

GUIDE TO BLAIR COUNTY CUSTODY FILINGS

All Custody Filings are directed to either the Blair County Prothonotary's Office or the Blair County Custody Office as follows:

Filings to be submitted to the Blair County Prothonotary's Office

- Custody Complaint with scheduling Order (Fee \$154)
- Custody Petition for Modification with Scheduling Order (Fee \$44)
- Notice for Relocation (No Fee)
- Petition for Contempt of Custody Order with Rule (Fee \$25)
- Divorce Complaint with Custody Count (Fee \$208)
- Preliminary Objections to Custody Action (No Fee)
- Request for Custody Evidentiary Hearing (No Fee)
- Custody Prehearing Narratives (copy delivered to Custody Office) (No Fee)
- In Forma Pauperis Form requesting waiver of the filing fee (No Fee)
- Custody Special Relief with Rule (\$25)
 - Proposed Exparte Orders must be separate from the Rule if applicable
 - Can only be filed on an active case or after the filing of a Custody Complaint or Modification.

Filings to be submitted to the Blair County Custody Office

- Continuances on ALL custody proceedings
- Custody Agreements with Order
 - As initial filing, must be accompanied by check or money Order payable to "Blair County Prothonotary" in the amount of \$147

Exceptions to Master's Report and Recommendations

- Transcript request form must be submitted to Court Administration with a required deposit, once a receipt is provided, custody exceptions may then be filed with the Prothonotary with a copy of your receipt. Upon completion of the transcript, any remaining balance must be paid to Court Administration.

Special Notes:

**The filing party/Attorney is responsible for notifying all parties of the date, time and location of any custody proceeding.*

COMMON QUESTIONS IN CUSTODY

Do I bring witnesses to a Special Relief proceeding?

No, petitions for Special Relief are scheduled in front of the case's assigned Judge (or Sr. Judge), and are presented by **Oral Argument** only. A Judge may determine at the time of oral argument that a hearing with testimony is needed on the Petition and subsequently direct the same be scheduled.

What if my client fails to attend the Children First Program?

A Rule to Show Cause may be issued against any client who fails to register or complete the Mandatory Custody Education Program. The Rule is sent directly to the client. The client must appear and explain to the Judge the reasons why he or she has not complied. Attorneys are not notified or required to attend the proceeding.

What if my client cannot afford the Children First Program?

Forms for requesting a waiver or lowering of the Children First Program fee are available in the Custody Office and are forwarded to a Judge for approval.

What if my Attorney does not file a prehearing narrative before a prehearing conference as required by Local Rule? (Or self-represented litigant)

A Rule to Show Cause may be issued against an Attorney who does not file a timely prehearing narrative. Or, in the alternative, you may not have the opportunity to present any witnesses in an upcoming Evidentiary hearing.

Why would a Rule be attached to a Custody Agreement?

All Custody Agreements filed outside of a court proceeding are subject to review by the Court. This includes inquire by the Custody Office to Children and Youth Services regarding the parties and the appropriateness of the agreement. Prior to approval the Court may hold a hearing scheduled by a Rule to address any questions or concerns.