

**IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA  
CIVIL DIVISION**

	)	NO.	-	FC-	
	)				
vs	)	CUSTODY			
	)				
Defendant	)				

**COMPLAINT FOR CUSTODY**

1. The Plaintiff is \_\_\_\_\_ ,

Plaintiff's address is confidential

☐ No

☐ Yes (If yes, you must check one)

☐ Address Confidentiality Program    ACP code: \_\_\_\_\_

☐ Final PFA Order                      Case Number: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. The Defendant is \_\_\_\_\_ ,

residing at \_\_\_\_\_

3. Petitioner seeks

**LEGAL CUSTODY**

☐ shared legal custody (*important decisions are made by both parents working together*)

☐ sole legal custody (*important decisions are made by one parent*)

**PHYSICAL CUSTODY**

☐ partial physical custody (*where the child lives some of the time*)

☐ primary physical custody (*where the child lives most of the time*)

☐ shared physical custody (*when the child lives with each parent on an approximately equal basis.*)

☐ sole physical custody (*when the child lives only with one parent*)

☐ supervised physical custody (*when time together is supervised*)

of the following child(ren):

Child's Initials	Present Residence	Age and Year of Birth
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. The child(ren) ☐ (was/were) ☐ (was not/were not) born out of wedlock.

5. The child(ren) is/are presently in the custody of \_\_\_\_\_  
(Name)

who resides at \_\_\_\_\_  
(street) (city)  
\_\_\_\_\_  
(state) (zip code) (county)

6. During the past five years, the child(ren) has/have resided with the following and at the following addresses: *(if any minor children, list initials only)*

List all persons	List all addresses	Dates
_____	_____	_____ to _____
_____	_____	_____ to _____
_____	_____	_____ to _____
_____	_____	_____ to _____
_____	_____	_____ to _____
_____	_____	_____ to _____
_____	_____	_____ to _____
_____	_____	_____ to _____

7. The Mother of the child(ren) is \_\_\_\_\_,  
currently residing at \_\_\_\_\_  
(street) (city)  
\_\_\_\_\_  
(state) (zip code) (county)

8. The Father of the child(ren) is \_\_\_\_\_ ,  
currently residing at \_\_\_\_\_  
\_\_\_\_\_  
(street) (city)  
\_\_\_\_\_  
(state) (zip code) (county)

9. Plaintiff's relationship to the child(ren) is that of \_\_\_\_\_.  
Plaintiff currently resides with the following persons:

<b>Name</b> <i>(if any minor children, list initials only)</i>	<b>Relationship</b>
_____	_____
_____	_____
_____	_____

10. Defendant's relationship to the child(ren) is that of \_\_\_\_\_.  
Defendant currently resides with the following persons:

<b>Name</b> <i>(if any minor children, list initials only)</i>	<b>Relationship</b>
_____	_____
_____	_____
_____	_____

11. a. Plaintiff ☐ (has) ☐ (has not) participated as a party or witness, or in another capacity, in other litigation concerning the custody of the said child(ren):

\_\_\_\_\_

b. Plaintiff ☐ (has) ☐ (has no) information of a custody proceeding concerning the child pending in a court of this Commonwealth or any other state. The court, term and number, and its relationship to this action is:

\_\_\_\_\_

c. Plaintiff ☐ (knows) ☐ (does not know) of a person not a party to the proceedings who has physical custody of the child or claims to have custodial rights with respect to the child. The name and address of such person is:

\_\_\_\_\_

12. The child(ren)'s best interest and permanent welfare will be served by granting the relief requested because (set forth facts showing that the granting of the relief requested will be in the child(ren)'s best interest and permanent welfare):

13. Each parent whose parental rights to the child(ren) have not been terminated and the person who has physical custody of the child(ren) have been named as parties to this action. All other persons, named below, who are known to have or claim a right to custody of the child(ren) will be given notice of the pendency of this action and the right to intervene:

Name	Address	Basis of Claim
_____	_____	_____
_____	_____	_____

14. a. If the plaintiff is seeking physical or legal custody of a child and is *in loco parentis* to the child, the plaintiff shall plead facts establishing standing under 23 Pa.C.S. § 5324(2).
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- b. If the plaintiff is a grandparent seeking physical or legal custody of a grandchild and is not *in loco parentis* to the child, the plaintiff shall plead facts establishing standing under Pa.C.S. § 5324(3).
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- c. If the plaintiff is seeking physical or legal custody of a child and is not *in loco parentis* to the child, the plaintiff shall plead facts establishing standing pursuant to 23 Pa.C.S. § 5324(4) and (5).
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- d. If the plaintiff is a grandparent or great-grandparent seeking partial physical custody or supervised physical custody of a grandchild or great-grandchild, the plaintiff shall plead facts establishing standing under 23 Pa.C.S. § 5325.
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15. Plaintiff has attached the Criminal Record/Abuse History Verification form required pursuant to Pa. R.C.P. No. 1915.3-2.

Wherefore, Plaintiff requests custody as stated in Provision 3 above because it will be in the best interest of the child(ren).

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Plaintiff/Attorney of Plaintiff

**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. Sec. 4904 relating to unsworn falsification to authorities.**

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Date

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Plaintiff