

# CUSTODY

# CONTEMPT

IT IS STRONGLY RECOMMENDED THAT YOU CONSULT AN ATTORNEY

This form is for those who already have a custody order from the Court and believe a party is willfully failing to comply with the Court's Order. There is a fee associated with filing this document.

1. Please insert your name on the first line on the top left side of the form (This is called the caption). Insert the name(s) of the other party on the second line on the top left side of the form. You are the "Petitioner" and the other party is the "Respondent".
2. Insert the case number from your custody order on the top right side of the form.
3. Complete the form titled "Notice and Order to Appear" but leave all lines below the name of the Respondent blank.
4. Answer all the questions on the form labeled "Petition for Civil Contempt for Disobedience of Custody Order" completely.
5. Complete the Criminal Record/Abuse History Verification.
6. Place any Confidential Information on the Form labeled CONFIDENTIAL INFORMATION FORM; this includes the full names of any minor children. You need not include additional Confidential Information (such as Social Security Numbers) unless this information is required by law, ordered by the court, or referenced in your document.
7. You are responsible for ensuring that your document complies with all rules regarding confidential information and for signing the verification ensuring that your document is in compliance.
8. You **MUST** also attach a copy of the custody order that you believe has been violated; failure to attach a copy of the custody order will result in this Court not setting a hearing date. A copy of your custody order may be obtained at the Wayne County Prothonotary's Office located on the 2<sup>nd</sup> Floor of the Courthouse.

## DISCLAIMER

THE STAFF IN ANY COURT OFFICE IS UNABLE TO GIVE YOU LEGAL ADVICE. THE INFORMATION IN THIS PACKET IS NOT A SUBSTITUTE FOR PROFESSIONAL LEGAL ADVICE. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THESE DOCUMENTS, INCLUDING RELIANCE ON THEIR CONTENTS.

\_\_\_\_\_  
Name                      Petitioner

vs.

\_\_\_\_\_  
Name                      Respondent

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:                      IN THE COURT OF COMMON PLEAS  
:                      WAYNE COUNTY, PENNSYLVANIA  
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:                      NO.    \_\_\_\_ - \_\_\_\_ -DR  
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**NOTICE AND ORDER TO APPEAR**

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\_\_\_\_\_  
**(Name of Respondent)**

Legal proceedings have been brought against you alleging you have willfully disobeyed an Order of Court for custody.

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the Court your defenses or objections.

Whether or not you file in writing with the Court your defenses or objections, you must appear in person in Court on \_\_\_\_\_ (day and date) at \_\_\_\_\_ . M. (time) in Court Room No. \_\_\_\_\_ of the Wayne County Courthouse, 925 Court Street, Honesdale, PA 18431.

**IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.**

If the Court finds that you have willfully failed to comply with its order, you may be found to be in Contempt of Court and committed to jail, fined or both.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE.  
IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE,  
GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO  
FIND OUT WHERE YOU MAY GET LEGAL HELP.**

North Penn Legal Services  
925 Court Street  
Honesdale, PA 18431  
1-877-953-4250

**BY THE COURT:**

Date: \_\_\_\_\_

\_\_\_\_\_

CC:  
Petitioner  
Respondent  
Court Administration

\_\_\_\_\_  
Name                      Petitioner

vs.

\_\_\_\_\_  
Name                      Respondent

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IN THE COURT OF COMMON PLEAS  
WAYNE COUNTY, PENNSYLVANIA

NO. \_\_\_\_ - \_\_\_\_ -DR

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**PETITION FOR CIVIL CONTEMPT FOR DISOBEDIENCE OF CUSTODY ORDER**

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The Petition of (name) \_\_\_\_\_, respectfully represents:

1. That on (date) \_\_\_\_\_, Judge (name) \_\_\_\_\_ entered an order awarding (Petitioner) (Respondent) (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the minor child(ren) \_\_\_\_\_ (Initials of child(ren)). A true and correct copy of the Order is attached to this petition
2. Respondent has willfully failed to abide by the order in that \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
3. Petitioner has attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.C.P. No. 1915.3-2.

WHEREFORE, Petitioner requests that Respondent be held in contempt of court.

Respectfully submitted,

Date \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Name

Plaintiff

vs.

\_\_\_\_\_  
Name

Defendant

IN THE COURT OF COMMON PLEAS

WAYNE COUNTY, PENNSYLVANIA

NO. \_\_\_\_ - \_\_\_\_ -DR

.....  
**VERIFICATION**

I verify that the statements made in this petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Date \_\_\_\_\_

\_\_\_\_\_  
Petitioner

Name \_\_\_\_\_ Petitioner

vs.

Name \_\_\_\_\_ Respondent

IN THE COURT OF COMMON PLEAS

WAYNE COUNTY, PENNSYLVANIA

No. \_\_\_\_\_ - \_\_\_\_\_ -DR

### CRIMINAL RECORD/ABUSE HISTORY VERIFICATION

I, \_\_\_\_\_, hereby swear or affirm, subject to penalties of law including 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities that:

- Unless indicated by my checking the box next to a crime below, neither I nor any other member of my household have been convicted or pled guilty or pled no contest or was adjudicated delinquent where the record is publicly available pursuant to the Juvenile Act, 42 Pa.C.S. § 6307, to any of the following crimes in Pennsylvania or a substantially equivalent crime in any other jurisdiction, including pending charges:

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea or pending charges	Sentence
<input type="checkbox"/>	18 Pa.C.S. Ch. 25 (relating to criminal homicide)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2702 (relating to aggravated assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2706 (relating to terroristic threats)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2709.1 (relating to stalking)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2901 (relating to kidnapping)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2902	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

- |                          |   |                          |                          |       |       |
|--------------------------|---|--------------------------|--------------------------|-------|-------|
| <input type="checkbox"/> | (relating to unlawful restraint)  | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 2903<br>(relating to false imprisonment)                               | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 2910<br>(relating to luring a child into a motor vehicle or structure) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 3121<br>(relating to rape)   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 3122.1<br>(relating to statutory sexual assault)                       | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 3123<br>(relating to involuntary deviate sexual intercourse)           | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 3124.1<br>(relating to sexual assault)                                 | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 3125<br>(relating to aggravated indecent assault)                      | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 3126<br>(relating to indecent assault)                                 | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 3127<br>(relating to indecent exposure)                                | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 3129<br>(relating to sexual intercourse with animal)                   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 3130<br>(relating to conduct relating to sex offenders)                | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 3301<br>(relating to arson and related offenses)                       | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 4302<br>(relating to incest)   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 4303<br>(relating to concealing death of child)                        | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |

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|--------------------------|--|--------------------------|--------------------------|-------|-------|
| <input type="checkbox"/> | 18 Pa.C.S. § 4304<br>(relating to endangering<br>welfare of children)  | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 4305<br>(relating to dealing in<br>infant children)   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 5902(b)<br>(relating to prostitution<br>and related offenses)   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 5903(c) or (d)<br>(relating to obscene and<br>other sexual materials<br>and performances)                                   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 6301<br>(relating to corruption of<br>minors)   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 6312<br>(relating to sexual abuse<br>of children)   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 6318<br>(relating to unlawful<br>contact with minor)  | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 18 Pa.C.S. § 6320<br>(relating to sexual<br>exploitation of children)  | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | 23 Pa.C.S. § 6114<br>(relating to contempt for<br>violation of protection<br>order or agreement)   | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | Driving under the<br>influence of drugs or<br>alcohol  | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <input type="checkbox"/> | Manufacture, sale,<br>delivery, holding,<br>offering for sale or<br>possession of any<br>controlled substance or<br>other drug or device | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |



2. Unless indicated by my checking the box next to an item below, neither I nor any other member of my household have a history of violent or abusive conduct, or involvement with a Children & Youth agency, including the following:

Check all that apply	Self	Other household member	Date
<input type="checkbox"/> A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Involvement with a Children & Youth Agency or similar agency in Pennsylvania or another jurisdiction. Where? _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	_____

3. Please list any evaluation, counseling or other treatment received following conviction or finding of abuse: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. If any conviction above applies to a household member, not a party, state that person's name, date of birth and relationship to the child.  
 \_\_\_\_\_  
 \_\_\_\_\_

5. If you are aware that the other party or members of the other party's household has or have a criminal/abuse history, please explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I verify that the information above is true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Printed Name**

**CONFIDENTIAL  
INFORMATION  
FORM**



**APPELLATE/TRIAL COURT  
CASE RECORDS**

*Public Access Policy of the Unified Judicial System of Pennsylvania:  
Case Records of the Appellate and Trial Courts  
204 Pa. Code § 213.81  
[www.pacourts.us/public-records](http://www.pacourts.us/public-records)*

\_\_\_\_\_  
(Party name as displayed in case caption)

\_\_\_\_\_  
Docket/Case No.

Vs.

\_\_\_\_\_  
(Party name as displayed in case caption)

\_\_\_\_\_  
Court

This form is associated with the pleading titled \_\_\_\_\_, dated \_\_\_\_\_.

Pursuant to the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*, the Confidential Information Form shall accompany a filing where confidential information is required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter. This form, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

This Information Pertains to:	Confidential Information:	References in Filing:
<p>_____ (full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of _____ and the full name of _____</p> <p>_____ (full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver's License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN 1</p> <p>Alternative Reference: FAN 1</p> <p>Alternative Reference: DLN 1</p> <p>Alternative Reference: SID 1</p>
<p>_____ (full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of _____ and the full name of _____</p> <p>_____ (full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver's License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN 2</p> <p>Alternative Reference: FAN 2</p> <p>Alternative Reference: DLN 2</p> <p>Alternative Reference: SID 2</p>

Name \_\_\_\_\_ Petitioner

vs.

Name \_\_\_\_\_ Respondent

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IN THE COURT OF COMMON PLEAS  
WAYNE COUNTY, PENNSYLVANIA

NO. \_\_\_\_-\_\_\_\_-DR

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CONFIDENTIAL INFORMATION VERIFICATION

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Date \_\_\_\_\_

\_\_\_\_\_  
Petitioner