

_____		: 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. _____

AFFIDAVIT UNDER SECTION 3301(d)
OF THE DIVORCE CODE

1. The parties to this action separated on _____ (date).
2. Check (a) or (b):
 _____ (a) The date of separation was prior to December 5, 2016 and the parties have continued to live separate and apart for a period of at least two years.
 _____ (b) The date of separation was on or after December 5, 2016, and the parties have continued to live separate and apart for a period of at least one year.
3. The marriage is irretrievably broken.
4. I understand that I may lose rights concerning alimony, division of property, lawyer's fees, costs and expenses, or other important rights if I do not claim them before a divorce is granted.

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 Plaintiff

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

**COUNTER-AFFIDAVIT UNDER SECTION
 3301(d) OF THE DIVORCE CODE**

1. Check (a) or (b):

_____ (a) I do not oppose the entry of a divorce decree.

_____ (b) I oppose the entry of a divorce decree because:

Check any that apply:

_____ The parties to this action have not lived separate and apart for the required separation period: two years for parties who separated prior to December 5, 2016, and one year for parties who separated on or after December 5, 2016.

_____ The marriage is not irretrievably broken.

_____ There are economic claims pending.

2. Check (a), (b) or (c):

(a) _____ I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer's fees, costs and expenses, or other important rights if I do not claim them before a divorce is granted.

(b) _____ I wish to claim economic relief, which may include alimony, division of property, lawyer's fees, costs and expenses, or other important rights.

I UNDERSTAND THAT IN ADDITION TO CHECKING 2(b), I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS IN WRITING AND SERVE THEM ON THE OTHER PARTY. IF I FAIL TO DO SO BEFORE THE DATE SET FORTH ON THE NOTICE OF INTENTION TO FILE THE PRAECIPE TO TRANSMIT RECORD, THE DIVORCE DECREE OR ORDER APPROVING GROUNDS FOR DIVORCE MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I MAY BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

(c) _____ Economic claims have been raised and are not resolved.

I verify that the statements made in this counter-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 Defendant

NOTICE: IF YOU DO NOT OPPOSE ENTRY OF A DIVORCE DECREE AND DO NOT WISH TO CLAIM ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

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

AFFIDAVIT OF NON-MILITARY SERVICE
PURSUANT TO Pa.R.C.P. 1920.46

I, _____, say that I am the Plaintiff in the above-captioned matter; that I personally know that the Defendant is over the age of eighteen years, and that the Defendant is not in the military service or in any branch of the armed forces of the United States or its allies, or otherwise within the provisions of the Servicemember's Civil Relief Act, formerly the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, and the amendments thereto.

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information and belief. 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. _____

ACCEPTANCE OF SERVICE

_____ I accept service of the Notice to Defend and Claim Rights, the Complaint in Divorce, the Affidavit Under Section 3301(d) with blank Counter-Affidavit and the Affidavit of Non-Military Service.

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, the Affidavit Under Section 3301(d) with blank Counter-Affidavit and the Affidavit of Non-Military Service 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 Affidavit Under Section 3301(d) with blank Counter-Affidavit and the Affidavit of Non-Military Service. 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, the Affidavit Under Section 3301(d) with blank Counter-Affidavit and the Affidavit of Non-Military Service 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

<div style="text-align: right; padding-right: 20px;">Plaintiff</div>	:	IN THE COURT OF COMMON PLEAS OF
	:	LYCOMING COUNTY, PENNSYLVANIA
vs.	:	
	:	CIVIL ACTION - LAW
	:	IN DIVORCE
<div style="text-align: right; padding-right: 20px;">Defendant</div>	:	NO. _____

NOTICE OF INTENTION TO FILE
THE PRAECIPE TO TRANSMIT RECORD
UNDER SECTION 3301(d) OF THE DIVORCE CODE

To: _____

You have been sued in an action for Divorce. You have failed to answer the Complaint or file a counter-affidavit to the Affidavit Under Section 3301(d) of the Divorce Code. Therefore, on or after _____, the other party can request the court to enter a final decree in divorce or, if there are unresolved ancillary claims, an order approving grounds for divorce.

If you do not file an answer with your signature notarized or verified by the above date, the court can enter a final decree in divorce or, if there are unresolved ancillary claims, an order approving grounds for divorce.

Unless you have already filed with the court a written claim for economic relief, you must do so by the above date, or the court may grant the divorce or an order approving grounds for divorce, and you may lose forever the right to ask for economic relief. The filing of the form counter-affidavit alone does not protect your economic claims.

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

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

**COUNTER-AFFIDAVIT UNDER SECTION
 3301(d) OF THE DIVORCE CODE**

1. Check (a) or (b):

_____ (a) I do not oppose the entry of a divorce decree.

_____ (b) I oppose the entry of a divorce decree because:

Check any that apply:

_____ The parties to this action have not lived separate and apart for the required separation period: two years for parties who separated prior to December 5, 2016, and one year for parties who separated on or after December 5, 2016.

_____ The marriage is not irretrievably broken.

_____ There are economic claims pending.

2. Check (a), (b) or (c):

(a) _____ I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer's fees, costs and expenses, or other important rights if I do not claim them before a divorce is granted.

(b) _____ I wish to claim economic relief, which may include alimony, division of property, lawyer's fees, costs and expenses, or other important rights.

I UNDERSTAND THAT IN ADDITION TO CHECKING 2(b), I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS IN WRITING AND SERVE THEM ON THE OTHER PARTY. IF I FAIL TO DO SO BEFORE THE DATE SET FORTH ON THE NOTICE OF INTENTION TO FILE THE PRAECIPE TO TRANSMIT RECORD, THE DIVORCE DECREE OR ORDER APPROVING GROUNDS FOR DIVORCE MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I MAY BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

(c) _____ Economic claims have been raised and are not resolved.

I verify that the statements made in this counter-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 Defendant

NOTICE: IF YOU DO NOT OPPOSE ENTRY OF A DIVORCE DECREE AND DO NOT WISH TO CLAIM ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

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

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a true and correct copy of the following has/have been served by first class mail or as otherwise noted:

_____ Notice of Intention to File the Praecipe to Transmit Record Under Section 3301(c)(1) of the Divorce Code and blank Counter-Affidavit under Section 3301(c)(1)

_____ Affidavit under Section 3301(d) of the Divorce Code and blank Counter-Affidavit under Section 3301(d)

Method of Service (Document attached):

_____ Acceptance of Service

_____ Service by Mail

_____ Personal Service

_____ Affidavit of Non-Military Service

_____ Notice of Intention to File the Praecipe to Transmit Record Under Section 3301(d) of the Divorce Code and blank Counter-Affidavit under Section 3301(d)

The above documents were served to the following:

Respectfully submitted,

Date: _____

 Signature of Plaintiff

_____, : 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

_____	:	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