

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

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

COMPLAINT FOR CUSTODY

1. The Plaintiff is _____,
residing at _____

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 |
|------------------|--------------------|-------|
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| | | |

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:

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

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 the court grant (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the child(ren).

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.

Date

Plaintiff