

IN THE COURT OF COMMON PLEAS OF THE 22nd JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA
WAYNE COUNTY BRANCH

Plaintiffs

:

Vs.

: No.

Defendants

:

NOTICE AND ORDER TO APPEAR

Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court for (custody) (partial custody) (visitation).

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

Whether or not you file in writing with the court your defenses or objections, you must appear in court on _____, at _____.M. in Courtroom No. 2, Wayne County Courthouse, Honesdale, Pennsylvania.

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 for (custody) (secondary custody) (visitation), you may be found 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 GO TO OR TELEPHONE THE OFFICE SET FOR BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT PROVIDE LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OF NO FEE.

Northern Pennsylvania Legal Services
Wayne County Courthouse
925 Court Street
Honesdale, Pennsylvania 18431
(570) 341-7834

Name

:

Address

: IN THE COURT OF COMMON PLEAS

: OF WAYNE COUNTY, PENNSYLVANIA

: FAMILY DIVISION

Phone Number

Plaintiff

Vs.

: No. _____ 201__ DR

Name

:

Address

:

Phone Number

Defendant

:

.....
ORDER
.....

AND NOW, this ____ day of _____, 201__, upon consideration of the foregoing Petition for Contempt, the Court grants a rule on the respondent to show cause why the relief requested should not be granted.

RULE RETURNABLE for answer and hearing on the ____ day of _____, 201__, at _____ .m. before the Honorable Raymond L. Hamill, Courtroom No. 2, Wayne County Courthouse, Honesdale, Pennsylvania.

BY THE COURT:

Cc:

: IN THE COURT OF COMMON PLEAS

Plaintiff

: OF WAYNE COUNTY, PENNSYLVANIA

Vs.

: No. _____DR

Defendant

:

.....
PETITION FOR CONTEMPT

To the Honorable Raymond L. Hamill, President Judge of said Court. The Petition of _____
respectfully represents:

1. _____

2. _____

3. _____

4. _____

5. _____

WHEREFORE, your petitioner respectfully requests this Honorable Court issue an Order granting the following relief:

Respectfully submitted,

Petitioner

Date: _____

: IN THE COURT OF COMMON PLEAS

Plaintiff

: OF WAYNE COUNTY, PENNSYLVANIA

Vs.

: No. _____DR

Defendant

:

.....

VERIFICATION

I, _____, the petitioner, do hereby affirm that the facts set forth in the foregoing Petition for Contempt are true and correct to the best of my knowledge, information and belief. I understand that false statements made herein are subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: _____

Petitioner

18 Pa.C.S.A. §4904 (a) **In general**-A person commits a misdemeanor of the second degree if, with intent to mislead a public servant in performing his official function, he:

- (1) Makes any written false statement which he does not believe to be true;
 - (2) Submits or invites reliance on any writing which he knows to be forged, altered or otherwise lacking in authenticity; or
 - (3) Submits or invites reliance on any sample, specimen, map, boundary mark, or other object which he knows to be false.
- (d) **Penalty**- In addition to any other penalty that may be imposed a person convicted under this section shall be sentenced to pay a fine of \$1,000.

INSTRUCTIONS FOR FILING A PETITION FOR CONTEMPT IN FAMILY COURT

1. Fill out Caption (Plaintiff & Defendant information) as completely as possible, citing current mailing addresses on the proposed Order form. Leave the rest of the form blank-it will be filled in with a Court date and time by the Court Administrator.
2. On the Petition for Contempt form. State concisely as possible, the circumstances (date, times, events, persons involved, activity alleged)which you believe constitute a violation of the Court's Order. Attached a copy of the Order which you believe is being violated. Indicate what kind of relief, sanction or penalty you are seeking against the respondent.
3. Sign the Petition **AND** the Verification Form.
4. File the Petition with the Wayne County Prothonotary and request it be forwarded to the Court Administrator for the assigning of a date.
5. Once the date is assigned, certified copies of the Petition and scheduling Order should be sent or hand delivered to the respondent (person to whom you are seeking the action against).
6. On the scheduled date, you must be prepared to substantiate the claims alleged in the petition.
7. Your failure to appear will result in the dismissal of your Petition.