

MOTION FOR A HOME INVESTIGATION

INSTRUCTION SHEET

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

A Motion for a Home Investigation can be filed if you believe the other party lives with or plans to live with the child(ren) in a place that is not safe. Examples of unsafe conditions include: 1) no heat; 2) holes in the floor; 3) no running water; 4) other hazardous conditions; 5) no beds or cribs for the child(ren).

WHAT IS A HOME INVESTIGATION?

There are two kinds of home investigations. The first is limited to a physical inspection of the home. The second includes interviews with the people who live in the home. If you only want a physical inspection of the home, make sure you tell the judge. If you don't specify what you want, the court will likely order an inspection of the home and interviews with the people who live in the home.

HOW TO REQUEST A HOME INVESTIGATION?

You may verbally request a home investigation from the custody master or judge, or file a written motion as follows:

1. Fill in the Domestic Relations Information Sheet with as much information as you have.
2. Complete, date and sign the Motion for a Home Investigation. (detailed instruction included)
3. The filing fee for a Motion for a Home Investigation 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 Motion for a Home Investigation and the Information Sheet with the filing fee by mailing or hand-delivering them in person to:

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

5. If you file in person, you may pay the filing fee by money order, cash or credit card. If you file by mail, you may pay by money order ONLY. Make the money order payable to “OFFICE OF JUDICIAL RECORDS.” Personal checks will not be accepted.

6. Whether you file the motion by mail or hand-deliver it to 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.

7. You should request the home investigation as soon as possible. Your custody case may be delayed if you file for a Home Investigation Report close to the trial date.

8. Once the motion is filed, you will get notice in the mail of the hearing date on your Motion for a Home Investigation. You will need to attend the court date and explain to the Judge why you are asking for a home investigation. The Judge will either grant or deny your request. You may find that the Judge will also order a home investigation of your home, as the Court usually orders a home investigation of all parties in the case.

9. **There is a fee of \$200.00 per Home Investigation.** The court may waive the fee if neither party has the funds to pay it.

WHAT HAPPENS IF THE MOTION FOR A HOME INVESTIGATION IS GRANTED?

The person whose home is being investigated will receive advance notice from the court of the date and time for the home investigation. The home investigator will make a report for the court based on the home visit. A copy will be mailed to you and the opposing party. At the trial, you may ask the court to put the Home Investigation Report/Reports into evidence. If you think the report is wrong, be prepared to explain why it is wrong and/or how you fixed a problem listed in the report.

TERMS THAT ARE USED IN THE MOTION:

PLAINTIFF	Person who filed the custody complaint
DEFENDANT	Person against whom the custody complaint was filed
PETITIONER	Person who is filing the Motion for a Home Investigation
RESPONDENT	Person against whom the Motion for a Home Investigation is filed

HOW TO FILL IN THE MOTION:

HEADING (CAPTION).

Fill in the names of the plaintiff and defendant in the heading of the motion exactly as they appear in the initial 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 Motion for a Home Investigation, 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.

Write in the address where you want the home investigation.

LINE 6.

Write in the reason(s) you believe a home investigation is necessary.

LINE 7.

Check the kind of home investigation you want.

WHEREFORE SECTION

Fill in the address where you would like the Court to Order the home investigation be done.

DATE AND SIGN THE MOTION.

DATE AND SIGN THE VERIFICATION THAT THE STATEMENTS ARE TRUE.

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

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

MOTION FOR HOME INVESTIGATION

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 DOB(S) OF CHILD(REN).

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

5. Respondent lives or intends to live with or take the children to the following address:

6. Petitioner believes that a situation exists that requires a home investigation for the following reason(s):
 a. _____

b. _____

c. _____

7. Petitioner requests (check one):

- a) physical inspection only
- b) complete home investigation including interviews with household residents

WHEREFORE, petitioner respectfully requests that the Court order a Home Investigation of

(insert address) _____

before the next hearing so that the report will be available to both the parties and presiding Judge.

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