

**RULE 1915.13 PETITIONS FOR SPECIAL RELIEF AND EMERGENCY
PETITIONS FOR CUSTODY**

a. **DEFINITIONS**

1. Petitions for Special Relief shall be filed to address a specific circumstance that does not necessitate the modification of an existing Custody Order and does not involve the violation of the existing Custody Order.
2. Emergency Petitions for Custody shall be filed when there is an immediate threat to the health, safety, or welfare of the child.

b. **NEW CASES WITH EMERGENCY PETITION**

1. An original and one copy of the Emergency Petition for Custody shall be filed with the Prothonotary simultaneously with the Custody Complaint. The Emergency Petition for Custody must be a separate document apart from the Custody Complaint.
2. In addition to the filing fees assessed for the filing of Custody Complaints, an additional administrative fee in the amount of \$150.00 shall be paid to the Prothonotary simultaneously with the filing of the Custody Complaint in accordance with Local Rule 1915.3.
3. The Prothonotary shall immediately forward the Custody Complaint and the Emergency Petition for Custody to the Court Administrator's Office. The Emergency Petition for Custody shall be immediately assigned to a Family Court Judge and the Custody Complaint will be scheduled for a Custody Conference with a Custody Conference Officer.

c. **EXISTING CASES – NO CHANGE REQUESTED TO EXISTING CUSTODY
ORDER AND NO VIOLATION OF EXISTING CUSTODY ORDER**

1. An original and one copy of the Petition for Special Relief or Emergency Petition for Custody shall be filed with the Prothonotary. The filing of a Petition for Modification or a Petition for Contempt is not required.
2. The Prothonotary shall immediately forward the Petition for Special Relief or Emergency Petition for Custody to the Court Administrator's Office. The Petition for Special Relief or Emergency Petition for Custody shall be immediately assigned to a Family Court Judge.
3. The assigned Family Court Judge shall review the filing and either schedule a hearing, enter an Order, or direct that a Petition for

Modification and/or a Petition for Contempt be filed so that the matter may be assigned to the Conference Officer with the goal of reaching a resolution at the conference. If a Petition for Modification and/or a Petition for Contempt is to be filed, the filing party shall pay an administrative fee of \$150.00 to the Prothonotary.

- d. **EXISTING CASES – MODIFICATION OF EXISTING CUSTODY ORDER REQUESTED OR CONTEMPT OF EXISTING CUSTODY ORDER**
 - 1. An original and one copy of the Emergency Petition for Custody shall be filed with the Prothonotary simultaneously with the Petition for Modification or Petition for Contempt. The Emergency Petition for Custody must be a separate document apart from the Petition for Modification or Petition for Contempt.
 - 2. An administrative fee of \$150.00 shall be paid to the Prothonotary in accordance with Local Rules 1915.3.1 or 1915.3.2.
 - 3. The Prothonotary shall immediately forward the Petition for Modification or Petition for Contempt and the Emergency Petition for Custody to the Court Administrator's Office. The Emergency Petition for Custody shall be immediately assigned to a Family Court Judge and the Petition for Modification or Petition for Contempt will be scheduled for a Custody Conference with a Custody Conference Officer.

- e. The attorney or self-represented party shall promptly notify the Deputy Civil Court Administrator's Office by telephone or email as soon as it is determined that a Petition for Special Relief or Emergency Petition for Custody will be filed and shall give the Deputy Civil Court Administrator's Office a realistic estimate of the date and time of the intended filing.