

INSTRUCTIONS FOR FILING A CUSTODY COMPLAINT

For legal questions, advice or help filling out the forms, please contact your attorney or

Northwest Legal Services at
(800) 665-6957

**All filing fees must be paid by
cash, check or money order**

Checks and Money orders should be made payable to “Elk County Prothonotary”
Elk County Filing Fee: \$175.50 (2026)

PLEASE DO NOT SEND CASH IN THE MAIL

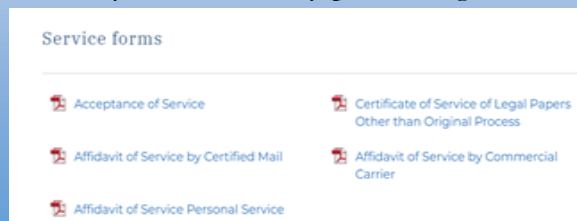
Submit completed forms and fee to:

Elk County Prothonotary
250 Main Street Suite 114
PO Box 237
Ridgway, PA 15853



- ⇒ Complete the Complaint for Custody form by following the included instructions.
- ⇒ Complete a Criminal Record/Abuse History Verification form:
<https://countyofelkpa.gov/wp-content/uploads/Updated-7-1-25-Crim-History-Verification.pdf>
- ⇒ Complete a Confidential Information form:
<https://www.pacourts.us/storage/media/pdfs/20220103/205149 - confidentialinformationformcif.pdf> by listing each child’s name, date of birth and initials. On all other forms, only refer to a child by his or her initials.
- ⇒ File the above **completed forms and 3 copies of each** in *person* or *by mail*, along with the appropriate filing fee.
- ⇒ Include (Form 5) Scheduling Order with each of your copies.
- ⇒ Once an order is filed scheduling a date, time and courtroom for hearing, your copies will need to be picked up and **service** made on the other party.
- ⇒ When you’ve made service, you must **FILE** proof that the other party has been served.

More information and **forms available at:**
<https://www.pacourts.us/learn/representing-yourself/custody-proceedings>



Service

Service is “the delivery of court papers to a plaintiff or a defendant.”

- Court papers may be served by mail, but you must follow very specific rules.
- Court papers may be served through personal service by handing a copy of the paper to the other party but not by you or a person related to you.
- Proof of Service, called Affidavit of Service or Certificate of Service, is a form you must file with the Court explaining how Court papers were delivered to the other party. A Court will not act on your case unless you have served the Court papers and file proof that you followed the Rules of Court.
- Pa.R.C.P. 1930.4 states options for service of original process, the custody or divorce complaint
- Pa.R.C.P. 440 states options for service of legal papers other than original process.”
- If you plan to serve copies of your legal papers by mail, please use **Form 1**.
- If you use hand deliver service, this may be by a Deputy Sheriff or someone else **not related to you**, use **Form 2**.
- If your situation requires you to use other means of service different from the original process, use **Form 4**.

You will need to consult with the Pennsylvania Rules of Court regarding service in your type or case to ensure you are properly following the Rules.” *

****per: <https://www.pacourts.us/learn/representing-yourself/custody-proceedings>***

INSTRUCTIONS FOR COMPLETING A CUSTODY COMPLAINT

The sections in these instructions correspond with the sections or line numbers on the Custody Complaint

Caption Section

Print *your* name as Plaintiff

Leave the Case Number blank. The Prothonotary will assign a number to your case

Print the name of the opposing party as the defendant (father and/or mother of children against whom you are filing).

Line 1

Print your name and place of residence

Line 2

Print the defendant's name and place of residence

Line 3

Check what kind of legal custody and/or physical custody you are seeking

* List the child(ren) involved and their present residence and age. Do not include a child's name or date of birth. Use the initials identified in the Confidential Information Form.

* Indicate whether parents were married when the child(ren) were born.

* List the name and address of the person(s) that the child(ren) currently resides with.

* List the name, address and dates of the person(s) that the child(ren) has resided with for the past (5) years.

List the names, addresses and current marital status of each of the child(ren)'s parents

Line 4

Indicate your relationship with the child(ren) (mother or father) and list everyone who currently resides with you at your address.

Line 5

Indicate the Defendant's relationship with the child(ren) (mother or father) and list everyone who currently reside with the Defendant to the best of your knowledge.

Line 6

* Indicate whether you have been involved in any types of cases listed concerning the child (ren). If so, list type of case, Court, term and number.

* Indicate whether you are aware of any custody proceedings concerning the child(ren) in any other Court. If so, list Court, term and number

* Indicate whether you are aware of anyone, other than you or the defendant, who may claim to have custody rights of the child(ren) involved.

Line 7

Concisely state your reasons for making the request. (if you need more space, write on a separate page. Do not write on the back of this form or in the margins.)

Line 8

List the name, address and basis of claim of anyone, other than you and the Defendant, who may claim to have custody rights of the child(ren) involved.

Line 9

a) if plaintiff seeking physical or legal custody and are acting in the place of parent

b) if plaintiff seeking physical or legal custody as a grandparent and not acting in place of a parent

c) if plaintiff seeking physical or legal custody and are not acting in place of the parent

d) as the plaintiff, if you are a grandparent seeking partial physical custody or supervised physical custody

Line 10

CRIMINAL RECORD/ABUSE HISTORY VERIFICATION

Instructions are included with this form

* Check what kind of legal custody and/or physical custody you are requesting the Court grant.

Signature Section/Verification Section

Sign your name after verifying everything you stated is true and correct



Forms

Self-Represented Party Entry of Appearance	Complaint for Custody
Elk County Specific Crim. History Verification: https://countyofelkpa.gov/wp-content/uploads/Updated-7-1-25-Crim-History-Verification.pdf	Form 4 Petition for Modification of A Custody Order
Form 5 Scheduling Order	Form 6 Petition for Civil Contempt for Disobedience of Custody Order
Form 7 Final Notice and Order to Appear Form	Form 8 Notice of Proposed Relocation with Court Case
Form 9 Notice of Proposed Relocation Without Court Case	Form 10 Counter-Affidavit Regarding Relocation