify that the statements made in this Affidavit of Consent are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Date: _____

Plaintiff's signature

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

AFFIDAVIT OF CONSENT
§ 3301(c)(1)

1. A Complaint in Divorce under § 3301(c)(1) of the Divorce Code was filed on _____ (date) and served on the Defendant on _____ (date).
2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety days have elapsed from the date of filing and service of the Complaint.
3. I consent to the entry of a final decree of divorce after service of the Notice of Intention to File Praecipe to Transmit Record.

I verify that the statements made in this Affidavit of Consent are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Date: _____

Defendant's signature

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

**WAIVER OF NOTICE OF INTENTION TO FILE
THE PRAECIPE TO TRANSMIT RECORD**

1. Without further notice, I consent to the entry of a final decree of divorce.
2. I understand that I may lose rights concerning alimony, equitable division of property, lawyer's fees, costs and expenses, or other important rights if I do not claim them before a divorce is granted.
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed.

I verify that the statements made in this Waiver of Notice are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Date: _____

Plaintiff's signature

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

**WAIVER OF NOTICE OF INTENTION TO FILE
THE PRAECIPE TO TRANSMIT RECORD**

1. Without further notice, I consent to the entry of a final decree of divorce.
2. I understand that I may lose rights concerning alimony, equitable division of property, lawyer's fees, costs and expenses, or other important rights if I do not claim them before a divorce is granted.
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed.

I verify that the statements made in this Waiver of Notice are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Date: _____

Defendant's signature

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

PRAECIPE TO TRANSMIT RECORD

To the Prothonotary:

Transmit the record, together with the following information, to the court for entry of a divorce decree.

1. Grounds for divorce: irretrievable breakdown under:
 _____ Section 3301(c)(1)
 _____ Section 3301(d)

2. Service of the Complaint:
 (a) Date served: _____.
 (b) Manner of service: _____.

3. Complete either (a) or (b):
 (a) Section 3301(c)(1) of the Divorce Code – Insert the date each party signed the Affidavit of Consent:
 Plaintiff: _____
 Defendant: _____
 (b) Section 3301(d) of the Divorce Code:
 (1) Date the Affidavit Under Section 3301(d) was signed: _____.
 (2) Date the Affidavit Under Section 3301(d) was filed: _____.
 Manner of service: _____.

4. Related ancillary claims pending: _____.

5. Complete either (a) or (b):
 (a) Notice of Intention to File the Praecipe to Transmit Record:
 (1) Date served: _____.
 (2) Manner of Service: _____.
 (b) Date of filing of the Waivers of Notice of Intention to File the Praecipe to Transmit Record:
 (1) Plaintiff’s Waiver: _____.
 (2) Defendant’s Waiver: _____.

Date: _____

 Signature of ___ Plaintiff ___ Defendant

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

DECREE OF DIVORCE

AND NOW, this _____ day of _____ 20____,

it is Ordered and Decreed that _____, Plaintiff, and
_____, Defendant, are divorced from the bonds of matrimony.

BY THE COURT,

Judge