

**INSTRUCTIONS FOR COMPLETING THE NOTICE OF PROPOSED
RELOCATION AND COUNTER-AFFIDAVIT**

TYPE OR PRINT NEATLY

STEP 1- The Caption

1. Fill in the names of the parties and the docket number exactly how they appear on the custody order.

STEP 2- The Notice

1. You are the Petitioner. Put your name on the line above "Petitioner."
2. The Respondent is the other party or parties in the case. Put their name on the line above "Respondent."
3. Fill in the child (ren) information that you are asking to relocate on the **Confidential Information Form first column. (204 Pa.Code § 213.81)**
4. List the address of the proposed new residence (where you would like to relocate to).
5. List the mailing address (if it is not the same as above).
6. On the lines provided, list the names and ages of individuals (ONLY THOSE OVER THE AGE OF 18) who intend to reside at the new residence, as well as the number pertaining to the child(ren) from the **Confidential Information Form first column. (204 Pa.Code § 213.81)**
7. List the home telephone number of the new residence.
8. List the name of the new school district and the school the child(ren) will attend after the relocation.
9. List the date of the proposed relocation
10. On the lines provided list the reasons for the proposed relocation.
11. On the lines provided list the proposed modification of the custody schedule following the relocation.
12. List any other information that you feel may be important concerning this proposed relocation.
13. Sign and date this form
14. Sign and date the Affidavit Regarding Relocation.

STEP 3- The Counter Affidavit

1. You must notify the other party or parties of the proposed relocation by supplying them with a copy of your notice and the Counter-Affidavit.
2. You must send copies of your paperwork no later than the 60th day before the date of the proposed relocation or the tenth day after the date that you know of the relocation, if:
 - a. You did not know and could not reasonably have known of the relocation in sufficient time to comply with the 60-day notice; and
 - b. It is not reasonably possible to delay the date of relocation so as to comply with the 60-day notice.
3. You must send the copies by **certified mail, return receipt requested, addressee only**.
4. The Respondent will be responsible for completing the counter affidavit and notifying you and the courts of their agreement or objection to the move. They must notify you within **30 days of their receiving** the Notice and counter-affidavit.
5. If the Respondent does not serve you with a copy of the Counter-Affidavit and does not file the Counter-Affidavit with the court within 30 days of his/her receipt of the documents you will need to file a Petition to Confirm Relocation and Proposed Order

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

Plaintiff
vs.

Defendant
: : : : : : : : : :
NO. _____ GN _____
CIVIL ACTION - CUSTODY

NOTICE OF PROPOSED RELOCATION

You, _____, are hereby notified that,

Respondent

Petitioner

Proposes to relocate with the following minor child(ren) from the **Confidential Information Form first column. (204 Pa.Code § 213.81)**

Child ____ Child ____ Child ____ Child ____

To object to the proposed relocation, you must complete the attached counter-affidavit and serve it on the other party by certified mail, return receipt requested, addressee only, or pursuant to Pa.R.C.P. No. 1930.4 within 30 days of the receipt of this notice. If there is an existing child custody case, you also must file the counter-affidavit with the court. If you do not object to the proposed relocation within 30 days, the party proposing relocation has the right to relocate and may petition the court to approve the proposed relocation and to modify any effective custody order or agreements. FAILURE TO OBJECT WITHIN 30 DAYS WILL PREVENT YOU FROM OBJECTING TO THE RELOCATION ABSENT EXIGENT CIRCUMSTANCES.

Address of the proposed new residence: _____

___ Check here if the address is confidential pursuant to 23 Pa.C.S. §5336(b).

Mailing address of intended new residence (if not the same as above): _____

_____ Check here if the address is confidential pursuant to 23 Pa.C.S. §5336(b).

Names and ages of the individuals who intend to reside at the new residence:
(ONLY THOSE OVER THE AGE OF 18), as well as the number pertaining to the child(ren) from the
Confidential Information Form first column. (204 Pa.Code § 213.81)

<u>Name</u>	<u>Age</u>
_____	_____
_____	_____
_____	_____
_____	_____

Child ____ Child ____ Child ____ Child ____

_____ Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b) or (c).

Home telephone number of the new residence: _____

_____ Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b) or (c).

Name of the new school district and the school the child(ren) will attend after relocation:

_____ Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b) or (c).

Date of proposed relocation: _____

_____ Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b) or (c).

Reasons for the proposed relocation: _____

_____ Check here if the information is confidential pursuant to 23 Pa.C.S. §5336(b) or (c).

Proposed modification of custody schedule following relocation:

Other information:

I verify that the statements made in this notice of proposed relocation are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904(relating to sworn falsification to authorities).

Date

Petitioner or Petitioner's Attorney

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.

BLAIR COUNTY LAWYER REFERRAL LAW LIBRARY

Third Floor, New Wing
Blair County Court House
Hollidaysburg, Pa 16648
(814) 639-3090

MIDPENN LEGAL SERVICES

205 Lakemont Park BLVD
Altoona, Pa 16602
(800) 326-9177

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

Plaintiff
vs. _____
Defendant

:
:
: NO. _____ GN _____
: CIVIL ACTION - CUSTODY
:
:
:

COUNTER-AFFIDAVIT REGARDING RELOCATION

This proposal of relocation involves the following child(ren) from the **Confidential Information Form first column. (204 Pa.Code § 213.81)**

Child ____ Child ____ Child ____ Child ____

I have received a notice of proposed relocation and (check all that apply):

1. ____ I **do not object** to the relocation.
2. ____ I **do not object** to the modification of the custody order consistent with the proposal for modification set forth in the notice.
3. ____ I **do not object** to the relocation, but I **do object** to the modification of the custody order.
4. ____ I plan to request that a hearing be scheduled by filing a request for hearing with the court:
 - a. ____ Prior to allowing the following child(ren) from the **Confidential Information Form first column. (204 Pa.Code § 213.81)**
Child ____ Child ____ Child ____ Child ____
 - b. ____ After the child(ren) relocate.
5. ____ I **do object** to the relocation.
6. ____ I **do object** to the modification of the custody order.

I understand that in addition to objecting to the relocation or modification of the custody order above, I must also serve this counter-affidavit on the other party by certified mail, return receipt requested, addressee only, or pursuant to Pa.R.C.P No. 1930.4, and, if there is an existing custody case, I must file this counter-affidavit with the court. If I fail to do so within 30 days of my receipt of the proposed relocation notice, I understand that I will not be able to object to the relocation at a later time.

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. § 4904 (relating to unsworn falsification to authorities).

Date: _____

Respondant

**INSTRUCTIONS FOR COMPLETING THE PETITION TO CONFIRM
RELOCATION AND PROPOSED ORDER**

TYPE OR PRINT NEATLY

STEP 1- The Caption

1. Fill in the names of the parties and the docket number exactly how they appear on the custody order.

STEP 2- The Petition

1. You are the Petitioner. Put your name on the line and indicate whether you are the Plaintiff or Defendant in the case by circling the correct term.
2. The Respondent is the other party or parties in the case. Put their name on the line and indicate whether they are the Plaintiff or Defendant in the case by circling the correct term.
3. List your relationship to the child(ren) on the line. Fill in the child (ren) information that you are asking to relocate on the **Confidential Information Form first column. (204 Pa.Code § 213.81)**
4. Put the relationship(s) of the other parties to the children.
5. Put the date of the current custody order in the lines provided and state what the current order says. You may attach a copy of the order to your paperwork.
6. On the lines provided, list exactly where you are petitioning to relocate and the date of the proposed relocation.
7. Attach a copy of proof of service of the Notice of Proposed Relocation and Counter-Affidavit.
8. List the date that Respondent received and signed for the Proposed Relocation and Notice and Counter-Affidavit.
9. List the date the 30 days for objection to be expired on.
10. Sign and date the Petition and the verification.

STEP 3- Proposed Order

1. Fill in the names of the parties and the docket number exactly how they appear on the custody order.
2. **DO NOT** fill in the information in **the first paragraph** of the proposed order! This paragraph will be completed by the court.
3. List the address of the new residence.
4. List the names of the individuals (**ONLY THOSE OVER THE AGE OF 18**) who intend to reside at the new residence, as well as the number pertaining to the child(ren) from the **Confidential Information Form first column. (204 Pa.Code § 213.81)**
5. List the new phone number for the new residence.
6. List the new school district and name of the school that child(ren) will attend after relocation.
7. Date of the proposed relocation
8. List the reasons for the relocation.
9. List the proposed revisions to the current custody schedule.(If no change please list "No Changes to Current custody").
10. List Respondent's name on the line above (Respondent).
11. **DO NOT sign this order. Only a Judge can sign this order.**
12. File the Petition to Confirm Relocation with Proposed Order attached with the Prothonotary Department at the Blair County Court House.
13. This information will be sent to a Judge and you will be notified by mail that the Proposed order has been signed and the Proposed Relocation confirmed or you will be notified of a hearing date for the Proposed Relocation.

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

Plaintiff
vs.

Defendant

:
:
: NO. _____ GN _____
: CIVIL ACTION - CUSTODY
:
:
:

PETITION TO CONFIRM RELOCATION PURSUANT TO 23 Pa.C.S. § 5337

1. The Petitioner is (name) _____ is (circle one) **Plaintiff or Defendant** in the Custody Complaint, and resides at (street, city, state, zip):

_____.
2. The Respondent is (name) _____ is (circle one) **Plaintiff or Defendant** in the Custody Complaint, and resides at (street, city, state, zip):

_____.
3. The Petitioner's relationship to the child(ren) from the **Confidential Information Form first column. (204 Pa.Code § 213.81)**
Child ____ Child ____ Child ____ Child ____
is that of: _____.
4. The relationship of Respondent to the child(ren) is that of _____.
5. A Custody Order was entered on (date) _____, that states the following:

_____.

6. Petitioner intends to relocate with the child(ren) to (street, city, state, zip): _____

Petitioner would like to relocate on or about (date of planned moved) _____

7. Pursuant to PA.C.S. §5337(e)(1), Petitioner's Affidavit as to notice provided with a copy of said notice to Respondent is attached.

8. The Relocation notice was sent by certified mail, return receipt requested, addressee only, to Respondent at _____.

Respondent's address

9. The Proposed Relocation Notice w/Counter-Affidavit was received on _____ and signed for by _____.
Date Respondent

10. The thirty days to file an objection to the proposed relocation expired on _____. No objection has been filed.

WHEREFORE, Petitioner requests the relocation be confirmed in accordance with 23 Pa.C.S. § 5337.

Date: _____
_____ Petitioner

I verify that the statements made in this complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to sworn falsification to authorities).

Date: _____
_____ Petitioner or Petitioner's Attorney



IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

_____ :
 Plaintiff :
 :
 vs. : NO. _____ GN _____
 : CIVIL ACTION - CUSTODY
 :
 _____ :
 Defendant :

PROPOSED ORDER

AND NOW, this _____ day of _____, 20____, upon consideration of the Petition to Confirm Relocation, **IT IS HEREBY ORDERED, DIRECTED, AND DECREED:**

Petitioner's, _____ Relocation to _____, is confirmed.

The information required pursuant to 23 Pa.C.S. § 5337 (e)(4) and (c)(3) is as follows:

i. Address of intended new residence:

ii. Individuals who intend to reside at the new residence:

(ONLY THOSE OVER THE AGE OF 18), as well as the number pertaining to the child(ren) from the **Confidential Information Form first column. (204 Pa.Code § 213.81)**

Name _____

Child ____ Child ____ Child ____ Child ____

iii. Phone number: (_____) _____

iv. School District and School: _____

v. Date of proposed relocation: _____

vi. Reasons for relocation:

vii. Proposed revised custody schedule: _____

viii. The counter affidavit and objection to proposed relocation provided to _____

(Respondent) was not filed within thirty (30) days after receipt of the Notice of Proposed Relocation

ix. The Notice of Proposed Relocation was timely given in accordance with the provisions of 23 Pa.C.S. § 5337.

BY THE COURT:

J.