

PETITION FOR EXPEDITED RELIEF - CUSTODY

INSTRUCTION SHEET

These instructions are meant to give you general information and not legal advice.

A Petition for Expedited Relief can be filed in situations that are not emergencies but when you are in need of immediate review by the court. Expedited Relief provides a quick decision on a small part of the case. You may want to file for Expedited Relief if: you are being denied access to the child(ren), there is a time sensitive situation such as medical or educational needs, or the other party has changed the custody arrangement and you are not in agreement.

1. Complete the Domestic Relations Information Sheet with as much information as you have.
2. Complete, date and sign the Petition for Expedited Relief. (detailed instructions included)
3. The filing fee for a Petition for Expedited Relief is \$42.68. If you cannot pay the filing fee you may ask to be excused from paying the fee by filing a **Petition to Proceed In Forma Pauperis (IFP)**. If you receive public assistance or SSI, bring your public assistance photo ID or proof that you receive SSI.
4. File the completed Petition for Expedited Relief and Information Sheet with the filing fee by hand-delivering them in person to:

Clerk of Court
1501 Arch Street – 11th Floor
Philadelphia, PA 19102

NOTE: These petitions can only be filed on a Monday unless Monday is a court holiday then they can be filed on Tuesday. The case will be listed two Fridays later.

To file a Petition for Expedited Relief you must already have one of the following petitions pending: Complaint for Custody, Petition to Modify or a Petition for Contempt. If you do not have one of these petitions pending you must file one of them at the same time that you file the Petition for Expedited Relief. There may be additional fees for these filings.

5. **You may pay the filing fee by money order or credit card.** Make the money order payable to **“OFFICE OF JUDICIAL RECORDS.”** **Personal checks will not be accepted.**

6. When you file the petition in person at the office of the Clerk of Family Court, you must file the original **AND** two (2) copies. A copy machine is available at the Clerk’s office at a cost of \$.25 per page.

DEFENDANT Person against whom the custody complaint was filed

PETITIONER Person who is filing the Petition for Expedited Relief

RESPONDENT Person against whom the Petition for Expedited Relief is filed

HOW TO FILL IN THE PETITION:

HEADING (CAPTION).

Fill in the names of the plaintiff and defendant in the heading of the petition exactly as they appear in the custody complaint. The plaintiff is the person who filed the custody complaint. The defendant is the person against whom the custody action was filed. The plaintiff and defendant keep those titles throughout the case. The Domestic Relations Number (D.R. No.) is the number assigned your case by the Court. You can find this number in the caption of your Complaint for Custody.

LINE 1.

If you are filing the petition for expedited relief, you are the petitioner. Fill in your name and address as the petitioner. Indicate whether you are the plaintiff or defendant in the custody complaint by circling the appropriate term.

LINE 2.

The person against whom the petition is filed is the respondent. Fill in the name and address of the respondent. Indicate whether the respondent is the plaintiff or defendant in the custody complaint by circling the appropriate term.

LINE 3.

Fill in your relationship to the child(ren). List the name and date of birth (DOB) of each child involved in this petition.

LINE 4.

Fill in the other party's relationship to the child(ren).

LINE 5.

Circle A if there is no current custody order related to this/these child(ren).

Circle B is there is a current custody order, enter the date the last order was issued and then describe the order.

LINE 6.

Circle A if you are filing another complaint or petition along with this petition.

Circle B is you have already filed another petition or there is a petition already pending. Fill in the date the petition was filed and when it is next listed.

You must have a custody complaint already pending or file a custody complaint at the same time you file a Petition for Expedited Relief.

LINE 7.

Explain why you are filing a Petition for Expedited Relief.

WHEREFORE SECTION

Tell the court what you want the court to do.

DATE AND SIGN THE PETITION.

DATE AND SIGN THE VERIFICATION THAT THE STATEMENTS ARE TRUE.

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

PLAINTIFF	:	
vs.	:	FAMILY COURT DIVISION
DEFENDANT	:	CIVIL ACTION
	:	
	:	D.R. NO.
	:	

PETITION FOR EXPEDITED RELIEF -- CUSTODY

1. Petitioner (name) _____
is **plaintiff or defendant** (circle one) in the custody complaint,
and resides at (street, city, state, zip) _____

2. Respondent (name) _____
is **plaintiff or defendant** (circle one) in the custody complaint,
and resides at (street, city, state, zip) _____

3. Petitioner's relationship to the following minor child(ren) is _____

LIST FULL NAME(S) AND DATES OF BIRTH(S) OF CHILD(REN).

4. Respondent's relationship to the child(ren) is _____

5. CIRCLE ONE:

A. No custody order exists concerning these children.
B. A custody order was entered on _____ (date) that states the
following:

6. CIRCLE ONE:

A. A complaint/petition is being filed with this petition.

B. A complaint/petition was filed on _____ (date) and a hearing has been scheduled on _____(date).

7. Petitioner believes that a situation exists that requires an expedited hearing because:

a. _____

b. _____

c. _____

WHEREFORE, petitioner respectfully requests that this honorable court grant the following relief

Date: _____
_____ Petitioner

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 PA.C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: _____
_____ Petitioner