

COUNTY of BLAIR

Blair County Custody Office
423 Allegheny St Ste 228
Hollidaysburg Pa 16648-2022
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Introduction

This packet is designed to give you general information regarding the custody of children and the custody process in Blair County. The information and any instructions are general and may not be all a person needs to know to file for custody properly. Each custody case is different.

**IT IS ALWAYS BEST TO BE REPRESENTED BY AN ATTORNEY
IN A CUSTODY MATTER.**

If you do not have an attorney, you may call the Lawyer Referral Service at
(814) 693 - 3090

The Lawyer Referral Service has a list of attorneys who practice family law. You will be given several names from which you may choose an attorney to assist you in your filings and the custody process.

Preliminary Questions

The following questions may be helpful to you in deciding if and what custody action you may decide to file in Blair County:

1. Is there a custody order regarding the child in this or any other County or State? Existing custody orders must be listed in any new custody filing.
2. Where has the child lived for the last 6 months? If the child has not lived in Blair County for the last 6 months, the Blair County Courts may not have authority to hear the case.
3. Are you and the other parent in agreement regarding the custody situation? A custody agreement may be filed as an initial filing or at any time during the custody process and usually does not require the parties to participate or appear for any court proceeding.
4. Do you have "standing" to file for custody? Parties other than the natural parents have only limited circumstances in which they may file for custody.

The Custody Office Staff cannot provide legal advice. If you are uncertain as to the answers to these or any other questions, please contact an attorney for legal advice.

DEFINITIONS OF FILING TERMS USED IN THE CUSTODY PROCESS

Please take the time to read the following terms and definitions that may assist you in completing and understanding the custody filings and orders.

CASE CAPTION – The heading at the top of custody filings and orders that states the parties names, the court the case has been filed with, and the docket number.

DOCKET NUMBER – The number assigned to the case by the Prothonotary Office/Clerk of Courts for the purposes of identification by the court filing system. The case caption and docket number must be used on any filing or order that relates to the custody case.

PLAINTIFF – The party named first on the caption as the person who has filed the initial custody complaint.

DEFENDANT – The party named second on the caption.

CUSTODY COMPLAINT – The legal document that initiates a custody case by providing specific information about the Plaintiff, Defendant and the children involved as well as the type of custody the Plaintiff is asking the Court to grant.

CUSTODY SCHEDULING ORDER – The order required by Blair County Local Rule to be attached on top of any custody complaint filed. When signed by a judge, it requires all parties to participate in the mandatory Custody Education Program and schedules the date and time for the Custody Intake Conference.

CUSTODY AGREEMENT – A document prepared by the parties, with or without the help of an attorney, that presents an agreement as to the custody of the children. An order of court is attached to the agreement for a judge's signature and then forwarded for recording as a legal document. A custody agreement can be filed in place of a custody complaint or at any time during the custody process.

FILING FEES – The cost for filing an initial custody complaint (currently \$120.50) or custody agreement (currently \$114.50) that is paid to the Blair County Prothonotary Office. There are no filing fees for additional petitions filed to the same caption and docket number.

PETITION TO PROCEED IN FORMA PAUPERIS (IFP) – A petition filed with the court asking permission to file the custody complaint without paying the filing fees due to the financial situation of the Plaintiff. A judge will either grant or deny the petition based on the information given on the IFP form. If your request is denied, you must pay all filing fees or the case will be dismissed without scheduling.

SUPERVISED PHYSICAL CUSTODY- Custodial time during which an agency or an adult designated by the court or agreed upon by the parties monitors the interaction between the child and the individual with those rights.

VISITATION – The right to visit with a child, but does not include the right to remove the child from the primary residence.

PRIMARY RESIDENCE – The home of the party that represents where the child spends most of the time.

RELOCATION- A change in a residence of the child which significantly impairs the ability of a non-relocating party to exercise custodial rights.

BEST INTEREST OF THE CHILD – The standard used to decide a custody case. The court considers all of the factors related to the child's physical, intellectual, moral, and spiritual well-being.